



KENNEDALE CITY COUNCIL AGENDA

REGULAR MEETING | JULY 18, 2023 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.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."

C. SWEARING IN OF CITY COUNCIL, PLACE 4 APPOINTEE BRYANT GRIFFITH

II. WORK SESSION

A. WORK SESSION REPORTS

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

III. VISITOR AND CITIZEN FORUM

At this time, any person may address the Kennedale City Council about items not on the agenda. Rules and procedures for addressing the Kennedale City 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 Kennedale City Council considers that item.

IV. REGULAR SESSION

A. REPORTS AND ANNOUNCEMENTS

In addition to any items below, the Kennedale City Council, the presiding officer, and/or staff 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 members of the Kennedale City Council
2. Updates from the Mayor
3. Updates from the City Manager
4. Financial Reports for the City.

B. 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 June 6, 2023 City Council Budget Workshop.
2. Approval of the minutes from the July 13, 2023 Special Meeting
3. Consider approval of an amendment to the ordinance that allows boards to vote in their own chair/vice chair. Instead the City Council will appoint said positions.
4. Consider approval of a resolution to allow City Council to appoint the Executive Officers of the Kennedale Economic Development Corporation.
5. Consider approval of an Interlocal Agreement with Tarrant County for the assistance of improving the drainage at the 5700 block of Eden Road.

C. ITEMS FOR INDIVIDUAL CONSIDERATION

V. 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:

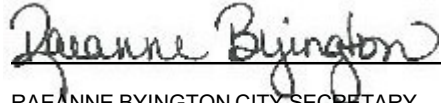
- A. **PURSUANT TO §551.071** — *Consultation with the City Attorney pertaining to any matter in which the duty of the City Attorney under the Texas Disciplinary Rules of Professional Conduct may conflict with the Open Meetings Act, including discussion of any item posted on the agenda, legal issues regarding the Open Meetings Act.*
- B. **PURSUANT TO §551.074** — *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.*
 1. RFQs for City Attorney and Engineering Services.
 2. City Manager Evaluation.
- 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.*

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

VII. ADJOURNMENT

CERTIFICATION

I DO HEREBY CERTIFY THAT THE JULY 18, 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.

A handwritten signature in dark ink, appearing to read "Raeanne Byington", is written over a horizontal line.

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.



STAFF REPORT TO THE HONORABLE MAYOR AND CITY COUNCIL

MEETING DATE: JULY 18, 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

STAFF REPORT TO THE HONORABLE MAYOR AND CITY COUNCIL

MEETING DATE: JULY 18, 2023

AGENDA ITEM NUMBER: REGULAR SESSION ITEM I.C.

SUBJECT

Swearing in of City Council, Place 4 appointee Bryant Griffith.

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS

MEETING DATE: JULY 18, 2023

AGENDA ITEM NUMBER: WORK SESSION ITEM II.A.

SUBJECT
WORK SESSION REPORTS

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS

STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

MEETING DATE: JULY 18, 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

STAFF REPORT TO THE HONORABLE MAYOR AND CITY COUNCIL

MEETING DATE: JULY 18, 2023

AGENDA ITEM NUMBER: REGULAR SESSION ITEM III.A.

SUBJECT

VISITOR AND CITIZEN FORUM

At this time, any person may address the Kennedale City Council about items not on the agenda. Rules and procedures for addressing the Kennedale City 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 Kennedale City Council considers that item.

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS

STAFF REPORT TO THE HONORABLE MAYOR AND CITY COUNCIL

MEETING DATE: JULY 18, 2023

AGENDA ITEM NUMBER: REPORTS AND ANNOUNCEMENTS ITEM IV.A.

SUBJECT

REPORTS AND ANNOUNCEMENTS

In addition to any items below, the Kennedale City Council, the presiding officer, and/or staff 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.

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS

MEETING DATE: JULY 18, 2023

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

SUBJECT

Updates from members of the Kennedale City Council

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS

STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

MEETING DATE: JULY 18, 2023

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

SUBJECT

Updates from the Mayor

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS

MEETING DATE: JULY 18, 2023

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

SUBJECT

Updates from the City Manager

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS

STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

MEETING DATE: JULY 18, 2023

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

SUBJECT
Financial Reports for the City.

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS

1.	Monthly Financial Report - May 2023 Overview	Monthly Financial Report - May 2023 Overview.pdf
2.	Monthly Financial Report - May 2023 Detail	Monthly Financial Report - May 2023 Detail.pdf



**CITY OF KENNEDALE
MONTHLY FINANCIAL REPORT
Month Ended May 2023
EXECUTIVE OVERVIEW**

TO Mayor and Members of City Council
Darrell Hull, City Manager

FROM Jon Horton, Finance Director

DATE July 18, 2023

SUBJECT Monthly Financial Report for May 2023

Below is an overview of the monthly financial results for the current fiscal year through May. Detail schedules for each fund are attached for your review.

Results through May represent 67% of the fiscal year.

GENERAL FUND (01)

- ◊ Property tax revenues received year-to-date \$5,181,733; 95.0% of total budget; prior year receipts through May were 96.7% of total
- ◊ Sales tax revenues received year-to-date \$1,066,439; 53.5% of total budget; receipts from the State are two months delayed; i.e. October sales taxes are received in December; November in January, etc.
- ◊ Prior year Sales Tax receipts through May were \$920,574; 49.5% of budget
- ◊ General Fund expenditures year-to-date \$5,527,372; 53.8% of total budget
- ◊ Fund Balance year-to-date is \$4,387,047; 152 days of total budgeted expenditures and transfers out; revenues are ahead of spending for the fiscal year therefore fund balance is more than the projected fund balance for year-end of \$2,180,806 or 76 days of total budgeted expenditures and transfers out

WATER/SEWER FUND (10)

- ◊ Water service sales year-to-date \$1,509,331.72; 62.3% of budget
- ◊ Sewer service sales year-to-date \$1,178,570.00; 73.5% of budget
- ◊ Utility Billing and Operations expenditures year-to-date \$1,646,965; 52.9% of total budget
- ◊ Working Capital year-to-date is \$ 3,023,537; 243 days of total budgeted expenditures and transfers out; budgeted Days of Working Capital at year-end is 186 days

STORMWATER FUND (07)

- ◊ Drainage fees year-to-date \$182,098.91; 67.7% of budget
- ◊ Stormwater Fund expenditures year-to-date \$137,107.00; 65.2% of total budget
- ◊ Working Capital year-to-date is \$739,804; 1,284 days of total budgeted expenditures and transfers out; budgeted Days of Working Capital at year-end is 1,278 days

EDC FUND (15)

- ◊ Sales tax revenues received year-to-date \$333,480.73; 54.4% of total budget; receipts from the State are two months delayed; i.e. October sales taxes are received in December; November in January, etc.
- ◊ Prior year Sales Tax receipts through May were 306,745.66; 59.6% of budget
- ◊ Rental fees for the Shopping Center year-to-date \$203,629.69; 69.4% of total budget
- ◊ EDC Operations expenditures year-to-date \$350,077; 60.0% of total budget; includes \$52,397 for annual Christmas event
- ◊ EDC Town Shopping Center expenditures year-to-date \$50,222; 76% of total budget; \$14,857 of total expenditures was for insurance costs which are paid in October
- ◊ Fund Balance year-to-date is \$2,008,292; 719 days of total budgeted expenditures and transfers out; budgeted Fund Balance at year-end is 718 days

CITY OF KENNEDALE MONTHLY FINANCIAL REPORT
Month Ended May 31, 2023

GENERAL FUND (01)									
Fund / Description	PRIOR YEAR FY2022				CURRENT YEAR FY2023				
	Actual for Year	Current Month	Year To Date	% Received/ Expended YTD	Approved Budget	Current Month	Year To Date	% Received/ Expended YTD	Remaining Budget
GENERAL FUND REVENUES									
Property Taxes	\$ 5,067,570	\$ 36,362	\$ 4,901,849	96.7%	\$ 5,452,751	26,452	\$ 5,181,733	95.0%	\$ 271,018
Sales Taxes	1,859,721	175,950	920,574	49.5%	1,991,717	166,398	1,066,439	53.5%	925,278
Grants and Contributions	43,601	-	38,331	87.9%	895,000	54,921	125,207	14.0%	769,793
Licenses and Permits	328,781	18,715	244,704	74.4%	354,928	12,653	203,700	57.4%	151,228
Fines and Fees	162,514	11,845	96,477	59.4%	144,066	22,508	136,460	94.7%	7,606
Charges for Services	291,150	25,776	182,088	62.5%	307,250	18,312	123,186	40.1%	184,064
Intergovernmental	166,796	39,448	90,890	54.5%	161,590	-	54,139	33.5%	107,451
All Other Revenues	103,175	3,549	12,626	12.2%	41,676	37,506	127,167	305.1%	(85,491)
Total General Fund Revenues	8,023,308	311,645	6,487,540	80.9%	9,348,978	338,749	7,018,031	75.1%	2,330,947
GENERAL FUND EXPENDITURES									
City Manager - Dept 01	199,237	40,442	158,408	79.5%	327,672	8,791	121,116	37.0%	206,556
Mayor/Council - Dept 02	198,588	8,505	108,309	54.5%	185,500	1,115	61,870	33.4%	123,630
City Secretary - Dept 03	72,336	2,573	32,917	45.5%	168,463	1,305	34,450	20.4%	134,013
Municipal Court - Dept 04	127,344	6,924	76,659	60.2%	182,373	13,099	102,973	56.5%	79,400
Human Resources - Dept 05	151,238	12,607	89,092	58.9%	186,406	10,908	99,285	53.3%	87,121
Finance - Dept 07	477,054	48,526	307,015	64.4%	511,396	41,823	235,633	46.1%	275,763
Police - Dept 09	3,153,124	209,381	1,945,872	61.7%	3,483,034	237,487	2,218,786	63.7%	1,264,248
Fire - Dept 10	2,552,059	197,193	1,570,082	61.5%	3,522,918	198,447	1,605,550	45.6%	1,917,368
Community Development - Dept 12	531,981	42,697	291,171	54.7%	653,505	70,199	346,257	53.0%	307,248
Senior Citizen Center - Dept 16	31,758	2,081	17,770	56.0%	57,716	1,038	25,158	43.6%	32,558
Library - Dept 17	285,405	14,404	139,580	48.9%	365,199	25,775	235,355	64.4%	129,844
Non Departmental - Dept 90	616,188	14,286	495,196	80.4%	622,577	3,189	440,940	70.8%	181,637
Total General Fund Expenditures	8,396,312	599,619	5,232,070	62.3%	10,266,759	613,177	5,527,372	53.8%	4,739,387
Revenues Over (Under) Expenditures	(373,004)	(287,974)	1,255,470		(917,781)	(274,428)	1,490,659		
Transfers In	606,207	48,274	386,188	63.7%	1,193,374	505,942	795,583	66.7%	397,791
Transfers (Out)	(182,521)	(30,421)	(121,681)	0.0%	(275,593)	11,260	(80,000)	29.0%	(195,593)
Net Change in Fund Balance	50,682	(270,121)	1,519,977		-	242,774	2,206,241		
Beginning Fund Balance - October 1	2,519,197		2,519,197		2,180,806		2,180,806		
Prior Period Adjustment	(389,073)		(389,073)		-		-		
Ending Fund Balance - year-to-date	\$ 2,180,806		\$ 3,650,101		\$ 2,180,806		\$ 4,387,047		
Average Daily Annual Expenditures	\$ 23,504				\$ 28,883				
Days of Fund Balance	93		155		76		152		

CITY OF KENNEDALE MONTHLY FINANCIAL REPORT
Month Ended May 31, 2023

UTILITY FUNDS									
Fund / Description	PRIOR YEAR FY2022				CURRENT YEAR FY2023				
	Actual for Year	Current Month	Year To Date	% Received/ Expended YTD	Approved Budget	Current Month	Year To Date	% Received/ Expended YTD	Remaining Budget
Stormwater Utility Fund (07)									
Stormwater Utility Fund Revenues	\$ 362,315	\$ 22,861	\$ 179,659	49.6%	\$ 269,688	\$ 25,169	\$ 200,517	74.4%	\$ 69,171
Stormwater Utility Fund Expenditures	83,496	769	21,702	26.0%	210,221	125,814	137,107	65.2%	73,114
Revenues Over (Under) Expenditures	278,819	22,092	157,957		59,467	(100,645)	63,410		
Beginning Working Capital - October 1	397,575		397,575		676,394		676,394		
Ending Working Capital - <i>year-to-date</i>	<u>\$ 676,394</u>		<u>\$ 555,532</u>		<u>\$ 735,861</u>		<u>\$ 739,804</u>		
Average Daily Annual Expenditures	\$ 229				\$ 576				
Days of Working Capital	2,957		2,428		1,278		1,284		
Water/Sewer Fund (10)									
Water/Sewer Fund Revenues	\$ 4,254,031	\$ 425,259.67	\$ 2,906,345	68.3%	\$ 4,359,179	\$ 575,469	\$ 3,056,554	70.1%	\$ 1,302,625
Water/Sewer Fund Expenditures									
Utility Billing - Dept 01	1,344,261	27,477	724,481	53.9%	1,630,355	44,602	887,480	54.4%	742,875
Operations - Dept 02	2,673,902	114,144	963,332	36.0%	1,479,759	5,965	759,215	51.3%	720,544
Debt Service - Dept 03	51,468	-	272,384	529.2%	293,930	-	276,243	94.0%	17,687
Capital Projects - Dept 04	10,640	1,574	44,484	418.1%	448,800	-	28,600	6.4%	420,200
Non Departmental - Dept 90	1,481,590	70,662	582,512	39.3%	697,279	37,128	530,779	76.1%	166,500
Total Water/Sewer Fund Expenditures	5,561,861	213,856	2,587,193	46.5%	4,550,123	87,695	2,482,318	54.6%	2,067,805
Revenues Over (Under) Expenditures	(1,307,830)		319,153		(190,944)	487,774	574,237		
Transfers In	187,525	15,627	125,017	66.7%	187,525	31,254	125,017	66.7%	62,508
Net Change in Fund Balance	(1,120,305)		444,169		(3,419)	519,028	699,253		
Beginning Working Capital - October 1	3,444,589		3,444,589		2,324,284		2,324,284		
Ending Working Capital - <i>year-to-date</i>	<u>\$ 2,324,284</u>		<u>\$ 3,888,758</u>		<u>\$ 2,320,865</u>		<u>\$ 3,023,537</u>		
Average Daily Annual Expenditures	\$ 15,238				\$ 12,466				
Days of Working Capital	153		255		186		243		
Water Impact Fee Fund (61)									
Water Impact Fund Revenues	\$ 61,413	\$ 4,252	\$ 52,269	85.1%	\$ 60,100	\$ 391	\$ 11,904	19.8%	\$ 48,196
Water Impact Fund Expenditures	0	-	-	0.0%	50,000	-	-	0.0%	50,000
Revenues Over (Under) Expenditures	61,413	4,252	52,269		10,100	391	11,904		
Transfers (Out)	0	-	-	0.0%	(30,000)	(20,000)	(20,000)	66.7%	(10,000)
Net Change in Fund Balance	61,413	4,252	52,269		(19,900)	(19,609)	(8,096)		
Beginning Fund Balance - October 1	48,259		48,259		109,672		109,672		
Ending Fund Balance - <i>year-to-date</i>	<u>\$ 109,672</u>		<u>\$ 100,528</u>		<u>\$ 89,772</u>		<u>\$ 101,576</u>		
Sewer Impact Fee Fund (62)									
Fund 62 Sewer Impact Fund Revenues	\$ 74,857	\$ 4,855	\$ 65,020	86.9%	\$ 70,600	\$ 562	\$ 10,586	15.0%	\$ 60,014
Fund 62 Sewer Impact Fund Expenditures	0	-	-	0.0%	50,000	-	-	0.0%	50,000
Revenues Over (Under) Expenditures	74,857	4,855	65,020		20,600	562	10,586		
Transfers (Out)	(60,000)	(5,000)	(40,000)	66.7%	(60,000)	(10,000)	(40,000)	66.7%	(20,000)
Net Change in Fund Balance	14,857	(145)	25,020		(39,400)	(9,438)	(29,414)		
Beginning Fund Balance - October 1	170,067		170,067		184,924		184,924		
Ending Fund Balance - <i>year-to-date</i>	<u>\$ 184,924</u>		<u>\$ 195,087</u>		<u>\$ 145,524</u>		<u>\$ 155,510</u>		

CITY OF KENNEDALE MONTHLY FINANCIAL REPORT
Month Ended May 31, 2023

DEBT SERVICE FUND (02)									
Fund / Description	PRIOR YEAR FY2022				CURRENT YEAR FY2023				
	Actual for Year	Current Month	Year To Date	% Received/ Expended YTD	Approved Budget	Current Month	Year To Date	% Received/ Expended YTD	Remaining Budget
Debt Service Fund Revenues	\$ 1,945,374	\$ 12,504	\$ 1,634,107	84.0%	\$ 1,472,427	\$ 12,357	\$ 1,743,764	118.4%	\$ (271,337)
Debt Service Fund Expenditures	1,794,886	2,250	1,540,962	85.9%	1,672,427	-	1,559,797	93.3%	112,630
Revenues Over (Under) Expenditures	150,488	10,254	93,146		(200,000)	12,357	183,967		
Beginning Fund Balance - October 1	687,654		687,654		838,142		838,142		
Ending Fund Balance - <i>year-to-date</i>	<u>\$ 838,142</u>		<u>\$ 780,800</u>		<u>\$ 638,142</u>		<u>\$ 1,022,109</u>		

CITY OF KENNEDALE MONTHLY FINANCIAL REPORT
Month Ended May 31, 2023

CAPITAL PROJECT FUNDS									
Fund / Description	PRIOR YEAR FY2022				CURRENT YEAR FY2023				
	Actual for Year	Current Month	Year To Date	% Received/ Expended YTD	Approved Budget	Current Month	Year To Date	% Received/ Expended YTD	Remaining Budget
Capital Projects Fund (04)									
Capital Projects Fund Revenues	\$ 134,005	\$ 106	\$ 57,685	43.0%	\$ 86,711	\$ 823	\$ 60,459	69.7%	\$ 26,252
Capital Projects Fund Expenditures	0	-	-	0.0%	0	-	-	0.0%	0
Revenues Over (Under) Expenditures	134,005	106	57,685		86,711	823	60,459		
Transfers (Out)	(106,501)	-	-	0.0%	(104,800)	-	-	0.0%	(104,800)
Net Change in Fund Balance	27,504	106	57,685		(18,089)	823	60,459		
Beginning Fund Balance - October 1	147,087		147,087		174,591		174,591		
Ending Fund Balance - year-to-date	<u>\$ 174,591</u>		<u>\$ 204,772</u>		<u>\$ 156,502</u>		<u>\$ 235,050</u>		
Capital Bond Fund (13)									
Capital Bond Fund Revenues	\$ 6,199,105	\$ 4,293	\$ 6,024,016	97.2%	\$ 24,000	\$ 22,959	\$ 118,510	493.8%	\$ (94,510)
Capital Bond Fund Expenditures	311,555	8,771	49,442	15.9%	4,300,000	620,147	1,722,745	40.1%	2,577,255
Revenues Over (Under) Expenditures	5,887,550	(4,478)	5,974,574		(4,276,000)	(597,188)	(1,604,235)		
Beginning Fund Balance - October 1	2,170,389		2,170,389		8,057,939		8,057,939		
Ending Fund Balance - year-to-date	<u>\$ 8,057,939</u>		<u>\$ 8,144,963</u>		<u>\$ 3,781,939</u>		<u>\$ 6,453,704</u>		
Park Dedication Fund (14)									
Park Dedication Fund Revenues	\$ 51,843	\$ 4,162	\$ 44,284	85.4%	\$ 52,280	\$ 2,516	\$ 19,516	37.3%	\$ 32,764
Park Dedication Fund Expenditures	125	-	125	100.0%	220,195	-	-	0.0%	220,195
Revenues Over (Under) Expenditures	51,718	4,162	44,159		(167,915)	2,516	19,516		
Beginning Fund Balance - October 1	648,018		648,018		699,736		699,736		
Ending Fund Balance - year-to-date	<u>\$ 699,736</u>		<u>\$ 692,177</u>		<u>\$ 531,821</u>		<u>\$ 719,252</u>		
Library Building Fund (32)									
Library Building Fund Revenues	\$ 399	\$ 7	\$ 116	29.2%	\$ 0	\$ 7	\$ 143	0.0%	\$ (143)
Library Building Fund Expenditures	0	-	-	0.0%	0	-	-	0.0%	0
Revenues Over (Under) Expenditures	399	7	116		0	7	143		
Beginning Fund Balance - October 1	(2,267)		(2,267)		(1,868)		(1,868)		
Ending Fund Balance - year-to-date	<u>\$ (1,868)</u>		<u>\$ (2,151)</u>		<u>\$ (1,868)</u>		<u>\$ (1,725)</u>		
Roadway Impact Fee Fund (45)									
Roadway Impact Fee Fund Revenues	\$ 117,270	\$ 4,290	\$ 92,035	78.5%	\$ 100,300	\$ 1,454	\$ 39,699	39.6%	\$ 60,601
Roadway Impact Fee Fund Exp	0	-	-	0.0%	0	-	-	0.0%	0
Revenues Over (Under) Expenditures	117,270	4,290	92,035		100,300	1,454	39,699		
Transfers (Out)	(137,525)	(17,294)	(91,683)	66.7%	(107,525)	57,079	(71,683)	66.7%	(35,842)
Net Change in Fund Balance	(20,255)	(13,004)	352		(7,225)	58,533	(31,985)		
Beginning Fund Balance - October 1	643,859		643,859		623,604		623,604		
Ending Fund Balance - year-to-date	<u>\$ 623,604</u>		<u>\$ 644,211</u>		<u>\$ 616,379</u>		<u>\$ 591,619</u>		

CITY OF KENNEDALE MONTHLY FINANCIAL REPORT
Month Ended May 31, 2023

SPECIAL REVENUE FUNDS									
Fund / Description	PRIOR YEAR FY2022				CURRENT YEAR FY2023				
	Actual for Year	Current Month	Year To Date	% Received/ Expended YTD	Approved Budget	Current Month	Year To Date	% Received/ Expended YTD	Remaining Budget
TIF #1 New Hope Fund (21)									
TIF #1 New Hope Fund Revenues	\$ 200,665	\$ 338	\$ 150,418	75.0%	\$ 68,488	\$ 318	\$ 1,505	2.2%	\$ 66,983
TIF #1 New Hope Fund Expenditures	0	-	-	0.0%	0	-	-	0.0%	0
Revenues Over (Under) Expenditures	200,665	338	150,418		68,488	318	1,505		
Transfers In	10,000	6,667	6,667	66.7%	165,593	(58,333)	6,667	4.0%	158,926
Net Change in Fund Balance	210,665	7,004	157,084		234,081	(58,015)	8,172		
Beginning Fund Balance - October 1	(231,687)		(231,687)		(21,022)		(21,022)		
Ending Fund Balance - year-to-date	<u>\$ (21,022)</u>		<u>\$ (74,603)</u>		<u>\$ 213,059</u>		<u>\$ (12,850)</u>		
Hotel/Motel Tax Fund (30)									
Hotel/Motel Tax Fund Revenues	\$ 12,365	\$ 18	\$ 6,083	49.2%	\$ 9,120	\$ 5,927	\$ 19,484	213.6%	\$ (10,364)
Hotel/Motel Tax Fund Expenditures	0	-	-	0.0%	20,000	7,447	7,402	37.0%	12,598
Revenues Over (Under) Expenditures	12,365	18	6,083		(10,880)	(1,520)	12,082		
Beginning Fund Balance - October 1	29,562		29,562		41,927		41,927		
Ending Fund Balance - year-to-date	<u>\$ 41,927</u>		<u>\$ 35,645</u>		<u>\$ 31,047</u>		<u>\$ 54,009</u>		
Police Seizure Fund (31)									
Police Seizure Fund Revenues	\$ 2,987	\$ 2	\$ 2,967	99.3%	\$ 1,403	\$ 13	\$ 58	4.1%	\$ 1,345
Police Seizure Fund Expenditures	0	-	-	0.0%	12,000	-	-	0.0%	12,000
Revenues Over (Under) Expenditures	2,987	2	2,967		(10,597)	13	58		
Beginning Fund Balance - October 1	663		663		3,650		3,650		
Ending Fund Balance - year-to-date	<u>\$ 3,650</u>		<u>\$ 3,630</u>		<u>\$ (6,947)</u>		<u>\$ 3,708</u>		
LEOSE Fund (34)									
LEOSE Fund Revenues	\$ 1,422	\$ 2	\$ 1,414	99.4%	\$ 1,747	\$ 3	\$ 1,422	81.4%	\$ 325
LEOSE Fund Expenditures	0	-	-	0%	1,747	-	1,590	91.0%	157
Revenues Over (Under) Expenditures	1,422	2	1,414		0	3	(168)		
Beginning Fund Balance - October 1	1,886		1,886		3,308		3,308		
Ending Fund Balance - year-to-date	<u>\$ 3,308</u>		<u>\$ 3,300</u>		<u>\$ 3,308</u>		<u>\$ 3,140</u>		
Disaster Recovery Fund (35)									
Disaster Recovery Fund Revenues	\$ 146,353	\$ 557	\$ 2,937	2.0%	\$ 1,955,000	\$ 6,532	\$ 33,385	1.7%	\$ 1,921,615
Disaster Recovery Fund Expenditures	139,053	-	-	0.0%	1,955,000	2,752	184,575	9.4%	1,770,425
Revenues Over (Under) Expenditures	7,300	557	2,937		0	3,781	(151,190)		
Beginning Fund Balance - October 1	-		-		7,300		7,300		
Ending Fund Balance - year-to-date	<u>\$ 7,300</u>		<u>\$ 2,937</u>		<u>\$ 7,300</u>		<u>\$ (143,890)</u>		

CITY OF KENNEDALE MONTHLY FINANCIAL REPORT
Month Ended May 31, 2023

OTHER FUNDS										
Fund / Description	PRIOR YEAR FY2022				CURRENT YEAR FY2023					
	Actual for Year	Current Month	Year To Date	% Received/ Expended YTD	Approved Budget	Current Month	Year To Date	% Received/ Expended YTD	Remaining Budget	
Capital Replacement Fund (05)										
Capital Replacement Fund Revenues	\$ 243,723	\$ 24,976	\$ 161,851	66.4%	\$ 153,400	\$ (16,158)	\$ 163,936	106.9%	\$ (10,536)	
Capital Replacement Fund Expenditures	679,483	13,929	122,944	18.1%	167,153	10,765	88,091	52.7%	79,062	
Revenues Over (Under) Expenditures	(435,760)	11,046	38,908		(13,753)	(26,923)	75,845			
Beginning Fund Balance - October 1	36,503		36,503		(399,257)		(399,257)			
Ending Fund Balance - year-to-date	<u>\$ (399,257)</u>		<u>\$ 75,411</u>		<u>\$ (413,010)</u>		<u>\$ (323,412)</u>			
Court Security Fund (12)										
Court Security Fund Revenues	\$ 4,110	\$ 278	\$ 2,418	58.8%	\$ 2,950	\$ 674	\$ 2,349	79.6%	\$ 601	
Court Security Fund Expenditures	0	-	-	0.0%	12,000	4,494	4,494	37.5%	7,506	
Revenues Over (Under) Expenditures	4,110	278	2,418		(9,050)	(3,820)	(2,145)			
Beginning Fund Balance - October 1	25,248		25,248		29,358		29,358			
Ending Fund Balance - year-to-date	<u>\$ 29,358</u>		<u>\$ 27,666</u>		<u>\$ 20,308</u>		<u>\$ 27,213</u>			
Court Technology Fund (16)										
Court Technology Fund Revenues	\$ 3,437	\$ 231	\$ 2,070	60.2%	\$ 2,040	\$ 543	\$ 2,930	143.6%	\$ (890)	
Court Technology Fund Expenditures	0	-	-	0.0%	0	-	-	0.0%	0	
Revenues Over (Under) Expenditures	3,437	231	2,070		2,040	543	2,930			
Beginning Fund Balance - October 1	14,332		14,332		17,769		17,769			
Ending Fund Balance - year-to-date	<u>\$ 17,769</u>		<u>\$ 16,402</u>		<u>\$ 19,809</u>		<u>\$ 20,699</u>			
Street Improvement Fund (17)										
Street Improvement Fund Revenues	\$ 923,743	\$ 65,531	\$ 604,953	65.5%	\$ 901,630	\$ (54,651)	\$ 497,604	55.2%	\$ 404,026	
Street Improvement Fund Expenditures	784,440	50,701	456,554	58.2%	869,603	160,712	570,673	65.6%	298,930	
Revenues Over (Under) Expenditures	139,303	14,830	148,399		32,027	(215,363)	(73,069)			
Transfers In	19,995	-	-	0.0%	252,558	74,832	74,832	29.6%	177,726	
Transfers (Out)	(37,142)	(3,095)	(24,761)	66.7%	(151,797)	5,771	(12,800)	8.4%	(138,997)	
Net Change in Fund Balance	122,156	11,735	123,638		132,788	(134,760)	(11,037)			
Beginning Fund Balance - October 1	262,500		262,500		384,656		384,656			
Ending Fund Balance - year-to-date	<u>\$ 384,656</u>		<u>\$ 386,138</u>		<u>\$ 517,444</u>		<u>\$ 373,619</u>			
Juvenile Case Manager Fund (18)										
Juvenile Case Manager Fund Revenues	\$ 500	\$ 33	\$ 380	76.0%	\$ 525	\$ 49	\$ 349	66.4%	\$ 176	
Juvenile Case Manager Fund Exp	0	-	-	0.0%	0	-	-	0.0%	0	
Revenues Over (Under) Expenditures	500	33	380		525	49	349			
Beginning Fund Balance - October 1	8,123		8,123		8,623		8,623			
Ending Fund Balance - year-to-date	<u>\$ 8,623</u>		<u>\$ 8,503</u>		<u>\$ 9,148</u>		<u>\$ 8,972</u>			
Park Recovery/Donation Fund (41)										
Park Rec/Donation Fund Revenues	\$ 26,674	\$ 7,619	\$ 7,638	28.6%	\$ 120	\$ 114	\$ 455	379.2%	\$ (335)	
Park Rec/Donation Fund Expenditures	26,497	1,750	1,750	6.6%	33,070	(1,593)	(1,593)	-4.8%	34,663	
Revenues Over (Under) Expenditures	177	5,869	5,888		(32,950)	1,707	2,048			
Beginning Fund Balance - October 1	(244)		(244)		(67)		(67)			
Ending Fund Balance - year-to-date	<u>\$ (67)</u>		<u>\$ 5,644</u>		<u>\$ (33,017)</u>		<u>\$ 1,981</u>			

CITY OF KENNEDALE MONTHLY FINANCIAL REPORT
Month Ended May 31, 2023

OTHER FUNDS - <i>continued</i>									
Fund / Description	PRIOR YEAR FY2022				CURRENT YEAR FY2023				
	Actual for Year	Current Month	Year To Date	% Received/ Expended YTD	Approved Budget	Current Month	Year To Date	% Received/ Expended YTD	Remaining Budget
Tree Restoration Fund (83)									
Tree Restoration Fund Revenues	\$ 481	\$ 36	\$ 75	15.6%	\$ 300	\$ 250	\$ 4,135	1378.5%	\$ (3,835)
Tree Restoration Fund Expenditures	0	-	-	0.0%	30,000	-	-	0.0%	30,000
Revenues Over (Under) Expenditures	481	36.33	75		(29,700)	250	4,135		
Beginning Fund Balance - October 1	71,054		71,054		71,535		71,535		
Ending Fund Balance - <i>year-to-date</i>	<u>\$ 71,535</u>		<u>\$ 71,129</u>		<u>\$ 41,835</u>		<u>\$ 75,670</u>		
Unclaimed Property Fund (85)									
Unclaimed Property Fund Revenues	\$ 13	\$ 1	\$ 2	11.8%	\$ 4	\$ -	\$ 18	443.8%	\$ (14)
Unclaimed Property Fund Expenditures	0	-	-	0.0%	20	-	-	0.0%	20
Revenues Over (Under) Expenditures	13	1	2		(16)	-	18		
Transfers (Out)	0	-	-	0.0%	(1,900)	-	-	0.0%	(1,900)
Net Change in Fund Balance	13	1	2		(1,916)	-	18		
Beginning Fund Balance - October 1	303		303		316		316		
Ending Fund Balance - <i>year-to-date</i>	<u>\$ 316</u>		<u>\$ 305</u>		<u>\$ (1,600)</u>		<u>\$ 334</u>		

CITY OF KENNEDALE MONTHLY FINANCIAL REPORT
Month Ended May 31, 2023

EDC FUNDS									
Fund / Description	PRIOR YEAR FY2022				CURRENT YEAR FY2023				
	Actual for Year	Current Month	Year To Date	% Received/ Expended YTD	Approved Budget	Current Month	Year To Date	% Received/ Expended YTD	Remaining Budget
EDC Fund (15)									
EDC Fund Revenues	\$ 977,174	\$ 102,006	\$ 526,254	53.9%	\$ 1,019,621	\$ 87,964	\$ 592,888	58.1%	\$ 426,733
EDC Fund Expenditures									
Operations Expenditures	100,598	42,931	136,487	135.7%	583,292	193,317	350,077	60.0%	233,215
Debt Service Expenditures	173,383	9,365	285,124	164.4%	314,347	5,117	152,401	48.5%	161,946
Town Shopping Center Expenditures	59,662	2,447	44,059	73.8%	66,089	2,028	50,222	76.0%	15,867
Total EDC Fund Expenditures	333,643	54,744	465,671	139.6%	963,728	200,462	552,700	57.4%	411,028
Revenues Over (Under) Expenditures	643,531	47,263	60,583		55,893	(112,498)	40,188		
Transfers (Out)	(286,796)	-	-	0.0%	(56,124)	(37,416)	(37,416)	66.7%	(18,708)
Net Change in Fund Balance	356,735	47,263	60,583		(231)	(149,914)	2,772		
Beginning Fund Balance - October 1	1,251,693		1,251,693		2,005,520		2,005,520		
Prior Period Adjustment	397,092		397,092		-		-		
Ending Fund Balance - year-to-date	\$ 2,005,520		\$ 1,709,368		\$ 2,005,289		\$ 2,008,292		
Average Daily Annual Expenditures	\$ 1,700				\$ 2,794				
Days of Fund Balance	1,180		1,006		718		719		
EDC Bond Reserve Fund (95)									
EDC Bond Reserve Fund Revenues	\$ 851	\$ 65	\$ 134	15.7%	\$ 1,500	\$ 450	\$ 1,999	133.3%	\$ (499)
EDC Bond Reserve Fund Expenditures	0	-	-	0.0%	0	-	-	0.0%	0
Revenues Over (Under) Expenditures	851	65	134		1,500	450	1,999		
Beginning Fund Balance - October 1	125,724		125,724		126,575		126,575		
Ending Fund Balance - year-to-date	\$ 126,575		\$ 125,858		\$ 128,075		\$ 128,574		

STAFF REPORT TO THE HONORABLE MAYOR AND CITY COUNCIL

MEETING DATE: JULY 18, 2023

AGENDA ITEM NUMBER: CONSENT AGENDA ITEM IV.B.

SUBJECT

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.

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS

STAFF REPORT TO THE HONORABLE MAYOR AND CITY COUNCIL

MEETING DATE: JULY 18, 2023

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

SUBJECT

Approval of the minutes from the June 6, 2023 City Council Budget Workshop.

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS

STAFF REPORT TO THE HONORABLE MAYOR AND CITY COUNCIL

MEETING DATE: JULY 18, 2023

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

SUBJECT

Approval of the minutes from the July 13, 2023 Special Meeting

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS

STAFF REPORT TO THE HONORABLE MAYOR AND CITY COUNCIL

MEETING DATE: JULY 18, 2023

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

SUBJECT

Consider approval of an amendment to the ordinance that allows boards to vote in their own chair/vice chair. Instead the City Council will appoint said positions.

ORIGINATED BY Raeanne Byington

SUMMARY

As instructed in the Work Session during the June 20, 2023 Regular Council Meeting, staff asked the City Attorney to draw up an amendment to the ordinance that allows the Chair/Vice Chair of the Parks Board to be appointed by the City Council.

RECOMMENDATION

Approve

ATTACHMENTS

1.	Board Appointments by Council	Board Appointments by Council.docx
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ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF KENNEDALE, TEXAS, AMENDING CHAPTER 16 “PARKS, RECREATION AND CULTURAL ACTIVITIES” OF THE KENNEDALE CITY CODE BY AMENDING SUBSECTIONS 16-12(A), 16-62(A), AND 16-97(A), TO ALLOW THE CITY COUNCIL TO APPOINT THE CHAIR AND VICE CHAIR OF THE PARKS AND RECREATION BOARD, THE LIBRARY BOARD, AND THE KEEP KENNEDALE BEAUTIFUL COMMISSION; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Kennedale, Texas is a home rule city located in Tarrant County, 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, the City Council has determined that regulations are needed and are intended to protect the public health, safety, morals and general welfare of the City of Kennedale.

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

SECTION 1.

That Chapter 16 “Parks, Recreation and Cultural Activities,” Article II “Parks and Recreation Board,” Sec. 16-12 “Organization, rules, and requirements,” Subsection (a) of the Kennedale City Code is hereby amended to read as follows:

- “(a) By November of each year, the City Council shall appoint, by simple majority vote, a chair and a vice chair. The terms of the chair and vice chair shall be one (1) year. It will be the duty of the chair to preside over meetings and to assist in setting meeting agendas. If the chair is absent the vice chair shall assume the duties of that office.”

SECTION 2.

That Chapter 16 “Parks, Recreation and Cultural Activities,” Article V “Library Board,” Sec. 16-62 “Organization, rules, and requirements,” Subsection (a) of the Kennedale City Code is hereby amended to read as follows:

- “(a) By November of each year, the City Council shall appoint, by simple majority vote, a chair and a vice chair. The terms of the chair and vice chair shall be one (1) year. It will be the duty of the chair to preside over meetings and to assist in setting meeting agendas. If the chair is absent the vice chair shall assume the duties of that office.”

SECTION 3.

That Chapter 16 “Parks, Recreation and Cultural Activities,” Article VII “Keep Kennedale Beautiful Commission,” Sec. 16-97 “Organization, rules, and requirements,” Subsection (a) of the Kennedale City Code is hereby amended to read as follows:

“(a) By November of each year, the City Council shall appoint, by simple majority vote, a chair and a vice chair. The terms of the chair and vice chair shall be one (1) year. It will be the duty of the chair to preside over meetings and to assist in setting meeting agendas. If the chair is absent the vice chair shall assume the duties of that office.”

SECTION 4.

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

SECTION 5.

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

SECTION 6.

This Ordinance shall take effect immediately upon its passage and it is so ordained.

PASSED AND APPROVED ON THIS ____ DAY OF _____, 2023.

JAN JOPLIN
MAYOR

ATTEST:

RAEANNE BYINGTON

CITY SECRETARY

EFFECTIVE: _____

APPROVED AS TO FORM AND LEGALITY:

CARVAN E. ADKINS
CITY ATTORNEY



STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

MEETING DATE: JULY 18, 2023

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

SUBJECT
Consider approval of a resolution to allow City Council to appoint the Executive Officers of the Kennedale Economic Development Corporation.

ORIGINATED BY Raeanne Byington

SUMMARY
As discussed in the Work Session of the June 20, 2023 regular City Council Meeting, the staff directed the City Attorney to draw up a resolution allowing the appointment of the Executive Officers of the Kennedale Economic Development Corporation by City Council.

RECOMMENDATION
Approve

ATTACHMENTS

1.	Resolution for ByLaws	Resolution for ByLaws.docx
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RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF KENNEDALE, TEXAS AMENDING ARTICLE III, “OFFICERS,” SECTION 3.02 “EXECUTIVE OFFICERS” OF THE KENNEDALE ECONOMIC DEVELOPMENT CORPORATION BYLAWS TO ALLOW THE CITY COUNCIL TO APPOINT THE PRESIDENT AND VICE-PRESIDENT OF THE BOARD; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Kennedale, Texas is a home rule city located in Tarrant County, 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, the City Council has determined that regulations are needed and are intended to protect the public health, safety, morals and general welfare of the City of Kennedale.

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

SECTION 1.

That Article III. “Officers,” Section 3.02 “Executive Officers” of the Kennedale Economic Development Corporation Bylaws is hereby amended to read as follows:

“3.02 Executive Officers. The executive officers of the corporation shall be a president and vice-president. The City Council shall appoint, by simple majority vote, a president and a vice-president. These offices shall be held by Board directors.”

SECTION 2.

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

SECTION 3.

This Resolution shall take effect immediately upon its passage and it is so resolved.

PASSED AND APPROVED ON THIS _____ DAY OF _____, 2023.

JAN JOPLIN
MAYOR

ATTEST:

RAEANNE BYINGTON
CITY SECRETARY

EFFECTIVE: _____

APPROVED AS TO FORM AND LEGALITY:

CARVAN E. ADKINS
CITY ATTORNEY

MEETING DATE: JULY 18, 2023

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

SUBJECT

Consider approval of an Interlocal Agreement (ILA) with Tarrant County for their assistance in improving the drainage at the 5700 block of E. Eden Road (Falcon Wood Estates).

ORIGINATED BY

Kristian Sugrim

SUMMARY

Staff has solicited the services of Tarrant County Precinct 2 to assist in addressing erosion and flooding issues along the 5700 Block of E. Eden Road. The area's open ditch drainage has been succumbed to erosion and debris build-up, creating a health and property damage concern. Improving this area drainage will eliminate any potential damage claims. The estimated City's cost on this ILA is \$5,000.00.

RECOMMENDATION

Staff recommends that Kennedale's City Council approves the authorization of an Inter-local Agreement with Tarrant County Precinct 2 to address the erosion and sediment build-up and too prevent flooding and the overall improvement of the drainage at the 5700 Block of Eden Road.

ATTACHMENTS

THE STATE OF TEXAS

INTERLOCAL AGREEMENT

COUNTY OF TARRANT

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

WHEREAS, the CITY is requesting the COUNTY's assistance to remove ditch/shoulder sediment and overall improve the drainage at the 5700 Block of Eden Road located near the intersection of Falcon Wood Drive and Eden, within the right-of-way, running 350 feet eastbound on the north side of Eden Road (the "Project").

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

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

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

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

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

TERMS AND CONDITIONS

1. COUNTY RESPONSIBILITY

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

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

2. CITY RESPONSIBILITY

- 2.1 CITY will furnish all materials for the Project and pay trucking charges;
- 2.2 CITY will furnish a site for dumping waste in close proximity to job site for materials generated during this Project;
- 2.3 CITY will furnish all rights of way, plan specifications and engineering drawings;
- 2.4 CITY will furnish necessary traffic controls including safety barricades to redirect traffic flow to alternate lanes during the construction phase of the Project;

- 2.5 CITY will provide temporary driving lane markings;
- 2.6 CITY will ensure that the Project is cleared of obstructions which could damage COUNTY equipment during construction;
- 2.7 CITY will verify the location of all utility locations, mark those locations and then remove the utilities that will interfere with the progress of the Project;
- 2.8 CITY will provide any soil lab testing needed for the Project; and
- 2.9 CITY will pay COUNTY \$5,000 for the labor and equipment involved with the Project.

3. PROCEDURES DURING PROJECT

COUNTY retains the right to inspect and reject all materials provided for this Project. The CITY will provide quality assurance inspection for the Project. If the CITY has a complaint regarding the construction of the Project, the CITY must complain in writing to the COUNTY no later than 30 days of the date of Project completion. Upon expiration of 30 days after Project completion, the CITY will be solely responsible for maintenance and repairs of the Project.

4. NO WAIVER OF IMMUNITY

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

5. OPTIONAL SERVICES

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

6. TIME PERIOD FOR COMPLETION

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

7. THIRD PARTY

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

8. JOINT VENTURE & AGENCY

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

9. EFFECTIVE DATE

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

10. TERMINATION OF AGREEMENT

Either party may terminate this Agreement without cause by providing thirty (30) days prior written notice of intent to terminate to the other party. This Agreement will automatically terminate upon completion of the Project or December 31, 2023, whichever date occurs first. This Agreement may be renewed prior to its expiration upon the mutual consent of the parties in writing.

TARRANT COUNTY, TEXAS

CITY OF KENNEDALE

COUNTY JUDGE
Tim O'Hare

Authorized City Official

Date: _____

Date: _____

COMMISSIONER, PRECINCT 2
Alisa Simmons

Date: _____

Attest:

Attest:

APPROVED AS TO FORM*

APPROVED AS TO FORM AND LEGALITY

Mallory Schuit

Criminal District Attorney's Office*

City Attorney

Date: 7/10/2023

Date: _____

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



STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

MEETING DATE: JULY 18, 2023

AGENDA ITEM NUMBER: INDIVIDUAL CONSIDERATION ITEM IV.C.

SUBJECT
ITEMS FOR INDIVIDUAL CONSIDERATION

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS

STAFF REPORT TO THE HONORABLE MAYOR AND CITY COUNCIL

MEETING DATE: JULY 18, 2023

AGENDA ITEM NUMBER: EXECUTIVE SESSION ITEM V.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

STAFF REPORT TO THE HONORABLE MAYOR AND CITY COUNCIL

MEETING DATE: JULY 18, 2023

AGENDA ITEM NUMBER: EXECUTIVE SESSION ITEM V.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.*

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS

STAFF REPORT TO THE HONORABLE MAYOR AND CITY COUNCIL

MEETING DATE: JULY 18, 2023

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

SUBJECT

RFQs for City Attorney and Engineering Services.

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS

STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

MEETING DATE: JULY 18, 2023

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

SUBJECT
City Manager Evaluation.

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS