

**KENNEDALE CITY COUNCIL  
AGENDA  
SPECIAL MEETING - 5:30PM  
September 26, 2013  
CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE**

**I. CALL TO ORDER**

**II. APPLICANT INTERVIEWS**

A. At this time City Council will begin interviews for all board applicants.

**III. REGULAR ITEMS (6:00PM)**

A. DISCUSS AND CONSIDER AN ORDINANCE OF THE CITY OF KENNEDALE, TEXAS ADOPTING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2013, AND ENDING SEPTEMBER 30, 2014; AMENDING BUDGET FIGURES FOR THE PRIOR FISCAL YEAR BEGINNING OCTOBER 1, 2012, AND ENDING SEPTEMBER 30, 2013; APPROPRIATING RESOURCES FOR EACH DEPARTMENT, PROJECT, OPERATION, ACTIVITY, PURCHASE, ACCOUNT AND OTHER EXPENDITURES; PROVIDING FOR EMERGENCY EXPENDITURES AND EXPENDITURES AS ALLOWED BY APPLICABLE STATE LAW; PROVIDING FOR THE FILING OF THE BUDGET AS REQUIRED BY STATE LAW; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

B. DISCUSS AND CONSIDER AN ORDINANCE FIXING AND LEVYING MUNICIPAL AD VALOREM TAXES FOR THE CITY OF KENNEDALE, TEXAS, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2013 AND ENDING SEPTEMBER 30, 2014; DIRECTING THE ASSESSMENT AND COLLECTION THEREOF; PROVIDING A SEVERABILITY CLAUSE; AND AN EFFECTIVE DATE CLAUSE.

C. Discuss and consider approval for ratification of property tax increase in FY2013-14 Adopted Budget.

**IV. APPLICANT INTERVIEWS CONTINUED**

A. At this time City Council will continue interviews for all board applicants.

**V. ADJOURNMENT**

In compliance with the Americans with Disabilities Act, the City of Kennedale will provide for reasonable accommodations for persons attending City Council meetings. This building is wheelchair accessible, and parking spaces for disabled citizens are available. Requests for sign interpreter services must be made forty-eight (48) hours prior to the meetings. Please contact Amethyst Cirno, City Secretary, at 817.985.2104 or (TDD) 1.800.735.2989

**CERTIFICATION**

I certify that a copy of the September 26, 2013, agenda was posted on the City Hall bulletin board next to the main entrance of the City Hall building, 405 Municipal Drive, of the City of Kennedale, Texas, in a place convenient and readily accessible to the general public at all times and said agenda was posted at least 72 hours preceding the schedule time of said meeting, in accordance with Chapter 551 of the Texas Government Code.

A handwritten signature in cursive script that reads "Amethyst G. Cirno".

Amethyst G. Cirno, City Secretary

**Date:** September 26, 2013

**Agenda Item No:** WORK SESSION - A.

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**I. Subject:**

At this time City Council will begin interviews for all board applicants.

**II. Originated by:**

**III. Summary:**

**IV. Fiscal Impact Summary:**

**V. Legal Impact:**

**VI. Recommendation:**

**VII. Alternative Actions:**

**VIII. Attachments:**

**Date:** September 26, 2013

**Agenda Item No:** REGULAR ITEMS - A.

**I. Subject:**

DISCUSS AND CONSIDER AN ORDINANCE OF THE CITY OF KENNEDALE, TEXAS ADOPTING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2013, AND ENDING SEPTEMBER 30, 2014; AMENDING BUDGET FIGURES FOR THE PRIOR FISCAL YEAR BEGINNING OCTOBER 1, 2012, AND ENDING SEPTEMBER 30, 2013; APPROPRIATING RESOURCES FOR EACH DEPARTMENT, PROJECT, OPERATION, ACTIVITY, PURCHASE, ACCOUNT AND OTHER EXPENDITURES; PROVIDING FOR EMERGENCY EXPENDITURES AND EXPENDITURES AS ALLOWED BY APPLICABLE STATE LAW; PROVIDING FOR THE FILING OF THE BUDGET AS REQUIRED BY STATE LAW; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

**II. Originated by:**

Sakura Moten-Dedrick, Director of Finance & IT

**III. Summary:**

According to Chapter 102, Municipal Budget, of the Local Government Code (LGC), a municipal budget shall be prepared to cover the proposed expenditures of the municipal government for the succeeding year. The proposed budget must be filed with the municipal clerk for public inspection, and a public hearing conducted on the budget with special notice published in relation to the budget hearing. At the conclusion of the public hearing, the governing body of the municipality shall take action on the proposed budget (or table it for adoption at a later meeting), and it may make any changes in the budget that it considers warranted by the law or by the best interest of the municipal taxpayers. A vote to adopt the budget under this Chapter is in addition to and separate from the vote to set the tax rate required by Chapter 26, Tax Code, or other law. The following timetable represents key dates during which notices were published and meetings were conducted:

|          |         |           |                |           |           |              |                  |
|----------|---------|-----------|----------------|-----------|-----------|--------------|------------------|
| 08/08/13 | Provide | Effective | Tax Rate       | &         | Schedules | To           | Council          |
| 08/09/13 | Hold    | Council   | FY13/14 Budget |           |           |              | Retreat          |
| 08/09/13 | Publish | Notice    | Of             | Effective | Tax Rate  | &            | Schedules        |
| 08/09/13 | Vote    | To        | Place          | Proposal  | For       | Tax Increase | On Future Agenda |
| 08/23/13 | Publish | Notice    | of             | Public    | Hearing   | On           | Budget           |
| 08/30/13 | Publish | 1st       | Notice         | Of        | Public    | Hearing      | On Tax Increase  |
| 09/12/13 | Publish | 2nd       | Notice         | Of        | Public    | Hearing      | On Tax Increase  |
| 09/12/13 | 1st     | Hold      | Public         | Hearing   | Hearing   | On           | Budget           |
| 09/19/13 | 2nd     | Public    | Hearing        | On        | Tax       |              | Increase         |
| 09/20/13 | Publish | Notice    | of             | Tax       | Revenue   |              | Increase         |
| 09/26/13 | Adopt   | Budget,   | Adopt          | Tax       | Rate,     | Ratify       | Budget           |

Appendix A represents a brief summary of the budget. A full version can be found online at the City's

website.

**IV. Fiscal Impact Summary:**

**V. Legal Impact:**

**VI. Recommendation:**

Approve

**VII. Alternative Actions:**

**VIII. Attachments:**

|    |                                     |                                         |
|----|-------------------------------------|-----------------------------------------|
| 1. | Ordinance To Adopt FY2013-14 Budget | Ordinance To Adopt FY2013-14 Budget.doc |
| 2. | Exhibit A - Budget Summary          |                                         |

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF KENNEDALE, TEXAS ADOPTING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2013, AND ENDING SEPTEMBER 30, 2014; AMENDING BUDGET FIGURES FOR THE PRIOR FISCAL YEAR BEGINNING OCTOBER 1, 2012, AND ENDING SEPTEMBER 30, 2013; APPROPRIATING RESOURCES FOR EACH DEPARTMENT, PROJECT, OPERATION, ACTIVITY, PURCHASE, ACCOUNT AND OTHER EXPENDITURES; PROVIDING FOR EMERGENCY EXPENDITURES AND EXPENDITURES AS ALLOWED BY APPLICABLE STATE LAW; PROVIDING FOR THE FILING OF THE BUDGET AS REQUIRED BY STATE LAW; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.**

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

**WHEREAS**, the City Manager of the City has filed with the City Secretary a budget outlining all proposed expenditures of the Government of the City for the fiscal year beginning October 1, 2013, and ending September 30, 2014, (hereinafter referred as the "Budget"); and

**WHEREAS**, the Budget, a copy of which is attached hereto as Exhibit "A" and incorporated herein for all purposes, specifically sets forth each of the various projects for which appropriations are delineated, and the estimated amount of money carried in the Budget for each of such projects; and

**WHEREAS**, the Budget has been filed with the City Secretary for at least thirty (30) days before the date the City Council makes its tax levy for the fiscal year and such Budget has been available for inspection by any taxpayer; and

**WHEREAS**, the public notice of public hearings on the proposed Budget, stating the date, time, place and subject matter of said public hearings, was given as required by the laws of the State of Texas; and

**WHEREAS**, such public hearings were held on September 12, 2013, prior approval of such date being hereby ratified and confirmed by the City Council, and those wishing to speak on the Budget were heard; and

**WHEREAS**, the City Council has studied the Budget and listened to the comments of the taxpayers at the public hearings held thereon and has determined that the Budget attached hereto is in the best interest of the City and that same should be approved and adopted.

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

**SECTION 1.** All of the above premises are found to be true and correct and are incorporated into the body of this Ordinance as if copied in their entirety.

**SECTION 2.** The Budget as set forth in Exhibit "A," of the revenue of the City and the expenses of conducting the affairs thereof for the ensuing fiscal year beginning October 1, 2013 and ending September 30, 2014, is hereby adopted and approved, and there is hereby appropriated from the funds indicated therein such sums for the projects, operations, activities, purchases, accounts and other expenditures proposed in the Budget.

**SECTION 3.** That the revised figures, prepared and submitted by the City Manager for the prior fiscal year beginning October 1, 2012 and ending September 30, 2013, be, and the same are hereby, in all things, approved and appropriated, and any necessary transfers between accounts and departments are hereby authorized, approved and appropriated.

**SECTION 4.** No expenditure of the funds of the City of Kennedale shall hereafter be made except in compliance with the budget and applicable state law; provided, however, that in case of grave public necessity to meet unusual and unforeseen conditions, which could not by reasonable, diligent thought and attention have been include in the original budget, may from time to time be authorized by the City Council as amendments to the original Budget.

**SECTION 5.** The City Manager shall file or cause to be filed a true and correct copy of this ordinance, along with the approved Budget attached hereto, with the City Secretary. The City Manager shall file or cause to be filed a true and correct copy of this ordinance, along with the approved Budget attached hereto, and any amendments thereto, in the office of the County Clerk of Tarrant County, Texas, as required by State law.

**SECTION 6.** Any and all ordinances, resolutions, rules, regulations, policies or provisions in conflict with the provisions of this ordinance are hereby repealed and rescinded to the extent of conflict therewith.

**SECTION 7.** It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 8.** That this ordinance be in full force and effect from and after its adoption.

**PASSED, ADOPTED AND APPROVED** by the City Council of the City of Kennedale, Texas, this the 26th day of September, 2013.

APPROVED:

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MAYOR, JOHN CLARK

ATTEST:

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AMETHYST CIRMO, CITY SECRETARY

**Date:** September 26, 2013

**Agenda Item No:** REGULAR ITEMS - B.

**I. Subject:**

DISCUSS AND CONSIDER AN ORDINANCE FIXING AND LEVYING MUNICIPAL AD VALOREM TAXES FOR THE CITY OF KENNEDALE, TEXAS, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2013 AND ENDING SEPTEMBER 30, 2014; DIRECTING THE ASSESSMENT AND COLLECTION THEREOF; PROVIDING A SEVERABILITY CLAUSE; AND AN EFFECTIVE DATE CLAUSE.

**II. Originated by:**

Sakura Moten-Dedrick, Director of Finance & IT

**III. Summary:**

According to the Texas Constitution and Property Tax Code, which both embody the concept of truth-in-taxation, a municipality is required to comply with certain steps in adopting their tax rate in an effort to make taxpayers aware of tax rate proposals and allow taxpayers, in certain cases, roll back or limit a tax increase. A vote to set the tax rate required by Chapter 26, Tax Code, is in addition to and separate from the vote to adopt the budget. The following timetable represents key dates during which notices were published and meetings were conducted:

|          |                                             |           |                |           |              |         |               |
|----------|---------------------------------------------|-----------|----------------|-----------|--------------|---------|---------------|
| 08/08/13 | Provide                                     | Effective | Tax Rate       | &         | Schedules    | To      | Council       |
| 08/09/13 | Hold                                        | Council   | FY13/14 Budget |           |              |         | Retreat       |
| 08/09/13 | Publish                                     | Notice    | Of             | Effective | Tax Rate     | &       | Schedules     |
| 08/09/13 | Vote To                                     | Place     | Proposal       | For       | Tax Increase | On      | Future Agenda |
| 08/23/13 | Publish                                     | Notice    | of             | Public    | Hearing      | On      | Budget        |
|          | Publish                                     | 1st       | Notice         | Of        | Public       | Hearing | On            |
| 08/30/13 | Publish                                     | 2nd       | Notice         | Of        | Public       | Hearing | On            |
| 09/12/13 |                                             | Hold      | Public         | Hearing   |              | On      | Budget        |
|          | 1st                                         | Public    | Hearing        | On        |              | Tax     | Increase      |
| 09/19/13 |                                             | 2nd       | Public         | Hearing   | On           | Tax     | Increase      |
| 09/20/13 |                                             | Publish   | Notice         | of        | Tax          | Revenue | Increase      |
| 09/26/13 | Adopt Budget, Adopt Tax Rate, Ratify Budget |           |                |           |              |         |               |

**IV. Fiscal Impact Summary:**

**V. Legal Impact:**

**VI. Recommendation:**

Approve

**VII. Alternative Actions:**

Vote on tax rate must be a **record** vote.

**REQUIRED WORDING FOR A MOTION BY A GOVERNING BODY TO SET THE TAX RATE:**

I MOVE THAT THE PROPERTY TAX RATE BE INCREASED BY THE ADOPTION OF A TAX RATE OF \$0.747500, WHICH IS EFFECTIVELY A 2.33 PERCENT INCREASE IN THE TAX RATE.

**VIII. Attachments:**

|    |                                        |                                           |
|----|----------------------------------------|-------------------------------------------|
| 1. | Ordinance To Adopte FY2013-14 Tax Rate | Ordinance To Adopt FY2013-14 Tax Rate.doc |
|----|----------------------------------------|-------------------------------------------|

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE FIXING AND LEVYING MUNICIPAL AD VALOREM TAXES FOR THE CITY OF KENNEDALE, TEXAS, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2013 AND ENDING SEPTEMBER 30, 2014; DIRECTING THE ASSESSMENT AND COLLECTION THEREOF; PROVIDING A SEVERABILITY CLAUSE; AND AN EFFECTIVE DATE CLAUSE.**

**WHEREAS**, the City Council of the City of Kennedale, Texas hereby finds that the tax for the fiscal year beginning October 1, 2013, and ending September 30, 2014, hereinafter levied for current expenses and the general improvements of the City and its property, must be levied to provide the revenue requirements of the budget for the ensuing year; and

**WHEREAS**, the City Council has approved on the 26th day of September 2013, the budget for the fiscal year beginning October 1, 2013, and ending September 30, 2014; and

**WHEREAS**, all statutory and constitutional requirements concerning the levying and assessing of ad valorem taxes have been completed in due and correct time, including providing notice of and conducting a public hearing regarding the ad valorem tax levied hereby.

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

**SECTION 1.** For the current expense of the City of Kennedale and for the general improvements of the City and its property, there is hereby levied and ordered to be assessed and collected for the fiscal year beginning October 1, 2013 and ending September 30, 2014, and for each fiscal year thereafter until it be otherwise provided and ordained, on all property situated within the corporate limits of the City limits of the City of Kennedale, and not exempt from taxation by valid laws, an ad valorem tax rate of \$0.747500 cents on the One Hundred (\$100.00) Dollars valuation of such property.

\$0.560454 For the purpose of maintenance and operation.

\$0.187046 For the purpose of interest and sinking.

\$0.747500 Total Tax Rate

**THIS TAX RATE WILL RAISE MORE TAXES FROM MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.**

**SECTION 2.** That the taxes herein are levied according to law and shall be due and payable on October 1, 2013, and the same shall become delinquent on February 1, 2014. Should any taxpayer fail to make payment before the date of delinquency, the penalty as provided by law shall be assessed until the unpaid taxes and penalty have been satisfied.

**SECTION 3.** Pursuant to the authority granted by Section 33.07 of the Texas Tax Code, in the event that 2012 taxes and taxes for all subsequent years become delinquent on or after February 1 but not later than May 1 of the year in which they become delinquent, and in the event such delinquent taxes are referred to an attorney for collection, an additional amount of twenty percent (20%) of the total amount of tax, penalty and interest then due shall be added as collection costs to be paid by the taxpayer, for all taxes delinquent on or after July 1, 2014.

**SECTION 4.** Pursuant to the authority granted by Section 33.08 of the Texas Tax Code, the City further provides that all 2012 taxes and taxes for all subsequent years that become delinquent on or after June 1 of the year in which they become delinquent shall, in order to defray the costs of collection, incur an additional 20% of the delinquent tax, penalty and interest.

**SECTION 5.** In the event any section, sub-section, clause, sentence, or phrase of this ordinance shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no means affect any other section, sub-section, clause sentence, or phrase of this ordinance, but all the rest thereof shall be in full force and effect just as though the section, sub-section, sentence, clause or phrase so declared or adjudged invalid or unconstitutional was not originally a part thereof.

**SECTION 6.** This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

**PASSED, ADOPTED AND APPROVED** by the City Council of the City of Kennedale, Texas, this the 26th day of September, 2013.

APPROVED:

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MAYOR, JOHN CLARK

ATTEST:

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AMETHYST CIRMO, CITY SECRETARY

**Date:** September 26, 2013

**Agenda Item No:** REGULAR ITEMS - C.

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**I. Subject:**

Discuss and consider approval for ratification of property tax increase in FY2013-14 Adopted Budget.

**II. Originated by:**

Sakura Moten-Dedrick, Director of Finance & IT

**III. Summary:**

According to Chapter 102, Municipal Budget, of the Local Government Code (LGC), a municipal budget shall be prepared to cover the proposed expenditures of the municipal government for the succeeding year. In addition to the adoption of a budget, should that budget require raising more revenue from property taxes than in the previous year, the governing body must conduct a separate vote to ratify the property tax increase reflected in the budget. A vote under this subsection is in addition to and separate from the vote to adopt the budget or a vote to set the tax rate required by Chapter 26, Tax Code, or other law.

**IV. Fiscal Impact Summary:**

**V. Legal Impact:**

**VI. Recommendation:**

Approve

**VII. Alternative Actions:**

Required wording for a motion by a governing body to ratify a property tax increase in an approved budget:

**I MOVE THAT THIS BUDGET WILL RAISE MORE REVENUE FROM PROPERTY TAXES THAN LAST YEAR'S BUDGET BY AN AMOUNT OF \$194,906, WHICH IS A 4.94 PERCENT INCREASE FROM LAST YEAR'S BUDGET. THE PROPERTY TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE TAX ROLL THIS YEAR IS \$108,211.**

**VIII. Attachments:**

**Date:** September 26, 2013

**Agenda Item No:** APPLICANT INTERVIEWS CONTINUED - A.

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**I. Subject:**

At this time City Council will continue interviews for all board applicants.

**II. Originated by:**

**III. Summary:**

**IV. Fiscal Impact Summary:**

**V. Legal Impact:**

**VI. Recommendation:**

**VII. Alternative Actions:**

**VIII. Attachments:**