



KENNEDALE CITY COUNCIL AGENDA
REGULAR MEETING | FEBRUARY 18, 2025 AT 5:30 PM
CITY COUNCIL CHAMBERS | 405 MUNICIPAL DRIVE, KENNEDALE, TEXAS 76060

I. CALL TO ORDER

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. PUBLIC COMMENT

The Kennedale City Council welcomes comments from the public. Those wishing to speak must sign in prior to the start of the meeting. Speakers may speak on any topic, whether on the agenda or not. The Kennedale City Council cannot act upon, discuss issues raised or make any decisions at this time. Speakers under citizens' comments shall observe a three-minute time limit. Inquiries regarding matters not listed on this agenda may be referred to staff for research and/or possible future action by the board.

III. PRESENTATIONS

- A. Oath of Office Presented to Fire Captain Joey Craddock
- B. Presentation of the FBI-LEEDA Trilogy Award to City of Kennedale Police Department
- C. 2024 City of Kennedale Library, Communications, and Senior Center Annual Reports
- D. 2024 City of Kennedale Municipal Court Annual Report
- E. 2024 City of Kennedale Finance Department Annual Report
- F. 2024 City of Kennedale Community Development Annual Report

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 the City of Kennedale Mayor and City Council
- 2. Updates from the City of Kennedale City Manager
 - a. 380 Agreement with MKP and Associates
- 3. Financial Reports for the City and/or the EDC

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. January 21, 2025 City Council Minutes
2. 2024 Racial Profiling Report and the Texas Police Chiefs Association Recognition Program Annual Report from the Police Department

C. ITEMS FOR INDIVIDUAL CONSIDERATION, DISCUSSION AND/OR ACTION

1. Discuss and take action to hire Westwood Engineering for any upcoming engineering projects. - Action Item
2. Discuss and take action to fund a preliminary study for the design and construction of the baseball fields by Callahan and Freeman Architects. - Action Item
3. Discuss and take action on the approval of Amendment No. 1 for Valley Lane Streambank Stabilization. - Action Item
4. Discuss and take action on an Interlocal Agreement with Tarrant County, Texas, for reconstruction of Eden Road S. from Kennedale Parkway to Hudson Village Creek. - Action Item
5. Discuss and take action on an Interlocal Agreement with Tarrant County, Texas, for reconstruction of South New Hope Road from the railroad crossing to Hudson village Creek. - Action Item
6. Discuss and take action on an Interlocal Agreement with Tarrant County, Texas, for reconstruction of Swiney Hiatt Rd., from Collette Sublett Rd. to Joplin Rd. - Action Item

V. EXECUTIVE SESSION

IN ACCORDANCE WITH CHAPTER 551 OF THE TEXAS GOVERNMENT CODE. If, during the course of the meeting and discussion of any items covered by this notice, the Kennedale City Council determines that a Closed or Executive session of the Board is required, then such closed meeting will be held as authorized by Texas Government Code, Chapter 551, Section 551.071 consultation with counsel on legal matters; Section 551.074 personnel matters (1) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or (2) to hear a complaint or charge against an officer or employee. (b) Subsection (a) does not apply if the officer or employee who is the subject of the deliberation or hearing requests a public hearing. Section 551.072 - deliberation regarding purchase, exchange, lease or value of real property; Section 551.073 - deliberation regarding a prospective gift; Section 551.087 - deliberation regarding economic development negotiation; Section 551.089 - deliberation regarding security devices or security audits, and/or other matters as authorized under the Texas Government Code. If a Closed or Executive Session is held in accordance with the Texas Government Code as set out above, the Kennedale City Council will reconvene in Open Session in order to take action, if necessary, on the items addressed during Executive Session.

- A. PURSUANT TO SECTION 551.0171** - 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, to discuss pending and contemplated litigation, or a settlement offer.

1. Code Enforcement complaint

- B. PURSUANT TO SECTION 551.087** - to discuss or deliberate 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.

1. Prospective 380 Agreements

VI. RECONVENE INTO OPEN SESSION, AND TAKE ANY ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION

VII. ADJOURNMENT



BOBBIE JO TAYLOR,
CITY SECRETARY

CERTIFICATION: I DO HEREBY CERTIFY THAT THE FEBRUARY 18, 2025 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.

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.

A QUORUM OF THE KENNEDALE EDC, THE KENNEDALE PLANNING AND ZONING COMMISSION, BOARD OF ADJUSTMENT, KEEP KENNEDALE BEAUTIFUL COMMISSION, PARKS AND RECREATION BOARD, BUILDING BOARD OF APPEALS, TOWNCENTER DEVELOPMENT DISTRICT, OR TAX INCREMENT REINVESTMENT DISTRICT MAY BE PRESENT. NO ACTION WILL BE TAKEN BY THE ABOVE-LISTED BOARDS.

STAFF REPORT TO THE HONORABLE MAYOR AND CITY COUNCIL

MEETING DATE: FEBRUARY 18, 2025
AGENDA ITEM NUMBER: ITEM III.A.

SUBJECT

Oath of Office Presented to Fire Captain Joey Craddock

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS

STAFF REPORT TO THE HONORABLE MAYOR AND CITY COUNCIL

MEETING DATE: FEBRUARY 18, 2025
AGENDA ITEM NUMBER: ITEM III.B.

SUBJECT

Presentation of the FBI-LEEDA Trilogy Award to City of Kennedale Police Department

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS



STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

MEETING DATE: FEBRUARY 18, 2025
AGENDA ITEM NUMBER: ITEM III.C.

SUBJECT
2024 City of Kennedale Library, Communications, and Senior Center Annual Reports

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS

1.	Library Senior Center and Communications 2024 rpt	Library Senior Center and Communications 2024 rpt.pdf
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The background features abstract geometric shapes, primarily triangles, in various shades of green and blue. These shapes are layered and overlap, creating a dynamic, modern look. The colors range from dark forest green to light lime green, and from light sky blue to deep navy blue.

Library, Senior Center, and Communications

2024 Activities and Accomplishments

Library Mission

The Kennedale Public Library serves as a thriving community center that provides access to information and resources to educate, empower, enrich, and welcome our community.

Library Vision

The Kennedale Public Library connects the community with library services for personal enjoyment, growth, and enrichment through:

- ▶ Diverse resources in multiple and accessible formats;
- ▶ Innovative programs and technology that increase knowledge, awareness, and quality of life for all members of the community;
- ▶ Support for local educational programs and self-directed, lifelong learning opportunities;
- ▶ Community gathering spaces;
- ▶ And the preservation of local history.

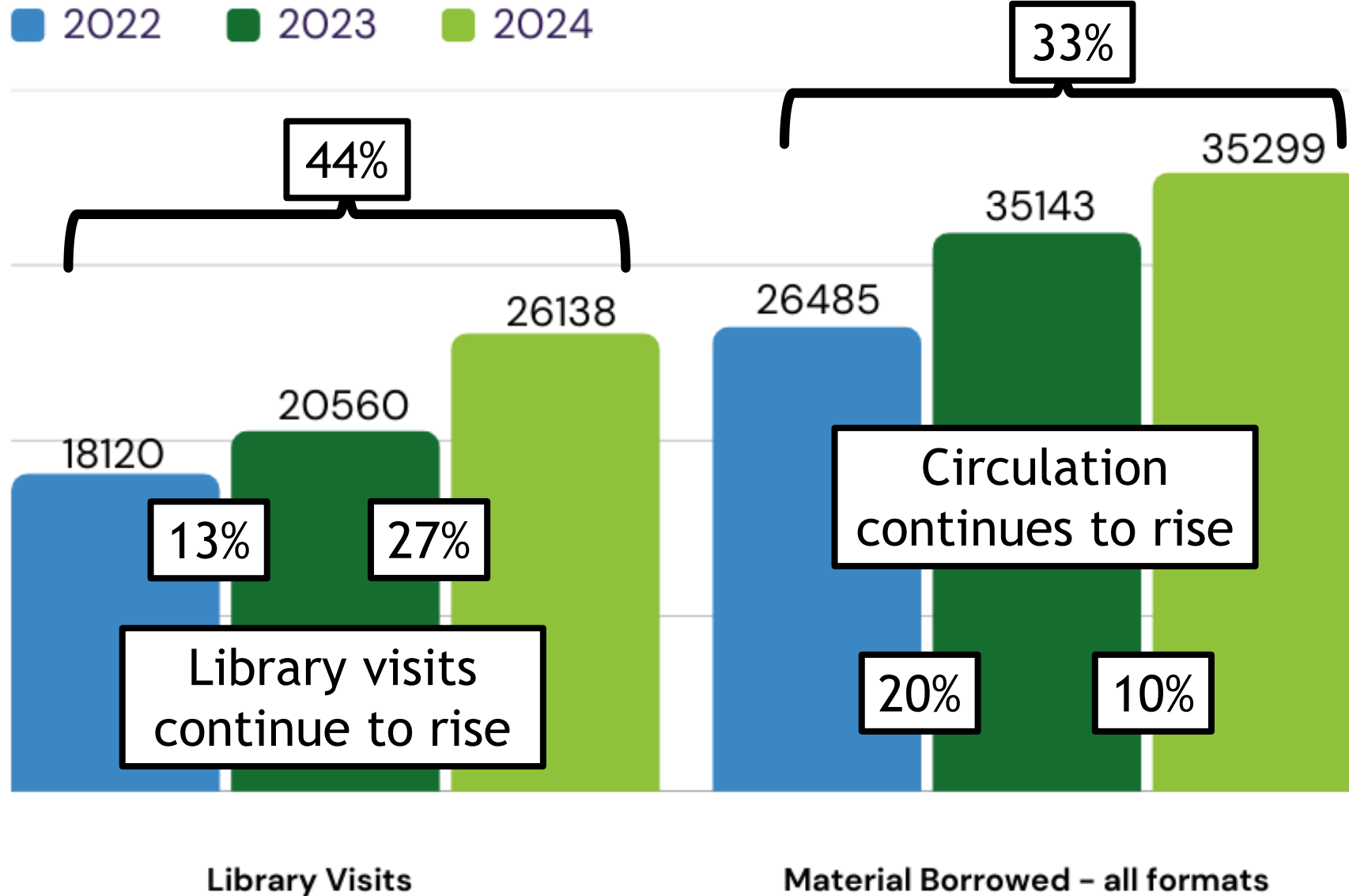
Library Goals

- ▶ Provide superior customer service to all library users.
- ▶ Be the first choice for information needs.
- ▶ Anticipate and meet changing community needs.
- ▶ Guarantee equitable access to Library resources and services.
- ▶ Be a strong and effective partner in the community.

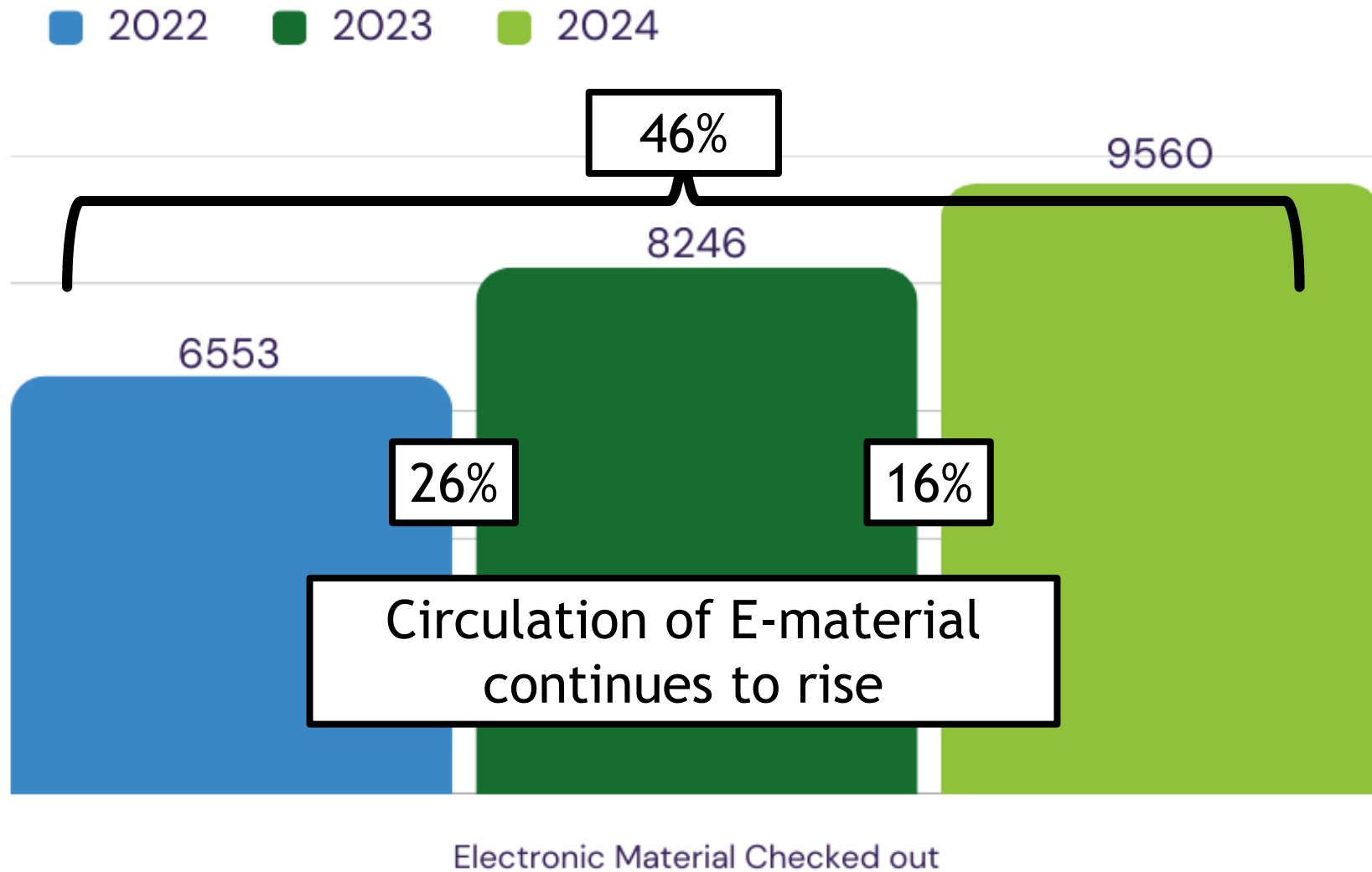
Library Staff

- ▶ Elizabeth Partridge – Library Director
- ▶ Laura Smith – Library Clerk – cataloging/facility rentals
- ▶ Kelly Skiles – Library Clerk – children's services
- ▶ Sara Hooser – Library Programming and Event Coordinator
- ▶ Lucy Shonkwiler – Library Clerk – circulation
- ▶ Ai'mee Baza – Library Clerk - circulation

Library Activity

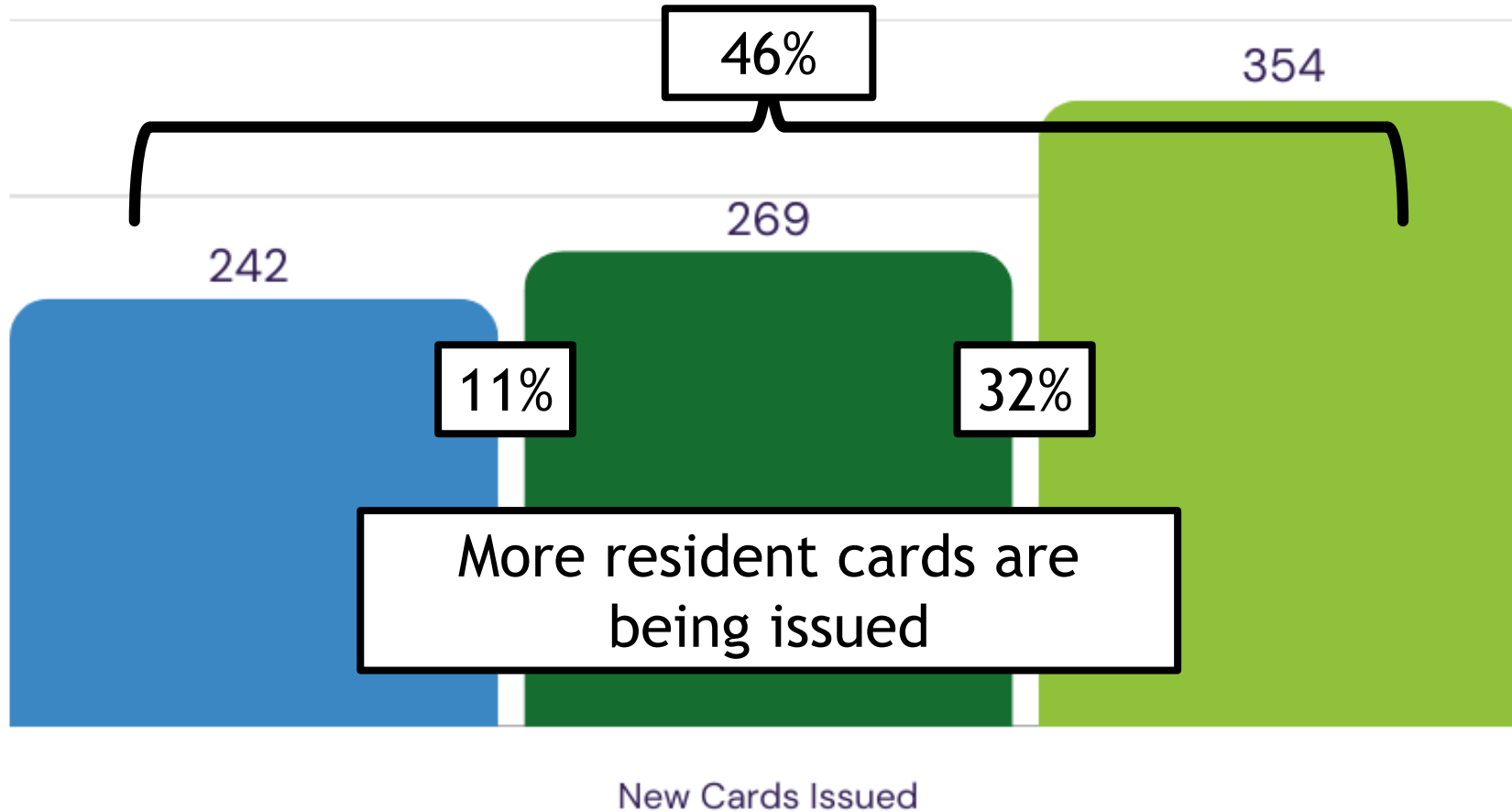


Library Activity



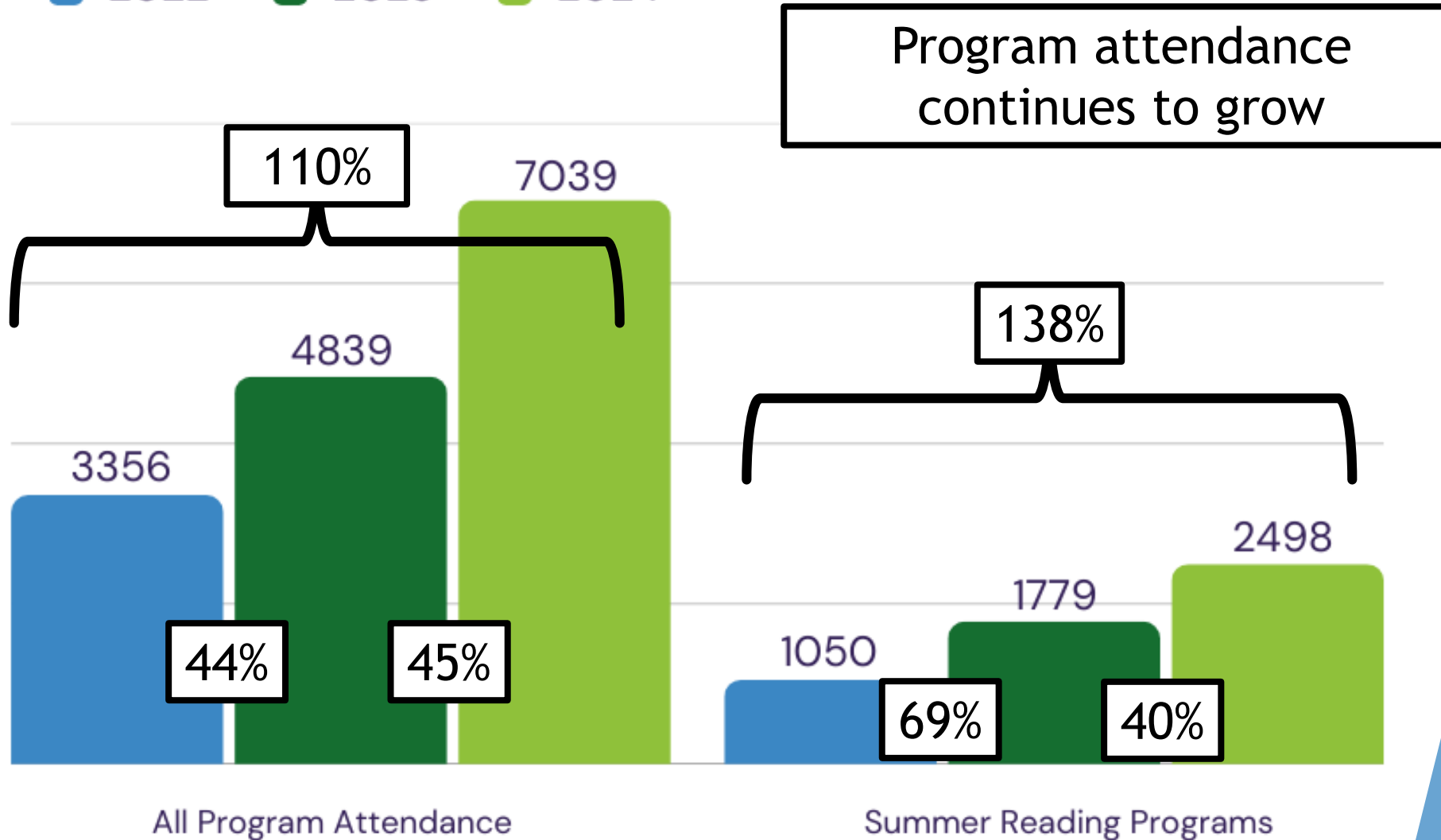
Library Activity

■ 2022 ■ 2023 ■ 2024



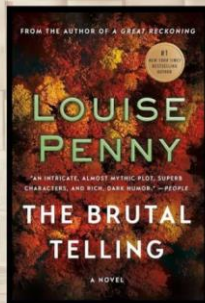
Library Activity

■ 2022 ■ 2023 ■ 2024



City of KENNEDALE

COVER TO COVER BOOK CLUB



January 2
6:00 pm

City of KENNEDALE, Texas
YOU'RE HERE & YOUR HOME



Adult Puzzle Competition

September 7
2:00 pm

Teams of 2-5 people. Registration is required, but business suits are not!

City of KENNEDALE, Texas
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RESCUE BEE RANCH

Saturday, May 4
1:30 pm



City of KENNEDALE, Texas
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Craftivities

HOBBIT DOOR ORNAMENT



December 18
6:00 pm

Registration is required.

City of KENNEDALE, Texas
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Propagating Violets

Join us as we learn how to grow new plants from cuttings of African Violets. All supplies are provided!

April 13
1:00 pm



City of KENNEDALE, Texas
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All You Need to Know About Bats

with Dr. Tory Bennett



October 8
5:30 pm

City of KENNEDALE, Texas
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Touch-A-Truck

October 23 @ 10:30am

Join us in TownCenter's parking lot by the clock tower



City of KENNEDALE, Texas
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BABYGARTEN

Tuesdays at 11am



www.kennedailibrary.com
316 W 3rd Street
Kennedale, TX 76060
817-985-2136

City of KENNEDALE, Texas
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TWEEN & TEEN CHESS CLUB

OCTOBER 23
4:30PM



316 W 3RD STREET KENNEDALE, TX 76060
817-985-2136

City of KENNEDALE, Texas
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LEGO CLUB

FRIDAYS
3:30-5PM



316 W 3rd Street
Kennedale, TX 76060
817-985-2136
www.kennedailibrary.org

City of KENNEDALE, Texas
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FORT DAY

Tuesday, June 18 @ 2pm



www.kennedailibrary.org
316 W 3RD STREET, KENNEDALE, TX 76060
817-985-2136

City of KENNEDALE, Texas
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Choose Your Adventure

June 1 - July 27



www.kennedailibrary.org
316 W 3RD STREET, KENNEDALE, TX 76060
817-985-2136

City of KENNEDALE, Texas
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Kennedale Public Library Presents

Prep & Plant: How to Start a New Garden

Join fellow gardeners for a presentation by Kim Courtney, with Keep Kennedale Beautiful. Learn how to prepare your soil and the basics of starting a garden.

Saturday March 23
2:00 pm

Enjoy light refreshments and win gardening giveaways!

316 W. 3rd Street
www.kennedailibrary.org

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KPL SEED LIBRARY

Let's Grow Together

How to use the seed library:

- Choose any 3 seed packets.
- Bring them to the information desk and show your library card.
- Fill out a membership card if you are interested in gardening programs.
- Take your seeds home and plant them!
- Please save seeds from your harvest to donate back to the library or donate a store bought seed packet.

City of KENNEDALE, Texas
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Craftivities

Book Page Pumpkins



September 10
6:00 pm

Space is limited. Registration is required.

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Craftivities

Yarn Ball Ornament



November 12
6:00 pm

Registration is required.

City of KENNEDALE, Texas
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June 22
@ 10am

Bubble Extravaganza

@ Town Center Park

Get Ready to make some amazing Bubbles!

www.kennedailibrary.org
817-985-2136

City of KENNEDALE, Texas
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Bring your Bear or Favorite Animal to the

TEDDY BEAR PICNIC & PARADE

OCTOBER 5 AT 11AM



316 W 3RD STREET
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Library Activity



2024 Achievement of Excellence in Libraries Award

Presented to:

**KENNEDALE
PUBLIC LIBRARY**



Awarded by

**Texas Municipal Library
Directors Association**

Library Activity

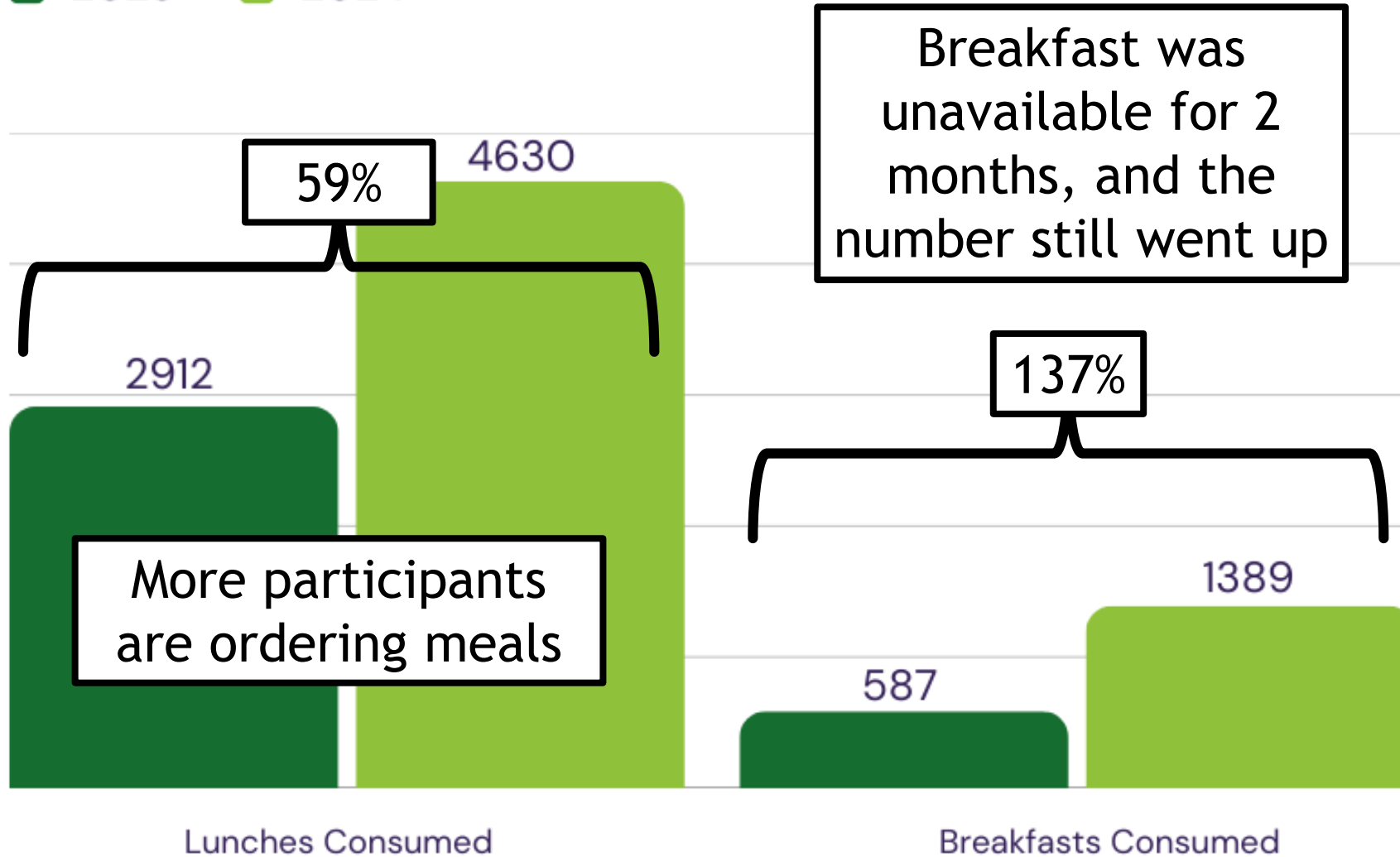
- ▶ Received accreditation through TSLAC
- ▶ Received TMLDA Achievement of Excellence in Libraries Award 2024
- ▶ Added Full-time Programming Librarian and Event Coordinator
- ▶ New Texas E-Reads – Boundless – online books added to catalog
- ▶ Implemented online program registration
- ▶ New carpet in the Library
- ▶ New paint throughout the building
- ▶ Completed collection inventory
- ▶ Added new adult programs and activities
- ▶ Added new equipment to the Innovation Station
- ▶ Began library renovation planning

Senior Center Mission

The Kennedale Senior Center provides access to community resources, nutrition, health and entertainment activities that promote social connection, vibrant aging, and life-long learning and enable the emotional and physical well-being of independent adults over 55. Our goal is to provide opportunities for seniors that meet their changing needs, improve their quality of life, and empower them to live life to the fullest.

Senior Center Activity

■ 2023 ■ 2024



Senior Center Activity



Adult Activity Center

Lunch Menu

August 2024

Monday	Tuesday	Wednesday	Thursday	Friday
			1	2
				Menu A: Beef Soft Taco (723 cals/117 carbs/765 Na) Menu B: Fish Taco (808 cals/117 carbs/981 Na) Side Items: Fiesta Rice Simmered Black Beans Flour Tortilla Dessert: Carnival Cookie
5 Menu A: Mongolian Chicken Bites (669 cals/87 carbs/1094 Na) Menu B: Korean BBQ Beef Meatballs (708 cals/82 carbs/1368 Na) Side Items: Jasmine Rice Oriental Vegetables, Wheat Bread Dessert: Fortune Cookie (1)	Menu A: H with (865 cals/2 Menu B: H (695 cals/2 Side Item California Corn Dessert		9 Menu A: Jamaican Jerk Chicken (710 cals/117 carbs/468 Na) Menu B: Pineapple Tilapia (755 cals/127 carbs/457 Na) Side Items: White Rice Seasoned Lentils Multigrain Bread Dessert: Lime Gelatin	
12 Menu A: Beef Swiss Patty (775 cals/98 carbs/1091 Na) Menu B: BBQ Pork Rib Patty (737 cals/107 carbs/991 Na) Side Items: Penne Pasta Seasoned Spinach Texas Bread Dessert: Fresh Fruit	Menu A: C Feta (645 cals/ Lemon (603 cals/ Side Item Tzatziki Sauce with Lettuce Wheat Pita Dessert: Warm Cinnamon Applesauce	Side Items: Garlic Mashed Potatoes, Green Beans Dinner Roll Dessert: Chocolate Chip Cookie	(760 cals/116 carbs/877 Na) Side Items: Yellow Rice Black Beans, Flour Tortilla Dessert: Cherry Gelatin	16 Menu A: Chicken Spaghetti (776 cals/102 Carbs/457 Na) Menu B: Tuna Noodle Casserole (672 cals/102 carbs/959 Na) Side Items: Winter Blend Vegetables Green Peas, Multigrain Bread Dessert: Chocolate Cake
19 Menu A: Chili Macaroni (689 cals/105 carbs/620 Na) Menu B: Cheddar Broccoli Casserole (850 cals/113 carbs/842 Na) Side Items: Steamed Yellow Squash, Mixed Vegetables Texas Bread Dessert: Fresh fruit	20 Menu A: Chicken Soft Taco (717 cals/97 carbs/1034 Na) Menu B: Pork Carnitas (670 cals/94 carbs/1055 Na) Side Items: Lettuce and Tomato Charro Beans Flour Tortilla Dessert: Warm Rice Pudding	21 Menu A: Beef Meatballs in Marinara Sauce (880 cals/114 carbs/1477 Na) Menu B: Chicken Parmesan (838 cals/112 carbs/117 Na) Side Items: Rotini Pasta Catalina Blend Vegetables Dinner Roll Dessert: Glazed Vanilla Cake	22 Menu A: Zesty Baja Chicken Salad (726 cals/97 carbs/720 Na) Menu B: Turkey Avocado Salad (676 cals/93 carbs/620 Na) Side Items: Honey Lime Corn Black Bean Salad Saltine Crackers (2PK) Dessert: Fresh Banana	23 Menu A: Chicken Nuggets with Honey Mustard Sauce (743 cals/89 carbs/710 Na) Menu B: Potato Crusted Pollock (651 cals/87 carbs/585 Na) Side Items: Herbed Rice Broccoli And Carrots Wheat Bread Dessert: Nutty Buddy Bar
26 Menu A: Turkey Swiss Melt (697 cals/95 carbs/999 Na) Menu B: Beef Burgundy (800 cals/ 103 carbs/1275 Na) Side Items: Mashed Potatoes Brussel Sprouts Texas Bread Dessert: Oatmeal raisin Cookie	27 Menu A: Chicken Breast with a Creamy Garlic Sauce (670 cals/93 carbs/522 Na) Menu B: Italian Marinated Beef Tips (635 cals/91 carbs/518 Na) Side Items: Penne Pasta Sliced Carrots Dinner Roll Dessert: Vanilla Wafers	28 Menu A: Homemade Meatloaf with Tomato Sauce (945 cals/127 carbs/1420 Na) Menu B: Dijon Herb Pork Roast (886 cals/127 carbs/806 Na) Side Items: Rice Florentine Green Beans and Tomatoes Cornbread Muffin Dessert: Chocolate Pie Parfait	29 Menu A: Tuscan Chicken (739 cals/99 carbs/1190 Na) Menu B: Three Cheese Baked Ziti (789 cals/109 carbs/1080 Na) Side Items: Green Peas California Blend Vegetables Wheat Bread Dessert: Strawberry Cupcake	30 Menu A: Cranberry Chicken Salad (670 cals/88 carbs/1003 Na) Menu B: Egg Salad (621 cals/ 83 carbs/834 Na) Side Items: Tangy Coleslaw Beet Salad Multigrain Bread Dessert: Fresh Fruit

7
Menu A: Chicken Alfredo with
Bowtie Pasta
(767 cals/98 carbs/1179 Na)
Menu B: Creamy Tomato Basil
Tortellini
(767 cals/131 carbs/1200 Na)
Side Items: Seasoned Sliced
Carrots
Green Beans with Red Peppers
and Onions, Dinner Roll
Dessert: Red Velvet Cupcake

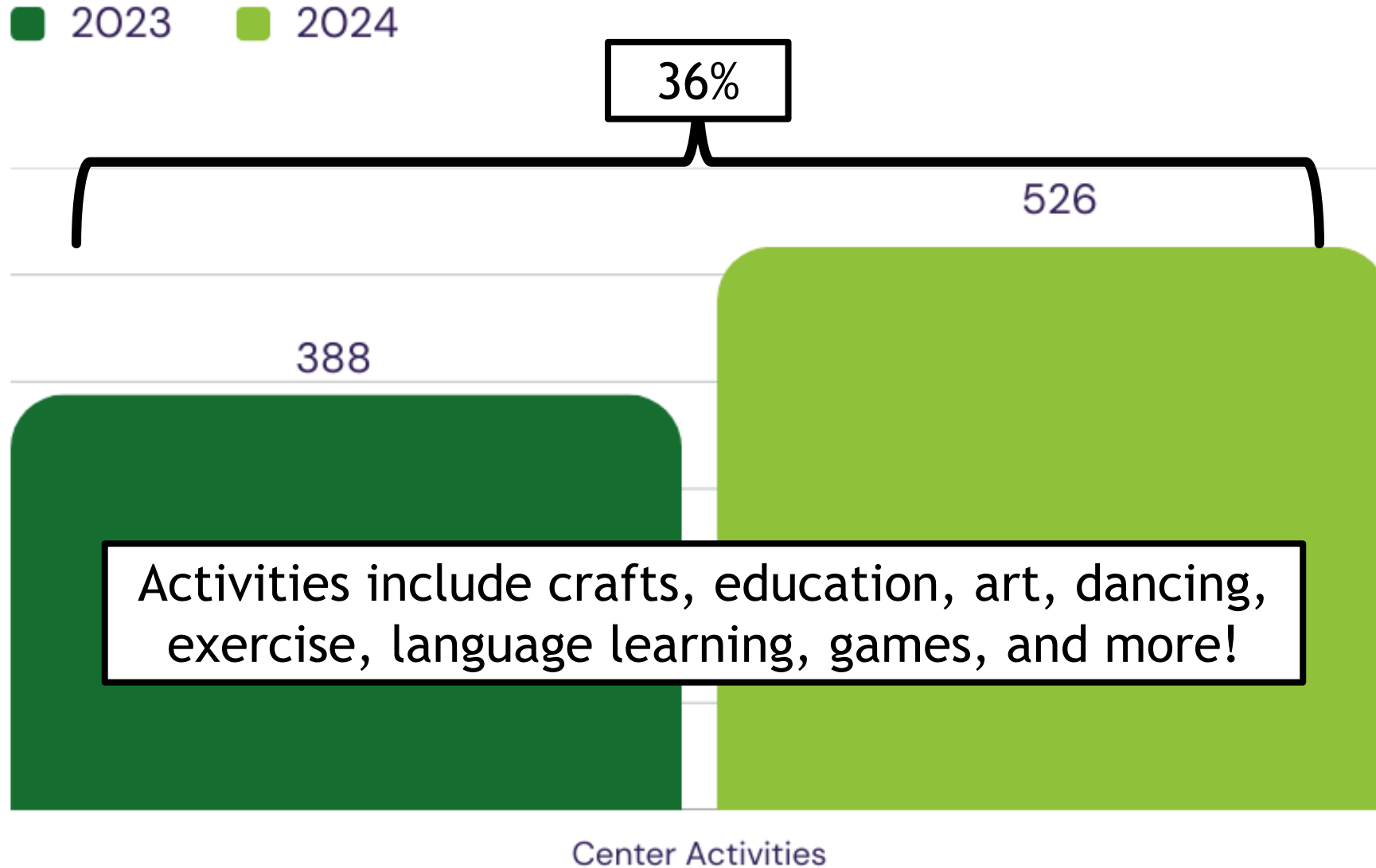


August 2024 Breakfast Meal Menu

Monday	Tuesday	Wednesday	Thursday	Friday
			1	2
			Fruited Yogurt Bran Flakes Cereal Raisins Peanut Butter Tropical Fruit Punch Milk	Turkey Sausage Biscuit Hashbrown Patty Toasty O's Cereal Tropical Fruit Punch Milk
5 Raisin Bran Cereal Flavored Oatmeal Peanut Butter Craisins Apple Juice Milk	6 Bagel with Cream Cheese Bran Flakes Fresh Fruit Orange Pineapple Juice Milk	7 Bran Muffin Fruited Yogurt Flavored Oatmeal Fresh Fruit Apple Juice Milk	8 Fruited Yogurt Bran Flakes Cereal Raisins Peanut Butter Tropical Fruit Punch Milk	9 Egg Biscuit Hashbrown Patty Toasted Peanut Butter Crackers Orange Juice Milk
12 Raisin Bran Cereal Flavored Oatmeal Peanut Butter Craisins Apple Juice Milk	13 Breakfast Round Turkey Sausage Fresh Fruit Orange Juice Milk	14 Hashbrown Patty Hardboiled Egg Oatmeal Cream Cookie Orange Pineapple Juice Milk	15 Fruited Yogurt Bran Flakes Cereal Raisins Peanut Tropical	16 Egg Biscuit Tropical Fruit Graham Crackers
19 Raisin Bran Cereal Flavored Oatmeal Peanut Butter Craisins Apple Juice Milk	20 Waffles Sugar-Free Syrup Hardboiled Egg Fresh Fruit Orange Juice Milk	21 Biscuit String Cheese Toasty O's Cereal Fresh Fruit Apple Juice Assorted Jelly Milk	Fruite Bran Fla Ra Peanu Tropical	
26 Raisin Bran Cereal Flavored Oatmeal Peanut Butter Craisins Apple Juice Milk	27 Hashbrown Patty Turkey Sausage Raisins Granola Bar Tropical Fruit Punch Milk	28 Bagel with Cream Cheese Bran Flakes Strawberry Craisins Apple Juice Milk	Fruite Bran Fla Ra Peanu Tropical Fruit Punch Milk	Milk

23
Chocolate Banana
Muffin
Hashbrown Patty
Strawberry
Craisins
Bran Flakes Cereal
Orange Juice
Milk

Senior Center Activity



Senior Center Activity

 **February 2024**  Kennedale Activity Center
420 Corry A. Edwards Dr.
Activity Center Director: Alicia Henshaw
Ph.: 817-985-2131 Email: alicia.henshaw@mealsonwheels.org
Open: Monday - Friday ~ 10am - 3pm ~ Meals Served @ 11:30am

Monday	Tuesday	Wednesday	Thursday	Friday	Highlights
VALENTINE'S DANCE & FIELD TRIP FEBRUARY 8TH!!!			1 Trivia with Care N Care 10:30 AM-TRIVIA 10:30 AM-DOMINOES 11:30 AM-LUNCH	2 Bingosize 10:30 AM-DOMINOES 11:30 AM-LUNCH 12:00 PM-BRIDGE	FEBRUARY 7TH-SUPERBOWL BINGO WEAR YOUR FAVORITE FOOTBALL TEAM'S JERSEY FOR PRIZES! 
5 10:30 AM-BINGO 10:30 AM-DOMINOES 11:30 AM-LUNCH 	6 10:30 AM-EXERCISE 10:30 AM-DOMINOES 11:30 AM-LUNCH	7 United Healthcare Sponsor SUPERBOWL BINGO 10:30 AM-BINGO 10:30 AM-DOMINOES 11:30 AM-LUNCH WEAR YOUR FAVORITE TEAM'S 	8 Sixty and Better Valentine Dance 10:30 AM-DOMINOES 11:30 AM-LUNCH 1:00 PM-DANCE	9 Crafts with Vicki 10:30 AM-CRAFTS 10:30 AM-DOMINOES 11:30 AM-LUNCH 12:00 PM-BRIDGE	
12 10:30 AM-BINGO 10:30 AM-DOMINOES 11:30 AM-LUNCH 	13 10:30 AM-EXERCISE 10:30 AM-DOMINOES 11:30 AM-LUNCH 	14 Valentines Bingo 10:30 AM-BINGO 10:30 AM-DOMINOES 11:30 AM-LUNCH 	15 10:30 AM-CRAFTS 10:30 AM-DOMINOES 11:30 AM-LUNCH	16 Art on the Go Scrapbooking Club 10:30 AM-ART 10:30 AM-FOOD BOX PH 10:30 AM-DOMINOES 11:30 AM-LUNCH	Monday NOTES: 2 Rotary Christmas 10:30 AM-BINGO 10:30 AM-DOMINOES 11:30 AM-LUNCH  9 MEALS ON WHEELS CLOSURE CENTER WILL BE CLOSED. 16
CLOSED PRESIDENT'S DAY	20 10:30 AM- 10:30 AM-DOMINOES 11:30 AM-LUNCH	21 Humana 10:30 AM-BINGO 10:30 AM-DOMINOES 11:30 AM-LUNCH	22 Molina Healthcare 11:00 AM-Heart Health 10:30 AM-DOMINOES 11:30 AM-LUNCH	23 10:30 AM-CRAFTS 10:30 AM-DOMINOES 11:30 AM-LUNCH 12:00 PM-BRIDGE	
26 10:30 AM-BINGO 10:30 AM-DOMINOES 11:30 AM-LUNCH	27 10:30 AM-WALKING 10:30 A10:30 AM-EXERCISE 10:30 AM-DOMINOES 11:30 AM-LUNCH M-DOMINOES	28 10:30 AM-BINGO 10:30 AM-DOMINOES 11:30 AM-LUNCH BIRTHDAY CELEBRATION 	29 10:30 AM-EXERCISE 10:30 AM-DOMINOES 11:30 AM-LUNCH	NOTES:	



December 2024



Kennedale Activity Center
420 Corry A. Edwards Dr.
Activity Center Director: Alicia Henshaw
Ph.: 817-985-2131 Email: alicia.henshaw@mealsonwheels.org
Open: Monday - Friday ~ 10am - 3pm ~ Meals Served @ 11:30am

Monday	Tuesday	Wednesday	Thursday	Friday	Highlights
NOTES:					
2	3	4	5	6	ROTARY CHRISTMAS PARTY  DECEMBER 20TH FOOD BOX PICK UP  
Rotary Christmas 10:30 AM-BINGO 10:30 AM-DOMINOES 11:30 AM-LUNCH 	Molina-Presentation 10:30 AM-PRESENTATION 10:30 AM-DOMINOES 11:30 AM-LUNCH	AIMS Presentation 10:30 AM-BINGO 10:30 AM-DOMINOES 11:30 AM-LUNCH 	10:30 AM-SCATTERGORIES 10:30 AM-DOMINOES 11:30 AM-LUNCH	Sixty & Better 10:30 AM-BINGOSIZEE 10:30 AM-DOMINOES 11:30 AM-LUNCH	
9	10	11	12	13	
MEALS ON WHEELS CLOSURE CENTER WILL BE CLOSED.	10:30 AM-CHAIR EXERCISE 10:30 AM-DOMINOES 11:30 AM-LUNCH	Tarrant County Public Health 10:30 AM-BINGO 10:30 AM-DOMINOES 11:30 AM-LUNCH	Christmas Bingo w/Oakstreet 10:30 AM-BINGO 10:30 AM-DOMINOES 11:30 AM-LUNCH	10:30 AM-MEMBER SECRET SANTA GIFT EXCHANGE 10:30 AM-DOMINOES 11:30 AM-LUNCH	
16	17	18	19	20	
10:30 AM-BINGO 10:30 AM-DOMINOES 11:30 AM-LUNCH 	10:30 AM-CHAIR VOLLEYBALL 10:30 AM-DOMINOES 11:30 AM-LUNCH	Humana 10:30 AM-BINGO 10:30 AM-DOMINOES 11:30 AM-LUNCH	10:30 AM-FREE CHOICE 10:30 AM-DOMINOES 11:30 AM-LUNCH	ART ON THE GO 10:30 AM-ART ON THE GO 10:30 AM-DOMINOES 11:30 AM-LUNCH 	
23	24	25	26	27	
Jordan M Sponsor 10:30 AM-BINGO 10:30 AM-DOMINOES 11:30 AM-LUNCH	Closed 	Closed 	10:30 AM-FAMILY FEUD 10:30 AM-DOMINOES 11:30 AM-LUNCH	10:30 AM-MOVIE DAY 10:30 AM-DOMINOES 11:30 AM-LUNCH	
30	31	NOTES:			
10:30 AM-BINGO 10:30 AM-DOMINOES 11:30 AM-LUNCH	10:30 AM-ROCKIN NEW YEAR PARTY WITH LARRY SMITH 11:30 AM-LUNCH				



July 2024



Kennedale Activity Center
420 Corry A. Edwards Dr.
Activity Center Director: Alicia Henshaw
Ph.: 817-985-2131 Email: alicia.henshaw@mealsonwheels.org
Open: Monday - Friday ~ 10am - 3pm ~ Meals Served @ 11:30am

Monday	Tuesday	Wednesday	Thursday	Friday	Highlights
1 10:30 AM-BINGO 10:30 AM-DOMINOES 11:30 AM-LUNCH	2 Molina Health- AM PRESENTATION 10:30 AM-DOMINOES 11:30 AM-LUNCH	3 10:30 AM-BINGO 10:30 AM-DOMINOES 11:30 AM-LUNCH	4 CLOSED 	5 10:30 AM-UNO 10:30 AM-DOMINOES 11:30 AM-LUNCH 12:00 PM-BRIDGE	COME DRUM WITH US JULY 12TH! 
11 althcare BINGO DOMINOES LUNCH	12 10:30 AM-JEOPARDY 10:30 AM-DOMINOES 11:30 AM-LUNCH	13 10:30 AM-DRUMMING 10:30 AM-DOMINOES 11:30 AM-LUNCH 12:00 PM-BRIDGE	14 10:30 AM-PRICE IS RIGHT 10:30 AM-DOMINOES 11:30 AM-LUNCH	15 Art On The Go 10:30 AM-ART ON THE GO 10:30 AM-DOMINOES 11:30 AM-LUNCH 12:00 PM-BRIDGE	
25 BINGO DOMINOES LUNCH 	26 10:30 AM-FAMILY FEUD 10:30 AM-DOMINOES 11:30 AM-LUNCH	27 10:30 AM-CORNHOLE 10:30 AM-DOMINOES 11:30 AM-LUNCH 12:00 PM-BRIDGE 	28 NOTES: FIELD TRIP! SIXTY & BETTER HAWAIIAN LUAU 	29 BINGO DOMINOES LUNCH 	FOOD BOX PICK UP JULY 19TH! 
30 junty lth BINGO DOMINOES LUNCH 	31 10:30 AM-ART ON THE GO 10:30 AM-DOMINOES 11:30 AM-LUNCH 	32 10:30 AM-ART ON THE GO 10:30 AM-DOMINOES 11:30 AM-LUNCH 	33 10:30 AM-ART ON THE GO 10:30 AM-DOMINOES 11:30 AM-LUNCH 	34 10:30 AM-ART ON THE GO 10:30 AM-DOMINOES 11:30 AM-LUNCH 	



**KENNEDALE
SENIOR CENTER**

**ART ON
THE GO**

**August 16
10:30 PM**



City of
KENNEDALE.
Texas
EST. 1987
YOU'RE HERE  YOUR HOME

**KENNEDALE
SENIOR CENTER**

PICTIONARY

*Join us on
August 6 at
10:30 a.m.*



City of
KENNEDALE.
Texas
EST. 1987
YOU'RE HERE  YOUR HOME

**KENNEDALE
SENIOR CENTER**

SCATTAGORIES

Let's test our skills at this game of categories on August 27 at 10:30 a.m.



