

KENNEDALE CITY COUNCIL AGENDA
REGULAR MEETING | JULY 16, 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. Review the 2019 Board and Commission appointment process and calendar
- B. Discuss and provide staff direction regarding the possible issuance of \$2,000,000 of tax notes for capital projects
- 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 Mayor
 - Recognition of 2018-19 YAC members
- C. Updates from the City Manager
 - CDBG Community Needs Survey available through July 30

IX. INCIDENTAL ITEMS

X. MONITORING INFORMATION

- A. Monthly Financials for June 2019
- B. KEDC Financial Report for May 2019

XI. 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. Approval of the minutes from the June 20, 2019 Regular Meeting
- B. Approval of tax collection contract with the Tarrant County Tax Office
- C. Approval of an Interlocal Agreement with Tarrant County in the amount of \$7,500.00 for roadside ditch line maintenance of selected streets and any other minor drainage needs that may arise during the project time period

XII. DECISION ITEMS

- A. Consider making appointments to the 2019-2020 Youth Advisory Council (YAC)
- B. Consider making appointments to various advisory boards and commissions, including the TownCenter Development District (TDD) Board, the Tax Increment Reinvestment Zone #1 (TIRZ) Board, and the Parks & Recreation Board
- C. Consider authorizing the City Manager to enter into a contract with ABLe Communications for improvements to the Council Chambers audiovisual equipment
- D. Hold a public hearing and consider a request by ODAAT 52, LLC for a variance at 1375 Gilman Road to sell alcoholic beverages within 300 feet of a church, public or private school, or public hospital as required by Municipal Code, Article XI, Section 11.274
- E. **Case #PZ19-02** — Hold a public hearing and consider an ordinance and request by Spirals Gymnastics, Inc. for a rezoning from "PD-UV" Planned Development Urban Village to "UV" of approximately 2 acres at 1083 Bowman Springs Road, Block 1, Lot 19R, Woodlea Acres Addition, City of Kennedale, Texas
- F. **Case #PZ19-03** — Hold a public hearing and consider an ordinance and request by Water Tank Services, LLC for a modification to the "PD" Planned Development, Ordinance 561, Section 2.7 related to building materials at 6901 Mansfield Cardinal Road, Lot 4, Jesse Russell Addition, City of Kennedale, Texas
- G. **Case #PZ19-04** — Hold a public hearing and consider an ordinance and request by KD Hammack Creek Housing, LP for a rezoning from "AG" Agricultural to "UV" Urban Village for approximately 12 acres located at 406 Crestview Drive, Block 2, Lot 1, Hammack Creek Addition, 121 E Kennedale Parkway, Block 2, Lot 2, Hammack Creek Addition, 129 E. Kennedale Parkway, Block 2, Lot 3, Hammack Creek Addition, 220 Kennedale Sublett Rd, Block 2, Lot 4, Hammack Creek Addition, 337 Kennedale Sublett Road, Jesse B Renfro Survey, Abstract 1260, Tract 3D, and 345 Kennedale Sublett Road, Jesse B Renfro Survey, Abstract 1260, Tract 3D01, City of Kennedale, Tarrant County, Texas
- H. Consider approval of Ordinance 665, amending Chapter 15 "Nuisances" of the Kennedale Municipal Code to add regulations regarding residential outdoor storage
- I. Consider approval of Ordinance 666, amending Chapter 11 "Licenses, Taxation and Miscellaneous Business Regulations" of the Kennedale Municipal Code to add regulations regarding short-term rentals

XIII. EXECUTIVE SESSION

*The City Council may meet in Closed Session at any time during the Work Session or the Regular Session, pursuant to **Section 551.071** of the Texas Government Code for consultation with the City Attorney pertaining to any matter in which the duty of the City Attorney under the Texas Disciplinary Rules of Professional Conduct may conflict with the Open Meetings Act, including discussion of any item posted on the agenda and legal issues regarding the Open Meetings Act.*

- A. 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 the City Attorney regarding an early termination and release agreement with Global Water Management, LLC
- D. Discussion with City Attorney regarding legal issues associated with Economic Development and Performance Agreement, Tax Abatement, and Chapter 380 Agreement with Compressed Air Systems for project located at Harris Corporation Addition, Block 1 Lot 1A2 (Linda Road)

Pursuant to Section 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):

- E. Economic Development and Performance Agreement, Tax Abatement, and Chapter 380 Agreement with Compressed Air Systems for project located at Harris Corporation Addition, Block 1 Lot 1A2 (Linda Road)

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

XV. ADJOURNMENT

CERTIFICATION

I DO HEREBY CERTIFY THAT THE JULY 16, 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, 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.

Date: July 16, 2019

Agenda Item No: WORK SESSION - A.

I. Subject:

Review the 2019 Board and Commission appointment process and calendar

II. Originated by:

Leslie E. Galloway, City Secretary & Communications Coordinator

III. Summary:

Staff is proposing the following dates for the board appointment process. There is a calendar attached as well as a list of the current memberships of each board with expiring terms and vacancies highlighted.

PROPOSED CALENDAR FOR BOARD APPOINTMENTS

- July 1: Applications become available
- July 5: First Notification: newsletter, website, and social media
- July 17: Notify current members with expiring terms
- July 31: Notice due from expiring members regarding continuation of service
- August 1: Second Notification: newsletter, website, and social media
- August 30: Third Notification: newsletter, website, and social media
- September 30: APPLICATIONS DUE
- **October 8 –9: Interviews with Council**
- October 15: Official appointments made at regular Council Meeting (Including Work Session item to allow time for discussion)
- October 16: Applicants notified of Council's decisions
- October 21: New board members' terms begin (slight delay proposed due to the P&Z Meeting scheduled two days after Council's Regular October meeting)

Council direction, particularly regarding the interview dates, is respectfully requested.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:

1.	Board Appointment Calendar Proposal	Board Appointment Calendar.pdf
2.	Board Membership and Applications	Board Membership and Applications.pdf

2019 Board Appointment Calendar Proposal

JULY		AUGUST		SEPTEMBER		OCTOBER	
1	Mo Applications Available	1	Th Second Notification Newsletter Website Social Media	1	Su	1	Tu
2	Tu	2	Fr	2	Mo Labor Day	2	We Parks Meeting
3	We Parks Meeting	3	Sa	3	Tu	3	Th
4	Th Independence Day	4	Su	4	We Parks Meeting	4	Fr
5	Fr First Notification Newsletter Website Social Media	5	Mo	5	Th COUNCIL: PUBLIC HEARING ON BUDGET/TAX (7:00 PM)	5	Sa
6	Sa	6	Tu	6	Fr	6	Su
7	Su	7	We Parks Meeting	7	Sa	7	Mo
8	Mo	8	Th COUNCIL SPECIAL WORK SESSION: BUDGET WORKSHOP (5:30 PM)	8	Su	8	Tu KKB Meeting (Conf. Room) PROPOSED WORK SESSION: BOARD INTERVIEWS (5:00 PM)
9	Tu KKB Meeting (Conf. Room)	9	Fr	9	Mo	9	We PROPOSED WORK SESSION: BOARD INTERVIEWS (5:00 PM)
10	We	10	Sa	10	Tu KKB Meeting (Conf. Room)	10	Th
11	Th	11	Su	11	We	11	Fr
12	Fr	12	Mo	12	Th	12	Sa
13	Sa	13	Tu KKB Meeting (Conf. Room)	13	Fr COUNCIL SPECIAL MEETING: PUBLIC HEARING ON TAX (IF NEEDED) (2:00 PM)	13	Su
14	Su	14	We	14	Sa	14	Mo
15	Mo	15	Th P&Z Meeting	15	Su	15	Tu COUNCIL REGULAR MEETING APPOINT BOARD MEMBERS
16	Tu COUNCIL REGULAR MEETING	16	Fr	16	Mo	16	We Applicants Notified of Council's Decisions
17	We Notify Current Members with Expiring Terms	17	Sa	17	Tu COUNCIL REGULAR MEETING (APPROVE BUDGET/TAX RATE)	17	Th P&Z Meeting
18	Th	18	Su	18	We	18	Fr
19	Fr	19	Mo	19	Th P&Z Meeting	19	Sa
20	Sa	20	Tu COUNCIL REGULAR MEETING	20	Fr	20	Su
21	Su	21	We	21	Sa	21	Mo New Board Members' Terms Begin
22	Mo	22	Th	22	Su	22	Tu EDC Meeting
23	Tu	23	Fr	23	Mo	23	We
24	We	24	Sa	24	Tu EDC Meeting	24	Th
25	Th	25	Su	25	We	25	Fr
26	Fr	26	Mo	26	Th	26	Sa
27	Sa	27	Tu EDC Meeting	27	Fr	27	Su
28	Su	28	We	28	Sa	28	Mo
29	Mo	29	Th	29	Su	29	Tu
30	Tu	30	Fr Third Notification Newsletter Website Social Media	30	Mo APPLICATIONS DUE	30	We
31	We Notice due from expiring members regarding continuation of service	31	Sa			31	Th
JULY		AUGUST		SEPTEMBER		OCTOBER	

Board of Adjustment/Building Board of Appeals

(Places in RED are expiring or vacant.)

BOA

TERM ENDS	PLACE	MEMBER	NOTES
2019	1	Eric Elam	
2020	2	Jeff Nevarez Chair	Appointed May 2019
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

TERM ENDS	PLACE	MEMBER	NOTES
2019	1	Johnny Trevino	
2020	2	Cesar Guerra	
2019	3	VACANT (was Ron Whitley)	
2020	4	Darold Tippey	
2019	5	Robert Mundy	Appointed May 2019
2020	6	Mark Yeary President	
2019	7	April Coltharp	

Keep Kennedale Beautiful Commission

(Places in RED are expiring or vacant.)

KKB

TERM ENDS	PLACE	MEMBER	NOTES
2019	1	Cesar Guerra	
2020	2	Darlene Winters	
2019	3	Vinita Thomas	
2020	4	VACANT (was 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	

Library Board

(Places in RED are expiring or vacant.)

LIBRARY

TERM ENDS	PLACE	MEMBER	NOTES
2019	1	Susan Reed Dalrymple	Appointed November 2018
2020	2	Josh Virnoche	
2019	3	Stan Seat	
2020	4	Troy Brannon	
2019	5	Donald Rawe	

Parks & Recreation Board

(Places in RED are expiring or vacant.)

PARKS

TERM ENDS	PLACE	MEMBER	NOTES
2019	1	David Deaver, Chair	
2020	2	Jeff Nevarez	
2019	3	VACANT (was Michael Chandler)	
2020	4	Gary Swan	
2019	5	Phil Wallace	
2020	6	Josh Hayes	
2019	7	Donald Spikes	No attendance nor response to staff's attempts to contact

Planning & Zoning Commission

(Places in RED are expiring or vacant.)

P&Z

TERM ENDS	PLACE	MEMBER	NOTES
2019	1	Greg Adams	Appointed May 2019
2020	2	Martha Dibella Chair	Appointed May 2019
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

Tax Increment Reinvestment Zone #1 Board

(Places in RED are expiring or vacant.)

TIRZ

TERM ENDS	PLACE	MEMBER	NOTES	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	Rockie Gilley		City of Kennedale
2019	5	Jeni McGarry		Tarrant County
2020	6	Scott Rule	Appointed by Taxing Unit	Tarrant County Hospital District
2019	7	Mark McClendon		Tarrant County College District

TownCenter Development District Board

(Places in RED are expiring or vacant.)

TDD

TERM ENDS	PLACE	MEMBER	NOTES	QUALIFYING PLACE
2019	1	EDC President Mark Yeary	Automatic Appointment of EDC President	EDC President
2020	2	VACANT (was Mark Yeary)	Must be EDC Board Member	EDC Board Member
2019	3	Mayor Brian Johnson	Automatic Appointment of Mayor	Mayor
2020	4	Mayor Pro Tem Sandra Lee	Must be Councilmember	Councilmember
2019	5	VACANT (was Rockie Gilley)	Must be Councilmember	Councilmember

Utility & Infrastructure Board

(Places in RED are expiring or vacant.)

UIB

TERM ENDS	PLACE	MEMBER	NOTES
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

APPLICATIONS RECEIVED AS OF 07.12.2019	NOTES	APPLIED FOR
Ann Beck		Parks
Perry Clementi		BOA/BBA
Austin Degenhart		EDC; P&Z
David Green		Parks; P&Z
Heather Hicks		Library; KKB
Jan Joplin		EDC; TDD; TIRZ
Bo Massengill		UIB
Kenneth Michels		Parks
Robert Mundy		TDD; TIRZ
Patrick Vader		BOA/BBA; P&Z



Date: July 16, 2019

Agenda Item No: WORK SESSION - B.

I. Subject:

Discuss and provide staff direction regarding the possible issuance of \$2,000,000 of tax notes for capital projects

II. Originated by:

Lakeita Sutton, Director of Finance and Information Technology

III. Summary:

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:



Date: July 16, 2019

Agenda Item No: WORK SESSION - C.

I. Subject:

Discussion of items on the regular agenda

II. Originated by:

Leslie E. Galloway, City Secretary & Communications Coordinator

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:



Date: July 16, 2019

Agenda Item No: REPORTS AND ANNOUNCEMENTS - A.

I. Subject:

Updates from the City Council

II. Originated by:

Leslie E. Galloway, City Secretary & Communications Coordinator

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:



Date: July 16, 2019

Agenda Item No: REPORTS AND ANNOUNCEMENTS - B.

I. Subject:

Updates from the Mayor

- Recognition of 2018-19 YAC members

II. Originated by:

III. Summary:

Updates and information from Mayor Brian Johnson, if any.

Recognition of 2018-19 Youth Advisory Council (YAC) Members

- Leland Murphy, Chair (KHS Class of 2019)
- Quincy Martin, Vice Chair (KHS Senior, reapplied)
- Kayla Guevara, Secretary (KHS Senior, reapplied)
- Hannah Stephens, Historian (KHS Class of 2019)
- Christianah Adejokun (Summit International Preparatory Class of 2019)
- Allen Constantino (KHS Senior, reapplied)
- Allie Murphy (KHS Junior, reapplied)
- Riya Patel (Fort Worth Country Day Senior, reapplied)
- Ryan Roller (KHS Senior, reapplied)
- McKendry Walsh (KHS Class of 2019)

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:



Date: July 16, 2019

Agenda Item No: REPORTS AND ANNOUNCEMENTS - C.

I. Subject:

Updates from the City Manager

- CDBG Community Needs Survey available through July 30

II. Originated by:

George Campbell, City Manager

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:



Date: July 16, 2019

Agenda Item No: MONITORING INFORMATION - A.

I. Subject:

Monthly Financials for June 2019

II. Originated by:

Lakeita Sutton, Director of Finance and Information Technology

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.	6-REVENUE SUMMARY BY FUND	6-REVENUE SUMMARY BY FUND.pdf
2.	6-EXPENDITURE SUMMARY BY DEPT	6-EXPENDITURE SUMMARY BY DEPT.pdf
3.	6-2019 SALES TAX COMPARISON	6-2019 SALES TAX COMPARISON.pdf

CITY OF KENNEDALE
ANNUAL PROGRAM OF SERVICES
June 2019

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	\$ 5,700,572	\$ 6,751,815	\$ 6,406,759	\$ 309,270	\$ 5,782,865	84.4%	90.3%	\$ 623,894
OTHER GENERAL FUNDS	\$ 497,243	\$ 1,035,991	\$ 941,983	\$ 257,005	\$ 575,961	48.0%	61.1%	\$ 366,022
GENERAL FUND	\$ 6,197,815	\$ 7,787,806	\$ 7,348,742	\$ 566,275	\$ 6,358,826	79.6%	86.5%	\$ 989,916
								\$ -
GENERAL DEBT SERVICE FUND	\$ 1,384,619	\$ 1,572,159	\$ 1,518,995	\$ 27,969	\$ 1,353,905	88.1%	89.1%	\$ 165,090
								\$ -
WATER/SEWER FUND	\$ 3,330,659	\$ 4,804,352	\$ 4,010,901	\$ 329,787	\$ 2,833,348	69.3%	70.6%	\$ 1,177,553
STORMWATER UTILITY FUND	\$ 197,564	\$ 256,278	\$ 254,950	\$ 21,996	\$ 201,005	77.1%	78.8%	\$ 53,945
WATER IMPACT FUND	\$ 131,286	\$ 165,170	\$ 120,450	\$ 7,142	\$ 31,892	79.5%	26.5%	\$ 88,558
SEWER IMPACT FUND	\$ 70,882	\$ 93,162	\$ 32,664	\$ 2,029	\$ 15,771	76.1%	48.3%	\$ 16,893
WATER/SEWER FUND	\$ 3,730,391	\$ 5,318,962	\$ 4,418,965	\$ 360,954	\$ 3,082,016	70.1%	69.7%	\$ 1,336,949
EDC4B FUND	\$ 365,848	\$ 991,633	\$ 629,752	\$ 61,412	\$ 533,701	36.9%	84.7%	\$ 96,051
CAPITAL FUND	\$ 23,858	\$ 186,462	\$ 172,535	\$ 16,785	\$ 797,933	12.8%	462.5%	\$ (625,398)
SPECIAL REVENUE FUND	\$ 22,772	\$ 43,873	\$ 127,497	\$ 2,064	\$ 130,216	51.9%	102.1%	\$ (2,719)
TOTAL REVENUES	\$ 11,725,303	\$ 15,900,895	\$ 14,216,486	\$ 1,035,459	\$ 12,256,597	73.7%	86.2%	\$ 1,959,889

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	\$ 4,440,828	\$ 6,340,017	\$ 7,028,284	\$ 484,296	\$ 4,882,897	70.0%	69.5%	\$ 2,145,387
OTHER GENERAL FUND	\$ 473,956	\$ 1,063,510	\$ 1,197,369	\$ 81,489	\$ 540,114	44.6%	45.1%	\$ 657,255
GENERAL FUND	\$ 4,914,784	\$ 7,403,527	\$ 8,225,653	\$ 565,785	\$ 5,423,011	66.4%	65.9%	\$ 2,802,642
GENERAL DEBT SERVICE FUND	\$ 1,309,368	\$ 1,420,004	\$ 1,511,744	\$ 27,970	\$ 1,404,196	92.2%	92.9%	\$ 107,548
WATER/SEWER FUND	\$ 2,682,295	\$ 4,370,392	\$ 4,659,521	\$ 641,388	\$ 3,056,891	61.4%	65.6%	\$ 1,602,630
STORMWATER UTILITY FUND	\$ 93,244	\$ 188,545	\$ 139,764	\$ 7,296	\$ 120,301	49.5%		
WATER IMPACT FUND	\$ 131,286	\$ 153,573	\$ 152,525	\$ -	\$ -			
SEWER IMPACT FUND	\$ 70,882	\$ 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	\$ 826,665	\$ 1,013,841	\$ 539,912	\$ 14,560	\$ 334,157	81.5%	61.9%	\$ 205,755
CAPITAL FUND	\$ 7,478	\$ 186,536	\$ 735,000	\$ 4,710	\$ 171,510	4.0%	23.3%	\$ 563,490
SPECIAL REVENUE FUND	\$ 24,073	\$ 26,919	\$ 11,767	\$ 995	\$ 17,219	89.4%	146.3%	\$ (5,452)
TOTAL EXPENDITURES	\$ 9,315,694	\$ 14,823,337	\$ 16,035,886	\$ 1,060,317	\$ 9,637,171	62.8%	60.1%	\$ 6,398,715

CITY OF KENNEDALE
ANNUAL PROGRAM OF SERVICES
June 2019

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	\$ 293,124	\$ 363,210	\$ 365,464	\$ 24,607	\$ 231,486	80.7%	63.3%	\$ 133,978
MAYOR/CITY COUNCIL	\$ 99,761	\$ 158,561	\$ 177,323	\$ 21,243	\$ 128,788	62.9%	72.6%	\$ 48,535
CITY SECRETARY	\$ 92,967	\$ 130,433	\$ 164,073	\$ 6,438	\$ 117,749	71.3%	71.8%	\$ 46,324
MUNICIPAL COURT	\$ 85,373	\$ 65,492	\$ 108,148	\$ 11,599	\$ 72,958	130.4%	67.5%	\$ 35,190
HUMAN RESOURCES	\$ 115,880	\$ 165,966	\$ 104,909	\$ 8,127	\$ 67,008	69.8%	63.9%	\$ 37,901
FINANCE	\$ 266,561	\$ 341,293	\$ 358,365	\$ 13,051	\$ 271,780	78.1%	75.8%	\$ 86,585
POLICE	\$ 1,545,820	\$ 2,257,421	\$ 2,759,841	\$ 163,330	\$ 1,776,563	68.5%	64.4%	\$ 983,278
FIRE	\$ 1,260,800	\$ 1,744,007	\$ 1,907,680	\$ 170,697	\$ 1,368,738	72.3%	71.7%	\$ 538,942
COMMUNITY DEVELOPMENT	\$ 175,577	\$ 338,010	\$ 372,090	\$ 29,865	\$ 247,400	51.9%	66.5%	\$ 124,690
SENIOR CITIZEN CENTER	\$ 35,931	\$ 49,877	\$ 54,028	\$ 918	\$ 33,330	72.0%	61.7%	\$ 20,698
LIBRARY	\$ 187,563	\$ 311,250	\$ 268,259	\$ 19,108	\$ 189,932	60.3%	70.8%	\$ 78,327
NONDEPARTMENTAL	\$ 281,471	\$ 414,496	\$ 511,749	\$ 15,313	\$ 377,165	67.9%	73.7%	\$ 134,584
TOTAL EXPENDITURES	\$ 4,440,828	\$ 6,340,016	\$ 7,151,929	\$ 484,296	\$ 4,882,897	70.0%	68.3%	\$ 2,269,032

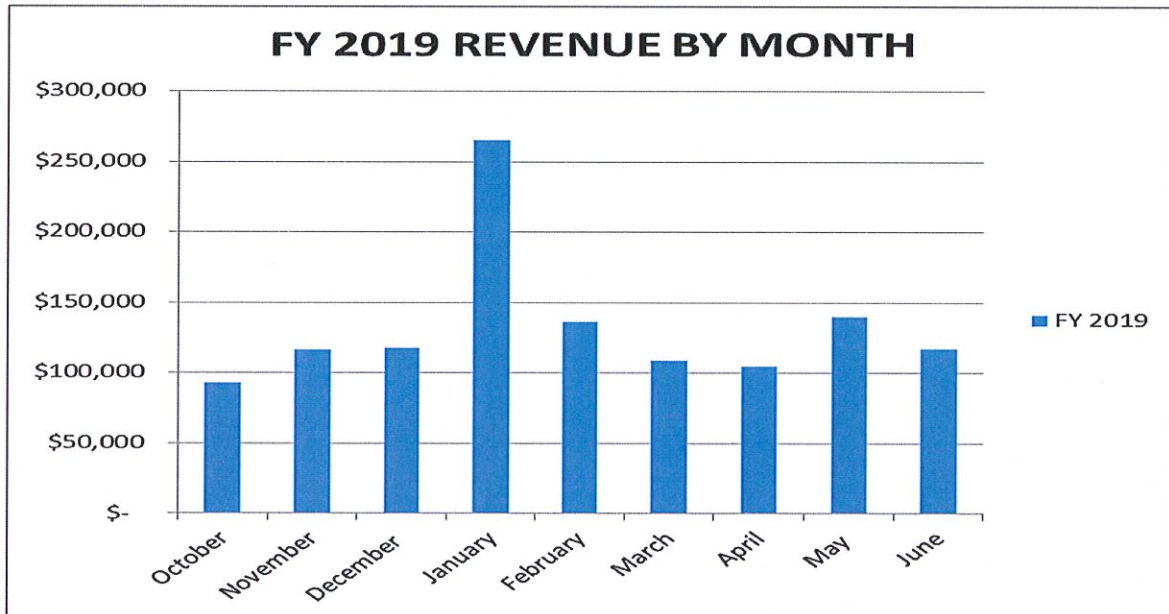
WATER/SEWER FUND	FY17-18 YTD	FY17-18 ACTUAL	FY18-19 ADOPTED	CURRENT MONTH	FY18-19 YTD	% OF PY BUDGET EXPENSED	% OF CY BUDGET EXPENSED	BUDGET REMAINING
UTILITY BILLING	\$ 807,239	\$ 1,412,952	\$ 1,293,973	\$ 134,577	\$ 903,932	57.1%	69.9%	\$ 390,041
WATER OPERATIONS	\$ 976,601	\$ 1,324,784	\$ 1,576,197	\$ 130,842	\$ 922,602	73.7%	58.5%	\$ 653,595
DEBT	\$ 464,749	\$ 175,327	\$ 509,680	\$ -	\$ 470,199	265.1%		
W&S CAPITAL	\$ 2,765	\$ 15,519	\$ 654,796	\$ 201,947	\$ 284,972		43.5%	\$ 369,824
NONDEPARTMENTAL	\$ 430,941	\$ 1,441,811	\$ 624,875	\$ 174,022	\$ 475,186	29.9%	76.0%	\$ 149,689
TOTAL EXPENDITURES	\$ 2,682,295	\$ 4,370,393	\$ 4,659,521	\$ 641,388	\$ 3,056,891	61.4%	65.6%	\$ 1,602,630

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	\$ 422,228	\$ 630,950	\$ 740,910	\$ 69,239	\$ 476,772	66.9%	64.3%	\$ 264,138
PARKS MAINTENANCE	\$ 51,696	\$ 80,379	\$ 125,920	\$ 12,250	\$ 63,342	64.3%	50.3%	\$ 62,578
CAPITAL	\$ 32	\$ 60,555	\$ 79,058	\$ -	\$ -			
TOTAL EXPENDITURES	\$ 473,956	\$ 771,884	\$ 945,888	\$ 81,489	\$ 540,114	61.4%	57.1%	\$ 405,774

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	\$ 106,097	\$ 142,581	\$ 168,360	\$ 9,987	\$ 119,137	74.4%	70.8%	\$ 49,223
DEBT SERVICE	\$ 225,661	\$ 325,006	\$ 320,432	\$ -	\$ 150,621	69.4%	47.0%	\$ 169,811
TOWN SHOPPING CENTER	\$ 317,195	\$ 278,194	\$ 51,120	\$ 4,573	\$ 58,661	114.0%	114.8%	\$ (7,541)
TOWNCENTER REDEVELOPMENT	\$ 177,712	\$ 237,866	\$ -	\$ -	\$ 5,738			
TOTAL EXPENDITURES	\$ 826,665	\$ 983,647	\$ 539,912	\$ 14,560	\$ 334,157	84.0%	61.9%	\$ 205,755

CITY OF KENNEDALE
SALES TAX COMPARISON BY FISCAL YEAR

	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	VARIANCE
	ACTUAL	ACTUAL	ACTUAL	ACTUAL	ACTUAL	ACTUAL	OVER PRIOR YEAR
October	\$ 65,971	\$ 71,955	\$ 93,137	\$ 88,748	\$ 103,820	\$ 93,144	\$ (10,676)
November	89,600	94,438	119,137	116,156	\$ 114,506	\$ 116,039	\$ 1,533
December	94,982	82,545	97,985	81,855	\$ 86,956	\$ 118,085	\$ 31,129
January	67,373	73,782	75,878	88,956	\$ 95,425	\$ 265,081	\$ 169,656
February	97,781	107,571	116,006	105,794	\$ 163,502	\$ 136,298	\$ (27,204)
March	69,685	72,312	87,589	78,644	\$ 95,107	\$ 108,636	\$ 13,529
April	79,236	81,193	79,516	87,130	\$ 123,760	\$ 104,356	\$ (19,404)
May	93,957	119,350	114,543	100,121	\$ 129,363	\$ 139,848	\$ 10,485
June	77,496	128,463	83,718	80,241	\$ 108,885	\$ 116,904	\$ 8,019
July	71,927	165,756	84,586	100,943	\$ 123,268		
August	86,597	146,297	87,693	49,590	\$ 118,770		
September	67,978	177,697	91,377	86,549	\$ 89,090		
	\$ 962,583	\$ 1,321,359	\$ 1,131,165	\$ 1,064,727	\$ 1,352,452	\$ 1,198,391	\$ 177,067





Date: July 16, 2019

Agenda Item No: MONITORING INFORMATION - B.

I. Subject:

KEDC Financial Report for May 2019

II. Originated by:

Lakeita Sutton, Director of Finance and Information Technology

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:

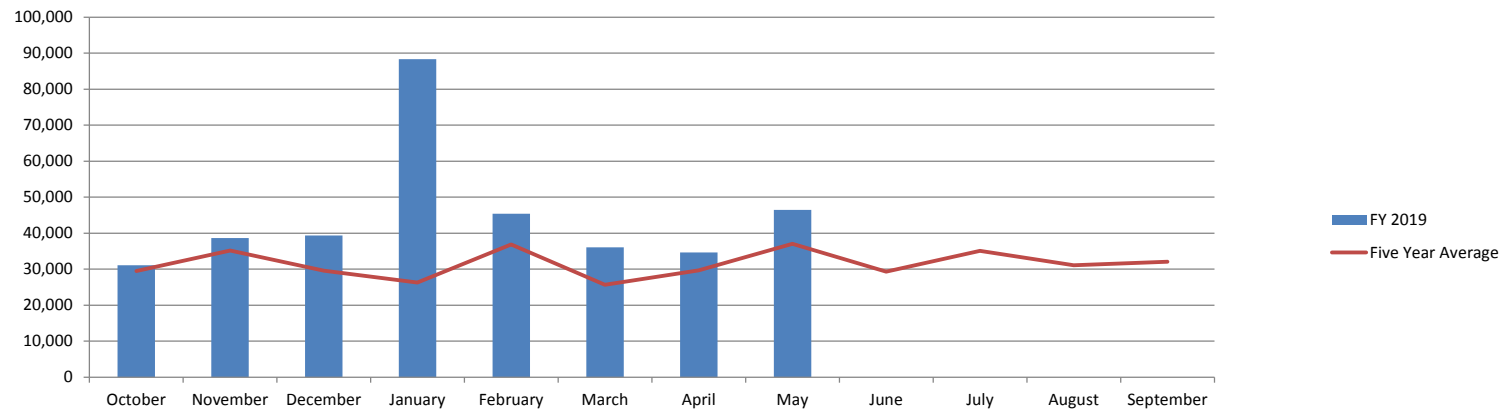
VIII. Attachments:

1.	Sales Tax Update-EDC May	Sales Tax Update-EDC May.pdf
2.	2019_05 Monthly Financials - EDC	2019_05 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	\$ 34,603	\$ 46,432	\$ -	\$ -	\$ -	\$ -	\$ 359,951
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	\$ 450,787
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	\$ 354,908
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	\$ 377,055
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	\$ 440,453
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	\$ 320,861
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	\$ 309,197
*Net payment after correcting an audit error.													\$ -

Sales Tax vs Expectation



Industry	Amount	% Change	Adjusted Chang YTD		FYTD
General Services	\$10,927.54	-18.39%	-19.72%	\$37,412.83	\$64,142.78
Manufacturing	\$9,213.79	275.34%	48.42%	\$42,692.19	\$65,526.70
Retail	\$8,719.89	-6.05%	-0.69%	\$42,882.03	\$66,533.06
Professional Services	\$5,991.75	12.64%	46.68%	\$27,555.38	\$45,875.27
Wholesale	\$5,892.16	1.89%	33.39%	\$30,324.33	\$47,228.67
Food	\$3,761.05	56.84%	7.95%	\$15,038.09	\$23,842.41
Agricultural	\$1,473.58	-60.89%	-29.18%	\$57,783.86	\$50,043.17
Miscellaneous	\$461.94	491.38%	0.78%	\$771.29	\$1,051.06
Accommodation	\$0.00	0.00%	0.00%	\$0.00	\$0.00

CITY OF KENNEDALE
ANNUAL PROGRAM OF SERVICES
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ECONOMIC DEVELOPMENT CORPORATION FINANCIALS SUMMARY

Budget Amendment

Monthly Information

1. \$46,616 Sales Tax larger than 5 year average
2. Working to determine cash reserves
3. Fund has cash flexibility
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

**CITY OF KENNEDALE
ANNUAL PROGRAM OF SERVICES
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EDC CASH POSITION

CATEGORY	DESCRIPTION	FY18-19 YTD
FROM PREVIOUS MONTHS REPORT:		
BEGINNING CASH BALANCE - FUND 15	(Operating Cash)	\$ 205,633
BEGINNING TEXPOOL BALANCE - FUND 15	(Operating Investments)	\$ -
BEGINNING TEXPOOL BALANCE - FUND 19	(Unspent bond proceeds)	\$ -
BEGINNING CASH BALANCE - FUND 95	(Required reserves)	\$ 123,490
BEGINNING CASH BALANCE - TOTAL		\$ 329,123
BEGINNING AVAILABLE CASH - TOTAL		205,633
TOTAL REVENUES MINUS EXPENDITURES FOR MONTH		\$ 32,383 *
ENDING CASH BALANCE - FUND 15	(Operating Cash)	\$ 225,910
ENDING TEXPOOL BALANCE - FUND 15	(Operating Investments)	\$ -
ENDING TEXPOOL BALANCE - FUND 19	(Unspent bond proceeds)	\$ -
ENDING CASH BALANCE - FUND 95	(Required reserves)	\$ 123,731
ENDING CASH BALANCE - TOTAL		\$ 349,641
UNAVAILABLE CASH - EARMARKED		
RESERVES FOR LEVERAGE NOTE	(Required reserves)	\$ 123,731
TOTAL UNAVAILABLE CASH		\$ 123,731
AVAILABLE CASH		\$ 225,910

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

**CITY OF KENNEDALE
ANNUAL PROGRAM OF SERVICES
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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	230,215	447,132	384,598	46,616	293,835	51.5%	76.4%	90,763
INVESTMENT EARNINGS	2,835	5,399	65	662	5,756	52.5%	8854.9%	(5,691)
MISCELLANEOUS INCOME	27,574	66,420	24,120	3,003	23,396	41.5%	97.0%	724
SURPLUS SALES/RENTALS	415,888	487,579	185,969	18,814	151,035	85.3%	81.2%	34,934
TRANSFERS	-	-	29,719	-	-	0.0%	0.0%	-
TOTAL REVENUES	\$ 676,512	\$ 1,006,531	\$ 659,471	\$ 69,096	\$ 474,021	67.2%	71.9%	\$ 155,731
SUPPLIES	-	-	2,100	-	-	#DIV/0!	0.0%	2,100
MAINTENANCE	278,046	237,161	29,920	6,030	35,668	117.2%	119.2%	(5,748)
SUNDRY	109,974	183,614	187,460	20,665	127,569	59.9%	68.1%	59,891
DEBT	153,209	172,418	165,607	10,017	150,621	88.9%	91.0%	14,986
TRANSFERS	67,588	152,588	184,544	-	-	44.3%	0.0%	184,544
CAPITAL	163,362	237,866	-	-	5,738	68.7%	#DIV/0!	(5,738)
TOTAL EXPENDITURES	\$ 772,179	\$ 983,646	\$ 569,631	\$ 36,712	\$ 319,596	78.5%	56.1%	\$ 250,035
REVENUES OVER EXPENDITURES	\$ (95,667)	\$ 22,885	\$ 89,840	\$ 32,383	\$ 154,425			
ENDING FUND BALANCE	\$ 218,199	\$ 336,751	\$ 224,624		\$ 457,673			
FUND BALANCE AS % OF EXP	28.3%	34.2%	39.4%	0.0%	143.2%			
RESERVE (\$115,000) REQUIREMENT)	\$ -	\$ -	\$ 115,000	\$ -	\$ -			
RESERVE SURPLUS/(SHORTFALL)	\$ 218,199	\$ 336,751	\$ 109,624	\$ -	\$ 457,673			

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CITY OF KENNEDALE
ANNUAL PROGRAM OF SERVICES
May 2019

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	230,215	447,132	384,598	46,616	293,835	51.5%	76.4%	90,763
INVESTMENT EARNINGS	1,816	3,574	65	421	4,024	50.8%	6191.1%	(3,959)
MISCELLANEOUS INCOME	27,574	66,420	24,120	3,003	23,396	41.5%	97.0%	724
SURPLUS SALES/RENTALS	415,888	487,579	185,969	18,814	151,035	85.3%	81.2%	34,934
TOTAL REVENUES	\$ 675,493	\$ 1,004,706	\$ 629,752	\$ 68,854	\$ 472,290	67.2%	75.0%	\$ 157,462
SUPPLIES	-	-	2,100	-	-	#DIV/0!	0.0%	2,100
MAINTENANCE	278,046	237,161	29,920	6,030	35,668	117.2%	119.2%	(5,748)
SUNDRY	109,974	183,614	187,460	20,665	127,569	59.9%	68.1%	59,891
DEBT	153,209	172,418	165,607	10,017	150,621	88.9%	91.0%	14,986
TRANSFERS	67,588	152,588	154,825	-	-	44.3%	0.0%	154,825
CAPITAL	163,362	237,866	-	-	5,738	68.7%	#DIV/0!	(5,738)
TOTAL EXPENDITURES	\$ 772,179	\$ 983,646	\$ 539,912	\$ 36,712	\$ 319,596	78.5%	59.2%	\$ 220,316
REVENUES OVER EXPENDITURES	\$ (96,685)	\$ 21,060	\$ 89,840	\$ 32,142	\$ 152,694			
ENDING FUND BALANCE	\$ 67,775	\$ 152,017	\$ 74,323		\$ 304,711			
FUND BALANCE AS % OF EXP	8.8%	15.5%	13.8%	0.0%	95.3%			
RESERVE (NO REQUIREMENT)	\$ -	\$ -	\$ -	\$ -	\$ -			
RESERVE SURPLUS/(SHORTFALL)	\$ 67,775	\$ 152,017	\$ 74,323	\$ -	\$ 304,711			

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CITY OF KENNEDALE
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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	230,215	447,132	384,598	46,616	293,835	51.5%	76.4%	90,763
	SALES/BEVERAGE TAXES	\$ 230,215	\$ 447,132	\$ 384,598	\$ 46,616	\$ 293,835	51.5%	76.4%	\$ 90,763
4401-00-00	INVESTMENT INCOME	1,816	3,574	65	421	4,024	50.8%	6191.1%	(3,959)
	INVESTMENT EARNINGS	\$ 1,816	\$ 3,574	\$ 65	\$ 421	\$ 4,024	50.8%	6191.1%	\$ (3,959)
4409-00-00	MISCELLANEOUS INCOME	27,574	36,624	24,120	3,003	23,396	75.3%	97.0%	724
4415-00-00	INSURANCE REIMBURSEMENTS	-	14,898	-	-	-	0.0%	0.0%	-
	MISCELLANEOUS INCOME	\$ 27,574	\$ 66,420	\$ 24,120	\$ 3,003	\$ 23,396	41.5%	97.0%	\$ 724
4805-00-00	RENTAL FEES-SHOPPING CENTER	66,709	105,856	185,223	18,814	151,035	63.0%	81.5%	34,188
4806-00-00	RENTAL INSURANCE	-	2,350	746	-	-	0.0%	0.0%	746
4902-00-00	PROCEEDS-DEBT/LOAN/LEASE	-	30,194	-	-	-	0.0%	#DIV/0!	-
4884-00-01	SALE OF ASSETS	349,179	349,179	-	-	-	100.0%	#DIV/0!	-
	SURPLUS SALES/RENTALS	\$ 415,888	\$ 487,579	\$ 185,969	\$ 18,814	\$ 151,035	163.0%	#DIV/0!	\$ 34,934
	TOTAL REVENUES	\$ 675,493	\$ 1,004,706	\$ 629,752	\$ 68,854	\$ 472,290	67.2%	75.0%	\$ 157,462
	TOTAL REVENUES (EXCLUDING INTEREST/TRANSFERS)	\$ 673,677	\$ 1,001,132	\$ 629,687	\$ 68,434	\$ 468,266			

CITY OF KENNEDALE
ANNUAL PROGRAM OF SERVICES
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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	35	1,200	-	-	100.0%	0.0%	1,200
5510-01-00	ASSOC DUES/PUBLICATIONS	4,890	4,890	5,320	4,932	4,932	100.0%	92.7%	388
5525-01-00	TRAINING/SEMINARS	-	-	250	-	-	#DIV/0!	0.0%	250
5565-01-00	LEGAL SERVICES	10,498	20,855	13,000	250	2,102	50.3%	16.2%	10,898
5567-01-00	AUDIT SERVICES	2,000	2,000	4,250	-	4,250	100.0%	100.0%	-
5570-01-00	SPECIAL SERVICES	5,752	13,774	250	43	233	41.8%	93.1%	17
5578-01-00	TRAVEL	-	-	100	-	-	0.0%	0.0%	100
5580-01-00	ENGINEERING SERVICES	-	-	-	(2,127)	-	100.0%		-
5595-01-00	ADMIN CHARGE-GENERAL FUND	54,431	81,647	117,890	9,824	78,593	66.7%	66.7%	39,297
5615-01-00	FUNCTIONAL GRANT	7,660	19,380	24,000	6,824	19,040	39.5%	79.3%	4,960
	SUNDRY	\$ 85,266	\$ 142,581	\$ 166,260	\$ 19,746	\$ 109,149	59.8%	65.6%	\$ 57,111
	CAPITAL	\$ -	\$ -	\$ -	\$ -	\$ -	0.0%		\$ -
	TOTAL EXPENDITURES	\$ 85,266	\$ 142,581	\$ 168,360	\$ 19,746	\$ 109,149	59.8%	64.8%	\$ 59,211

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**CITY OF KENNEDALE
ANNUAL PROGRAM OF SERVICES
May 2019**

**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	54,831	54,831	50,735	-	50,689	100.0%	99.9%	46
5644-01-03	2007 \$1.2M TAX BOND-PRINCIPAL	60,000	60,000	60,000	-	60,000	100.0%	100.0%	-
5645-01-03	2011 \$1.7M TX LEVERAGE-INT	11,691	17,926	12,834	3,334	13,503	65.2%	105.2%	(669)
5646-01-03	2011 \$1.7M TX LEVERAGE-PRI	26,688	39,661	42,038	6,683	26,429	67.3%	62.9%	15,609
	DEBT	\$ 153,209	\$ 172,418	\$ 165,607	\$ 10,017	\$ 150,621	88.9%	91.0%	\$ 14,986
5702-01-03	TRANSFER OUT-DEBT SERVICE FUND	67,588	152,588	154,825	-	-	44.3%	0.0%	154,825
	TRANSFER	\$ 67,588	\$ 152,588	\$ 154,825	\$ -	\$ -	44.3%	0.0%	\$ 154,825
	TOTAL EXPENDITURES	\$ 220,797	\$ 325,006	\$ 320,432	\$ 10,017	\$ 150,621	67.9%	47.0%	\$ 169,811

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**CITY OF KENNEDALE
ANNUAL PROGRAM OF SERVICES
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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	278,046	237,161	29,920	6,030	35,668	117.2%	119.2%	(5,748)
	MAINTENANCE	\$ 278,046	\$ 237,161	\$ 29,920	\$ 6,030	\$ 35,668	117.2%	119.2%	\$ (5,748)
5530-02-00	ELECTRIC SERVICES	4,224	8,002	6,700	419	3,281	52.8%	49.0%	3,419
5545-02-00	INSURANCE-PROPERTY	8,341	8,341	8,500	-	11,139	100.0%	131.0%	(2,639)
5570-02-00	SPECIAL SERVICES	12,142	24,691	6,000	500	4,000	49.2%	66.7%	2,000
	SUNDRY	\$ 24,707	\$ 41,033	\$ 21,200	\$ 919	\$ 18,420	60.2%	86.9%	\$ 2,780
	TOTAL EXPENDITURES	\$ 302,754	\$ 278,194	\$ 51,120	\$ 6,949	\$ 54,088	108.8%	105.8%	\$ (2,968)

CITY OF KENNEDALE
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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 BUDGET USED	BUDGET REMAINING
5847-03-00	CONSTRUCTION	163,362	237,866	-	-	5,738	0.0%		(5,738)
	CAPITAL	\$ 163,362	\$ 237,866	\$ -	\$ -	\$ 5,738	0.0%		\$ (5,738)
	TOTAL EXPENDITURES	\$ 163,362	\$ 237,866	\$ -	\$ -	\$ 5,738	0.0%		\$ (5,738)

**CITY OF KENNEDALE
ANNUAL PROGRAM OF SERVICES
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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%	\$ -

CITY OF KENNEDALE
ANNUAL PROGRAM OF SERVICES
April 2019

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	268	460	-	-	-	58.4%		-
TOTAL REVENUES	\$ 268	\$ 460	\$ -	\$ -	\$ -	58.4%		\$ -
TRANSFERS	-	-	29,719	-	-	0.0%	0.0%	-
CAPITAL	-	-	-	-	-	0.0%	0.0%	-
TOTAL EXPENDITURES	\$ -	\$ -	\$ 29,719	\$ -	\$ -	0.0%	0.0%	\$ -
REVENUES OVER EXPENDITURES	\$ 268	\$ 460	\$ (29,719)	\$ -	\$ -			
ENDING FUND BALANCE	\$ 29,712	\$ 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)	\$ 29,712	\$ 29,904	\$ 0	\$ -	\$ 29,904			

CITY OF KENNEDALE
ANNUAL PROGRAM OF SERVICES
May 2019

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	268	460	-	-	-	58.4%		-
	INVESTMENT EARNINGS	\$ 268	\$ 460	\$ -	\$ -	\$ -	58.4%		\$ -
	TOTAL REVENUES	\$ 268	\$ 460	\$ -	\$ -	\$ -	58.4%		\$ -

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%	\$ -

CITY OF KENNEDALE
ANNUAL PROGRAM OF SERVICES
May 2019

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	750	1,365	-	241	1,731	55.0%		(1,731)
TOTAL REVENUES	\$ 750	\$ 1,365	\$ -	\$ 241	\$ 1,731	55.0%		\$ (1,731)
TOTAL EXPENDITURES	\$ -	\$ -	\$ -	\$ -	\$ -	0.0%	0.0%	\$ -
REVENUES OVER EXPENDITURES	\$ 750	\$ 1,365	\$ -	\$ 241	\$ 1,731			
ENDING FUND BALANCE	\$ 120,712	\$ 121,327	\$ 120,582		\$ 123,058			
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)	\$ 8,106	\$ 8,721	\$ 7,976	\$ (112,606)	\$ 10,452			

CITY OF KENNEDALE
ANNUAL PROGRAM OF SERVICES
May 2019

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	750	1,365	-	241	1,731	55.0%		(1,731)
	INVESTMENT EARNINGS	\$ 750	\$ 1,365	\$ -	\$ 241	\$ 1,731	55.0%		\$ (1,731)
	TOTAL REVENUES	\$ 750	\$ 1,365	\$ -	\$ 241	\$ 1,731	55.0%		\$ (1,731)

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%	\$ -



Date: July 16, 2019

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

I. Subject:

Approval of the minutes from the June 20, 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_06.20_Minutes_City Council Regular Meeting_DRAFT_WM	2019_06.20_Minutes_City Council Regular Meeting_DRAFT_WM.pdf
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KENNEDALE CITY COUNCIL MINUTES
REGULAR MEETING | JUNE 20, 2019
CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE
WORK SESSION AT 5:30 PM | REGULAR SESSION AT 7:00 PM

I. CALL TO ORDER

Mayor Brian Johnson called the Work Session to order at 5:31 p.m.

II. WORK SESSION

A. Discussion of policy regarding residential outdoor storage

Director of Planning & Economic Development Melissa Dailey stated that there were currently no residential outdoor storage requirements in the code and presented potential regulations that would allow residents to store items and personalize their properties while also addressing safety issues and hazards, improving aesthetics, and defining materials that are prohibited from being stored outdoors. Dailey discussed exempt items, non-exempt items, and items that were allowed in specific areas or behind screening only. Following a brief discussion of how staff is currently addressing outdoor storage, mosquito harboring considerations, and screening requirements, the general consensus among Council was for staff to continue working on an ordinance to address residential outdoor storage.

B. Discussion of policy regarding short-term rentals

Director of Planning & Economic Development Melissa Dailey discussed proposed regulations for short-term rentals, including permitting and certificate of occupancy (CO) inspections, notification and distance requirements, occupancy limits, parking, collection of Hotel Occupancy Tax (HOT), and several uses or actions that could be expressly prohibited. Following some discussion of the possible uses of HOT revenue, verification options regarding HOT submittals, the importance of stringent fire and safety inspections, how enforcement would be handled outside of regular business hours, and the process for identifying non-compliance the general consensus among Council was for staff to continue working on an ordinance to address short-term rentals.

C. Discussion of items on the regular agenda

There was no discussion at this time.

Mayor Johnson recessed to Executive Session at 5:59 p.m.

III. REGULAR SESSION

Mayor Brian Johnson called the Regular Session to order at 7:00 p.m.

IV. 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, Administrative Assistant Rosie Ericson, City Attorneys George Staples and 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

V. INVOCATION

Laurie Sanders offered the invocation.

VI. UNITED STATES PLEDGE AND TEXAS PLEDGE

VII. VISITOR AND CITIZEN FORUM

- **Sarah Johnson Cotton**, 700 Crestview Drive, spoke on behalf of Senior Outreach – Kennedale regarding coordination with Sixty & Better and the YMCA including the Silver Sneakers membership that benefits Kennedale and that second Thursdays would be Kennedale Senior Day at the YMCA swim exercise class; and announced that she was working with Mayor Pro Tem Lee and volunteers to remodel the Senior Center with paint donated by Sherwin Williams.
- **Raymond Rhodes**, 321 W Broadway, thanked Council and staff for their kindness following his recent accident; and for their work for the City.
- **Bruce McCoy**, 1025 Oak Hill Park, asked Council to pay particular attention to existing deed restrictions and the regulation of the storage of RVs, campers, and boats during their discussions regarding outdoor storage.
- **Jeff Nevarez**, 338 Spring Branch Lane, spoke to Council regarding economic development including reviewing the process for approving new businesses, their compliance with codes, and signage; and looking at the property at the corner of Bowman Springs and the Parkway for short-term food truck or vendor rental space.

VIII. REPORTS AND ANNOUNCEMENTS

A. Updates from the City Council

- **Chad Wandel, Place 5**, announced that he and Councilmember Pugh attended the Mayors' Council of Tarrant County meeting where legislative updates were discussed; and noted potential funding opportunities through the Tarrant County Homeless Coalition.
- **Linda Rhodes, Place 4**, stated that she appreciated the two-day retreat and budget presentations by staff that gave a clearer picture of the needs within each department.
- **Mayor Pro Tem Lee, Place 3**, announced that she attended the Senior Outreach – Kennedale meeting and thanked Sarah Cotton for her work; stated that volunteers would be needed to paint the Senior Center; thanked Larry Hoover for the Public Works department's quick response time; and stated her appreciation for the budget workshop.
- **Chris Pugh, Place 2**, announced that there were many changes happening at the state level that would affect Cities; and that he followed up with Chief Brown following the two-day retreat to tour the Fire Station and would like to do the same with Chief Williams.
- **Josh Altom, Place 1**, announced that he attended the NCTCOG General Assembly, where the City of Kennedale was awarded the Regional Cooperation award and thanked the previous Council and City Manager George Campbell; and that he attended the Kennedale Rotary Club luncheon.

B. Updates from the City Manager

THIS ITEM WAS TAKEN OUT OF ORDER; IMMEDIATELY FOLLOWING VIII.C. UPDATES FROM THE MAYOR.

City Manager George Campbell announced that Lakeita Sutton was recently appointed as Director of Finance and Information Technology, with an expected start date of July 8; that staff was in ongoing negotiations with Global Water Fathom to shift water billing customer service to the City of Arlington; thanked Council for their time and input during the two-day retreat regarding goals and objectives; reminded Council that the proposed budget was currently scheduled to be presented on Monday, August 5; noted that one recent legislative change would be addressed on this agenda, but that there were hundreds of bills affecting Cities considered during this legislative session and that staff would continue researching other items that might need attention; that TAD is reporting steady property valuations; and that corrections had been made to the ordinances for items XII.B. and XII. F. and that any motion should reference these updated versions.

C. Updates from the Mayor

THIS ITEM WAS TAKEN OUT OF ORDER; IMMEDIATELY FOLLOWING VIII.A. UPDATES FROM THE CITY COUNCIL.

Mayor Johnson stated that the City receiving the North Central Texas Council of Governments (NCTCOG) Regional Cooperation award was quite an honor, as it was a competition among 16 counties, and thanked City Manager George Campbell and former Finance Director Brady Olsen; announced that he attended the Southeast Tarrant Transportation Partnership (SETTP) meeting where there was an update on Drive AI (artificial intelligence); that construction was slated to begin in 2021 on the widening of Sublett Road; that he had spoken at the Reagan Republican Women's Club in Mansfield regarding upcoming legislative considerations; that he would speak at the Fort Worth Rotary Club regarding future transportation; and that he just returned from Los Angeles where he was working on a project for disability inclusion.

IX. INCIDENTAL ITEMS

X. MONITORING INFORMATION

- A. Monthly Financials for May 2019

There was no discussion at this time.

- B. KEDC Financial Report for April 2019

There was no discussion at this time.

XI. REQUIRED APPROVAL ITEMS (CONSENT)

- A. Consider approval of the minutes from the May 21, 2019 Regular Meeting

- B. Consider approval of the minutes from the May 31, 2019 Special Meeting

- C. Consider approval of the minutes from the June 1, 2019 Special Meeting

Motion To Approve. Action Approve the Consent Agenda. **Moved By** Wandel. **Seconded By** Mayor Pro Tem Lee. **Motion passes unanimously.**

XII. DECISION ITEMS

- A. Consider appointment of a Mayor Pro Tem

Councilmember Rhodes nominated Sandra Lee to continue as Mayor Pro Tem.

Motion To Approve. Action Approve appointment of Sandra Lee as Mayor Pro Tem. **Moved By** - Rhodes. **Seconded By** Pugh. **Motion passes unanimously.**

- B. Consider approval of Ordinance 661, increasing the membership of the Youth Advisory Council (YAC) from 15 to 25 places

Motion To Approve. Action Approve the corrected version of Ordinance 661 as presented to the Council tonight, increasing the membership of the Youth Advisory Council (YAC) from 15 to 25 places. **Moved By** Mayor Pro Tem Lee. **Seconded By** Wandel. **Motion passes unanimously.**

- C. Hold a Public Hearing and consider approval of Ordinance 662, designating a tax abatement reinvestment zone for approximately 13.55 acres of land, known as Lot 1A2, Block 1 of the Harris Corporation Addition, City of Kennedale, Texas, and generally located at Linda Road and Gail Drive

- Staff Presentation

Director of Planning & Economic Development Melissa Dailey stated that designation of a reinvestment zone was required by the State before offering incentives, and that the boundary of that zone was simply the site that Compressed Air would occupy, but that there was not an assigned address at this time.

City Manager George Campbell noted that this item was related to XII.D. and XII.E.

- Public Hearing

Mayor Johnson opened the public hearing. There were no requests to speak. Mayor Brian Johnson closed the public hearing.

- Staff Response and Summary

There was no additional discussion.

- Action by the City Council

Motion To Approve. Action Approve Ordinance 662, designating a tax abatement reinvestment zone for approximately 13.55 acres of land, known as Lot 1A2, Block 1 of the Harris Corporation Addition, City of Kennedale, Texas, and generally located at Linda Road and Gail Drive. **Moved By Pugh. Seconded By Mayor Pro Tem Lee. Motion passes unanimously.**

- D. Consider authorizing the City Manager to enter into a Tax Abatement and Chapter 380 Agreement with Compressed Air Systems, L.L.C.

Motion To Approve. Action Approve authorizing the City Manager to negotiate the finalization of a Tax Abatement and Chapter 380 Agreement with Compressed Air Systems, L.L.C., provided that there are no significant changes to the agreement as presented. **Moved By Rhodes. Seconded By Wandel. Motion passes unanimously.**

- E. Consider authorizing the EDC President to enter into an Economic Development and Performance Agreement with Compressed Air Systems, L.L.C.

Motion To Approve. Action Approve authorizing the EDC President to enter into an Economic Development and Performance Agreement with Compressed Air Systems, L.L.C., by authorizing the City Manager to negotiate finalization of said agreement, provided that there are no significant changes to the agreement as presented. **Moved By Rhodes. Seconded By Pugh. Motion passes unanimously.**

- F. Consider approval of Ordinance 663, amending the Kennedale Municipal Code, by amending Exhibit A "Schedule of Fees" of Section 2-3, "Fees for licenses, inspections, permits, etc." to provide for a residential building permit fee based on square footage

Director of Planning & Economic Development Melissa Dailey stated that this amendment to the schedule of fees was in direct response to the passing of H.B. 852 during the recent legislative session. The bill prohibits the calculation of permitting fees based on certain valuations. Historically, the City has calculated based on valuation, but under this Ordinance, new residential construction permit fees would now be calculated based on square footage.

City Manager George Campbell noted that this Ordinance is only meant to bring the City into compliance with this new legislation, but that other fee schedule amendments might be recommended in August or September as a part of the budget process.

Motion To Approve. Action Approve the corrected version of Ordinance 663 as presented to the Council tonight, amending the Kennedale Municipal Code, by amending Exhibit A "Schedule of Fees" of Section 2-3, "Fees for licenses, inspections, permits, etc." to provide for a residential building permit fee based on square footage. **Moved By Wandel. Seconded By Mayor Pro Tem Lee. Motion passes unanimously.**

- G. Consider approval of Ordinance 664, amending Chapter 3 – "Animals" of the Kennedale Municipal Code to add regulations regarding the keeping of certain fowl, livestock, and potbellied pigs within the City

Director of Planning & Economic Development Melissa Dailey stated that the purpose of this ordinance was to expand the ability to own and maintain animals within the City – specifically that farm animals would now be allowed on residential properties that are one (1) acre or larger

(regardless of zoning); that pot-bellied pigs and hens could be kept on lots of any size; and that the number of livestock and fowl that may be kept would depend upon the size of the property.

In response to a question by Councilmember Rhodes, City Attorney Drew Larkin stated that, because there was a penalty clause, that it would be best to publish the Ordinance and that the effective date would follow that publication; but that the wording of the Ordinance would suffice as it is now. Councilmember Rhodes also noted that she was a part of the focus group in the process of drafting this Ordinance, and had been in favor of allowing animals on lots as small as one-half acre, while also giving the City more enforcement options. She urged staff to be generous with the grace period to ensure that residents had adequate time to comply with the Ordinance.

Motion To Approve. Action Approve Ordinance 664, amending Chapter 3 – “Animals” of the Kennedale Municipal Code to add regulations regarding the keeping of certain fowl, livestock, and potbellied pigs within the City. **Moved By** Altom. **Seconded By** Pugh. **Motion passes 4-0-1**, with Rhodes abstaining.

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

XIII. EXECUTIVE SESSION

- 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 Public Information Act, including requests for City Attorney invoices
- D. Discussion with City Attorney regarding legal issues associated with Economic Development and Performance Agreement, Tax Abatement, and Chapter 380 Agreement with Compressed Air Systems for project located at Harris Corporation Addition, Block 1 Lot 1A2 (Linda Road)
- E. Economic Development and Performance Agreement, Tax Abatement, and Chapter 380 Agreement with Compressed Air Systems for project located at Harris Corporation Addition, Block 1 Lot 1A2 (Linda Road)

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

Motion To Approve. Action Approve authorizing the City Manager to offer a settlement agreement to Ron Sturgeon and to execute that agreement. **Moved By** Altom. **Seconded By** Pugh. **Motion passes unanimously.**

XV. ADJOURNMENT

Motion To Adjourn. Action Adjourn, **Moved By** Rhodes. **Seconded By** Wandel. **Motion passes unanimously.**

Mayor Johnson adjourned the meeting at 7:58 p.m.

APPROVED:

ATTEST:

BRIAN JOHNSON, MAYOR

LESLIE E. GALLOWAY, CITY SECRETARY



Date: July 16, 2019

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

I. Subject:

Approval of tax collection contract with the Tarrant County Tax Office

II. Originated by:

Lakeita Sutton, Director of Finance and Information Technology

III. Summary:

This is a renewal of the contract with Tarrant County to collect property taxes at a rate of \$0.98 per account. In the past, the contract has typically been annual, but is now for a term of three years.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

Approve

VII. Alternative Actions:

VIII. Attachments:

1.	TC Tax Office Letter	Tarrant County Tax Office Letter.pdf
2.	TC Agreement for the Collection of Taxes (3 Years)	Tarrant County Tax Office Contract.pdf



TARRANT COUNTY TAX OFFICE

100 E. Weatherford, Room 105 • Fort Worth, Texas 76196-0301 • 817-884-1100
taxoffice@tarrantcounty.com
In God We Trust

WENDY BURGESS
Tax Assessor-Collector

April 17, 2019

Mr. Brady Olsen
Finance Director
City of Kennedale
405 Municipal Dr
Kennedale, TX 76060

Dear Mr. Olsen,

I am pleased to enclose our tax collection contract for your entity. As a convenience, I am offering a three-year contract instead of an annual renewal. The commission rate for Tax Years 2019-2021 will remain at \$0.98 per account for the entire contract term. This rate continues to be the lowest collection fee rate of any urban county in Texas. Due to new technologies that allow our office to process out-of-county accounts more efficiently, we are lowering that fee to \$2.00 per account. The rates will be applied to the number of accounts as of September 30th for the previous year.

Enclosed are three original contracts for the assessment and collection of your ad valorem taxes by my office for the Tax Years 2019 -2021. After the contracts have been signed, please return **ALL** copies to the attention of Elisa H. Hand, Property Tax Director. I will mail a fully executed contract to you after the Commissioner's Court has made formal approval of the contract. This will be at the end of September, so the contract will be returned in October. If you require more than one original, please make extra copies as needed of the contract and mail all copies back to my office. In order to have your contract in place prior to the upcoming tax season, I would ask that you have the properly executed contracts returned to me no later than **August 15, 2019**.

You will be invoiced for your collection commission by last day of January for each contract year with payment due no later than the last day of February of each contract year.

The time for rate calculations is rapidly approaching and many of you are already in budget preparations. Please remember the importance of getting the rate and exemption information to us prior to the **September rate** submission deadline. My office will provide more information on this requirement in the near future.

If you have questions, please contact Property Tax Director, Elisa H. Hand, at 817-884-1123 or by email ehhand@tarrantcounty.com. You may also contact me at 817-884-1106 or by e-mail WGBurgess@tarrantcounty.com.

Sincerely,

A handwritten signature in cursive script that reads "Wendy Burgess".

Wendy Burgess
Tax Assessor-Collector
Tarrant County

COUNTY OF TARRANT

§
§

Agreement for the Collection of Taxes

Agreement made this ____ day of _____, 2019, by and between the Tarrant County Tax Assessor/Collector, hereinafter referred to as **ASSESSOR/COLLECTOR**, and Tarrant County, hereinafter referred to as the **COUNTY**, both of whom are addressed at 100 E. Weatherford Street, Fort Worth, Texas 76196-0301, and the City of Kennedale hereinafter referred to as **City**, whose address is 405 Municipal Dr, Kennedale, TX 76060.

PURPOSE OF AGREEMENT

The purpose of this Agreement is to state the terms and conditions under which the ASSESSOR/COLLECTOR will provide assessment and collection services of Ad Valorem taxes levied by the City.

NOW THEREFORE, in consideration of the mutual promises herein contained, the parties hereto agree as follows:

I.

SERVICES TO BE PERFORMED

The ASSESSOR/COLLECTOR agrees to bill and collect the taxes due and owing on taxable property upon which the City has imposed said taxes. The ASSESSOR/COLLECTOR shall perform the said services in the same manner and fashion as Tarrant County collects its own taxes due and owing on taxable property. The services performed are as follows: receiving the Certified Appraisal Roll from the appropriate Appraisal District and monthly changes thereto; providing mortgage companies, property owners and tax representatives, tax roll and payment data; providing all necessary assessments of taxes and Truth in Taxation calculations as required; the transmittal of tax statements via the U.S. Mail or electronic transfer of data; and payment processing. All City disbursements, made by check or by electronic transfer (ACH), for collected tax accounts will be made to the City on the day the COUNTY Depository Bank indicates the mandatory assigned "float" period has elapsed and the funds are posted to the collected balance. If any daily collection total is less than one hundred dollars (\$100.00), the disbursement may be withheld until the cumulative total of taxes collected for the City equals at least one hundred dollars (\$100.00), or at the close of the month.

II.

REPORTS

The ASSESSOR/COLLECTOR will provide the City of Kennedale the following reports via internet access:

Daily:	Entity Distribution Report
Monthly:	Tax Roll Summary Year-to-Date Summary Report Part A, B and C Detail Collection Summary Report Distribution Summary Detail Collection Summary by Year Entity Revenue and Expense Reports – as required by Property Tax Code Sec 31.10
Annual:	Certified Tax Roll

The following weekly reports are available upon request only and provided via email:

Weekly:	Detail Collection Summary Report Detail Collection Summary by Year
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III.

COMPENSATION

In consideration of the services to be performed by the ASSESSOR/COLLECTOR, compensation for the services rendered is a rate of ninety-eight cents (\$0.98) per account located within Tarrant County, and two-dollars (\$2.00) per account located outside Tarrant County. The number of accounts billed will be based on the ending number of accounts on the certified roll as of September 30th for the previous year as provided by the Appraisal District. The ASSESSOR/COLLECTOR will invoice for these accounts by **January 31 of each contract year** with payment to be

received from the City by **February 28 of each contract year**. The scope of services identified in this contract does not include the administration of a rollback election. In the event of a successful rollback election, these costs incurred by the Tarrant County Tax Office will be separately identified, billed, and paid by the entity.

IV.
AUDITS

The ASSESSOR/COLLECTOR will provide to the City auditor necessary explanations of all reports and access to ASSESSOR/COLLECTOR in-house tax system computer terminals to assist the City auditor in verifying audit samples of the financial data previously provided by the ASSESSOR/COLLECTOR during the past audit period. Additional support for entity verification or entity auditor verification is not a part of this contract. Each request for support will be reviewed individually. Costs for providing audit support will be determined by the ASSESSOR/COLLECTOR and will be charged to and must be paid by the City.

V.
TAX RATE REQUIREMENT

The City will provide the ASSESSOR/COLLECTOR copies of the resolution, ordinance, or order signed by the governing body adopting the City's current tax rate and exemption schedule to be applied for assessing purposes along with a copy of the rate calculation worksheets, if applicable, by the **third Wednesday in September of each year of the contract**. Under authority of Section 31.01 (h) of the Property Tax Code, any additional cost of printing and mailing tax statements because of late reporting of the tax rate or the exemption schedule will be charged to and must be paid by the City. Any additional cost or expense requiring recalculation or rebilling due to an inaccurate or erroneous tax rate provided by City of Kennedale will be paid by City of Kennedale.

The tax rate and the exemption schedule for each of the last five (5) years in which an ad valorem tax was levied, or all prior years where there remains delinquent tax, must be furnished in writing to the ASSESSOR/COLLECTOR at the time of the initial contract.

VI.
**COMPLIANCE WITH APPLICABLE
STATUTES, ORDINANCES, AND REGULATIONS**

In performing the services required under this Agreement, the ASSESSOR/COLLECTOR shall comply with all applicable federal and state statutes, final Court orders and Comptroller regulations. If such compliance is impossible for reasons beyond its control, the ASSESSOR/COLLECTOR shall immediately notify the City of that fact and the reasons therefore.

VII.
DEPOSIT OF FUNDS

All funds collected by the ASSESSOR/COLLECTOR in the performance of the services stated herein for the City shall be promptly transferred to the account of the City at the City's depository bank. All payments to entities will be made electronically by the automated clearing house (ACH). The ASSESSOR/COLLECTOR has no liability for the funds after initiation of the ACH transfer of the City's funds from the COUNTY Depository to the City's designated depository. ASSESSOR/COLLECTOR has the authority to temporarily suspend payments to City of Kennedale due to unforeseen or unanticipated circumstances.

VIII.
INVESTMENT OF FUNDS

The City hereby agrees that the COUNTY, acting through the COUNTY Auditor, may invest collected ad valorem tax funds of the City during the period between collection and payment. The COUNTY agrees that it will invest such funds in compliance with the Public Funds Investment Act. The COUNTY further agrees that it will pay to the City all interest or other earnings attributable to taxes owed to the City. All parties agree that this Agreement will not be construed to lengthen the time period during which the COUNTY or the ASSESSOR/COLLECTOR may hold such funds before payment to the City.

IX.
REFUNDS

Refunds will be made by the ASSESSOR/COLLECTOR except as set forth herein. The ASSESSOR/COLLECTOR will advise the City of changes in the tax roll which were mandated by the appropriate Appraisal District.

The ASSESSOR/COLLECTOR will not make refunds on prior year paid accounts unless the prior year paid accounts for the past five (5) years are provided to the ASSESSOR/COLLECTOR.

If the amount of refunds processed for City of Kennedale exceeds collections for City of Kennedale, City of Kennedale will be placed in a negative status and no distributions made to City of Kennedale until collections exceed the negative balance.

All refunds of overpayments or erroneous payments due, but not requested, and as described in Section 31.11 of the Texas Property Tax Code, will after three years from the date of payment, be proportionately disbursed to those entities contracting with the ASSESSOR/COLLECTOR. The contract must have been in force, actual assessment and collection functions begun and the tax account was at the time of the over or erroneous payment within the City's jurisdiction. The proportional share is based upon the City's percent of the tax account's total levy assessed at the time of receipt of the over or erroneous payment.

In the event any lawsuit regarding the collection of taxes provided for in this agreement to which the City is a party, is settled or a final judgment rendered, and which final judgment is not appealed, and the terms of such settlement agreement or final judgment require that a refund be issued by the City to the taxpayer, such refund shall be made by ASSESSOR/COLLECTOR by debiting funds collected by ASSESSOR/COLLECTOR on behalf of the City and remitting such refund to the taxpayer in conformity with the terms of the settlement agreement or final judgment.

X.
DELINQUENT COLLECTIONS

The ASSESSOR/COLLECTOR will assess and collect the collection fee pursuant to Sections, 33.07, 33.08, 33.11 and 33.48 of the Property Tax Code, when allowed. The ASSESSOR/COLLECTOR will collect attorney fees that are specified by the City through written agreement with a delinquent collection Attorney. The ASSESSOR/COLLECTOR will disburse the amount directly to the Firm under contract to the City.

If the delinquent collection Attorney contracted by the City requires attendance of ASSESSOR/COLLECTOR personnel at a court other than the District Courts in downtown Fort Worth, and the COUNTY is not a party, the employee's expenses and proportionate salary will be the responsibility of the City and will be added to the collection expenses and charged to the City.

The ASSESSOR/COLLECTOR will not be responsible for the collection of prior year delinquent accounts unless all delinquent accounts information is provided to the ASSESSOR/COLLECTOR.

XI.
TERM OF AGREEMENT

This Agreement shall become effective as of the date hereinabove set out, and shall continue in effect through the 2021 tax year, unless sooner terminated by providing sixty (60) day written notice, as outlined in paragraph XII.

XII.
NOTICES

Any notices to be given hereunder by either party to the other may be effected by e-mail, or in writing, either by personal delivery or by mail, registered or certified, postage prepaid with return receipt requested. Mailed notices shall be addressed to the address of the parties as they appear in the introductory paragraph of this Agreement, but each party may change this address by notice in accordance with this paragraph.

XIII.

MISCELLANEOUS PROVISIONS

This instrument hereto contains the entire Agreement between the parties relating to the rights herein granted and obligations herein assumed. Any oral representations or modifications concerning this instrument shall be of no force or effect.

This Agreement shall be construed under and in accordance with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Tarrant County, Texas.

This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective legal representatives and successors.

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

This Agreement and the attachments hereto constitutes the sole and only agreement of the parties hereto and supersedes any prior understandings or written or oral agreements between the parties respecting the within subject matter.

Executed on the day and year first above written, Tarrant County, Texas.

BY: _____
WENDY BURGESS
TAX ASSESSOR/COLLECTOR
TARRANT COUNTY
WGBurgess@tarrantcounty.com
DATE _____

FOR: City of Kennedale

BY: _____
DATE _____
TITLE: _____
EMAIL: _____

FOR TARRANT COUNTY:

BY: _____
B. GLEN WHITLEY
TARRANT COUNTY JUDGE
DATE _____

APPROVED AS TO FORM:

BY: _____
CRIMINAL DISTRICT ATTORNEY'S OFFICE*
DATE _____

*By law, the Criminal District Attorney's Office may only approve contracts for its clients. We reviewed this document as to form from our client's legal perspective. Other parties may not rely on this approval. Instead those parties should seek contract review from independent counsel.



Date: July 16, 2019

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

I. Subject:

Approval of an Interlocal Agreement with Tarrant County in the amount of \$7,500.00 for roadside ditch line maintenance of selected streets and any other minor drainage needs that may arise during the project time period

II. Originated by:

Larry Hoover, Public Works Superintendent

III. Summary:

Public Works staff maintains 37 miles of roadside ditch line drainage structures within Kennedale. The attached Interlocal Agreement (ILA) would address known issues along Dick Price Road, Eden Road, Mansfield Cardinal Road, Grapevine Trail, Trent Street, Valley Lane, Oak Crest Drive, Gilman Road, West Sublett Road, and New Hope Road. The work performed under this agreement would be to remove any debris and sediment that is impairing or blocking drainage flow within any ditch segment in the right-of-way.

In some cases the entire ditch may be excavated, but in most cases very little excavation should be required — typically on either side of a driveway culvert. The shape and form of the ditch may also sometimes be adjusted to allow for easier maintenance by the home owner or staff. If staff identifies additional areas in need of maintenance during the term of the agreement (through March 31, 2020), staff could request that the County crew inspect and add the location to the project without requiring a new contract.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

Approve

VII. Alternative Actions:

VIII. Attachments:

1.	2019_07.16 ILA Tarrant County Ditch Maintenance	2019_07.16 ILA Tarrant County Ditch Maintenance.pdf
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THE STATE OF TEXAS

INTERLOCAL AGREEMENT

COUNTY OF TARRANT

This Interlocal Agreement is between Tarrant County, Texas ("COUNTY"), and the City of Kennedale ("CITY").

WHEREAS, the CITY is requesting the COUNTY's assistance to inspect and, where necessary, remove ditch/shoulder sediment on Dick Price Road; Eden Road; Mansfield Cardinal Road; Grapevine Trail; Trent Street; Valley Lane; Oak Crest Drive; Gilman Road; West Sublett Road and New Hope Road; as well as additional minor drainage issues that may arise during the specified contract time period (the "**Project**").

WHEREAS, the Interlocal Cooperation Act contained in Chapter 791 of the Texas Government Code provides legal authority for the parties to enter into this Agreement; and

WHEREAS, during the performance of the governmental functions and the payment for the performance of those governmental functions under this Agreement, the parties will make the performance and payment from current revenues legally available to that party; and

WHEREAS, the Commissioners Court of the COUNTY and the City Council of the CITY each make the following findings:

- a. This Agreement serves the common interests of both parties;
- b. This Agreement will benefit the public;
- c. The division of costs fairly compensates both parties to this Agreement; and
- d. The CITY and the COUNTY have authorized their representative to sign this Agreement; and
- e. Both parties acknowledge that they are each a "governmental entity" and not a "business entity" as those terms are defined in Tex. Gov't Code § 2252.908, and therefore, no disclosure of interested parties pursuant to Tex. Gov't Code Section 2252.908 is required.

NOW, THEREFORE, the COUNTY and the CITY agree as follows:

TERMS AND CONDITIONS

1. COUNTY RESPONSIBILITY

The COUNTY will furnish the labor and equipment to assist the CITY in completing the Project. The drainage improvements will consist of the following:

- 1.1 Remove ditch sediment and debris where necessary;
- 1.2 Remove soil build up along roadway edges;
- 1.3 Remove vegetation from ditch lines where necessary; and
- 1.4 Install Reinforced Concrete Pipe (RCP) if necessary.

2. CITY RESPONSIBILITY

- 2.1 CITY will furnish all materials for the Project;
- 2.2 CITY will furnish a site for dumping waste in close proximity to job site for materials generated during this Project;
- 2.3 CITY will furnish all rights of way, plan specifications and engineering drawings;

- 2.4 CITY will furnish necessary traffic controls including Type A barricades to redirect traffic flow to alternate lanes during the construction phase of the Project;
- 2.5 CITY will ensure that the Project is cleared of obstructions which could damage COUNTY equipment during construction;
- 2.6 CITY will verify the location of all utility locations, mark those locations and then remove the utilities that will interfere with the progress of the Project; and
- 2.7 CITY will pay COUNTY \$7,500.00 for the labor and equipment involved with the Project. COUNTY will invoice the CITY upon project completion.

3. PROCEDURES DURING PROJECT

COUNTY retains the right to inspect and reject all materials provided for this Project.

If the CITY has a complaint regarding the construction of the Project, the CITY must complain in writing to the COUNTY no later than thirty (30) days of the date of Project completion. Upon expiration of 30 days after Project completion, the CITY will be solely responsible for maintenance and repairs of the Project.

4. NO WAIVER OF IMMUNITY

This Agreement does not waive COUNTY rights under a legal theory of sovereign immunity. This Agreement does not waive CITY rights under a legal theory of sovereign immunity.

5. OPTIONAL SERVICES

- 5.1 If requested by the CITY, the COUNTY will apply permanent striping coordinated through the Transportation Department. Application of striping by the COUNTY is limited to Project roadways. If the CITY desires permanent striping applied to any roadways or portions of roadways not covered by this Agreement, the CITY will need to enter into a separate agreement with the COUNTY for the provision of those services;
- 5.2 If necessary, the CITY will furnish traffic control personnel; and
- 5.3 If required, the CITY will pay for engineering services, stormwater run-off plans, and continuation of services and plan.

6. TIME PERIOD FOR COMPLETION

The CITY will give the COUNTY notice to proceed at the appropriate time. However, the COUNTY is under no duty to commence construction at any particular time.

7. THIRD PARTY

The parties do not enter into this Agreement to protect any specific third party. The intent of this Agreement excludes the idea of a suit by a third party beneficiary. The parties to this Agreement do not consent to the waiver of sovereign immunity under Texas law to the extent any party may have immunity under Texas law.

8. JOINT VENTURE & AGENCY

The relationship between the parties to this Agreement does not create a partnership or joint venture between the parties. This Agreement does not appoint any party as agent for the other party.

9. EFFECTIVE DATE

This Agreement becomes effective when signed by the last party whose signing makes the Agreement fully executed.

10. TERMINATION OF AGREEMENT

Either party may terminate this Agreement without cause by providing thirty (30) days prior written notice of intent to terminate to the other party. This Agreement will automatically terminate upon completion of the Project or March 31, 2020, whichever date occurs first. This Agreement may be renewed prior to its expiration upon the mutual consent of the parties in writing.

TARRANT COUNTY, TEXAS

CITY OF KENNEDALE

COUNTY JUDGE

Authorized City Official

Date: _____

Date: _____

COMMISSIONER, PRECINCT 2
Devan Allen

Date: _____

Attest:

Attest:

APPROVED AS TO FORM*

APPROVED AS TO FORM AND LEGALITY

Criminal District Attorney's Office*

Assistant City Attorney

Date: _____

Date: _____

* By law, the Criminal District Attorney's Office may only approve contracts for its clients. We reviewed this document as to form from our client's legal perspective. Other parties may not rely on this approval. Instead those parties should seek contract review from independent counsel.



Date: July 16, 2019

Agenda Item No: DECISION ITEMS - A.

I. Subject:

Consider making appointments to the 2019-2020 Youth Advisory Council (YAC)

II. Originated by:

Leslie E. Galloway, City Secretary & Communications Coordinator

III. Summary:

In 2013, the City of Kennedale established The Youth Advisory Council (YAC), which is a group of students (ages 15-19) that live within the boundaries of the Kennedale Independent School District (KISD) and students that reside within (or attend a state-recognized school or homeschool within) the corporate boundaries of the City of Kennedale. This year, 20 applications were received and are attached for Council's review. There were originally 15 seats on this board. However, the City Council expanded YAC to 25 places, via the adoption of Ordinance 661 at their June 20, 2019 regular meeting. As such, staff and the 2018-19 Youth Advisory Council members would respectfully recommend to Council approving the appointment of all 20 applicants (as listed below).

Applications to serve on the 2019-20 YAC

INCUMBENTS

1. Allen Constantino
2. Kayla Guevara
3. Quincy Martin
4. Allie Murphy
5. Riya Patel
6. Ryan Roller

NEW APPLICANTS

1. Libby Beck
2. Ella Beene
3. Amaya Constantino
4. Amber Guo
5. Bri Hull
6. Grant McConnell
7. Julia McHugh
8. Luc Ngo
9. Jaiden Patel
10. Michelle Pham
11. Preston Roller
12. Christian Rockin
13. Lillian Rychlik
14. Luciane Williams

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

Approve

VII. Alternative Actions:

VIII. Attachments:

1.	RETURNING Constantino, Allen	RETURNING Constantino, Allen.pdf
2.	RETURNING Guevara, Kayla	RETURNING Guevara, Kayla.pdf
3.	RETURNING Martin, Quincy	RETURNING Martin, Quincy.pdf
4.	RETURNING Murphy, Allie	RETURNING Murphy, Allie.pdf
5.	RETURNING Patel, Riya	RETURNING Patel, Riya.pdf
6.	RETURNING Roller, Ryan	RETURNING Roller, Ryan.pdf
7.	NEW Beck, Libby	NEW Beck, Libby.pdf
8.	NEW Beene, Ella	NEW Beene, Ella.pdf
9.	NEW Constantino, Amaya	NEW Constantino, Amaya.pdf
10.	NEW Guo, Amber	NEW Guo, Amber.pdf
11.	New Hull, Bri	New Hull, Bri.pdf
12.	NEW McConnell, Grant	NEW McConnell, Grant.pdf
13.	NEW McHugh, Julia	NEW McHugh, Julia.pdf
14.	NEW Ngo, Luc	NEW Ngo, Luc.pdf
15.	NEW Patel, Jaiden	NEW Patel, Jaiden.pdf
16.	NEW Pham, Michelle	NEW Pham, Michelle.pdf
17.	New Preston, Roller	New Preston, Roller.pdf
18.	NEW Rockin, Christian	NEW Rockin, Christian_no letter of rec.pdf
19.	NEW Rychlik, Lillian	NEW Rychlik, Lillian.pdf
20.	NEW Williams, Lucianne	NEW Williams, Lucianne.pdf

Date: July 16, 2019

Agenda Item No: DECISION ITEMS - B.

I. Subject:

Consider making appointments to various advisory boards and commissions, including the TownCenter Development District (TDD) Board, the Tax Increment Reinvestment Zone #1 (TIRZ) Board, and the Parks & Recreation Board

II. Originated by:

George Campbell, City Manager

III. Summary:

At this time, Council may consider making appointments to various advisory boards and commissions. A full listing of the membership of these boards is attached to Work Session Item II.A. There are currently a number of vacancies on several boards. In an effort to minimize disruption to the business of these boards over the next few months (before annual appointments in October), staff would respectfully recommend that Council consider making out-of-cycle appointments to vacant positions as soon as possible, particularly on the following boards:

TDD TownCenter Development District

- Place 1: EDC President Mark Yeary (Automatic Appointment of EDC President)
- Place 2: **VACANT** (was Mark Yeary; Must be a member of the EDC Board)
- Place 3: Mayor Brian Johnson (Automatic Appointment of Mayor)
- Place 4: Mayor Pro Tem Sandra Lee (Must be a member of the Council)
- Place 5: **VACANT** (was Rockie Gilley; Must be a member of the Council)

TIRZ: Tax Increment Reinvestment Zone #1 Board

- Place 1: Darold Tippey
- Place 2: Bruce Cates
- Place 3: **VACANT** (was Lary Adkins)
- Place 4: Rockie Gilley City of Kennedale
- Place 5: Jeni McGarry Appointed by Taxing Unit Tarrant County
- Place 6: Scott Rule Tarrant County Hospital District
- Place 7: Mark McClendon Tarrant County College District

Parks & Recreation Board

- Place 1: David Deaver, Chair
- Place 2: Jeff Nevarez
- Place 3: **VACANT** (was Michael Chandler)
- Place 4: Gary Swan Place 5: Phil Wallace
- Place 6: Josh Hayes
- Place 7: Donald Spikes ([No attendance nor response to staff's attempts to contact](#))

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:

1.	Board Applications Received	Board Applications Received.pdf
2.	Beck_Ann (Parks)	Beck_Ann (Parks).pdf
3.	Clementi_Perry (BOA-BBA)	Clementi_Perry (BOA-BBA).pdf
4.	Degenhart_Austin (PZ and EDC)	Degenhart_Austin (PZ and EDC).PDF
5.	Green_David (Parks and P&Z)	Green_David (Parks and P&Z).pdf
6.	Hicks_Heather (Library and KKB)	Hicks_Heather (Library and KKB).pdf
7.	Joplin_Jan (TIRZ and TDD and EDC)	Joplin_Jan (TIRZ and TDD and EDC).pdf
8.	Massengill_Bo (UIB)	Massengill_Bo (UIB).pdf
9.	Michels_Kenneth (Parks)	Michels_Kenneth (Parks).pdf
10.	Mundy_Robert (TIRZ and TDD)	Mundy_Robert (TIRZ and TDD).pdf
11.	Vader_Patrick (BOA-BBA and P&Z)	Vader_Patrick (BOA-BBA and P&Z).PDF

APPLICATIONS RECEIVED AS OF 07.12.2019	NOTES	APPLIED FOR
Ann Beck		Parks
Perry Clementi		BOA/BBA
Austin Degenhart		EDC; P&Z
David Green		Parks; P&Z
Heather Hicks		Library; KKB
Jan Joplin		EDC; TDD; TIRZ
Bo Massengill		UIB
Kenneth Michels		Parks
Robert Mundy		TDD; TIRZ
Patrick Vader		BOA/BBA; P&Z



Date: July 16, 2019

Agenda Item No: DECISION ITEMS - C.

I. Subject:

Consider authorizing the City Manager to enter into a contract with ABLe Communications for improvements to the Council Chambers audiovisual equipment

II. Originated by:

Danielle Clarke, Director of Human Resources & Administrative Services

III. Summary:

In early May, the City Manager's office began accepting proposals to update the audiovisual equipment in Council Chambers. The purpose for this update would be to provide better visibility of meeting presentations for both citizens and the Council and to provide additional transparency measures for the benefit of the public. A cost matrix of the four proposals received by staff that addressed the City's requirements is attached. Following review of these proposals, staff would respectfully recommend City Council authorization for the City Manager to enter into a contract with ABLe Communications in an amount not to exceed \$50,000.00.

The ABLe proposal (attached) was the best proposal for improvements that met the City's requirements, and includes commercial grade viewing monitors, updates to the sound system, and the necessary equipment to record meetings and upload those videos to the City's website the following day. The improvements will allow the City to live stream meetings in the future as additional equipment and/or services are added. The system would also accommodate the use of electronic voting software that the City currently has access to through CivicClerk at no additional cost. Unless directed otherwise, iPads will also be purchased for use during meetings to accommodate the electronic voting and for viewing of meeting related documents.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

Approve

VII. Alternative Actions:

VIII. Attachments:

1.	19-516 - City Council Chamber Upgrade 5.0 (3)	19-516 - City Council Chamber Upgrade 5.0 (3).pdf
2.	Proposal Matrix	Proposal Matrix.pdf



1413 East Avenue H • Grand Prairie, TX • 75050
P: 972-660-2253 • F: 972-660-2254

Quote # B-19-516
Danielle Clarke, City of Kennedale
405 Municipal Drive Kennedale, TX 76060
Kennedale, TX 76060
817-985-2106
dclarke@cityofkennedale.com

**City Council Chamber Upgrade
Proposal Summary**

Version: 4 (Quote Valid for 60 days)

System Description	Qty.	Sell Price	Sell Ext.
City Council Chambers	1	\$ 49,963.56	\$ 49,963.56
Sub-Total			\$ 49,963.56
Payment & Performance Bond			\$ 0.00
Grand Total			\$ 49,964.00
Initial Down Payment			\$ 0.00

TERMS:
Progress Billing

Notes:

This entire document and all information enclosed including drawings, specifications and designs is the property of Able Communications Inc.. Proprietary information provided to our client or his agents is for the sole purpose of demonstrating Able's capabilities and shall be held in confidence. These materials may not be copied, distributed or disclosed in any way without the sole written permission of an authorized representative of Able Communications.



1413 East Avenue H • Grand Prairie, TX • 75050
P: 972-660-2253 • F: 972-660-2254

Quote # B-19-516
Danielle Clarke, City of Kennedale
405 Municipal Drive Kennedale, TX 76060
Kennedale, TX 76060
817-985-2106
dclarke@cityofkennedale.com

City Council Chamber Upgrade
City Council Chambers

Version: 4 (Quote Valid for 60 days)

Qty	Manufacturer	Model	Description	Key
1. EQUIPMENT AND LABOR DETAIL				
1	Apple	iPAD 16GB WiFi	16GB iPad Air 2 (Wi-Fi Only, S	2.
1.25	Belden	1213F010A1000	24/4 PR SOL SHLD CAT5E CMP	
3	Chief Manufacturing	CMA110	8" (203 mm) Ceiling Plate	
3	Chief Manufacturing	CPA262	CHIEF COUPLER TO TRANSITION	
3	Chief Manufacturing	XCM1U	FUSION X-Large Single Pole Flat Panel Ce	
1	Crestron Electronics, Inc.	DM-DA4-4K-C	1:4 4K HDMI to DM 8G+ & HDBaseT Splitter	
1	Crestron Electronics, Inc.	DMPS3-4K-100-C	3-Series 4K DigitalMedia Presentation Sy	
2	Crestron Electronics, Inc.	DM-RMC-4K-100-C-1G-B-T	Wall Plate 4K DigitalMedia 8G+ Receiver	
3	Crestron Electronics, Inc.	DM-RMC-4KZ-100-C	DigitalMedia 8G+? 4K60 4:4:4 HDR Receive	
2	Crestron Electronics, Inc.	DM-TX-4K-100-C-1G-B-T	Wall Plate 4K DigitalMedia 8G+ Transmitt	
1	Crestron Electronics, Inc.	IDOC-PAD-LCA2-DSWC-B	iPanel Wall Dock for iPad Air 2, Black	
7	Middle Atlantic	CG56782	3FT High Speed HDMI Cable with Ethernet	
4	Middle Atlantic	CG56783	6ft High Speed HDMI Cable with Ethernet	
1	OFE	QSC CX204V	OFE Amplifier	
10	OFE	Shure Push-To-Talk Mics	Cable already run to ER	
10	OFE	19516 - OFE SPK	Already Installed	
1	Panduit	JB1EI-A	Panduit Pan-Way Surface Mount Outlet Box	
1	QSC Audio Products, LLC.	CORE 110f	Unified Series Core with 24 local I/O ch	
3	Samsung Electronics America, Inc.	UN82RU8000F	82" RU8000 Smart 4K UHD TV	
1	SUNBELT RENTALS	007-0025	19' Electric Scissor Lift	
2. VIDEO STREAMING SYSTEM				
1	Extron Electronics, USA	60-1594-01	SMP 111 Single Channel H.264 Streaming M	1.
1	Vaddio	535-2000-240	Thin Profile Wall Mount for RoboSHOT PTZ	
1	Vaddio	OneLINK HDMI	Power, control, and video up to 328ft (1	
1	Vaddio	RoboSHOT 12E HDBT	12x optical zoom, HDBaseT, HDMI and IP H	

Key Notes:

- Requires streaming endpoints to be configured by IT and/or website developer.
- Client will need to purchase a \$99 application from The Apple Store in order to use iPad for control of the system. This application is usable on up to 5 iPads.

Equipment Total:	\$ 31,853.81
Consumable Installation Supplies:	\$ 996.90
Freight:	\$ 733.60
AutoCAD Drafting and Engineering:	\$ 1,344.00
Project Management:	\$ 1,218.40
Programming:	\$ 7,320.00
Shop Labor:	\$ 247.20
Field Labor:	\$ 5,376.00
Final Test & Balance:	\$ 537.60
Operational System Training:	\$ 268.80
Project Administration:	\$ 67.25
Tax:	\$ 0.00
Grand Total:	\$ 49,963.56
Initial Down Payment:	\$ 0.00

☐ **System Accepted**

☐ **System Declined**

Initial: _____



1413 East Avenue H • Grand Prairie, TX • 75050
P: 972-660-2253 • F: 972-660-2254

Terms and Conditions

The following terms and conditions shall govern this agreement unless a valid **Master Services Agreement for Support and Maintenance** or other similar agreement ("Master Agreement") between the parties has been executed and is in force, in which case the terms of the Master Agreement shall prevail to the extent that they are inconsistent with the following terms and conditions.

1. Purchase Orders, Invoicing, Payment and Acceptance. Any purchase order submitted by CLIENT in connection with this agreement shall be deemed subject to these Additional Terms and this agreement. Unsigned, electronically submitted purchase orders shall be deemed to include CLIENT's electronic signature and shall be binding to the extent accepted by ABLe. ABLe's performance of such purchase order shall not constitute ABLe's acceptance of new or different terms, including pre-printed terms on such order. In absence of a purchase order, CLIENT agrees that its signature below grants ABLe the right to invoice CLIENT and authorizes payment to ABLe for the amounts owed. Further, CLIENT represents that ABLe can rely on such CLIENT signature for payment. ABLe shall invoice CLIENT for the Products and/or Services in accordance with the terms stated in the agreement. Acceptable forms of payment for the price included herein are cash, check or wire transfer. CLIENT shall make payment to ABLe within thirty (30) days from the date of invoice. With the exception for taxes due on ABLe's net income, CLIENT shall pay ALL applicable taxes which are not reflected in the listed project pricing. ABLe reserves the right to invoice CLIENT for additional work requested by CLIENT and performed by ABLe, and for applicable expenses incurred by ABLe pursuant to providing such additional services, which are not described in this agreement. Unless otherwise indicated in this agreement, CLIENT agrees that staff labor only augmentation services and services performed on a time and materials basis shall be deemed accepted as performed. Unless otherwise indicated in this agreement, Projects shall be deemed accepted upon the earlier of ABLe's receipt a signed Project Completion and Acceptance document which has been signed and dated by an authorized representative of CLIENT, or thirty (30) calendar days from the date of the delivery of the final Project deliverable. If acceptance is refused, the CLIENT shall provide, in writing to ABLe, its reasonable basis for refusal, prior to the expiration of the thirty (30) calendar day period. ABLe shall address the issue before subsequent work is undertaken.

2. Shipment of Product. All Products delivered to CLIENT hereunder shall be shipped FOB origin, freight collect. Title and risk of loss shall pass to CLIENT at point of origin. Products shall be deemed accepted upon delivery.

3. Limitations of Warranties. ABLe warrants that Services shall be provided by competent personnel in accordance with applicable professional standards. **ALL PRODUCTS PROVIDED BY ABLe ARE PROVIDED "AS IS", WITH ALL FAULTS. ABLe MAKES NO OTHER WARRANTIES, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. ANY AND ALL ORIGINAL EQUIPMENT MANUFACTURER (OEM) WARRANTIES, CERTIFICATIONS AND GUARANTEES, IF ANY, ARE PASSED THROUGH TO CLIENT.**

4. Intellectual Property. CLIENT acknowledges that ABLe, its vendors, and/or its licensors retain all patents and/or copyrights in and to all proprietary data, processes and programs, if any, provided in connection with Services performed hereunder; any ABLe software provided to CLIENT as part of the Services provided shall be subject to the vendor's, licensor's or OEM's copyright and licensing policy. To the extent such software is prepared by ABLe, it is provided by nontransferable, nonexclusive license for CLIENT'S internal use only, subject strictly to the terms and conditions of this Agreement, and shall terminate upon termination or expiration of this Agreement. CLIENT shall not duplicate, use or disclose for the benefit of third parties, reverse engineer or decompile any such software.

5. Confidential Information. The parties agree that Confidential Information means any information disclosed by the disclosing party to the receiving party, either directly or indirectly, in writing, orally or by inspection of tangible objects (including without limitation documents, prototypes, samples, plant and equipment, "CLIENT" lists or other "CLIENT" information not known to the public), which is designated as "Confidential," "Proprietary" or some similar designation, or is the type of information which should reasonably be recognized as Confidential or Proprietary. The receiving party shall not use any Confidential Information of the disclosing party for any purpose except to evaluate and engage in discussions concerning this Proposal. Each party agrees to protect the other party's Proprietary and Confidential Information to the same extent that it protects its own Proprietary and Confidential Information but with no less than a reasonable degree of care.

6. Limitation of Liability. IN NO EVENT SHALL ABLe BE LIABLE TO CLIENT FOR ANY INDIRECT, INCIDENTAL, SPECIAL, CONSEQUENTIAL, EXEMPLARY, OR PUNITIVE DAMAGES OF ANY KIND WHATSOEVER, ARISING IN CONTRACT, TORT OR OTHERWISE, EVEN IF ADVISED OF THE POSSIBILITY OF SUCH DAMAGES. ABLe'S ENTIRE LIABILITY AND CLIENT'S EXCLUSIVE REMEDY FOR DAMAGES FROM ANY CAUSE WHATSOEVER, INCLUDING, BUT NOT LIMITED TO, NONPERFORMANCE OR MISREPRESENTATION, AND REGARDLESS OF THE FORM OF ACTIONS, SHALL BE LIMITED TO THE AMOUNT WHICH HAS BEEN ACTUALLY PAID TO ABLe BY CLIENT FOR SERVICES AND/OR PERFORMANCE HEREUNDER. Without limiting the foregoing, ABLe will have no responsibility for the adequacy or performance of (i) any third party software provided to ABLe under this agreement; (ii) any hardware, and (iii) any services provided by any third party.

7. Non-Solicitation Provision. During the term of this agreement and for twelve (12) months thereafter, CLIENT will not solicit for a permanent or other position any employee or subcontractor of ABLe to whom the CLIENT was introduced as a result of this agreement. Should CLIENT solicit and/or hire an employee or contractor from ABLe, CLIENT shall pay to ABLe an administrative fee equal to 1 year's salary of the employee's new starting salary based on the CLIENT's employment offer.

8. Force Majeure. Neither party shall be liable for any failure or delay in performance of its obligations hereunder where such performance is prevented or delayed by causes beyond its reasonable control, including without limitation, flood, war, embargo, strike or other labor dispute, riot, acts of God or the intervention of any government authority.

9. Choice of Law and Venue. The parties will attempt to settle any claim or controversy arising under this agreement through consultation and negotiation in good faith and a spirit of mutual cooperation. This agreement and all matters relating thereto shall be governed exclusively by the substantive law of the State of Texas. Any dispute relating directly or indirectly to this agreement or any other contract or agreement between the parties which cannot be resolved through the process of consultation and negotiation shall be brought in a court of competent jurisdiction in Tarrant County, Texas, that being the exclusive venue for any dispute between or any claims held by any of the parties to this agreement.

10. Miscellaneous. This agreement constitutes the entire agreement of the parties and supersedes all prior written or oral agreements, representations and understandings relating to the subject matter hereof, with the exception of a valid Master Agreement between the parties under the terms of which this agreement shall be incorporated. This agreement shall not be amended or modified except by written instrument signed by the parties. Should additional work beyond the scope of the Services detailed herein by ABLe be requested by CLIENT, fees for such additional Services will be negotiated with CLIENT prior to performing such work and will be memorialized in writing between the Parties by utilizing a Change Order request form ("CO") or an additional agreement as appropriate. ABLe will invoice CLIENT for any additional work performed and expenses incurred which are not described in this agreement. The Parties agree that neither may assign its rights or duties under this contract without the prior written consent of the other Party, which consent shall not be unreasonably withheld.

11. Severability. The provisions of this Agreement are severable. If any provision of this Agreement or its application to any person or circumstance is ever held by any court of competent jurisdiction to be invalid for any reason, the remainder of this Agreement and the application of such provision or part of this Agreement to other persons or circumstances shall not be affected.

Authorization to Proceed

The use of signatures on this Proposal is to ensure agreement on project objectives and the work to be performed by ABLe. ABLe signature signifies our commitment to proceed with the project as described in this document. Please review this document thoroughly, as it will be the basis for all work performed by ABLe on this project. This Proposal is valid for a period of sixty (60) days from the date that this proposal is provided by ABLe to CLIENT unless otherwise agreed to by both parties.

THE INDIVIDUAL SIGNING BELOW HEREBY REPRESENTS AND WARRANTS THAT SHE/HE IS DULY AUTHORIZED TO EXECUTE AND DELIVER THIS AGREEMENT ON BEHALF OF THE CLIENT AND THAT THIS AGREEMENT IS BINDING UPON ABLe COMMUNICATIONS, INC. IN ACCORDANCE WITH ITS TERMS AND CONDITIONS DESCRIBED HEREIN.

City of Kennedale

Danielle Clarke

Printed Name and Title

Signature

Signature Date

PURCHASE ORDER #

ABLe Communications, Inc.

Hiram C. Lopez, RCDD - President

Printed Name and Title

Signature

Signature Date

19-516 - City Council Chamber Upgrade
QUOTE

Please sign and return the entire document to fax number 972-660-2254 or sales@ablecomm.net. Thank you!

Council Chambers Upgrade Proposal Matrix

Company	Amount
ABLe Communications (recommended)	\$49,964.00
DataVox	\$49,980.69
Videotex Systems	\$49,779.68
Crowne Audio Video	\$65,364.92



Date: July 16, 2019

Agenda Item No: DECISION ITEMS - D.

I. Subject:

Hold a public hearing and consider a request by ODAAT 52, LLC for a variance at 1375 Gilman Road to sell alcoholic beverages within 300 feet of a church, public or private school, or public hospital as required by Municipal Code, Article XI, Section 11.274

II. Originated by:

III. Summary:

The owner of 1375 Gilman Road, ODAAT 52, LLC (Adlai Pennington), requested a variance from the requirement in the municipal code that establishments that the sale of alcohol be 300 feet or more from a church.

This distance requirement is part of the municipal code only, and is not required by the State. The owner of this property plans to open an entertainment venue that will sell alcohol, and the property is less than 300 feet from a church. The church leases their property from the applicant.

The property is located close to I-20 in a primarily commercial area, although there are some residences to the south and east. Notices were sent to all property owners within a 200 foot radius of the applicant property, and staff has not received any notices of opposition.

Given the location of this proposed venue and the fact that staff has not received any letters or communication of opposition, staff recommends approval. Staff will be available to answer questions.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:



Date: July 16, 2019

Agenda Item No: DECISION ITEMS - E.

I. Subject:

Case #PZ19-02 — Hold a public hearing and consider an ordinance and request by Spirals Gymnastics, Inc. for a rezoning from "PD-UV" Planned Development Urban Village to "UV" of approximately 2 acres at 1083 Bowman Springs Road, Block 1, Lot 19R, Woodlea Acres Addition, City of Kennedale, Texas

II. Originated by:

Melissa Dailey, Director of Planning & Economic Development

III. Summary:

Request	Rezone from "PD-UV" Planned Development Urban Village to "UV" Urban Village
Applicant	Spirals Gymnastics, Inc.
Location	1083 Bowman Springs Road
Surrounding Uses	Single family, schools, industrial
Surrounding Zoning	PD-UV1, R3, R1
Future Land Use Plan Designation	Residential
Staff Recommendation	Approve

CURRENT STATUS OF PROPERTY

The property is currently in use by Spiral Gymnastics, Inc.

SURROUNDING PROPERTIES & NEIGHBORHOOD

The property fronts Bowman Springs Road, an arterial thoroughfare that connects Kennedale Parkway to Interstate 20 to the northeast. Surrounding properties are mixed and include the Fellowship Academy, Kennedale Junior High School, single family, vacant commercially zoned property, and an industrial park.

STAFF REVIEW

Future Land Use Plan

The Future Land Use Plan indicates this property as residential but adjacent to Urban Village at the corner of Bowman Springs and Kennedale Parkway. The UV District is established to provide an area with an intense mix of uses in a compact, walkable urban form, transitioning down in intensity toward and complementing surrounding residential neighborhoods. Given the location fronting an arterial roadway, a mix of uses is appropriate for this site and this commercial corridor.

Related Goals From the Comprehensive Land Use Plan

The comprehensive plan goal related to this rezoning request falls under:

- PRINCIPLE 1: CONNECTED CITY. SUPPORTING A WALKABLE BUILT ENVIRONMENT.
As land development creates the demand to travel, ensure that it reduces the need to drive by providing ample direct connections for pedestrians, bicycles, and transit.
- PRINCIPLE 2: ECONOMIC PROSPERITY. PROMOTE ACCESS TO HOUSING.
Providing housing options for people of varying financial means and residential preferences. Provide the

regulatory framework and developer support to provide quality housing for residents. Create job opportunities in Kennedale that help stabilize the local tax base and allow residents to work close to home.

- PRINCIPLE 3: THRIVING COMMUNITY. CREATE VIBRANT CENTERS.
Promote social integration and economic activity through the development of different scale centers throughout the community.

City Council Ends Statements and Goals

- Kennedale has excellent neighborhoods and a wide range of home options.
- Business uses are compatible with residential areas.
- Well planned community based on principles of a connected city, economic prosperity, and a thriving community.

SUMMARY

The property owner worked with City staff in 2015 to rezone the property to PD-UV1, with the anticipation of a new zoning code being adopted and the property zoning then changed to UV. The Unified Development Code (UDC) was adopted by City Council in 2016. The owner is following up on the plan to rezone to UV now that that zoning category is available. The existing building on the site alone would not meet the UV requirements and would become a legal non-conforming use. However, any changes to the building or to the property would need to comply with UV zoning requirements. Staff believes that UV is an appropriate use for this site and creates the potential of high-quality mixed-use development in the future. The Planning & Zoning Commission denied the request to rezone with a 4-3 vote at their regular meeting on June 27, 2019.

STAFF RECOMMENDATION

Based on the above analysis, staff recommends approval of the rezoning.

ACTION BY THE CITY COUNCIL

- **Approval:** Based on the information presented, I find that the request meets city requirements and is in compliance with the comprehensive land use plan and make a motion to approve the request for rezoning.
- **Approval with Conditions:** Based on the information presented, I find that the request meets city requirements and is in compliance with the comprehensive land use plan and make a motion to approve the request for rezoning with the following conditions (list conditions).
- **Deny:** Based on the information presented, I find that the proposed use does not meet (list standards or requirements not met) and make a motion to deny the request.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

Approve

VII. Alternative Actions:

VIII. Attachments:

1.	O667_1083BowmanSpringsZoningUV_Spirals_PZ19-02	O667_1083BowmanSpringsZoningUV_Spirals_PZ19-02.pdf
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ORDINANCE NO. 667

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF KENNEDALE, TEXAS, BY CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY WITHIN THE CITY OF KENNEDALE, BEING APPROXIMATELY 1.88 ACRES DESCRIBED AS LOT 1, BLOCK 19R, WOODLEA ACRES ADDITION, FROM "PD-UV1" PLANNED DEVELOPMENT URBAN VILLAGE DISTRICT TO "UV" URBAN VILLAGE DISTRICT; PROVIDING FOR THE AMENDMENT OF THE OFFICIAL ZONING MAP TO REFLECT SUCH CHANGE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, pursuant to Chapter 211 of the Local Government Code, the City has adopted a comprehensive zoning ordinance and map regulating the location and use of buildings, other structures and land for business, industrial, residential or other purposes, for the purpose of promoting the public health, safety, morals and general welfare, all in accordance with a comprehensive plan; and

WHEREAS, a change in the zoning classification of the property listed below was requested by a person or entity having a proprietary interest in said property; and

WHEREAS, a public hearing was duly held by the Planning and Zoning Commission of the City of Kennedale on June 27, 2019, and by the City Council of the City of Kennedale on July 16, 2019, with respect to the zoning change described herein; and

WHEREAS, all requirements of law dealing with notice to other property owners, publication and all procedural requirements have been complied with in accordance with Chapter 211 of the Local Government Code; and

WHEREAS, the City Council of the City of Kennedale, Texas does hereby deem it advisable and in the public interest to amend the Unified Development Code, as amended, as described herein.

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

SECTION 1.

The Unified Development Code, as amended, is hereby amended so that the permitted uses in the hereinafter described area shall be altered, changed and amended as shown and described below:

Approximately 1.88 acres, located at 1083 Bowman Springs Road, and being described as Lot 1, Block 19R, Woodlea Acres, Tarrant County, Texas, on the illustration attached hereto as Exhibit "A" and incorporated herein for all purposes of this ordinance, is hereby rezoned from "PD-UV1" Planned Development Urban Village District to "UV" Urban Village District.

SECTION 2.

The zoning districts and boundaries as herein established have been made in accordance with the comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the community. They have been designed to lessen congestion in the streets, to secure safety from fire, panic, flood and other dangers, to provide adequate light and air, to prevent overcrowding of land, to avoid undue concentration of population, to facilitate the adequate provisions of transportation, water, sewerage, parks and other public requirements. They have been made after a full and complete hearing with reasonable consideration among other things of the character of the district and its peculiar suitability for the particular uses allowed and with a view of conserving the value of the buildings and encouraging the most appropriate use of land throughout the community.

SECTION 3.

The City Secretary is hereby directed to amend the official zoning map to reflect the changes in classifications approved herein.

SECTION 4.

The use of the property hereinabove described shall be subject to all the applicable regulations contained in the Unified Development Code, as amended, and all other applicable and pertinent ordinances of the City of Kennedale, Texas.

SECTION 5.

This Ordinance shall be cumulative of the Unified Development Code, as amended, and all other Ordinances of the City of Kennedale affecting zoning and land use, and shall not repeal any of the provisions of such ordinances except in those instances where provisions of such ordinances are in direct conflict with the provisions of this ordinance.

SECTION 6.

All rights or remedies of the City of Kennedale, Texas are expressly saved as to any and all violations of Unified Development Code, as amended, that have accrued at the time of the effective date of this Ordinance and as to such accrued violations and all pending litigation, both civil and criminal, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the Courts.

SECTION 7.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 8.

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists enforcement of any of the provisions of this ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 9.

The City Secretary of the City of Kennedale is hereby directed to publish the ordinance as required by law.

SECTION 10.

This ordinance shall be in full force and effect from and after its passage and publication as required by law and it is so ordained

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF KENNEDALE, TEXAS, THIS THE 16TH DAY OF JULY, 2019.

APPROVED:

MAYOR BRIAN JOHNSON

[CITY SEAL]

ATTEST:

CITY SECRETARY LESLIE E. GALLOWAY

APPROVED AS TO FORM AND LEGALITY:

CITY ATTORNEY DREW LARKIN

ORDINANCE NO. 667

“EXHIBIT A”





Date: July 16, 2019

Agenda Item No: DECISION ITEMS - F.

I. Subject:

Case #PZ19-03 — Hold a public hearing and consider an ordinance and request by Water Tank Services, LLC for a modification to the "PD" Planned Development, Ordinance 561, Section 2.7 related to building materials at 6901 Mansfield Cardinal Road, Lot 4, Jesse Russell Addition, City of Kennedale, Texas

II. Originated by:

Melissa Dailey, Director of Planning & Economic Development

III. Summary:

BACKGROUND AND OVERVIEW

Request	Modify Section 2.7 of PD Ordinance 561 to remove requirement for owner to apply masonry veneer to existing exterior facades
Applicant	Water Tank Services, LLC
Location	6901 Mansfield Cardinal Road
Surrounding Uses	Single family, schools, industrial
Surrounding Zoning	MH, R2, R3, C2
Future Land Use Plan Designation	Residential
Staff Recommendation	Approve

CURRENT STATUS OF PROPERTY

The property has a metal building onsite currently used by Water Tank Services, LLC. This is a well maintained property that has improved when Water Tank Services, LLC purchased the property. The property owner has met all other requirements of the PD including landscaping and screening.

SURROUNDING PROPERTIES & NEIGHBORHOOD

The property fronts Mansfield Cardinal Road, and collector street, and is south of Eden Road close to the Kennedale city limit. There are a mix of uses in the area, including a mobile home park adjacent to the south, larger lot single family, vacant land, and a large industrial use to the north. Several large parcels across the street from this property are zoned "C2" commercial.

STAFF REVIEW

Future Land Use Plan

The Future Land Use Plan indicates this property as residential.

Related Goals From the Comprehensive Land Use Plan

The comprehensive plan goal related to this rezoning request falls under:

- **PRINCIPLE 2: ECONOMIC PROSPERITY. PROMOTE ACCESS TO HOUSING.**
Promote access to jobs. Create job opportunities in Kennedale that help stabilize the local tax base and allow residents to work close to home.
Support sustainable business practices. Encourage businesses to conduct their operations in support of the

local economy to maximize growth and available resources.

City Council Ends Statements and Goals

- Business uses are compatible with residential areas.
- Well planned community based on principles of a connected city, economic prosperity, and a thriving community.

SUMMARY

This property has been well maintained and the current owners have substantially improved the property aesthetics. The metal building on the site was in existence on the site when the owner purchased it. Most of the surrounding properties do not have brick facades. Staff believes that the requirement to brick the façade of the building is not necessary for compatibility for this area, and that the owners have maintained the property in such a way as to create a high standard of curb appeal. Removing the requirement to brick the façade would not remove this requirement for any future buildings on the site. The Planning & Zoning Commission approved the request with a unanimous vote at their regular meeting on June 27, 2019.

STAFF RECOMMENDATION

Based on the above analysis, staff recommends approval of the rezoning.

ACTION BY THE CITY COUNCIL

- **Approval:** Based on the information presented, I find that the request meets city requirements and is in compliance with the comprehensive land use plan and make a motion to approve the request for rezoning.
- **Approval with Conditions:** Based on the information presented, I find that the request meets city requirements and is in compliance with the comprehensive land use plan and make a motion to approve the request for rezoning with the following conditions (list conditions).
- **Deny:** Based on the information presented, I find that the proposed use does not meet (list standards or requirements not met) and make a motion to deny the request.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

Approve

VII. Alternative Actions:

VIII. Attachments:

1.	O668_6901 Mansfield Cardinal revising building material requirements	O668_6901 Mansfield Cardinal revising building material requirements.pdf
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ORDINANCE NO. 668

AN ORDINANCE AMENDING ORDINANCE NO. 561, BY REVISING THE REQUIREMENTS FOR BUILDING MATERIALS IN THE “PD” PLANNED DEVELOPMENT ZONING DISTRICT FOR PROPERTY LOCATED AT 6901 MANSFIELD CARDINAL ROAD, LOT 4, JESSE RUSSELL ADDITION IN THE CITY OF KENNEDALE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING FOR A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the City Council has adopted a Unified Development Code that regulates the location and use of buildings, other structures and land for business, industrial, residential or other purposes, for the purpose of promoting the public health, safety, morals and general welfare, all in accordance with a comprehensive plan and that otherwise regulates the development and use of properties within the city limits of the City of Kennedale; and

WHEREAS, the City of Kennedale, by Ordinance No. 561, previously approved a Planned Development zoning district for property located at 6901 Mansfield Cardinal Road, Lot 4, Jesse Russell Addition, City of Kennedale, Texas (“Property”); and

WHEREAS, the owner of the Property has applied for an amendment to the “PD” Planned Development District to change the requirement for masonry requirements on existing buildings; and

WHEREAS, a public hearing was duly held by the Planning and Zoning Commission of the City of Kennedale on the 27th day of June, 2019, and by the City Council of the City of Kennedale on the 16th day of July, 2019, with respect to the zoning changes described herein; and

WHEREAS, all requirements of law dealing with notice to other property owners, publication and all procedural requirements have been complied with in accordance with Chapter 211 of the Local Government Code; and

WHEREAS, the City Council does hereby deem it advisable and in the public interest to make the amendments described herein.

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

SECTION 1.

Section 2 of Ordinance No. 561 is amended by revising subsection 2.7 to read as follows:

7. *Building Materials:* All primary structures constructed after the date this ordinance is adopted shall have exterior building materials of 80% masonry, as that term is defined in Section 32.2 of the Kennedale Unified Development Code.

SECTION 2.

This Ordinance shall be cumulative of all provisions of Ordinance No. 561, as amended, and of the Code of Ordinances of the City of Kennedale, Texas, as amended, including but not limited to all Ordinances of the City of Kennedale affecting zoning and land use, and shall not repeal any of the provisions of such ordinances except in those instances where provisions of such ordinances are in direct conflict with the provisions of this ordinance.

SECTION 3.

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists enforcement of any of the provisions of this ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 4.

All rights or remedies of the City of Kennedale, Texas are expressly saved as to any and all violations of any ordinances governing land use or of any amendments thereto that have accrued at the time of the effective date of this Ordinance and as to such accrued violations and all pending litigation both civil and criminal, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION 5.

It is hereby declared to be the intention of the City Council that the phrases clauses sentences paragraphs and sections of this ordinance are severable and if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this ordinance since the same would have been enacted by the City Council without the incorporation in this ordinance of any such invalid or unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 6.

The City Secretary of the City of Kennedale is hereby directed to publish the ordinance as required by law.

SECTION 7.

This ordinance shall be in full force and effect from and after its passage and publication as required by law and it is so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF KENNEDALE, TEXAS, THIS THE 16TH DAY OF JULY, 2019.

APPROVED:

MAYOR BRIAN JOHNSON

[CITY SEAL]

ATTEST:

CITY SECRETARY LESLIE E. GALLOWAY

APPROVED AS TO FORM AND LEGALITY:

CITY ATTORNEY DREW LARKIN



Date: July 16, 2019

Agenda Item No: DECISION ITEMS - G.

I. Subject:

Case #PZ19-04 — Hold a public hearing and consider an ordinance and request by KD Hammack Creek Housing, LP for a rezoning from “AG” Agricultural to “UV” Urban Village for approximately 12 acres located at 406 Crestview Drive, Block 2, Lot 1, Hammack Creek Addition, 121 E Kennedale Parkway, Block 2, Lot 2, Hammack Creek Addition, 129 E. Kennedale Parkway, Block 2, Lot 3, Hammack Creek Addition, 220 Kennedale Sublett Rd, Block 2, Lot 4, Hammack Creek Addition, 337 Kennedale Sublett Road, Jesse B Renfro Survey, Abstract 1260, Tract 3D, and 345 Kennedale Sublett Road, Jesse B Renfro Survey, Abstract 1260, Tract 3D01, City of Kennedale, Tarrant County, Texas

II. Originated by:

III. Summary:

BACKGROUND AND OVERVIEW

Request	Rezone from “AG” Agricultural to “UV” Urban Village
Applicant	KD Hammack Creek Housing, LP
Location	406 Crestview Dr., 121 E. Kennedale Parkway, 129 E. Kennedale Parkway, 220 Kennedale Sublett Rd, 337 Kennedale Sublett Rd, 345 Kennedale Sublett Rd
Surrounding Uses	Single family, gas well, vacant land
Surrounding Zoning	C1, C2, R3, OT2, OT3, OT4, PD
Future Land Use Plan Designation	Commercial, residential
Staff Recommendation	Approve

CURRENT STATUS OF PROPERTY

The 12-acre property fronts Kennedale Parkway and Kennedale Sublett Road. It is currently vacant land and has been vacant for many years.

SURROUNDING PROPERTIES & NEIGHBORHOOD

Surrounding property is mixed and is primarily commercial and single family. Retail uses include a fast food restaurant, auto parts store, gas station, retail strip center, and nearby Town Center. A cemetery is located across Kennedale Sublett Road, and the Crestdale single family neighborhood is adjacent to the north.

STAFF REVIEW

Future Land Use Plan

The Future Land Use Plan indicates this property as residential. Commercial uses are planned along Kennedale Parkway.

Related Goals From the Comprehensive Land Use Plan

The comprehensive plan goal related to this rezoning request falls under:

- PRINCIPLE 1: CONNECTED CITY. SUPPORTING A WALKABLE BUILT ENVIRONMENT.

As land development creates the demand to travel, ensure that it reduces the need to drive by provide ample direct connections for pedestrians, bicycles and transit.

- **PRINCIPLE 2: ECONOMIC PROSPERITY. PROMOTE ACCESS TO HOUSING.**
Providing housing options for people of varying financial means and residential preferences. Provide the regulatory framework and developer support to provide quality housing for residents. Create job opportunities in Kennedale that help stabilize the local tax base and allow residents to work close to home.
- **PRINCIPLE 3: THRIVING COMMUNITY. CREATE VIBRANT CENTERS.**
Promote social integration and economic activity through the development of different scale centers throughout the community.

City Council Ends Statements and Goals

- Kennedale has excellent neighborhoods and a wide range of home options.
- Business uses are compatible with residential areas.
- Well planned community based on principles of a connected city, economic prosperity, and a thriving community.

SUMMARY

The developer for this property plans a mixed use development to include apartments, townhomes, retail and offices uses in a walkable community. The future land use plans envisions this area as a mix of commercial and residential, which is what is planned on the site. Attracting additional business and employment as well as a variety of housing types is important to the economic viability and quality of life for the city. Kennedale Parkway and this site specifically offers significant opportunity for this type of mixed-use development, and this proposed development would serve as a catalyst for other developers to bring similar investment along the corridor. Higher density housing in a mixed-use development like the Village at Hammack Creek makes the retail and office development viable while providing quality housing for the community. The proximity to Town Center will provide a synergy of uses, improving the viability of Town Center. The Planning & Zoning Commission approved the request to rezone with a 4-2-1 vote at their regular meeting on June 27, 2019.

STAFF RECOMMENDATION

Based on the above analysis, staff recommends approval of the rezoning.

ACTION BY THE CITY COUNCIL

- **Approval:** Based on the information presented, I find that the request meets city requirements and is in compliance with the comprehensive land use plan and make a motion to approve the request for rezoning.
- **Approval with Conditions:** Based on the information presented, I find that the request meets city requirements and is in compliance with the comprehensive land use plan and make a motion to approve the request for rezoning with the following conditions (list conditions).
- **Deny:** Based on the information presented, I find that the proposed use does not meet (list standards or requirements not met) and make a motion to deny the request.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:

1.	O669 Rezoning Hammack Creek	O669 Rezoning Hammack Creek.pdf
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ORDINANCE NO. 669

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF KENNEDALE, TEXAS, BY CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY WITHIN THE CITY OF KENNEDALE, BEING APPROXIMATELY 12 ACRES LOCATED AT 406 CRESTVIEW DRIVE, BLOCK 2, LOT 1, HAMMACK CREEK ADDITION, 121 E KENNEDALE PARKWAY, BLOCK 2, LOT 2, HAMMACK CREEK ADDITION, 129 E. KENNEDALE PARKWAY, BLOCK 2, LOT 3, HAMMACK CREEK ADDITION, 220 KENNEDALE SUBLETT RD, BLOCK 2, LOT 4, HAMMACK CREEK ADDITION, 337 KENNEDALE SUBLETT ROAD, JESSE B RENFRO SURVEY, ABSTRACT 1260, TRACT 3D, AND 345 KENNEDALE SUBLETT ROAD, JESSE B RENFRO SURVEY, ABSTRACT 1260, TRACT 3D01, CITY OF KENNEDALE, TEXAS, FROM “AG” AGRICULTURAL DISTRICT TO “UV” URBAN VILLAGE DISTRICT; PROVIDING FOR THE AMENDMENT OF THE OFFICIAL ZONING MAP TO REFLECT SUCH CHANGE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, pursuant to Chapter 211 of the Local Government Code, the City has adopted a comprehensive zoning ordinance and map regulating the location and use of buildings, other structures and land for business, industrial, residential or other purposes, for the purpose of promoting the public health, safety, morals and general welfare, all in accordance with a comprehensive plan; and

WHEREAS, a change in the zoning classification of the property listed below was requested by a person or entity having a proprietary interest in said property; and

WHEREAS, a public hearing was duly held by the Planning and Zoning Commission of the City of Kennedale on June 27, 2019, and by the City Council of the City of Kennedale on July 16, 2019, with respect to the zoning change described herein; and

WHEREAS, all requirements of law dealing with notice to other property owners, publication and all procedural requirements have been complied with in accordance with Chapter 211 of the Local Government Code; and

WHEREAS, the City Council of the City of Kennedale, Texas does hereby deem it advisable and in the public interest to amend the Unified Development Code, as amended, as described herein.

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

SECTION 1.

The Unified Development Code, as amended, is hereby amended so that the classification and permitted uses in the hereinafter described area shall be altered, changed and amended as described below:

Approximately 12 acres located at 406 Crestview Drive, Block 2, Lot 1, Hammack Creek Addition, 121 E Kennedale Parkway, Block 2, Lot 2, Hammack Creek Addition, 129 E. Kennedale Parkway, Block 2, Lot 3, Hammack Creek Addition, 220 Kennedale Sublett Rd, Block 2, Lot 4, Hammack Creek Addition, 337 Kennedale Sublett Road, Jesse B Renfro Survey, Abstract 1260, Tract 3D, and 345 Kennedale Sublett Road, Jesse B Renfro Survey, Abstract 1260, Tract 3D01, City of Kennedale, Tarrant County, Texas, is hereby rezoned from "AG" Agricultural District to "UV" Urban Village District.

SECTION 2.

The zoning districts and boundaries as herein established have been made in accordance with the comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the community. They have been designed to lessen congestion in the streets, to secure safety from fire, panic, flood and other dangers, to provide adequate light and air, to prevent overcrowding of land, to avoid undue concentration of population, to facilitate the adequate provisions of transportation, water, sewerage, parks and other public requirements. They have been made after a full and complete hearing with reasonable consideration among other things of the character of the district and its peculiar suitability for the particular uses allowed and with a view of conserving the value of the buildings and encouraging the most appropriate use of land throughout the community.

SECTION 3.

The City Secretary is hereby directed to amend the official zoning map to reflect the changes in classifications approved herein.

SECTION 4.

The use of the property hereinabove described shall be subject to all the applicable regulations contained in the Unified Development Code, as amended, and all other applicable and pertinent ordinances of the City of Kennedale, Texas.

SECTION 5.

This Ordinance shall be cumulative of the Unified Development Code, as amended, and all other Ordinances of the City of Kennedale affecting zoning and land use, and shall not repeal any of the provisions of such ordinances except in those instances where provisions of such ordinances are in direct conflict with the provisions of this ordinance.

SECTION 6.

All rights or remedies of the City of Kennedale, Texas are expressly saved as to any and all violations of Unified Development Code, as amended, that have accrued at the time of the effective date of this Ordinance and as to such accrued violations and all pending litigation, both civil and criminal, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION 7.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such invalid or unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 8.

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists enforcement of any of the provisions of this ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 9.

The City Secretary of the City of Kennedale is hereby directed to publish the ordinance as required by law.

SECTION 10.

This ordinance shall be in full force and effect from and after its passage and publication as required by law and it is so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF KENNEDALE, TEXAS, THIS THE 16TH DAY OF JULY, 2019.

APPROVED:

MAYOR BRIAN JOHNSON

[CITY SEAL]

ATTEST:

CITY SECRETARY LESLIE E. GALLOWAY

APPROVED AS TO FORM AND LEGALITY:

CITY ATTORNEY DREW LARKIN

Date: July 16, 2019

Agenda Item No: DECISION ITEMS - H.

I. Subject:

Consider approval of Ordinance 665, amending Chapter 15 "Nuisances" of the Kennedale Municipal Code to add regulations regarding residential outdoor storage

II. Originated by:

Melissa Dailey, Director of Planning & Economic Development

III. Summary:

Code Compliance regularly receives complaints from residents about trash or junk in residential front yards. Staff has been proactively addressing trash and debris issues throughout the City with the goal of improving the aesthetics and quality of life for residents. Municipal code addresses and defines items such as junk and rubbish, and prohibits them. However, there are circumstances in which a property has a significant number of various items stored in the front yard that may not be considered trash or junk by the property owner. The addition of an ordinance regulating what, where, and how items are stored outside would assist Code Compliance staff in equitably regulating outdoor storage that can be seen from the public right-of-way.

Currently, the City does not have outdoor storage regulations for residential properties. The purpose of a residential outdoor storage ordinance would be to allow residents to store appropriate items on their properties, address hazards and safety issues, and improve aesthetics in neighborhoods.

City staff presented proposed regulations for residential outdoor storage for Council discussion at the regular Council meeting on June 20, 2019. Regulations discussed included identification of items that would be exempt from regulation, such as porch furniture or toys, and items that would be subject to regulation, as well as required screening of those items subject to regulation. Pursuant to Council discussion and direction, an ordinance has been drafted to address residential outdoor storage and is attached. Staff is recommending approval of the ordinance and will be available at this Council meeting to respond to questions.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

Approve

VII. Alternative Actions:

VIII. Attachments:

1.	O665 Outdoor Storage Regulations	O665 Outdoor Storage Regulations.pdf
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ORDINANCE NO. 665

AN ORDINANCE OF THE CITY OF KENNEDALE, TEXAS, AMENDING CHAPTER 15 “NUISANCES” OF THE CODE OF ORDINANCES BY ADDING A NEW ARTICLE VI “OUTDOOR STORAGE”; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the City Council desires to regulate outdoor storage on residential property to further advance the City Council’s objective of supporting great neighborhoods within the City of Kennedale; and

WHEREAS, the City Council finds that regulating outdoor storage on residential property is necessary for the health, safety and welfare of the general public, and the protection of landowners and residents of the City of Kennedale.

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

SECTION 1.

That Chapter 15 “Nuisances,” of the Kennedale Code of Ordinances is hereby amended by adding a new Article VI. “Outdoor Storage,” to read as follows:

“ARTICLE VI. – OUTDOOR STORAGE

Sec. 15-170. – Outdoor Storage.

(a) For the purposes of this section, outside storage includes, but is not limited to, the following items stored other than in an enclosed building:

- (1) Building materials;
- (2) Supplies associated with home occupation;
- (3) Equipment or materials not typically associated with residential use;
- (4) Chemicals, pool equipment, and lawn materials;
- (5) Play equipment such as play structures, trampolines, and moveable swimming pools;

- (6) Furniture intended or designed for indoor use;
- (7) Appliances intended or designed for indoor use;
- (8) Building fixtures designed for indoor use;
- (9) Motor vehicle parts or accessories;
- (10) Barbeque grills, lawn maintenance equipment, or firewood;
- (11) Agricultural equipment; or
- (12) Other items or personal property which are not customarily used or stored outside and which are not made of a material that is resistant to damage or deterioration from exposure to the outside environment.

(b) It is unlawful for any person to suffer, allow, permit, conduct, or maintain any outside storage on any residential lot or tract within the City of Kennedale. Each day during which outside storage occurs is a separate offense.

(c) The following are affirmative defenses to prosecution under subsection (b):

- (1) That the outside storage is of a type described in subsection (a)(1), and building materials stored on site are:
 - (a) actively used in a construction project for which a valid permit is in effect and for which reasonable progress is being made or the building materials are associated with work of a nature for which no permit is required, and the materials are stored on site for only one period of time no longer than ten (10) consecutive days; or
 - (b) stored in the rear yard and are screened.
- (2) That the outside storage is of a type described in subsection (a)(2)-(12), and is stored in the rear yard and screened.
- (3) That the outside storage is of a type described in (a)(10) and is located in the side or rear yard. Such items located in the rear or side yard are not required to be screened.
- (4) That the outside storage is of a type described in (a)(11) on a residential lot or tract greater than two acres, two of which may be trailers parked on an unimproved surface; provided, however, that the surface must be behind the front building line and a minimum of 150 feet from the street and adjacent property lines.
- (5) That the outside storage are the following items and stored under a carport on a lot or tract on which there is no garage:
 - (a) washer or dryer which is connected and regularly used;

- (b) Furniture designed for outdoor use;
 - (c) motorized lawn equipment;
 - (d) storage containers, if stored in an orderly manner against permanent wall; or
 - (e) household items, yard tools, and cleaning implements, if stored in an orderly manner against a permanent wall using a pegboards, shelves, hoods, storage containers, or tool chests.
- (6) That the outside storage are the following items:
- (a) Moveable toys and play equipment such as tricycles, pedal cars, and basketball goals;
 - (b) Furniture designed and intended for outdoor use; or
 - (c) Play structures located at a state licensed daycare.
- (d) For the purposes of this section, “screened” means screened from view from the public right-of-way by a solid fence, wall, landscaping, or other material allowed by City regulations.

SECTION 2.

This Ordinance shall be cumulative of all provisions of all ordinances of the City of Kennedale, Texas, and the Kennedale Code of Ordinances, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

SECTION 3.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining, phrase, clauses, sentences, paragraphs or sections of this Ordinance since the same would have been enacted by the City Council without incorporation in this Ordinance of any such invalid or unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 4.

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than \$2,000.00 for all violations involving zoning, fire safety, or public health and sanitation, including dumping or refuse, and shall be fined \$500.00 for all other violations of this ordinance. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 5.

The City Secretary of the City of Kennedale is hereby directed to publish this Ordinance as required by law.

SECTION 6.

This Ordinance shall take effect after its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF KENNEDALE, TEXAS, THIS THE 16TH DAY OF JULY, 2019.

APPROVED:

MAYOR BRIAN JOHNSON

[CITY SEAL]

ATTEST:

CITY SECRETARY LESLIE E. GALLOWAY

APPROVED AS TO FORM AND LEGALITY:

CITY ATTORNEY DREW LARKIN

Date: July 16, 2019

Agenda Item No: DECISION ITEMS - I.

I. Subject:

Consider approval of Ordinance 666, amending Chapter 11 "Licenses, Taxation and Miscellaneous Business Regulations" of the Kennedale Municipal Code to add regulations regarding short-term rentals

II. Originated by:

Melissa Dailey, Director of Planning & Economic Development

III. Summary:

Staff has received numerous complaints regarding short-term rentals (STRs) located in residential neighborhoods. Currently there are several STRs listed with Airbnb, and these are not regulated by city ordinance. STRs are defined as rental of residential property for less than 30 days. Complaints received have focused on noise, excessive number of parked vehicles, trash left on lawns, concern regarding "party houses", and the effect of STRs on the stability of neighborhoods.

Many cities in Texas have created regulations for short-term rentals. Staff provided information on the issue at the May 2019 Council meeting in work session, including possible general approaches to address the issue. Council directed staff to provide STR regulations for discussion at the next Council meeting.

At the regular Council meeting work session on June 20, 2019, staff presented potential regulations for STRs. These regulations would allow for STRs but provide for annual permitting, certificates of occupancy, and certain requirements to ensure public safety and address neighborhood concerns. Council discussed possible regulations and directed staff to proceed in drafting an ordinance for consideration. The following regulations are included in the attached STR ordinance:

- STRs would be allowed in all "R" zoning districts and "PD" districts that allow for residential
 - STRs could not be within 1000 feet of another STR
 - Property owners within 200 feet of an STR will be notified
 - A maximum of 2 adult guests per bedroom would be allowed
 - No more than 4 individuals unrelated by blood, marriage or adoption would be allowed for any rental
 - Rentals for the purposes of parties or event venues, signage of any kind, and rentals of 30 consecutive days would be prohibited
 - Parking is restricted to one vehicle per bedroom or the number of vehicles that can be accommodated off-street and on-street within the property boundaries, whichever is less
 - Hotel Occupancy Tax of 7% would be collected by the City for all STRs

Staff recommends approval of the attached short-term rental ordinance and will be available to answer questions.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

Approve

VII. Alternative Actions:

VIII. Attachments:

1.	O666_Short-Term Rentals_inclExhibitA	O666_Short-Term Rentals_inclExhibitA.pdf
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ORDINANCE NO. 666

AN ORDINANCE OF THE CITY OF KENNEDALE, TEXAS, AMENDING CHAPTER 11 "LICENSES, TAXATION AND MISCELLANEOUS BUSINESS REGULATIONS" OF THE CODE OF ORDINANCES BY ADDING A NEW ARTICLE XIII "SHORT-TERM RENTALS" PROVIDING REGULATIONS FOR THE REGISTRATION, INSPECTION, AND USE OF SHORT-TERM RENTALS; AMENDING EXHIBIT A "SCHEDULE OF FEES" OF SECTION 2-3 "FEES FOR LICENSES, INSPECTIONS, PERMITS, ETC.", TO ADD PERMIT AND INSPECTION FEES FOR SHORT-TERM RENTALS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the City has neighborhoods previously planned, approved and constructed for use as single-family residences; and

WHEREAS, the use of single-family residences by individuals for short periods of time may negatively impact the residential character of neighborhoods by reducing communication and accountability between permanent residents by partially substituting permanent residents with transient visitors; and

WHEREAS, the regulation of the use and operation of such "short-term rental" property is intended to prevent the erosion of pre-existing and stable single-family neighborhoods, and further advance the City Council's objective of championing great neighborhoods; and

WHEREAS, the rise of substitute land uses for residential property contributes to the shortage of affordable housing, both ownership and long-term rental; and

WHEREAS, the City Council finds that regulating the short-term rental of residential property is necessary for the health, safety and welfare of the general public, the promotion of consistent land uses and development, and the protection of landowners and residents of the City of Kennedale.

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

SECTION 1.

That Chapter 11 "Licenses, Taxation and Miscellaneous Business Regulations," of the Kennedale Code of Ordinances is hereby amended by adding a new Article XIII "Short-Term Rentals," to read as follows:

"ARTICLE XIII. – SHORT-TERM RENTALS

Sec. 11-296. – Purpose.

The purpose of this article is to safeguard the life, health, safety, welfare, and property of the occupants of residential dwelling units, the neighbors of said occupants, and the general public, through the regulation of short-term rental residential property. The intent of this article is to preserve the neighborhood character of residential subdivisions within the city and to minimize adverse impacts to the housing supply caused by the conversion of residential units to tourist or transient use.

Sec. 11-297. – Applicability.

The provisions of this article shall apply to all existing and future residential properties.

Sec. 11-298. – Definitions.

Administrator means the Director of the department designated by the city manager to enforce and administer this article, including the Director's designees.

Advertise means the act of drawing the public's attention to a short-term rental in order to promote the availability of the residence for use as a short-term rental. Said advertising may be found in any medium, including but not limited to, newspaper, magazine, brochure, website, or mobile application.

Bedroom means the living area(s) of the dwelling unit that is designed and furnished for sleeping and which has proper egress as required by the International Residential Code or other applicable building regulations adopted by the city.

Occupant means any individual person living, sleeping or possessing a building, or portion thereof. A person is not required to be paying rent, providing in-kind services, or named in any lease, contract or other legal document to be considered an occupant.

Owner means any person, agent, operator, firm, trust, corporation, partnership, or any other legal entity who has a legal or equitable interest in the property; or who is recorded in the official records of the county as holding title to the property; or who otherwise has control of the property, including the guardian of the estate of any such person, and the executor of the estate of such person if ordered to take possession of real property by a court.

Premises means property, a lot, plot or parcel of land, including any structures or portions of structures thereon.

Short-term rental means a residential premises, or portion thereof, used for lodging accommodations to occupants for a period of less than thirty (30) consecutive days. The definition of short-term rental does not include a bed and breakfast or hotel.

Sec. 11-299. – Unpermitted short-term rentals prohibited.

- (a) It shall be unlawful for any owner or person to rent, lease, advertise, or otherwise permit or allow any residential premises to be operated or used as an unpermitted short-term rental.
- (b) It shall be an affirmative defense to a violation of this section that the occupant is a party to the sale of the premises and was occupying the premises pursuant to a written post-closing occupancy agreement.

Sec. 11-300. – Short-term rental permit required.

An owner who desires to use its premises as a short-term rental must have a valid, active short-term rental permit from the city prior to using, allowing the use of, or advertising the use of said premises as a short-term rental. Upon application to the city, a short-term rental permit shall be approved by the administrator, or designee, if the application satisfies all the conditions of this article, and all other applicable regulations of the city. The administrator may place reasonable conditions on a short-term rental permit to ensure compliance with the provisions of this article.

Sec. 11-301. – Expiration of permit; renewals.

A short-term rental permit shall expire on the last day of the month one year after the date of issuance. No short-term rental permit may be renewed without a completed renewal application submitted by the owner and payment of the renewal fee. If the renewal application satisfies all the conditions of this article and all other applicable city regulations, including the Unified Development Code, an application for the renewal of a short-term rental permit shall be approved by the administrator, or designee. The administrator may place reasonable conditions on a short-term rental renewal permit to ensure compliance with the provisions of this article.

Sec. 11-302. – Requirements of application.

- (a) Except as provided in this section, every complete application for a short-term rental permit shall include the following information with such detail and in a form approved by the administrator:
 - (1) The name, address, contact information and authenticated

signature for the owner of the premises;

- (2) The name, address and contact information of the operator, agent if any, and designated local responsible party as required in section 11-303;
 - (3) The city registration number for hotel occupancy tax;
 - (4) A plot plan of the premises identifying the location of parking spaces to be used in conjunction with the short-term rental;
 - (5) A dimensioned floor plan of the proposed short-term rental identifying bedrooms, other living spaces and emergency evacuation routes;
 - (6) Proof of insurance as required in section 11-304;
 - (7) The name and contact information for the property or homeowner's association, if any, of which the premises is covered by the dedicatory instruments;
 - (8) A copy of the proposed host rules for the short-term rental, if any; and
 - (9) Such certifications deemed necessary and proper to ensure compliance with this article.
- (b) An application for a short-term renewal permit must be filed at least thirty (30) days prior to expiration of a current permit. Every complete application for a short-term rental renewal permit shall include updates, if any, to the information contained in the original permit application or any subsequent renewals. The permit holder shall sign a statement affirming that there is either no change to such information, or that any updated information is accurate and complete. The administrator may require such certifications deemed necessary and proper to ensure continuing compliance with this article.
- (c) An application for a short-term rental renewal permit submitted after the expiration of the most immediate permit for the premises shall be treated as an application for a new permit as described in subsection (a) of this section.
- (d) If a complete application for a short-term renewal permit is submitted less than thirty (30) days prior to expiration of the current permit, the administrator in his or her sole discretion may grant a one-time extension of the current permit not to exceed ten (10) days.

Sec. 11-303. – Designation of local responsible party required.

An owner must designate the name and contact information of a local responsible party who can be contacted regarding immediate concerns and complaints from the public. Said individual must be available to be reached in person or by phone at all times while occupants are on the premises of a short-term rental. If called, a local responsible party must be able to and shall be present at the premises within one (1) hour of call from the administrator, or his designee. A local responsible party must be authorized to make decisions regarding the premises and its occupants. A local responsible party may be required to, and shall not refuse to, accept service of citation for any violations on the premises. Acceptance of service shall not act to release owner of any liability under this article.

Sec. 11-304. – Proof of insurance required.

It shall be unlawful for the owner of a premises operating as a short-term rental to operate without host protection or other liability insurance commensurate with the operations of the short-term rental that provides coverage of up to \$1 million per occurrence. A certificate of insurance must be on file with the administrator. Proof of insurance shall be required at the time of application and notice of cancellation of insurance must be made to the administrator within thirty (30) days.

Sec. 11-305. – Inspection required.

No permit or renewal permit will be approved for a short-term rental until the city has inspected the premises and found the premises to be in compliance with this article and all city regulations governing minimum health and safety requirements for use and occupancy. If a premises fails to pass an inspection, a reinspection fee may be charged for each subsequent inspection in accordance with the fee established by the city council.

Sec. 11-306. – Permit fees.

A fee established by the city council will be charged to reimburse the city for all costs associated with the administration of this article.

Sec. 11-307. – Hotel occupancy taxes; Request for occupancy history.

It shall be unlawful for an owner of premises used for a short-term rental to fail to pay hotel occupancy taxes required under state law and article XII of the Kennedale City Code, as amended. Upon request of the administrator or the finance department of the city, the owner of a premises used as a short-term rental shall remit, within thirty (30) days, an accounting of all occupants who rented the premises and the hotel occupancy taxes paid therefor. It shall be unlawful for a person to fail to provide said information requested in a timely manner.

Sec. 11-308. – Short-term rental permit nontransferable.

A short-term rental permit is non-transferable and shall not be assigned nor transferred to another person or entity. Any attempt to transfer a permit or attempt to use another person's permit may be grounds for revocation of the permit.

Sec. 11-309. – Restrictions on number of occupants.

- (a) It shall be unlawful for an owner or person to rent, allow, provide, or advertise for more than two (2) persons per bedroom, plus two (2) additional persons, when using the premises as a short-term rental.
- (b) It shall be unlawful for more than five (5) individuals unrelated by blood, marriage, or adoption to occupy a short-term rental.

Sec. 11-310. – Parking restrictions.

The maximum amount of motor vehicles allowed at a short-term rental shall be limited to the lesser of:

- (a) one vehicle per bedroom; or
- (b) the number vehicles that can be accommodated within off-street parking and on-street parking within the boundary lines of the premises.

Sec. 11-311. – Minimum stay required.

It shall be unlawful for an owner to rent or lease a short-term rental for a period of less than 24 hours.

Sec. 11-312. – Physical conversion of premises prohibited.

- (a) It shall be unlawful for an owner or person to convert a garage to living space, remodel, renovate, enlarge or otherwise modify premises to add additional bedrooms for use as a short-term rental.
- (b) It shall be unlawful for an owner or person to pave or otherwise cover pervious soil to create additional on-premise parking without prior approval from the city.

Sec. 11-313. – Sound equipment restrictions.

It shall be unlawful for an owner or occupant of a short-term rental to use or allow the use of amplified sound equipment that produces sound audible beyond the property line of the premises between the hours of 10:00 p.m. and 8:00 a.m.

Sec. 11-314. – Signage.

It shall be unlawful for there to be any on-site or off-site advertising signs or displays indicating the premises is a short-term rental.

Sec. 11-315. – Advertising, promoting or allowing of special events prohibited.

- (a) It shall be unlawful for an owner or occupant to advertise or promote a special event, or allow the advertising and promotion of a special event (e.g. banquet, wedding, reception, reunion, bachelor or bachelorette party, concert, or any similar activity that would assemble large numbers of invitees) to be held on the premises.
- (b) It shall be unlawful for an owner or occupant to allow, suffer or permit a special event as described to be held on the premises.

Sec. 11-316. – Distance requirements.

It shall be unlawful for a short-term rental to be located on a premises that is within 500 feet of a premises on which another short-term rental use is located. For purposes of this section, measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of the property line of the premises where the existing short-term rental is located to the nearest portion of the property line of the premises where the new short-term rental is proposed.

Sec. 11-317. – Notice to occupants of short-term rentals.

An owner or person operating a short-term rental shall provide a notice of instructions to occupants staying at the premises. The notice shall instruct the occupants as to all applicable city regulations pertaining to short-term rentals. These include, but are not limited to, occupancy restrictions, limits on parking, prohibitions on special events, and limits on amplified sound.

Sec. 11-318. – Permit to be displayed.

A copy of the approved short-term rental permit shall be posted at a conspicuous location inside the front entrance(s) to the short-term rental.

Sec. 11-319. – Use of assigned permit number required.

It shall be unlawful for an owner or person to advertise a short-term rental in any medium, including but not limited to newspaper, magazine, brochure, website, or mobile application without including the current permit number assigned by the administrator.

Sec. 11-320. – Use of unauthorized permit number prohibited.

It shall be unlawful for an owner or person to use, advertise or promote or allow the use, advertisement or promotion of a short-term rental using a permit number not assigned to the owner or person, or to a different address, or to a different dwelling unit.

Sec. 11-321. – Notification of approval of short-term rental.

Within ten (10) days of the approval of a short-term rental permit, a notice will be sent by the planning and development department of the city to all property owners within two-hundred feet (200 ft.) of the premises, and shall include a contact number for complaints and emergencies, and pertinent information about this article.

Sec. 11-322. – Revocation of permit.

- (a) *Grounds.* Any permit issued hereunder may be revoked by the administrator if the permit holder has: (1) received more than two citations for violations of this article; (2) failed or refused to comply with an express condition of the permit and remains in non-compliance ten (10) days after being notified in writing of such non-compliance; (3) knowingly made a false statement in the application; or (4) otherwise become disqualified for the issuance of a permit under the terms of this article.
- (b) *Notice.* Notice of the revocation shall be given to the permit holder in writing, with the reasons for the revocation specified in the notice, served either by personal service or by certified United States mail to their last known address. The revocation shall become effective the day following personal service or if mailed, three (3) days from the date of mailing.
- (c) *Appeal; hearing.* The permit holder shall have ten (10) days from the date of such revocation in which to file notice with the administrator of their appeal from the order revoking said permit. The administrator shall provide for a hearing on the appeal in accordance with the provisions of this article.
- (d) *One-Year Waiting Period.* In the event an owner's short-term rental permit is revoked by the administrator, no second or additional permit shall be issued for a short-term rental on the premises for one year of the date such permit was revoked.

Sec. 11-323. – Administrative appeals of denial or revocation of permit.

- (a) Upon denial or revocation of a permit, the administrator, or his designee, shall notify the applicant or permit holder, in writing, of the reason for

which the permit is subject to denial or revocation. To contest the denial or revocation of a permit, the applicant or permit holder shall file a written request for a hearing with the administrator within ten (10) days following service of such notice. If no written request for hearing is filed within ten (10) days, the denial or revocation is sustained.

- (b) The appeal shall be conducted within twenty (20) days of the date on which the notice of appeal was filed with the administrator.
- (c) The hearings provided for in this section shall be conducted by the administrator or a designated hearing officer at a time and place designated by the administrator or the hearing officer. Based upon the recorded evidence of such hearing, the administrator or the designated hearing officer shall sustain, modify or rescind any notice or order considered at the hearing. A written report of the hearing decision shall be furnished to the applicant or permit holder requesting the hearing.
- (d) The determination of the administrator or designated hearing officer shall be final.
- (e) An appeal shall not stay the denial or suspension of the permit unless otherwise directed by the administrator.

Secs. 11-324. — 11-340. – Reserved.”

SECTION 2.

The Schedule of Fees adopted in Section 2-3 “Fees for licenses, inspections, permits, etc.” of the Kennedale City Code is hereby amended to add permit and inspection fees for short-term rentals as shown on Exhibit “A” to this Ordinance.

SECTION 3.

This Ordinance shall be cumulative of all provisions of all ordinances of the City of Kennedale, Texas, and the Kennedale Code of Ordinances, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

SECTION 4.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining, phrase, clauses, sentences, paragraphs or sections of this Ordinance since the same would have been enacted by the City Council without incorporation in this Ordinance of any such invalid or unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 5.

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than \$2000.00 for all violations involving zoning, fire safety, or public health and sanitation, including dumping or refuse, and shall be fined \$500.00 for all other violations of this ordinance. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 6.

The City Secretary of the City of Kennedale is hereby directed to publish this Ordinance as required by law.

SECTION 7.

This Ordinance shall take effect after its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF KENNEDALE, TEXAS, THIS THE 16TH DAY OF JULY, 2019.

APPROVED:

MAYOR BRIAN JOHNSON

[CITY SEAL]

ATTEST:

CITY SECRETARY LESLIE E. GALLOWAY

APPROVED AS TO FORM AND LEGALITY:

CITY ATTORNEY DREW LARKIN

ADMINISTRATIVE

SERVICE	COST	NOTES
CHECK AND CREDIT CARD TRANSACTIONS		
<i>Credit Card Payments</i>		
Municipal Court and Permitting	3.0%	When payment of any fee, fine, court cost, or other charge related to Kennedale Permitting is made by credit card via phone, online or in-person, a fee equaling three (3) percent per fee, fine, or other charge paid by credit card will be added to the fee, fine, or other charge paid.
Utility Billing	2.8%	When payment of any utility billing charge related to Kennedale Utility Billing is made by credit card via phone, mail, online or in-person to City of Kennedale or Fathom Global, a fee equaling 2.8 percent per fee, fine or other charge paid by credit card will be added to the charge paid.
Other Departments Not Listed	No Charge	When payment of any fee or other charge related to any other miscellaneous activity not listed department is made by credit card online, by phone (817-985-2120), or in-person, no fee will be required.
Returned Check/Declined Credit Transaction Fee (All Departments)	\$30.00	
CODE ENFORCEMENT		
Lien Assessment Fee	Actual Cost	Plus \$100.00 administrative fee
Mowing, Cleaning, and/or Boarding Property (By Contractor)	Actual Cost	Plus \$100.00 administrative fee
FACILITY RENTALS/RESERVATIONS		
<i>Ballfields (Village Street off of Averett Rd.; Subfacility of Sonora Park)</i>		
General Reservations (Residents and Non-Residents)	\$25.00	Per two (2) hour block
Kennedale Youth Association (KYA) Annual Lease Agreement		
<i>Community Center (316 W Third St.; in the Kennedale Public Library Building)</i>		
Deposit (applies to all Community Center rentals)	\$150.00	May be returned, dependent upon satisfactory inspection by staff
Non-Residents	\$40.00	Per hour, during library's normal hours; Minimum of \$100 charge per rental
	\$50.00	Per hour, during library's closed hours; Minimum of \$100 charge per rental
Residents	\$30.00	Per hour, during library's normal hours; Minimum of \$100 charge per rental
	\$40.00	Per hour, during library's closed hours; Minimum of \$100 charge per rental
<i>Pavilions (TownCenter Park at 405 Municipal Drive; Sonora Park at 263 S. New Hope Rd.)</i>		
Deposit (applies to all pavilion rentals)	\$50.00	May be returned, dependent upon satisfactory inspection by staff
Non-Residents	\$120.00	For 2 Hours, \$180 For 4 Hours, \$230 For 6 Hours, \$280 For 8 Hours
Residents	\$60.00	For 2 Hours, \$90 For 4 Hours, \$115 For 6 Hours, \$140 For 8 Hours
<i>Senior Center Banquet Room (420 Corry A. Edwards Dr.)</i>		
Deposit (Members)	\$75.00	May be returned, dependent upon satisfactory inspection by staff
Members	\$75.00	Per day
Deposit (Non-Members)	\$150.00	May be returned, dependent upon satisfactory inspection by staff
Non-Members	\$125.00	Per day
SERVICE	COST	NOTES
LIBRARY		

Overdue Book	\$0.25	Per day
Photocopies From Copier (Only Black and White Available)	\$0.10	Per page
Printouts From Computer	\$0.25	Per page
Materials Lost or Damaged Beyond Repair	\$5.00	Processing fee + listed retail price
Repair of Inventory Material	Actual Cost	
Replace Lost or Damaged Audiobook Binder	\$5.00	
Replace Lost or Damaged CD Case	\$1.00	
Replace Lost or Damaged DVD Case	\$2.00	
Interlibrary Loan	No Charge	
Library Card Replacement	\$2.00	
Repair of CD/DVD	\$1.00	
Transmittal Fax Only (Local)	\$1.00	First page, \$0.25 each additional page
Transmittal Fax Only (Long Distance)	\$2.00	First page, \$0.50 each additional page

POLICE DEPARTMENT

Fingerprinting of Residents for Background Checks	\$7.50	Per Card
Vehicle Accident Report	\$6.00	Per copy
Offense or Arrest Report	\$1.50	Per report, plus \$0.10 per page for additional copies

PERMITS AND INSPECTIONS

SERVICE	COST	NOTES
NOTE: Minimum Fee For Any Single Permit or Inspection, Listed or Unlisted, Regardless of Department	\$ 55.00	Excluding signs
Building Permit for Residential Construction (single family, two family and townhome)	\$ 0.85	Per square foot
Building Permit for Non-Residential Construction Based on Total Valuation of Project (Used for Building Code Pricing Below)		
\$1.00 to \$500.00	\$23.50	
\$501.00 to \$2,000.00	\$23.50	For the first \$500.00, plus \$3.05 for each additional \$100.00, or fraction thereof, up to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$69.25	For the first \$2,000.00, plus \$14.00 for each additional \$1,000.00, or fraction thereof, up to and including \$25,000.00
\$25,001.00 to 50,000.00	\$391.25	For the first \$25,000.00, plus \$10.10 for each additional \$1,000.00, or fraction thereof, up to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$643.75	For the first \$50,000.00, plus \$7.00 for each additional \$1,000.00, or fraction thereof, up to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$993.75	For the first \$100,000.00, plus \$5.60 for each additional \$1,000.00, or fraction thereof, up to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$3,233.75	For the first \$500,000.00, plus \$4.75 for each additional \$1,000.00, or fraction thereof, up to and including \$1,000,000.00

\$1,000,001.00+	\$5,608.75	For the first \$1,000,000.00, plus \$3.65 for each additional \$1,000.00, or fraction thereof
SERVICE	COST	NOTES
BUILDING CODE PERMITS, INSPECTIONS AND PLAN REVIEWS		
Accessory Building (Min. 175 ft ²)	Varies	Consult Construction Table (above)
Alterations and Repairs To Existing Structures	Varies	Consult Construction Table (above)
Building Code Appeal	\$100.00	
Canopy - Larger than 400 ft ²	\$55.00	
Carnival or Temporary Amusement	\$55.00	
Carport	Varies	Consult Construction Table (above)
Contractor Registration, Initial (Article XIII, Chapter 4 Of City Code)	\$100.00	
Contractor Registration, Annual Renewal	\$50.00	If not renewed within 30 days of expiration, renewal fee is \$100.00.
Detached Garage	Varies	Consult Construction Table (above)
Demolition	\$55.00	
Drive Approach	\$55.00	
Fence, Retaining Wall, Screen Wall	Varies	Consult Construction Table (above)
Fireplace	Varies	Consult Construction Table (above)
Moving Building into the City	\$100.00	
Patio Cover	Varies	Consult Construction Table (above)
Portable Building (Min. 175 ft ²)	Varies	Consult Construction Table (above)
Signs	Varies	Consult Construction Table (above)
Swimming Pool and/or Hot Tub (Above Ground)	Varies	Consult Construction Table (above)
Swimming Pool and/or Hot Tub (In-Ground)	Varies	Consult Construction Table (above)
Tent (Commercial) - Larger Than 200 ft ²	\$55.00	
Tree Mitigation Fee	\$200.00	Per caliper inch
Underground Storage Tanks (Includes Gas Lines To Tank)	Varies	Consult Construction Table (above)
Reinspection Fee	\$55.00	
Plan Review		
New, Addition, Remodel for Commercial, Industrial, and Multi-Family	20%	Of building permit fee
New, Addition, Remodel for Single or Two Family	\$55.00	
All Other Permits Requiring Plan Review	\$25.00	
Re-Review Fee	\$25.00	
SERVICE	COST	NOTES
ELECTRICAL CODE PERMITS AND INSPECTIONS		
Apartments, Condominiums, Triplex, Etc.	\$0.05	Per ft ² ; Minimum calculation of \$55.00
Commercial/Industrial New Construction	\$0.06	Per ft ² ; Minimum calculation of \$55.00
Single Family, Duplex, Townhouse, Etc.	\$0.06	Per ft ² ; Minimum calculation of \$55.00
Contractor Registration, Initial (Article XIII, Chapter 4 Of City Code)	\$100.00	
Contractor Registration, Annual Renewal	\$50.00	If not renewed within 30 days of expiration, renewal fee is \$100.00
Electric Generators Used By Carnival, Circuses, Traveling Shows, Exhibits	\$55.00	

Electrical Code Appeal	\$100.00	
Fixed Residential Appliances, Receptacle Outlets, Etc.	\$55.00	As Defined by City Code
Minimum For Any Single Permit	\$55.00	Except Temporary Construction Pole Reconnects
Swimming Pool, In-Ground, Residential	\$110.00	
Receptacles, Switch, Lighting or Other Outlet Holding Devices	\$55.00	
Reinspection Fee	\$55.00	
<i>Services of 600 Volts or Less</i>		
Less than 200 Amps	\$55.00	
600+ Volts or 1,000+ Amps	\$55.00	
Each Power Apparatus (As Defined By City Code)	\$2.00	
<i>Rating in Horsepower, Etc.</i>		
Up To And Including 1, Each	\$55.00	
Over 1, Up To And Including 10, Each	\$55.00	
Over 10, Up To And Including 50, Each	\$55.00	
Over 50, Up To And Including 100, Each	\$55.00	
Over 100, Each	\$55.00	
<i>Signs, Outline Lighting, or Marquees</i>		
One Branch Circuit, Each	\$55.00	
Additional Branch Outlets	\$55.00	
Temporary Power To Any Structure (Maximum Of Ninety (90) Days)	\$55.00	
SERVICE	COST	NOTES
MECHANICAL CODE PERMITS AND INSPECTIONS		
Contractor Registration, Initial (Article XIII, Chapter 4 Of City Code)	\$100.00	
Contractor Registration, Annual Renewal	\$50.00	If not renewed within 30 days of expiration, renewal fee is \$100.00.
HVAC (Heating/Cooling Systems)	\$110.00	\$55 Per air handling unit (e.g. inside unit + outside unit = \$110.00)
Replacement of Furnaces, Condensing Unit or Cooling/Heating System	\$55.00	
Vent-A-Hood (Commercial)	\$55.00	
Re-Inspection Fee	\$55.00	
Mechanical Code Appeal	\$100.00	
SERVICE	COST	NOTES
PLUMBING CODE PERMITS AND INSPECTIONS		
Apartments, Condominiums, Triplex, Etc.	\$0.05	Per ft ² ; Minimum fee of \$55.00
Commercial/Industrial New Construction	\$0.06	Per ft ² ; Minimum fee of \$55.00
Single Family, Duplex, Townhouse, Etc.	\$0.06	Per ft ² ; Minimum fee of \$55.00
Contractor Registration, Initial (Article XIII, Chapter 4 Of City Code)	-	Not required for plumbers.
<i>Unit Fee Schedule</i>		
Building Water Line	\$55.00	Each
Building Sewer Line	\$55.00	Each
Fireplace Piping and Valve	\$55.00	

Gas Fired Applicable W/Special Vent Pipe	\$55.00	
Gas Piping System (1-4 Outlets)	\$55.00	Each
Gas Piping System (5+ Outlets)	\$55.00	Each
Industrial Waste Pre-Treatment Interceptor	\$55.00	
Installation/Repair of Water Piping and/or Water Treatment Equipment	\$55.00	
Lawn Sprinkler System On Any One Meter, Including Backflow Protection	\$55.00	Each
Private Sewage Disposal System	\$55.00	
Repair of Existing Piping	\$55.00	
Repair or Alteration of Drainage or Vent Piping	\$55.00	
Gas Line Pressure Check	\$55.00	
Plumbing Fixture, Trap or Set Fixture, Etc.	\$55.00	Each
Yard Line Pressure Check	\$55.00	
Plumbing Code Appeal	\$100.00	
Reinspection Fee	\$55.00	
SERVICE	COST	NOTES
REGISTRATION AND MISCELLANEOUS PERMITS		
Business License	\$25.00	
Home Business License	\$25.00	
Certificate of Occupancy (CO)	\$55.00	
Contractor Registration, Initial (Article XIII, Chapter 4 Of City Code)	\$100.00	
Contractor Registration, Annual Renewal	\$50.00	If not renewed within 30 days of expiration, renewal fee is \$100.00
Garage Sale Permit	\$10.00	No more than three (3) garage sales per address per year
Gathering Station Inspection	\$1,000.00	
Itinerant Vendor License	\$100.00	Contact the Police Department Records Dept. at 817-985-2160, ext. 2219
Sub-Division Construction Inspection Fee	4%	Of construction cost
Tree Removal Permit	\$150.00	Per acre; \$150 minimum charge
SERVICE	COST	NOTES
SHORT TERM RENTAL		
Permit	\$100.00	per each permit and renewal permit
Inspection and Reinspection	\$75.00	Per each inspection or reinspection
SERVICE	COST	NOTES
OIL AND GAS WELLS		
Annual Air Sampling And Reporting Fee Per Low-To-Moderate Impact Pad Sites (As Determined By City Official(s))	\$12,000.00	
Annual Air Sampling And Reporting Fee Per High Impact Pad Site (As Determined By City Official(s))	\$45,000.00	May be paid in quarterly installments
Annual Air Sampling And Reporting Fee As Needed	\$12,000.00	Per instance of additional monitoring
Annual Inspection Per Well	\$2,000.00	\$300 per additional well on same pad site
Well Requested On Application for Pad Site	\$5,000.00	Per well

new

SERVICE	COST	NOTES
PLANNING AND DEVELOPMENT		
Annexation, Request for	\$200.00	
Commercial Site Plan Review	\$500.00	Engineering review fee; In additional to applicable permitting fees
Conditional Use Permit	\$500.00	
Easement or Right-Of-Way Abandonment, Request for	\$300.00	
Zoning		
Zoning Verification Letter	\$30.00	
Zoning Change or Amendment for Less Than 10 Acres, Request for	\$500.00	
Zoning Change or Amendment for 10+ Acres, Request for	\$1,500.00	
Rezone Less Than 10 Acres to Planned Development District (PD)	\$750.00	
Rezone 10+ Acres to Planned Development District (PD)	\$1,500.00	
Plats		
Minor Plat, Vacated Plat, Amended Plat	\$300.00	Plus \$10.00 per lot
Minor Plat Engineering Review Fee	\$200.00	
Preliminary Plat	\$300.00	Plus \$10.00 per lot
Preliminary Plat Engineering Review Fee	\$1,000.00	
Replat (0-10 Acres)	\$500.00	
Replat (10+ Acres)	\$1,500.00	
Final Plat	\$300.00	Plus \$10.00 per lot
Final Plat, Repat Engineering Review Fee	\$2,500.00	Placed in escrow; unused funds can be requested for return
Other		
Renotification	\$125.00	Cost to republish legally required notifications after a request for date change
Special Exception, Request for	\$250.00	
Variance, Request for	\$250.00	
Printouts/Copies From Plotter	\$1.00	Per Square Foot (ft ²)
SERVICE	COST	NOTES
UTILITY BILLING PUBLIC WORKS WATER AND WASTEWATER		
<i>View monthly utility rate information at www.cityofkennedale.com/waterrates</i>		
Deposits		
Residential Water (Owner Occupied)	\$60.00	If an account is finaled out for nonpayment, re-establishment of service requires a deposit of 2X the normal fee. Accounts are associated with the name of the responsible party (or parties); not the address.
Residential Sewer (Owner Occupied)	\$30.00	
Residential Water (Tenant Occupied)	\$90.00	
Residential Sewer (Tenant Occupied)	\$60.00	
Commercial/Industrial w/High Consumption	Varies	1/6 of annual consumption
Commercial Water	\$90.00	
Commercial Sewer	\$60.00	
Water for Cleanup (15 Day Temp Service)	\$30.00	Per day
Use of Bulk Water Meter (Fire Hydrant)	\$600.00	Plus \$50 service fee

Use of Bulk Water Meter (Gas Drilling)	\$1,000.00	Plus \$50 service fee
Use of Bulk Unmetered Water	Varies	(rate) X (estimated gallons)
Disconnect Service At The Main	Actual Cost	
Liquid Waste Permit	\$50.00	The Building Inspection and Public Works departments regulate the installation, maintenance, and the transportation of liquid wastes. Questions? Call 817-985-2170.
Liquid Waste Trip Ticket Book	\$20.00	
Move City Utilities	Actual Cost	
Private Water Well Permit And Inspection	\$75.00	
Water Administrative Fee	\$20.00	Assessed when account appears on cut-off list; In addition to any late fee
Water Transfer Fee	\$15.00	
Wrecker License/Permit	\$20.00	
Utility Equipment	Actual Cost	Meter, meter base, MTU, register, bullhead, and any other associated equipment installed for water/sewer metering
Water and Wastewater Fees		
Fire Hydrant Fee (Construction Meter)	\$79.50	Monthly base charge
Meter Calibration Fee (When Executed By City Staff)	\$45.00	Charges not incurred if meter is found to be inaccurate.
Meter Calibration Fee (When Executed By Independent Contractor)	\$125.00	
Meter Set Reinspection Fee	\$100.00	
Meter Tampering, Tampering With Lock, Or Cutting Lock On Meter	\$200.00	Per offense, plus actual cost of repair or replacement
Water Tap Fee (No Street Cut)		
¾" (.75")	\$475.00	Plus \$300 meter set fee; plus cost of meter
1"	\$525.00	Plus \$350 meter set fee; plus cost of meter
1½" (1.5")	\$950.00	Plus \$550 meter set fee; plus cost of meter
2"	\$1,075.00	Plus \$700 meter set fee; plus cost of meter
3" or Larger	Actual Cost	Plus actual cost of meter set fee; plus cost of meter
Water Tap Fee (With Street Cut or Bore)		
¾" (.75")	\$925.00	Plus \$300 meter set fee; plus cost of meter
1"	\$975.00	Plus \$350 meter set fee; plus cost of meter
1½" (1.5")	\$1,400.00	Plus \$550 meter set fee; plus cost of meter
2"	\$1,525.00	Plus \$700 meter set fee; plus cost of meter
3" or Larger	Varies	Plus actual cost of meter set fee; plus cost of meter
Sewer Tap Fee (No Street Cut)		
4"	\$425.00	
6"	\$600.00	
8" or Larger	Actual Cost	
Sewer Tap Fee (With Street Cut or Bore)		
4"	\$875.00	
6"	\$1,050.00	
8" or Larger	Actual Cost	
SERVICE	COST	NOTES
FIRE DEPARTMENT		

Ambulance Fees	Actual Cost	Established according to reasonable and customary reimbursement allowances of applicable insurance carriers; reviewed and approved quarterly by the City Manager
Building/Fire Plan Review	\$55.00	
EMS Report	\$15.00	
False Alarm (3 rd +)	\$55.00	Beginning with the 3 rd , the fee doubles for each subsequent false alarm
Fire Code Appeal	\$100.00	
Fire Inspections		
Annual, Bi-Annual of Certificate of Occupancy (CO)	No Charge	
Re-Inspection	No Charge	
2 nd Re-Inspection	\$55.00	
3 rd + Re-Inspection	Varies	Beginning with the 3 rd , the fee doubles for each subsequent re-inspection
Fire Suppression Systems	\$55.00	
Fire Report	\$15.00	
Site Plan Review	\$55.00	
Standby		
Brush Truck	\$75.00	Hourly
Engine	\$150.00	Hourly
Fire Marshall	\$40.00	Hourly
HazMat Squad	\$300.00	Hourly
Paramedic	\$30.00	Hourly
NOTE: Minimum fee for any single permit or inspection, listed or unlisted, regardless of department	\$55.00	Excluding signs
SERVICE	COST	NOTES
REQUEST FOR PUBLIC INFORMATION/OPEN RECORDS REQUESTS/REQUESTS UNDER THE PUBLIC INFORMATION ACT (PIA)		
The City Secretary's Office encourages communication and transparency between the City of Kennedale and its residents by serving as the primary office responding to Public Information Requests. In an effort to save requestors time and money, frequently requested documents are available online, including: • Laserfiche: Ordinances, Resolutions, Agendas, Packets, Minutes, and Press Releases • MuniCode: Code of Ordinances and Copies of Individual Ordinances • Monthly Reports: Building Permits, Fires, and Substandard Buildings If what you need is not available online, you can make a Public information request. Requests are processed in the order they are received, and should be for existing documents or information. Staff may not ask why you want the information, but may ask for clarification if needed. please be aware that some records are exempt from disclosure or require redaction.		
Requests may incur a fee, and the City of Kennedale may require prepayment. Charges vary depending on the number of responsive documents and personnel time required. Vaguely-worded or broad requests return more results. The more specific your request, the quicker it can be fulfilled. Generally, the city will charge \$0.10 per page and \$15.00 an hour for labor. Requests for standard-sized documents that will be delivered via email usually do not incur charges, unless the request: • is for more than fifty (50) pages, • requires more than thirty (30) minutes of personnel time to locate, compile, manipulate data, and reproduce the information, or • includes documents that are stored off-site. If the estimated charges exceed \$40.00, the requestor must approve an itemized estimate before work begins. When estimated costs exceed \$100.00, the requestor is required to make a deposit (typically 100% of the estimate) before work begins. If a requestor (or their organization) has a balance exceeding \$100.00 for past requests, the City of Kennedale will not process additional requests until the account is paid in full. You must approve any estimate of charges within ten (10) business days of the date the estimate is sent or the request will be considered withdrawn.		

CHARGES ASSOCIATED WITH A PUBLIC INFORMATION REQUEST VARY DEPENDING ON THE AMOUNT OF RESPONSIVE DOCUMENTS AND PERSONNEL TIME REQUIRED. GENERAL CHARGES ARE OUTLINED BELOW.

Single Sided, Black & White, 8.5x11" Paper	\$0.10	Per paper copy
11x17" or Other Oversized Paper, Not Including Maps & Photographs	\$0.50	Per paper copy
Plat Page	\$3.00	Per plat page
Compact Disc (CD)	\$1.00	Per CD
Digital Video Disc (DVD)	\$3.00	Per DVD
Personnel Time for Locating, Compiling and Reproducing Records	\$15.00	
Mailing Expenses, Speciality Papers (including but not limited to mylar, blueprints, maps, and photos), Off-Site Storage Retrieval	Actual Cost	Off-site storage costs (currently \$16.00 truck charge + \$2.00/box) per retrieval and return

Charges not outlined here will be calculated according to the regulations and recommendations of the Texas State Library and Archives Commission, the Texas Attorney General, and the Texas Administrative Code



Date: July 16, 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:



Date: July 16, 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:



Date: July 16, 2019

Agenda Item No: EXECUTIVE SESSION - C.

I. Subject:

Discussion with the City Attorney regarding an early termination and release agreement with Global Water Management, LLC

II. Originated by:

III. Summary:

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:



Date: July 16, 2019

Agenda Item No: EXECUTIVE SESSION - D.

I. Subject:

Discussion with City Attorney regarding legal issues associated with Economic Development and Performance Agreement, Tax Abatement, and Chapter 380 Agreement with Compressed Air Systems for project located at Harris Corporation Addition, Block 1 Lot 1A2 (Linda Road)

II. Originated by:

III. Summary:

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:



Date: July 16, 2019

Agenda Item No: EXECUTIVE SESSION - E.

I. Subject:

Economic Development and Performance Agreement, Tax Abatement, and Chapter 380 Agreement with Compressed Air Systems for project located at Harris Corporation Addition, Block 1 Lot 1A2 (Linda Road)

II. Originated by:

III. Summary:

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments: