

## **KENNEDALE CITY COUNCIL AGENDA**

**REGULAR MEETING | MAY 25, 2023 AT 9:00 AM**  
**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.CITYOFKENNEDEALE.COM/VIDEOS](http://WWW.CITYOFKENNEDEALE.COM/VIDEOS)  
THE VIRTUAL OPTION DOES NOT ALLOW FOR PUBLIC COMMENT**

### **I. CALL TO ORDER**

*To address the Kennedale City Council regarding an agenda 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 Kennedale City Council as a whole, rather than individual members or staff. Pursuant to Texas Government Code §551.071, the Kennedale City Council reserves the right to adjourn into Executive (Closed) Session at any time during the meeting to seek legal advice from the City Attorney on any item posted on the agenda.*

#### **A. ROLL CALL**

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

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

### **II. WORK SESSION**

#### **A. WORK SESSION REPORTS**

1. Presentation by directors of budget overviews and new program requests for each department.

#### **B. DISCUSSION AND/OR REQUESTS FOR CLARIFICATION OF ITEMS LISTED ON THE AGENDA**

### **III. REGULAR SESSION**

#### **A. ITEMS FOR INDIVIDUAL CONSIDERATION**

1. Discussion and necessary action by Council regarding Mayor's veto of the motion to approve First Amendment to the ILA for Operations and treated Water Sales between the City of Arlington and the City of Kennedale, TX.
2. Discussion and approval of \$112,000 for the completion of the S. New Hope Road Bridge Project by TXDoT.

### **IV. EXECUTIVE SESSION**

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

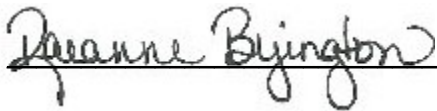
- A. **PURSUANT TO §551.071** — Consultation with the City Attorney pertaining to any matter in which the duty of the City Attorney under the Texas Disciplinary Rules of Professional Conduct may conflict with the Open Meetings Act, including discussion of any item posted on the agenda, legal issues regarding the Open Meetings Act.
- B. **PURSUANT TO §551.072** — Deliberation regarding the purchase, exchange, lease, or value of real property.
- C. **PURSUANT TO §551.087** — (1) Deliberation regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision.
- D. **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.

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

**VI. ADJOURNMENT**

**CERTIFICATION**

I DO HEREBY CERTIFY THAT THE MAY 25, 2023 KENNEDALE CITY COUNCIL AGENDA WAS POSTED INSIDE THE MAIN ENTRANCE OF CITY HALL (405 MUNICIPAL DRIVE), IN A PLACE CONVENIENT AND READILY ACCESSIBLE TO THE GENERAL PUBLIC AT ALL TIMES; AND THAT SAID AGENDA WAS POSTED AT LEAST SEVENTY-TWO (72) HOURS PRECEDING THE SCHEDULED TIME OF SAID MEETING, IN ACCORDANCE WITH CHAPTER 551 OF THE TEXAS GOVERNMENT CODE.



RAEANNE BYINGTON 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.



**MEETING DATE:** MAY 25, 2023

**AGENDA ITEM NUMBER:** REGULAR SESSION ITEM I.B.

**SUBJECT**

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

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

**ORIGINATED BY**

**SUMMARY**

**RECOMMENDATION**

**ATTACHMENTS**



**MEETING DATE:** MAY 25, 2023

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

**SUBJECT**  
WORK SESSION REPORTS

**ORIGINATED BY**

**SUMMARY**

**RECOMMENDATION**

**ATTACHMENTS**



**MEETING DATE:** MAY 25, 2023

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

**SUBJECT**

Presentation by directors of budget overviews and new program requests for each department.

**ORIGINATED BY**

**SUMMARY**

**RECOMMENDATION**

**ATTACHMENTS**



**MEETING DATE:** MAY 25, 2023

**AGENDA ITEM NUMBER:** WORK SESSION ITEM II.B.

**SUBJECT**

DISCUSSION AND/OR REQUESTS FOR CLARIFICATION OF ITEMS LISTED ON THE AGENDA

**ORIGINATED BY**

**SUMMARY**

**RECOMMENDATION**

**ATTACHMENTS**



**MEETING DATE:** MAY 25, 2023

**AGENDA ITEM NUMBER:** INDIVIDUAL CONSIDERATION ITEM III.A.

**SUBJECT**  
ITEMS FOR INDIVIDUAL CONSIDERATION

**ORIGINATED BY**

**SUMMARY**

**RECOMMENDATION**

**ATTACHMENTS**



**MEETING DATE:** MAY 25, 2023

**AGENDA ITEM NUMBER:** INDIVIDUAL CONSIDERATION ITEM III.A.1.

**SUBJECT**

Discussion and necessary action by Council regarding Mayor's veto of the motion to approve First Amendment to the ILA for Operations and treated Water Sales between the City of Arlington and the City of Kennedale, TX.

**ORIGINATED BY**

**SUMMARY**

**RECOMMENDATION**

**ATTACHMENTS**

**MEETING DATE:** MAY 25, 2023

**AGENDA ITEM NUMBER:** INDIVIDUAL CONSIDERATION ITEM III.A.2.

**SUBJECT**

Discussion and approval of \$111,856.09 for the completion of the S. New Hope Road Bridge Project by TXDOT.

**ORIGINATED BY:** Kristian Sugrim

**SUMMARY:**

On about January 2018, as part of the State's Off-System Bridge Replacement Program, the City of Kennedale entered into an agreement with the Texas Department of Transportation, TXDOT, for the construction of the S. New Hope Road Bridge. The contract was awarded to IBCTX at \$1,420,252.00 for a start of construction in July 2018. For this bridge replacement, the City of Kennedale would fund the designs and the construction cost will be borne by Federal Funding. Unfortunately, during the course of construction, conflicts with franchise and water utilities were encountered; therefore, revisions to the design plan had to be made, resulting in Change Order No.1 (CO1) request. Approval of this CO1 is necessary to eliminate additional construction completion delays and increases in project costs.

**RECOMMENDATION:**

Staff recommends that the Kennedale's City Council authorize the approval and execution of Change Order No.1 with TXDOT, in the sum of One Hundred and Eleven Thousand Eight Hundred Fifty-Six Dollars and Nine Cents, \$111,856.09.

**ATTACHMENTS:**

Freese & Nichols Memo with quote.



Innovative approaches  
Practical results  
Outstanding service

801 Cherry Street, Suite 2800 + Fort Worth, Texas 76102 + 817-735-7300 + FAX 817-735-7491

[www.freese.com](http://www.freese.com)

**TO:** Kristian Sugrim, Public Works Director  
**CC:** Darrell Hull, City Manager  
**FROM:** Sidney Green, Jr., PE  
**SUBJECT:** New Hope Road - Change Order / TxDOT Reimbursement  
**DATE:** 5/17/2023  
**PROJECT:** New Hope Road – Bridge Replacement Project

Dear Mr. Sugrim:

Based on the City's direction at a project site meeting in February 2023, the preferred option regarding the 12" water line found in conflict was to shorten the proposed retaining wall. A change order was prepared in April after conducting potholes of existing water line to confirm its location, to detail the reduced wall extent. The change order also included an extent of metal beam guard fence with end treatments to protect drivers from the embankment on the east side of the project. The total proposed fee for change order and reimbursements to TxDOT is \$111,856.09 as summarized in the summary below and attachments.

| Item                                   | Unit | Quantity | Unit Cost    | Total                | Notes                                                                               |
|----------------------------------------|------|----------|--------------|----------------------|-------------------------------------------------------------------------------------|
| BARRICADES, SIGNS AND TRAFFIC HANDLING | MON  | 7        | \$ 2,970.03  | \$ 20,790.21         | 2 month - TRWD/Gas line<br>3 month - demob/remob<br>2 month - complete construction |
| Project Inefficiency                   | LS   | 1        | \$ 49,740.48 | \$ 49,740.48         | Deviation from critical path<br>construction                                        |
| Materials Bought (Not Used)            | LS   | 1        | \$ 25,054.30 | \$ 25,054.30         | Retaining wall rebar/pedestrian<br>rail                                             |
| Demob and Remob                        | LS   | 1        | \$ 16,271.10 | \$ 16,271.10         | Water line conflict delay                                                           |
|                                        |      |          |              | <b>\$ 111,856.09</b> | <b>Total cost paid by City</b>                                                      |

Thank you for the opportunity to be of service to the City of Kennedale. If you have any questions concerning this memo, please do not hesitate to contact me at 817-735-7316.

Sincerely,  
**FRESE AND NICHOLS, INC.**

Sidney Green, Jr., P.E.  
Project Manager

**IBCTX, LLC**  
**Force Account**

#4  
FA for efficiency lost due to utility conflicts

4/5/2023

Control: 0902-90-057  
Project: BR 2019 (259)  
Highway: CS  
City: Kennedale  
Bid: 4/7/22 @ 1:00 P.M.

| Material           | Msr | Price   | Quantity              |                    |
|--------------------|-----|---------|-----------------------|--------------------|
|                    | EA  |         |                       | \$0.00             |
|                    |     |         | Material Subtotal     | \$0.00             |
|                    |     |         | 25% Compensation      | \$0.00             |
|                    |     |         | Material Total        | \$0.00             |
| Equipment          | Msr | Price   | Quantity              |                    |
| Ford F-250 Pick-Up | HR  | \$27.00 | 152.00                | \$4,104.00         |
| Tool trailer       | HR  | \$45.00 | 152.00                | \$6,840.00         |
|                    |     |         | Equipment Subtotal    | \$10,944.00        |
|                    |     |         | 15% Compensation      | \$1,641.60         |
|                    |     |         | Equipment Total       | \$12,585.60        |
| Labor              | Msr | Price   | Quantity              |                    |
| Supervisor         | HR  | \$42.00 | 152.00                | \$6,384.00         |
| Formbuilder        | HR  | \$26.00 | 152.00                | \$3,952.00         |
| Formbuilder        | HR  | \$24.00 | 152.00                | \$3,648.00         |
| Laborer (Utility)  | HR  | \$22.00 | 152.00                | \$3,344.00         |
| Laborer (Utility)  | HR  | \$20.00 | 152.00                | \$3,040.00         |
|                    |     |         | Labor Subtotal        | \$20,368.00        |
|                    |     |         | 55% Taxes & Insurance | \$11,202.40        |
|                    |     |         | 25% Compensation      | \$5,092.00         |
|                    |     |         | Labor Total           | \$36,662.40        |
| Sub/Other          | Msr | Price   | Quantity              |                    |
|                    |     |         |                       | \$0.00             |
|                    |     |         | Sub/Other Subtotal    | \$0.00             |
|                    |     |         | 5% Compensation       | \$0.00             |
|                    |     |         | Sub/Other Total       | \$0.00             |
|                    |     |         | Subtotal              | \$49,248.00        |
|                    |     |         | 1% Bond               | \$492.48           |
|                    |     |         | <b>Grand Total</b>    | <b>\$49,740.48</b> |

Force account for 19 days of lost work efficiency due to multiple utility conflicts.

Alex Hammes  
IBCTX

**IBCTX, LLC**  
**Force Account**

#5  
 FA for efficiency lost due to utility conflicts

5/8/2023

Control: 0902-90-057  
 Project: BR 2019 (259)  
 Highway: CS  
 City: Kennedale  
 Bid: 4/7/22 @ 1:00 P.M.

| Material           | Msr | Price       | Quantity              |                    |
|--------------------|-----|-------------|-----------------------|--------------------|
|                    | EA  |             |                       | \$0.00             |
|                    |     |             | Material Subtotal     | \$0.00             |
|                    |     |             | 25% Compensation      | \$0.00             |
|                    |     |             | Material Total        | \$0.00             |
| Equipment          | Msr | Price       | Quantity              |                    |
| Ford F-250 Pick-Up | HR  | \$27.00     | 8.00                  | \$216.00           |
| Tool trailer       | HR  | \$45.00     |                       | \$0.00             |
|                    |     |             | Equipment Subtotal    | \$216.00           |
|                    |     |             | 15% Compensation      | \$32.40            |
|                    |     |             | Equipment Total       | \$248.40           |
| Labor              | Msr | Price       | Quantity              |                    |
| Supervisor         | HR  | \$42.00     | 8.00                  | \$336.00           |
| Formbuilder        | HR  | \$26.00     | 8.00                  | \$208.00           |
| Formbuilder        | HR  | \$24.00     | 8.00                  | \$192.00           |
| Laborer (Utility)  | HR  | \$22.00     | 8.00                  | \$176.00           |
| Laborer (Utility)  | HR  | \$20.00     | 8.00                  | \$160.00           |
|                    |     |             | Labor Subtotal        | \$1,072.00         |
|                    |     |             | 55% Taxes & Insurance | \$589.60           |
|                    |     |             | 25% Compensation      | \$268.00           |
|                    |     |             | Labor Total           | \$1,929.60         |
| Sub/Other          | Msr | Price       | Quantity              |                    |
| Larwel             | LS  | \$9,284.16  | 1.00                  | \$9,284.16         |
| CMC                | LS  | \$12,266.54 | 1.00                  | \$12,266.54        |
|                    |     |             | Sub/Other Subtotal    | \$21,550.70        |
|                    |     |             | 5% Compensation       | \$1,077.54         |
|                    |     |             | Sub/Other Total       | \$22,628.24        |
|                    |     |             | Subtotal              | \$24,806.24        |
|                    |     |             | 1% Bond               | \$248.06           |
|                    |     |             | <b>Grand Total</b>    | <b>\$25,054.30</b> |

Force Account pricing for materials already purchased (that can not be returned) including IBCTX personnel handling charges.

Alex Hammes  
 IBCTX

**IBCTX, LLC**  
**Force Account**

#6  
Demobilization and Remobilization

5/8/2023

Control: 0902-90-057  
Project: BR 2019 (259)  
Highway: CS  
City: Kennedale  
Bid: 4/7/22 @ 1:00 P.M.

| Material             | Msr | Price      | Quantity              |                    |
|----------------------|-----|------------|-----------------------|--------------------|
|                      | EA  |            |                       | \$0.00             |
|                      |     |            | Material Subtotal     | \$0.00             |
|                      |     |            | 25% Compensation      | \$0.00             |
|                      |     |            | Material Total        | \$0.00             |
| Equipment            | Msr | Price      | Quantity              |                    |
| Ford F-250 Pick-Up   | HR  | \$27.00    | 40.00                 | \$1,080.00         |
| Tool trailer         | HR  | \$45.00    | 40.00                 | \$1,800.00         |
|                      |     |            | Equipment Subtotal    | \$2,880.00         |
|                      |     |            | 15% Compensation      | \$432.00           |
|                      |     |            | Equipment Total       | \$3,312.00         |
| Labor                | Msr | Price      | Quantity              |                    |
| Supervisor           | HR  | \$42.00    | 40.00                 | \$1,680.00         |
| Formbuilder          | HR  | \$26.00    | 40.00                 | \$1,040.00         |
| Formbuilder          | HR  | \$24.00    | 40.00                 | \$960.00           |
| Laborer (Utility)    | HR  | \$22.00    | 40.00                 | \$880.00           |
| Laborer (Utility)    | HR  | \$20.00    | 40.00                 | \$800.00           |
|                      |     |            | Labor Subtotal        | \$5,360.00         |
|                      |     |            | 55% Taxes & Insurance | \$2,948.00         |
|                      |     |            | 25% Compensation      | \$1,340.00         |
|                      |     |            | Labor Total           | \$9,648.00         |
| Sub/Other            | Msr | Price      | Quantity              |                    |
| IBCTX Equip Haul off | LS  | \$1,500.00 | 2.00                  | \$3,000.00         |
|                      |     |            |                       | \$0.00             |
|                      |     |            | Sub/Other Subtotal    | \$3,000.00         |
|                      |     |            | 5% Compensation       | \$150.00           |
|                      |     |            | Sub/Other Total       | \$3,150.00         |
|                      |     |            | Subtotal              | \$16,110.00        |
|                      |     |            | 1% Bond               | \$161.10           |
|                      |     |            | <b>Grand Total</b>    | <b>\$16,271.10</b> |

Force Account pricing for IBCTX to clean up, secure site, and haul out IBCTX equipment (Demob), and For IBCTX to move back in and get started back up after plans and pricing is approved (Remob). 2 days labor for demob and remob each.

Alex Hammes  
IBCTX



**MEETING DATE:** MAY 25, 2023

**AGENDA ITEM NUMBER:** EXECUTIVE SESSION ITEM IV.A.

**SUBJECT**

**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.

**ORIGINATED BY**

**SUMMARY**

**RECOMMENDATION**

**ATTACHMENTS**



**MEETING DATE:** MAY 25, 2023

**AGENDA ITEM NUMBER:** EXECUTIVE SESSION ITEM IV.B.

**SUBJECT**

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

**ORIGINATED BY**

**SUMMARY**

**RECOMMENDATION**

**ATTACHMENTS**



**MEETING DATE:** MAY 25, 2023

**AGENDA ITEM NUMBER:** EXECUTIVE SESSION ITEM IV.C.

**SUBJECT**

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

**ORIGINATED BY**

**SUMMARY**

**RECOMMENDATION**

**ATTACHMENTS**



**MEETING DATE:** MAY 25, 2023

**AGENDA ITEM NUMBER:** EXECUTIVE SESSION ITEM IV.D.

**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.*

**ORIGINATED BY**

**SUMMARY**

**RECOMMENDATION**

**ATTACHMENTS**