

CITY COUNCIL AGENDA

REGULAR MEETING | JANUARY 18, 2022 AT 5:30 PM
CITY HALL COUNCIL CHAMBERS | 405 MUNICIPAL DRIVE, KENNEDALE, TX 76060

**MEMBERS OF THE PUBLIC MAY JOIN IN PERSON OR
ACCESS A LIVE FEED AT WWW.CITYOFKENNEDALE.COM/VIDEOS
THE VIRTUAL OPTION DOES NOT ALLOW FOR PUBLIC COMMENT**

I. CALL TO ORDER

To address the City Council regarding a Work Session item, submit a 'Request to Speak' form 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.

A. ROLL CALL

II. WORK SESSION

A. WORK SESSION REPORTS

1. Discussion of potential General Obligation (GO) Bond proposal

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. City Manager
2. CASE #PZ 22-01

- B. *PURSUANT TO §551.074*** — Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee; and the following:

1. City Manager
2. Interim City Manager review

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

V. REGULAR SESSION

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

B. VISITOR AND CITIZEN FORUM

At this time, any person may address the Council about items not on the agenda. Rules and procedures for addressing the Council are included under "I. CALL TO ORDER". Neither formal action nor discussion may occur at this time. Those wishing, instead, to speak on an agenda item should indicate their desire to speak as the Council considers that item.

C. REPORTS AND ANNOUNCEMENTS

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

1. Updates from the City Council
2. Updates from the Mayor
3. Updates from the Interim City Manager
4. Police Department Swearing-In Ceremony
5. Financial Reports for the City
6. Schedule of Investment Activity for quarter ending December 31, 2021

D. CONSENT AGENDA

These matters have appeared on previous agendas, require little or no deliberation, or are considered routine or ministerial tasks. If discussion is desired, items may be removed for separate consideration.

1. Approval of the minutes from the November 15, 2021 special meeting
2. Approval of the minutes from the November 16, 2021 regular meeting
3. Approval of the minutes from the November 22, 2021 special meeting
4. Approval of the minutes from the December 2, 2021 special meeting
5. Approval of the minutes from the December 7, 2021 special meeting
6. Approval of the minutes from the December 14, 2021 special meeting
7. Approval of the minutes from the January 3, 2022 special meeting
8. Approval of a Resolution calling the General Election for Saturday, May 7, 2022
9. Authorize the Mayor to sign an Interlocal Agreement with the Fort Worth Transportation Authority ("Trinity Metro") for Administrative Cost Funding for Section 5310 Program
10. Approval of an Interlocal Agreement (ILA) with the City of Everman for rabies control and the shared use of the City of Everman Animal Shelter
11. Approval of a Resolution authorizing an application requesting financial assistance from the Texas Water Development Board (TWDB) for the construction, acquisition, and equipping of City drainage improvements, and making certain findings in connection therewith

E. ITEMS FOR INDIVIDUAL CONSIDERATION

1. Consider making an appointment to fill the vacancy in Place 3 following the resignation of Councilmember Julie Jacobson; or, if the Council should choose to delay appointment, further direct staff regarding the desired process for identifying a candidate
2. Consider approval of an engagement letter with McCall, Parkhurst & Horton, the City's Bond Counsel, for assistance with the application for financial assistance from the Texas Water Development Board (TWDB)
3. Discuss and consider a recommendation put forward by the Parks and Recreation Board to name the performance stage in TownCenter Park the "Ralph Mooney Performance Pavilion"

F. PUBLIC HEARINGS

1. **CASE #PZ 22-01** — Conduct a public hearing and consider an Ordinance amending the Unified Development Code by amending Table 4.2, "Schedule of Uses: Old Town Districts," of Article 4, "Old Town Districts" by designating "Dwelling, multi-family" as a permitted use in the OT-4 Old Town Mixed-Use District
2. **CASE #PZ 22-02** — Conduct a public hearing and consider an Ordinance regarding a request by FC Designs for a rezoning from R3 Single-Family Residential to TH Townhome District for approximately 0.46 acres located at 6817 Oak Crest Drive W, Oak Crest Addition, Block 8, Lot 11, City of Kennedale, Tarrant County, Texas
3. **CASE #PZ 22-03** — Conduct a public hearing and consider an Ordinance regarding a request by FC Designs for a rezoning from R3 Single-Family Residential to TH Townhome District for approximately 0.53 acres located at 6821 Oak Crest Drive W, Oak Crest Addition, Block 8, Lot 10, City of Kennedale, Tarrant County, Texas
4. **CASE #PZ 22-04** — Conduct a public hearing and consider an Ordinance regarding a request by See Eng for a rezoning from C2 General Commercial to R3 Residential for approximately 0.33-acre tract located at 104 Meadowview Drive in the Boaz's Subdivision Addition Lot 3R, Block 13, City of Kennedale, Tarrant County, Texas
5. **CASE #PZ 22-05** — Conduct a public hearing and consider an Ordinance regarding a request by See Eng for a rezoning from C2 General Commercial to R3 Residential for approximately 0.47-acre tract located at 700 Mansfield Cardinal Road in the Boaz's Subdivision Addition Lots 1 & 2, Block 13, City of Kennedale, Tarrant County, Texas
6. **CASE #PZ 22-06** — Conduct a public hearing and consider an Ordinance regarding a request by Citipoint Properties & Investments, LLC for a rezoning from "OT-2" Old Town-2 to "OT-3" Old Town-3 for approximately 3.44 acres located at 509 Corry A Edwards Drive, Woodlea Acres Addition, Block 2 Lot 1, City of Kennedale, Tarrant County, Texas

VI. ADJOURNMENT

CERTIFICATION

I DO HEREBY CERTIFY THAT THE JANUARY 18, 2022 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.

POSTED _____ (DATE) _____ (TIME)

MEETING DATE: JANUARY 18, 2022

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

SUBJECT

Discussion of potential General Obligation (GO) Bond proposal

ORIGINATED BY

Leslie Galloway, Interim City Manager

SUMMARY

This discussion item was requested by the Council. In the past, there has been some consideration of the development of a General Obligation (GO) bond package for consideration by voters. Some of the potential projects for such an issuance include: 1) a public safety facility to house both Police and Fire; 2) updates to the parks system; 3) expansion of the Library facility; and 4) various roadway, water/wastewater, and/or stormwater projects.

As the Council will recall, there are several types of debt instruments available, including:

1. **General Obligation (GO) Bonds**, which are secured by a pledge of city property taxes, essentially obligating a city to levy a property tax each year sufficient to pay off the bond. These bonds must be submitted to voters for approval.
2. **Revenue Bonds**, which are secured by a pledge of revenue from an income-producing facility or department (e.g., the water and wastewater system).
3. **Refunding Bonds**, which replace or pay off outstanding bonds that the holder surrenders in exchange for the new security (for interest savings).
4. **Certificates of Obligation (CO)**, which are debt instruments that can be issued to: (1) pay for the construction of a public work; (2) purchase materials, supplies, equipment, machinery, buildings, land, and right-of-way for authorized needs and purposes; and (3) pay contractual obligations for professional services. COs function similarly to bonds, but don't require up-front voter approval.

As any ballot measure for the May 7, 2022 election must be ordered via Resolution no later than February 18, the earliest feasible date to propose a GO package to voters would be in November of this year. However, staff would recommend that any such measure be placed on a May ballot. When local issues appear in November, they are at the end of what is almost always a lengthy ballot and are often significantly undervoted. Further, staff would need time not only to obtain bids or estimates on all included projects but also to inform the public about any GO proposal.

Finally, the Council should be aware that legislation passed in 2015 provides that a city generally may not authorize a CO to pay a contractual obligation to be incurred if a bond proposition to authorize the issuance of bonds for the same purpose was submitted to the voters during the preceding three years and failed to be approved. Therefore, Council would not wish to place projects within any proposed GO issuance that was (or soon might be) an emergency need unless alternative cash funding has been identified because that project would not be eligible for funding via Certificate of Obligations (CO) for a minimum of three years.

Attached for the Council's reference is a listing of those capital needs identified by staff and most recently presented in May of 2020. Of course, with the increases in construction costs in recent months, many of these estimates would now be expected to be significantly higher.

Staff will be available to answer questions. Council discussion is appreciated.

RECOMMENDATION

ATTACHMENTS

1.	Sample Bond Program 2020_LG_formatted	Sample Bond Program 2020_LG_formatted.pdf
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PROJECTS	YEAR 1 (2020-2021)	YEAR 2 (2021-2022)	YEAR 3 (2022-2023)	YEAR 4 (2023-2024)	YEAR 5 (2025-2025)	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

PROJECTS

STREETS

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

(CONTINUED ON NEXT PAGE)

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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PROJECTS

PARKS AND RECREATION

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

PROJECTS

LIBRARY

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

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PROJECTS

WATER AND STORMWATER

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

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PROJECTS	YEAR 1 (2020-2021)	YEAR 2 (2021-2022)	YEAR 3 (2022-2023)	YEAR 4 (2023-2024)	YEAR 5 (2025-2025)	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	\$ 59,648					GO	
ROW ACQUISITION CONSTRUCTION	\$ 397,656					GO	
Peachtree Court (Concrete) DESIGN/ ENGINEERING	\$ 160,009					GO	
ROW ACQUISITION CONSTRUCTION	\$ 1,066,728					GO	
Shady Creek Drive (Concrete) DESIGN/ ENGINEERING	\$ 257,530					GO	
ROW ACQUISITION CONSTRUCTION	\$ 1,716,864					GO	
Valley Lane DESIGN/ ENGINEERING ROW ACQUISITION CONSTRUCTION	\$ 197,100					O / Budget 2021	
Woodland Circle Oak Court (Concrete) DESIGN/ ENGINEERING	\$ 125,924					O / Budget 2021	
ROW ACQUISITION CONSTRUCTION	\$ 839,496					O / Budget 2021	
TOTAL IN CRITICAL CONDITION	\$ 5,392,975	\$ -	\$ -	\$ -	\$ -		

LEGEND & FOOTNOTES

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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				

SPREADSHEET TAB 2: PROJECTS NOT REQUIRING A TAX INCREASE

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 (2025-2025)
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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	\$	-	\$	-
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TOTAL YEARS 1 THROUGH 5

\$	13,865,257
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SPREADSHEET TAB 3: PROJECTS TO FUND WITH A BOND ELECTION (GO)

POSSIBLE PROJETS 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
(2025-2025)

PUBLIC SAFETY

Police / Fire Facility \$ 9,000,000

STREETS

Collett Sublett Road Infrastructure Improvements \$ 1,599,600

Extension from Existing Linda Road to New Hope Road (Linda) \$ 3,142,935

Winding Creek Erosion / Briar Court

DESIGN/ENGINEERING \$ 229,744

ROW ACQUISITION

CONSTRUCTION \$ 741,108

Railroad Themed Park Development \$ 1,500,000

National Fitness Campaign Installation \$ 180,000

LIBRARY

Library Expansion Phase I \$ 712,000

Library Renovation Phase II \$ 560,000

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 \$ -

TOTAL YEARS 1 THROUGH 5

\$ 21,323,822

PROJECTS FOR FUTURE CONSIDERATION

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

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 \$ 1,073,967 O / Future
TOTAL STREETS	\$	581,512	\$	-	\$ 1,295,486 \$ 19,919,523 \$ 15,967,072

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 \$ - \$ -

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		

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 Circle Oak 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 (ALL PROJECTS)	\$ 4,071,052	\$ 644,420	\$ 10,633,716	\$ 21,429,723	\$ 18,278,802
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TOTAL OFF ALL PROJECTS YEAR(S) 1 THROUGH 5	\$ 55,057,713
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FUNDING MECHANISMS: CO = CERTIFICATES OF OBLIGATION; GO = GENERAL OBLIGATION BONDS; O = OTHER



MEETING DATE: JANUARY 18, 2022

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

SUBJECT

City Manager

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS



MEETING DATE: JANUARY 18, 2022

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

SUBJECT

CASE #PZ 22-01

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS



MEETING DATE: JANUARY 18, 2022

AGENDA ITEM NUMBER: EXECUTIVE SESSION ITEM III.B.

SUBJECT

PURSUANT TO §551.074 — *Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee; and the following:*

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS



MEETING DATE: JANUARY 18, 2022

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

SUBJECT

Interim City Manager review

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS



MEETING DATE: JANUARY 18, 2022

AGENDA ITEM NUMBER: REPORTS AND ANNOUNCEMENTS ITEM V.C.1.

SUBJECT

Updates from the City Council

ORIGINATED BY

SUMMARY

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

RECOMMENDATION

ATTACHMENTS



MEETING DATE: JANUARY 18, 2022

AGENDA ITEM NUMBER: REPORTS AND ANNOUNCEMENTS ITEM V.C.2.

SUBJECT

Updates from the Mayor

ORIGINATED BY

SUMMARY

Updates and/or Proclamations from Mayor Linda Rhodes, if any.

RECOMMENDATION

ATTACHMENTS



MEETING DATE: JANUARY 18, 2022

AGENDA ITEM NUMBER: REPORTS AND ANNOUNCEMENTS ITEM V.C.3.

SUBJECT

Updates from the Interim City Manager

ORIGINATED BY

SUMMARY

Updates and information from Interim City Manager Leslie Galloway, if any.

RECOMMENDATION

ATTACHMENTS



MEETING DATE: JANUARY 18, 2022

AGENDA ITEM NUMBER: V.C.4.

SUBJECT

Police Department Swearing-In Ceremony

ORIGINATED BY

Darrell Hull, Police Chief

SUMMARY

At this time, Chief Hull will conduct a ceremonial swearing-in of Officer Yarbrough.

RECOMMENDATION

ATTACHMENTS



MEETING DATE: JANUARY 18, 2022

AGENDA ITEM NUMBER: REPORTS AND ANNOUNCEMENTS ITEM V.C.5.

SUBJECT

Financial Reports for the City

ORIGINATED BY

Debby Scott, Interim Finance Director

SUMMARY

The financial reports for the months of November and December 2021 are attached.

RECOMMENDATION

ATTACHMENTS

1.	2021_11 Monthly Financials	2021_11 Monthly Financials.pdf
2.	2021_12 Monthly Financials	2021_12 Monthly Financials.pdf

**Revenues & Expenditures - Budget & Actual Summary
FOR THE MONTH ENDED NOVEMBER 30, 2021**

GENERAL FUND REVENUES			
Budget	AMENDED	Actual	Actual Budget %
\$ 8,002,160	\$ -	\$ 885,664	11.1%

GENERAL FUND EXPENDITURES			
Budget	AMENDED	Actual	Actual Budget %
\$ 8,901,590	\$ -	\$ 1,197,067	13.4%

STREETS FUND REVENUES			
Budget	AMENDED	Actual	Actual Budget %
\$ 917,506	\$ -	\$ 92,131	10.0%

STREETS FUND EXPENDITURES			
Budget	AMENDED	Actual	Actual Budget %
\$ 1,154,766	\$ -	\$ 92,558	8.0%

WATER/SEWER FUND REVENUES			
Budget	AMENDED	Actual	Actual Budget %
\$ 4,521,797	\$ -	\$ 797,359	17.6%

WATER/SEWER FUND EXPENDITURES			
Budget	AMENDED	Actual	Actual Budget %
\$ 4,377,462	\$ -	\$ 547,431	12.5%

STORMWATER FUND REVENUES			
Budget	AMENDED	Actual	Actual Budget %
\$ 266,175	\$ -	\$ 44,334	16.7%

STORMWAER FUND EXPENDITURES			
Budget	AMENDED	Actual	Actual Budget %
\$ 229,343	\$ -	\$ 4,381	1.9%

GENERAL FUND
FOR THE MONTH ENDED NOVEMBER 30, 2021
FY 2021-22 WITH PRIOR YEAR COMPARISON

16.7%

	CURRENT FISCAL YEAR							PRIOR FISCAL YEAR				
	BUDGET		ACTUAL			PROJECTED		BUDGET		FY ACTUAL		
	FY 2021-2022		M-T-D	Y-T-D	Y-T-D	FY 2021-2022		FY 2020-2021		FY 2020-2021		
	Adopted Budget	Amended Budget	Nov-21	Nov-21	% Budget	Nov-21	% Budget	Original Budget	Amended Budget	M-T-D NOV-20	Y-T-D NOV-20	Y-T-D % Budget
REVENUES												
Property Taxes	\$ 4,813,480		\$ 448,537	\$ 619,202	12.9%	\$ 802,247	16.7%	\$ 4,629,418	\$ 4,808,157	\$ 321,068	\$ 560,041	11.6%
Sales / Beverage Tax	1,824,643		572	1,142	0.1%	304,107	16.7%	1,438,404	1,580,632	550	1,084	0.1%
Grants / Contributions	46,000		500	500	1.1%	7,667	16.7%	65,000	65,000	1,750	42,747	65.8%
Licenses / Permits	192,680		46,848	95,611	49.6%	32,113	16.7%	191,605	282,485	5,071	18,188	6.4%
Fines / Fees	71,604		9,232	18,975	26.5%	11,934	16.7%	106,718	63,718	2,328	7,703	12.1%
Charge for Services	247,401		42,812	51,811	20.9%	41,234	16.7%	205,500	205,500	3,162	26,366	12.8%
Investment Earnings	1,500		70	137	9.1%	250	16.7%	24,017	12,000	184	392	3.3%
Miscellaneous Income	25,135		490	1,499	6.0%	4,189	16.7%	5,250	5,250	1,069	1,404	26.7%
Intergovernmental	778,217		48,274	96,547	12.4%	129,703	16.7%	647,243	647,243	39,360	78,720	12.2%
Surplus / Sales Rentals	1,500		240	240	16.0%	250	16.7%	1,500	1,500	-	-	0.0%
Total Revenues	\$ 8,002,160	\$ -	\$ 597,575	\$ 885,664	11.1%	\$ 1,333,693	16.7%	\$ 7,314,655	\$ 7,671,485	\$ 374,542	\$ 736,645	9.6%
EXPENDITURES												
City Manager	\$ 298,728		\$ 18,295	\$ 27,227	9.1%	\$ 49,788	16.7%	\$ 316,473	\$ 321,424	\$ 24,262	\$ 37,928	11.8%
Mayor and City Council	173,025		3,072	6,112	3.5%	28,838	16.7%	140,525	140,525	(7,070)	(5,076)	-3.6%
City Secretary	187,082		2,514	13,552	7.2%	31,180	16.7%	175,454	183,777	18,922	24,355	13.3%
Municipal Court	106,204		6,638	14,176	13.3%	17,701	16.7%	98,215	103,477	5,289	13,243	12.8%
Human Resources	141,526		8,874	13,296	9.4%	23,588	16.7%	125,229	135,211	9,035	14,224	10.5%
Finance	484,149		26,908	40,525	8.4%	80,692	16.7%	438,148	464,564	40,624	53,599	11.5%
Police	3,125,084		227,179	428,152	13.7%	520,847	16.7%	2,660,845	2,988,696	215,140	398,049	13.3%
Police SRO	212,749		13,669	21,048	9.9%	35,458	16.7%	178,016	208,698	14,635	21,902	10.5%
Fire	2,649,247		214,273	306,534	11.6%	441,541	16.7%	2,208,977	2,492,360	153,541	238,778	9.6%
Community Development	438,900		32,121	41,313	9.4%	73,150	16.7%	387,924	412,959	30,580	46,477	11.3%
Senior Citizen Center	48,316		2,622	3,238	6.7%	8,053	16.7%	38,376	88,376	994	1,537	1.7%
Library	299,681		27,160	42,002	14.0%	49,947	16.7%	275,755	293,925	21,366	31,278	10.6%
Non-Departmental	736,900		13,596	239,892	32.6%	122,817	16.7%	580,159	580,159	167,936	253,874	43.8%
Total Expenditures	\$ 8,901,590	\$ -	\$ 596,921	\$ 1,197,067	13.4%	\$ 1,483,599	16.7%	\$ 7,624,096	\$ 8,414,151	\$ 695,254	\$ 1,130,168	13.4%
Total Revenues Over (Under) Exp	\$ (899,430)	\$ -	\$ 654	\$ (311,403)		\$ (149,905)		\$ (309,441)	\$ (742,666)	\$ (320,712)	\$ (393,523)	
Other Financing Sources (Uses):												
Non-cash Transactions:												
Capital lease proceeds												
Capital expenditures												
Transfers In (Out):												
Net Change in Fund Balance	\$ (899,430)	\$ -		\$ (311,403)				\$ (309,441)	\$ (742,666)			
Total Unassigned Fund Balance - BOY	1,890,124			1,890,124				940,257	2,453,218			
Ending Fund Balance Sept. 30	\$ 990,694	\$ -		\$ 1,578,721				\$ 630,816	\$ 1,710,552			
Less: Commitments for Specific Use				-								
Less: Assigned for Specific Use				-				-				
Ending Fund Balance - Unassigned	\$ 990,694	\$ -		\$ 1,578,721				\$ 630,816	\$ 1,710,552			
AVERAGE DAILY EXPENDITURES	24,388	-		3,280				20,888	23,052			

NUMBER OF DAYS IN RESERVE	41	481	30	74
FUND BALANCE AS A % OF EXPENDITURES	11.1%	131.9%	8.3%	20.3%

STREETS FUND
FOR THE MONTH ENDED NOVEMBER 30, 2021
FY 2021-22 WITH PRIOR YEAR COMPARISON

16.7%

	CURRENT FISCAL YEAR					PRIOR FISCAL YEAR								
	BUDGET		ACTUAL			PROJECTED		BUDGET		FY ACTUAL				
	FY 2021-2022		M-T-D	Y-T-D	Y-T-D	FY 2021-2022		FY 2020-2021		FY 2020-2021				
	Original Budget	Amended Budget					%	Original Budget	Amended Budget	M-T-D	Y-T-D	Y-T-D		
			Nov-21	Nov-21	% Budget	Nov-21	Budget			NOV-20	NOV-20	% Budget		
REVENUES														
Frachise Fees Telephone	\$	18,558	\$	200	\$ 400	2.2%	\$ 3,093	16.7%	\$	36,256	\$ 36,256	\$ 200	\$ 400	1%
Frachise Fees Garbage		68,607		-	-		\$ 11,435	16.7%		68,607	68,607	6,258	6,258	9%
Franchise Fees Gas		63,767		-	-		\$ 10,628	16.7%		64,469	64,469		-	0%
Franchise Fees Electricity		312,427		-	-		\$ 52,071	16.7%		312,427	312,427	-	-	0%
Franchise Fees Cable		41,000		-	-		\$ 6,833	16.7%		53,906	53,906	-	-	0%
Franchise Fees Water Sew		390,084		32,507	65,014	16.7%	\$ 65,014	16.7%		311,312	311,312	25,943	51,885	17%
Investment Income		110		3	6	5.5%	\$ 18	16.7%		6,930	6,930	19	42	1%
TexDot Connecting Kennedale														
Misc. Income				-	26,211								170	
Admin Charge - Stormwater		19,995		-	-		3,332.50	16.7%		19,995	19,995			0%
Park Pavilion Rental		2,908		60	500	17.2%	484.67	16.7%		3,663	3,663	-	-	0%
Ballfield Rental		50		-	-		8.33	16.7%		50	50			
Sale of Parts/Assets				-	-		-					-	3,840	
Transfer In Park Dedication							-							
Transfer In TIF Fund							-							
Transfer In Donation Fund							-							
Total Revenues	\$	917,506	\$	32,770	\$ 92,131	10.0%	\$ 152,918	16.7%	\$	877,615	\$ 877,615	\$ 32,420	\$ 62,596	7%
EXPENDITURES														
Street Maintenance	\$	997,624	\$	60,120	\$ 86,617	8.7%	166,271	16.7%	\$	868,448	\$ 915,994	\$ 68,203	\$ 100,930	11%
Park Maintenance		120,000		5,359	5,941	5.0%	20,000	16.7%		122,920	122,920	3,913	4,211	3%
Capital Projects		37,142			-	0.0%	6,190	16.7%		24,302	24,302	-	-	
Total Expenditures	\$	1,154,766	\$	65,479	\$ 92,558	8.0%	\$ 192,461	16.7%	\$	1,015,670	\$ 1,063,216	\$ 72,116	\$ 105,141	10%
Total Revenues Over (Under) Exp	\$	(237,260)	\$	32,709	\$ (427)		\$ (39,543)		\$	(138,055)	\$ (185,601)	\$ (39,696)	\$ (42,545)	
Other Funding Sources (Uses):														
Non-Cash Transactions:														
Capital Lease Proceeds		-												
Capital Expenditures		-												
Transfers In (Out):														
Debt Service Payments		-												
Net Change in Fund Balance	\$	(237,260)	\$		\$ (427)				\$	(138,055)	\$ (185,601)			
Total Unassigned Fund Balance - BOY		200,978			200,978					341,246	386,646			
Ending Fund Balance Sept. 30	\$	(36,282)	\$		\$ 200,551				\$	203,191	\$ 201,045			
Less: Commitments for Specific Use					-									
Less: Assigned for Specific Use					-									
Ending Fund Balance - Unassigned	\$	(36,282)	\$		\$ 200,551				\$	203,191	\$ 201,045			
AVERAGE DAILY EXPENDITURES		3,263			(296)					2,226	2,362			
NUMBER OF DAYS IN RESERVE		(11)			(678)					91	85			
FUND BALANCE AS A % OF EXPENDITURES		-3.1%			216.7%					20.0%	18.9%			

WATER & SEWER FUND
FOR THE MONTH ENDED NOVEMBER 30, 2021
FY 2021-22 WITH PRIOR YEAR COMPARISON

16.7%

	CURRENT FISCAL YEAR							PRIOR FISCAL YEAR				
	BUDGET		ACTUAL			PROJECTED		BUDGET		FY ACTUAL		
	FY 2021-2022		M-T-D	Y-T-D	Y-T-D	FY 2021-2022		FY 2020-2021		FY 2020-2021		
	Original Budget	Amended Budget	Nov-21	Nov-21	% Budget	Nov-21	% Budget	Original Budget	Amended Budget	M-T-D NOV-20	Y-T-D NOV-20	Y-T-D % Budget
REVENUES												
Water Service	\$ 2,239,404		\$ 238,279	\$ 466,522	20.8%	\$ 373,234	16.7%	\$ 2,128,290	\$ 2,128,290	\$ 186,792	\$ 412,095	19%
Sewer Service	1,700,194		132,662	270,659	15.9%	\$ 283,366	16.7%	1,700,194	1,700,194	139,907	281,426	17%
Sewer Surcharge			-	-				2,705	2,705	-	-	
Penalties			-	-				13,231	13,231	-	-	
Administrative Fees			-	-				3,762	3,762	134	259	7%
Water Tap Fees	4,000		-	-		666.67	16.7%	2,856	2,856	-	-	
Meter Purchase / Install	3,645		2,543	5,817	159.6%	607.50	16.7%	3,645	3,645	-	-	
Sewer Tap Fees	1,768		-	-		294.67	16.7%	1,768	1,768	-	-	
Engineer Review Fees	6,120		-	4,262	69.6%	1,020.00	16.7%	6,120	6,120	-	-	
Sanitation Billing Fees	15,507		-	-		2,584.50	16.7%	15,507	15,507	1,432	1,432	
Other Fees Water / Sewer	1,984		-	-		330.67	16.7%	1,984	1,984	-	-	
Sales Tax	139		12	24	17.3%	23.17	16.7%	139	139	11	23	17%
Arlington Operator Cost	354,500		18,624	18,624		59,083.33	16.7%	354,500	354,500	-	-	
Investment Income	1,100		106	197	17.9%	183.33	16.7%	19,179	19,179	209	426	2%
Miscellaneous Income	4,911		-	-		818.50	16.7%	4,911	4,911	50	50	
Cash Over/Under			-	-								
Equipment Sale Gain (Loss)			-	-						-	-	
Sale of Parts/Assets	1,000		-	-		166.67	16.7%	1,000	1,000	-	-	
Transfer In - Water Impact Fund			-	-						-	-	
Transfer In - Sewer Impact Fund	60,000		5,000	10,000	16.7%	10,000	16.7%			-	-	
Transfer In - Roadway Impact Fund	127,525		10,627	21,254	16.7%	21,254	16.7%	187,525	187,525	15,627	31,254	17%
Total Revenues	\$ 4,521,797	\$ -	\$ 407,853	\$ 797,359	17.6%	\$ 753,633	16.7%	\$ 4,447,316	\$ 4,447,316	\$ 344,162	\$ 726,965	16%
EXPENDITURES												
Utility Billing	\$ 1,343,331		\$ 43,334	\$ 46,065	3.4%	\$ 223,888.50	16.7%	\$ 1,460,295	\$ 1,460,295	\$ 24,987	\$ 48,567	3%
Operations	1,388,069		247,035	341,098	24.6%	\$ 231,344.83	16.7%	1,375,369	1,377,223	332,207	423,354	31%
Debt Service	295,216		-	-	0.0%	\$ 49,202.67	16.7%	358,559	358,559	-	-	0%
Capital Projects	483,000		1,864	1,864	0.4%	\$ 80,500.00	16.7%	600,000	600,000	4,125	4,125	
Non-Departmental	867,846		70,136	158,404	18.3%	\$ 144,641.00	16.7%	710,477	710,477	76,610	134,076	19%
Total Expenditures	\$ 4,377,462	\$ -	\$ 362,369	\$ 547,431	12.5%	729,577	16.7%	\$ 4,504,700	\$ 4,506,554	\$ 437,929	\$ 610,122	14%
Total Revenues Over (Under) Exp	\$ 144,335	\$ -	\$ 45,484	\$ 249,928		\$ 24,056		\$ (57,384)	\$ (59,238)	\$ (93,767)	\$ 116,843	
Other Funding Sources (Uses):												
Debt Service - Bond Payments												
Non-Cash Transactions:												
Capital Lease Proceeds												
Capital expenditures												
Net Change in Fund Balance	\$ 144,335	\$ -		\$ 249,928				\$ (57,384)	\$ (59,238)			
Total Unrestricted Fund Balance - BOY	3,545,736			3,545,736				2,076,297	2,946,002			
Total Fund Balance - EOY	\$ 3,690,071	\$ -		\$ 3,795,664				\$ 2,018,913	\$ 2,886,764			
Less: Commitments for Specific Use				-								
Less: Assigned for Specific Use				-				-				
Ending Fund Balance - Unrestricted	\$ 3,690,071	\$ -		\$ 3,795,664				\$ 2,018,913	\$ 2,886,764			
AVERAGE DAILY EXPENDITURES	11,993	-		1,500				157	162			
NUMBER OF DAYS IN RESERVE	308			2,531				12,842	17,787			
FUND BALANCE AS A % OF EXPENDITURES	84.3%			693.4%				44.8%	64.1%			

STORMWATER FUND
FOR THE MONTH ENDED NOVEMBER 30, 2021
FY 2021-22 WITH PRIOR YEAR COMPARISON

16.7%

	CURRENT FISCAL YEAR					
	BUDGET		ACTUAL			FY PROJECTED
	FY 2021-2022		M-T-D	Y-T-D	Y-T-D	FY 2021-2022
	Original Budget	Amended Budget	Nov-21	Nov-21	% Budget	Nov-21 % Budget
REVENUES						
Penalties	\$ -					\$ -
Grant Revenue						
Drainage Fees	266,000		22,212	44,312	16.7%	44,333 16.7%
Investment Income	175		12	22	12.6%	29 16.7%
Miscellaneous Income						
Total Revenues	\$ 266,175	\$ -	\$ 22,224	\$ 44,334	16.7%	\$ 44,363 16.7%
EXPENDITURES						
Stormwater Utility	229,343		\$ 4,381	\$ 4,381	1.9%	\$ 38,224 16.7%
Total Expenditures	\$ 229,343	\$ -	\$ 4,381	\$ 4,381	1.9%	\$ 38,224 16.7%
Total Revenues Over (Under) Exp	\$ 36,832	\$ -	\$ 17,843	\$ 39,953		\$ 6,139
Other Financing Sources (Uses):						
Capital Grant Contributions	-	-	-	-		
Net Change in Fund Balance	\$ 36,832	\$ -		\$ 39,953		
Total Unrestricted Fund Balance - BOY	381,259			381,259		
Total Fund Balance - EOY	\$ 418,091	\$ -		\$ 421,212		
Less: Commitments for Specific Use	-	-		-		-
Ending Fund Balance - Unrestricted	\$ 418,091	\$ -		\$ 421,212		

PRIOR FISCAL YEAR				
BUDGET		FY ACTUAL		
FY 2020-2021		FY 2020-2021		
Original Budget	Final Budget	M-T-D NOV-20	Y-T-D NOV-20	Y-T-D % Budget
\$ 1,200	\$ 1,200	\$ -	\$ -	
			-	
320,952	320,952	22,133	44,220	13.8%
1,000	1,000	31	66	6.6%
\$ 323,152	\$ 323,152	\$ 22,164	\$ 44,286	14%
561,929	\$ 565,644	\$ 4,272	\$ 9,573	1.7%
\$ 561,929	\$ 565,644	\$ 4,272	\$ 9,573	2%
\$ (238,777)	\$ (242,492)	\$ 17,892	\$ 34,713	
-	-	-	-	
\$ (238,777)	\$ (242,492)			
\$ (151,838)	\$ 287,257			
\$ (390,615)	\$ 44,765			
-	-			
\$ (390,615)	\$ 44,765			

**OTHER FUNDS: MONTHLY FINANCIALS
FOR THE MONTH ENDED NOVEMBER 30, 2021**

FUN D		BUDGET					Y-T-D ACTUAL						
		Revenues	Expenditures	Change in Fund Balances	Fund Balance Beginning of Year	Fund Balance End of Year	Revenues	% Budget	Expenditures	% Budget	Change in Fund Balances	Fund Balance Beginning of Year	Y-T-D Fund Balance Projection
DEBT SERVICE FUND													
2	Debt Service Fund	\$ 1,727,705	\$ 1,668,763	\$ 58,942	\$ 601,112	\$ 660,054	\$ 206,294	12%	\$ -	0%	\$ 206,294	\$ 601,112	\$ 807,406
OTHER GENERAL FUNDS													
5	Capital Replacement Fund	\$ 234,703	\$ 219,663	\$ 15,040	\$ 29,055	\$ 44,095	\$ 1	0%	\$ 30,068	14%	\$ (30,067)	\$ 29,055	\$ (1,012)
12	Court Security Fund	2,115	-	2,115	25,344	27,459	488	23%	-	0%	488	25,344	25,832
16	Court Technology Fund	1,210	875	335	14,049	14,384	417	34%	-	0%	417	14,049	14,466
18	Juvenile Case Manager Fund	1,205	-	1,205	9,894	11,099	72	6%	-		72	9,894	9,966
21	TIF 1 (New Hope Rd) Fund	192,748	-	192,748	(231,673)	(38,925)	28	0%	-		28	(231,673)	(231,645)
34	Leose Fund	1,740	1,650	90	2,102	2,192	0	0%	-	0%	0	2,102	2,102
83	Tree Reforestation Fund	30	-	30	71,053	71,083	4	13%	-	14%	4	71,053	71,057
		\$ 433,751	\$ 222,188	\$ 211,563	\$ (80,176)	\$ 131,387	\$ 1,010		\$ 30,068		\$ (29,058)	\$ (80,176)	\$ (109,234)
CAPITAL FUNDS													
4	Capital Projects Fund	\$ 120,060	\$ 106,501	\$ 13,559	\$ 118,161	\$ 131,720	\$ 13,127	11%	\$ -	0%	\$ 13,127	\$ 118,161	\$ 131,288
13	Capital Bond Fund	1,235	-	1,235	8,211,684	8,212,919	6,015,682	487100%	-		6,015,682	8,211,684	\$ 14,227,366
14	Park Dedication Fund	375	170	205	314,310	314,515	21,787	5810%	-	0%	21,787	314,310	\$ 336,097
32	Library Building Fund	110	-	110	(2,282)	(2,172)	34	31%	-		34	(2,282)	\$ (2,248)
45	Roadway Impact Fee Fund	12,130	137,525	(125,395)	678,058	552,663	46,846	386%	21,254	15%	25,592	678,058	\$ 703,650
61	Water Impact Fee Fund	52,660	-	52,660	37,946	90,606	21,411	41%	-		21,411	37,946	59,357
62	Sewer Impact Fee Fund	16,948	60,000	(43,052)	162,506	119,454	29,234	172%	10,000		19,234	162,506	181,740
		\$ 203,518	\$ 304,196	\$ (100,678)	\$ 9,520,383	\$ 9,419,705	\$ 6,148,121		\$ 31,254		\$ 6,028,809	\$ 8,329,845	\$ 14,358,654
EDC 4B FUNDS													
15	EDC 4B Fund	\$ 800,048	\$ 625,073	\$ 174,975	\$ 1,061,839	\$ 1,236,814	\$ 55,153	7%	\$ 80,518	13%	\$ (25,365)	\$ 1,061,839	\$ 1,036,474
		\$ 800,048	\$ 625,073	\$ 174,975	\$ 1,061,839	\$ 1,236,814	\$ 55,153		\$ 80,518		\$ (25,365)	\$ 1,061,839	\$ 1,036,474
SPECIAL REVENUE FUNDS													
30	Hotel/Motel Tax Fund	\$ 11,006	\$ -	\$ 11,006	\$ 24,011	\$ 35,017	\$ 2		\$ -		\$ 2	\$ 24,011	\$ 24,013
35	Disaster Recovery Fund	-	-	\$ -	717	\$ 717	-		-		\$ -	\$ -	\$ -
		11,006	-	11,006	24,728	35,734	2		-		2		\$ 24,013

**Revenues & Expenditures - Budget & Actual Summary
FOR THE MONTH ENDED DECEMBER 31, 2021**

GENERAL FUND REVENUES			
Budget	AMENDED	Actual	Actual Budget %
\$ 8,002,160	\$ -	\$ 3,664,498	45.8%

GENERAL FUND EXPENDITURES			
Budget	AMENDED	Actual	Actual Budget %
\$ 8,901,590	\$ -	\$ 2,022,930	22.7%

STREETS FUND REVENUES			
Budget	AMENDED	Actual	Actual Budget %
\$ 917,506	\$ -	\$ 211,953	23.1%

STREETS FUND EXPENDITURES			
Budget	AMENDED	Actual	Actual Budget %
\$ 1,154,766	\$ -	\$ 192,048	16.6%

WATER/SEWER FUND REVENUES			
Budget	AMENDED	Actual	Actual Budget %
\$ 4,521,797	\$ -	\$ 1,159,990	25.7%

WATER/SEWER FUND EXPENDITURES			
Budget	AMENDED	Actual	Actual Budget %
\$ 4,377,462	\$ -	\$ 923,157	21.1%

STORMWATER FUND REVENUES			
Budget	AMENDED	Actual	Actual Budget %
\$ 266,175	\$ -	\$ 66,613	25.0%

STORMWAER FUND EXPENDITURES			
Budget	AMENDED	Actual	Actual Budget %
\$ 229,343	\$ -	\$ 5,707	2.5%

GENERAL FUND
FOR THE MONTH ENDED DECEMBER 31, 2021
FY 2021-22 WITH PRIOR YEAR COMPARISON

25.0%

	CURRENT FISCAL YEAR							PRIOR FISCAL YEAR				
	BUDGET		ACTUAL			PROJECTED		BUDGET		FY ACTUAL		
	FY 2021-2022		M-T-D	Y-T-D	Y-T-D	FY 2021-2022		FY 2020-2021		FY 2020-2021		
	Adopted Budget	Amended Budget	Dec-21	Dec-21	% Budget	Dec-21	% Budget	Original Budget	Amended Budget	M-T-D DEC-20	Y-T-D DEC-20	Y-T-D % Budget
REVENUES												
Property Taxes	\$ 4,813,480		\$ 2,532,846	\$ 3,152,047	65.5%	\$ 1,203,370	25.0%	\$ 4,629,418	\$ 4,808,157	\$ 2,587,172	\$ 3,147,214	65.5%
Sales / Beverage Tax	1,824,643		140,311	141,453	7.8%	456,161	25.0%	1,438,404	1,580,632	144,237	145,321	9.2%
Grants / Contributions	46,000		-	500	1.1%	11,500	25.0%	65,000	65,000	-	42,747	65.8%
Licenses / Permits	192,680		42,169	137,780	71.5%	48,170	25.0%	191,605	282,485	7,489	25,677	9.1%
Fines / Fees	71,604		9,369	28,344	39.6%	17,901	25.0%	106,718	63,718	2,862	10,565	16.6%
Charge for Services	247,401		5,048	56,860	23.0%	61,850	25.0%	205,500	205,500	28,742	55,107	26.8%
Investment Earnings	1,500		101	238	15.9%	375	25.0%	24,017	12,000	194	586	4.9%
Miscellaneous Income	25,135		566	2,065	8.2%	6,284	25.0%	5,250	5,250	226	1,630	31.0%
Intergovernmental	778,217		48,373	145,061	18.6%	194,554	25.0%	647,243	647,243	39,359	118,079	18.2%
Surplus / Sales Rentals	1,500		50	150	10.0%	375	25.0%	1,500	1,500	-	-	0.0%
Total Revenues	\$ 8,002,160	\$ -	\$ 2,778,833	\$ 3,664,498	45.8%	\$ 2,000,540	25.0%	\$ 7,314,655	\$ 7,671,485	\$ 2,810,281	\$ 3,546,926	46.2%
EXPENDITURES												
City Manager	\$ 298,728		\$ 23,256	\$ 50,482	16.9%	\$ 74,682	25.0%	\$ 316,473	\$ 321,424	\$ 32,668	\$ 70,596	22.0%
Mayor and City Council	173,025		40,911	47,023	27.2%	43,256	25.0%	140,525	140,525	8,640	3,564	2.5%
City Secretary	187,082		5,222	18,773	10.0%	46,771	25.0%	175,454	183,777	11,814	36,169	19.7%
Municipal Court	106,204		14,546	28,723	27.0%	26,551	25.0%	98,215	103,477	9,378	22,621	21.9%
Human Resources	141,526		16,762	30,058	21.2%	35,382	25.0%	125,229	135,211	12,665	26,890	19.9%
Finance	484,149		65,527	106,052	21.9%	121,037	25.0%	438,148	464,564	39,375	92,974	20.0%
Police	3,125,084		268,956	697,108	22.3%	781,271	25.0%	2,660,845	2,988,696	239,511	637,560	21.3%
Police SRO	212,749		21,838	42,886	20.2%	53,187	25.0%	178,016	208,698	16,902	38,804	18.6%
Fire	2,649,247		264,769	571,303	21.6%	662,312	25.0%	2,208,977	2,492,360	214,570	453,347	18.2%
Community Development	438,900		63,682	104,996	23.9%	109,725	25.0%	387,924	412,959	35,146	81,623	19.8%
Senior Citizen Center	48,316		3,639	6,878	14.2%	12,079	25.0%	38,376	88,376	1,839	3,376	3.8%
Library	299,681		22,424	64,426	21.5%	74,920	25.0%	275,755	293,925	25,779	57,057	19.4%
Non-Departmental	736,900		14,330	254,222	34.5%	184,225	25.0%	580,159	580,159	126,006	379,880	65.5%
Total Expenditures	\$ 8,901,590	\$ -	\$ 825,862	\$ 2,022,930	22.7%	\$ 2,225,398	25.0%	\$ 7,624,096	\$ 8,414,151	\$ 774,293	\$ 1,904,461	22.6%
Total Revenues Over (Under) Exp	\$ (899,430)	\$ -	\$ 1,952,971	\$ 1,641,568		\$ (224,858)		\$ (309,441)	\$ (742,666)	\$ 2,035,988	\$ 1,642,465	
Other Financing Sources (Uses):												
Non-cash Transactions:												
Capital lease proceeds												
Capital expenditures												
Transfers In (Out):												
Net Change in Fund Balance	\$ (899,430)	\$ -		\$ 1,641,568				\$ (309,441)	\$ (742,666)			
Total Unassigned Fund Balance - BOY	1,890,124			1,890,124				940,257	2,453,218			
Ending Fund Balance Sept. 30	\$ 990,694	\$ -		\$ 3,531,692				\$ 630,816	\$ 1,710,552			
Less: Commitments for Specific Use				-								
Less: Assigned for Specific Use				-				-				
Ending Fund Balance - Unassigned	\$ 990,694	\$ -		\$ 3,531,692				\$ 630,816	\$ 1,710,552			
AVERAGE DAILY EXPENDITURES	24,388	-		5,542				20,888	23,052			

NUMBER OF DAYS IN RESERVE	41	637	30	74
FUND BALANCE AS A % OF EXPENDITURES	11.1%	174.6%	8.3%	20.3%

STREETS FUND
FOR THE MONTH ENDED DECEMBER 31, 2021
FY 2021-22 WITH PRIOR YEAR COMPARISON

25.0%

	CURRENT FISCAL YEAR							PRIOR FISCAL YEAR				
	BUDGET		ACTUAL			PROJECTED		BUDGET		FY ACTUAL		
	FY 2021-2022		M-T-D	Y-T-D	Y-T-D	FY 2021-2022		FY 2020-2021		FY 2020-2021		
	Original Budget	Amended Budget			%		%	Original Budget	Amended Budget	M-T-D DEC-20	Y-T-D DEC-20	Y-T-D % Budget
REVENUES			Dec-21	Dec-21	Budget	Dec-21	Budget					
Franchise Fees Telephone	\$ 18,558		\$ 200	\$ 600	3.2%	\$ 4,640	25.0%	\$ 36,256	\$ 36,256	\$ 200	\$ 600	2%
Franchise Fees Garbage	68,607		7,650	7,650	11.2%	17,152	25.0%	68,607	68,607	-	6,258	9%
Franchise Fees Gas	63,767		-	-	0.0%	15,942	25.0%	64,469	64,469	-	-	0%
Franchise Fees Electricity	312,427		79,462	79,462	25.4%	78,107	25.0%	312,427	312,427	72,300	72,300	23%
Franchise Fees Cable	41,000		-	-	0.0%	10,250	25.0%	53,906	53,906	-	-	0%
Franchise Fees Water Sew	390,084		32,507	97,521	25.0%	97,521	25.0%	311,312	311,312	25,943	77,828	25%
Investment Income	110		3	9	8.2%	28	25.0%	6,930	6,930	12	55	1%
TexDot Connecting Kennedale												
Misc. Income			-	26,211						140	310	
Admin Charge - Stormwater	19,995		-	-	0.0%	4,999	25.0%	19,995	19,995			0%
Park Pavilion Rental	2,908		-	500	17.2%	727	25.0%	3,663	3,663	-	-	0%
Ballfield Rental	50		-	-	0.0%	13	25.0%	50	50			
Sale of Parts/Assets			-	-		-				-	3,840	
Transfer In Park Dedication						-						
Transfer In TIF Fund						-						
Transfer In Donation Fund						-						
Total Revenues	\$ 917,506	\$ -	\$ 119,822	\$ 211,953	23.1%	\$ 229,377	25.0%	\$ 877,615	\$ 877,615	\$ 98,595	\$ 161,191	18%
EXPENDITURES												
Street Maintenance	\$ 997,624		\$ 94,929	\$ 181,547	18.2%	\$ 249,406	25.0%	\$ 868,448	\$ 915,994	\$ 86,695	\$ 187,626	20%
Park Maintenance	120,000		4,560	10,501	8.8%	30,000	25.0%	122,920	122,920	8,115	12,325	10%
Capital Projects	37,142			-	0.0%	9,286	25.0%	24,302	24,302	-	-	
Total Expenditures	\$ 1,154,766	\$ -	\$ 99,489	\$ 192,048	16.6%	\$ 288,692	25.0%	\$ 1,015,670	\$ 1,063,216	\$ 94,810	\$ 199,951	19%
Total Revenues Over (Under) Exp	\$ (237,260)	\$ -	\$ 20,333	\$ 19,905		\$ (59,315)		\$ (138,055)	\$ (185,601)	\$ 3,785	\$ (38,760)	
Other Funding Sources (Uses):												
Non-Cash Transactions:												
Capital Lease Proceeds	-											
Capital Expenditures	-											
Transfers In (Out):												
Debt Service Payments	-											
Net Change in Fund Balance	\$ (237,260)	\$ -		\$ 19,905				\$ (138,055)	\$ (185,601)			
Total Unassigned Fund Balance - BOY	200,978			200,978				341,246	386,646			
Ending Fund Balance Sept. 30	\$ (36,282)	\$ -		\$ 220,883				\$ 203,191	\$ 201,045			
Less: Commitments for Specific Use				-								
Less: Assigned for Specific Use				-								
Ending Fund Balance - Unassigned	\$ (36,282)	\$ -		\$ 220,883				\$ 203,191	\$ 201,045			
AVERAGE DAILY EXPENDITURES	3,263	-		(79)				2,226	2,362			
NUMBER OF DAYS IN RESERVE	(11)			(2,796)				91	85			
FUND BALANCE AS A % OF EXPENDITURES	-3.1%			115.0%				20.0%	18.9%			

WATER & SEWER FUND
FOR THE MONTH ENDED DECEMBER 31, 2021
FY 2021-22 WITH PRIOR YEAR COMPARISON

25.0%

	CURRENT FISCAL YEAR							PRIOR FISCAL YEAR				
	BUDGET		ACTUAL			PROJECTED		BUDGET		FY ACTUAL		
	FY 2021-2022		M-T-D	Y-T-D	Y-T-D	FY 2021-2022		FY 2020-2021		FY 2020-2021		
	Original Budget	Amended Budget	Dec-21	Dec-21	% Budget	Dec-21	% Budget	Original Budget	Amended Budget	M-T-D DEC-20	Y-T-D DEC-20	Y-T-D % Budget
REVENUES												
Water Service	\$ 2,239,404		\$ 176,890	\$ 643,411	28.7%	\$ 559,851	25.0%	\$ 2,128,290	\$ 2,128,290	\$ 139,394	\$ 551,489	26%
Sewer Service	1,700,194		133,450	404,110	23.8%	425,049	25.0%	1,700,194	1,700,194	136,751	418,177	25%
Sewer Surcharge			-	-				2,705	2,705	-	-	
Penalties			-	-				13,231	13,231	-	-	
Administrative Fees			-	-				3,762	3,762	140	399	11%
Water Tap Fees	4,000		-	-		1,000	25.0%	2,856	2,856	4,000	4,000	
Meter Purchase / Install	3,645		3,046	8,863	243.2%	911	25.0%	3,645	3,645	3,033	3,033	
Sewer Tap Fees	1,768		-	-		442	25.0%	1,768	1,768	-	-	
Engineer Review Fees	6,120		-	4,263	69.7%	1,530	25.0%	6,120	6,120	1,000	1,000	
Sanitation Billing Fees	15,507		1,513	1,513		3,877	25.0%	15,507	15,507	-	1,432	
Other Fees Water / Sewer	1,984		-	-		496	25.0%	1,984	1,984	-	-	
Sales Tax	139		12	36	25.9%	35	25.0%	139	139	12	34	24%
Arlington Operator Cost	354,500		31,989	50,613		88,625	25.0%	354,500	354,500	-	-	
Investment Income	1,100		103	300	27.3%	275	25.0%	19,179	19,179	135	562	3%
Miscellaneous Income	4,911		-	-		1,228	25.0%	4,911	4,911	50	100	
Cash Over/Under			-	-								
Equipment Sale Gain (Loss)			-	-						-	-	
Sale of Parts/Assets	1,000		-	-		250	25.0%	1,000	1,000	-	-	
Transfer In - Water Impact Fund			-	-						-	-	
Transfer In - Sewer Impact Fund	60,000		5,000	15,000	25.0%	15,000	25.0%			-	-	
Transfer In - Roadway Impact Fund	127,525		10,627	31,881	25.0%	31,881	25.0%	187,525	187,525	15,627	46,881	25%
Total Revenues	\$ 4,521,797	\$ -	\$ 362,630	\$ 1,159,990	25.7%	\$ 1,130,449	25.0%	\$ 4,447,316	\$ 4,447,316	\$ 300,142	\$ 1,027,107	23%
EXPENDITURES												
Utility Billing	\$ 1,343,331		\$ 205,724	\$ 251,790	18.7%	\$ 335,833	25.0%	\$ 1,460,295	\$ 1,460,295	\$ 206,501	\$ 255,069	17%
Operations	1,388,069		99,047	440,146	31.7%	347,017	25.0%	1,375,369	1,377,223	111,276	534,630	39%
Debt Service	295,216		-	-	0.0%	73,804	25.0%	358,559	358,559	-	-	0%
Capital Projects	483,000		-	1,864	0.4%	120,750	25.0%	600,000	600,000	2,085	6,210	
Non-Departmental	867,846		70,954	229,357	26.4%	216,962	25.0%	710,477	710,477	57,848	191,924	27%
Total Expenditures	\$ 4,377,462	\$ -	\$ 375,725	\$ 923,157	21.1%	1,094,366	25.0%	\$ 4,504,700	\$ 4,506,554	\$ 377,710	\$ 987,833	22%
Total Revenues Over (Under) Exp	\$ 144,335	\$ -	\$ (13,095)	\$ 236,833		\$ 36,084		\$ (57,384)	\$ (59,238)	\$ (77,568)	\$ 39,274	
Other Funding Sources (Uses):												
Debt Service - Bond Payments												
Non-Cash Transactions:												
Capital Lease Proceeds												
Capital expenditures												
Net Change in Fund Balance	\$ 144,335	\$ -		\$ 236,833				\$ (57,384)	\$ (59,238)			
Total Unrestricted Fund Balance - BOY	3,545,736			3,545,736				2,076,297	2,946,002			
Total Fund Balance - EOY	\$ 3,690,071	\$ -		\$ 3,782,569				\$ 2,018,913	\$ 2,886,764			
Less: Commitments for Specific Use				-								
Less: Assigned for Specific Use				-				-				
Ending Fund Balance - Unrestricted	\$ 3,690,071	\$ -		\$ 3,782,569				\$ 2,018,913	\$ 2,886,764			
AVERAGE DAILY EXPENDITURES	11,993	-		2,529				157	162			
NUMBER OF DAYS IN RESERVE	308			1,496				12,842	17,787			
FUND BALANCE AS A % OF EXPENDITURES	84.3%			409.7%				44.8%	64.1%			

STORMWATER FUND
FOR THE MONTH ENDED DECEMBER 31, 2021
FY 2021-22 WITH PRIOR YEAR COMPARISON

25.0%

	CURRENT FISCAL YEAR						
	BUDGET		ACTUAL			FY PROJECTED	
	FY 2021-2022		M-T-D	Y-T-D	Y-T-D	FY 2021-2022	
	Original Budget	Amended Budget	Dec-21	Dec-21	% Budget	Dec-21	% Budget
REVENUES							
Penalties	\$ -					\$ -	
Grant Revenue							
Drainage Fees	266,000		22,266	66,578	25.0%	66,500	25.0%
Investment Income	175		12	35	20.0%	44	25.0%
Miscellaneous Income							
Total Revenues	\$ 266,175	\$ -	\$ 22,278	\$ 66,613	25.0%	\$ 66,544	25.0%
EXPENDITURES							
Stormwater Utility	229,343		\$ 1,326	\$ 5,707	2.5%	\$ 57,336	25.0%
Total Expenditures	\$ 229,343	\$ -	\$ 1,326	\$ 5,707	2.5%	\$ 57,336	25.0%
Total Revenues Over (Under) Exp	\$ 36,832	\$ -	\$ 20,952	\$ 60,906		\$ 9,208	
Other Financing Sources (Uses):							
Capital Grant Contributions	-	-	-	-			
Net Change in Fund Balance	\$ 36,832	\$ -		\$ 60,906			
Total Unrestricted Fund Balance - BOY	381,259			381,259			
Total Fund Balance - EOY	\$ 418,091	\$ -		\$ 442,165			
Less: Commitments for Specific Use	-	-		-		-	
Ending Fund Balance - Unrestricted	\$ 418,091	\$ -		\$ 442,165			

PRIOR FISCAL YEAR				
BUDGET		FY ACTUAL		
FY 2020-2021		FY 2020-2021		
Original Budget	Final Budget	M-T-D DEC-20	Y-T-D DEC-20	Y-T-D % Budget
\$ 1,200	\$ 1,200	\$ -	\$ -	
320,952	320,952	22,105	66,326	20.7%
1,000	1,000	20	86	8.6%
\$ 323,152	\$ 323,152	\$ 22,125	\$ 66,412	21%
561,929	\$ 565,644	\$ 18,999	\$ 28,572	5.1%
\$ 561,929	\$ 565,644	\$ 18,999	\$ 28,572	5%
\$ (238,777)	\$ (242,492)	\$ 3,126	\$ 37,840	
-	-	-	-	
\$ (238,777)	\$ (242,492)			
\$ (151,838)	\$ 287,257			
\$ (390,615)	\$ 44,765			
-	-			
\$ (390,615)	\$ 44,765			

**OTHER FUNDS: MONTHLY FINANCIALS
FOR THE MONTH ENDED DECEMBER 31, 2021**

		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	Fund Balance Beginning of Year	Y-T-D Fund Balance Projection
DEBT SERVICE FUND													
2	Debt Service Fund	\$ 1,727,705	\$ 1,668,763	\$ 58,942	\$ 601,112	\$ 660,054	\$ 1,050,665	61%	\$ -	0%	\$ 1,050,665	\$ 601,112	\$ 1,651,777
OTHER GENERAL FUNDS													
5	Capital Replacement Fund	\$ 234,703	\$ 219,663	\$ 15,040	\$ 29,055	\$ 44,095	\$ 1,222	1%	\$ 45,102	21%	\$ (43,880)	\$ 29,055	\$ (14,825)
12	Court Security Fund	2,115	-	2,115	25,344	27,459	758	36%	-	0%	758	25,344	26,102
16	Court Technology Fund	1,210	875	335	14,049	14,384	652	54%	-	0%	652	14,049	14,701
18	Juvenile Case Manager Fund	1,205	-	1,205	9,894	11,099	120	10%	-	0%	120	9,894	10,014
21	TIF 1 (New Hope Rd) Fund	192,748	-	192,748	(231,673)	(38,925)	43	0%	-	0%	43	(231,673)	(231,630)
34	Leose Fund	1,740	1,650	90	2,102	2,192	0	0%	-	0%	0	2,102	2,102
83	Tree Reforestation Fund	30	-	30	71,053	71,083	6	20%	-	0%	6	71,053	71,059
		\$ 433,751	\$ 222,188	\$ 211,563	\$ (80,176)	\$ 131,387	\$ 2,801		\$ 45,102		\$ (42,301)	\$ (80,176)	\$ (122,477)
CAPITAL FUNDS													
4	Capital Projects Fund	\$ 120,060	\$ 106,501	\$ 13,559	\$ 118,161	\$ 131,720	\$ 25,845	22%	\$ -	0%	\$ 25,845	\$ 118,161	\$ 144,006
13	Capital Bond Fund	1,235	-	1,235	8,211,684	8,212,919	6,015,926	487120%	24,831		5,991,095	8,211,684	\$ 14,202,779
14	Park Dedication Fund	375	170	205	314,310	314,515	31,407	8375%	-	0%	31,407	314,310	\$ 345,717
32	Library Building Fund	110	-	110	(2,282)	(2,172)	34	31%	-	0%	34	(2,282)	\$ (2,248)
45	Roadway Impact Fee Fund	12,130	137,525	(125,395)	678,058	552,663	64,502	532%	31,881	23%	32,621	678,058	\$ 710,679
61	Water Impact Fee Fund	52,660	-	52,660	37,946	90,606	32,787	62%	-	0%	32,787	37,946	70,733
62	Sewer Impact Fee Fund	16,948	60,000	(43,052)	162,506	119,454	41,381	244%	15,000	25%	26,381	162,506	188,887
		\$ 203,518	\$ 304,196	\$ (100,678)	\$ 9,520,383	\$ 9,419,705	\$ 6,211,882		\$ 71,712		\$ 6,016,940	\$ 8,329,845	\$ 14,346,785
EDC 4B FUNDS													
15	EDC 4B Fund	\$ 800,048	\$ 625,073	\$ 174,975	\$ 1,061,839	\$ 1,236,814	\$ 126,374	16%	\$ 112,617	18%	\$ 13,757	\$ 1,061,839	\$ 1,075,596
		\$ 800,048	\$ 625,073	\$ 174,975	\$ 1,061,839	\$ 1,236,814	\$ 126,374		\$ 112,617		\$ 13,757	\$ 1,061,839	\$ 1,075,596
SPECIAL REVENUE FUNDS													
30	Hotel/Motel Tax Fund	\$ 11,006	\$ -	\$ 11,006	\$ 24,011	\$ 35,017	\$ 2		\$ -		\$ 2	\$ 24,011	\$ 24,013
35	Disaster Recovery Fund	-	-	\$ -	717	\$ 717	-		-		\$ -	\$ -	\$ -
		11,006	-	11,006	24,728	35,734	2		-		2		\$ 24,013
													PAGE 6

MEETING DATE: JANUARY 18, 2022

AGENDA ITEM NUMBER: REPORTS AND ANNOUNCEMENTS ITEM V.C.6.

SUBJECT

Schedule of Investment Activity for quarter ending December 31, 2021

ORIGINATED BY

Debby Scott, Interim Finance Director

SUMMARY

In accordance with Public Funds Investment Act (PFIA), investments are reported to the City Council quarterly. The attached report covers the first quarter of FY21–22. Staff will be available to answer questions.

RECOMMENDATION

ATTACHMENTS

1.	Copy of DECEMBER_2021 Investment Report	Copy of DECEMBER_2021 Investment Report.pdf
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CITY OF KENNEDALE, TEXAS
GL Balance
FOR QUARTER DECEMBER 31, 2021

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

SUMMARY OF INVESTMENTS FOR THE QUARTER

100% of the City of Kennedale's investments are owned by the Pooled Cash Fund. As of the reporting quarter, 93.87% of the City's investments are in investment pools, and 6.13% are invested in money market savings accounts.

INVESTMENT STRATEGIES

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

INVESTMENT PORTFOLIO ALLOWABLE BREAKDOWN

Certificates of Deposit (50%), Investment Pools (100%)*, Money Market Mutual Funds (100%)*, Repurchase Agreements (50%)*, Government Obligations (25%), US Treasury & US Agency Callables (25%), US Government Agencies & Instrumentalities (100%), and US Treasury Notes/Bills (100%)

*(no more than 50% in any individual pool, fund, or repurchase agreement)

CASH BREAKDOWN BY FUND			
Fund	Oct-21	Nov-21	Dec-21
01- General Fund	\$ 2,245,971.56	\$ 2,407,997.06	\$ 4,387,392.15
02- Debt Service Fund	\$ 742,148.06	\$ 891,646.05	\$ 1,736,017.08
04- Capital Project Fund	\$ 147,091.44	\$ 160,214.96	\$ 172,932.95
05- Capital Replacement Fund	\$ 16,882.22	\$ 5,166.78	\$ (7,377.12)
07- Storm Drainage Utility Fund	\$ 400,306.35	\$ 418,261.59	\$ 434,838.47
10- Water/Sewer Fund	\$ 3,482,392.07	\$ 3,513,149.36	\$ 3,452,860.07
12- Court Security Fund	\$ 25,490.11	\$ 25,736.49	\$ 26,006.87
13-CIP Tax Note	\$ 8,319,387.38	\$ 8,319,636.90	\$ 8,295,050.22
14- Park Dedication Fund	\$ 659,486.12	\$ 669,806.05	\$ 679,425.91
15- Economic Development Fund	\$ 1,088,767.07	\$ 1,209,257.44	\$ 1,247,304.61
16- Court Technology Fund	\$ 14,537.79	\$ 14,749.78	\$ 14,984.71
17- Streets Improvement Fund	\$ 110,210.77	\$ 94,054.13	\$ 117,825.27
18- Juvenile Case Manager Fund	\$ 8,154.80	\$ 8,202.85	\$ 8,254.07
21- TIF #1 New Hope Fund	\$ 497,710.93	\$ 497,725.85	\$ 497,740.50
30- Hotel/Motel Tax Fund	\$ 29,563.23	\$ 29,564.11	\$ 29,564.98
31- Police Seizure	\$ 662.97	\$ 662.99	\$ 1,763.03
32- Library Building Fund	\$ (2,075.29)	\$ (2,040.80)	\$ (2,040.80)
34- LEOSE Fund	\$ 1,886.13	\$ 1,886.19	\$ 1,886.25
35-Disaster Recovery Fund	\$ 1,071,842.07	\$ 1,071,842.07	\$ 1,071,054.77
41- Park Rec/Other Donation Fund	\$ 37,026.02	\$ 36,712.15	\$ 35,331.69
45- Roadway Impact Fee Fund	\$ 353,002.99	\$ 372,391.41	\$ 379,420.55
61- Water Impact Fee Fund	\$ 60,603.45	\$ 69,670.20	\$ 81,046.60
62- Sewer Impact Fee Fund	\$ 179,012.13	\$ 189,302.46	\$ 196,449.93
83- Tree Reforestation Fund	\$ 71,056.70	\$ 71,058.83	\$ 71,060.92
85- Unclaimed Property Fund	\$ 1,990.24	\$ 1,990.24	\$ 1,990.24
95- EDC Reserve Fund	\$ 125,728.26	\$ 125,732.03	\$ 125,735.73
TOTAL ALL FUNDS	\$ 19,688,835.57	\$ 20,204,377.17	\$ 23,056,519.65

WELLS FARGO ACCOUNTS RECONCILIATION														
Bank Account	October 30, 2021 GL Balance	October, 2021 Ending Bank Balance	Add: October Deposits	Less: October Withdrawals	Add: October Interest	Add: November Deposits	Less: November Withdrawals	Add: November Interest	Add: December Deposits	Less: December Withdrawals	Add: December Interest	December 31, 2021 Ending Bank Balance	December 30, 2021 Ending GL Balance	Unreconciled Difference
Consolidated Cash	\$ 1,935,094.96	\$ 1,935,094.96	\$ 1,053,691.50	\$ (1,392,707.10)		\$ 1,213,934.64	\$ (1,264,365.46)		\$ 788,586.53	\$ (1,020,578.07)		\$ 1,313,657.00	\$ 1,313,657.00	\$ -
Payroll Clearing	\$ 0.00	\$ 0.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 0.00	\$ 0.00	\$ -
Section 125 Flex	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Health Reimbursement	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Employee Health Benefit Trust	\$ 48.03	\$ 48.03	\$ 45,184.78	\$ (45,183.41)	\$ 1.37	\$ 43,748.38	\$ (43,746.71)	\$ 1.67	\$ 45,913.53	\$ (45,912.16)	\$ 1.37	\$ 52.44	\$ 52.44	\$ -
TOTAL WELLS FARGO ACCOUNTS	\$ 1,935,142.99	\$ 1,935,142.99										1,313,709.44	1,313,709.44	-

TEX STAR INVESTMENTS														
Bank Account	October 30, 2021 GL Balance	October, 2021 Ending Bank Balance	Add: October Deposits	Less: October Withdrawals	Add: October Interest	Add: November Deposits	Less: November Withdrawals	Add: November Interest	Add: December Deposits	Less: December Withdrawals	Add: December Interest	December 31, 2021 Ending Bank Balance	December 30, 2021 Ending GL Balance	Unreconciled Difference
Consolidated Cash	\$ 346,436.44	346,436.44			\$ 2.85	\$ -	\$ -	\$ 2.84	\$ -	\$ -	\$ 4.04	\$ 346,446.17	\$ 346,446.17	\$ -
TOTAL TEX STAR ACCOUNTS	\$ 346,436.44	\$ 346,436.44										346,446.17	346,446.17	-

TEX POOL INVESTMENTS														
Bank Account	October 30, 2021 GL Balance	10/31/2021	11/30/2021	12/31/2021	Add: October Interest	Add: November Deposits	Less: November Withdrawals	Add: November Interest	Add: December Deposits	Less: December Withdrawals	Add: December Interest	December 31, 2021 Ending Bank Balance	December 30, 2021 Ending GL Balance	Unreconciled Difference
Consolidated Cash	\$ 11,555,298.56	\$ 11,555,298.56	\$ 6,114,324.61	\$ -	\$ 420.51	\$ 616,409.11	\$ -	\$ 563.27	\$ 1,491,617.98	\$ -	\$ 601.20	\$ 19,779,235.24	\$ 19,779,235.24	\$ -
TOTAL TEX POOL ACCOUNTS	11,555,298.56	\$ 11,555,298.56										19,779,235.24	19,779,235.24	-

	31-Oct-21	31-Dec-21
TOTAL INVESTMENT POOLS	\$ 11,901,735.00	20,125,681.41

APR %	
Wells Fargo Payroll Clearing	0.04%-0.05%
Wells Fargo Section 125 Flex	0.04%-0.05%



MEETING DATE: JANUARY 18, 2022

AGENDA ITEM NUMBER: CONSENT AGENDA ITEM V.D.1.

SUBJECT

Approval of the minutes from the November 15, 2021 special meeting

ORIGINATED BY

Leslie Galloway, Interim City Manager

SUMMARY

Minutes will be provided before the meeting.

RECOMMENDATION

ATTACHMENTS



MEETING DATE: JANUARY 18, 2022

AGENDA ITEM NUMBER: CONSENT AGENDA ITEM V.D.2.

SUBJECT

Approval of the minutes from the November 16, 2021 regular meeting

ORIGINATED BY

Leslie Galloway, Interim City Manager

SUMMARY

Minutes will be provided before the meeting.

RECOMMENDATION

ATTACHMENTS



MEETING DATE: JANUARY 18, 2022

AGENDA ITEM NUMBER: CONSENT AGENDA ITEM V.D.3.

SUBJECT

Approval of the minutes from the November 22, 2021 special meeting

ORIGINATED BY

Leslie Galloway, Interim City Manager

SUMMARY

Minutes will be provided before the meeting.

RECOMMENDATION

ATTACHMENTS



MEETING DATE: JANUARY 18, 2022

AGENDA ITEM NUMBER: CONSENT AGENDA ITEM V.D.4.

SUBJECT

Approval of the minutes from the December 2, 2021 special meeting

ORIGINATED BY

Leslie Galloway, Interim City Manager

SUMMARY

Minutes will be provided before the meeting.

RECOMMENDATION

ATTACHMENTS



MEETING DATE: JANUARY 18, 2022

AGENDA ITEM NUMBER: CONSENT AGENDA ITEM V.D.5.

SUBJECT

Approval of the minutes from the December 7, 2021 special meeting

ORIGINATED BY

Leslie Galloway, Interim City Manager

SUMMARY

Minutes will be provided before the meeting.

RECOMMENDATION

ATTACHMENTS



MEETING DATE: JANUARY 18, 2022

AGENDA ITEM NUMBER: CONSENT AGENDA ITEM V.D.6.

SUBJECT

Approval of the minutes from the December 14, 2021 special meeting

ORIGINATED BY

Leslie Galloway, Interim City Manager

SUMMARY

Minutes will be provided before the meeting.

RECOMMENDATION

ATTACHMENTS



MEETING DATE: JANUARY 18, 2022

AGENDA ITEM NUMBER: CONSENT AGENDA ITEM V.D.7.

SUBJECT

Approval of the minutes from the January 3, 2022 special meeting

ORIGINATED BY

Leslie Galloway, Interim City Manager

SUMMARY

Minutes will be provided before the meeting.

RECOMMENDATION

ATTACHMENTS

MEETING DATE: JANUARY 18, 2022

AGENDA ITEM NUMBER: CONSENT AGENDA ITEM V.D.8.

SUBJECT

Approval of a Resolution calling the General Election for Saturday, May 7, 2022

ORIGINATED BY

Leslie Galloway, Interim City Manager

SUMMARY

The attached Resolution is an ordering of the General Election on Saturday, May 7, 2022. Mayor and City Council Places 2 and 4 will appear on the ballot. Candidate Packets will be available online (cityofkennedale.com/candidatepacket) and in the City Secretary's Office next week. The filing period is from 8:00 a.m. Wednesday, January 19 through 5:00 p.m. Friday, February 18, 2022, during regular office hours. More information is available at cityofkennedale.com/election.

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

- Wednesday, January 19, 2022: First day to file an 'Application for a Place on Ballot'
- Friday, February 18, 2022: Deadline to file an 'Application for a Place on Ballot' (must be received by 5:00 pm); last day for the governing body of a municipality to order a General and/or Special Election
- Friday, February 25, 2022, at 11:30 a.m.: Drawing to determine order of names on the ballot
- Thursday, April 7, 2022: Last day to register to vote in this election
- April 25 through May 3, 2022: Early Voting
- **Saturday, May 7, 2022 - ELECTION DAY 7:00 a.m. to 7:00 p.m.**
- May 10-18, 2022: Period for official canvass* of returns and oaths of office of newly elected officers, unless runoff is necessary
- June 18, 2022: Runoff Election, if necessary (Because the City of Kennedale elects by majority, a candidate must receive more than 50% of the votes cast to be considered elected.)

**NOTE: As the Council's regular meeting in May would be Tuesday, May 17, staff would propose conducting the canvass during a separate special meeting immediately preceding, perhaps at 5:00 p.m.*

RECOMMENDATION

Approve

ATTACHMENTS

1.	R599 Calling 2022 General Election	R599 Calling 2022 General Election.docx
2.	DRAFT Early Voting Schedule	DRAFT Early Voting Schedule.pdf

RESOLUTION NO. 599

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KENNEDALE, TEXAS, CALLING FOR A GENERAL ELECTION TO BE HELD ON MAY 7, 2022; APPROVING A JOINT ELECTION WITH TARRANT COUNTY; ESTABLISHING PROCEDURES FOR THAT ELECTION; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the regular election for City Council of the City of Kennedale is required to be held on May 2, 2022, at which time the voters will elect persons to fill the offices of Mayor and City Council Places 2 and 4; and

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

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

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

SECTION 1. GENERAL ELECTION CALLED.

An election is hereby called to elect the offices of Mayor and City Council Places 2 and 4 to serve from May of 2022 until May of 2024, or until their successors are duly elected and qualified. The election shall be held on Saturday, May 7, 2022, between the hours of 7:00 a.m. and 7:00 p.m. at Kennedale Community Center (in the Kennedale Public Library), 316 W. 3rd Street, Kennedale, Texas 76060.

SECTION 2. JOINT ELECTION AGREEMENT APPROVED.

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

SECTION 3. APPLICATION FOR PLACE ON BALLOT.

Qualified persons may file as candidates by filing applications in the office of the City Secretary from 8:00 a.m. to 5:00 p.m., Monday through Friday, from January 19, 2022 through February 18, 2022.

SECTION 4. EARLY VOTING.

- a. **Early voting by personal appearance.** Early voting by personal appearance shall

be conducted beginning April 25, 2022, and continue through May 3, 2022, at the Kennedale Community Center (in the Kennedale Public Library), 316 W. 3rd Street, Kennedale, Texas 76060, at the following times:

MONDAY, APRIL 25, 2022	8:00 A.M. – 5:00 P.M.
TUESDAY, APRIL 26, 2022	8:00 A.M. – 5:00 P.M.
WEDNESDAY, APRIL 27, 2022	8:00 A.M. – 5:00 P.M.
THURSDAY, APRIL 28, 2022	8:00 A.M. – 5:00 P.M.
FRIDAY, APRIL 29, 2022	8:00 A.M. – 5:00 P.M.
SATURDAY, APRIL 30, 2022	7:00 A.M. – 7:00 P.M.
SUNDAY, MAY 1, 2022	11:00 A.M. – 4:00 P.M.
MONDAY, MAY 2, 2022	7:00 A.M. – 7:00 P.M.
TUESDAY, MAY 3, 2022	7:00 A.M. – 7:00 P.M.

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

- b. **Early Voting by Mail.** Heider Garcia, the Tarrant County Elections Administrator, or his successor, acting pursuant to Texas Government Code §601.002 (“Election Administrator”), is hereby designated as Early Voting Clerk for the election. Applications for early voting by mail may be delivered not later than the close of business on April 26, 2022, to the Election Administrator in any of the following ways: via mail to Early Voting Clerk, P.O. Box 961011, Fort Worth, Texas 76161-0011; via courier or hand delivery to Tarrant County Elections, 2700 Premier St., Fort Worth, Texas 76111-3011; via fax to 817-850-2344; or via email to votebymail@tarrantcounty.com.
- c. **Early Voting Ballot Board.** Early voting, both by personal appearance and by mail, shall be canvassed by the Early Voting Ballot Board established by Tarrant County under the terms of the Agreement.

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

SECTION 6. METHOD OF VOTING; COSTS.

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

SECTION 7. GOVERNING LAW AND QUALIFIED VOTERS.

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

SECTION 8. PUBLICATION AND POSTING OF NOTICE OF ELECTION.
Notice of the election shall be given as required by Chapter 4 of the Code.

SECTION 9. SUBMISSIONS TO THE UNITED STATES JUSTICE DEPARTMENT.
Tarrant County is authorized to make such submissions as are necessary to the United States Justice Department to seek pre-clearance for any changes in voting practices as authorized by the Voting Rights Act of 1965, as amended.

SECTION 10. NECESSARY ACTIONS.
The Mayor and the City Secretary, in consultation with the City Attorney, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of federal and state law in carrying out and conducting the election, whether or not expressly authorized herein.

SECTION 11. RUNOFF ELECTION.
The Council hereby orders that, following the canvass of the May 7, 2022 election, any runoff election required shall be held in accordance with Section 2.025(a) of the Code, and on a date as agreed to between the City of Kennedale and Tarrant County Elections Administration.

SECTION 12. EFFECTIVE DATE.
This resolution shall be effective upon its adoption.

PASSED AND APPROVED THIS 18TH DAY OF JANUARY 2022.

APPROVED:

MAYOR, LINDA RHODES

[CITY SEAL]

ATTEST:

CITY SECRETARY, LESLIE E. GALLOWAY

APPROVED AS TO FORM AND LEGALITY:

CITY ATTORNEY, DREW LARKIN

2022 ELECTION CALENDARS

TUESDAY, MARCH 1, 2022 REPUBLICAN AND DEMOCRATIC PRIMARY ELECTIONS EARLY VOTING SCHEDULE

February 14 - 18	Monday – Friday	8:00 a.m. - 5:00 p.m.
February 19	Saturday	7:00 a.m. - 7:00 p.m.
February 20	Sunday	11:00 a.m. - 4:00 p.m.
February 21	Monday	(Closed - Presidents' Day)
February 22 - 25	Tuesday - Friday	7:00 a.m. - 7:00 p.m.

SATURDAY, MAY 7, 2022 ENTITY ELECTIONS EARLY VOTING SCHEDULE

April 25 - 29	Monday – Friday	8:00 a.m. - 5:00 p.m.
April 30	Saturday	7:00 a.m. - 7:00 p.m.
May 1	Sunday	11:00 a.m. - 4:00 p.m.
May 2 - 3	Monday – Tuesday	7:00 a.m. - 7:00 p.m.

TUESDAY, MAY 24, 2022 PRIMARY RUNOFF ELECTION EARLY VOTING SCHEDULE

May 16 – 20	Monday – Friday	7:00 a.m. - 7:00 p.m.
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SATURDAY, JUNE 18, 2022 ENTITY RUNOFF ELECTION EARLY VOTING SCHEDULE

June 6 - 10	Monday - Friday	8:00 a.m. - 5:00 p.m.
June 11	Saturday	7:00 a.m. - 7:00 p.m.
June 12	Sunday	11:00 a.m. - 4:00 p.m.
June 13 - 14	Monday – Tuesday	7:00 a.m. - 7:00 p.m.

TUESDAY, NOVEMBER 8, 2022 GENERAL AND JOINT ELECTIONS EARLY VOTING SCHEDULE

October 24 - 28	Monday – Friday	8:00 a.m. - 5:00 p.m.
October 29	Saturday	7:00 a.m. - 7:00 p.m.
October 30	Sunday	11:00 a.m. - 4:00 p.m.
October 31	Monday	7:00 a.m. - 7:00 p.m.
November 1 - 4	Tuesday - Friday	7:00 a.m. - 7:00 p.m.

TUESDAY, DECEMBER 13, 2022 JOINT RUNOFF ELECTIONS EARLY VOTING SCHEDULE

November 28 - 30	Monday – Wednesday	8:00 a.m. - 5:00 p.m.
December 1 - 2	Thursday - Friday	8:00 a.m. - 5:00 p.m.
December 3	Saturday	7:00 a.m. - 7:00 p.m.
December 4	Sunday	11:00 a.m. - 4:00 p.m.
December 5 - 9	Monday - Friday	7:00 a.m. - 7:00 p.m.

MEETING DATE: JANUARY 18, 2022

AGENDA ITEM NUMBER: CONSENT AGENDA ITEM V.D.9.

SUBJECT

Authorize the Mayor to sign an Interlocal Agreement with the Fort Worth Transportation Authority ("Trinity Metro") for Administrative Cost Funding for Section 5310 Program

ORIGINATED BY

Leslie Galloway, Interim City Manager

SUMMARY

This is an annual agreement, between the City of Kennedale and the Fort Worth Transportation Authority (FWTA / "Trinity Metro"), that allows for Tarrant County Transportation Services (TCTS) paratransit services to provide transportation of older adults (65+) and other qualified persons to and from a variety of venues for purposes including shopping, medical, and recreational for a fare of \$2.50 per trip (one-way).

This is pursuant to a Federal grant to FWTA to serve persons in cities without transportation services and which are not members of a transportation authority. This is designated as a Section 5310 program, under Title 49, Section 5310, US Code.

There are two contracts attached, at a total annual cost of \$1,288.00. If approved, the contracted services will be provided through December 31, 2022, and are provided for under the "Special Services" line item in the Mayor/Council budget. The first is for the original program (for which the City pays a grant administration fee of \$1,288.00 to participate); and a supplemental contract (at no additional cost) for an extra day of service that began in October 2018. There is also a 2021 ridership report included, showing a total value of services provided through the program of 7,833.55 for the 188 trips taken by Kennedale residents last year.

RECOMMENDATION

Approve

ATTACHMENTS

1.	TCTS ILA Kennedale 2022	TCTS ILA Kennedale 2022.doc
2.	TCTS Kennedale Ridership Jan - Nov 2021	TCTS Kennedale Ridership Jan - Nov 2021.xlsx

**INTERLOCAL AGREEMENT
FOR ADMINISTRATIVE COSTS FUNDING FOR
SECTION 5310 PROGRAM
BETWEEN
THE FORT WORTH TRANSPORTATION AUTHORITY
AND
THE CITY OF KENNEDALE, TEXAS**

The Fort Worth Transportation Authority (“Trinity Metro”) and the City of Kennedale, Texas (“City”) are both local governmental entities as that term is used in Chapter 791, Interlocal Cooperation Contracts, V.T.C.A., Government Code. They shall sometimes be referred to collectively as the “Parties”.

WHEREAS, the City of Kennedale desires to provide door-to-door paratransit services for elderly and persons with disabilities within Tarrant County and does not have a transportation service nor is it a member of a transportation authority; and

WHEREAS, Trinity Metro is a federal grantee of the Federal Transit Administration and the Federal Transit Administration provides funding to States under Section 5310 of Title 49 of the United States Code, and the goal of the Section 5310 program is to provide transportation for elderly and disabled persons residing in cities that do not have public transportation available to them; and

WHEREAS, the Texas Department of Transportation (TxDOT) asked Trinity Metro to develop and implement a Section 5310 Tarrant County Transportation Services (TCTS) program for otherwise underserved communities in Tarrant county; and

WHEREAS, Trinity Metro has been awarded the grant for this area and the City of Kennedale is contributing a total of \$1,288.00 towards the administrative costs of the Section 5310 service (TCTS) for the period from January 1, 2022 through December 31, 2022; and

WHEREAS, the monies will support a portion of administrative costs for the transportation services to the described peoples during a 12-month period;

Now, therefore, the parties pursuant to City of Kennedale action and Trinity Metro action, agree as follows:

1. This program is called Tarrant County Transportation Services (TCTS). This transportation is provided for a variety of purposes such as medical appointments, shopping, recreation, school or work. The City of Kennedale will be allocated one day (Tuesday), each week as their primary designated day for transportation. On that day, all available vehicles will be provided for service to qualified Kennedale residents. On the remaining days of the week, rides are available subject to the priority requests from other cities on a first-come basis.
2. Each party represents to the other that the delegated costs of the project under the Agreement, as well as any payments made by it pursuant to this Agreement, will be made from current revenues and/or specified grant funds. Further, each Party warrants and represents to the other party that each Party has been authorized by its respective governing body to do so. Each party further represents and warrants to the other Party that any renewal of, deletion, or change to this Agreement will be in writing and authorized by its respective governing body.
3. Trinity Metro will administer transportation services to the citizens of the City of Kennedale under the program known as Tarrant County Transportation Services from January 1, 2022 through December 31, 2022.
4. Trinity Metro will administer demand responsive transportation services for the seniors and persons with disabilities of Kennedale according to the federal requirements of the Section 5310 grant and according to the relevant State of Texas statutes.
5. The City of Kennedale will pay the authorized amounts to Trinity Metro within 30 days of receipt of invoice. The payment will be for the period from January 1, 2022 through December 31, 2022.
6. Trinity Metro will provide access upon request to the Section 5310 records to the City of Kennedale.
7. Parties will comply with all applicable State of Texas and federal statutes and regulations as required by their status as a federal grantee and transit authority of the State of Texas, and federal grantee and municipality of the State of Texas, respectively.
8. The term of this agreement will begin January 1, 2022 and end December 31, 2022.
9. The City of Kennedale will be considered a participating community and the qualifying residents of Kennedale will be entitled to ride TCTS for a one-way trip fare of \$2.50.

CITY OF KENNEDALE, TEXAS FORT WORTH TRANSPORTATION AUTHORITY:

By: _____
Mayor

By: _____
Paul J Ballard
President & CEO

ATTEST:

APPROVED AS TO FORM:

City Attorney
City of Kennedale, Texas

Tarrant County Transportation Service

City of Kennedale

January 2021 - November 2021

<u>Month</u>	<u>Tuesday One-Way Trips</u>	<u>Cost</u>	<u>Friday One-Way Trips</u>	<u>Cost</u>
Jan 2021	2	\$82.02	5	\$205.05
Feb	2	\$82.02	7	\$287.07
Mar	4	\$164.04	7	\$287.07
Apr	4	\$164.04	13	\$533.13
May	17	\$697.17	11	\$451.11
June	6	\$246.06	9	\$369.09
July	6	\$246.06	12	\$492.12
Aug	14	\$595.00	1	\$42.50
Sept	15	\$637.50	8	\$340.00
Oct	10	\$425.00	10	\$425.00
Nov	17	\$722.50	8	\$340.00
Total	97	\$4,061.41	91	\$3,772.14



MEETING DATE: JANUARY 18, 2022

AGENDA ITEM NUMBER: CONSENT AGENDA ITEM V.D.10.

SUBJECT

Approval of an Interlocal Agreement (ILA) with the City of Everman for rabies control and the shared use of the City of Everman Animal Shelter

ORIGINATED BY

Darrell Hull, Police Chief

SUMMARY

The City currently contracts with Fort Worth for animal control services. Because Everman's fees are lower for the same or similar services, this ILA will become the primary source for animal control, with Fort Worth serving as a secondary option based on availability. Costs charged to the City are included in Exhibit A (not to exceed \$400.00/animal for impoundment; and not to exceed \$200.00 for rabies specimen). Costs paid by the public are in Exhibit B. The contract also outlines a maximum annual cost to the City of \$55,000 for all services. The contract term is through the end of 2022, but can be canceled with 30 days' written notice by either party.

RECOMMENDATION

Approve

ATTACHMENTS

1.	ILA - Everman ^0 Kennedale - Animal Control ^0 Rabies Control (002)	ILA - Everman ^0 Kennedale - Animal Control ^0 Rabies Control (002).pdf
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STATE OF TEXAS

§

§

COUNTY OF TARRANT

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**INTERLOCAL AGREEMENT BETWEEN THE CITY OF EVERMAN, TEXAS AND
THE CITY OF KENNEDALE, TEXAS, FOR RABIES CONTROL AND THE SHARED
USE OF THE CITY OF EVERMAN ANIMAL SHELTER**

THIS AGREEMENT is made and entered into by and between the City of Everman, a home-rule municipal corporation situated in Tarrant County, Texas, acting by and through its duly authorized City Manager (hereinafter referred to as “Everman”), and the City of Kennedale, Texas, a home-rule municipal corporation located in Tarrant County, Texas, acting by and through its duly authorized City Manager (hereinafter referred to as “Kennedale”).

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

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

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

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

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

NOW, THEREFORE, it is agreed as follows:

1.

PURPOSE

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

2.
DEFINITIONS

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

ACT shall mean the Rabies Control Act of 1981, codified as Chapter 826 of the Texas Health and Safety Code and any subsequent recodification, supplement or revision.

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

ANIMAL SHELTER shall mean a facility located in Everman, Texas, which is operated by the City for the purpose of impounding and caring for animals as prescribed by law.

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

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

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

DAY shall mean a calendar day or any part thereof.

DOG shall mean canis familiaris.

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

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

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

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

3.
TERM

Unless terminated pursuant to the terms herein, this Agreement shall be for a term of one year, beginning on January 1, 2022 and ending on December 31, 2022. In addition, the term may be extended by mutual written agreement of the parties, for up to two additional one-year terms.

4.
SERVICES BY EVERMAN

- A. Hours
City agrees to perform the services described herein for Kennedale in the City of Kennedale, between the hours of 8:00 a.m. and 4:00 p.m. weekdays and weekends, excluding holidays, with no after hours service provided.
- B. Service Calls and Rabies Response
In the manner and to the extent that it deems appropriate and in accordance with the Rules and the Act, bite animals which are delivered by Kennedale officials to Everman will be handled by Everman.
- C. Impoundment of Dogs
Everman will board dogs delivered to the Animal Shelter by Kennedale officials pursuant to Section 6.

5.
DUTIES OF KENNEDALE

- A. Kennedale agrees that it will retain all responsibility for enforcement of all aspects of the Act not covered in Paragraph 4 of this Agreement, including criminal enforcement.
- B. Kennedale agrees that it will pursue, at its discretion, the issuance and execution of warrants or other court orders necessary for the seizure of animals requiring quarantine or testing under Section 4 (C) of this Agreement, whose owners have failed or refused to place them for quarantine or testing. Kennedale further agrees that City is not required to pursue the issuance and execution of such warrants.

6.
IMPOUNDMENT AND DISPOSITION OF ANIMALS

- A. A live, stray dog impounded by Kennedale and delivered to the Animal Shelter under this Agreement shall be held for a period of not less than ninety-six (96) hours, unless released earlier to its owner ("Animal Owner") or as described in subsection 6.D. below. A quarantined animal impounded by Kennedale and delivered to Everman shall be held or presented for testing according to the Act and the Rules. Kennedale shall provide in writing to Everman the date of the bite incident and the animal's date of release from

quarantine. Kennedale shall pay charges for impounded dogs, and quarantined animals, as specified in Exhibit "A."

- B. Prior to the expiration of the impoundment period, Everman may destroy an impounded dog if the Everman Animal Control Officer or the Everman Animal Control veterinarian recommends and approves such action.
- C. Impounded animals will be released to their owners upon:
 - (1) Proof of identification;
 - (2) Payment of all fees in accordance with the City of Kennedale and the City of Everman fee schedules;
 - (3) The animal is vaccinated against rabies at the owner's expense if the animal is a dog or a cat over 12 weeks of age and the owner does not have an unexpired rabies vaccination certificate for the animal.
- D. The ownership of impounded or quarantined animals that have not been released to their owners on the expiration of the impoundment or quarantine period, or submitted for rabies testing, shall lie with Kennedale, and Kennedale authorizes Everman to place the animals for adoption, to transfer them to other animal welfare organizations, or to be euthanized, at the sole discretion of Everman. Kennedale specifically requests Everman euthanize all animals from Kennedale that are not adopted or transferred.
- E. All quarantined animals from Kennedale not reclaimed by their owner will be disposed of pursuant to Section 6.D. above, and Kennedale will be billed for any costs incurred for disposal.
- F. Kennedale will be billed only for costs incurred and associated with impounded dogs and quarantined animals delivered by the Kennedale.
- G. Everman will impound and hold dogs from Kennedale which have been seized by Kennedale only under Chapters 821 or 822 of the Texas Health and Safety Code.

7.

EXCLUSIONS

- A. Nothing in this Agreement shall be deemed as designating Everman or an officer or employee of Everman as the "local health authority" or "local rabies control authority" of Kennedale those terms are defined or used in Title 10 of the Texas Health and Safety Code, Vernon's Texas Codes Annotated.
- B. Nothing in this Agreement shall be deemed as requiring Everman to investigate reports of dangerous dogs, to register dangerous dogs, or otherwise regulate dangerous dogs in the City of Kennedale under the authority of Chapter 822 Subchapter D. of the Texas Health and Safety Code, Vernon's Texas Codes Annotated.

- C. Nothing in this Agreement shall be deemed as requiring Everman to quarantine or present for testing domestic animals that have been bitten by or directly exposed by physical contact to a rabid animal or its fresh tissues.
- D. Everman shall not impound stray animals if Kennedale fails to enact and maintain rules or ordinances pursuant to Sections 826.015 and 826.033 of the Texas Health and Safety Code that require animals to be restrained at all times.

8.

RESPONSIBILITY FOR EMPLOYEES

Everman employees who provide services under this Agreement are deemed to be Everman employees when providing such services. Everman will exercise complete control over the hiring, training, supervision, and conduct of such employees. Everman will be responsible for all wages and applicable payroll deductions, unemployment taxes, workers' compensation insurance, vacations, holidays, and fringe benefits for such employees and for all uniforms, vehicles, and equipment used by such employees for providing services under this Agreement. Kennedale shall have no direct supervisory authority over such employees except in emergency situations where the exercise of supervision by Kennedale becomes necessary for resolution of the emergency.

9.

COMPENSATION

- A. As fair compensation for the services rendered Kennedale agrees to pay Everman for its services based on the schedule attached hereto as Exhibit "A", as pertinent, which is hereby incorporated as a part of this Agreement as if it were set forth at length. Everman may adjust any fee listed in Exhibit "A" during the term of this Agreement by giving Kennedale 120 days' written notice.
- B. Head and shipment preparation fees shall be as described in Exhibit "A".
- C. Kennedale will not pay Everman more than **\$55,000.00**, in total per contract year, for services rendered during the term of this Agreement. This amount shall herein constitute a **not to exceed** limitation placed upon this Agreement, and when such amount is reached, Everman will cease providing such services. Everman agrees to provide Kennedale with an itemized monthly bill. Kennedale agrees to promptly pay such bills upon presentation by the Everman, such payments to be made from current revenues available to Kennedale, within thirty (30) days of receipt. In the event of the termination of this Agreement, Everman shall bill Kennedale for any outstanding balance, regardless of the amount, and Kennedale agrees to promptly pay such bill, within thirty (30) days of receipt.
- D. Pursuant to the requirements of Section 791.011(d)(3) of the Texas Government Code, the amount due Everman shall be paid from revenues available to Kennedale in that current fiscal year.

10.

FEES CHARGED ANIMAL OWNERS

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

11. LIABILITIES

- A. To the extent permitted by law, Kennedale shall be responsible for all work-related deaths, injuries or diseases of Kennedale employees, and for property damage, personal injury or death caused by such employees, relating to work provided pursuant to this Agreement.
- B. To the extent permitted by law, Everman shall be responsible for all work-related deaths, injuries or diseases of Everman employees, and for property damage, personal injury or death caused by Everman employees or volunteers relating to work provided pursuant to this Agreement.
- C. Kennedale shall be responsible for all property damages, personal injuries and death caused by the use of Everman and Kennedale equipment and vehicles caused by Kennedale employees or volunteers pursuant to this Agreement. Furthermore, Kennedale shall be responsible for the repair or replacement of all such equipment and vehicles damaged, destroyed, lost or stolen by Kennedale employees or volunteers during the provision of services hereunder.
- D. Everman shall be responsible for all property damages, personal injuries and death caused by the use of Everman equipment and vehicles caused by Everman employees or volunteers pursuant to this Agreement. Furthermore, Everman shall be responsible for the repair or replacement of all such equipment and vehicles damaged, destroyed, lost or stolen caused by Everman employees or volunteers during the provision of services hereunder.

12.

IMMUNITY & THIRD PARTIES

- A. Kennedale expressly waives its right to assert immunity from suit for a claim forming the basis of a suit between Everman and Kennedale alleging a breach of this Agreement. Kennedale does this as consideration for Everman's offer to enter into this Contract with Kennedale. No third party may use this waiver in any way and no waiver of immunity in favor of a third party is intended by this Agreement.
- B. Nothing in this Agreement shall be construed to expand the liability of City or Kennedale beyond the scope of Chapter 101 of the Texas Civil Practice and Remedies Code unless specifically stated herein.

13.

TERMINATION

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

14.

ENTIRETY

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

15.

MODIFICATION

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

16.

SEVERABILITY

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

17.

AUTHORITY

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

18.
AUTHORIZATION

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

19.
FORCE MAJEURE

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

20.
FISCAL FUNDING LIMITATION

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

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SIGNATURE PAGE

**INTERLOCAL AGREEMENT BETWEEN THE CITY OF EVERMAN, TEXAS AND
THE CITY OF KENNEDALE, TEXAS, FOR RABIES CONTROL AND THE SHARED
USE OF THE CITY OF EVERMAN ANIMAL SHELTER**

CITY OF EVERMAN

C. W. Spencer
City Manager

Date: _____

CITY OF KENNEDALE

Leslie E. Galloway
Interim City Manager

Date: _____

APPROVED

Alan Wayland
City Attorney
City of Everman

By: _____
City Attorney
City of Kennedale

ATTEST:

Mindi Parks
City Secretary
City of Everman

EXHIBIT A

SCHEDULE OF FEES PAID BY CITY OF KENNEDALE

Impoundment/Boarding Fee:

City of Kennedale shall pay Everman only costs incurred as a result of impounding or quarantining an animal from the City of Kennedale, not to exceed \$400.00 per animal.

SPECIMEN HEAD PREPARATION AND SHIPMENT

Per Animal Head Specimen

\$200.00 per specimen

EXHIBIT B

SCHEDULE OF FEES TO BE PAID TO CITY BY CITIZENS OF KENNEDALE FOR SERVICES RENDERED

Adoption Fee Per Animal	\$20.00
Corpse Removal Fee	\$20.00
Euthanasia at owner's request	
Owner disposes of corpse	\$35.00
City disposes of corpse	\$60.00
Cat Trap Deposit (deposit refunded upon return of trap)	\$80.00
Dog Trap Deposit (deposit refunded upon return of trap)	\$250.00
Impoundment Fee per Animal	
First Impoundment	*Paid to City of Kennedale
Second Impoundment	*Paid to City of Kennedale
Third Impoundment	*Paid to City of Kennedale
Boarding Fee, per day	\$15.00

MEETING DATE: JANUARY 18, 2022

AGENDA ITEM NUMBER: CONSENT AGENDA ITEM V.D.11.

SUBJECT

Approval of a Resolution authorizing an application requesting financial assistance from the Texas Water Development Board (TWDB) for the construction, acquisition, and equipping of City drainage improvements, and making certain findings in connection therewith

ORIGINATED BY

Joe Walsh, Public Works Director

SUMMARY

As the Council will remember, the City was approved for a grant award from TWDB with a maximum amount of \$432,285. During the November 16, 2021, staff proposed and Council approved the acceptance of this grant and the funding of the City's portion (estimated at \$1,729,141) via proceeds from the 2021 CO issuance.

Via this Resolution, the Council acknowledges that we have applied for the assistance (grant), that the application has been approved by TWDB, authorizes signers for required agreements, and defines those consulting agencies who will be engaged for this project. Approval of this item authorizes the acting City Manager or Mayor to sign the related documents including the two Memorandums of Understanding (MOUs) with the City of Fort Worth and Tarrant County, which are also attached here.

Staff is available to answer questions about this or any related items on this consent agenda before consideration of approval of the consent agenda as a whole. There is also one related item included in "Items for Individual Consideration", which is the engagement letter for our bond counsel on this item.

RECOMMENDATION

Approve

ATTACHMENTS

1.	r600 - Kennedale TWDB Request Reso-FIF-1 (004)	r600 - Kennedale TWDB Request Reso-FIF-1 (004).pdf
2.	TWDB-0170 - City of Fort Worth	TWDB-0170 - City of Fort Worth.docx
3.	TWDB-0170 - Tarrant County	TWDB-0170 - Tarrant County .docx

RESOLUTION NO. 600

AUTHORIZING AN APPLICATION REQUESTING FINANCIAL ASSISTANCE FROM THE TEXAS WATER DEVELOPMENT BOARD FOR THE CONSTRUCTION, ACQUISITION, AND EQUIPPING OF CITY DRAINAGE IMPROVEMENTS, AND MAKING CERTAIN FINDINGS IN CONNECTION THEREWITH

THE STATE OF TEXAS §
COUNTY OF TARRANT §
CITY OF KENNEDALE §

WHEREAS, the CITY OF KENNEDALE, TEXAS (the "**City**") hereby finds and determines that there is an urgent need for the construction, acquisition and equipping of City drainage improvements, including the design and construction of Valley Lane stream stabilization (the "**Project**"); and

WHEREAS, the Project cannot be reasonably financed unless financial assistance is obtained from the Texas Water Development Board; and

WHEREAS, it is hereby officially found and determined that public notice of the time, place, and purpose of said meeting was given, all as required by Texas Government Code, Chapter 551.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KENNEDALE:

SECTION 1. REQUEST FOR FINANCIAL ASSISTANCE; APPROVAL OF APPLICATION. The Texas Water Development Board is hereby requested to grant financial assistance through its *Flood Infrastructure Fund* in an amount not to exceed **\$432,285** to provide funds to pay the costs of design, construction and equipping of the Project, all as further described in the application for financial assistance related to the Project (the "**Application**"). The Application is hereby approved and authorized to be filed with the Texas Water Development Board and the Mayor, and City Manager (or person acting in the interim in such capacity) are each hereby designated an authorized representative of the City for the purpose of furnishing such information and executing such documents as may be required in connection with the preparing and filing of such application for financial assistance and with complying with the rules of the Texas Water Development Board, and the Mayor, City Manager, Director of Finance, and Public Works Director of the City (or any person serving in the interim in such capacities), together with bond counsel, financial advisor, and consulting engineers named in Section 2 below, are hereby authorized to appear before the Texas Water Development Board in support of such Application and Project. Such officers of the City are further specifically authorized to make the required assurances to the Texas Water Development Board in accordance with the rules, regulations, and policies of the Texas Water Development Board

SECTION 2. APPROVAL OF PROFESSIONALS. The following firms and individuals are hereby authorized and directed to aid and assist in the preparation and submission of the Application and appear on behalf of and represent the City before any hearing held by the Texas Water Development Board on the Application, to-wit:

Financial Advisor

Mark McLiney
Andrew Friedman
SAMCO Capital Markets
1020 NE Loop 410, Suite 640
San Antonio, Texas 78209

Bond Counsel

Tom Spurgeon
Orlando "Jay" Juarez, Jr.
McCall, Parkhurst & Horton L.L.P.
112 E. Pecan St., Suite 1310
San Antonio, Texas 78205

Engineer

Max Aransen
Shield Engineering Group, PLLC
1600 W. 7th Street, Suite 400
Fort Worth, TX 76102

SECTION 3. INCLUSION OF RESOLUTION. A certified copy of this Resolution shall be included with the Application herein authorized to be prepared in final form and submitted to the Texas Water Development Board.

SECTION 4. INCORPORATION OF RECITALS. The City hereby finds that the statements set forth in the recitals of this Resolution are true and correct, and the City hereby incorporates such recitals as a part of this Resolution.

SECTION 5. EFFECTIVE DATE. This Resolution shall become effective immediately after its adoption.

***PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF KENNEDALE, TEXAS
DURING A REGULAR MEETING HELD ON THE 18TH DAY OF JANUARY, 2022.***

Mayor, City of Kennedale, Texas

ATTEST:

City Secretary, City of Kennedale, Texas

(SEAL)

[EXECUTION PAGE TO RESOLUTION REQUESTING FINANCIAL ASSISTANCE
FROM THE TEXAS WATER DEVELOPMENT BOARD]

CERTIFICATE FOR RESOLUTION

**THE STATE OF TEXAS §
COUNTY OF TARRANT §
CITY OF KENNEDALE §**

I, the undersigned City Secretary of the City of Kennedale, Texas (the "City"), hereby certify as follows:

1. The City Council of the City convened in REGULAR MEETING ON THE 18th DAY OF JANUARY, 2022 at the City Hall, and the roll was called of the duly constituted officers and members of said City Council, to wit:

Linda Rhodes, Mayor
Jan Joplin, Mayor Pro Tem
Gary Mitchell
Austin Degenhart
James Connor

and all of said officers and members of said City Council were present, except the following absentees: _____. Whereupon, among other business, the following was transacted at said Meeting: a written

RESOLUTION NO. 600

**AUTHORIZING AN APPLICATION REQUESTING
FINANCIAL ASSISTANCE FROM THE TEXAS WATER
DEVELOPMENT BOARD FOR THE CONSTRUCTION,
ACQUISITION, AND EQUIPPING OF CITY DRAINAGE
IMPROVEMENTS, AND MAKING CERTAIN FINDINGS
IN CONNECTION THEREWITH**

was duly introduced for the consideration of said City Council. It was then duly moved and seconded that said Resolution be passed and, after due discussion, said motion carrying with it the adoption of said Resolution, prevailed and carried by the following vote:

AYES: _____ NOES: _____ ABSTENTIONS: _____

2. A true, full and correct copy of the aforesaid Resolution adopted at the Meeting described in the above and foregoing paragraph is attached to and follows this Certificate; the Resolution has been duly recorded in said City Council's minutes of said Meeting; the above and foregoing paragraph is a true, full and correct excerpt from said City Council's minutes of said Meeting pertaining to the passage of said Resolution; the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of said City Council as indicated therein; each of the officers and members of said City Council was duly and sufficiently notified officially and personally, in advance, of the time, place and purpose of the aforesaid Meeting, and that said Resolution would be introduced and considered for passage at said Meeting, and each of said officers and members consented, in advance, to the holding of said Meeting for such purpose, and that said Meeting was open to the public and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code.

SIGNED AND SEALED THE 18th DAY OF JANUARY, 2022.

(SEAL)

City Secretary

TEXAS WATER CODE SECTION 15.005 MEMORANDUM OF UNDERSTANDING

This is a Memorandum of Understanding (MOU) between the City of Kennedale and the City of Fort Worth.

WHEREAS, pursuant to Texas Water Code § 15.005 and 31 Texas Administrative Code § 363.408, if the Executive Administrator determines that an application has flood control as one of its purposes and that the watershed in which the project is located is partially located outside the political subdivision making the application, the applicant must submit a written memorandum of understanding relating to the management of the watershed in which the project is to be located, signed by all governing bodies of eligible political subdivisions located in the project watershed; and

WHEREAS, the City of Kennedale has filed an application with the Texas Water Development Board for funding a project that has flood control as one of its purposes; and

WHEREAS, the City of Kennedale has determined that the watershed in which the project is located is partially located within the jurisdiction of the City of Fort Worth; and

NOW THEREFORE, in consideration of the benefits to the Kennedale Branch Watershed and the State of Texas, the City of Kennedale and the City of Fort Worth agree to the following:

1. The City of Kennedale will provide QUARTERLY progress updates to the City of Fort Worth as the project develops and changes.
2. The City of Kennedale will notify the City of Fort Worth of any potential change in impacts to the City of Fort Worth within the QUARTER of the identified change.
3. The City of Fort Worth will provide constructive input to the City of Kennedale as the project develops and changes.
4. The City of Kennedale and the City of Fort Worth will work cooperatively for the management of the Kennedale Branch Watershed.

<<Responsible Official for Entity A, including Title>>

City of Kennedale

<<Responsible Official for Entity B>>

City of Fort Worth

TEXAS WATER CODE SECTION 15.005 MEMORANDUM OF UNDERSTANDING

This is a Memorandum of Understanding (MOU) between the City of Kennedale and Tarrant County.

WHEREAS, pursuant to Texas Water Code § 15.005 and 31 Texas Administrative Code § 363.408, if the Executive Administrator determines that an application has flood control as one of its purposes and that the watershed in which the project is located is partially located outside the political subdivision making the application, the applicant must submit a written memorandum of understanding relating to the management of the watershed in which the project is to be located, signed by all governing bodies of eligible political subdivisions located in the project watershed; and

WHEREAS, the City of Kennedale has filed an application with the Texas Water Development Board for funding a project that has flood control as one of its purposes; and

WHEREAS, the City of Kennedale has determined that the watershed in which the project is located is partially located within the jurisdiction of Tarrant County; and

NOW THEREFORE, in consideration of the benefits to the Kennedale Branch Watershed and the State of Texas, the City of Kennedale and Tarrant County agree to the following:

1. The City of Kennedale will provide QUARTERLY progress updates to Tarrant County as the project develops and changes.
2. The City of Kennedale will notify Tarrant County of any potential change in impacts to Tarrant County within the QUARTER of the identified change.
3. Tarrant County will provide constructive input to the City of Kennedale as the project develops and changes.
4. The City of Kennedale and Tarrant County will work cooperatively for the management of the Kennedale Branch Watershed.

<<Responsible Official for Entity A, including Title>>

City of Kennedale

<<Responsible Official for Entity B>>

Tarrant County



MEETING DATE: JANUARY 18, 2022

AGENDA ITEM NUMBER: INDIVIDUAL CONSIDERATION ITEM V.E.1.

SUBJECT

Consider making an appointment to fill the vacancy in Place 3 following the resignation of Councilmember Julie Jacobson; or, if the Council should choose to delay appointment, further direct staff regarding the desired process for identifying a candidate

ORIGINATED BY

Leslie Galloway, Interim City Manager

SUMMARY

During the November 16, 2021, regular meeting, the Council directed staff to add an item for consideration of appointment to this vacant seat. At this time, the Council may choose to appoint someone to this seat.

RECOMMENDATION

ATTACHMENTS

MEETING DATE: JANUARY 18, 2022

AGENDA ITEM NUMBER: INDIVIDUAL CONSIDERATION ITEM V.E.2.

SUBJECT

Consider approval of an engagement letter with McCall, Parkhurst & Horton, the City's Bond Counsel, for assistance with the application for financial assistance from the Texas Water Development Board (TWDB)

ORIGINATED BY

Leslie Galloway, Interim City Manager

SUMMARY

TWDB requires that the Resolution name the engineering firm, the financial advisors, and the bond counsel. As the role of Finance Director is also currently vacant, the assistance of Bond Counsel and SAMCO, our Financial Advisors, will be key in finalizing this process. The attached engagement letter has been provided by McCall, Parkhurst & Horton, our Bond Counsel, in relation to this application process.

Of note, though the engagement letter does allow for application for debt via TWDB, staff does not intend to apply for such debt. Therefore, the expected cost of this engagement will be the \$5,000 flat fee for the coordination of this grant process.

RECOMMENDATION

Approve

ATTACHMENTS

1.	Kennedale FIF Engagement Letter-3	Kennedale FIF Engagement Letter-3.pdf
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_____, 2022

Mayor and Members of the City Council
City of Kennedale
405 Municipal Drive
Kennedale, Texas 76060

**Re: Request for Financial Assistance from the Texas Water Development Board
for the purpose of financing drainage improvements**

Mayor and Members of City Council:

This letter is submitted to state our fees and describe the legal services of the undersigned law firm to be performed for the City of Kennedale, Texas (the “City”) with reference to the City’s request for financial assistance from the Texas Water Development Board (“TWDB”), which financial assistance may include the sale of debt obligations (the “Obligations”) to the TWDB and/or the receipt of grant or principal forgiveness funding (“Principal Forgiveness”) by the City from the TWDB. We understand that the City is requesting such financial assistance from the TWDB for the purpose of planning, acquiring, designing, and constructing drainage improvements (the “Project”).

SCOPE OF ENGAGEMENT

- (1) In this engagement, if the Project financing involves the issuance of Obligations, we expect to perform the following duties as Bond Counsel to the City with respect to the Obligations:
 - (a) Prepare all resolutions, ordinances, orders, and other instruments pursuant to which the Obligations will be authorized, issued, delivered, and secured in cooperation and upon consultation with the City Council, the City’s financial advisors, and other consultants of the City.
 - (b) Attend meetings of the City Council with reference to the authorization and issuance of the Obligations to the extent required or requested.
 - (c) Cooperate with the City Council and all other interested parties in the sale of the Obligations to the TWDB.
 - (d) Supervise the execution of the Obligations, their approval by the Attorney General of Texas and registration by the Comptroller of Public Accounts of Texas, and the delivery thereof to the purchaser, the TWDB.
 - (e) When so delivered, give our objective approving opinion (our “Legal Opinion”) covering the validity of the Obligations and, if applicable, the exclusion of interest thereon from federal income taxes, it being understood that the Legal Opinion will be fully acceptable nationally in regular commercial investment banking bond marketing channels.



Our Legal Opinion will be delivered by us on the date the Obligations are exchanged for their purchase price (the "Closing"). The City will be entitled to rely on our Legal Opinion.

The Legal Opinion will be based on facts and law existing as of its date. In rendering our Legal Opinion, we will rely upon the certified proceedings and other certifications of public officials and other persons furnished to us without undertaking to verify the same by independent investigation, and we will assume continuing compliance by the City with applicable laws relating to the Obligations. During the course of this engagement, we will rely on you to provide us with complete and timely information on all developments pertaining to any aspect of the Obligations and their security. We understand that you will direct members of your staff and other employees of the City to cooperate with us in this regard.

- (2) In this engagement, if the Project financing involves the receipt of Principal Forgiveness by the City from the TWDB, we expect to perform the following duties:
 - (a) Prepare all resolutions, ordinances, and other instruments pursuant to which Principal Forgiveness will be authorized, executed, and delivered in cooperation and upon consultation with the City Council, the City's financial advisors, and other consultants of the City.
 - (b) Review the grant or Principal Forgiveness agreement and provide comments as necessary or appropriate.
 - (c) Prepare an escrow agreement and other documentation regarding the escrow of Principal Forgiveness funds and assist the City in engaging a qualified escrow agent.
 - (d) Coordinate the execution and delivery of various Principal Forgiveness documents and the delivery thereof to the TWDB.
- (3) Our duties in this engagement are limited to those expressly set forth above. Unless we are separately engaged in writing to perform other services, our duties do not include any other services, including the following:
 - (a) Preparing requests for tax rulings from the Internal Revenue Service or no action letters from the Securities and Exchange Commission.
 - (b) Drafting state constitutional or legislative amendments.
 - (c) Pursuing test cases or other litigation.
 - (d) Making an investigation or expressing any view as to the creditworthiness of the City or the Obligations.
 - (e) Representing the City in Internal Revenue Service examinations or inquiries, or Securities and Exchange Commission investigations.



- (f) Except as described in subsection (1)(a) above, assisting in the preparation of, or opining on, a continuing disclosure undertaking pertaining to the Obligations or, after Closing, providing advice concerning any actions necessary to assure compliance with any continuing disclosure undertaking.
- (g) After Closing, monitoring the City's compliance with federal tax requirements to assure that interest paid on the Obligations will continue to be excludable from gross income for federal income tax purposes (e.g., our engagement does not include rebate calculations for the Obligations).
- (h) Addressing any other matter not specifically set forth above that is not required to render our Legal Opinion.
- (i) Issuing any legal opinion or assurance letter with respect to Principal Forgiveness funding.

ATTORNEY-CLIENT RELATIONSHIP

Upon execution of this engagement letter, the City will be our client and an attorney-client relationship will exist between us. We further assume that all other parties in this transaction understand that we represent only the City in this transaction, we are not counsel to any other party, and we are not acting as an intermediary among the parties. Our services as Bond Counsel are limited to those contracted for in this letter; the City's execution of this engagement letter will constitute an acknowledgment of those limitations. Our representation of the City will not affect, however, our responsibility to render an objective Legal Opinion.

Our representation of the City and the attorney-client relationship created by this engagement letter will be concluded upon issuance of the Obligations. Nevertheless, subsequent to Closing, we will mail the appropriate Internal Revenue Service Form 8038-G and will prepare and distribute to the participants in the transaction a transcript of the proceedings pertaining to the Obligations.

NO BOYCOTT OF ISRAEL

The firm hereby represents that during the term of this agreement we do not, nor will we, boycott Israel, in compliance with and within the meaning of 50 U.S.C. Section 4607 and Section 2271.002, of the Texas Government Code.

ANTI-FOREIGN TERRORIST ORGANIZATION REPRESENTATION

The firm represents that it is not a company identified on a list prepared and maintained by the Texas Comptroller of Public Accounts under Section 2252.153 or Section 2270.0201, Texas Government Code, as amended, and posted on any of the following pages of such officer's Internet website:

<https://comptroller.texas.gov/purchasing/docs/sudan-list.pdf>,
<https://comptroller.texas.gov/purchasing/docs/iran-list.pdf>, or
<https://comptroller.texas.gov/purchasing/docs/fto-list.pdf>.



The foregoing representation is made solely to comply with Section 2252.152, Texas Government Code, as amended, and to the extent such Section does not contravene applicable federal law or the Texas Constitution, and excludes the firm and its parent company, wholly- or majority-owned subsidiaries, and other affiliates, if any, that the United States government has affirmatively declared to be excluded from its federal sanctions regime relating to Sudan or Iran or any federal sanctions regime relating to a foreign terrorist organization. The firm understands “affiliate” to mean any entity that controls, is controlled by, or is under common control with the Underwriter and exists to make a profit.

CONFLICTS

As you are aware, our firm represents many political subdivisions and investment banking firms, among others, who do business with political subdivisions. Our firm also represents the TWDB in the capacity as bond counsel. It is possible that during the time that we are representing the City, one or more of our present or future clients will have transactions with the City. It is also possible that we may be asked to represent, in an unrelated matter, one or more of the entities involved in the issuance of the Obligations. We do not believe such representation, if it occurs, will adversely affect our ability to represent you as provided in this letter, either because such matters will be sufficiently different from the issuance of the Obligations and/or Principal Forgiveness so as to make such representations not adverse to our representation of you, or because the potential for such adversity is remote or minor and outweighed by the consideration that it is unlikely that advice given to the other client will be relevant to any aspect of the issuance of the Obligations and/or Principal Forgiveness. Execution of this letter will signify the City’s consent to our representation of others consistent with the circumstances described in this paragraph.

FIRM NOT A MUNICIPAL ADVISOR

As a consequence of the adoption of Rule 15Ba1-1 pursuant to the Securities Exchange Act of 1934 (the “Municipal Advisor Rule”), which has been promulgated by the Securities and Exchange Commission as a result of the enactment of the Dodd-Frank Wall Street Reform and Consumer Protection Act (the “Dodd-Frank Act”), we hereby inform the City that we are not a “Municipal Advisor” within the meaning of the Municipal Advisor Rule or the Dodd-Frank Act (collectively, the “MA Rule”). In the course of performing our services as Bond Counsel in this transaction, we may engage in analysis, discussion, negotiation, and advice to the City regarding the legal ramifications of the structure, timing, terms, and other provisions of the financial transaction that culminates with the planned issuance of the Obligations, and such services and advice may be essential to the development of the plan of finance for the issuance of the Obligations. In turn, these services become, among other things, the basis for the transaction's basic legal documents, the preparation and delivery of the official statement or any other disclosure document that describes the material terms and provisions of the transaction, if an offering document is used in the offering of the Obligations, the preparation of the various closing certificates that embody the terms and provisions of this transaction, and the preparation and delivery of our Legal Opinion. Moreover, legal advice and services of a traditional legal nature in the area of municipal finance inherently involve a financial advice component; but we hereby advise the City that while we have expertise with respect to the legal aspects relating to the issuance of municipal securities, we are not “financial advisors” or “financial experts” in a manner that would subject us to the provisions of the MA Rule. As Bond Counsel, we provide only legal advice, not purely financial advice that is not inherent in our legal advice to the City. The City should seek the advice of its financial advisor with respect to the financial aspects of the issuance of the Obligations. By signing this engagement letter, the City acknowledges receipt of this information,



and evidences its understanding of the limitations of our role to the City as Bond Counsel with respect to the MA Rule, as discussed in this paragraph.

FEES

Based upon: (i) our current understanding of the terms, structure, size and schedule of the financing represented by the Obligations; (ii) the duties we will undertake pursuant to this engagement letter with respect to the Obligations; (iii) the time we anticipate devoting to the financing represented by the Obligations; and (iv) the responsibilities we will assume in connection therewith, our fee for serving in the capacity of Bond Counsel with respect to the Obligations sold to the TWDB will be \$15,000 for the first \$1,000,000 in principal amount of Obligations issued, plus \$5 per \$1,000 for the next \$4,000,000 in principal amount of obligations issued, plus \$2 per \$1,000 for principal amounts of Obligations issued in excess of \$5,000,000; provided that there shall be a minimum fee of \$20,000.

In addition to the foregoing, we will request to be reimbursed for our out-of-pocket expenses reasonably and necessarily incurred in connection with the issuance of Obligations (e.g., Attorney General statutory review fee, electronic research, photocopying, shipping, telecommunication, travel, and other similar expenses), and said fees and expenses will be payable at the time of the delivery of and payment for the Obligations. Fees for any other special services not normally included in the legal services performed by bond counsel will be negotiated between the City and the undersigned. Our fee will be billed after the Closing.

In the event that the resolution of the TWDB granting the City's request for financial assistance provides for 100% Principal Forgiveness funding for the Project, we will charge a flat fee of \$5,000.

RECORDS

At your request, papers and property furnished by you will be promptly returned. All complete and final drafts of agreements, documents, legal memoranda, correspondence, reports, information, and other data given to, prepared, or assembled by us in furtherance of work performed on behalf of the City, and any other related documents or items, shall become the sole property of the City and shall be delivered to the City upon request without restriction on future use. We may make copies of any documents for our files, at our sole cost and expense.

[The remainder of this page intentionally left blank]



If the foregoing terms are acceptable to you, please so indicate by returning the enclosed copy of this engagement letter dated and signed by an authorized officer, retaining the original for your files. We look forward to working with you. With best wishes, I am

Very truly yours,

_____, Partner
McCall, Parkhurst & Horton L.L.P.

Accepted and Agreed to:

CITY OF KENNEDALE, TEXAS

By: _____

Title: _____

Date: _____



MEETING DATE: JANUARY 18, 2022

AGENDA ITEM NUMBER: INDIVIDUAL CONSIDERATION ITEM V.E.3.

SUBJECT

Discuss and consider a recommendation put forward by the Parks and Recreation Board to name the performance stage in TownCenter Park the "Ralph Mooney Performance Pavilion"

ORIGINATED BY

Joe Walsh, Public Works Director

SUMMARY

During a regular meeting held November 3, 2021, the Parks board voted unanimously to forward to the Council a recommendation to rename the performance stage in TownCenter Park the "Ralph Mooney Performance Pavilion".

Ralph Mooney was an American steel guitar player who was inducted into the Steel Guitar Hall of Fame in 1983. He lived in Kennedale for many years in his later life before passing away 2011.

RECOMMENDATION

ATTACHMENTS

MEETING DATE: JANUARY 18, 2022

AGENDA ITEM NUMBER: PUBLIC HEARING ITEM V.F.1.

SUBJECT

CASE #PZ 22-01 — Conduct a public hearing and consider an Ordinance amending the Unified Development Code by amending Table 4.2, "Schedule of Uses: Old Town Districts," of Article 4, "Old Town Districts" by designating "Dwelling, multi-family" as a permitted use in the OT-4 Old Town Mixed-Use District

ORIGINATED BY

Leslie Galloway, Interim City Manager

SUMMARY

Summa Terra Ventures has proposed plans for multi-family units on three different lots (at 404 E Kennedale Parkway, 521 W Kennedale Parkway, and 409 W Kennedale Parkway), each currently zoned OT-4. When the UDC was first adopted in September 2016, multi-family was a permitted use in this zoning category (as well as in OT-3). However, it was removed as a permitted use in both OT-3 and OT-4 via Ordinance 619, adopted in December 2016, but no amending ordinances have been codified into the PDF document (though they are still in effect).

Last year, during review of their third proposed development, current staff informed Summa Terra representatives that this type of use was not allowed in the current zoning, something that was seemingly overlooked by previous staff. Having invested resources in these three developments, Summa Terra is now requesting that the City consider amending the UDC to allow for multi-family in the OT-4 district (with no change to OT-3).

During a regular meeting on Thursday, January 13, 2022, the Planning & Zoning Commission (P&Z) voted to recommend approval 4-2, with Vice Chair Hughes and Commissioner Clementi voting against.

RECOMMENDATION

ATTACHMENTS

1.	Multifamily in OT-4	Multifamily in OT-4.docx
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ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CITY OF KENNEDALE UNIFIED DEVELOPMENT CODE BY AMENDING THE SCHEDULE OF USES IN ARTICLE 4, "OLD TOWN DISTRICTS", TO ALLOW "DWELLING, MULTI-FAMILY" AS A PERMITTED USE IN THE OT-4 OLD TOWN MIXED-USE DISTRICT; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; 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 Texas Constitution and Chapter 9 of the Local Government Code; and

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

WHEREAS, in order to promote the public health, safety and general welfare, the City Council desires to amend the Unified Development Code as provided in this Ordinance; and

WHEREAS, the Planning and Zoning Commission of the City of Kennedale, Texas held a public hearing on January 13, 2022, and the City Council of the City of Kennedale, Texas held a public hearing on January 18, 2022, with respect to the amendments described herein; and

WHEREAS, the City has complied with all requirements of Chapter 211 of the Local Government Code, Section 22 of the Unified Development Code, and all other laws dealing with notice, publication, and procedural requirements for amending the Unified Development Code.

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

SECTION 1.

Table 4.2, "Schedule of Uses: Old Town Districts," of Article 4, "Old Town Districts" of the City of Kennedale Unified Development Code is amended by designating "Dwelling, multi-family" as a permitted use in the OT-4 Old Town Mixed-Use District, and such line shall read as follows:

Table 4.2 Schedule of Uses: Old Town Districts					
Use	OT-1	OT-2	OT-3	OT-4	Other
Residential					
Dwelling, multi-family				P	

SECTION 2.

This Ordinance shall be cumulative of all provisions of ordinances and of the City of Kennedale Unified Development Code, except when the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such code, in which event the conflicting provisions of such ordinances and such code are hereby repealed.

SECTION 3.

It is hereby declared to be the intention of the City Council that in the event the sections, paragraphs, sentences, clauses, or phrases 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 sections, paragraphs, sentences, clauses, and phrases 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 section, paragraph, sentence, clause, or phrase.

SECTION 4.

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

SECTION 5.

All rights and remedies of the City of Kennedale are expressly saved as to any and all violations of the provisions of any ordinances governing zoning 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 of Kennedale is hereby directed to publish this ordinance as required by law.

SECTION 7.

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

PASSED AND APPROVED ON THIS ____ DAY OF _____, 2022.

LINDA RHODES, MAYOR

ATTEST:

LESLIE GALLOWAY, CITY SECRETARY

EFFECTIVE: _____

APPROVED AS TO FORM AND LEGALITY:

CITY ATTORNEY



MEETING DATE: JANUARY 18, 2022

AGENDA ITEM NUMBER: PUBLIC HEARING ITEM V.F.2.

SUBJECT

CASE #PZ 22-02 — Conduct a public hearing and consider an Ordinance regarding a request by FC Designs for a rezoning from R3 Single-Family Residential to TH Townhome District for approximately 0.46 acres located at 6817 Oak Crest Drive W, Oak Crest Addition, Block 8, Lot 11, City of Kennedale, Tarrant County, Texas

ORIGINATED BY

Chance LeBlanc, Planning Consultant with Dunaway

SUMMARY

BACKGROUND AND OVERVIEW

Request	R3 Single-Family District to TH Townhome District
Applicant	FC Designs
Location	6817 Oak Crest Drive W
Surrounding Uses	Single-Family Residential, Industrial, Vacant Lots
Surrounding Zoning	R3, NV, C1, C2
Future Land Use Plan Designation	Employment Center and Potential Transit Station
Staff Recommendation	Approve

CURRENT STATUS OF PROPERTY

This property is a 0.46-acre vacant lot located in the Oak Crest neighborhood.

SURROUNDING PROPERTIES & NEIGHBORHOOD

This property is located southwest of the intersection of Oak Crest Drive W and Link Street. Oak Crest Drive W is characterized by a combination of single-family homes, some vacant lots, and industrial uses.

STAFF REVIEW

Future Land Use Plan

The Future Land Use Plan indicates this property as an Employment Center and a Potential Transit Station.

- Example Development Types: Multifamily

RELATED GOALS FROM THE COMPREHENSIVE LAND USE PLAN

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

- *Principle 2: Economic Prosperity. Promote Access to Housing.*
Providing housing options for people of varying financial means and residential preferences. Provide the regulatory framework and developer support to provide quality housing for residents.

City Council Ends Statements and Goals

- Well-planned community based on principles of a connected city, economic prosperity, and a thriving community.

SUMMARY

This property has been vacant for many years. The owner of the property has expressed an intent to develop 18 townhome units. The property will be accessed by a private drive from Oak Street Drive. The development will require a replat to vacate the existing 35' building setback per the existing survey. The development will be required to meet standards for TH zoning, requiring each townhouse to be located on individual lots. Each townhouse will have a two-car garage located in the rear of each unit, which will be accessed through an alley.

In October 2021, City Council approved the rezoning of two residential lots located at 6800 and 6808 Oak Crest Drive W from Residential (R3) to Townhome (TH) further increasing the compatibility of this proposed TH zoning with the adjacent existing residential land use. This zoning change would also provide quality alternative housing options to the community. The 2012 Comprehensive Plan designates the subject property as an Employment Center with a Potential Transit Station. The request to rezone to "TH" is a deviation from the Future Land Use Plan (FLUP). However, the potential of a transit station provides an opportunity to encourage transit-supportive land use patterns in this area, such as higher intensity residential units within walking distance.

The exhibits attached to this item will also be used for the following item, as these lots are adjacent and the requests are similar.

During a regular meeting on Thursday, January 13, 2022, the P&Z Commission voted unanimously to recommend approval.

RECOMMENDATION

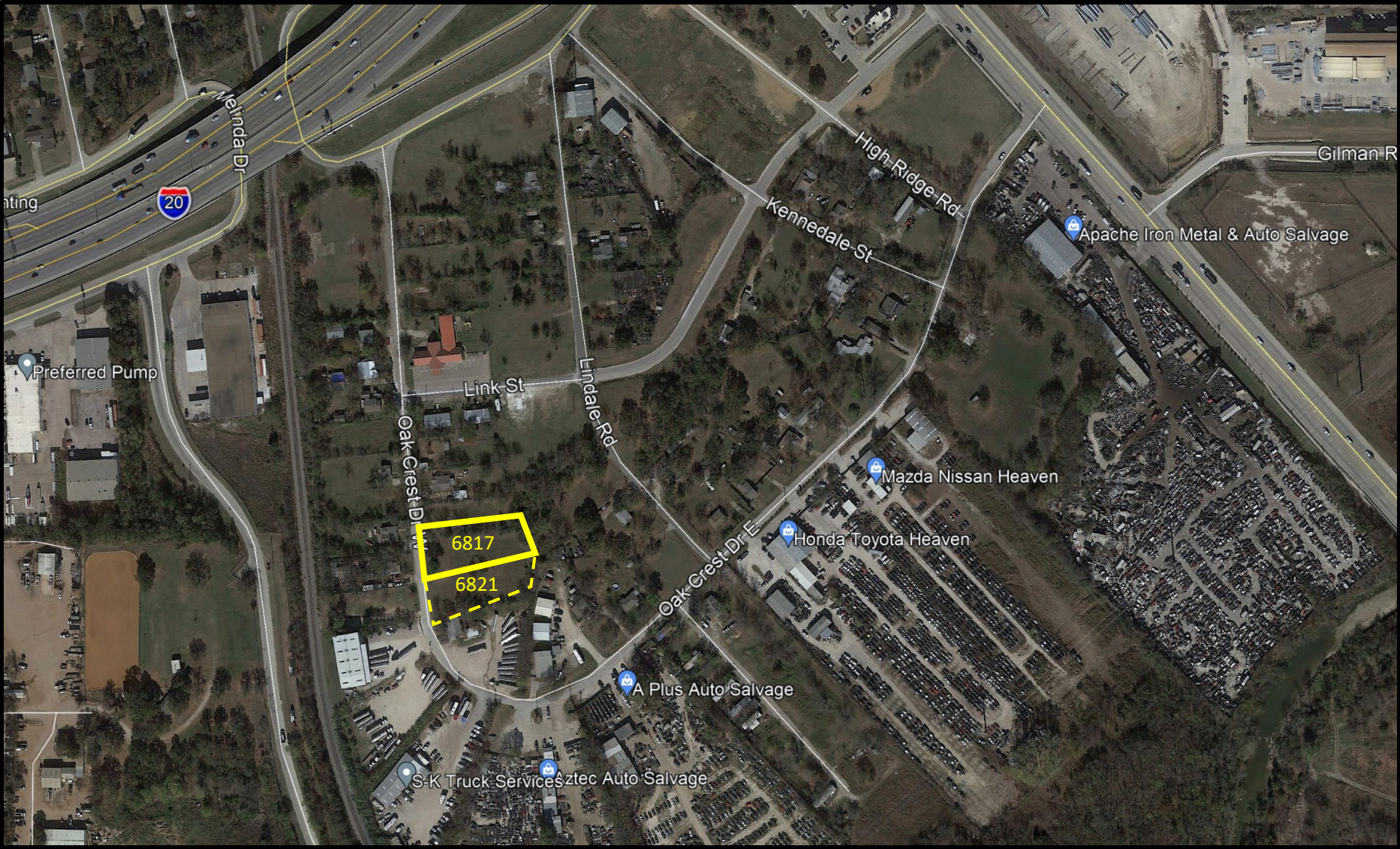
Approve

When available, preliminary site plans and/or drawings may be included for informational purposes. However, the hearing of this case should focus upon the appropriateness of the zoning requested rather than any specifics regarding potential drawings or site plans, which would be reviewed and evaluated at a later date, if and when final documents are submitted.

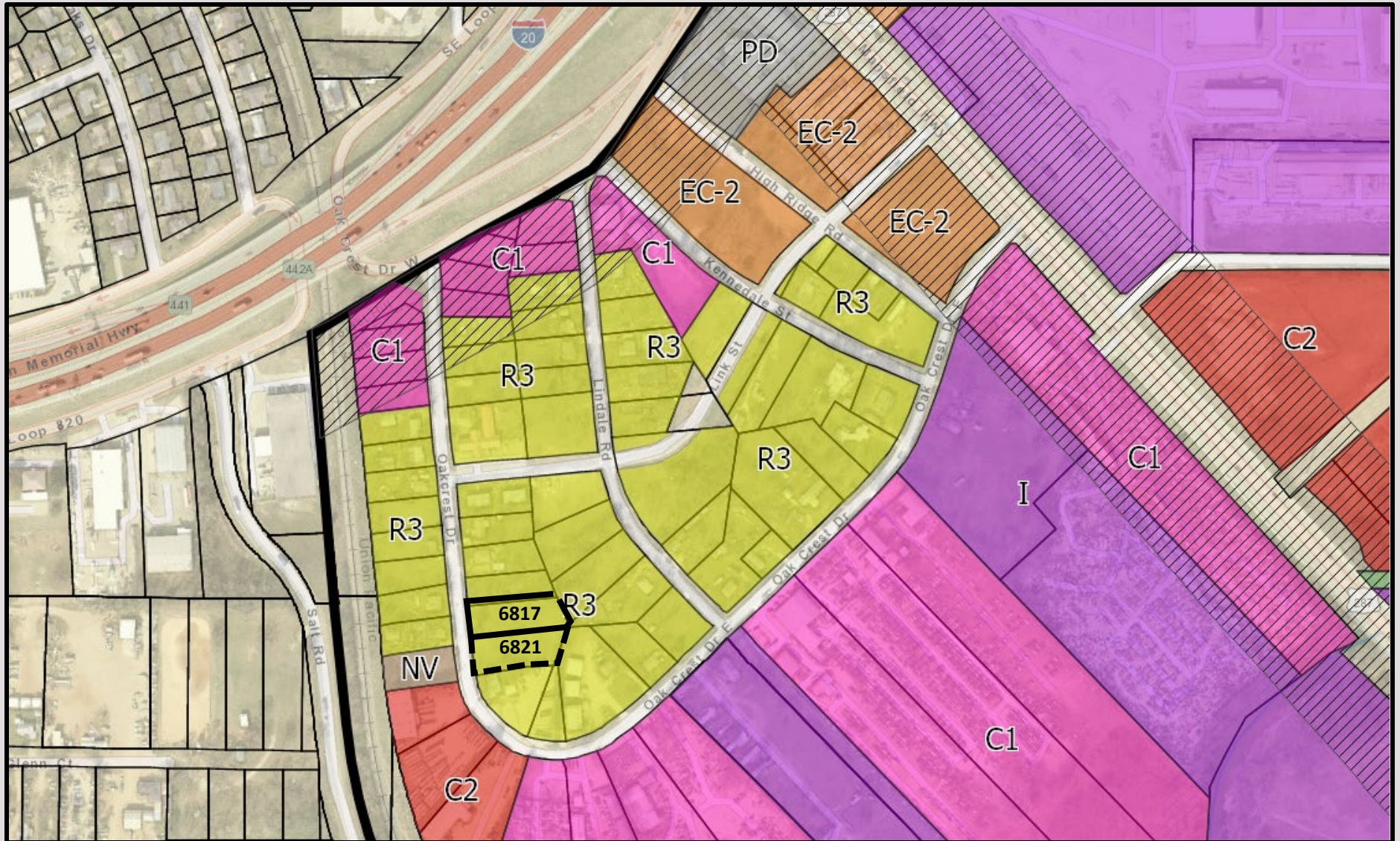
ATTACHMENTS

1.	Exhibits 6817 6821 Oak Crest Drive	Exhibits 6817 6821 Oak Crest Drive.pdf
2.	6817 Oak Crest Dr W	6817 Oak Crest Dr W.docx

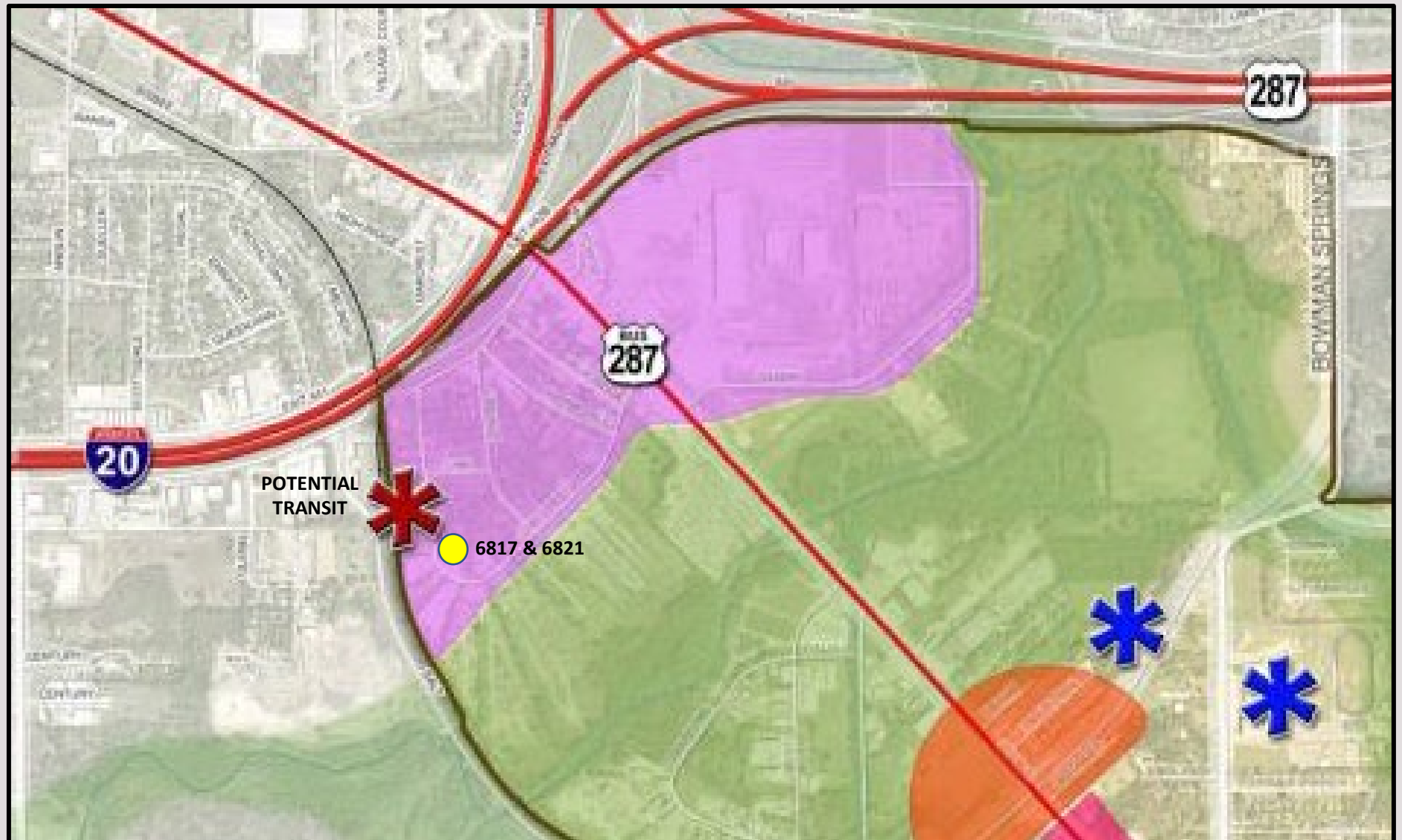
6817 & 6821 OAK CREST DR. W
AERIAL



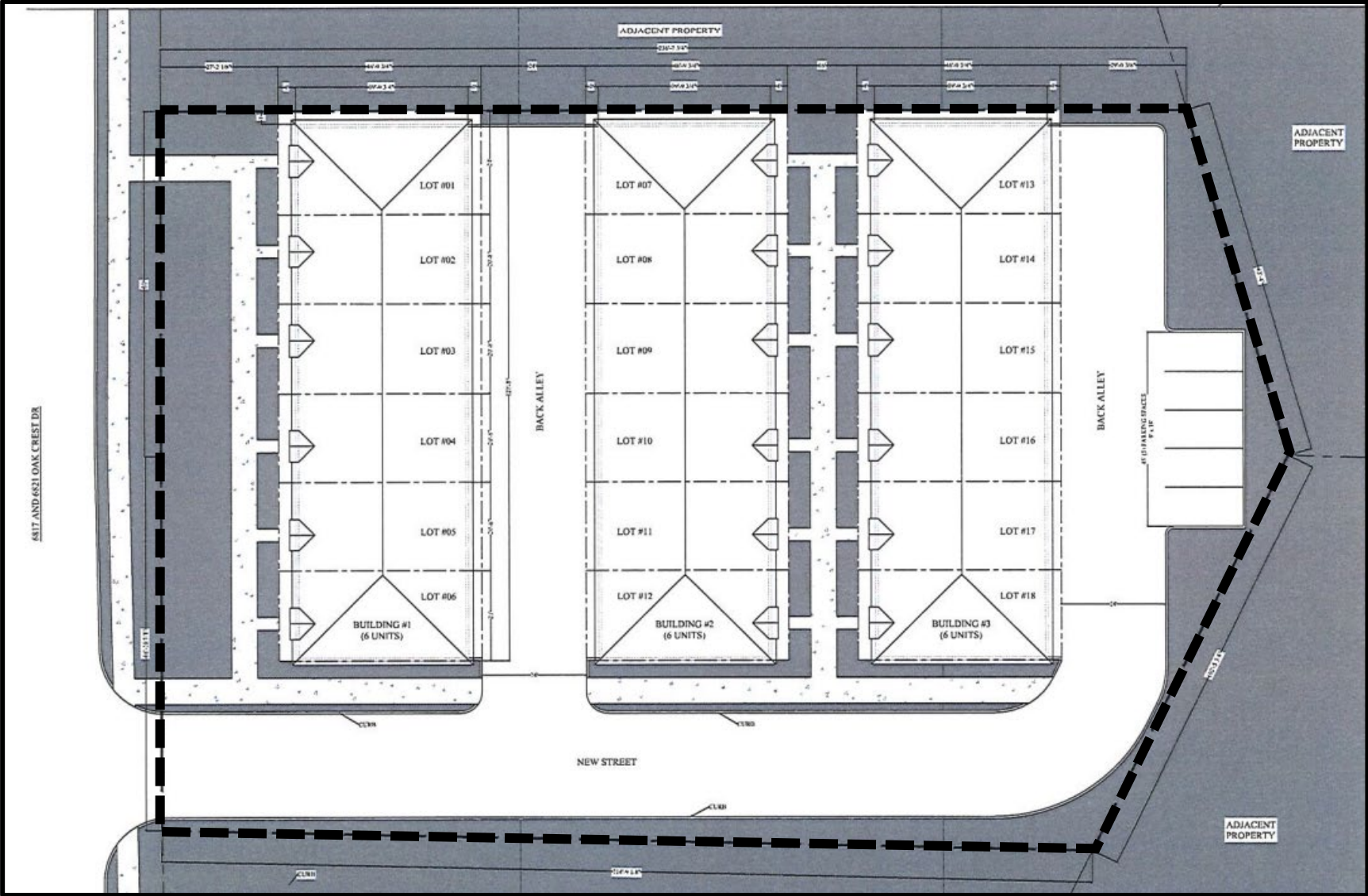
6817 & 6821 OAK CREST DR. W ZONING MAP



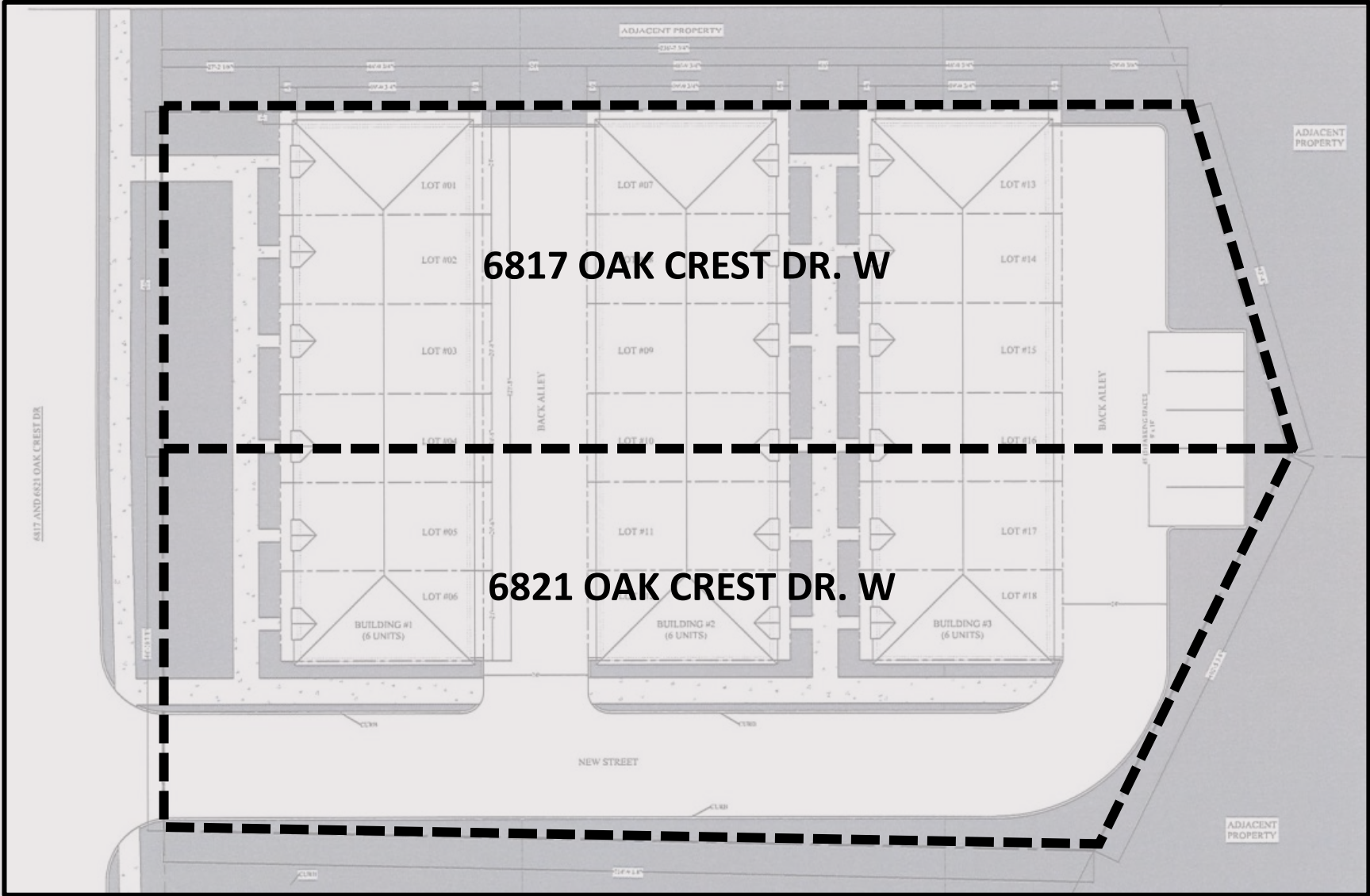
6817 & 6821 OAK CREST DR. W FUTURE LAND USE



6817 & 6821 OAK CREST DR. W
SITE PLAN



6817 & 6821 OAK CREST DR. W
SITE PLAN



6817 & 6821 OAK CREST DR. W ELEVATIONS



02 FACADE



03 CONCEPT RENDERING



ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CITY OF KENNEDALE, TEXAS UNIFIED DEVELOPMENT CODE BY CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY WITHIN THE CITY, BEING APPROXIMATELY 0.46 ACRES LOCATED AT 6817 OAK CREST DRIVE W., LOT 11, BLOCK 8, OAK CREST ADDITION, CITY OF KENNEDALE, TARRANT COUNTY, TEXAS FROM “R-3” SINGLE-FAMILY RESIDENTIAL DISTRICT TO “TH” TOWNHOME DISTRICT; PROVIDING FOR THE AMENDMENT OF THE OFFICIAL ZONING MAP TO REFLECT SUCH CHANGE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

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

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

WHEREAS, the City Council has determined that the “TH” Townhome District is the most suitable zoning district for the property described below, in accordance with the comprehensive land use plan, and with the standards in the Unified Development Code; and

WHEREAS, the requested change in zoning classification is consistent with the City’s comprehensive plan and any applicable adopted plans and the City Council has weighed plan goals, policies, and strategies and finds that the requested change provides a public benefit; and

WHEREAS, the requested change in zoning classification protects the existing character of neighboring properties and uses, and does not cause significant adverse impacts on surrounding properties; and

WHEREAS, the requested change in zoning classification will not result in significant adverse fiscal or economic impacts on the City; and

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

WHEREAS, a public hearing was duly held by the Planning and Zoning Commission of the City of Kennedale, Texas, on January 13, 2022, and by the City Council of the City of Kennedale, Texas, on January 18, 2022, with respect to the zoning change described herein; and

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

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

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

SECTION 1.

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

Approximately 0.46 acres located at 6817 Oak Crest Drive W., Lot 11, Block 8, Oak Crest Addition, City of Kennedale, Tarrant County, Texas on the illustration attached hereto as Exhibit "A" and incorporated herein for all purposes of this Ordinance, is hereby rezoned from "R-3" Single-Family Residential District to "TH" Townhome District.

SECTION 2.

The zoning districts and boundaries herein established have been made in accordance with the comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the community. They have been designed to lessen congestion in the streets, to secure safety from fire, panic, flood and other dangers, to provide adequate light and air, to prevent overcrowding of land, to avoid undue concentration of population, to facilitate the adequate provisions of transportation, water, sewerage, parks and other public requirements. They have been made after a full and complete hearing with reasonable consideration among other things of the character of the district and its peculiar suitability for the particular uses allowed and with a view of conserving the value of the buildings and encouraging the most appropriate use of land throughout the community. The recitals of this Ordinance are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein, and the City Council further finds that all special review criteria and general review criteria of the Unified Development Code, including section 22.7, have been reviewed and the change in zoning classification complies with all applicable review criteria.

SECTION 3.

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

SECTION 4.

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

SECTION 5.

This Ordinance shall be cumulative of all provisions of ordinances and of the City of Kennedale, Texas Unified Development Code, except when the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such code, in which event the conflicting provisions of such ordinances and such code are hereby repealed.

SECTION 6.

It is hereby declared to be the intention of the City Council that in the event the sections, paragraphs, sentences, clauses, or phrases 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 sections, paragraphs, sentences, clauses, and phrases 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 section, paragraph, sentence, clause, or phrase.

SECTION 7.

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 Two Thousand Dollars (\$2,000.00). Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 8.

All rights and remedies of the City of Kennedale are expressly saved as to any and all violations of the provisions of any ordinances governing zoning 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 9.

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

SECTION 10.

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

PASSED AND APPROVED ON THIS 18th DAY OF JANUARY, 2022.

LINDA RHODES, MAYOR

ATTEST:

LESLIE GALLOWAY, CITY SECRETARY

EFFECTIVE: _____

APPROVED AS TO FORM AND LEGALITY:

CITY ATTORNEY

EXHIBIT A

MEETING DATE: JANUARY 18, 2022

AGENDA ITEM NUMBER: PUBLIC HEARING ITEM V.F.3.

SUBJECT

CASE #PZ 22-03 — Conduct a public hearing and consider an Ordinance regarding a request by FC Designs for a rezoning from R3 Single-Family Residential to TH Townhome District for approximately 0.53 acres located at 6821 Oak Crest Drive W, Oak Crest Addition, Block 8, Lot 10, City of Kennedale, Tarrant County, Texas

ORIGINATED BY

Chance LeBlanc, Planning Consultant with Dunaway

SUMMARY

BACKGROUND AND OVERVIEW	
Request	R3 Single-Family District to TH Townhome District
Applicant	FC Designs
Location	6821 Oak Crest Drive W
Surrounding Uses	Single-Family Residential, Industrial, Vacant Lots
Surrounding Zoning	R3, NV, C1, C2
Future Land Use Plan Designation	Employment Center and Potential Transit Station
Staff Recommendation	Approve

CURRENT STATUS OF PROPERTY

This property is a 0.53-acre vacant lot located in the Oak Crest neighborhood.

SURROUNDING PROPERTIES & NEIGHBORHOOD

This property is located southwest of the intersection of Oak Crest Drive W and Link Street. Oak Crest Drive W is characterized by a combination of single-family homes, some vacant lots, and industrial uses.

STAFF REVIEW

Future Land Use Plan

The Future Land Use Plan indicates this property as an Employment Center and a Potential Transit Station.

- Example Development Types: Multifamily

RELATED GOALS FROM THE COMPREHENSIVE LAND USE PLAN

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

- *Principle 2: Economic Prosperity. Promote Access to Housing.*
Providing housing options for people of varying financial means and residential preferences. Provide the regulatory framework and developer support to provide quality housing for residents.

City Council Ends Statements and Goals

- Well-planned community based on principles of a connected city, economic prosperity, and a thriving community.

SUMMARY

(As these cases are adjacent and are nearly identical, this is the same information as was included with the previous agenda item.)

This property has been vacant for many years. The owner of the property has expressed an intent to develop 18 townhome units. The property will be accessed by a private drive from Oak Street Drive. The development will require a replat to vacate the existing 35' building setback per the existing survey. The development will be required to meet standards for TH zoning, requiring each townhouse to be located on individual lots. Each townhouse will have a two-car garage located in the rear of each unit, which will be accessed through an alley.

In October 2021, City Council approved the rezoning of two residential lots located at 6800 and 6808 Oak Crest Drive W from Residential (R3) to Townhome (TH) further increasing the compatibility of this proposed TH zoning with the adjacent existing residential land use. This zoning change would also provide quality alternative housing options to the community. The 2012 Comprehensive Plan designates the subject property as an Employment Center with a Potential Transit Station. The request to rezone to "TH" is a deviation from the Future Land Use Plan (FLUP). However, the potential of a transit station provides an opportunity to encourage transit-supportive land use patterns in this area, such as higher intensity residential units within walking distance.

Please see the exhibits attached to the previous item.

During a regular meeting on Thursday, January 13, 2022, the P&Z Commission voted unanimously to recommend approval.

RECOMMENDATION

Approve

When available, preliminary site plans and/or drawings may be included for informational purposes. However, the hearing of this case should focus upon the appropriateness of the zoning requested rather than any specifics regarding potential drawings or site plans, which would be reviewed and evaluated at a later date, if and when final documents are submitted.

ATTACHMENTS

1.	6821 Oak Crest Dr W	6821 Oak Crest Dr W.docx
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ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CITY OF KENNEDALE, TEXAS UNIFIED DEVELOPMENT CODE BY CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY WITHIN THE CITY, BEING APPROXIMATELY 0.53 ACRES LOCATED AT 6821 OAK CREST DRIVE W., LOT 10, BLOCK 8, OAK CREST ADDITION, CITY OF KENNEDALE, TARRANT COUNTY, TEXAS FROM “R-3” SINGLE-FAMILY RESIDENTIAL DISTRICT TO “TH” TOWNHOME DISTRICT; PROVIDING FOR THE AMENDMENT OF THE OFFICIAL ZONING MAP TO REFLECT SUCH CHANGE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

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

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

WHEREAS, the City Council has determined that the “TH” Townhome District is the most suitable zoning district for the property described below, in accordance with the comprehensive land use plan, and with the standards in the Unified Development Code; and

WHEREAS, the requested change in zoning classification is consistent with the City’s comprehensive plan and any applicable adopted plans and the City Council has weighed plan goals, policies, and strategies and finds that the requested change provides a public benefit; and

WHEREAS, the requested change in zoning classification protects the existing character of neighboring properties and uses, and does not cause significant adverse impacts on surrounding properties; and

WHEREAS, the requested change in zoning classification will not result in significant adverse fiscal or economic impacts on the City; and

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

WHEREAS, a public hearing was duly held by the Planning and Zoning Commission of the City of Kennedale, Texas, on January 13, 2022, and by the City Council of the City of Kennedale, Texas, on January 18, 2022, with respect to the zoning change described herein; and

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

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

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

SECTION 1.

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

Approximately 0.53 acres located at 6821 Oak Crest Drive W., Lot 10, Block 8, Oak Crest Addition, City of Kennedale, Tarrant County, Texas on the illustration attached hereto as Exhibit "A" and incorporated herein for all purposes of this Ordinance, is hereby rezoned from "R-3" Single-Family Residential District to "TH" Townhome District.

SECTION 2.

The zoning districts and boundaries herein established have been made in accordance with the comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the community. They have been designed to lessen congestion in the streets, to secure safety from fire, panic, flood and other dangers, to provide adequate light and air, to prevent overcrowding of land, to avoid undue concentration of population, to facilitate the adequate provisions of transportation, water, sewerage, parks and other public requirements. They have been made after a full and complete hearing with reasonable consideration among other things of the character of the district and its peculiar suitability for the particular uses allowed and with a view of conserving the value of the buildings and encouraging the most appropriate use of land throughout the community. The recitals of this Ordinance are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein, and the City Council further finds that all special review criteria and general review criteria of the Unified Development Code, including section 22.7, have been reviewed and the change in zoning classification complies with all applicable review criteria.

SECTION 3.

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

SECTION 4.

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

SECTION 5.

This Ordinance shall be cumulative of all provisions of ordinances and of the City of Kennedale, Texas Unified Development Code, except when the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such code, in which event the conflicting provisions of such ordinances and such code are hereby repealed.

SECTION 6.

It is hereby declared to be the intention of the City Council that in the event the sections, paragraphs, sentences, clauses, or phrases 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 sections, paragraphs, sentences, clauses, and phrases 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 section, paragraph, sentence, clause, or phrase.

SECTION 7.

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 Two Thousand Dollars (\$2,000.00). Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 8.

All rights and remedies of the City of Kennedale are expressly saved as to any and all violations of the provisions of any ordinances governing zoning 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 9.

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

SECTION 10.

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

PASSED AND APPROVED ON THIS 18th DAY OF JANUARY, 2022.

LINDA RHODES, MAYOR

ATTEST:

LESLIE GALLOWAY, CITY SECRETARY

EFFECTIVE: _____

APPROVED AS TO FORM AND LEGALITY:

CITY ATTORNEY

EXHIBIT A



MEETING DATE: JANUARY 18, 2022

AGENDA ITEM NUMBER: PUBLIC HEARING ITEM V.F.4.

SUBJECT

CASE #PZ 22-04 — Conduct a public hearing and consider an Ordinance regarding a request by See Eng for a rezoning from C2 General Commercial to R3 Residential for approximately 0.33-acre tract located at 104 Meadowview Drive in the Boaz's Subdivision Addition Lot 3R, Block 13, City of Kennedale, Tarrant County, Texas

ORIGINATED BY

Chance LeBlanc, Planning Consultant with Dunaway

SUMMARY

BACKGROUND AND OVERVIEW

Request	Rezone from C2 Commercial to R3 Residential
Applicant	See Eng
Location	104 Meadowview Drive
Surrounding Uses	Single-Family Residential, Industrial
Surrounding Zoning	C2, R2 & R3
Future Land Use Plan Designation	Neighborhood District
Staff Recommendation	Approve

CURRENT STATUS OF PROPERTY

This property is a 0.33-acre vacant lot located at 104 Meadowview Drive.

SURROUNDING PROPERTIES & NEIGHBORHOOD

The subject property is located just south of the intersection at Meadowview Drive and Mansfield Cardinal Road. The surrounding area is characterized by a single-family homes, warehousing, and vacant lots. This case is adjacent to the following case.

STAFF REVIEW

Future Land Use Plan

The Future Land Use Plan indicates this property as Neighborhood District.

- Development Types: Single-Family Housing

RELATED GOALS FROM THE COMPREHENSIVE LAND USE PLAN

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

- *Principle 2: Economic Prosperity. Promote Access to Housing.*
Providing housing options for people of varying financial means and residential preferences. Provide the regulatory framework and developer support to provide quality housing for residents.

City Council Ends Statements and Goals

- Financially responsible and sustainable.
- Well-planned community based on principles of a connected city, economic prosperity, and a thriving community.

SUMMARY

The applicant plans to build a single-family residence on this 0.33-acre site. The development will be required to meet standards for R3 zoning, which requires a minimum 80-foot width lot and must meet all requirements for single-family development. Staff believes the development of these lots for single-family homes would be compatible and consistent with surrounding development. The 2012 Comprehensive Plan designates the subject property as Neighborhood District. The request to rezone to R3 is consistent with the Future Land Use Plan (FLUP).

During a regular meeting on Thursday, January 13, 2022, the P&Z Commission voted unanimously to recommend approval.

RECOMMENDATION

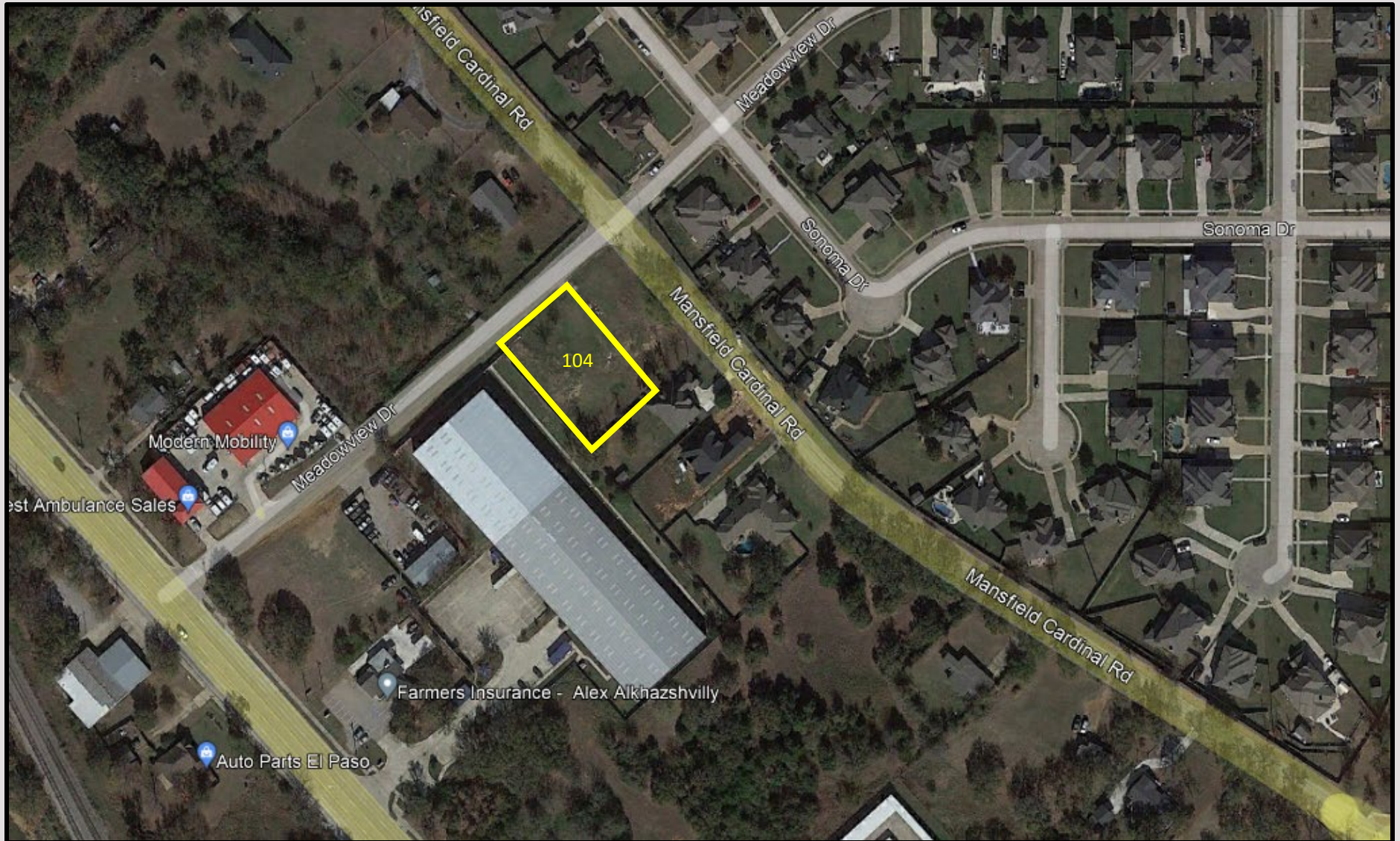
Approve

When available, preliminary site plans and/or drawings may be included for informational purposes. However, the hearing of this case should focus upon the appropriateness of the zoning requested rather than any specifics regarding potential drawings or site plans, which would be reviewed and evaluated at a later date, if and when final documents are submitted.

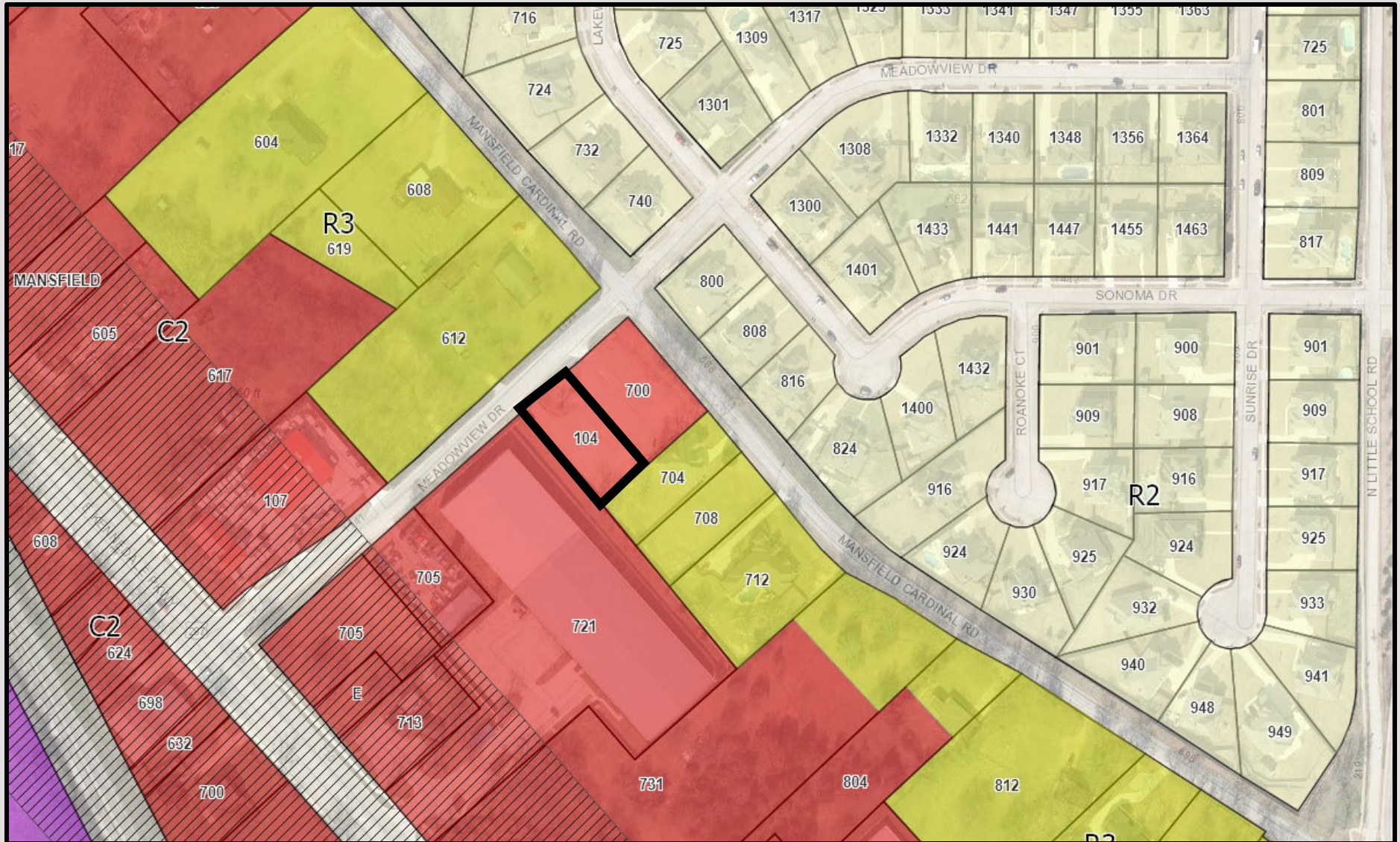
ATTACHMENTS

1.	Exhibits 104 Meadowview Dr	Exhibits 104 Meadowview Dr.pdf
2.	104 Meadowview	104 Meadowview.docx

104 MEADOW VIEW DRIVE AERIAL



104 MEADOW VIEW DRIVE ZONING MAP



KENNEDALE SUBLETT

BROADWAY

KENNEDALE PKWY

104 Meadowview

COLLETT SUBLETT

SWINEY HIATT

MANSFIELD



104 MEADOW VIEW DRIVE ELEVATIONS



ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CITY OF KENNEDALE, TEXAS UNIFIED DEVELOPMENT CODE BY CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY WITHIN THE CITY, BEING APPROXIMATELY 0.33 ACRES LOCATED AT 104 MEADOWVIEW DRIVE, LOT 3R, BLOCK 13, BOAZ'S SUBDIVISION ADDITION, CITY OF KENNEDALE, TARRANT COUNTY, TEXAS FROM "C-2" GENERAL COMMERCIAL DISTRICT TO "R-3" SINGLE-FAMILY RESIDENTIAL DISTRICT; PROVIDING FOR THE AMENDMENT OF THE OFFICIAL ZONING MAP TO REFLECT SUCH CHANGE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

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

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

WHEREAS, the City Council has determined that the "R-3" Single-Family Residential District is the most suitable zoning district for the property described below, in accordance with the comprehensive land use plan, and with the standards in the Unified Development Code; and

WHEREAS, the requested change in zoning classification is consistent with the City's comprehensive plan and any applicable adopted plans and the City Council has weighed plan goals, policies, and strategies and finds that the requested change provides a public benefit; and

WHEREAS, the requested change in zoning classification protects the existing character of neighboring properties and uses, and does not cause significant adverse impacts on surrounding properties; and

WHEREAS, the requested change in zoning classification will not result in significant adverse fiscal or economic impacts on the City; and

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

WHEREAS, a public hearing was duly held by the Planning and Zoning Commission of the City of Kennedale, Texas, on January 13, 2022, and by the City Council of the City of Kennedale, Texas, on January 18, 2022, with respect to the zoning change described herein; and

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

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

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

SECTION 1.

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

Approximately 0.33 acres located at 104 Meadowview Drive, Lot 3R, Block 13, Boaz's Subdivision Addition, City of Kennedale, Tarrant County, Texas on the illustration attached hereto as Exhibit "A" and incorporated herein for all purposes of this Ordinance, is hereby rezoned from "C-2" General Commercial District to "R-3" Single-Family Residential District.

SECTION 2.

The zoning districts and boundaries herein established have been made in accordance with the comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the community. They have been designed to lessen congestion in the streets, to secure safety from fire, panic, flood and other dangers, to provide adequate light and air, to prevent overcrowding of land, to avoid undue concentration of population, to facilitate the adequate provisions of transportation, water, sewerage, parks and other public requirements. They have been made after a full and complete hearing with reasonable consideration among other things of the character of the district and its peculiar suitability for the particular uses allowed and with a view of conserving the value of the buildings and encouraging the most appropriate use of land throughout the community. The recitals of this Ordinance are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein, and the City Council further finds that all special review criteria and general review criteria of the

Unified Development Code, including section 22.7, have been reviewed and the change in zoning classification complies with all applicable review criteria.

SECTION 3.

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

SECTION 4.

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

SECTION 5.

This Ordinance shall be cumulative of all provisions of ordinances and of the City of Kennedale, Texas Unified Development Code, except when the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such code, in which event the conflicting provisions of such ordinances and such code are hereby repealed.

SECTION 6.

It is hereby declared to be the intention of the City Council that in the event the sections, paragraphs, sentences, clauses, or phrases 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 sections, paragraphs, sentences, clauses, and phrases 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 section, paragraph, sentence, clause, or phrase.

SECTION 7.

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 Two Thousand Dollars (\$2,000.00). Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 8.

All rights and remedies of the City of Kennedale are expressly saved as to any and all violations of the provisions of any ordinances governing zoning 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 9.

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

SECTION 10.

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

PASSED AND APPROVED ON THIS 18th DAY OF JANUARY, 2022.

LINDA RHODES, MAYOR

ATTEST:

LESLIE GALLOWAY, CITY SECRETARY

EFFECTIVE: _____

APPROVED AS TO FORM AND LEGALITY:

CITY ATTORNEY

EXHIBIT A



MEETING DATE: JANUARY 18, 2022

AGENDA ITEM NUMBER: PUBLIC HEARING ITEM V.F.5.

SUBJECT

CASE #PZ 22-05 — Conduct a public hearing and consider an Ordinance regarding a request by See Eng for a rezoning from C2 General Commercial to R3 Residential for approximately 0.47-acre tract located at 700 Mansfield Cardinal Road in the Boaz's Subdivision Addition Lots 1 & 2, Block 13, City of Kennedale, Tarrant County, Texas

ORIGINATED BY

Chance LeBlanc, Planning Consultant with Dunaway

SUMMARY

BACKGROUND AND OVERVIEW

Request	Rezone from C2 Commercial to R3 Residential
Applicant	See Eng
Location	700 Mansfield Cardinal Road
Surrounding Uses	Single-Family Residential, Industrial
Surrounding Zoning	C2, R2 & R3
Future Land Use Plan Designation	Neighborhood District
Staff Recommendation	Approve

CURRENT STATUS OF PROPERTY

This property is a 0.47-acre vacant lot located at 700 Mansfield Cardinal Road.

SURROUNDING PROPERTIES & NEIGHBORHOOD

The subject property is located at the intersection of Meadowview Drive and Mansfield Cardinal Road. The surrounding area is characterized by single-family homes, warehousing, and vacant lots. This case is adjacent to the previous case.

STAFF REVIEW

Future Land Use Plan

The Future Land Use Plan indicates this property as Neighborhood District.

- Development Types: Single-Family Housing

RELATED GOALS FROM THE COMPREHENSIVE LAND USE PLAN

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

- *Principle 2: Economic Prosperity. Promote Access to Housing.*
Providing housing options for people of varying financial means and residential preferences. Provide the regulatory framework and developer support to provide quality housing for residents.

City Council Ends Statements and Goals

- Financially responsible and sustainable.
- Well-planned community based on principles of a connected city, economic prosperity, and a thriving community.

SUMMARY

The applicant plans to build a single-family residence on this 0.47-acre site. The development will be required to meet standards for R3 zoning, which requires a minimum 80-foot width lot and must meet all requirements for single-family development. Staff believes the development of these lots for single-family homes would be compatible and consistent with surrounding development. The 2012 Comprehensive Plan designates the subject property as Neighborhood District. The request to rezone to R3 is consistent with the Future Land Use Plan (FLUP).

During a regular meeting on Thursday, January 13, 2022, the P&Z Commission voted unanimously to recommend approval.

RECOMMENDATION

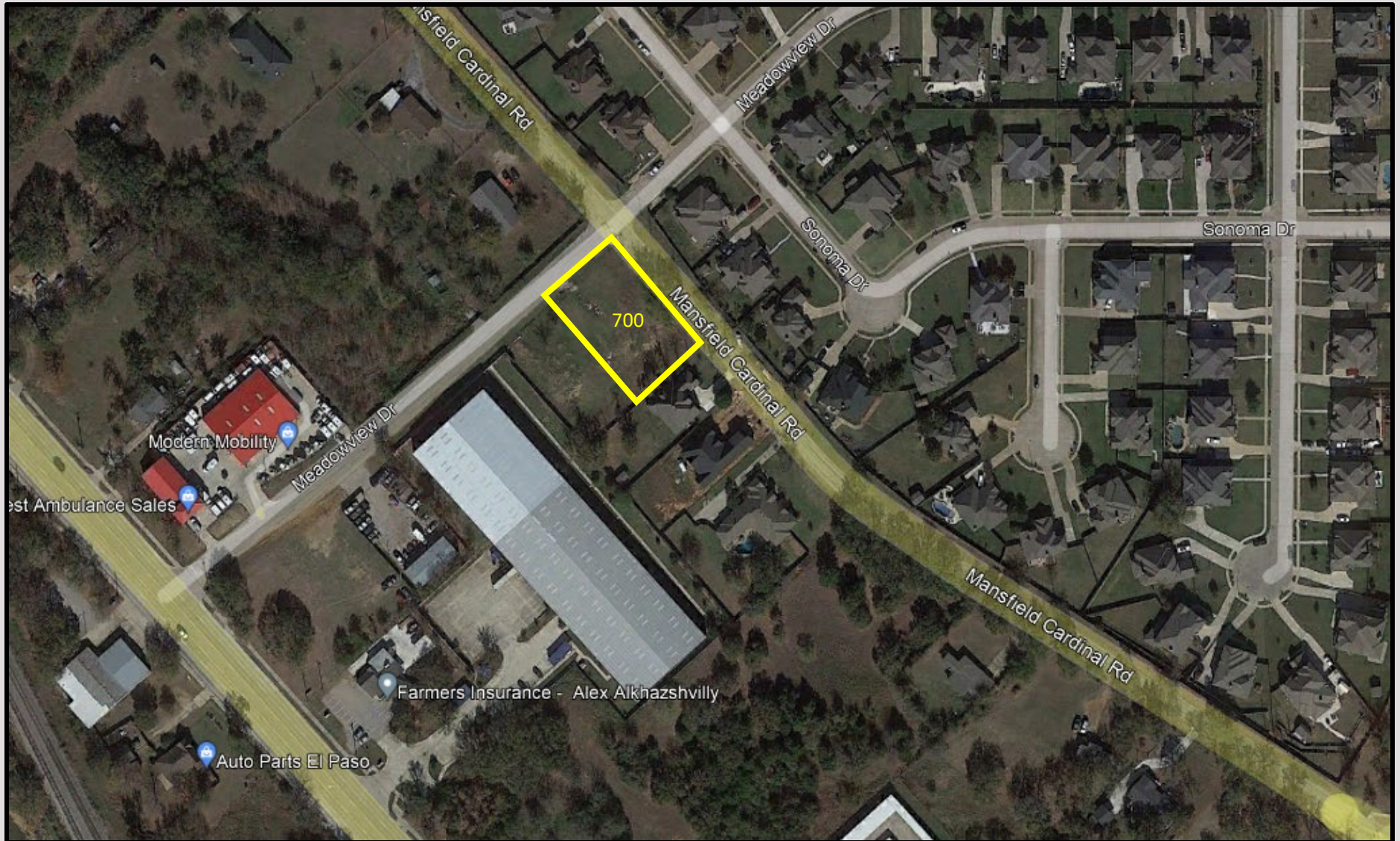
Approve

When available, preliminary site plans and/or drawings may be included for informational purposes. However, the hearing of this case should focus upon the appropriateness of the zoning requested rather than any specifics regarding potential drawings or site plans, which would be reviewed and evaluated at a later date, if and when final documents are submitted.

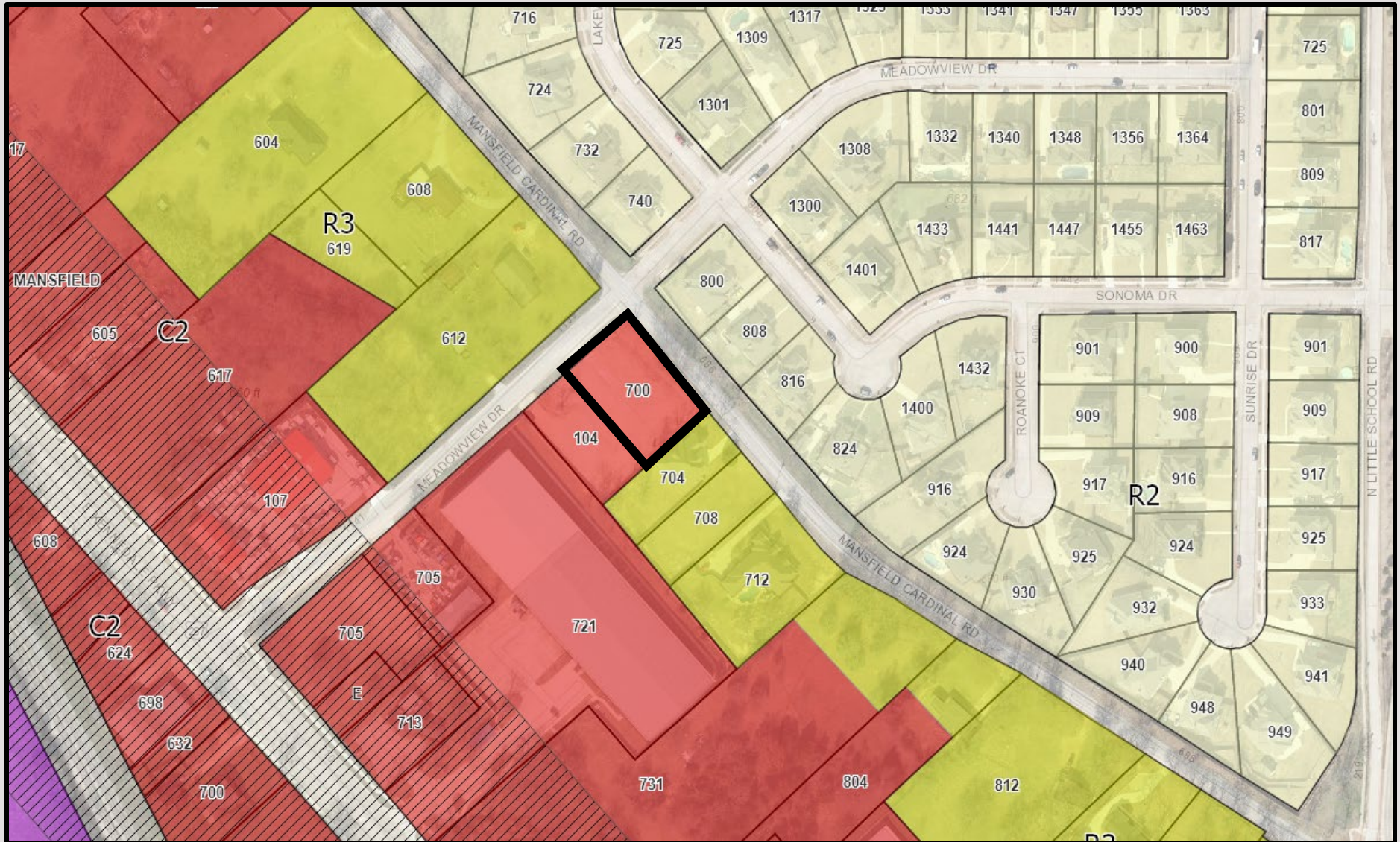
ATTACHMENTS

1.	Exhibits 700 Mansfield Cardinal Road	Exhibits 700 Mansfield Cardinal Road.pdf
2.	700 Mansfield Cardinal Rd	700 Mansfield Cardinal Rd.docx

700 MANSFIELD CARDINAL ROAD AERIAL



700 MANSFIELD CARDINAL ROAD ZONING MAP



[illegible]

SURVEY



POINT OF BEGINNING

MANSFIELD-CARDINAL ROAD
(VARIABLE ROW)
S 41° 31' 22" E

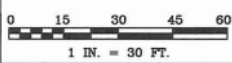
LOT 2, BLOCK 13
10,150 SQ. FT.
0.2330 ACRES

LOT 3-R, BLOCK 13
0.3311 ACRES
INST. NO. D217155593
D.R.T.C.T.

LOT 14-R-1
BOAZ'S SUBDIVISION
CAB. B, SLIDE 2764
P.R.T.C.T.

Bearings are referenced to (N 48° 00' 00" E
along the northwest line of Lot 14, per plat
Vol. 1299, Pg. 6, D.R.T.C.T.

This tract appears to be located in Zone "X", areas not located in a Special Flood Hazard Area Inundated by 100-Year Flood, as shown by Flood Insurance Rate Map No. 48439C0340 K, dated September 25, 2009.



ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CITY OF KENNEDALE, TEXAS UNIFIED DEVELOPMENT CODE BY CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY WITHIN THE CITY, BEING APPROXIMATELY 0.47 ACRES LOCATED AT 700 MANSFIELD CARDINAL ROAD, LOTS 1 AND 2, BLOCK 13, BOAZ'S SUBDIVISION ADDITION, CITY OF KENNEDALE, TARRANT COUNTY, TEXAS FROM "C-2" GENERAL COMMERCIAL DISTRICT TO "R-3" SINGLE-FAMILY RESIDENTIAL DISTRICT; PROVIDING FOR THE AMENDMENT OF THE OFFICIAL ZONING MAP TO REFLECT SUCH CHANGE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

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

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

WHEREAS, the City Council has determined that the "R-3" Single-Family Residential District is the most suitable zoning district for the property described below, in accordance with the comprehensive land use plan, and with the standards in the Unified Development Code; and

WHEREAS, the requested change in zoning classification is consistent with the City's comprehensive plan and any applicable adopted plans and the City Council has weighed plan goals, policies, and strategies and finds that the requested change provides a public benefit; and

WHEREAS, the requested change in zoning classification protects the existing character of neighboring properties and uses, and does not cause significant adverse impacts on surrounding properties; and

WHEREAS, the requested change in zoning classification will not result in significant adverse fiscal or economic impacts on the City; and

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

WHEREAS, a public hearing was duly held by the Planning and Zoning Commission of the City of Kennedale, Texas, on January 13, 2022, and by the City Council of the City of Kennedale, Texas, on January 18, 2022, with respect to the zoning change described herein; and

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

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

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

SECTION 1.

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

Approximately 0.47 acres located at 700 Mansfield Cardinal Road, Lots 1 and 2, Block 13, Boaz's Subdivision Addition, City of Kennedale, Tarrant County, Texas on the illustration attached hereto as Exhibit "A" and incorporated herein for all purposes of this Ordinance, is hereby rezoned from "C-2" General Commercial District to "R-3" Single-Family Residential District.

SECTION 2.

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

Council further finds that all special review criteria and general review criteria of the Unified Development Code, including section 22.7, have been reviewed and the change in zoning classification complies with all applicable review criteria.

SECTION 3.

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

SECTION 4.

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

SECTION 5.

This Ordinance shall be cumulative of all provisions of ordinances and of the City of Kennedale, Texas Unified Development Code, except when the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such code, in which event the conflicting provisions of such ordinances and such code are hereby repealed.

SECTION 6.

It is hereby declared to be the intention of the City Council that in the event the sections, paragraphs, sentences, clauses, or phrases 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 sections, paragraphs, sentences, clauses, and phrases 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 section, paragraph, sentence, clause, or phrase.

SECTION 7.

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 Two Thousand Dollars (\$2,000.00). Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 8.

All rights and remedies of the City of Kennedale are expressly saved as to any and all violations of the provisions of any ordinances governing zoning 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 9.

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

SECTION 10.

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

PASSED AND APPROVED ON THIS 18th DAY OF JANUARY, 2022.

LINDA RHODES, MAYOR

ATTEST:

LESLIE GALLOWAY, CITY SECRETARY

EFFECTIVE: _____

APPROVED AS TO FORM AND LEGALITY:

CITY ATTORNEY

EXHIBIT A



MEETING DATE: JANUARY 18, 2022

AGENDA ITEM NUMBER: PUBLIC HEARING ITEM V.F.6.

SUBJECT

CASE #PZ 22-06 — Conduct a public hearing and consider an Ordinance regarding a request by Citipoint Properties & Investments, LLC for a rezoning from “OT-2” Old Town-2 to “OT-3” Old Town-3 for approximately 3.44 acres located at 509 Corry A Edwards Drive, Woodlea Acres Addition, Block 2 Lot 1, City of Kennedale, Tarrant County, Texas

ORIGINATED BY

Chance LeBlanc, Planning Consultant with Dunaway

SUMMARY

BACKGROUND AND OVERVIEW

Request	Rezone from OT-2 (Old Town 2) to OT-3 (Old Town 3)
Applicant	Citipoint Properties & Investments, LLC (Olusegun Asekun)
Location	509 Corry A Edwards Drive
Surrounding Uses	Single-Family, Mobile Home Park, Industrial, Senior living, Municipality, Commercial
Surrounding Zoning	OT-2, OT-3, OT-4, PD-HT
Future Land Use Plan Designation	Downtown Village
Staff Recommendation	Approve

CURRENT STATUS OF PROPERTY

Currently a vacant assisted living (converted house) that was formerly Serenity Inn.

SURROUNDING PROPERTIES & NEIGHBORHOOD

This property is located at the northwest corner at the intersection of Corry A Edwards and Daleview Drive. Corry A Edwards is characterized by a combination of single-family homes, light industrial, and the Kennedale Senior Center. Daleview Street runs along the south property line and serves as the access for Hilltop Addition. The Western portion of the property abuts light industrial use.

STAFF REVIEW

Future Land Use Plan

The Future Land Use Plan indicates this property as Downtown Village.

- Development Types: Attached Single-Family (Townhomes)

RELATED GOALS FROM THE COMPREHENSIVE LAND USE PLAN

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

- *Principle 2: Economic Prosperity. Promote Access to Housing.*
Providing housing options for people of varying financial means and residential preferences. Provide the regulatory framework and developer support to provide quality housing for residents.

City Council Ends Statements and Goals

- Well-planned community based on principles of a connected city, economic prosperity, and a thriving community.

SUMMARY

The property has been vacant since 2016. The owner of the property has expressed an intent to develop 40 townhome units. The property would be accessible by two private entrances from Corry A Edwards Drive. The interior roads would be private streets, and the overall development will be within a Homeowners Association (HOA). The development will be required to meet standards for TH zoning, including each townhome being on an individual lot. Each will also have a rear two-car garage accessible via an alley.

The City included Old Town 3 (OT-3) in the UDC (adopted in 2016) in an effort to encourage higher density development and a mix of uses in this older part of the city. The proposed zoning, OT-3, would allow for a continuation of the development principles of Old Town, while also allowing for townhouse development. With the current adjacent zoning consisting of OT4 and OT3, staff believes the development of these lots for townhouses would be compatible and consistent with surrounding development. The 2012 Comprehensive Plan designates the subject property as Downtown Village. The request to rezone to "OT3" would not be a deviation from the Future Land Use Map.

During a regular meeting on Thursday, January 13, 2022, the P&Z Commission voted 4-2 to recommend approval, with Chair Perkins and Commissioner Clementi voting against.

RECOMMENDATION

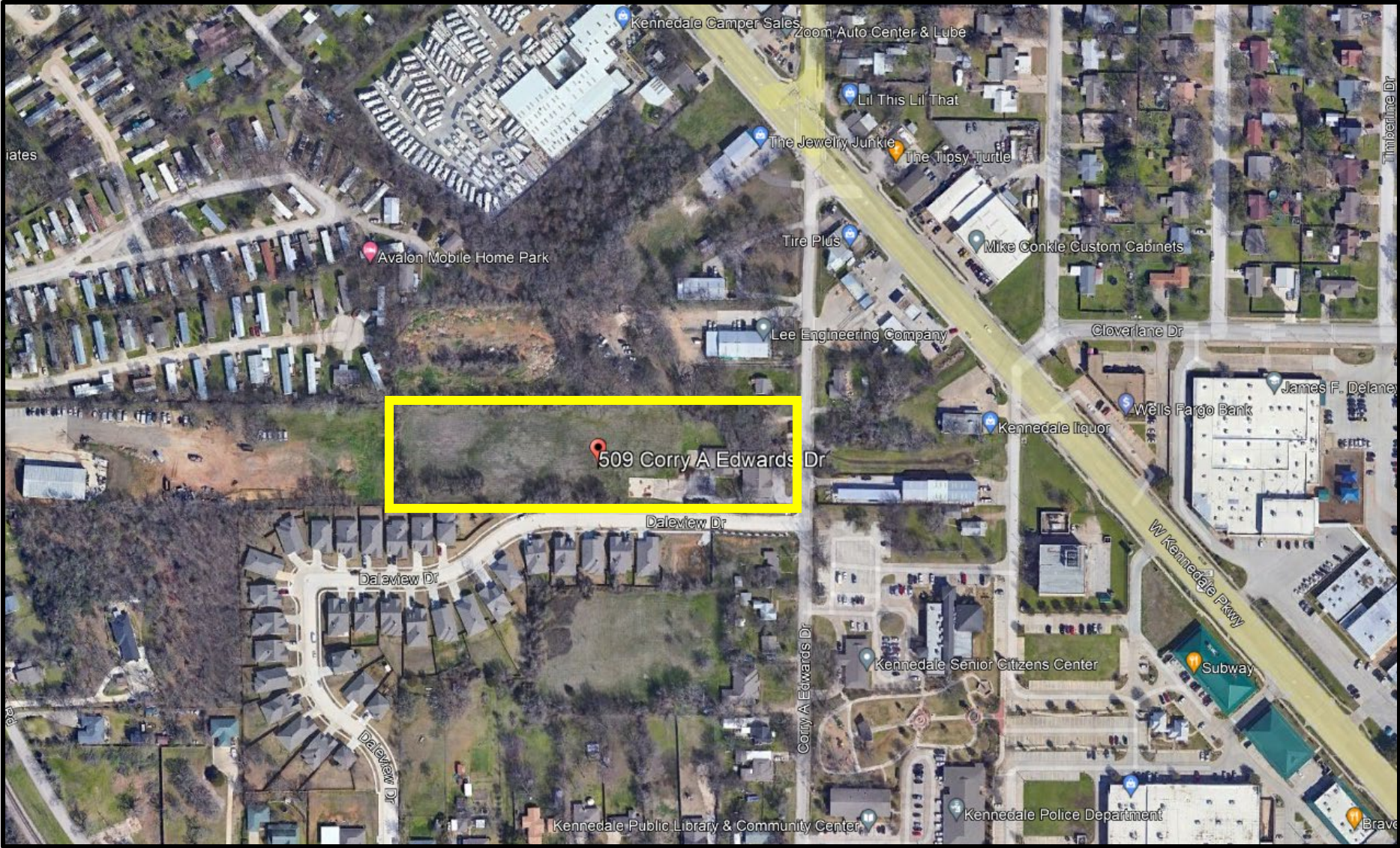
Approve

When available, preliminary site plans and/or drawings may be included for informational purposes. However, the hearing of this case should focus upon the appropriateness of the zoning requested rather than any specifics regarding potential drawings or site plans, which would be reviewed and evaluated at a later date, if and when final documents are submitted.

ATTACHMENTS

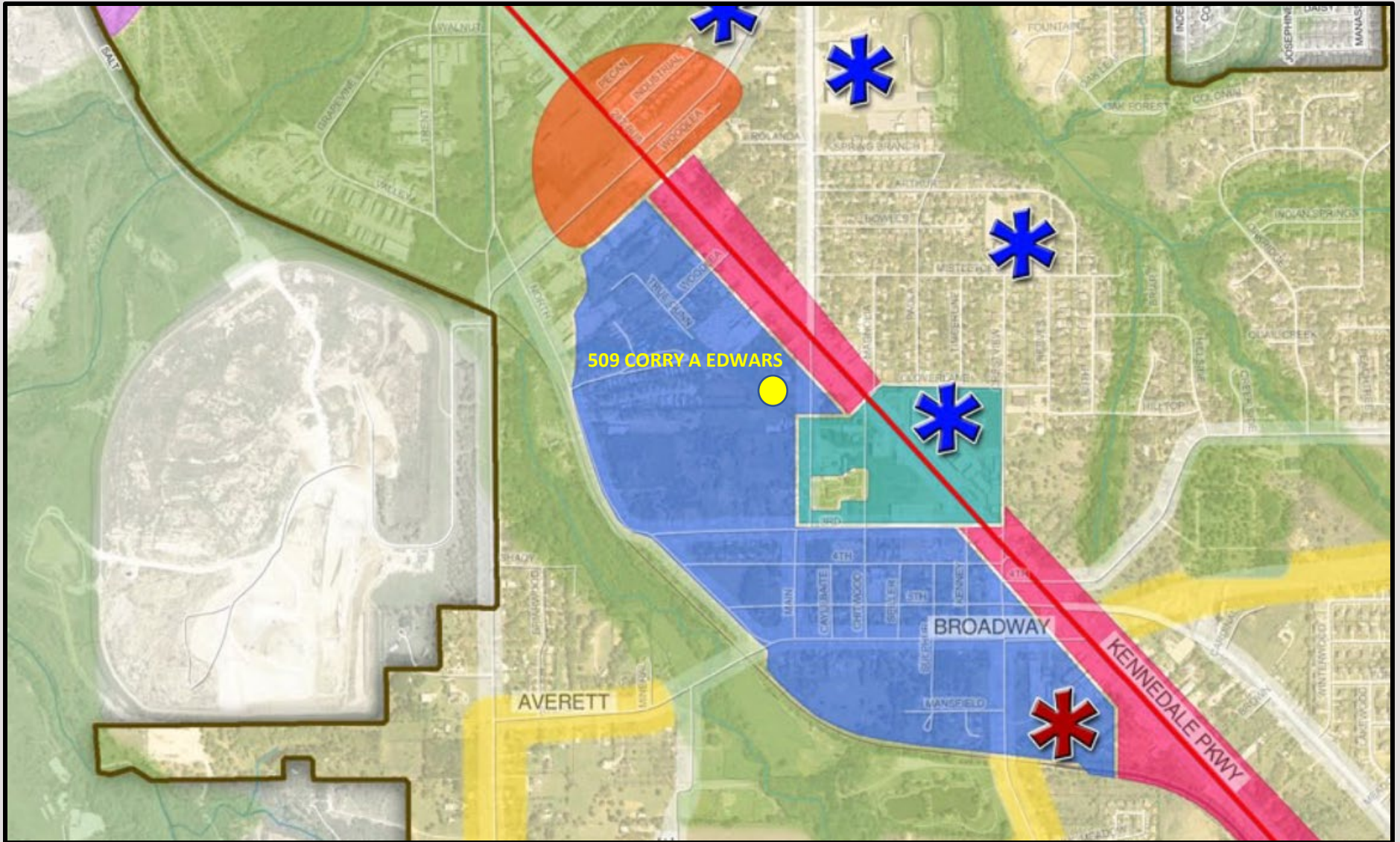
1.	Exhibits 509 Corry A Edwards	Exhibits 509 Corry A Edwards.pdf
2.	509 Corry A Edwards	509 Corry A Edwards.docx

509 CORRY A EDWARDS DRIVE
AERIAL

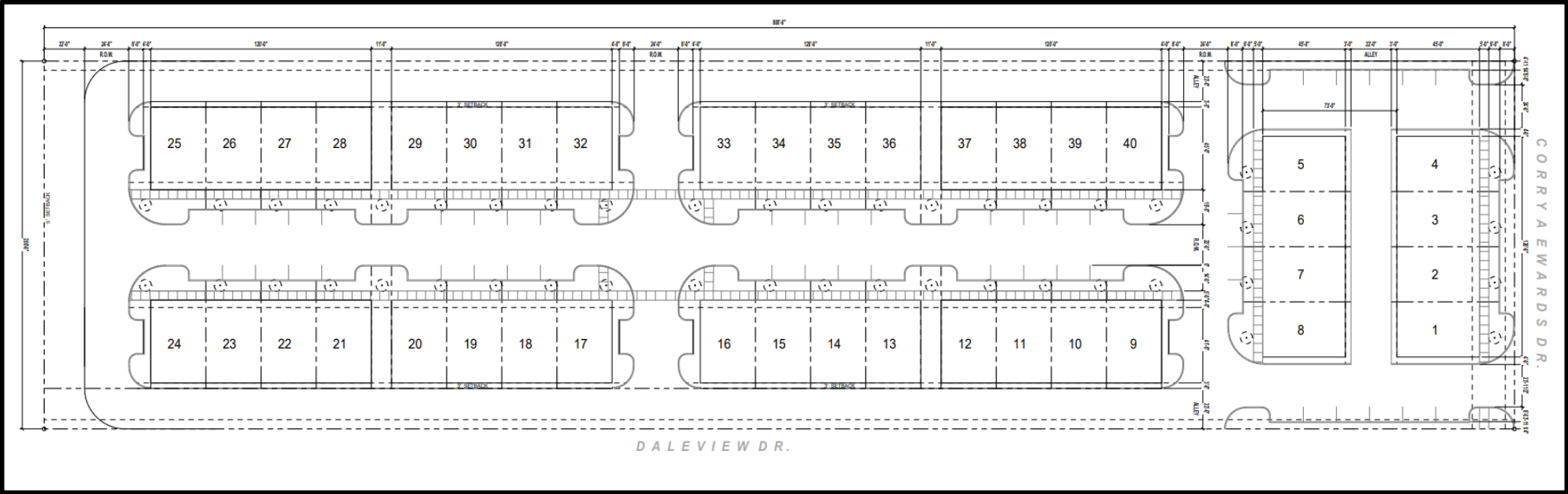




509 CORRY A EDWARDS DRIVE FUTURE LAND USE



509 CORRY A EDWARDS DRIVE
SITE PLAN



509 CORRY A EDWARDS DRIVE
ELEVATIONS



ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CITY OF KENNEDALE, TEXAS UNIFIED DEVELOPMENT CODE BY CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY WITHIN THE CITY, BEING APPROXIMATELY 3.44 ACRES LOCATED AT 509 CORRY A. EDWARDS DRIVE, LOT 1, BLOCK 2, WOODLEA ACRES ADDITION, CITY OF KENNEDALE, TARRANT COUNTY, TEXAS FROM “OT-2” OLD TOWN SINGLE-FAMILY RESIDENTIAL AND RETAIL MIXED-USE DISTRICT TO “OT-3” OLD TOWN TOWNCENTER DISTRICT; PROVIDING FOR THE AMENDMENT OF THE OFFICIAL ZONING MAP TO REFLECT SUCH CHANGE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

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

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

WHEREAS, the City Council has determined that the “OT-3” Old Town TownCenter District is the most suitable zoning district for the property described below, in accordance with the comprehensive land use plan, and with the standards in the Unified Development Code; and

WHEREAS, the requested change in zoning classification is consistent with the City’s comprehensive plan and any applicable adopted plans and the City Council has weighed plan goals, policies, and strategies and finds that the requested change provides a public benefit; and

WHEREAS, the requested change in zoning classification protects the existing character of neighboring properties and uses, and does not cause significant adverse impacts on surrounding properties; and

WHEREAS, the requested change in zoning classification will not result in significant adverse fiscal or economic impacts on the City; and

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

WHEREAS, a public hearing was duly held by the Planning and Zoning Commission of the City of Kennedale, Texas, on January 13, 2022, and by the City Council of the City of Kennedale, Texas, on January 18, 2022, with respect to the zoning change described herein; and

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

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

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

SECTION 1.

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

Approximately 3.44 acres located at 509 Corry A. Edwards Drive, Lot 1, Block 2, Woodlea Acres Addition, City of Kennedale, Tarrant County, Texas on the illustration attached hereto as Exhibit "A" and incorporated herein for all purposes of this Ordinance, is hereby rezoned from "OT-2" Old Town Single-Family Residential and Retail Mixed-Use District to "OT-3" Old Town TownCenter District.

SECTION 2.

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

Council further finds that all special review criteria and general review criteria of the Unified Development Code, including section 22.7, have been reviewed and the change in zoning classification complies with all applicable review criteria.

SECTION 3.

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

SECTION 4.

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

SECTION 5.

This Ordinance shall be cumulative of all provisions of ordinances and of the City of Kennedale, Texas Unified Development Code, except when the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such code, in which event the conflicting provisions of such ordinances and such code are hereby repealed.

SECTION 6.

It is hereby declared to be the intention of the City Council that in the event the sections, paragraphs, sentences, clauses, or phrases 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 sections, paragraphs, sentences, clauses, and phrases 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 section, paragraph, sentence, clause, or phrase.

SECTION 7.

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 Two Thousand Dollars (\$2,000.00). Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 8.

All rights and remedies of the City of Kennedale are expressly saved as to any and all violations of the provisions of any ordinances governing zoning 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 9.

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

SECTION 10.

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

PASSED AND APPROVED ON THIS 18th DAY OF JANUARY, 2022.

LINDA RHODES, MAYOR

ATTEST:

LESLIE GALLOWAY, CITY SECRETARY

EFFECTIVE: _____

APPROVED AS TO FORM AND LEGALITY:

CITY ATTORNEY

EXHIBIT A