



# City of Killeen

## Agenda City Council

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Tuesday, April 25, 2017

5:00 PM

Killeen City Hall  
City Council Chambers  
101 North College Street  
Killeen, Texas 76541

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### Call to Order and Roll Call

\_\_\_ Jose Segarra, Mayor      \_\_\_ Brockley Moore  
\_\_\_ Shirley Fleming        \_\_\_ Jonathan Okray  
\_\_\_ Gregory Johnson       \_\_\_ Juan Rivera  
\_\_\_ Jim Kilpatrick         \_\_\_ Dick Young

### Invocation

### Pledge of Allegiance

### Approval of Agenda

### Minutes

1. [MN-17-009](#) Consider Minutes of Regular City Council Meeting of April 11, 2017.  
*Attachments:* [Minutes](#)

### Resolutions

2. [RS-17-044](#) Consider a memorandum/resolution declaring a vacancy on the Senior Citizens Advisory Board.  
*Attachments:* [Staff Report](#)  
[Request from Board President](#)
3. [RS-17-045](#) Consider a memorandum/resolution authorizing a line of credit with BBVA Compass for the Spend Net Payables commercial card program to send electronic payments to vendors using virtual account numbers.  
*Attachments:* [Staff Report](#)  
[Debt Management Policy](#)  
[Presentation](#)
4. [RS-17-046](#) Consider a memorandum/resolution awarding Bid # 17-08 to HUF COR, Inc. for the purchase of operable panel partitions (airwalls) replacement for the Killeen Civic and Conference Center.  
*Attachments:* [Staff Report](#)

[HUFCOR Bid](#)  
[Agreement](#)  
[Certificate of Interested Parties](#)  
[Presentation](#)

## Public Hearings

5. [PH-17-013A](#) Consider a memorandum/resolution for projected expenditure from the state seizure account for the Killeen Police Department.  
**Attachments:** [Staff Report](#)  
[Safety Equipment Quote](#)  
[Air Repirators Quote](#)  
[DVR Examiner Quote](#)  
[Night Vision Instrument Quotes](#)  
[Trauma Kit Quotes](#)  
[Cellebrite Recovery Data Quote](#)  
[Sole Source Letter - Cellebrite Inc](#)  
[Cargo Box Quote](#)  
[Sole Source Letter - The Armored Group](#)  
[Certificate of Interested Parties](#)  
[Presentation](#)
6. [PH-17-013B](#) HOLD a public hearing and consider an ordinance amending the FY 2017 Annual Budget and Plan of Municipal Services of the City of Killeen to increase Special Revenue expenditure accounts to provide funding for the purchase of equipment for the Police Department.  
**Attachments:** [Staff Report](#)  
[Ordinance](#)
7. [PH-17-024A](#) HOLD a public hearing and consider an ordinance requested by M.A. Hoard Construction Co. II, LTD. to amend the Comprehensive Plan's Future Land Use Map (FLUM) from 'General Commercial' (GC) to 'General Residential' (GR) (FLUM# Z17-10) for 2.3 acres, being Lot 41, Block 1, Grover Park. The property is locally known as 6501 Vahrenkamp Drive, Killeen, Texas. (Tabled from April 11, 2017 Regular City Council Meeting.)  
**Attachments:** [Staff Report](#)  
[FLUM Exhibit](#)  
[Minutes](#)  
[Ordinance](#)  
[Application](#)  
[Presentation](#)

8. [PH-17-024B](#) HOLD a public hearing and consider an ordinance requested by M.A. Hoard Construction Co. II, LTD. (Case #Z17-10) to rezone Lot 41, Block 1, Grover Park, from "B-5" (Commercial District) to "R-3A" (Multifamily Apartment Residential District), for property being locally known as 6501 Vahrenkamp Drive, Killeen, Texas. (Tabled from April 11, 2017 Regular City Council Meeting.)

**Attachments:** [Staff Report](#)

[Aerial Map Exhibit](#)

[Minutes](#)

[Ordinance](#)

[Application](#)

[Location Map](#)

[Buffer Map](#)

[Opposition Map](#)

[Considerations](#)

[Response](#)

[Presentation](#)

## Adjournment

*I certify that the above notice of meeting was posted on the Internet and on the bulletin boards at Killeen City Hall and at the Killeen Police Department on or before 5:00 p.m. on April 21, 2017.*

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*Dianna Barker, City Secretary*

*The public is hereby informed that notices for City of Killeen meetings will no longer distinguish between matters to be discussed in open or closed session of a meeting. This practice is in accordance with rulings by the Texas Attorney General that, under the Texas Open Meetings Act, the City Council may convene a closed session to discuss any matter listed on the agenda, without prior or further notice, if the matter is one that the Open Meetings Act allows to be discussed in a closed session.*

*This meeting is being conducted in accordance with the Texas Open Meetings Law [V.T.C.A., Government Code, § 551.001 et seq.]. This meeting is being conducted in accordance with the Americans with Disabilities Act [42 USC 12101 (1991)]. The facility is wheelchair accessible and handicap parking is available. Requests for sign interpretive services are available upon requests received at least 48 hours prior to the meeting. To make arrangements for those services, please call 254-501-7700, City Manager's Office, or TDD 1-800-734-2989.*

## Notice of Meetings

*The Mayor and/or City Council have been invited to attend and/or participate in the*

*following meetings/conferences/events. Although a quorum of the members of the City Council may or may not be available to attend this meeting, this notice is being posted to meet the requirements of the Texas Open Meetings Act and subsequent opinions of the Texas Attorney General's Office. No official action will be taken by Council.*

- *Celebrate Killeen Festival, April 27-29, 2017, Central Texas College Anderson Center, Killeen Community Center*
- *National Day of Prayer, May 4, 2017, 12:00 p.m., Killeen City Hall*
- *Killeen Rodeo, May 18-20, 2017, Killeen Rodeo Grounds*

**Dedicated Service -- Every Day, for Everyone!**





# City of Killeen

## Legislation Details

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**File #:** MN-17-009    **Version:** 1    **Name:** Minutes of Regular City Council Meeting of April 11, 2017  
**Type:** Minutes    **Status:** Minutes  
**File created:** 3/30/2017    **In control:** City Council  
**On agenda:** 4/25/2017    **Final action:**  
**Title:** Consider Minutes of Regular City Council Meeting of April 11, 2017.  
**Sponsors:** City Secretary  
**Indexes:**  
**Code sections:**  
**Attachments:** [Minutes](#)

| Date      | Ver. | Action By             | Action | Result |
|-----------|------|-----------------------|--------|--------|
| 4/18/2017 | 1    | City Council Workshop |        |        |

**City of Killeen**  
Regular City Council Meeting  
Killeen City Hall  
April 11, 2017 at 5:00 p.m.

Presiding: Mayor Jose L. Segarra

Attending: Mayor Pro-Tem Brockley Moore, Councilmembers Jim Kilpatrick, Juan Rivera, Shirley Fleming, Gregory Johnson, Jonathan Okray, and Richard Young

Also attending were City Manager Ronald L. Olson, City Attorney Kathryn Davis, City Secretary Dianna Barker, and Sergeant-at-Arms Ache.

Pastor Mark Price gave the invocation, and Mayor Segarra led everyone in the Pledge of Allegiance.

**Approval of Agenda**

*Motion was made by Mayor Pro-Tem Moore to approve the agenda as written. Motion seconded by Councilmember Rivera. The motion carried unanimously.*

**Minutes**

*Motion was made by Councilmember Kilpatrick to approve the minutes of the March 28th Regular City Council Meeting. Motion was seconded by Councilmember Johnson. Motion carried unanimously.*

**Resolutions**

**RS-17-038** Consider a memorandum/resolution authorizing the lease with purchase option of a wheel loader and compact excavator for the Drainage Maintenance division.

**Staff comments:** Frank Tydlacka

The Drainage Maintenance division leases a track loader to be used in routine operations, minor construction projects and upkeep of the approximate 457 acres of drainage channels throughout the city. It was found necessary to return that unit when the lease expired in June 2016 and replace it with a down-sized machine that would be more capable in confined areas. Staff recommends the procurement of the wheel loader and compact excavator from Romco Equipment Co., through the TASB BuyBoard, with financing provided by Bancorp South Equipment Finance, on a three-year lease of \$3,566.49 per month, and that the City Manager or designee is authorized to approve the purchase of the equipment at the end of the three-year lease period for \$76,771.20 if the purchase is approved in the FY20 budget, and that the City Manager or designee is expressly authorized to execute any and all change orders within the amounts set by state and local law.

*Motion was made by Councilmember Fleming to approve RS-17-038. Motion was seconded by Councilmember Johnson. Motion carried unanimously.*

**RS-17-039** Consider a memorandum/resolution authorizing the issuance of a permit to American Fireworks for the discharge of fireworks as part of the Celebrate Killeen Festival.

**Staff comments:** Brett Williams

The Celebrate Killeen Committee desires to include a fireworks display at the annual event

for a third consecutive year. American Fireworks has been identified as a service provider for the display. The proposed plan is to conduct the fireworks display on Saturday, April 29, 2017, at 9:30 p.m. at the conclusion of the festival's outdoor movie showing, signifying the festival's end. Staff recommends that City Council authorize the issuance of a permit to discharge fireworks to American Fireworks as part of the City's annual Celebrate Killeen Festival at the Killeen Community Center Complex.

*Motion was made by Councilmember Kilpatrick to approve RS-17-039. Motion was seconded by Councilmember Rivera. Motion carried unanimously.*

**RS-17-041** Consider a memorandum/resolution authorizing the Texas Department of Transportation-Aviation Division to act as the Airport Agent for the administration of the Skylark Field T-Hangar Project.

**Staff comments:** Jim Livingston

Staff recommends City Council approve a resolution for TxDOT-Aviation to act as the Airport Agent for the disbursement of NPE funds and administration of the design and construction of a Skylark Field T-hangar project and for the purpose of applying for, receiving and disbursing all federal and state funds for this project and for the administration of contracts necessary for the initiation of the work; and authorize the City Manager to execute any and all required documents including any and all amendments within the amounts set by state and local law.

*Motion was made by Mayor Pro-Tem Moore to approve RS-17-041. Motion was seconded by Councilmember Fleming. Motion carried unanimously.*

**RS-17-042** Consider a memorandum/resolution to suspend the April 21, 2017, effective date of Oncor Electric Delivery Company's requested rate change and approving cooperation with the Steering Committee of Cities Served by Oncor.

**Staff comments:** Kathy Davis

State law permits cities to suspend a rate change for ninety (90) days after the rates would otherwise be effective for any legitimate purpose. By suspending the effective date, the Steering Committee will have adequate time to study and investigate the application, as well as negotiate rates. Staff recommends approval of the attached resolution suspending the effective date of Oncor's rate request and authorizing the city's continued cooperation with the Steering Committee.

*Motion was made by Councilmember Rivera to approve RS-17-042 resolution suspending the effective date for 90 days. Motion was seconded by Councilmember Johnson. Motion carried unanimously.*

**RS-17-043** Consider a memorandum/resolution adopting a city council policy establishing the procedure for appointments to citizen boards, commissions and committees.

**Staff comments:** Kathy Davis

The draft policy addresses the timeframe for making appointments, the process for reviewing applications, the duties of appointment subcommittees and the full council, term limits and criteria for appointment.

*Motion was made by Councilmember Rivera to approve RS-17-043. Motion was seconded by Councilmember Okray. Motion carried unanimously.*

## Public Hearings

**PH-17-022** HOLD a public hearing and consider an ordinance requested by RSBP Developers, Inc. (Case #Z17-09) to rezone approximately 8.12 acres, being Lots 1-13, Block 11, Lots 1-4, Block 12 and Lots 1-4, Block 13, Lakeview Park Subdivision, from a Planned Unit Development (PUD) with “SF-2” (Single-Family Residential District) and “R-3” (Multifamily Residential District) uses to “R-2” (Two Family Residential District). The properties are locally known as 1500 through 1506, 1508, 1510, 1512, 1601, 1603, 1605, 1606, 1608 through 1613 and 1701 Justin Lane, Killeen, Texas.

The City Secretary read the caption of the ordinance.

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF KILLEEN BY CHANGING THE ZONING OF CERTAIN PROPERTY OUT OF THE CITY OF KILLEEN, BELL COUNTY, TEXAS, FROM PLANNED UNIT DEVELOPMENT (PUD) WITH “SF-2” (SINGLE-FAMILY RESIDENTIAL DISTRICT) USES AND “R-3” (MULTIFAMILY RESIDENTIAL DISTRICT) TO “R-2” (TWO FAMILY DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.**

**Staff comments:** Tony McIlwain

The Planning and Zoning Commission recommended approval of the applicant’s zoning request by a vote of 4 to 0. The staff notified 16 surrounding property owners regarding this request and received no protests.

Mayor Segarra opened the public hearing.

Gary Purser, 6503 Wells Fargo - spoke in favor of request.

With no one else appearing the public hearing was closed.

*Motion was made by Mayor Pro-Tem Moore to approve PH-17-022. Motion was seconded by Councilmember Kilpatrick. Motion carried unanimously.*

**PH-17-023A** HOLD a public hearing and consider an ordinance requested by Mark Dewayne Stanford to amend the Comprehensive Plan’s Future Land Use Map (FLUM) from ‘General Commercial’ (GC) to ‘Multi-Family Residential’ (MFR) (FLUM# Z17-08) for 6.34 acres out G. W. Farris Survey, Abstract No. 306, for properties locally known as 901 E. Stan Schlueter Loop (FM 3470) and 4611 Trimmier Road, Killeen, Texas.

The City Secretary read the caption of the ordinance.

**AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN’S FUTURE LAND USE MAP FROM ‘GENERAL COMMERCIAL’ (GC) TO ‘MULTI-FAMILY RESIDENTIAL’ (MFR) FOR APPROXIMATELY 6.34 ACRES OF LAND OUT OF THE G.W. FARRIS SURVEY, ABSTRACT NO. 306, BEING LOCALLY KNOWN AS 901 E. STAN SCHLUETER LOOP (FM 3470) AND 4611 TRIMMIER ROAD, KILLEEN, TEXAS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.**

**Staff comments:** Tony McIlwain

The Planning and Zoning Commission recommended disapproval of the applicant’s request for an amendment to the Future Land Use Map from ‘General Commercial’ (GC) to ‘Multi-Family Residential’ (MFR) by a vote of 4 to 1. The four commissioners voting for disapproval decided that the current FLUM designation is appropriate for the area, and changing it would lead to development that would increase traffic in the area. During

the Planning and Zoning Commission's public hearing on this matter, Rebecca Woodul spoke in opposition to the FLUM change.

Mayor Segarra opened the public hearing.

James Woodul, 4505 Trimmier Rd - spoke against the rezoning.

Martin Holland, 4509 Trimmier Rd - concerned about adding traffic and additional noise in the area. Spoke against the request.

Pedro Quintero, 415 E. Ave D. - spoke in favor of request and assured a TIA (Traffic Impact Assessment) would be done.

With no one else appearing the public hearing was closed.

*Motion was made by Councilmember Kilpatrick to approve PH-17-023A. Motion was seconded by Councilmember Rivera.*

Councilmember Okray made a statement for the record that the concerns of the citizens are germane to the development.

*Motion carried unanimously.*

**PH-17-023B** HOLD a public hearing and consider an ordinance requested by Mark Dewayne Stanford (Case #Z17-08) to rezone 6.34 acres out of the G. W. Farris Survey, Abstract No. 306, from "R-1" (Single-Family Residential District) to "R-3A" (Multifamily Apartment Residential District), for properties locally known as 901 E. Stan Schlueter Loop (FM 3470) and 4611 Trimmier Road, Killeen, Texas. (Requires a three-fourths (3/4) majority vote.)

The City Secretary read the caption of the ordinance.

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF KILLEEN BY CHANGING THE ZONING OF CERTAIN PROPERTY OUT OF THE CITY OF KILLEEN, BELL COUNTY, TEXAS, FROM "R-1" (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO "R-3A" (MULTIFAMILY APARTMENT RESIDENTIAL DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.**

**Staff comments:** Tony McIlwain

The Planning and Zoning Commission recommended disapproval of the applicant's zoning request from "R-1" (Single-Family Residential District) to "R-3A" (Multifamily Apartment Residential District) by a vote of 4 to 1. The four Commissioners voting for disapproval shared concerns regarding the potential for increased traffic as a result of the proposed multifamily residential project. The staff notified ten (10) surrounding property owners regarding this request and received one protest. Since the zoning request was recommended for disapproval, it will require a favorable vote of three-fourths (3/4) of all the members of the City Council for approval.

Mayor Segarra opened the public hearing.

James Woodul, 4505 Trimmier Rd - appalled at the city councils action to approve the amendment to the FLUM and feels the Council doesn't care about what citizens have to say.

Pedro Quintero, 415 E. Ave D - ask council to favor the zoning request.

Kelly Garrett, 7801 Jack Benny, Greenville, Texas (Developer) - thanked the Council for their approval and assured management would be on site.

With no one appearing the public hearing was closed.

*Motion was made by Councilmember Rivera to approve PH-17-023B. Motion was seconded by Councilmember Okray. Motion carried unanimously.*

**PH-17-024A** HOLD a public hearing and consider an ordinance requested by M.A. Hoard Construction Co. II, LTD. to amend the Comprehensive Plan's Future Land Use Map (FLUM) from 'General Commercial' (GC) to 'General Residential' (GR) (FLUM# Z17-10) for 2.3 acres, being Lot 41, Block 1, Grover Park. The property is locally known as 6501 Vahrenkamp Drive, Killeen, Texas.

The City Secretary read the caption of the ordinance.

**AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN'S FUTURE LAND USE MAP FROM 'GENERAL COMMERCIAL' (GC) TO 'GENERAL RESIDENTIAL' (GR) FOR LOT 41, BLOCK 1, GROVER PARK, BEING LOCALLY KNOWN AS 6501 VAHRENKAMP DRIVE, KILLEEN, TEXAS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.**

**Staff comments:** Tony McIlwain

This would be a gated community. The Planning and Zoning Commission recommended approval of the applicant's request for amendment to the Future Land Use Map from 'General Commercial' (GC) to 'General Residential' (GR) by a vote of 3 to 2. The dissenting Commissioners agreed with the opposing two residents that the current FLUM designation is appropriate for the area.

Mayor Segarra opened the public hearing.

Ortiz Alberto, 4501 Chelsea Dr. - concerned about safety for kids getting on and off the school bus by putting a gate in as designed.

Pedro Quintero, 415 E. Ave D (owner representative) - spoke in favor of request.

With no one else appearing the public hearing was closed.

*Councilmember Fleming made a motion to postpone this item until staff can bring back more information on this project to the council. Motion was seconded by Councilmember Kilpatrick. Motion carried 4 to 3 with Councilmember Johnson, Mayor Pro-Tem Moore, and Councilmember Okray opposing.*

Councilmember Okray stated for the record that he believes consideration of this request is in order according to city ordinance and that Council is delaying only because of one item, School District comments. Councilmember Okray believes the Council is responsible to make considerations in accordance with city ordinance.

**PH-17-024B** HOLD a public hearing and consider an ordinance requested by M.A. Hoard Construction Co. II, LTD. (Case #Z17-10) to rezone Lot 41, Block 1, Grover Park, from "B-5" (Commercial District) to "R-3A" (Multifamily Apartment Residential District), for property being locally known as 6501 Vahrenkamp Drive, Killeen, Texas.

The City Secretary read the caption of the ordinance.

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF KILLEEN BY CHANGING THE ZONING OF CERTAIN PROPERTY OUT OF THE CITY OF KILLEEN, BELL COUNTY, TEXAS, FROM "B-5" (BUSINESS DISTRICT) TO "R-3A" (MULTIFAMILY APARTMENT RESIDENTIAL DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.**

**Staff comments:** Tony McIlwain

Staff recommends this item be coupled with PH-17-024A and be postponed. Staff will bring both items back to Council.

*Motion was made by Councilmember Okay to postpone PH-17-024B pending further information from staff. Motion was seconded by Councilmember Kilpatrick. Motion carried 6 to 1 with Councilmember Johnson opposing.*

### **Adjournment**

With no further business, upon motion being made by Councilmember Rivera, seconded by Councilmember Okay, and unanimously approved, the meeting was adjourned at 6:20 p.m.



# City of Killeen

## Legislation Details

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**File #:** RS-17-044    **Version:** 1    **Name:** Request to Declare Seat Vacant on Senior Citizens Advisory Board

**Type:** Resolution    **Status:** Resolutions

**File created:** 3/23/2017    **In control:** City Council

**On agenda:** 4/25/2017    **Final action:**

**Title:** Consider a memorandum/resolution declaring a vacancy on the Senior Citizens Advisory Board.

**Sponsors:** City Secretary

**Indexes:**

**Code sections:**

**Attachments:** [Staff Report](#)  
[Request from Board President](#)

| Date      | Ver. | Action By             | Action | Result |
|-----------|------|-----------------------|--------|--------|
| 4/18/2017 | 1    | City Council Workshop |        |        |





## STAFF REPORT

**DATE:** April 4, 2017

**TO:** Ronald L. Olson, City Manager

**FROM:** Brett Williams, Executive Director of Community Services

**SUBJECT:** Declaring a Vacancy on the Senior Citizens Advisory Board

### **BACKGROUND AND FINDINGS:**

The City of Killeen makes annual appointments to boards, commissions, and committees in September of each year and throughout the year as vacancies occur. Persons appointed to city boards, commissions or committees can be effective members only if they attend the groups' meetings regularly.

Sec.2-118 of the City of Killeen Code of Ordinances provides that, in the case of excessive absences, a board, commission or committee member can be removed from office. Missing three (3) consecutive meetings or more than twenty-five (25) percent of the meetings in a twelve-month period where the board, commission or committee meets more than four (4) times per year shall constitute excessive absences. Section 2-118 also lays out the process for declaring a position vacant due to excessive absences. Immediately after missing the requisite number of meetings, the secretary shall notify the president or chair in writing, who then notifies the city manager's office with recommendations in writing. The city manager then places the matter on the next available city council meeting agenda for consideration. At that meeting, the council may declare the position vacant.

The President of the Senior Citizens Advisory Board has notified the city manager's office that Mrs. Katherine Gordon has missed 3 consecutive unexcused meetings without contacting a city staff member or Board member of the Senior Citizens Advisory Board. The Senior Citizens Advisory Board President requests that the position be declared vacant

### **THE ALTERNATIVES CONSIDERED:**

#### **Which alternative is recommended? Why?**

There are no reasonable alternatives. City Code of Ordinances lays out the requirements and procedures.

### **CONFORMITY TO CITY POLICY:**

This action conforms to all city policies and ordinances.

**FINANCIAL IMPACT:**

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

No financial impact.

**Is this a one-time or recurring expenditure?**

N/A

**Is this expenditure budgeted?**

N/A

**If not, where will the money come from?**

N/A

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

N/A

**RECOMMENDATION:**

It is recommended that the City Council consider whether to declare Katherine Gordon's seat on the Senior Citizens Advisory Board vacant.

**DEPARTMENTAL CLEARANCES:**

Community Services  
Legal

**ATTACHED SUPPORTING DOCUMENTS:**

Board President Vacancy Request

## Dianna Barker

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**From:** Roxanne Flores-Achmad  
**Sent:** Monday, March 06, 2017 9:20 PM  
**To:** Dianna Barker  
**Subject:** Senior Citizens Advisory Board

Please remove Katherine Gordon from the Senior Citizens Advisory Board due to non attendance. She has missed over 3 consecutive meetings without contacting us.

Roxanne Flores-Achmad  
Director of Volunteer Services  
City of Killeen, Texas  
254-501-7878 - office  
254-501-7736 - fax  
[rflores-achmad@killeentexas.gov](mailto:rflores-achmad@killeentexas.gov)  
[www.killeentexas.gov](http://www.killeentexas.gov)

Dedicated Service - Every Day, for Everyone


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March 4, 2017

City Secretary  
City of Killeen  
P.O. Box 1329  
Killeen, TX 76540

Dear City Secretary:

It is my obligation to inform you that Katherine Gordon, an elected member of the Senior Citizen Advisory Board, has failed to meet minimum requirements with regards to attend regular meetings as required by the Advisory Boards Bylaws. It is my recommendation as President of the Advisory Board that Katherine Gordon be removed as an elected member of the Advisory Board.

  
Sean Payton  
President  
Senior Citizen Advisory Board

RECEIVED  
3-22-17

## SENIOR CITIZENS ADVISORY BOARD

■ Yellow indicates term expiring for CITIZEN members

\*Filled unexpired term

| Name                    | Address  | Phone - W<br>Phone - H<br>Phone - C | Initial<br>Appt. | Term<br>Length<br><br>- 3 Years - | Termed<br>Out | Willing to be<br>reappointed | Other<br>committees/boards<br>currently serving on | New Member |
|-------------------------|--|-------------------------------------|------------------|-----------------------------------|---------------|------------------------------|--|------------|
|                         |  |                                     |                  |                                   |               |                              |  |            |
| <b>Kim Harris</b>       | 561 MPR Rd<br>Belton, TX. 76513                  | 254-931-1490<br>254-773-0221        | 2016             | 2016 - 19                         |               |                              |  |            |
| <b>Marjorie Banta</b>   | 4401 E. Rancier Ave Apt 501<br>Killeen 76543     | 220-4714                            | Apr-15           | 2016 - 19                         |               |                              |  |            |
| <b>Katherine Gordon</b> | 259 Cactus Spur<br>Killeen, TX. 76542            | 519-3140<br>466-5566                | 2014             | 2014 - 17                         |               | Lack of attendance           |  |            |
| <b>Sean Payton</b>      | 610 Aries Ave.<br>Killeen, TX. 76542             | 423-5341                            | Apr-15           | 2016 - 19                         |               |                              |  |            |
| <b>Patricia Holland</b> | 3803 Latigo Dr. #B<br>Killeen, TX. 76549         | 702-2036                            | 2014             | 2014 - 17                         |               |                              |  |            |
| <b>Rosa Kea</b>         | 3604 S. WS Young Dr. (714)<br>Killeen, TX. 76542 | 535-7258<br>336-7000                | 2014             | 2014 - 17                         |               |                              |  |            |
| <b>Lisa Kerschner</b>   | 2301 Malakoff St.<br>Killeen 76541               | 254-634-8181<br>254-371-6594        | 2016             | 2016 - 19                         |               |                              |  |            |
| <b>Larry Egly</b>       | 1206 Cedar Dr.<br>Killeen 76543                  | 630-9141                            | Apr-15           | 2016 - 19                         |               |                              |  |            |
| <b>Aresa Spencer</b>    | 1171 FM 3219<br>Harker Heights 76548             | 698-3954                            | 2010             | 2014 - 17                         |               |                              |  |            |

**Membership:** The Senior Citizens' Advisory Board shall consist of nine members who must be residents of Killeen and may not be active members of the senior citizens organization.

**Duties:** The board's objective is to advise and counsel the senior citizens of Killeen on their activities of the Bob Gilmore Center, Help Center, and the Nutrition Program for the elderly under the Older Americans Act of 1956.

**Source:** Killeen Senior Citizens' Advisory Council By-Laws, adopted by Resolution #81-40R (9-8-81)

**Term of Office:** 3 Years

**Meetings:** Bi-Monthly, 3<sup>rd</sup> Monday at 4:30 p.m.

**Appointing Body:** City Council

**Appointments Sub-committee:** Shirley Fleming, Jonathan Okray

**Department Responsible:** Community Services



# City of Killeen

## Legislation Details

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**File #:** RS-17-045    **Version:** 1    **Name:** Authorize a Line of Credit for the BBVA Spend Net Payables Commercial Card Program

**Type:** Resolution    **Status:** Resolutions

**File created:** 4/3/2017    **In control:** City Council

**On agenda:** 4/25/2017    **Final action:**

**Title:** Consider a memorandum/resolution authorizing a line of credit with BBVA Compass for the Spend Net Payables commercial card program to send electronic payments to vendors using virtual account numbers.

**Sponsors:** Finance Department

**Indexes:**

**Code sections:**

**Attachments:** [Staff Report](#)  
[Debt Management Policy Presentation](#)

| Date      | Ver. | Action By             | Action | Result |
|-----------|------|-----------------------|--------|--------|
| 4/18/2017 | 1    | City Council Workshop |        |        |



## STAFF REPORT

**DATE:** April 18, 2017

**TO:** Ronald L. Olson, City Manager

**FROM:** Jonathan Locke, Executive Director of Finance

**SUBJECT:** Spend Net Payables Commercial Card Program Line of Credit

### **BACKGROUND AND FINDINGS:**

The City's depository bank, BBVA Compass, provides a Spend Net Payables commercial card program which is a state-of-the-art tool that uses virtual cards to deliver payments to City vendors without the need for them to log into a website. Spend Net Payables works with the City's accounts payable system to send payments to vendors electronically with a virtual account number.

Spend Net Payables will assist the City in four areas:

1. Working capital management - Method of payment can be a crucial part of price negotiations with suppliers. Spend Net Payables will assist with optimizing cash flow, reducing transaction costs, and improving resource allocation.
2. New revenue streams - BBVA works with the City to enroll suppliers into the program to maximize rebate and savings potential.
3. Improved processes - BBVA allows the City to access meaningful information quickly while providing the flexibility and control needed to manage the payment program effectively.
4. Risk management - BBVA provides tools that offer tighter controls and increased transparency which will help the City improve compliance, streamline audits, and reduce fraud/misuse.

BBVA Compass and staff identified over \$5 million in annual payments to vendors that accept commercial card payments. This amount represents only payments to vendors that exceed \$5,000 per year. If these payments were made through the Spend Net Payables program, the City would have received an estimated rebate of \$75,000. To get started, the City needs to establish a line of credit. BBVA Compass has agreed to put in place a \$1 million line of credit to facilitate the program.

### **THE ALTERNATIVES CONSIDERED:**

1. Leverage technology and utilize the BBVA Compass Spend Net Payables commercial card program.
2. Utilize the CitiBank commercial card program. CitiBank indicated that they do not have a program suitable for the city's purposes.
3. Continue to process, print, and mail checks manually.

**Which alternative is recommended? Why?**

Alternative 1 is recommended. This program will provide rebates to the City, improve reporting, enhance controls over cash, and reduce check processing costs.

**CONFORMITY TO CITY POLICY:**

Debt Management Policy Section VI(A). Where their use is judged to be prudent and advantageous to the City, the City has the power to enter into agreements with commercial banks or other financial entities for purposes of acquiring lines or letters of credit that shall provide the City with access to credit under terms and conditions as specified in such agreements. Before entering into any such agreements, takeout financing for such lines or letters of credit must be planned for and determined to be feasible by the Director of Finance. Any agreements with financial institutions for the acquisition of lines or letters of credit shall be approved by the City Council.

**FINANCIAL IMPACT:**

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

The Spend Net Payables commercial card program will not result in an outflow of cash. All entities that accept credit cards pay merchant fees to their credit card processor. BBVA Compass will rebate a portion of the merchant fees collected to the City.

**Is this a one-time or recurring expenditure?**

NA

**Is this expenditure budgeted?**

NA

**If not, where will the money come from?**

NA

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

NA

**RECOMMENDATION:**

Staff recommends that the City Council approve this resolution authorizing a line of credit with BBVA Compass for the Spend Net Payables commercial card program.



**DEPARTMENTAL CLEARANCES:**

Finance

Legal

**ATTACHED SUPPORTING DOCUMENTS:**

Debt Management Policy

Regular 5-27-97  
Item # CA-3  
CCM/R 97-54R

## CITY COUNCIL MEMORANDUM

**AGENDA ITEM**

**DEBT MANAGEMENT POLICY**

**ORIGINATING DEPARTMENT**

**FINANCE** *CB*

### **BACKGROUND INFORMATION**

The City Council has identified a need to adequately plan for major capital outlay and water and sewer infrastructure improvements programs. This process is evident in the recently completed Water and Sewer Master Plan which calls for the consideration of \$45 million in water and sewer improvements projects. The issuance of debt to finance these and other capital improvement projects has become an increasingly important component of the City's financial management strategy. The City Council needs to adopt a formal Debt Management Policy to establish guidelines for the planning, implementation, and evaluation of the debt program and the City's ability to service such debt. The Debt Management Policy is designed to provide guidance to all participants in the capital improvement process. As project request are evaluated, and funding decisions are considered, the acceptable level of debt issuance, and tax and fee increases should be clearly indicated in the City's debt management policies.

### **DISCUSSION/CONCLUSION**

The staff has prepared a Debt Management Policy document for consideration by the City Council. This document will serve as a policy directive to the staff in matters which involve the issuance of debt. The policy addresses several areas:

- 1) The acceptable levels of debt which the City may incur. This criterion is evaluated in terms of the maximum amount of debt allowed by the City Charter and State Law and also by the acceptable level of debt that can be incurred without jeopardizing the City's credit ratings.
- 2) The purpose for which debt will be issued and the appropriate type of debt to be issued.
- 3) Guidelines for issuance of short-term debt and evaluation of the debt service fund using recognized criteria and performance measurement standards.

Regular \_\_\_\_\_  
Item # \_\_\_\_\_  
CCM/R \_\_\_\_\_

- 4) Use of tax-supported, general obligation bonds versus self-supporting, revenue bonds.
- 5) The evaluation of "pay-as-you-go" financing versus debt financing.
- 6) Use of fixed versus variable rate debt; and the structure of each type of debt issued.
- 7) Debt maturity schedules.
- 8) Selection of Financial Consultants, Legal Bond Counsel, Bond Underwriters, Paying Agents, and other service providers.
- 9) Use of bond credit rating agencies.
- 10) Other matters which are relevant to the City's credit standing.

**RECOMMENDATION**

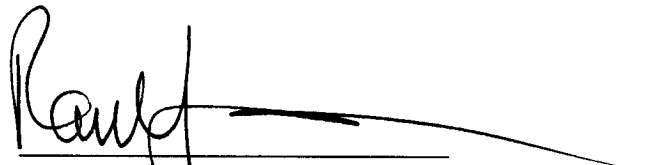
The staff recommends that the City Council adopt the attached Debt Policy. The adoption of this policy will assist the City Council in evaluating the impact of each funding decision on the City's debt position and credit quality. In addition, the policy will enable the City Council to identify and address potential credit concerns before they are raised by the rating agencies or other interested parties.

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KILLEEN:**

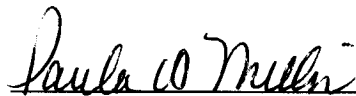
That the above stated staff recommendation is hereby approved and authorized.

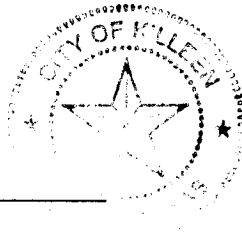
**PASSED AND APPROVED** at a regular meeting of the City Council of the City of Killeen, Texas this 27th day of May, 1997, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A. Government Code, Section 551.001 et. seq.

**APPROVED**

  
\_\_\_\_\_  
Raul G. Villaronga  
MAYOR

**ATTEST:**

  
\_\_\_\_\_  
Paula A. Miller  
CITY SECRETARY



Attachments:  
List Attachments:  
Debt Management Policy  
Supplement - Elected Official's Guide to Debt Issuance

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
D.A. Blackburn  
ASSISTANT CITY MANAGER \ CITY ATTORNEY

# CITY OF KILLEEN, TEXAS

## DEBT MANAGEMENT POLICY

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### I. SELECTION OF FINANCE CONSULTANTS AND SERVICE PROVIDERS

The City's Director of Finance shall be responsible for establishing a solicitation and selection process for securing professional services that are required to develop and implement the City's debt program. Goals of the solicitation and selection process shall include encouraging participation from qualified service providers, both local and national, and securing services at competitive prices.

**A. Bond Counsel.** As part of the responsibility to oversee and coordinate the debt management policy, the Director of Finance shall make recommendations to the City Council regarding the selection of Bond Counsel to be employed and the duration of the employment for individual or series of financing. The solicitation and selection process for such services will comply with State requirements for Professional, Technical, and Expert Services.

**B. Underwriters.** The Director of Finance shall solicit proposals for underwriting services for all debt issued in a negotiated or private placement sale mode. The solicitation process used for these services shall comply fully with State requirements for Professional, Technical, and Expert Services. The selection of underwriters may be for an individual or series of financing or specified time period.

**C. Financial Advisor.** The Director of Finance shall make a recommendation to the City Council regarding the selection of financial advisors to be employed and the duration of such employment. The solicitation and selection process for such services will comply with State requirements for Professional, Technical, and Expert Services. The time period for employment may relate to an individual or a series of financing, or for a specified period of time.

**D. Paying Agent.** The Director of Finance shall solicit periodically for paying agent services from qualified commercial and trustee banks. The cost of providing such services shall be used by the Finance Director, along with other qualitative measurements, in developing a Paying Agent recommendation to City Council, along with the term of such agreement.

**E. Other Service Providers.** The Director of Finance shall periodically solicit for other service providers (escrow agents, verification agents, trustees, etc.). The cost of providing such services shall be used by the Finance Director in developing a recommendation to City Council, along with the terms of such agreement.

### II. COMPREHENSIVE CAPITAL PLANNING AND FINANCING SYSTEM

**A. Capital Planning and Financing System.** The City shall develop a capital planning and financing system for use in preparing a multi-year Capital Improvement Plan for consideration by the City Council as part of the City's budget process. The City Manager shall prepare recommendations to the City Council for projects to be included in a multi-year capital improvements plan. This plan shall be for the coming three fiscal years and shall be updated periodically. The Plan shall contain a comprehensive description of the sources of funds and the timing of capital projects for future operating and capital budgets, effect of the projects on future debt sales, debt outstanding, and debt service requirements, and the impact on future debt burdens and current revenue requirements.

In this latter regard, the Plan shall, analyze the conformance of the planned financing with policy targets regarding the (1) magnitude and composition of the City's indebtedness, and (2) the economic and fiscal resources of the City to bear such indebtedness over the next three years. Affordability impacts of the Plan shall be evaluated in consultation with the various City departments.

**B. Debt Calendar and Financing Priorities.** It shall be the responsibility of the Director of Finance, within the context of the Capital Improvement Plan, to oversee and coordinate the timing, process of issuance, and marketing of the City's borrowing and capital funding activities required in support of the Plan. In this capacity, the Finance Director shall make recommendations to the City Council regarding necessary and desirable actions and shall keep it informed through regular and special reports as to the progress and results of current-year activities under the Plan.

**C. Maintenance, Replacement and Renewal.** Consistent with its philosophy of keeping its capital facilities and infrastructure systems in good repair and to maximize the capital stock's useful life, the City should set aside sufficient current revenues to finance ongoing maintenance needs and to provide reserves for periodic replacement and renewal.

**D. Debt Authorization.** No City debt issued for the purpose of funding capital projects shall be authorized by the City Council unless it has been included in a report of the impact of the contemplated borrowing on the existing Capital Improvement Plan and recommendations as to the financing arrangements from the Finance Director.

### III. LIMITATIONS ON CITY INDEBTNESS

**A. Authority for the issuance and sale of Bonds:** The City has the authority to issue bonds and time warrants under Article VI sections 66 and 67 of the City Charter. These sections state that the City of Killeen shall have the right and power to issue its general obligation bonds on the full faith and credit of the City, payable from ad valorem taxes not to exceed the maximum rate permitted by the Texas Constitution, for the purpose of providing permanent public improvements or for any other public purpose. The City shall have the right and power to issue its revenue bonds payable from the revenues of any municipally owned utility or utilities, and may secure such revenue bonds by a mortgage or deed of trust on the physical properties of such utility or utilities. The City also shall have the right and power to issue interest bearing time warrants pursuant to Article 2368a, Vernon's Annotated Civil Statutes. All bonds and warrants of the City of Killeen shall be issued pursuant to the procedures and requirements established by the general laws of the State of Texas.

**B. Target Limitations on Tax General Obligation Indebtedness.** The City shall as a matter of policy, conduct its finances so that the amount of direct, tax support general obligation debt service payments outstanding at any time that is subject to approval by the voters (excluding long-term, non-self supporting leases) does not exceed 2.5% of the City's taxable assessed valuation.

**C. Target Limitations on Lease-Purchase Financing of Equipment and Furnishings.** The City may enter into short-term lease purchase obligations to finance the acquisition of capital equipment and furnishings with estimated useful lives of less than ten years.

**D. Limitations on General Fund Loan Guarantees and Credit Support.** As part of the City's financing activities, General Fund resources may be used to provide credit support or loan guarantees for public or private developments that meet high priority City needs. Before such General Fund commitments are made, specific policy goals and objectives that determine the nature and type of projects qualifying for such support, and specific limitations to be placed on the maximum amount of General Fund resources pledged to such projects shall be developed.

The City Manager shall be responsible for coordinating the development of such policies and goals, which shall not take effect until approved by the City Council. General Fund loan guarantees shall be subject to the overall debt limitations set for in B above.

Recognizing the limited capacity of the City's General Fund to support both ongoing operating programs and secure long-term debt obligations, use of General Fund resources to secure obligations must first be approved by the City Council. Key factors that will be considered in determining whether or not the General Fund should be used to secure a particular debt obligation will include the following:

1. Demonstration of underlying self-support, thus limiting potential General Fund financial exposure.
2. Use of General Fund support as a transition to a fully stand alone credit structure, where interim use of the General Fund credit support reduces borrowing costs and provides a credit history for new or hard to establish credits.
3. General Fund support is determined by the City Council to be in the City's overall best interest.

**E. Target Limitations on the Issuance of Revenue-Secured Debt Obligations.** The City shall seek to finance the capital needs of its revenue producing enterprise activities through the issuance of revenue-secured debt obligations. Prior to issuing revenue-secured debt obligations, the Finance Director, will develop financial plans and projections showing the feasibility of the planned financing, required rates and charges needed to support the planned financing, and the impact of the planned financing on ratepayers, property owners and other affected parties.

#### IV. STRUCTURE AND TERM OF CITY INDEBTEDNESS

**A. Rapidity of Debt Repayment.** Generally, borrowings by the City should be of a duration that does not exceed the economic life of the improvement that it finances and where feasible should be shorter than the projected economic life. Moreover, to the extent possible, the City should design the repayment of debt so as to recapture its credit capacity for future use.

**B. Use of Variable-Rate Securities.** When appropriate, the City may choose to issue securities that pay a rate of interest that varies according to a pre-determined formula or results from a periodic remarketing of the securities. The decision to issue such securities must be reviewed and approved by the City Manager and the Director of Finance, in consultation with the City Financial Advisors, before the City Council is requested to approved their issuance.

**C. Pledge of Restricted Funds to Secure Debt.** The City has the power to make an irrevocable pledge of a security interest in an account created exclusively for the security of holders of City obligations. Before such funds are used to secure a prospective financing, policies regarding the use of such restricted funds shall be developed by the Director of Finance to ensure that the use of such funds to secure bonds does not violate restrictions on such funds and that underlying program commitments can be maintained in addition to meeting debt service obligations on debt secured by the restricted funds. These policies shall be presented as recommendations to Council prior to or at the time issuance of the secured debt is to be authorized.

**D. Use of Subordinate Lien Obligations.** Creation of the subordinate lien financing structure, if appropriate, shall be based on the overall financing needs of the City, expected credit ratings, relative cost of a subordinate lien structure, and impacts on the City. The Director of Finance shall present the results of this review in the form of a recommendation to Council for consideration prior to or at the time such bonds are being authorized.

## **V. METHOD OF SALE**

**A. Competitive Sale.** The City, as a matter of policy, shall seek to issue its debt obligations in a competitive sale unless it is determined that such a sale method will not produce the best results for the City. In such instances where the City in a competitive bidding for its debt securities (whether general obligation or non-general obligation debt) deems the bids as unsatisfactory or does not receive bids, it may, at the election of the City Council, enter into negotiation for the sale of the securities.

**B. Negotiated Sales.** The City may elect to sell its debt obligations through a negotiated sale. Such determination may be made on an issue by issue basis, for a series of issues, or for part or all of a specific financing program. Selection of the underwriting team shall be made pursuant to selection procedures set forth in these Debt Policies.

**C. Private Placement.** The City may elect to sell its debt obligations through private placement or limited public offering. Selection of the placement agent shall be subject to the approval of City Council.

**D. Official Bid Form.** The City shall design an official bid form to be made part of the each official notice of sale published in conjunction with the sale of debt securities in a competitive sale by the City.

## **VI. SHORT-TERM DEBT AND INTERIM FINANCING**

**A. Lines and Letters of Credit.** Where their use is judged to be prudent and advantageous to the City, the City has the power to enter into agreements with commercial banks or other financial entities for purposes of acquiring lines or letters of credit that shall provide the City with access to credit under terms and conditions as specified in such agreements. Before entering into any such agreements, takeout financing for such lines or letters of credit must be planned for and determined to be feasible by the Director of Finance. Any agreements with financial institutions for the acquisition of lines or letters of credit shall be approved by the City Council.

**B. Bond Anticipation Notes.** Where their use is judged to be prudent and advantageous to the City, the City may choose to issue Bond Anticipation Notes as a source of interim construction financing. Before issuing such notes, takeout financing for such notes must be planned for and determined to be feasible by the Director of Finance. Bond Anticipation Notes may be sold in either a competitive or negotiated sale, subject to authorization and approval by the City Council.

**C. Tax and Revenue Anticipation Notes.** Where their use is judged to be prudent and advantageous to the City, the City may choose to issue Tax and Revenue Anticipation Notes to fund internal working capital cashflow needs. Before issuing such notes, cashflow projections will be prepared by the Director of Finance. Tax and Revenue Anticipation Notes may be sold in either a competitive or negotiated sale, subject to authorization and approval by the City Council.



## VII. REFUNDING OF CITY INDEBTNESS

**A. Debt Service Savings - Advance Refundings.** The City may issue advance refunding bonds (as defined for federal tax law purposes) when advantageous, legally permissible, prudent, and net present value savings, expressed as a percentage of the par amount of the refunding bonds, indicates that an advance refunding is in the City's overall best financial interests.

**B. Debt Service Savings - Current Refundings.** The City may issue current refunding bonds (as defined for federal tax law purposes) when advantageous, legally permissible, prudent, and net present value savings are significant.

**C. Restructuring of Debt.** The City may choose to refund outstanding indebtedness when existing bond covenants or other financial structures impinge on prudent and sound financial management. Savings requirements for current or advance refundings undertaken to restructure debt may be waived by the City Council upon a finding that such a restructuring is in the City's overall best financial interests.

**D. Open Market Purchase of City Securities.** The city may choose to defease its outstanding indebtedness through purchases of its securities on the open market when market conditions make such an option financially feasible. The Director of Finance shall be responsible for developing procedures for executing open market purchases and the savings objectives to be achieved by undertaking such actions.

## VIII. USE OF CREDIT ENHANCEMENT

The City shall seek to use credit enhancement (letters of credit, bond insurance, surety bonds, etc.) when such credit enhancement proves cost-effective. Selection of credit enhancement providers shall be subject to a review process developed by the Director of Finance. Credit enhancement may be used to improve or establish a credit rating on a City debt obligation even if such enhancement is not cost effective if, in the opinion of the Director of Finance, the use of such credit enhancement meets the City's debt financing goals and objectives.

## IX. REBATE REPORTING AND COVENANT COMPLIANCE

The Director of Finance shall establish a system of record keeping and reporting to meet the arbitrage rebate compliance requirements of the federal tax code. This effort shall include tracking investment earnings on bond proceeds, calculating rebate payments in compliance with tax law, and remitting any rebatable earnings to the federal government in a timely manner in order to preserve the tax-exempt status of the City's outstanding debt issues. Additionally, general financial reporting and certification requirements embodied in bond covenants shall be monitored to ensure that all covenants are complied with.

## X. CONDUIT FINANCING

The City may sponsor conduit financing for those activities (i.e., economic development, housing, health facilities, etc.) that have a general public purpose and are consistent with the City's overall service and policy objectives. All conduit financing must insulate the City completely from any credit risk or exposure and must be approved by the City Council for authorization and implementation.

## **XI. FINANCING PROPOSALS**

Any capital financing proposal made to any City department, division, or Commission involving a pledge or other extension of the City's credit through the sale of securities, execution of loans or leases, or making of guarantees or otherwise involving directly or indirectly the lending or pledging of the City's credit shall be referred to the Director of Finance, who in a timely manner shall be responsible for analyzing the proposal and submitting a recommendation on the proposal to the City Council for approval.

## **XII. OTHER POLICIES AND REQUIREMENTS**

**A. Annual Audit of City.** The annual audit of the City shall describe in detail all funds and fund balances established as part of any direct debt financing of the City. The audit may also contain a report detailing any material or rate covenants contained in any direct offering of the City and whether or not such covenants have been satisfied.

## **XIII. CREDIT RATINGS**

**A. Rating Agency Relationships.** The Director of Finance shall be responsible for maintaining relationships with the rating agencies that currently assign ratings to the City's various debt obligations. This effort shall include providing periodic updates on the City's general financial condition along with coordinating meetings and presentations in conjunction with a new debt issuance.

**B. Use of Rating Agencies.** The City Manager and the Director of Finance shall be responsible for determining whether or not a rating shall be requested on a particular financing, and which of the major rating agencies shall be asked to provide such a rating.

**C. Minimum Long-Term Rating Requirements.** The City's minimum rating requirement for its direct, long-term, debt obligations is a rating of "A" or higher. If such a debt obligation cannot meet this requirement based on its underlying credit strength, then credit enhancement shall be sought to ensure that the minimum rating is achieved. If credit enhancement is unavailable or is determined to be uneconomical, then the obligations may be issued without a rating, subject to prior approval by the City Council.

## **XIV. ONGOING DISCLOSURE**

The Director of Finance shall be responsible for providing ongoing disclosure information to established national information repositories and for maintaining compliance with disclosure standards promulgated by state and national regulatory bodies.



# SPEND NET PAYABLES COMMERCIAL CARD PROGRAM

RS-17-045

April 18, 2017

# Spend Net Payables Program

## Overview

- Replace checks with single use virtual card numbers to eliminate the need for printing, mailing, and processing
- Suppliers receive remittance advices by e-mail or fax
- Spend Net ExactPay feature automatically rejects authorizations higher or lower than the approved invoice payment amount reducing reconciliation issues
- New revenue stream provided by monthly rebate

# Spend Net Payables Program

## Key Benefits

- Minimal impact to current internal process and procedures
- Controls similar to checks with reduced transaction costs (check, postage, etc.)
- Opportunity to improve payment float
- Monthly rebate rate based on transaction volume
  - Rebate percentage ranges from 1.10%-1.55%
- Estimated annual rebate of \$75,000

# Spend Net Payables Program Recommendation

- Debt Management Policy Section VI(A)
  - ▣ Requires lines of credit be approved by the City Council
  - ▣ BBVA Compass will provide a credit line of \$1 million to facilitate the program
- Staff recommends City Council approve a line of credit with BBVA Compass for the Spend Net Payables commercial card program



# City of Killeen

## Legislation Details

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**File #:** RS-17-046    **Version:** 1    **Name:** Bid 17-08  
**Type:** Resolution    **Status:** Resolutions  
**File created:** 4/4/2017    **In control:** City Council  
**On agenda:** 4/25/2017    **Final action:**  
**Title:** Consider a memorandum/resolution awarding Bid # 17-08 to HUF COR, Inc. for the purchase of operable panel partitions (airwalls) replacement for the Killeen Civic and Conference Center.  
**Sponsors:** Community Development Department, Purchasing  
**Indexes:**  
**Code sections:**  
**Attachments:** [Staff Report](#)  
[HUF COR Bid Agreement](#)  
[Certificate of Interested Parties Presentation](#)

| Date      | Ver. | Action By             | Action | Result |
|-----------|------|-----------------------|--------|--------|
| 4/18/2017 | 1    | City Council Workshop |        |        |



## STAFF REPORT

**DATE:** April 18, 2017  
**TO:** Ronald L. Olson, City Manager  
**FROM:** Leslie Hinkle, Executive Director of Community Development  
**SUBJECT:** Award of Competitive Bid # 17-08 Operable Panel Partitions Wall Replacement for the Killeen Civic and Conference Center

### **BACKGROUND AND FINDINGS:**

On March 14, 2017, Killeen City Council approved the competitive bid process to begin for the replacement of existing airwalls at the Killeen Civic and Conference Center. Specifications were developed and bids were advertised on March 19 and 26, 2017. Bids were opened and read aloud on April 4, 2017, at 3:15pm at Killeen City Hall-Council Chambers.

### **THE ALTERNATIVES CONSIDERED:**

#### **Which alternative is recommended? Why?**

The current airwalls at the Killeen Civic and Conference Center are beyond refurbishing and will not provide the noise attenuation that is desired for a conference center operation. Purchasing new air walls with greater sound reduction is the best solution to maintain and potentially increase revenue at the conference center. Bookings are anticipated to increase with the new airwalls because noise will not be the primary factor when booking events that can be located next to each other in the facility.

### **CONFORMITY TO CITY POLICY:**

The competitive bid process is required per Local Government Code and Killeen City Charter.

### **FINANCIAL IMPACT:**

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

The following bids were received from two vendors: National Air Wall Systems in the amount of \$371,170.00 and HUF COR, Inc in the amount of \$248,500.00.



**Is this a one-time or recurring expenditure?**

The newly-purchased airwalls for this facility item are expected to last 10 to 15 years. With an ongoing maintenance program based on recommended industry standards, it is anticipated that the airwalls will last as noted.

**Is this expenditure budgeted?**

The purchase of new airwalls was not funded in the FY 17 budget. A budget amendment was approved on March 14, 2017.

**If not, where will the money come from?**

A budget amendment was approved by City Council on March 14, 2017, to fund the airwalls in the amount of \$260,000.00 from the 214- Special Revenue Fund - Hotel Motel Occupancy Tax Receipts.

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

Yes, funding is now in account 214-0705-457-60-05 Buildings, available for this purchase and expenditure.

**RECOMMENDATION:**

Staff recommends that City Council award competitive bid # 17-08 Operational Panel Partitions Wall Replacement for the Killeen Civic and Conference Center to HUF COR, Inc., that the City Manager is authorized to execute the contract for purchase of said airwalls from HUF COR, Inc. that he is further authorized to execute any and all change orders allowed by state and local law.

**DEPARTMENTAL CLEARANCES:**

Purchasing  
Finance  
Legal

**ATTACHED SUPPORTING DOCUMENTS:**

HUF COR Bid  
Agreement  
Certificate of Interested Parties

**Bid Form**

**Total Bid Amount:** \$ 248,500.00

**1. Main Ballroom Manually Operated Omni Directional Partitions:**

Make/Model: Hufcor 641 STC Rating: 52

Meeting Rooms

**2. ~~Main Ballroom~~ Manually Operated Omni Directional Partitions:**

Make/Model: Hufcor 632 STC Rating: 51

**3. Please List Other Items and Services Included:**

As per section VIII Specifications  
pages 17-19

**4. Please List Exclusions:**

structural overhead steel supports, drywall demo & repair,  
ceiling painting, custom cores & cylinders, panic hardware & handles,  
sound baffles & insulation above track, permits, dumpsters, tax

**5. Days Required to Install:**

13 days

**6. Lead Time for Delivery:**

Dependent on when all approvals are received

**7. Warranty (please describe warranty):**

2 yrs. from date of shipment. warranty against defects that  
occurred during the manufacturing of the products.  
Any product malfunctions, covers replacement materials and  
reasonable labor costs.

**8. Exceptions to specifications listed for items that are bid (list item and type of exception, attach explanation for exceptions):**

No exceptions to specifications as listed in  
section VIII of bid package

**9. Can delivery and installation be made as during the time period specified in the specifications?**

Yes:  No:

Bid documents must be complete when received by the Purchasing Office.

KJR

Bidder's Initials  
Page 21 of 30

STATE OF TEXAS  
COUNTY OF BELL

THIS AGREEMENT is made and entered into this 25th day of April, 2017, by and between the City of Killeen, a municipal corporation, organized and existing under laws of the State of Texas, acting through its City Manager or other duly authorized designee, hereinafter referred to as the "Owner," and HUECOR, INC., of the City of Dallas, Counties of \_\_\_\_\_ and the State of Texas, hereinafter referred to as the "CONTRACTOR."

In consideration of the promises, performances, payments, and agreements set forth herein CONTRACTOR hereby agrees to deliver:

**Bid # 17-08 Operable Panel Partition Replacement** and all Work in accordance with the, Invitation to Bid and Addenda (if applicable), which are incorporated herein by reference and made a part hereof and which have been prepared by the **City of Killeen** and approved by OWNER, and OWNER agrees to pay the CONTRACTOR the total amount of:

\$248,500.00

Waiver of any breach of the Contract shall not constitute waiver of any subsequent breach.

OWNER agrees to pay CONTRACTOR from available funds for performance of the Contract in accordance with the Bid and the provisions of the Contract Documents, subject to additions and deductions, as provided therein.

The OWNER's payment obligations are payable only and solely from funds available for the purposes of this Agreement. Although drafted by the OWNER, this Agreement, in event of any disputes over its meaning or application, shall be interpreted fairly and reasonably, and neither more strongly for nor against either party.

OWNER  
By: \_\_\_\_\_  
City of Killeen  
Date \_\_\_\_\_  
Title of Signatory \_\_\_\_\_  
By: \_\_\_\_\_  
City Attorney  
Date \_\_\_\_\_

CONTRACTOR  
By: \_\_\_\_\_  
Date 4/6/17  
Inson Edmundson  
Printed Name of Signatory  
General Manager  
Title of Signatory, Authorized Representative  
ATTEST (as applicable)  
Sanger Marzila

# CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.  
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

## OFFICE USE ONLY CERTIFICATION OF FILING

**1 Name of business entity filing form, and the city, state and country of the business entity's place of business.**

Hufcor, Inc.  
Dallas, TX United States

Certificate Number:  
2017-188425

Date Filed:  
04/05/2017

Date Acknowledged:

**2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.**

City of Killeen

**3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.**

Standard Agreement  
Provide New Moveable Partitions in the Killeen Civic and Convention Center

| 4 | Name of Interested Party | City, State, Country (place of business) | Nature of interest (check applicable) |              |
|---|--------------------------|--|---------------------------------------|--------------|
|   |                          |  | Controlling                           | Intermediary |
|   |                          |  |                                       |              |
|   |                          |  |                                       |              |
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|   |                          |  |                                       |              |
|   |                          |  |                                       |              |

**5 Check only if there is NO Interested Party.**

**6 AFFIDAVIT** I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct.



*Serga Manzuwa*  
\_\_\_\_\_  
Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said SENGA MANZUWA, this the 7TH day of APRIL, 2017, to certify which, witness my hand and seal of office.

*[Signature]* Signature of officer administering oath  
LORRAINE SHELTON Printed name of officer administering oath  
OFFICE MANZUWA Title of officer administering oath



**AWARD OF BID # 17-08**  
**AIRWALLS**

RS-17-046

April 18, 2017

# Background



- Council authorized competitive process on March 14, 2017 – replacement of airwalls at Killeen Civic and Conference Center
- Bids were advertised March 19 and 26, 2017
- Bids were opened April 4, 2017

# Summary of bids received # 17-08

□ Bid Received from  
National Airwall  
Systems  
\$371,170.00

□ Bid Received from  
HUFCOR, Inc. -  
\$248,500.00

# Recommendation

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- Recommend award of bid to HUF COR, Inc. -\$248,500.00





# City of Killeen

## Legislation Details

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**File #:** PH-17-013A    **Version:** 1    **Name:** Seizure Fund Expenditure  
**Type:** Resolution/Public Hearing    **Status:** Public Hearings  
**File created:** 2/22/2017    **In control:** City Council  
**On agenda:** 4/25/2017    **Final action:**  
**Title:** Consider a memorandum/resolution for projected expenditure from the state seizure account for the Killeen Police Department.  
**Sponsors:** Police Department  
**Indexes:**  
**Code sections:**  
**Attachments:** [Staff Report](#)  
[Safety Equipment Quote](#)  
[Air Repirators Quote](#)  
[DVR Examiner Quote](#)  
[Night Vision Instrument Quotes](#)  
[Trauma Kit Quotes](#)  
[Cellebrite Recovery Data Quote](#)  
[Sole Source Letter - Cellebrite Inc](#)  
[Cargo Box Quote](#)  
[Sole Source Letter - The Armored Group](#)  
[Certificate of Interested Parties](#)  
[Presentation](#)

| Date      | Ver. | Action By             | Action | Result |
|-----------|------|-----------------------|--------|--------|
| 4/18/2017 | 1    | City Council Workshop |        |        |
| 3/21/2017 | 1    | City Council Workshop |        |        |



## STAFF REPORT

**DATE:** April 18, 2017

**TO:** Ronald L. Olson, City Manager

**FROM:** Margaret Young, Chief of Police

**SUBJECT:** Purchase using State Seizure funds

### **BACKGROUND AND FINDINGS:**

State Law, under Chapter 59 of the Code of Criminal Procedure, authorizes the state to share forfeited property and cash seized during criminal investigations with the participating law enforcement agency. Shared funds are kept in separate accounts that are monitored, regulated, and controlled by the Chief Law Enforcement Officer. Shared funds allow local law enforcement to fund programs that expand crime fighting resources and enhance the enforcement abilities of the department above what is routinely accessible through the normal budget process. The governing body is required to be notified of budgeted expenditures from these accounts, and the municipality may not use expenditures to offset or decrease salaries, expenses, or allowances already budgeted as the result of the availability of these funds.

Typically, seizure funds are utilized to acquire equipment that enhances the policing operation of a department, increasing the ability to safely conduct investigations and ensure convictions. Expenditures are normally one-time procurements of equipment or temporary support of new, unbudgeted police operations. We have utilized these funds for programs such as police canines, specialized training, purchase of surveillance equipment, crime scene equipment, and advanced computer technology, and to pay off third-party liens on vehicles acquired through the seizure process.

The Police Department's Tactical Response Unit is in need of tactical helmets and hearing protection with integrated microphones. Over the past year the team completed an extensive review of entry procedures and techniques. That review resulted in changes in the techniques used by the entry team when serving search and arrest warrants. The change requires new headsets with hearing protection. In order to accommodate the headset and hearing protection, new tactical helmets need to be purchased. The items are safety equipment to protect hearing and facilitate communications of Tactical Response Unit Officers when making tactical entries. The total cost for the tactical entry helmets is \$9,000. The total cost for the microphones, hearing protection, and accessories is \$40,023.

The Tactical Response Unit needs a cargo box to be secured to the top of the rescue vehicle. The cargo box allows for storage of TRU equipment. The cargo box is designed specifically for this specific rescue vehicle. It is waterproof and will provide some ballistic shielding when open. The total cost of the item is \$3,700.

The Tactical Response Unit must be prepared for a biological and or chemical attack. This necessitates the purchase of air purifying respirators which will allow the team to operate in a high threat environment. The cost of 25 masks is \$27,720.

The Special Investigations Division detectives are not able to recover, in a forensically sound environment, many surveillance videos from local businesses and residences. This is primarily because of an incompatibility in recovery systems and many business employees or residents do not know how to download the videos. A Digital Video Recovery Examiner allows the detective to capture the video evidence in a forensically sound environment, without having to disable the business or homeowner's surveillance system. The cost of the DVR Examiner is \$2,700.

The Patrol Division has two night vision optical instruments that have exceeded the recommended manufacturer life expectancy; one is no longer repairable. The units are 15 years old and are no longer supported by manufactured warranty. The department deploys these devices in night patrol tactics to apprehend criminal elements. The Department will replace one of the devices at a cost of \$5,230.

Patrol Officers are the first responders in all traumatic incidents. The officers have limited capability when assisting emergency medical needs of citizens and fellow officers while waiting for emergency medical technicians to arrive. The department needs to purchase emergency medical trauma kits to provide to all patrol officers. The total cost for kits is \$16,117.

The Police Department's Organized Crime unit needs to upgrade the equipment that is used to recover data from cellular phones and devices that use micro memory cards. The cost of this system is \$9,100.

The 27<sup>th</sup> Judicial District Court has awarded a forfeiture seizure, 2010 Dodge Challenger, to the Killeen Police Department. The vehicle has a lien of \$868 that has to be paid before the vehicle can be titled and registered to the City of Killeen.

In compliance with Chapter 59.06, this memorandum is to provide notice to the governing body of the projected expenditure of funds from the police department's State Seizure account in the amount of \$114,458

#### **THE ALTERNATIVES CONSIDERED:**

1. Reprogram funds from the department's operations to cover the costs. Due to recent budget cuts, there are no excess funds available.
2. Use funds from the State Forfeiture Seizure account.
3. Program funds into the FY18 budget.

#### **Which alternative is recommended? Why?**

Utilizing the State Seizure fund is the best option, as it allows for major equipment purchases with the least fiscal impact. It also allows for the immediate purchase of crime fighting and lifesaving equipment in lieu of waiting until the next fiscal year.

**CONFORMITY TO CITY POLICY:**

These expenditures conform to the State law governing seizure accounts and current City of Killeen purchasing policy. The funds will be transferred into the appropriate equipment accounts based on the policy.

**FINANCIAL IMPACT:**

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

The total expenditure in the current fiscal year is \$114,458. Funds will be available after a budget amendment transfers them from the State Seizure account into the appropriate departmental accounts.

|                          |               |
|--------------------------|---------------|
| 208-0000-495-46-35       | \$ 99,260     |
| 208-0000-495-61-35       | \$ 14,330     |
| <u>208-0000-495-6110</u> | <u>\$ 868</u> |
| Combined Total           | \$114,458     |

The future expenses will vary depending on the life and maintenance of the equipment.

The helmets have a life expectancy of five years; a replacement portion will be incorporated into the TRU equipment budget beginning FY20.

The hearing protection have a life expectancy of 8-10 years dependent upon wear and tear. The cargo box is a one-time purchase with no future anticipated cost.

The respirator masks have a life expectancy of 10 years dependent upon wear and tear.

The DVR Examiner is an annual subscription of \$2,700, which includes software updates.

The night vision optic device is a one-time purchase.

The medical kits are consumable items; however, replacement kits are not anticipated for three years. At that time, they would be replaced as used @ \$90 per kit.

The cell phone extraction device has an annual subscription for update of \$3,700.

**Is this a one-time or recurring expenditure?**

The electronics (DVR Examiner and Cell phone device) require annual software updates; therefore, \$6,400 would need to be planned in the annual department budget. Other items are one-time expenditures (night vision optics and cargo box). There are consumables items that will need to be replaced as used or when they exceed life expectancy (trauma kits, helmets, hearing protection, microphones, and respirator mask filters).

**Is this expenditure budgeted?**

The purchases of the items in this notification are not in the current budget.

**If not, where will the money come from?**

The funds needed to purchase these items are located in the State Forfeiture Seizure account and require a budget amendment to make them available to the department.

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

The State Seizure funds are not in the budget. The current balance in this account is \$181,812. After the budget amendment of \$114,458 into the department equipment accounts, the remaining balance in the State Seizure account will be \$ 67,354.

**RECOMMENDATION:**

The Police Department recommends council acknowledge notification of intent to purchase the qualifying equipment.

**DEPARTMENTAL CLEARANCES:**

Purchasing  
Finance

**ATTACHED SUPPORTING DOCUMENTS:**

Safety Equipment Quote  
Air Respirator Quote  
DVR Examiner Quote  
Night Vision Instrument Quotes  
Trauma Kit Quotes  
Cellebrite Recovery Data Quote  
Sole Source Letter – Cellebrite Inc  
Cargo Box Quote  
Sole Source Letter – The Armored Group  
Certificates of Interested Parties



GT Distributors - Austin  
 P.O. Box 16080  
 Austin TX 78761  
 (512) 451-8298 Ext. 0000

|       |            |
|-------|------------|
| Quote | QTE0086440 |
| Date  | 2/13/2017  |
| Page: | 1          |

**Bill To:**

**Ship To:**

Killeen City of (TX)  
 P O Box 1329  
 Attn: Accounts Payable  
 Killeen TX 76540-1329

Killeen PD  
 3304 Community Blvd  
 Attn: Jason S Petty  
 Killeen TX 76541

| Purchase Order No. | Customer ID | Salesperson ID | Shipping Method | Payment Terms | Req Ship Date | Master No. |
|--------------------|-------------|----------------|-----------------|---------------|---------------|------------|
| KPD PTA-TCI        | 000131      | BF             | FACTORY DIRECT  | NET 15        | 0/0/0000      | 1,319,462  |

| Quantity | Item Number          | Description   | UOM  | Unit Price | Ext. Price  |
|----------|----------------------|---|------|------------|-------------|
| 25       | TCI-CTB2-D-P53/LBKAI | TCI LIB II Left Mic For P7300 with ARC Rail Ac  | Each | \$929.17   | \$23,229.25 |
| 5        | TCI-CTB3-U-P532-BSC  | TCI LIB III BLK LH Mic for P7300 W/ ARC Rail  | Each | \$1,716.67 | \$8,583.35  |
| 30       | PTA-1192659*         | Protech Delta 4 HC w/ R2S Liner - SM/MD   | EA   | \$300.00   | \$9,000.00  |
| 30       | PTA-RAIL-SET*        | Protech Rail Set (Spec Color)   | Each | \$87.06    | \$2,611.80  |
| 30       | PTA-RAIL-SET-BUNGE   | Protech Rail Set w/ NVG Bungee's  | Each | \$110.59   | \$3,317.70  |
| 30       | PTA-VAS-SHROUD-TRI   | PROTECH NVG SHROUD FOR DELTA 4  | EA   | \$70.00    | \$2,100.00  |
| 30       | PTA-VAS-SHROUD-DR    | Protech VAS Shroud Drilling & Mounting Fee  | Each | \$6.00     | \$180.00    |
| 1        | NOTES                | Notes:<br><br>Quotation reflects Buyboard Contract 432-13<br>Contract period 04/01/14-03/31/17. | EA   | \$0.00     | \$0.00      |

**All returns must be authorized by GT Distributors. Interest charges on past due invoices at the maximum rate allowed by law.**

Your salesman was Brad.  
 Thank-you for your business.

|                 |             |
|-----------------|-------------|
| <b>Subtotal</b> | \$49,022.10 |
| <b>Misc</b>     | \$0.00      |
| <b>Tax</b>      | \$0.00      |
| <b>Freight</b>  | \$0.00      |
| <b>Total</b>    | \$49,022.10 |



# QUOTATION

4403 Forbes Blvd.  
 Lanham, MD 20706-4328  
 USA  
 301-683-1234  
 www.safewareinc.com

|                    |        |
|--------------------|--------|
| Order Number       |        |
| 1493089            |        |
| Order Date         | Page   |
| 3/20/2017 00:00:00 | 1 of 1 |

Quote Expires On 4/3/2017

**Bill To:**                    **Customer ID:**        78711  
 Killeen Police Department  
 3304 Community Blvd  
 Killeen, TX 70541

**Ship To:**  
 Killeen Police Department  
 3304 Community Blvd  
 Killeen, TX 70541

254-432-1511

Requested By: Mr. Nathan McCown

|                               |                  |                           |
|-------------------------------|------------------|---------------------------|
| <b>PO Number</b>              | <b>Taker</b>     | <b>Email</b>              |
| Avon FM53 Twin Port - 25 each | Heather Campbell | hcampbell@safewareinc.com |
| <b>Freight Terms</b>          | <b>Phone</b>     | <b>Fax</b>                |
| Freight Paid                  |                  |                           |

| <b>Quantities</b>   |                  |                  |                      |              | <b>Item ID</b><br><b>Item Description</b>   | <b>Pricing UOM</b><br><b>Unit Size</b> | <b>Unit Price</b> | <b>Extended Price</b> |
|---|------------------|------------------|----------------------|--------------|---|--|-------------------|-----------------------|
| <b>Ordered</b>  | <b>Allocated</b> | <b>Remaining</b> | <b>UOM Unit Size</b> | <b>Disp.</b> |   |  |                   |                       |
| 25.00   | 0.00             | 25.00            | EA                   |              | AVO 72601-229   | EA                                     | 1,108.80          | 27,720.00             |
|   |                  |                  |                      | 1.0          | FM53 Twinport Spec Responder Kit MD<br>Kit includes: Twin Port FM53 APR, Clear Outsert Assembly, BlueBlocker Outsert Assembly, CBRN Canister, CTCF50 Riot Agent Canister, Universal Carrier & Storage Faceform, does not include battery  |  |                   |                       |
| <b>Order Line Notes:</b> Sizes will need to be provided at time of order. |                  |                  |                      |              |   |  |                   |                       |
| 1.00  | 0.00             | 1.00             | EA                   |              | US COM  | EA                                     | 0.00              | 0.00                  |
|   |                  |                  |                      | 1.0          | US Communities Contract Information<br>Contract number: 4400001839<br>Standard freight charges for shipments within the continental US are paid. Any Hazardous material charges or expedited freight will be billed.<br>*Agency must be registered with US Communities at www.uscommunities.org |  |                   |                       |

Total Lines: 2

**SUB-TOTAL:**            27,720.00  
**TAX:**                        0.00  
**AMOUNT DUE:**        27,720.00

*Actual freight added per freight terms*



**Quote**

**Avon Protection Systems**  
 503 Eighth Street  
 Cadillac, MI 49601  
 United States of America  
 Tel: +1 (231) 779-6200  
 Fax: +1 (231) 779-6206

**Invoice To:**  
 Killeen PD Patrol  
 3304 Community Blvd  
 Killeen, TX 76542  
 United States of America

**Deliver To:**  
 Killeen PD Patrol  
 3304 Community Blvd  
 Killeen, TX 76542  
 United States of America

|                          |                                   |  |
|--------------------------|-----------------------------------|--|
| <b>Customer:</b> 3007647 | <b>Quote No:</b> SQHC050170000094 | <b>Reference:</b> Killeen PD             |
| <b>Sales Rep:</b> KHORNE | <b>Date:</b> 15-Feb-17            | <b>Validity Date:</b> 1-Apr-17           |
| <b>EU tax no.:</b>       | <b>Delivery Terms:</b>            | <b>Payment Terms:</b> US Cash In Advance |

| Product   | Quantity | Gross Pri Tax<br>excl | Disc % | Surch<br>% | Net price tax<br>excl | Net amount tax excl |
|---|----------|-----------------------|--------|------------|-----------------------|---------------------|
| 65-021100 FM53 Twinpt Special Ops Kit ME<br>72601-229 | 25 EA    | 1,414.00              | 0.00   | 0.00       | 1,414.00              | 35,350.00           |

Estimated Lead Time: 20 days after receipt of order  
 Freight costs quoted are valid for 30 days only

|                              |                  |            |
|------------------------------|------------------|------------|
| <b>Products and Services</b> | <b>35,350.00</b> | <b>USD</b> |
| <b>Subtotal</b>              | <b>35,350.00</b> |            |
| <b>Sales Tax/VAT</b>         | <b>0.00</b>      |            |
| <b>Total</b>                 | <b>35,350.00</b> | <b>USD</b> |

Except where stated otherwise, this quote shall remain valid for 30 days. All quotes issued by Avon Protection Systems shall be subject to its standard terms and conditions of sale, which can be accessed at docs.avon-rubber.com/aps. These terms and conditions shall prevail and be effective notwithstanding any inconsistent or additional terms contained in any purchase order or other document submitted by the customer. This quote does not constitute an offer and Avon Protection Systems reserves the right to withdraw or revise any quotation prior to the time of its written acceptance of customer's order for the Goods. The sale contract shall be formed at the time when receipt of the customer's purchase order is acknowledged in writing by Avon Protection Systems.







**DME Forensics Incorporated**  
 17301 W. Colfax Ave.  
 Suite 400  
 Golden, CO 80401  
 (800) 413-0363  
 sales@dmeforensics.com  
 http://dmeforensics.com

**Quote 1397**

**Account**

Killeen Police Department  
 Rick martinez  
 martinez@killeentexas.gov

|                           |                            |                                      |
|---------------------------|----------------------------|--------------------------------------|
| <b>DATE</b><br>02/21/2017 | <b>TOTAL</b><br>\$2,695.00 | <b>EXPIRATION DATE</b><br>03/21/2017 |
|---------------------------|----------------------------|--------------------------------------|

| ITEM  | QTY | RATE         | AMOUNT            |
|---|-----|--------------|-------------------|
| <b>DVR Examiner - One Year Subscription</b> | 1   | \$2,995.00   | \$2,995.00        |
| <b>Law Enforcement Discount</b>             | 1   | (\$300.00)   | (\$300.00)        |
|   |     | <b>TOTAL</b> | <b>\$2,695.00</b> |
|   |     |              | <b>THANK YOU.</b> |

Interested in training? Add the DVR Examiner User Certification Course for just \$500 visit <http://dmeforensics.com/training> for our full course offerings.



**QUOTATION**

Quote #: 1575271  
Date: 3/22/2017

CITY OF KILLEEN  
KILLEEN POLICE HQ - A/P  
GAnderson@killeentexas.gov  
3304 Community Blvd  
Killeen, TX 76542  
United States  
(254) 5018830

Ship To:  
Killeen Police Department  
Greg Anderson  
ganderson@killeentexas.gov  
3304 Community Blvd  
Killeen, TX 76542  
United States  
2545018910

Quote Provided By:  
Peter Stoermer  
Technical Sales  
877-571-7901  
Email:  
salesteam@tequipment.net


Hi Greg,

Thank you for emailing us. As per your request, below please find our updated quote for your records.

How to place your order

- Fax or email us your purchase order: 732-222-7088 or orders@Tequipment.NET
- Or call us at 877-571-7901 | 732-222-7077
- Or use the link below to order online using a credit card or PayPal.

<http://www.tequipment.net/view-quote/?hash=bbd79354930a498b98e184dbb3101c20>

| Item   | Unit Price                          | Qty | Total      |
|--|-------------------------------------|-----|------------|
|  <p><a href="#">FLIR HS-324 COMMAND</a><br/>HS-324 COMMAND, 19mm lens, NTSC 30 Hz video<br/>Notes: Lead Time: currently in stock</p> | <del>\$6,299.00</del><br>\$5,196.40 | 1   | \$5,196.40 |
| Product Info: <a href="http://www.tequipment.net/FLIR/HS-324-COMMAND/Law-Enforcement-Thermal-Imagers/">http://www.tequipment.net/FLIR/HS-324-COMMAND/Law-Enforcement-Thermal-Imagers/</a>                              |                                     |     |            |

Subtotal: \$5,196.40

Shipping (Ground): \$33.55



Grand Total: \$5,229.95

Terms: Net 30

\* If you do not already have Terms with us, please fax your standard bank and trade references to 1-732-222-7088 or fill out our form found here: <https://www.tequipment.net/credit-application/>

Optional Items:

Check Options to Add

| Item  | Unit Price                    | Qty |
|---|-------------------------------|-----|
|  <p><a href="#">FLIR 4115972</a><br/>RCA Video Output Cable, HS And TS Series<br/>Notes: In Stock</p> | <del>\$10.00</del><br>\$8.80  | 1   |
| Product Info: <a href="http://www.tequipment.net/Flir4115972.html">http://www.tequipment.net/Flir4115972.html</a>   |                               |     |
|  <p><a href="#">FLIR 4115397</a><br/>Tactical Carrying Pouch</p>                                      | <del>\$99.00</del><br>\$81.40 | 1   |
| Product Info: <a href="http://www.tequipment.net/FLIR4115397.html">http://www.tequipment.net/FLIR4115397.html</a>   |                               |     |



[FLIR 4119354](#)

Hard shell Pelican case for TS and TS Series, black

~~\$249.00~~  
\$205.70

1

Product Info: <http://www.tequipment.net/FLIR4119354.html>

To place your order on a purchase order, please email or fax your PO to either [orders@tequipment.NET](mailto:orders@tequipment.NET) or 732-222-7088, whichever is more convenient.

Thank you for choosing [www.Tequipment.NET](http://www.Tequipment.NET)



**Pete Stoermer**

Technical Sales Manager

Local: [732-222-7077](tel:732-222-7077) x563

Fax: [732-222-7088](tel:732-222-7088)

[SalesTeam@TEquipment.NET](mailto:SalesTeam@TEquipment.NET)

### Buy From People, Not the Internet

Quote Valid for 60 Days subject to availability and our Terms & Conditions:

<http://www.tequipment.net/service/terms/>

**Tequipment.NET | Tax ID: 20-2111443 | Cage Code: 3GLB3 (Small Business) | DUNS: 129870007**

205 Westwood Ave | Long Branch, NJ 07740 | 877-571-7901 | 732-222-7077 | 732-222-7088 (fax)

These commodities, technology or software cannot be exported from the United States in violation of any U.S. export administration regulations. Diversion contrary to U.S. law is prohibited.



OpticsPlanet.com,  
 A Division of OpticsPlanet, Inc.  
 3150 Commercial Ave  
 Northbrook, IL 60062  
 Phone: (800) 504-5897  
 Fax: (847) 919-9409  
 Email: Sales@OpticsPlanet.com

# Quotation

| QUOTATION # | DATE      | CUSTOMER ID | REFERENCE # |
|-------------|-----------|-------------|-------------|
| 74374       | 3/22/2017 | 4020336     | 0           |



| SELL TO   |
|---|
| <b>Greg Anderson</b><br><b>Killeen Police Department</b><br><b>3304 Community Blvd</b><br><b>Killeen TX 76549</b><br><b>United States</b> |

| SHIP TO   |
|---|
| <b>Greg Anderson</b><br><b>Killeen Police Department</b><br><b>3304 Community Blvd</b><br><b>Killeen TX 76549</b><br><b>United States</b> |

|                       |                        |                               |         |                |   |
|-----------------------|------------------------|-------------------------------|---------|----------------|---|
| Shipping Method:      | Value Shipping         | Payment Method:               |         | Last 4 digits: |   |
| Freight Terms:        | FOB Destination        | Payment Terms:                |         | PO Number:     | 0 |
| Delivery Information: | 3-4 weeks for delivery | Offer Valid for:              | 30 days |                |   |
| Sales Person:         | Rafael Maldonado       | All prices are in US dollars. |         |                |   |

| SKU                              | DESCRIPTION   | QUANTIT | TOTAL WEIGHT | UNIT PRICE | TOTAL      |
|----------------------------------|---|---------|--------------|------------|------------|
| FR-HS-COMMAND19MM-431-0003-11-00 | New, FLIR HS-324 Command 19mm Thermal Camera NTSC 30 Hz video | 1       | 8            | \$5,557.65 | \$5,557.65 |

|                  |                   |
|------------------|-------------------|
| <b>SUBTOTAL</b>  | <b>\$5,557.65</b> |
| <b>SHIPPING</b>  | <b>\$0.00</b>     |
| <b>SALES TAX</b> | <b>\$0.00</b>     |
| <b>TOTAL</b>     | <b>\$5,557.65</b> |

If you have any questions concerning this quotation, contact our Sales Team via e-mail to Sales@OpticsPlanet.com or via phone (800) 504-5897, 8AM-7PM CST Mon-Fri, 9AM-5PM CST Sat, 9AM-12PM CST Sun.  
 Please see <http://www.opticsplanet.net/our-policy.html> for our Return & Exchange Policy.

**Important Export Restrictions:** Commodities, products, technologies, and services listed herein are subject to one or more of the U.S. export control laws and regulations enforced by the U.S. Department of State, the U.S. Department of Commerce, or the U.S. Department of the Treasury. It is unlawful and strictly prohibited to engage in conduct requiring a license or other approval from the proper U.S. Department without such license or approval. Such conduct includes, but is not limited to, the export, or attempt to export or otherwise transfer or sell any commodity, product or technical data, or furnishing any service to any foreign party, whether abroad or in the United States. Furthermore, U.S. law prohibits the sale, transfer, or export of items to Embargoed Countries and entities on the Department of State's List of Debarred Parties, the Department of Commerce's Denied Persons List, and the Department of the Treasury's Specially Designated Nationals and Blocked Persons List. It is the Buyer's responsibility to be aware of the Lists of Embargoed Countries, Debarred Parties, Denied Persons, and Specially Designated Nationals and Blocked Persons. These Lists can be found at the applicable U.S. Government agency website.

Having lawfully received the above commodities from OpticsPlanet, Inc., the Buyer and Entity and/or Person(s) listed in "Ship To" (1) assumes all responsibility to further comply with the requirements imposed by all applicable laws, regulations and administrative policies and (2) certifies that it will so comply. Diversion contrary to U.S. law is prohibited.

The export control laws and regulations are complex; therefore any summary of such laws and regulations provided by OpticsPlanet, Inc. herein is not comprehensive and is not to be taken as legal advice or counseling.

**All Exports:** These commodities, technology or software were exported from the United States in accordance with the Export Administration Regulations. Diversion contrary to United States law is prohibited.



# SHOPFLIR

ShopFLIR.com

## QUOTE

|              |  |
|--------------|--|
| Order #      | 71142-00                               |
| Date         | 03/22/17                               |
| Customer #   | 61231                                  |
| P.O. #       |  |
| Taken By     | CYC                                    |
| Sales Rep    | web2                                   |
| Ship Point   | GLOBAL TEST SUPPLY                     |
| Ship Via     | UPS GROUND                             |
| Method       | PREPAID & CHARGE                       |
| Instructions |  |
| Req. Date    | 03/22/17                               |
| Terms        | NET 1 DAY Applies to approved accounts |

|         |  |
|---------|--|
| Bill To | www.shopFLIR.com<br>WEB                            |
| Attn:   | GREG ANDERSON<br>CITY OF KILLEEN<br>TX WEB<br>Tel: |
| Ship To |  |

Correspondence To: *Cassie Afonso*  
 GLOBAL TEST SUPPLY  
 3310 KITTY HAWK RD  
 SUITE 100  
 WILMINGTON, NC 28405  
 Tel:(910)442-2164

| Line | Product/Description  | Qty Order | Qty Ship/Qty BO   | Price Amount/Unit | Discount % | Net Price   | Amount (Net) |
|------|--|-----------|-------------------|-------------------|------------|-------------|--------------|
| 2    | DELIVERY, 2-3 WEEKS<br>HS-324 COMMAND NTS 30HZ<br>HS-324 COMMAND NTSC 30HZ | 1.00      | 0.00<br>1.00      | 6299.00<br>Ea     | 0.00       | 6299.00     | 6299.00      |
| 1    | Lines Total  |           | Qty Shipped Total | 0                 |            | Total       | 6299.00      |
|      |  |           |                   |                   |            | Freight Out | 16.90        |
|      |  |           |                   |                   |            | Net Amount  | 6315.90      |

Prices remain firm for a period of thirty days  
 For pick ups, please contact your local branch for availability



*Custom Medical Solutions for the Harshest Environments on Earth*

54 Girard St, Suite A  
 Durango, Colorado 81303 USA  
 Phone: 970-375-1241 Fax: 970-375-6343  
 sales@chinookmed.com  
 www.chinookmed.com

**Quote**

**Order Number:** 0060442  
**Date:** 2/8/2017  
**Customer Number:** 0031390  
**Salesperson:** TC  
**Prepared By:** TC  
**Quote Valid Until:** 5/9/2017

**Quoted To:**  
 Killeen Police Department  
 3304 Community Blvd.  
 Killeen, TX 76541

**Ship To:**  
 Killeen Police Department  
 3304 Community Blvd.  
 Killeen, TX 76541

**Confirm To:** Jonathan R. Rinehart

| Customer P.O. | Ship VIA   | F.O.B.                         | Terms          |          |           |  |
|---------------|------------|--------------------------------|----------------|----------|-----------|--|
|               | UPS GROUND | ORIGIN PREPAID                 | Prepaid - CC   |          |           |  |
| Ordered       | Unit       | NSN                            | Item Number    | Price    | Amount    |  |
| 180.00        | KIT        | Killeen IFAK                   | COTS 000 02528 | 123.0000 | 22,140.00 |  |
|               | 01294      | CAT (Combat Application Tourni | 1.00 EACH      |          |           |  |
|               | 12099      | HALO Seal (2/pk)               | 1.00 EACH      |          |           |  |
|               | 05131      | Israeli 6" Emergency Bandage   | 1.00 EACH      |          |           |  |
|               | 05143      | Primed Gauze Bandage           | 1.00 EACH      |          |           |  |
|               | 01811      | EMT Shears, 5.5"               | 1.00 EACH      |          |           |  |
|               | 01098LG    | Tactical Defender Gloves, LG O | 1.00 EACH      |          |           |  |
|               | 05168LE    | QuikClot Combat Gauze LE, Z-Fo | 1.00 EACH      |          |           |  |
|               | 01271BKC   | TMK-CUF Bag, BK Non Berry (Tac | 1.00 EACH      |          |           |  |
| 0.00          | EACH       | Freight Charge                 | /FREIGHT       | 100.0000 | 0.00      |  |

Net Order: 22,140.00  
 Less Discount: 0.00  
 Freight: 0.00  
 Sales Tax: 0.00  
**Order Total:** USD 22,140.00

GSA Orders are eligible for 1% Net 20 Terms. Items on our GSA Schedule are designated with "GSA"  
 Items not on our Schedule are designated with "COTS" (Commercial Off The Shelf/Open Market).



**Chinook Medical Gear is a Veteran-Owned Small Business**

CAGE 04JV2  
 DUNS 62-190-4622  
 TAX ID 84-1146493



PO Box 542  
 Kingston  
 Washington  
 UNITED STATES 98346

**Quote**

Quote Date : 03/22/2017  
 All quotes valid for 30 days  
 Quote Number : 2017766Z

|   |   |
|---|---|
| <b>BILL TO:</b>   | <b>SHIP TO:</b>   |
| <b>Killeen Police Department</b><br>Attn: Jonathan R. Rinehart<br>3304 Community Blvd.<br>Killeen<br>TX<br>USA<br>76542 | <b>Killeen Police Department</b><br>Attn: Jonathan R. Rinehart<br>3304 Community Blvd.<br>Killeen<br>TX<br>USA<br>76542 |

|  |                                  |
|--|----------------------------------|
| Account Name: <b>Killeen Police Department</b> | Quote Stage: <b>Delivered</b>    |
| Quote Prepared By: <b>Daniel Sobole</b>        | Contact No.: <b>206.799.4717</b> |

| S.No. | Product Details                         | Qty | List Price         | Total              |
|-------|---|-----|--------------------|--------------------|
| 1.    | <b>Killeen Police Department IFAK</b>   | 180 | \$89.67            | \$16,140.60        |
|       | Custom IFAK to be build in Molle pouch: |     |                    |                    |
|       | 1- Condor EMT Pouch molle type (black)  |     |                    |                    |
|       | 1- CAT tourniquet Blk                   |     |                    |                    |
|       | 1- Hyfin vent twin pack chest seals     |     |                    |                    |
|       | 1- Israeli bandage 6"                   |     |                    |                    |
|       | 1- Compressed Gauze                     |     |                    |                    |
|       | 1- Truama Sheers 5.5" black handled     |     |                    |                    |
|       | 1- Quick Clot EMS Roll                  |     |                    |                    |
| 2.    | <b>Shipping, 10-15lbs</b>               | 5   | \$12.35            | \$61.75            |
|       |   |     | Sub Total          | <b>\$16,202.35</b> |
|       |   |     | Tax                | \$0.00             |
|       |   |     | Adjustment         | \$0.00             |
|       |   |     | <b>Grand Total</b> | <b>\$16,202.35</b> |

**Terms and Conditions**

**Notes**





**NORTH AMERICAN RESCUE**  
www.NARescue.com · 888.689.6277

35 Tedwall Court Greer SC 29650  
Phone: (864) 675-9800  
Fax: (864) 675-9880

**QUOTE**

**Q27658**

Quote Date: 02/07/2017

**QUOTE**

**BILL TO:** PROSPECT

KILLEEN POLICE DEPARTMENT  
PROSPECT

**SHIP TO:**

**PO #:** RINEHART

KILLEEN POLICE DEPARTMENT  
JONATHON RINEHART  
3304 Community Blvd  
Killeen, TX 76542

Entered By: Jennifer McCallion jmccallion@narescue.com

Date/Time Printed: 02/13/17 13:07

| Contact Name      | Contact Phone | Shipping Method | FOB Type | Payment Terms | Master # | Exp. Date  |
|-------------------|---------------|-----------------|----------|---------------|----------|------------|
| JONATHON RINEHART | 254-462-6332  | 970-BESTWAY     | ORIGIN   | NET 30        | 230,759  | 04/30/2017 |

| Quantity | UOM | Item Number | Item Description                  | Item Weight | Ext. Weight | Unit Price | Extended Price |
|----------|-----|-------------|-----------------------------------|-------------|-------------|------------|----------------|
| 180      | EA  | 85-1238     | KIT, EAGLE - BLK                  | 0.00        | 0.00        | \$88.98    | \$16,016.40    |
|          |     | 80-0264W    | Bag, Eagle - Blk                  |             |             | ea         | 1.0            |
|          |     | 30-0001     | Tourniquet, CAT                   |             |             | ea         | 1.0            |
|          |     | 10-0042     | Dressing, Hyfin Vent Twin Compact |             |             | ea         | 1.0            |
|          |     | 30-0093     | Dressing, NAR 4" Flat ETD         |             |             | ea         | 1.0            |
|          |     | 30-0109     | Gauze, Combat LE                  |             |             | ea         | 1.0            |
|          |     | ZZ-0034     | Kit, 28 Fr NPA                    |             |             | ea         | 1.0            |
|          |     | ZZ-0282     | Kit, Bear Claw Glove              |             |             | ea         | 1.0            |
|          |     | ZZ-0063     | Shears, NAR Trauma                |             |             | ea         | 1.0            |

THANK YOU FOR INQUIRY!

NAR TAX ID: 27-1024029  
NAR DUNS: 832426782  
CAGE CODE: 06ST7

|              |                    |
|--------------|--------------------|
| Subtotal     | \$16,016.40        |
| Discount     | \$0.00             |
| Freight      | \$100.00           |
| Tax          | \$0.00             |
| <b>Total</b> | <b>\$16,116.40</b> |

Please visit us at [www.narescue.com](http://www.narescue.com)

**Cellebrite Inc.**  
 7 Campus Drive  
 Suite 210  
 Parsippany, NJ 07054  
 USA  
 Tel. +1 201 848 8552  
 Fax. +1 201 848 9982  
 Tax ID#: 22-3770059



## Quote

**Quote #:**  
 CB-69966  
**Quote Date:**  
 Mar 22, 2017

**Bill To:** Killeen Police Department  
 3304 Community Blvd  
 Killeen, Texas, 76542  
 United States

**Ship To:** Killeen Police Department  
 3304 Community Blvd  
 Killeen, TX, 76542  
 United States

**Contact:**  
**Phone #:**

**Contact:**  
**Phone #:**

| Customer ID | Good Through | Payment Terms | Sales Rep   |
|-------------|--------------|---------------|-------------|
| SF-00045324 | Apr 21, 2017 | Net 30        | John Keenan |

| Item Code     | Description   | Quantity | Net Price |
|---------------|---|----------|-----------|
| A-UFED-01-016 | UFED 4PC Ultimate<br>UFED Data Port Cleaning Brush<br>Phone Power Up Cable<br>Memory Card Reader<br>UFED MICRO SIM ID Cloning Cards<br>USB Flash Drive<br>Cable & Power Tips Organizer<br>Universal Forensic Extraction Device (UFED) for PC<br>UFED Multi SIM Adapter<br>Physical USB Dongle | 1        | \$9,000   |

|                      |                |
|----------------------|----------------|
| Subtotal:            | \$9,000        |
| Shipping & Handling: | \$ 85          |
| Sales Tax (0%*):     | \$0            |
| <b>Total:</b>        | <b>\$9,085</b> |

**Comments:**

after the 1st year the renewal rate for the UFED 4PC is \$3,700

**\*SALES TAX DISCLAIMER:** Cellebrite Inc. is required to collect Sales and Use Tax for purchases made from the following certain U.S. States. Orders are accepted with the understanding that such taxes and charges shall be added, as required by law. Where applicable, Cellebrite Inc. will charge sales tax unless you have a valid sales tax exemption certificate on file with Cellebrite Inc. Cellebrite Inc. will

not refund tax amounts collected in the event a valid sales tax certificate is not provided. If you are exempt from sales tax, you must provide us with your sales tax exempt number and fax a copy of your sales tax exempt certificate to Cellebrite Inc.

**Please include the following information on your PO for Cellebrite UFED purchase:**

- Please include the ORIGINAL QUOTE NUMBER (For example - M777) on your PO
- CONTACT NAME & NUMBER of individual purchasing and bill to address
- E-MAIL ADDRESS of END USER for monthly software update as this is critical for future functionality

**Terms and conditions:**

Cellebrite has three different terms of sale.

Any purchase of unlocking services are governed by <http://legal.cellebrite.com/CB-us-us/index.html>.

Any purchase of UFED Premium are governed by <http://legal.cellebrite.com/us/Cellebrite-Unlocking-Services-Terms-and-Conditions.pdf>.

Any other purchases of products or services, including without limitation training services, are governed by <http://legal.cellebrite.com/us/index.html>.

In addition to these terms, software is licensed by Cellebrite in accordance with an end user license agreement available at <http://legal.cellebrite.com/us/Cellebrite-EULA.pdf>.

A promotional purchase, including without limitation a zero dollar purchase, is deemed a purchase.

In the event of any dispute as to which terms apply, Cellebrite shall have the right to reasonably determine which terms apply to a given purchase order.

February 3, 2017

TO WHOM IT MAY CONCERN

This letter identifies Cellebrite as the sole developer and manufacturer of the Universal Forensic Extraction Device (UFED) Mobile Forensics solution. Cellebrite Inc., established in 1999 and based in Parsippany, NJ, is incorporated in the state of Delaware. Cellebrite Inc. supports customers and users in the US, Canada and Mexico.

The UFED is a mobile forensics extraction, decoding, and analysis tool that extracts logical, file system, and physical data from mobile devices (i.e., smartphones, cell phones, tablets, GPS units, SIM cards, memory cards, and USB devices), including live and deleted data, contacts, phone numbers, call logs, text messages, SMS messages, app data (social network and other), location data, pictures, videos, and voice messages.

UFED technology provides digital forensic lab examiners, investigators, field personnel, and first responders with the capability to collect, protect and act decisively on mobile device data with the speed and accuracy a situation demands. Our competitive advantages include:

- **Large, Established User Community.** Since 2007, Cellebrite has deployed more than 40,000 UFEDs in 100+ countries to support law enforcement, intelligence services, border patrols, military forces, public safety agencies and commercial organizations.
- **Industry's Broadest Device & App Support.** Cellebrite has established collaborative business relationships with original equipment manufacturers (OEMs) and wireless carriers worldwide. These global partners send us more than 100 new handsets per month - most prior to actual consumer market release. This allows Cellebrite Mobile Forensics to develop mobile forensics support for new devices prior to our competition. We retain more than 8,000 mobile phones at our company headquarters for ongoing innovation and support.
- **Forensically Sound Evidence Every Time.** Unlike competitors' "black box" third-party boot loaders, UFED uses custom-designed, read-only boot loaders, which ensure forensically sound file system and physical extractions
- **Technology and Research and Development (R&D) Leadership.** Cellebrite provides the mobile forensic industry's most comprehensive Android, Apple iOS, Blackberry, and Windows Mobile support. Cellebrite has a staff of 250+ engineers—the most of any mobile forensics solution provider. We are committed to investing in the ongoing R&D to innovate around customer and market needs.
- **Best-in Class Training Ensures a Repeatable, Reproducible Mobile Forensics Process.** Open to all user levels, from beginners to advanced, Cellebrite certification training provides hands-on experience with Cellebrite products and applications, delivering the tools and knowledge required for evidence collection data analysis, searching, and reporting.
- **Physical Extraction Using Bootloader Method with Lock Bypass.** Cellebrite supports physical extraction while bypassing passwords, passcodes, and pattern locks from more than 3,800 different device types, including Android (800+ devices from HTC, Huawei, LG, Motorola, and Samsung); Apple iOS; and Windows Phone (Nokia and Lumia).

UFED technology includes capabilities that are exclusive to Cellebrite and not available from any other company.

Exclusive Android Capabilities

- Decrypted physical extraction of data from Samsung Galaxy S6, Galaxy Note 5 and some Galaxy S7 devices
- Partial file system extraction while bypassing screen lock for 105 Android Samsung devices, including devices running on Android 6 OS
- Physical extraction while bypassing screen lock for 12 Samsung Galaxy S6, S6 Edge and Note 5, running on Android 6 OS

Cellebrite Inc., 7 Campus Drive, Suite 210, Parsippany, NJ 07054  
Tel: (201) 848-8552 • Fax: (201) 848-9982 • [www.cellebrite.com](http://www.cellebrite.com)

**Tax ID: 22-3770059 • DUNS: 033095568 • CAGE: 4C9Q7 • ORCA Registration Complete**

- Physical extraction capability using bootloader method with lock bypass for Samsung Android devices, including Galaxy Note 4, Note Edge, S3, S4, and S5
- Built-in Android temporary root (granting extra permissions) for hundreds of Android devices
- Physical extraction while bypassing user lock on 140 LG devices, including the G3 and G4
- Bypass user screen lock for 137 Samsung devices, including the Galaxy S5, Tab, and Mini; and Galaxy Note 2, 3, and 4
- Bypass user screen lock for 17 LG devices, including the G5
- Physical extraction and decoding from 26 popular Motorola Android devices
- Bootloader-based physical extraction from 17 MTK Android devices
- UFED User Lock Recovery Tool (Android)

Exclusive Apple (iOS) capabilities

- Decrypted physical extraction of data from Apple iPhones 4S, 5, 5c
- iOS unlocking support for Apple devices running iOS 8.x (8.0-8.4.1), with no risk of a device wipe
- iOS unlocking support for iPhone 4s/5/5c running iOS 9.x (9.0-9.3.2), with no risk of a device wipe
- UFED User Lock Recovery Tool (iOS)

Exclusive Blackberry Capabilities

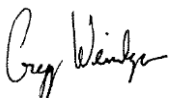
- BlackBerry 10 file system extraction, backup acquisition & decryption
- Physical extraction for unlocked BlackBerry 7xxx/8xxx/9xxx devices (including NAND and NOR memory)

Other Exclusive Capabilities

- Physical extraction with password bypass for Nokia Lumia Windows Phone 8 devices, including the Lumia 520, 820, 822, 920, 928, and 1020
- Physical extraction while bypassing user lock and decoding support for 3 Nokia 105 devices: RM-1133, RM-1134 and RM-1135
- Physical extraction while bypassing user lock and decoding support for 37 Huawei devices (Hisilicon)
- Physical extraction and decoding support for the latest TomTom devices, including the Go 1000 Point Trading and 4CQ01 Go 2505 Mm
- Wickr app decryption (Android)
- TigerText app decryption (iOS)
- Provide support matrix – what is supported using username and password / application token.
- Provide traces and changes document that describe what traces the extraction process might leave.
- Supports extracting a token from the subject device in addition to the user name and password option for several of data sources including: Facebook, WhatsApp, Twitter, Gmail, Google(Location History, My Activity, Photos, Chrome, Calendar, Contacts, Drive, Bookmarks, Tasks), Mail (IMAP), Dropbox, iCloud(App, Calendar, Contacts, Drive, Photos, OneDrive, Notes, Reminder, Location), Instagram, VK, Telegram

Please feel free to contact Cellebrite with any questions.

Sincerely,



Gregg Weinberger  
Director, Sales Operations

# B.A.T.T.® Roof Cargo Box

**The Armored  
Group, LLC**

2727 Beech Daly Rd  
Dearborn Heights, MI 48125  
www.armoredcars.com

CONTACT: Jeremy Johnson

Email: [jeremy@armoredcars.com](mailto:jeremy@armoredcars.com)

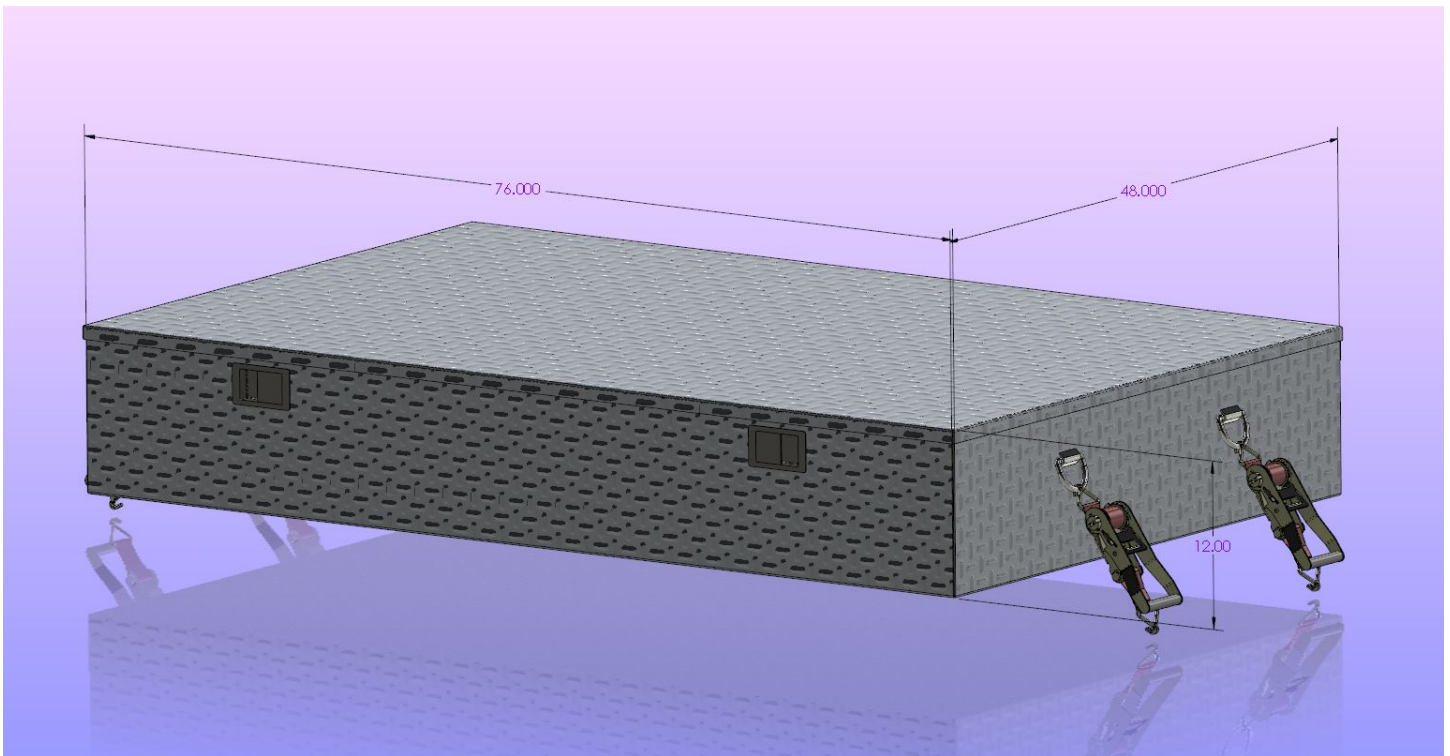
Phone: 817-291-4956

**CUSTOMER:**

**DETECTIVE DAVID DANIELS  
KILLEEN POLICE DEPARTMENT**

**PHONE: 254-535-2555**

**EMAIL: [DDANIELS@KILLEENTEXAS.GOV](mailto:DDANIELS@KILLEENTEXAS.GOV)**



**(Picture Above Shown As Example)**

**CUSTOMER:**

**DETECTIVE DAVID DANIELS  
KILLEEN POLICE DEPARTMENT**

**PHONE: 254-535-2555**

**EMAIL: [DDANIELS@KILLEENTEXAS.GO](mailto:DDANIELS@KILLEENTEXAS.GO)**

# B.A.T.T.® Roof Cargo Box

## PRICING

**B.A.T.T.® Roof Cargo Box:           \$3,700**

**PRICE IS DELIVERED TO:** Deliver and offload to FOB Killeen TX

**\*Price based on specifications above; Changes to specification can cause price adjustments**

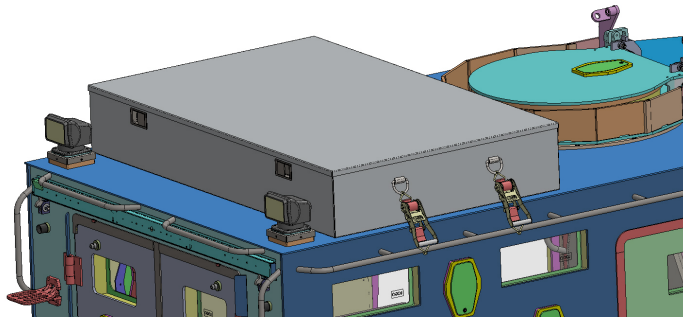


February 9, 2017

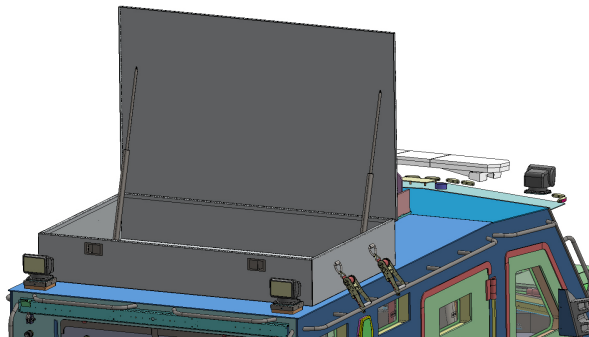
Jeremy Johnson  
Sales Manager  
Tactical Vehicle Specialist  
817-332-4646 Office  
817-394-2499 Fax  
817-291-4956 Mobile  
[jeremy@armoredcars.com](mailto:jeremy@armoredcars.com)

\_\_\_\_\_ February \_\_\_\_, 2017

Authorized Signature  
Killeen Police Department



Example Pictures





February 22, 2017

Detective David Daniels  
Killeen Police Department  
3304 Community Blvd  
Killeen, TX 76542

Dear Detective Daniels:

The Armored Group, LLC is the sole source provider of the B.A.T.T.® armored rescue vehicles, along with the parts and accessories designed to fit the unit. The B.A.T.T.® storage box is a piece specifically made by us to fit our vehicles. We are the only manufacturer of this product.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jeremy Johnson".

Jeremy Johnson  
Sales Manager  
The Armored Group, LLC



# CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.  
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

### OFFICE USE ONLY CERTIFICATION OF FILING

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

Tequipment.net  
Long Branch, NJ United States

Certificate Number:  
2017-180936

Date Filed:  
03/21/2017

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

City of Killeen

Date Acknowledged:

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.

1566127  
Electronic test and measurement equipment.

| 4 | Name of Interested Party | City, State, Country (place of business) | Nature of interest (check applicable) |              |
|---|--------------------------|--|---------------------------------------|--------------|
|   |                          |  | Controlling                           | Intermediary |
|   |                          |  |                                       |              |
|   |                          |  |                                       |              |
|   |                          |  |                                       |              |
|   |                          |  |                                       |              |
|   |                          |  |                                       |              |
|   |                          |  |                                       |              |
|   |                          |  |                                       |              |
|   |                          |  |                                       |              |
|   |                          |  |                                       |              |
|   |                          |  |                                       |              |
|   |                          |  |                                       |              |

5 Check only if there is NO Interested Party.

6 AFFIDAVIT

I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct.



Stacie Skolnik  
Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said Stacie Skolnik, this the 21 day of March, 2017, to certify which, witness my hand and seal of office.

Kimberly A. Silletto-Sambucci      Kimberly A. Silletto-Sambucci      Notary  
Signature of officer administering oath      Printed name of officer administering oath      Title of officer administering oath

# CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.  
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

## OFFICE USE ONLY CERTIFICATION OF FILING

Certificate Number:  
2017-180238

Date Filed:  
03/20/2017

Date Acknowledged:

**1 Name of business entity filing form, and the city, state and country of the business entity's place of business.**  
Safeware, Inc.  
Lanham , MD United States

**2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.**  
Killeen Police Department

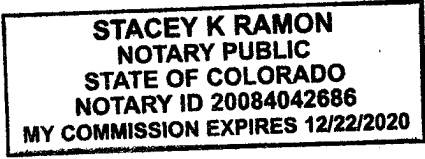
**3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.**  
1493089  
Avon Respirators

| 4 | Name of Interested Party | City, State, Country (place of business) | Nature of interest (check applicable) |              |
|---|--------------------------|--|---------------------------------------|--------------|
|   |                          |  | Controlling                           | Intermediary |
|   |                          |  |                                       |              |
|   |                          |  |                                       |              |
|   |                          |  |                                       |              |
|   |                          |  |                                       |              |
|   |                          |  |                                       |              |
|   |                          |  |                                       |              |
|   |                          |  |                                       |              |
|   |                          |  |                                       |              |
|   |                          |  |                                       |              |
|   |                          |  |                                       |              |

**5 Check only if there is NO Interested Party.**

**6 AFFIDAVIT**

I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct.



Diana M Mularkey  
Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said Diana M Mularkey, this the 21 day of March, 2017, to certify which, witness my hand and seal of office.

Stacey K Ramon  
Signature of officer administering oath

Stacey K Ramon  
Printed name of officer administering oath

Notary Public  
Title of officer administering oath

# CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.  
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

## OFFICE USE ONLY CERTIFICATION OF FILING

Certificate Number:  
2017-180770

Date Filed:  
03/21/2017

Date Acknowledged:

**1 Name of business entity filing form, and the city, state and country of the business entity's place of business.**

GT DISTRIBUTORS, INC  
AUSTIN, TX United States

**2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.**

CITY OF KILLEEN

**3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.**

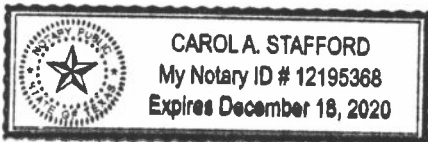
QTE0086440  
BODY ARMOR

| 4 | Name of Interested Party | City, State, Country (place of business) | Nature of interest (check applicable) |              |
|---|--------------------------|--|---------------------------------------|--------------|
|   |                          |  | Controlling                           | Intermediary |
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**5 Check only if there is NO Interested Party.**

**6 AFFIDAVIT**

I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct.



*[Handwritten Signature]*  
Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said ALEXIS M. HOSTETTER, this the 21st day of MARCH, 2017, to certify which, witness my hand and seal of office.

*[Handwritten Signature]*  
Signature of officer administering oath

Carol A Stafford  
Printed name of officer administering oath

Accounting  
Title of officer administering oath

# CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.  
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

## OFFICE USE ONLY CERTIFICATION OF FILING

Certificate Number:  
2017-180546

Date Filed:  
03/20/2017

Date Acknowledged:

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

The Armored Group, LLC  
Phoenix, AZ United States

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

The City of Killeen

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.

JJ170209A  
Roof Cargo Box

| 4 Name of Interested Party | City, State, Country (place of business) | Nature of interest (check applicable) |              |
|----------------------------|--|---------------------------------------|--------------|
|                            |  | Controlling                           | Intermediary |
| The Armored Group, LLC     | Phoenix, AZ United States                | X                                     |              |
|                            |  |                                       |              |
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5 Check only if there is NO interested Party.

### 6 AFFIDAVIT

I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct.



AFFIX NOTARY STAMP / SEAL ABOVE

*Jeremy Johnson*  
Signature of authorized agent of contracting business entity

Sworn to and subscribed before me, by the said entity, Jeremy Johnson, this the 21<sup>ST</sup> day of MARCH, 2017, to certify which, witness my hand and seal of office.

*Sheila W. Rehagen*  
Signature of officer administering oath

Sheila W Rehagen  
Printed name of officer administering oath

ARVEST Private Banking Spec.  
Title of officer administering oath

# CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.  
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

## OFFICE USE ONLY CERTIFICATION OF FILING

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.  
NORTH AMERICAN RESCUE, LLC  
GREER, SC United States

Certificate Number:  
2017-189325.

Date Filed:  
04/07/2017

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.  
KILLEEN POLICE DEPARTMENT

Date Acknowledged:

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.

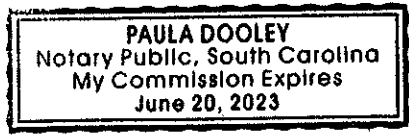
85-1238  
85-1238, KIT, EAGLE - BLK

| 4 | Name of Interested Party | City, State, Country (place of business) | Nature of interest (check applicable) |              |
|---|--------------------------|--|---------------------------------------|--------------|
|   |                          |  | Controlling                           | Intermediary |
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5 Check only if there is NO Interested Party.

6 AFFIDAVIT

I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct.



*Jennifer McCallion*  
Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said JENNIFER McCallion, this the 11th day of April, 2017, to certify which, witness my hand and seal of office.

*Paula Dooley*  
Signature of officer administering oath

Paula Dooley  
Printed name of officer administering oath

Business Manager  
Title of officer administering oath



# STATE SEIZURE EXPENDITURE

PH-17-013A

April 18, 2017

# Seizure Funds



- Chapter 59, Code of Criminal Procedure
- Forfeited property and cash
- Requirement to notify Council

# Equipment

- Tactical helmets \$49,023
  - ▣ Hearing protection
  - ▣ Microphones
  - ▣ Mounting equipment
- Rescue Vehicle Cargo Box \$3,700
- Respirator Masks \$27,720
- Digital Video Recovery System \$2,700



# Equipment



- Night Vision Optical Instrument \$5,230
- Emergency Medical Trauma Kits \$16,117
- Forensic Extraction Device \$9,100
- Vehicle seizure loan payment \$868

# Future Expenditures

- DVR Examiner annual cost \$2,700
- Cell phone device annual cost \$3,700
- Other equipment - as needed
- Total annual cost: \$6,400

# Funding

- State Seizure Account balance: \$181,812
  
- Transfer seizure funds into appropriate accounts:
  - ▣ Minor Equipment # 208-0000-495-46-35 \$ 99,260
  - ▣ Capital Equipment # 208-0000-495-61-35 \$ 14,330
  - ▣ Vehicle Account # 208-0000-495-61-10 \$ 868
  - ▣ Total budget amendment \$114,458
  
- Seizure Account ending balance: \$ 67,354

# Police State Seizure Fund

| Fiscal Year | Fund Balance |
|-------------|--------------|
| 2015        | \$129,999    |
| 2016        | 150,786      |
| 2017*       | 181,812      |

| Budget Amendment Fiscal Impact |                  |
|--------------------------------|------------------|
| Fund Balance                   | \$181,812        |
| Requested Amendment            | <u>(114,458)</u> |
| Ending Fund Balance            | <u>\$67,354</u>  |

\*Current Balance

# Questions





# City of Killeen

## Legislation Details

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**File #:** PH-17-013B    **Version:** 1    **Name:** Equipment Purchase for PD  
**Type:** Ordinance/Public Hearing    **Status:** Public Hearings  
**File created:** 2/27/2017    **In control:** City Council  
**On agenda:** 4/25/2017    **Final action:**  
**Title:** HOLD a public hearing and consider an ordinance amending the FY 2017 Annual Budget and Plan of Municipal Services of the City of Killeen to increase Special Revenue expenditure accounts to provide funding for the purchase of equipment for the Police Department.  
**Sponsors:** Finance Department  
**Indexes:** Budget Amendments  
**Code sections:**  
**Attachments:** [Staff Report](#)  
[Ordinance](#)

| Date      | Ver. | Action By             | Action | Result |
|-----------|------|-----------------------|--------|--------|
| 4/18/2017 | 1    | City Council Workshop |        |        |
| 3/21/2017 | 1    | City Council Workshop |        |        |



## STAFF REPORT

**DATE:** April 18, 2017

**TO:** Ronald L. Olson, City Manager

**FROM:** Jonathan Locke, Executive Director of Finance

**SUBJECT:** State Seizure Fund budget amendment

### **BACKGROUND AND FINDINGS:**

Chapter 59 of the Code of Criminal Procedure authorizes the state to share forfeited property and cash seized during criminal investigations with the participating law enforcement agency. Shared funds are kept in separate accounts that are monitored, regulated, and controlled by the Chief Law Enforcement Officer. Shared funds allow local law enforcement to fund programs that expand crime fighting resources and enhance the enforcement abilities of the department above what is routinely accessible through the normal budget process. The governing body is required to be notified of budgeted expenditures from these accounts, but the municipality may not use expenditures to offset or decrease salaries, expenses, or allowances already budgeted as the result of the availability of these funds.

Typically, seizure funds are utilized to acquire equipment that enhances the policing operation of a department, increasing their ability to safely conduct investigations and ensure convictions. Expenditures are normally for a one-time procurement of equipment or temporary support of new, unbudgeted police operations. The Police Department has utilized these funds for programs such as police canines and specialized training, the purchase of surveillance equipment, crime scene equipment, advanced computer technology, and to pay off third-party liens on vehicles acquired through the seizure process.

### **THE ALTERNATIVES CONSIDERED:**

1. Reprogram funding from the department's operational accounts. Due to recent budget cuts, there is no excess funding available.
2. Utilize funding available within the State Seizure account via a budget amendment.
3. Delay purchases until FY 2018.

### **Which alternative is recommended? Why?**

Alternative 2 is recommended. Funding is currently available but unbudgeted within the State Seizure Fund.

### **CONFORMITY TO CITY POLICY:**

City Charter Section 56. After the conclusion of public hearing, the Council may insert new items or may increase or decrease the items of the Budget, except items in proposed expenditures

fixed by law. Before inserting any additional item or increasing any item of appropriation, it must cause to be published a notice setting forth the nature of the proposed increases and fixing a place and time, not less than five days after publication, at which the Council will hold a public hearing thereon.

**FINANCIAL IMPACT:**

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

The total expenditure in FY 2017 is \$114,458. Future year costs include a subscription cost of \$6,400 for the DVR examiner and the cell phone extraction device.

**Is this a one-time or recurring expenditure?**

This is a one-time expenditure with the exception of the \$6,400 annual subscription cost.

**Is this expenditure budgeted?**

No.

**If not, where will the money come from?**

There is currently \$181,812 of unappropriated funding available within the State Seizure Fund which is restricted for law enforcement use.

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

No.

**RECOMMENDATION:**

Staff recommends that the City Council approve this ordinance amending the FY 2017 Annual Budget and Plan of Municipal Services to provide funding for the purchase of equipment for the Police Department.

**DEPARTMENTAL CLEARANCES:**

City Manager

**ATTACHED SUPPORTING DOCUMENTS:**

Ordinance



**ORDINANCE \_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS, AMENDING THE FY 2017 ANNUAL BUDGET AND PLAN OF MUNICIPAL SERVICES OF THE CITY OF KILLEEN TO INCREASE SPECIAL REVENUE EXPENDITURE ACCOUNTS TO PROVIDE FUNDING FOR THE PURCHASE OF EQUIPMENT FOR THE POLICE DEPARTMENT; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING A SAVINGS CLAUSE AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, a budget for operating the municipal government of the City of Killeen for the Fiscal Year October 1, 2016, to September 30, 2017, has been adopted by City Council in accordance with the City Charter; and

**WHEREAS**, it is the desire of the Killeen City Council to increase Special Revenue expenditure accounts for the purchase of equipment for the Police Department;

**WHEREAS**, budget amendments require approval from City Council;

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

**SECTION I.** That Ordinance 16-044 adopting a budget for operating the municipal government of the City of Killeen for the Fiscal Year October 1, 2016, to September 30, 2017, be amended as to the portion of said budget as follows:

| <i>Account Number</i> | <i>Description</i>      | <i>Original Budget</i> | <i>Budget Increase</i> | <i>Amended Budget</i> |
|-----------------------|-------------------------|------------------------|------------------------|-----------------------|
| 208-0000-495-46-35    | Equipment and Machinery | \$0                    | \$99,260               | \$99,260              |
| 208-0000-495-61-10    | Vehicles                | \$0                    | \$ 868                 | \$ 868                |
| 208-0000-495-61-35    | Machinery and Equipment | \$0                    | \$14,330               | \$14,330              |
| <b>Total</b>          |                         | <b>\$0</b>             | <b>\$114,458</b>       | <b>\$114,458</b>      |

**SECTION II.** That the City Council finds that the public notice and public hearing requirements of Section 56 of the City Charter have been complied with prior to the enactment of this ordinance.

**SECTION III.** That should any section or part of any section or 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 other section or sections or part of a section or paragraph of this ordinance.

**SECTION IV.** That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

**SECTION V.** That this ordinance shall be effective after its passage and publication according to the law.

**PASSED AND APPROVED** at a regular meeting of the City Council of the City of Killeen, Texas, this \_\_\_\_\_ 25 \_\_\_\_\_ day of April 2017, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A., Government Code, 551.001 *et seq.*

**APPROVED**

\_\_\_\_\_  
Jose L. Segarra, MAYOR

**ATTEST:**

\_\_\_\_\_  
Dianna Barker, CITY SECRETARY

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Kathryn H. Davis, CITY ATTORNEY



# City of Killeen

## Legislation Details

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**File #:** PH-17-024A    **Version:** 1    **Name:** FLUM 17-10  
**Type:** Ordinance/Public Hearing    **Status:** Public Hearings  
**File created:** 3/20/2017    **In control:** City Council  
**On agenda:** 4/25/2017    **Final action:**  
**Title:** HOLD a public hearing and consider an ordinance requested by M.A. Hoard Construction Co. II, LTD. to amend the Comprehensive Plan's Future Land Use Map (FLUM) from 'General Commercial' (GC) to 'General Residential' (GR) (FLUM# Z17-10) for 2.3 acres, being Lot 41, Block 1, Grover Park. The property is locally known as 6501 Vahrenkamp Drive, Killeen, Texas. (Tabled from April 11, 2017 Regular City Council Meeting.)  
**Sponsors:** Planning & Development Dept  
**Indexes:**  
**Code sections:**  
**Attachments:** [Staff Report](#)  
[FLUM Exhibit](#)  
[Minutes](#)  
[Ordinance](#)  
[Application](#)  
[Presentation](#)

| Date      | Ver. | Action By             | Action | Result |
|-----------|------|-----------------------|--------|--------|
| 4/18/2017 | 1    | City Council Workshop |        |        |
| 4/11/2017 | 1    | City Council          |        |        |
| 4/4/2017  | 1    | City Council Workshop |        |        |



## STAFF REPORT

**DATE:** April 4, 2017

**TO:** Ronald L. Olson, City Manager

**FROM:** Ray Shanaa, Executive Director of Planning and Development Services

**SUBJECT:** COMPREHENSIVE PLAN FUTURE LAND USE MAP (FLUM) AMENDMENT:  
'GENERAL COMMERCIAL' (GC) TO 'GENERAL RESIDENTIAL' (GR)

### **BACKGROUND AND FINDINGS:**

M.A. Hoard Construction Co. II submits this request to amend the Comprehensive Plan's Future Land Use Map (FLUM) to change a 'General Commercial' (GC) designated area to a 'General Residential' (GR) designated area for Lot 41, Block 1, Grover Park. The property is located at 6501 Vahrenkamp Drive, Killeen, Texas.

**Land Use Plan:** The property is designated as 'General Commercial' (GC) on the Future Land Use Map (FLUM) of the Comprehensive Plan.

**Plan Recommendation:** The 'General Commercial' (GC) designation includes a wide range of commercial, retail and service uses, at varying scales and intensities depending on the site.

If approved, the proposed revision to the property would result in a 'General Residential' designation on the Future Land Use Map (FLUM) of the Comprehensive Plan. The 'General Residential' character encourages detached residential dwellings as the primary focus, attached housing types subject to compatibility and open space standards (e.g. duplexes), planned developments with a mix of housing types subject to compatibility and open space standards, public/institutional, parks, and other public spaces. The characteristics of this designation include:

- Predominantly "R-1" zoning district with less openness and separation between dwellings compared to Suburban Residential areas
- Auto-oriented character that can be offset with architectural standards, landscaping, and limited uniform subdivision designs
- Neighborhood-scale commercial emerging over time for well-suited areas

### **THE ALTERNATIVES CONSIDERED:**

#### **Which alternative is recommended? Why?**

The items below should be reviewed and addressed when a Future Land Use Map amendment is being considered:

- **Scope of Amendment:** Is the proposed map change limited to one or a few parcels, or would it affect a much larger area? *The amendment would affect approximately 2.3 acres and should be considered a small scale amendment.*
- **Change in Circumstances:** What specific conditions (e.g., population size and/or characteristics, area character and building form, property/structure conditions, infrastructure or public services, market factors including need for more land in a particular designation, etc.) have changed sufficiently to render the current map designation(s) inappropriate or out-of-date? *The surrounding area has developed with a mixture of commercial uses and residential development of single-family, two family, and multifamily zoning.*
- **Consistency with Other Plans:** In addition to the Comprehensive Plan, is the proposed map change consistent with the intent and policy direction of any applicable small area plans, utility or drainage plans, or other City plans? *The proposed map change is not inconsistent with other City planning efforts (Water and Wastewater Master Plan, Thoroughfare Plan, Parks Master Plan).*
- **Adequate Information:** Do City staff, the Planning and Zoning Commission, and/or City Council have enough and appropriate information to move ahead with a decision (e.g., utility capacity, potential traffic impacts, other public service implications, and resident/stakeholder concerns and input)? *Staff has sufficient information regarding utility capacity and roadway level of service for this area.*
- **Stakeholder Input:** What points, concerns, and insights have been raised by area residents, property owners, business owners, or others? *With the exception of listing this action as a public hearing item on the Planning and Zoning Commission's agenda, there is no public notice requirement for this amendment action.*

**CONFORMITY TO CITY POLICY:**

This FLUM amendment request conforms to the city's policy as detailed in the Comprehensive Plan.

**FINANCIAL IMPACT:**

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

The proposed FLUM amendment does not involve the expenditure of city funds.

**Is this a one-time or recurring expenditure?**

This is not applicable.

**Is this expenditure budgeted?**

This is not applicable.

**If not, where will the money come from?**

This is not applicable.

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

This is not applicable.

**RECOMMENDATION:**

The Planning and Zoning Commission recommended approval of the applicant's request for amendment to the Future Land Use Map from 'General Commercial' (GC) to 'General Residential' (GR) by a vote of 3 to 2, with Commissioners McLaurin and Peters in opposition to the request. The dissenting Commissioners agreed with the opposing two residents that the current FLUM designation is appropriate for the area.

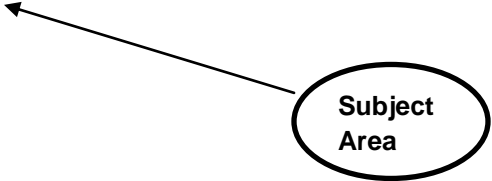
**DEPARTMENTAL CLEARANCES:**

This item has been reviewed by the Legal Department.

**ATTACHED SUPPORTING DOCUMENTS:**

FLUM Exhibit  
Minutes  
Ordinance  
Application

**Figure 1. Future Land Use Map (FLUM)**



**MINUTES  
PLANNING AND ZONING COMMISSION MEETING  
MARCH 20, 2017**

**CASE FLUM #Z17-10  
'GENERAL COMMERCIAL' TO 'GENERAL RESIDENTIAL'**

**A. HOLD a public hearing and consider a request submitted by M. A. Hoard Construction Co. II, Ltd., to amend the Future Land Use Map (FLUM) of the Comprehensive Plan, to change Lot 41, Block 1, Grover Park, from a 'General Commercial' designation to a 'General Residential' designation. The property is locally known as 6501 Vahrenkamp Drive, Killeen, Texas.**

Chairman Frederick requested staff comments.

City Planner, Tony McIlwain, stated that the property owner does not want to develop commercial use up against the existing residential uses and this will be a buffer between the residential and commercial uses. The amendment would affect approximately 2.3 acres, and should be considered a small scale amendment. Staff recommends approval of amending the FLUM from 'General Commercial' to 'General Residential' for approximately 2.3 acres. An amendment to the FLUM for this property is entirely consistent and appropriate for this area.

Mr. Pedro Quintero, 415 E. Avenue D, Killeen, Texas, spoke in support of the request.

Chairman Frederick opened the public hearing.

Ricky Smith, 4608 Chelsea Drive and Adalberto Ortiz, 4501 Chelsea Drive, Killeen, Texas spoke in opposition.

With no one else requesting to speak, the public hearing was closed.

Vice Chair Dorroh motioned to recommend approval of the designation of the property from a 'General Commercial' designated area to a 'General Residential' designated area. Commissioner Purser seconded the motion. The motion passed 3-2. Commissioner McLaurin and Commissioner Peters were in opposition, they stated that they supported the surrounding property owner's opposition.

Chairman Frederick stated that this request will be forwarded to City Council with a recommendation to approve.



ORDINANCE \_\_\_\_\_

**AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN'S FUTURE LAND USE MAP FROM 'GENERAL COMMERCIAL' (GC) TO 'GENERAL RESIDENTIAL' (GR) FOR LOT 41, BLOCK 1, GROVER PARK, BEING LOCALLY KNOWN AS 6501 VAHRENKAMP DRIVE, KILLEEN, TEXAS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.**

**WHEREAS**, the City of Killeen finds that Chapter 213.003 of the Local Government Code enables municipalities to adopt and amend comprehensive plans in the interest of coordinating long-range development of the municipality.

**WHEREAS**, the Planning and Zoning Commission has received a request from M. A. Hoard Construction Co. II, LTD. for a revision to the Future Land Use Map (FLUM) of the Comprehensive Plan, to change Lot 41, Block 1, Grover Park, being locally known as 6501 Vahrenkamp Drive, Killeen, Texas, from 'General Commercial' (GC) to 'General Residential'(GR); said revision having been duly presented and recommended for approval of 'General Residential' (GR) by the Planning and Zoning Commission of the City of Killeen on the 20th day of March 2017, and due notice of the filing of said revision and the date of hearing thereon was given as required by law, and hearing on said request was set for 5:00 P.M., on the 11th day of April 2017, at the City Hall, City of Killeen;

**WHEREAS**, the City Council at said hearing duly considered said request, the action of the Planning and Zoning Commission and the evidence in support thereof, and the City Council being of the opinion that the amendment should be approved;

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

**SECTION I:** That the land use designation of Lot 41, Block 1, Grover Park, being locally known as 6501 Vahrenkamp Drive, Killeen, Texas, be amended from ‘General Commercial’ (GC) to ‘General Residential’(GR).

**SECTION II.** That should any section or part of this ordinance be declared unconstitutional or invalid for any reason, it shall not invalidate or impair the validity, force, or effect of any other section or parts of this ordinance.

**SECTION III.** That all ordinances and resolutions, or parts thereof, in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

**SECTION IV.** That this ordinance shall take effect immediately upon passage of the ordinance.

**PASSED AND APPROVED** at a regular meeting of the City Council of the City of Killeen, Texas, this 11th day of April 2017, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A., Government Code, §551.001 et seq.

**APPROVED:**

---

**Jose L. Segarra**  
**MAYOR**

**ATTEST:**

---

**Dianna Barker**  
**CITY SECRETARY**

**APPROVED AS TO FORM**

---

**Kathryn H. Davis**  
**CITY ATTORNEY**

Case #: FLUM #Z17-10  
Ord#:17-\_\_



|                    |                  |
|--------------------|------------------|
| Date Paid:         | <u>3/3/17</u>    |
| Amount Paid:       | \$ <u>100.00</u> |
| Cash/MO #/Check #: | # <u>2238</u>    |
| Receipt #:         | <u>503</u>       |

CASE #: FLUM 17-10

## City of Killeen FLUM Amendment Application

Name(s) of Property Owner: M.A. Hoard Construction Co. II, Ltd.

Current Address: P.O. Box 10669

City: Killeen State: Texas Zip: 76547

Home Phone: ( <sup>254</sup> ) \_\_\_\_\_ Business Phone: ( <sup>254</sup> ) 681-1845 Cell Phone: ( <sup>254</sup> ) 289-1408

Email: mhoard2589@aol.com

Name of Applicant: Same  
(If different than Property Owner)

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Home Phone: ( \_\_\_ ) \_\_\_\_\_ Business Phone: ( \_\_\_ ) \_\_\_\_\_ Cell Phone ( \_\_\_ ) \_\_\_\_\_

Email: \_\_\_\_\_

Address/Location of property proposed for FLUM amendment: 6501 Vahrenkamp Drive, Killeen

Legal Description: Grover Park, Block 1, Lot 41

Metes & Bounds or Lot(s) Block Subdivision

Type of Ownership:  Sole Ownership  Partnership  Corporation  Other

Present FLUM Designation: GC Present Use: Vacant

Proposed FLUM Designation: MFR Proposed Use: Duplex Development

This property was conveyed to owner by deed dated February 1, 2007 and recorded in Volume \_\_\_\_\_, Page \_\_\_\_\_, Instrument Number 2007-00005168 of the Bell County Deed Records. (Attached)

## APPOINTMENT OF AGENT

As owner of the subject property, I hereby appoint the person designated below to act for me, as my agent in this request.

Name of Agent: Quintero Engineering, LLC

Mailing Address: P.O. Box 4386

City: Killeen State: Texas Zip: 76540 - \_\_\_\_\_

Home Phone: (254) 493-0744 Business Phone: (254) 493-9962 Email: pquintero@quinteroeng.com

I acknowledge and affirm that I will be legally bound by the words and acts of my agent, and by my signature below, I fully authorize my agent to:

**be the point of contact between myself and the City: make legally binding representations of fact and commitments of every kind on my behalf; grant legally binding waivers of rights and releases of liabilities of every kind on my behalf; to consent to legally binding modifications, conditions, and exceptions on my behalf; and, to execute documents on my behalf which are legally binding on me. This authorization only applies to this specific FLUM amendment request.**

**I understand that the City will deal only with a fully authorized agent.** At any time it should appear that my agent has less than full authority to act, then the application may be suspended and I will have to personally participate in the disposition of the application. I understand that all communications related to this application are part of an official proceeding of City government and, that the City will rely upon statements made by my agent. Therefore, **I agree to hold harmless and indemnify the City of Killeen, its officers, agents, employees, and third parties who act in reliance upon my agent's words and actions from all damages, attorney fees, interest and costs arising from this matter.** If my property is owned by a corporation, partnership, venture, or other legal entity, then I certify that I have legal authority to make this binding appointment on behalf of the entity, and every reference herein to 'I', 'my', or 'me' is a reference to the entity.

Signature of Agent  Title President

Printed/Typed Name of Agent Pedro Quintero, P.E. Date 03/02/2017

Signature of Agent \_\_\_\_\_ Title \_\_\_\_\_

Printed/Typed Name of Agent \_\_\_\_\_ Date \_\_\_\_\_

Signature of Applicant  Title Manager

Printed/Typed Name of Applicant Mark Hoard Date 3-2-17

Signature of Property Owner \_\_\_\_\_ Title \_\_\_\_\_

Printed/Typed Name of Property Owner \_\_\_\_\_ Date \_\_\_\_\_

Signature of Property Owner \_\_\_\_\_ Title \_\_\_\_\_

Printed/Typed Name of Property Owner \_\_\_\_\_ Date \_\_\_\_\_

Signature of Property Owner \_\_\_\_\_ Title \_\_\_\_\_

Printed/Typed Name of Property Owner \_\_\_\_\_ Date \_\_\_\_\_

\*Application must be signed by the individual applicant, by each partner of a partnership, or by an officer of a corporation or association.



**FLUM AMENDMENT#Z17-10  
'GC' TO 'GR'**

PH-17-024A

April 4, 2017



## Camilla Rd Real Property

Lot 41, Block 1, Grover Park, being locally know as 6501  
Vahrenkamp Drive

# FLUM AMENDMENT #Z17-08

- The property is designated as ‘General Commercial’ (GC)
- Current designation encourages wide range of commercial and retail uses
- ‘General Residential’ designation encourages detached residential dwellings; attached housing types subject to compatibility and open space standards (e.g., duplexes, townhomes, patio homes)

# FLUM AMENDMENT #17-08



The following items should be reviewed when a FLUM is being considered:

- scope of the amendment
- change in circumstances
- consistency with other Plans
- Adequate Information
- Stakeholder Input



# FLUM AMENDMENT #17-08



- The Planning and Zoning Commission recommended approval of the request on March 20, 2017, by a vote of 3 to 2
- FLUM amendment is necessary to approve the applicant's concurrent zoning request of "R-2" (Two family Residential District)



# City of Killeen

## Legislation Details

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**File #:** PH-17-024B    **Version:** 1    **Name:** Zoning 17-10  
**Type:** Ordinance/Public Hearing    **Status:** Public Hearings  
**File created:** 3/20/2017    **In control:** City Council  
**On agenda:** 4/25/2017    **Final action:**  
**Title:** HOLD a public hearing and consider an ordinance requested by M.A. Hoard Construction Co. II, LTD. (Case #Z17-10) to rezone Lot 41, Block 1, Grover Park, from "B-5" (Commercial District) to "R-3A" (Multifamily Apartment Residential District), for property being locally known as 6501 Vahrenkamp Drive, Killeen, Texas. (Tabled from April 11, 2017 Regular City Council Meeting.)  
**Sponsors:** Planning & Development Dept  
**Indexes:**  
**Code sections:**  
**Attachments:** [Staff Report](#)  
[Aerial Map Exhibit](#)  
[Minutes](#)  
[Ordinance](#)  
[Application](#)  
[Location Map](#)  
[Buffer Map](#)  
[Opposition Map](#)  
[Considerations](#)  
[Response](#)  
[Presentation](#)

| Date      | Ver. | Action By             | Action | Result |
|-----------|------|-----------------------|--------|--------|
| 4/18/2017 | 1    | City Council Workshop |        |        |
| 4/11/2017 | 1    | City Council          |        |        |
| 4/4/2017  | 1    | City Council Workshop |        |        |



## STAFF REPORT

**DATE:** April 4, 2017

**TO:** Ronald L. Olson, City Manager

**FROM:** Ray Shanaa, Executive Director of Planning and Development Services

**SUBJECT:** REZONING CASE #Z17-10 "B-5" (BUSINESS DISTRICT) TO "R-3A" (MULTIFAMILY APARTMENT RESIDENTIAL DISTRICT) USES

### **BACKGROUND AND FINDINGS:**

M.A. Hoard Construction Co. II, LTD. submits this request to rezone Lot 41, Block 1, Grover Park, from "B-5" (Business District) to "R-3A" (Multifamily Apartment Residential District). The property is locally known as 6501 Vahrenkamp Drive, Killeen, Texas.

### **District Descriptions:**

**A building or premises in an "R-3A" Multifamily Apartment Residential District shall be used only for the following purposes:**

- (a) Uses. A building or premises in an "R-3A" Multifamily Apartment Residential District shall be used only for the following purposes:
  - (1) Any use permitted in the "R-1" or "R-2" districts
  - (2) Multifamily structures containing five (5) or more separate dwelling units, including large apartment complexes with high rise structures
  - (3) Boarding and lodging houses
  - (4) Fraternity or sorority houses
  - (5) Licensed group or community homes housing six (6) or more persons
  - (6) Dormitories for educational or employment purposes as a primary use
  - (7) Any group housing activity not otherwise identified in another multifamily or business district
  - (8) Accessory buildings and uses, customarily incident to the above uses and located on the same lot therewith, not involving the conduct of a business
- (b) Planned unit development required. Rezoning applications requesting zoning under this division shall be subject to the requirements of 31-256.9 of this division, if applicable.

The project area is undeveloped and sits between observed "R-1" zoned single-family homes to the west and "R-2" zoned duplex development to the north. There is a large commercial storage facility to the east and an undeveloped "R-3A" zoned tract of land along the south right-of-way of Vahrenkamp Drive.

**Land Use Plan:** This area is designated as 'General Commercial' on the Future Land Use Map (FLUM) of the Comprehensive Plan.

**Plan Recommendation:** The 'General Commercial' character encourages a wide range of commercial, retail and service uses, at varying scales and intensities depending on the site.

**Consistency:** The zoning request is not consistent with the intent of the Comprehensive Plan; therefore, the applicant has submitted a concurrent FLUM amendment request to 'General Residential' (GR) to align this project with the intended scope of development.

### **THE ALTERNATIVES CONSIDERED:**

#### **Which alternative is recommended? Why?**

The City Council shall take the following Pharr v. Tippitt guidelines into consideration making a decision on a zoning request:

*Is the request in accordance with the comprehensive plan?*

*Is the request designed to lessen congestion in the streets; secure safety from fire, panic, or other dangers; promote health and the general welfare; provide adequate light and air; prevent the overcrowding of land; avoid undue concentration of population; or facilitate the adequate provision of transportation, water, sewers, schools, parks, and other public requirements?*

*What if any, is the nature and degree of an adverse impact upon neighboring lands?*

*The suitability or unsuitability of the tract for use as presently zoned*

*Whether the amendment bears a substantial relationship to the public health, safety, morals, or general welfare or protects and preserves historical and cultural places and areas*

*Whether there is a substantial public need or purpose for the new zoning*

*Whether there have been substantially changed conditions in the neighborhood*

*Is the new zoning substantially inconsistent with the zoning of neighboring lands? (Whether the new zoning is more or less restrictive)*

*The size of the tract in relation to the affected neighboring lands - is the tract a small tract or isolated tract asking for preferential treatment that differs from that accorded similar surrounding land without first proving changes in conditions?*

*Any other factors which will substantially affect the health, safety, morals, or general welfare*

### **CONFORMITY TO CITY POLICY:**

This zoning request conforms to the city's policy and procedures as detailed in Chapter 31 of the Killeen Code of Ordinances.

**FINANCIAL IMPACT:**

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

This zoning request does not involve the expenditure of city funds; however, the City will assume the maintenance of future publicly dedicated infrastructure.

**Is this a one-time or recurring expenditure?**

The maintenance of future publicly dedicated infrastructure will be on-going.

**Is this expenditure budgeted?**

Development of this property has not occurred; therefore, this discrete item is not currently budgeted.

**If not, where will the money come from?**

Various Public Works accounts

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

This is not applicable at this time.

**RECOMMENDATION:**

The Planning and Zoning Commission recommended approval of the applicant's zoning request from "B-5" (Business District) to "R-2" (Two Family Residential District) by a vote of 3 to 2, with Commissioners McLaurin and Peters in opposition to the request. The dissenting Commissioners supported the residents' shared concerns regarding the potential for increased traffic as a result of the proposed residential project. The staff notified thirty-four (34) surrounding property owners regarding this request and received protests from the following individuals: James E. Skinner, 4605 Lauren Mackenzie Drive; Rick and Michaela Smith, 4608 Chelsea Drive; Chris Albright, 4701 Lauren Mackenzie Drive and Adalberto Ortiz, 4501 Chelsea Drive. The residents stated they had concerns about traffic and pedestrian safety in the neighborhood. Following the Planning and Zoning Commission meeting, staff received an opposition response from Phillip and Bridget Balque of 4401 Lauren Mackenzie Drive.

**DEPARTMENTAL CLEARANCES:**

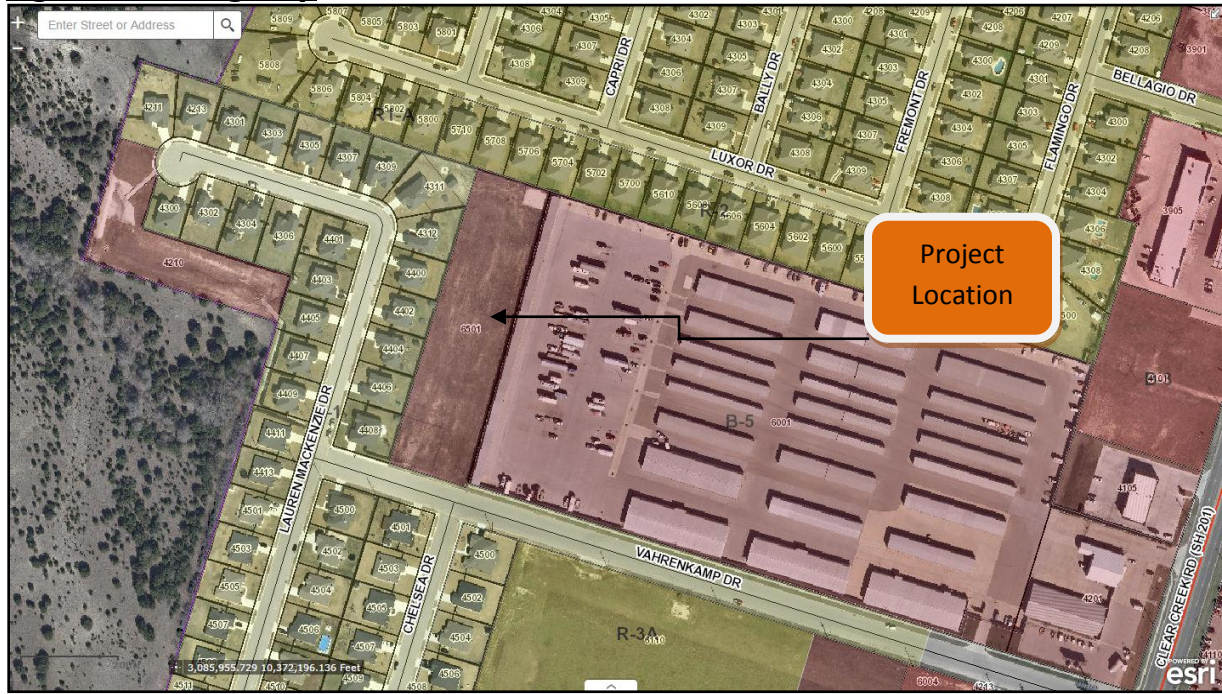
This item has been reviewed by the Legal Department.

**ATTACHED SUPPORTING DOCUMENTS:**

Aerial Map Exhibit  
Minutes  
Ordinance  
Application

Location Map  
Buffer Map  
Opposition Map  
Considerations  
Response

**Figure 1. Zoning Map**



**MINUTES  
PLANNING AND ZONING COMMISSION MEETING  
MARCH 20, 2017**

**CASE #Z17-10  
B-5 to R-3A**

**B. HOLD a public hearing and consider a request submitted by M. A. Hoard Construction Co. II, Ltd., to rezone Lot 41, Block 1, Grover Park, from “B-5” (Business District) to “R-3A” (Multifamily Apartment Residential District). The property is locally known as 6501 Vahrenkamp Drive, Killeen, Texas.**

Chairman Frederick requested staff comments.

City Planner, Tony McIlwain, stated that the applicants request is to allow duplex development. Staff recommends approval of the applicant’s “R-2” (Two Family Residential District) zoning for the property. The “R-2” zoning request satisfies the applicant’s development intent. The staff notified thirty-four (34) surrounding property owners regarding this request. Staff has received no responses.

Mr. Pedro Quintero, Quintero Engineering, L.L.C., 415 E. Avenue D, Killeen, Texas, was present to represent this request.

Chairman Frederick opened the public hearing.

The following spoke in opposition: James E. Skinner, 4605 Lauren Mackenzie Drive; Rick and Michaela Smith, 4608 Chelsea Drive; Chris Albright, 4701 Lauren McKenzie Drive and Adalberto Ortiz, 4501 Chelsea Drive. The residents stated they had concerns about traffic and pedestrian safety in the neighborhood.

With no one else requesting to speak, the public hearing was closed.

Vice Chair Dorroh motioned to recommend approval of the “R-2” (Two Family Residential District) request. Commissioner Latham seconded the motion. The motion passed 3-2, with Commissioners McLaurin and Peters in opposition to the applicant’s request. The dissenting Commissioners stated that they supported the resident’s concerns regarding increased traffic.

Chairman Frederick stated that this request will be forwarded to City Council with a recommendation to approve.



**ORDINANCE** \_\_\_\_\_

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF KILLEEN BY CHANGING THE ZONING OF CERTAIN PROPERTY OUT OF THE CITY OF KILLEEN, BELL COUNTY, TEXAS, FROM “B-5” (BUSINESS DISTRICT) TO “R-3A” (MULTIFAMILY APARTMENT RESIDENTIAL DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, M. A. Hoard Construction Co. II, LTD. has presented to the City of Killeen a request for amendment of the zoning ordinance of the City of Killeen by changing the classification of Lot 41, Block 1, Grover Park, being locally known as 6501 Vahrenkamp Drive, Killeen, Texas, from “B-5” (Business District) to “R-3A” (Multifamily Apartment Residential District), said request having been duly presented and recommended for approval of “R-2” (Two Family Residential District) by the Planning and Zoning Commission of the City of Killeen on the 20th day of March 2017, and due notice of the filing of said request and the date of hearing thereon was given as required by law, and hearing on said request was set for 5:00 P.M., on the 11th day of April 2017, at the City Hall, City of Killeen;

**WHEREAS**, the City Council at said hearing duly considered said request, the action of the Planning and Zoning Commission and the evidence in support thereof, and the City Council being of the majority opinion that the “R-2” zoning request should be approved;

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

**SECTION I.** That the zoning classification of Lot 41, Block 1, Grover Park, being locally known as 6501 Vahrenkamp Drive, Killeen, Texas, be changed from “B-5” (Business District) to “R-2” (Two Family Residential District).

**SECTION II.** That should any section or part of this ordinance be declared unconstitutional or invalid for any reason, it shall not invalidate or impair the validity, force, or effect of any other section or parts of this ordinance.

**SECTION III.** That all ordinances and resolutions, or parts thereof, in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

**SECTION IV.** That this ordinance shall take effect immediately upon passage of the ordinance.

**PASSED AND APPROVED** at a regular meeting of the City Council of the City of Killeen, Texas, this 11th day of April 2017, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A., Government Code, §551.001 et seq.

**APPROVED:**

\_\_\_\_\_  
**Jose L. Segarra, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**Dianna Barker, CITY SECRETARY**

**APPROVED AS TO FORM**

\_\_\_\_\_  
**Kathryn H. Davis, City Attorney**

Case #17-10  
Ord. #17-\_\_\_\_



Date Paid: 3/3/17  
 Amount Paid: \$ 300.00  
 Cash/MO #/Check #: # 2237  
 Receipt #: 502

CASE #: Z17-10

## City of Killeen Zoning Change Application

General Zoning Change \$300.00 [ ] Conditional Use Permit \$500.00

Name(s) of Property Owner: M.A. Hoard Construction Co. II, Ltd.

Current Address: P.O. Box 10669

City: Killeen State: Texas Zip: 76547

Home Phone: ( ) \_\_\_\_\_ Business Phone: (254) 681-1845 Cell Phone: (254) 289-1408

Email: mhoard2589@aol.com

Name of Applicant: Same  
 (If different than Property Owner)

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Home Phone: ( ) \_\_\_\_\_ Business Phone: ( ) \_\_\_\_\_ Cell Phone ( ) \_\_\_\_\_

Email: \_\_\_\_\_

Address/Location of property to be rezoned: 6501 Vahrenkamp Drive, Killeen

Legal Description: Grover Park, Block 1, Lot 41

Metes & Bounds or Lot(s) Block Subdivision

Is the rezone request consistent with the Comprehensive Plan? YES  NO   
 If NO, a FLUM amendment application must be submitted.

Type of Ownership:  Sole Ownership  Partnership  Corporation  Other

Present Zoning: B-5 Present Use: Vacant

Proposed Zoning: R-3A Proposed Use: Multifamily Apartment Residential

Conditional Use Permit for: N/A

This property was conveyed to owner by deed dated February 1, 2007 and recorded in Volume \_\_\_\_\_, Page \_\_\_\_\_, Instrument Number 2007-00005168 of the Bell County Deed Records. (Attached)

Is this the first rezoning application on a unilaterally annexed tract?  
 Yes  (Fee not required) No  (Submit required fee)

## APPOINTMENT OF AGENT

As owner of the subject property, I hereby appoint the person designated below to act for me, as my agent in this request.

Name of Agent: Quintero Engineering, LLC

Mailing Address: P.O. Box 4386

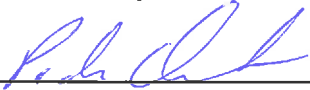
City: Killeen State: Texas Zip: 76540

Home Phone: (254) 493-0744 Business Phone: (254) 493-9962 Email: pquintero@quinteroeng.com

I acknowledge and affirm that I will be legally bound by the words and acts of my agent, and by my signature below, I fully authorize my agent to:

**be the point of contact between myself and the City: make legally binding representations of fact and commitments of every kind on my behalf; grant legally binding waivers of rights and releases of liabilities of every kind on my behalf; to consent to legally binding modifications, conditions, and exceptions on my behalf; and, to execute documents on my behalf which are legally binding on me. This authorization only applies to this specific zoning request.**

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Signature of Agent  Title President

Printed/Typed Name of Agent Pedro Quintero, P.E. Date 03/02/2017

Signature of Agent \_\_\_\_\_ Title \_\_\_\_\_

Printed/Typed Name of Agent \_\_\_\_\_ Date \_\_\_\_\_

Signature of Applicant  Title Manager

Printed/Typed Name of Applicant Mark Hoard Date 3-2-17

Signature of Property Owner \_\_\_\_\_ Title \_\_\_\_\_

Printed/Typed Name of Property Owner \_\_\_\_\_ Date \_\_\_\_\_

Signature of Property Owner \_\_\_\_\_ Title \_\_\_\_\_

Printed/Typed Name of Property Owner \_\_\_\_\_ Date \_\_\_\_\_

Signature of Property Owner \_\_\_\_\_ Title \_\_\_\_\_

Printed/Typed Name of Property Owner \_\_\_\_\_ Date \_\_\_\_\_

\*Application must be signed by the individual applicant, by each partner of a partnership, or by an officer of a corporation or association.



**PLANNING AND  
DEVELOPMENT SERVICES**

**ZONING CASE:**

Z17-10

**ZONING FROM:**

B-5 To R-3A

**APPLICANT:**

M.A. HOARD  
CONSTRUCTION CO. II, LTD.


**PROPERTY OWNER:**

M.A. HOARD  
CONSTRUCTION CO. II, LTD.

**LEGAL DESCRIPTION:**

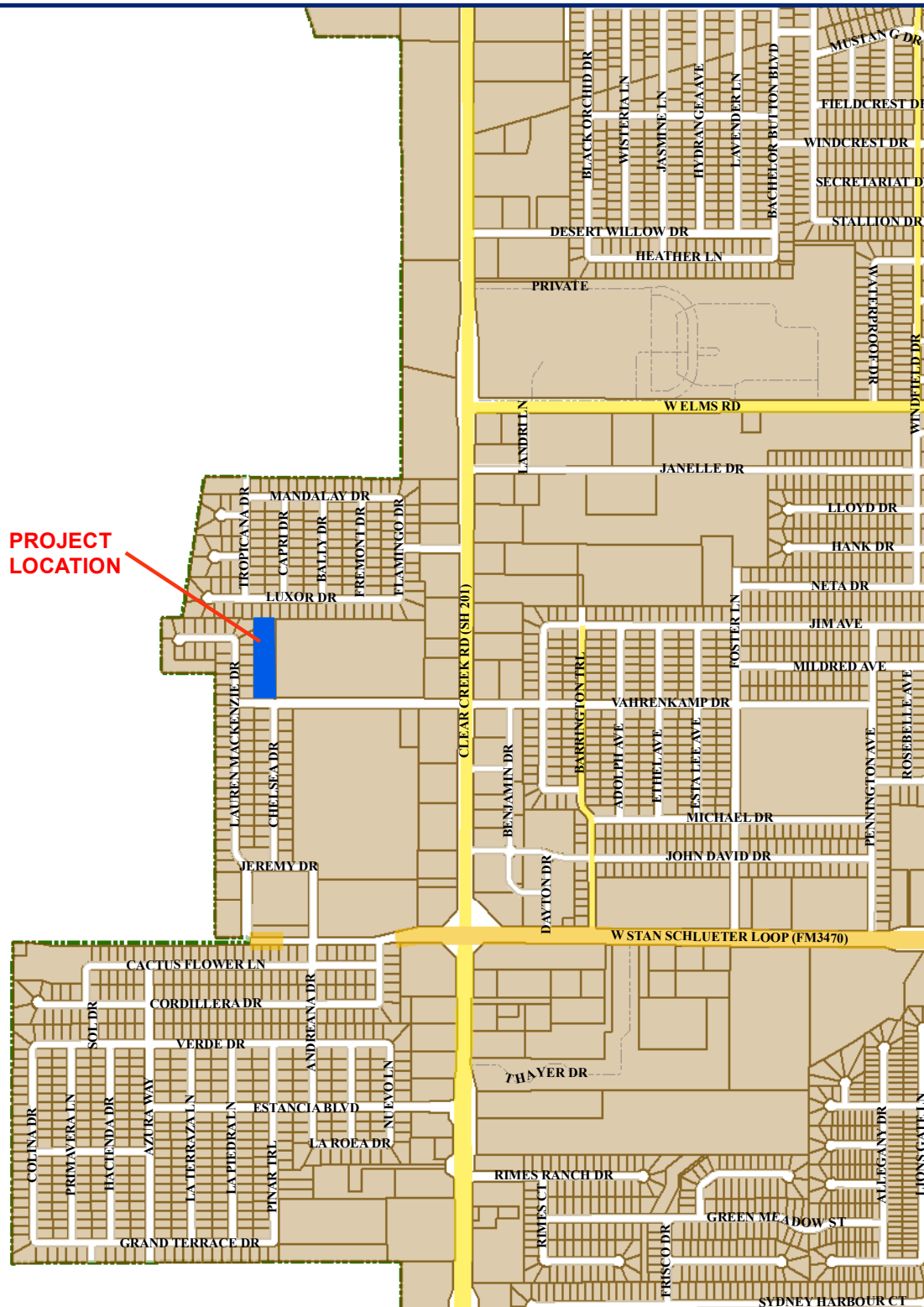
GROVER PARK, BLOCK 001,  
LOT 0041

**Legend**

-  Zoning Case
-  Parcel
-  City Limits



Date: 3/7/2017







**PLANNING AND  
DEVELOPMENT SERVICES**

**ZONING CASE:**

Z17-10

**ZONING FROM:**

B-5 To R-3A

**APPLICANT:**

M.A. HOARD  
CONSTRUCTION CO. II, LTD.








**PROPERTY OWNER:**

M.A. HOARD  
CONSTRUCTION CO. II, LTD.

**LEGAL DESCRIPTION:**

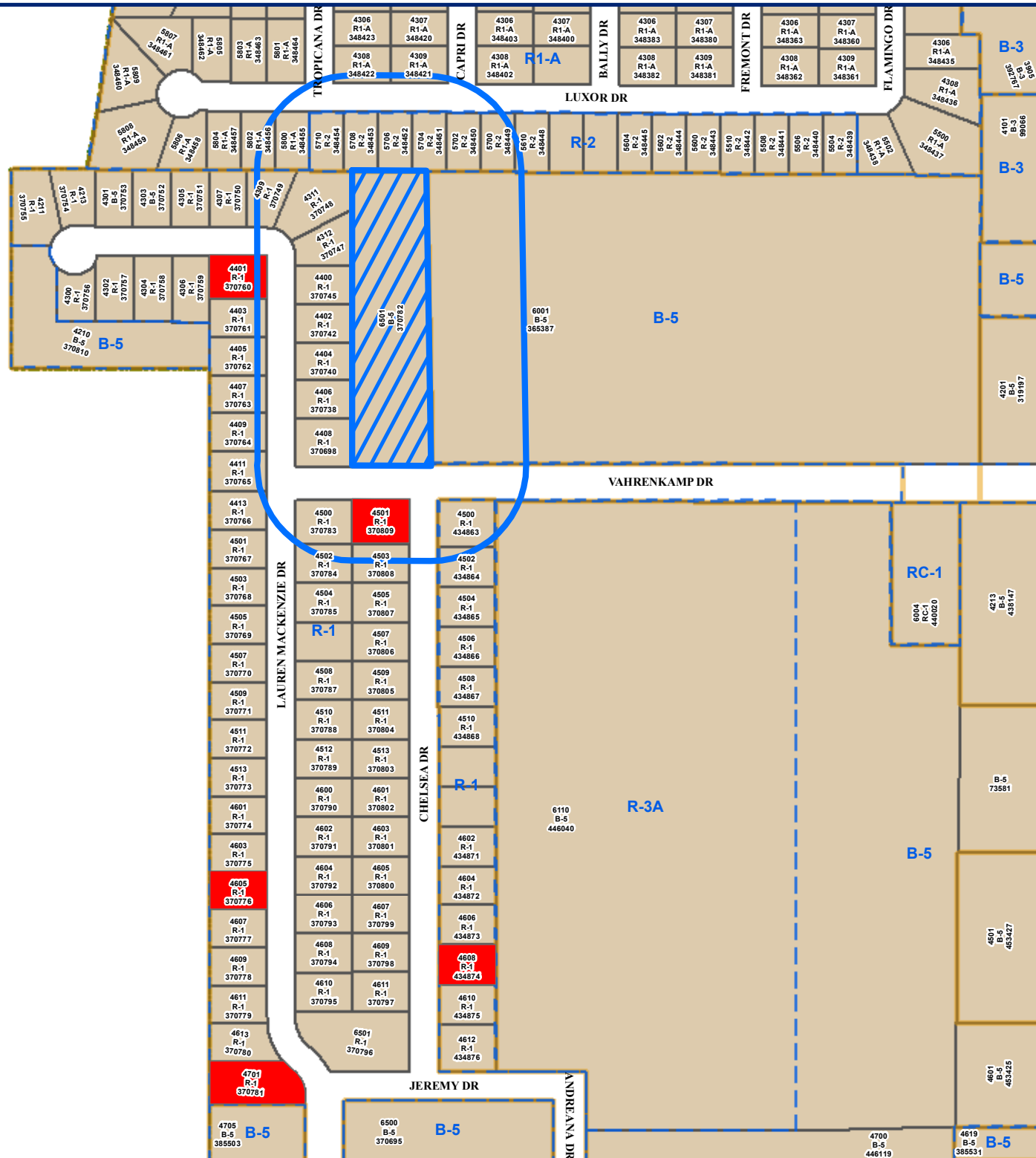
GROVER PARK, BLOCK 001,  
LOT 0041

**LEGEND**

-  200' Buffer
-  Opposition
-  Zoning Case
-  Current Zoning
-  Subdivision
-  Parcel
-  City Limits



Date: 3/23/2017



# CONSIDERATIONS

Texas Supreme Court in Pharr v. Tippitt, 616 S. W 2<sup>nd</sup> 173 (Tex 1981) established general guidelines which the Planning and Zoning Commission and City Council should take into consideration when making their respective recommendation and decision on a zoning request.

## **A. General Factors to Consider:**

Is the request in accordance with the comprehensive plan?

Is the request designed to lessen congestion in the streets; secure safety from fire, panic or other dangers; promote health and the general welfare; provide adequate light and air; prevent the overcrowding of land; avoid undue concentration of population; or facilitate the adequate provision of transportation, water, sewers, schools, parks and other public requirements?

What if any, is the nature and degree of an adverse impact upon neighboring lands?

The suitability or unsuitability of the tract for use as presently zoned.

Whether the amendment bears a substantial relationship to the public health, safety, morals or general welfare or protects and preserves historical and cultural places and areas.

Whether there is a substantial public need or purpose for the new zoning.

Whether there have been substantially changed conditions in the neighborhood.

Is the new zoning substantially inconsistent with the zoning of neighboring lands? (Whether the new zoning is more or less restrictive.)

The size of the tract in relation to the affected neighboring lands – is the tract a small tract or isolated tract asking for preferential treatment that differs from that accorded similar surrounding land without first proving changes in conditions?

Any other factors which will substantially affect the health, safety, morals or general welfare.

## **B. Conditional Use Permit (if applicable)**

Whether the use is in harmonious with and adaptable to buildings, structures and use of abutting property and other property in the vicinity of the premises under construction.

## **C. Conditions to Consider**

1. Occupation shall be conducted only by members of family living in home.
2. No outside storage or display
3. Cannot change the outside appearance of the dwelling so that it is altered from its residential character.
4. Cannot allow the performance of the business activity to be visible from the street.
5. Cannot use any window display to advertise or call attention to the business.
6. Cannot have any signs
7. No off-street parking or on-street parking of more than two (2) vehicles at any one time for business related customer parking.
8. No retail sales.
9. Length of Permit.



|                                 |   |               |                              |
|---------------------------------|---|---------------|------------------------------|
| YOUR NAME:                      | PHILLIP & BRIDGET BALQUE                    | PHONE NUMBER: | 254 630 9164<br>800 703 3705 |
| CURRENT ADDRESS:                | 4401 LAUREN MACKENZIE DR, KILLEEN, TX 76549 |               |                              |
| ADDRESS OF PROPERTY OWNED:      | SAME AS ABOVE                               |               |                              |
| COMMENTS:                       | B-5 to R-3A                                 |               |                              |
| WE OPPOSE THE REZONING REQUEST. |   |               |                              |
| <b>RECEIVED</b>                 |   |               |                              |
| MAR 21 2017                     |   |               |                              |
| <b>PLANNING</b>                 |   |               |                              |
| SIGNATURE:                      | Phillip & Bridget Balque Sr.                |               | SPO #Z17-10/ 13              |



**ZONING CASE #Z17-10**  
**“B-5” TO “R-3A”**

**PH-17-024B**

**April 4, 2017**



# ZONING CASE #Z17-10

- The property is zoned as “B-5” (Business District)
- The applicant initially requested “R-3A” (Multifamily Apartment Residential District)



## Exhibit 1. Zoning map

Lot 41, Block 1, Grover Park, being locally known as 6501 Vahrenkamp Drive



# ZONING CASE #17-10

The project area is undeveloped. The surrounding land uses are:

- Single Family residential to the south
- Two Family Residential to the north
- Commercial to the east
- Single Family residential to the west



# ZONING CASE #17-10

- The property is designated as ‘General Commercial’ on the FLUM; not consistent
- Several Residents not in favor of the request
- The Planning and Zoning Commission recommended approval of “R-2” (Two Family Residential District) on March 20, 2017, by a vote of 3 to 2