

KENNEDALE CITY COUNCIL AGENDA
REGULAR MEETING | MARCH 17, 2020
CITY HALL COUNCIL CHAMBERS
405 MUNICIPAL DRIVE, KENNEDALE, TX 76060
5:30 PM WORK SESSION | REGULAR SESSION AT 7:00 PM

I. CALL TO ORDER

II. WORK SESSION

Anyone wishing to address the City Council regarding Work Session items may do so as that item is considered, provided that a 'Speaker Request Form' is submitted to the City Secretary before the Work Session 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.

A. WORK SESSION REPORTS

1. Presentation by the Youth Advisory Council (YAC) regarding YAC Summit 2020 and their upcoming recruitment process
2. Receive a presentation, hold a discussion, and provide staff direction regarding Capital Improvements Programming
3. Receive a presentation, hold a discussion, and provide staff direction regarding regulation, permitting, and other considerations surrounding farmers markets

B. REQUESTS FOR CLARIFICATION OF ITEMS LISTED ON THE AGENDA

III. EXECUTIVE SESSION

The City Council reserves the right to meet in Executive Session at any time during this meeting pursuant to the below cited sections of the Texas Government Code:

A. PURSUANT TO §551.071 — 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, legal issues regarding the Open Meetings Act, and the following:

1. Discussion with the City Attorney regarding salvage yards, including A&A Pickup & Van, Inc., Apache, Abs 1 Auto Parts, and special exception/special use permits
2. Discussion with the City Attorney regarding Child Witness and Strangulation ordinances

B. PURSUANT TO §551.072 — Deliberation regarding the purchase, exchange, lease, or value of real property:

1. 1001 W Kennedale Pkwy, Fort Worth, TX 76140

IV. REGULAR SESSION

A. ROLL CALL

B. INVOCATION AND PLEDGES OF ALLEGIANCE TO THE U.S. AND TEXAS FLAGS

C. VISITOR AND CITIZEN FORUM

At this time, any person may address the City Council, provided that a 'Request to Speak' form is submitted before the meeting begins. Speakers are allotted three (3) minutes, must limit their comments to the subject indicated on the form, and should address the Council as a whole rather than individual Councilmembers or staff. Neither formal action nor discussion may occur at this time. Those wishing to speak on an agenda item should indicate as much on the form, and will be called upon to speak when the Council considers that item.

D. REPORTS AND ANNOUNCEMENTS

1. Updates from the City Council
2. Updates from the Mayor
 - Proclaiming May 16, 2020, National Kids to Parks Day, celebrated by KIDFISH and Bark in the Park
3. Updates from the City Manager
4. Financial Reports for the City
5. Recognition of Mayor Brian Johnson's years of service on the Tarrant Regional Transportation Coalition (TRTC) Executive Committee by North Richland Hills Mayor Oscar Trevino

E. CONSENT AGENDA

1. Approval of the minutes from the February 18, 2020 regular meeting
2. Consider adoption of Ordinance 693, amending Chapter 12, "Miscellaneous Provisions and Offenses" of the Kennedale City Code by adding section 12-10, "Protection of Children Exposed to Unjustified Violence."
3. Consider adoption of Ordinance 694, amending Chapter 12, "Miscellaneous Provisions and Offenses" of the Kennedale City Code by adding Section 12-11, "Effective Response to Strangulation."
4. Consider approval of Resolution 570, supporting a grant application for a police firearms simulator system

F. ITEMS FOR INDIVIDUAL CONSIDERATION

1. Consider approval of Ordinance 691, amending various provisions of Chapter 4 "Buildings and Building Regulations" of the Kennedale City Code to adopt the 2018 International Building Code (IBC), 2017 National Electrical Code (NEC), 2018 International Mechanical Code (IMC), 2018 International Plumbing Code (IPC), 2018 International Fire Code (IFC), 2018 International Residential Code (IRC), 2018 International Fuel Gas Code (IFGC), 2018 International Energy Conservation Code (IECC), and 2018 International Swimming Pool and Spa Code (SPSC) along with local amendments as recommended by the North Central Texas Council of Governments (NCTCOG)
2. Consider adoption of Ordinance 692, amending Article III "Fire Department" of Chapter 6 "Emergency Management and Services" of the Kennedale City Code to authorize and establish mitigation fees for the deployment of emergency services by the City of Kennedale Fire Department

G. PUBLIC HEARINGS

1. Hold a Public Hearing and consider adoption of Ordinance 686, amending Chapter 23, Article IX "Stormwater (Drainage) Utility System" by amending the monthly Stormwater (Drainage) Utility Fee from \$3.50 to \$4.50 for Residential Units and Religious Organizations
2. Conduct a Public Hearing and consider approval of Resolution 569, authorizing funding participation with Tarrant County Community Development and Housing for the 46th Year Community Development Block Grant (CDBG) Project for rehabilitation of water lines in the 400 to 600 blocks of Third Street

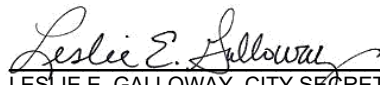
H. TAKE ACTION NECESSARY, PURSUANT TO EXECUTIVE SESSION, IF NEEDED

1. Take any action deemed necessary as a result of the Executive Session

V. **ADJOURNMENT**

CERTIFICATION

I DO HEREBY CERTIFY THAT THE MARCH 17, 2020 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.

CREATED 3/13/2020 2:28 PM

POSTED _____ (DATE) _____ (TIME)

MEETING
CANCELED

MEETING DATE: MARCH 17, 2020

AGENDA ITEM NUMBER: WORK SESSION ITEM II.A.1.

SUBJECT

Presentation by the Youth Advisory Council (YAC) regarding YAC Summit 2020 and their upcoming recruitment process

ORIGINATED BY

Leslie E. Galloway, City Secretary & Communications Coordinator

SUMMARY

At this time, YAC Chair Kayla Guevara and Vice Chair Quincy Martin will provide a brief presentation to the Council regarding YAC Summit 2020 as well as the current recruitment and application process.

RECOMMENDATION

ATTACHMENTS

MEETING DATE: MARCH 17, 2020

AGENDA ITEM NUMBER: WORK SESSION ITEM II.A.2.

SUBJECT

Receive a presentation, hold a discussion, and provide staff direction regarding Capital Improvements Programming

ORIGINATED BY

George Campbell, City Manager
Lakeita Sutton, Director of Finance and Information Technology

SUMMARY

As the City's population has grown, so has the demand for our services and infrastructure. In an effort to address those demands, options for Capital Improvement projects are being presented. General Obligation Bonds and other debt financing tools provide a way to manage this growth and demand for services. Capital projects are normally prioritized and funded based on debt financing capacity and project phasing.

A debt capacity model prepared by the City's Financial Advisors (attached) demonstrates that the City has the ability to issue approximately \$14M in Certificates of Obligation (CO) over the next five years without a debt service (I&S) tax rate increase. The \$14M in additional debt is possible due to the City paying off older debt. It includes \$6M in FY 2020-2021 and an additional \$8M in FY 2023-2024 totaling \$14M.

Separately, the Council has the ability to consider calling an election for voters to authorize the issuance General Obligation (GO) Bonds that could provide the needed funding for land acquisition, design, engineering, construction and other costs associated with road projects. Proceeds from a bond sale could, if approved, also fund other projects such as a new public safety facility for enhanced fire and police services or other vertical construction.

The 2020 fiscal year debt service tax rate is 0.1905 cents for every \$100 of taxable assessed property value. The 2020 fiscal year O&M tax rate is 0.5444 cents for every \$100 of taxable assessed property value for total tax rate of \$0.7349.

GO bonds are backed by a City's levy of an ad valorem tax (property tax) to secure payment of the debt. Passage of a GO bond election and issuance of such debt would likely affect the debt service tax rate portion of the City of Kennedale's tax levy. Funding source considerations being presented include proceeds from a GO bond election (GO), Certificates of Obligation (CO), cash, and other sources.

This work session presentation designed to illustrate the varied capital projects that have been identified as community needs and options for funding over the next five year period. It will hopefully provide sufficient data for prioritization of Capital projects.

RECOMMENDATION

ATTACHMENTS

1.	Bond Election TRIA (ATF)	Bond Election TRIA (ATF).pdf
2.	Capital Projects List_2020 - ALL PROJECTS	Capital Projects List_2020 - ALL PROJECTS.pdf
3.	Capital Projects List_2020 - CO PROJECTS	Capital Projects List_2020 - CO PROJECTS.pdf
4.	Capital Projects List_2020 - GO PROJECTS	Capital Projects List_2020 - GO PROJECTS.pdf
5.	Capital Projects List_2020 - FUTURE CONSIDERATION	Capital Projects List_2020 - FUTURE CONSIDERATION.pdf

City of Kennedale, Texas
\$14,000,000 Tax Rate Impact Analysis - No Tax Increase
March 6, 2020

2019 Current Tax Rate		
M&O	\$ 0.5444	74.07%
I&S	0.1905	25.93%
Total	\$ 0.7350	100.00%

Key Assumptions	
Taxable Assessed Value Growth:	3% in 2021-2024
Interest Rate on Series 2021:	3.50%
Interest Rate on Series 2024:	4.00%

Historical Valuations (Excludes Freeze Values)			
Tax Year	Fiscal Year Ending 9/30	Taxable Values	Growth Rate
2012	2013	\$ 475,413,575	--
2013	2014	480,459,481	1.06%
2014	2015	529,387,225	10.18%
2015	2016	549,420,142	3.78%
2016	2017	567,759,225	3.34%
2017	2018	623,852,142	9.88%
2018	2019	724,491,406	16.13%
2019	2020	776,241,228	7.14%
Average Growth Rate since TY 2012			7.36%

1 Fiscal Year Ending 9/30	2 Projected Taxable Values	3 Existing Debt Service	4 Lease #1	5 \$6MM Series 2021	6 \$8MM Series 2024	7 Totals	8 Projected I&S Tax Rate
2020	\$ 776,241,228	\$ 1,281,486	\$ 98,273			\$ 1,379,759	\$ 0.1777
2021	799,528,465	1,432,867	-			1,432,867	0.1792
2022	823,514,319	1,138,786	-	\$ 431,063		1,569,849	0.1906
2023	848,219,748	1,230,842	-	383,888		1,614,730	0.1904
2024	873,666,341	1,228,040	-	436,363		1,664,403	0.1905
2025	873,666,341	868,801	-	427,788	\$ 369,000	1,665,589	0.1906
2026	873,666,341	880,579	-	414,300	367,000	1,661,879	0.1902
2027	873,666,341	406,252	-	415,725	614,900	1,436,877	0.1645
2028	873,666,341	411,014	-	416,800	617,400	1,445,214	0.1654
2029	873,666,341	182,500	-	417,525	614,400	1,214,425	0.1390
2030	873,666,341	185,700	-	417,900	615,900	1,219,500	0.1396
2031	873,666,341	183,600	-	417,925	616,800	1,218,325	0.1394
2032	873,666,341	-	-	417,600	617,100	1,034,700	0.1184
2033	873,666,341	-	-	416,925	616,800	1,033,725	0.1183
2034	873,666,341	-	-	415,900	615,900	1,031,800	0.1181
2035	873,666,341	-	-	414,525	614,400	1,028,925	0.1178
2036	873,666,341	-	-	417,713	612,300	1,030,013	0.1179
2037	873,666,341	-	-	415,463	614,500	1,029,963	0.1179
2038	873,666,341	-	-	412,863	615,900	1,028,763	0.1178
2039	873,666,341	-	-	414,825	616,500	1,031,325	0.1180
2040	873,666,341	-	-	416,263	616,300	1,032,563	0.1182
2041	873,666,341	-	-	417,175	615,300	1,032,475	0.1182
2042	873,666,341	-	-	-	613,500	613,500	0.0702
2043	873,666,341	-	-	-	615,800	615,800	0.0705
2044	873,666,341	-	-	-	617,100	617,100	0.0706
		\$ 9,430,467	\$ 98,273	\$ 8,338,525	\$ 11,816,800	\$ 29,684,065	

City of Kennedale, Texas
\$22,000,000 Tax Rate Impact Analysis - 3.5 Cent Tax Increase
March 6, 2020

2019 Current Tax Rate		
M&O	\$ 0.5444	74.07%
I&S	0.1905	25.93%
Total	\$ 0.7350	100.00%

Key Assumptions	
Taxable Assessed Value Growth:	3% in 2021-2024
Interest Rate on Series 2021:	3.50%
Interest Rate on Series 2024:	4.00%

Historical Valuations (Excludes Freeze Values)			
Tax Year	Fiscal Year Ending 9/30	Taxable Values	Growth Rate
2012	2013	\$ 475,413,575	--
2013	2014	480,459,481	1.06%
2014	2015	529,387,225	10.18%
2015	2016	549,420,142	3.78%
2016	2017	567,759,225	3.34%
2017	2018	623,852,142	9.88%
2018	2019	724,491,406	16.13%
2019	2020	776,241,228	7.14%
Average Growth Rate since TY 2012			7.36%

1 Fiscal Year Ending 9/30	2 Projected Taxable Values	3 Existing Debt Service	4 Lease #1	5 \$14MM Series 2021	6 \$8MM Series 2024	7 Totals	8 Projected I&S Tax Rate
2020	\$ 776,241,228	\$ 1,281,486	\$ 98,273			\$ 1,379,759	\$ 0.1777
2021	799,528,465	1,432,867	-			1,432,867	0.1792
2022	823,514,319	1,138,786	-	\$ 715,975		1,854,761	0.2252
2023	848,219,748	1,230,842	-	678,450		1,909,292	0.2251
2024	873,666,341	1,228,040	-	735,313		1,963,353	0.2247
2025	873,666,341	868,801	-	721,125	\$ 369,000	1,958,926	0.2242
2026	873,666,341	880,579	-	712,025	367,000	1,959,604	0.2243
2027	873,666,341	406,252	-	1,095,925	463,000	1,965,177	0.2249
2028	873,666,341	411,014	-	1,097,388	457,000	1,965,401	0.2250
2029	873,666,341	182,500	-	1,093,063	642,100	1,917,663	0.2195
2030	873,666,341	185,700	-	1,092,950	643,000	1,921,650	0.2200
2031	873,666,341	183,600	-	1,096,875	643,300	1,923,775	0.2202
2032	873,666,341	-	-	1,094,838	643,000	1,737,838	0.1989
2033	873,666,341	-	-	1,096,838	642,100	1,738,938	0.1990
2034	873,666,341	-	-	1,097,788	645,500	1,743,288	0.1995
2035	873,666,341	-	-	1,092,775	643,200	1,735,975	0.1987
2036	873,666,341	-	-	1,096,713	645,200	1,741,913	0.1994
2037	873,666,341	-	-	1,094,513	641,500	1,736,013	0.1987
2038	873,666,341	-	-	1,096,175	642,100	1,738,275	0.1990
2039	873,666,341	-	-	1,096,613	641,900	1,738,513	0.1990
2040	873,666,341	-	-	1,095,825	645,800	1,741,625	0.1993
2041	873,666,341	-	-	1,093,813	643,800	1,737,613	0.1989
2042	873,666,341	-	-	-	641,000	641,000	0.0734
2043	873,666,341	-	-	-	642,300	642,300	0.0735
2044	873,666,341	-	-	-	642,600	642,600	0.0736
		\$ 9,430,467	\$ 98,273	\$ 19,994,975	\$ 11,944,400	\$ 41,468,115	

Note: Each additional million dollars borrowed above \$22MM equates to roughly 1 cent I&S increase beyond what is proposed above.

ALL PROJECTS SUMMARY	YEAR 1 (2020-2021)	YEAR 2 (2021-2022)	YEAR 3 (2022-2023)	YEAR 4 (2023-2024)	YEAR 5 (2024-2025)
TOTALS BY YEAR (ALL PROJECTS)	\$ 10,893,775	\$ 7,464,505	\$ 29,037,052	\$ 24,572,658	\$ 18,278,802
TOTAL YEARS 1 THROUGH 5					\$ 90,246,792

ALL PROJECTS BY DEPARTMENT	YEAR 1 (2020-2021)	YEAR 2 (2021-2022)	YEAR 3 (2022-2023)	YEAR 4 (2023-2024)	YEAR 5 (2024-2025)	FUNDING MECHANISM	ANNUAL M & O (TBD)
PUBLIC SAFETY							
Police / Fire Facility							
DESIGN/ENGINEERING							
ROW ACQUISITION							
CONSTRUCTION			\$ 9,000,000			GO	
Fire Training Tower							
DESIGN/ENGINEERING							
ROW ACQUISITION							
CONSTRUCTION			\$ 825,000			O / GO	
Driver Training Facility							
DESIGN/ENGINEERING							
ROW ACQUISITION							
CONSTRUCTION			\$ 675,000			O / GO	
Firing Range							
DESIGN/ENGINEERING							
ROW ACQUISITION							
CONSTRUCTION			\$ 1,000,000			O / GO	
Evidence Storage Building			\$ 2,000,000			O / GO	
Flare Storage Building			\$ 45,000			O / GO	
Parking Canopies			\$ 120,000			O / GO	
Soft Costs: Surveying, Permitting, Fees, IT System, Contingency			\$ 967,750			O / GO	
TOTAL PUBLIC SAFETY	\$ -	\$ -	\$ 14,632,750	\$ -	\$ -		

LEGEND & FOOTNOTES

FUNDING MECHANISMS: CO = CERTIFICATES OF OBLIGATION; GO = GENERAL OBLIGATION BONDS; O = OTHER

PROJECTS SHADED IN BLUE = RECOMMENDED FOR FUNDING VIA \$14M IN CO ISSUANCE (NO TAX INCREASE) OVER THE NEXT FIVE YEARS (SEE NEXT TAB / PDF)

PROJECTS SHADED IN GRAY = RECOMMENDED FOR FUNDING VIA A POTENTIAL BOND ELECTION (GO ISSUANCE; SEE THIRD TAB / PDF)

NON-SHADED PROJECTS = NOT INCLUDED IN ANY POTENTIAL DEBT ISSUANCE, HAVE FUNDING FROM OTHER SOURCES, OR COULD BE SWITCHED OUT / SUBSTITUTED TO BE INCLUDED IN THE \$14M OR A POTENTIAL BOND ELECTION

ALL PROJECTS BY DEPARTMENT

YEAR 1 (2020-2021)	YEAR 2 (2021-2022)	YEAR 3 (2022-2023)	YEAR 4 (2023-2024)	YEAR 5 (2024-2025)	FUNDING MECHANISM	ANNUAL M & O (TBD)
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STREETS

Beacon Hill Drainage Improvements						
DESIGN/ENGINEERING (COMPLETED)						
ROW ACQUISITION						
CONSTRUCTION	\$	193,735			CO	
Danny Drive Drainage Improvements						
DESIGN/ENGINEERING						
ROW ACQUISITION						
CONSTRUCTION						
Danny Drive Pavement Improvements (by County)						
DESIGN/ENGINEERING					O / Streets Fund	
ROW ACQUISITION						
CONSTRUCTION	\$	143,000			O / Streets Fund	
Valley Lane (Erosion and Engineering)						
DESIGN/ENGINEERING	\$	300,000			CO	
ROW ACQUISITION						
CONSTRUCTION			\$	1,000,000	CO	
Peggy Lane						
DESIGN/ENGINEERING	\$	103,700			O / 2019 TAX NOTES	
ROW ACQUISITION						
CONSTRUCTION			\$	397,656	CO	
Trent Street Improvements						
DESIGN/ENGINEERING (In Progress)	\$	59,400			O / 2019 TAX NOTES	
ROW ACQUISITION						
CONSTRUCTION	\$	193,953			CO	
Collett Sublett Road Infrastructure Improvements						
DESIGN/ENGINEERING (In Progress)	\$	87,700			O / 2019 TAX NOTES	
ROW ACQUISITION						
CONSTRUCTION	\$	1,599,600			GO's	
Linda Road Infrastructure (Dick Price to East End)						
DESIGN/ENGINEERING	\$	99,200			O / 2019 TAX NOTES	
ROW ACQUISITION						
CONSTRUCTION			\$	2,042,258	CO	
Extension from existing Linda to New Hope Road (Linda)						
DESIGN/ENGINEERING			\$	1,686,955	CO	
ROW ACQUISITION			\$	643,850	CO	
CONSTRUCTION				\$	3,142,935	GO

(CONTINUED ON NEXT PAGE)

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ALL PROJECTS BY DEPARTMENT

YEAR 1 (2020-2021)	YEAR 2 (2021-2022)	YEAR 3 (2022-2023)	YEAR 4 (2023-2024)	YEAR 5 (2024-2025)	FUNDING MECHANISM	ANNUAL M & O (TBD)
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STREETS (cont.)

Little Road Extension from Kennedale Parkway to New Hope Road						
DESIGN/ENGINEERING	\$ 669,716				CO	
ROW ACQUISITION		\$ 891,500			CO	
CONSTRUCTION			\$ 9,518,513		O / GO / County Bond	
Third Street Water (CDBG)						
DESIGN/ENGINEERING					Water Budget	
ROW ACQUISITION						
CONSTRUCTION	\$ 88,512				Water Budget	
Oak Crest Drive Realignment to Gilman Road (No Quotes To Date)						
DESIGN/ENGINEERING						
ROW ACQUISITION		\$ 1,000,000			O / GO / County Bond	
CONSTRUCTION			\$ 300,000			
Kennedale Sublett Road Realignment at Kennedale Pkwy (No Quotes To Date)						
DESIGN/ENGINEERING	\$ 100,000				CO	
ROW ACQUISITION		\$ 35,000			CO	
CONSTRUCTION		\$ 459,600			CO	
Cloverlane Drive						
DESIGN/ENGINEERING						
ROW ACQUISITION		\$ 3,000			Streets Fund	
CONSTRUCTION			\$ 141,010		Streets Fund	
Winding Creek Erosion / Pennsylvania						
DESIGN/ENGINEERING	\$ 263,767				CO	
ROW ACQUISITION						
CONSTRUCTION		\$ 850,860			CO	
Winding Creek Erosion / Briar Court						
DESIGN/ENGINEERING	\$ 229,744				GO	
ROW ACQUISITION						
CONSTRUCTION		\$ 741,108			GO	
New Hope Road ROW and Reconstruction of Two Lanes						
DESIGN/ENGINEERING		\$ 4,011,407			CO	
ROW ACQUISITION			\$ 9,272,000		O / GO / County Bond	
CONSTRUCTION				\$ 14,893,105	O / GO / County Bond	
Village Street (Two Lanes)						
DESIGN/ENGINEERING		\$ 292,486			O / Future	
ROW ACQUISITION			\$ 688,000		O / Future	
CONSTRUCTION				\$ 1,073,967	O / Future	
TOTAL STREETS	\$ 2,968,800	\$ 4,700,085	\$ 10,518,822	\$ 23,062,458	\$ 15,967,072	

LEGEND & FOOTNOTES

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ALL PROJECTS BY DEPARTMENT	YEAR 1 (2020-2021)	YEAR 2 (2021-2022)	YEAR 3 (2022-2023)	YEAR 4 (2023-2024)	YEAR 5 (2024-2025)	FUNDING MECHANISM	ANNUAL M & O (TBD)
PARKS AND RECREATION							
Concession Restroom, Meeting and Storage Building Design			\$ 525,000			O / GO / Prime Contract	
Grass Football Field for Practice			\$ 460,000			O / GO / Prime Contract	
Grass Football Field with Lights, Scoreboard, and Goal Posts			\$ 657,000			O / GO / Prime Contract	
New Grass Baseball Field			\$ 446,000			O / GO / Prime Contract	
Existing Two Baseball Field Turf Improvements			\$ 175,000			O / GO / Prime Contract	
Splashpad Improvements	\$ 40,000					CO	
Rubber Mulch for All Parks (Price TBD)							
DuraSAFE Rubber Playground Tiles for All Parks (Price TBD)							
Shade Structures Throughout the Park System	\$ 25,000					CO	
Railroad Themed Park Development		\$ 1,500,000				GO	
National Fitness Campaign Installation			\$ 180,000			GO	
Love Property Lease with Option to Buy (No Lease; Property is Being Listed for Sale)							
TOTAL PARKS AND RECREATION	\$ 65,000	\$ 1,500,000	\$ 2,443,000	\$ -	\$ -		

ALL PROJECTS BY DEPARTMENT	YEAR 1 (2020-2021)	YEAR 2 (2021-2022)	YEAR 3 (2022-2023)	YEAR 4 (2023-2024)	YEAR 5 (2024-2025)	FUNDING MECHANISM	ANNUAL M & O (TBD)
LIBRARY							
HVAC System		\$ 60,000				CO	
Library Expansion Phase I	\$ 712,000					GO	
Library Renovation Phase II		\$ 560,000				GO	
TOTAL LIBRARY	\$ 712,000	\$ 620,000	\$ -	\$ -	\$ -		

LEGEND & FOOTNOTES

FUNDING MECHANISMS: CO = CERTIFICATES OF OBLIGATION; GO = GENERAL OBLIGATION BONDS; O = OTHER

PROJECTS SHADED IN BLUE = RECOMMENDED FOR FUNDING VIA \$14M IN CO ISSUANCE (NO TAX INCREASE) OVER THE NEXT FIVE YEARS (SEE NEXT TAB / PDF)

PROJECTS SHADED IN GRAY = RECOMMENDED FOR FUNDING VIA A POTENTIAL BOND ELECTION (GO ISSUANCE; SEE THIRD TAB / PDF)

NON-SHADED PROJECTS = NOT INCLUDED IN ANY POTENTIAL DEBT ISSUANCE, HAVE FUNDING FROM OTHER SOURCES, OR COULD BE SWITCHED OUT / SUBSTITUTED TO BE INCLUDED IN THE \$14M OR A POTENTIAL BOND ELECTION

ALL PROJECTS BY DEPARTMENT		YEAR 1 (2020-2021)	YEAR 2 (2021-2022)	YEAR 3 (2022-2023)	YEAR 4 (2023-2024)	YEAR 5 (2024-2025)	FUNDING MECHANISM	ANNUAL M & O (TBD)			
WATER AND STORMWATER											
FN W-1 12" Waterline S of I-20 (Gilman Road and Bolen Road)											
DESIGN/ ENGINEERING - Done											
ROW ACQUISITION											
CONSTRUCTION	\$	755,000					O / FUTURE				
Village Creek Sewer Line											
DESIGN/ ENGINEERING	\$	300,000					O / FUTURE				
ROW ACQUISITION											
CONSTRUCTION	\$	700,000					O / FUTURE				
FN W-4 16/20" Waterline (Pump Station 3 to/along Dick Price Road)											
DESIGN/ ENGINEERING					\$	169,520	O / FUTURE				
ROW ACQUISITION											
CONSTRUCTION					\$	1,130,120	O / FUTURE				
FN W-8 12" Waterline on Dick Price Road (Shady Lane to North Road)											
DESIGN/ ENGINEERING					\$	41,730	O / FUTURE				
ROW ACQUISITION											
CONSTRUCTION					\$	278,150	O / FUTURE				
FN W-13 12" AC to 16" Waterline on Dick Price Road (Linda Road to Shady Lane)											
DESIGN/ ENGINEERING				\$	86,550		O / FUTURE				
ROW ACQUISITION											
CONSTRUCTION				\$	576,960		O / FUTURE				
FN W-18 12" Waterline S of I-20 and along Bus. 287											
DESIGN/ ENGINEERING (Completed)							O / 2019 TAX NOTES				
ROW ACQUISITION											
CONSTRUCTION			\$	644,420			O / FUTURE				
FN SS-1 15/18" Interceptor along North Road and Dick Price Road											
DESIGN/ ENGINEERING				\$	188,150		O / FUTURE				
ROW ACQUISITION											
CONSTRUCTION				\$	1,254,330		O / FUTURE				
FN SS-2 Upsize 18" to 21" Interceptor in Basin C-1											
DESIGN/ ENGINEERING				\$	110,440		O / FUTURE				
ROW ACQUISITION											
CONSTRUCTION				\$	736,250		O / FUTURE				
FN SS-3 Upsize 12" to 15" Interceptor in Basin C											
DESIGN/ ENGINEERING					\$	90,290	O / FUTURE				
ROW ACQUISITION											
CONSTRUCTION					\$	601,920	O / FUTURE				
TOTAL WATER & STORMWATER		\$	1,755,000	\$	644,420	\$	1,442,480	\$	1,510,200	\$	2,311,730

LEGEND & FOOTNOTES

FUNDING MECHANISMS: CO = CERTIFICATES OF OBLIGATION; GO = GENERAL OBLIGATION BONDS; O = OTHER

PROJECTS SHADED IN BLUE = RECOMMENDED FOR FUNDING VIA \$14M IN CO ISSUANCE (NO TAX INCREASE) OVER THE NEXT FIVE YEARS (SEE NEXT TAB / PDF)

PROJECTS SHADED IN GRAY = RECOMMENDED FOR FUNDING VIA A POTENTIAL BOND ELECTION (GO ISSUANCE; SEE THIRD TAB / PDF)

NON-SHADED PROJECTS = NOT INCLUDED IN ANY POTENTIAL DEBT ISSUANCE, HAVE FUNDING FROM OTHER SOURCES, OR COULD BE SWITCHED OUT / SUBSTITUTED TO BE INCLUDED IN THE \$14M OR A POTENTIAL BOND ELECTION

ALL PROJECTS BY DEPARTMENT			YEAR 1 (2020-2021)	YEAR 2 (2021-2022)	YEAR 3 (2022-2023)	YEAR 4 (2023-2024)	YEAR 5 (2024-2025)	FUNDING MECHANISM	ANNUAL M & O (TBD)	
STREETS IN CRITICAL CONDITION (COUNTY DESIGN-ASPHALT ONLY)										
Eden Road DESIGN/ ENGINEERING ROW ACQUISITION CONSTRUCTION			\$	121,020				O / Budget 2021		
Broadway Street DESIGN/ ENGINEERING ROW ACQUISITION CONSTRUCTION			\$	215,000				O / Budget 2021		
Gail Drive DESIGN/ ENGINEERING ROW ACQUISITION CONSTRUCTION			\$	58,000				O / Budget 2021		
Grapevine Trail DESIGN/ ENGINEERING ROW ACQUISITION CONSTRUCTION			\$	66,000				O / Budget 2021		
Industrial Drive DESIGN/ ENGINEERING ROW ACQUISITION CONSTRUCTION			\$	61,000				O / Budget 2021		
Mineral Street DESIGN/ ENGINEERING ROW ACQUISITION CONSTRUCTION			\$	51,000				O / Budget 2021		
Oak Wood Lane (Concrete) DESIGN/ ENGINEERING ROW ACQUISITION CONSTRUCTION			\$	59,648				GO		
			\$	397,656				GO		
Peachtree Court (Concrete) DESIGN/ ENGINEERING ROW ACQUISITION CONSTRUCTION			\$	160,009				GO		
			\$	1,066,728				GO		
Shady Creek Drive (Concrete) DESIGN/ ENGINEERING ROW ACQUISITION CONSTRUCTION			\$	257,530				GO		
			\$	1,716,864				GO		
Valley Lane DESIGN/ ENGINEERING ROW ACQUISITION CONSTRUCTION			\$	197,100				O / Budget 2021		
Woodland Court (Concrete) DESIGN/ ENGINEERING ROW ACQUISITION CONSTRUCTION			\$	125,924				O / Budget 2021		
			\$	839,496				O / Budget 2021		
TOTAL IN CRITICAL CONDITION			\$	5,392,975	\$	-	\$	-	\$	-

POTENTIAL PROJECTS TO FUND WITH NO
TAX INCREASE OVER THE NEXT FIVE YEARS
(FUNDING SOURCE: CO AND/OR TAX NOTES)

YEAR 1
(2020-2021)

YEAR 2
(2021-2022)

YEAR 3
(2022-2023)

YEAR 4
(2023-2024)

YEAR 5
(2024-2025)

STREETS

Beacon Hill Drainage Improvements CONSTRUCTION	\$ 193,735				
Valley Lane (Engineering Evaluation and Recommendation Only) DESIGN/ENGINEERING	\$ 300,000				
CONSTRUCTION		\$ 1,000,000			
Peggy Lane CONSTRUCTION			\$ 397,656		
Trent Street Improvements CONSTRUCTION	\$ 193,953				
Linda Road Infrastructure Improvements CONSTRUCTION		\$ 2,042,258			
Little Road Extension from Kennedale Parkway to New Hope Road DESIGN/ENGINEERING		\$ 669,716			
Winding Creek Erosion / Pennsylvania DESIGN/ENGINEERING		\$ 263,767			
CONSTRUCTION			\$ 850,860		
New Hope Road ROW and Reconstruction of Two Lanes DESIGN/ENGINEERING			\$ 4,011,407		
Splashpad Improvements	\$ 40,000				
Shade Structures Throughout the Park System	\$ 25,000				
Extension from existing Linda to New Hope Rd (Linda) DESIGN/ENGINEERING			\$ 1,686,955		
ROW ACQUISITION			\$ 643,850		
Kennedale Sublett Road Realignment at Kennedale Parkway (No Quotes To Date) DESIGN/ENGINEERING	\$ 100,000				
ROW ACQUISITION		\$ 35,000			
CONSTRUCTION		\$ 459,600			
Little Road Extension from Kennedale Parkway to New Hope Road ROW ACQUISITION			\$ 891,500		

LIBRARY

HVAC System	\$ 60,000				
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TOTALS BY YEAR	\$ 852,688	\$ 4,530,341	\$ 8,482,228	\$ -	\$ -
TOTAL YEARS 1 THROUGH 5					\$ 13,865,257

POSSIBLE PROJECTS TO FUND WITH A BOND ELECTION (GO)	YEAR 1 (2020-2021)	YEAR 2 (2021-2022)	YEAR 3 (2022-2023)	YEAR 4 (2023-2024)	YEAR 5 (2024-2025)
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PUBLIC SAFETY

Police / Fire Facility	\$ 9,000,000				
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STREETS

Collett Sublett Road Infrastructure Improvements	\$ 1,599,600				
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Extension from Existing Linda Road to New Hope Road (Linda)	\$ 3,142,935				
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Winding Creek Erosion / Briar Court					
DESIGN/ENGINEERING	\$ 229,744				
ROW ACQUISITION					
CONSTRUCTION	\$ 741,108				

Railroad Themed Park Development	\$ 1,500,000				
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National Fitness Campaign Installation	\$ 180,000				
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LIBRARY

Library Expansion Phase I	\$ 712,000				
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Library Renovation Phase II	\$ 560,000				
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STREETS IN CRITICAL CONDITION (COUNTY DESIGN - ASPHALT ONLY)

Oak Wood Lane (Concrete)					
DESIGN/ ENGINEERING	\$ 59,648				
ROW ACQUISITION					
CONSTRUCTION	\$ 397,656				

Peachtree Court (Concrete)					
DESIGN/ ENGINEERING	\$ 160,009				
ROW ACQUISITION					
CONSTRUCTION	\$ 1,066,728				

Shady Creek Drive (Concrete)					
DESIGN/ ENGINEERING	\$ 257,530				
ROW ACQUISITION					
CONSTRUCTION	\$ 1,716,864				

TOTALS BY YEAR	\$ 5,970,035	\$ 2,289,744	\$ 9,921,108	\$ 3,142,935	\$ -
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TOTAL YEARS 1 THROUGH 5	\$ 21,323,822				
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PROJECTS FOR FUTURE CONSIDERATION

YEAR 1
(2020-2021) YEAR 2
(2021-2022) YEAR 3
(2022-2023) YEAR 4
(2023-2024) YEAR 5
(2024-2025) FUNDING
MECHANISM ANNUAL
M & O (TBD)

PUBLIC SAFETY

Fire Training Tower					\$	825,000				O / GO				
Driver Training Facility					\$	675,000				O / GO				
Firing Range					\$	1,000,000				O / GO				
Evidence Storage Building					\$	2,000,000				O / GO				
Flare Storage Building					\$	45,000				O / GO				
Parking Canopies					\$	120,000				O / GO				
Soft Costs: Surveying, Permitting, Fees, IT System, Contingency					\$	967,750				O / GO				
TOTAL PUBLIC SAFETY					\$	-	\$	-	\$	5,632,750	\$	-	\$	-

PROJECTS FOR FUTURE CONSIDERATION

YEAR 1 (2020-2021)	YEAR 2 (2021-2022)	YEAR 3 (2022-2023)	YEAR 4 (2023-2024)	YEAR 5 (2024-2025)	FUNDING MECHANISM	ANNUAL M & O (TBD)
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STREETS

Danny Drive Drainage Improvements	no estimate					
Danny Drive Pavement Improvements (by County)	\$	143,000				O / Streets Fund
Peggy Lane DESIGN/ENGINEERING ROW ACQUISITION	\$	103,700				O / 2019 TAX NOTES
Trent Street Road Improvements DESIGN/ENGINEERING (In Progress) ROW ACQUISITION	\$	59,400				O / 2019 TAX NOTES
Collett Sublett Road Infrastructure Improvements DESIGN/ENGINEERING (In Progress) ROW ACQUISITION	\$	87,700				O / 2019 TAX NOTES
Linda Road Infrastructure (Dick Price to East End) DESIGN/ENGINEERING ROW ACQUISITION	\$	99,200				O / 2019 TAX NOTES
Little Road Extension from Kennedale Parkway to New Hope Road CONSTRUCTION				\$	9,518,513	O / GO / County Bond
3rd Street Water (CDBG) DESIGN/ENGINEERING ROW ACQUISITION CONSTRUCTION	\$	88,512				Water Budget Water Budget
Oak Crest Drive Realignment to Gilman Road (No Quotes To Date) DESIGN/ENGINEERING ROW ACQUISITION CONSTRUCTION			\$	1,000,000	\$	300,000 O / GO / County Bond
Cloverlane Drive DESIGN/ENGINEERING ROW ACQUISITION CONSTRUCTION			\$	3,000	\$	141,010 Streets Fund Streets Fund
New Hope Road ROW and Reconstruction of Two Lanes ROW ACQUISITION CONSTRUCTION				\$	9,272,000	O / GO / County Bond \$ 14,893,105 / GO / County Bond
Village Street (Two Lanes) DESIGN/ENGINEERING ROW ACQUISITION CONSTRUCTION			\$	292,486	\$	688,000 O / Future O / Future O / Future
TOTAL STREETS	\$	581,512	\$	-	\$	1,295,486 \$ 19,919,523 \$ 15,967,072

PROJECTS FOR FUTURE CONSIDERATION	YEAR 1 (2020-2021)	YEAR 2 (2021-2022)	YEAR 3 (2022-2023)	YEAR 4 (2023-2024)	YEAR 5 (2024-2025)	FUNDING MECHANISM	ANNUAL M & O (TBD)
PARKS AND REC							
Concession Restroom, Meeting, and Storage Building Design			\$ 525,000			O / GO / Prime Contract	
Grass Football Field for Practice			\$ 460,000			O / GO / Prime Contract	
Grass Football Field with Lights, Scoreboard and Goal Posts			\$ 657,000			O / GO / Prime Contract	
New Grass Baseball Field			\$ 446,000			O / GO / Prime Contract	
Existing Two Baseball Field Turf Improvements			\$ 175,000			O / GO / Prime Contract	
Rubber Mulch for All Parks (Price TBD)							
DuraSAFE Rubber Playground Tiles for All Parks (Price TBD)							
Love Property Lease with Option to Buy (No lease, property is being listed for sale)							
TOTAL PARKS & REC	\$ -	\$ -	\$ 2,263,000	\$ -	\$ -		

PROJECTS FOR FUTURE CONSIDERATION

YEAR 1 (2020-2021)	YEAR 2 (2021-2022)	YEAR 3 (2022-2023)	YEAR 4 (2023-2024)	YEAR 5 (2024-2025)	FUNDING MECHANISM	ANNUAL M & O (TBD)
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WATER & STORMWATER

FN W-1 12" Waterline S of I-20 (Gilman Road and Bolen Road)						
DESIGN/ ENGINEERING (Completed)						
ROW ACQUISITION						
CONSTRUCTION	\$ 755,000				O / FUTURE	
Village Creek Sewer Line						
DESIGN/ ENGINEERING	\$ 300,000				O / FUTURE	
ROW ACQUISITION						
CONSTRUCTION	\$ 700,000				O / FUTURE	
FN W-4 16/20" Waterline (Pump Station 3 to/along Dick Price Road)						
DESIGN/ ENGINEERING				\$ 169,520	O / FUTURE	
ROW ACQUISITION						
CONSTRUCTION				\$ 1,130,120	O / FUTURE	
FN W-8 12" Waterline on Dick Price Road (Shady Ln to North Rd)						
DESIGN/ ENGINEERING				\$ 41,730	O / FUTURE	
ROW ACQUISITION						
CONSTRUCTION				\$ 278,150	O / FUTURE	
FN W-13 12" AC to 16" Waterline on Dick Price Rd (Linda Rd to Shady Ln)						
DESIGN/ ENGINEERING			\$ 86,550		O / FUTURE	
ROW ACQUISITION						
CONSTRUCTION			\$ 576,960		O / FUTURE	
FN W-18 12" Waterline S of I-20 and along Bus. 287						
DESIGN/ ENGINEERING (Completed)					O / 2019 TAX NOTES	
ROW ACQUISITION						
CONSTRUCTION	\$ 644,420				O / FUTURE	
FN SS-1 15/18" Interceptor along North Road and Dick Price Road						
DESIGN/ ENGINEERING			\$ 188,150		O / FUTURE	
ROW ACQUISITION						
CONSTRUCTION			\$ 1,254,330		O / FUTURE	
FN SS-2 Upsize 18" to 21" Interceptor in Basin C-1						
DESIGN/ ENGINEERING			\$ 110,440		O / FUTURE	
ROW ACQUISITION						
CONSTRUCTION			\$ 736,250		O / FUTURE	
FN SS-3 Upsize 12" to 15" Interceptor in Basin C						
DESIGN/ ENGINEERING				\$ 90,290	O / FUTURE	
ROW ACQUISITION						
CONSTRUCTION				\$ 601,920	O / FUTURE	
TOTAL WATER & STORMWATER	\$ 1,755,000	\$ 644,420	\$ 1,442,480	\$ 1,510,200	\$ 2,311,730	

PROJECTS FOR FUTURE CONSIDERATION

	YEAR 1 (2020-2021)	YEAR 2 (2021-2022)	YEAR 3 (2022-2023)	YEAR 4 (2023-2024)	YEAR 5 (2024-2025)	FUNDING MECHANISM	ANNUAL M & O (TBD)
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STREETS IN CRITICAL CONDITION (COUNTY DESIGN-ASPHALT ONLY)

Eden Road	\$	121,020				O / Budget 2021
Broadway Street	\$	215,000				O / Budget 2021
Gail Drive	\$	58,000				O / Budget 2021
Grapevine Trail	\$	66,000				O / Budget 2021
Industrial Drive	\$	61,000				O / Budget 2021
Mineral Street	\$	51,000				O / Budget 2021
Valley Lane	\$	197,100				O / Budget 2021
Woodland Court (Concrete)						
DESIGN/ ENGINEERING	\$	125,924				O / Budget 2021
ROW ACQUISITION						
CONSTRUCTION	\$	839,496				O / Budget 2021

TOTAL IN CRITICAL CONDITION	\$	1,734,540	\$	-	\$	-	\$	-	\$	-
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TOTALS BY YEAR (PROJECTS FOR FUTURE CONSIDERATION)	\$	4,071,052	\$	644,420	\$	10,633,716	\$	21,429,723	\$	18,278,802
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TOTAL YEARS 1 THROUGH 5									\$	55,057,713
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FUNDING MECHANISMS: CO = CERTIFICATES OF OBLIGATION; GO = GENERAL OBLIGATION BONDS; O = OTHER

MEETING DATE: MARCH 17, 2020

AGENDA ITEM NUMBER: WORK SESSION ITEM II.A.3.

SUBJECT

Receive a presentation, hold a discussion, and provide staff direction regarding regulation, permitting, and other considerations surrounding farmers markets

ORIGINATED BY

George Campbell, City Manager

SUMMARY

During the November 19, 2019 Work Session, the Council received a report and held a discussion regarding the City's current regulations and permitted vending relating to farmers markets. For reference, a copy of the staff report for that work session is attached. However, the information contained has not been duplicated here.

That report also addressed coordination of efforts with Tarrant County regarding inspection and permitting of food vendors and the potential challenges that permitting the vending of prepared foods at farmers markets would create for the City of Kennedale.

The report in November did suggest that, if directed by Council, staff could explore the potential of a City-sponsored farmers market. Such an undertaking would require an evaluation of the associated costs, staffing, location, and operating policies for a City-sponsored undertaking. Amending the City code to permit the vending of prepared foods and/or products other than farm- or home-grown agriculture products would also be necessary.

The Council did not, at that time, provide direction to undertake such an analysis or consideration of a City-sponsored and operated farmers market.

Recently, the local business person who desires to see the city's regulations amended to expand the definition of farmers markets and to create a City-sponsored farmers market has met with the Mayor, other Council Members, and the City Manager to request Council's reconsideration of farmer markets policies. Thus, this Work Session item has been placed on the agenda for further discussion and consideration by the Council, if desired.

RECOMMENDATION

If the Council desires to undertake such an expansion of farmers markets it is recommended that a "New Program" be prepared and considered during FY 20-21 budget development.

ATTACHMENTS

1.	2019_11.19 Work Session Staff Report regarding Farmers Markets	2019_11.19 Work Session Staff Report regarding Farmers Markets.pdf
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MEETING DATE: NOVEMBER 19, 2019

AGENDA ITEM NUMBER: II.A.3.

SUBJECT

Discussion of current regulations regarding farmers markets

ORIGINATED BY

Melissa Dailey, Director of Planning & Economic Development

SUMMARY

At the September 17, 2019 City Council Meeting — following a request by a citizen regarding the ability to open a farmers market in Kennedale and regulations that would apply — the Council requested that additional information be provided by staff. The purpose of this report is to provide information to the Council relating to farmers markets.

The City of Kennedale's Unified Development Code (UDC) permits farmers markets on properties with C2 (Commercial), AG (Agricultural) with special exception, and OT-3 (Old Town) zoning. The UDC defines farmers markets as "a building or structure designed or used for the seasonal sale of farm or home grown agricultural products, or agriculturally related products, directly to the consumer from a designated area that includes two (2) or more stands or stalls that are owned, leased or rented for the display or vending of fruit, vegetables, and other garden or farm crop."

Additionally, Chapter 10 (Health and Human Services) of the municipal code formally adopts all County and State requirements for food establishments and distribution. Thus, any distribution or sale of goods meant for human consumption (including those offered at farmers markets) must be properly inspected by Tarrant County Environmental Services and comply with all relevant State and County regulations, which are quite detailed and stringent. State law defines farmers markets as "a designated location used primarily for the distribution and sale of food directly to consumers by farmers and other producers", but also states that farmers markets are not food service establishments.

City staff coordinates with Tarrant County to ensure that food vendors (including mobile food vendors, food handlers, food managers, and others — based upon the vendor's operations and items offered) are appropriately permitted or inspected and meet all requirements.

Additionally, vendors must comply with all regulations related to preparation, distribution, and labeling of items regulated under Texas cottage food laws and meet requirements for management of wastewater as well as detailed specifications for mobile food establishments' mobile units, access to handwashing and restroom facilities, establishment of and access to commissaries, and any other relevant County and State regulations.

Although some larger cities do have a dedicated health services department with sufficient staffing to ensure that food items being provided to the public at farmers markets meet all of these requirements and are safe for the public, Kennedale's limited staffing levels do not allow for this. Therefore, the City relies upon Tarrant County staff to perform these functions.

Enforcing these requirements — especially for food preparation — would create a significant burden for City staff to ensure that all vendors for each farmers market event have necessary permits and meet all City, County, and State regulations. The need for costly enforcement is substantially mitigated by only allowing for the vending of fruit, vegetables, and other garden or farm crops at farmers markets in Kennedale.

Farmers markets do provide an option for communities to have access to fresh produce and unique community gathering opportunities. City staff could, at Council direction, explore the potential of a City-sponsored farmers market

in TownCenter that could be held regularly, managed and monitored by the City to ensure all City, County, and State requirements are met and that any food items sold to the public would be safe for public consumption.

Further Council discussion and direction is appreciated.

RECOMMENDATION

ATTACHMENTS

PREVIOUS
STAFF REPORT

MEETING DATE: MARCH 17, 2020

AGENDA ITEM NUMBER: EXECUTIVE SESSION ITEM III.A.1.

SUBJECT

Discussion with the City Attorney regarding salvage yards, including A&A Pickup & Van, Inc., Apache, Abs 1 Auto Parts, and special exception/special use permits

ORIGINATED BY

George Campbell, City Manager

SUMMARY

RECOMMENDATION

ATTACHMENTS

MEETING DATE: MARCH 17, 2020

AGENDA ITEM NUMBER: EXECUTIVE SESSION ITEM III.A.2.

SUBJECT

Discussion with the City Attorney regarding Child Witness and Strangulation ordinances

ORIGINATED BY

George Campbell, City Manager

SUMMARY

RECOMMENDATION

ATTACHMENTS

MEETING DATE: MARCH 17, 2020

AGENDA ITEM NUMBER: EXECUTIVE SESSION ITEM III.B.1.

SUBJECT

1001 W Kennedale Pkwy, Fort Worth, TX 76140

ORIGINATED BY

George Campbell, City Manager

SUMMARY

RECOMMENDATION

ATTACHMENTS

MEETING DATE: MARCH 17, 2020

AGENDA ITEM NUMBER: REPORTS AND ANNOUNCEMENTS ITEM IV.D.1.

SUBJECT

Updates from the City Council

ORIGINATED BY

George Campbell, City Manager

SUMMARY

Updates and information from each of the Councilmembers, if any.

RECOMMENDATION

ATTACHMENTS

MEETING DATE: MARCH 17, 2020

AGENDA ITEM NUMBER: REPORTS AND ANNOUNCEMENTS ITEM IV.D.2.

SUBJECT

Updates from the Mayor

- Proclaiming May 16, 2020, National Kids to Parks Day, celebrated by KIDFISH and Bark in the Park

ORIGINATED BY

George Campbell, City Manager

SUMMARY

Updates, information, and Proclamations from Mayor Brian Johnson, if any.

RECOMMENDATION

ATTACHMENTS

1.	2020_03.17 National Kids to Parks Day	2020_03.17 National Kids to Parks Day.pdf
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PROCLAMATION

Proclaiming May 16, 2020 as Kids to Parks Day in the City of Kennedale

WHEREAS, May 16, 2020, is the tenth Kids to Parks Day organized and launched by the National Park Trust held annually on the third Saturday of May; and

WHEREAS, Kids to Parks Day empowers kids and encourages families to get outdoors and visit America's parks, public lands, and waters; and

WHEREAS, we should encourage children to lead a more active lifestyle to combat issues of childhood obesity, diabetes, hypertension, and hypercholesterolemia; and

WHEREAS, Kids to Parks Day will broaden children's appreciation for nature and outdoors; and

NOW THEREFORE, I, Mayor Brian Johnson, do hereby proclaim Saturday, May 16, 2020, as "Kids to Parks Day" in the City of Kennedale, celebrated by KIDFISH and Bark in the Park at Sonora Park, and I urge residents of Kennedale to make time on this date to take the children in their lives to this event or any neighborhood, state, or national park.

IN TESTIMONY, WHEREOF, I have hereunto set my hand and caused the Seal of the City of Kennedale, Texas, to be affixed this 17th day of March 2020.

MAYOR BRIAN JOHNSON

ATTEST: CITY SECRETARY LESLIE E. GALLOWAY

MEETING DATE: MARCH 17, 2020

AGENDA ITEM NUMBER: REPORTS AND ANNOUNCEMENTS ITEM IV.D.3.

SUBJECT

Updates from the City Manager

ORIGINATED BY

George Campbell, City Manager

SUMMARY

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

RECOMMENDATION

ATTACHMENTS

MEETING DATE: MARCH 17, 2020

AGENDA ITEM NUMBER: REPORTS AND ANNOUNCEMENTS ITEM IV.D.4.

SUBJECT

Financial Reports for the City

ORIGINATED BY

Lakeita Sutton, Director of Finance and Information Technology

SUMMARY

Please see the attached financial reports for the City (for the month ending 02/28/2020). Director of Finance and Information Technology Lakeita Sutton will discuss highlights, if any, and be available to answer questions from the Council.

RECOMMENDATION

ATTACHMENTS

1.	2020_02 City Financials_final	2020_02 City Financials_final.pdf
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Revenues and Expenditures – Budget and Actual Summary

FOR THE MONTH ENDED FEBRUARY 29, 2020

GENERAL FUND REVENUES		
Budget	Actual	Actual Budget %
\$ 6,919,577	\$ 5,048,698	73.0%

GENERAL FUND EXPENDITURES		
Budget	Actual	Actual Budget %
\$ 7,782,522	\$ 3,127,797	40.2%

STREETS FUND REVENUES		
Budget	Actual	Actual Budget %
\$ 838,926	\$ 303,002	36.1%

STREETS FUND EXPENDITURES		
Budget	Actual	Actual Budget %
\$ 1,052,153	\$ 327,788	31.2%

WATER/SEWER FUND REVENUES		
Budget	Actual	Actual Budget %
\$ 4,028,331	\$ 1,666,449	41.4%

WATER/SEWER FUND EXPENDITURES		
Budget	Actual	Actual Budget %
\$ 4,350,939	\$ 2,223,612	51.1%

STORMWATER FUND REVENUES		
Budget	Actual	Actual Budget %
\$ 300,900	\$ 104,064	34.6%

STORMWAER FUND EXPENDITURES		
Budget	Actual	Actual Budget %
\$ 585,316	\$ 59,556	10.2%

GENERAL FUND: REVENUES AND EXPENDITURES – BUDGET AND ACTUAL
FY 2019-20 WITH PRIOR YEAR COMPARISON
FOR THE MONTH ENDED FEBRUARY 29, 2020

41.7%

	CURRENT FISCAL YEAR						PRIOR FISCAL YEAR				
	BUDGET		ACTUAL			PROJECTED	BUDGET		FY ACTUAL		
	FY 2019-2020		M-T-D	Y-T-D	Y-T-D		FY 2018-2019		FY 2018-2019		
	Adopted Budget	Amended Budget	Feb-20	Feb-20	% Budget	Dec-19	Original Budget	Amended Budget	M-T-D Feb-19	Y-T-D Feb-19	Y-T-D % Budget
REVENUES											
Property Taxes	\$ 4,210,532		\$ 294,557	\$ 4,043,420	96.0%	\$ 1,754,388	\$ 3,832,433	\$ 3,832,433	\$ 311,927	\$ 3,617,766	94.4%
Sales / Beverage Tax	1,402,458		216,187	471,646	33.6%	\$ 584,358	1,275,794	1,275,794	157,109	578,854	45.4%
Grants / Contributions	85,100		-	22,653	26.6%	\$ 35,458	76,327	76,327	(10,355)	392	0.5%
Licenses / Permits	175,070		8,271	123,589	70.6%	\$ 72,946	225,370	225,370	6,126	63,206	28.0%
Fines / Fees	179,700		12,776	53,057	29.5%	\$ 74,875	179,700	179,700	13,306	70,019	39.0%
Charge for Services	181,225		14,193	78,872	43.5%	\$ 75,510	190,950	190,950	12,569	77,851	40.8%
Investment Earnings	24,017		4,673	16,099	67.0%	\$ 10,007	10,000	10,000	6,476	27,344	273.4%
Miscellaneous Income	5,500		502	1,938	35.2%	\$ 2,292	106,070	106,070	28,456	36,221	34.1%
Intergovernmental	652,475		45,664	236,411	36.2%	\$ 271,865	604,715	614,960	171,052	216,097	35.7%
Surplus / Sales Rentals	3,500		-	1,013	28.9%	\$ 1,458	3,400	3,400	1,050	2,885	84.9%
Total Revenues	\$ 6,919,577	\$ -	\$ 596,823	\$ 5,048,698	73.0%	\$ 2,883,157	\$ 6,504,759	\$ 6,515,004	\$ 697,716	\$ 4,690,635	72.0%
EXPENDITURES											
City Manager	\$ 323,076		\$ 26,568	\$ 133,076	41.2%	\$ 134,615	\$ 365,464	\$ 365,464	\$ 38,308	\$ 139,274	38.1%
Mayor and City Council	186,444		14,344	58,174	31.2%	\$ 77,685	127,323	177,323	19,468	72,587	40.9%
City Secretary	179,811		11,934	61,031	33.9%	\$ 74,921	164,073	164,073	22,190	70,500	43.0%
Municipal Court	112,701		9,347	47,134	41.8%	\$ 46,959	108,147	108,148	6,638	37,895	35.0%
Human Resources	132,128		8,614	46,627	35.3%	\$ 55,053	104,908	104,909	6,963	32,485	31.0%
Finance	393,017		52,472	177,809	45.2%	\$ 163,757	358,365	358,365	46,274	109,281	30.5%
Police	2,563,035		223,877	1,114,156	43.5%	\$ 1,067,931	2,531,118	2,604,764	228,240	908,360	34.9%
Police SRO	156,513		14,125	72,888	46.6%	\$ 65,214	155,077	155,077	13,543	59,169	38.2%
Fire	2,386,910		150,911	824,270	34.5%	\$ 994,546	1,902,500	1,907,680	131,883	585,643	30.7%
Community Development	465,735		29,919	188,630	40.5%	\$ 194,056	371,589	371,590	33,998	140,380	37.8%
Senior Citizen Center	63,376		6,312	22,234	35.1%	\$ 26,407	54,528	54,528	4,680	17,938	32.9%
Library	305,042		23,990	109,635	35.9%	\$ 127,101	268,261	268,259	29,478	141,737	52.8%
Non-Departmental	514,734		30,369	272,133	52.9%	\$ 214,473	511,749	511,749	35,486	246,699	48.2%
Total Expenditures	\$ 7,782,522	\$ -	\$ 602,782	\$ 3,127,797	40.2%	\$ 3,242,718	\$ 7,023,102	\$ 7,151,929	\$ 617,149	\$ 2,561,948	35.8%
Total Revenues Over (Under) Exp	\$ (862,944)	\$ -	\$ (5,959)	\$ 1,920,901		\$ (359,560)	\$ (518,342)	\$ (636,925)	\$ 80,567	\$ 2,128,687	
Other Financing Sources (Uses):											
Non-cash Transactions:											
Capital lease proceeds	-		-			-	-	-	-	-	
Capital expenditures	-		-	-		-	-	-	-	-	
Transfers In (Out):	-										
Net Change in Fund Balance	\$ (862,944)	\$ -		\$ 1,920,901			\$ (518,342)	\$ (636,925)			
Total Unassigned Fund Balance - BOY	1,480,503	-		1,480,503				1,746,714			
Ending Fund Balance Sept. 30	\$ 617,559	\$ -		\$ 3,401,404				\$ 1,109,789			
Less: Commitments for Specific Use	-	-		-							
Less: Assigned for Specific Use	-	-		-							
Ending Fund Balance - Unassigned	\$ 617,559	\$ -		\$ 3,401,404				\$ 1,109,789			
AVERAGE DAILY EXPENDITURES	21,322	-		8,569				19,594			
NUMBER OF DAYS IN RESERVE	29			397				57			
FUND BALANCE AS % OF EXPENDITURES	7.94%			108.75%				15.52%			

STREETS FUND: REVENUES AND EXPENDITURES - BUDGET AND ACTUAL
FY 2019-20 WITH PRIOR YEAR COMPARISON
FOR THE MONTH ENDED FEBRUARY 29, 2020

41.7%

	CURRENT FISCAL YEAR							PRIOR FISCAL YEAR				
	BUDGET		ACTUAL			PROJECTED		BUDGET		FY ACTUAL		
	FY 2019-2020		M-T-D	Y-T-D	Y-T-D	FY 2019-2020		FY 2018-2019		FY 2018-2019		
	Original Budget	Amended Budget			%		%	Original Budget	Amended Budget	M-T-D	Y-T-D	Y-T-D
REVENUES			Feb-20	Feb-20	Budget	Feb-20	Budget			Feb-19	Feb-19	% Budget
Frachise Fees Telephone	\$ 36,622		\$ 7,660	\$ 8,657	23.6%	\$ 15,259	41.7%	\$ 40,000	\$ 40,000	\$ (18,379)	\$ 9,750	24%
Frachise Fees Garbage	69,300		4,541	26,245	37.9%	\$ 28,875	41.7%	70,000	70,000	(23,619)	20,929	30%
Franchise Fees Gas	65,120		58,348	58,348		\$ 27,133	41.7%	53,000	53,000	65,778	65,778	124%
Franchise Fees Electricity	315,583		-	78,898	25.0%	\$ 131,493	41.7%	295,000	295,000	-	76,211	26%
Franchise Fees Cable	54,450		8,774	16,642		\$ 22,688	41.7%	50,000	50,000	8,673	16,410	33%
Franchise Fees Water Sew	267,106		22,258	111,295	41.7%	\$ 111,294	41.7%	189,869	189,869	-	-	0%
Investment Income	7,000		432	2,357	33.7%	\$ 2,917	41.7%	2,000	2,000	739	3,024	151%
TexDot Connecting Kennedale											41,555	
Misc. Income										-	10	
Admin Charge – Stormwater	19,995					\$ 8,331	41.7%	19,995	19,995			0%
Park Pavilion Rental	3,700		180	560	15.1%	\$ 1,542	41.7%	4,500	4,500	90	105	2%
Ballfield Rental	50					\$ 21	41.7%	350	350	50	50	14%
Sale of Parts/Assets												
Transfer In Park Dedication								35,000	35,000			0%
Transfer In TIF Fund												
Transfer In Donation Fund												
Total Revenues	\$ 838,926	\$ -	\$ 102,193	\$ 303,002	36.1%	\$ 349,553	41.7%	\$ 759,714	\$ 759,714	\$ 33,332	\$ 233,822	31%
EXPENDITURES												
Street Maintenance	\$ 850,176		\$ 69,731	\$ 299,643	35.2%	\$ 354,240	41.7%	\$ 740,910	\$ 740,910	\$ 60,346	\$ 221,914	30%
Park Maintenance	122,920		8,584	28,145	22.9%	\$ 51,217	41.7%	125,920	125,920	8,216	30,678	24%
Capital Projects	79,057		-	-	0.0%	\$ 32,940	41.7%	79,058	79,058	-	-	0%
Total Expenditures	\$ 1,052,153	\$ -	\$ 78,315	\$ 327,788	31.2%	\$ 438,397	41.7%	\$ 945,888	\$ 945,888	\$ 68,562	\$ 252,592	27%
Total Revenues Over (Under) Exp	\$ (213,227)	\$ -	\$ 23,878	\$ (24,786)		\$ (88,845)		\$ (186,174)	\$ (186,174)	\$ (35,230)	\$ (18,770)	
Other Funding Sources (Uses):												
Non-cash transactions:												
Capital lease proceeds	-											
Capital expenditures	-											
Transfers In (Out):												
Debt Service Payments	-											
Net Change in Fund Balance	\$ (213,227)	\$ -		\$ (24,786)				\$ (186,174)	\$ (186,174)			
Total Unassigned Fund Balance - BOY	345,652			345,652					436,091			
Ending Fund Balance Sept. 30	\$ 132,425	\$ -		\$ 320,866					\$ 249,917			
Less: Commitments for Specific Use				-								-
Less: Assigned for Specific Use				-								-
Ending Fund Balance - Unassigned	\$ 132,425	\$ -		\$ 320,866					\$ 249,917			
AVERAGE DAILY EXPENDITURES	\$ 2,520	\$ -		19					1,907			
NUMBER OF DAYS IN RESERVE	53			16,919					131			
FUND BALANCE AS % OF EXPENDITURES	12.6%			97.9%					26.4%			

WATER & SEWER FUND: REVENUES AND EXPENDITURES - BUDGET AND ACTUAL
FY 2019-20 WITH PRIOR YEAR COMPARISON
FOR THE MONTH ENDED FEBRUARY 29, 2020

41.7%

	CURRENT FISCAL YEAR					
	BUDGET		ACTUAL			PROJECTED
	FY 2019-2020		M-T-D	Y-T-D	Y-T-D	FY 2019-2020
	Original Budget	Amended Budget	Feb-20	Feb-20	% Budget	Feb-20 % Budget
REVENUES						
Water Service	\$ 1,941,782		\$ 153,997	\$ 812,870	41.9%	\$ 809,076 41.7%
Sewer Service	1,669,203		140,109	690,282	41.4%	\$ 695,501 41.7%
Sewer Surcharge	11,978		-	1,990	16.6%	\$ 4,991 41.7%
Penalties	50,873		-	9,729	19.1%	\$ 21,197 41.7%
Administrative Fees	15,150		-	2,680	17.7%	\$ 6,313 41.7%
Water Tap Fees	5,050		-	1,575	31.2%	\$ 2,104 41.7%
Meter Purchase / Install	11,933		-	546	4.6%	\$ 4,972 41.7%
Sewer Tap Fees	5,050		-	875	17.3%	\$ 2,104 41.7%
Engineer Review Fees	6,924		-	2,500	36.1%	\$ 2,885 41.7%
Sanitation Billing Fees	16,798		-	4,887	29.1%	\$ 6,999 41.7%
Other Fees Water/Sewer	10,423		-	1,445	13.9%	\$ 4,343 41.7%
Sales Tax	101		11	57	56.4%	\$ 42 41.7%
Arlington Operator Cost			-	125,072		
Investment Income	37,814		1,755	11,894	31.5%	\$ 15,756 41.7%
Miscellaneous Income	31,718		131	\$ 47	0.1%	\$ 13,216 41.7%
Cash Over/Under	-					
Sale of Parts/Assets	1,010					\$ 421 41.7%
Transfer In - Water Impact Fund	152,524					\$ 63,552 41.7%
Transfer In - Sewer Impact Fund	60,000					\$ 25,000 41.7%
Total Revenues	\$ 4,028,331	\$ -	\$ 296,003	\$1,666,449	41.4%	\$1,678,471 41.7%
EXPENDITURES						
Utility Billing	\$ 1,518,390		\$ 273,664	\$ 758,509	50.0%	\$ 632,663 41.7%
Operations	1,385,155		117,479	755,937	54.6%	\$ 577,148 41.7%
Debt Service	354,505		320,706	320,706		\$ 147,710 41.7%
Capital Projects	415,000		-	103,042	24.8%	\$ 172,917 41.7%
Non-Departmental	677,889		54,947	285,418	42.1%	\$ 282,454 41.7%
Total Expenditures	\$ 4,350,939	\$ -	\$ 766,796	\$2,223,612	51.1%	\$1,812,891 41.7%
Total Revenues Over (Under) Exp	\$ (322,608)	\$ -	\$ (470,793)	\$ (557,163)		\$ (134,420)
Other Funding Sources (Uses):						
Debt service - bond payments						
Non-cash transactions:						
Capital lease proceeds						
Capital expenditures						
Net Change in Fund Balance	\$ (322,608)	\$ -		\$ (557,163)		
Total Unrestricted Fund Balance - BC	1,682,545			1,682,545		
Total Fund Balance - EOY	\$ 1,359,937	\$ -		\$1,125,382		\$ -
Less: Commitments for Specific Use				-		-
Less: Assigned for Specific Use				-		-
Ending Fund Balance - Unrestricted	\$ 1,359,937	\$ -		\$1,125,382		\$ -
AVERAGE DAILY EXPENDITURES	884			1,526		
NUMBER OF DAYS IN RESERVE	1,539			737		
FUND BALANCE AS A % OF EXPENDIT	31%			51%		

PRIOR FISCAL YEAR				
BUDGET		FY ACTUAL		
FY 2018-2019		FY 2018-2019		
Original Budget	Amended Budget	M-T-D Feb-19	Y-T-D Feb-19	Y-T-D % Budget
\$ 2,179,284	\$ 2,179,284	\$ 140,316	\$ 762,252	35.0%
1,451,092	1,451,092	136,012	694,822	47.9%
9,600	9,600	920	5,225	54.4%
66,000	66,000	3,781	21,548	32.6%
15,000	15,000	1,720	7,040	46.9%
10,000	10,000	-	-	0.0%
20,000	20,000	-	5,038	25.2%
10,000	10,000	-	-	0.0%
5,000	5,000	200	2,700	54.0%
14,400	14,400	1,613	4,828	33.5%
8,400	8,400	735	4,535	54.0%
100	100	-	33	33.0%
1,000	1,000	3,686	14,146	1414.6%
7,500	7,500	(89)	32,713	436.2%
-	-	1	1	
1,000	1,000	-	212	21.2%
152,525	152,525			
60,000	60,000			
\$ 4,010,901	\$ 4,010,901	\$ 288,895	\$1,555,093	38.8%
\$ 1,293,973	\$ 1,293,973	\$ 162,100	\$ 428,891	33.1%
1,576,197	1,576,197	89,363	\$ 340,141	21.6%
509,680	509,680	317,386	\$ 470,199	92.3%
654,796	654,796	39,500	\$ 39,500	6.0%
624,875	624,875	150,711	\$ 203,107	32.5%
\$ 4,659,521	\$ 4,659,521	\$ 759,060	\$1,481,838	31.8%
\$ (648,620)	\$ (648,620)	\$ (470,165)	\$ 73,255	
\$ (648,620)	\$ (648,620)			
	1,990,605			
	\$ 1,341,985			
-				
	\$ 1,341,985			
	1,777			
	755			
	29%			

STORMWATER FUND: REVENUES AND EXPENDITURES - BUDGET AND ACTUAL
FY 2019-20 WITH PRIOR YEAR COMPARISON
FOR THE MONTH ENDED FEBRUARY 29, 2020

41.7%

	CURRENT FISCAL YEAR					PRIOR FISCAL YEAR						
	BUDGET		ACTUAL			FY PROJECTED		BUDGET		FY ACTUAL		
	FY 2019-2020		M-T-D	Y-T-D	Y-T-D	FY 2019-2020		FY 2018-2019		FY 2018-2019		
	Original Budget	Amended Budget						Original Budget	Final Budget	M-T-D Feb-19	Y-T-D Feb-19	Y-T-D
REVENUES			Feb-20	Feb-20	% Budget	Dec-19	% Budget					% Budget
Penalties	\$ 3,200		\$ -	\$ 401	12.5%	\$ 1,333	41.7%	\$ 2,500	\$ 2,500	\$ 711	\$ 1,779	71.2%
Grant Revenue	-							-	-			
Drainage Fees	297,200		19,480	103,222	34.7%	\$ 123,833	41.7%	252,000	252,000	21,872	109,727	43.5%
Investment Income	500		100	441	88.2%	\$ 208	41.7%	450	450	43	246	54.7%
Miscellaneous Income	-							-	-			
Total Revenues	\$ 300,900	\$ -	\$ 19,580	\$ 104,064	34.6%	\$ 125,375	41.7%	\$ 254,950	\$ 254,950	\$ 22,626	\$ 111,752	43.8%
EXPENDITURES												
Stormwater Utility	585,316		\$ 37,383	\$ 59,556	10.2%	\$ 243,882	41.7%	\$ 139,764	\$ 139,764	\$ 50,669	\$ 73,147	52.3%
Total Expenditures	\$ 585,316	\$ -	\$ 37,383	\$ 59,556	10.2%	\$ 243,882	41.7%	\$ 139,764	\$ 139,764	\$ 50,669	\$ 73,147	52.3%
Total Revenues Over (Under) Exp	\$ (284,416)	\$ -	\$ (17,803)	\$ 44,508		\$ (118,507)		\$ 115,186	\$ 115,186	\$ (28,043)	\$ 38,605	
Other Financing Sources (Uses):												
Capital grant contributions	-	-	-	-				-	-	-	-	
Net Change in Fund Balance	\$ (284,416)	\$ -		\$ 44,508				\$ 115,186	\$ 115,186			
Total Unrestricted Fund Balance - BOY	1,221,677			1,224,677					\$ 1,159,638			
Total Fund Balance - EOY	\$ 937,261	\$ -		\$ 1,269,185					\$ 1,274,824			
Less: Commitments for Specific Use	-	-		-		-		-	-			
Ending Fund Balance - Unrestricted	\$ 937,261	\$ -		\$ 1,269,185				\$ -	\$ 1,274,824			

OTHER FUNDS: REVENUES AND EXPENDITURES - BUDGET AND ACTUAL
FOR THE MONTH ENDED FEBRUARY 29, 2020

41.7%

BUDGET							Y-T-D ACTUAL							
FUND	FUND NAME	Revenues	Expenditures	Change in Fund Balances	Fund Balance Beginning of Year	Fund Balance End of Year	Revenues	% Budget	Expenditures	% Budget	Change in Fund Balances	% Budget	Fund Balance Beginning of Year	Y-T-D Fund Balance Projection
DEBT SERVICE FUND														
2	Debt Service Fund	\$ 1,750,253	\$ 1,487,977	\$ 262,276	\$ 309,119	\$ 571,395	\$ 1,418,282	81%	\$ 1,376,741	93%	\$ 41,541	15.8%	\$ 309,119	\$ 350,660
OTHER GENERAL FUNDS														
5	Capital Replacement Fund	\$ 185,732	\$ 185,732	\$ -	\$ 236,826	\$ 236,826	\$ 3,281	2%	\$ 79,717	43%	\$ (76,436)	0.0%	\$ 236,826	\$ 160,390
12	Court Security Fund	3,000	-	\$ 3,000	20,614	23,614	1,332	44%	-	0%	\$ 1,332	44.4%	\$ 20,614	21,946
16	Court Technology Fund	3,920	875	\$ 3,045	9,796	12,841	1,529	39%	-	0%	\$ 1,529	50.2%	\$ 9,796	11,325
18	Juvenile Case Manager Fund	5,650	13,873	(8,223)	6,079	(2,144)	1,846	33%	1,213	0%	\$ 633	-7.7%	\$ 6,079	6,712
21	TIF 1 (New Hope Rd) Fund	146,648	-	146,648	(656,862)	(510,214)	957	1%	-	0%	\$ 957	0.7%	\$ (656,862)	(655,905)
34	Lease Fund	1,767	1,650	117	1,895	2,012	1,754	99%	-	-	\$ 1,754	1499.1%	\$ 1,895	3,649
83	Tree Reforestation Fund	500	500	-	70,425	70,425	460	92%	-	43%	\$ 460	0.0%	\$ 70,425	70,885
		\$ 347,217	\$ 202,630	\$ 144,587	\$ (311,227)	\$ (166,640)	\$ 11,159		\$ 80,930		\$ (69,771)		\$ (311,227)	\$ (380,998)
CAPITAL FUNDS														
4	Capital Projects Fund	\$ 70,250	\$ 104,768	\$ (34,518)	\$ (24,182)	\$ (58,700)	\$ 28,014	40%	\$ -	0%	\$ 28,014	-81.2%	\$ (24,182)	\$ 3,832
13	Capital Bond Fund	-	735,000	(735,000)	2,617,419	1,882,419	16,717		152,534	21%	\$ (135,817)	18.5%	#####	#####
14	Park Dedication Fund	800	30,170	(29,370)	96,825	67,455	17,391	2174%	-	0%	\$ 17,391	-59.2%	\$ 96,825	\$ 114,216
32	Library Building Fund	2,270	2,000	270	(4,035)	(3,765)	934	41%	-	0%	\$ 934	345.9%	\$ (4,035)	\$ (3,101)
45	Roadway Impact Fee Fund	27,535	10,000	17,535	573,275	590,810	4,502	16%	-	0%	\$ 4,502	25.7%	\$ 573,275	\$ 577,777
61	Water Impact Fee Fund	35,146	152,525	(117,379)	12,325	(105,054)	1,585	0	-	-	1,585	(0)	12,325	13,910
62	Sewer Impact Fee Fund	17,201	60,000	(42,799)	77,190	34,391	1,602	0	-	-	1,602	(0)	77,190	78,792
		\$ 153,202	\$ 1,094,463	\$ (941,261)	\$ 3,348,817	\$ 2,407,556	\$ 44,731		\$ 152,534		\$ (107,803)		#####	#####
EDC 4B FUNDS														
15	EDC 4B Fund	\$ 700,728	\$ 572,598	\$ 128,130	\$ 306,146	\$ 434,276	\$ 257,945	37%	\$ 181,507	32%	\$ 76,438	59.7%	\$ 306,146	\$ 382,584
		\$ 700,728	\$ 572,598	\$ 128,130	\$ 306,146	\$ 434,276	\$ 257,945		\$ 181,507		\$ 76,438		\$ 306,146	\$ 382,584

MEETING DATE: MARCH 17, 2020

AGENDA ITEM NUMBER: REPORTS AND ANNOUNCEMENTS ITEM IV.D.5.

SUBJECT

Recognition of Mayor Brian Johnson's years of service on the Tarrant Regional Transportation Coalition (TRTC) Executive Committee by North Richland Hills Mayor Oscar Trevino

ORIGINATED BY

George Campbell, City Manager

SUMMARY

At this time, North Richland Hills Mayor Oscar Trevino will recognize Mayor Brian Johnson's years of service on the Tarrant Regional Transportation Coalition (TRTC) Executive Committee.

RECOMMENDATION

ATTACHMENTS

STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

MEETING DATE: MARCH 17, 2020

AGENDA ITEM NUMBER: CONSENT AGENDA ITEM IV.E.1.

SUBJECT

Approval of the minutes from the February 18, 2020 regular meeting

ORIGINATED BY

Leslie E. Galloway, City Secretary & Communications Coordinator

SUMMARY

Please see the attached minutes for your approval.

RECOMMENDATION

ATTACHMENTS

1.	2020_02.18_Minutes_City Council Regular Meeting	2020_02.18_Minutes_City Council Regular Meeting.pdf
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KENNEDALE CITY COUNCIL MINUTES
REGULAR MEETING | FEBRUARY 18, 2020
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 5:30 p.m.

II. WORK SESSION

A. WORK SESSION REPORTS

1. Receive a presentation, hold a discussion, and provide staff direction regarding domestic violence ordinances

Mayor Johnson introduced Burleson Mayor Ken Shetter, who noted that he was speaking in a dual capacity – both as a neighboring Mayor and as President of One Safe Place – and thanked the City of Kennedale and Kennedale ISD for their partnership with the organization. Also present for this discussion were KISD Superintendent Chad Gee and KISD Board Vice President John Clark. Mayor Shetter offered background, purpose, and observed results of these two ordinances, adopted by the City of Burleson to better serve victims of domestic violence, that were now being offered as model Ordinances to other Cities.

Mayor Shutter stated that the “Child Witness” Ordinance essentially made the commission of unjustified violence in the presence of a child a standalone misdemeanor offense; and that the “Strangulation” Ordinance establishes a protocol of providing emergency medical response on scene by default (without requiring that the victim request it). There was some discussion of statistics, the benefits of such protocols and charges, logistics of implementing these two Ordinances by police officers on a call, additional training required, and how these types of Ordinances fit into the current State political environment.

At 6:28 p.m., Mayor Shetter concluded his presentation, at which time he left the meeting and the Council moved from the floor of the Council Chambers to the dais to continue the Work Session.

2. Receive a presentation, hold a discussion, and provide staff direction regarding game room regulation

Mayor Johnson stated that this item was postponed to allow time to gather more information.

3. Presentation and discussion regarding the 46th Annual Community Development Block Grant (CDBG) Program proposal by the City of Kennedale for rehabilitation of water lines along Third Street

Public Works Director Larry Hoover stated that this project was for waterline improvements in the 400 to 600 blocks of Third Street, which would include abandoning in-place an existing

asbestos cement line, removal of a galvanized line, and replacement with a 12" PVC line. There was some discussion of the zoning classifications within the projects limits, future plans for this area, and household income requirements necessary to qualify for CDBG funds. In response to a question from Councilmember Rhodes regarding a parcel noted as being F-1 Commercial but not shown on the map, Hoover stated that he would look into that.

B. REQUESTS FOR CLARIFICATION OF ITEMS LISTED ON THE AGENDA

There was no discussion at this time.

Mayor Johnson recessed to Executive Session at 6:39 pm.

III. EXECUTIVE SESSION

A. **PURSUANT TO §551.071** — 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, legal issues regarding the Open Meetings Act, and the following:

1. Discussion with the City Attorney regarding Destiny/USA Prime Baseball
2. Discussion with the City Attorney regarding salvage yards, including A&A Pickup & Van, Inc., Apache, Abs 1 Auto Parts, and special exception/special use permits

B. **PURSUANT TO §551.072** — Deliberation regarding the purchase, exchange, lease, or value of real property:

1. 1001 W Kennedale Pkwy, Fort Worth, TX 76140

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

1. 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)

IV. REGULAR SESSION

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

A. ROLL CALL

PRESENT: Mayor Brian Johnson; Josh Altom, Place 1; Chris Pugh, Place 2; Mayor Pro Tem Sandra Lee, Place 3; Linda Rhodes, Place 4; Chad Wandel, Place 5; **ABSENT:** NONE; **STAFF:** City Manager George Campbell, City Secretary and Communications Coordinator Leslie E. Galloway, Director of Planning and Economic Development Melissa Dailey, Director of Finance and Information Technology Lakeita Sutton, Director of HR and Administrative Services Danielle Clarke, Library Director Amanda King, Public Works Director Larry Hoover, Fire Chief James Brown, Police Chief Tommy Williams, City Attorney Drew Larkin

B. INVOCATION AND PLEDGES OF ALLEGIANCE TO THE U.S. AND TEXAS FLAGS

Pastor Greg Adams of Covenant Life Baptist Church offered the invocation.

C. VISITOR AND CITIZEN FORUM

- **John Hivale**, 418 Coker Valley Drive, spoke about his concerns regarding the process of notifying residents of meetings, zoning requests, or hearings; and the importance of retail development with the growing population.

In response, Mayor Johnson stated that zoning cases required that the City send letters to all property owners within 200 feet of the property line. City Manager George Campbell noted that the Star-Telegram was the City's official newspaper and that staff watched closely to ensure notices appeared as required.

- **Sara Johnson, 700 Crestview Drive**, thanked the Fire Department for their recent response to an event at her church, expressed concerns about the 9-1-1 dispatch, and (on behalf of Patricia Tarkington and Linda Neal of the Kennedale Senior Center) thanked the City Councilmembers who supported the baked potato fundraiser.
- **Cheryl Wallingford, 332 S New Hope Road**, spoke regarding several concerns about the Kennedale Seniors development, specifically lighting and wildlife.
- **Richard Weber, 2703 Crestmoor Court, Arlington**, requested that staff research the financial records of EDC land sales related to 1083 Bowman Springs Road (location of Spirals Gymnastics).

At the request of Mayor Johnson, City Manager George Campbell offered an update regarding Mr. Weber's previous request for research regarding the posting of an October 3, 2018 Planning & Zoning Commission (P&Z) agenda, noting that there had possibly been error regarding the posting of the agenda, specifically online; and that staff was now taking steps to ensure that it did not occur again, including the addition of the posting time and date to agenda certifications. He added that the only item on the agenda in question was a preliminary plat, which it was his understanding that, had the P&Z not met, the plat would have been approved by procedure of law 30 days after being filed (assuming it met the subdivision requirements); and therefore no corrective action would have been necessary, even if there was an error in the meeting posting.

D. REPORTS AND ANNOUNCEMENTS

1. Updates from the City Council

- **CHAD WANDEL, Place 5**, thanked Mike's Taqueria in Arlington for allowing use of their kitchen for the Senior Center baked potato fundraiser.
- **LINDA RHODES, Place 4**, thanked Director of HR and Administrative Services Danielle Clarke and staff for their work on the Employee Banquet; announced that she attended the FUMC Quarter Auction benefitting the Boy Scouts and that the February auction would benefit Kennedale Community Theatre in the Park, noting that Laurie Sanders could offer further details.
- **MAYOR PRO TEM SANDRA LEE, Place 3**, thanked Sara Johnson and Thelma Kobeck for their work via Senior Outreach – Kennedale, noting that she had attended their meeting the previous evening; and announced that she also attended the monthly birthday party at the Senior Center and thanked staff for the new interior paint.
- **CHRIS PUGH, Place 2**, thanked Director of HR and Administrative Services Danielle Clarke and staff for their work on the Employee Banquet, announced that the FUMC Community Dinner was every Thursday at 6:30 p.m. in Dover Hall, noting that he and his wife Alayne would be cooking red beans and rice this week.
- **JOSH ALTOM, Place 1**, congratulated the candidates who filed for the May election; and announced that he had spoken with several citizens regarding 9-1-1 dispatch concerns; and that he was unable to attend the upcoming Census meeting, but watched the NLC webinar regarding the topic.

2. Updates from the Mayor

Mayor Johnson announced that he would be serving as Chair of the CDBG Grant Committee meeting and attending the Tarrant County 9-1-1 District Board meeting; that he was

appointed as the Mayor's Council Chair for the Legislative and Transportation Committee for the coming year; that he would be on Fort Worth Mayor Betsy Price's Cowtown Marathon relay team; that he would be in the Kennedale Community Theatre in the Park's Production of "Bye, Bye Birdie" in April; that he would be hosting a Facebook Live Q&A with Councilmember Pugh at 7:30 p.m. the next day; and that staff was coordinating a date when NCTCOG Transportation Director Michael Morris could speak regarding complete street design on Kennedale Parkway, the redesign and upcoming reconstruction of the 287/I-20/Loop 820 interchange (the "Southeast Connector"), and Safe Routes to School (SRTS).

Mayor Johnson read a Proclamation in support of the 2020 Census.

3. Updates from the City Manager

There was no discussion at this time.

4. Financial Reports for the City and the EDC

There was no discussion at this time.

5. Fire Department Badge Pinning Ceremony

Fire Chief James Brown introduced Kinsmon Lancaster, noting that during his probationary period he promoted to Driver Engineer.

Mayor Johnson and Councilmember Altom then swore him in.

E. CONSENT AGENDA

1. Approval of the minutes from the January 21, 2020 regular meeting

Motion Approve. Action Approve the Consent Agenda, Moved By Wandel, Seconded By Rhodes. Motion passed unanimously.

F. ITEMS FOR INDIVIDUAL CONSIDERATION

1. Consider adoption of Resolution 566 in support of the Safe Routes to School (SRTS) plan for infrastructure improvements in the Crestdale area around James F. Delaney Elementary and James A. Arthur Intermediate Schools and the 2020 application for SRTS funding

Director of Planning and Economic Development Melissa Dailey stated that staff planned to submit an SRTS application for sidewalks and traffic calming to the North Central Texas Council of Governments (NCTCOG), which would require this resolution of support.

- **Sara Johnson, 700 Crestview Drive**, stated that the rerouting of Arthur Drive had improved traffic flow on some streets, but had worsened congestion and parking issues on Crestview Drive.

Motion Approve. Action Approve Resolution 566 in support of the Safe Routes to School (SRTS) plan for infrastructure improvements in the Crestdale area around James F. Delaney Elementary and James A. Arthur Intermediate Schools and the 2020 application for SRTS funding, Moved By Pugh, Seconded By Rhodes. Motion passed unanimously.

Mayor Johnson noted that these types of projects often took three years to complete.

2. Consider adoption of Resolution 567, approving the sale of 7215 Bloxom Park Road, real property owned by the Economic Development Corporation (EDC)

Director of Planning and Economic Development Melissa Dailey stated that, at the direction of the EDC Board, staff had offered this vacant lot (listed at \$85,000 and currently contracted at \$82,000) and the vacant lot listed in the next agenda item (currently contracted at the listing price of \$75,000) for sale at market rates; and that approval of these related Resolutions by the Council was required to complete the sales.

- **John Hivale**, 418 Coker Valley Drive, spoke regarding a need for additional places that residents could spend money locally.

Motion Approve. **Action** Approve Resolution 567, approving the sale of 7215 Bloxom Park Road, real property owned by the Economic Development Corporation (EDC), **Moved By** Wandel, **Seconded By** Mayor Pro Tem Lee.

In response to a question from Councilmember Rhodes, Dailey stated that staff was unaware of what plans the purchasers might have for the properties, but that they were each located in an industrial park and zoned Industrial.

Motion passed unanimously.

3. Consider adoption of Resolution 568 approving the sale of 7224 Bloxom Park Road, real property owned by the Economic Development Corporation (EDC)

Director of Planning and Economic Development Melissa Dailey noted that this parcel was priced slightly lower as it was more challenging to develop.

- **John Hivale**, 418 Coker Valley Drive, spoke regarding a need to generate capital for the City and to offer ways for people to spend their money locally.

Motion Approve. **Action** Approve Resolution 568 approving the sale of 7224 Bloxom Park Road, real property owned by the Economic Development Corporation (EDC), **Moved By** Pugh, **Seconded By** Mayor Pro Tem Lee. **Motion passed unanimously.**

G. PUBLIC HEARINGS

1. **CASE # PZ 20-01** — Conduct a public hearing and consider a request by Azam Shaikh for a replat of approximately 1 acre of land at 800 Shady Bend Drive, legal description of Block 1, Lot 36, Shady Creek East Addition, Kennedale, Tarrant County, Texas

Mayor Johnson noted that this item was a ministerial task if the plat meets all subdivision requirements. Director of Planning and Economic Development Melissa Dailey stated that this lot in Shady Creek East was unique in that it was larger than most neighboring lots and did allow for separate rear access; and that all requirements for replat had been met.

Mayor Johnson opened the public hearing at 7:50 p.m.

- **Azam Shaikh (Owner)**, 800 Shady Bend Drive, stated that he was available to answer any questions.

There was some discussion of setbacks, access via Border Street, and flood mitigation.

Mayor Johnson closed the public hearing at 7:53 p.m.

Motion Approve. **Action** Approve a request by Azam Shaikh for a replat of approximately 1 acre of land at 800 Shady Bend Drive, legal description of Block 1, Lot 36, Shady Creek East Addition, Kennedale, Tarrant County, Texas, **Moved By** Pugh, **Seconded By** Mayor Pro Tem Lee. **Motion passed unanimously.**

Mayor Johnson recessed to Executive Session at 7:54 p.m.

Mayor Johnson reconvened the meeting at 8:27 p.m.

H. TAKE ACTION NECESSARY, PURSUANT TO EXECUTIVE SESSION, IF NEEDED

1. Take any action deemed necessary as a result of the Executive Session

Motion Approve. **Action** Approve authorizing the City Attorney to take action against Apache and ABS 1 Auto Parts, **Moved By** Wandel, **Seconded By** Altom. **Motion passed unanimously.**

V. ADJOURNMENT

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

Mayor Johnson adjourned the meeting at 8:28 p.m.

APPROVED:

ATTEST:

BRIAN JOHNSON, MAYOR

LESLIE E. GALLOWAY, CITY SECRETARY

MEETING DATE: MARCH 17, 2020

AGENDA ITEM NUMBER: CONSENT AGENDA ITEM IV.E.2.

SUBJECT

Consider adoption of Ordinance 693, amending Chapter 12, "Miscellaneous Provisions and Offenses" of the Kennedale City Code by adding section 12-10, "Protection of Children Exposed to Unjustified Violence."

ORIGINATED BY

George Campbell, City Manager

SUMMARY

During the February 18, 2020 Work Session, Burleson Mayor Ken Shetter offered a presentation and was available to answer questions from the Council regarding two Ordinances adopted by the City of Burleson aimed at addressing particularly harmful aspects of domestic violence victimization. These Ordinances were developed in partnership with One Safe Place Family Justice Center of Tarrant County and address "Protection of Children Exposed to Unjustified Violence (Child Witnesses)" and "Strangulation Protocol".

Following that presentation, it was the consensus of the Council to have two similar ordinances drafted for their future consideration. Since, the City Attorney has reviewed the Burleson Ordinances and has prepared the versions attached to this item (Ordinance 693 regarding child witnesses) and Consent item IV.E.4. (Ordinance 694 related to strangulation protocol) for the Council's consideration.

Discussion with the City Attorney regarding these Ordinances has also been provided for under the Executive Session.

RECOMMENDATION

Approve

ATTACHMENTS

1.	O693 Protection of Child Witnesses (Domestic Violence)	O693 Protection of Child Witnesses (Domestic Violence).pdf
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ORDINANCE NO. 693

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KENNEDALE, TEXAS, AMENDING CHAPTER 12, "MISCELLANEOUS PROVISIONS AND OFFENSES" OF THE KENNEDALE CITY CODE BY ADDING SECTION 12-10, "PROTECTION OF CHILDREN EXPOSED TO UNJUSTIFIED VIOLENCE"; PROVIDING A PENALTY FOR VIOLATION HEREOF; PROVIDING A CUMULATIVE CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; 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 Texas Local Government Code; and

WHEREAS, the exposure of society's children to violence is a pervasive problem that plagues society at every level; and

WHEREAS, a study by the U.S. Department of Justice found that sixty percent of American children were exposed to violence, crime, or abuse in their homes, schools, and communities; and

WHEREAS, witnessing violence puts children at a greater risk of taking their own life; it being estimated that children who grow up in homes with domestic and family violence are six times more likely to commit suicide; and

WHEREAS, children exposed to violence, whether as victims or witnesses, have a high risk of experiencing learning difficulties, speech and language impairments, and school failure; and

WHEREAS, exposure to violence is a strong predictor of violent delinquent behavior among adolescents, and it is estimated that children who grow up in homes with domestic and family violence are seventy-four percent more likely to commit a violent crime against someone else; and

WHEREAS, children exposed to violence may be more aggressive and are more likely to use violence to resolve situations; studies have demonstrated that children of domestic violence are three times more likely to repeat the cycle in adulthood, and that growing up with domestic violence is the most significant predictor of whether or not someone will be engaged in domestic violence later in life; and

WHEREAS, the City Council hereby finds and determines that the regulations set forth herein are in the best interest of the public and are adopted in furtherance of the public health, safety, morals, and general welfare.

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

SECTION 1.

That Chapter 12 “Miscellaneous Provisions and Offenses” of the Kennedale City Code is amended by adding Section 12-10 “Protection of children exposed to unjustified violence” to read as follows:

Sec. 12-10. – Protection of children exposed to unjustified violence.

(a) General purpose.

It is the purpose of this section to protect children whose health, safety, and welfare may be jeopardized through exposure to unjustified violence.

(b) Definitions.

For the purposes of this section, the following words and phrases shall have the meanings respectively ascribed to them by this subsection:

Allow means to permit, enable, grant, or approve.

Child means a person under 18 years of age who is not and has not been married or who has not had the disabilities of minority removed for general purposes.

Child relation means a lineal descendant by blood or adoption, or a foster child, or a minor ward, of either the person described in subsection 12-10(c)(1) or their spouse, or the victim against whom the act of unjustified violence is commissioned or their spouse.

Household means a unit composed of persons living together in the same dwelling, without regard to whether they are related to each other. Member of a household includes a person who previously lived in a household.

Intentionally means “intentionally” as defined in Texas Penal Code §6.03(a).

Knowingly means “knowingly” as defined in Texas Penal Code §6.03(b).

Presence means occurring such that the act may be seen or heard.

Recklessly means “recklessly” as defined in Texas Penal Code §6.03(c).

Unjustified violence means an act that is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places an individual in fear of imminent physical harm, bodily injury, assault, or sexual assault, but does not include defensive measures to protect oneself.

(c) Violation and defenses.

- (1) It shall be unlawful for a person to intentionally, knowingly, or recklessly commit unjustified violence against another in the presence of a child relation or a child of the person’s household.
- (2) It is a defense to prosecution that the conduct of any alleged violation of subsection 12-10(c)(1) is justified under of Texas Penal Code Chapter 9.
- (3) It is an exception to prosecution that the person was the direct victim of the unjustified violence described in subsection 12-10(c)(1).

(d) Penalties.

- (1) Any person convicted of violating the provisions of subsection 12-10(c)(1) shall be guilty of a class C misdemeanor and shall be punished by a fine not to exceed \$500.00.
- (2) This section does not serve to limit any other remedies available to the jurisdiction in law or equity.
- (3) Each violation shall constitute a separate offense.

(e) Higher charges.

Before the city attorney, deputy city attorney, assistant city attorney, or any other attorney authorized to represent the state in the municipal court files a complaint in the municipal court for a violation under subsection 12-10(c) of this Code, the attorney shall make a good faith effort to ensure that any and all higher charges or potential higher charges arising from the same incident or event are rejected by the state's attorney prosecuting the higher charges or otherwise disposed of under law.

(f) Protocol for responding to children exposed to violence.

The chief of police shall, within 180 days of the effective date of the ordinance from which this section derives, draft and issue for use by police officers in the department a protocol when responding on-scene to a child exposed to violence. When drafting the protocol, the chief of police shall consider, but is not required to include in the protocol, the following:

- (1) Identifying and documenting any children in the home and their level of exposure to the incident;
- (2) Speaking with children at eye level about what happened and what is going to happen next;
- (3) Validating children's emotional responses;
- (4) Assisting the protective parent with comforting the child;
- (5) Assisting the protective parent understand any coordinated services available to the child; and
- (6) Assisting the protective parent understand the impact of domestic violence on children.

SECTION 2.

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

SECTION 3.

That 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.

That 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 \$500.00. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 5.

That all rights and remedies of the City Kennedale are saved as to any and all violations of the provisions of the Kennedale City Code 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, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

SECTION 6.

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

SECTION 7.

That 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 17TH DAY OF MARCH, 2020.

APPROVED:

MAYOR BRIAN JOHNSON

[CITY SEAL]

ATTEST:

CITY SECRETARY LESLIE E. GALLOWAY

APPROVED AS TO FORM AND LEGALITY:

EFFECTIVE DATE:

CITY ATTORNEY DREW LARKIN

**STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL**

MEETING DATE: MARCH 17, 2020

AGENDA ITEM NUMBER: CONSENT AGENDA ITEM IV.E.3.

SUBJECT

Consider adoption of Ordinance 694, amending Chapter 12, "Miscellaneous Provisions and Offenses" of the Kennedale City Code by adding Section 12-11, "Effective Response to Strangulation."

ORIGINATED BY

George Campbell, City Manager

SUMMARY

This item is related to the one immediately preceding it (IV.E.3. Ordinance 693). Please see that staff report for further details.

RECOMMENDATION

Approve

ATTACHMENTS

1.	O694 Strangulation Protocol (Domestic Violence)	O694 Strangulation Protocol (Domestic Violence).pdf
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ORDINANCE NO. 694

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KENNEDALE, TEXAS, AMENDING CHAPTER 12, "MISCELLANEOUS PROVISIONS AND OFFENSES" OF THE KENNEDALE CITY CODE BY ADDING SECTION 12-11, "EFFECTIVE RESPONSE TO STRANGULATION"; PROVIDING A CUMULATIVE CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, strangulation is an indicator of the escalation of violence and is associated with increased risk of serious injury and/or death in cases of intimate partner violence; and

WHEREAS, strangulation has been identified as one of the most lethal forms of domestic violence and sexual assault; and used to exert power over a victim by taking from them control of their own body; and

WHEREAS, intimate partners who have a history of strangulation pose a greater risk to their victim and society at-large; and

WHEREAS, when strangled, unconsciousness and anoxic brain injury may occur within seconds and death within minutes; and

WHEREAS, oftentimes, even in fatal cases, there is no external evidence of injury from strangulation, yet because of underlying brain damage due to the lack of oxygen during strangulation assault, victims may have serious internal injuries or die days, or even weeks, later; and

WHEREAS, many first responders lack the specialized training to identify the signs and symptoms of strangulation and often focus on visible and obvious injuries like stab wounds or contusions; and

WHEREAS, this lack of training has led to the minimization of this type of violence, exposing victims to potential serious short-term and long-term health consequences, permanent brain damage, and increased likelihood of death; and

WHEREAS, there is a need to develop more experts in the field of strangulation and to use those experts in court proceedings to educate juries and judges so they understand the signs and symptoms associated with this crime, and the severity of this crime; and

WHEREAS, lacking specific legislation and specialized training, many near-fatal strangulation cases are only prosecuted as misdemeanor crimes; and

WHEREAS, given the lethality of strangulation, offenders should be held accountable with a penalty that is commensurate with the nature of their crimes which is equivalent of attempted homicide or serious felony assault; and

WHEREAS, the International Association of Chiefs of Police assembled at its 121st Annual Conference in Orlando, Florida, supports statutes and legislation that hold perpetrators accountable for the potentially lethal strangulation assaults; and

WHEREAS, the City Council hereby finds and determines that the regulations set forth herein are in the best interest of the public and are adopted in furtherance of the public health, safety, morals, and general welfare.

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

SECTION 1.

That Chapter 12 “Miscellaneous Provisions and Offenses” of the Kennedale City Code is amended by adding Section 12-11 “Effective response to strangulation” to read as follows:

Sec. 12-11. – Effective response to strangulation.

(a) General purpose.

It is the purpose of this section to protect victims whose health, safety, and welfare may be jeopardized through exposure to violence by means of strangulation.

(b) Definitions.

For the purposes of this section, the following words and phrases shall have the meanings respectively ascribed to them by this subsection:

Chief of police means the chief of police of the city.

Emergency medical personnel means a firefighter, emergency medical technician, or emergency care attendant that provides first response to requests for emergency medical services and provides immediate on-scene care to ill or injured persons, while acting in his or her official capacity, and is employed by or contracted by the city or a separate governmental entity that has entered into an inter-local agreement with the city to provide such services.

Family violence means “family violence” as defined in Texas Family Code §71.004.

Fire chief means the fire chief of the city.

Peace officer means a “peace officer” as defined in Texas Code of Criminal Procedure Art. 2.12 that is employed by the city and acting in his or her official capacity.

Strangulation means impeding the normal breathing or circulation of the blood of the person by applying pressure to the person’s throat or neck or by blocking the person’s nose or mouth.

(c) Protocol for responding to an accusation of strangulation.

- (1) When the act of strangulation is alleged or suspected within the city, the peace officer will summon emergency medical personnel to the scene to evaluate and render aid to the victim.

- (2) The peace officer will document emergency medical personnel's presence and role in the police report by including their name, identification number, employment agency and unit number.
- (3) Peace officers shall provide the victim referral information to the appropriate support agency for assistance and document the referral in their police report.
- (4) Peace officers will thoroughly document the suspect's behavior, actions, and any comments made during the act of strangulation.
- (5) When the act of strangulation is alleged or suspected within the city, peace officers shall utilize a checklist approved by the chief of police to help evaluate the situation and provide aid to the victim.
- (6) When the act of strangulation is alleged or suspected within the city, emergency medical personnel shall use their best efforts to conduct a medical evaluation and assessment to help evaluate the situation and provide aid to the victim.

(d) Strangulation task force.

The chief of police shall designate a strangulation task force (STF) consisting of members from law enforcement, emergency medical personnel, medical community personnel, advocate representatives, and any other members deemed appropriate by the chief of police. The STF shall aid and advise the chief of police and fire chief in developing and implementing checklists, questionnaires, and an education training program for peace officers, emergency medical personnel, and other first responders encountering strangulation scenarios.

SECTION 2.

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

SECTION 3.

That 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.

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 17TH DAY OF MARCH, 2020.**

APPROVED:

MAYOR BRIAN JOHNSON

[CITY SEAL]

ATTEST:

CITY SECRETARY LESLIE E. GALLOWAY

APPROVED AS TO FORM AND LEGALITY:

EFFECTIVE DATE:

CITY ATTORNEY DREW LARKIN

MEETING DATE: MARCH 17, 2020

AGENDA ITEM NUMBER: CONSENT AGENDA ITEM IV.E.4.

SUBJECT

Consider approval of Resolution 570, supporting a grant application for a police firearms simulator system

ORIGINATED BY

Tommy Williams, Police Chief

SUMMARY

The police department is submitting a grant to the Criminal Justice Division of the Governor's Office for a firearms simulator system. This is a state-of-the-art electronic system that trains officers for not only decision making skills but also de-escalation techniques.

The attached resolution of support is required as part of the grant application process.

RECOMMENDATION

Staff recommends approval.

ATTACHMENTS

1.	R570_Police Grant for Firearms Simulator #4013301	R570_Police Grant for Firearms Simulator #4013301.pdf
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RESOLUTION NO. 570

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KENNEDALE, TEXAS, DESIGNATING AN AUTHORIZED OFFICIAL AS RESPONSIBLE FOR COORDINATION WITH THE CRIMINAL JUSTICE DIVISION OF THE STATE OF TEXAS FOR THE PURPOSE OF PARTICIPATION IN A GRANT (#4013301) FOR A POLICE FIREARMS SIMULATOR SYSTEM; AND CERTIFYING THAT THE CITY OF KENNEDALE IS ELIGIBLE TO RECEIVE PROGRAM ASSISTANCE.

WHEREAS, The City Council of the City of Kennedale, Texas, finds it in the best interest of the citizens of Kennedale that A POLICE FIREARMS SIMULATOR SYSTEM be operated for 2020/21; and

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

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

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

The City Council of Kennedale, Texas approves submission of the grant application for the police body cameras to the Office of the Governor, Criminal Justice Division (Grant Application Confirmation Number: 4013301).

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF KENNEDALE ON THE 17TH DAY OF MARCH 2020.

APPROVED:

MAYOR BRIAN JOHNSON

[CITY SEAL]

ATTEST:

CITY SECRETARY LESLIE E. GALLOWAY

MEETING DATE: MARCH 17, 2020

AGENDA ITEM NUMBER: INDIVIDUAL CONSIDERATION ITEM IV.F.1.

SUBJECT

Consider approval of Ordinance 691, amending various provisions of Chapter 4 "Buildings and Building Regulations" of the Kennedale City Code to adopt the 2018 International Building Code (IBC), 2017 National Electrical Code (NEC), 2018 International Mechanical Code (IMC), 2018 International Plumbing Code (IPC), 2018 International Fire Code (IFC), 2018 International Residential Code (IRC), 2018 International Fuel Gas Code (IFGC), 2018 International Energy Conservation Code (IECC), and 2018 International Swimming Pool and Spa Code (SPSC) along with local amendments as recommended by the North Central Texas Council of Governments (NCTCOG)

ORIGINATED BY

Melissa Dailey, Director of Planning & Economic Development
James Brown, Fire Chief

SUMMARY

The City of Kennedale is currently operating under the 2015 International Codes. Staff recommends the adoption of the 2017 and 2018 codes (along with the regional amendments recommended by NCTCOG) to simplify the construction process, advance the safety of building systems, promote common code interpretation, facilitate the mobility of contractors, and reduce construction costs. Adopting the most recent code will allow Kennedale to align with requirements in other cities in the region and will also allow us to participate in programs such as the Community Ratings System (a part of the National Flood Insurance Program).

The Regional Amendments serve as exhibits to the attached Ordinance 691, but are not included in your packet due to their length. The regional amendments can be viewed at <https://www.nctcog.org/envir/regional-building-codes/amendments>.

Staff will be available to answer any questions from the Council.

Again, adoption of Ordinance 691 would adopt the following codes along with local amendments as recommended by NCTCOG:

- 2018 International Building Code (IBC)
- 2017 National Electrical Code (NEC)
- 2018 International Mechanical Code (IMC)
- 2018 International Plumbing Code (IPC)
- 2018 International Fire Code (IFC)
- 2018 International Residential Code (IRC)
- 2018 International Fuel Gas Code (IFGC)
- 2018 International Energy Conservation Code (IECC)
- 2018 International Swimming Pool and Spa Code (SPSC)

RECOMMENDATION

Approve

Staff recommends approval of the 2017/2018 Codes and Regional Amendments via adoption of Ordinance 691.

ATTACHMENTS

1.	O691 2018 I-Code Adoption	O691 2018 I-Code Adoption.pdf
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ORDINANCE NO. 691

AN ORDINANCE OF THE CITY OF KENNEDALE AMENDING VARIOUS PROVISIONS OF CHAPTER 4 "BUILDINGS AND BUILDING REGULATIONS" OF THE KENNEDALE CITY CODE TO ADOPT THE 2018 INTERNATIONAL BUILDING CODE, 2017 NATIONAL ELECTRICAL CODE, 2018 INTERNATIONAL MECHANICAL CODE, 2018 INTERNATIONAL PLUMBING CODE, 2018 INTERNATIONAL FIRE CODE, 2018 INTERNATIONAL RESIDENTIAL CODE, 2018 INTERNATIONAL FUEL GAS CODE, 2018 INTERNATIONAL ENERGY CONSERVATION CODE, AND 2018 INTERNATIONAL SWIMMING POOL AND SPA CODE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the City of Kennedale has previously adopted versions of nationally-recognized municipal codes, codified in Chapter 4 "Buildings and Building Regulations" of the Kennedale City Code; and

WHEREAS, the City having reviewed the available codes, desires to adopt a more recent set of nationally-recognized municipal codes to meet the needs of the City; and

WHEREAS, the City of Kennedale desires to amend various provisions of Chapter 4 "Buildings and Building Regulations" of the Kennedale City Code to adopt the 2018 editions of the International Building Code, International Mechanical Code, International Plumbing Code, International Fire Code, International Residential Code, International Fuel Gas Code, International Energy Conservation Code, International Swimming Pool and Spa Code, and the 2017 edition of the National Electrical Code.

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

SECTION 1.

Section 4-28 of Article II "Building Code" of Chapter 4 "Buildings and Building Regulations" of the Kennedale City Code is hereby amended to read as follows:

"Sec. 4-28. – Adoption of code.

- (a) The 2018 Edition of the International Building Code is hereby adopted as the official building code of the City of Kennedale, Texas, and is fully incorporated by reference as though copied into this article in its entirety. The material contained in such code shall not be included in the formal municipal codification of ordinances but shall be maintained as a public record in the office of the city secretary and will be available for public inspection and copying during regular business hours.

- (b) To the extent any conflict between the International Building Code as applied to residential property and the International Residential Code, the International Residential Code shall control."

SECTION 2.

Article II "Building Code" of Chapter 4 "Buildings and Building Regulations" of the Kennedale City Code is hereby amended by adding a new Section 4-29 to read as follows:

"Sec. 4-29. – Amendments.

The 2018 Edition of the International Building Code, as adopted herein is hereby amended by adoption of those local amendments shown in Exhibit ""A," attached to Ordinance No. 691. The material contained in Exhibit "A" shall not be included in the municipal codification of ordinances. The material contained in Exhibit "A" shall instead be maintained as a public record in the office of the city secretary and shall be available for public inspection and copying during regular business hours. The city may from time to time determine that additional local modifications to the 2018 Edition of the International Building Code are necessary and appropriate to meet the unique building needs of the city. To effectuate modifications, the city council may enact individual ordinances amending Exhibit "A" to Ordinance No. 691 fully setting forth the change to be made in the International Building Code."

SECTION 3.

Section 4-47 of Article III "Electrical Code" of Chapter 4 "Buildings and Building Regulations" of the Kennedale City Code is hereby amended to read as follows:

"Sec. 4-47. – Adoption of code.

The 2017 National Electrical Code is hereby adopted as the official electrical code of the City of Kennedale, Texas, and is fully incorporated by reference as though copied into this article in its entirety. The material contained in such code shall not be included in the formal municipal codification of ordinances but shall be maintained as a public record in the office of the city secretary and will be available for public inspection and copying during regular business hours."

SECTION 4.

Article III "Electrical Code" of Chapter 4 "Buildings and Building Regulations" of the Kennedale City Code is hereby amended by adding a new Section 4-48 to read as follows:

"Sec. 4-48. – Amendments.

The 2017 National Electrical Code, as adopted herein is hereby amended by adoption of those local amendments shown in Exhibit "B," attached to Ordinance No. 691. The material contained in Exhibit "B" shall not be included in the municipal codification of ordinances. The material contained in Exhibit "B" shall instead be maintained as a public record in the office of the city secretary and shall be available for public inspection and copying during regular business hours. The city may from time to time determine that additional local modifications to the 2017 National Electrical Code are necessary and appropriate to meet the unique building

needs of the city. To effectuate modifications, the city council may enact individual ordinances amending Exhibit "B" to Ordinance No. 691 fully setting forth the change to be made in the National Electrical Code."

SECTION 5.

Section 4-96 of Article V "Mechanical Code" of Chapter 4 "Buildings and Building Regulations" of the Kennedale City Code is hereby amended to read as follows:

"Sec. 4-96. – Adoption of code.

The 2018 Edition of the International Mechanical Code is hereby adopted as the official mechanical code of the City of Kennedale, Texas, and is fully incorporated by reference as though copied into this article in its entirety. The material contained in such code shall not be included in the formal municipal codification of ordinances but shall be maintained as a public record in the office of the city secretary and will be available for public inspection and copying during regular business hours."

SECTION 6.

Article V "Mechanical Code" of Chapter 4 "Buildings and Building Regulations" of the Kennedale City Code is hereby amended by adding a new Section 4-99 to read as follows:

"Sec. 4-99. – Amendments.

The 2018 Edition of the International Mechanical Code, as adopted herein is hereby amended by adoption of those local amendments shown in Exhibit "C," attached to Ordinance No. 691. The material contained in Exhibit "C" shall not be included in the municipal codification of ordinances. The material contained in Exhibit "C" shall instead be maintained as a public record in the office of the city secretary and shall be available for public inspection and copying during regular business hours. The city may from time to time determine that additional local modifications to the 2018 Edition of the International Mechanical Code are necessary and appropriate to meet the unique building needs of the city. To effectuate modifications, the city council may enact individual ordinances amending Exhibit "C" to Ordinance No. 691 fully setting forth the change to be made in the International Mechanical Code."

SECTION 7.

Section 4-117 of Article VI "Plumbing Code" of Chapter 4 "Buildings and Building Regulations" of the Kennedale City Code is hereby amended to read as follows:

"Sec. 4-117. – Adoption of code.

The 2018 Edition of the International Plumbing Code is hereby adopted as the official plumbing code of the City of Kennedale, Texas, and is fully incorporated by reference as though copied into this article in its entirety. The material contained in such code shall not be included in the formal municipal codification of ordinances but shall be maintained as a public record in the office of the city secretary and will be available for public inspection and copying during regular business hours."

SECTION 8.

Article VI "Plumbing Code" of Chapter 4 "Buildings and Building Regulations" of the Kennedale City Code is hereby amended by adding a new Section 4-119 to read as follows:

"Sec. 4-119. – Amendments.

The 2018 Edition of the International Plumbing Code, as adopted herein is hereby amended by adoption of those local amendments shown in Exhibit "D," attached to Ordinance No. 691. The material contained in Exhibit "D" shall not be included in the municipal codification of ordinances. The material contained in Exhibit "D" shall instead be maintained as a public record in the office of the city secretary and shall be available for public inspection and copying during regular business hours. The city may from time to time determine that additional local modifications to the 2018 Edition of the International Plumbing Code are necessary and appropriate to meet the unique building needs of the city. To effectuate modifications, the city council may enact individual ordinances amending Exhibit "D" to Ordinance No. 691 fully setting forth the change to be made in the International Plumbing Code."

SECTION 9.

Chapter 4 "Buildings and Building Regulations" of the Kennedale City Code is hereby amended by adding a new Article VIII to read as follows:

ARTICLE VIII. - INTERNATIONAL SWIMMING POOL AND SPA CODE

"Sec. 4-228. – Adoption of code.

The 2018 Edition of the International Swimming Pool and Spa Code is hereby adopted as the official swimming pool and spa code of the City of Kennedale, Texas, and is fully incorporated by reference as though copied into this article in its entirety. The material contained in such code shall not be included in the formal municipal codification of ordinances but shall be maintained as a public record in the office of the city secretary and will be available for public inspection and copying during regular business hours.

Sec. 4-229. – Amendments.

The 2018 Edition of the International Swimming Pool and Spa Code, as adopted herein is hereby amended by adoption of those local amendments shown in Exhibit "E," attached to Ordinance No. 691. The material contained in Exhibit "E" shall not be included in the municipal codification of ordinances. The material contained in Exhibit "E" shall instead be maintained as a public record in the office of the city secretary and shall be available for public inspection and copying during regular business hours. The city may from time to time determine that additional local modifications to the 2018 Edition of the International Swimming Pool and Spa Code are necessary and appropriate to meet the unique building needs of the city. To effectuate modifications, the city council may enact individual ordinances amending Exhibit "E" to Ordinance No. 691 fully setting forth the change to be made in the International Swimming Pool and Spa Code."

Secs. 4-230—4 –245. – Reserved."

SECTION 10.

Section 4-246 of Article IX "Fire Code" of Chapter 4 "Buildings and Building Regulations" of the Kennedale City Code is hereby amended to read as follows:

"Sec. 4-246. – Adoption of code.

The 2018 Edition of the International Fire Code is hereby adopted as the official fire code of the City of Kennedale, Texas, and is fully incorporated by reference as though copied into this article in its entirety. The material contained in such code shall not be included in the formal municipal codification of ordinances but shall be maintained as a public record in the office of the city secretary and will be available for public inspection and copying during regular business hours."

SECTION 11.

Article IX "Fire Code" of Chapter 4 "Buildings and Building Regulations" of the Kennedale City Code is hereby amended by adding a new Section 4-247 to read as follows:

"Sec. 4-247. – Amendments.

The 2018 Edition of the International Fire Code, as adopted herein is hereby amended by adoption of those local amendments shown in Exhibit "F," attached to Ordinance No. 691. The material contained in Exhibit "F" shall not be included in the municipal codification of ordinances. The material contained in Exhibit "F" shall instead be maintained as a public record in the office of the city secretary and shall be available for public inspection and copying during regular business hours. The city may from time to time determine that additional local modifications to the 2018 Edition of the International Fire Code are necessary and appropriate to meet the unique building needs of the city. To effectuate modifications, the city council may enact individual ordinances amending Exhibit "F" to Ordinance No. 691 fully setting forth the change to be made in the International Fire Code."

SECTION 12.

Section 4-276 of Article X "Residential Code" of Chapter 4 "Buildings and Building Regulations" of the Kennedale City Code is hereby amended to read as follows:

"Sec. 4-276. – Adoption of code.

The 2018 Edition of the International Residential Code is hereby adopted as the official residential code of the City of Kennedale, Texas, and is fully incorporated by reference as though copied into this article in its entirety. The material contained in such code shall not be included in the formal municipal codification of ordinances but shall be maintained as a public record in the office of the city secretary and will be available for public inspection and copying during regular business hours."

SECTION 13.

Section 4-277 of Article X "Residential Code" of Chapter 4 "Buildings and Building Regulations" of the Kennedale City Code is hereby amended to read as follows:

“Sec. 4-277. – Amendments.

The 2018 Edition of the International Residential Code, as adopted herein is hereby amended by adoption of those local amendments shown in Exhibit “G,” attached to Ordinance No. 691. The material contained in Exhibit “G” shall not be included in the municipal codification of ordinances. The material contained in Exhibit “G” shall instead be maintained as a public record in the office of the city secretary and shall be available for public inspection and copying during regular business hours. The city may from time to time determine that additional local modifications to the 2018 Edition of the International Residential Code are necessary and appropriate to meet the unique building needs of the city. To effectuate modifications, the city council may enact individual ordinances amending Exhibit “G” to Ordinance No. 691 fully setting forth the change to be made in the International Residential Code.”

SECTION 14.

Section 4-281 of Article XI “Fuel Gas Code” of Chapter 4 “Buildings and Building Regulations” of the Kennedale City Code is hereby amended to read as follows:

“Sec. 4-281. – Adoption of code.

The 2018 Edition of the International Fuel Gas Code is hereby adopted as the official fuel gas code of the City of Kennedale, Texas, and is fully incorporated by reference as though copied into this article in its entirety. The material contained in such code shall not be included in the formal municipal codification of ordinances but shall be maintained as a public record in the office of the city secretary and will be available for public inspection and copying during regular business hours.”

SECTION 15.

Section 4-282 of Article XI “Fuel Gas Code” of Chapter 4 “Buildings and Building Regulations” of the Kennedale City Code is hereby amended to read as follows:

“Sec. 4-282. – Amendments.

The 2018 Edition of the International Fuel Gas, as adopted herein is hereby amended by adoption of those local amendments shown in Exhibit “H,” attached to Ordinance No. 691. The material contained in Exhibit “H” shall not be included in the municipal codification of ordinances. The material contained in Exhibit “H” shall instead be maintained as a public record in the office of the city secretary and shall be available for public inspection and copying during regular business hours. The city may from time to time determine that additional local modifications to the 2018 Edition of the International Fuel Gas Code are necessary and appropriate to meet the unique building needs of the city. To effectuate modifications, the city council may enact individual ordinances amending Exhibit “H” to Ordinance No. 691 fully setting forth the change to be made in the International Fuel Gas Code.”

SECTION 16.

Section 4-291 of Article XII “Energy Conservation Code” of Chapter 4 “Buildings and Building Regulations” of the Kennedale City Code is hereby amended to read as follows:

“Sec. 4-291. – Adoption of code.

The 2018 Edition of the International Energy Conservation Code is hereby adopted as the official energy conservation code of the City of Kennedale, Texas, and is fully incorporated by reference as though copied into this article in its entirety. The material contained in such code shall not be included in the formal municipal codification of ordinances but shall be maintained as a public record in the office of the city secretary and will be available for public inspection and copying during regular business hours.”

SECTION 17.

Section 4-292 of Article XII “Energy Conservation Code” of Chapter 4 “Buildings and Building Regulations” of the Kennedale City Code is hereby amended to read as follows:

“Sec. 4-292. – Amendments.

The 2018 Edition of the International Energy Conservation Code, as adopted herein is hereby amended by adoption of those local amendments shown in Exhibit “I,” attached to Ordinance No. 691. The material contained in Exhibit “I” shall not be included in the municipal codification of ordinances. The material contained in Exhibit “I” shall instead be maintained as a public record in the office of the city secretary and shall be available for public inspection and copying during regular business hours. The city may from time to time determine that additional local modifications to the 2018 Edition of the International Energy Conservation Code are necessary and appropriate to meet the unique building needs of the city. To effectuate modifications, the city council may enact individual ordinances amending Exhibit “I” to Ordinance No. 691 fully setting forth the change to be made in the International Energy Conservation Code.”

SECTION 18. CUMULATIVE CLAUSE.

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

SECTION 19. SEVERABILITY CLAUSE.

That 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 20. PENALTY CLAUSE.

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 no more than Two Thousand Dollars and no cents (\$2,000.00) for all violations involving

zoning, fire safety or public health and sanitation, including dumping or refuse, and shall be fined not more than Five Hundred Dollars and cents (\$500.00) for all other violations of this ordinance. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 21. SAVINGS CLAUSE.

All rights and remedies of the City of Kennedale are expressly saved as to any and all violations of the provisions of the Kennedale City Code, as amended, which have accrued at the time of the effective date of this ordinance; and, as such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, shall not be affected by this ordinance but may be prosecuted until final disposition by the court.

SECTION 22. PUBLICATION CLAUSE.

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

SECTION 23. EFFECTIVE DATE.

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF KENNEDALE, TEXAS, THIS THE 17TH DAY OF MARCH, 2020.

APPROVED:

MAYOR BRIAN JOHNSON

[CITY SEAL]

ATTEST:

CITY SECRETARY LESLIE E. GALLOWAY

APPROVED AS TO FORM AND LEGALITY:

EFFECTIVE DATE:

CITY ATTORNEY DREW LARKIN

MEETING DATE: MARCH 17, 2020

AGENDA ITEM NUMBER: INDIVIDUAL CONSIDERATION ITEM IV.F.2.

SUBJECT

Consider adoption of Ordinance 692, amending Article III "Fire Department" of Chapter 6 "Emergency Management and Services" of the Kennedale City Code to authorize and establish mitigation fees for the deployment of emergency services by the City of Kennedale Fire Department

ORIGINATED BY

James Brown, Fire Chief

SUMMARY

Insurance carriers have long included fire department service charge recovery clauses in their policies to help pay for costs related to fire incidents and first response. The attached Ordinance 692 would allow the City of Kennedale to recover some of this revenue for costs associated with personnel, supplies, services, and equipment necessary to respond to the scene of motor vehicle and other emergency incidents.

The proposed mitigation rates are based on the actual cost of the services and that which is usual, customary, and reasonable (UCR). These charges would typically be billed to the responsible parties through their insurance carrier but, in some circumstances, the responsible party might be billed directly.

RECOMMENDATION

Approve

ATTACHMENTS

1.	O692 Emergency Services Mitigation Fees (Fire Department)	O692 Emergency Services Mitigation Fees (Fire Department).pdf
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ORDINANCE NO. 692

AN ORDINANCE AMENDING ARTICLE III “FIRE DEPARTMENT” OF CHAPTER 6 “EMERGENCY MANAGEMENT AND SERVICES” OF THE KENNEDALE CITY CODE TO AUTHORIZE AND ESTABLISH MITIGATION FEES FOR THE DEPLOYMENT OF EMERGENCY SERVICES BY THE CITY OF KENNEDALE FIRE DEPARTMENT; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the Kennedale Fire Department provides fire protection and emergency services to the citizens of Kennedale, its extraterritorial jurisdiction and those surrounding areas in which it has an interlocal agreement; and

WHEREAS, the City Council of the City of Kennedale, Texas, has determined that it is in the best interests of the citizens of Kennedale and the surrounding areas that the Kennedale Fire Department recoup its costs associated with providing fire protection and other emergency services; and

WHEREAS, the emergency services response activity to incidents continues to increase annually, and environmental protection, homeland security, and emergency services licensing regulations involving equipment and training create additional demands on all operations aspects of the Kennedale Fire Department’s services; and

WHEREAS, the Kennedale Fire Department has investigated different methods to maintain a high quality emergency service capability while experiencing constantly increasing service demands, and while maintaining an effective emergency response by the Fire Department that decreases the costs of incidents to insurance carriers through timely and effective management of emergency situations, saving lives and reducing property and environmental damage; and

WHEREAS, the City Council desires to implement a fair and equitable procedure to collect said mitigation rates and establish a billing system in accordance with applicable laws, regulations, and guidelines.

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

SECTION 1.

That Article III “Fire Department” of Chapter 6 “Emergency Management and Services” of the Kennedale City Code is hereby amended by adding new Sections 6-59 through 6-60 to read as follows:

“Sec. 6-59. - Mitigation fee authorized.

The City of Kennedale authorizes mitigation fees, based on actual cost, for the delivery of emergency services by the fire department for personnel, supplies, services, and equipment to the scene of motor vehicle and other emergency incidents. The mitigation fees may be filed to the insurance carrier of the owner or occupant of a structure, vehicle, or property to which the city fire department provides fire operation services or any person that causes the need for the city fire department to respond and/or provide any fire operation service, representing an add-on cost of the claim for damages of the vehicles, property, and/or injuries. Such mitigation fees shall be charged according to the schedule set forth in Section 6-60.

Sec. 6-60. - Fire department mitigation fee schedule.

The fees set forth in this section shall be charged on a per hour basis.

(a) *Motor vehicle accidents.*

- (1) Level 1 - \$487.00. Provide hazardous materials assessment and scene stabilization. (This will be the most common “billing level”. This occurs almost every time the Fire Department responds to an accident/incident.)
- (2) Level 2 - \$554.00. Includes level 1 services and clean up and material used (sorbents) for hazardous fluid clean up and disposal. Level 2 charges are applicable when the Fire Department is required to clean up any gasoline or other automotive fluids that are spilled as a result of the accident/incident.
- (3) Level 3 - \$677.00. Provide scene safety, fire suppression, breathing air, rescue tools, hand tools, hose, tip use, foam, structure protection, and clean up gasoline or other automotive fluids that are spilled as a result of the accident/incident which results in a vehicle fire.
- (4) Add-on services.
 - a. Extrication - \$1,461.00. This charge will be added if the fire department has to free/remove anyone from the vehicle(s) using any equipment such as heavy rescue tools, ropes, airbags, or cribbing. The City will not bill for Extraction if the fire department is able to open the door to access the patient, even if the patient is unconscious. This level is to be billed only if equipment is deployed.
 - b. Creating a landing zone - \$448.00. The City will bill this charge any time a helicopter landing zone is created and/or is utilized to transport the patient(s).
- (5) Additional time on-scene.
 - a. Engine - \$448.00 per hour.
 - b. Truck - \$560.00 per hour.
 - c. Miscellaneous equipment - \$336 per hour.

(b) *Hazmat services.*

- (1) Level 1 - \$784.00. Includes engine response, first responder assignment, perimeter establishment, evacuations, set-up and command.
- (2) Level 2 - \$2,800.00. Includes engine response, first responder assignment, hazmat certified team and appropriate equipment, perimeter establishment, evacuations, set-up and command, Level A or B suit donning, breathing air and detection equipment. Set-up and removal of decontamination center.
- (3) Level 3 - \$6,608.00. Includes engine response, first responder assignment, hazmat certified team and appropriate equipment, perimeter establishment, evacuations, first responder set-up and command, Level A or B suit donning, breathing air and detection equipment and robot deployment. Set-up and removal of decon center, detection equipment, recovery and identification of material. Disposal and environment clean up. Includes above in addition to any disposal rates of material and contaminated equipment and material used at scene. Includes 3 hours of on scene time. Each additional hour the HAZMAT team is on scene will be billed at \$336.00 per HAZMAT team on scene.
- (4) Additional time on-scene for all service levels.
 - a. Engine - \$448.00 per hour.
 - b. Truck - \$560.00 per hour.
 - c. Miscellaneous Equipment - \$336.00 per hour.

(c) *False alarm billing rates.*

- (1) The first and second false alarms within twelve (12) months in a calendar year are free of charge.
- (2) Three (3) or more false alarms in a twelve (12) month calendar year are billed at \$100.00 per event.

(d) Fire investigation team - \$308.00 per hour. Includes: Scene safety; investigation; source identification; identification equipment; mobile detection unit; fire report. The claim begins when the Fire Investigator responds to the incident and is billed for logged time only.

(e) Fires. Includes: Scene safety; investigation; fire hazard control. The City has the option to bill each fire as an independent event with mitigation rates based on the other charges authorized by this ordinance if such rates would result in a higher amount.

- (1) \$448.00 per hour, per engine.
- (2) \$560.00 per hour, per truck.

(f) Illegal fires. In cases of arson, or when a fire is started by any person or persons that requires a fire department response during a time or season when

fires are prohibited by local or state rules, provisions or ordinances because of pollution or fire danger concerns, or when a fire would be permitted by permit but the permit was not obtained, the person or persons responsible for igniting such fire will be liable for the fire department response.

- (1) \$448.00 per hour, per engine.
- (2) \$560.00 per hour, per truck.

(g) Water incidents.

- (1) Level 1 - \$448.00 plus \$56.00 per hour, per rescue person. Claim will include engine response, first responder assignment, perimeter establishment, evacuations, first responder set-up and command, scene safety and investigation (including possible patient contact, hazard control).
- (2) Level 2 - \$896.00 plus \$56.00 per hour, per rescue person. Claim will include engine response, first responder assignment, perimeter establishment, evacuations, first responder set-up and command, scene safety and investigation (including possible patient contact, hazard control).
- (3) Level 3 - \$2,240 plus \$56.00 per hour, per rescue person, plus \$112.00 per hour per HAZMAT team member. Includes Level 1 and Level 2 services as well as D.A.R.T. activation, donning breathing apparatus and detection equipment. Set up and removal of decon center, detection equipment, recovery and identification of material. Disposal and environment clean up. Includes above in addition to any disposal rates of material and contaminated equipment and material used at scene.

(h) Back country or special rescue.

- (1) Response vehicle - \$448.00 per hour.
- (2) Rescue person - \$56.00 per hour, per rescue person.

(i) Chief response - \$280.00 per hour. This includes the set-up of command, and providing direction of the incident. This could include operations, safety, and administration of the incident.

(j) Miscellaneous time on-scene.

- (1) Engine - \$448.00.
- (2) Truck - \$560.00.
- (3) Miscellaneous Equipment - \$336.00."

SECTION 2.

That this ordinance shall be cumulative of all provisions of all existing ordinances of the City of Kennedale, 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.

That 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 4.

That 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 17TH DAY OF MARCH, 2020.

APPROVED:

MAYOR BRIAN JOHNSON

[CITY SEAL]

ATTEST:

CITY SECRETARY LESLIE E. GALLOWAY

APPROVED AS TO FORM AND LEGALITY:

EFFECTIVE DATE:

CITY ATTORNEY DREW LARKIN

MEETING DATE: MARCH 17, 2020

AGENDA ITEM NUMBER: PUBLIC HEARING ITEM IV.G.1.

SUBJECT

Hold a Public Hearing and consider adoption of Ordinance 686, amending Chapter 23, Article IX "Stormwater (Drainage) Utility System" by amending the monthly Stormwater (Drainage) Utility Fee from \$3.50 to \$4.50 for Residential Units and Religious Organizations

ORIGINATED BY

Lakeita Sutton, Director of Finance and Information Technology
Larry Hoover, Public Works Director

SUMMARY

The Stormwater (Drainage) Utility Fee funds ongoing and emerging prevention and mitigation of flooding and erosion issues. During FY 19–20 Budget discussions, staff recommended that the Council consider increasing the Stormwater Utility Fee from \$3.50 to \$4.50 so that staff could begin to better address identified storm drainage and erosion issues for which there has not been sufficient funding.

Current Code Related to the Proposed Fee Increase

"Schedule of monthly fees and rates. The monthly stormwater (drainage) utility fee shall be as follows:

- *Residential units. The monthly stormwater (drainage) utility fee for each residential dwelling unit or ERU shall be three dollars and fifty cents (\$3.50) beginning November 1, 2014.*
- *Religious organization units. The monthly stormwater (drainage) utility fee for each religious organization shall be three dollars and fifty cents (\$3.50) beginning November 1, 2014.*
- *Revision of fees or rates. The stormwater (drainage) utility fee or the stormwater (drainage) utility rate may be revised by the city council via ordinance from time to time as permitted by this article and the act."*

Stormwater Fee Comparison By City

- City of Fort Worth \$5.75 to \$11.50 Depending on Square Footage
- City of Arlington \$4.75 to \$7.50 Depending on Square Footage
- City of Hurst \$4.00
- **City of Kennedale \$3.50 (current); \$4.50 (recommended)**
- City of Benbrook \$6.50
- City of Keller \$7.00
- City of Watauga \$11.00

History of the Stormwater (Drainage) Utility Fee

- May 13, 2010: Fee originally adopted via Ordinance 448 (effective July 1, 2010), with rates of \$2.50 for residential and religious organization units; and \$0.90 per 1,000 SF of impervious area for non-residential units.
- October 13, 2014: Amended by Ordinance 558 (effective November 1, 2014), with rates of \$3.50 for residential and religious organization units; and \$1.26 per 1,000 SF of impervious area for non-residential units.
- November 20, 2017: Ordinance 638 was recommended by staff, but not adopted by the Council. Proposed rates at that time were \$4.00 for residential and religious organization units; and unchanged for non-residential.

- March, 17, 2020: Ordinance 686 (attached) proposes amended monthly fees in the amount of \$4.50 for residential and religious units; and unchanged for non-residential.

As required, legal notice of this Public Hearing was published on February 12, 13, and 14, 2020, in the *Fort Worth Star-Telegram*, the City's newspaper of record.

At this time, the Council will open the floor for public comment before considering adoption of Ordinance 686, which would amend the monthly Stormwater (Drainage) Utility Fee rates, effective April 1, 2020.

RECOMMENDATION

Approve

Staff recommends approval of Ordinance 686.

ATTACHMENTS

1.	O686 Stormwater Utility Fees Amend to 450	O686 Stormwater Utility Fees Amend to 450.pdf
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ORDINANCE NO. 686

AN ORDINANCE OF THE CITY OF KENNEDALE, TEXAS AMENDING CHAPTER 23, ARTICLE IX "STORMWATER (DRAINAGE) UTILITY SYSTEM", OF THE KENNEDALE CITY CODE, BY AMENDING DIVISION 2 "STORMWATER (DRAINAGE) UTILITY FEES" TO ESTABLISH AMENDED MONTHLY STORMWATER (DRAINAGE) UTILITY FEES FOR RESIDENTIAL UNITS AND RELIGIOUS ORGANIZATIONS; PROVIDING A CUMULATIVE CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION IN PAMPHLET FORM; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the City Council of the City of Kennedale, Texas ("City Council") adopted Ordinance No. 447, as amended, which created a stormwater (drainage) utility system and established stormwater (drainage) service to collect and direct stormwater runoff for benefitted properties within the utility service area upon payment of stormwater (drainage) utility fees; and

WHEREAS, the City Council now desires to amend the schedule of stormwater (drainage) utility fees for stormwater (drainage) service for residential and religious organizations; and

WHEREAS, the City Council gave proper notice of a public hearing at which interested persons were allowed to provide comments regarding the proposed drainage utility fees; and

WHEREAS, the City Council finds that the amended schedule of stormwater (drainage) utility fees for stormwater (drainage) service is nondiscriminatory, reasonable, and equitable and is warranted; and

WHEREAS, in amending the schedule of stormwater (drainage) utility fees, the fees are based on an inventory of improved parcels within the utility service area.

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

SECTION 1.

Section 23-527 "Fee Calculation" of Division 2 "Stormwater (Drainage) Utility Fees" of Chapter 23, Article IX, of the Kennedale City Code, is hereby amended by amending Subsections 23-527(c)(1) and 23-527(c)(2) to read as follows:

"Sec. 23-527. Fee calculation.

* * *

(c) *Schedule of Monthly Fees and Rates.* The monthly stormwater (drainage) utility fee shall be as follows:

- (1) Residential Units. The monthly stormwater (drainage) utility fee for each residential dwelling unit or ERU shall be four dollars and fifty cents (\$4.50).
- (2) Religious Organizations. The monthly stormwater (drainage) utility fee for each religious organization shall be four dollars and fifty cents (\$4.50).

* * *

SECTION 2.

The rates established in this Ordinance shall supersede all prior adopted rates and shall become effective April 1, 2020.

SECTION 3.

This Ordinance shall be cumulative of all provisions of all existing ordinances and of the Kennedale City Code, as amended, including but not limited to all ordinances of the City of Kennedale affecting stormwater (drainage) utility fees or rates 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 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 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 5.

All rights and remedies of the City of Kennedale are expressly saved as to any and all violations of the provisions of the Kennedale City Code, as amended, or any other ordinances regarding stormwater (drainage) utility fees or rates 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, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

SECTION 6.

The City Secretary of the City is hereby authorized to publish this Ordinance in book or pamphlet form for general distribution among the public, and the operative provisions of this Ordinance as so published shall be admissible in evidence in all courts without further proof than the production thereof.

SECTION 7.

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

PASSED AND APPROVED ON THIS 17TH DAY OF MARCH, 2020.

APPROVED:

MAYOR BRIAN JOHNSON

[CITY SEAL]

ATTEST:

CITY SECRETARY LESLIE E. GALLOWAY

APPROVED AS TO FORM AND LEGALITY:

EFFECTIVE DATE:

CITY ATTORNEY DREW LARKIN

MEETING DATE: MARCH 17, 2020

AGENDA ITEM NUMBER: PUBLIC HEARING ITEM IV.G.2.

SUBJECT

Conduct a Public Hearing and consider approval of Resolution 569, authorizing funding participation with Tarrant County Community Development and Housing for the 46th Year Community Development Block Grant (CDBG) Project for rehabilitation of water lines in the 400 to 600 blocks of Third Street

ORIGINATED BY

Larry Hoover, Public Works Director

SUMMARY

Historically, the City has participated in a biennial Public Works project funded, in part, by a U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG), administered by Tarrant County Community Development and Housing Department. Eligible projects must be in Census tracts where the majority of the residents are low- to moderate-income households. The purpose of this Public Hearing is to inform the Council and the citizens of what is intended to be accomplished with this federal funding and to receive any comments. During the February 18, 2020 Work Session, staff presented to Council the recommended project (attached) for the 46th Year CDBG, which would provide for the rehabilitation of water lines in the 400 to 600 blocks of Third Street.

Of note, the City is expected to be awarded \$185,000 in funding (\$25,000 more than was projected), which would reduce our leverage amount to \$128,512.00. The official letter notifying the City of this increased grant amount is not expected to be received until April, but as Mayor Johnson chairs the CDBG Grant Committee, we have been made aware of the Board's decision. If anything regarding these expected amounts should change staff would, of course, inform the Council of such.

As part of the application process, the County requires that the City Council formally authorize the project and pledge any leverage amount that may exceed the HUD grant for the design and construction – in this case \$128,512.00. This would be accomplished via adoption of the attached Resolution 569. At this time, Public Works Director Larry Hoover will make a brief presentation and be available to answer any questions from the Council.

From the February 18, 2020 Work Session Staff Report:

The proposed project would include abandonment in place of 1,374 LF of existing 12" asbestos cement (AC) water line and removal of 1,256 LF of existing 2" galvanized waterline, which would be replaced by a 12" PVC waterline (including new service lines to each meter). This work would reduce maintenance costs as well as improve water quality and service to these homes.

The total estimated project cost (including engineering and construction) is \$313,512.00, which would break down to \$153,512.00 for the City's matching contribution and a CDBG grant award of \$160,000.00. These amounts could vary based on the scoring criteria of the application and the ranking decisions. Funding for the City's matching funds would be budgeted in the FY20–21 Water Capital Fund.

RECOMMENDATION

Staff recommends adoption of Resolution 569, approving 46th Year CDBG Program participation and the leverage funds in the amount of \$128,512.00 for the rehabilitation of waterlines in the 400 to 600 blocks of Third Street.

ATTACHMENTS

1.	46th CDBG Proposal Presentation (2020)	2020_03.17 CDBG PY2020 Project Proposal.pdf
2.	R569_46th CDBG_2020	R569_46th CDBG_2020_updated leverage.pdf



46TH ANNUAL CDBG PY2020 PROJECT PROPOSAL

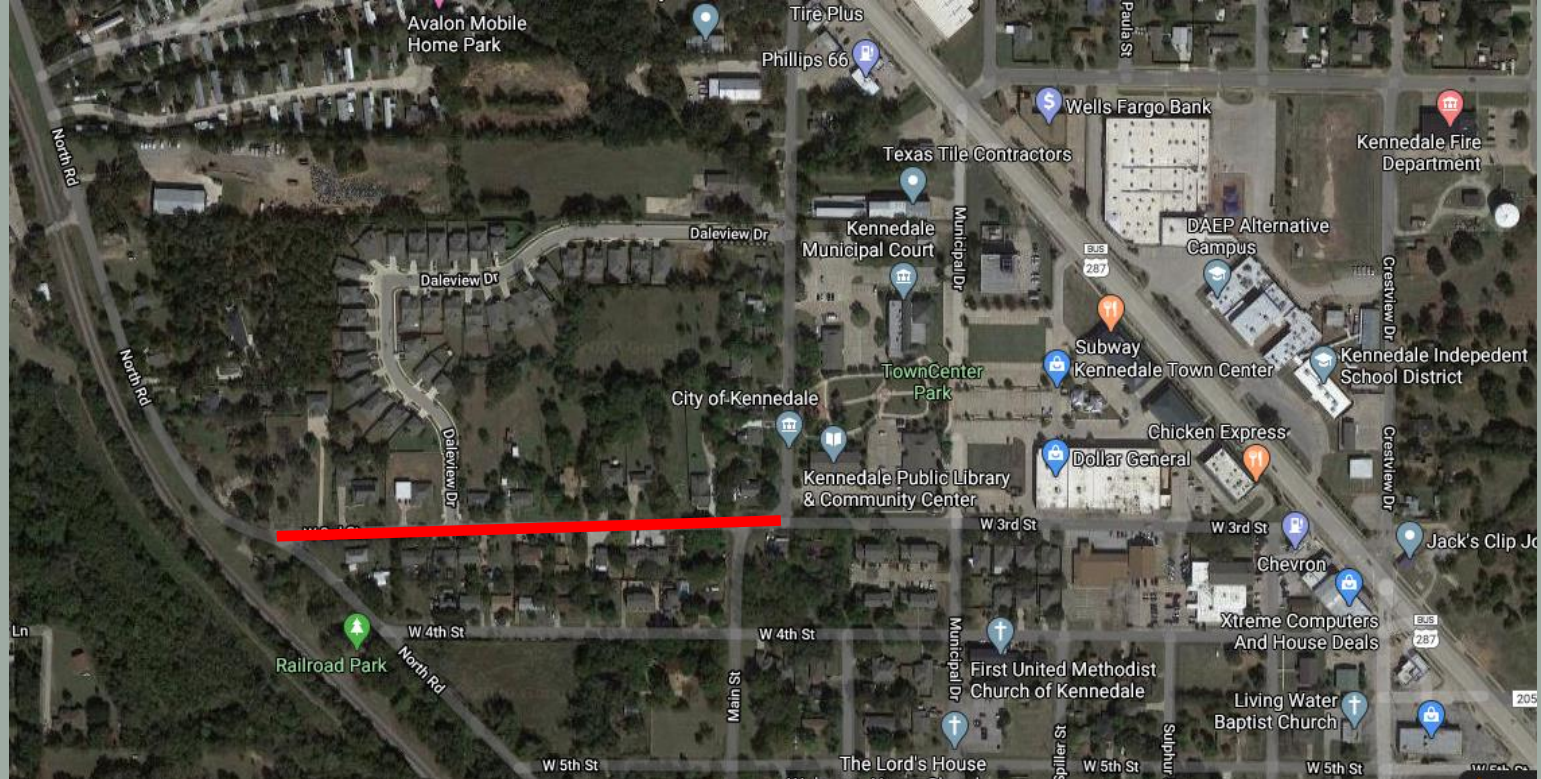
WATERLINE IMPROVEMENTS
400 TO 600 BLOCKS OF 3RD STREET

400 – 600 BLOCKS OF 3RD STREET

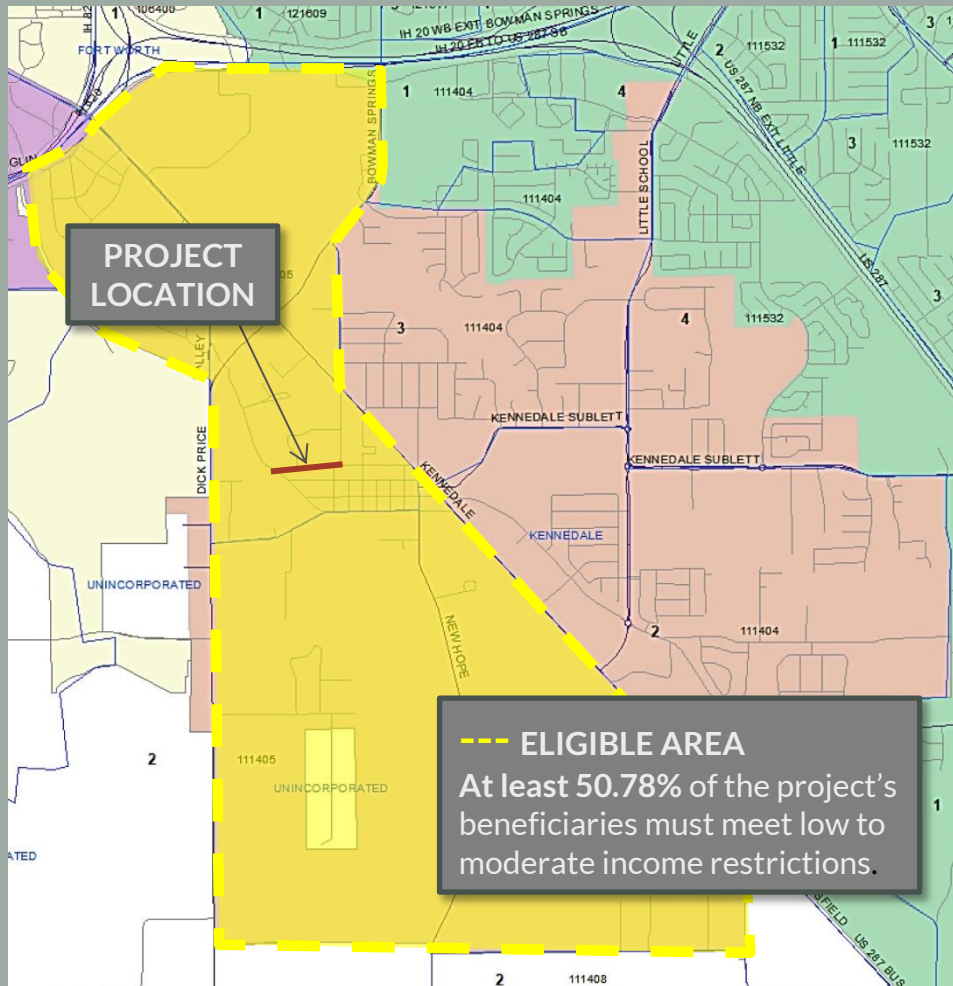


- Remove 1,256 linear feet (LF) of 2" galvanized waterline
- Abandon in place 1,374 LF of 12" asbestos cement waterline
- Replace with 1,374 LF of 12" PVC
- Install all new valves, fittings, service lines, and meters

400 – 600 BLOCKS OF 3RD STREET

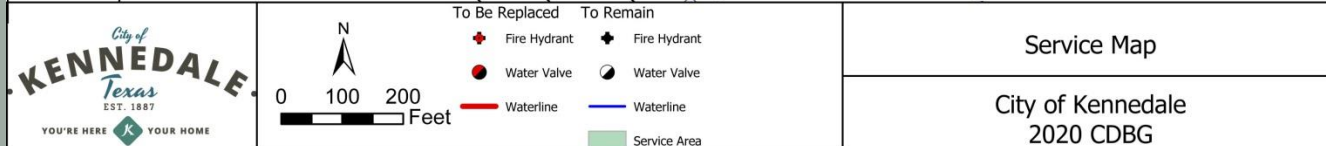


2019 HUD LOW/MODERATE INCOME DATA BY BLOCK GROUP



CENSUS TRACT	% OF HOUSEHOLDS MEETING INCOME RESTRICTIONS
1111.02 / 01	60.00%
1114.04 / 02	24.88%
1114.04 / 03	13.53%
1114.04 / 04	68.13%**
1114.05 / 01	60.10%**
1114.05 / 02	50.84%
1114.08 / 01	32.04%
1115.32 / 04	17.29%

- At least 70% of uses serviced must be residential
- 100% of uses serviced are residential



COSTS AND FUNDING

Estimated Construction Subtotal	\$273,512
Design/Engineering Subtotal	\$40,000
TOTAL ESTIMATED PROJECT COSTS	\$313,512

Since this item was first presented to Council during the February 18 Work Session, the expected grant award has increased to \$185,000, reducing the City's portion by \$25,000. This slide has been updated to reflect as much. However, final confirmation of award amounts is not expected until April.

City Leverage Amount (<i>if applicable</i>)	\$158,512 \$128,512
City Paid Design/Engineering (<i>if applicable</i>)	\$N/A
Other Sources (<i>if applicable</i>)	\$N/A
Assumed CDBG Award	\$160,000 \$185,000
Total Estimated Funds Available	\$313,512

RESOLUTION NO. 569

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KENNEDALE, TEXAS, AUTHORIZING FUNDING PARTICIPATION WITH TARRANT COUNTY COMMUNITY DEVELOPMENT AND HOUSING FOR THE 46TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT FOR WATER LINE IMPROVEMENTS WITHIN THE CITY OF KENNEDALE, TEXAS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, during the City Council meeting of March 17, 2020, the City Council of the City of Kennedale held a public hearing and approved the 46th Year Community Development Block Grant (CDBG) Project to replace 1,374 linear feet of 12" asbestos-cement waterline and 1,256 linear feet of 2" galvanized waterline with 12" PVC waterline in the 400 to 600 blocks of Third Street, in the City of Kennedale, Texas; and

WHEREAS, the budget for the project approved on March 17, 2020, reflected an estimated engineering and construction cost in the amount of \$313,512.00, with the City of Kennedale pledging funds in the amount of \$128,512.00; and

WHEREAS, the City funds shall be budgeted in the 2020–21 fiscal year budget and will be utilized for project costs in excess of the CDBG funds available for the project.

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

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

SECTION 2. That the City of Kennedale pledges to fund \$128,512.00 to Tarrant County for the 46th Year CDBG Project for the Third Street water line rehabilitation.

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

PASSED, ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF KENNEDALE, TEXAS, THIS THE 17TH DAY OF MARCH, 2020.

APPROVED:

MAYOR, BRIAN JOHNSON

[CITY SEAL]

ATTEST:

CITY SECRETARY, LESLIE E. GALLOWAY

MEETING DATE: MARCH 17, 2020

AGENDA ITEM NUMBER: PURSUANT TO EXECUTIVE SESSION ITEM IV.H.1.

SUBJECT

Take any action deemed necessary as a result of the Executive Session

ORIGINATED BY

George Campbell, City Manager

SUMMARY

RECOMMENDATION

ATTACHMENTS