



KENNEDALE CITY COUNCIL AGENDA

REGULAR MEETING | MAY 13, 2024 AT 5:30 PM

CITY COUNCIL CHAMBERS | 405 MUNICIPAL DRIVE , KENNEDALE, TX 76060

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. 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.

III. ELECTION BUSINESS

- A. Recognition of outgoing members of the City Council.
- B. Certification of Election Returns
- C. Consideration of and action on the approval of Ordinance 761, an Ordinance of the City of Kennedale Texas, certifying the election results for the May 4, 2024, Elections.
- D. Swearing in of newly elected City of Kennedale Mayor and City Council Place 4.
- E. Consideration of and action on approving Ordinance 762 calling a runoff election to be held June 15, 2024, for the purpose of electing City of Kennedale City Council Member Place 2.

IV. ADJOURNMENT

CERTIFICATION

I DO HEREBY CERTIFY THAT THE MAY 13, 2024 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.



BOBBIE JO TAYLOR, 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: MAY 13, 2024

AGENDA ITEM NUMBER: ELECTION BUSINESS III.A.

SUBJECT

Recognition of outgoing members of the City Council.

ORIGINATED BY

Bobbie Jo Taylor, City Secretary

SUMMARY

RECOMMENDATION

No Action Required

ATTACHMENTS



STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

MEETING DATE: MAY 13, 2024

AGENDA ITEM NUMBER: ELECTION BUSINESS III.B.

SUBJECT
Certification of Election Returns

ORIGINATED BY
Bobbie Jo Taylor, City Secretary

SUMMARY
The City Secretary is to issue a tabulation of the official returns from Tarrant County Elections for the Elections held on Saturday, May 4, 2024, for the purpose of electing a Mayor, City Council Place 2, and Place 4, and two propositions to the City of Kennedale Home Rule Charter. The certification is attached.

** Please note that certification totals are unofficial as of the posting of this agenda packet. Updated totals will be presented at the City Council Meeting.

RECOMMENDATION
Approve

ATTACHMENTS		
1.	Certification of Election	Certification of Election.pdf

**CERTIFICATION TO THE MAYOR AND COUNCIL OF THE
Official Returns for the May 4, 2024 Election**

Mayor and Council,

You have received tabulation of the official returns from Tarrant County Elections for the Elections held on Saturday, May 4, 2024, for the purpose of electing a Mayor, City Council Place 2, and Place 4, and two propositions to the City of Kennedale Home Rule Charter.

In this election, 842 valid and legal votes were cast, of which 595 were cast early and 230 were cast on Election Day.

The certified cumulative returns are reported as follows:

Mayor

Jan Joplin	372	44.13%
Brad Horton	471	55.87%

City Council Place 2

Matthew Dyer	271	33.25%
Ebony Berry	142	17.42%
Thelma L. Kobeck	402	49.33%

City Council Place 4

Bryant Griffith	366	44.26%
Chris J. Gary	461	55.74%

Proposition A

Yes	597	72.28%
No	229	27.72%

Proposition B

Yes	559	68.67%
No	255	31.33%

As a result of the election THE FOLLOWING ARE HEREBY DECLARED TO BE ELECTED (2024-2026):

Brad Horton, Mayor

Chris J. Gary, City Council Place 4

A Runoff Election will take place on Saturday, June 15, 2024 for City Council Place 2

The following candidates will be placed on the ballot:

Thelma Kobeck

Matthew Dyer

As a result of the election THE FOLLOWING CHARTER AMENDMENTS ARE HEREBY APPROVED:

Proposition A – Shall the Kennedale Home Rule Charter be amended by revising Section 3.03 to provide that in the event of a vacancy in the office of Mayor, the Mayor Pro Tem shall, on the effective date of the vacancy, assume the office of Mayor, to serve until the next local election date that offers sufficient time to comply with the requirements of the election code. The council seat vacated by the new Mayor shall be filled according to Section 3.06 of this charter. A new Mayor Pro Tem shall be selected according to this Section 3.03.

Proposition B – Shall the Kennedale Home Rule Charter be amended by revising Section 3.06 to provide that in the event of a vacancy on the City Council in a seat other than the Mayor, the City Council may call a special election or by a majority vote of all remaining Council Members appoint a qualified person to fill the vacancy, to serve until the next local election date that offers sufficient time to comply with the requirements of the election code.

I would now ask for motion acknowledging Council’s receipt of the certification of these official returns for the election held Saturday, May 4, 2024; and approving that they be filed within the City’s election register as page 78.

Bobbie Jo Taylor, City Secretary

Date of Certification

STAFF REPORT TO THE HONORABLE MAYOR AND CITY COUNCIL

MEETING DATE: MAY 13, 2024

AGENDA ITEM NUMBER: ELECTION BUSINESS III.C.

SUBJECT

Consideration of and action on the approval of Ordinance 761, an Ordinance of the City of Kennedale Texas, certifying the election results for the May 4, 2024, Elections.

ORIGINATED BY

Bobbie Jo Taylor, City Secretary

SUMMARY

Ordinance 761 certifies the General Election results and declares the following:

1. Brad Horton is elected Mayor to a two (2) year term of office by the majority votes of the voters.
2. A runoff election shall be ordered for Council Member Place 2. The candidates for the runoff election shall be Matthew Dyer and Thelma L. Kobeck who received the highest and second-highest number of votes at the May 4, 2024, General Election.
3. Chris J. Gary is elected City Council Member Place 4 to a two (2) year term of office by the majority votes of the voters.
4. Proposition A – Shall the Kennedale Home Rule Charter be amended by revising Section 3.03 to provide that in the event of a vacancy in the office of Mayor, the Mayor Pro Tem shall, on the effective date of the vacancy, assume the office of Mayor, to serve until the next local election date that offers sufficient time to comply with the requirements of the election code. The council seat vacated by the new Mayor shall be filled according to Section 3.06 of this charter. A new Mayor Pro Tem shall be selected according to this Section 3.03 – Approved
5. Proposition B – Shall the Kennedale Home Rule Charter be amended by revising Section 3.06 to provide that in the event of a vacancy on the City Council in a seat other than the Mayor, the City Council may call a special election or by a majority vote of all remaining Council Members appoint a qualified person to fill the vacancy, to serve until the next local election date that offers sufficient time to comply with the requirements of the election code. - Approved

** Please note that certification totals are unofficial as of the posting of this agenda packet. Updated totals will be presented at the City Council Meeting.

RECOMMENDATION

Approve

ATTACHMENTS

1.	761 Canvassing May 4, 2024 General Election	761 Canvassing May 4, 2024 General Election.pdf
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ORDINANCE NO. 761

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KENNEDALE, TEXAS, CERTIFYING THE ELECTION RESULTS FOR THE MAY 4, 2024 GENERAL AND SPECIAL CALLED CITY ELECTIONS; DECLARING THE RESULTS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Kennedale is a home rule city acting under its charter adopted by the electorate pursuant to Article X1, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City Council of the City of Kennedale called and ordered that a General Election to be held on May 4, 2024, in the City of Kennedale for the purpose of electing a Mayor and City Council Members Place 2, and Place 4; and

WHEREAS, the City Council of the City of Kennedale called and ordered that a Special Election was to be held on May 4, 2024, in the City of Kennedale for the purpose of submitting two (2) charter amendments, Proposition A, and Proposition B.

WHEREAS, on the 13th of May, 2024, such date being within the time prescribed by law for canvassing the election results at an election called by a municipality, the City Council canvassed the results of the General Election for the purpose of electing a Mayor and Council Members Place 2, and Place 4, of the City of Kennedale, Texas: such election having been duly ordered by the City Council under the authority of the Constitution and laws of the State; and

WHEREAS, on the 13th of May, 2024, such date being within the time prescribed by law for canvassing the election results at an election called by a municipality, the City Council canvassed the results of the Special Election for the purpose of submitting two (2) Charter amendments, Proposition A, and Proposition B: such election having been duly ordered by the City Council under the authority of the Constitution and laws of the State; and

WHEREAS, The City Council determined that the election officials of the voting districts of the City have, in compliance with the law, made returns to the City Council in the time and manner required; and the City Council, having canvassed the votes from each of those districts, does find the total number of votes cast for each candidate and for each proposition was as follows:

Candidate	Absentee	Early	Election Day	Total Votes	Percentage of Votes
Mayor					
Jan Joplin	12	257	103	372	44.13%
Brad Horton	6	338	127	471	55.87%
Place 2					

Matthew Dyer	6	192	73	271	33.25%
Ebony Berry	5	86	51	142	17.42%
Thelma L. Kobeck	6	297	99	402	49.33%
Place 4					
Bryant Griffith	8	255	103	366	44.26%
Chris J. Gary	9	326	126	461	55.74%
Proposition A – Vacancy of the Office of the Mayor					
Yes	13	411	173	597	72.28%
No	5	174	50	299	27.72%
Proposition B – Vacancy of a City Council Member					
Yes	14	161	384	559	68.67%
No	4	190	61	255	31.33%

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

SECTION 1 Publication and Posting

The General and Special Elections were dully called: that notice of said elections was given in accordance with the laws of the State of Texas: and that the cavass of the votes cast in said elections and returns thereof were made in accordance with the State Law.

SECTION 2 Majority of Votes

Pursuant to the applicable provisions of the Texas Local Government Code, Texas Election Code, and the City of Kennedale, Texas, Home-Rule Charter, the City Council officially finds and determines and declares the majority of votes cast resulted in the following of said elections:

1. Brad Horton is elected Mayor to a two (2) year term of office by the majority votes of the voters.
2. A runoff election shall be ordered for Council Member Place 2. The candidates for the runoff election shall be Matthew Dyer and Thelma L. Kobeck who received the highest and second highest number of votes at the May 4, 2024, General Election.
3. Chris J. Gary is elected City Council Member Place 4 to a two (2) year term of office by the majority votes of the voters.

4. Proposition A – Shall the Kennedale Home Rule Charter be amended by revising Section 3.03 to provide that in the event of a vacancy in the office of Mayor, the Mayor Pro Tem shall, on the effective date of the vacancy, assume the office of Mayor, to serve until the next local election date that offers sufficient time to comply with the requirements of the election code. The council seat vacated by the new Mayor shall be filled according to Section 3.06 of this charter. A new Mayor Pro Tem shall be selected according to this Section 3.03 – Approved
5. Proposition B – Shall the Kennedale Home Rule Charter be amended by revising Section 3.06 to provide that in the event of a vacancy on the City Council in a seat other than the Mayor, the City Council may call a special election or by a majority vote of all remaining Council Members appoint a qualified person to fill the vacancy, to serve until the next local election date that offers sufficient time to comply with the requirements of the election code.
- Approved

SECTION 3

Posting of Canvass

The City Secretary of the City of Kennedale, having posted written notice of the date, place, and subject of this meeting on the bulletin board located at City Hall, a place convenient and readily accessible to the general public, and said notice having been so posted and remaining posted continuously for at least 72 hours preceding the scheduled time of said meeting. A copy of the returns of said posting shall be attached to the minutes of this meeting and shall be made as part hereof for all intents and purposes.

SECTION 4

Effective Date

This Ordinance shall be effective immediately upon and after its passage and approval and it is so ordained.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF KENNEDALE, TEXAS, on the 13th DAY OF MAY, 2024.

Brad Horton, Mayor

Attest:

Bobbie Jo Taylor, City Secretary

Approved as to Form and Legality:

Carvan Adkins, City Attorney

STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

MEETING DATE: MAY 13, 2024

AGENDA ITEM NUMBER: ELECTION BUSINESS III.D.

SUBJECT

Swearing in of newly elected City of Kennedale Mayor and City Council Place 4.

ORIGINATED BY

Bobbie Jo Taylor, City Secretary

SUMMARY

The City Secretary will issue the Oath of Office to Mayor Elect - Brad Horton, and City Council Place Elect - Chris Gary.

RECOMMENDATION

No Action Required

ATTACHMENTS

1.	B. Horton Elected Official - Mayor Oath of Office and Statement	B. Horton Elected Official - Mayor Oath of Office and Statement.pdf
2.	C. Gary Elected Official - Place 4 Oath of Office and Statement	C. Gary Elected Official - Place 4 Oath of Office and Statement.pdf



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

ELECTED OFFICAL STATEMENT

I, Brad Horton, do solemnly swear (or affirm) that I have not directly or indirectly paid, offered, or promised to pay, contributed, or promised to contribute any money, or valuable thing, or promised any public office or employment, as a reward to secure my appointment or confirmation thereof, so help me God.

POSITION TO WHICH ELECTED: Mayor

SIGNATURE

DATE

SIGNATURE OF PERSON AUTHORIZED TO ADMINISTER OATH

PRINTED NAME AND TITLE

.....
Sworn to and subscribed before me by affiant on this 13TH day of May, 2024.

[SEAL]

NOTARY SIGNATURE



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

ELECTED OFFICAL OATH OF OFFICE

I, Brad Horton, do solemnly swear (or affirm) that I will faithfully execute the duties of the office of **Mayor** of the City of Kennedale of the State of Texas and will to the best of my ability preserve, protect and defend the Constitution and laws of the United States and of this State, and the Charter and ordinances of this city, so help me God.

SIGNATURE

DATE

SIGNATURE OF PERSON AUTHORIZED TO ADMINISTER OATH

PRINTED NAME AND TITLE

[SEAL]

.....
Sworn to and subscribed before me by affiant on this 13th day of May, 2024.

[SEAL]

NOTARY SIGNATURE

CITY OF KENNEDALE

ETHICS POLICY

It is the desire of the Kennedale City Council to promote and encourage the highest standard of conduct for elected City officials and officials appointed to City Boards and Commissions who represent the citizens of Kennedale. The members of the Kennedale City Council support the philosophy that elected officials and officials appointed to Boards and Commissions act in a manner, which avoids even the appearance of impropriety.

Each elected official or official appointed to a Board or Commission shall, at a minimum, comply with all state laws and city ordinances and policies regarding ethical behavior. Elected city officials and officials appointed to boards and commissions shall always act in the public interest rather than in the furtherance of self-interest or special interests.

The Kennedale City Council recognizes that it cannot by policy define ethical behavior but it expects each elected City official or official appointed to a Board or Commission to act conscientiously in public service recognizing that the public is best served when elected or appointed City officials make decisions and act in a manner which promotes confidence by the citizens of Kennedale in the process of City government.

ETHICS GUIDELINES AND PROCEDURES

The following provisions apply to:

- (1) The members of the city council; and
- (2) The members of any board, commission or committee established pursuant to the Charter or the ordinances of the city, or the laws of this state.

COUNCIL AND APPOINTED BOARD MEMBERS

Within thirty days of election or appointment to a Board or Commission, each official shall sign a copy of the preceding policy statement and the copy of the signed statement shall be kept by the City Secretary. In addition, each official shall complete the open meetings training sponsored by the Texas Attorney General within the same thirty-day period. Within sixty days of election or appointment, or before a vote regarding an interest which must be disclosed under Chapter 171 of the Texas Local Government Code, each official shall also file with the City Secretary a disclosure statement which discloses any real property owned by the official within Kennedale's city limits or ETJ and specifies any business interest located within Kennedale or any business interest which may have dealings with the city.

ACCEPTANCE OF GRATUITIES

No person subject hereto shall knowingly solicit or accept, from any source, any gift, favor, service, or thing of value, including a promise of future employment, in consideration of any person subject hereto exercising or having exercised any official power or performing or having performed any official duty on behalf of the city. Acceptance of any gratuities shall be disclosed as required by chapter 176 of the Texas Local Government Code.

USE OF CITY FACILITIES, PERSONNEL, EQUIPMENT, ETC.

No person subject hereto shall knowingly use city facilities, personnel, equipment, or supplies, or utilize any confidential information concerning the property, operations, policies or affairs of the city, for his or her private financial gain.

CONDUCT IN COMMERCIAL TRANSACTIONS

No person subject hereto shall knowingly be an interested party to any exchange, purchase, or sale of property, goods, or services with the city, or enter into any contract with the city, except in full and impartial compliance with State statutes, the city Charter, ordinances and regulations applicable thereto and subject to any restrictions of the city Charter; provided further that such persons shall receive no favor or special concession or inducement not customarily available and granted by the city in such a transaction; and provided further that any discretion by officers or employees of the city, in connection with any such transaction, shall be exercised impartially and upon the same standards applied to all Kennedale citizens.

REPRESENTING INTERESTS CONTRARY TO THOSE OF CITY

No person subject hereto shall knowingly represent, directly or indirectly, another person, or any group or entity, in any action or proceeding against the interests of the city or in any litigation in which the city or any department, agency, commission or board thereof is a party.

CONFLICTING INTERESTS IN LEGAL PROCEEDINGS

No person subject hereto shall knowingly represent, directly or indirectly, another person, or any group or entity, in any action or proceeding in the municipal court of this city, which was instituted by a city officer or employee in the course of official duties, or in any criminal proceeding in which any city officer or employee is a material witness for the prosecution.

DISCLOSURE OF PERSONAL FINANCIAL INTEREST AND ABSTENTION FROM VOTING

If any city officer or employee has a personal financial interest, direct or indirect, as defined by Chapter 171 of the Texas Local Government Code, in any matter pending before such officer or employee, or the city council or a department, agency, commission, or board of which the officer or employee is a member, then the officer or employee shall not render any decision and shall abstain from voting upon the matter and shall publicly disclose the fact of such interest in the applicable permanent city files or minutes prior to any consideration or determination of the matter in the manner required by Chapter 171 of the Texas Local Government Code.

AWARD OF BIDS OR CONTRACTS TO ENTITY EMPLOYING FORMER CITY OFFICERS

The city council shall not approve or award any bid or contract for the city's purchase of goods or services from any person, group or entity which, within the six months prior to such award or approval, has hired a person who, at any time within such six-month period, was either a member of the city council or the chief or assistant administrator of any city department or agency that had direct or indirect review or consideration, or recommending or approval authority, for the award of such bid or contract.

VIOLATIONS; CENSURE OR REPRIMAND

The failure of a city officer to comply with or the violation by such officer of any of the applicable standards of conduct set forth herein shall constitute, in addition to any other penalties and forfeitures that may be provided by law, grounds for public censure and reprimand by the city council. Such decision of censure and/or reprimand shall be made only upon the affirmative vote of all members of the city council, excluding only those council members who are the subject of any inquiry.

ADOPTED AND APPROVED THIS THE 10TH DAY OF MAY, 2007.

SIGNATURE ON FILE

BRYAN LANKHORST, MAYOR (AT TIME OF ADOPTION)

ATTEST:

SIGNATURE ON FILE

KATHY TURNER, CITY SECRETARY (AT TIME OF ADOPTION)

ELECTED OFFICIAL ETHICS POLICY AGREEMENT

By signing below, I hereby certify that I have received a copy of and agree to abide by the
CITY OF KENNEDALE ETHICS POLICY.

SIGNATURE

DATE

PUBLIC ACCESS OPTION FORM CONSENT FOR DISCLOSURE OF PERSONAL INFORMATION

TEXAS GOVERNMENT CODE SECTION 552.024

<i>State law allows current and former employees and public officials to elect to keep certain personal information confidential. Unless you choose "NO" (at right), the following information may be subject to release if requested under the Texas Public Information Act. INDICATE WHETHER YOU WISH TO ALLOW PUBLIC ACCESS TO THE FOLLOWING INFORMATION:</i>	YES, I Choose to Allow Public Access	NO, I Choose to Deny Public Access
Home Address (if yes, please list): _____		
Home Telephone Number (if yes, please list): _____		
Cellular Telephone Number (if yes, please list): _____		
Information that reveals whether you have family members (and/or a domestic partner)		
Social Security Number (DO <u>NOT</u> LIST HERE)		
Emergency Contact Information		

This form should be completed by any employee/public official no later than the 14th day after instatement or termination/resignation. **Until this form is filed with the City Secretary's Office your information is an open record, and will be made available upon request, to the public.** Once notification is on file to close public access, further written notice would be required before the information could be released to the public.

SIGNATURE

DATE



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

ELECTED OFFICAL STATEMENT

I, Chris Gary, do solemnly swear (or affirm) that I have not directly or indirectly paid, offered, or promised to pay, contributed, or promised to contribute any money, or valuable thing, or promised any public office or employment, as a reward to secure my appointment or confirmation thereof, so help me God.

POSITION TO WHICH ELECTED: City Council Place 4

SIGNATURE

DATE

SIGNATURE OF PERSON AUTHORIZED TO ADMINISTER OATH

PRINTED NAME AND TITLE

.....
Sworn to and subscribed before me by affiant on this 13TH day of May, 2024.

[SEAL]

NOTARY SIGNATURE



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

ELECTED OFFICAL OATH OF OFFICE

I, Chris Gary, do solemnly swear (or affirm) that I will faithfully execute the duties of the office of **City Council Place 4** of the City of Kennedale of the State of Texas and will to the best of my ability preserve, protect and defend the Constitution and laws of the United States and of this State, and the Charter and ordinances of this city, so help me God.

SIGNATURE

DATE

SIGNATURE OF PERSON AUTHORIZED TO ADMINISTER OATH

PRINTED NAME AND TITLE

[SEAL]

.....
Sworn to and subscribed before me by affiant on this 13th day of May, 2024.

[SEAL]

NOTARY SIGNATURE

CITY OF KENNEDALE

ETHICS POLICY

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Each elected official or official appointed to a Board or Commission shall, at a minimum, comply with all state laws and city ordinances and policies regarding ethical behavior. Elected city officials and officials appointed to boards and commissions shall always act in the public interest rather than in the furtherance of self-interest or special interests.

The Kennedale City Council recognizes that it cannot by policy define ethical behavior but it expects each elected City official or official appointed to a Board or Commission to act conscientiously in public service recognizing that the public is best served when elected or appointed City officials make decisions and act in a manner which promotes confidence by the citizens of Kennedale in the process of City government.

ETHICS GUIDELINES AND PROCEDURES

The following provisions apply to:

- (1) The members of the city council; and
- (2) The members of any board, commission or committee established pursuant to the Charter or the ordinances of the city, or the laws of this state.

COUNCIL AND APPOINTED BOARD MEMBERS

Within thirty days of election or appointment to a Board or Commission, each official shall sign a copy of the preceding policy statement and the copy of the signed statement shall be kept by the City Secretary. In addition, each official shall complete the open meetings training sponsored by the Texas Attorney General within the same thirty-day period. Within sixty days of election or appointment, or before a vote regarding an interest which must be disclosed under Chapter 171 of the Texas Local Government Code, each official shall also file with the City Secretary a disclosure statement which discloses any real property owned by the official within Kennedale's city limits or ETJ and specifies any business interest located within Kennedale or any business interest which may have dealings with the city.

ACCEPTANCE OF GRATUITIES

No person subject hereto shall knowingly solicit or accept, from any source, any gift, favor, service, or thing of value, including a promise of future employment, in consideration of any person subject hereto exercising or having exercised any official power or performing or having performed any official duty on behalf of the city. Acceptance of any gratuities shall be disclosed as required by chapter 176 of the Texas Local Government Code.

USE OF CITY FACILITIES, PERSONNEL, EQUIPMENT, ETC.

No person subject hereto shall knowingly use city facilities, personnel, equipment, or supplies, or utilize any confidential information concerning the property, operations, policies or affairs of the city, for his or her private financial gain.

CONDUCT IN COMMERCIAL TRANSACTIONS

No person subject hereto shall knowingly be an interested party to any exchange, purchase, or sale of property, goods, or services with the city, or enter into any contract with the city, except in full and impartial compliance with State statutes, the city Charter, ordinances and regulations applicable thereto and subject to any restrictions of the city Charter; provided further that such persons shall receive no favor or special concession or inducement not customarily available and granted by the city in such a transaction; and provided further that any discretion by officers or employees of the city, in connection with any such transaction, shall be exercised impartially and upon the same standards applied to all Kennedale citizens.

REPRESENTING INTERESTS CONTRARY TO THOSE OF CITY

No person subject hereto shall knowingly represent, directly or indirectly, another person, or any group or entity, in any action or proceeding against the interests of the city or in any litigation in which the city or any department, agency, commission or board thereof is a party.

CONFLICTING INTERESTS IN LEGAL PROCEEDINGS

No person subject hereto shall knowingly represent, directly or indirectly, another person, or any group or entity, in any action or proceeding in the municipal court of this city, which was instituted by a city officer or employee in the course of official duties, or in any criminal proceeding in which any city officer or employee is a material witness for the prosecution.

DISCLOSURE OF PERSONAL FINANCIAL INTEREST AND ABSTENTION FROM VOTING

If any city officer or employee has a personal financial interest, direct or indirect, as defined by Chapter 171 of the Texas Local Government Code, in any matter pending before such officer or employee, or the city council or a department, agency, commission, or board of which the officer or employee is a member, then the officer or employee shall not render any decision and shall abstain from voting upon the matter and shall publicly disclose the fact of such interest in the applicable permanent city files or minutes prior to any consideration or determination of the matter in the manner required by Chapter 171 of the Texas Local Government Code.

AWARD OF BIDS OR CONTRACTS TO ENTITY EMPLOYING FORMER CITY OFFICERS

The city council shall not approve or award any bid or contract for the city's purchase of goods or services from any person, group or entity which, within the six months prior to such award or approval, has hired a person who, at any time within such six-month period, was either a member of the city council or the chief or assistant administrator of any city department or agency that had direct or indirect review or consideration, or recommending or approval authority, for the award of such bid or contract.

VIOLATIONS; CENSURE OR REPRIMAND

The failure of a city officer to comply with or the violation by such officer of any of the applicable standards of conduct set forth herein shall constitute, in addition to any other penalties and forfeitures that may be provided by law, grounds for public censure and reprimand by the city council. Such decision of censure and/or reprimand shall be made only upon the affirmative vote of all members of the city council, excluding only those council members who are the subject of any inquiry.

ADOPTED AND APPROVED THIS THE 10TH DAY OF MAY, 2007.

SIGNATURE ON FILE

BRYAN LANKHORST, MAYOR (AT TIME OF ADOPTION)

ATTEST:

SIGNATURE ON FILE

KATHY TURNER, CITY SECRETARY (AT TIME OF ADOPTION)

ELECTED OFFICIAL ETHICS POLICY AGREEMENT

By signing below, I hereby certify that I have received a copy of and agree to abide by the
CITY OF KENNEDALE ETHICS POLICY.

SIGNATURE

DATE

PUBLIC ACCESS OPTION FORM CONSENT FOR DISCLOSURE OF PERSONAL INFORMATION

TEXAS GOVERNMENT CODE SECTION 552.024

<i>State law allows current and former employees and public officials to elect to keep certain personal information confidential. Unless you choose "NO" (at right), the following information may be subject to release if requested under the Texas Public Information Act. INDICATE WHETHER YOU WISH TO ALLOW PUBLIC ACCESS TO THE FOLLOWING INFORMATION:</i>	YES, I Choose to Allow Public Access	NO, I Choose to Deny Public Access
Home Address (if yes, please list): _____		
Home Telephone Number (if yes, please list): _____		
Cellular Telephone Number (if yes, please list): _____		
Information that reveals whether you have family members (and/or a domestic partner)		
Social Security Number (DO <u>NOT</u> LIST HERE)		
Emergency Contact Information		

This form should be completed by any employee/public official no later than the 14th day after instatement or termination/resignation. **Until this form is filed with the City Secretary's Office your information is an open record, and will be made available upon request, to the public.** Once notification is on file to close public access, further written notice would be required before the information could be released to the public.

 SIGNATURE

 DATE



STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

MEETING DATE: MAY 13, 2024

AGENDA ITEM NUMBER: ELECTION BUSINESS III.E.

SUBJECT
Consideration of and action on approving Ordinance 762 calling a runoff election to be held June 15, 2024, for the purpose of electing City of Kennedale City Council Member Place 2.

ORIGINATED BY
Bobbie Jo Taylor, City Secretary

SUMMARY
At the general election held on May 4, 2024, no candidate for the office of City Council Place 2 received a majority of votes, requiring a runoff election to be held. The election will take place on June 15, 2024, to be held in conjunction with Tarrant County Elections Department, as previously authorized by the City Council in the May 4, 2024, Joint Election Agreement.

RECOMMENDATION
Approve

ATTACHMENTS		
1.	762 Ordering June 15, 2024 Runoff Election	762 Ordering June 15, 2024 Runoff Election.pdf

ORDINANCE NO. 762

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KENNEDALE, TEXAS, ORDERING A RUNOFF ELECTION FOR THE OFFICE OF CITY COUNCIL PLACE 2 TO BE HELD ON JUNE 15, 2024; ESTABLISHING PROCEDURES FOR THE RUNOFF ELECTION; 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 X1, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City held a general election on May 4, 2024, at which no candidate for City Council Place 2 received a majority of votes, requiring a runoff election to be held on June 15, 2024; and

WHEREAS, the Mayor has issued to the City Secretary, a certification of the names of the candidates to be placed on the general election runoff ballot pursuant to Texas Election Code section 2.027; and

WHEREAS, the runoff election will be held as a joint election with Tarrant County conducted under the authority of Chapter 271 of the Texas Election Code; and

WHEREAS, it is the intention of the City Council to designate polling places for the runoff election and to appoint the necessary election officers to establish and set forth procedures for conducting the runoff election.

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

SECTION 1 ELECTION ORDER FOR RUNOFF ELECTION

At the general election held on May 4, 2024, no candidate for the office of City Council Place 2 received a majority of votes, requiring a runoff election to be held. Pursuant to the Texas Election Code, the City Council hereby orders that a runoff election to fill the place of City Council Place 2 shall be held in the City of Kennedale ("runoff election") on June 15, 2024, to be held in conjunction with Tarrant County for joint election services (the "Joint Election Agreement") previously entered into as authorized by the City Council.

SECTION 2 POLLING PLACE

The polling place for the runoff election shall be as follows:

Kennedale Community Center

SECTION 3 EARLY VOTING

- a. **Early voting by personal appearance.** Early voting by personal appearance shall be conducted beginning June 3, 2024, and continue through June 11, 2024, at the Kennedale Community Center, 316 W. 3rd Street, Kennedale, Texas 76060 at the following times:

MONDAY	JUNE 3, 2024	8:00 A.M.-5:00 P.M.
TUESDAY	JUNE 4, 2024	8:00 A.M.-5:00 P.M.
WEDNESDAY	JUNE 5, 2024	8:00 A.M.-5:00 P.M.
THURSDAY	JUNE 6, 2024	8:00 A.M.-5:00 P.M.
FRIDAY	JUNE 7, 2024	8:00 A.M.-5:00 P.M.
SATURDAY	JUNE 8, 2024	7:00 A.M.-7:00 P.M.
SUNDAY	JUNE 9, 2024	10:00 A.M.– 4:00 P.M.
MONDAY	JUNE 10, 2024	7:00 A.M.-7:00 P.M.
TUESDAY	JUNE 11, 2024	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.** the Tarrant County Elections Administrator, or his/her 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 Tuesday, June 4, 2024, to the Election Administrator in any of the following ways: via mail to Tarrant County Elections, PO Box 961011, Fort Worth, Texas 76161-0011, via fax 817-850-2344, or by email votebymail@tarrantcountytexas.gov. If an application for Ballot by Mail is submitted by fax or e-mail the original application must also be mailed and received by the Early Voting Clerk no later than the 4th business day after receipt of the faxed or emailed copy.

SECTION 4 NOTICE AND PUBLICATION

Notice shall be posted on the bulletin board used for posting notices of the meetings of the City Council at least fifteen (15) days before the runoff election. Notice shall be published in the newspaper in accordance with state law.

SECTION 5 ELECTION OFFICIALS

The Presiding Election Judge and Alternate Presiding Judge shall be appointed by Tarrant County as authorized by Chapter 271 of the Election Code.

**SECTION 6
METHOD OF VOTING**

The voting systems are being provided by Tarrant County under the terms of the Joint Election Agreement. All expenditures necessary to conduct the election, the purchase of materials therefore, and the employment of all election officials are hereby authorized, and shall be conducted in accordance with the Texas Elections Code.

**SECTION 7
NECESSARY ACTIONS**

The Mayor and the City Secretary, in consultation with the City Attorney, are authorized and directed to take all actions necessary to comply with the provisions of the Texas Election Code, the City Charter, and the City Code in carrying out and conducting the runoff election, whether or not expressly authorized herein.

**SECTION 8
EFFECTIVE DATE**

This Ordinance shall be effective immediately upon and after its passage and approval and it is so ordained.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF KENNEDALE, TEXAS, on the 13th DAY OF MAY, 2024.

Brad Horton, Mayor

Attest:

Bobbie Jo Taylor, City Secretary

Approved as to Form and Legality:

Carvan Adkins, City Attorney