City of
KENNEDALE.
Texas
EST. 1987
YOU'RE HERE  YOUR HOME



**KENNEDALE
SENIOR CENTER**

Members Meeting

**August 13
12 PM**



City of
KENNEDALE.
Texas
EST. 1987
YOU'RE HERE  YOUR HOME

**Join us to play Skip-Bo on
August 30 at 10:30 a.m.**



City of
KENNEDALE.
Texas
EST. 1987
YOU'RE HERE  YOUR HOME

**Join us for line dancing on
August 23 at 10:30 a.m.**



City of
KENNEDALE.
Texas
EST. 1987
YOU'RE HERE  YOUR HOME

Activities

August 15 at 10:30 a.m.



City of
KENNEDALE.
Texas
EST. 1987
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**PACKING AND
SORTING!**

Join us to pack up and sort the donated school supplies on August 1 at 1:00 p.m.



City of
KENNEDALE.
Texas
EST. 1987
YOU'RE HERE  YOUR HOME

EXERCISE

**August 13
10:30 AM**



City of
KENNEDALE.
Texas
EST. 1987
YOU'RE HERE  YOUR HOME

**KENNEDALE
SENIOR CENTER**

FOOD BOX PICK-UP

Pick up your food boxes August 16 at 10:30 a.m.



City of
KENNEDALE.
Texas
EST. 1987
YOU'RE HERE  YOUR HOME

**KENNEDALE
SENIOR CENTER**

**BIRTHDAY
CELEBRATIONS**

*Join us to celebrate
August birthdays
on August 28 at
11:30 am!*



City of
KENNEDALE.
Texas
EST. 1987
YOU'RE HERE  YOUR HOME

**KENNEDALE
SENIOR CENTER**

DRUMMING

*Join us August 9 at
10:30 a.m.*



City of
KENNEDALE.
Texas
EST. 1987
YOU'RE HERE  YOUR HOME

**KENNEDALE
SENIOR CENTER**

**FAMILY
FEUD**

**SENIOR CENTER
EDITION**

**August 22
10:30 AM**



City of
KENNEDALE.
Texas
EST. 1987
YOU'RE HERE  YOUR HOME

**KENNEDALE
SENIOR CENTER**

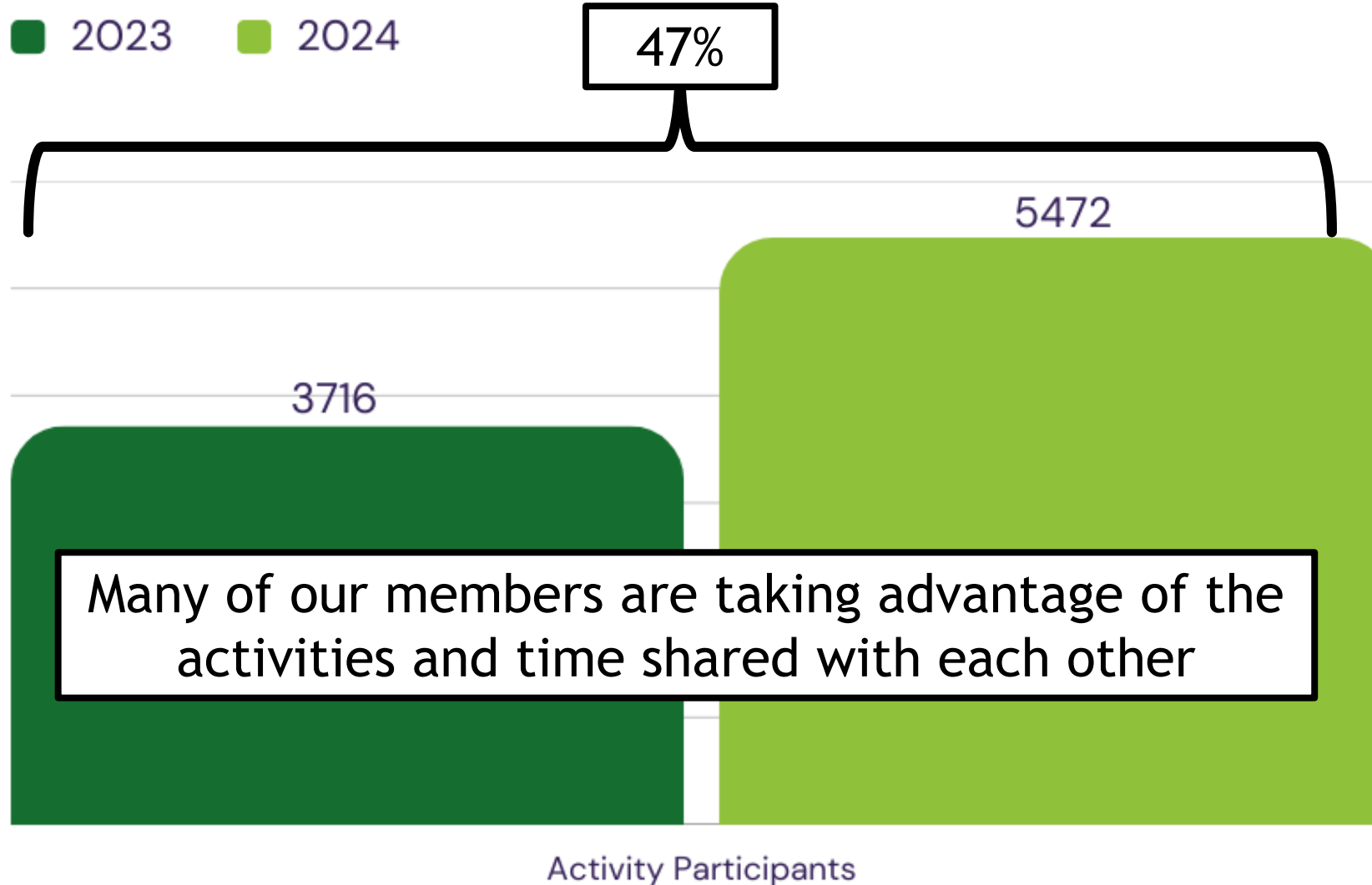
BRIDGE

*Come in to sign up
Fridays at 12 p.m.*



City of
KENNEDALE.
Texas
EST. 1987
YOU'RE HERE  YOUR HOME

Senior Center Activity





Communications Mission

The Communications Department provides transparency through innovative and creative communications solutions. It promotes the City's mission, programs, and initiatives efficiently and effectively. The vision of the Communications Department is to consistently create and distribute effective messaging that is recognized as the best, most accurate, and dependable source of City information.

Communications and Event Coordination Activity

- ▶ Inform and communicate with citizens of Kennedale
- ▶ Create and distribute monthly newsletter
- ▶ Create and manage on-brand marketing, public awareness, and graphic design
- ▶ Engage in media and community relations through presentations, press releases, and announcements
- ▶ Direct and manage City online presence:
 - ▶ Web page,
 - ▶ Facebook,
 - ▶ Instagram,
 - ▶ X,
 - ▶ Nextdoor, and
 - ▶ Linked In
- ▶ Special Events coordination, collaboration, and promotion
- ▶ Continuously showcase and promote a positive image of the City of Kennedale

Communications and Event Coordination Activity

Facebook reach ⓘ

+75.3% vs. Dec 31, 2022 - Dec 31, 2023

Insights

Facebook

Jan 1, 2024 - Dec 31, 2024

Views ⓘ

480.3K

Reach ⓘ

255K ↑ 75.3%

3-second views ⓘ

16.8K ↑ 132.4%

1-minute views ⓘ

1.3K ↑ 340.8%

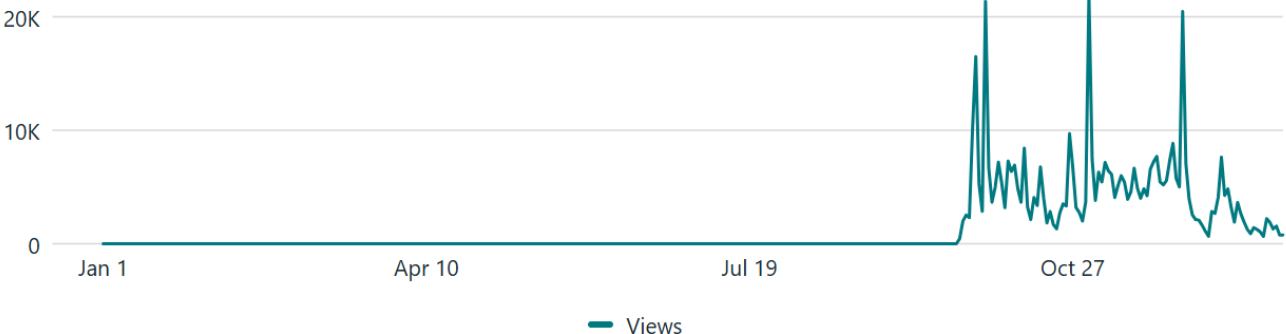
Content interactions ⓘ

15.9K ↑ 49%

Watch time ⓘ

5d 1h ↑ 160.4%

vs. Dec 31, 2022 - Dec 31, 2023



Views breakdown

Jan 1, 2024 - Dec 31, 2024

Total

480,272

From organic

77%

From ads

23%

Communications and Event Coordination Activity

2023

Views ? 183K
Event count ? 794K

	Page title and screen class	Views
☒	Total	183,231 100% of total
☒	1 Kennedale, TX - Official Website Official Website	24,927
☒	2 Employment Opportunities Kennedale, TX - Official Website	8,398
☒	3 News Flash • Kennedale, TX • CivicEngage	7,584
☒	4 Staff Directory • Kennedale, TX • CivicEngage	7,530
☒	5 Library Kennedale, TX - Official Website	7,131
☐	6 Search • Kennedale, TX • CivicEngage	6,910
☐	7 Calendar • Kennedale, TX • CivicEngage	6,890
☐	8 Facilities • Kennedale, TX • CivicEngage	6,382
☐	9 Police Department Kennedale, TX - Official Website	5,990
☐	10 Bid Postings • Kennedale, TX • CivicEngage	5,199

32%

32%

Views ? 242K
Event count ? 844K

	Page title and screen class	Views
☒	Total	241,944 100% of total
☒	1 Kennedale, TX - Official Website Official Website	28,076
☒	2 (not set)	13,423
☒	3 Employment Opportunities Kennedale, TX - Official Website	10,604
☒	4 Search • Kennedale, TX • CivicEngage	9,608
☒	5 Library Kennedale, TX - Official Website	9,407
☒	6 Police Department Kennedale, TX - Official Website	6,836
☐	7 Community Development Kennedale, TX - Official Website	5,076
☐	8 Citation Payment Methods Kennedale, TX - Official Website	4,877
☐	9 Elections Kennedale, TX - Official Website	4,785
☐	10 Custom404 • Kennedale, TX • CivicEngage	3,952

2024

Communications and Event Coordination Activity





STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

MEETING DATE: FEBRUARY 18, 2025
AGENDA ITEM NUMBER: ITEM III.D.

SUBJECT
2024 City of Kennedale Municipal Court Annual Report

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS

1.	Kennedale 2025 February Corrected	Kennedale 2025 February Corrected.pdf
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Kennedale Municipal Court

Bertha Vindel
Court Administrator



Municipal Courts make up 39% of the entire state's judiciary. More people, citizens and non-citizens alike, come in personal contact with municipal courts than all other Texas courts combined, and public impression of the Texas judicial system is largely dependent upon the public's experience in municipal court.





OUR MISSION STATEMENT

The Kennedale Municipal Court and its personnel are committed to protecting the rights and liberties of all by providing equal access to justice, upholding the integrity of the court, and serving the citizens of Kennedale in a courteous, efficient, and professional manner.

WHAT WE DO

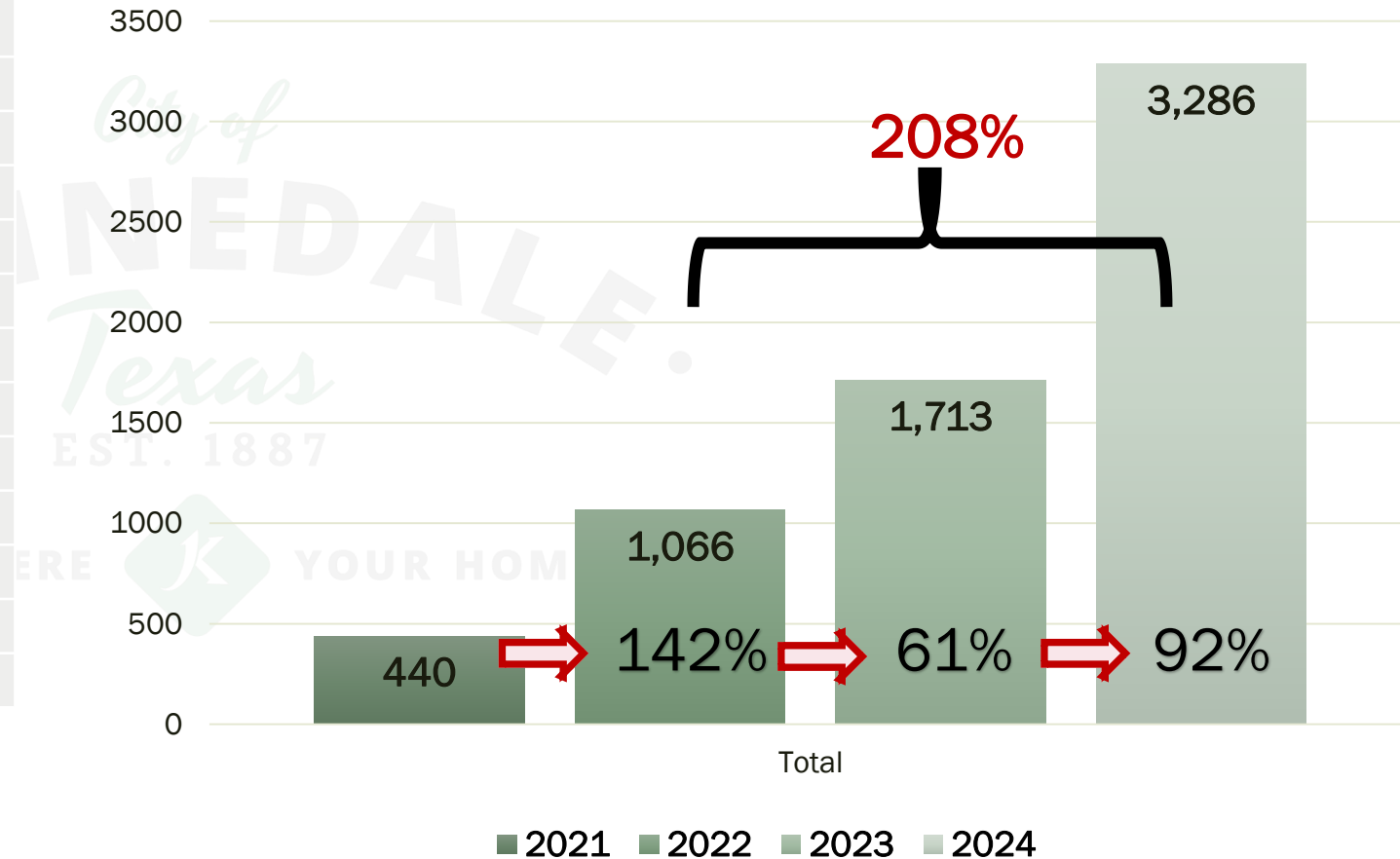


- The Municipal Court interprets and adjudicates applicable state laws and supports the local community by providing efficient and effective services through the promotion of justice.
- The Municipal Court handles all Class C misdemeanors issued by Kennedale Police officers, Code Compliance officers, Animal Control officers, and the Fire Marshal.
- The Municipal Court holds Hearings for Property, Animal Seizure, Dangerous Dog, and Expunction. The court also conducts Bench and Jury Trials.
- We serve as a buffer between citizens and police.

COURT DATES

Court Dates

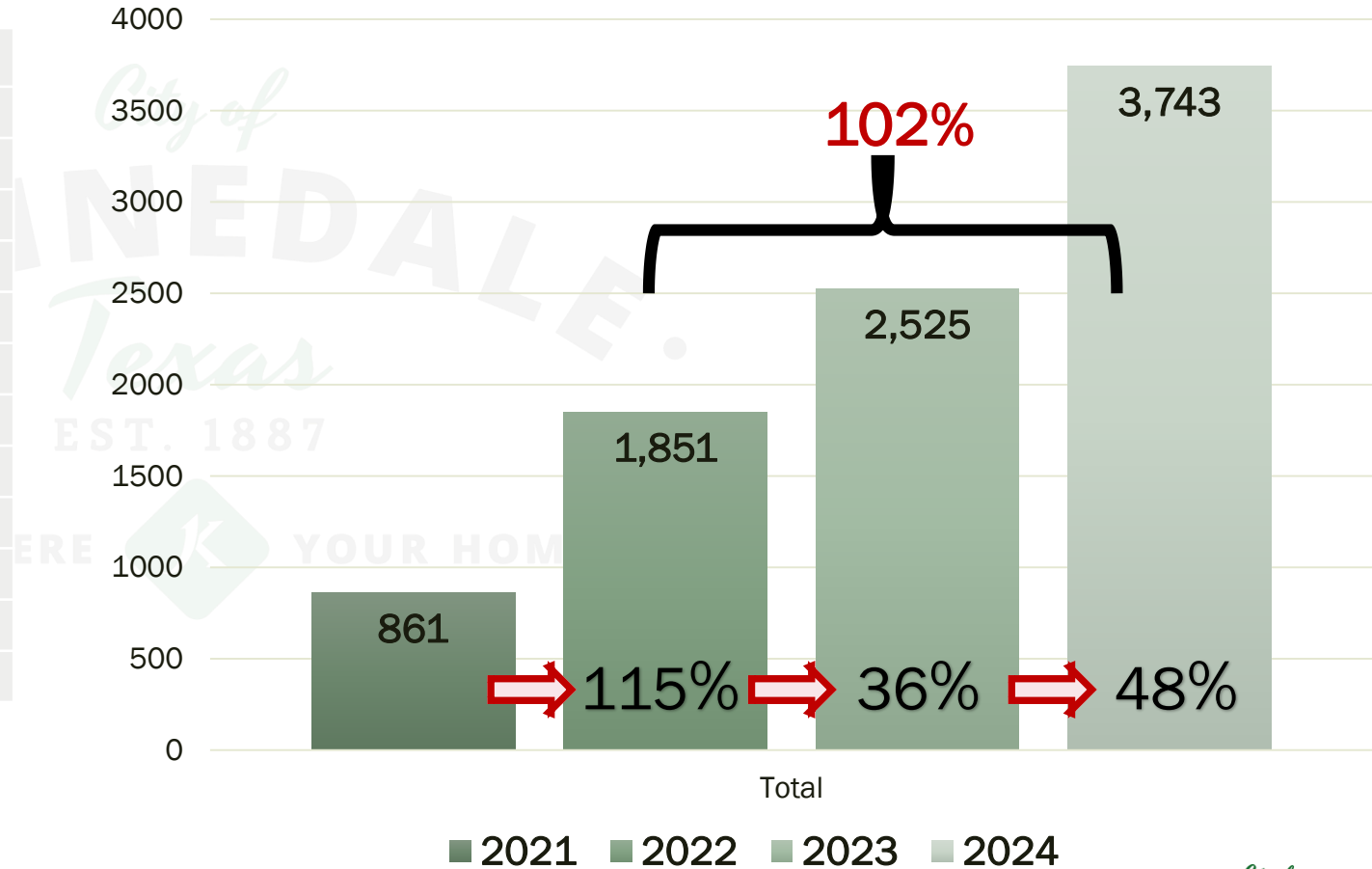
	2021	2022	2023	2024
January	11	165	176	304
February	2	94	122	159
March	6	91	121	304
April	16	94	143	289
May	13	70	139	272
June	14	55	67	301
July	5	87	183	300
August	1	112	191	298
September	4	118	175	285
October	58	90	192	286
November	144	90	204	190
December	166	0	0	298



COURT FILINGS

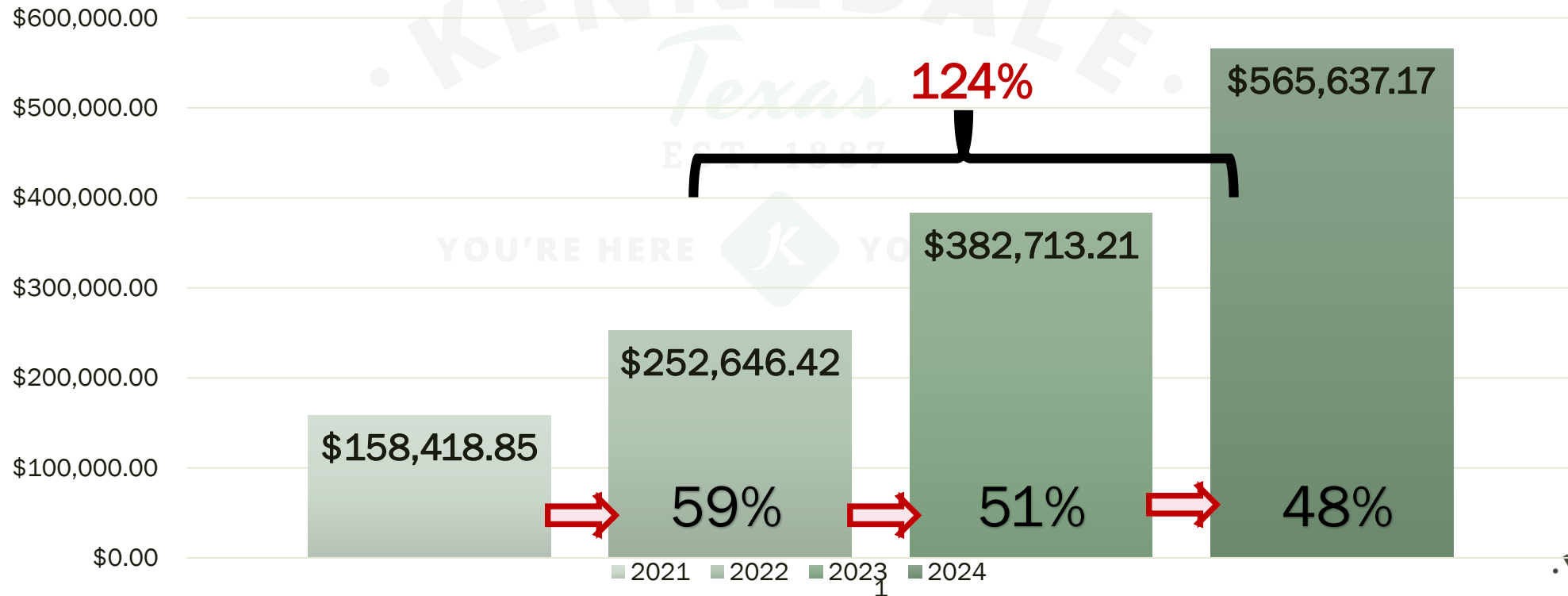
COURT FILINGS

	2021	2022	2023	2024
January	14	104	126	283
February	44	197	181	270
March	41	251	196	325
April	110	123	233	348
May	69	148	208	264
June	111	165	231	319
July	96	181	208	380
August	77	133	267	327
September	76	174	220	389
October	120	134	225	332
November	53	111	218	285
December	50	130	212	221



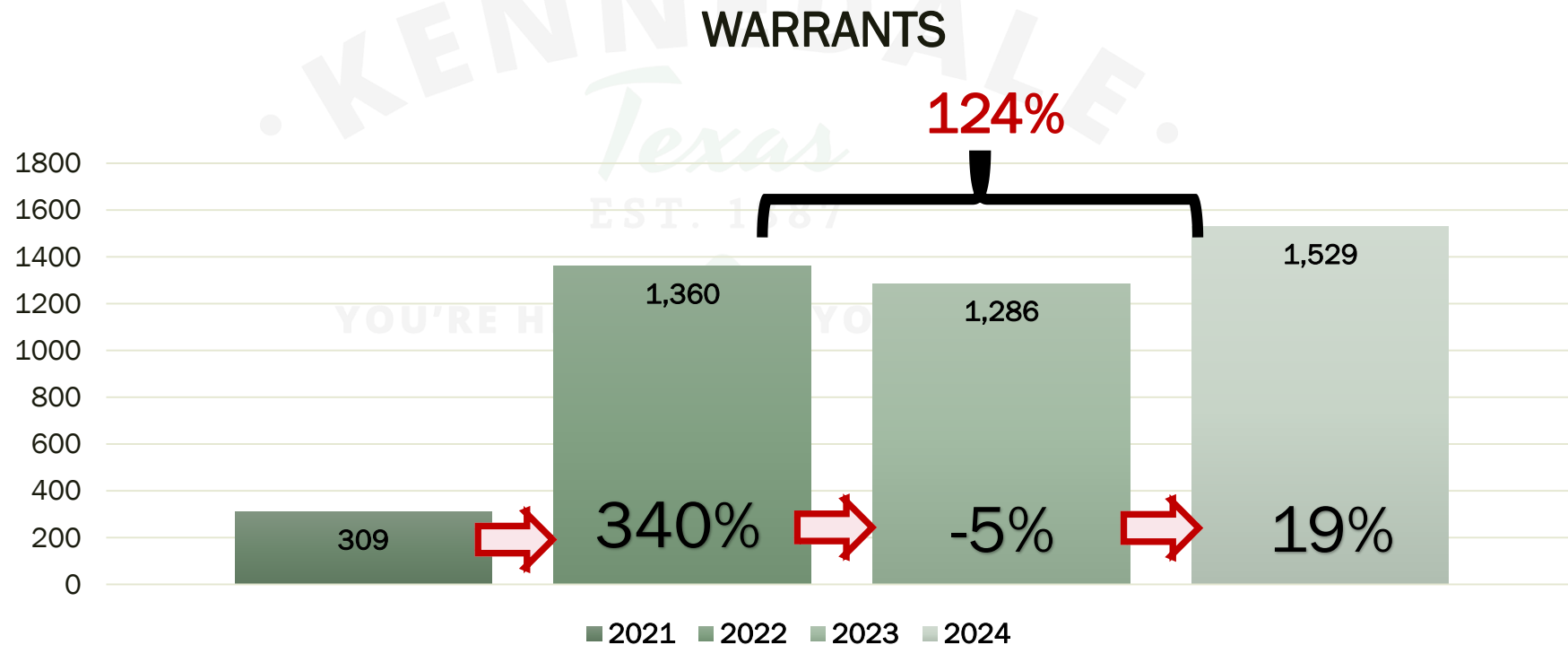
FINANCIALS

	2021	2022	2023	2024
State Costs	\$49,871.19	\$76,480.20	\$106,609.53	\$149,182.87
City Cost & Fines	\$108,547.66	\$176,166.22	\$276,103.68	\$416,454.30



WARRANTS ISSUED

	2021	2022	2023	2024
Warrants	295	1,100	1,164	1377
Capias	14	260	122	152



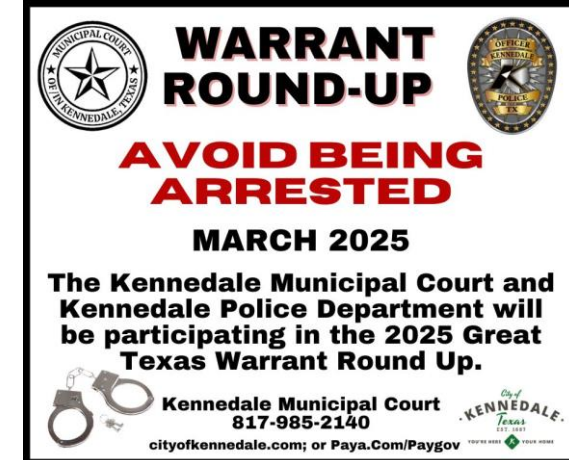
WHAT WE DID IN 2024

- Hired a new court clerk.
- Had an 51% average increase all areas.
- We saw 2,276 customers at our window
- Had 63,021 transactions, 38% up from 2023.
- Partnered with the library and police department to host our first bicycle safety event.
- Swore in a new associate judge.
- Participated in the Public Safety Event, Trunk or Treat, and National Night Out.
- The Kennedale Municipal court won TMCE's Municipal Traffic Safety Initiative.
- Presented at C3: Fines and Fees Forum for city's across Texas.
- Created and successfully implemented a diversion program.



2025 GOALS

- Develop a court procedures manual that will align with the court's new software.
- Leverage the continued use of technology.
- Collaborate with other agencies to connect defendants with available resources.
- Evaluate and implement alternative programs to enhance customer service.
- Monitor future legislation affecting municipal court operations.
- Continue to review and update the courts forms, policies and procedures.
- Encourage continued development and training of staff.
- Increase compliance from defendants during the warrant roundup.
- Implanted new software that is more efficient, reduces paper document and provides the public with additional interface options.



405 MUNICIPAL DRIVE
KENNEDALE, TX 76060

**Kennedale
Municipal Court**

Office: 817-985-2140
Fax: 817-478-4309
Email: court@cityofkennedale.com
www.cityofkennedale.com



**Scan QR Code
For Citation
Options**



Request A Court Date



**Request Deferred
Disposition**



**Request Driving
Safety Class**



Pay Your Fine

<https://www.cityofkennedale.com/102/Municipal-Court>



STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

MEETING DATE: FEBRUARY 18, 2025
AGENDA ITEM NUMBER: ITEM III.E.

SUBJECT
2024 City of Kennedale Finance Department Annual Report

ORIGINATED BY
Jonathan Horton, Finance Director

SUMMARY

RECOMMENDATION

ATTACHMENTS

1.	2024 Finance Annual Presentation to Council	2024 Finance Annual Presentation to Council.pptx
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YOU'RE HERE  YOUR HOME

Department of Finance 2024 Year In Review

Presented by Jon Horton, CPA
Director

Department of Finance

- ◆ Jon Horton, CPA
 - ◆ Director
- ◆ Debby Scott
 - ◆ Senior Accounting Associate
- ◆ BRigete Davenport
 - ◆ Accounting Associate II
- ◆ Felicia Diggs
 - ◆ Accounting Associate II

This team has been together since 11/13/2023

Department of Finance

The City's Finance Department has three main objectives:

- ◆ Provide timely and materially correct financial reports
- ◆ Safeguard the financial assets of the City
- ◆ Ensure those who do business with the City are paid in a timely manner.

Major Projects in 2024

- ◆ Fiscal year(FY) 23 Annual Comprehensive Financial Report
 - ◆ Unmodified Opinion issued by FORVIS (Now known as Forvis Mazars)
- ◆ Water Rate Study
 - ◆ Final presentation to Council in July 2024 included a five year rate plan to ensure financial stability of the water/wastewater fund.
 - ◆ This plan includes coverage for projected operating costs and debt payments.
- ◆ \$3.0MM General Obligation Bonds
 - ◆ Voter approved in November 2023
 - ◆ Bonds sold in September 2024
- ◆ \$11.0MM Certificates of Obligation Bonds
 - ◆ \$8.4MM for Public Safety facility renovations
 - ◆ \$2.6MM for infrastructure projects
 - ◆ Bonds sold in September 2024

Major Projects in 2024

- ◆ FY25 Budget
 - ◆ Adopted in August 2024 (one month ahead of the previous FY)
- ◆ External Storage Elimination
 - ◆ Account closed and boxes delivered. Contents are being staged for scanning and/or destruction
- ◆ Shift from STW to Tyler ERP Pro
 - ◆ Major software shift from a legacy on-premises software to a cloud-based software
 - ◆ Revolutionization of Accounts Payable (coming in 2025)
 - ◆ Online Approvals
 - ◆ Paperless within the Department
 - ◆ Massive advancement with fixed asset and project tracking
 - ◆ No longer using supporting spreadsheets on our server. Have moved this within the software

Major Projects in 2024

◆ Policy Review

- ◆ The following policies were reviewed and added to the Employee Handbook*:
 - ◆ Fraud
 - ◆ Purchasing
 - ◆ Procurement Card Program
 - ◆ Cash Handling
- ◆ The Investment Policy was reviewed per the PFIA

*Employee Handbook is still under review

Goals Check-In

- ◆ As presented in the FY25 Budget:

SHORT-TERM (FY25) GOALS

- Increase payments made by ACH to 15% of payments initiated through the City's operating account
- Remove all boxes from our offsite storage facility. Scan all documents within the retention period provided by the Texas State Records Retention Schedule
- Earn the Certificate of Achievement for Excellence in Financial Reporting, and the Distinguished Budget Presentation Award. Both are issued by the GFOA

Goals Check-In

- ◆ As presented in the FY25 Budget:

PERFORMANCE MEASURES					
Measure	Type	FY23 Actual	FY24 Target	FY24 Projected	FY25 Target
Total Vendor Payments	Output	1,508	1,600	1,582	1,600
ACH Payments (%)	Efficiency	0%	15%	12%	15%
Financial Policies Reviewed	Output	1	9	9	9
Boxes In Offsite Storage	Efficiency	190	0	190	0
GFOA Award - Budget	Effectiveness	No Submission	Awarded	Denied	Awarded
GFOA Award - ACFR	Effectiveness	No Submission	Awarded	Awarded	Awarded
Bond Rating (S&P Global)	Effectiveness	AA-	AA-	AA-	AA-

Goals Check-In

◆ Updated FY24 Figures with FY25 Projections:

PERFORMANCE MEASURES					
Measure	Type	FY23 Actual	FY24 Target	FY24 Actual	FY25 YTD
Total Vendor Payments	Output	1,508	1,600	1,556	1,600**
ACH Payments (%)	Efficiency	0%	15%	15%	22%*
Financial Policies Reviewed	Output	1	9	9	4
Boxes In Offsite Storage	Efficiency	190	0	190	0
GFOA Award - Budget	Effectiveness	No Submission	Awarded	Denied	Awarded
GFOA Award - ACFR	Effectiveness	No Submission	Awarded	Awarded	TBD-ACFR
Bond Rating (S&P Global)	Effectiveness	AA-	AA-	AA-	AA

**Projected

*Reflects actual 1Q FY25 activity

Recognized Efforts

- ◆ Certificate of Achievement for Excellence in Financial Reporting from the Government Financial Officers Association



11/13/2024

Jonathan Horton
Director of Finance
City of Kennedale, Texas

Dear Jonathan:

Congratulations!

We are pleased to notify you that your annual comprehensive financial report for the fiscal year ended September 30, 2023 has met the requirements to be awarded GFOA's Certificate of Achievement for Excellence in Financial Reporting. The GFOA established the Certificate of Achievement for Excellence

- ◆ S&P Global Ratings raised its ratings to 'AA' from 'AA-'

Credit Profile		
Kennedale comb tax & rev certs of oblig		
Long Term Rating	AA/Stable	Upgraded
Kennedale GO (AGI)		
Unenhanced Rating	AA(SPUR)/Stable	Upgraded
Kennedale GO (AGI)		
Unenhanced Rating	AA(SPUR)/Stable	Upgraded

Recognized Efforts

◆ Distinguished Budget Presentation Award from the Government Financial Officers Association



Government Finance Officers Association
203 North LaSalle Street, Suite 2700
Chicago, Illinois 60601-1210
312.977.9700 fax: 312.977.4806

January 28, 2025

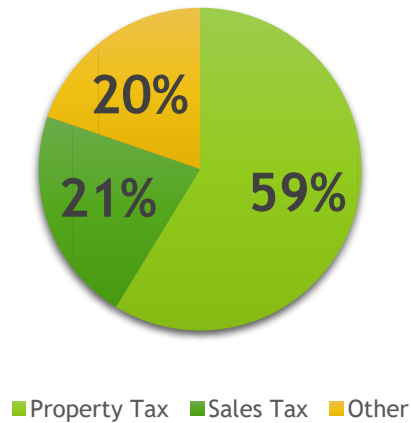
Jonathan Horton
Director of Finance
City of Kennedale, Texas

Dear Jonathan:

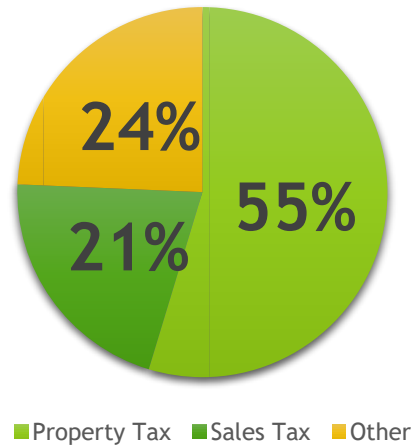
A panel of independent reviewers have completed their examination of your Annual budget document for the period beginning October 2024. We are pleased to inform you that the panel has voted to award your budget document the Distinguished Budget Presentation Award from Government Finance Officers

General Fund Revenue Analysis

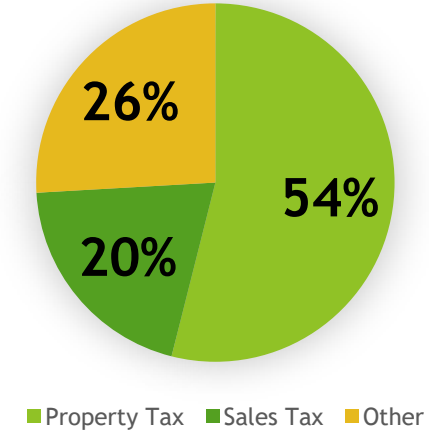
FY22 General Fund Revenue



FY23 General Fund Revenue



FY24 General Fund Revenue



FY24 Figures are unaudited.

General Fund Revenue Analysis

	FY 22		FY23		FY 24	
Property Tax	5,067,570.34	59%	5,777,979.17	55%	6,113,829.32	54%
Sales Tax	1,859,721.10	22%	2,218,382.46	21%	2,285,132.64	20%
Other	1,702,223.81	20%	2,570,473.01	24%	2,936,433.62	26%
Total	8,629,515.25	100%	10,566,834.64	100%	11,335,395.58	100%
Budget	8,002,160.00		10,542,352.00		10,446,198.00	
Difference	627,355.25		24,482.64		889,197.58	
Reserve Growth	(338,391)		870,393		1,067,731	
Reserve In Days	93		116		146	

Other includes Licenses and Permits, Fines and Fees, Chargers for Services, Intergovernmental, Transfers, Investment Income, and Miscellaneous Revenue Sources

General Fund Revenue Analysis

- ◆ Additional resources from General Fund revenue sources between FY22 and FY25 budgets
 - ◆ 8 new personnel
 - ◆ Court – 2
 - ◆ Community Development – 1
 - ◆ Library – 1
 - ◆ Fire Department – 2
 - ◆ Public Works – 2
 - ◆ New software for Court, Community Development, and Finance.
 - ◆ Pavement Management System for Public Works
 - ◆ Vehicles Purchased (new): 4 Patrol Vehicles, 1 Animal Control Vehicle, 1 Truck for Community Development



STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

MEETING DATE: FEBRUARY 18, 2025
AGENDA ITEM NUMBER: ITEM III.F.

SUBJECT
2024 City of Kennedale Community Development Annual Report

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS

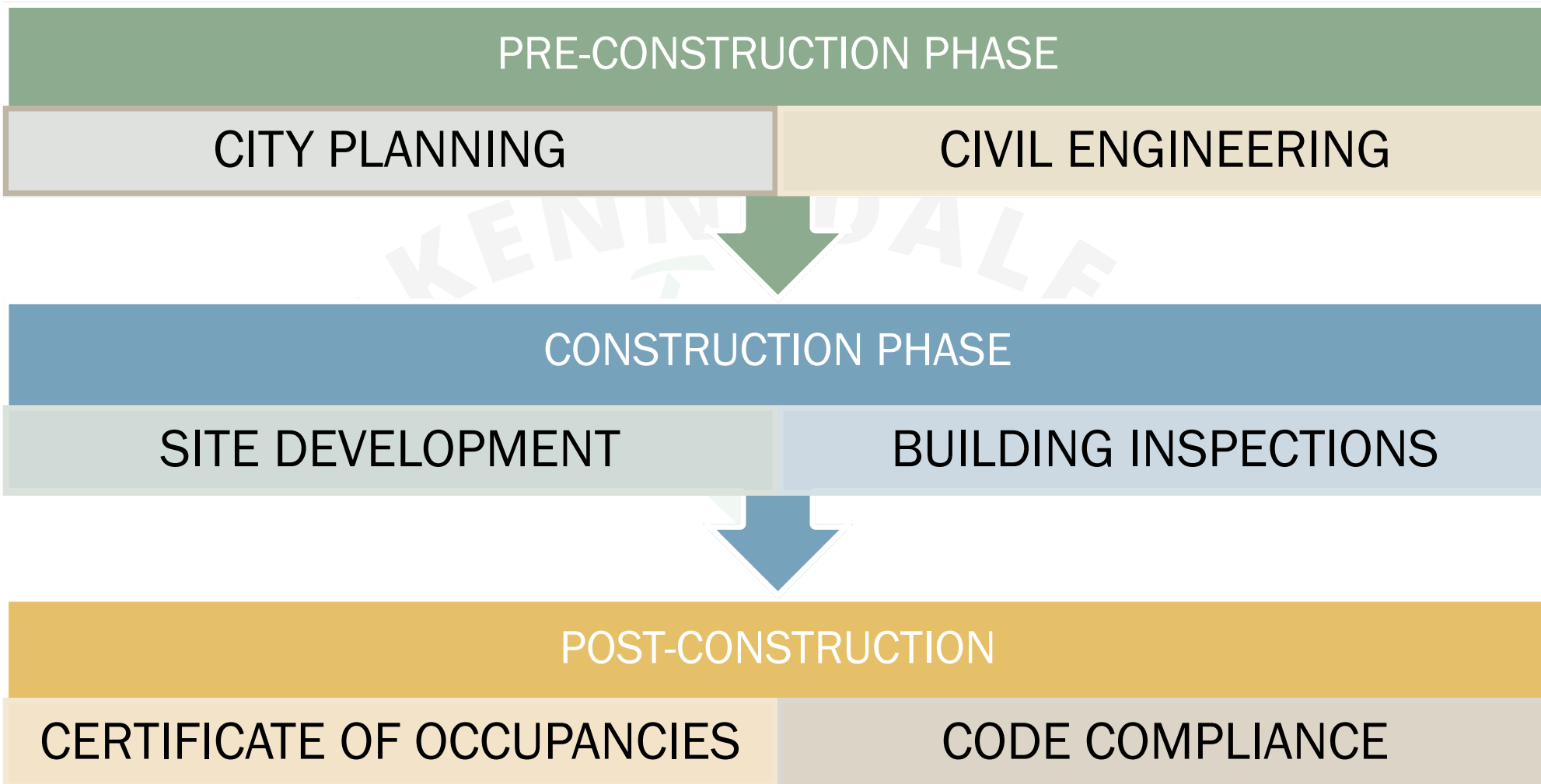
1.	2024 ANNNUAL REPORT COMMUNITY REPORT	2024 ANNNUAL REPORT COMMUNITY REPORT.pdf
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2024 ANNUAL REPORT

COMMUNITY DEVELOPMENT

COMMUNITY DEVELOPMENT



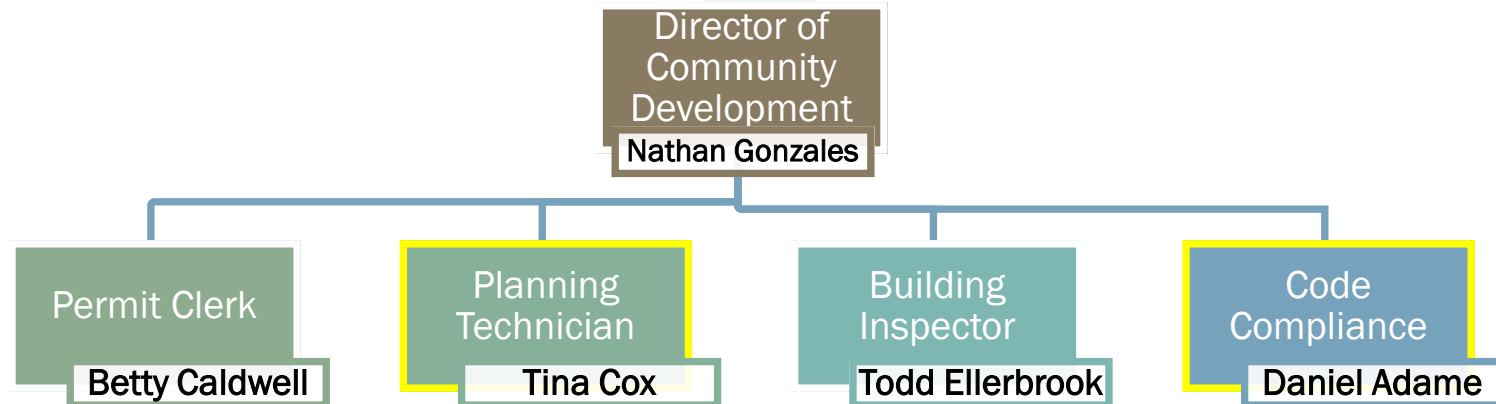
MISSION STATEMENT

The mission of Community Development is to facilitate the vision our community leaders have set for growth and redevelopment that occurs within the city, advance building safety where possible, and strengthen neighborhoods through proactive administration of our adopted codes.

Our approach is anchored by three principles:

- Promoting a Steward-Leadership Culture
- Providing Exceptional Customer Service
- Pursuing Excellence *through* Continuous Improvement

NEW DEPARTMENT STAFF



DEPARTMENT HIGHLIGHTS

- **New Comprehensive Plan Adopted Unanimously September '24**
 - *Future Land Use Plan Updated*
 - *Master Thoroughfare Plan Updated*
 - *Parks, Recreation, and Open Space Plan Updated*
- **New Permitting Software**
 - *Successful implementation of MyGov 5*
 - *Online Permitting, Code Compliance, and Public Works Services Requests*
- **Improved Department Performance Data & Tracking**
 - *Developed by City of Kennedale Court Administrator Bertha Vindel, adapted for department use*
- **Exceeded Department Revenue Projections for 2nd Straight Fiscal Year**
 - *FY23 Projected Revenue \$354,928.00, FY23 \$432,889.09 Actual*
 - *FY24 Project Revenue \$641,000.00, FY \$647,092.93 Actual*
- **Advanced City's Profile for Building Safety Leadership**
 - *1st Building Safety Month Proclamation in May '24*
 - *Building Officials Association of Texas Executive Board of Directors*
 - *ICC North Texas Chapter Board of Directors*

DEPARTMENT HIGHLIGHTS 01/24-12/24



1,175 Applications, 24.4% ↑



1,113 Permits & Licenses Issued, 68.6 % ↑



1,348 Total Building Inspections Performed, 26.3% ↑



590 Code Compliance Complaints/Inspections, 28.2% ↑



42 Certificates of Occupancies Issued, 10.5% ↑



709,719.08 Fees Collected, 54.4% ↑ (Jan 1- Dec 31)
- \$647,092.93 FY24, 49.7% ↑



5 New Residential Projects, 68.75% ↓



6 New Commercial Projects, 0% Change

New Private Sector Construction Only = \$55,833.50

THANK YOU.



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STAFF REPORT TO THE HONORABLE MAYOR AND CITY COUNCIL

MEETING DATE: FEBRUARY 18, 2025

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

SUBJECT

REPORTS AND ANNOUNCEMENTS

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS

STAFF REPORT TO THE HONORABLE MAYOR AND CITY COUNCIL

MEETING DATE: FEBRUARY 18, 2025

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

SUBJECT

Updates from the City of Kennedale Mayor and City Council

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS

STAFF REPORT TO THE HONORABLE MAYOR AND CITY COUNCIL

MEETING DATE: FEBRUARY 18, 2025

AGENDA ITEM NUMBER: REGULAR SESSION ITEM IV.A.2.

SUBJECT

Updates from the City of Kennedale City Manager

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS

STAFF REPORT TO THE HONORABLE MAYOR AND CITY COUNCIL

MEETING DATE: FEBRUARY 18, 2025

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

SUBJECT

380 Agreement with MKP and Associates

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS

STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

MEETING DATE: FEBRUARY 18, 2025
AGENDA ITEM NUMBER: REGULAR SESSION ITEM IV.A.3.

SUBJECT
Financial Reports for the City and/or the EDC

ORIGINATED BY
Jonathan Horton, Finance Director

SUMMARY

RECOMMENDATION
No Action Required

ATTACHMENTS

1.	04 January Report for Council	04 January Report for Council.pdf
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CITY OF KENNEDALE MONTHLY FINANCIAL REPORT Month Ended January 2025 EXECUTIVE OVERVIEW

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

FROM Jon Horton, Finance Director

DATE February 18, 2025

SUBJECT Monthly Financial Report for January 2025

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

Results through January represent 33.3% of the fiscal year.

GENERAL FUND (01)

- ◇ Property tax revenues received year-to-date \$5,520,457; 88.9% of total budget; prior year receipts through January were 89.8% of budget.
- ◇ Sales tax revenues received year-to-date \$363,665; 15.2% of total budget; receipts from the State are two months delayed; i.e. October sales taxes are received in December; November in January
- ◇ Prior year sales tax receipts receipts through January were 14.9% of budget.
- ◇ General Fund expenditures year-to-date \$3,963,436; 30.6% of total budget
- ◇ Fund Balance year-to-date is \$7,338,466; 206 days of total budgeted expenditures and transfers out

WATER/SEWER FUND (10)

- ◇ *Water service sales year-to-date \$763,464; 22.8% of budget
- ◇ *Sewer service sales year-to-date \$607,116; 26.3% of budget
- ◇ Utility Billing and Operations expenditures year-to-date \$2,037,625; 43.1% of total budget

STORMWATER FUND (07)

- ◇ *Drainage fees year-to-date \$69,700; 24.9% of budget
- ◇ Stormwater Fund expenditures year-to-date \$91,500; 34.6% of total budget
- ◇ Working Capital year-to-date is \$799,422; 1,103 days of total budgeted expenditures and transfers out

EDC FUND (15)

- ◇ Sales tax revenues received year-to-date \$121,068; 12.24% of total budget; receipts from the State are two months delayed; i.e. October sales taxes are received in December; November in January
- ◇ Rental fees for the Shopping Center year-to-date \$120,802; 38.9% of total budget
- ◇ EDC Operations expenditures year-to-date \$196,419; 25.2% of total budget
- ◇ EDC Town Shopping Center expenditures year-to-date \$33,061; 12.2% of total budget
- ◇ Fund Balance year-to-date is \$2,108,805; 633 days of total budgeted expenditures and transfers out.

*Indicates January activity was not available at time of publish.



City of Kennedale, TX

Budget Report for Short Fiscals Group Summary

For Fiscal: 2024-2025 Period Ending: 01/31/2025

Progra...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
Fund: 01 - GENERAL FUND						
Revenue						
Department: 00 - REVENUE						
00 - Revenue	12,409,117.00	12,409,117.00	2,175,337.53	7,082,955.44	-5,326,161.56	57.08%
Department: 00 - REVENUE Total:	12,409,117.00	12,409,117.00	2,175,337.53	7,082,955.44	-5,326,161.56	57.08%
Revenue Total:	12,409,117.00	12,409,117.00	2,175,337.53	7,082,955.44	-5,326,161.56	57.08%
Expense						
Department: 01 - CITY MANAGER						
01 - Operations	378,229.00	378,229.00	28,671.37	113,301.00	264,928.00	29.96%
Department: 01 - CITY MANAGER Total:	378,229.00	378,229.00	28,671.37	113,301.00	264,928.00	29.96%
Department: 02 - MAYOR AND COUNCIL						
01 - Operations	201,950.00	201,950.00	18,135.89	61,824.43	140,125.57	30.61%
Department: 02 - MAYOR AND COUNCIL Total:	201,950.00	201,950.00	18,135.89	61,824.43	140,125.57	30.61%
Department: 03 - CITY SECRETARY						
01 - Operations	215,458.00	215,458.00	14,977.13	67,529.94	147,928.06	31.34%
Department: 03 - CITY SECRETARY Total:	215,458.00	215,458.00	14,977.13	67,529.94	147,928.06	31.34%
Department: 04 - MUNICIPAL COURT						
01 - Operations	320,764.00	320,764.00	24,152.70	86,118.20	234,645.80	26.85%
Department: 04 - MUNICIPAL COURT Total:	320,764.00	320,764.00	24,152.70	86,118.20	234,645.80	26.85%
Department: 05 - HUMAN RESOURCES						
01 - Operations	210,081.00	210,081.00	12,973.78	52,192.69	157,888.31	24.84%
Department: 05 - HUMAN RESOURCES Total:	210,081.00	210,081.00	12,973.78	52,192.69	157,888.31	24.84%
Department: 07 - FINANCE						
01 - Operations	581,973.00	581,973.00	1,194.94	184,360.24	397,612.76	31.68%
Department: 07 - FINANCE Total:	581,973.00	581,973.00	1,194.94	184,360.24	397,612.76	31.68%
Department: 09 - POLICE						
01 - Operations	3,698,958.00	3,698,958.00	417,465.14	1,363,353.62	2,335,604.38	36.86%
02 - SRO Program	217,094.00	217,094.00	16,975.20	72,300.37	144,793.63	33.30%
Department: 09 - POLICE Total:	3,916,052.00	3,916,052.00	434,440.34	1,435,653.99	2,480,398.01	36.66%
Department: 10 - FIRE						
01 - Operations	3,346,070.00	3,346,070.00	221,961.88	842,920.21	2,503,149.79	25.19%
11 - Purchasing	7,500.00	7,500.00	643.55	8,800.59	-1,300.59	117.34%
Department: 10 - FIRE Total:	3,353,570.00	3,353,570.00	222,605.43	851,720.80	2,501,849.20	25.40%
Department: 12 - COMMUNITY DEVELOPMENT						
01 - Operations	693,806.00	693,806.00	38,060.52	153,880.57	539,925.43	22.18%
Department: 12 - COMMUNITY DEVELOPMENT Total:	693,806.00	693,806.00	38,060.52	153,880.57	539,925.43	22.18%
Department: 16 - SENIOR CITIZEN CENTER						
01 - Operations	101,900.00	101,900.00	3,722.95	12,368.77	89,531.23	12.14%
Department: 16 - SENIOR CITIZEN CENTER Total:	101,900.00	101,900.00	3,722.95	12,368.77	89,531.23	12.14%
Department: 17 - LIBRARY						
01 - Operations	590,536.00	590,536.00	36,126.56	148,658.74	441,877.26	25.17%
Department: 17 - LIBRARY Total:	590,536.00	590,536.00	36,126.56	148,658.74	441,877.26	25.17%
Department: 18 - COMMUNICATIONS						
01 - Operations	23,500.00	23,500.00	458.89	320.60	23,179.40	1.36%
Department: 18 - COMMUNICATIONS Total:	23,500.00	23,500.00	458.89	320.60	23,179.40	1.36%
Department: 20 - PUBLIC WORKS						
03 - Streets	1,379,928.00	1,379,928.00	86,466.69	363,452.43	1,016,475.57	26.34%
04 - Parks	112,500.00	112,500.00	2,948.71	13,019.92	99,480.08	11.57%

Budget Report for Short Fiscals

For Fiscal: 2024-2025 Period Ending: 01/31/2025

Progra...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
Department: 20 - PUBLIC WORKS Total:	1,492,428.00	1,492,428.00	89,415.40	376,472.35	1,115,955.65	25.23%
Department: 90 - NON DEPARTMENTAL						
01 - Operations	865,895.00	865,895.00	31,812.45	419,034.08	446,860.92	48.39%
Department: 90 - NON DEPARTMENTAL Total:	865,895.00	865,895.00	31,812.45	419,034.08	446,860.92	48.39%
Expense Total:	12,946,142.00	12,946,142.00	956,748.35	3,963,436.40	8,982,705.60	30.61%
Fund: 01 - GENERAL FUND Surplus (Deficit):	-537,025.00	-537,025.00	1,218,589.18	3,119,519.04	3,656,544.04	-580.89%
Fund: 02 - GENERAL DEBT SERVICE FUND						
Revenue						
Department: 00 - REVENUE						
00 - Revenue	2,906,789.00	2,906,789.00	650,499.35	2,126,263.96	-780,525.04	73.15%
Department: 00 - REVENUE Total:	2,906,789.00	2,906,789.00	650,499.35	2,126,263.96	-780,525.04	73.15%
Revenue Total:	2,906,789.00	2,906,789.00	650,499.35	2,126,263.96	-780,525.04	73.15%
Expense						
Department: 21 - DEBT SERVICE						
06 - Debt Service	2,603,769.00	2,603,769.00	1,793,526.26	1,793,526.26	810,242.74	68.88%
Department: 21 - DEBT SERVICE Total:	2,603,769.00	2,603,769.00	1,793,526.26	1,793,526.26	810,242.74	68.88%
Expense Total:	2,603,769.00	2,603,769.00	1,793,526.26	1,793,526.26	810,242.74	68.88%
Fund: 02 - GENERAL DEBT SERVICE FUND Surplus (Deficit):	303,020.00	303,020.00	-1,143,026.91	332,737.70	29,717.70	109.81%
Fund: 04 - CAPITAL PROJECTS FUND						
Revenue						
Department: 00 - REVENUE						
00 - Revenue	128,200.00	128,200.00	21,915.28	51,238.05	-76,961.95	39.97%
Department: 00 - REVENUE Total:	128,200.00	128,200.00	21,915.28	51,238.05	-76,961.95	39.97%
Revenue Total:	128,200.00	128,200.00	21,915.28	51,238.05	-76,961.95	39.97%
Expense						
Department: 00 - REVENUE						
00 - Revenue	108,265.00	108,265.00	0.00	0.00	108,265.00	0.00%
Department: 00 - REVENUE Total:	108,265.00	108,265.00	0.00	0.00	108,265.00	0.00%
Expense Total:	108,265.00	108,265.00	0.00	0.00	108,265.00	0.00%
Fund: 04 - CAPITAL PROJECTS FUND Surplus (Deficit):	19,935.00	19,935.00	21,915.28	51,238.05	31,303.05	257.03%
Fund: 05 - CAPITAL REPLACEMENT FUND						
Revenue						
Department: 00 - REVENUE						
00 - Revenue	154,200.00	154,200.00	13,135.65	48,544.46	-105,655.54	31.48%
Department: 00 - REVENUE Total:	154,200.00	154,200.00	13,135.65	48,544.46	-105,655.54	31.48%
Revenue Total:	154,200.00	154,200.00	13,135.65	48,544.46	-105,655.54	31.48%
Expense						
Department: 30 - VEHICLE/COMPUTER REPLACEMENT						
17 - Vehicle Replacement	79,668.00	79,668.00	2,646.02	14,585.95	65,082.05	18.31%
Department: 30 - VEHICLE/COMPUTER REPLACEMENT Total:	79,668.00	79,668.00	2,646.02	14,585.95	65,082.05	18.31%
Expense Total:	79,668.00	79,668.00	2,646.02	14,585.95	65,082.05	18.31%
Fund: 05 - CAPITAL REPLACEMENT FUND Surplus (Deficit):	74,532.00	74,532.00	10,489.63	33,958.51	-40,573.49	45.56%
Fund: 07 - STORMWATER UTILITY FUND						
Revenue						
Department: 00 - REVENUE						
00 - Revenue	311,150.00	311,150.00	2,256.58	79,275.53	-231,874.47	25.48%
Department: 00 - REVENUE Total:	311,150.00	311,150.00	2,256.58	79,275.53	-231,874.47	25.48%
Revenue Total:	311,150.00	311,150.00	2,256.58	79,275.53	-231,874.47	25.48%
Expense						
Department: 35 - STORMWATER UTILITY FEE						
01 - Operations	264,474.00	264,474.00	18,222.84	91,500.06	172,973.94	34.60%

Budget Report for Short Fiscals

For Fiscal: 2024-2025 Period Ending: 01/31/2025

Progra...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
Department: 35 - STORMWATER UTILITY FEE Total:	264,474.00	264,474.00	18,222.84	91,500.06	172,973.94	34.60%
Expense Total:	264,474.00	264,474.00	18,222.84	91,500.06	172,973.94	34.60%
Fund: 07 - STORMWATER UTILITY FUND Surplus (Deficit):	46,676.00	46,676.00	-15,966.26	-12,224.53	-58,900.53	-26.19%
Fund: 10 - WATER/SEWER FUND						
Revenue						
Department: 00 - REVENUE						
00 - Revenue	14,736,006.00	14,736,006.00	157,664.07	1,769,610.84	-12,966,395.16	12.01%
Department: 00 - REVENUE Total:	14,736,006.00	14,736,006.00	157,664.07	1,769,610.84	-12,966,395.16	12.01%
Revenue Total:	14,736,006.00	14,736,006.00	157,664.07	1,769,610.84	-12,966,395.16	12.01%
Expense						
Department: 36 - WATER/SEWER						
01 - Operations	2,596,882.00	2,596,882.00	692,658.87	1,660,543.49	936,338.51	63.94%
06 - Debt Service	394,830.00	394,830.00	425,284.38	425,284.38	-30,454.38	107.71%
09 - Capital Projects	8,300,000.00	8,300,000.00	1,001.99	70,499.60	8,229,500.40	0.85%
15 - Utility Billing	2,126,675.00	2,126,675.00	2,143.25	377,081.67	1,749,593.33	17.73%
Department: 36 - WATER/SEWER Total:	13,418,387.00	13,418,387.00	1,121,088.49	2,533,409.14	10,884,977.86	18.88%
Department: 90 - NON DEPARTMENTAL						
00 - Revenue	805,185.00	805,185.00	63,161.25	253,519.22	551,665.78	31.49%
01 - Operations	0.00	0.00	86,127.72	104,947.91	-104,947.91	0.00%
Department: 90 - NON DEPARTMENTAL Total:	805,185.00	805,185.00	149,288.97	358,467.13	446,717.87	44.52%
Expense Total:	14,223,572.00	14,223,572.00	1,270,377.46	2,891,876.27	11,331,695.73	20.33%
Fund: 10 - WATER/SEWER FUND Surplus (Deficit):	512,434.00	512,434.00	-1,112,713.39	-1,122,265.43	-1,634,699.43	-219.01%
Fund: 12 - COURT SECURITY FUND						
Revenue						
Department: 00 - REVENUE						
00 - Revenue	9,235.00	9,235.00	805.80	3,466.11	-5,768.89	37.53%
Department: 00 - REVENUE Total:	9,235.00	9,235.00	805.80	3,466.11	-5,768.89	37.53%
Revenue Total:	9,235.00	9,235.00	805.80	3,466.11	-5,768.89	37.53%
Expense						
Department: 00 - REVENUE						
01 - Operations	-26,570.00	-26,570.00	0.00	20,570.00	-47,140.00	-77.42%
Department: 00 - REVENUE Total:	-26,570.00	-26,570.00	0.00	20,570.00	-47,140.00	-77.42%
Expense Total:	-26,570.00	-26,570.00	0.00	20,570.00	-47,140.00	-77.42%
Fund: 12 - COURT SECURITY FUND Surplus (Deficit):	35,805.00	35,805.00	805.80	-17,103.89	-52,908.89	-47.77%
Fund: 13 - CAPITAL BOND FUND						
Revenue						
Department: 00 - REVENUE						
00 - Revenue	356,600.00	356,600.00	408,511.07	889,386.18	532,786.18	249.41%
Department: 00 - REVENUE Total:	356,600.00	356,600.00	408,511.07	889,386.18	532,786.18	249.41%
Revenue Total:	356,600.00	356,600.00	408,511.07	889,386.18	532,786.18	249.41%
Expense						
Department: 11 - CAPITAL PROJ-FIRE STATION						
09 - Capital Projects	9,279,097.00	9,279,097.00	1,461.25	54,944.35	9,224,152.65	0.59%
Department: 11 - CAPITAL PROJ-FIRE STATION Total:	9,279,097.00	9,279,097.00	1,461.25	54,944.35	9,224,152.65	0.59%
Department: 42 - NEW HOPE ROAD						
09 - Capital Projects	0.00	0.00	4,140.19	47,053.36	-47,053.36	0.00%
Department: 42 - NEW HOPE ROAD Total:	0.00	0.00	4,140.19	47,053.36	-47,053.36	0.00%
Department: 43 - SAFE ROUTES TO SCHOOL						
09 - Capital Projects	0.00	0.00	12,635.00	354,762.85	-354,762.85	0.00%
Department: 43 - SAFE ROUTES TO SCHOOL Total:	0.00	0.00	12,635.00	354,762.85	-354,762.85	0.00%

Budget Report for Short Fiscals

For Fiscal: 2024-2025 Period Ending: 01/31/2025

Progra...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
Department: 44 - 2019 TAX NOTES PROJECTS						
09 - Capital Projects	0.00	0.00	1,480.00	540,219.36	-540,219.36	0.00%
Department: 44 - 2019 TAX NOTES PROJECTS Total:	0.00	0.00	1,480.00	540,219.36	-540,219.36	0.00%
Department: 46 - 3 CTY ROAD/CIP 2008 & PRIOR						
09 - Capital Projects	1,500,000.00	1,500,000.00	0.00	0.00	1,500,000.00	0.00%
Department: 46 - 3 CTY ROAD/CIP 2008 & PRIOR Total:	1,500,000.00	1,500,000.00	0.00	0.00	1,500,000.00	0.00%
Department: 51 - SONORA PARK						
09 - Capital Projects	1,500,000.00	1,500,000.00	0.00	0.00	1,500,000.00	0.00%
Department: 51 - SONORA PARK Total:	1,500,000.00	1,500,000.00	0.00	0.00	1,500,000.00	0.00%
Expense Total:	12,279,097.00	12,279,097.00	19,716.44	996,979.92	11,282,117.08	8.12%
Fund: 13 - CAPITAL BOND FUND Surplus (Deficit):	-11,922,497.00	-11,922,497.00	388,794.63	-107,593.74	11,814,903.26	0.90%
Fund: 14 - PARK DEDICATION FUND						
Revenue						
Department: 00 - REVENUE						
00 - Revenue	32,100.00	32,100.00	762.17	5,867.52	-26,232.48	18.28%
Department: 00 - REVENUE Total:	32,100.00	32,100.00	762.17	5,867.52	-26,232.48	18.28%
Revenue Total:	32,100.00	32,100.00	762.17	5,867.52	-26,232.48	18.28%
Expense						
Department: 51 - SONORA PARK						
09 - Capital Projects	100,000.00	100,000.00	0.00	27,561.42	72,438.58	27.56%
Department: 51 - SONORA PARK Total:	100,000.00	100,000.00	0.00	27,561.42	72,438.58	27.56%
Expense Total:	100,000.00	100,000.00	0.00	27,561.42	72,438.58	27.56%
Fund: 14 - PARK DEDICATION FUND Surplus (Deficit):	-67,900.00	-67,900.00	762.17	-21,693.90	46,206.10	31.95%
Fund: 15 - EDC4B FUND						
Revenue						
Department: 00 - REVENUE						
00 - Revenue	1,105,973.00	1,105,973.00	59,509.41	162,063.70	-943,909.30	14.65%
23 - TownCenter	310,807.00	310,807.00	28,598.37	120,801.78	-190,005.22	38.87%
Department: 00 - REVENUE Total:	1,416,780.00	1,416,780.00	88,107.78	282,865.48	-1,133,914.52	19.97%
Revenue Total:	1,416,780.00	1,416,780.00	88,107.78	282,865.48	-1,133,914.52	19.97%
Expense						
Department: 06 - ADMINISTRATION						
01 - Operations	1,178,393.00	1,178,393.00	115,500.27	296,418.81	881,974.19	25.15%
06 - Debt Service	168,213.00	168,213.00	5,112.20	30,752.84	137,460.16	18.28%
Department: 06 - ADMINISTRATION Total:	1,346,606.00	1,346,606.00	120,612.47	327,171.65	1,019,434.35	24.30%
Department: 53 - TOWN SHOPPING CENTER						
23 - TownCenter	106,740.00	270,740.00	6,382.23	39,443.06	231,296.94	14.57%
Department: 53 - TOWN SHOPPING CENTER Total:	106,740.00	270,740.00	6,382.23	39,443.06	231,296.94	14.57%
Expense Total:	1,453,346.00	1,617,346.00	126,994.70	366,614.71	1,250,731.29	22.67%
Fund: 15 - EDC4B FUND Surplus (Deficit):	-36,566.00	-200,566.00	-38,886.92	-83,749.23	116,816.77	41.76%
Fund: 16 - COURT TECHNOLOGY FUND						
Revenue						
Department: 00 - REVENUE						
00 - Revenue	7,140.00	7,140.00	671.41	2,853.54	-4,286.46	39.97%
Department: 00 - REVENUE Total:	7,140.00	7,140.00	671.41	2,853.54	-4,286.46	39.97%
Revenue Total:	7,140.00	7,140.00	671.41	2,853.54	-4,286.46	39.97%

Budget Report for Short Fiscals

For Fiscal: 2024-2025 Period Ending: 01/31/2025

Progra...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
Expense						
Department: 00 - REVENUE						
00 - Revenue	10,000.00	10,000.00	0.00	9.89	9,990.11	0.10%
Department: 00 - REVENUE Total:	10,000.00	10,000.00	0.00	9.89	9,990.11	0.10%
Expense Total:	10,000.00	10,000.00	0.00	9.89	9,990.11	0.10%
Fund: 16 - COURT TECHNOLOGY FUND Surplus (Deficit):	-2,860.00	-2,860.00	671.41	2,843.65	5,703.65	-99.43%
Fund: 18 - LOCAL YOUTH DIVERSION FUND						
Revenue						
Department: 00 - REVENUE						
00 - Revenue	685.00	685.00	28.99	122.52	-562.48	17.89%
Department: 00 - REVENUE Total:	685.00	685.00	28.99	122.52	-562.48	17.89%
Revenue Total:	685.00	685.00	28.99	122.52	-562.48	17.89%
Fund: 18 - LOCAL YOUTH DIVERSION FUND Total:	685.00	685.00	28.99	122.52	-562.48	17.89%
Fund: 21 - TIF #1 (NEW HOPE) FUND						
Revenue						
Department: 00 - REVENUE						
00 - Revenue	250,006.00	250,006.00	1,515.78	6,203.40	-243,802.60	2.48%
Department: 00 - REVENUE Total:	250,006.00	250,006.00	1,515.78	6,203.40	-243,802.60	2.48%
Revenue Total:	250,006.00	250,006.00	1,515.78	6,203.40	-243,802.60	2.48%
Expense						
Department: 06 - ADMINISTRATION						
01 - Operations	150,000.00	150,000.00	0.00	450.25	149,549.75	0.30%
06 - Debt Service	228,229.00	228,229.00	0.00	0.00	228,229.00	0.00%
Department: 06 - ADMINISTRATION Total:	378,229.00	378,229.00	0.00	450.25	377,778.75	0.12%
Expense Total:	378,229.00	378,229.00	0.00	450.25	377,778.75	0.12%
Fund: 21 - TIF #1 (NEW HOPE) FUND Surplus (Deficit):	-128,223.00	-128,223.00	1,515.78	5,753.15	133,976.15	-4.49%
Fund: 30 - HOTEL/MOTEL TAX FUND						
Revenue						
Department: 00 - REVENUE						
00 - Revenue	20,900.00	20,900.00	6,249.43	7,113.36	-13,786.64	34.04%
Department: 00 - REVENUE Total:	20,900.00	20,900.00	6,249.43	7,113.36	-13,786.64	34.04%
Revenue Total:	20,900.00	20,900.00	6,249.43	7,113.36	-13,786.64	34.04%
Expense						
Department: 06 - ADMINISTRATION						
01 - Operations	15,000.00	15,000.00	0.00	0.00	15,000.00	0.00%
Department: 06 - ADMINISTRATION Total:	15,000.00	15,000.00	0.00	0.00	15,000.00	0.00%
Expense Total:	15,000.00	15,000.00	0.00	0.00	15,000.00	0.00%
Fund: 30 - HOTEL/MOTEL TAX FUND Surplus (Deficit):	5,900.00	5,900.00	6,249.43	7,113.36	1,213.36	120.57%
Fund: 31 - POLICE SEIZURE FUND						
Revenue						
Department: 00 - REVENUE						
00 - Revenue	160.00	160.00	59.69	230.00	70.00	143.75%
Department: 00 - REVENUE Total:	160.00	160.00	59.69	230.00	70.00	143.75%
Department: 09 - POLICE						
00 - Revenue	0.00	0.00	4,271.41	5,877.47	5,877.47	0.00%
Department: 09 - POLICE Total:	0.00	0.00	4,271.41	5,877.47	5,877.47	0.00%
Revenue Total:	160.00	160.00	4,331.10	6,107.47	5,947.47	3,817.17%

Budget Report for Short Fiscals

For Fiscal: 2024-2025 Period Ending: 01/31/2025

Progra...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
Expense						
Department: 06 - ADMINISTRATION						
01 - Operations	0.00	0.00	1,155.99	1,155.99	-1,155.99	0.00%
Department: 06 - ADMINISTRATION Total:	0.00	0.00	1,155.99	1,155.99	-1,155.99	0.00%
Expense Total:	0.00	0.00	1,155.99	1,155.99	-1,155.99	0.00%
Fund: 31 - POLICE SEIZURE FUND Surplus (Deficit):	160.00	160.00	3,175.11	4,951.48	4,791.48	3,094.68%
Fund: 32 - LIBRARY BUILDING FUND						
Revenue						
Department: 00 - REVENUE						
00 - Revenue	210.00	210.00	19.36	98.47	-111.53	46.89%
Department: 00 - REVENUE Total:	210.00	210.00	19.36	98.47	-111.53	46.89%
Revenue Total:	210.00	210.00	19.36	98.47	-111.53	46.89%
Fund: 32 - LIBRARY BUILDING FUND Total:	210.00	210.00	19.36	98.47	-111.53	46.89%
Fund: 34 - LEOSE FUND						
Revenue						
Department: 00 - REVENUE						
00 - Revenue	3,790.00	3,790.00	2.79	22.04	-3,767.96	0.58%
Department: 00 - REVENUE Total:	3,790.00	3,790.00	2.79	22.04	-3,767.96	0.58%
Revenue Total:	3,790.00	3,790.00	2.79	22.04	-3,767.96	0.58%
Expense						
Department: 09 - POLICE						
01 - Operations	1,500.00	1,500.00	650.00	1,980.00	-480.00	132.00%
Department: 09 - POLICE Total:	1,500.00	1,500.00	650.00	1,980.00	-480.00	132.00%
Expense Total:	1,500.00	1,500.00	650.00	1,980.00	-480.00	132.00%
Fund: 34 - LEOSE FUND Surplus (Deficit):	2,290.00	2,290.00	-647.21	-1,957.96	-4,247.96	-85.50%
Fund: 35 - DISASTER RECOVERY FUND						
Revenue						
Department: 00 - REVENUE						
00 - Revenue	1,300,000.00	1,300,000.00	5,587.10	23,764.56	-1,276,235.44	1.83%
Department: 00 - REVENUE Total:	1,300,000.00	1,300,000.00	5,587.10	23,764.56	-1,276,235.44	1.83%
Revenue Total:	1,300,000.00	1,300,000.00	5,587.10	23,764.56	-1,276,235.44	1.83%
Expense						
Department: 06 - ADMINISTRATION						
01 - Operations	1,250,000.00	1,250,000.00	7,231.25	66,655.00	1,183,345.00	5.33%
Department: 06 - ADMINISTRATION Total:	1,250,000.00	1,250,000.00	7,231.25	66,655.00	1,183,345.00	5.33%
Expense Total:	1,250,000.00	1,250,000.00	7,231.25	66,655.00	1,183,345.00	5.33%
Fund: 35 - DISASTER RECOVERY FUND Surplus (Deficit):	50,000.00	50,000.00	-1,644.15	-42,890.44	-92,890.44	-85.78%
Fund: 40 - GRANT FUND						
Revenue						
Department: 00 - REVENUE						
00 - Revenue	65.00	65.00	0.00	0.00	-65.00	0.00%
Department: 00 - REVENUE Total:	65.00	65.00	0.00	0.00	-65.00	0.00%
Department: 10 - FIRE						
00 - Revenue	0.00	0.00	0.00	89,266.51	89,266.51	0.00%
Department: 10 - FIRE Total:	0.00	0.00	0.00	89,266.51	89,266.51	0.00%
Department: 17 - LIBRARY						
00 - Revenue	0.00	0.00	0.00	336.00	336.00	0.00%
Department: 17 - LIBRARY Total:	0.00	0.00	0.00	336.00	336.00	0.00%
Revenue Total:	65.00	65.00	0.00	89,602.51	89,537.51	37,850.02%

Budget Report for Short Fiscals

For Fiscal: 2024-2025 Period Ending: 01/31/2025

Program...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
Expense						
Department: 17 - LIBRARY						
01 - Operations	0.00	0.00	36.99	117.95	-117.95	0.00%
Department: 17 - LIBRARY Total:	0.00	0.00	36.99	117.95	-117.95	0.00%
Expense Total:	0.00	0.00	36.99	117.95	-117.95	0.00%
Fund: 40 - GRANT FUND Surplus (Deficit):	65.00	65.00	-36.99	89,484.56	89,419.56	37,668.55%
Fund: 41 - PARK REC/OTHER DONATION FUND						
Revenue						
Department: 00 - REVENUE						
00 - Revenue	6,683.00	6,683.00	215.80	551.91	-6,131.09	8.26%
Department: 00 - REVENUE Total:	6,683.00	6,683.00	215.80	551.91	-6,131.09	8.26%
Revenue Total:	6,683.00	6,683.00	215.80	551.91	-6,131.09	8.26%
Expense						
Department: 09 - POLICE						
01 - Operations	8,000.00	8,000.00	0.00	0.00	8,000.00	0.00%
Department: 09 - POLICE Total:	8,000.00	8,000.00	0.00	0.00	8,000.00	0.00%
Department: 10 - FIRE						
01 - Operations	10,000.00	10,000.00	0.00	3,935.28	6,064.72	39.35%
Department: 10 - FIRE Total:	10,000.00	10,000.00	0.00	3,935.28	6,064.72	39.35%
Department: 63 - BARK AT THE PARK						
01 - Operations	1,500.00	1,500.00	0.00	0.00	1,500.00	0.00%
Department: 63 - BARK AT THE PARK Total:	1,500.00	1,500.00	0.00	0.00	1,500.00	0.00%
Expense Total:	19,500.00	19,500.00	0.00	3,935.28	15,564.72	20.18%
Fund: 41 - PARK REC/OTHER DONATION FUND Surplus (Deficit):	-12,817.00	-12,817.00	215.80	-3,383.37	9,433.63	26.40%
Fund: 45 - ROADWAY IMPACT FEE FUND						
Revenue						
Department: 00 - REVENUE						
00 - Revenue	56,200.00	56,200.00	765.27	11,608.03	-44,591.97	20.65%
Department: 00 - REVENUE Total:	56,200.00	56,200.00	765.27	11,608.03	-44,591.97	20.65%
Revenue Total:	56,200.00	56,200.00	765.27	11,608.03	-44,591.97	20.65%
Expense						
Department: 71 - IMPACT FEE						
01 - Operations	107,525.00	107,525.00	15,458.43	42,339.72	65,185.28	39.38%
Department: 71 - IMPACT FEE Total:	107,525.00	107,525.00	15,458.43	42,339.72	65,185.28	39.38%
Expense Total:	107,525.00	107,525.00	15,458.43	42,339.72	65,185.28	39.38%
Fund: 45 - ROADWAY IMPACT FEE FUND Surplus (Deficit):	-51,325.00	-51,325.00	-14,693.16	-30,731.69	20,593.31	59.88%
Fund: 61 - WATER IMPACT FUND						
Revenue						
Department: 00 - REVENUE						
00 - Revenue	24,100.00	24,100.00	323.10	20,191.61	-3,908.39	83.78%
Department: 00 - REVENUE Total:	24,100.00	24,100.00	323.10	20,191.61	-3,908.39	83.78%
Revenue Total:	24,100.00	24,100.00	323.10	20,191.61	-3,908.39	83.78%
Expense						
Department: 00 - REVENUE						
00 - Revenue	30,000.00	30,000.00	2,500.00	10,000.00	20,000.00	33.33%
Department: 00 - REVENUE Total:	30,000.00	30,000.00	2,500.00	10,000.00	20,000.00	33.33%
Expense Total:	30,000.00	30,000.00	2,500.00	10,000.00	20,000.00	33.33%
Fund: 61 - WATER IMPACT FUND Surplus (Deficit):	-5,900.00	-5,900.00	-2,176.90	10,191.61	16,091.61	-172.74%
Fund: 62 - SEWER IMPACT FUND						
Revenue						
Department: 00 - REVENUE						
00 - Revenue	30,700.00	30,700.00	301.83	9,915.53	-20,784.47	32.30%

Budget Report for Short Fiscals

For Fiscal: 2024-2025 Period Ending: 01/31/2025

Progra...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
Department: 00 - REVENUE Total:	30,700.00	30,700.00	301.83	9,915.53	-20,784.47	32.30%
Revenue Total:	30,700.00	30,700.00	301.83	9,915.53	-20,784.47	32.30%
Expense						
Department: 00 - REVENUE						
00 - Revenue	60,000.00	60,000.00	5,000.00	20,000.00	40,000.00	33.33%
Department: 00 - REVENUE Total:	60,000.00	60,000.00	5,000.00	20,000.00	40,000.00	33.33%
Expense Total:	60,000.00	60,000.00	5,000.00	20,000.00	40,000.00	33.33%
Fund: 62 - SEWER IMPACT FUND Surplus (Deficit):	-29,300.00	-29,300.00	-4,698.17	-10,084.47	19,215.53	34.42%
Fund: 83 - TREE REFORESTATION FUND						
Revenue						
Department: 00 - REVENUE						
00 - Revenue	2,931.00	2,931.00	246.63	1,042.01	-1,888.99	35.55%
Department: 00 - REVENUE Total:	2,931.00	2,931.00	246.63	1,042.01	-1,888.99	35.55%
Revenue Total:	2,931.00	2,931.00	246.63	1,042.01	-1,888.99	35.55%
Fund: 83 - TREE REFORESTATION FUND Total:	2,931.00	2,931.00	246.63	1,042.01	-1,888.99	35.55%
Fund: 95 - EDC4B BOND RESERVE FUND						
Revenue						
Department: 00 - REVENUE						
00 - Revenue	5,457.00	5,457.00	410.12	1,732.83	-3,724.17	31.75%
Department: 00 - REVENUE Total:	5,457.00	5,457.00	410.12	1,732.83	-3,724.17	31.75%
Revenue Total:	5,457.00	5,457.00	410.12	1,732.83	-3,724.17	31.75%
Fund: 95 - EDC4B BOND RESERVE FUND Total:	5,457.00	5,457.00	410.12	1,732.83	-3,724.17	31.75%
Report Surplus (Deficit):	-11,734,313.00	-11,898,313.00	-680,600.74	2,207,108.29	14,105,421.29	-18.55%

Fund Summary

Fund	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)
01 - GENERAL FUND	-537,025.00	-537,025.00	1,218,589.18	3,119,519.04	3,656,544.04
02 - GENERAL DEBT SERVICE FUND	303,020.00	303,020.00	-1,143,026.91	332,737.70	29,717.70
04 - CAPITAL PROJECTS FUND	19,935.00	19,935.00	21,915.28	51,238.05	31,303.05
05 - CAPITAL REPLACEMENT FUND	74,532.00	74,532.00	10,489.63	33,958.51	-40,573.49
07 - STORMWATER UTILITY FUND	46,676.00	46,676.00	-15,966.26	-12,224.53	-58,900.53
10 - WATER/SEWER FUND	512,434.00	512,434.00	-1,112,713.39	-1,122,265.43	-1,634,699.43
12 - COURT SECURITY FUND	35,805.00	35,805.00	805.80	-17,103.89	-52,908.89
13 - CAPITAL BOND FUND	-11,922,497.00	-11,922,497.00	388,794.63	-107,593.74	11,814,903.26
14 - PARK DEDICATION FUND	-67,900.00	-67,900.00	762.17	-21,693.90	46,206.10
15 - EDC4B FUND	-36,566.00	-200,566.00	-38,886.92	-83,749.23	116,816.77
16 - COURT TECHNOLOGY FUND	-2,860.00	-2,860.00	671.41	2,843.65	5,703.65
18 - LOCAL YOUTH DIVERSION FUND	685.00	685.00	28.99	122.52	-562.48
21 - TIF #1 (NEW HOPE) FUND	-128,223.00	-128,223.00	1,515.78	5,753.15	133,976.15
30 - HOTEL/MOTEL TAX FUND	5,900.00	5,900.00	6,249.43	7,113.36	1,213.36
31 - POLICE SEIZURE FUND	160.00	160.00	3,175.11	4,951.48	4,791.48
32 - LIBRARY BUILDING FUND	210.00	210.00	19.36	98.47	-111.53
34 - LEOSE FUND	2,290.00	2,290.00	-647.21	-1,957.96	-4,247.96
35 - DISASTER RECOVERY FUND	50,000.00	50,000.00	-1,644.15	-42,890.44	-92,890.44
40 - GRANT FUND	65.00	65.00	-36.99	89,484.56	89,419.56
41 - PARK REC/OTHER DONATION	-12,817.00	-12,817.00	215.80	-3,383.37	9,433.63
45 - ROADWAY IMPACT FEE FUND	-51,325.00	-51,325.00	-14,693.16	-30,731.69	20,593.31
61 - WATER IMPACT FUND	-5,900.00	-5,900.00	-2,176.90	10,191.61	16,091.61
62 - SEWER IMPACT FUND	-29,300.00	-29,300.00	-4,698.17	-10,084.47	19,215.53
83 - TREE REFORESTATION FUND	2,931.00	2,931.00	246.63	1,042.01	-1,888.99
95 - EDC4B BOND RESERVE FUND	5,457.00	5,457.00	410.12	1,732.83	-3,724.17
Report Surplus (Deficit):	-11,734,313.00	-11,898,313.00	-680,600.74	2,207,108.29	14,105,421.29



**CITY OF KENNEDALE
FISCAL YEAR TO DATE SUMMARY BY FUND
THROUGH JANUARY 31, 2025**

Fund	**Beginning Balance as of 10/1/2024	FYTD Activity	Ending Balance	Average Daily Annual Exp	Days of Fund Balance	Reserve %
01 - GENERAL FUND*	4,218,927	3,119,519.04	7,338,446.04	35,468.88	206.90	57%
02 - GENERAL DEBT SERVICE FUND	945,637	332,737.70	1,278,374.70			
04 - CAPITAL PROJECTS FUND	215,569	51,238.05	266,807.05			
05 - CAPITAL REPLACEMENT FUND	(186,904)	33,958.51	(152,945.49)			
07 - STORMWATER UTILITY FUND*	811,647	(12,224.53)	799,422.47	724.59	1,103.28	
10 - WATER/SEWER FUND*	17,959,473	(1,122,265.43)	16,837,207.57	38,968.69	432.07	118%
12 - COURT SECURITY FUND	33,272	(17,103.89)	16,168.11			
13 - CAPITAL BOND FUND	19,918,926	(107,593.74)	19,811,332.26			
14 - PARK DEDICATION FUND	289,611	(21,693.90)	267,917.10			
15 - EDC4B FUND*	2,192,554	(83,749.23)	2,108,804.77	3,332.09	632.88	58%
16 - COURT TECHNOLOGY FUND	14,712	2,843.65	17,555.65			
18 - LOCAL YOUTH DIVERSION FU	9,680	122.52	9,802.52			
21 - TIF #1 (NEW HOPE) FUND	150,493	5,753.15	156,246.15			
30 - HOTEL/MOTEL TAX FUND	90,924	7,113.36	98,037.36			
31 - POLICE SEIZURE FUND	15,302	4,951.48	20,253.48			
32 - LIBRARY BUILDING FUND	(1,209)	98.47	(1,110.53)			
34 - LEOSE FUND	2,228	(1,957.96)	270.04			
35 - DISASTER RECOVERY FUND	111,361	(42,890.44)	68,470.56			
40 - GRANT FUND	(621,039)	89,484.56	(531,554.44)			
41 - PARK REC/OTHER DONATION	12,637	(3,383.37)	9,253.63			
45 - ROADWAY IMPACT FEE FUND	429,643	(30,731.69)	398,911.31			
61 - WATER IMPACT FUND	97,765	10,191.61	107,956.61			
62 - SEWER IMPACT FUND	109,605	(10,084.47)	99,520.53			
83 - TREE REFORESTATION FUND	82,313	1,042.01	83,355.01			
85 - UNCLAIMED PROPERTY FUND	334	-	334.00			
95 - EDC4B BOND RESERVE FUND	136,884	1,732.83	138,616.83			
Report Surplus (Deficit):	47,040,345.00	2,207,108.29	49,247,453.29			

**Unaudited

STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

MEETING DATE: FEBRUARY 18, 2025

AGENDA ITEM NUMBER: CONSENT AGENDA ITEM IV.B.

SUBJECT

CONSENT AGENDA

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS



STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

MEETING DATE: FEBRUARY 18, 2025
AGENDA ITEM NUMBER: CONSENT AGENDA ITEM IV.B.1.

SUBJECT
January 21, 2025 City Council Minutes

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS

1.	January 21, 2025, City Council Minutes	January 21, 2025, City Council Minutes.pdf
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KENNEDALE CITY COUNCIL MINUTES

REGULAR MEETING | JANUARY 21, 2025 AT 5:30 PM
CITY HALL COUNCIL CHAMBERS | 405 MUNICIPAL DRIVE, KENNEDALE, TX 76060

I. CALL TO ORDER

Mayor Brad Horton called the meeting to order at 5:30 p.m.

A. ROLL CALL

Mayor Horton, Mayor Pro Tem Michels, Place 1 Glover, Place 2 Kobeck, Place 4 Gary, and Place 5 Nevarez were in attendance, thus constituting a quorum.

The City Manager, City Secretary, department directors, and other various staff were also present.

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."

Place 5 Nevarez offered the invocation, followed by the Pledges to the American and Texas flags led by Mayor Pro Tem Michels.

II. PRESENTATIONS

A. Proclamation designating February as Black History Month in the City of Kennedale as presented by Mayor Brad Horton.

Mayor Brad Horton presented a proclamation designating February as Black History Month to members of the community.

III. PUBLIC COMMENT

The Kennedale City Council welcomes comments from the public. Those wishing to speak must sign in prior to the start of the meeting. Speakers may speak on any topic, whether on the agenda or not. The Kennedale City Council cannot act upon, discuss issues raised or make any decisions at this time. Speakers under citizens' comments shall observe a three-minute time limit. Inquiries regarding matters not listed on this agenda may be referred to staff for research and/or possible future action by the board.

Sara Johnson, 221 Village St., concerns relating to naming of the roundabouts in Kennedale.

Tamiko Sargent, Kennedale, concerns relating to naming of the roundabouts in Kennedale.

Neil Foreman, 4730 Eden Rd. South, regulation of Industrial Zoning outside the City Limits.

Mayor Brad Horton requested a motion to adjourn into Executive Session pursuant to Section 551.0171 of the Government Code, Consultation with the City Attorney.

Mayor Pro Tem Michels motioned to enter into Executive Session at 5:44 p.m.

Place 5 Nevarez seconded the motion.

No opposition, No abstentions

Vote: Motion passed unanimously

Mayor Horton adjourned the Council from Executive Session at 6:19 p.m.

Place 2 Kobeck motioned to approve a settlement agreement with W. Eddie Patterson and Tammy Patterson.

Place 1 Glover seconded the motion.

No opposition, No abstentions

Vote: Motion passed unanimously

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 the City of Kennedale Mayor and City Council

The City Council and Mayor gave updates on items of public interest, including Ethics Training, TML Region 8 meeting, Historical Society filed trip, Illegal Dumping, and the warming station.

2. Updates from the City of Kennedale City Manager

a. Infrastructure Update

City Manager, Darrell Hull, gave an update on infrastructure projects including the ground storage tank, the sewer realignment project and SCADA updates.

3. Financial Reports for the City and/or the EDC

a. Quarterly Investment Report

b. Bond Rating Update

Finance Director Jon Horton gave an overview of the City of Kennedale's financials including the Quarterly Investment Report and a positive Bond Rating Update.

B. PUBLIC HEARINGS

1. Conduct a Public Hearing on Ordinance 779, an Ordinance of the City of Kennedale, Texas, amending the City of Kennedale's Fee Schedule.

Mayor Horton opened the Public Hearing at 6:34 p.m.

No comments were given at this time.

Mayor Horton closed the Public Hearing at 6:34 p.m.

C. 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. Ordinance 779, an Ordinance of the City of Kennedale, Texas, amending the City of Kennedale's Fee Schedule.
2. Resolution R636, a Resolution of the City Council of the City of Kennedale, Texas, Calling for a General Election to be held on May 3, 2025, to Elect City Council Places 1, 3, and 5, for a Term of Two-Years, Approving Entering into a Joint Election Agreement with Tarrant County Elections, and Establishing Procedures for the General Election.
3. December 17, 2024, City Council Minutes

Mayor Pro Tem Michels made a motion to approve the consent agenda.

Place 5 Nevarez seconded the motion.

No opposition, No abstentions

Vote: Motion passed unanimously

D. ITEMS FOR INDIVIDUAL CONSIDERATION, DISCUSSION AND/OR ACTION

1. Discuss and take action to award a contract for Solid Waste Disposal Services. - Action Item

The City Council discussed the proposals that had been received by the city. City Manager Hull briefed the council and made a recommendation that the city council award a contract for Solid Waste Disposal Services to Frontier Waste Solutions.

Representatives with Frontier Waste Solutions addressed the council and answered questions and concerns including the pick up schedule and bulky waste requirements.

Place 1 Glover motioned to approve entering into a contract for Solid Waste Disposal with Frontier Waste Solutions.

Place 2 Kobeck seconded the motion.

No opposition, No abstentions

Vote: Motion passed unanimously

2. Discuss and take action to name a roundabout located at the intersection of Mansfield Cardinal Rd. and Little School Rd., in Honor of Mr. Robert Mundy. - Action Item

The City Council held discussion regarding the roundabout located at the intersection of Mansfield Cardinal Rd. and Little School Rd. City Manager Hull confirmed that EDC funding could be used for a beautification project at the roundabout however, the naming of the roundabout would need action of the City Council. Mayor Horton

read a letter from the Kennedale Historical Society in support of naming the roundabout after Mr. Robert Mundy.

Place 5 Nevarez motioned to approve naming the roundabout located at the intersection of Mansfield Cardinal Rd. and Little School Rd., in Honor of Mr. Robert Mundy.

Place 2 Kobeck seconded the motion.

No opposition, No abstentions

Vote: Motion carried unanimously

3. Discuss and take action requesting that the Kennedale Historical Society select nominations for naming roundabouts located in the City of Kennedale. - Action Item

The City Council discussed the process of naming the roundabouts in Kennedale with Ms. Laurie Saunders who was in attendance as a representative of the Kennedale Historical Society. Ms. Saunders stated that the Historical Society would be in favor of reviewing naming rights of the landmarks and bringing the recommendations back to the City Council. The consensus of the council was to allow staff to work with the Historical Society in future naming projects.

4. Receive an update and discuss direction to City Staff regarding the Youth Advisory Council. - Discussion only

The City Council and city staff held discussion on the current ordinances in place regarding the Youth Advisory Council. Staff was directed to move forward with reviewing and making changes to the ordinances in order to hopefully fund in the upcoming budget cycle for implementation in October of 2025.

V. EXECUTIVE SESSION

The Kennedale City Council reserves the rights 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 SECTION 551.0171 - 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, to discuss pending and contemplated litigation, or a settlement offer.

1. W. Eddie Patterson and Tammy Patterson - Litigation
2. Collett Sublett Rd.

- B. PURSUANT TO SECTION 551.087 - to discuss or deliberate 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.

1. Prospective 380 Agreement

Place 5 Nevarez motioned to adjourn into executive session at 7:25 p.m.

Place 2 Kobeck seconded the motion.

No opposition, No abstentions

Vote: Motion passed unanimously

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

The Council reconvened from executive session at 8:04 p.m.

VII. ADJOURNMENT

Mayor Pro Tem Michels motioned to adjourn at 8:04 p.m.

Place 1 Glover seconded the motion.

There being no further business, Mayor Horton adjourned the meeting.

APPROVED:

ATTEST:

MAYOR BRAD HORTON

CITY SECRETARY BOBBIE JO TAYLOR

STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

MEETING DATE: FEBRUARY 18, 2025
AGENDA ITEM NUMBER: CONSENT AGENDA ITEM IV.B.2.

SUBJECT
2024 Racial Profiling Report and the Texas Police Chiefs Association Recognition Program Annual Report from the Police Department

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS

1.	2024 Racial Rofiling Report	2024 Racial Rofiling Report.pdf
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MEETING DATE: February 18, 2025

AGENDA ITEM NUMBER: CONSENT AGENDA ITEM

SUBJECT

Receive the 2024 Racial Profiling Report and the Texas Police Chiefs Association Recognition Program Annual Report from the Police Department

ORIGINATED BY

Mike Holguin, Police Chief

SUMMARY

As required by State Senate Bill 1074 (77th Texas Legislative Session), this annual report is being presented to Council for review and will be uploaded to the Texas Commission on Law Enforcement (TCOLE) website for public access no later than March 1. Council can review the full 2024 Kennedale Police Department Racial Profiling Report attached.

Our racial profiling report was completed by Dr. Alex del Carmen of Del Carmen and Associates, a leading expert on the subject matter of racial profiling and reporting requirements and conforms to the Sandra Bland Act, which explicitly outlaws the practice of pretext stops and raises the burden of proof needed to both stop and search vehicles in the State of Texas.

Following the Texas Police Chiefs Association policies and guidelines regarding the Annual Report, the Kennedale Police Department submitted the required documentation to meet recognition standards. This report includes the documentation of a full property room audit and an annual analysis of the following: Use of Force; Pursuits; and Accidents and Injuries. Council can review the full 2024 Kennedale Police Department Texas Police Chiefs Association Law Enforcement Recognition Program Annual Report attached.

RECOMMENDATION

No specific action is required by the City Council other than to receive the identified reports.

ATTACHMENTS

1. 2024 Racial Profiling Report- City of Kennedale Police Department
2. 2024 Texas Police Chiefs Association Law Enforcement Recognition Program Annual Report

RACIAL PROFILING REPORT

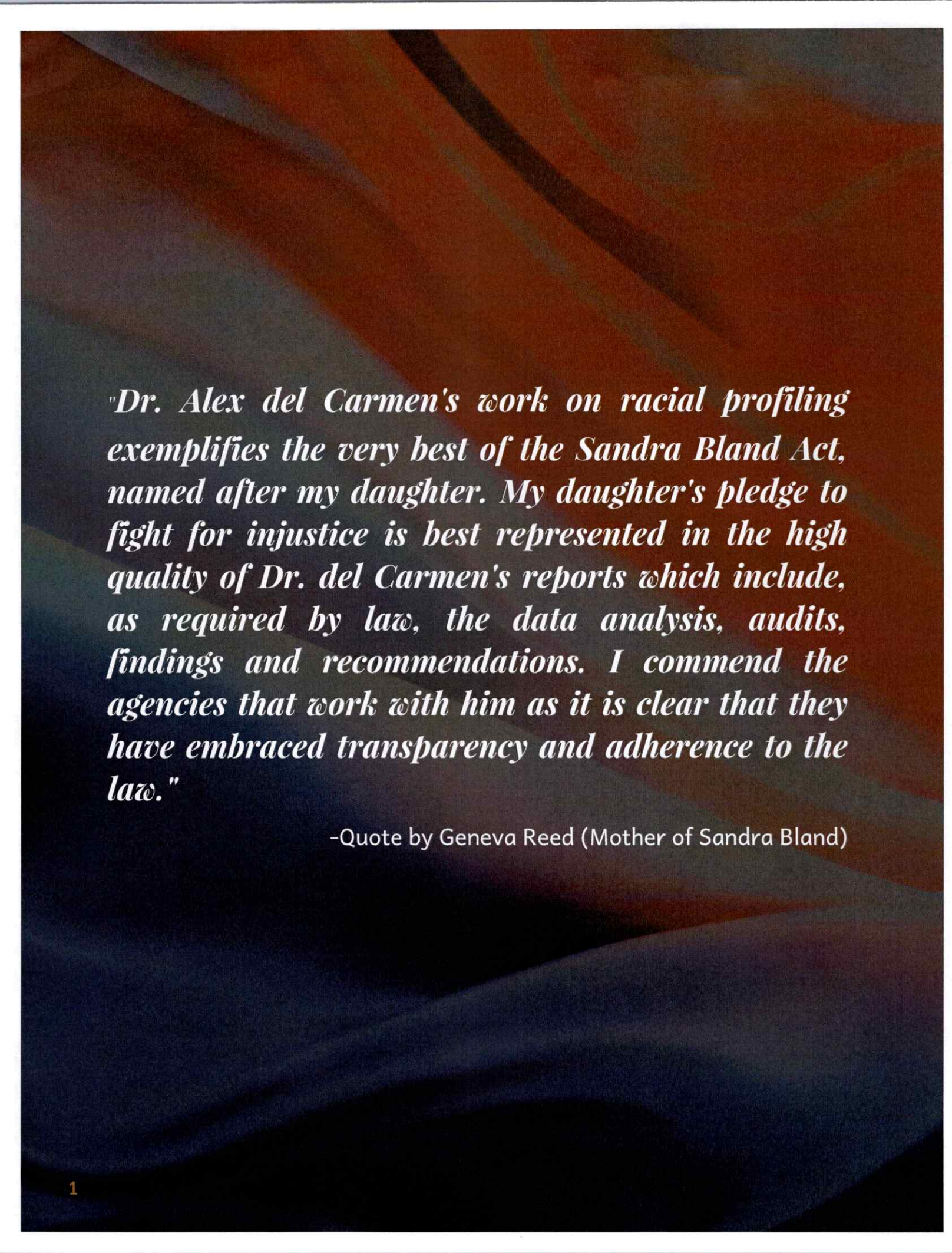
KENNEDALE Police Department

2024



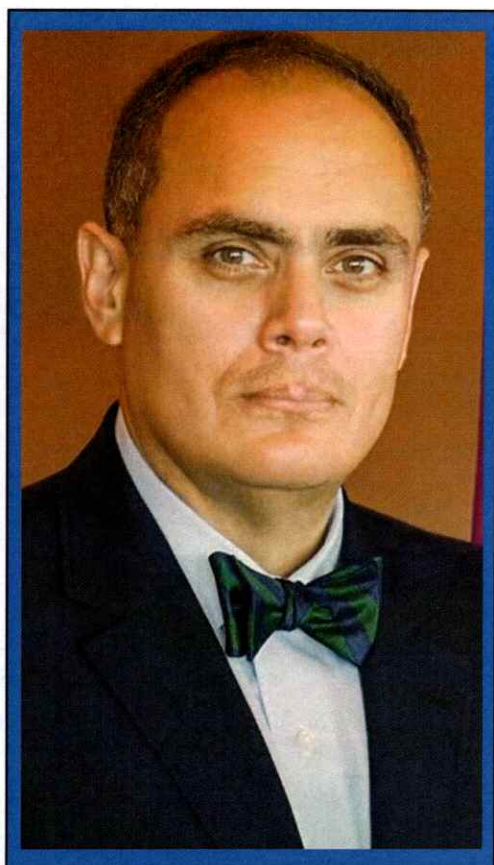
DEL CARMEN
Consulting, LLC.

LAW ENFORCEMENT EXPERTS



"Dr. Alex del Carmen's work on racial profiling exemplifies the very best of the Sandra Bland Act, named after my daughter. My daughter's pledge to fight for injustice is best represented in the high quality of Dr. del Carmen's reports which include, as required by law, the data analysis, audits, findings and recommendations. I commend the agencies that work with him as it is clear that they have embraced transparency and adherence to the law."

-Quote by Geneva Reed (Mother of Sandra Bland)



January 19, 2025

Kennedale City Council
405 Municipal Dr.
Kennedale, TX 76060

Dear Distinguished Members of the City Council,

The Texas Racial Profiling Law was enacted by the Texas Legislature in 2001, with the intent of addressing the issue of racial profiling in policing. During the last calendar year, the Kennedale Police Department, in accordance with the law, has collected and reported traffic and motor vehicle related contact data for the purpose of identifying and addressing (if necessary) areas of concern regarding racial profiling practices. In the 2009 Texas legislative session, the Racial Profiling Law was modified, and additional requirements were implemented. Further, in 2017 the Sandra Bland Act was passed and signed into law (along with HB 3051, which introduced new racial and ethnic designations). The Sandra Bland Law currently requires that law enforcement agencies in the state collect additional data and provide a more detailed analysis. I am pleased to report that all of these requirements have been met by the Kennedale Police Department and are included in this report.

In this annual report, you will find three sections with information on motor vehicle-related contacts. In addition, when applicable, documentation is included which demonstrates the way the Kennedale Police Department has complied with the Texas Racial Profiling Law. In section one, you will find the table of contents. Section two documents compliance by the Kennedale Police Department relevant to the requirements established in the Texas Racial Profiling Law. That is, you will find documents relevant to the training of all police personnel on racial profiling prevention and the institutionalization of the compliment and complaint processes, as required by law.

Section three contains statistical data relevant to contacts (as defined by the law) which were made during motor vehicle stops that took place between 1/1/24 and 12/31/24. Further, this section includes the Tier 2 form, which is required to be submitted to TCOLE (Texas Commission on Law Enforcement) and the law enforcement agency's local governing authority by March 1 of each year. The data in this report has been fully analyzed and compared to information derived from the U.S. Census Bureau's Fair Roads Standard. The final analysis and recommendations are also included in this report.

In the last section of the report, you will find the original draft of the Texas Racial Profiling Law, SB1074, as well as the Sandra Bland Act (current law). Also in this section, a list of requirements relevant to the Racial Profiling Law, as established by TCOLE is included. The findings in this report support the Kennedale Police Department's commitment to comply with the Texas Racial Profiling Law.

Sincerely,

Alex del Carmen, Ph.D.

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Public Education on Responding to Compliments and Complaints

Informing the Public on the Process of Filing a Compliment or Complaint with the Kennedale Police Department

The Texas Racial Profiling Law requires that police agencies provide information to the public regarding the manner in which to file a compliment or racial profiling complaint. In an effort to comply with this particular component, the Kennedale Police Department launched an educational campaign aimed at informing the public on issues relevant to the racial profiling complaint process.

The police department made available, in the lobby area and on its web site, information relevant to filing a compliment and complaint on a racial profiling violation by a Kennedale Police Officer. In addition, each time an officer issues a citation, ticket or warning, information on how to file a compliment or complaint is given to the individual cited. This information is in the form of a web address (including in the document issued to the citizen), which has instructions and details specifics related to the compliment or complaint processes.

It is believed that through these efforts, the community has been properly informed of the new policies and the complaint processes relevant to racial profiling.

All Kennedale Police Officers have been instructed, as specified in the Texas Racial Profiling Law, to adhere to all Texas Commission on Law Enforcement (TCOLE) training and the Law Enforcement Management Institute of Texas (LEMIT) requirements. To date, all sworn officers of the Kennedale Police Department have completed the TCOLE basic training on racial profiling. The main outline used to train the officers of Kennedale has been included in this report.

It is important to recognize that the Chief of the Kennedale Police Department has also met the training requirements, as specified by the Texas Racial Profiling Law, in the completion of the LEMIT program on racial profiling. The satisfactory completion of the racial profiling training by the sworn personnel of the Kennedale Police Department fulfills the training requirement as specified in the Education Code (96.641) of the Texas Racial Profiling Law.

Racial Profiling Course 3256

Texas Commission on Law Enforcement

September 2001

Racial Profiling 3256

Instructor's Note:

You may wish to teach this course in conjunction with Asset Forfeiture 3255 because of the related subject matter and applicability of the courses. If this course is taught in conjunction with Asset Forfeiture, you may report it under Combined Profiling and Forfeiture 3257 to reduce data entry.

Abstract

This instructor guide is designed to meet the educational requirement for racial profiling established by legislative mandate: 77R-SB1074.

Target Population: Licensed law enforcement personnel in Texas

Prerequisites: Experience as a law enforcement officer

Length of Course: A suggested instructional time of 4 hours

Material Requirements: Overhead projector, chalkboard and/or flip charts, video tape player, handouts, practical exercises, and demonstrations

Instructor Qualifications: Instructors should be very knowledgeable about traffic stop procedures and law enforcement issues

Evaluation Process and Procedures

An examination should be given. The instructor may decide upon the nature and content of the examination. It must, however, sufficiently demonstrate the mastery of the subject content by the student.

Reference Materials

Reference materials are located at the end of the course. An electronic copy of this instructor guide may be downloaded from our web site at <http://www.tcleose.state.tx.us>.

Racial Profiling 3256

1.0 RACIAL PROFILING AND THE LAW

1.1 UNIT GOAL: The student will be able to identify the legal aspects of racial profiling.

1.1.1 LEARNING OBJECTIVE: The student will be able to identify the legislative requirements placed upon peace officers and law enforcement agencies regarding racial profiling.

Racial Profiling Requirements:

Racial profiling CCP 3.05

Racial profiling prohibited CCP 2.131

Law enforcement policy on racial profiling CCP 2.132

Reports required for traffic and pedestrian stops CCP 2.133

Liability CCP 2.136

Racial profiling education for police chiefs Education Code 96.641

Training program Occupations Code 1701.253

Training required for intermediate certificate Occupations Code 1701.402

Definition of "race or ethnicity" for form Transportation Code 543.202

A. Written departmental policies

1. Definition of what constitutes racial profiling
2. Prohibition of racial profiling
3. Complaint process
4. Public education
5. Corrective action
6. Collection of traffic-stop statistics
7. Annual reports

B. Not prima facie evidence

C. Feasibility of use of video equipment

D. Data does not identify officer

E. Copy of complaint-related video evidence to officer in question

F. Vehicle stop report

1. Physical description of detainees: gender, race or ethnicity
2. Alleged violation
3. Consent to search
4. Contraband
5. Facts supporting probable cause
6. Arrest
7. Warning or citation issued

G. Compilation and analysis of data

H. Exemption from reporting – audio/video equipment

I. Officer non-liability

J. Funding

K. Required training in racial profiling

1. Police chiefs
2. All holders of intermediate certificates and/or two-year-old licenses as of 09/01/2001 (training to be completed no later than 09/01/2003) – see legislation 77R-SB1074



1.1.2 LEARNING OBJECTIVE: The student will become familiar with Supreme Court decisions and other court decisions involving appropriate actions in traffic stops.

A. Whren v. United States, 517 U.S. 806, 116 S.Ct. 1769 (1996)

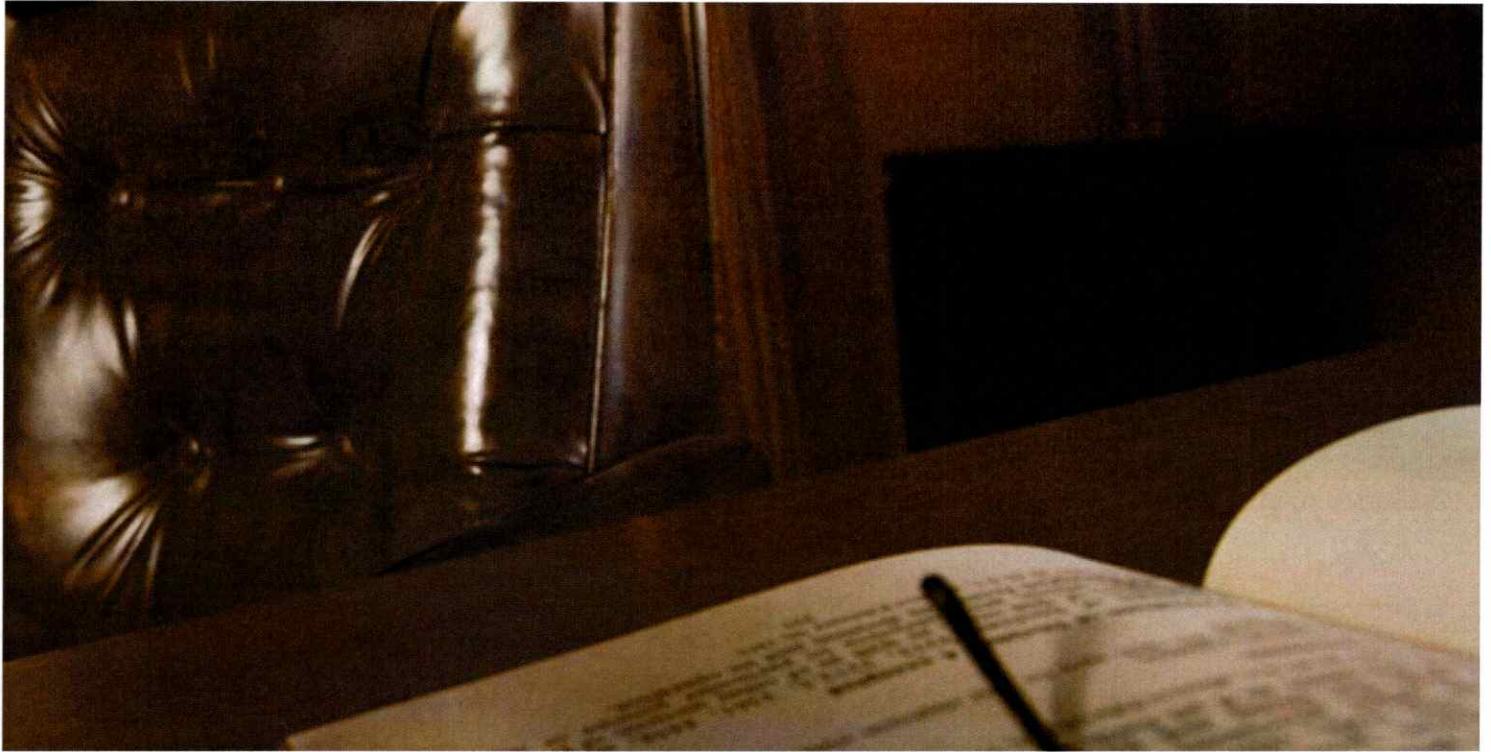
1. Motor vehicle search exemption
2. Traffic violation acceptable as pretext for further investigation
3. Selective enforcement can be challenged

B. Terry v. Ohio, 392 U.S. 1, 88 S.Ct. 1868 (1968)

1. Stop & Frisk doctrine
2. Stopping and briefly detaining a person
3. Frisk and pat down

C. Other cases

1. Pennsylvania v. Mimms, 434 U.S. 106, 98 S.Ct. 330 (1977)
2. Maryland v. Wilson, 117 S.Ct. 882 (1997)
3. Graham v. State, 119 MdApp 444, 705 A.2d 82 (1998)
4. Pryor v. State, 122 Md.App. 671 (1997) cert. denied 352 Md. 312, 721 A.2d 990 (1998)
5. Ferris v. State, 355 Md. 356, 735 A.2d 491 (1999)
6. New York v. Belton, 453 U.S. 454 (1981)



2.0 RACIAL PROFILING AND THE COMMUNITY

2.1 UNIT GOAL: The student will be able to identify logical and social arguments against racial profiling.

2.1.1 LEARNING OBJECTIVE: The student will be able to identify logical and social arguments against racial profiling.

- A. There are appropriate reasons for unusual traffic stops (suspicious behavior, the officer's intuition, MOs, etc.), but police work must stop short of cultural stereotyping and racism.
- B. Racial profiling would result in criminal arrests, but only because it would target all members of a race randomly – the minor benefits would be far outweighed by the distrust and anger towards law enforcement by minorities and the public as a whole.
- C. Racial profiling is self-fulfilling bad logic: if you believed that minorities committed more crimes, then you might look for more minority criminals, and find them in disproportionate numbers.
- D. Inappropriate traffic stops generate suspicion and antagonism towards officers and make future stops more volatile – a racially-based stop today can throw suspicion on tomorrow's legitimate stop.
- E. By focusing on race, you would not only be harassing innocent citizens, but overlooking criminals of all races and backgrounds – it is a waste of law enforcement resources.

3.0 RACIAL PROFILING VERSUS REASONABLE SUSPICION

3.1 UNIT GOAL: The student will be able to identify the elements of both inappropriate and appropriate traffic stops.

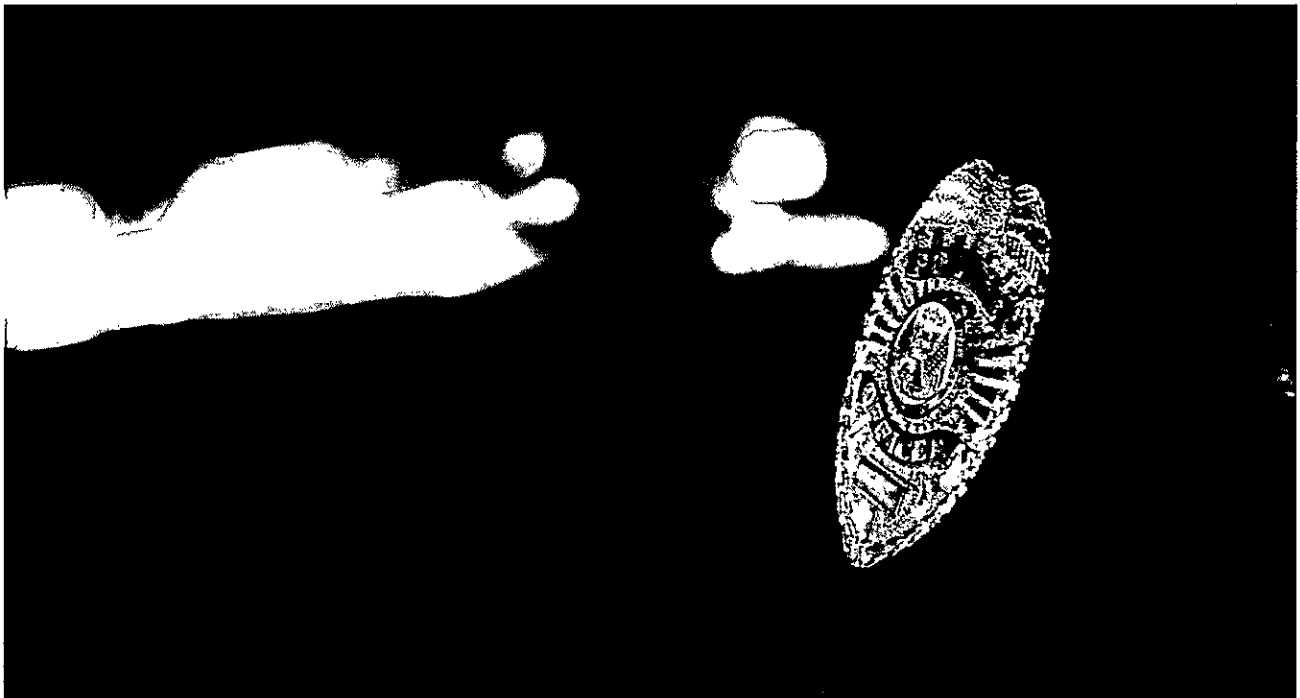
3.1.1 LEARNING OBJECTIVE: The student will be able to identify elements of a racially motivated traffic stop.

A. Most race-based complaints come from vehicle stops, often since race is used as an inappropriate substitute for drug courier profile elements

B. "DWB" – "Driving While Black" – a nickname for the public perception that a Black person may be stopped solely because of their race (especially with the suspicion that they are a drug courier), often extended to other minority groups or activities as well ("Driving While Brown," "Flying While Black," etc.)

C. A typical traffic stop resulting from racial profiling

1. The vehicle is stopped on the basis of a minor or contrived traffic violation which is used as a pretext for closer inspection of the vehicle, driver, and passengers
2. The driver and passengers are questioned about things that do not relate to the traffic violation
3. The driver and passengers are ordered out of the vehicle
4. The officers visually check all observable parts of the vehicle
5. The officers proceed on the assumption that drug courier work is involved by detaining the driver and passengers by the roadside
6. The driver is asked to consent to a vehicle search – if the driver refuses, the officers use other procedures (waiting on a canine unit, criminal record checks, license-plate checks, etc.), and intimidate the driver (with the threat of detaining him/her, obtaining a warrant, etc.)



3.1.2 LEARNING OBJECTIVE: The student will be able to identify elements of a traffic stop which would constitute reasonable suspicion of drug courier activity.

A. Drug courier profile (adapted from a profile developed by the DEA)

1. Driver is nervous or anxious beyond the ordinary anxiety and cultural communication styles
2. Signs of long-term driving (driver is unshaven, has empty food containers, etc.)
3. Vehicle is rented
4. Driver is a young male, 20-35
5. No visible luggage, even though driver is traveling
6. Driver was over-reckless or over-cautious in driving and responding to signals
7. Use of air fresheners

B. Drug courier activity indicators by themselves are usually not sufficient to justify a stop

3.1.3 LEARNING OBJECTIVE: The student will be able to identify elements of a traffic stop which could constitute reasonable suspicion of criminal activity.

A. Thinking about the totality of circumstances in a vehicle stop

B. Vehicle exterior

1. Non-standard repainting (esp. on a new vehicle)
2. Signs of hidden cargo (heavy weight in trunk, windows do not roll down, etc.)
3. Unusual license plate suggesting a switch (dirty plate, bugs on back plate, etc.)
4. Unusual circumstances (pulling a camper at night, kids' bikes with no kids, etc.)

C. Pre-stop indicators

1. Not consistent with traffic flow
2. Driver is overly cautious, or driver/passengers repeatedly look at police car
3. Driver begins using a car- or cell-phone when signaled to stop
4. Unusual pull-over behavior (ignores signals, hesitates, pulls onto new street, moves objects in car, etc.)

D. Vehicle interior

1. Rear seat or interior panels have been opened, there are tools or spare tire, etc.
2. Inconsistent items (anti-theft club with a rental, unexpected luggage, etc.)

Resources

Proactive Field Stops Training Unit – Instructor's Guide, Maryland Police and Correctional Training Commissions, 2001. (See Appendix A.)

Web address for legislation 77R-SB1074:



Report on Compliments and Racial Profiling Complaints



Report on Complaints

The following table contains data regarding officers that have been the subject of a complaint, during the time period of 1/1/24-12/31/24 based on allegations outlining possible violations related to the Texas Racial Profiling Law. The final disposition of the case is also included.



A check above indicates that the Kennedale Police Department has not received any complaints, on any members of its police services, for having violated the Texas Racial Profiling Law during the time period of 1/1/24-12/31/24.

Complaints Filed for Possible Violations of The Texas Racial Profiling Law

Complaint Number	Alleged Violation	Disposition of the Case

Additional Comments:

Tables Illustrating Motor Vehicle-Related Contacts TIER 2 DATA

TOTAL STOPS: 7,771

STREET ADDRESS OR APPROXIMATE LOCATION OF STOP.

City Street	3,787
US Highway	0
State Highway	3,856
County Road	2
Private Property	126

WAS RACE OR ETHNICITY KNOWN PRIOR TO STOP?

Yes	48
No	7,723

RACE OR ETHNICITY

Alaska Native/American Indian	32
Asian/Pacific Islander	174
Black	1,844
White	4,300
Hispanic/Latino	1,421

GENDER

Female Total: 2,390

Alaska Native/American Indian	4
Asian/Pacific Islander	41
Black	684
White	1,351
Hispanic/Latino	310

Male Total: 5,381

Alaska Native/American Indian	28
Asian/Pacific Islander	133
Black	1,160
White	2,949
Hispanic/Latino	1,111

REASON FOR STOP?

Violation of Law Total: 713

Alaska Native/American Indian	0
Asian/Pacific Islander	1
Black	163
White	528
Hispanic/Latino	21

Pre-existing Knowledge Total: 19

Alaska Native/American Indian	0
Asian/Pacific Islander	1
Black	4
White	12
Hispanic/Latino	2

Moving Traffic Violation Total: 5,257

Alaska Native/American Indian	26
Asian/Pacific Islander	143
Black	1,211
White	2,742
Hispanic/Latino	1,135

TIER 2 DATA

Vehicle Traffic Violation Total: 1,782

Alaska Native/American Indian	6
Asian/Pacific Islander	29
Black	466
White	1,018
Hispanic/Latino	263

WAS SEARCH CONDUCTED?

	YES	NO
Alaska Native/American Indian	0	32
Asian/Pacific Islander	3	171
Black	36	1,808
White	39	4,261
Hispanic/Latino	13	1,408
TOTAL	91	7,680

REASON FOR SEARCH?

Consent Total: 7

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	1
White	5
Hispanic/Latino	1

Contraband (in plain view) Total: 0

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	0
Hispanic/Latino	0

Probable Cause Total: 72

Alaska Native/American Indian	0
Asian/Pacific Islander	2
Black	32
White	28
Hispanic/Latino	10

Inventory Total: 3

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	1
White	2
Hispanic/Latino	0

Incident to Arrest Total: 9

Alaska Native/American Indian	0
Asian/Pacific Islander	1
Black	2
White	4
Hispanic/Latino	2

TIER 2 DATA

WAS CONTRABAND DISCOVERED?

	YES	NO
Alaska Native/American Indian	0	0
Asian/Pacific Islander	2	1
Black	15	21
White	20	19
Hispanic/Latino	8	5
TOTAL	45	46

Did the finding result in arrest?

	YES	NO
Alaska Native/American Indian	0	0
Asian/Pacific Islander	2	0
Black	11	4
White	13	7
Hispanic/Latino	3	5
TOTAL	29	16

DESCRIPTION OF CONTRABAND

Drugs Total: 35

Alaska Native/American Indian	0
Asian/Pacific Islander	2
Black	15
White	13
Hispanic/Latino	5

Currency Total: 0

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	0
Hispanic/Latino	0

Weapons Total: 2

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	2
Hispanic/Latino	0

Alcohol Total: 1

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	0
Hispanic/Latino	1

TIER 2 DATA

Stolen Property Total: 0

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	0
Hispanic/Latino	0

Other Total: 7

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	5
Hispanic/Latino	2

RESULT OF THE STOP

Verbal Warning Total: 4,809

Alaska Native/American Indian	8
Asian/Pacific Islander	113
Black	1,131
White	2,867
Hispanic/Latino	690

Written Warning Total: 737

Alaska Native/American Indian	19
Asian/Pacific Islander	20
Black	187
White	357
Hispanic/Latino	154

Citation Total: 2,125

Alaska Native/American Indian	5
Asian/Pacific Islander	38
Black	480
White	1,034
Hispanic/Latino	568

Written Warning and Arrest Total: 1

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	1
White	0
Hispanic/Latino	0

Citation and Arrest Total: 12

Alaska Native/American Indian	0
Asian/Pacific Islander	1
Black	5
White	5
Hispanic/Latino	1

Arrest Total: 87

Alaska Native/American Indian	0
Asian/Pacific Islander	2
Black	40
White	37
Hispanic/Latino	8

TIER 2 DATA

ARREST BASED ON

Violation of Penal Code Total: 37

Alaska Native/American Indian	0
Asian/Pacific Islander	2
Black	15
White	17
Hispanic/Latino	3

Violation of Traffic Law Total: 2

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	1
Hispanic/Latino	1

Violation of City Ordinance Total: 0

Alaska Native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	0
Hispanic/Latino	0

Outstanding Warrant Total: 61

Alaska Native/American Indian	0
Asian/Pacific Islander	1
Black	31
White	24
Hispanic/Latino	5

Was physical force used resulting in bodily injury during the stop?

	YES	NO
Alaska Native/American Indian	0	32
Asian/Pacific Islander	0	174
Black	0	1,844
White	0	4,300
Hispanic/Latino	0	1,421
TOTAL	0	7,771

Tables Illustrating Motor Vehicle Related Contact Data

Table 1. Citations and Warnings

Race/ Ethnicity	All Contacts	Citations	Verbal Warning	Written Warning	Contact Percent	Citation Percent	Verbal Percent	Written Percent
Alaska Native/ American Indian	32	5	8	19	0%	0%	0%	3%
Asian/ Pacific Islander	174	39	113	20	2%	2%	2%	3%
Black	1,844	485	1,131	187	24%	23%	24%	25%
White	4,300	1,039	2,867	357	55%	49%	60%	48%
Hispanic/ Latino	1,421	569	690	154	18%	27%	14%	21%
TOTAL	7,771	2,137	4,809	737	100%	100%	100%	100%

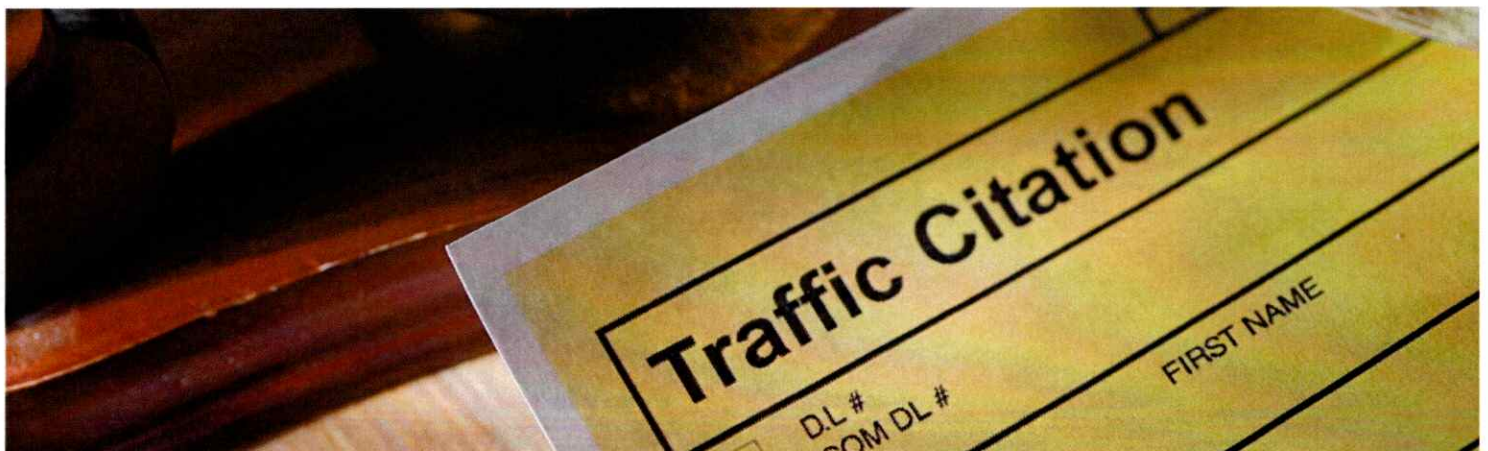


Table 2. Motor Vehicle Contacts and Fair Roads Standard Comparison

Comparison of motor vehicle-related contacts with households that have vehicle access.

Race/Ethnicity	Contact Percentage	Households with Vehicle Access
Alaska Native/American Indian	0%	0%
Asian/Pacific Islander	2%	5%
Black	24%	14%
White	55%	60%
Hispanic/Latino	18%	19%
TOTAL	100%	98%

Table 3. Motor Vehicle Searches and Arrests.

Race/Ethnicity	Searches	Consent Searches	Arrests
Alaska Native/American Indian	0	0	0
Asian/Pacific Islander	3	0	3
Black	36	1	46
White	39	5	42
Hispanic/Latino	13	1	9
TOTAL	91	7	100

Table 4. Instances Where Peace Officers Used Physical Force Resulting in Bodily Injury

Instances Where Peace Officers Used Physical Force that Resulted in Bodily Injury	Arrest	Location of Stop	Reason for Stop

Table 5. Search Data

Race/ Ethnicity	Searches	Contraband Found Yes	Contraband Found No	Arrests	Percent Searches	Percent Contraband Found	Percent No Contraband	Percent Arrest
Alaska Native/ American Indian	0	0	0	0	0%	0%	0%	0%
Asian/ Pacific Islander	3	2	1	3	3%	4%	2%	3%
Black	36	15	21	46	40%	33%	46%	46%
White	39	20	19	42	43%	44%	41%	42%
Hispanic/ Latino	13	8	5	9	14%	18%	11%	9%
TOTAL	91	45	46	100	100%	100%	100%	100%

Table 6. Report on Audits.

The following table contains data regarding the number and outcome of required data audits during the period of 1/1/24-12/31/24.

Audit Data	Number of Data Audits Completed	Date of Completion	Outcome of Audit
1	1	03/01/24	Data was valid and reliable
2	1	06/01/24	Data was valid and reliable
3	1	09/01/24	Data was valid and reliable
4	1	12/01/24	Data was valid and reliable

ADDITIONAL COMMENTS:

Table 7. Instance Where Force Resulted in Bodily Injury.

Race/Ethnicity	Number	Percent
Alaska Native/American Indian	0	0%
Asian/Pacific Islander	0	0%
Black	0	0%
White	0	0%
Hispanic/Latino	0	0%
TOTAL	0	0%

Table 8. Reason for Arrests from Vehicle Contact

Race/ Ethnicity	Violation of Penal Code	Violation of Traffic Law	Violation of City Ordinance	Outstanding Warrant	Percent Penal Code	Percent Traffic Law	Percent City Ordinance	Percent Warrant
Alaska Native/ American Indian	0	0	0	0	0%	0%	0%	0%
Asian/ Pacific Islander	2	0	0	1	5%	0%	0%	2%
Black	15	0	0	31	41%	0%	0%	51%
White	17	1	0	24	46%	50%	0%	39%
Hispanic/ Latino	3	1	0	5	8%	50%	0%	8%
TOTAL	37	2	0	61	100%	100%	0%	100%

Table 9. Contraband Hit Rate

Race/ Ethnicity	Searches	Contraband Found Yes	Contraband Hit Rate	Search Percent	Contraband Percent
Alaska Native/ American Indian	0	0	0%	0%	0%
Asian/ Pacific Islander	3	2	67%	3%	4%
Black	36	15	42%	40%	33%
White	39	20	51%	43%	44%
Hispanic/Latino	13	8	62%	14%	18%

Analysis and Interpretation of Data

As previously noted, in 2001, the Texas Legislature passed Senate Bill 1074, which eventually became the Texas Racial Profiling Law. This particular law came into effect on January 1, 2002, and required all police departments in Texas to collect traffic-related data and report this information to their local governing authority by March 1 of each year. This version of the law remained in place until 2009, when it was modified to include the collection and reporting of all motor vehicle-related contacts in which a citation was issued, or an arrest was made. Further, the modification to the law further requires that all police officers indicate whether or not they knew the race or ethnicity of the individuals before detaining them. In addition, it became a requirement that agencies report motor vehicle-related data to their local governing authority and to the Texas Commission on Law Enforcement (TCOLE) by March 1 of each year. The purpose in collecting and disclosing this information is to determine if police officers in any particular municipality are engaging in the practice of racially profiling minority motorists.

One of the main requirements of the law is that police departments interpret motor vehicle-related data. Even though most researchers would likely agree that it is within the confines of good practice for police departments to be accountable to the citizenry while carrying a transparent image before the community, it is in fact very difficult to determine if individual police officers are engaging in racial profiling from a review and analysis of aggregate/institutional data. In other words, it is challenging for a reputable researcher to identify specific "individual" racist behavior from aggregate-level "institutional" data on traffic or motor vehicle-related contacts.

As referenced earlier, in 2009 the Texas Legislature passed House Bill 3389, which modified the Racial Profiling Law by adding new requirements; this took effect on January 1, 2010. The changes included, but are not limited to, the re-definition of a contact to include motor vehicle-related contacts in which a citation was issued, or an arrest was made. In addition, it required police officers to indicate if they knew the race or ethnicity of the individual before detaining them. The 2009 law also required adding "Middle Eastern" to the racial and ethnic category and submitting the annual data report to TCOLE before March 1 of each year.

In 2017, the Texas Legislators passed HB 3051 which removed the Middle Eastern data requirement while standardizing the racial and ethnic categories relevant to the individuals that came in contact with police. In addition, the Sandra Bland Act (SB 1849) was passed and became law. Thus, the most significant legislative mandate (Sandra Bland Act) in Texas history regarding data requirements on law enforcement contacts became law and took effect on January 1, 2018. The Sandra Bland Act not only currently requires the extensive collection of data relevant to police motor vehicle contacts, but it also mandates for the data to be analyzed while addressing the following:

1. A comparative analysis of the information compiled (under Article 2.133):

- a. Evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities;*
- b. Examine the disposition of motor vehicle stops made by officers employed by the agency, categorized according to the race or ethnicity of the affected persons, as appropriate, including any searches resulting from stops within the applicable jurisdiction;*
- c. Evaluate and compare the number of searches resulting from motor vehicle stops within the applicable jurisdiction and whether contraband or other evidence was discovered in the course of those searches.*

2. Information related to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

In an effort to comply with The Texas Racial Profiling/Sandra Bland Law, the Kennedale Police Department commissioned the analysis of its 2024 contact data. Hence, two different types of data analyses were performed. The first of these involved a careful evaluation of the 2024 motor vehicle-related data. This particular analysis measured, as required by law, the number and percentage of Whites, Blacks, Hispanics or Latinos, Asians and Pacific Islanders, Alaska Natives and American Indians, who came in contact with police in the course of a motor vehicle-related contact and were either issued a ticket, citation, or warning or an arrest was made. Also included in this data were instances when a motor vehicle contact took place for an alleged violation of the law or ordinance. The Tier 2 data analysis included, but was not limited to, information relevant to the number and percentage of contacts by race/ethnicity, gender, reason for the stop, location of stop, searches while indicating the type of search performed, result of stop, basis of an arrest, and use of physical force resulting in bodily injury.

The analysis on the data performed in this report, was based on a comparison of the 2024 motor vehicle contact data with a specific baseline. When reading this particular analysis, one should consider that there is disagreement in the literature regarding the appropriate baseline to be used when analyzing motor vehicle-related contact information. Of the baseline measures available, the Kennedale Police Department agreed with our recommendation to rely in part, as a baseline measure, on the Fair Roads Standard. This particular baseline is established on data obtained through the U.S. Census Bureau (2020) relevant to the number of households that have access to vehicles while controlling for the race and ethnicity of the heads of households.

It should be noted that the census data presents challenges to any effort made at establishing a fair and accurate racial profiling analysis. That is, census data contains information on all residents of a particular community, regardless whether they are among the driving population. Further, census data, when used as a baseline of comparison, presents the challenge that it captures information related to city residents only, thus excluding individuals who may have come in contact with the Kennedale Police Department in 2024 but live outside city limits. In some jurisdictions the percentage of the population that comes in contact with the police but lives outside city limits represents a substantial volume of all motor vehicle-related contacts made in a given year.

In 2002, major civil rights groups in Texas expressed their concern and made recommendations to the effect that all police departments should rely, in their data analysis, on the Fair Roads Standard. This source contains census data specific to the number of "households" that have access to vehicles. Thus, proposing to compare "households" (which may have multiple residents and only a few vehicles) with "contacts" (an individual-based count). In essence this constitutes a comparison that may result in ecological fallacy. Despite this risk, as noted earlier, the Kennedale Police Department accepted the recommendation to utilize this form of comparison (i.e., census data relevant to households with vehicles) in an attempt to demonstrate its "good will" and "transparency" before the community. Thus, the Fair Roads Standard data obtained and used in this study is specifically relevant to the Dallas Fort-Worth (DFW) Metroplex.

Tier 2 (2024) Motor Vehicle-Related Contact Analysis

When examining the enhanced and more detailed Tier 2 data collected in 2024, it was evident that most motor vehicle-related contacts were made with Whites, followed by Blacks. Of those who came in contact with police, most tickets or citations were issued to Whites and Hispanics; this was followed by Blacks. However, in terms of written warnings, most of these were issued to Whites, followed by Blacks.

While reviewing searches and arrests, the data showed that most searches took place among Whites. When considering all searches, most were consented by Whites, while most custody arrests were of Blacks. Overall, most searches did not result in contraband; of those that produced contraband, most were of Whites; this was followed by Blacks. Of the searches that did not produce contraband, most were of Blacks. Most arrests were made of Blacks. Most of the arrests that originated from a violation of the penal code involved Whites. Overall, the police department does not report any instances where force was used that resulted in bodily injury.

Comparative Analysis

A comprehensive analysis of the motor vehicle contacts made in 2024 to the census data relevant to the number of "households" in DFW who indicated in the 2020 census that they had access to vehicles, produced interesting findings. Specifically, the percentage of Whites, Hispanics, Asians, and American Indians who came in contact with police was the same or lower than the percentage of White, Hispanic, Asian, and American Indian households in DFW that claimed in the last census to have access to vehicles. The opposite was true of Blacks. That is, a higher percentage of Blacks came in contact with police than the percentage of Black households in DFW that claimed in the last census to have access to vehicles..

The comprehensive analysis of the searches resulting in contraband shows that the most significant contraband hit rate is of Asians. This was followed by Hispanics and Whites. This means that among all searches performed in 2024, the most significant percentage of these that resulted in contraband was among Asians. The lowest contraband hit rate was among Blacks.

Summary of Findings

As previously noted, the most recent Texas Racial Profiling Law requires that police departments perform data audits in order to validate the data being reported. Consistent with this requirement, the Kennedale Police Department has engaged del Carmen Consulting, LLC in order to perform these audits in a manner consistent with normative statistical practices. As shown in Table 6, the audit performed reveals that the data is valid and reliable. Further, as required by law, this report also includes an analysis on the searches performed. This analysis includes information on whether contraband was found as a result of the search while controlling for race/ethnicity. The search analysis demonstrates that the police department is engaging in search practices consistent with national trends in law enforcement.

While considering the findings produced as a result of this analysis, it is recommended that the Kennedale Police Department should continue to collect and evaluate additional information on motor vehicle contact data (i.e., reason for probable cause searches, contraband detected), which may prove to be useful when determining the nature of the contacts police officers are making with all individuals.

As part of this effort, the Kennedale Police Department should continue to:

- 1) Perform an independent analysis on contact and search data in the upcoming year.
- 2) Commission data audits in 2025 in order to assess data integrity; that is, to ensure that the data collected is consistent with the data being reported.

The comprehensive data analysis performed serves as evidence that the Kennedale Police Department has complied with the Texas Racial Profiling Law and all of its requirements. Further, the report demonstrates that the police department has incorporated a comprehensive racial profiling policy, currently offers information to the public on how to file a compliment or complaint, commissions quarterly data audits in order to ensure validity and reliability, collects and commissions the analysis of Tier 2 data, and ensures that the practice of racial profiling will not be accepted or tolerated.

Checklist

The following requirements were met by the Kennedale Police Department in accordance with The Texas Racial Profiling Law:

- ✓ Implement a Racial Profiling Policy citing act or actions that constitute racial profiling.
- ✓ Include in the racial profiling policy, a statement indicating prohibition of any peace officer employed by the Kennedale Police Department from engaging in racial profiling.
- ✓ Implement a process by which an individual may file a complaint regarding racial profiling violations.
- ✓ Provide public education related to the compliment and complaint process.
- ✓ Implement disciplinary guidelines for officers found in violation of the Texas Racial Profiling Law.
- ✓ Collect, report and analyze motor vehicle data (Tier 2).
- ✓ Commission Data Audits and a Search Analysis.
- ✓ Indicate total number of officers who knew and did not know, the race/ethnicity of individuals before being detained.
- ✓ Produce an annual report on police contacts (Tier 2) and present this to the local governing body and TCOLE by March 1, 2025.
- ✓ Adopt a policy, if video/audio equipment is installed, on standards for reviewing video and audio documentation.

Legislative & Administrative



TCOLE GUIDELINES

Guidelines for Compiling and Reporting Data under Senate Bill 1074

Background

Senate Bill 1074 of the 77th Legislature established requirements in the Texas Code of Criminal Procedure (TCCP) for law enforcement agencies. The Commission developed this document to assist agencies in complying with the statutory requirements.

The guidelines are written in the form of standards using a style developed from accreditation organizations including the Commission on Accreditation for Law Enforcement Agencies (CALEA). The standards provide a description of *what* must be accomplished by an agency but allows wide latitude in determining *how* the agency will achieve compliance with each applicable standard.

Each standard is composed of two parts: the standard statement and the commentary. The *standard statement* is a declarative sentence that places a clear-cut requirement, or multiple requirements, on an agency. The commentary supports the standard statement but is not binding. The commentary can serve as a prompt, as guidance to clarify the intent of the standard, or as an example of one possible way to comply with the standard.

Standard 1

Each law enforcement agency has a detailed written directive that:

- clearly defines acts that constitute racial profiling;
- strictly prohibits peace officers employed by the agency from engaging in racial profiling;
- implements a process by which an individual may file a complaint with the agency if the individual believes a peace officer employed by the agency has engaged in racial profiling with respect to the individual filing the complaint;
- provides for public education relating to the complaint process;
- requires appropriate corrective action to be taken against a peace officer employed by the agency who, after investigation, is shown to have engaged in racial profiling in violation of the agency's written racial profiling policy; and
- requires the collection of certain types of data for subsequent reporting.

Commentary

Article 2.131 of the TCCP prohibits officers from engaging in racial profiling, and article 2.132 of the TCCP now requires a written policy that contains the elements listed in this standard. The article also specifically defines a law enforcement agency as it applies to this statute as an "agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make traffic stops in the routine performance of the officers' official duties."

The article further defines race or ethnicity as being of "a particular descent, including Caucasian, African, Hispanic, Asian, or Native American." The statute does not limit the required policies to just these ethnic groups.

This written policy is to be adopted and implemented no later than January 1, 2002.

Standard 2

Each peace officer who stops a motor vehicle for an alleged violation of a law or ordinance regulating traffic, or who stops a pedestrian for any suspected offense reports to the employing law enforcement agency information relating to the stop, to include:

- a physical description of each person detained, including gender and the person's race or ethnicity, as stated by the person, or, if the person does not state a race or ethnicity, as determined by the officer's best judgment;
- the traffic law or ordinance alleged to have been violated or the suspected offense;
- whether the officer conducted a search as a result of the stop and, if so, whether the person stopped consented to the search;
- whether any contraband was discovered in the course of the search, and the type of contraband discovered;
- whether probable cause to search existed, and the facts supporting the existence of that probable cause;
- whether the officer made an arrest as a result of the stop or the search, including a statement of the offense charged;
- the street address or approximate location of the stop; and
- whether the officer issued a warning or citation as a result of the stop, including a description of the warning or a statement of the violation charged.

Commentary

The information required by 2.133 TCCP is used to complete the agency reporting requirements found in Article 2.134. A peace officer and an agency may be exempted from this requirement under Article 2.135 TCCP Exemption for Agencies Using Video and Audio Equipment. An agency may be exempt from this reporting requirement by applying for the funds from the Department of Public Safety for video and audio equipment and the State does not supply those funds. Section 2.135 (a)(2) states, "the governing body of the county or municipality served by the law enforcement agency, in conjunction with the law enforcement agency, certifies to the Department of Public Safety, not later than the date specified by rule by the department, that the law enforcement agency needs funds or video and audio equipment for the purpose of installing video and audio equipment as described by Subsection (a) (1) (A) and the agency does not receive from the state funds for video and audio equipment sufficient, as determined by the department, for the agency to accomplish that purpose."

Standard 3

The agency compiles the information collected under 2.132 and 2.133 and analyzes the information identified in 2.133.

Commentary

Senate Bill 1074 from the 77th Session of the Texas Legislature created requirements for law enforcement agencies to gather specific information and to report it to each county or municipality served. New sections of law were added to the Code of Criminal Procedure regarding the reporting of traffic and pedestrian stops. Detained is defined as when a person stopped is not free to leave.

Article 2.134 TCCP requires the agency to compile and provide an analysis of the information collected by peace officer employed by the agency. The report is provided to the governing body of the municipality or county no later than March 1 of each year and covers the previous calendar year.

There is data collection and reporting required based on Article 2.132 CCP (tier one) and Article 2.133 CCP (tier two).

The minimum requirements for "tier one" data for traffic stops in which a citation results are:

- 1) the race or ethnicity of individual detained (race and ethnicity as defined by the bill means of "a particular descent, including Caucasian, African, Hispanic, Asian, or Native American");
- 2) whether a search was conducted, and if there was a search, whether it was a consent search or a probable cause search; and
- 3) whether there was a custody arrest.

The minimum requirements for reporting on "tier two" reports include traffic and pedestrian stops. Tier two data include:

- 1) the detained person's gender and race or ethnicity;
- 2) the type of law violation suspected, e.g., hazardous traffic, non-hazardous traffic, or other criminal investigation (the Texas Department of Public Safety publishes a categorization of traffic offenses into hazardous or non-hazardous);
- 3) whether a search was conducted, and if so whether it was based on consent or probable cause;
- 4) facts supporting probable cause;
- 5) the type, if any, of contraband that was collected;
- 6) disposition of the stop, e.g., arrest, ticket, warning, or release;
- 7) location of stop; and
- 8) statement of the charge, e.g., felony, misdemeanor, or traffic.

Tier one reports are made to the governing body of each county or municipality served by the agency an annual report of information if the agency is an agency of a county, municipality, or other political subdivision of the state. Tier one and two reports are reported to the county or municipality not later than March 1 for the previous calendar year beginning March 1, 2003. Tier two reports include a comparative analysis between the race and ethnicity of persons detained to see if a differential pattern of treatment can be discerned based on the disposition of stops

including searches resulting from the stops. The reports also include information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling. An agency may be exempt from the tier two reporting requirement by applying for the funds from the Department of Public Safety for video and audio equipment and the State does not supply those funds [See 2.135 (a)(2) TCCP].

Reports should include both raw numbers and percentages for each group. Caution should be exercised in interpreting the data involving percentages because of statistical distortions caused by very small numbers in any particular category, for example, if only one American Indian is stopped and searched, that stop would not provide an accurate comparison with 200 stops among Caucasians with 100 searches. In the first case, a 100% search rate would be skewed data when compared to a 50% rate for Caucasians.

Standard 4

If a law enforcement agency has video and audio capabilities in motor vehicles regularly used for traffic stops, or audio capabilities on motorcycles regularly used to make traffic stops, the agency:

- adopts standards for reviewing and retaining audio and video documentation; and
- promptly provides a copy of the recording to a peace officer who is the subject of a complaint on written request by the officer.

Commentary

The agency should have a specific review and retention policy. Article 2.132 TCCP specifically requires that the peace officer be promptly provided with a copy of the audio or video recordings if the officer is the subject of a complaint and the officer makes a written request.

Standard 5

Agencies that do not currently have video or audio equipment must examine the feasibility of installing such equipment.

Commentary

None

Standard 6

Agencies that have video and audio recording capabilities are exempt from the reporting requirements of Article 2.134 TCCP and officers are exempt from the reporting requirements of Article 2.133 TCCP provided that:

- the equipment was in place and used during the proceeding calendar year; and
- video and audio documentation is retained for at least 90 days.

Commentary

The audio and video equipment and policy must have been in place during the previous calendar year. Audio and video documentation must be kept for at least 90 days or longer if a complaint has been filed. The documentation must be retained until the complaint is resolved. Peace officers are not exempt from the requirements under Article 2.132 TCCP.

Standard 7

Agencies have citation forms or other electronic media that comply with Section 543.202 of the Transportation Code.

Commentary

Senate Bill 1074 changed Section 543.202 of the Transportation Code requiring citations to include:

- race or ethnicity, and
- whether a search of the vehicle was conducted and whether consent for the search was obtained.

The Texas Law on Racial Profiling

S.B. No. 1074 - An Act relating to the prevention of racial profiling by certain peace officers.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 2, Code of Criminal Procedure, is amended by adding Articles 2.131 through 2.138 to read as follows:

Art. 2.131. RACIAL PROFILING PROHIBITED. A peace officer may not engage in racial profiling.

Art. 2.132. LAW ENFORCEMENT POLICY ON RACIAL PROFILING. (a) In this article:

(1) "Law enforcement agency" means an agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make traffic stops in the routine performance of the officers' official duties.

(2) "Race or ethnicity" means of a particular descent, including Caucasian, African, Hispanic, Asian, or Native American descent.

(b) Each law enforcement agency in this state shall adopt a detailed written policy on racial profiling. The policy must:

(1) clearly define acts constituting racial profiling;

(2) strictly prohibit peace officers employed by the agency from engaging in racial profiling;

(3) implement a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual;

(4) provide public education relating to the agency's complaint process;

(5) require appropriate corrective action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in racial profiling in violation of the agency's policy adopted under this article;

(6) require collection of information relating to traffic stops in which a citation is issued and to arrests resulting from those traffic stops, including information relating to:

(A) the race or ethnicity of the individual detained; and

(B) whether a search was conducted and, if so, whether the person detained consented to the search; and

(7) require the agency to submit to the governing body of each county or municipality served by the agency an annual report of the information collected under Subdivision (6) if the agency is an agency of a county, municipality, or other political subdivision of the state.

(c) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.

(d) On adoption of a policy under Subsection (b), a law enforcement agency shall examine the feasibility of installing video camera and transmitter-activated equipment in each agency law enforcement motor vehicle regularly used to make traffic stops and transmitter-activated equipment in each agency law enforcement motorcycle regularly used to make traffic stops. If a law enforcement agency installs video or audio equipment as provided by this subsection, the

policy adopted by the agency under Subsection (b) must include standards for reviewing video and audio documentation.

(e) A report required under Subsection (b)(7) may not include identifying information about a peace officer who makes a traffic stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the collection of information as required by a policy under Subsection (b)(6).

(f) On the commencement of an investigation by a law enforcement agency of a complaint described by Subsection (b)(3) in which a video or audio recording of the occurrence on which the complaint is based was made, the agency shall promptly provide a copy of the recording to the peace officer who is the subject of the complaint on written request by the officer.

Art. 2.133. REPORTS REQUIRED FOR TRAFFIC AND PEDESTRIAN STOPS. (a) In this article:

(1) "Race or ethnicity" has the meaning assigned by Article 2.132(a).

(2) "Pedestrian stop" means an interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.

(b) A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance regulating traffic or who stops a pedestrian for any suspected offense shall report to the law enforcement agency that employs the officer information relating to the stop, including:

(1) a physical description of each person detained as a result of the stop, including:

(A) the person's gender; and

(B) the person's race or ethnicity, as stated by the person or, if the person does not state the person's race or ethnicity, as determined by the officer to the best of the officer's ability;

(2) the traffic law or ordinance alleged to have been violated or the suspected offense;

(3) whether the officer conducted a search as a result of the stop and, if so, whether the person detained consented to the search;

(4) whether any contraband was discovered in the course of the search and the type of contraband discovered;

(5) whether probable cause to search existed and the facts supporting the existence of that probable cause;

(6) whether the officer made an arrest as a result of the stop or the search, including a statement of the offense charged;

(7) the street address or approximate location of the stop; and

(8) whether the officer issued a warning or a citation as a result of the stop, including a description of the warning or a statement of the violation charged.

Art. 2.134. COMPILATION AND ANALYSIS OF INFORMATION COLLECTED.

(a) In this article, "pedestrian stop" means an interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.

(b) A law enforcement agency shall compile and analyze the information contained in each report received by the agency under Article 2.133. Not later than March 1 of each year, each local law enforcement agency shall submit a report containing the information compiled

during the previous calendar year to the governing body of each county or municipality served by the agency in a manner approved by the agency.

(c) A report required under Subsection (b) must include:

(1) a comparative analysis of the information compiled under Article 2.133 to:

(A) determine the prevalence of racial profiling by peace officers employed by the agency; and
(B) examine the disposition of traffic and pedestrian stops made by officers employed by the agency, including searches resulting from the stops; and

(2) information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

(d) A report required under Subsection (b) may not include identifying information about a peace officer who makes a traffic or pedestrian stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the reporting of information required under Article 2.133(b)(1).

(e) The Commission on Law Enforcement Officer Standards and Education shall develop guidelines for compiling and reporting information as required by this article.

(f) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.

Art. 2.135. EXEMPTION FOR AGENCIES USING VIDEO AND AUDIO EQUIPMENT. (a) A peace officer is exempt from the reporting requirement under Article 2.133 and a law enforcement agency is exempt from the compilation, analysis, and reporting requirements under Article 2.134 if:

(1) during the calendar year preceding the date that a report under Article 2.134 is required to be submitted:

(A) each law enforcement motor vehicle regularly used by an officer employed by the agency to make traffic and pedestrian stops is equipped with video camera and transmitter-activated equipment and each law enforcement motorcycle regularly used to make traffic and pedestrian stops is equipped with transmitter-activated equipment; and

(B) each traffic and pedestrian stop made by an officer employed by the agency that is capable of being recorded by video and audio or audio equipment, as appropriate, is recorded by using the equipment; or

(2) the governing body of the county or municipality served by the law enforcement agency, in conjunction with the law enforcement agency, certifies to the Department of Public Safety, not later than the date specified by rule by the department, that the law enforcement agency needs funds or video and audio equipment for the purpose of installing video and audio equipment as described by Subsection (a)(1)(A) and the agency does not receive from the state funds or video and audio equipment sufficient, as determined by the department, for the agency to accomplish that purpose.

(b) Except as otherwise provided by this subsection, a law enforcement agency that is exempt from the requirements under Article 2.134 shall retain the video and audio or audio documentation of each traffic and pedestrian stop for at least 90 days after the date of the stop. If a complaint is filed with the law enforcement agency alleging that a peace officer employed by the agency has engaged in racial profiling with respect to a traffic or pedestrian stop, the agency shall retain the video and audio or audio record of the stop until final disposition of the complaint.

(c) This article does not affect the collection or reporting requirements under Article 2.132.

Art. 2.136. LIABILITY. A peace officer is not liable for damages arising from an act relating to the collection or reporting of information as required by Article 2.133 or under a policy adopted under Article 2.132.

Art. 2.137. PROVISION OF FUNDING OR EQUIPMENT.

(a) The Department of Public Safety shall adopt rules for providing funds or video and audio equipment to law enforcement agencies for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), including specifying criteria to prioritize funding or equipment provided to law enforcement agencies. The criteria may include consideration of tax effort, financial hardship, available revenue, and budget surpluses. The criteria must give priority to:

(1) law enforcement agencies that employ peace officers whose primary duty is traffic enforcement;

(2) smaller jurisdictions; and

(3) municipal and county law enforcement agencies.

(b) The Department of Public Safety shall collaborate with an institution of higher education to identify law enforcement agencies that need funds or video and audio equipment for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A). The collaboration may include the use of a survey to assist in developing criteria to prioritize funding or equipment provided to law enforcement agencies.

(c) To receive funds or video and audio equipment from the state for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency needs funds or video and audio equipment for that purpose.

(d) On receipt of funds or video and audio equipment from the state for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency has installed video and audio equipment as described by Article 2.135(a)(1)(A) and is using the equipment as required by Article 2.135(a)(1).

Art. 2.138. RULES. The Department of Public Safety may adopt rules to implement Articles 2.131-2.137.

SECTION 2. Chapter 3, Code of Criminal Procedure, is amended by adding Article 3.05 to read as follows:

Art. 3.05. RACIAL PROFILING. In this code, "racial profiling" means a law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity.

SECTION 3. Section 96.641, Education Code, is amended by adding Subsection (j) to read as follows:

(j) As part of the initial training and continuing education for police chiefs required under this section, the institute shall establish a program on racial profiling. The program must include an examination of the best practices for:

(1) monitoring peace officers' compliance with laws and internal agency policies relating to racial profiling;

(2) implementing laws and internal agency policies relating to preventing racial profiling;
and

(3) analyzing and reporting collected information.

SECTION 4. Section 1701.253, Occupations Code, is amended by adding Subsection (e) to read as follows:

(e) As part of the minimum curriculum requirements, the commission shall establish a statewide comprehensive education and training program on racial profiling for officers licensed under this chapter. An officer shall complete a program established under this subsection not later than the second anniversary of the date the officer is licensed under this chapter or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier.

SECTION 5. Section 1701.402, Occupations Code, is amended by adding Subsection (d) to read as follows:

(d) As a requirement for an intermediate proficiency certificate, an officer must complete an education and training program on racial profiling established by the commission under Section 1701.253(e).

SECTION 6. Section 543.202, Transportation Code, is amended to read as follows:

Sec. 543.202. FORM OF RECORD. (a) In this section, "race or ethnicity" means of a particular descent, including Caucasian, African, Hispanic, Asian, or Native American descent.

(b) The record must be made on a form or by a data processing method acceptable to the department and must include:

(1) the name, address, physical description, including race or ethnicity, date of birth, and driver's license number of the person charged;

(2) the registration number of the vehicle involved;

(3) whether the vehicle was a commercial motor vehicle as defined by Chapter 522 or was involved in transporting hazardous materials;

(4) the person's social security number, if the person was operating a commercial motor vehicle or was the holder of a commercial driver's license or commercial driver learner's permit;

(5) the date and nature of the offense, including whether the offense was a serious traffic violation as defined by Chapter 522;

(6) whether a search of the vehicle was conducted and whether consent for the search was obtained;

(7) the plea, the judgment, and whether bail was forfeited;

(8) [(7)] the date of conviction; and

(9) [(8)] the amount of the fine or forfeiture.

SECTION 7. Not later than January 1, 2002, a law enforcement agency shall adopt and implement a policy and begin collecting information under the policy as required by Article 2.132, Code of Criminal Procedure, as added by this Act. A local law enforcement agency shall first submit information to the governing body of each county or municipality served by the agency as required by Article 2.132, Code of Criminal Procedure, as added by this Act, on March 1, 2003. The first submission of information shall consist of information compiled by the agency during the period beginning January 1, 2002, and ending December 31, 2002.

SECTION 8. A local law enforcement agency shall first submit information to the governing body of each county or municipality served by the agency as required by Article 2.134, Code of Criminal Procedure, as added by this Act, on March 1, 2004. The first submission of information shall consist of information compiled by the agency during the period beginning January 1, 2003, and ending December 31, 2003.

SECTION 9. Not later than January 1, 2002:

(1) the Commission on Law Enforcement Officer Standards and Education shall establish an education and training program on racial profiling as required by Subsection (e), Section 1701.253, Occupations Code, as added by this Act; and

(2) the Bill Blackwood Law Enforcement Management Institute of Texas shall establish a program on racial profiling as required by Subsection (j), Section 96.641, Education Code, as added by this Act.

SECTION 10. A person who on the effective date of this Act holds an intermediate proficiency certificate issued by the Commission on Law Enforcement Officer Standards and Education or has held a peace officer license issued by the Commission on Law Enforcement Officer Standards and Education for at least two years shall complete an education and training program on racial profiling established under Subsection (e), Section 1701.253, Occupations Code, as added by this Act, not later than September 1, 2003.

SECTION 11. An individual appointed or elected as a police chief before the effective date of this Act shall complete a program on racial profiling established under Subsection (j), Section 96.641, Education Code, as added by this Act, not later than September 1, 2003.

SECTION 12. This Act takes effect September 1, 2001

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1074 passed the Senate on April 4, 2001, by the following vote: Yeas 28, Nays 2; May 21, 2001, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 22, 2001, House granted request of the Senate; May 24, 2001, Senate adopted Conference Committee Report by a viva-voce vote.

Secretary of the Senate

I hereby certify that S.B. No. 1074 passed the House, with amendments, on May 15, 2001, by a non-record vote; May 22, 2001, House granted request of the Senate for appointment of Conference Committee; May 24, 2001, House adopted Conference Committee Report by a non-record vote.

Chief Clerk of the House

Approved:

Date

Governor

Modifications to the Original Law

(H.B. 3389)

Amend CS HB 3389 (Senate committee report) as follows:

(1) Strike the following SECTIONS of the bill:

(A) SECTION 8, adding Section 1701.164, Occupations Code (page 4, lines 61-66);

(B) SECTION 24, amending Article 2.132(b), Code of Criminal Procedure (page 8, lines 19-53);

(C) SECTION 25, amending Article 2.134(b), Code of Criminal Procedure (page 8, lines 54-64);

(D) SECTION 28, providing transition language for the amendments to Articles 2.132(b) and 2.134(b), Code of Criminal Procedure (page 9, lines 40-47).

(2) Add the following appropriately numbered SECTIONS to the bill and renumber subsequent SECTIONS of the bill accordingly: SECTION _____. Article 2.132, Code of Criminal Procedure, is amended by amending Subsections (a),(b), (d), and (e) and adding Subsection (g) to read as follows:

(a) In this article:

(1) "Law enforcement agency" means an agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make motor vehicle~~[traffic]~~ stops in the routine performance of the officers' official duties.

(2) "Motor vehicle stop" means an occasion in which a peace officer stops a motor vehicle for an alleged violation of a law or ordinance.

(3) "Race or ethnicity" means of a particular descent, including Caucasian, African, Hispanic, Asian, ~~or~~ Native American, or Middle Eastern descent.

(b) Each law enforcement agency in this state shall adopt a detailed written policy on racial profiling. The policy must:

(1) clearly define acts constituting racial profiling;

(2) strictly prohibit peace officers employed by the agency from engaging in racial profiling;

(3) implement a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual;

(4) provide public education relating to the agency's complaint process;

(5) require appropriate corrective action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in racial profiling in violation of the agency's policy adopted under this article;

(6) require collection of information relating to motor vehicle ~~[traffic]~~ stops in which a citation is issued and to arrests made as a result of ~~[resulting from]~~ those ~~[traffic]~~ stops, including information relating to:

(A) the race or ethnicity of the individual detained; and

(B) whether a search was conducted and, if so, whether the individual ~~[person]~~ detained consented to the search; and

(C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual; and

(7) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit ~~[to the governing body of each county or~~

~~municipality served by the agency]~~ an annual report of the information collected under Subdivision (6) to:

(A) the Commission on Law Enforcement Officer Standards and Education; and

(B) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

(d) On adoption of a policy under Subsection (b), a law enforcement agency shall examine the feasibility of installing video camera and transmitter-activated equipment in each agency law enforcement motor vehicle regularly used to make motor vehicle ~~[traffic]~~ stops and transmitter activated equipment in each agency law enforcement motorcycle regularly used to make motor vehicle ~~[traffic]~~ stops. If a law enforcement agency installs video or audio equipment as provided by this subsection, the policy adopted by the agency under Subsection (b) must include standards for reviewing video and audio documentation.

(e) A report required under Subsection (b)(7) may not include identifying information about a peace officer who makes a motor vehicle ~~[traffic]~~ stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the collection of information as required by a policy under Subsection (b)(6).

(g) On a finding by the Commission on Law Enforcement Officer Standards and Education that the chief administrator of a law enforcement agency intentionally failed to submit a report required under Subsection (b)(7), the commission shall begin disciplinary procedures against the chief administrator.

SECTION _____. Article 2.133, Code of Criminal Procedure, is amended to read as follows:

Art. 2.133. REPORTS REQUIRED FOR MOTOR VEHICLE ~~[TRAFFIC AND PEDESTRIAN]~~ STOPS. (a) In this article, "race[":

~~[(1) "Race]~~ or ethnicity" has the meaning assigned by Article 2.132(a).

~~[(2) "Pedestrian stop" means an interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.]~~

(b) A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance ~~[regulating traffic or who stops a pedestrian for any suspected offense]~~ shall report to the law enforcement agency that employs the officer information relating to the stop, including:

(1) a physical description of any ~~[each]~~ person operating the motor vehicle who is detained as a result of the stop, including:

(A) the person's gender; and

(B) the person's race or ethnicity, as stated by the person or, if the person does not state the person's race or ethnicity, as determined by the officer to the best of the officer's ability;

(2) the initial reason for the stop ~~[traffic law or ordinance alleged to have been violated or the suspected offense]~~;

(3) whether the officer conducted a search as a result of the stop and, if so, whether the person detained consented to the search;

(4) whether any contraband or other evidence was discovered in the course of the search and a description ~~[the type]~~ of the contraband or evidence ~~[discovered]~~;

(5) the reason for the search, including whether:

(A) any contraband or other evidence was in plain view;

(B) any probable cause or reasonable suspicion existed to perform the search; or

(C) the search was performed as a result of the towing of the motor vehicle or the arrest of any person in the motor vehicle [existed and the facts supporting the existence of that probable cause];

(6) whether the officer made an arrest as a result of the stop or the search, including a statement of whether the arrest was based on a violation of the Penal Code, a violation of a traffic law or ordinance, or an outstanding warrant and a statement of the offense charged;

(7) the street address or approximate location of the stop; and

(8) whether the officer issued a written warning or a citation as a result of the stop[, including a description of the warning or a statement of the violation charged].

SECTION _____. Article 2.134, Code of Criminal Procedure, is amended by amending Subsections (a) through (e) and adding Subsection (g) to read as follows:

(a) In this article:

(1) "Motor vehicle[, "pedestrian] stop" has the meaning assigned by Article 2.132(a) [means an interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest].

(2) "Race or ethnicity" has the meaning assigned by Article 2.132(a).

(b) A law enforcement agency shall compile and analyze the information contained in each report received by the agency under Article 2.133. Not later than March 1 of each year, each [local] law enforcement agency shall submit a report containing the incident-based data [information] compiled during the previous calendar year to the Commission on Law Enforcement Officer Standards and Education and, if the law enforcement agency is a local law enforcement agency, to the governing body of each county or municipality served by the agency [in a manner approved by the agency].

(c) A report required under Subsection (b) must be submitted by the chief administrator of the law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, and must include:

(1) a comparative analysis of the information compiled under Article 2.133 to:

(A) evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities [determine the prevalence of racial profiling by peace officers employed by the agency]; and

(B) examine the disposition of motor vehicle [traffic and pedestrian] stops made by officers employed by the agency, categorized according to the race or ethnicity of the affected persons, as appropriate, including any searches resulting from [the] stops within the applicable jurisdiction; and

(2) information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

(d) A report required under Subsection (b) may not include identifying information about a peace officer who makes a motor vehicle [traffic or pedestrian] stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the reporting of information required under Article 2.133(b)(1).

(e) The Commission on Law Enforcement Officer Standards and Education, in accordance with Section 1701.162, Occupations Code, shall develop guidelines for compiling and reporting information as required by this article.

(g) On a finding by the Commission on Law Enforcement Officer Standards and Education that the chief administrator of a law enforcement agency intentionally failed to submit a report required under Subsection (b), the commission shall begin disciplinary procedures against the chief administrator.

SECTION _____. Article 2.135, Code of Criminal Procedure, is amended to read as follows:

Art. 2.135. PARTIAL EXEMPTION FOR AGENCIES USING VIDEO AND AUDIO EQUIPMENT. (a) A peace officer is exempt from the reporting requirement under Article 2.133 and the chief administrator of a law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, is exempt from the compilation, analysis, and reporting requirements under Article 2.134 if:

(1) during the calendar year preceding the date that a report under Article 2.134 is required to be submitted:

(A) each law enforcement motor vehicle regularly used by an officer employed by the agency to make motor vehicle ~~[traffic and pedestrian]~~ stops is equipped with video camera and transmitter-activated equipment and each law enforcement motorcycle regularly used to make motor vehicle ~~[traffic and pedestrian]~~ stops is equipped with transmitter-activated equipment; and

(B) each motor vehicle ~~[traffic and pedestrian]~~ stop made by an officer employed by the agency that is capable of being recorded by video and audio or audio equipment, as appropriate, is recorded by using the equipment; or

(2) the governing body of the county or municipality served by the law enforcement agency, in conjunction with the law enforcement agency, certifies to the Department of Public Safety, not later than the date specified by rule by the department, that the law enforcement agency needs funds or video and audio equipment for the purpose of installing video and audio equipment as described by Subsection (a)(1)(A) and the agency does not receive from the state funds or video and audio equipment sufficient, as determined by the department, for the agency to accomplish that purpose.

(b) Except as otherwise provided by this subsection, a law enforcement agency that is exempt from the requirements under Article 2.134 shall retain the video and audio or audio documentation of each motor vehicle ~~[traffic and pedestrian]~~ stop for at least 90 days after the date of the stop. If a complaint is filed with the law enforcement agency alleging that a peace officer employed by the agency has engaged in racial profiling with respect to a motor vehicle ~~[traffic or pedestrian]~~ stop, the agency shall retain the video and audio or audio record of the stop until final disposition of the complaint.

(c) This article does not affect the collection or reporting requirements under Article 2.132.

(d) In this article, "motor vehicle stop" has the meaning assigned by Article 2.132(a).

SECTION _____. Chapter 2, Code of Criminal Procedure, is amended by adding Article 2.1385 to read as follows:

Art. 2.1385. CIVIL PENALTY. (a) If the chief administrator of a local law enforcement agency intentionally fails to submit the incident-based data as required by Article 2.134, the agency is liable to the state for a civil penalty in the amount of \$1,000 for each violation. The attorney general may sue to collect a civil penalty under this subsection.

(b) From money appropriated to the agency for the administration of the agency, the executive director of a state law enforcement agency that intentionally fails to submit the incident-based

data as required by Article 2.134 shall remit to the comptroller the amount of \$1,000 for each violation.

(c) Money collected under this article shall be deposited in the state treasury to the credit of the general revenue fund.

SECTION _____. Subchapter A, Chapter 102, Code of Criminal Procedure, is amended by adding Article 102.022 to read as follows:

Art. 102.022. COSTS ON CONVICTION TO FUND STATEWIDE REPOSITORY FOR DATA RELATED TO CIVIL JUSTICE. (a) In this article, "moving violation" means an offense that:

(1) involves the operation of a motor vehicle; and

(2) is classified as a moving violation by the Department of Public Safety under Section 708.052, Transportation Code.

(b) A defendant convicted of a moving violation in a justice court, county court, county court at law, or municipal court shall pay a fee of 10 cents as a cost of court.

(c) In this article, a person is considered convicted if:

(1) a sentence is imposed on the person;

(2) the person receives community supervision, including deferred adjudication; or

(3) the court defers final disposition of the person's case.

(d) The clerks of the respective courts shall collect the costs described by this article. The clerk shall keep separate records of the funds collected as costs under this article and shall deposit the funds in the county or municipal treasury, as appropriate.

(e) The custodian of a county or municipal treasury shall:

(1) keep records of the amount of funds on deposit collected under this article; and

(2) send to the comptroller before the last day of the first month following each calendar quarter the funds collected under this article during the preceding quarter.

(f) A county or municipality may retain 10 percent of the funds collected under this article by an officer of the county or municipality as a collection fee if the custodian of the county or municipal treasury complies with Subsection (e).

(g) If no funds due as costs under this article are deposited in a county or municipal treasury in a calendar quarter, the custodian of the treasury shall file the report required for the quarter in the regular manner and must state that no funds were collected.

(h) The comptroller shall deposit the funds received under this article to the credit of the Civil Justice Data Repository fund in the general revenue fund, to be used only by the Commission on Law Enforcement Officer Standards and Education to implement duties under Section 1701.162, Occupations Code.

(i) Funds collected under this article are subject to audit by the comptroller.

SECTION _____. (a) Section 102.061, Government Code, as reenacted and amended by Chapter 921 (H.B. 3167), Acts of the 80th Legislature, Regular Session, 2007, is amended to conform to the amendments made to Section 102.061, Government Code, by Chapter 1053 (H.B. 2151), Acts of the 80th Legislature, Regular Session, 2007, and is further amended to read as follows:

Sec. 102.061. ADDITIONAL COURT COSTS ON CONVICTION IN STATUTORY COUNTY COURT: CODE OF CRIMINAL PROCEDURE. The clerk of a statutory county court shall collect fees and costs under the Code of Criminal Procedure on conviction of a defendant as follows:

(1) a jury fee (Art. 102.004, Code of Criminal Procedure) . . . \$20;

(2) a fee for services of the clerk of the court (Art. 102.005, Code of Criminal Procedure) . . . \$40;

- (3) a records management and preservation services fee (Art. 102.005, Code of Criminal Procedure) . . . \$25;
- (4) a security fee on a misdemeanor offense (Art. 102.017, Code of Criminal Procedure) . . . \$3;
- (5) a juvenile delinquency prevention and graffiti eradication fee (Art. 102.0171, Code of Criminal Procedure) . . . \$50 [~~\$5~~]; [~~and~~]
- (6) a juvenile case manager fee (Art. 102.0174, Code of Criminal Procedure) . . . not to exceed \$5; and
- (7) a civil justice fee (Art. 102.022, Code of Criminal Procedure) . . . \$0.10.

(b) Section 102.061, Government Code, as amended by Chapter 1053 (H.B. 2151), Acts of the 80th Legislature, Regular Session, 2007, is repealed. Section 102.061, Government Code, as reenacted and amended by Chapter 921 (H.B. 3167), Acts of the 80th Legislature, Regular Session, 2007, to reorganize and renumber that section, continues in effect as further amended by this section.

SECTION _____. (a) Section 102.081, Government Code, as amended by Chapter 921 (H.B. 3167), Acts of the 80th Legislature, Regular Session, 2007, is amended to conform to the amendments made to Section 102.081, Government Code, by Chapter 1053 (H.B. 2151), Acts of the 80th Legislature, Regular Session, 2007, and is further amended to read as follows:

Sec. 102.081. ADDITIONAL COURT COSTS ON CONVICTION IN COUNTY COURT: CODE OF CRIMINAL PROCEDURE. The clerk of a county court shall collect fees and costs under the Code of Criminal Procedure on conviction of a defendant as follows:

- (1) a jury fee (Art. 102.004, Code of Criminal Procedure) . . . \$20;
- (2) a fee for clerk of the court services (Art. 102.005, Code of Criminal Procedure) . . . \$40;
- (3) a records management and preservation services fee (Art. 102.005, Code of Criminal Procedure) . . . \$25;
- (4) a security fee on a misdemeanor offense (Art. 102.017, Code of Criminal Procedure) . . . \$3;
- (5) a juvenile delinquency prevention and graffiti eradication fee (Art. 102.0171, Code of Criminal Procedure) . . . \$50 [~~\$5~~]; [~~and~~]
- (6) a juvenile case manager fee (Art. 102.0174, Code of Criminal Procedure) . . . not to exceed \$5; and
- (7) a civil justice fee (Art. 102.022, Code of Criminal Procedure) . . . \$0.10.

(b) Section 102.081, Government Code, as amended by Chapter 1053 (H.B. 2151), Acts of the 80th Legislature, Regular Session, 2007, is repealed. Section 102.081, Government Code, as amended by Chapter 921 (H.B. 3167), Acts of the 80th Legislature, Regular Session, 2007, to reorganize and renumber that section, continues in effect as further amended by this section.

SECTION _____. Section 102.101, Government Code, is amended to read as follows:

Sec. 102.101. ADDITIONAL COURT COSTS ON CONVICTION IN JUSTICE COURT: CODE OF CRIMINAL PROCEDURE. A clerk of a justice court shall collect fees and costs under the Code of Criminal Procedure on conviction of a defendant as follows:

- (1) a jury fee (Art. 102.004, Code of Criminal Procedure) . . . \$3;
- (2) a fee for withdrawing request for jury less than 24 hours before time of trial (Art. 102.004, Code of Criminal Procedure) . . . \$3;
- (3) a jury fee for two or more defendants tried jointly (Art. 102.004, Code of Criminal Procedure) . . . one jury fee of \$3;

- (4) a security fee on a misdemeanor offense (Art. 102.017, Code of Criminal Procedure) . . . \$4;
- (5) a fee for technology fund on a misdemeanor offense (Art. 102.0173, Code of Criminal Procedure) . . . \$4;
- (6) a juvenile case manager fee (Art. 102.0174, Code of Criminal Procedure) . . . not to exceed \$5;
- (7) a fee on conviction of certain offenses involving issuing or passing a subsequently dishonored check (Art. 102.0071, Code of Criminal Procedure) . . . not to exceed \$30; ~~and~~
- (8) a court cost on conviction of a Class C misdemeanor in a county with a population of 3.3 million or more, if authorized by the county commissioners court (Art. 102.009, Code of Criminal Procedure) . . . not to exceed \$7; and
- (9) a civil justice fee (Art. 102.022, Code of Criminal Procedure) . . . \$0.10.

SECTION _____. Section 102.121, Government Code, is amended to read as follows:

Sec. 102.121. ADDITIONAL COURT COSTS ON CONVICTION IN MUNICIPAL COURT: CODE OF CRIMINAL PROCEDURE. The clerk of a municipal court shall collect fees and costs on conviction of a defendant as follows:

- (1) a jury fee (Art. 102.004, Code of Criminal Procedure) . . . \$3;
- (2) a fee for withdrawing request for jury less than 24 hours before time of trial (Art. 102.004, Code of Criminal Procedure) . . . \$3;
- (3) a jury fee for two or more defendants tried jointly (Art. 102.004, Code of Criminal Procedure) . . . one jury fee of \$3;
- (4) a security fee on a misdemeanor offense (Art. 102.017, Code of Criminal Procedure) . . . \$3;
- (5) a fee for technology fund on a misdemeanor offense (Art. 102.0172, Code of Criminal Procedure) . . . not to exceed \$4; ~~and~~
- (6) a juvenile case manager fee (Art. 102.0174, Code of Criminal Procedure) . . . not to exceed \$5; and
- (7) a civil justice fee (Art. 102.022, Code of Criminal Procedure) . . . \$0.10.

SECTION _____. Subchapter D, Chapter 1701, Occupations Code, is amended by adding Section 1701.164 to read as follows:

Sec. 1701.164. COLLECTION OF CERTAIN INCIDENT-BASED DATA SUBMITTED BY LAW ENFORCEMENT AGENCIES. The commission shall collect and maintain incident-based data submitted to the commission under Article 2.134, Code of Criminal Procedure, including incident-based data compiled by a law enforcement agency from reports received by the law enforcement agency under Article 2.133 of that code. The commission in consultation with the Department of Public Safety, the Bill Blackwood Law Enforcement Management Institute of Texas, the W. W. Caruth, Jr., Police Institute at Dallas, and the Texas Police Chiefs Association shall develop guidelines for submitting in a standard format the report containing incident-based data as required by Article 2.134, Code of Criminal Procedure.

SECTION _____. Subsection (a), Section 1701.501, Occupations Code, is amended to read as follows:

- (a) Except as provided by Subsection (d), the commission shall revoke or suspend a license, place on probation a person whose license has been suspended, or reprimand a license holder for a violation of:

- (1) this chapter;

(2) the reporting requirements provided by Articles 2.132 and 2.134, Code of Criminal Procedure;
or

(3) a commission rule.

SECTION _____. (a) The requirements of Articles 2.132, 2.133, and 2.134, Code of Criminal Procedure, as amended by this Act, relating to the compilation, analysis, and submission of incident-based data apply only to information based on a motor vehicle stop occurring on or after January 1, 2010.

(b) The imposition of a cost of court under Article 102.022, Code of Criminal Procedure, as added by this Act, applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is covered by the law in effect when the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

Racial and Ethnic Designations

(H.B. 3051)

H.B. No. 3051 - An Act relating to the categories used to record the race or ethnicity of persons stopped for or convicted of traffic offenses.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article 2.132(a)(3), Code of Criminal Procedure, is amended to read as follows:

(3) "Race or ethnicity" means the following categories:

(A) Alaska native or American Indian;

(B) [of a particular descent, including Caucasian, African, Hispanic,] Asian or Pacific Islander;

(C) black;

(D) white; and

(E) Hispanic or Latino ~~[, Native American, or Middle Eastern descent].~~

SECTION 2. Section 543.202(a), Transportation Code, is amended to read as follows:

(a) In this section, "race or ethnicity" means the following categories:

(1) Alaska native or American Indian;

(2) [of a particular descent, including Caucasian, African, Hispanic,] Asian or Pacific Islander;

(3) black;

(4) white; and

(5) Hispanic or Latino ~~[, or Native American descent].~~

SECTION 3. This Act takes effect September 1, 2017.

President of the Senate

Speaker of the House

I certify that H.B. No. 3051 was passed by the House on May 4, 2017, by the following vote: Yeas 143, Nays 2, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3051 was passed by the Senate on May 19, 2017, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor

The Sandra Bland Act

(S.B. 1849)

S.B. No. 1849

An Act relating to interactions between law enforcement and individuals detained or arrested on suspicion of the commission of criminal offenses, to the confinement, conviction, or release of those individuals, and to grants supporting populations that are more likely to interact frequently with law enforcement.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

ARTICLE 1. SHORT TITLE

SECTION 1.01. SHORT TITLE. This Act shall be known as the Sandra Bland Act, in memory of Sandra Bland.

ARTICLE 2. IDENTIFICATION AND DIVERSION OF AND SERVICES FOR PERSONS SUSPECTED OF HAVING A MENTAL ILLNESS, AN INTELLECTUAL DISABILITY, OR A SUBSTANCE ABUSE ISSUE

SECTION 2.01. Article 16.22, Code of Criminal Procedure, is amended to read as follows:

Art. 16.22. EARLY IDENTIFICATION OF DEFENDANT SUSPECTED OF HAVING MENTAL ILLNESS OR INTELLECTUAL DISABILITY [MENTAL RETARDATION]. (a)(1) Not later than 12 [72] hours after receiving credible information that may establish reasonable cause to believe that a defendant committed to the sheriff's custody has a mental illness or is a person with an intellectual disability [mental retardation], including observation of the defendant's behavior immediately before, during, and after the defendant's arrest and the results of any previous assessment of the defendant, the sheriff shall provide written or electronic notice of the information to the magistrate. On a determination that there is reasonable cause to believe that the defendant has a mental illness or is a person with an intellectual disability [mental retardation], the magistrate, except as provided by Subdivision

(2), shall order the local mental health or intellectual and developmental disability [mental retardation] authority or another qualified mental health or intellectual disability [mental retardation] expert to:

(A) collect information regarding whether the defendant has a mental illness as defined by Section 571.003,

Health and Safety Code, or is a person with an intellectual disability [mental retardation] as defined by Section 591.003, Health and Safety Code, including information obtained from any previous assessment of the defendant; and

(B) provide to the magistrate a written assessment of the information collected under Paragraph (A).

(2) The magistrate is not required to order the collection of information under Subdivision

(1) if the defendant in the year preceding the defendant's applicable date of arrest has been determined to have a mental illness or to be a person with an intellectual disability [mental retardation] by the local mental health or intellectual and developmental disability [mental retardation] authority or another mental health or intellectual disability [mental retardation] expert described by Subdivision

(1). A court that elects to use the results of that previous determination may proceed under Subsection (c).

(3) If the defendant fails or refuses to submit to the collection of information regarding the defendant as required under Subdivision (1), the magistrate may order the defendant to submit to an examination in a mental health facility determined to be appropriate by the local mental health or intellectual and developmental disability [mental retardation] authority for a reasonable period not to exceed 21 days. The magistrate may order a defendant to a facility operated by the Department of State Health Services or the Health and Human Services Commission [Department of Aging and Disability Services] for examination only on request of the local mental health or intellectual and developmental disability [mental retardation] authority and with the consent of the head of the facility. If a defendant who has been ordered to a facility operated by the Department of State Health Services or the Health and Human Services Commission [Department of Aging and Disability Services] for examination remains in the facility for a period exceeding 21 days, the head of that facility shall cause the defendant to be immediately transported to the committing court and placed in the custody of the sheriff of the county in which the committing court is located. That county shall reimburse the facility for the mileage and per diem expenses of the personnel required to transport the defendant calculated in accordance with the state travel regulations in effect at the time.

(b) A written assessment of the information collected under Subsection (a)(1)(A) shall be provided to the magistrate not later than the 30th day after the date of any order issued under Subsection (a) in a felony case and not later than the 10th day after the date of any order issued under that subsection in a misdemeanor case, and the magistrate shall provide copies of the written assessment to the defense counsel, the prosecuting attorney, and the trial court. The written assessment must include a description of the procedures used in the collection of information under Subsection (a)(1)(A) and the applicable expert's observations and findings pertaining to:

(1) whether the defendant is a person who has a mental illness or is a person with an intellectual disability [mental retardation];

(2) whether there is clinical evidence to support a belief that the defendant may be incompetent to stand trial and should undergo a complete competency examination under Subchapter B, Chapter 46B; and

(3) recommended treatment.

(c) After the trial court receives the applicable expert's written assessment relating to the defendant under Subsection (b) or elects to use the results of a previous determination as described by Subsection (a)(2), the trial court may, as applicable:

(1) resume criminal proceedings against the defendant, including any appropriate proceedings related to the defendant's release on personal bond under Article 17.032;

(2) resume or initiate competency proceedings, if required, as provided by Chapter 46B

or other proceedings affecting the defendant's receipt of appropriate court-ordered mental health or intellectual disability [mental retardation] services, including proceedings related to the defendant's receipt of outpatient mental health services under Section 574.034, Health and Safety Code; or

(3) consider the written assessment during the punishment phase after a conviction of the offense for which the defendant was arrested, as part of a presentence investigation report, or in connection with the impositions of conditions following placement on community supervision, including deferred adjudication community supervision.

(d) This article does not prevent the applicable court from, before, during, or after the collection of information regarding the defendant as described by this article: (1) releasing a defendant who has a mental illness [mentally ill] or is a person with an intellectual disability [mentally retarded defendant] from custody on personal or surety bond; or

(2) ordering an examination regarding the defendant's competency to stand trial.

SECTION 2.02. Chapter 16, Code of Criminal Procedure, is amended by adding Article 16.23 to read as follows:

Art. 16.23. DIVERSION OF PERSONS SUFFERING MENTAL HEALTH CRISIS OR SUBSTANCE ABUSE ISSUE. (a) Each law enforcement agency shall make a good faith effort to divert a person suffering a mental health crisis or suffering from the effects of substance abuse to a proper treatment center in the agency's jurisdiction if:

(1) there is an available and appropriate treatment center in the agency's jurisdiction to which the agency may divert the person;

(2) it is reasonable to divert the person;

(3) the offense that the person is accused of is a misdemeanor, other than a misdemeanor involving violence; and

(4) the mental health crisis or substance abuse issue is suspected to be the reason the person committed the alleged offense.

(b) Subsection (a) does not apply to a person who is accused of an offense under Section 49.04, 49.045, 49.05, 49.06, 49.065, 49.07, or 49.08, Penal Code.

SECTION 2.03. Section 539.002, Government Code, is amended to read as follows:

Sec. 539.002. GRANTS FOR ESTABLISHMENT AND EXPANSION OF COMMUNITY COLLABORATIVES. (a) To the extent funds are appropriated to the department for that purpose, the department shall make grants to entities, including local governmental entities, nonprofit community organizations, and faith-based community organizations, to establish or expand community collaboratives that bring the public and private sectors together to provide services to persons experiencing homelessness, substance abuse issues, or [and] mental illness. [The department may make a maximum of five grants, which must be made in the most populous municipalities in this state that are located in counties with a population of more than one million.] In awarding grants, the department shall give special consideration to entities:

(1) establishing [a] new collaboratives; or

(2) establishing or expanding collaboratives that serve two or more counties, each with a population of less than 100,000 [collaborative].

(b) The department shall require each entity awarded a grant under this section to:

(1) leverage additional funding from private sources in an amount that is at least equal to the amount of the grant awarded under this section; [and]

(2) provide evidence of significant coordination and collaboration between the entity, local mental health authorities, municipalities, local law enforcement agencies, and other community stakeholders in establishing or expanding a community collaborative funded by a grant awarded under this section; and

(3) provide evidence of a local law enforcement policy to divert appropriate persons from jails or other detention facilities to an entity affiliated with a community collaborative for the purpose of providing services to those persons.

SECTION 2.04. Chapter 539, Government Code, is amended by adding Section 539.0051 to read as follows:

Sec. 539.0051. PLAN REQUIRED FOR CERTAIN COMMUNITY COLLABORATIVES. (a) The governing body of a county shall develop and make public a plan detailing:

(1) how local mental health authorities, municipalities, local law enforcement agencies, and other community stakeholders in the county could coordinate to establish or expand a community collaborative to accomplish the goals of Section 539.002;

(2) how entities in the county may leverage funding from private sources to accomplish the goals of Section 539.002 through the formation or expansion of a community collaborative; and

(3) how the formation or expansion of a community collaborative could establish or support resources or services to help local law enforcement agencies to divert persons who have been arrested to appropriate mental health care or substance abuse treatment.

(b) The governing body of a county in which an entity that received a grant under Section 539.002 before September 1, 2017, is located is not required to develop a plan under Subsection (a).

(c) Two or more counties, each with a population of less than 100,000, may form a joint plan under Subsection (a).

ARTICLE 3. BAIL, PRETRIAL RELEASE, AND COUNTY JAIL STANDARDS

SECTION 3.01. The heading to Article 17.032, Code of Criminal Procedure, is amended to read as follows:

Art. 17.032. RELEASE ON PERSONAL BOND OF CERTAIN [MENTALLY ILL] DEFENDANTS WITH MENTAL ILLNESS OR INTELLECTUAL DISABILITY.

SECTION 3.02. Articles 17.032(b) and (c), Code of Criminal Procedure, are amended to read as follows:

(b) A magistrate shall release a defendant on personal bond unless good cause is shown

otherwise if the:

(1) defendant is not charged with and has not been previously convicted of a violent offense;

(2) defendant is examined by the local mental health or intellectual and developmental disability [mental retardation] authority or another mental health expert under Article 16.22 [of this code];

(3) applicable expert, in a written assessment submitted to the magistrate under Article 16.22:

(A) concludes that the defendant has a mental illness or is a person with an intellectual disability [mental retardation] and is nonetheless competent to stand trial; and

(B) recommends mental health treatment or intellectual disability treatment for the defendant, as applicable; and

(4) magistrate determines, in consultation with the local mental health or intellectual and developmental disability [mental retardation] authority, that appropriate community-based mental health or intellectual disability [mental retardation] services for the defendant are available through the [Texas] Department of State [Mental] Health Services [and Mental Retardation] under Section 534.053, Health and Safety Code, or through another mental health or intellectual disability [mental retardation] services provider.

(c) The magistrate, unless good cause is shown for not requiring treatment, shall require as a condition of release on personal bond under this article that the defendant submit to outpatient or inpatient mental health or intellectual disability [mental retardation] treatment as recommended by the local mental health or intellectual and developmental disability [mental retardation] authority if the defendant's:

(1) mental illness or intellectual disability [mental retardation] is chronic in nature; or

(2) ability to function independently will continue to deteriorate if the defendant is not treated.

SECTION 3.03. Article 25.03, Code of Criminal Procedure, is amended to read as follows:

Art. 25.03. IF ON BAIL IN FELONY. When the accused, in case of felony, is on bail at the time the indictment is presented, [it is not necessary to serve him with a copy, but] the clerk shall [on request] deliver a copy of the indictment [same] to the accused or the accused's [his] counsel[,] at the earliest possible time.

SECTION 3.04. Article 25.04, Code of Criminal Procedure, is amended to read as follows:

Art. 25.04. IN MISDEMEANOR. In misdemeanors, the clerk shall deliver a copy of the indictment or information to the accused or the accused's counsel at the earliest possible time before trial [it shall not be necessary before trial to furnish the accused with a copy of the indictment or information; but he or his counsel may demand a copy, which shall be given as early as possible

SECTION 3.05. Section 511.009(a), Government Code, as amended by Chapters 281 (H.B. 875), 648 (H.B. 549), and 688 (H.B. 634), Acts of the 84th Legislature, Regular Session, 2015, is reenacted and amended to read as follows:

- (a) The commission shall:
- (1) adopt reasonable rules and procedures establishing minimum standards for the construction, equipment, maintenance, and operation of county jails;
 - (2) adopt reasonable rules and procedures establishing minimum standards for the custody, care, and treatment of prisoners;
 - (3) adopt reasonable rules establishing minimum standards for the number of jail supervisory personnel and for programs and services to meet the needs of prisoners;
 - (4) adopt reasonable rules and procedures establishing minimum requirements for programs of rehabilitation, education, and recreation in county jails;
 - (5) revise, amend, or change rules and procedures if necessary;
 - (6) provide to local government officials consultation on and technical assistance for county jails;
 - (7) review and comment on plans for the construction and major modification or renovation of county jails;
 - (8) require that the sheriff and commissioners of each county submit to the commission, on a form prescribed by the commission, an annual report on the conditions in each county jail within their jurisdiction, including all information necessary to determine compliance with state law, commission orders, and the rules adopted under this chapter;
 - (9) review the reports submitted under Subdivision (8) and require commission employees to inspect county jails regularly to ensure compliance with state law, commission orders, and rules and procedures adopted under this chapter;
 - (10) adopt a classification system to assist sheriffs and judges in determining which defendants are low-risk and consequently suitable participants in a county jail work release program under Article 42.034, Code of Criminal Procedure;
 - (11) adopt rules relating to requirements for segregation of classes of inmates and to capacities for county jails;
 - (12) require that the chief jailer of each municipal lockup submit to the commission, on a form prescribed by the commission, an annual report of persons under 17 years of age securely detained in the lockup, including all information necessary to determine compliance with state law concerning secure confinement of children in municipal lockups;
 - (13) at least annually determine whether each county jail is in compliance with the rules and procedures adopted under this chapter;
 - (14) require that the sheriff and commissioners court of each county submit to the commission, on a form prescribed by the commission, an annual report of persons under 17 years of age securely detained in the county jail, including all information necessary to determine compliance with state law concerning secure confinement of children in county jails;
 - (15) schedule announced and unannounced inspections of jails under the commission's jurisdiction using the risk assessment plan established under Section 511.0085 to guide the inspections process;
 - (16) adopt a policy for gathering and distributing to jails under the commission's jurisdiction information regarding:
 - (A) common issues concerning jail administration;
 - (B) examples of successful strategies for maintaining compliance with state law and the rules,

standards, and procedures of the commission; and

(C) solutions to operational challenges for jails;

(17) report to the Texas Correctional Office on Offenders with Medical or Mental Impairments on a jail's compliance with Article 16.22, Code of Criminal Procedure;

(18) adopt reasonable rules and procedures establishing minimum requirements for jails to:

(A) determine if a prisoner is pregnant; and

(B) ensure that the jail's health services plan addresses medical and mental health care, including nutritional requirements, and any special housing or work assignment needs for persons who are confined in the jail and are known or determined to be pregnant;

(19) provide guidelines to sheriffs regarding contracts between a sheriff and another entity for the provision of food services to or the operation of a commissary in a jail under the commission's jurisdiction, including specific provisions regarding conflicts of interest and avoiding the appearance of impropriety; [and]

(20) adopt reasonable rules and procedures establishing minimum standards for prisoner visitation that provide each prisoner at a county jail with a minimum of two in-person, noncontact visitation periods per week of at least 20 minutes duration each;

(21) [(20)] require the sheriff of each county to:

(A) investigate and verify the veteran status of each prisoner by using data made available from the Veterans Reentry Search Service (VRSS) operated by the United States Department of Veterans Affairs or a similar service; and

(B) use the data described by Paragraph (A) to assist prisoners who are veterans in applying for federal benefits or compensation for which the prisoners may be eligible under a program administered by the United States Department of Veterans Affairs;

(22) [(20)] adopt reasonable rules and procedures regarding visitation of a prisoner at a county jail by a guardian, as defined by Section 1002.012, Estates Code, that:

(A) allow visitation by a guardian to the same extent as the prisoner's next of kin, including placing the guardian on the prisoner's approved visitors list on the guardian's request and providing the guardian access to the prisoner during a facility's standard visitation hours if the prisoner is otherwise eligible to receive visitors; and

(B) require the guardian to provide the sheriff with letters of guardianship issued as provided by Section 1106.001, Estates Code, before being allowed to visit the prisoner; and

(23) adopt reasonable rules and procedures to ensure the safety of prisoners, including rules and procedures that require a county jail to:

(A) give prisoners the ability to access a mental health professional at the jail through a telemental health service 24 hours a day;

(B) give prisoners the ability to access a health professional at the jail or through a telehealth service 24 hours a day or, if a health professional is unavailable at the jail or through a telehealth service, provide for a prisoner to be transported to access a health professional; and

(C) if funding is available under Section 511.019, install automated electronic sensors or cameras to ensure accurate and timely in-person checks of cells or groups of cells confining at-risk individuals.

SECTION 3.06. Section 511.009, Government Code, is amended by adding Subsection (d) to read

as follows:

(d) The commission shall adopt reasonable rules and procedures establishing minimum standards regarding the continuity of prescription medications for the care and treatment of prisoners. The rules and procedures shall require that a qualified medical professional shall review as soon as possible any prescription medication a prisoner is taking when the prisoner is taken into custody.

SECTION 3.07. Chapter 511, Government Code, is amended by adding Sections 511.019, 511.020, and 511.021 to read as follows:

Sec. 511.019. PRISONER SAFETY FUND. (a) The prisoner safety fund is a dedicated account in the general revenue fund.

(b) The prisoner safety fund consists of:

(1) appropriations of money to the fund by the legislature; and

(2) gifts, grants, including grants from the federal government, and other donations received for the fund.

(c) Money in the fund may be appropriated only to the commission to pay for capital improvements that are required under Section 511.009(a)(23).

(d) The commission by rule may establish a grant program to provide grants to counties to fund capital improvements described by Subsection (c). The commission may only provide a grant to a county for capital improvements to a county jail with a capacity of not more than 96 prisoners.

Sec. 511.020. SERIOUS INCIDENTS REPORT. (a) On or before the fifth day of each month, the sheriff of each county shall report to the commission regarding the occurrence during the preceding month of any of the following incidents involving a prisoner in the county jail:

(1) a suicide;

(2) an attempted suicide;

(3) a death;

(4) a serious bodily injury, as that term is defined by

Section 1.07, Penal Code;

(5) an assault;

(6) an escape;

(7) a sexual assault; and

(8) any use of force resulting in bodily injury, as that term is defined by Section 1.07, Penal Code.

(b) The commission shall prescribe a form for the report required by Subsection (a).

(c) The information required to be reported under Subsection (a)(8) may not include the name or other identifying information of a county jailer or jail employee.

(d) The information reported under Subsection (a) is public information subject to an open records request under Chapter 552.

Sec. 511.021. INDEPENDENT INVESTIGATION OF DEATH OCCURRING IN COUNTY JAIL. (a) On the death of a prisoner in a county jail, the commission shall appoint a law enforcement agency, other

than the local law enforcement agency that operates the county jail, to investigate the death as soon as possible.

(b) The commission shall adopt any rules necessary relating to the appointment of a law enforcement agency under Subsection

(a), including rules relating to cooperation between law enforcement agencies and to procedures for handling evidence.

SECTION 3.08. The changes in law made by this article to Article 17.032, Code of Criminal Procedure, apply only to a personal bond that is executed on or after the effective date of this Act. A personal bond executed before the effective date of executed, and the former law is continued in effect for that purpose.

SECTION 3.09. Not later than January 1, 2018, the Commission on Jail Standards shall:

(1) adopt the rules and procedures required by Section 511.009(d), Government Code, as added by this article, and the rules required by Section 511.021(b), Government Code, as added by this article; and

(2) prescribe the form required by Section 511.020(b), Government Code, as added by this article.

SECTION 3.10. Not later than September 1, 2018, the Commission on Jail Standards shall adopt the rules and procedures required by Section 511.009(a)(23), Government Code, as added by this article. On and after September 1, 2020, a county jail shall comply with any rule or procedure adopted by the Commission on Jail Standards under that subdivision.

SECTION 3.11. To the extent of any conflict, this Act prevails over another Act of the 85th Legislature, Regular Session, 2017, relating to non-substantive additions to and corrections in enacted codes.

ARTICLE 4. PEACE OFFICER AND COUNTY JAILER TRAINING

SECTION 4.01. Chapter 511, Government Code, is amended by adding Section 511.00905 to read as follows:

Sec. 511.00905. JAIL ADMINISTRATOR POSITION; EXAMINATION REQUIRED. (a) The Texas Commission on Law Enforcement shall develop and the commission shall approve an examination for a person assigned to the jail administrator position overseeing a county jail.

(b) The commission shall adopt rules requiring a person, other than a sheriff, assigned to the jail administrator position overseeing a county jail to pass the examination not later than the 180th day after the date the person is assigned to that position. The rules must provide that a person who fails the examination may be immediately removed from the position and may not be reinstated until the person passes the examination.

(c) The sheriff of a county shall perform the duties of the jail administrator position at any time there is not a person available who satisfies the examination requirements of this

section.

(d) A person other than a sheriff may not serve in the jail administrator position of a county jail unless the person satisfies the examination requirement of this section.

SECTION 4.02. Section 1701.253, Occupations Code, is amended by amending Subsection (j) and adding Subsection (n) to read as follows: commission shall require an officer to complete a 40-hour statewide education and training program on de-escalation and crisis intervention techniques to facilitate interaction with persons with mental impairments. An officer shall complete the program not later than the second anniversary of the date the officer is licensed under this chapter or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier. An officer may not satisfy the requirements of this subsection [section] or Section 1701.402(g) by taking an online course on de-escalation and crisis intervention techniques to facilitate interaction with persons with mental impairments.

(n) As part of the minimum curriculum requirements, the commission shall require an officer to complete a statewide education and training program on de-escalation techniques to facilitate interaction with members of the public, including techniques for limiting the use of force resulting in bodily injury.

SECTION 4.03. Section 1701.310(a), Occupations Code, is amended to read as follows:

(a) Except as provided by Subsection (e), a person may not be appointed as a county jailer, except on a temporary basis, unless the person has satisfactorily completed a preparatory training program, as required by the commission, in the operation of a county jail at a school operated or licensed by the commission. The training program must consist of at least eight hours of mental health training approved by the commission and the Commission on Jail Standards.

SECTION 4.04. Section 1701.352(b), Occupations Code, is amended to read as follows:

(b) The commission shall require a state, county, special district, or municipal agency that appoints or employs peace officers to provide each peace officer with a training program at least once every 48 months that is approved by the commission and consists of:

(1) topics selected by the agency; and

(2) for an officer holding only a basic proficiency certificate, not more than 20 hours of education and training that contain curricula incorporating the learning objectives developed by the commission regarding:

(A) civil rights, racial sensitivity, and cultural diversity;

(B) de-escalation and crisis intervention techniques to facilitate interaction with persons with mental impairments; [and]

(C) de-escalation techniques to facilitate interaction with members of the public, including techniques for limiting the use of force resulting in bodily injury; and

(D) unless determined by the agency head to be inconsistent with the officer's assigned duties:

(i) the recognition and documentation of cases that involve child abuse or neglect, family violence, and sexual assault; and

(ii) issues concerning sex offender characteristics.

SECTION 4.05. Section 1701.402, Occupations Code, is amended by adding Subsection (n) to read

as follows:

(n) As a requirement for an intermediate proficiency certificate or an advanced proficiency certificate, an officer must complete the education and training program regarding de-escalation techniques to facilitate interaction with members of the public established by the commission under Section 1701.253(n).

SECTION 4.06. Not later than March 1, 2018, the Texas Commission on Law Enforcement shall develop and the Commission on Jail Standards shall approve the examination required by Section 511.00905, Government Code, as added by this article.

SECTION 4.07. (a) Not later than March 1, 2018, the Texas Commission on Law Enforcement shall establish or modify training programs as necessary to comply with Section 1701.253, Occupations Code, as amended by this article.

(b) The minimum curriculum requirements under Section 1701.253(j), Occupations Code, as amended by this article, apply only to a peace officer who first begins to satisfy those requirements on or after April 1, 2018.

SECTION 4.08. (a) Section 1701.310, Occupations Code, as amended by this article, takes effect January 1, 2018.

(b) A person in the position of county jailer on September 1, 2017, must comply with Section 1701.310(a), Occupations Code, as amended by this article, not later than August 31, 2021.

ARTICLE 5. MOTOR VEHICLE STOPS, RACIAL PROFILING, AND ISSUANCE OF CITATIONS

SECTION 5.01. Article 2.132, Code of Criminal Procedure, is amended by amending Subsections (b) and (d) and adding Subsection (h) to read as follows:

(b) Each law enforcement agency in this state shall adopt a detailed written policy on racial profiling. The policy must:

(1) clearly define acts constituting racial profiling;

(2) strictly prohibit peace officers employed by the agency from engaging in racial profiling;

(3) implement a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual;

(4) provide public education relating to the agency's compliment and complaint process, including providing the telephone number, mailing address, and e-mail address to make a compliment or complaint with respect to each ticket, citation, or warning issued by a peace officer;

(5) require appropriate corrective action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in racial profiling in violation of the agency's policy adopted under this article;

(6) require collection of information relating to motor vehicle stops in which a ticket, citation, or warning is issued and to arrests made as a result of those stops, including information

relating to:

- (A) the race or ethnicity of the individual detained;
- (B) whether a search was conducted and, if so, whether the individual detained consented to the search; [and]
- (C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual;
- (D) whether the peace officer used physical force that resulted in bodily injury, as that term is defined by Section 1.07, Penal Code, during the stop;
- (E) the location of the stop; and
- (F) the reason for the stop; and

(7) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:

- (A) the Texas Commission on Law Enforcement; and
- (B) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

(d) On adoption of a policy under Subsection (b), a law enforcement agency shall examine the feasibility of installing video camera and transmitter-activated equipment in each agency law enforcement motor vehicle regularly used to make motor vehicle stops and transmitter-activated equipment in each agency law enforcement motorcycle regularly used to make motor vehicle stops. The agency also shall examine the feasibility of equipping each peace officer who regularly detains or stops motor vehicles with a body worn camera, as that term is defined by Section 1701.651, Occupations Code. If a law enforcement agency installs video or audio equipment or equips peace officers with body worn cameras as provided by this subsection, the policy adopted by the agency under Subsection (b) must include standards for reviewing video and audio documentation.

(h) A law enforcement agency shall review the data collected under Subsection (b)(6) to identify any improvements the agency could make in its practices and policies regarding motor vehicle stops.

SECTION 5.02. Article 2.133, Code of Criminal Procedure, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:

(b) A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance shall report to the law enforcement agency that employs the officer information relating to the stop, including:

(1) a physical description of any person operating the motor vehicle who is detained as a result of the stop, including:

- (A) the person's gender; and
- (B) the person's race or ethnicity, as stated by the person or, if the person does not state the person's race or ethnicity, as determined by the officer to the best of the officer's ability;

(2) the initial reason for the stop;

(3) whether the officer conducted a search as a result of the stop and, if so, whether the person detained consented to the search;

(4) whether any contraband or other evidence was discovered in the course of the search

and a description of the contraband or evidence;

(5) the reason for the search, including whether:

(A) any contraband or other evidence was in plain view;

(B) any probable cause or reasonable suspicion existed to perform the search; or

(C) the search was performed as a result of the towing of the motor vehicle or the arrest of any person in the motor vehicle;

(6) whether the officer made an arrest as a result of the stop or the search, including a statement of whether the arrest was based on a violation of the Penal Code, a violation of a traffic law or ordinance, or an outstanding warrant and a statement of the offense charged;

(7) the street address or approximate location of the stop; [and]

(8) whether the officer issued a verbal or written warning or a ticket or citation as a result of the stop; and

(9) whether the officer used physical force that resulted in bodily injury, as that term is defined by Section 1.07, Penal Code, during the stop.

(c) The chief administrator of a law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, is responsible for auditing reports under Subsection (b)

to ensure that the race or ethnicity of the person operating the motor vehicle is being reported.

SECTION 5.03. Article 2.134(c), Code of Criminal Procedure, is amended to read as follows:

(c) A report required under Subsection (b) must be submitted by the chief administrator of the law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, and must include:

(1) a comparative analysis of the information compiled under Article 2.133 to:

(A) evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities; [and]

(B) examine the disposition of motor vehicle stops made by officers employed by the agency, categorized according to the race or ethnicity of the affected persons, as appropriate, including any searches resulting from stops within the applicable jurisdiction; and

(C) evaluate and compare the number of searches resulting from motor vehicle stops within the applicable jurisdiction and whether contraband or other evidence was discovered in the course of those searches; and

(2) information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

SECTION 5.04. Article 2.137, Code of Criminal Procedure, is amended to read as follows:

Art. 2.137. PROVISION OF FUNDING OR EQUIPMENT. (a) The Department of Public Safety shall adopt rules for providing funds or video and audio equipment to law enforcement agencies for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras [as described by Article 2.135(a)(1)(A)], including specifying criteria to prioritize funding or equipment provided to law enforcement agencies. The criteria may include consideration of tax effort, financial hardship,

available revenue, and budget surpluses. The criteria must give priority to:

(1) law enforcement agencies that employ peace officers whose primary duty is traffic enforcement;

(2) smaller jurisdictions; and

(3) municipal and county law enforcement agencies.

(b) The Department of Public Safety shall collaborate with an institution of higher education to identify law enforcement agencies that need funds or video and audio equipment for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras [as described by Article 2.135(a)(1)(A)]. The collaboration may include the use of a survey to assist in developing criteria to prioritize funding or equipment provided to law enforcement agencies.

(c) To receive funds or video and audio equipment from the state for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras [as described by Article 2.135(a)(1)(A)], the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency needs funds or video and audio equipment for that purpose.

(d) On receipt of funds or video and audio equipment from the state for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras [as described by Article 2.135(a)(1)(A)], the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency has taken the necessary actions to use and is using [installed] video and audio equipment and body worn cameras for those purposes [as described by Article 2.135(a)(1)(A) and is using the equipment as required by Article 2.135(a)(1)].

SECTION 5.05. Article 2.1385(a), Code of Criminal Procedure, is amended to read as follows:

(a) If the chief administrator of a local law enforcement agency intentionally fails to submit the incident-based data as required by Article 2.134, the agency is liable to the state for a civil penalty in an [the] amount not to exceed \$5,000 [of \$1,000] for each violation. The attorney general may sue to collect a civil penalty under this subsection.

SECTION 5.06. Article 2.135, Code of Criminal Procedure, is repealed.

SECTION 5.07. Articles 2.132 and 2.134, Code of Criminal Procedure, as amended by this article, apply only to a report covering a calendar year beginning on or after January 1, 2018.

SECTION 5.08. Not later than September 1, 2018, the Texas Commission on Law Enforcement shall:

(1) evaluate and change the guidelines for compiling and reporting information required under Article 2.134, Code of Criminal Procedure, as amended by this article, to enable the guidelines to better withstand academic scrutiny; and

(2) make accessible online:

(A) a downloadable format of any information submitted under Article 2.134(b), Code of Criminal

Procedure, that is not exempt from public disclosure under Chapter 552, Government Code; and
(B) a glossary of terms relating to the information to make the information readily understandable to the public. This Act takes effect September 1, 2017.

Senate Speaker of the House

I hereby certify that S.B. No. 1849 passed the Senate on May 11, 2017, by the following vote:
Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 1849 passed the House on May 20, 2017, by the following vote:
Yeas 137, Nays 0, one present not voting.

ARTICLE 6. EFFECTIVE DATE

SECTION 6.01. Except as otherwise provided by this Act,
Approved:

Date

Governor

Chief Clerk of the House

**KENNEDALE
POLICE DEPARTMENT
RACIAL PROFILING POLICY**

Kennedale Police Department

Reference: Chapter 2

**Subject: Professional Standards & Conduct-
Bias Based Profiling**

Policy #1

Date: 08/01/2011

Revised: 12/04/2017

Purpose: To reaffirm the Kennedale Police Department's professional commitment to unbiased policing in all its encounters between our police officers and any person; to reinforce procedures that serve to ensure public confidence and mutual trust through the provision of services in a fair and equitable fashion; and to protect our officers from unwarranted accusations of misconduct when they act within the dictates of agency policy, state, and federal laws.

Authority:

1. United States Constitution, 4th Amendment & 14th Amendment
2. Texas Code of Criminal Procedure, Articles 2.131 – 2.138 and 3.05
3. SB 1074 (2001) The Texas Racial Profiling Law
4. HB 3389 (2009) Update on Original Law
5. HB 3051 (2017) Racial and Ethnic Designations
6. SB 1849 (2017) The Sandra Bland Act
(Non-Data Requirements (established by SB 1074, HB 3389 and SB 1849))

Definitions:

1. Acts Constituting Racial Profiling: are acts initiating law enforcement action, such as a motor vehicle contact, a detention, a search, issuance of a citation, or an arrest based solely upon an individual's race, ethnicity, or national origin, or on the basis of racial or ethnic stereotypes, rather than upon the individual's behavior, information identifying the individual as having possibly engaged in criminal activity, or other lawful reasons for the law enforcement action.
2. Bias Based Profiling: the selection of an individual based solely on a trait common to a group for enforcement action. This includes, but is not limited to: race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group.
3. Law Enforcement Agency: means an agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make motor vehicle contacts in the routine performance of the officer's official duties.
4. MVR: an acronym for mobile video / audio recording equipment.
5. Probable Cause: also known as reasonable suspicion. Probable Cause is more than a mere

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hunch, but is based on a set of articulable facts and circumstances that would warrant a person of reasonable caution in believing that a crime has been committed, is about to be committed, or is in the process of being committed. Probable Cause can be based on the observations of a police officer, combined with his/her training and law enforcement experience, and/or reliable information received from credible sources.

6. Race or Ethnicity: means of a particular descent, including Caucasian, African, Hispanic, Asian, Native American or Middle Eastern descent. Determining a person's race or ethnicity shall be determined by the officer in accordance with applicable state and federal standards.
7. Racial Profiling: means a law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity.
8. Texas Commission on Law Enforcement: TCOLE is a state agency created in 1965 by an act of the 59th Texas Legislature, empowered to establish minimum licensing and training standards for Texas peace officers to improve the proficiency of law enforcement services.
9. Motor vehicle contact: means the stopping of a motor vehicle by a police officer for an alleged violation of law or ordinance regulating traffic.
10. Verbal Warnings : If an officer elects to complete a motor vehicle contact with a verbal warning, a response must still be entered into all of the required racial profiling fields in CAD.

Discussion:

The Kennedale Police Department is charged with enforcing the law, as well as, protecting citizen's constitutional rights, regardless of race, color, ethnicity, national origin, age, gender, sexual orientation, religion, disability, or economic status. Because of the nature of our law enforcement profession, police officers are required to be observant, to identify unusual occurrences, suspicious behavior, and law violations, taking appropriate and reasonable law enforcement action. It is this proactive enforcement that prevents crime, keeps our citizens free from crime, our city streets safe, and that detects and apprehends criminals. This agency policy is intended to accomplish our police mission, while enforcing the law and arresting criminals within constitutional restrictions.

While criminal behavior profiling can be a useful investigative tool to assist law enforcement officers in carrying out their duties, peace officers are prohibited from engaging in racial profiling. Instead, police officers should focus on a person's behavior, conduct, or other factual information. They should not let their personal bias or prejudices interfere with their professional performance as a peace officer. Officers must have reasonable suspicion supported by specific articulated facts that

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- the person is committing, has committed, or is about to commit a crime, or is presenting a threat to the safety of themselves or others. Employees shall treat all citizens with fairness, respect, and dignity. Police Officers should always conduct themselves in a dignified, respectful and professional manner at all times when interacting with the public.

Policy:

It is the policy of the Kennedale Police Department to police in a proactive manner, to aggressively investigate suspicious persons, vehicles, and circumstances, while actively enforcing the motor vehicle traffic laws. Officers shall actively enforce state and federal laws in a responsible and professional manner, without regard to a person's race, ethnicity or national origin. However, agency policy strictly prohibits our police officers from engaging in racial profiling as defined by state law. This policy shall be applicable to all persons, whether drivers, passengers or pedestrians.

Procedure:

- A. **Bias Based Profiling Prohibited:** Kennedale's police officers are strictly prohibited from engaging in bias based profiling including racial profiling in traffic contacts, field contacts, and in asset seizure and forfeiture efforts. Officers profiling individuals based on ethnic background, color, gender, sexual orientation, religion, economic status, age, cultural group, physical impairment or any other identifiable group in the performance of their official law enforcement duties are legally, morally, and ethically wrong. Racial profiling is prohibited by both state / federal laws. Racial profiling serves no legitimate law enforcement purpose. It leads to allegations of violations of the constitutional rights of the citizens we serve, while undermining legitimate law enforcement objectives. Additionally, racial profiling alienates citizens, destroys public trust of law enforcement, and invites media scrutiny, legislative action, and judicial intervention. The prohibition against profiling does not preclude the use of race, ethnicity, or national origin as factors in a detention decision. Race, ethnicity, or national origin may be legitimate factors in such a detention when used in part as a description of a criminal suspect or witnesses for whom a police officer is searching.
1. Police practices, known as racial profiling, are unlawful. Officers practicing racial profiling are guilty of discrimination by race, which is a violation of state / federal laws.
 2. Acts constituting racial profiling may include: a police officer engaging in pre-textual motor vehicle contacts of minorities, with the intent of searching the driver and occupants for contraband, such as drugs; or detaining the driver of a vehicle based on the determination that a person of that race, ethnicity, or national origin is unlikely to own or possess that specific make or model of vehicle; or stopping a young black male who is observed in a predominantly white neighborhood.
 3. Officers should focus their enforcement or investigative efforts upon criminal behavior

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or conduct, not one's race, ethnicity, or gender. However, it is not illegal to use race as descriptive information, such as a robbery suspect description- young black male, 6'5", 185 lbs., wearing a red jacket, and silver Dallas Cowboy's baseball cap. (TBP 2.01)

B. Complaint Process:

1. Any individual may file a complaint with the Chief of Police, if the individual believes that a Kennedale Police Officer has engaged in racial profiling with respect to the individual. No person shall be discouraged, intimidated, or coerced from filing such a complaint or discriminated against because they filed such a complaint.
2. To make a compliment or complaint with respect to each ticket, citation, or warning issued by a police officer, send to the following:
Chief of Police
401 Municipal Dr.
Kennedale, Texas 76060
817-985-2160
E-mail – twilliams@cityofkennedale.com
3. The Kennedale Police Department shall accept and investigate citizen complaints alleging racial profiling by its police officers in the same consistent manner as other complaints of police misconduct. Such complaints must be in writing, including the identity or description of the officer, date, time, place and details of the alleged incident of racial profiling.
4. Any police officer, city employee, or city official who receives a citizen complaint alleging racial profiling shall direct the complaint to the Chief of Police, who retains the right to assign the complaint to an investigator, within or outside the police department, including the Tarrant County Sheriff's Department, Tarrant County District Attorney, Texas Rangers, Texas Attorney General, or FBI.
5. The accused officer will be given the opportunity to respond, in writing, to the citizen's allegations. Depending upon the circumstances and facts, the investigation may be either administrative, criminal, or both.
6. The investigator shall seek to determine if the accused officer has engaged in a pattern of racial profiling that includes multiple acts constituting racial profiling for which there is no reasonable, credible explanation based on established police and law enforcement procedures.
7. The investigator shall record findings supporting sustained, unfounded, or exonerated.

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Any recommendations for disciplinary action or changes in policy, training, or patrol tactics should be included.

8. If a complaint involves an audio / video recording, the Chief of Police shall, upon commencement of the investigation and written request of the officer, provide a copy of the recording to the accused police officer.
9. The Chief of Police will acknowledge in writing receipt of the complaint. Upon conclusion of the investigation, the Chief of Police shall notify the complainant of the final results. If a racial profiling complaint is sustained against an officer, it will result in appropriate corrective and/or disciplinary action, as directed by the Chief of Police. The Chief of Police will make the final determination about the disposition of any complaint.

C. Public Education:

1. The Chief of Police is responsible to provide public education relating to the agency's compliant process.
2. This public awareness effort may include, but is not limited: to news media, radio, civic club presentations, citizen police academies, the internet, printed pamphlets, as well as, city council meetings.

D. Corrective Action:

1. The Kennedale Police Department does not condone the practice of racial profiling. Any peace officer who is found to have engaged in racial profiling shall be subject to corrective action as deemed appropriate by the Chief of Police.
2. Depending upon the facts and circumstances, corrective action may include cultural diversity and racial sensitivity training, employee counseling, disciplinary action, and/or dismissal.

E. Motor Vehicle Contact Data Collection & Reporting:

1. The Kennedale Police Department collects racial profiling data.
2. Patrol officers are required to record the following information relating to motor vehicle contacts, resulting in a citation or arrest: the violator's race or ethnicity, whether a search was conducted, and if so, was the search consensual.
3. Whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual.

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4. Whether the peace officer used physical force that resulted in bodily injury, as that term is defined by Section 1.07, Penal Code (“means physical pain, illness, or any impairment of physical condition), during the contact;

- a. The location of the contact, and
- b. The reason for the contact
- c. Complete the Use of Force Report as required.

5. While this information may be gathered in various ways, including mobile data terminals, hand-held devices, reports, patrol officers shall record this information on (CAD) OSSI.

6. Race or Ethnicity: The following categories must be used:

- White (W)
- Black (B)
- Hispanic or Latino (H)
- Asian or Pacific Islander (A)
- Alaska Native or American Indian (AI)
- Middle Eastern (ME)
- There is no “other” category.

You must identify someone’s race or ethnicity to the best of your ability using one of these categories

7. Data Fields: Information that must be collected.

Initial Reason for Contact?

Free text field that defaults to same reason as offense

Race – W, B, H, A, AI, ME

Officer Knew Race Prior to Contact?

Yes or No

Search Type?

No Search (default)

Consent

Plain View

Probable Cause (includes a search warrant or K9 hit)

Incident to Arrest

Inventory

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Contraband?

None found

Drugs

Weapons

Other Contraband

Arrest?

Yes

No (default)

Arrest based on:

Penal Code Violation

Traffic Law Violation

City Ordinance Violation

Outstanding Warrant

Offense Charged:

Free text field

Use of Force Resulting in Bodily Injury?

Yes

No (default)

If an officer elects to complete a motor vehicle contact with a verbal warning, a response must still be entered into all of the required racial profiling fields in CAD.

It is not necessary to enter the vehicle information unless it is specifically relevant to the warning being issued.

F. Annual Administrative Review / Report: Annually, this administration shall review agency practices related to motor vehicle contacts. One purpose of this administrative review is to identify any violations related to this written directive, state, or federal laws, including training deficiencies.

1. As part of the Annual Police Report, the Chief of Police shall report to the Kennedale City Council a statistical summary of motor vehicle contacts, resulting in a citation, arrest, and/or search.
2. The information collected shall be compiled in an annual report covering the period January 1 through December 31 of each year, and shall be submitted to the Kennedale City Council no later than March 1 of the following year.
3. The agency shall review the data collected under Subsection (b) (6) to identify any

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improvements the agency could make in its practices and policies regarding motor vehicle contacts.

4. The report will contain required information, including:
 - Number of citations by race or ethnicity;
 - Number of citations resulting in a search;
 - Number of consensual searches; and
 - Number of citations resulting in custodial arrest.
5. The annual report shall not include identifying information about any individual stopped or arrested, and shall not include identifying information about any police officer involved in a motor vehicle contact or arrest.
6. This data collected as a result of reporting requirements (State Law) shall not constitute prima facie evidence of racial profiling!

G. Audio and Video Equipment:

1. As part of the new “racial profiling” law, law enforcement agencies were encouraged to install video / audio cameras in every patrol vehicle to ensure officer accountability. If patrol vehicles are equipped with mobile video / audio recording equipment, the agency is exempt from compiling information contained in Articles 2.133 and 2.134. The feasibility of equipping each officer who regularly detains or stops motor vehicles with a body worn camera, as the term is defined by Section 1701.651, Occupation Code will be examined.
2. This administration has gone to great expense installing MVR systems in all patrol vehicles to accomplish the many patrol objectives, including officer accountability, documentation, evidence, and training.
3. All motor vehicle contacts shall be recorded. During motor vehicle contacts, MVR equipment shall automatically activate and remain on until the motor vehicle contact is terminated.
4. If a complaint is filed with this department, the agency shall retain that videotape until final disposition of the complaint.
5. First-Line Supervisors will ensure that patrol officers are recording their motor vehicle contacts, in compliance with agency policy, as well as, state law. First-Line Supervisors are responsible to periodically review the videos, monitoring the performance of patrol officers, and taking corrective measures, as warranted, to prevent any police misconduct, including racial profiling. First-Line Supervisors are required to review at least three random videos each quarter (3

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months) per officer. When conducting random, quarterly, supervisory reviews of officer's video, review the footage in a manner intended to gain an understanding of that officer's performance and adherence to policy and law. All audio/video recordings of a racial profile use of force will be investigated and saved.

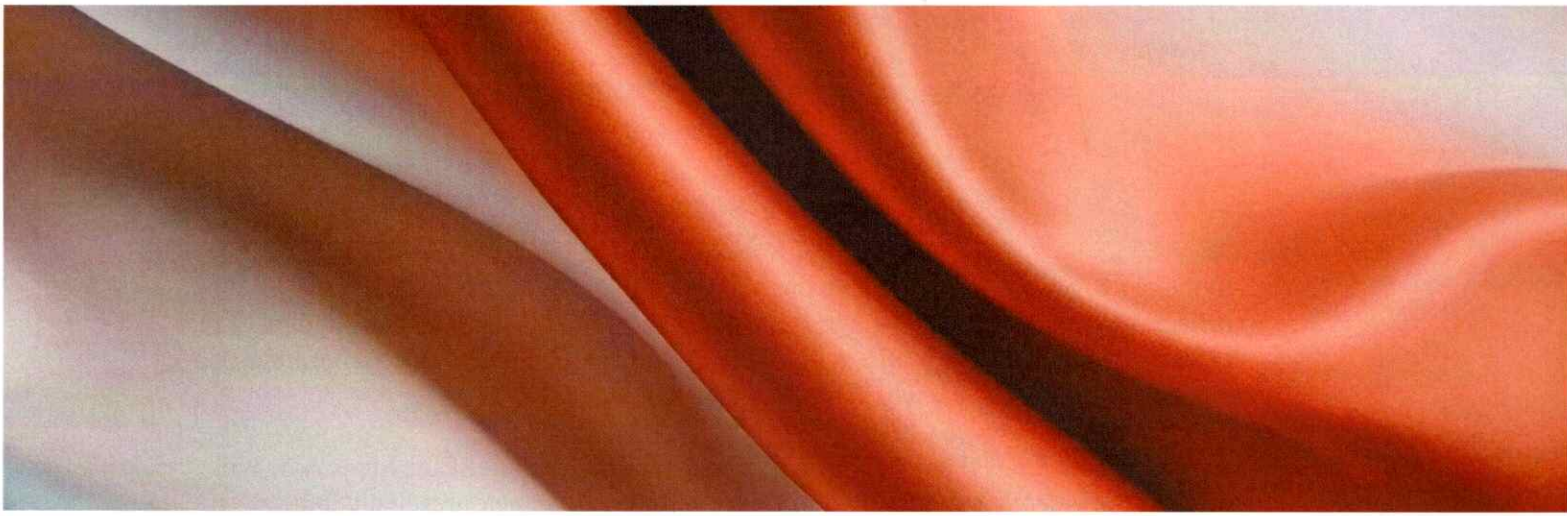
6. Any evidence of racial profiling or police mis-conduct, the First-Line Supervisor will forward the videotape to the Chief of Police for corrective measures, including sanctions.

H. Racial Profiling Training: All officers, including the Chief of Police, are responsible to adhere to the Texas Commission on Law Enforcement (TCOLE) and the Law Enforcement Management Institute of Texas (LEMIT) training and education requirements, as mandated by state law.

1. All officers shall complete a TCOLE training and education program on racial profiling, in accordance with state law.
2. The Chief of Police will be required to attend the LEMIT program on racial profiling.

Chief of Police

BP 2.01



For additional questions regarding the information presented in this report, please contact:

Del Carmen Consulting©
817.681.7840
www.texasracialprofiling.com
www.delcarmenconsulting.com

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**TEXAS POLICE CHIEFS ASSOCIATION FOUNDATION
LAW ENFORCEMENT ACCREDITATION PROGRAM
ANNUAL REPORT (revised 2024)**

Agency: Kennedale Police Department

Year Report Filed: 2024

Current Chief Executive Officer: Mike Holguin

Contact Number: (817)985-2161

Current Program Manager:

Contact Number:

Current Sworn Strength Authorized: 21

Current Sworn Actual: 20

Current Non-Sworn Authorized: 3

Non-Sworn Actual: 3

Please answer the following questions regarding your department operations since your Accreditation Award Date or your last Annual Report. An annual report is not necessary during your fourth year after the Accreditation Award. Updated Proofs of Compliance for all Best Practices must be prepared during the fourth year (prior to the expiration of your current Accreditation Award) and an On-Site Review completed for renewal of Accredited status.

I. Policy or Organizational Changes

Since your previous report or on-site:

- | | | |
|--|------------------------------|--|
| 1. Did you make any changes in your Deadly Force policy? | ☐ Yes | ☒ No |
| 2. Did you make any changes in your Vehicle Pursuit policy? | ☐ Yes | ☒ No |
| 3. Did you make any changes in any other departmental written directive used as a Proof of compliance with a Standard? | ☐ Yes | ☒ No |
| 4. Have you made any changes to your organizational structure? | ☐ Yes | ☒ No |

If so, please explain and attach a copy of the policy revisions.

- | | | |
|--|---|--|
| 5. Has your Chief Executive officer changed? | ☐ Yes | ☒ No |
| 6. Has your Program Manager changed? | ☒ Yes | ☐ No |
| 7. If your CEO or Program Manager has changed, has the Chief written a letter to the TPCAF notifying them of the change and indicating an understanding of the existing contract with the Accreditation Program? | ☐ Yes | ☐ No ☒ NA |

II. Administration

Since your previous report or on-site:

1. If you promoted any new Supervisors, was Supervisor Training conducted? ☐ Yes ☐ No ☒ NA

2. Has every member of the Department received an annual Performance Evaluation? ☒ Yes ☐ No

3. Was there a Review conducted of the agency's Emergency Operations Plan? (Required every two years.) ☒ Yes ☐ No

If you answered No to any of the above, please explain:

III. Performance Activities

Since your previous report or on-site:

1. Have all sworn members of your department qualified at least once with all firearms they are authorized to carry? ☒ Yes ☐ No

2. Have all of the sworn officers in the department received annual training on the use of deadly force and the use of the firearms they are authorized to carry? ☒ Yes ☐ No

3. Have all sworn officer's firearms been inspected? ☒ Yes ☐ No

4. Have all employees and volunteers received the required training necessary for TCOLE requirements? ☒ Yes ☐ No

5. If you have an Emergency Response Team, was training conducted according to the schedule indicated in your Written Directives? ☐ Yes ☐ No ☒ NA

6. If you have Crisis Negotiators, was training provided according to the schedule indicated in your Written Directives? ☐ Yes ☐ No ☒ NA

7. If your agency uses a Confidential or Narcotics Buy Fund, was it audited to ensure proper operation at least every six months? ☐ Yes ☐ No ☒ NA

8. Was agency Special Use equipment inspected at least quarterly? ☒ Yes ☐ No ☐ NA

9. If you have an Emergency Response Team, was their equipment inspected at least quarterly? ☐ Yes ☐ No ☒ NA

10. If you are responsible for Courtroom Security, was the Fire Evacuation Plan discussed with Court employees? ☒ Yes ☐ No ☐ NA

11. Did the department conduct at least two Property Room Inspections during the year? ☒ Yes ☐ No

12. Did the department conduct an inventory of the Property Room? ☒ Yes ☐ No

13. Did you conduct training and have all officers qualify with less than lethal weapons that they are authorized to carry this year? (Required every two years) ☒ Yes ☐ No

14. Has your agency completed its required Racial Profiling Report and submitted it to your governing body? ☒ Yes ☐ No

If you answered No to any of the above questions, please explain:

IV. Facility Modifications

Since your previous report or on-site:

1. Have you changed facilities? ☐ Yes ☒ No

2. Have you made any physical changes to your:

Property Room? ☐ Yes ☒ No ☐ NA

Communications Center? ☐ Yes ☐ No ☒ NA

Holding Facility? ☐ Yes ☐ No ☒ NA

If you answered Yes to any of the above questions, please explain and describe the actions taken to maintain compliance with Best Practices in those areas.

V. Unusual Events

1. Have there been any negative media reports that a reasonable person could perceive as affecting the agency's compliance with Accreditation standards? ☐ Yes ☒ No

2. Have any events occurred that a reasonable person could perceive as negatively affecting the agency's compliance with Accreditation standards? ☐ Yes ☒ No

If you answered Yes to any of the above questions, please explain.

VI. Required Reports

In addition to the above status report, Accredited Agencies are required to submit copies of the below required reports and proof of the annual Property Room inventory. Please indicate if these reports are attached or submitted as additional attachments.

Annual Analysis of Use of Force	☒ Yes	☐ No
Annual Analysis of Pursuits	☒ Yes	☐ No
Annual Analysis of Accidents and Injuries	☒ Yes	☐ No
Proof of Property Room Inventory (dated)	☒ Yes	☐ No

If you answered No to any of the above questions, please explain:

VI. Other Issues

Is your agency currently in compliance with all applicable Standards? ☒ Yes ☐ No

If No, please explain:

Does your agency review the Vincible Training provided by TPCA? ☒ Yes ☐ No

During the past year, have there been any instance where you feel your agency was not in compliance with applicable standards? ☐ Yes ☒ No

If Yes, please explain:

VII. Certification

I hereby certify that I am a current member in good standing with TPCA and I further certify that this agency can demonstrate ongoing compliance with all applicable Accreditation Program Standards except as indicated above.

Chief Executive Officer Signature:  #029

Date: 01/28/2025

Prepared By: MIKE HOLGUIN
CHIEF OF POLICE

+

City of
KENNEDALE.
Texas
EST. 1887

YOU'RE HERE  YOUR HOME



Trust - Integrity - Purpose



Use of Force Analysis Report

2024

Kennedale Police Department
401 Municipal Drive
Kennedale, Texas 76060

The City of Kennedale, Texas Police Department
Analysis of the Use of Force
January 1st through December 31st, 2024



The City of Kennedale, Texas Police Department
Analysis of the Use of Force
January 1st through December 31st, 2024



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The City of Kennedale, Texas Police Department
Analysis of the Use of Force
January 1st through December 31st, 2024



Purpose

The purpose of this report is to analyze Use of Force incidents involving Kennedale Police Department Officers from January 1, 2024 through December 31, 2024.

The City of Kennedale Police Department is committed to protecting the rights of all persons by using only necessary and reasonable force to achieve legal objectives. Each use of force incident and report is reviewed to meet department and community expectations. The goal of each use of force encounter is to use only necessary and prudent force for the situation while minimizing the impact on our citizens.

This analysis is also conducted each year to comply with **Texas Law Enforcement Best Practice Standard 6.10**. Meeting the expectations of this standard assists the department by identifying methods for possibly reducing future use of force incidences and the inherent risks involved.

Additionally, analyzing the application of force in each incident will assist with recognizing trends or variables that may result in operational or policy changes. Analysis can also examine changes in use of force training and in the manner that force is used, exploration of new equipment needs, or changes to the operational response and procedural management of a use of force incident by police supervisors.



Mike Holguin
Chief of Police

Use of Force Implementation



Kennedale Police Officers are trained by the department to use the least amount of force necessary to complete a legal and lawful objective. Officers are trained to escalate force successively based on the situation, using the lowest level or least amount of force when possible. The level of resistance encountered by an officer will determine what level of force an officer will use to gain control of a situation, effect a detention or arrest, or to protect a citizen or themselves from harm. There is no

requirement that an officer must apply force successively beginning with the lowest level of the force if the officer is facing an escalated force situation. Officers are authorized to use the level of force necessary to meet an escalated threat in the furtherance of legal and lawful objectives.

The City of Kennedale, Texas Police Department
Analysis of the Use of Force
January 1st through December 31st, 2024



Use of Force Reporting Requirements



Texas Law Enforcement Best Practice Standard 6.03 and Kennedale Police Department General Order 6.3 require the completion of a detailed, written report when an officer is involved in a use of force encounter.

In accordance with Standard 6.03- Use of Force Documentation and Review, officers will complete a Use of Force Report form to document the type, level and aftereffects of the force used. The reporting officer must identify the force used by each officer involved in a use of force incident. Additionally, the report must include the reason for contact, the suspect actions and injuries to anyone involved.

A Use of Force Report must be completed in any situation where force is used. This includes, but is not limited to:

- the use of empty hand control techniques,
- the use of less than lethal weapons,
- vehicle pursuits,
- pointing a firearm at a suspect, and
- the use of deadly force.



Each Use of Force report is reviewed by the chain of command. The Use of Force Report approval process begins with the officer's immediate supervisor and concludes after the final review by the Chief of Police.

The chain of command review process allows for a thorough examination of a use of force incident to determine if the force used was appropriate, lawful and within departmental policy and guidelines. If the application of force used does not satisfactorily meet these standards, a police department investigation of the incident is required. The outcome of an investigation can result in additional training, corrective discipline, or termination of employment for each officer involved. The outcome of an investigation can also result in department-wide changes to policies, procedures, and training.

The City of Kennedale, Texas Police Department
Analysis of the Use of Force
January 1st through December 31st, 2024



Analysis

The following pages discuss the analysis of the application of force for the 2024 calendar year. This report is not intended to identify use of force complaints. Concerns regarding the force used in any of the documented instances of this report have been previously addressed by the department through the chain of command review process. Any violations of Use of Force policies requiring corrective action or discipline from 2024 have been investigated and concluded.

Use of Force Comparison 2024 v. 2023

The Use of Force Analysis Report only compares the highest level of force used per incident with the previous year's data. However, all applications of force used by every officer are scrutinized during the chain of command review process. All applications of force are held to the same standard as previously stated in the [Use of Force Reporting Requirements](#) section of this report.

There were 19 Use of Force Reports completed in 2023 compared to 51 Use of Force reports documented in 2024. The current standard requires officers to each officer to individually complete a report on the same incident. The same information is collected as in years past, the only difference being that each officer has their own form; they are not added to the same form any longer. The **2023** reports indicated that there were **19** Kennedale officers who individually used various levels of force in each of the **14** instances reported. The **2024** reports indicate that **16** officers documented **51** use of force reports for **21** instances or events requiring the use of force. The difference from 2023 to 2024 represents an increase of **7 (+7)** force events, i.e., use of force encounters. The complexity of some of the events or encounters required the use of multiple levels of force used by multiple officers which led to the higher number of reports. These included two shooting calls during this period. This will be discussed in greater detail in the *Individual Officer Use of Force* and the *Use of Force Summaries by Category* sections found later in this report.

The 2024 total of force encounters is higher than the previous year. 51 reported use of force encounters is significantly higher than the three-year average range of 18 (24 in 2021; 11 in 2022; 19 in 2023= 54/3). There are no concerns presently and the potential cause for the significant drop in reports will be discussed in greater in the following paragraphs.

There were 35,398 public contacts in 2024 versus 26,028 public contacts in 2023, an increase of 9,370 or 40%. Public content data is provided by dispatch services as a combination of all calls for service and self-initiated calls combined. As seen in the past, an increase of public contacts would have typically resulted in a correlated increase of uses of force. However, although contacts increased substantially, use of force incidences remained very low. An additional important fact to also consider is that the decrease in reports is in spite of more strict reporting guidelines initiated in 2021 that require the completion of a report by each officer involved.

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The ratio of use of force frequency compared to public contacts in 2024 is higher compared to previous years even with increased contacts - .00144 (51 / 35,398), due to the higher number of Use of Force reports completed. The ratio for 2023 was .00072 (19 / 26,028) and 2022 was .0005 (11 / 20,395). This can also be interpreted as approximately one use of force encounter situation for every 694 (35,398/51) documented and recorded public contacts.

Additionally, the latest information from City-Data.com shows that the population for Kennedale was 9,329 in 2022, an increase over the previously reported 2019 number of 8,645. However, the United States Census Bureau in 2024 estimates that that current population is closer to 10,565 residents and growing. Based on this information, there was one use of force encounter for every 207 citizens. Although the citizen-to-force breakdown is not significant, it is used to further illustrate the relatively low use of force incidents that were reported by the police department in 2024. However, it is recognized that when comparing use of force ratios, there are no nationally accepted use of force threshold ratios for police departments. Police administrators must use comparative year-to-year data to identify any potential anomalies.

A five-year comparison of Use of Force Reports using the present and previous reporting standards and instructions shows a repeated cycle of increases and decreases:

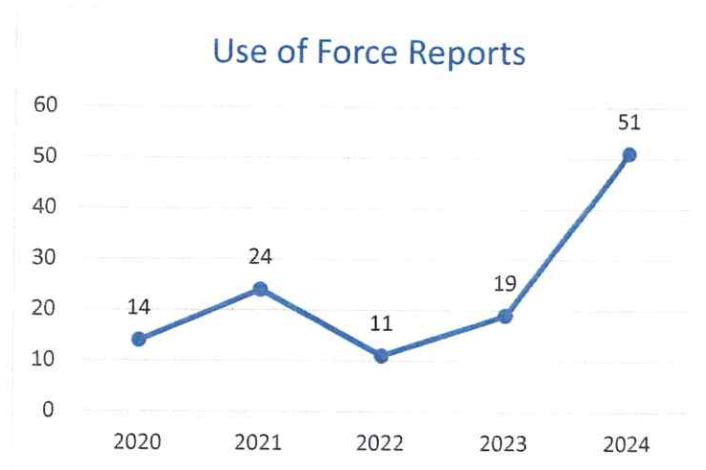


Figure 1: 2020 through 2024 Use of Force Report comparison.

The continued population growth in Kennedale (5.1% per year based on U.S. Census data) and the rising number of housing starts in the city and in surrounding communities continues to increase voluntary and involuntary police/citizen contacts. As a result, it is to be expected that the number of incidences requiring use of force reporting will increase.

Additionally, with legislative changes regarding use of force reporting standards, the Kennedale Police Department began reporting additional force options and actions in 2021. As a result of the increasing population and stricter reporting requirements, it was predicted that there would

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be a significant increase in the number of Use of Force Reports completed in addition to an increase in the number of documented uses of force by each officer in years to come.

The relatively low incidences of uses of force events by the Kennedale Police Department compared to the ratio of citizen/police contact can be attributed to the following factors:

- The separation of officers who tended to use force in lieu of verbal de-escalation techniques;
- strict adherence to department use of force policies;
- a reporting structure whereby each use of force report is reviewed by a certified defensive tactics instructor and the chain of command;
- application of the Pressure Point and Control Tactics (PPCT) model; and,
- monthly training (four-hour block minimum) to include defensive tactics, active shooter, and firearms training.

There are no concerns regarding the 16 officers who used force in the 21 incidents reported. Supervisors will continue to monitor and thoroughly review Use of Force Reports to determine if force alternatives need to be addressed or investigated. The nature of each incident differed and, in some cases, required multiple officers to use varying levels of force as the situation unfolded. In the instances where more than one officer used force during a single event, a felony level offense was involved, the subject(s) were uncooperative, resisted arrest, or were using active aggression against another person or an officer. The actions of the suspects encountered in use of force situations determined when more than one officer was required to use force. Each incident and the circumstances requiring the force that was used will be described in the **Use of Force Summaries** section of this report. The following is a breakdown of force by category – 2024 v. 2023.

Type of Force Used	2023	2024	Change
Electronic Control Device- ECD (Taser) Discharged	0	1	+1
Electronic Control Device- ECD (Taser) Displayed	1	2	+1
Firearm Discharged	0	2	+2
Firearm Displayed / Unholstered	0	19	+23
Firearm Pointed at Subject	4	10	
Impact Weapon	0	0	0
Non-Lethal / Less than Lethal (Including Display)	1	1	0
Oleoresin Capsicum (OC) Spray	0	0	0
Physical Control / Empty Hand Control (Soft & Hard)	5	13	+8
Leg Restraints	0	3	+3
Vehicle Pursuits	0	0	0
Other (Handcuffing without Arrest)	9	11	+2
TOTALS	20	66	+46

Table 1: 2023 v. 2024 types of force used.

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An analysis of the use of force reports in 2024 found only one instance necessitating department supervision to either implement discipline or corrective action. The remaining 65 other applications of force were within departmental policy with no concerns.

As seen in Table 1, the categories of **Electronic Control Device- ECD (Taser) Discharged**, **Electronic Control Device- ECD (Taser) Displayed, Non-Lethal / Less than Lethal (Including Display)**, and **Other (Handcuffing without Arrest)** had similar numbers between 2023 and 2024. Within the Use of Force incidents categorized as **Other**, all 11 were for **Handcuffing without Arrest**.



As previously discussed, the increased numbers appear alarming. However, as will be discussed in the following sections, the complexity and nature of some of the calls that the officers engaged in this past year were different from years past. In some cases, officers were required to use multiple variations of pressure point and control or defensive tactics in one incident, i.e., displaying a taser, handcuffing, and using leg restraints to arrest one subject. Regardless, the police department's continued emphasis on providing excellent customer service, engaging in community outreach programs and the current communication strategies (social media, crime prevention presentations, etc.) may have also keep numbers from increasing further. Officers of the Kennedale Police department are trained and expected to provide the best police service possible while conducting their duties.

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Individual Officer Use of Force

In 2024, 16 officers were involved in use of force situations. As previously written in the [Use of Force Comparison 2023 v. 2024](#) section of this report, the actions of officers were reviewed per department policy to ensure that force was legally and lawfully applied and in compliance with the department's Use of Force standards.

Reference Best Practices standards, the review process correspondingly attempts to identify patterns of officer behavior which could indicate the need for additional training or closer supervisor even if the officer's actions did not merit an internal complaint. The Kennedale Police Department's chain of command understands that the frequency and level of force that an individual officer may apply during a year can depend on several factors. These factors may include the level of crime activity in the officer's assigned area, the type of assignment the officer is given, the time of day or shift assigned and the officer's experience level.

The department staffs two, twelve-hour patrol shifts. Each patrol shift consists of the following service hours:

- Day Shift (7am - 7pm)
- Night Shift (7pm - 7am)

The following table provides the number of completed Use of Force Reports by shift:

Shift	Incidences of Force Used	Percentage
Day Shift	54	82%
Night Shift	12	18%
TOTAL	66	100%

Table 2: Use of force incidences percentages by shift.

The shift comparison by number table (Table 2) clearly indicates that officers working the 7am to 7pm shift were more likely to be involved in a situation requiring the completion of a Use of Force Report.

Regarding percentage comparisons in **2024**, Day Shift accounted for **83%** and Night Shift accounted for **18%** of all use of force incidents recorded. In **2023**, Day Shift accounted for **71%** and Night Shift accounted for **29%** of all use of force incidents recorded. Having the ability to compare two years of 12-hour shift data confirms that Day Shift consistently has a higher percentage of use of force.

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As stated previously, an officer's work hours can be a contributing factor to the frequency of incidents an officer may find themselves engaged in requiring the use of force. The Evening Shift historically reports more incidences. However, all applicable factors are considered during the chain of command review to ensure consistency and accountability.



A higher number of uses of force during evening shift hours is consistent with most police agencies across the country. Police departments experience the highest call load volume from 2pm to 11pm, requiring the bulk of patrol officer staffing to be assigned to evening hours. The following [Summary of Use of Force Categories](#) section will provide an overview of the circumstance of each incident.

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Use of Force Summaries by Category



The following pages of this report contain the summary of each Use of Force Report submitted by officers in 2024. The summaries are listed in order by the amount of reports completed for each category. For instance, the Physical Control / Empty Hand Control category had the most reports so it will be the first level of force listed and summarized in this report.

Each Use of Force Report is categorized according to the maximum level of force used at the time force was applied by the officers involved, although differing levels of force may also be documented in the report.

Within the report summaries, each report is listed by date of occurrence. The report number is also included for reference purposes.

Physical Control / Empty Hand Control

Kennedale Police Officers reported using force consisting of **Physical Control / Empty Hand Control** 16 times during 9 documented Use of Force incidences in 2024, an increase from 2023. In 2023, officers reported using force five times on four incidences

During an escalating situation, Physical Control / Empty Hand Control begins when the subject does not respond to verbal direction and the officer performs an action beyond using only a strong grip to control a subject. An example that would be considered reportable under the Physical Control / Empty Hand Control category would include the officer using a strong grip while forcibly having to use their body weight, strength, or other means to handcuff a resisting subject. Additional examples of actions that should be categorized as Physical Control include applying touch pressure or striking nerve centers of a subject's body to create muscular motor dysfunction and using any other soft or empty hand techniques that would not typically cause any serious or permanent injury to a subject. Forcibly taking a subject to the ground to affect an arrest is also considered Physical Control / Empty Hand Control.

In every report summarized in this section, Kennedale Police Officers used Physical Control / Empty Hand Control without escalating force.

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Please see the following summaries regarding the use of **Physical Force / Empty Hand Control** for 2024:

Date: 01-22-2024 **Report Number: 24-0043**

Summary:

The force documented in the report consisted of Handcuffing Without an Arrest and Hard Empty Hand Control. This report contains two narrative from two officers.

Officer #1 Force Used: Handcuffing Without an Arrest.

Officer #2 Force Used: **Hard Empty Hand Control**.

Officers were dispatched to a major accident scene and found a vehicle had struck a building. Officer located the driver of the vehicle who appeared to be having a medical emergency and was injured. When officers approached the subject, the subject became combative and was restrained to prevent them from further injuring themselves, running into traffic, or injuring responders. During the struggle the subject bit one officer on the arm and spit blood into both officers' eyes and mouth. No policy violations or concerns were documented in the chain of command review.

Date: 01-23-2024 **Report Number: 24-0046**

Summary:

The force documented in the report consisted of **Soft Empty Hand Control** and Handcuffing Without an Arrest.

The officer was dispatched to a suspicious person panhandling at a local business. The business reported they believed the person had been trespassed from the location on a previous occasion. The officer located the person, who upon seeing and being approached by the officer, became passively resistant to commands and detention. The officer used soft empty hand control to detain the person near the persons vehicle. The officer observed a large knife in the vehicle and when the person attempted to enter their vehicle the officer handcuffed the person to prevent them from entering the vehicle and possibly gaining access to the knife. Once handcuffed the person became compliant, was issued a criminal trespass warning for the location and released. Neither the detained person nor the officer were injured. No policy violations or concerns were documented in the chain of command review.

Date: 01-25-2024 **Report Number: 24-0051**

Summary:

The force documented in this report consisted of **Soft Empty Hand Control**.

The School Resource Officer overheard yelling coming from a hallway and went to investigate. The officer observed several teachers trying to stop a fight in the middle of the hallway. The officer responded by aiding in the restraint of one involved student who had fallen to the ground. The officer used soft empty hand control to hold the student's legs while a teacher held the student's arms. Once the other parties to the fight were removed from the area the student was released and medically cleared by the school nurse.

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During the chain of command review it was discovered that the officer forgot to activate their body worn camera. The officer was counseled for violating the body worn camera policy. No concerns regarding the officers use of force were documented in the chain of custody review.

Date: 02-28-2024

Incident Number: 2024-00390505 (Arlington PD)

Summary:

The force documented in this report consisted of Firearm Pointed at Subject and **Hard Empty Hand Control**.

The officer was driving through an adjacent jurisdiction when they observed another officer on a traffic stop in need of assistance. The officer assisted the other agency officer in attempting to remove the occupant of the stopped vehicle by using hard empty hand control. The occupant of the vehicle then retrieved a firearm and the officer moved to a position of cover and pointed their firearm at the vehicle occupant. The occupant then pointed the weapon at the other officer who discharged his weapon injuring the occupant. No policy violations or concerns were documented in the chain of command review.

Date: 05-16-2024

Report Number: 24-0332

Summary:

The force documented in the report consisted of **Soft Empty Hand Control** and Intermediate Weapons- Taser Displayed. The report contains five separate use of force narratives from five responding officers.

Officer #1 Force Used: **Soft Empty Hand Control**.

Officer #2 Force Used: **Soft Empty Hand Control**, Intermediate Weapons. (Taser Displayed)

Officer #3 Force Used: **Soft Empty Hand Control**.

Officer #4 Force Used: **Soft Empty Hand Control**.

Officer #5 Force Used: **Soft Empty Hand Control**.

Officers were dispatched to a theft in progress at a local convenience store. Officers arrived and were confronted by an aggressive subject who only had one arm. The subject refused to comply with lawful orders to depart the scene and became combative by throwing objects outside the store at the officers. Officers attempted to detain the subject who again became combative. It was determined the subject was suffering from a psychiatric emergency. Because of the subject's physical impairments handcuffing was problematic. The subject was taken to the ground by officers and began to calm down. Ultimately the subject was taken into protective custody and transported by ambulance to a local hospital for psychiatric evaluation.

The chain of command review documented no policy violations or concerns. Further evaluation revealed the need for additional equipment and training for restraining individuals with missing limbs. The review and evaluation of this report resulted in the purchase of and training in the use of transport belts and leg restraints.

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Date: 05-17-2024

Report Number: 24-0339

Summary:

The force documented in this report consisted of **Soft Empty Hand Control** and Applied Leg Restraints. This report contains four separate narratives from four responding officers.

Officer #1 Force Used: **Soft Empty Hand Control**

Officer #2 Force Used: **Soft Empty Hand Control**

Officer #3 Force Used: **Soft Empty Hand Control**

Officer #4 Force Used: **Soft Empty Hand Control**, Applied Leg Restraints

Officers responded to a demented person call at a local school. When officers arrived, the subject began running from officers resulting in a short foot pursuit. When officers attempted to take the subject into custody the subject began resisting arrest. Officers were able to place the subject in handcuffs, but the subject began to kick and headbutt officers. Officers took the subject to the ground and applied leg restraints and secured the subject in the rear of a police vehicle. The subject was transported to jail without injuries. No policy violations or concerns were documented in the chain of command review.

Date: 12-29-2024

Report Number: 24-0911

Summary:

The use of force documented in this report consisted of **Soft Empty Hand Control** and Applied Leg Restraints. This report contains two officer narratives.

Officer #1 Force Used: **Soft Empty Hand Control**, Applied Leg Restraints.

Officer #2 Force Used: Applied Leg Restraints.

Officers were dispatched to a local apartment complex on a mental health crisis. Officers arrived and discovered an elderly subject having a mental health crisis. Officers interviewed the subject and discovered the subject had a plan and means to cause themselves harm. Officers were able to obtain enough information to secure an emergency committal. When officers took the subject into protective custody the subject became passive resistant by sitting on the ground and refusing to walk by themselves. Officers lifted the subject to their feet and guided them to a patrol car. When placed in the patrol car for transport the subject became actively aggressive stomping on the foot of one officer and then began kicking the inside of the steel cage area of the patrol car and blocking the door from being closed. To prevent the subject from injuring themselves leg restraints were applied to prevent further kicking and allow the door to be closed. Once at the hospital the subject was released from restraints at the request of medical personnel. Once the subject was released they became actively aggressive once more and attempted to kick and bite the hospital staff. Leg restraints were re-applied until the subject could be sedated by doctors. No violations of policy or concerns were documented in the chain of command review.

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Firearm Discharged or Displayed

Kennedale Police Officers reported using force consisting of **Deadly Force/ Firearm Discharged 2** times during 2 documented Use of Force Incidences in 2024.

Officers **Displayed a Firearm** (pointed at a subject or unholstered) on 29 occasions on 8 incidents during 2024.



The use of a firearm by discharge or display while trying to achieve a legal and lawful objective or to stop a substantial threat is considered using or threatening to use deadly force. If deadly force is used by an officer, there is a considerable chance that the outcome will be irreversible. Therefore, the Kennedale Police Department has restrictions on the use of lethal force that officers must comply with during the performance of their duties.

Additionally, officers must also adhere to the rules of engagement and the tactics taught through the intensive training each officer receives. Officers must also follow the department's deadly force policies and state laws.

As in every situation where force is used, all situations where a firearm is discharged or displayed must be documented on a Use of Force Report form. However, if an officer discharges a weapon on duty, a detailed investigation is initiated to determine if the officer's use of a firearm followed department policy and the law.

The following are summaries of the incident involving a firearm in 2024:

Date: 02-18-2024

Report Number: 24-0124

Summary:

The force documented in this report consisted of **Firearm Pointed at Subject**. The report contains four narratives from two officers. Two suspects were involved.

Officer #1 Force Used: **Firearm Pointed at Two Suspects**.

Officer #2 Force Used: **Firearm Pointed at Two Suspects**.

Officers were dispatched to a residence on a reported burglary in progress. The caller reported seeing two individuals remove a window screen and enter the residence. The officers discovered an open and broken window and made entry to search the residence. Once inside officers drew their department issued duty weapons while conducting the search. The officers located two suspects in the residence. The officers were able to determine the individuals were staying at the residence without a lease. Officers further determined the incident was civil in nature and

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no criminal charges were filed. No policy violations or concerns were documented in the chain of command review.

Date: 02-28-2024

Incident Number: 2024-00390505 (Arlington PD)

Summary:

The force documented in this report consisted of **Firearm Pointed at Subject** and Hard Empty Hand Control.

The officer was driving through an adjacent jurisdiction when they observed another officer on a traffic stop in need of assistance. The officer assisted the other agency officer in attempting to remove the occupant of the stopped vehicle by using hard empty hand control. The occupant of the vehicle then retrieved a firearm and the officer moved to a position of cover and pointed their firearm at the vehicle occupant. The occupant then pointed the weapon at the other officer who discharged his weapon injuring the occupant. No policy violations or concerns were documented in the chain of command review.

Date: 06-03-2024

Report Number: 24-0379

Summary:

The force documented in this report consisted of **Firearm Pointed at Subject** and Handcuffing Without Arrest. This report contains two separate narratives from two officers.

Officer #1 Force Used: **Pointed Firearm at Subject**, Handcuffing Without Arrest.

Officer #2 Force Used: **Pointed Firearm at Subject**.

Officers were dispatched to a local fast food restaurant for a burglary in progress. Officers arrived and met with the reporting party who stated when they arrived at the business to open for the day they discovered a person inside the building. Due to the nature of the call, a felony offense in progress, officers drew their duty weapons and entered the building to search for the suspect. Officers located the suspect and gave commands for the suspect to lay on the ground. The suspect complied with commands and was placed in handcuffs. The investigation revealed the business was left unsecured and the suspect, an indigent demented person, had entered the store during the night. The suspect was also determined to be under the influence of some narcotic and in medical distress. The suspect was released from custody and transported by ambulance for medical and psychiatric evaluation. No policy violations or concerns were documented in the chain of command review.

Date: 06-23-2024

Incident Number: 2024-072827

Summary:

The force documented in this report consisted of **Firearm Pointed at Subject** and **Firearm Displayed**. This report contains six narratives from three officers. Two suspects were involved.

Officer #1 Force Used: **Displayed Firearm to two subjects**.

Officer #2 Force Used: **Firearm Pointed at two subjects**.

Officer #3 Force Used: **Firearm Pointed at one subject, Displayed Firearm to one subject**.

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Officers were dispatched to a burglary in progress at a residence. The caller reported seeing multiple individuals at a recently deceased neighbor's house. Officers arrived and located two subjects in an outbuilding next to the residence and another subject inside the residence. Due to the nature of the call, a felony in progress, officers drew their duty weapons and gave commands for the two subjects to exit the building. After detaining the subjects and securing the scene officers discovered another subject inside the residence who came out to see what was happening. This subject was discovered to be a family member of the recently deceased owner and was on location to begin clearing the property. All the subjects were released. No violations of policy or concerns were documented in the chain of command review.

Date: 08-05-2024

Incident Number: 2024-0542

Summary:

The use of force documented in this report consisted of **Firearm Pointed at Subject**, Handcuffing Without Arrest. This report contains two officer narratives.

Officer #1 Force Used: **Firearm Pointed at Subject**.

Officer #2 Force Used: **Firearm Pointed at Subject**, Handcuffing Without Arrest.

Officers were dispatched to a theft of a vehicle in progress. Officers responding to the call were informed an employee had just been fired from a local business and left the business with the company van without permission and after their employment being terminated. Officers observed a van matching the description of the stolen vehicle in a parking lot and conducted a felony traffic stop. Due to the nature of the offense, an occupied stolen vehicle, the officers drew their duty weapons and pointed them at the suspect. The suspect was then removed from the van and handcuffed. The subsequent investigation revealed that the detained vehicle and driver was a different vehicle and driver operating an identical company van with the same logos and markings as the stolen van. The driver was released from custody. No violations of policy or concerns were documented in the chain of command review.

Date: 09-06-2024

Report Number: 24-0635

Summary:

The use of force documented in this report consisted of **Firearm Pointed at Subject**, Less Lethal Shotgun Displayed. This report contains two officer narratives.

Officer #1 Force Used: **Firearm Pointed at Subject**.

Officer #2 Force Used: Less Lethal Shotgun Displayed.

Officers responded to a domestic disturbance at a residence. The caller told dispatch the suspect was armed with a gun and wanted to have a shootout with the police. The caller gave a description of the suspect and stated he was in the backyard of the residence. Due to the nature of the offense, person with a gun, one officer approached the residence with their duty weapon drawn and the second officer approached with a less lethal shotgun displayed. Officers confronted the subject who was unarmed and was detained. During the investigation officers discovered the subject had been holding a B.B. gun and not an actual firearm and that no assaultive offense had occurred. The subject was released from custody. During the chain of

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command review it was determined the use of the less lethal shotgun in this incident was not optimal due the subject potentially being armed with a firearm. The second officer was counseled regarding the use of less lethal options in potentially lethal encounters. No violations of policy or further concerns were documenting in the chain of command review.

Date: 09-10-2024 Report Number: 24-0646

Summary:

The use of force documented in this report consisted of **Firearm Pointed at Subject, Firearm Discharged at Subject**. This report contains three officer narratives.

Officer #1 Force Used: **Firearm Discharged at Subject**.

Officer #2 Force Used: **Firearm Discharged at Subject**.

Officer #3 Force Used: **Firearm Displayed**.

Officers responded to a welfare check at a residence. Upon contacting the caller officers discovered one subject inside the residence was armed with a firearm. The armed subject then fired their weapon shooting the caller in the back. As officers attempted to rescue the victim the armed subject fired multiple rounds at the officers who returned fire at the subject to protect the victim, themselves, and neutralize the threat. The armed subject surrendered to officers and was taken into custody. The victim was transported to a local hospital for treatment and released. No violations of policy or concerns were documented in the chain of command review.

Date: 12-04-2024 Report Number: 24-0854

Summary:

The use of force documented in this report consisted of **Firearm Displayed** and Handcuffing Without Arrest. This report contains nine officer narratives.

Officer #1 Force Used: **Displayed Firearm** to Three Subjects.

Officer #2 Force Used: **Displayed Firearm** to Three Subjects. Handcuffing Without Arrest.

Officer #3 Force Used: **Displayed Firearm** to Three Subjects. Handcuffing Without Arrest.

Officers were dispatched to a local apartment complex on a person with a gun and shots fired call. Officers arrived and discovered four individuals had been in an apartment arguing when one individual discharged a firearm at one of the other individuals in the apartment. Officers secured the location and but were unable to determine who in the apartment may be armed. Officers drew their duty weapons and called the occupants of the apartment out one at a time, searched them for weapons, secured them in handcuffs, and placed them in patrol vehicles. After an investigation one individual was arrested and charged. No violations of policy or concerns were documented in the chain of command review.

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Electronic Control Device- ECD (Taser)

Kennedale Police Officers discharged and or utilized the drive stun feature on the standard issue Taser, an **Electronic Control Device (ECD)** 2 times during 2 documented incidences in 2024.

Kennedale Police Officers reported using force consisting of **Intermediate Weapons/ Taser Displayed** 2 times during 2 documented Use of Force Incidences in 2024.

Electronic Control Devices (ECD's), commonly referred to as Tasers, are handheld devices that fire two small darts designed to penetrate the skin. The darts can also penetrate average, daily wear clothing. The darts cannot penetrate thick clothing, coats, or jackets.

The darts are tethered to a power source with small flexible wires. When the device is activated, a high voltage/low amperage charge is transmitted via the wires and through the darts imbedded in the individual. The electronic charge causes involuntary motor dysfunction to the large muscle groups of the body. When motor dysfunction takes place, the subject is incapacitated long enough to be taken into custody by officers. The transmission of the electric charge lasts five seconds at a time and does not usually result in any negative, long-term side effects when used on a healthy individual.

The Kennedale Police Department trains officers on the proper and appropriate use of Electronic Control Devices. Officers are expected to follow policies designed to restrict the use of an ECD to situations where the officer is encountering and attempting to stop active aggression against themselves or another individual that the officer must protect. The use of an ECD is not allowed when encountering passive resistance or passive non-compliance. As with any weapon or defensive tactic technique, officers are not allowed to use the ECD in any manner that could be construed as cruel or unusual. When the suspect stops resisting and complies with the officer's commands, the officer must stop activating the ECD. This is also expected when an officer displays the ECD in response to an active aggression situation. If the subject becomes compliant, the officer should not activate the ECD.

Included in the category are incidents when the use of an ECD was the highest level of force used to bring a subject under control. If the use of an ECD was insufficient to bring the individual under control and a higher level of force was used, the higher level of force is documented in the appropriate category.

The following summarizes the discharge and display incidences of an ECD during this reporting period:

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Date: 05-16-2024

Report Number: 24-0332

Summary:

The force documented in the report consisted of Soft Empty Hand Control and **Taser Displayed**. The report contains five separate use of force narratives from five responding officers.

Officer #1 Force Used: Soft Empty Hand Control.

Officer #2 Force Used: Soft Empty Hand Control, **Intermediate Weapons (Taser Displayed)**

Officer #3 Force Used: Soft Empty Hand Control.

Officer #4 Force Used: Soft Empty Hand Control.

Officer #5 Force Used: Soft Empty Hand Control.

Officers were dispatched to a theft in progress at a local convenience store. Officers arrived and were confronted by an aggressive subject who only had one arm. The subject refused to comply with lawful orders to depart the scene and became combative by throwing objects outside the store at the officers. Officers attempted to detain the subject who again became combative. It was determined the subject was suffering from a psychiatric emergency. Because of the subject's physical impairments handcuffing was problematic. The subject was taken to the ground by officers and began to calm down. Ultimately the subject was taken into protective custody and transported by ambulance to a local hospital for psychiatric evaluation. The chain of command review documented no policy violations or concerns. Further evaluation revealed the need for additional equipment and training for restraining individuals with missing limbs. The review and evaluation of this report resulted in the purchase of and training in the use of transport belts and soft leg restraints.

Date: 06-02-2024

Report Number: 24-0376

Summary:

The force documented in this report consisted of **Use of Intermediate Weapons (Conducted Energy Weapon)**.

Officers were dispatched to a dog bite call. Officers arrived and discovered a child had been bitten and injured by an aggressive dog. Officers attempted to catch the dog and secure it since it was running at large and not in a secure enclosure. Officers were assisted by firefighters who were on scene to render medical aid to the injured child. The aggressive dog then tried to attack one of the firefighters. The officer deployed his conducted energy weapon and discharged it at the dog but missed with one of the probes. One probe struck the dog deterring it from continuing its attack on the firefighter. The dog was later captured by animal control and quarantined.

No policy violations or concerns were documented during the chain of command review.

The City of Kennedale, Texas Police Department
Analysis of the Use of Force
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Date: 07-31-2024

Report Number: 24-0533

Summary:

The use of force documented in this report consisted of **Intermediate Weapon/Pointed Taser at Subject**.

The officer was dispatched to a local convenience store on a theft in progress call. The officer arrived and observed the business manager chasing a subject across the parking lot. The officer initiated a foot pursuit for a short distance when the subject tripped and fell. The subject began to get up to run again and was not complying with commands given by the officer. The officer displayed his Conducted Energy Weapon and warned the subject to stay on the ground. The subject complied with commands and was taken into custody. The subject was found to be intoxicated in a public place and had committed theft from the store. The subject was transported to jail without injuries. No policy violations or concerns were documented in the chain of command review.

Date: 10-22-2024

Report Number: 24-0747

Summary:

The force used in this report consisted of **Conducted Energy Weapon Deployment**.

Officers were dispatched to a warrant service call. Officers arrived and the location and began looking for the described and named individual who had outstanding and active warrants for their arrest. Officers located the individual in a building and the individual fled out of the back door of the building. An officer who had staged behind the building for this very reason observed the individual running straight toward him. The officer believing the individual might try to attack or assault him drew his conducted energy weapon and pointed it at the individual who then turned around and ran from that officer. The officer discharged the conducted energy weapon but failed to strike the fleeing offender.

During the chain of command review it was discovered the officer had violated the conducted energy weapon policy because the individual had begun to run away. The conducted energy weapon policy prohibits the use of the weapon against individuals who are fleeing or running away unless an exigent circumstance exists. The chain of command review of the officer body worn camera revealed that no exigent circumstance existed. Because of the chain of command review, the officer was issued a written reprimand and the privilege to carry a conducted energy weapon was removed.

The City of Kennedale, Texas Police Department
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Other

Kennedale Police Officers reported using force consisting of **Handcuff Without Arrest** 12 times in 9 documented Use of Force Incidences in 2024.

Handcuffing without arrest documentation is a requirement in the Kennedale Police Department's Use of Force policies.

The following summarizes force documented as Other – Handcuffing Without Arrest during this reporting period.

Date: 01-22-2024

Report Number: 24-0043

Summary:

The force documented in the report consisted of **Handcuffing Without an Arrest** and Hard Empty Hand Control. This report contains two narrative from two officers.

Officer #1 Force Used: **Handcuffing Without Arrest.**

Officer #2 Force Used: Hard Empty Hand Control.

Officers were dispatched to a major accident scene and found a vehicle had struck a building. Officer located the driver of the vehicle who appeared to be having a medical emergency and was injured. When officers approached the subject, the subject became combative and was restrained to prevent them from further injuring themselves, running into traffic, or injuring responders. During the struggle the subject bit one officer on the arm and spit blood into both officers' eyes and mouth. No policy violations or concerns were documented in the chain of command review.

Date: 01-23-2024

Report Number: 24-0046

Summary:

The force documented in the report consisted of Soft Empty Hand Control and **Handcuffing Without an Arrest.**

The officer was dispatched to a suspicious person panhandling at a local business. The business reported they believed the person had been trespassed from the location on a previous occasion. The officer located the person, who upon seeing and being approached by the officer, became passively resistant to commands and detention. The officer used soft empty hand control to detain the person near the persons vehicle. The officer observed a large knife in the vehicle and when the person attempted to enter their vehicle the officer handcuffed the person to prevent them from entering the vehicle and possibly gaining access to the knife. Once handcuffed the person became compliant, was issued a criminal trespass warning for the location and released. Neither the detained person nor the officer was injured. No policy violations or concerns were documented in the chain of command review.

The City of Kennedale, Texas Police Department
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Date: 04-19-2024

Report Number: 24-0263

Summary:

The force documented in the report consisted of **Handcuffing Without an Arrest**.

The officer conducted a traffic stop and upon approaching the vehicle detected a strong odor of marijuana. The vehicle was occupied by two individuals. The officer removed both subjects from the vehicle and conducted a probable cause search of the vehicle and discovered marijuana on the passenger side. The officer began to handcuff the passenger because the marijuana was near where the passenger was seated. The driver then claimed possession of the marijuana. The officer released the passenger from the handcuffed and arrested the driver for possession of marijuana. No policy violations or concerns were documented in the chain of command review.

Date: 05-01-2024

Incident Number: 2024048344

Summary:

The force documented in the report consisted of **Handcuffing Without Arrest**.

The officer was dispatched to a welfare check of a subject jumping into the traffic lane. The officer arrived and contacted the subject who was determined to be intoxicated. The subject provided contact information for a responsible party to take custody of them. The subject was handcuffed and transported to their residence and released to a family member. While no violations or policy were documented during the chain of command review, it was determined the officer could have conducted a more thorough investigation and made a custodial arrest for public intoxication in lieu of releasing the subject to a family member. Additionally, it was determined the officer handcuffed the subject unnecessarily for a courtesy transport. The officer was counseled and retrained regarding the pertinent policy for handcuffing.

Date: 06-03-2024

Report Number: 24-0379

Summary:

The force documented in this report consisted of Firearm Pointed at Subject and **Handcuffing Without an Arrest**. This report contains two separate narratives from two officers.

Officer #1 Force Used: Pointed Firearm at Subject, **Handcuffing Without Arrest**.

Officer #2 Force Used: Pointed Firearm at Subject.

Officers were dispatched to a local fast food restaurant for a burglary in progress. Officers arrived and met with the reporting party who stated when they arrived at the business to open for the day they discovered a person inside the building. Due to the nature of the call, a felony offense in progress, officers drew their duty weapons and entered the building to search for the suspect. Officers located the suspect and gave commands for the suspect to lay on the ground. The suspect complied with commands and was placed in handcuffs. The investigation revealed the business was left unsecured and the suspect, an indigent demented person, had entered the store during the night. The suspect was also determined to be under the influence of some narcotic and in medical distress. The suspect was released from custody and transported by ambulance for medical and psychiatric evaluation. No policy violations or concerns were documented in the chain of command review.

The City of Kennedale, Texas Police Department
Analysis of the Use of Force
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Date: 06-29-2024

Report Number: 24-0450

Summary:

The use of force documented in this report consisted of **Handcuffing Without Arrest**.

Officers were dispatched to a theft of livestock. Officers arrived and identified the caller and discovered the caller had an active Emergency Protective Order excluding them access to the property. The officer detained the subject in handcuffs until the officer was able to determine the order had been modified and the caller had been granted access to the property by the Court. The subject was released without arrest. No policy violations or concerns were documented in the chain of command review.

Date: 07-31-2024

Incident Number: 2024090476

Summary:

The use of force documented in this report consisted of **Handcuffing Without an Arrest**.

Officers were dispatched to a welfare check of an individual standing in the roadway causing a traffic hazard. Dispatch related they had received numerous calls about the subject and drivers were having to drive around the subject. Officers arrived and located the subject standing in the lane of traffic. The officer approached the subject and ordered them to the curb. The subject began to walk away. The officer held the subjects' arm and attempted to direct them to the sidewalk at which time the subject became uncooperative and began to pull away. The officer detained the subject in handcuffs and placed them in the rear seat of a patrol car to keep him from re-entering the roadway. After further investigation the officer discovered the subject was a juvenile who had left their foster home without permission. The subject was released to the custody of the foster parent. No violation of policy or concerns were documented in the chain of command review.

Date: 08-05-2024

Report Number: 24-0542

Summary:

The use of force documented in this report consisted of Firearm Pointed at Subject, **Handcuffing Without an Arrest**. This report contains two officer narratives.

Officer #1 Force Used: Firearm Pointed at Subject.

Officer #2 Force Used: Firearm Pointed at Subject, **Handcuffing Without Arrest**.

Officers were dispatched to a theft of a vehicle in progress. Officers responding to the call were informed an employee had just been fired from a local business and left the business with the company van without permission and after their employment being terminated. Officers observed a van matching the description of the stolen vehicle in a parking lot and conducted a felony traffic stop. Due to the nature of the offense, an occupied stolen vehicle, the officers drew their duty weapons and pointed them at the suspect. The suspect was then removed from the van and handcuffed. The subsequent investigation revealed that the detained vehicle and driver was a different vehicle and driver operating an identical company van with the same logos and markings as the stolen van. The driver was released from custody. No violations of policy or concerns were documented in the chain of command review.

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Date: 12-04-2024

Report Number: 24-0854

Summary:

The use of force documented in this report consisted of Firearm Displayed and **Handcuffing Without an Arrest**. This report contains nine officer narratives.

Officer #1 Force Used: Displayed Firearm to Three Subjects.

Officer #2 Force Used: Displayed Firearm to Three Subjects. **Handcuffing Without an Arrest**.

Officer #3 Force Used: Displayed Firearm to Three Subjects. **Handcuffing Without an Arrest**.

Officers were dispatched to a local apartment complex on a person with a gun and shots fired call. Officers arrived and discovered four individuals had been in an apartment arguing when one individual discharged a firearm at one of the other individuals in the apartment. Officers secured the location and but were unable to determine who in the apartment may be armed. Officers drew their duty weapons and called the occupants of the apartment out one at a time, searched them for weapons, secured them in handcuffs, and placed them in patrol vehicles. After an investigation one individual was arrested and charged. No violations of policy or concerns were documented in the chain of command review.

Less Lethal Weapons

Kennedale Police Officers reported using force consisting of Less/ Non-Lethal - Shotgun Display 1 time during 1 documented Use of Force Incidence in 2024.

The department has several less lethal munitions available. These weapons are fired from specially designed firearms that cause pain, short-term trauma, and create mental stunning without causing serious bodily injury or death.

Pepper-ball munitions fired from devices similar to paintball guns are capable of shooting projectiles containing a powdered chemical that irritates the eyes and nose in a manner similar to OC Spray. While these rounds are designed to be less lethal, they are still able to cause significant damage to a person and are regulated to be used as a last resort and as time and opportunity permit.

Included in the category are incidents where a non-lethal / less lethal weapon was the highest level of force used to control a subject. If the use of a less lethal device was ineffective and a higher level of force was used, the incident is reported at the highest level and in the appropriate category.

The City of Kennedale, Texas Police Department
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Date: 09-06-2024

Report Number: 24-0635

Summary:

The use of force documented in this report consisted of Firearm Pointed at Subject, **Less Lethal - Shotgun Displayed**. This report contains two officer narratives.

Officer #1 Force Used: Firearm Pointed at Subject.

Officer #2 Force Used: **Less Lethal - Shotgun Displayed**.

Officers responded to a domestic disturbance at a residence. The caller told dispatch the suspect was armed with a gun and wanted to have a shootout with the police. The caller gave a description of the suspect and stated he was in the backyard of the residence. Due to the nature of the offense, person with a gun, one officer approached the residence with their duty weapon drawn and the second officer approached with a less lethal shotgun displayed. Officers confronted the subject who was unarmed and was detained. During the investigation officers discovered the subject had been holding a B.B. gun and not an actual firearm and that no assaultive offense had occurred. The subject was released from custody. During the chain of command review it was determined the use of the less lethal shotgun in this incident was not optimal due the subject potentially being armed with a firearm. The second officer was counseled regarding the use of less lethal options in potentially lethal encounters. No violations of policy or further concerns were documenting in the chain of command review.

The City of Kennedale, Texas Police Department
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Leg Restraints

Kennedale Police Officers used leg restraints three times in 2024.

Date: 05-17-2024 Report Number: 24-339

Summary:

The force documented in this report consisted of Soft Empty Hand Control and **Applied Leg Restraints**. This report contains four separate narratives from four responding officers.

Officer #1 Force Used: Soft Empty Hand Control

Officer #2 Force Used: Soft Empty Hand Control

Officer #3 Force Used: Soft Empty Hand Control

Officer #4 Force Used: Soft Empty Hand Control, **Applied Leg Restraints**.

Officers responded to a demented person call at a local school. When officers arrived, the subject began running from officers resulting in a short foot pursuit. When officers attempted to take the subject into custody the subject began resisting arrest. Officers were able to place the subject in handcuffs, but the subject began to kick and headbutt officers. Officers took the subject to the ground and applied soft leg restraints and secured the subject in the rear of a police vehicle. The subject was transported to jail without injuries. No policy violations or concerns were documented in the chain of command review.

Date: 12-29-2024 Report Number: 24-0911

Summary:

The use of force documented in this report consisted of Soft Empty Hand Control and **Applied Leg Restraints**. This report contains two officer narratives.

Officer #1 Force Used: Soft Empty Hand Control. **Applied Leg Restraints**.

Officer #2 Force Used: **Applied Leg Restraints**.

Officers were dispatched to a local apartment complex on a mental health crisis. Officers arrived and discovered an elderly subject having a mental health crisis. Officers interviewed the subject and discovered the subject had a plan and means to cause themselves harm. Officers were able to obtain enough information to secure an emergency committal. When officers took the subject into protective custody the subject became passive resistant by sitting on the ground and refusing to walk by themselves. Officers lifted the subject to their feet and guided them to a patrol car. When placed in the patrol car for transport the subject became actively aggressive stomping on the foot of one officer and then began kicking the inside of the steel cage area of the patrol car and blocking the door from being closed. To prevent the subject from injuring themselves leg restraints were applied to prevent further kicking and allow the door to be closed. Once at the hospital the subject was released from restraints at the request of medical personnel. Once the subject was released they became actively aggressive once more and attempted to kick and bite the hospital staff. Leg restraints were re-applied until the subject could be sedated by doctors. No violations of policy or concerns were documented in the chain of command review.

The City of Kennedale, Texas Police Department
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Impact Weapons / Baton

Kennedale Police Officers did not use an impact weapon in 2024.

Impact weapons include the use of the department issued ASP baton, the use of a closed fist or any other implement to deliver a strike to a person.

The department issues a collapsible baton and provides necessary training for each officer. Baton training is provided to teach officers the appropriate and approved strike areas. The proper use of a baton will ordinarily stun the suspect, providing the officer an opportunity to gain control of the subject without using any additional force. Departmental policy prohibits officers from striking the head of an individual.

If an officer does not have the time or opportunity to deploy the baton or other less-lethal options, officers may defend themselves with their bare hands using closed fists. Closed fist strikes are also reported in this category.

This category includes incidents when an impact weapon was the highest level of force used to control a subject. If the use of an impact weapon was insufficient to bring the individual under control and a higher level of force was used, that incident is reported at the highest level used.

Instances where verbal commands or lower levels of force were used but were ineffective at are also included in this section.

Oleoresin Capsicum (OC) Spray

Officers did not use the Oleoresin Capsicum (OC) Spray force option in 2024.

Oleoresin Capsicum is a chemical compound derived from various pepper plants and is mixed with a propellant that is used by law enforcement agencies as a less-lethal alternative to higher and more injury producing levels of force. To maximize the effects of the spray, officers are trained to spray a resisting subject's face, the primary target area. When used, the spray immediately causes an intense and uncomfortable burning sensation to an individual's eyes, nose, mouth or exposed skin. The effects of the spray will cause most subjects to stop resisting and usually dissipates within 30 minutes. Exposure to the chemical agent rarely has any negative long-term effects.

Incidents that require the use of OC Spray to affect an arrest or bring a subject under control are documented in this category.

If OC Spray was insufficient to bring the individual under control and a higher level of force was used, the higher level of force used is reported in the appropriate category.

Ineffective verbal commands or techniques employed prior to the use of OC Spray must be documented in this section as well.

The City of Kennedale, Texas Police Department
Analysis of the Use of Force
January 1st through December 31st, 2024



Vehicle Pursuits

There were no vehicle pursuits by officers in 2024.

The Kennedale Police Department adheres to the Texas Police Chiefs Association Recognition Program when engaging in and documenting a vehicle pursuit which states:

The Agency has a written directive for vehicle pursuits.

The written directive includes:

- The criteria for initiating a pursuit.
- The method of conducting a pursuit.
- The supervision of a pursuit.
- The criteria for terminating vehicle pursuits.



Officers must adhere to the rules of engagement taught through the intensive training each officer receives in adherence to departmental policy and state law.

The City of Kennedale, Texas Police Department
Analysis of the Use of Force
January 1st through December 31st, 2024



Citizen and Internal Complaints Regarding the Use of Force

There were no incidents that resulted in formal Internal Affairs investigations for excessive, unnecessary or inappropriate use of force applications in this reporting period.

The Kennedale Police Department will continue to provide excellent, fair, and consistent police service to our community.

Recommendations

Based on the findings of the 2024 Use of Force analysis, the incidents reported during this period were accurate and investigated correctly.

It is my recommendation that when police personnel are training with firearms and for lethal and non-lethal confrontations, the participants must continue to receive training on the department's Use of Force policies and procedures. It will also be important to reiterate moral and ethical standards during use of force training.



Mike Holguin, Chief of Police
Kennedale Police Department

January 31, 2025

Date

Report prepared by:
Mike Holguin #029; M.B.A., M.L.A.
Chief of Police
Kennedale Police Department
1 / 31/ 2025

KENNEDALE, TEXAS
POLICE DEPARTMENT



2024
Vehicle Pursuit Analysis

Vehicle Pursuit Analysis for 2024

This analysis was conducted for the purpose of reviewing the Kennedale Police Department's vehicle pursuits for calendar year 2024. Vehicle pursuits are inherently dangerous to both the officers involved and the public. The Kennedale Police Department takes its obligations seriously to provide the most effective and efficient police service with the least adverse impact on our citizens.

The Kennedale Police Department is committed to protecting our citizens but at the same time ensuring the manner in which we do so does not place the public at risk of greater harm. This process requires continuous evaluation of the risks and benefits of each action.

This analysis is conducted each year to comply with **Texas Law Enforcement Best Practice 7.14** and to identify methods for reducing the number of vehicle pursuits and the inherent risks involved.

Officers are trained by the department in pursuit tactics and emergency driving. However, as skilled as an officer might be in these situations, the vehicle being pursued may not have a competent driver and many times the driver may be under the influence of alcohol or drugs.

Vehicle Pursuit Reporting Requirements

Texas Law Enforcement Best Practice 7.13 and Kennedale Police Department General Order 7.10 - Police Pursuits, requires a written report be completed anytime an officer pursues a vehicle. Any Kennedale law enforcement officer in an authorized emergency vehicle may initiate a police pursuit when all of the following criteria are met:

- a. The suspect exhibits the intention to avoid arrest by using a vehicle to flee apprehension for an alleged violent felony offense that would normally require full custodial arrest;
- b. The suspect operating the vehicle refuses to stop at the direction of the officer; and
- c. The suspect, if allowed to flee, would present a continuing danger to human life.
- d. The pursuit of suspects who have committed only traffic violations is specifically prohibited.

Following termination of the pursuit, the supervisor shall ensure the primary officer completes a pursuit report for the pursuit and is submitted through the chain of command to the Chief of Police. This report shall be critiqued by the appropriate supervisors to determine compliance with agency policy, state law, and to detect and correct any training deficiencies. The pursuit report will include the following:

- Reasons for the pursuit
- Personnel involved
- Pursuit results
- Injuries or damages or other significant events
- Date / Time
- Need to Apprehend the suspect

Any time an officer calls a pursuit, department policy requires a supervisor be immediately notified by the dispatch center. The supervisor is required to monitor the pursuit and act as an uninvolved decision maker regarding the danger of the pursuit. Both the officer and supervisor are charged with continuous evaluation of the pursuit as it occurs and are required to call off the pursuit when either believe the risks to the officer or public outweigh the need for immediate capture of the suspect.

Each individual Pursuit Report is immediately reviewed by the officer's supervisor, and through the chain of command to the Chief of Police. At the time of the incident, the pursuit is reviewed to ensure the use was appropriate and within the guidelines of department policy. If the officer initiated a pursuit inappropriately, a departmental investigation is required and the officer may receive additional training or in some cases discipline up to and including termination from employment. This annual analysis is not intended to determine if an officer acted inappropriately, but to identify department wide trends that may suggest changes in policy, training, equipment or supervision.

Annually, a report is prepared summarizing all agency pursuits. The report is submitted to the Chief of Police for administrative review. An annual review of police pursuits may reveal patterns or trends that indicate a need for changes in agency policy or training.

Vehicle Pursuit Comparison 2023 v. 2024

There was a total of 0 reported vehicle pursuits this year compared to 0 last year. This represents a difference of 0 or a 0 percent reduction.

The reasons for pursuit initiation are listed below by type with comparison to the previous year:

	2023	2024	Difference
Traffic Violation Only	0	0	N/A
Misdemeanor Offense	0	0	N/A
Felony Offense	0	0	N/A
Outstanding Warrant	0	0	N/A
Suspicious Activity	0	0	N/A
Suspected Intoxication	0	0	N/A
Total	0	0	N/A

Individual Officer Analysis

An officer's activities and actions are reviewed immediately following the incident by the department for appropriateness. While each individual vehicle pursuit is reviewed immediately after the event to ensure it follows department policy and law, patterns of behavior can also indicate the need for additional training or supervision. Officers can be involved in pursuits at significantly different rates depending on the crime activity in

the part of the city where they are assigned, their type of assignment, the time of day they work and their experience level.

No officer pursuits were reviewed in 2024 due to no pursuits for the year.

Reasons for a Pursuit

In 2024, there were 0 vehicle pursuits initiated.

Pursuit Terminations

Pursuits can be terminated at any time by the pursuing officer or any Supervisor when they believe the danger posed to the citizens is greater than the need to apprehend the offender. This voluntary termination may better protect the citizens than the continuation of a dangerous pursuit for minor offenses. The table below provides information on how pursuits were terminated.

Termination Type	2023	2024	Difference
Voluntary Termination - Officer	0	0	N/A
Voluntary Termination - Supervisor	0	0	N/A
Stopped - Arrested	0	0	N/A
Stopped - Fled on foot - Escaped	0	0	N/A
Stopped - Fled on foot - Captured	0	0	N/A
Accident - Violator Involved in Accident	0	0	N/A
Accident - Police Involved in Accident	0	0	N/A
Spike Strips	0	0	N/A
PIT Maneuver	0	0	N/A
Rammed	0	0	N/A
Firearm	0	0	N/A
Roadblock	0	0	N/A
Escaped - Not Located	0	0	N/A
Escaped - Captured Later	0	0	N/A

Damage and Injury

In 2024, there were 0 pursuits which had some damage or injury associated with the incident as a result of the pursuit. These pursuits are summarized below: N/A

Policy Violations

The department policy on pursuits is reviewed periodically with officers to ensure they are aware of when they should or should not pursue a vehicle. After each pursuit, the pursuit must be reported on the Pursuit Report Form which is forwarded through the officer's supervisor, through the chain of command to the Chief. If a violation of policy is identified, the Chief may decide on an appropriate response, which may include additional training or even disciplinary actions if necessary.

In 2024, there were 0 policy violations identified in regards to pursuit initiation or termination.

Summary and Recommendations

There were no pursuits for the year 2024. All new officers receive training for Pursuit Policy 7.10 during field training. The pursuit policy as well as many other policies is reviewed during the year with officers for briefing training. Recommend continuing the same policy training.

Command Review by the Chief

Actions to be taken or recommended:

None at this time.

A handwritten signature in blue ink, appearing to read "Mike Holguin", followed by the number "#029".

Mike Holguin #029
Chief of Police

A handwritten date in blue ink, "01/28/2025".

Date

KENNEDALE, TEXAS
POLICE DEPARTMENT



2024
Accident & Injury Analysis

Accident & Injury Analysis for 2024

This analysis was conducted for the purpose of reviewing the Kennedale Police Department's Vehicle Accidents and Personal Injuries for calendar year 2024. The Kennedale Police Department takes its obligations seriously to provide the most effective and efficient police service while ensuring employee safety. Law Enforcement is a particularly dangerous occupation and while many of our activities are fraught with risks, employees must take every action possible to remain safe and prevent accidents and injuries when possible.

This analysis is conducted each year to comply with Texas Law Enforcement Best Practice 4.10 and to attempt to identify methods for reducing the number of vehicle accidents and personnel injuries.

This analysis consists of two parts. First is the analysis of all vehicle accidents by members of this department, both sworn and non-sworn. The second part is an analysis of all non-vehicle personal injuries occurring during the year. The non-vehicle personal injuries can be any type of injury from straining a back due to heavy lifting to an injury occurring during a scuffle with a prisoner.

Accident and Injury Reporting Requirements

Texas Law Enforcement Best Practice 4.10, and Kennedale Police Department General Order 3.07 - Accident and Injury Prevention, requires each vehicle accident and personal injury be reported and investigated. When an employee is involved in a personal injury or motor vehicle accident the employee shall contact the shift supervisor immediately if possible. A motor vehicle accident report or a first report of injury report should be submitted within 24 hours of the accident by the supervisor. The Captain shall be responsible for conducting administrative reviews regarding agency motor vehicle crashes and on-duty personal injuries of agency personnel. The reporting supervisors are responsible for reviewing all aspects of these incidents and identifying contributory factors, where possible. The supervisor may draw conclusions concerning whether the accident or injury was preventable but may not recommend discipline or another personnel action.

Any time an employee is involved in a vehicle accident, department policy requires a supervisor be immediately notified by the dispatch center. The supervisor is required to go to the scene and investigate the cause of the accident. If there is significant damage to either the police vehicle or a citizen's vehicle, the supervisor may request the investigation be completed by a traffic accident specialist or even by another law enforcement agency.

The accident is reviewed to ensure the officer's actions were appropriate and within the guidelines of department policy. If the officer violated department policy or state law without justification, a departmental investigation is required and the officer may receive additional training or in some cases discipline up to and including termination of employment. This annual analysis is not intended to determine if an officer acted inappropriately, but to identify department wide trends that may suggest changes in policy, training, equipment or supervision.

Any personal injury occurring on the job that requires any form of treatment including first aid, must be reported immediately. Supervisors must complete the First Report of Injury and forward it to the Human Resources Department. Part of this reporting is attempting to determine the cause of the injury and methods for prevention. A copy of this form is maintained by the department and reviewed as part of this report to determine the causes of injuries within the department.

Vehicle Accident Comparison 2023/2024

There was a total of two (2) reported vehicle accidents this year compared to 6 last year. This represents a difference of -4 or a 66% decrease.

The Accident Causes are listed below by type with comparison to the previous year:

Cause	2023	2024	Difference
Fail to Maintain Control	1	0	-1
Unsafe Backing	1	1	0
Ran Red Light/Stop Sign	0	0	0
Speeding	0	0	0
Unsafe Lane Change	1	0	-1
Another Driver at Fault	3	1	-2
Total	6	2	-4

In 2024 there were two vehicle accidents for the department. One was employee not at fault. One was employee at fault.

Personal Injury Analysis 2023 v. 2024

There was a total of seven (7) personal injuries reported this year compared to 0 last year. This represents a difference of +7 or a 70% increase.

The Injury Causes are listed below by type with comparison to the previous year:

Injury Cause	2023	2024	Difference
Ankle Injury	0	1	+1
Knee Injury	0	2	+2
Hand/Arm Injury	0	1	+1
Biological exposure	0	2	+2
Tripped	0	0	0
Face Injury	0	1	+1
Total	0	7	+7

Individual Officer Analysis

While each employee's actions were reviewed immediately following the incident by the department, patterns of behavior can also indicate the need for additional training or supervision. Employees that were involved in multiple incidents this past year were reviewed in detail to determine if any additional training might be required.

Damage and Injury

In 2024, there was one (1) at fault vehicle accident and seven (7) personal injuries which resulted in damage or lost work time associated with the incident. The accident and injuries are summarized below:

1. Accident - Officer was backing into a parking space at a local hospital and backed into an unoccupied vehicle parked behind them. Officer was at fault.
2. Biological Exposure - Officer was involved in physical altercation. Suspect spit blood into officers' eyes.
3. Biological Exposure - Officer was involved in physical altercation. Suspect bit officer on the arm, spit blood into officers' eyes.
4. Face Injury - Officer was washing car, bent over to pick up vacuum hose and struck head/face on metal frame.
5. Knee Injury - Officer was participating in ALERRT training and injured knee.

6. Ankle Injury- Officer was participating in ALERRT training and injured ankle.
7. Knee Injury- Officer was stepping into patrol vehicle and foot slipped off of running board. Injured knee.
8. Hand/Arm Injury- Officer was in an altercation with resistive suspect. Suspect scratched officer on hand and arm with long fingernails.

Policy Violations

The department policy on routine and emergency driving, including pursuits is reviewed periodically with employees to ensure they know their responsibilities. If an employee is found in violation of a department policy or law, the Chief may decide on an appropriate response, which may include additional training or even disciplinary actions if necessary.

In 2024, there was 0 policy violations identified in regards to vehicle operation or safety violations.

Summary and Recommendations

No recommendation for additional training.

Command Review by the Chief

Actions to be taken or recommended:

None at this time.

A handwritten signature in blue ink, appearing to read "Mike Holguin", followed by the number "#029" written in the same ink.

Mike Holguin #029

Chief of Police

A handwritten date "01/28/2025" in blue ink.

Date



KENNEDALE POLICE DEPARTMENT

TRUST • INTEGRITY • PURPOSE



TO: Chief M. Holguin; Captain E. Carlson

FROM: Officer T. Valentín #040

DATE: January 12, 2024

RE: Property Room Evidence

REC'D 1/12/2024
[Signature]

MEMO

On January 11, 2024 and January 12, 2024, I conducted a 100% inventory of the property room. All the items in the property room were verified and confirmed against computer records. During the inventory, I noticed the following errors:

1. 2200000278 - The item was properly packaged, but, the labeled sticker wasn't printed out.
2. 2300000354 - The property was destroyed on December 08, 2023, but, it wasn't removed from inventory.

Both errors were corrected immediately.

I noticed the property room was clean, extremely well organized and secure. Other than the aforementioned, all items were properly packaged, correctly labeled and properly stored. A copy of the paperwork for all items checked is in the file.

The excellent organization and cleanliness of the property room is due to the outstanding abilities of Pam White, the property room supervisor.

RECEIVED 01/12/2024
[Signature] #029

[Signature]
Officer T. Valentín #040

STAFF REPORT TO THE HONORABLE MAYOR AND CITY COUNCIL

MEETING DATE: FEBRUARY 18, 2025

AGENDA ITEM NUMBER: INDIVIDUAL CONSIDERATION ITEM IV.C.

SUBJECT

ITEMS FOR INDIVIDUAL CONSIDERATION, DISCUSSION AND/OR ACTION

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS

STAFF REPORT TO THE HONORABLE MAYOR AND CITY COUNCIL

MEETING DATE: FEBRUARY 18, 2025

AGENDA ITEM NUMBER: REGULAR SESSION ITEM IV.C.1.

SUBJECT

Discuss and take action to hire Westwood Engineering for any upcoming engineering projects. - Action Item

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS



STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

MEETING DATE: FEBRUARY 18, 2025
AGENDA ITEM NUMBER: REGULAR SESSION ITEM IV.C.2.

SUBJECT
Discuss and take action to fund a preliminary study for the design and construction of the baseball fields by Callahan and Freeman Architects. - Action Item

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS

1.	Kennedale Ballparks Survey Proposal	Kennedale Ballparks Survey Proposal.pdf
2.	Kennedale - Preliminary Design Proposal	Kennedale - Preliminary Design Proposal.pdf

February 12, 2025

City of Kennedale
C/O Callahan & Freeman Architects
PO Box 15577
Fort Worth, TX 76119

Via Email ahucaby@cfarchitects.com

RE: Surveying for Tract 4D, CB Teague Survey Abstract # 1506,
Eight Street ROW along Tract 4D frontage, and to the creek flowline
On Tract 4C, CB Teague Survey,
Located at 263 S. New Hope Road,
Kennedale, Texas

Dear Mr. Hucaby:

We are pleased to submit this proposal for Surveying services for topographic surveying at the above-described sites. This area is approximately 7 acres located south of the Eight Street right of way, and east of the Village Street right of way, in Kennedale, Texas.

BASIC SERVICES

TOPOGRAPHIC SURVEY

We will prepare a topographic survey of the areas described above and as shown on an exhibit included herein.

1. We will show boundary lines, easements, setbacks, encroachments, and zoning for the subject tract which are publicly available. The scale will be 1" =20' or 1"=30' on a 24"x36" sheet of paper.
2. We will locate the ROW of the public roads and collect topographic information to the far side of the adjacent roads.
3. We will show the utilities based on plans made available and objects identified on the ground.
4. We will show the egress and ingress locations located within the project area.
5. We will tie all trees 6" and larger in diameter.
6. We will locate improvements in the defined area, including buildings, pavement, drainage structures and swales.
7. We will provide one-foot (1') contours and elevations at strategic locations.
8. We will provide a PDF of the survey sealed by an RPLS with a date and a CAD for design purposes. The sheet size will be a minimum of 24" X 36" landscape.

INFORMATION/SERVICES PROVIDED BY CLIENT

We understand the client will:

1. Provide right of entry necessary for us to perform these services.
2. Provide any plans or information the client has about utilities in the vicinity.

ADDITIONAL SERVICES

The following services are not included in the basic services and will be considered as additional services if and when required or requested.

1. Any service not specifically included in Basic Services.

SCOPE EXHIBIT



Surveying for Kennedale Ballparks
Kennedale, Texas
Page 3 of 6
February 12, 2025

BUDGET

1. Topographic Survey of 7 acre +/- area described above \$ 10,500.00

Charges for work that is not part of Basic Services are not included in the budget estimate. With prior negotiation, Additional Services may be performed according to our attached Hourly Rate Schedule. All payments are due upon receipt of invoice.

SCHEDULE

We can begin within 5 days of receiving written authorization to proceed. The surveys can be completed in 3.5 weeks. This proposal is valid for thirty (30) days. Please indicate your approval of the proposal by signing below. After you have signed, please return the entire document and retain a copy for your records. Both parties must accept any modifications to the attached language.

Thank you for this opportunity to work with you. Please call if you have any questions.

Sincerely,

DI SCIULLO-TERRY, STANTON & ASSOCIATES, INC.



Joyce P. Stanton, PE, RPLS.
President

Attachments: 1. General Terms and Conditions
 2. Hourly Rate Schedule

The above proposal, including all attachments, has been read and understood and is hereby agreed to and accepted. It is agreed that the attached "General Terms and Conditions" (which contains a limitation of liability provision), and Addendum(s), if any, form an express part of the Contract, as evidenced by my signature below:

By _____ Date _____

Name _____ Title _____
(Please print)

Phone _____ E-mail _____

DI SCIULLO-TERRY, STANTON & ASSOCIATES, INC.

Hourly Rates and Fees

1. Principal Engineer/Surveyor	\$200/Hour
2. Project Engineer	\$165/Hour
3. Engineer in Training	\$120/Hour
4. Graduate Engineer	\$100/Hour
5. Project Surveyor	\$165/Hour
6. Clerical	\$ 90/Hour
7. Sr. Civil Technician	\$100/Hour
8. Sr. Survey Technician	\$100/Hour
9. Civil/Survey Technician	\$ 90/Hour
10. Survey Crew	\$250/Hour

Surveying for Kennedale Ballparks
Kennedale, Texas
Page 5 of 6
February 12, 2025

GENERAL TERMS AND CONDITIONS

SCOPE OF SERVICES. The Client, as property owner or agent for property owner, and DI SCIULLO-TERRY, STANTON & ASSOCIATES, INC. (DTS) have agreed to a list of Basic Services DTS will provide to the Client. If mutually agreed to in writing by the Client and DTS, Additional Services shall be provided by DTS. These Additional Services are not included as part of Basic Services and shall be paid for by the Client in addition to payment for Basic Services.

INDEMNIFICATION. DTS agrees, to the fullest extent permitted by law, to indemnify and hold the Client harmless from any damage, liability or cost (including reasonable attorneys' fees and costs of defense) to the extent caused by DTS's negligent acts, errors or omissions in the performance of professional services under this Agreement and those of his or her subconsultants or anyone for whom DTS is legally liable. To the maximum extent permitted by law, the Client agrees to limit DTS's liability for the Client's engineering damages to insurance available. To the maximum extent permitted by law, the Client agrees to limit DTS's liability for the Client's surveying damages to the insurance available. This limitation shall apply regardless of the cause of action or legal theory pled or asserted. No employee of DTS shall have individual liability to client. IN NO EVENT AND UNDER NO CIRCUMSTANCES SHALL DTS BE LIABLE TO CLIENT FOR CONSEQUENTIAL, INCIDENTAL, INDIRECT, SPECIAL, OR PUNITIVE DAMAGES.

The Client agrees, to the fullest extent permitted by law, to indemnify and hold DTS harmless from any damage, liability or cost (including reasonable attorneys' fees and costs of defense) to the extent caused by the Client's negligent acts, errors or omissions and those of his or her contractors, subcontractors or consultants or anyone for whom the Client is legally liable, and arising from the project that is the subject of this Agreement. The Client also agrees to require its construction contractors, if any, to include DTS as an indemnitee under any indemnification obligation to Client.

FIDUCIARY RESPONSIBILITY. Client confirms that neither DTS nor any of DTS's subconsultants or subcontractors has offered any fiduciary service to Client and no fiduciary responsibility shall be owed to Client by DTS or any of DTS's subconsultants or subcontractors, as a consequence of entering into this agreement with Client.

COMPENSATION. Invoices will be submitted monthly and shall be due and payable on receipt. All payments will be made in U.S. dollars or a check drawn on a U.S. bank. DTS reserves the right to suspend work should invoices not be paid within listed terms. The amount of any excise, VAT, or gross receipts tax that may be imposed for professional services shall be added to the specified compensation.

TIMELINESS OF PERFORMANCE. DTS will perform his or her services with due and reasonable diligence consistent with sound professional practices.

STANDARD OF CARE. Services shall be performed in accordance with the standard of professional practice ordinarily exercised by the applicable profession at the time and within the locality where the services are performed. Professional services are not subject to, and DTS cannot provide, any warranty or guarantee, expressed or implied, including warranties or guarantees contained in any uniform commercial code. Any such warranties or guarantees contained in any purchase orders, requisitions, or notices to proceed issued by Client are specifically objected to.

THIRD PARTY BENEFICIARIES. Nothing contained in this Agreement shall create a contractual relationship with or a cause of action in favor of a third party against either the Client or DTS. DTS's services under this Agreement are being performed solely for the Client's benefit, and no other entity shall have any claim against DTS because of this Agreement or the performance or nonperformance of services hereunder.

SEVERABILITY AND SURVIVAL. Any provision of this Agreement later held to be unenforceable for any reason shall be deemed void, and all remaining provisions shall continue in full force and effect.

MEDIATION. In the event the parties to this Agreement are unable to reach a settlement of any dispute arising out of the services under this Agreement, then such disputes shall be submitted to non-binding mediation by a mediator to be mutually agreed upon by the parties, unless the parties agree otherwise.

TERMINATION. Either the Client or DTS may terminate this Agreement at any time with or without cause upon giving the other party ten (10) calendar days prior written notice. The Client shall within thirty (30) calendar days of termination pay DTS for all services rendered and all costs incurred up to the date of termination, in accordance with the compensation provisions of this contract.

RIGHT OF ENTRY. The Client shall provide for DTS's right to enter the property owned by the Client and/or others in order for DTS to fulfill the Scope of Services included hereunder. The Client understands that use of testing or other equipment may unavoidably cause some damage, the correction of which is not part of this Agreement. The Client agrees, to the fullest extent permitted by law, to indemnify and hold DTS and his or her subconsultants harmless from any claim, liability or cost (including reasonable attorneys' fees and costs of defense) for injury or loss arising or allegedly arising from procedures associated with testing or investigative activities or discovery of hazardous materials or suspected hazardous materials on said property.

OWNERSHIP OF INSTRUMENTS OF SERVICE. All reports, plans, specifications, field data and notes and other documents, including all documents on electronic media, prepared by DTS as instruments of service shall remain the property of DTS.

INFORMATION PROVIDED BY OTHERS. DTS shall indicate to the Client the information needed for rendering of services hereunder. The Client shall provide to DTS such information as is available to the Client and the Client's consultants and contractors, and DTS shall be entitled to rely upon the accuracy and completeness thereof. The Client recognizes that it is impossible for DTS to assure the accuracy, completeness and sufficiency of such information, either because it is impossible to verify, or because of errors or omissions which may have occurred in assembling the information the Client is providing. Accordingly, the Client agrees, to the fullest extent permitted by law, to indemnify and hold DTS and DTS's subconsultants harmless from any claim, liability or cost (including reasonable attorneys' fees and costs of defense) for injury or loss arising or allegedly arising from errors, omissions or inaccuracies in documents or other information provided by the Client to DTS.

HAZARDOUS MATERIALS. It is acknowledged by both parties that DTS's Scope of Services does not include any services related to asbestos or hazardous or toxic materials. In the event DTS or any other party encounters asbestos or hazardous or toxic materials at the jobsite, or should it become known in any way that such materials may be present at the jobsite or any adjacent areas that may affect the performance of DTS's services, DTS may, at his or her option and without liability for consequential or any other damages, suspend performance of services on the project until the Client retains appropriate specialist consultants or contractors to identify, abate and/or remove the asbestos, hazardous or toxic materials and warrant that the jobsite is in full compliance with applicable laws and regulations. DTS will notify the Client if any asbestos, hazardous or toxic materials are encountered or suspected. It will remain solely the Client's responsibility to notify appropriate authorities of the toxic or hazardous materials.

CHANGED CONDITIONS. The Client shall rely on DTS's judgment as to the continued adequacy of this agreement in light of occurrences or discoveries that were not originally contemplated by or known to DTS. Should DTS call for contract renegotiation, DTS shall identify the changed conditions necessitating renegotiation and DTS and the Client shall promptly and in good faith enter into renegotiation of this Agreement. If terms cannot be agreed to, the parties agree that either party has the absolute right to terminate this Agreement.

SAFETY. Unless specifically included as a service to be provided under this agreement, DTS specifically disclaims any authority or responsibility for general job site safety and safety of persons other than DTS employees.

OPINIONS OF CONSTRUCTION COST. Any opinion of construction costs prepared by DTS is supplied for the general guidance of the Client only. Since DTS has no control over competitive bidding or market conditions, DTS cannot guarantee the accuracy of such opinions as compared to contract bids or actual costs to Client.

RELATIONSHIP WITH CONTRACTORS. DTS shall serve as Client's professional representative for the Services, and may make recommendations to Client concerning actions relating to Client's contractors, but DTS specifically disclaims any authority to direct or supervise the means, methods, techniques, sequences, or procedures of construction selected by Client's contractors.

ASSIGNMENT. Except for assignments (a) to entities which control, or are controlled by, the parties hereto or (b) resulting from operation of law, the rights and obligations of this Agreement cannot be assigned by either party without written permission of the other party. This Agreement shall be binding upon and inure to the benefit of any permitted assigns.

DISCLAIMER. DTS is not responsible for jobsite safety and construction means and methods. Those are the sole responsibility of the construction contractors.

CONSEQUENTIAL DAMAGES. Notwithstanding any other provision of this Agreement, and to the fullest extent of the law, neither DTS, its officers, directors, contractors, subcontractors or employees shall be liable to anyone for any incidental, indirect or consequential damages arising out of or connected in any way to this project or to this Agreement. This waiver of consequential damages shall include, but is not limited to, loss of use, loss of profit, loss of business, loss of income, loss of reputation, and any other consequential damages that either party may have incurred from any cause of action including negligence, strict liability, breach of contract and breach of strict or implied warranty.



February 18, 2025

Mr. Darrell Hull
City Manager
City of Kennedale
405 Municipal Drive
Kennedale, Texas 76060

Re: Preliminary Design Proposal for
City of Kennedale Sports Complex Additions
Kennedale, Texas

Dear Mr. Hull:

Callahan & Freeman Architects (C&F) is pleased to present the following proposal to provide Preliminary Design Services to the City of Kennedale for additions to the Sports Complex at Sonora Park. This proposal is based on our February 6, 2025 meeting and the site tour we had that same day.

In order to develop the design for this facility, it is recommended that a complete survey of the site be done to provide an accurate backdrop for locating the concessions stand and athletic fields on the site, as well as addressing site improvements that will be necessary.

I. PROJECT DESCRIPTION:

- A. Two New Soccer Fields (where existing baseball field is now)
- B. Upgrade existing small baseball/softball field
- C. Concession/Restroom Building
 - 1. This new facility will have concessions, restrooms, a small meeting room and storage rooms.

II. SCOPE OF WORK:

C&F offers the following services for additions to the Sports Complex.

Design:

1. Develop design layouts based upon the Owner's requirements. Design will be accomplished through a series of work sessions with the Owner where design concepts and sketches will be reviewed. Through these work sessions, a design solution will be selected. Design work shall be preliminary in nature to produce an overall plan for the new building and athletic fields.
2. Based on the selected design solution, C&F shall prepare Preliminary Design drawings to include:
 - Overall Site Plan
 - Floor Plan of the proposed Concession/Restroom Building
 - Exterior Elevations of the proposed building
3. The Preliminary Design drawings will be rendered in color with hard copies and digital copies provided.

Notes:

- C&F assumes no liability as a result of information furnished by others for the building site or for building restrictions imposed by the Owner or any third party.
- Design work can begin based on an aerial photograph until the Owner provides an on the ground survey.

III. FEE:

For the Preliminary Design Services as outlined above we propose a fixed fee of \$7,500.

We are excited for the opportunity to assist the City of Kennedale in developing preliminary design plans for these new additions to the Sports Complex at Sonara Park. Please let us know if you have any questions or if additional information would be helpful at this time.

If this proposal meets with your approval, please sign below and return a copy for our records. We will proceed with work immediately upon your approval.

Sincerely,



Frank W. Callahan, AIA
Callahan & Freeman Architects

Owner Approval:

Signature

Print Name/Title

Date

STAFF REPORT TO THE HONORABLE MAYOR AND CITY COUNCIL

MEETING DATE: FEBRUARY 18, 2025

AGENDA ITEM NUMBER: REGULAR SESSION ITEM IV.C.3.

SUBJECT

Discuss and take action on the approval of Amendment No. 1 for Valley Lane Streambank Stabilization. - Action Item

ORIGINATED BY

Kristian Sugrim, Director of Public Works

SUMMARY

In April 2022, the City of Kennedale submitted the Valley Lane Streambank Stabilization project application to the Texas Department of Emergency Management (TDEM). This project will stabilize approximately 1,965 feet along Valley Lane from West Kennedale Parkway to West Dick Price Road. The project was accepted as a 90% State Funding and 10% Local Funding. On January 6, 2023, the Texas Water Development Board (TWDB) approved Kennedale's final engineering feasibility report (EFR) for the Valley Lane Streambank Stabilization, and subsequently approved a grant under the Flood Infrastructure Fund (FIF) for \$432,285. However, since the project cost is over \$1M, it was escalated to the Federal Emergency Management Administration (FEMA) by TDEM, for funding approval. FEMA has subsequently requested an Environmental Impact Assessment (EIA) to supplement our Hazard Mitigation Grant Program application.

Based on this request, in collaboration with Shield Engineering, the City has solicited the services of VRX Engineering to perform the requested EIA.

RECOMMENDATION

Approve

Staff recommends that the Kennedale's City Council authorize the approval of the Valley Lane Streambank Stabilization Amendment N0.1 for the estimated sum of One Hundred Eleven Thousand Nine Hundred Eighty-Two Dollars, \$111,982.00.

ATTACHMENTS

1.	2022024.01 Valley Lane Amendment 1	2022024.01 Valley Lane Amendment 1.pdf
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January 13, 2025

Kristian Sugrim
Director of Public Works
City of Kennedale
405 Municipal Drive
Kennedale, TX 76060

RE: Valley Lane Streambank Stabilization – Amendment 1

Dear Mr. Sugrim,

Shield Engineering Group, PLLC is pleased to submit the following services to amend the above-referenced contract. The new contract will be amended in the amount of \$59,622 for a revised contract amount of \$393,450. This Amendment will be for the additional design phase services, as directed by the Client.

The activities carried out in this revision involve producing an updated Environmental Assessment report following FEMA's criteria. This report will be prepared by VRX Engineering and will be submitted to FEMA in support of the City's Hazard Mitigation Grant Program application. This report was outside of the original scope of the contract as this grant program was applied to after the initial execution of this contract. VRX Engineering's scope is attached to this amendment for reference.

Original Contract

1. Survey Services	\$21,353
2. Hydraulic Analysis and Engineering Feasibility Report;	\$70,995
3. Design Phase Services:	\$122,590
4. Bid Phase Support Services (Hourly):	\$5,000
5. Construction Phase Services (Hourly):	\$20,000
6. Environmental Report and Jurisdictional Determination	\$52,360
7. Structural Design	\$13,750
8. Geotechnical Engineering Study	\$26,780
9. Reimbursables	\$1,000

Shield Engineering Group, PLLC
1600 West 7th Street, Suite 400, Fort Worth, TX 76102 | 817.810.0696

info@shield-engineering.com | www.shield-engineering.com
TBPELS | Engineering #F-11039 | Surveying #10193890



Revised Contract

1. Survey Services	\$21,353
2. Hydraulic Analysis and Engineering Feasibility Report;	\$70,995
3. Design Phase Services:	\$122,590
4. Bid Phase Support Services (Hourly):	\$5,000
5. Construction Phase Services (Hourly):	\$20,000
6. Environmental Report and Jurisdictional Determination	
a. Original Contract	\$52,360
b. Reallocation from Original contract	(\$12,290)
c. FEMA Environmental Assessment (hourly)	\$65,375
d. Subconsultant Management (10%)	\$6,537
Total:	\$111,982
7. Structural Design	\$13,750
8. Geotechnical Engineering Study	\$26,780
9. Reimbursables	\$1,000

Original contract	\$333,828
Amendment 1	\$59,622
Revised contract	\$393,450

Please feel free to contact me with any questions or comments.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jean-Marie Alexander", is written over a light blue horizontal line.

Jean-Marie Alexander, P.E.
COO
Shield Engineering Group, PLLC

Shield Engineering Group, PLLC
1600 West 7th Street, Suite 400, Fort Worth, TX 76102 | 817.810.0696

info@shield-engineering.com | www.shield-engineering.com
TBPELS | Engineering #F-11039 | Surveying #10193890



VRX, Inc.
2500 N. Dallas Pkwy, Suite #450
Plano, TX 75093
OFFICE: 972.309.9700

January 10, 2025

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

Sent Via E-mail [max.aransen@shield-engineering.com]

RE: Proposal to Provide Professional Consulting Services for the Kennedale Valley Lane Project

Dear Mr. Aransen:

VRX, Inc. (VRX) is pleased to submit this proposal to provide professional consulting services for the above-referenced projects. VRX is a Texas-based, privately held environmental, engineering, construction management, and inspection services consulting firm. We are a NCTRCA-certified Women Business Enterprise (WBE) and State of Texas Historically Underutilized Business (HUB).

1.0 BACKGROUND

Based on our discussions and a review of provided information concerning the Kennedale Valley Lane Project (**Attachment 1**), we are proposing environmental studies to assist Shield Engineering in their project development. The proposed project would include streambank stabilization of an unnamed tributary of Village Creek for approximately 2,100 ft running parallel to Valley Lane from West Kennedale Parkway to North Dick Price Road within the city of Kennedale. VRX conducted a TWDB Environmental Data Form approved in July 2023. A NWP 13 with PCN was received from USACE-SWF [Permit No. SWF-2019-00449] in March 2023 for this project. Where feasible VRX will utilize documentation previously developed for the Kennedale Valley Lane Project development.

1.1 Project Goals/Objectives

The goal of the project is to provide Shield Engineering with the following environmental studies:

- FEMA Environmental Assessment
- Water Resources
- Biological Resources
- Socioeconomic Resources
- Public Involvement
- Migratory Bird Survey
- General Coordination with Agencies

2.0 PROPOSED SCOPE OF WORK

A. Environmental Assessment

FEMA Environmental Assessment

Develop Environmental Assessment (EA) and associated documents to fulfill the requirements of the National Environmental Policy Act (NEPA). An EA is used to determine if significant environmental impacts would occur as a result of a FEMA action or a FEMA funded action. An Environmental Assessment would be prepared in accordance with the National Environmental Policy Act (NEPA) of 1969, as implemented by the regulations promulgated by the President's Council on Environmental Quality (CEQ) in 40 Code of Federal Regulations (CFR) Parts 1500-1508. VRX will assist Shield Engineering and the City of Kennedale with the completion of the EA using the outline for how to prepare an Environmental Assessment (EA) for FEMA-funded grant projects.

B. Water Resources

Floodplains and Wetlands

VRX will conduct the Eight (8)-Step Narrative Report for Floodplains and Wetlands in accordance with Executive Orders 11988 & 11990 and 44 CFR Part 9.

Waters of the U.S. (WOTUS)

VRX will rely on previous delineations of waters of the U.S. and USACE-SWF [Permit No. SWF-2019-00449] in drafting the EA.

C. Biological Resources

VRX will review Federal and State Threatened and Endangered Species lists and assess habitat in and adjacent to the Kennedale Valley Lane Project area for the potential for use by listed species in accordance with the Endangered Species Act and Wildlife Coordination Act.

Texas Parks and Wildlife Division

VRX will complete a Project Coordination and Review Request with Texas Parks & Wildlife Division (TPWD) Wildlife Habitat Assessment (WHAB) Program. A WHAB Review Request Form and supporting documentation including Threatened and Endangered Species will be coordinated with TPWD WHAB Program.

United States Fish and Wildlife Service

VRX will informally coordinate with the United States Fish and Wildlife Service (USFWS) Texas Ecological Field Services Office, in accordance with Endangered Species Act of 1973. VRX will compile data from the USFWS Information for Planning and Consultation (IPaC) to explore species data and conduct a regulatory review for inclusion in a memo report for coordination with USFWS.

VRX will complete a **Species Analysis Spreadsheet** and **Documentation of Texas Parks and Wildlife Department Best Management Practices** as necessary to meet FEMA Environmental clearance requirements.

D. Socioeconomic Resources

Hazardous Materials Assessment

VRX will assess the project area for the presence or suspected presence of hazardous materials. VRX will conduct a site visit (not to exceed two days in the field) and database review and complete a Hazardous Materials Site Assessment documenting our findings.

Environmental Justice (EJ) & Limited English Proficiency (LEP)

VRX will evaluate the alternatives in accordance with EO 12898 and EO 14096 to consider the potential for impacts to community resources as well as potential EJ and Title VI issues. VRX will conduct a site visit (not to exceed two days in the field) and develop a Demographic Table to determine the demographic characteristics for the Community Impacts Study Area to determine if low-income and minority populations are in the project's area of effect or adjacent to the project area for inclusion in the EA.

E. Public Involvement

The public will be invited to review and comment on the proposed project and the Draft EA. A notice of availability to review the Draft EA will be posted in newspapers circulated in the region, and on FEMA's website. VRX will coordinate with FEMA to develop the public notice and coordinate the posting in newspapers circulated in the region to include the Fort Worth Star Telegram and the Kennedale News. FEMA will post the Draft EA to their website.

F. Migratory Bird Survey

Consistent with the Endangered Species Act of 1973, as amended, the Migratory Bird Treaty Act, and Texas Parks and Wildlife Code Chapter 64, a VRX qualified biologist shall conduct surveys of the area proposed for disturbance during the general bird nesting season (March 15 through September 15) to identify active nests during construction.

G. General Coordination with Agencies

VRX will coordinate with other agencies and organizations as necessary to complete the environmental reports, forms, and documentation for this project.

3.0 SCHEDULE

VRX can initiate work on this project within one week of receipt of appropriate authorization to proceed. A tentative timetable for the project is 6-9 months; however, VRX cannot estimate or control the time it takes to coordinate with FEMA, TPWD, or other state and federal agencies to attain authorizations, but will work diligently to facilitate the process.

4.0 COST ESTIMATE

VRX will bill on a hourly cost not to exceed (**Attachment 2**) basis as follows:

Table 1. Kennedale Valley Lane Project Cost Estimate		
Task	Description	Fee
Task A	Environmental Assessment	\$24,925.00
Task B	Water Resources	\$1,425.00
Task C	Biological Resources	\$4,010.00
Task D	Socioeconomic Resources (EJ/LEP/HM)	\$11,245.00
Task E	Public Involvement	\$3,040.00
Task F	Migratory Bird Survey	\$4,800.00
Task G	General Coordination with Client & Agencies	\$8,680.00
	Subtotal	\$58,125.00
	Other Direct Expenses (ODE)	\$7,250.00
	Total Cost	\$65,375.00

If at any time out of scope work is required, VRX will cease work until the cost estimate is revised and approved in writing by Shield Engineering.

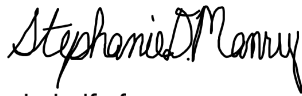
5.0 ASSUMPTIONS AND EXCLUSIONS

- All deliverables will be provided electronically.
- To the extent required by regulatory agency requirements, the documents prepared under this scope will be written in a non-technical, easily readable manner for ease of reading by parties to this agreement.
- This proposal does not include land survey efforts.
- Right of entry, if needed, to be provided by the Engineer.
- Development designs shall be provided in an ArcMap compatible format.
- Evaluation of two alternatives will include a discussion of the No Action Alternative (i.e. maintaining the status quo/consequences of not implementing the proposed project) and the Proposed Action. An evaluation of other actions or additional alternatives is not included in this scope and fee but can be provided as additional services.
- WOTUS were mapped using a Global Positioning System (GPS) capable of sub-meter accuracy. If additional limits of WOTUS require marking in the field this will be accomplished as additional services.
- If a Biological Assessment (BA)/Biological Opinion (BO) or formal/informal coordination with USFWS is required, it would be accomplished as additional services.
- This proposal assumes that hydrology and hydraulic studies, reports, and associated City or Federal Emergency Management Agency approvals will be provided by Shield Engineering.

- This proposal assumes the proposed project sites will continue to be authorized under the Nationwide Permit Program with a PCN. A separate scope and fee will be provided if the USACE requires a different type of permit (other NWP or Individual Permit).
- If other means to ensure effective public outreach for public involvement is needed it would be conducted will be accomplished as additional services. Mailings and printings for public outreach are not included in this scope and fee.
- Archeological documentation/examination (e.g., deep testing/mechanical trenching, data recovery, artifact curation, etc.) was conducted under a separate contract and is not included in this scope and fee.
- The scope and fee in this proposal is valid for one year from the date of this proposal.

Thank you for the opportunity to provide this letter proposal. We look forward to assisting you with this project. Please contact Stephanie Manry at (972)904-7620, or me at (940)367-5766, if you have questions or require additional information.

Sincerely,
VRX, Inc.



on behalf of
James "Eric" Huff, CWB®, CPESC®
ISA Certified Arborist® TX-3782A
Vice President / Environmental Manager

ATTACHMENTS

Kennedale Valley Lane Location Map

Attachment 1

Legend

 Valley Lane Project Area, Kennedale, Texas



Google Earth

ENVIRONMENTAL SERVICES GROUP FEE PROPOSAL

**Shield Engineering Group - Kennedale Valley Lane FEMA EA
Attachment 2**

LABOR

Description	Senior PM	Sr Geologist	Sr Env Planner / Env PM	Sr. Env Sci	Env Sci III	Env Sci I/II	TOTAL	Task Cost
	\$250.00	\$185.00	\$185.00	\$135.00	\$120.00	\$95.00		
Task A. FEMA Environmental Assessment(Draft & Final EA + FONSI)	2		21	48	0	148	219	\$24,925.00
Task B. Water Resources (Draft & Final)	1		3		2	4	10	\$1,425.00
Task C. Biological Resources (Draft & Final)			2		24	8	34	\$4,010.00
Task D. Socioeconomic Resources (EJ/LEP/HM) (Draft & Final)		8	4	31	15	32	90	\$11,245.00
Task E. Public Involvement (Draft, Final & Coord w/FEMA & Newspapers)			4		16	4	24	\$3,040.00
Task F. Migratory Bird Survey					40			\$4,800.00
Task G. General Coord & Meetings	8		32			8	48	\$8,680.00
Total Hours	11	8	66	79	97	204	425	\$58,125.00
LABOR TOTAL	\$2,750.00	\$1,480.00	\$12,210.00	\$10,665.00	\$11,640.00	\$19,380.00	\$58,125.00	

EXPENSES

GPS	\$0.00
Flagging, Tags, etc	\$0.00
Newspaper Advertisements (Kennedale News & Fort Worth Star Telegram)	\$6,500.00
Hazmat Database Report	\$450.00
Mileage	\$300.00

TOTAL EXPENSES**\$7,250.00****TOTAL ESTIMATED FEE****\$65,375.00**



STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

MEETING DATE: FEBRUARY 18, 2025
AGENDA ITEM NUMBER: REGULAR SESSION ITEM IV.C.4.

SUBJECT
Discuss and take action on an Interlocal Agreement with Tarrant County, Texas, for reconstruction of Eden Road S. from Kennedale Parkway to Hudson Village Creek. - Action Item

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS

1.	ILA Eden Road	ILA Eden Road.pdf
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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 with the reconstruction of Eden Road S. from Kennedale Parkway to Hudson Village Creek, at a width of 25 feet and a length of approximately 3000 feet (the "**Project**"); and

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 reconstruction will consist of the following:

- 1.1 Pulverize/Reclaim existing Hot Mix into subgrade;
- 1.2 Excavate and/or relocate excess material;
- 1.3 Stabilize and compact sub-grade at a depth of ten (10) inches using Lime and/or Cement Slurry products according to CITY specifications;
- 1.4 Apply asphalt emulsion prime coat;
- 1.5 Place and compact four (4) inches of Type B Hot Mix Asphalt Concrete;
- 1.6 Place and compact two (2) inches of Type D Hot Mix Asphalt Concrete; and
- 1.7 Construct flex base shoulders on each side of the roadway.

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 near the 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 project partnership signs at each entryway to the Project;
- 2.5 CITY will furnish necessary traffic controls including Type A barricades to redirect traffic flow to alternate lanes during the construction phase of the Project;
- 2.6 CITY will provide temporary driving lane markings;
- 2.7 CITY will ensure that the Project is cleared of obstructions which could damage COUNTY equipment during construction;
- 2.8 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;
- 2.9 CITY will provide a stockpile site for materials used for this Project;
- 2.10 CITY will provide a location for the County to park their heavy equipment near the job site; and
- 2.11 CITY will provide any soil lab testing and/or material testing needed for 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; and
- 5.3 If a Storm Water Pollution Prevention Plan is required, the CITY will be responsible for the design and development of the Plan. CITY will pay for all costs (including subcontractor materials, labor and equipment) associated with the implementation and maintenance of the Plan during the duration of the Project.

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 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 September 30, 2026, whichever date occurs first. This Agreement may be renewed prior to its expiration upon the mutual consent of the parties in writing.

11. COMPLIANCE WITH LAWS

In providing the services required by this Agreement, CITY must observe and comply with all applicable federal, state, and local statutes, ordinances, rules, and regulations, including, without limitation, workers' compensation laws, minimum and maximum salary and wage statutes and regulations, and non-discrimination laws and regulations. CITY shall be responsible for ensuring its compliance with any laws and regulations applicable to its business, including maintaining any necessary licenses and permits.

12. EXECUTION OF AGREEMENT

This Agreement may be executed in one or more counterparts, each of which will be deemed to be an original copy of this agreement, and all of which, when taken together, shall be deemed to constitute one and the same agreement. The exchange of copies of this Agreement and of signature pages by electronic transmission shall constitute effective execution and delivery of this Agreement as to the parties and may be used in lieu of the original Agreement for all purposes. Signatures of the parties transmitted or executed electronically shall be deemed to be their original signatures for any purpose whatsoever.

TARRANT COUNTY, TEXAS

CITY OF KENNEDALE

Commissioner, Precinct 2
Alisa Simmons

Authorized City Official

Date: _____

Date: _____

Attest:

Attest:

APPROVED AS TO FORM*

APPROVED AS TO FORM

Criminal District Attorney's Office*

Staff Attorney

Date: _____

Date: _____

*By law, the Criminal District Attorney's Office may only advise or approve contracts or legal documents on behalf of its clients. It may not advise or approve a contract or legal document on behalf of other parties. Our review of this document was conducted solely from the legal perspective of our client. Our approval of this document was offered solely for the benefit of our client. Other parties should not rely on this approval and should seek review and approval by their own respective attorney(s).

SIGNED AND EXECUTED this _____ day of _____,
2025.

**COUNTY OF TARRANT
STATE OF TEXAS**

By: Separate Electronic Signature Page
Tim O'Hare
County Judge

CERTIFICATION OF FUNDS IN THE AMOUNT OF \$ _____

Auditor

Date: _____



STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

MEETING DATE: FEBRUARY 18, 2025
AGENDA ITEM NUMBER: REGULAR SESSION ITEM IV.C.5.

SUBJECT
Discuss and take action on an Interlocal Agreement with Tarrant County, Texas, for reconstruction of South New Hope Road from the railroad crossing to Hudson village Creek. - Action Item

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS

1.	ILA South New Hope	ILA South New Hope.pdf
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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 with the reconstruction of South New Hope Road from the railroad crossing to Hudson Village Creek at a width of 27 feet and a length of approximately 7100 feet (the "Project"); and

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;
- d. The CITY and the COUNTY have authorized their representative to sign this Agreement;
- e. The CITY and the COUNTY will make payments for the services and functions under this Agreement from current revenues available to the paying party; and
- f. 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 reconstruction will consist of the following:

- 1.1 Pulverize/Reclaim existing Hot Mix into subgrade;
- 1.2 Excavate and/or relocate excess material;
- 1.3 Stabilize and compact sub-grade at a depth of ten (10) inches using Lime and/or Cement Slurry products according to CITY specifications;
- 1.4 Apply asphalt emulsion prime coat;
- 1.5 Place and compact four (4) inches of Type B Hot Mix Asphalt Concrete;
- 1.6 Place and compact two (2) inches of Type D Hot Mix Asphalt Concrete; and
- 1.7 Construct flex base shoulders on each side of the roadway.

2. CITY RESPONSIBILITY

- 2.1 CITY will furnish a site for dumping waste near the job site for materials generated during this Project;
- 2.2 CITY will furnish all rights of way, plan specifications and engineering drawings;
- 2.3 CITY will furnish project partnership signs at each entryway to the Project;
- 2.4 CITY will furnish necessary traffic controls including barricades and traffic control personnel 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 a stockpile site for materials used for this Project; and
- 2.9 CITY will provide a location for the County to park their heavy equipment near the job site.

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; and
- 5.2 If necessary, the CITY will furnish traffic control personnel; and
- 5.3 If a Storm Water Pollution Prevention Plan is required, the CITY will be responsible for the design and development of the Plan. CITY will pay for all costs (including subcontractor materials, labor and equipment) associated with the implementation and maintenance of the Plan during the duration of the Project.

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 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 September 30, 2026, whichever date occurs first. This Agreement may be renewed prior to its expiration upon the mutual consent of the parties in writing.

11. COMPLIANCE WITH LAWS

In providing the services required by this Agreement, CITY must observe and comply with all applicable federal, state, and local statutes, ordinances, rules, and regulations, including, without limitation, workers' compensation laws, minimum and maximum salary and wage statutes and regulations, and non-discrimination laws and regulations. CITY shall be responsible for ensuring its compliance with any laws and regulations applicable to its business, including maintaining any necessary licenses and permits.

12. EXECUTION OF AGREEMENT

This Agreement may be executed in one or more counterparts, each of which will be deemed to be an original copy of this agreement, and all of which, when taken together, shall be deemed to constitute one and the same agreement. The exchange of copies of this Agreement and of signature pages by electronic transmission shall constitute effective execution and delivery of this Agreement as to the parties and may be used in lieu of the original Agreement for all purposes. Signatures of the parties transmitted or executed electronically shall be deemed to be their original signatures for any purpose whatsoever.

TARRANT COUNTY, TEXAS

CITY OF KENNEDALE

Commissioner, Precinct 2
Alisa Simmons

Authorized City Official

Date: _____

Date: _____

Attest:

Attest:

APPROVED AS TO FORM*

APPROVED AS TO FORM

Criminal District Attorney's Office*

Staff Attorney

Date: _____

Date: _____

*By law, the Criminal District Attorney's Office may only advise or approve contracts or legal documents on behalf of its clients. It may not advise or approve a contract or legal document on behalf of other parties. Our review of this document was conducted solely from the legal perspective of our client. Our approval of this document was offered solely for the benefit of our client. Other parties should not rely on this approval and should seek review and approval by their own respective attorney(s).

SIGNED AND EXECUTED this _____ day of _____,
2025.

**COUNTY OF TARRANT
STATE OF TEXAS**

By: Separate Electronic Signature Page
Tim O'Hare
County Judge

CERTIFICATION OF FUNDS IN THE AMOUNT OF \$ _____

Auditor

Date: _____



STAFF REPORT
TO THE HONORABLE MAYOR AND CITY COUNCIL

MEETING DATE: FEBRUARY 18, 2025
AGENDA ITEM NUMBER: REGULAR SESSION ITEM IV.C.6.

SUBJECT
Discuss and take action on an Interlocal Agreement with Tarrant County, Texas, for reconstruction of Swiney Hiatt Rd., from Collette Sublett Rd. to Joplin Rd. - Action Item

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS

1.	ILA Swiney Hiatt	ILA Swiney Hiatt.pdf
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THE STATE OF TEXAS

COUNTY OF TARRANT

INTERLOCAL AGREEMENT

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

WHEREAS, the CITY is requesting the COUNTY's assistance with the reconstruction of Swiney Hiatt Road from Collette Sublett Road to Joplin Road, at a width of 23 feet and a length of approximately 3600 feet (the "**Project**"); and

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 reconstruction will consist of the following:

- 1.1 Pulverize/Reclaim existing Hot Mix into subgrade;
- 1.2 Excavate and/or relocate excess material;
- 1.3 Stabilize and compact sub-grade at a depth of ten (10) inches using Lime and/or Cement Slurry products according to CITY specifications;
- 1.4 Apply asphalt emulsion prime coat;
- 1.5 Place and compact four (4) inches of Type B Hot Mix Asphalt Concrete;
- 1.6 Place and compact two (2) inches of Type D Hot Mix Asphalt Concrete; and
- 1.7 Construct flex base shoulders on each side of the roadway.

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 near the 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 project partnership signs at each entryway to the Project;
- 2.5 CITY will furnish necessary traffic controls including Type A barricades to redirect traffic flow to alternate lanes during the construction phase of the Project;
- 2.6 CITY will provide temporary driving lane markings;
- 2.7 CITY will ensure that the Project is cleared of obstructions which could damage COUNTY equipment during construction;
- 2.8 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;
- 2.9 CITY will provide a stockpile site for materials used for this Project;
- 2.10 CITY will provide a location for the County to park their heavy equipment near the job site; and
- 2.11 CITY will provide any soil lab testing and/or material testing needed for 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; and
- 5.2 If necessary, the CITY will furnish traffic control personnel; and
- 5.3 If a Storm Water Pollution Prevention Plan is required, the CITY will be responsible for the design and development of the Plan. CITY will pay for all costs (including subcontractor materials, labor and equipment) associated with the implementation and maintenance of the Plan during the duration of the Project.

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 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 September 30, 2026, whichever date occurs first. This Agreement may be renewed prior to its expiration upon the mutual consent of the parties in writing.

11. COMPLIANCE WITH LAWS

In providing the services required by this Agreement, CITY must observe and comply with all applicable federal, state, and local statutes, ordinances, rules, and regulations, including, without limitation, workers' compensation laws, minimum and maximum salary and wage statutes and regulations, and non-discrimination laws and regulations. CITY shall be responsible for ensuring its compliance with any laws and regulations applicable to its business, including maintaining any necessary licenses and permits.

12. EXECUTION OF AGREEMENT

This Agreement may be executed in one or more counterparts, each of which will be deemed to be an original copy of this agreement, and all of which, when taken together, shall be deemed to constitute one and the same agreement. The exchange of copies of this Agreement and of signature pages by electronic transmission shall constitute effective execution and delivery of this Agreement as to the parties and may be used in lieu of the original Agreement for all purposes. Signatures of the parties transmitted or executed electronically shall be deemed to be their original signatures for any purpose whatsoever.

TARRANT COUNTY, TEXAS

CITY OF KENNEDALE

Commissioner, Precinct 2
Alisa Simmons

Authorized City Official

Date: _____

Date: _____

Attest:

Attest:

APPROVED AS TO FORM*

APPROVED AS TO FORM

Criminal District Attorney's Office*

Staff Attorney

Date: _____

Date: _____

*By law, the Criminal District Attorney's Office may only advise or approve contracts or legal documents on behalf of its clients. It may not advise or approve a contract or legal document on behalf of other parties. Our review of this document was conducted solely from the legal perspective of our client. Our approval of this document was offered solely for the benefit of our client. Other parties should not rely on this approval and should seek review and approval by their own respective attorney(s).

SIGNED AND EXECUTED this _____ day of _____,
2025.

**COUNTY OF TARRANT
STATE OF TEXAS**

By: Separate Electronic Signature Page
Tim O'Hare
County Judge

CERTIFICATION OF FUNDS IN THE AMOUNT OF \$_____

Auditor

Date: _____

STAFF REPORT TO THE HONORABLE MAYOR AND CITY COUNCIL

MEETING DATE: FEBRUARY 18, 2025

AGENDA ITEM NUMBER: EXECUTIVE SESSION ITEM V.A.

SUBJECT

PURSUANT TO SECTION 551.0171 - 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, to discuss pending and contemplated litigation, or a settlement offer.

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS

STAFF REPORT TO THE HONORABLE MAYOR AND CITY COUNCIL

MEETING DATE: FEBRUARY 18, 2025

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

SUBJECT

Code Enforcement complaint

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS

STAFF REPORT TO THE HONORABLE MAYOR AND CITY COUNCIL

MEETING DATE: FEBRUARY 18, 2025

AGENDA ITEM NUMBER: EXECUTIVE SESSION ITEM V.B.

SUBJECT

PURSUANT TO SECTION 551.087 - to discuss or deliberate 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.

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS

STAFF REPORT TO THE HONORABLE MAYOR AND CITY COUNCIL

MEETING DATE: FEBRUARY 18, 2025

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

SUBJECT

Prospective 380 Agreements

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS