

ORDINANCE NO. 19-025

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF KILLEEN, BELL COUNTY, TEXAS, TO INCLUDE LAND LYING ADJACENT TO THE PRESENT CITY LIMITS, MORE COMMONLY REFERRED TO AS TRACT 1 AND MORE ACCURATELY DESCRIBED HEREIN; DECLARING SAID LAND TO BE A PART OF SAID CITY; DECLARING SAID LAND AND ITS INHABITANTS AND ANY FUTURE INHABITANTS OF SAID LAND TO BE ENTITLED TO ALL THE RIGHTS AND PRIVILEGES OF OTHER LANDS AND CITIZENS OF THE CITY AND TO BE BOUND BY THE ACTS AND ORDINANCES OF THE CITY; PROVIDING FOR WAIVER OF CERTAIN FEES DURING THE FIRST YEAR OF INCORPORATION; EXTENDING DISTRICT BOUNDARIES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

WHEREAS, the City Council of the City of Killeen, pursuant to its Home Rule Charter, Section 7, is authorized to extend the boundary lines of the City and annex additional territory adjacent to the City of Killeen; and

WHEREAS, the City Council of the City of Killeen, pursuant to Local Government Code §43.055 is authorized to annex in any one calendar year only territory equivalent in size to ten (10%) percent or less of the total corporate area of the City unless the City fails in any calendar year or years to annex the total amount which it is authorized to annex in such calendar year or years, but, may not annex in any one calendar year an amount of territory in excess of thirty (30%) percent of its total area as of the first day of the calendar year; and

WHEREAS, the area to be annexed, as described in this ordinance, being approximately 83.01 acres does not exceed the amount authorized for annexation; and

WHEREAS, a home rule city may not annex any area, whether publicly or privately owned, unless the width of such area at its narrowest point is at least one thousand (1,000) feet, or unless the area is contiguous with the City of Killeen boundary on at least two sides; and

WHEREAS, the area to be annexed, as described in this ordinance, is within the extraterritorial jurisdiction of the City of Killeen; and is either adjacent to and contiguous with the existing boundary limits, and is at least one thousand (1,000) feet in width at its narrowest point or is contiguous with the City or Killeen boundary on at least two sides; and

WHEREAS, in accordance with Local Government Code Section 43.052(h)(1), this area is not required to be included in the City's three-year plan as the area contains fewer than one-hundred (100) separate tracts of land on which one or more residential dwellings are located on each tract; and

WHEREAS, in compliance with the Local Government Code §43.065, a proposed service plan has been prepared prior to the publication of the notice for the first hearing and, required newspaper publications have been given and, public hearings conducted;

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

SECTION I: That on and after the effective date of this ordinance, the City Limits of the City of Killeen, Texas, shall be and they are hereby extended to include certain lands lying adjacent and contiguous to the City Limits of said City of Killeen as they existed prior to the effective date of this ordinance; such land being more particularly described as 83.01 acres of land lying east and west of 7501 Chaparral Road, Killeen, Texas.

SECTION II: It is declared that the lands thereby annexed and described in Section I hereof are and shall hereafter be a part of the City of Killeen, Bell County, Texas and it is hereby further declared that said lands and the present and future inhabitants thereof are hereafter entitled to all the rights and privileges as other lands and other citizens of the City of Killeen which are similarly situated and shall be bound by the acts and ordinances of the City of Killen, Texas.

SECTION III: It is further declared that the above described properties shall be zoned "A" Agriculture on the effective date of this ordinance, pursuant to Section 31-124(a) of the Code of Ordinances of the City.

SECTION IV: That the Service Plan for the annexed area is hereby adopted as a part of this ordinance.

SECTION V: It is further declared that the boundary of the City of Killeen City Council District 2 be extended by the land contained within the annexed area.

SECTION VI: That all ordinances or resolutions or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict or amended as specified herein to the extent of any conflict.

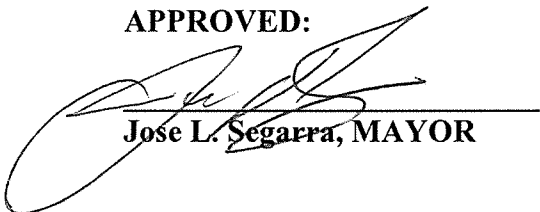
SECTION VII: That should any section or part of any paragraph of this ordinance be declared invalid or unconstitutional for any reason, it shall not invalidate or impair the validity, force, or effect of any section or part of a section or paragraph of this ordinance.

SECTION VIII: That the ordinances and resolutions of the City of Killeen, Texas, and the Code of Ordinances of the City of Killeen, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

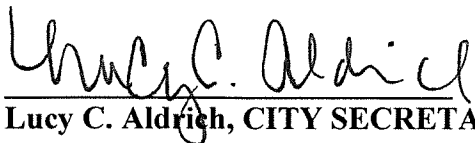
SECTION IX: That this ordinance shall be effective on June 11, 2019, after its passage and publication according to the Killeen City Charter and State Law.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Killeen, Texas, this 11th day of June 2019, at which meeting a quorum was present, held in accordance with the provisions of the Texas Open Meetings Act, Texas Government Code Chapter 551, as amended.

APPROVED:


Jose L. Segarra, MAYOR

ATTEST:


Lucy C. Aldrich, CITY SECRETARY

APPROVED AS TO FORM


Kathryn H. Davis, CITY ATTORNEY



Annexation Service Plan VA#19-02

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1. EXECUTIVE SUMMARY

General Information:

The City of Killeen has been petitioned for voluntary annexation of this subject property consisting of two tracts of land, one measuring 10.26 acres located west of 7501 Chaparral Road, the second tract measuring 72.75 acres located east of 7501 Chaparral Road, Killeen, Texas. Both properties are vacant and contiguous to current municipal city limits on the southeast corner of the city. The Heritage Oaks subdivision is to the north and sparsely developed county property to the east and west. In accordance with Local Government Code 43.065, this annexation service plan describes how municipal services may be provided to the subject area. A fiscal impact analysis is included.

After public hearings on May 7, 2019 and May 21, 2019, the Killeen City Council may approve or disapprove this voluntary annexation petition at its June 11, 2019 meeting or some later date.

Services Impacts:

Police Service:

- Anticipates this project would add approximately 900 residential calls for service; an increase of .6 percent of the total calls for service.

Fire & EMS Services:

- An additional 117 EMS responses and 67 fire responses are expected to this area.
- The property falls within the response area of Fire Station 8. Estimated response time to the annexed property would be 3 minutes for an in-house unit and 13 minutes for a secondary unit (from another station).

Public Works Services:

- An existing 16" water transmission main can adequately serve the entire property. Sewer mains across Chaparral Road in Heritage Oaks are not adequately sized so future developer(s) must accommodate the full cost of extending the infrastructure within their development.
- Chaparral Road is currently designed to county standards; however, the County, impacted cities, KISD and other entities are exploring a potential Memorandum of Agreement (MOU) for proposed widening to arterial capacity. Infrastructure proposed in new subdivisions are subject to applicable standards, regulations and inspection and approval requirements.
- This development may add to the need for a new solid waste route in the future. A portion of the cost associated with this potential new solid waste route is included in the fiscal impact analysis.

Parks & Recreations Services:

- The City's deficit of parks acreage per capita would increase if annexation and associated potential new development occurs. Additional impacts may also be felt in leisure and recreational, programs, services and facilities.

Operation & Maintenance of Other Publicly Owned Facility. Building or Service:

- This potential annexation would increase Killeen's population by approximately 800 people, impacting the library's facilities and potentially affecting accreditation.

- Future residents of the annexed area will own pets. Animal Services anticipates an increase in demands for service as a result of the new development associated with the annexation.

Fiscal Impact Analysis:

A fiscal impact analysis concludes that estimated revenue would exceed estimated expenses if the property is annexed and developed as single family residential as projected. Highlight assumptions and factors used for the fiscal analysis include:

- 290 homes @ equal buildout rate over four years (72.5 homes per year)
- Average permit value of \$164,232
- 3% annual property value increase
- 14% allowance for DV Exemption
- No rate changes
- Current cost of providing a service used to estimate the cost of providing the service to subject area

	Fiscal Year					
	2020	2021	2022	2023	2024	2025
Revenues						
General Fund	\$ 112,420	\$ 229,493	\$ 351,431	\$ 478,452	\$ 488,629	\$ 499,115
General Fund - One time revenue	27,913	27,913	27,913	27,913	-	-
Water & Sewer	59,351	118,703	178,054	237,406	237,406	237,406
Solid Waste	17,209	34,417	51,626	68,834	68,834	68,834
Drainage	5,220	10,440	15,660	20,880	20,880	20,880
Street Maintenance	1,479	2,958	4,437	5,916	5,916	5,916
Total Revenues	\$ 223,592	\$ 423,924	\$ 629,120	\$ 839,400	\$ 821,665	\$ 832,151
Cumulative Revenues	\$ 223,592	\$ 647,515	\$ 1,276,635	\$ 2,116,035	\$ 2,937,700	\$ 3,769,851
Expenses						
General Fund	\$ 102,439	\$ 209,446	\$ 319,153	\$ 430,133	\$ 439,280	\$ 450,399
Water & Sewer	22,388	45,348	68,760	92,531	93,675	94,945
Solid Waste	4,993	6,617	19,932	21,787	22,042	22,352
Drainage	3,408	6,944	10,557	14,207	14,466	14,780
Street Maintenance	1,479	2,958	4,437	5,916	5,916	5,916
Total Expenses	\$ 134,707	\$ 271,314	\$ 422,839	\$ 564,574	\$ 575,378	\$ 588,391
Cumulative Expenses	\$ 134,707	\$ 406,020	\$ 828,860	\$ 1,393,433	\$ 1,968,812	\$ 2,557,203
Difference						
General Fund	\$ 37,893	\$ 47,960	\$ 60,190	\$ 76,232	\$ 49,349	\$ 48,716
Water & Sewer	36,963	73,355	109,295	144,874	143,731	142,461
Solid Waste	12,216	27,800	31,693	47,047	46,792	46,482
Drainage	1,812	3,496	5,103	6,673	6,414	6,100
Street Maintenance	-	-	-	-	-	-
Total Difference	\$ 88,885	\$ 152,610	\$ 206,281	\$ 274,827	\$ 246,287	\$ 243,759
Cumulative Difference	\$ 88,885	\$ 241,495	\$ 447,775	\$ 722,602	\$ 968,888	\$ 1,212,648

- Expenses adjusted annually for inflation

2. FISCAL IMPACT ANALYSIS METHODOLOGY

The fiscal impact model uses the current cost of providing a service to estimate the cost of providing the service to the subject area. The following is included in the fiscal impact analysis:

1. Expenditures:

- a. Cost of municipal services to be provided.
- b. Annual operation and maintenance costs.
- c. Capital improvement costs.

2. Revenues:

- a. Property taxes for the proposed development (based on current tax rate).
- b. User fees for business-type services.
- c. Other revenues (e.g. other local taxes, permit fees, etc.).

Common Assumption Across All Funds

The fiscal impact model is based certain underlying assumptions including:

- Total buildout: 290 residential lots, with the phased buildout of the proposed annexation happening equally over a four-year period (i.e. 72.5 lots per year).
- Revenues calculated based on current rates. There are no rate increases assumed throughout the analyzed period.
- Expenses are adjusted annually by the estimated rate of inflation. The inflation rates used for each fiscal period include: FY21 – 2.2%, FY22 – 2.3%, FY23 – 2.0%, FY24 – 2.1%, FY25 – 2.5% (FY21-FY22 inflation from the International Monetary Fund U.S. Inflation Forecast; FY23-FY25 inflation estimated using regression analysis).

Fund Specific Assumptions

1. General Fund

Revenues:

Property tax – calculated using the 2018 average home permit value of \$164,232. Estimated property tax revenue is adjusted for the disabled veteran exemption. The disabled veteran exemption is 14% of residential assessed property valuation. Property tax valuations are estimated to increase by 3.03 percent each year. This represents the five-year average increase in the City's property valuation.

Sales tax – calculated using an estimated household annual income of \$49,886. The household annual income was determined using the 28% Rule that states a household should spend a maximum of 28% of gross monthly income for mortgage related costs (Mortgage cost calculated based on a \$164,232 home). A consumer expenditures study conducted by the Bureau of Labor Statistics reported that the average household expends 81.5% of their gross income. Of that amount, 28.4% is taxable.

Franchise taxes (outside entities) – residential units make up a total of 68% of total properties in the City. This percentage was applied to the FY19 franchise tax budget to determine the amount of revenue per residential property.

Franchise taxes (City enterprises) – the City charges a 9% franchise fee to enterprise funds for use of right-of-ways and easements.

Emergency medical services – revenue calculated by using the projected increase in population to estimate the number of calls for service.

Recreation – revenue calculated based on the projected increase in population. Revenue per capita was determined by using the FY19 Recreation (Community Services) revenue budget.

Permits – one-time revenue was calculated based on the estimated number of residential units in the proposed annexation.

Expenses:

Police Department – the projected population was used to estimate the increase in the number of calls for service. The FY19 Police Department expense budget, less fuel and vehicle maintenance costs, was allocated based on the percent increase in estimated calls. Fuel and vehicle maintenance costs were calculated using the additional area of the proposed annexation to be patrolled.

Fire Department – the projected population was used to estimate the increase in the number of calls for service. The cost of responding to each type of service call was determined. FTEs per capita were used to calculate certain costs not related to calls for service.

Recreation – the acres of community parks per 1,000 residents is currently 1.7460. The cost to maintain the current level of service was determined by the projected increase in population.

Library – the library must maintain a collection of 1 library item per capita. The projected population was used to determine the number of materials that would need to be purchased.

2. Street Maintenance Fund

Revenues:

Calculated using the projected number of residential units in the proposed annexation.

Expenses:

Calculated using the average cost to maintain streets, sidewalks, signage, and pavement marking.

3. Water and Sewer Fund

Revenues:

Water – calculated using the average residential rate of \$38.06, which assumes 10,000 gallons is used monthly.

Sewer – calculated using the average residential rate of \$30.16, which assumes 6,000 gallons is treated monthly.

Expenses:

Water and Sewer – calculated using operational costs per active accounts. The projected number of residential units associated with the proposed annexation were used to estimate costs. The rates the City pays for water and sewer treatment were increased by 1 cent per year.

4. Solid Waste Fund

Revenues:

Calculated using the projected number of residential lots.

Expenses:

Calculated using the current number of routes in FY20 and FY21. The proposed annexation area would make up an estimated 16% of a current route. In FY22, an additional route may be needed, and the proposed annexation area will make up 16% of the new route.

5. Drainage Fund

Revenues:

Calculated using the projected number of residential units in the proposed annexation.

Expenses:

Calculated using the projected residential units, and the full-time equivalents required to service the residential units.

3. GENERAL FUND SERVICES

Police Protection

The Killeen Police Department (KPD) would provide protection and law enforcement services commencing on an effective date of annexation. These services are provided on a citywide basis. Service levels would be the same as that for comparable areas of the City. These Services include:

- normal patrols and responses;
- handling of complaints and incident reports;
- special units, such as traffic enforcement, criminal investigations, narcotics and gang suppression, and special weapons tactics team.

The proposed annexation of approximately 83 acres of land in the 7500 block of Chaparral Road would comprise of approximately 290 lots and a school site. Estimating a population of about 832 upon full development, the department anticipates that there would be very minimal impact in the first few years, depending on how long the building process would take. Initially there would be very few patrol calls for service, criminal investigations, etc. During the building process, there would be a minor increase in patrols, a slight increased use of fuel, and possibly calls for property crime investigations.

The Department anticipates approximately 900 additional residential calls for service per year; an increase of .6 percent of the total calls for service and investigations. Based on an adjusted department budget (the budget less the separated fuel and vehicle maintenance, addressed below). These additional calls for service would add approximately six seconds to the average response time for all priority one and priority two calls for service.

Fire Protection

The Killeen Fire Department (KFD) will provide fire protection and prevention services in the annexation area, commencing on the effective date of the annexation. These services include:

- fire suppression and rescue;
- emergency medical services;
- hazardous materials mitigation and regulation;
- emergency prevention and public education services;
- construction plan review;
- inspections;
- emergency management planning.

These services are provided on a citywide basis and the Killeen Fire Department would provide fire protection and prevention services to the annexation area with the same level of service being provided to other comparable areas of the City.

The National Fire Protection Association (NFPA) creates and maintains private, copyrighted standards and codes for usage and adoption by local governments. Standards pertinent to the referenced annexations are as follows:

5.2.4.1: Initial Arriving Company:

“The fire department’s fire suppression resources shall be deployed to provide for arrival of an engine company within a 240-second travel time to 90 percent of the incidents as established in Chapter 4.”

5.2.4.2: Initial Full Alarm Assignment Capability:

“The fire department shall have the capability to deploy an initial full alarm assignment within a 480-second travel time to 90 percent of the incidents as established in Chapter 4.” For the year of 2018 the Killeen Fire Department responded to 18,686 EMS calls and 10,351 Fire calls. This equals a total of 29,037 Emergency calls within the response area of Killeen, with an average response time of 8 minutes and 40 seconds.

The annexation area will fall within the response area of Station 8 which is located at 7252 East Trimmier Rd and houses one EMS unit, one fire pumper, and Battalion 2 Command. With a response from an in-house unit, the estimated response time to the entry of the annexed property would be 3 minutes. Should the in-house unit be on another call, a secondary unit will be dispatched from another fire station with an average estimated arrival time of 13 minutes and 40 seconds. Based upon historical data, we expect there to be an additional 117 EMS responses and 67 fire responses to this area. In addition to fire/rescue/EMS/Haz-Mat resources needed to service the annexation area, other specialties such as Public Education, Plans Review, Inspections and Emergency Management will be impacted.

With each additional annexation, capabilities are stretched. Ideally, at least one additional fire station with one EMS unit and one fire pumper would be recommended. However, understanding the current situation city wide, the Killeen Fire Department would be able to provide service to these annexed areas with existing resources.

Parks and Recreation Services & Facilities

The City of Killeen Parks and Recreation Department does not have any parks or trails in the

identified area of annexation. However, this area is closely linked to The City of Harker Heights' Purser Park which is linked to the City of Killeen Heritage Oaks trail. Although there isn't a direct impact on parks currently, continued growth will impact our ability to maintain parks and trails. Currently there isn't an identified crew hired to maintain the Heritage Oaks trail.

There are five (5) four person crews responsible for maintaining 254.8 acres of community parks, which makes the current level of service for community parks 1.8 acres per 1,000 residents. When compared to the recommended standard of 5.9 acres for every 1,000 residents, the City has a deficit of 450 acres. An annexation would increase the City's deficit of Community Park's acreage per capita. Additional impact may also be felt in athletic, aquatics center and senior center services, though there is no way to measure if residents would frequent Killeen or Harker Heights recreation activities.

Maintenance of Publicly Owned Facilities or Buildings

The City of Killeen is not aware of the existence of any publicly owned facilities or buildings now located in the area proposed for annexation. In the event any such publicly owned facilities or buildings do exist, the City of Killeen will maintain such areas to the same extent and degree that it maintains other publicly owned facilities or buildings located in the City. Any such facilities developed in the future for public dedication to and maintenance by the City would be constructed to City standards and maintained by the developer/builder for the required warranty period. Subsequent to the warranty period, the City of Killeen would maintain such facilities to the same extent and degree that it maintains other publicly owned facilities or buildings in other areas of the City.

Land Use & Inspection Services

The City of Killeen Code of Ordinances mandates that all property annexed into the City be initially zoned Agricultural District ("A"). A building or premises in such a district may be used for stables, buildings in support of agriculture uses and single family residential structures and accessory uses on three acre tracts. The property owner reserves the right to petition for a change in zoning. Rezoning process would be conducted in strict compliance with notification and due process requirements of the Local Government Code and City of Killeen Code of Ordinances.

The City of Killeen's Planning and Development Services Department would provide land use planning and inspection services (building, electrical, plumbing, code enforcement, etc.), at the same level available to other areas of the City with similar population density, land use and topography.

Other Services

The City of Killeen would provide other City Services to the annexation area, such as animal services, library, municipal court and general administration services at the same level of service now being provided to other areas of the City with similar population density, land use and topography.

Library Services – The City of Killeen is not aware of any additional public libraries planned in the annexation area. This annexation will increase Killeen's population by approximately 800 people, impacting the library's state accreditation. The addition of 800 literary items will need to occur to accommodate the increase in population. The library must maintain a minimum of 1 item per capita for our citizens. The library's ability to provide materials and services will become increasingly hampered by the two small existing facilities. It should also be noted that the library does not have a presence in this portion of the City, making it difficult to serve those citizens at an appropriate level.

City Limit signs to encompass the new boundaries of the City as a result of the annexation would be installed within ninety (90) days of the effective date of the annexation if approved. The City's authority to abate nuisances (fireworks, etc.) within five thousand (5,000) feet of its boundary is extended to provide protection to an annexed area.

4. RATE BASED SERVICES

Street Maintenance

The Street Operations Division of the Public Works Department will maintain public streets over which the City has jurisdiction. These services include:

- emergency pavement repair;
- ice and snow monitoring of major thoroughfares;
- repair maintenance of public streets on an as-needed basis;
- traffic control signals;
- right-of-way maintenance.

Public roads and streets in the annexation area would be included in the City's preventive maintenance program. Preventive maintenance projects are prioritized on a citywide basis and scheduled based on a variety of factors, including surface condition, age, traffic volume, functional classification, and available funding. The Streets Operations Division will also provide regulatory traffic signage. Engineering studies to determine if traffic control devices are warranted will be conducted as needed, in conjunction with growth and increased traffic volumes. Anticipated future development within the annexation area will generate the requirement to construct streets in compliance with the City of Killeen development standards and requirements published in the Killeen Code of Ordinances and Public Works Department practices, as may be amended. Street lighting will be installed by property developers as development in the area warrants. Upon development of the annexation area, street maintenance fees will be charged in accordance with City of Killeen Code of Ordinances Chapter 25. The numbers of vehicle trips projected are 2,900 for full residential buildout.

Water and Wastewater

An existing 16" water transmission main that can adequately serve the entire property is located in the south right-of-way of Chaparral Road along the frontage of the property. The annexed area is located in the Lower Pressure Plane which has an overflow elevation of 1,125'. The 2012 Water & Sewer Master Plan includes Project 29W during the 2025 – 2027 time period, which includes a 12" water line along the east property line.

The sewer mains across Chaparral Road in the Heritage Oaks subdivision are not adequately sized to handle the sewer flow from this property. Approximately 2,500' of larger sewer main will need to be installed to carry the sewer flow from this property to the 30" sewer interceptor that parallels the north side of Trimmer Creek. The 2012 W&S Master Plan includes Project 30S during the 2028 – 2030 time period which includes a sewer main that this property may be able to tie into.

The City would provide comparable water and sewer services as in other comparable areas of the City. Water and wastewater utility availability addresses the accessibility to a sufficient supply of water and the capacity of the wastewater system to accept and treat wastewater. The extension of utilities to any area of the City is based on the Water and Wastewater Master Plan and the utility extension policy contained in Chapter 26, Article IV, Division 3, Section 26-111, of the Killeen Code of Ordinances as

amended. Developers of property in the annexation area would be required to extend necessary utilities to support their development in accordance with the Killeen Code of Ordinances and Public Works Department practices, as may be amended.

The following is a summary of the City of Killeen Water and Wastewater Utility Service Extension Policy.

1. The intent and purpose of the water and wastewater extension policy is to provide equitable charges for water and sewer connections as a proportionate distribution of the cost of the water and sewer main extensions to serve property within the city.
2. If the existing city utility facilities are not within or adjacent to the development, the developer shall construct the necessary extension of water and sewer mains, force mains, and lift stations, including all valves, manholes, and piping necessary to serve any future development of abutting property.
3. The developer's engineer shall prepare a proposed plan of service for the subdivision and property along the extension, which shall be reviewed by the plat review committee. These facilities shall be constructed in accordance with the Water and Wastewater Master Plan (as amended).
4. It is the general policy of the city that water and sewer mains should be large enough to serve all the lots platted and, should the city determine oversizing is necessary, the city may participate in those lines greater than 8" for water and greater than 10" for sewer.
5. All utilities shall be required to extend across the full width of the last lot platted on each street proposed within the development, in such an alignment that it can be extended to the next property in accordance with the master sewer and water plans for the city, provided such plan(s) exist.
6. Properties already served by water and sewer shall not be required to install additional facilities unless, the current lines are not of adequate capacity to serve the proposed development; in which case the applicant will be required to install adequate facilities.
7. Every lot of a plat shall have direct access to the water and sewer system. Utility service shall be from a water/sewer main located in an abutting right-of-way or through easements from the lot to a water/sewer main.
8. The City provides a "pro rata" program that in some instances allows a person to recover some costs of extending a line from the point of availability to the person's property, thereby reducing the economic impact on the person constructing the line.

Under limited circumstances, the City of Killeen Executive Director of Public Works may allow the continued use of or the establishment of an on-site sewage facility in locations where sanitary sewer service is not readily available. Such on-site sewage facilities must be permitted by the Bell County Health Department. Generally, sewer service shall be considered available when City owned infrastructure is located at a distance not to exceed 1,000 feet that can accept gravity flow.

Solid Waste

Solid Waste services provided by the City of Killeen's Solid Waste Services Department would begin immediately upon annexation. The solid waste collection and disposal services provided to the annexation area would be comparable to that provided to other areas of the City.

The annexation area would be provided collection service at same frequency as other areas of the City.

Services shall be provided in accordance with the City of Killeen Code of Ordinances, Chapter 24, for residential and commercial customers:

- garbage collection – in accordance with City of Killeen “pay-as-you-throw” guidelines and Chapter 24 of the Killeen Code of Ordinances;
- recycling – access to City of Killeen Recycling Center;
- yard waste and brush collection;
- special collection services;
- commercial service is provided on subscription basis from the City.

Drainage Utility

Drainage Utility services provided by the City of Killeen's Public Works Department would begin immediately upon annexation of developed parcels and platting of undeveloped parcels. Services would be comparable to those provided to other areas of the City. Service frequency would be comparable as well.

The undeveloped parcel contains three man-made freshwater ponds totaling approximately 4.2 acres in surface area. These ponds have been noted by USGS to hold water year-round. Additionally, a portion of a Zone A FEMA special flood hazard area is within the proposed annexation area. As a result, a creek buffer zone (CBZ) may be required upon development of this area. The Natural Resource Conservation Service also identified rock outcrops within the subject area. This indicates that the amount of storm water runoff is considered high prior to development. Development within the annexation area would require the filing of a plat. This development action will require compliance with all city codes, ordinances and manuals in place at the time of plat submission. This parcel is currently undeveloped.

Drainage Utility services shall be provided in accordance with the City of Killeen Code of Ordinances, Chapter 32, for drainage utility customers:

Drainage Maintenance – in accordance with City of Killeen's Drainage Master Plan and Chapters 8 and 32 of the Killeen Code of Ordinances;

Inspection and Permit Reviews – in accordance with City of Killeen's Drainage Design Manual (DDM), Infrastructure Design and Development Standards Manual (IDDSM) and Chapters 26, 31, and 32 of the Killeen Code of Ordinances;

Public Education and Outreach – in accordance with the City of Killeen's Municipal Separate Storm Sewer (MS4) Permit;

Emergency Response – in accordance with City of Killeen's Drainage Master Plan and Chapter 32 of the Killeen Code of Ordinances; and

Right-of-way (R-O-W) Maintenance to include Street Sweeping within public rights-of-way – in accordance with Chapter 8 of the Killeen Code of Ordinances and the City of Killeen’s MS4.s

5. STRATEGIC DECISIONS REGARDING CAPITAL IMPROVEMENTS, AVAILABILITY AND LEVELS OF SERVICE

The City Council of the City of Killeen finds and determines it to be unnecessary to immediately acquire or construct any Capital Improvements to provide the same type, kind and level of service which is presently being administered to other areas of the City with the same or similar topography, land use and population density. However, the annexation area has been included in the City of Killeen Water and Wastewater Master Plan and Transportation Thoroughfare Plan and will be included with all other areas of the City for future planning for any new or expanded facilities, functions, and services to be funded by future capital improvements programs. The priorities assigned by these plans are driven by a desire to maintain an equitable level of service to all areas of the City with the same population density, land use and topography characteristics.

Nothing in this plan shall require the City to provide a uniform level of municipal services to each area of the City, including annexed areas, if different characteristics of topography, land use, and population density are sufficiently distinct to justify a different level of service.

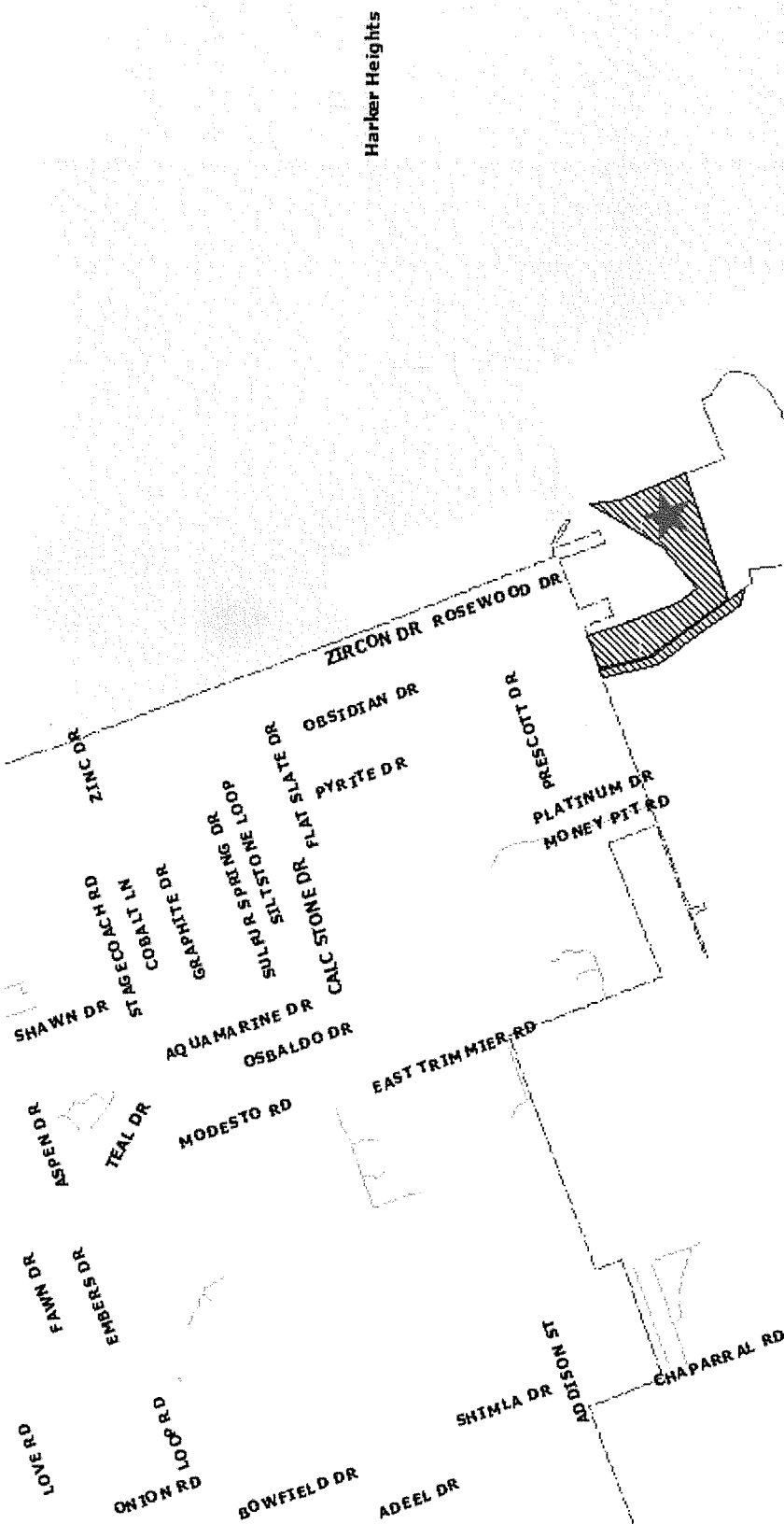
Topography – The Water and Wastewater Master Plan provides a timeline detailing the process for engineering and construction of water and wastewater collection and transportation facilities. The basis for the Rate Based Service Components portion of the Annexation Service plan is the Water Wastewater Master Plan and the afore-mentioned City of Killeen utility extension policy.

Land Use – The subject corridor is a mixture of rural and suburban in nature, characterized by large homestead properties and the suburban residential development, Heritage Oaks. Presently, the land use in the annexation area is characterized as a rural, open area with no development. Changes in development shall be in accordance with the City’s Future Land Use Map and Thoroughfare Plan as amended by the City Council. Developers of the property within the annexed area shall be responsible for their proportionate share of public facilities and roadways.

Population Density – The annexed area is vacant. Therefore, the timeline and construction of any future Capital improvements (if necessary) shall be identified and prioritized by the City Council as part of a master planning process.

6. EFFECTIVE TERM

The Service Plan represents the concept the City of Killeen will use for initial service delivery. It is subject to modification and its change and renewal shall be at the option of the City. Such option may be exercised by the adoption of an ordinance by the City Council which refers to this Plan and specifically renews this Plan for a stated period of time. The City reserves the right guaranteed to it by Section 43.056 (k) Local Government Code, to amend this Plan if the City Council determines that changed conditions or subsequent occurrences or any other legally sufficient circumstances exist under the Local Government Code, or other Texas laws to make this Plan unworkable, obsolete or unlawful.



Harker Heights

STILLHOUSE LAKE

Legend



Annexation Location Map

1 inch = 3,000 feet

Harker Heights



Harker Heights

ROSEWOOD DR

TYRCH DR

DORSET DR

GRAND OAKS LN

STEPPINGTON DR

HATHAWAY LN

PRESTON HOLLOW DR

PRESCOTT DR

CALLAHAN DR

CHANDLER RD

THIS AREA IS OUTSIDE CITY LIMITS

Legend



Killeen City Limits



Annexation Location



Annexation Map

1 inch = 667 feet

**FIELD NOTES
BELL COUNTY, TEXAS**

Being all that certain tract or parcel of land situated in the James H. Evitts Survey, Abstract No. 287, and the land herein described being all of the Tract One and Tract Two described in Correction Warranty Deed to Micheal Aycock and Lou Aycock in Volume 6720, Page 673, and a called 11.35 acre tract described in Special Warranty Deed to Micheal Aycock and Lou Aycock in Volume 5431, Page 649, Official Public Records of Real Property, Bell County, Texas, also being a part of a called 149.57 acre tract described in a Deed to Earl W. and Terri L. Horn, being of record in Volume 5267, Page 434, Official Public Records of Real Property, Bell County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron found at a cedar fence corner post in the west line of said 149.57 acres tract and south margin of Chapparral Road and being called the northwest corner of Lot 1, Block 1, Live Oak Acres, an addition to the City of Killean, Texas, recorded in Cabinet D, Slide 33-B, Plat Records of Bell County, Texas, said iron rod found which bears S 10° 56' 27" E., 28.38 feet from a cotton spindle found near the center of Chapparral Road marking the northwest corner of said 149.57 acre tract, for the northwest corner of the herein described tract;

THENCE N. 71° 02' 51" E., 609.40 feet, along the north line of said Block 1, south margin of Chapparral Road to a 1/2" iron set in the east line of said called 11.35 acre tract, and for corner of the herein described tract;

THENCE in a southerly direction with the east line of said 11.35 acre tract, the following three (3) courses:

1. S. 16° 36' 57" E., 581.83 feet, to a 1/2" iron pin found for an angle corner;
2. S. 17° 20' 54" E., 1030.66 feet (Deed S. 17° 22' 35" E., 1030.34 feet), an iron rod with yellow cap found for an angle corner;
3. S. 37° 20' 21" E., 438.10 feet (Deed S. 37° 17' 33" E., 438.10 feet) feet, to a point at the southerly corner of said 11.35 acre tract, for an ell corner of the herein described tract;

THENCE N. 52° 39' 22" E., 920.06 feet, (Deed N. 52° 42' 27" E., 920.00) feet with the a line of said 11.35 acre tract, to an iron rod with yellow cap found in a lake dam, same being the northeast corner of said 11.35 acre tract, and an angle point of the herein described tract;

THENCE N. 32° 58' 52" E. 1445.68 feet, over and across said 149.57 acre tract and north line of said Aycock Tract Two, to a 1/2" iron pin set on the east line of said 149.57 acre tract and the west line of a called 152.523 acre tract conveyed to Trudo Family Living Trust, being recorded in Volume 5045, Page 590, Official Public Records of Real Property, Bell County, Texas, for the easterly northeast corner of the herein described tract;

THENCE in a southerly direction with east line of said 149.57 acre tract, east line of said Aycock Tract Two, and the west line of said 152.523 acre tract, the following two (2) courses:

1. S. 06° 22' 14" E., 485.98 feet, to a 24" spanish oak and fence corner of said 149.57 acre tract, said 152.523 acre tract, and said Tract Two, for an angle corner;
2. S. 19° 30' 30" E., 1229.95 feet, to a 8" cedar fence corner post marked with a 60D nail at the southeast corner of said 149.57 acre tract, southeast corner of said Aycock Tract Two, and southeast corner of the herein described tract;

THENCE S. 73° 22' 28" W., 2285.97 feet, with the south line of said Aycock Tract Two, south line of said 149.57 acre tract, and the north line of a called 50 acre tract (Tract One) conveyed to William D. Morris recorded in Volume 5764, Page 467, Official Public Records of Real Property, Bell County, Texas, to a 8" cedar fence corner post found in the west line of a 30' Passage Easement described as "Tract Two" of said Morris Deed, same being at the southwest corner of said 149.57 acre tract and southwest corner of the herein described tract;

THENCE N. 34° 20' 30" W., 1680.60 feet, with the west line of said 149.57 acre tract, west line of said Aycock Tract Two, east line of said Morris Tract Two, and east line of a called tract conveyed to Dock L. Curb, Jr. recorded in Volume 5982, Page 758, Official Public Records of Real Property, Bell County, Texas, and west line of this tract, to an 8" cedar fence corner post found for an angle corner of said 149.57 acre tract, for an angle corner of this tract;

THENCE N. 10° 56' 33" W., 844.97 feet, with the west line of said 149.57 acre tract, west line of said Aycock tract, east line of said Curb Tract, East line of said 30' Passage Easement, to a POINT OF BEGINNING and containing 72.75 acres of land, more or less.

The bearings for the above description are based on the north line of said 149.57 acre tract as shown on Live Oak Acres, of record in Cabinet D, Slide 33-B, Plat Records, Bell County, Texas.

-END-

A. W. Kessler 5-10-12

A. W. Kessler, R.P.L.S. 1852



**FIELD NOTES
10.26 ACRE TRACT
BELL COUNTY, TEXAS**

BEING all that certain tract or parcel of land situated in and being a part of the James H. Evetts Survey, A-600, Bell County, Texas, and being the a part of the called 163.25 acre tract described in Deed to Dock L. Curb, et al, Co-Trustee of the D. L. Curb, Jr. Trust, recorded in Volume 5982, Page 758, Official Public Records of Real Property of Bell County, Texas, and being more particularly described as follows:

BEGINNING at a PK nail found in the center of Chaparral Road, same being called the northeast corner of said 163.25 acre tract and the northwest corner of the called 43.70 acre tract described in deed to WBW Land Investments, LP, in Volume 8221, Page 604, Official Public Records of Real Property of Bell County, Texas, and being called the northeast corner of the herein described tract;

THENCE, S 10°57'51" E, 874.03 feet along the east line of said 163.25 acre tract and west line of said 43.70 acre tract to an iron pipe found at a fence corner post for an angle point of the herein described tract;

THENCE, S 34°20'08" E, 2016.84 feet, continuing along the east line of said 163.25 acre tract and west line of said 43.70 acre tract to an iron rod set, said iron rod set bearing N 34°20'08" W, 183.26 feet from an iron rod found at a cedar fence post corner found for a corner of said 163.25 acre tract said iron rod set being a corner of the herein described tract;

THENCE, in a northwesterly direction, across and upon said 163.25 acre tract with the following courses:

1. N 72°35'18" W, 293.81 feet, to a point for corner,
2. N 34°25'15" W, 396.59 feet, to a point for corner,
3. N 31°06'10" W, 345.56 feet, to a point for corner,
4. N 34°25'15" W, 1011.56 feet, to a point for corner,
5. N 10°57'51" W, 950.46 feet, to a PK nail set in the north line of said 163.25 acre tract and centerline of Chaparral Road, for the called northwest corner of the herein described tract;

THENCE, N 71°09'25"E, 139.26 feet, along the north line of said 163.25 acre tract, center of Chaparral Road, and north line of this to the **PLACE OF BEGINNING** and containing 10.26 of land, more or less.

SURVEYOR'S NOTES:

1. The bearings for this description is a west line of said 43.70 acre tract being S 34°20'08"E per deed of record.
2. 1/2" iron rods with caps marked " CORNER '1852" will be placed at all corners noted as "points" herein. Placement of iron roads will occur after the date of conveyance of the tract described herein.

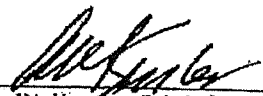
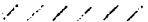
 12-26-12
A. W. Kessler, R.P.L.S.



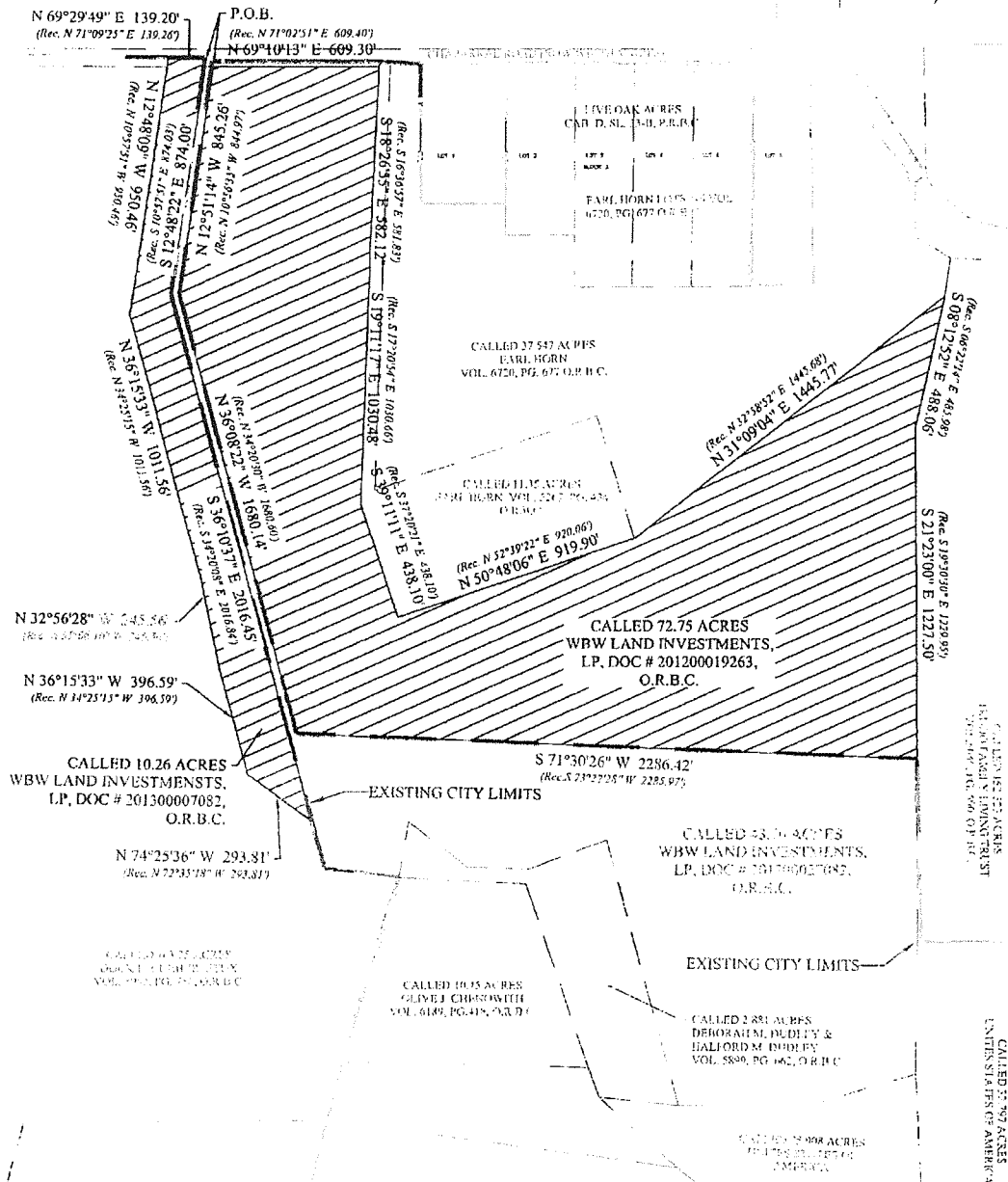
Exhibit "A"

EXHIBIT OF 72.75 ACRES AND 10.26 ACRES SITUATED IN AND BEING OUT OF THE JAMES H. EVITT'S SURVEY, ABSTRACT NO. 287, BELL COUNTY, TEXAS, FOR PROPOSED ANNEXATION TO THE CITY OF KILLEEN, TEXAS.

LEGEND  AREA TO BE ANNEXED

SURVEYOR'S NOTE:

The bearings and distances recited hereon are grid bearings and grid distances derived from GPS observations based on the Texas State Plane Coordinate System, NAD 1983 (2011) datum, Texas Central Zone No. 3203. The Combined Correction Factor (CCF) is 0.9998510. Ground distance = Grid distance / CCF.



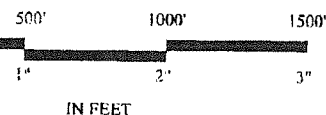
SURVEYOR'S CERTIFICATE

I, the undersigned, Registered Professional Land Surveyor, in the State of Texas, do hereby certify to the best of my knowledge and belief, that this map is true and correct, that it was prepared from an actual survey of the property made on the ground, and that the metes and bounds described hereon will describe a closer geometric form.

Luther E. Probst
 Luther E. Probst
 Registered Professional Land Surveyor, No. 6200, Firm No. 10194095



GRAPHIC SCALE





Bell County
Shelley Coston
County Clerk
Belton, Texas 76513

Instrument Number: 2020007213

As
ANNEXATION

Recorded On: February 12, 2020

Parties: CITY OF KILLEEN

To EX PARTE

Comment:

Billable Pages: 20

Number of Pages: 21

(Parties listed above are for Clerks' reference only)

**** Examined and Charged as Follows ****

CLERKS RMF:	\$5.00
COURT HOUSE SECURITY:	\$1.00
RECORDING:	\$81.00

Total Fees:

***** DO NOT REMOVE. THIS PAGE IS PART OF THE INSTRUMENT *****

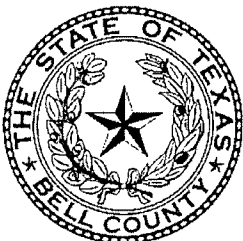
Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY
because of color or race is invalid and unenforceable under federal law.

File Information

Instrument Number: 2020007213
Receipt Number: 103437
Recorded Date/Time: 02/12/2020 4:16:27 PM
User / Station: zbranead - BCCCD0639

Record and Return To:

CITY OF KILLEEN
PO BOX 1329
KILLEEN, TX 76540



I hereby certify that this instrument was filed on the date and time stamped hereon and was duly
recorded in the Real Property Records in Bell County, Texas

Shelley Coston
Bell County Clerk

CITY COUNCIL MEMORANDUM FOR ORDINANCE

DATE: June 4, 2019

TO: Ronald L. Olson, City Manager

FROM: Ray Shanaa, Executive Director of Planning & Dev. Services

SUBJECT: Consider an ordinance annexing approximately 83.01 acres of land, being adjacent to 7501 Chaparral Road, Killeen, Texas, and approving the annexation service plan.

BACKGROUND AND FINDINGS:

On March 14, 2019, the Planning and Development Services Department received a voluntary petition for annexation from WBW Land Investments Limited Partnership. The subject area is comprised of two tracts of land with one tract measuring 10.26 acres, being located west of 7501 Chaparral Road and the second tract measuring 72.75 acres, being located east of 7501 Chaparral Road, Killeen, Texas. The property is vacant, contiguous to current municipal city limits and is therefore exempt from a three year annexation plan. The owner is making the request to have the property annexed into the corporate limits of Killeen.

On April 9th, the City Council decided to conduct public hearings and institute annexation proceedings, which included directing the City Manager to prepare a service plan providing for the extension of full municipal services to the area, by any method used to give services in any other area of city. The City Council conducted two (2) public hearings on May 7th and May 21st.

Staff provided the service plan to the City Council prior to the May 21st public hearing. Per Local Government Code (LGC) 43.064, the City Council may approve or disapprove the annexation ordinance and service plan at its June 11 meeting at the earliest.

THE ALTERNATIVES CONSIDERED:

The City Council may approve or disapprove the annexation ordinance and service plan.

Which alternative is recommended? Why?

Staff has no recommendation on the annexation petition.

CONFORMITY TO CITY POLICY:

The request for voluntary annexation conforms with state law.

FINANCIAL IMPACT:

What is the amount of the expenditure in the current fiscal year? For future years?

There are no expenditures in the current fiscal year. The service plan details the fiscal impacts of the annexation from FY 2020 through FY 2025.

Is this a one-time or recurring expenditure?

Expenditures related to the extension of municipal services would be a recurring cost.

Is this expenditure budgeted?

It is not budgeted within the current fiscal year.

If not, where will the money come from?

Future expenditures will be incurred from the General Fund, Water & Sewer, Solid Waste, Drainage and Street Maintenance funding sources.

Is there a sufficient amount in the budgeted line-item for this expenditure?

Fiscal projections (based on staff's assumptions) indicate that there will be sufficient amounts available to be budgeted in the afore-mentioned funding sources.

RECOMMENDATION:

Staff recommends that the City Council approve or disapprove the annexation ordinance and service plan.

DEPARTMENTAL CLEARANCES:

City Attorney

ATTACHED SUPPORTING DOCUMENTS:

Service Plan
Maps
Exhibits
Ordinance

TEXAS COMPTROLLER *of* PUBLIC ACCOUNTS

P.O. Box 13528 • AUSTIN, TX 78711-3528



June 5, 2020

Ms. Lucy Aldrich
City Secretary
City of Killeen
PO Box 1329
Killeen, TX 76540-1329

Dear Ms. Aldrich:

We have received Killeen annexation ordinance nos. 10-065, 11-093, 12-049, 13-062, 15-031, 15-049, 19-024, 19-025, 19-053 and the maps indicating the property annexed into the City of Killeen.

The local sales and use tax will become effective July 1, 2020 in the annexed area as indicated on the maps.

If you have any questions or need more information, please call me toll free at 1-800-531-5441, ext. 51907. My direct number is 512-475-1907.

Sincerely,

A handwritten signature in black ink that reads "Josh Hastie".

Josh Hastie
Revenue Accounting Division
Tax Allocation Section