

KENNEDALE CITY COUNCIL AGENDA

REGULAR MEETING | SEPTEMBER 13, 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

II. REGULAR SESSION

A. 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."

B. VISITOR AND CITIZEN FORUM

At this time, any person may address the Kennedale City Council about items not on the agenda. Rules and procedures for addressing the Kennedale City Council are included under "I. CALL TO ORDER". Neither formal action nor discussion may occur at this time. Those wishing, instead, to speak on an agenda item should indicate their desire to speak as the Kennedale City Council considers that item.

1. PUBLIC HEARINGS

- a. Public Hearing on the Fiscal Year 2022-2023 Tax Rate
- b. Discuss and any necessary action regarding the 2022-2023 Tax Rate.

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. Approve a recommendation by the EDC Board to repay the Water Fund \$171,000 for the purchase of property located at the intersection of Linda Road and Gail Drive

III. EXECUTIVE SESSION

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

- A. **PURSUANT TO §551.071** — Consultation with the City Attorney pertaining to any matter in which the duty of the City Attorney under the Texas Disciplinary

Rules of Professional Conduct may conflict with the Open Meetings Act, including discussion of any item posted on the agenda, legal issues regarding the Open Meetings Act, and the following:

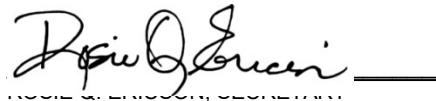
- B. PURSUANT TO §551.072** — *Deliberation regarding the purchase, exchange, lease, or value of real property:*
- C. PURSUANT TO §551.087** — *(1) Deliberation regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision:*
- D. PURSUANT TO §551.074** — *Deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee; and the following:*
 - 1. Discussion regarding vacant Mayor position.

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

V. ADJOURNMENT

CERTIFICATION

I DO HEREBY CERTIFY THAT THE SEPTEMBER 13, 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.



NICOLE G. EMMONS, SECRETARY

In compliance with the Americans with Disabilities Act (ADA), the City of Kennedale will provide for reasonable accommodations for persons attending meetings. This facility is wheelchair accessible and accessible parking spaces are available. Requests for sign interpreter services must be made forty-eight (48) hours prior to the meeting by calling 817-985-2104 or (TTY) 1-800-735-2989.

MEETING DATE: SEPTEMBER 13, 2022

AGENDA ITEM NUMBER: PUBLIC HEARING ITEM II.B.1.a.

SUBJECT : Public Hearing on the Fiscal Year 2022-2023 Tax Rate

ORIGINATED BY: Anne LaMere

Page 1 of 2

Summary – This budget will raise more **total** property taxes than last year's budget by \$125,305 or 1.91% and of that amount, \$125,305 is tax revenue to be raised from new property added to the tax roll this year.

Conclusion – This is a public hearing to allow citizens the opportunity to comment. There is no obligation to comment or act on a specific citizens comment.

In accordance with Texas Tax Code Section 26.06, Council **may vote** on the tax rate at the end of the public hearing. **If Council does not vote on the tax rate**, Council shall announce at the public hearing the date, time, and place of the meeting at which it will vote on the tax rate, and that meeting may not be held later than the 7th day after the date of the public hearing.

Recommendation – There is specific wording for the tax rate motion as specified by Texas Tax Code Section 26.05. The 1.179% increase is calculated as the difference between the adopted tax rate of .07619 and the no-new revenue tax rate of .69444–

I move that the property tax rate be increased by the adoption of a tax rate of .70619, which is effectively a 1.179% increase in the tax rate.

Note: the vote on the tax rate must be a **RECORD VOTE**. Meaning, a roll call vote.

Attachments – Ordinance for Levying Municipal Ad Valorem Taxes

Note on Ordinance – There is an actual decrease in the tax rate of .057 cents per \$100 valuation, however due to the addition of \$88M in property value (some through appraisal increases and some through new properties in the City), there is an increase in tax revenue. Texas Tax Code Section 26.05 requires the following wording, in a font larger than the rest of the document, in the ordinance related to M&O Tax Rate only –

MEETING DATE: September 13, 2022

ORIGINATED BY: Anne LaMere, Finance Director

AGENDA ITEM NUMBER: Public Hearing Regarding Tax Increase

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

THE TAX RATE WILL EFFECTIVELY BE RAISED BY 9.02 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$51.34.

Calculations are shown below.

	M&O Rate	NNR M&O Rate	Property Value	Taxes Levied
FY22	0.572949		859,781,431	4,926,109
FY23	0.569164	0.517823	948,012,532	5,395,746
Increase	-0.003785		88,231,101	469,637
% that M&O Rate (.569164) exceeds NNR M&O Rate (.517823) = 9.02%				
Difference in M&O Rate & No New Revenue M&O Rate = .051341				
Increase in taxes associated with M&O Rate on a \$100,000 home = \$51.34				
	I&S Rate		Property Value	Taxes Levied
FY22	0.191136		859,781,431	1,643,352
FY23	0.137036		948,012,532	1,299,118
Increase	-0.054100		88,231,101	(344,233)
Total of M&O and I&S Tax Changes				125,404

State Law requires no statement regarding I&S tax rate. For transparency, I've added the following language to the Ordinance –

This tax rate will raise less taxes for Interest and Sinking payments than last year's tax rate. The Interest and Sinking rate will effectively decrease by (28.3%) and will decrease taxes for Interest and Sinking on a \$100,000 home by approximately \$54.10

ORDINANCE NO. 741

AN ORDINANCE LEVYING MUNICIPAL AD VALOREM TAXES FOR THE CITY OF KENNEDALE, TEXAS, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022, AND ENDING SEPTEMBER 30, 2023; DIRECTING THE ASSESSMENT AND COLLECTION THEREOF; PROVIDING FOR THE APPROVAL OF THE TAX ROLL; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE CLAUSE.

WHEREAS, the City Council of the City of Kennedale, Texas, has approved on the 6thth day of September 2022, the budget for the fiscal year beginning October 1, 2022, and ending September 30, 2023; and

WHEREAS, the City Council hereby finds that a tax at the rate set forth below for the fiscal year beginning October 1, 2022, and ending September 30, 2023, must be levied to provide the revenue requirements of the budget for the ensuing year; and

WHEREAS, the City Council desires to approve the official tax roll of the City which is calculated based upon the adopted tax rate; 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 public hearings 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, 2022, and ending September 30, 2023, and for each fiscal year thereafter until it be otherwise provided and ordained, on all property situated within the corporate limits of the City of Kennedale, and not exempt from taxation by valid laws, an ad valorem tax rate of **\$0.706190** cents on each One Hundred Dollars (\$100.00) of valuation of such property, to be assessed as follows:

\$0.569154	FOR THE PURPOSE OF MAINTENANCE AND OPERATION
\$0.137036	FOR THE PURPOSE OF INTEREST AND SINKING
\$0.706190	TOTAL TAX RATE

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

THE TAX RATE WILL EFFECTIVELY BE RAISED BY 9.02 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$51.34.

This tax rate will raise less taxes for Interest and Sinking payments than last year's tax rate. The Interest and Sinking rate will effectively decrease by (28.3%) and will decrease taxes for maintenance and operations on a \$100,000 home by approximately \$54.10

SECTION 2.

The taxes herein are levied according to law and shall be due and payable on October 1, 2022, and the same shall become delinquent on February 1, 2023. Should any taxpayer fail to make payment before the date of delinquency, a penalty and interest 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 the taxes become delinquent on or after February 1, 2023, but not later than May 1, 2023, and that remain delinquent on July 1, 2023, 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.

SECTION 4.

Pursuant to the authority granted by Section 33.08 of the Texas Tax Code, the City further provides that all taxes that become delinquent on or after June 1, 2023, shall, in order to defray the costs of collection, incur an additional penalty in the amount of twenty percent (20%) of the delinquent tax, penalty and interest.

SECTION 5.

The tax roll for tax year 2022 for the City of Kennedale, Texas, is hereby approved.

SECTION 6.

In the event any section, subsection, 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, subsection, clause sentence, or phrase of this ordinance, but all the rest thereof shall be in full force and effect just as though the section, subsection, sentence, clause or phrase so declared or adjudged invalid or unconstitutional was not originally a part thereof.

SECTION 7.

This ordinance shall be in full force and effect from and after its passage.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF
KENNEDALE, TEXAS, THIS THE 13TH DAY OF SEPTEMBER, 2022.**

APPROVED:

MAYOR PRO TEM JAN JOPLIN

ATTEST:

INTERIM CITY SECRETARY, CAROLINE GREEN

APPROVED AS TO FORM AND LEGALITY:

CITY ATTORNEY CARVAN E. ADKINS



MEETING DATE: SEPTEMBER 13, 2022

AGENDA ITEM NUMBER: PUBLIC HEARING ITEM II.B.1.b.

SUBJECT

Discuss and any necessary action regarding the 2022-2023 Tax Rate.

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS

MEETING DATE: SEPTEMBER 13, 2022

AGENDA ITEM NUMBER: CONSENT AGENDA ITEM II.C.1.

SUBJECT: Approve a recommendation by the EDC Board to repay the Water Fund \$171 for the purchase of property located at the intersection of Linda Road and Gail Drive

ORIGINATED BY: Anne LaMere

SUMMARY: In November 2014, the City purchased a 13.552-acre tract located with Goss Block 1, Harris Corporation for \$171,149.89. The land was purchased from Fund 10, Water/Sewer Fund. This property remains on the City books as belonging to Fund 10 Land Acquisitions.

On December 15, 2014, then City Manager Bob Hart assigned the property to the Economic Development Corporation. The deed was filed with Tarrant County as belonging to the EDC. The property is listed on the Tarrant Appraisal District as belonging to the EDC.

The records do not indicate the reason for the purchase of the land or the intended use of the land.

Conclusion

The land shows to be owned by the City in the books of the City, and shows to be owned by the EDC in the books of the County and Appraisal District. A determination should be made if this is correct, or if adjustment needs to be made.

Recommendation

Move to transfer the land from Fund 10 Water Fund to Fund 15 Economic Development Fund and transfer cash in the amount of \$171,149.89 from Fund 15 Economic Development Fund to Fund 10 Water Fund in payment for the land.

Attachments

None



MEETING DATE: SEPTEMBER 13, 2022

AGENDA ITEM NUMBER: EXECUTIVE SESSION ITEM III.D.1.

SUBJECT

Discussion regarding vacant Mayor position.

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS