

KENNEDALE CITY COUNCIL AGENDA

REGULAR MEETING | SEPTEMBER 6, 2022 AT 5:30 PM
CITY HALL COUNCIL CHAMBERS | 405 MUNICIPAL DRIVE, KENNEDALE, TX 76060

MEMBERS OF THE PUBLIC MAY JOIN IN PERSON OR
ACCESS A LIVE FEED AT WWW.CITYOFKENNEDEALE.COM/VIDEOS
THE VIRTUAL OPTION DOES NOT ALLOW FOR PUBLIC COMMENT

I. CALL TO ORDER

To address the Kennedale City Council regarding an agenda item, submit a 'Request to Speak' form before the meeting begins. Speakers are allotted three (3) minutes, must limit their comments to the subject indicated on the form, and should address the Kennedale City Council as a whole, rather than individual members or staff. Pursuant to Texas Government Code §551.071, the Kennedale City Council reserves the right to adjourn into Executive (Closed) Session at any time during the meeting to seek legal advice from the City Attorney on any item posted on the agenda.

A. ROLL CALL

1. 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. REPORTS AND ANNOUNCEMENTS

A. Display/Showcase the new Kennedale Ambulance

B. Swearing in ceremony

Tim Scott

Indya Murray

C. Announcements from the Mayor

Proclamations:

Payroll Week Proclamation

Senior Center Month

Library Card Sign-up Month

III. REGULAR SESSION

A. Public Hearing on the Fiscal Year 2022-2023 Proposed Budget

B. Discussion and any necessary action regarding Fiscal Year 2022-2023
Proposed Budget

C. Announce dates for public hearings on tax increase

D. Discussion and any necessary action regarding repayment to the Fund EDC 15
for sales taxes related Walmart between 2008-2021

E. Discussion and any necessary action by Council regarding Mayor's veto of
Case #PZ 22-10

IV. EXECUTIVE SESSION

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

A. In accordance with §551.071 — Consultation with the City Attorney pertaining to any matter in which the duty of the City Attorney under the Texas Disciplinary Rules of Professional Conduct may conflict with the Open Meetings Act, including discussion of any item posted on the agenda, legal issues regarding the Open Meetings Act, and the following:

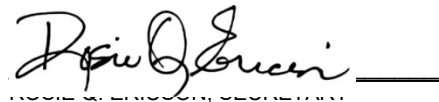
1. Review Comprehensive and UDC Plan ordinance

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

VI. ADJOURNMENT

CERTIFICATION

I DO HEREBY CERTIFY THAT THE SEPTEMBER 6, 2022 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.



MEETING DATE: SEPTEMBER 6, 2022

AGENDA ITEM NUMBER: REGULAR SESSION ITEM I.A.1.

SUBJECT

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

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

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS



MEETING DATE: SEPTEMBER 6, 2022

AGENDA ITEM NUMBER: REGULAR SESSION ITEM II.A.

SUBJECT

Display/Showcase the new Kennedale Ambulance

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS

PROCLAMATION

Senior Center Month

SEPTEMBER 2022

WHEREAS, older Americans are significant members of our society, investing their wisdom and experience to help enrich and better the lives of younger generations; and

WHEREAS, the Kennedale Senior Center acts as a catalyst for mobilizing the creativity, energy, vitality, and commitment of the older residents of Kennedale, Texas; and

WHEREAS, through a wide array of services, programs, and activities, the Kennedale Senior Center empowers the older citizens in our community to contribute to their own health and well-being and the health and well-being of their fellow citizens of all ages; and

WHEREAS, during the pandemic Kennedale Senior Center has been a community partner in ensuring that our most vulnerable citizens people aged 55 and older, many with underlying medical conditions – are cared for and able to stay connected, safe and healthy;

NOW THEREFORE, I, Hollis Matthews, Mayor of the City of Kennedale, do hereby proclaim the month of September 2022 as:

~ *Senior Center Month* ~

in the City of Kennedale, Texas; and call upon all citizens to recognize the contributions of the Kennedale Senior Center participants, and the efforts of the staff and volunteers who work to change the perception of aging and to create resources for older adults to live with purpose, independence, and dignity.

IN TESTIMONY, WHEREOF, I have hereunto set my hand and caused the Seal of the City of Kennedale, Texas to be affixed this 6th day of September 2022.

MAYOR HOLLIS MATTHEWS

ATTEST:

INTERIM CITY SECRETARY CAROLINE GREEN

PROCLAMATION
LIBRARY CARD SIGN UP MONTH
September 2022

WHEREAS, libraries and librarians play a crucial role in the education and development of children;

WHEREAS, librarians are literacy experts, offering everything from preschool story hours to summer reading clubs that sustain school-year learning;

WHEREAS, libraries provide a learning environment that fosters joyful exploration, encouraging students to research subjects that they are genuinely curious about;

WHEREAS, librarians create welcoming and inclusive spaces for people of all backgrounds to learn together and engage with one another;

WHEREAS, librarians provide a variety of books and resources to serve everyone in the community, making knowledge and ideas available so that people have the freedom to choose what to read;

WHEREAS, a library card empowers all people to pursue their dreams, explore new passions and interests, and find their voice;

WHEREAS, libraries are constantly transforming to deliver new services that connect closely with community needs, especially in difficult times;

~ ***LIBRARY CARD SIGN UP MONTH*** ~

NOW, THEREFORE, I, HOLLIS MATTHEWS, MAYOR OF THE CITY OF KENNEDALE, TARRANT COUNTY, TEXAS, do hereby proclaim September Library Card Sign-up Month in Kennedale, Tarrant County, Texas and encourage everyone to sign up for their own library card today.

IN TESTIMONY, WHEREOF, I have hereunto set my hand and caused the Seal of the City of Kennedale, Texas to be affixed this 6th day of September 2022.

Mayor, Hollis Matthews

Attest;

Interim City Secretary, Caroline Green

PROCLAMATION PAYROLL WEEK

September 2022

WHEREAS, the American Payroll Association and its more than 20,000 members have launched a nationwide public awareness campaign that pays tribute to the nearly 150 million people who work in the United States and the payroll professionals who support the American system by paying wages, reporting worker earnings and withholding federal employment taxes; and

WHEREAS, payroll professionals in Kennedale, Texas play a key role in maintaining the economic health of Kennedale, carrying out such diverse tasks as paying into the unemployment insurance system, providing information for child support enforcement, and carrying out tax withholding ,reporting worker earnings and withholding federal employment taxes; and

WHEREAS, payroll departments collectively spend more than \$2.4 trillion annually complying with myriad federal and state wage and tax laws; and Whereas payroll professionals play an increasingly important role ensuring the economic security of American families by helping to identify noncustodial parents and making sure they comply with their child support mandates; and

WHEREAS payroll professionals have become increasingly proactive in educating both the business community and the public at large about the payroll tax withholding systems; and

WHEREAS, payroll professionals meet regularly with federal and state tax officials to discuss both improving compliance with government procedures and how compliance can be achieved at less cost to both government and businesses; and

WHEREAS, the week in which Labor Day falls has been proclaimed National Payroll Week, I hereby give additional support to the efforts of the people who work in **Kennedale, Texas** and of the payroll profession by proclaiming the first full week of September Payroll Week for this **Kennedale, Texas**.

NOW, THEREFORE, I, HOLLIS MATTHEWS, MAYOR OF THE CITY OF KENNEDALE, TARRANT COUNTY, TEXAS, do hereby proclaim the first full week of September Payroll Week for Kennedale.

~ PAYROLL WEEK ~

IN TESTIMONY, WHEREOF, I have hereunto set my hand and caused the Seal of the City of Kennedale, Texas to be affixed this 6th day of September 2022.

Mayor, Hollis Matthews

Attest;

Interim City Secretary, Caroline Green



MEETING DATE: SEPTEMBER 6, 2022

AGENDA ITEM NUMBER: INDIVIDUAL CONSIDERATION ITEM III.D.

SUBJECT

Discussion and any necessary action regarding repayment to the Fund EDC 15 for sales taxes related Walmart between 2008-2021

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS

MEETING DATE: September 6, 2022

AGENDA ITEM NUMBER: IV. A. Repayment to the EDC Fund for sales tax related to Walmart between 2008-2021

ORIGINATED BY: Anne LaMere, Finance Director

SUMMARY: On 29 September 2004, a Interlocal Contract was entered into between the Cities of Arlington and Kennedale for the development of land between the two cities. In the agreement, the two cities agree to share the 1% general sales tax revenues generated by a unified development of the land on the following basis: Arlington: 75%, Kennedale: 25%

During September 2009, confidentiality agreements were signed with Walmart and the stores within Walmart. The City agrees that it will use the tax information solely and exclusively for the purposes of the allocation of sales tax revenue.

Sales taxes received by the City of Kennedale are normally allocated City 75%, EDC 25%; except for the Interlocal Contract which has been allocated 100% to the City since the inception. In the budget of the City, since the inception of the agreement, there is a separate line item for the interlocal agreement sales tax and the budget shows 100% of the interlocal sales tax going to the City.

If the City had allocated 25% of the amount received for years 2008 – 2021, the EDC would have received \$378,249.05.

For 2022, the amount has been allocated based on the split of City 75% and EDC 25%.

A search of the EDC resolutions does not reveal that the EDC agreed to waive the Interlocal Agreement sales tax.

Conclusion – Looking for guidance from EDC Board as to any knowledge of an agreement that the Sales Tax would not be allocated to the EDC and what the EDC believes should be done regarding the allocation of sales tax for Walmart for 2008 – 2021.

Recommendation -- None

Attachments -- None

STAFF REPORT TO THE HONORABLE MAYOR AND CITY COUNCIL

MEETING DATE: SEPTEMBER 6, 2022

AGENDA ITEM NUMBER: INDIVIDUAL CONSIDERATION ITEM V.B.

SUBJECT

Consideration and discussion of the Council action to consider overriding the Veto of **CASE # PZ 22-10**

ORIGINATED BY: Darrell Hull

SUMMARY:

Section 3.03 Mayor and Mayor Pro Tem

The Mayor shall preside at City Council meetings, and shall be recognized as head of the City government. The Mayor shall have the right to vote only in the event of a tie. The Mayor shall also have veto power. The City Council shall elect one of its members Mayor Pro Tem. The Mayor Pro Tem shall act as Mayor in the absence of the Mayor and shall have the same duties and power as the Mayor except veto power. The Mayor Pro Tem shall retain the right to vote as a Council member.

The Mayor may exercise veto power over a Council action within five (5) working days of that action. The Mayor shall give written notice of a veto to the City Secretary. Upon proper notice, Council action to consider overriding a veto shall be an agenda item at the next scheduled Council meeting. The decision of the Council to override a veto is not subject to veto by the Mayor and becomes effective immediately.



MEETING DATE: SEPTEMBER 6, 2022

AGENDA ITEM NUMBER: EXECUTIVE SESSION ITEM IV.A.1.

SUBJECT

Review Comprehensive and UDC Plan ordinance

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS