



City of Killeen

Agenda

City Council

Tuesday, July 7, 2026

3:00 PM

City Hall
Council Chambers
101 N. College Street
Killeen, Texas 76541

Call to Order and Roll Call

<input type="checkbox"/> Joseph Solomon, Mayor	<input type="checkbox"/> Jessica Gonzalez
<input type="checkbox"/> Debbie Nash-King	<input type="checkbox"/> Charles Kimble
<input type="checkbox"/> Mellisa Brown	<input type="checkbox"/> David Bass
<input type="checkbox"/> Beverly Ann Williams	<input type="checkbox"/> Anthony Kendrick

Invocation

Pledge of Allegiance

Approval of Agenda

Work Session

Discuss agenda items 1 - 10 for the July 7, 2026 Regular Session

Citizen Comments on Agenda Items

This section allows members of the public to address the Council regarding any item, other than a public hearing item, on the agenda for Council's consideration. Each person shall sign up prior to the start of the Council meeting, may speak only one (1) time, and such address shall be limited to three (3) minutes. A timer will be placed so that the speaker and citizens can see it. A majority vote of the City Council is required for any time extensions. The Mayor and Councilmembers shall have one (1) minute to respond to citizen comments with a statement or explanation without engaging in dialogue.

Regular Session

Consent Agenda

Resolutions

1. [RS-26-101](#) Consider a memorandum/resolution renewing the agreement with Pattillo, Brown & Hill, LLP to provide independent auditing services for the City of Killeen for the fiscal year ending September 30, 2026.
Attachments: [Engagement Letter](#)
[Fee Schedule](#)
[Certificate of Interested Parties](#)
[Presentation](#)
2. [RS-26-102](#) Consider a memorandum/resolution setting July 28, 2026, at 5:00 p.m. as the date and time for the public hearing on the Fiscal Year 2027 Proposed Budget to be held in City Council Chambers, 101 N. College Street, Killeen, Texas.
Attachments: [Presentation](#)
3. [RS-26-103](#) Consider a memorandum/resolution to authorize the approval of the Fiscal Year 2027 Fee Increases for the Animal Services Division.
Attachments: [Presentation](#)
4. [RS-26-104](#) Consider a memorandum/resolution readopting the Governing Standards and Expectations with amendments.
Attachments: [Governing Standards July 2026 DRAFT.pdf](#)
[Presentation](#)
5. [RS-26-105](#) Consider a memorandum/resolution approving the appointment of a City Secretary.
Attachments: [Resume](#)
[Presentation](#)
6. [RS-26-106](#) Consider a memorandum/resolution authorizing Change Order No. 4 for the Gilmer Street Reconstruction Project with TTG Utilities, Inc. in the amount of -\$403,083.06.
Attachments: [Change Order](#)
[Proposal](#)
[Resolution](#)
7. [OR-26-010](#) Consider an Ordinance authorizing the temporary traffic control change on Llewellyn Drive during the Capital Improvement Project construction.
Attachments: [Ordinance](#)
[Presentation](#)

8. [OR-26-011](#) Consider an Ordinance approving the establishment of a School Speed Zone Along Breeder Lane.
Attachments: [Ordinance](#)
[Map](#)
[Presentation](#)
9. [OR-26-012](#) Consider an ordinance submitted by Vincent Gerard & Associates on behalf of First Assembly of God Inc. (Case# Z26-10) for a Conditional Use Permit (CUP) to allow for the installation of a wireless telecommunication tower on property zoned "B-3" (Local Business District), being approximately 2.0 acres, being Lot 1, Block 1, McClurkan Addition. The subject property is locally addressed as 7432 East Trimmier Road, Killeen, Texas. (Requires 3/4 Majority Vote for Approval)
Attachments: [Maps](#)
[Site Photos](#)
[Minutes](#)
[Ordinance](#)
[Letter of Request](#)
[Site Plan](#)
[Responses](#)
[Presentation](#)

Public Hearings

10. [PH-26-020](#) Hold a public hearing and consider an ordinance amending the corporate City limits of the City of Killeen, Bell County, Texas (DA26-01) by disannexing approximately 25.60 acres out of G. W. Allison Survey, Abstract No. 52 and R. A. McGee Survey, Abstract No. 651. The subject properties are generally located along Fort Hood Street, Killeen, Texas.
Attachments: [Maps](#)
[Petition](#)
[2007 Annexation Ordinance](#)
[Ordinance](#)
[Presentation](#)

Discussion Items

11. [DS-26-053](#) Discuss and receive Killeen Arts Commission Poet Laureate Presentation
Attachments: [Presentation](#)

12. [DS-26-054](#) Receive Fiscal Year 2027 Proposed Annual Budget and Overview Provided by the City Manager
Attachments: [FY 2027 Tax Rate Calculation Taxpayer Impact Statement](#)
13. [DS-26-055](#) Receive Fiscal Year 2027 Proposed Capital Improvement Program Overview
14. [DS-26-056](#) Discuss the City of Killeen Americans with Disabilities Act Self Evaluation and Transition Plan Draft.
Attachments: [Presentation](#)
15. [DS-26-057](#) Discuss Killeen Economic Development Corporation (KEDC) Investigation

Future Agenda Items

16. [RQ-26-003](#) Citywide Flood Map
Attachments: [Flood Map RQ](#)
17. [RQ-26-004](#) Killeen Housing Authority (KHA) Update
Attachments: [KDHUpdate Request](#)

Executive Session

18. [DS-26-058](#) Discuss Rosa Hereford Community Center construction

Mayor Presentation

19. [PR-26-014](#) Mayor's remarks on the July 4th Red White and Blue Music Festival Event

Adjournment

I certify that the above notice of meeting was posted on the Internet and on the bulletin board at Killeen City Hall on or before 5:00 p.m. on June 30, 2026.

Micheal Lollar, Interim 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 254-501-7717, City Secretary'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.

- Boards & Commissions Meet & Greet, June 30, 2026, 5:00 p.m., Killeen Civic and Conference Center - Lonestar Room, 3601 S. WS Young Drive*
- City of Belton Annual 4th of July Parade on Saturday, July 4, 2026, 7:30 a.m. Belton Courthouse, 101 E. Central Ave, Belton, TX*
- City of Killeen Red, White and Blue Fest, July 4, 2026, 6:00 p.m., Historic Downtown Killeen*
- Gary Sinise and the LT Dan Band Concert 2026, Friday, July 10, 2026, 6:00 p.m. Sadowski Parade Field, III Armored Corps Headquarters Building, 1001 761st Tank Battalion Ave., Fort Hood, TX 76544*
- Killeen 2026 Senior Center Prom July 17, 2026, 4:00 to 7:00 p.m. Killeen Civic & Conference Center 3601 S W.S. Young Drive, Killeen, TX*
- Killeen Police Department Graduation & Swearing -In Ceremony, September 4, 2026, 10:00 am, Killeen Civic and Conference Center 3601 S. WS Young Killeen Drive, TX 76542*
- Greater Killeen Chamber of Commerce 93rd Annual Banquet, September 17, 2026, 6:00 pm, Killeen Civic and Conference Center, 3601 S. WS Young Drive, Killeen, TX*

Dedicated Service -- Every Day, for Everyone!



City of Killeen

Staff Report

File Number: RS-26-101

Consider a memorandum/resolution renewing the agreement with Pattillo, Brown & Hill, LLP to provide independent auditing services for the City of Killeen for the fiscal year ending September 30, 2026.

DATE: July 7, 2026

TO: Kent Cagle, Interim City Manager

FROM: Judith Tangalin, Executive Director of Finance

SUBJECT: Independent Auditing Services

BACKGROUND AND FINDINGS:

The City Charter and Financial Governance Policy require City Council to designate a qualified certified public accountant to perform the City's annual audit. The audit must be conducted in accordance with Government Auditing Standards issued by the Government Accountability Office (GAO), the Single Audit Act Amendments of 1996, and the Office of Management and Budget's Uniform Guidance.

In 2022, the City issued RFQ #22-27 to solicit independent audit services for FY 2022 and FY 2023, with the option to extend for three additional years. Pattillo, Brown & Hill, LLP was selected through this process, and City Council has approved their engagement for the past four fiscal years, including FY 2025. This engagement would be the third of the three optional extension years under the original RFQ.

Pattillo, Brown & Hill, LLP continues to demonstrate a strong understanding of governmental auditing, maintains an experienced audit team, and has consistently provided timely and professional service

THE ALTERNATIVES CONSIDERED:

N/A

Which alternative is recommended? Why?

N/A

CONFORMITY TO CITY POLICY:

This action aligns with City Charter Section 40, which requires that, prior to the end of each fiscal

year, the City Council designate qualified Certified Public Accountants to perform an independent audit of the City's accounts and financial transactions. The selected auditor must have no personal interest in the fiscal affairs of the City and must not be involved in maintaining the City's records. The audit must be conducted as a post-audit of the books and documents maintained by the Department of Finance and other City departments, in accordance with specifications approved by the City Council.

Additionally, Texas Local Government Code Section 103.001 requires all municipalities to conduct an annual audit of their records and accounts and to prepare an annual financial statement based on that audit.

FINANCIAL IMPACT:

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

2027		
Audit - Include compilation of ACFR		\$136,000
Single Audit Base Fee	\$5,000	
Single Audit Major Program (1)	\$7,500	
PFC Audit & Report	\$10,000	
Total	\$158,500	
Estimated 3 major programs @ \$7500 each		\$22,500
Total estimate per year		\$181,000

Is this a one-time or recurring revenue/expenditure?

Recurring expenditure

Is this revenue/expenditure budgeted?

Yes, expenditures are budgeted for all applicable funds in accounting services xxx-54210-xxx-xxx-xxxxxx. The costs related to the FY 2026 audit will be incurred across two fiscal years. The interim audit work is budgeted in the FY 2026 Adopted Budget, and the remaining costs for final audit work will be included in the proposed FY 2027 Budget.

If not, where will the money come from?

N/A

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

Yes. A portion of the cost is included in the FY 2026 Adopted Budget for interim work, and the remainder will be included in the proposed FY 2027 Budget for final audit services, pending Council approval.

RECOMMENDATION:

Staff recommends that the City Council appoint Pattillo, Brown & Hill, LLP to provide independent auditing services to the City of Killeen for the fiscal year ended September 30, 2026.

DEPARTMENTAL CLEARANCES:

Legal

ATTACHED SUPPORTING DOCUMENTS:

Engagement Letter
Fee Schedule
Certificate of Interested Parties
Presentation



May 13, 2026

City of Killeen
802 N. 2nd St Bldg. E, 2nd Floor #215
Killeen, TX 76541

City Council and Management:

You have requested that we audit the financial statements of the governmental activities, the business-type activities, the discretely presented component unit, each major fund, and the aggregate remaining fund information of the City of Killeen, Texas (the "City"), as of September 30, 2026, and for the year then ended, and the related notes to the financial statements, which collectively comprise the City's basic financial statements as listed in the table of contents. In addition, we will audit the City's compliance over major federal award programs for the period ended September 30, 2026. We are pleased to confirm our acceptance and our understanding of this audit engagement by means of this letter.

Our audits will be conducted with the objectives of our expressing an opinion on each opinion unit and an opinion on compliance regarding the City's major federal award programs. The objectives of our audit of the financial statements are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with auditing standards generally accepted in the United States of America (GAAS) and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States of America will always detect a material misstatement when it exists. Misstatements, including omissions, can arise from fraud or error and are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

The objectives of our compliance audit are to obtain sufficient appropriate audit evidence to form an opinion and report at the level specified in the governmental audit requirement about whether the City complied in all material respects with the applicable compliance requirements and identify audit and reporting requirements specified in the governmental audit requirement that are supplementary to GAAS and *Government Auditing Standards*, if any, and perform procedures to address those requirements.

OFFICE LOCATIONS

TEXAS | Waco | Temple | Hillsboro | Houston
NEW MEXICO | Albuquerque



Accounting principles generally accepted in the United States of America require that the Management's Discussion and Analysis, budgetary comparison information, pension and other postemployment benefits information, identified as Required Supplementary Information in the table of contents, be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the required supplementary information (RSI) in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist primarily of inquiries of management regarding their methods of measurement and presentation and comparing the information for consistency with management's responses to our inquiries. We will not express an opinion or provide any form of assurance on the RSI. The following RSI is required by accounting principles generally accepted in the United States of America. This RSI will be subjected to certain limited procedures but will not be audited:

- Management's Discussion and Analysis
- Budgetary Schedules – General Fund and Major Special Revenue Funds
- Schedule of Changes in Net Pension Liability and Related Ratios - Texas Municipal Retirement System
- Schedule of Pension Contributions - Texas Municipal Retirement System
- Schedule of Changes in Net Pension Liability and Related Ratios - Firefighter's Relief and Retirement Fund
- Schedule of Changes in Total Other Postemployment Benefit (OPEB) Liability and Related Ratios - Supplemental Death Benefits Fund
- Schedule of Changes in Total Other Postemployment Benefit (OPEB) Liability and Related Ratios - Postemployment Healthcare Plan.

Supplementary information other than RSI will accompany the City's basic financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the basic financial statements and certain additional procedures, including comparing and reconciling the supplementary information to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and additional procedures in accordance with auditing standards generally accepted in the United States of America. We intend to provide an opinion on the following supplementary information in relation to the financial statements as a whole:

- Combining and Individual Statements and Schedules.

Also, the document we submit to you will include the following other additional information that will not be subjected to the auditing procedures applied in our audit of the financial statements:

- Introductory Section
- Statistical Section.

Schedule of Expenditures of Federal Awards

We will subject the schedule of expenditures of federal awards to the auditing procedures applied in our audit of the basic financial statements and certain additional procedures, including comparing and reconciling the schedule to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and additional procedures in accordance with auditing standards generally accepted in the United States of America. We intend to provide an opinion on whether the schedule of expenditures of federal awards is presented fairly in all material respects in relation to the financial statements as a whole.

Data Collection Form

Prior to the completion of our engagement, we will complete the sections of the Data Collection Form that are our responsibility. The form will summarize our audit findings, amounts and conclusions. It is management's responsibility to submit a reporting package including financial statements, schedule of expenditure of federal awards, summary schedule of prior audit findings and corrective action plan along with the Data Collection Form to the federal audit clearinghouse. The financial reporting package must be text searchable, unencrypted, and unlocked. Otherwise, the reporting package will not be accepted by the federal audit clearinghouse. We will assist you in the electronic submission and certification. You may request from us copies of our report for you to include with the reporting package submitted to pass-through entities.

The Data Collection Form is required to be submitted within the earlier of 30 days after receipt of our auditors' reports or nine months after the end of the audit period, unless specifically waived by a federal cognizant or oversight agency for audits. Data Collection Forms submitted untimely are one of the factors in assessing programs at a higher risk.

Audit of the Financial Statements

We will conduct our audit in accordance with auditing standards generally accepted in the United States of America (U.S. GAAS), the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States of America; the audit requirements of Title 2 U.S. Code of Federal Regulations (CFR) Part 200 and *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance)*.

As part of an audit of financial statements in accordance with GAAS and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States of America we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. However, we will communicate to you in writing concerning any significant deficiencies or material weaknesses in internal control relevant to the audit of the financial statements that we have identified during the audit.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Conclude, based on the audit evidence obtained, whether there are conditions or events considered in the aggregate that raise substantial doubt about the City's ability to continue as a going concern for a reasonable period of time.

Although we are currently in the planning stage of our audit, we have identified the following significant risks during our audit to date that require special audit consideration:

- Management override of controls is considered an inherent risk according to GAAS.

Because of the inherent limitations of an audit, together with the inherent limitations of internal control, an unavoidable risk that some material misstatements or noncompliance may not be detected exists, even though the audit is properly planned and performed in accordance with GAAS and *Government Auditing Standards* of the Comptroller General of the United States of America. Please note that the determination of abuse is subjective, and *Government Auditing Standards* does not require auditors to detect abuse.

Our responsibility as auditors is limited to the period covered by our audit and does not extend to any other periods.

We will issue a written report upon completion of our audit of the City's basic financial statements. Our report will be addressed to those charged with governance of the City. Circumstances may arise in which our report may differ from its expected form and content based on the results of our audit. Depending on the nature of these circumstances, it may be necessary for us to modify our opinions, add an emphasis-of-matter or other-matter paragraph(s) to our auditor's report, or if necessary, withdraw from the engagement. If our opinions on the basic financial statements are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or to issue a report as a result of this engagement.

In accordance with the requirements of *Government Auditing Standards*, we will also issue a written report describing the scope of our testing over internal control over financial reporting and over compliance with laws, regulations, and provisions of grants and contracts, including the results of that testing. However, providing an opinion on internal control and compliance over financial reporting will not be an objective of the audit and, therefore, no such opinion will be expressed.

Audit of Major Program Compliance

Our audit of the City's major federal award program(s) compliance will be conducted in accordance with the requirements of the Single Audit Act, as amended; and the *Uniform Guidance*, and will include tests of accounting records, a determination of major programs in accordance with the *Uniform Guidance* and other procedures we consider necessary to enable us to express such an opinion on major federal award program compliance and to render the required reports. We cannot provide assurance that an unmodified opinion on compliance will be expressed. Circumstances may arise in which it is necessary for us to modify our opinion or withdraw from the engagement.

The *Uniform Guidance* requires that we also plan and perform the audit to obtain reasonable assurance about whether material noncompliance with applicable laws and regulations, the provisions of contracts and grant agreements applicable to major federal award programs, and the applicable compliance requirements occurred, whether due to fraud or error, and express an opinion on the City's compliance based on the audit. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS, *Government Auditing Standards*, and the *Uniform Guidance* will always detect material noncompliance when it exists. The risk of not detecting material noncompliance resulting from fraud is higher than that resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Noncompliance with the compliance requirements is considered material if there is a substantial likelihood that, individually or in the aggregate, it would influence the judgment made by a reasonable user of the report on compliance about the City's compliance with the requirements of the federal programs as a whole.

As part of a compliance audit in accordance with GAAS and *Government Auditing Standards* of the Comptroller General of the United States of America, we exercise professional judgment and maintain professional skepticism throughout the audit. We also identify and assess the risks of material noncompliance, whether due to fraud or error, and design and perform audit procedures responsive to those risks.

Our procedures will consist of determining major federal programs and, performing the applicable procedures described in the U.S. Office of Management and Budget *Compliance Supplement* for the types of compliance requirements that could have a direct and material effect on each of the City's major programs, and performing such other procedures as we consider necessary in the circumstances. The purpose of those procedures will be to express an opinion on the City's compliance with requirements applicable to each of its major programs in our report on compliance issued pursuant to the *Uniform Guidance*.

Also, as required by the *Uniform Guidance*, we will obtain an understanding of the City's internal control over compliance relevant to the audit in order to design and perform tests of controls to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each of the City's major federal award programs. Our tests will be less in scope than would be necessary to render an opinion on these controls and, accordingly, no opinion will be expressed in our report. However, we will communicate to you regarding, among other matters, the planned scope and timing of the audit and any significant deficiencies and material weaknesses in internal control over compliance that we have identified during the audit.

We will issue a report on compliance that will include an opinion or disclaimer of opinion regarding the City's major federal award programs, and a report on internal controls over compliance that will report any significant deficiencies and material weaknesses identified; however, such report will not express an opinion on internal control.

Management's Responsibilities

Our audit will be conducted on the basis that management and those charged with governance acknowledge and understand that they have responsibility:

1. For the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America.
2. For the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.
3. For identifying, in its accounts, all federal awards received and expended during the period and the federal programs under which they were received.
4. For maintaining records that adequately identify the source and application of funds for federally funded activities.
5. For preparing the schedule of expenditures of federal awards (including notes and noncash assistance received) in accordance with the *Uniform Guidance*.
6. For designing, implementing, and maintaining effective internal control over federal awards that provides reasonable assurance that the City is managing federal awards in compliance with federal statutes, regulations, and the terms and conditions of the federal awards.

7. For identifying and ensuring that the City complies with federal laws, statutes, regulations, rules, provisions of contracts or grant agreements, and the terms and conditions of federal award programs, and implementing systems designed to achieve compliance with applicable federal statutes, regulations, and the terms and conditions of federal award programs.
8. For disclosing accurately, currently, and completely the financial results of each federal award in accordance with the requirements of the award.
9. For identifying and providing report copies of previous audits, attestation engagements, or other studies that directly relate to the objectives of the audit, including whether related recommendations have been implemented.
10. For taking prompt action when instances of noncompliance are identified.
11. For addressing the findings and recommendations of auditors, for establishing and maintaining a process to track the status of such findings and recommendations and taking corrective action on reported audit findings from prior periods and preparing a summary schedule of prior audit findings.
12. For following up and taking corrective action on current year audit findings and preparing a corrective action plan for such findings.
13. For submitting the reporting package and data collection form to the appropriate parties.
14. For making the auditor aware of any significant contractor relationships where the contractor is responsible for program compliance.
15. To provide us with:
 - a. Access to all information of which management is aware that is relevant to the preparation and fair presentation of the financial statements including the disclosures, and relevant to federal award programs, such as records, documentation, and other matters.
 - b. Additional information that we may request from management for the purpose of the audit.
 - c. Unrestricted access to people within the City from whom we determine it necessary to obtain audit evidence.
 - d. A written acknowledgement of all the documents that management expects to issue that will be included in the annual report and the planned timing and method of issuance of that annual report, if one is issued. This document would include more than an annual comprehensive financial report (ACFR) or annual financial report (AFR).
 - e. If applicable, a final version of the annual report (including all the documents that, together, comprise the annual report) in a timely manner prior to the date of the auditor's report.
16. For adjusting the financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the current year period(s) under audit are immaterial, both individually and in the aggregate, to the financial statements as a whole;
17. For acceptance of non-attest services, including identifying the proper party to oversee non-attest work.

18. For maintaining adequate records, selecting and applying accounting principles, and safeguarding assets.
19. For informing us of any known or suspected fraud affecting the City involving management, employees with significant role in internal control and others where fraud could have a material effect on compliance.
20. For the accuracy and completeness of all information provided.
21. For taking reasonable measures to safeguard protected personally identifiable and other sensitive information.
22. For confirming your understanding of your responsibilities as defined in this letter to us in your management representation letter.

With regard to the supplementary information referred to above, you acknowledge and understand your responsibility: (a) for the preparation of the supplementary information in accordance with the applicable criteria; (b) to provide us with the appropriate written representations regarding supplementary information; (c) to include our report on the supplementary information in any document that contains the supplementary information and that indicates that we have reported on such supplementary information; and (d) to present the supplementary information with the audited basic financial statements, or if the supplementary information will not be presented with the audited basic financial statements, to make the audited basic financial statements readily available to the intended users of the supplementary information no later than the date of issuance by you of the supplementary information and our report thereon.

With regard to the schedule of expenditures of federal awards referred to above, you acknowledge and understand your responsibility (a) for the preparation of the schedule of expenditures of federal awards in accordance with the *Uniform Guidance*, (b) to provide us with the appropriate written representations regarding the schedule of expenditures of federal awards, (c) to include our report on the schedule of expenditures of federal awards in any document that contains the schedule of expenditures of federal awards and that indicates that we have reported on such schedule, and (d) to present the schedule of expenditures of federal awards with the audited financial statements, or if the schedule will not be presented with the audited financial statements, to make the audited financial statements readily available to the intended users of the schedule of expenditures of federal awards no later than the date of issuance by you of the schedule and our report thereon.

As part of our audit process, we will request from management written confirmation concerning representations made to us in connection with the audit.

We understand that your employees will prepare all confirmations we request and will locate any documents or invoices selected by us for testing.

If you intend to publish or otherwise reproduce the financial statements and make reference to our firm, you agree to provide us with printers' proof or masters for our review and approval before printing. You also agree to provide us with a copy of the final reproduced material for our approval before it is distributed.

Non-attest Services

We will also assist in preparing the financial statements, schedule of expenditures of federal awards, and related notes of the City in conformity with U.S. generally accepted accounting principles and the requirements of Title 2 U.S. Code of Federal Regulations (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance)* based on information provided by you. These non-audit services do not constitute an audit under *Government Auditing Standards*, and such services will not be conducted in accordance with

Government Auditing Standards. These services are limited to preparing the financial statements, schedule of expenditures of federal awards, and related notes of the City as previously outlined.

We will not assume management responsibilities on behalf of the City. However, we will provide advice and recommendations to assist management of the City in performing its responsibilities.

The City's management is responsible for (a) making all management decisions and performing all management functions; (b) assigning a competent individual to oversee the services; (c) evaluating the adequacy of the services performed; (d) evaluating and accepting responsibility for the results of the services performed; and (e) designing, implementing, and maintaining the system of internal control, including the process used to monitor the system of internal control.

Our responsibilities and limitations of the engagement are limited to our preparation of the financial statements and related note disclosures and the schedule of expenditures of federal awards previously outlined. Our firm, in its sole professional judgment, reserves the right to refuse to do any procedure or take any action that could be construed as making management decisions or assuming management responsibilities, including determining account coding and approving journal entries. Our firm will advise with regard to financial reporting, but the City must make all decisions with regard to those matters.

Government Auditing Standards require that we document an assessment of the skills, knowledge, and experience of management, should we participate in any form of preparation of the basic financial statements and related schedules or disclosures as these actions are deemed a non-audit service.

Engagement Administration, Fees and Timing

We will schedule the engagement based in part on deadlines, working conditions, and the availability of your key personnel. We will plan the engagement based on the assumption that your personnel will cooperate and provide assistance by performing tasks such as preparing requested schedules, retrieving supporting documents, and preparing confirmations. If for whatever reason your personnel are unavailable to provide the necessary assistance in a timely manner, it may substantially increase the work we have to do to complete the engagement within the established deadlines, resulting in an increase in fees over our original fee estimate.

The timing of our audit will be scheduled for performance and completion as follows:

Document internal control and preliminary tests	September 2026
Mail confirmations	October 2026
Perform year-end audit procedures	January 2027
Issue audit reports	March 2027.

Todd Pruitt is the engagement partner for the audit services specified in this letter. His responsibilities include supervising Pattillo, Brown & Hill, LLP's services performed as part of this engagement and signing or authorizing another qualified firm representative to sign the audit report.

Our fees for the audit services will be at our standard hourly rates plus out-of-pocket costs (such as reports reproduction, word processing, postage, travel, copies, telephone, etc.) as outlined in our fee proposal dated June 9, 2022. Our standard hourly rates vary according to the degree of responsibility involved and the level of experience of the personnel assigned to your audit. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. In accordance with our firm policies, work may be suspended if your account becomes

30 days or more overdue and may not be resumed until your account is paid in full. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed upon written notification of termination, even if we have not completed our report(s). You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket costs through the date of termination. The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional cost.

In addition to the audit services outlined in our fee proposal dated June 9, 2022, we will also perform the following procedures:

- We will prepare the City's Annual Comprehensive Financial Report.

Our fees for these additional nonattest services will be at our standard hourly rates plus out-of-pocket costs (such as report production, word processing, copies, etc.) as outlined in our original fee proposal dated June 9, 2022, except that we agree these additional fees will not exceed \$10,000.

Other Matters

During the course of the engagement, we may communicate with you or your personnel via fax or email, and you should be aware that communication in those mediums contains a risk of misdirected or intercepted communications. In addition to fax and email, our firm also exchanges data over the internet using other methods (such as portals) or store electronic data via software applications hosted remotely through a third-party vendor's secured portal and/or cloud.

Regarding the electronic dissemination of audited financial statements, including financial statements published electronically on your Internet website, you understand that electronic sites are a means to distribute information and, therefore, we are not required to read the information contained in these sites or to consider the consistency of other information in the electronic site with the original document.

Professional standards prohibit us from being the sole host and/or the sole storage for your financial and non-financial data. As such, it is your responsibility to maintain your original data and records, and we cannot be responsible to maintain such original information. By signing this engagement letter, you affirm that you have all the data and records required to make your books and records complete.

You authorize us to disclose any and all information you furnish to us in connection with the services provided under this engagement, including audit procedures, to third-party service providers who assist us in fulfilling our professional responsibilities. These service providers may be located within or outside the United States. Such disclosures may include, but are not limited to, confidential financial or investment information necessary to complete assessments or verify valuations. We have obtained confidentiality agreements with all our service providers to maintain the confidentiality of your information, and we will take reasonable precautions to determine that they have the appropriate procedures in place to prevent the unauthorized release of confidential information to others. We will remain responsible for the work provided by any third-party service providers used under this agreement. By your signature below, you consent to having confidential information transmitted to entities outside the firm. Please feel free to inquire if you would like additional information regarding the transmission of confidential information to entities outside the firm.

The audit documentation for this engagement is the property of Pattillo, Brown & Hill, LLP and constitutes confidential information. However, we may be requested to make certain audit documentation available to federal or state agencies and the U.S. Government Accountability Office pursuant to authority given to it by law or regulation, or to peer reviewers. If requested, access to such audit documentation will be provided under the supervision of Pattillo, Brown & Hill's personnel.

Furthermore, upon request, we may provide copies of selected audit documentation to these agencies and regulators. The regulators and agencies may intend, or decide, to distribute the copies of information contained therein to others, including other governmental agencies.

Further, we will be available during the year to consult with you on financial management and accounting matters of a routine nature.

During the course of the audit, we may observe opportunities for economy in, or improved controls over, your operations. We will bring such matters to the attention of the appropriate level of management, either orally or in writing.

We agree to retain our audit documentation or work papers for a period of at least five years from the date of our report.

You agree to inform us of facts that may affect the financial statements of which you may become aware during the period from the date of the auditor's report to the date the financial statements are issued.

At the conclusion of our audit engagement, we will communicate to management and those charged with governance the following significant findings from the audit:

- Our view about the qualitative aspects of the City's significant accounting practices.
- Significant difficulties, if any, encountered during the audit.
- Uncorrected misstatements, other than those we believe are trivial, if any.
- Disagreements with management, if any.
- Other findings or issues, if any, arising from the audit that are, in our professional judgment, significant and relevant to those charged with governance regarding their oversight of the financial reporting process.
- Material, corrected misstatements that were brought to the attention of management as a result of our audit procedures.
- Representations we requested from management.
- Management consultations with other accountants, if any.
- Significant issues, if any, arising from the audit that were discussed, or the subject of correspondence, with management.

In accordance with the requirements of *Government Auditing Standards*, we have attached a copy of our latest external peer review report of our firm for your consideration and files.

Please sign and return the attached copy of this letter to indicate your acknowledgment of, and agreement with, the arrangements for our audit of the financial statements, compliance over major federal award programs including our respective responsibilities.

We appreciate the opportunity to be your financial statement auditor and look forward to working with you and your staff.

Respectfully,
Pattillo, Brown & Hill, L.L.P.



Todd Pruitt, CPA
Waco, Texas

RESPONSE:

This letter correctly sets forth our understanding.

Acknowledged and agreed on behalf of City of Killeen, Texas, by:

Name: _____

Title: _____

Date: _____

Report on the Firm's System of Quality Control

December 12, 2025

To the Partners of Pattillo, Brown & Hill, LLP
and the National Peer Review Committee

We have reviewed the system of quality control for the accounting and auditing practice of Pattillo, Brown & Hill, LLP (the firm) in effect for the year ended May 31, 2025. Our peer review was conducted in accordance with the Standards for Performing and Reporting on Peer Reviews established by the Peer Review Board of the American Institute of Certified Public Accountants (Standards).

A summary of the nature, objectives, scope, limitations of, and the procedures performed in a System Review as described in the Standards may be found at www.aicpa.org/prsummary. The summary also includes an explanation of how engagements identified as not performed or reported on in conformity with applicable professional standards, if any, are evaluated by a peer reviewer to determine a peer review rating.

Firm's Responsibility

The firm is responsible for designing and complying with a system of quality control to provide the firm with reasonable assurance of performing and reporting in conformity with the requirements of applicable professional standards in all material respects. The firm is also responsible for evaluating actions to promptly remediate engagements deemed as not performed or reported on in conformity with the requirements of applicable professional standards, when appropriate, and for remediating weaknesses in its system of quality control, if any.

Peer Reviewer's Responsibility

Our responsibility is to express an opinion on the design of and compliance with the firm's system of quality control based on our review.

Required Selections and Considerations

Engagements selected for review included engagements performed under *Government Auditing Standards* including compliance audits under the Single Audit Act; an audit of an employee benefit plan; and an audit performed under FDICIA.

As a part of our peer review, we considered reviews by regulatory entities as communicated by the firm, if applicable, in determining the nature and extent of our procedures.

Opinion

In our opinion, the system of quality control for the accounting and auditing practice of Pattillo, Brown & Hill, LLP in effect for the year ended May 31, 2025, has been suitably designed and complied with to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of *pass*, *pass with deficiency(ies)* or *fail*. Pattillo, Brown & Hill, LLP has received a peer review rating of *pass*.

Ericksen Krentel, LLP

Certified Public Accountants



FEE PROPOSAL

PRESENTED TO
City of Killeen, Texas

DATE
June 9, 2022

PATILLO, BROWN & HILL

401 West State Highway 6,
Waco, TX

254.772.4901 | pbhcpa.com





Name of Firm: Pattillo, Brown & Hill, L.L.P.

Certification that the person signing this proposal is entitled to represent the Firm and authorized to sign a contract with the City of Killeen, Texas:

So Certified

Name: Todd Pruitt

Title: Partner

Signature: *Todd Pruitt*

Date: June 9, 2022

ESTIMATED COSTS FOR FISCAL YEAR 2022:

Financial Statement Audit	\$126,000
Federal Single Audit:	
Base fee	5,000
Each major program	<u>7,500</u>
Subtotal	12,500
Passenger Facility Charge Program	<u>10,000</u>
Total cost estimate	\$148,500

ESTIMATED COSTS FOR EACH FISCAL YEAR:

Fiscal Year	Total All-Inclusive Maximum Price (\$)
2022	148,500
2023	148,500
2024	148,500
2025	148,500
2026	148,500



CALCULATION OF COST ESTIMATE FOR ANNUAL FINANCIAL STATEMENT AUDIT:

	Hours	Hourly rate (\$)	Total (\$)
Partner	60	250	15,000
Manager	100	175	17,500
Senior	240	125	30,000
Staff	<u>600</u>	100	<u>60,000</u>
	1000		122,500
Out-of-pocket expenses			<u>3,500</u>
Total			126,000

RATES FOR ADDITIONAL SERVICES

Our stated fees include all out-of-pocket expenses and will not be exceeded unless significant, new audit, accounting or regulatory requirements are imposed. We would discuss those factors prior to any audit work being performed.

There will be no additional costs billed under this engagement. If it should become necessary for the City to request us to render any additional services to either supplement the services requested in this request for proposals or to perform additional work as a result of the specific recommendations included in any report issued during this engagement, then such additional work shall be performed only if set forth in an addendum to the contract between the City and PB&H and shall be performed at the same rates set forth below.

Partner	\$250
Manager	\$175
Senior	\$125
Staff	\$100

The rates are open for discussion and will depend upon the requested task. We would not start work or begin billing for work until we had agreed to the rates and terms with the City.

MANNER OF PAYMENT

Pattillo, Brown & Hill, L.L.P. accepts the preferred payment terms stated in the City's RFP.



EXCELLENCE.

At Pattillo, Brown & Hill, L.L.P.,
our people make the difference.

With our extensive public sector experience, strong regulatory and technical expertise, client-centered approach, and competitive fee structure, PB&H provides an unmatched level of client-service commitment.

PAULA LOWE, CPA

plowe@pbhcpa.com

JOHN K. MANNING, CPA

jkmanning@pbhcpa.com

TODD PRUITT, CPA

tpruitt@pbhcpa.com

CHRIS PRUITT, CPA

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CHRIS GARNER, CPA

Chris.garner@pbhcpa.com

QUALITY AUDIT & ACCOUNTING SERVICES



PATTILLO, BROWN & HILL, LLP

pbhcpa.com

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.
Pattillo, Brown & Hill, L.L.P.
Waco, TX United States

Certificate Number:
2026-1462009

Date Filed:
05/14/2026

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.
FY2026
Financial Audit Services

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary
	Manning, Jennifer	Waco, TX United States	X	
	Pruitt, Todd	Waco, TX United States	X	
	Lucas, Mike	Waco, TX United States	X	

5 Check only if there is NO Interested Party.

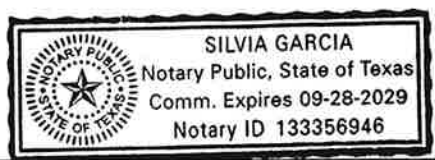
6 UNSWORN DECLARATION

My name is Todd Pruitt, and my date of birth is 1/13/70.

My address is 401 W State Highway 6, Waco, TX, 76710, USA.
(city) (state) (zip code) (country)

I declare under penalty of perjury that the foregoing is true and correct.

Executed in McLennan County, State of Texas, on the 14th day of May, 2026.
(month) (year)



Todd Pruitt
Signature of authorized agent of contracting business entity
(Declarant)



INDEPENDENT AUDITING SERVICES

RS-26-101

July 7, 2026

Audit Firm Selection Background

2

- ❑ City Charter and the Financial Governance Policy requires City Council to designate a Certified Public Accountant to perform the City's annual audit
- ❑ City's Financial Governance Policy requires the City to request proposals every five years from qualified firms
- ❑ City Council awarded the auditing services agreement to Pattillo, Brown & Hill, LLP on August 16, 2022

Audit Firm Selection Background (cont'd)

3

- Initial agreement was for the audit of fiscal years 2022 and 2023, with the option to renew for three additional fiscal years.
 - ▣ FY 2026 is the third of the additional three subsequent fiscal year option
- FY 2026 estimated audit cost is \$181,000

Annual Audit Process Timeline

Jul-Sep

- Interim Audit
- Interviews and internal controls.
- Samples Testing
- **Sep 30 - Fiscal Year Ends**

Oct-Dec

- Final invoices and year-end accruals
- Revenue Accruals
- Account Recons
- Year-end schedules

Jan-Feb

- Final Audit Fieldwork
- Additional Sample Testing
- Review Recons
- Draft Final Report

Mar

- Review Final Reports
- Audit Committee Meeting
- Council Acceptance
- ACFR filed with City Secretary

Recommendation

The Audit Committee and staff recommend that the City Council renew the agreement with Pattillo, Brown & Hill, LLP to provide auditing services for the fiscal year ending September 30, 2026.



City of Killeen

Staff Report

File Number: RS-26-102

Consider a memorandum/resolution setting July 28, 2026, at 5:00 p.m. as the date and time for the public hearing on the Fiscal Year 2027 Proposed Budget to be held in City Council Chambers, 101 N. College Street, Killeen, Texas.

DATE: July 7, 2026

TO: Kent Cagle, Interim City Manager

FROM: Judith Tangalin, Executive Director of Finance

SUBJECT: Establish Date, Time and Location of Public Hearing on Fiscal Year 2027 Budget

BACKGROUND AND FINDINGS:

Pursuant to City Charter Article V, Section 54, the City Council is required to fix the time and place of a public hearing on the proposed budget at the same meeting in which the budget is submitted.

Staff recommends that Council set the public hearing as follows:

Date: Tuesday, July 28, 2026

Time: 5:00 p.m.

Location: City Council Chambers, 101 N. College Street, Killeen, Texas

THE ALTERNATIVES CONSIDERED:

N/A

Which alternative is recommended? Why?

N/A

CONFORMITY TO CITY POLICY:

This action complies with City Charter Article V, Sections 54-55, which requires Council to set the time and place for a budget hearing and conduct the hearing at the designated date and location.

FINANCIAL IMPACT:

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

N/A

Is this a one-time or recurring revenue/expenditure?

N/A

Is this revenue/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 revenue/expenditure?

N/A

RECOMMENDATION:


Staff recommends City Council approve a memorandum/resolution setting July 28, 2026 at 5:00 p.m. in City Council Chambers, 101 N. College Street, Killeen, Texas as the date, time, and location for the public hearing on the Fiscal Year 2027 Proposed Budget, in accordance with City Charter Article V, Section 54.

DEPARTMENTAL CLEARANCES:

Click or tap here to enter text.

ATTACHED SUPPORTING DOCUMENTS:

Presentation

A stylized graphic consisting of a grey five-pointed star at the top right, with a curved grey line extending from its base towards the bottom left. The line is composed of several overlapping segments, creating a sense of motion or a path. The background is white.

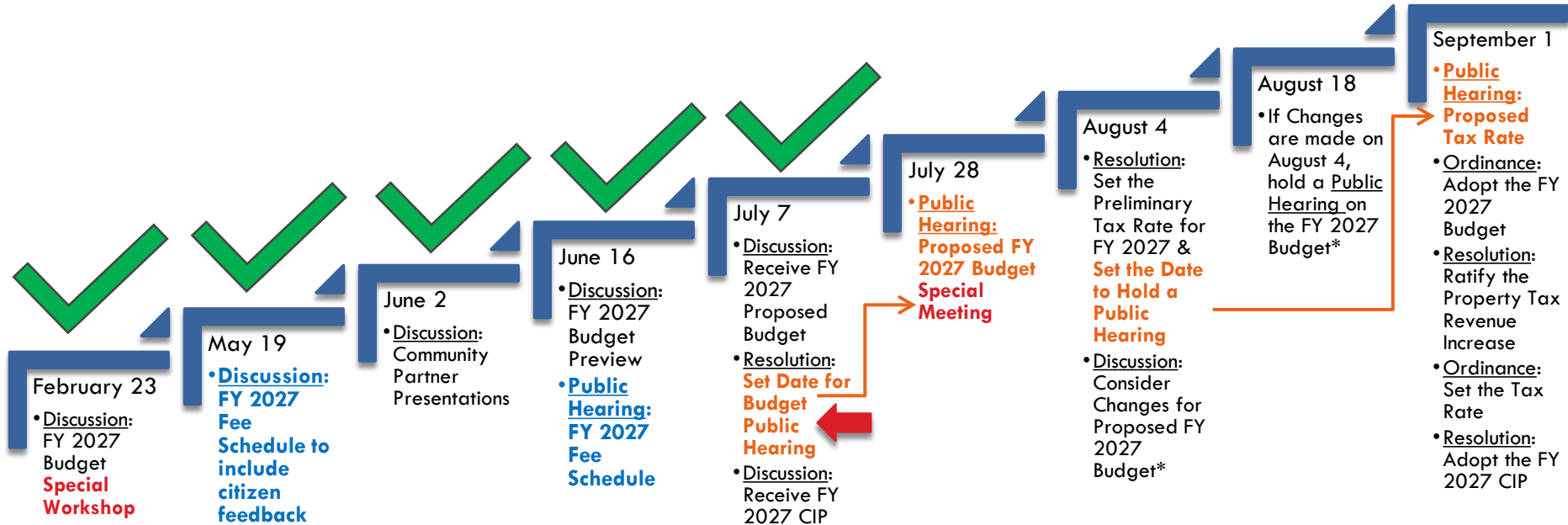
SET THE PUBLIC HEARING DATE FOR FY 2027 PROPOSED BUDGET

RS-26-102

July 7, 2026

Budget Calendar

2



Public Hearing on FY 2027 Budget

3

In accordance with City Charter Section 54, the City Council must establish the date, time, and location for the required public hearing on the budget.

Set the public hearing as follows:

Date: July 28, 2026

Time: 5:00 PM

Location: City Council Chambers, 101 N. College Street, Killeen, TX



City of Killeen

Staff Report

File Number: RS-26-103

Consider a memorandum/resolution to authorize the approval of the Fiscal Year 2027 Fee Increases for the Animal Services Division.

DATE: July 7, 2026
TO: Kent Cagle, Interim City Manager
FROM: Judith Tangalin, Executive Director of Finance
SUBJECT: FY 2027 Fee Increases (Animal Services)

BACKGROUND AND FINDINGS:

As part of the annual budget process, the City of Killeen reviews user fees to ensure alignment with the City's Financial Governance Policy, cost recovery objectives, and operational needs. Proposed fee changes for Fiscal Year 2027 were presented to City Council during the May 19, 2026 meeting and made available for public review in advance of the required public hearing.

On June 16, 2026, City Council conducted the required public hearing and approved the Fiscal Year 2027 Fee Schedule as presented, with amendments to certain Parks and Recreation and Solid Waste fees. During consideration of the fee schedule, Council discussed the proposed Animal Services fees and provided a motion of direction to remove those fees from the Fiscal Year 2027 Fee Schedule being considered for approval.

As directed by City Council, the Animal Services fees were excluded from the adopted Fiscal Year 2027 Fee Schedule. Council further directed staff to review and revise the proposed Animal Services fees and return the item for consideration at the July 7, 2026 City Council meeting.

Below is a comprehensive list of proposed animal services fee modifications.

Animal Services

Fee	Current	Proposed
Adoption - Barn Cat	0.00	15.00
Adoption - Cat	0.00	60.00
Adoption - Dog	0.00	75.00
Adoption - Hen	0.00	10.00
Adoption - Small Animal and Exotic	0.00	15.00
General Cremation - Bulk	0.00	70.00
Private Cremation - Up to 30 lbs.	0.00	130.00
Private Cremation - 31 to 60 lbs.	0.00	150.00
Private Cremation - 61 to 90 lbs.	0.00	180.00
Private Cremation - 91 lbs. and above	0.00	210.00
ACO Field Impoundment	0.00	10.00

Impound - Intact Animal (1st Occurrence)	0.00	45.00		
Impound - Intact Animal (2nd Occurrence)	0.00	70.00		
Impound - Intact Animal (3rd+ Occurrence)	0.00	150.00		
Impound - Small and Exotic Animals	0.00	20.00		
Impound - Sterilized Animal (1st Occurrence)	0.00	30.00		
Impound - Sterilized Animal (2nd Occurrence)	0.00	40.00		
Impound - Sterilized Animal (3rd+ Occurrence)	0.00	100.00		
Impound - Large Livestock (Horses, Cattle, Mules, etc.)	0.00	100.00		
Impound - Small Livestock (Goats, Sheep, Pigs, Chickens, etc.)			0.00	30.00
Redemption Boarding - Large Livestock (Horses, Cattle, Mules, etc.)			0.00	10.00
Redemption Boarding - Small and Exotic Animals	0.00	10.00		
Redemption Boarding - Small Livestock (Goats, Sheep, Pigs, Chickens, etc.)			0.00	10.00
State Required Quarantine Boarding	35.00	20.00		
Medical Grooming	0.00	50.00		
Canine Heartworm & Feline Combo Testing	0.00	15.00		
Rabies Testing Submission	0.00	100.00		
Cat Neuter	0.00	75.00		
Cat Spay	0.00	75.00		
Dog Neuter	0.00	75.00		
Dog Spay	0.00	75.00		
Elizabethan Collar	0.00	10.00		
In-House Veterinary Examination	0.00	50.00		
Rabies Vaccination for Privately Owned Pets	0.00	10.00		
Replacement Rabies Tags	0.00	5.00		
Owner Surrender - Litter of Kittens	0.00	80.00		
Owner Surrender - Litter of Puppies	0.00	80.00		
Owner Surrender - Small Animal and Exotic	0.00	10.00		
Owner Surrender - Small Livestock (Goats, Sheep, Pigs, Chickens, etc.)			0.00	20.00
Owner Surrender - Sterilized	35.00	45.00		
Aggressive Dog Registration	90.00	50.00		
Animal Exhibition Permit	0.00	10.00		
Business Permit for Kennel, Pet Shop, Riding School or Stables			37.50	45.00
Permit Inspection	0.00	25.00		
Live Trap Deposit - Large	At Cost	100.00		

THE ALTERNATIVES CONSIDERED:

N/A

Which alternative is recommended? Why?

N/A

CONFORMITY TO CITY POLICY:

This conforms to requirements set forth in the City Charter, Article III, Section 38; and Financial

Governance Policy VIII(B).

FINANCIAL IMPACT:

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

As part of the FY 2027 Fee Review process, each department provided an estimated quantity for each fee collected. The associated fiscal impact of the animal services increased fees is approximately \$56,455.

Is this a one-time or recurring revenue/expenditure?

These rate increases will generate revenues on a recurring basis.

Is this revenue/expenditure budgeted?

Yes, conservative revenue is included in the FY 2027 Proposed Budget based on internal projections, subject to City Council approval.

If not, where will the money come from?

N/A

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

Yes, conservative revenue is included in the FY 2027 Proposed Budget based on internal projections, subject to City Council approval.

RECOMMENDATION:

City Staff recommends that the City Council authorize the approval of the Fiscal Year 2027 Fee Increase for Animal Services Division as proposed.

DEPARTMENTAL CLEARANCES:

Finance
City Attorney

ATTACHED SUPPORTING DOCUMENTS:

Presentation



FY 2027 PROPOSED BUDGET FEE INCREASES-ANIMAL SERVICES

RS-26-103

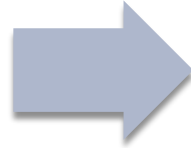
July 7, 2026

Timeline

2

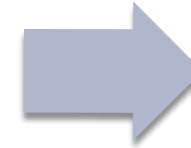
May 19

- **Discussion:** FY 2027 Fee Schedule to include citizen feedback



June 16

- **Public Hearing:** FY 2027 Fee Schedule Motion of Direction to review and revise the proposed Animal Services fees and return the item for consideration at the July 7, 2026, City Council meeting.



July 7

- **Resolution:** Reconsideration of the Animal Services fee schedule.

Follow-Up from June 16th Public Hearing

3

- Animal Services

4

City Manager

- Animal Services

Animal Services

5

New Fees

Type	Unit	Benchmark Average	Current Fee	Proposed Fee	Change
<i>Cremations</i>					
Private (Up to 30 lbs)	Per Animal	N/A	\$0.00	\$130.00	\$130.00
Private (31-60 lbs)	Per Animal	N/A	\$0.00	\$150.00	\$150.00
Private (61-90 lbs)	Per Animal	N/A	\$0.00	\$180.00	\$180.00
Private (91 lbs and above)	Per Animal	N/A	\$0.00	\$210.00	\$210.00
<i>Impoundments</i>					
ACO Field Impoundment	Per Animal	\$22.50	\$0.00	\$10.00	\$10.00

Animal Services

6

New Fees

Type	Unit	Benchmark Average	Current Fee	Proposed Fee	Change
<i>Impoundment</i>					
Impound – Small and Exotic Animals	Per Animal	\$48.33	\$0.00	\$20.00	\$20.00
<i>Livestock Impoundment</i>					
Impound – Large Livestock	Per Animal	\$83.00	\$0.00	\$100.00	\$100.00
Impound – Small Livestock	Per Animal	\$61.67	\$0.00	\$30.00	\$30.00

Animal Services

7

New Fees

Type	Unit	Benchmark Average	Current Fee	Proposed Fee	Change
<i>Livestock Impoundment</i>					
Redemption Boarding – Large Livestock	Per Animal/ Per Day	\$13.75	\$0.00	\$10.00	\$10.00
Redemption Boarding – Small Livestock	Per Animal/ Per Day	\$11.00	\$0.00	\$10.00	\$10.00
Redemption Boarding – Small and Exotic Animals	Per Animal/ Per Day	\$10.00	\$0.00	\$10.00	\$10.00

Animal Services

8

New Fees

Type	Unit	Benchmark Average	Current Fee	Proposed Fee	Change
<i>Medical</i>					
Medical Grooming	Per Animal	\$50.00	\$0.00	\$50.00	\$50.00
Canine Heartworm & Feline Combo Testing	Per Animal	\$15.00	\$0.00	\$15.00	\$15.00
Rabies Testing Submission	Per Animal	\$113.57	\$0.00	\$100.00	\$100.00

Animal Services

9

New Fees

Type	Unit	Benchmark Average	Current Fee	Proposed Fee	Change
<i>Veterinary Service</i>					
Cat Neuter	Per Animal	\$72.00	\$0.00	\$75.00	\$75.00
Cat Spay	Per Animal	\$79.00	\$0.00	\$75.00	\$75.00
Dog Neuter	Per Animal	\$89.00	\$0.00	\$75.00	\$75.00
Dog Spay	Per Animal	\$94.00	\$0.00	\$75.00	\$75.00
Elizabethan Collar	Per Animal	\$10.00	\$0.00	\$10.00	\$10.00
In-House Veterinary Examination	Per Animal	\$50.00	\$0.00	\$50.00	\$50.00

Animal Services

10

New Fees

Type	Unit	Benchmark Average	Current Fee	Proposed Fee	Change
<i>Veterinary Service</i>					
Rabies Vaccination for Privately Owned Pets	Per Animal	\$14.38	\$0.00	\$10.00	\$10.00
Replacement Rabies Tags	Per Animal	\$4.50	\$0.00	\$5.00	\$5.00
<i>Owner Surrender</i>					
Litter of Kittens	Per Litter	\$72.14	\$0.00	\$80.00	\$80.00
Litter of Puppies	Per Litter	\$72.14	\$0.00	\$80.00	\$80.00

Animal Services

11

New Fees

Type	Unit	Benchmark Average	Current Fee	Proposed Fee	Change
<i>Owner Surrender</i>					
Small Animal and Exotic	Per Animal	\$10.00	\$0.00	\$10.00	\$10.00
Small Livestock	Per Animal	N/A	\$0.00	\$20.00	\$20.00
<i>Permits</i>					
Animal Exhibition Permit	Per Activity	\$50.00	\$0.00	\$10.00	\$10.00
<i>Inspections</i>					
Permit Inspection	Per Permit	\$50.00	\$0.00	\$25.00	\$25.00

Animal Services

12

Fee Increase

Type	Unit	Benchmark Average	Current Fee	Proposed Fee	Change
<i>Owner Surrender</i>					
Sterilized	Per Surrender	\$45.00	\$35.00	\$45.00	\$10.00
<i>Permits</i>					
Business Permit for Kennel, Pet Shop, Riding School or Stables	Per Business	\$70.00	\$37.50	\$45.00	\$7.50

Animal Services

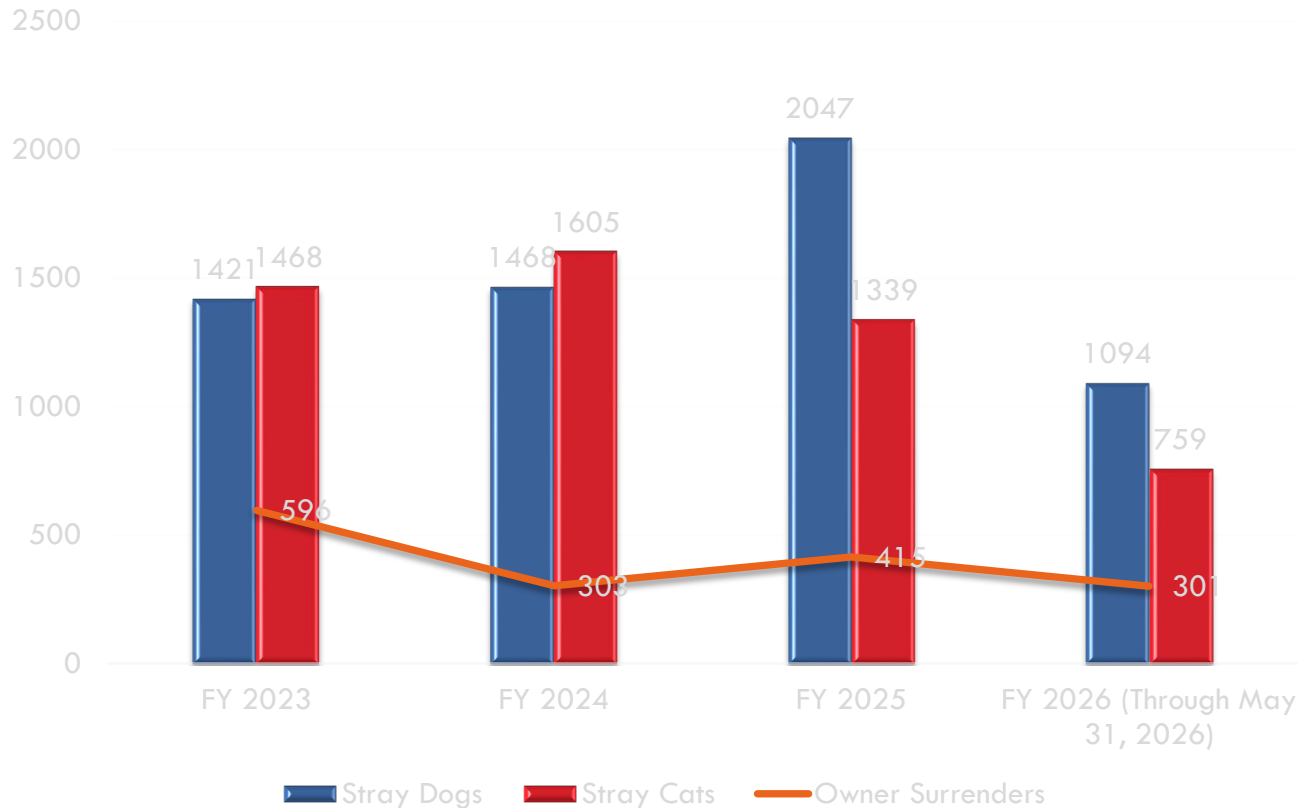
13

Fee Comparison

Type	Unit	Current Fee	Benchmark Avg. City Size	Benchmark Avg. Local/Regional	Benchmark Avg.	Proposed Fee
<i>Owner Surrenders</i>						
Sterilized	Per Animal	\$35.00	\$45.00	\$45.00	\$45.00	\$45.00
Unsterilized	Per Animal	\$75.00	\$68.75	\$45.00	\$60.83	\$75.00
Litter of Puppies/Kittens	Per Litter (Proposed)	Priced per animal	\$85.00	\$55.00	\$72.14	\$80.00

Animal Services

Owner Surrendered Animals vs. Stray Intakes



- ❑ Surrender fees have not changed within the targeted timeframe
- ❑ Owner surrenders are performed by appointment only (6 appointments available per week on Thursdays)
- ❑ Appointments are currently booked through late October 2026
- ❑ Fluctuations in surrender numbers do not show a consistent relationship with stray intake

Animal Services

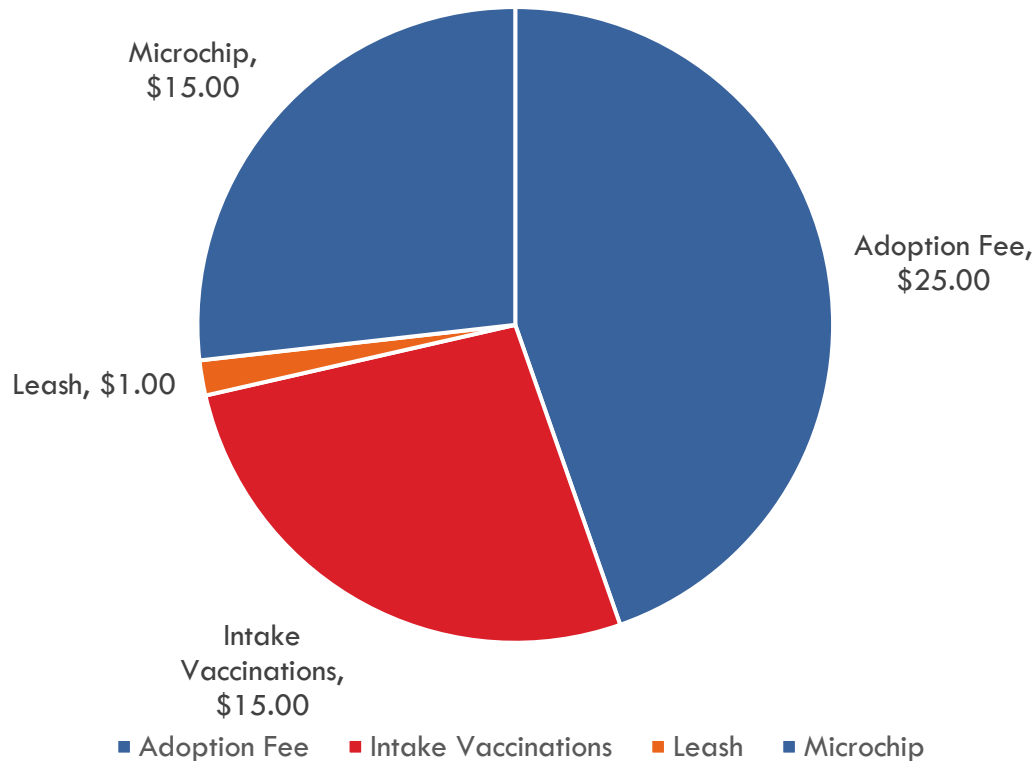
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Restructured Fees

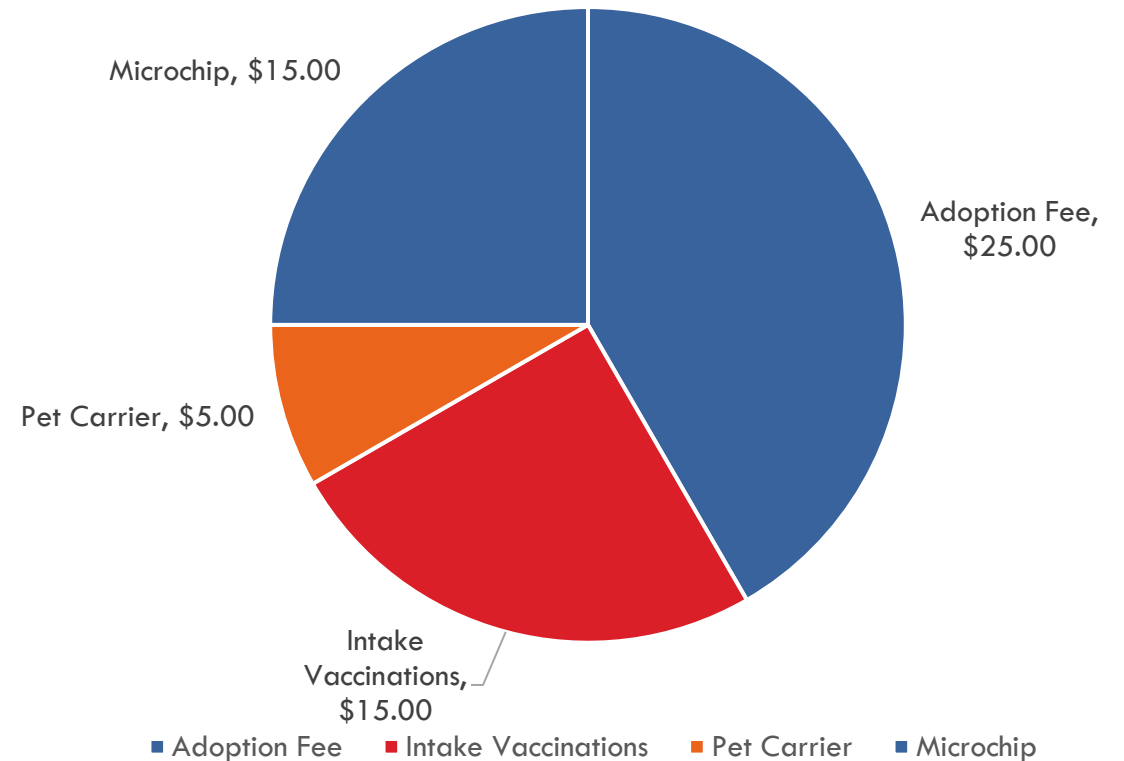
Type	Unit	Benchmark Average	Current Fee	Proposed Fee	Change
<i>Adoptions</i>					
Adoption – Barn Cats	Per Animal	\$15.00	\$0.00	\$15.00	\$15.00
Adoption – Cat	Per Animal	\$53.31	\$0.00	\$60.00	\$60.00
Adoption – Dog	Per Animal	\$60.62	\$0.00	\$75.00	\$75.00
Adoption – Hen	Per Animal	\$11.00	\$0.00	\$10.00	\$10.00
Adoption – Small Animal and Exotic	Per Animal	\$15.71	\$0.00	\$15.00	\$15.00
<i>Cremations</i>					
General Bulk	Per Animal	\$60.00	\$0.00	\$70.00	\$70.00

Animal Services

Current Fees - Unsterilized Dog
Total - \$56.00

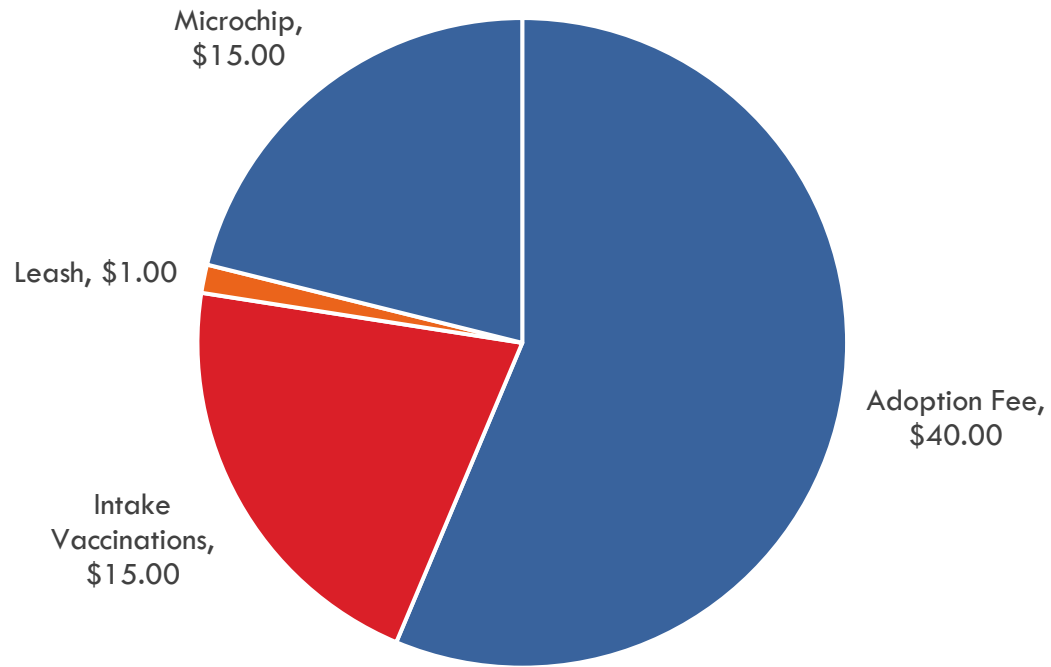


Current Fees - Unsterilized Cat
Total - \$60.00



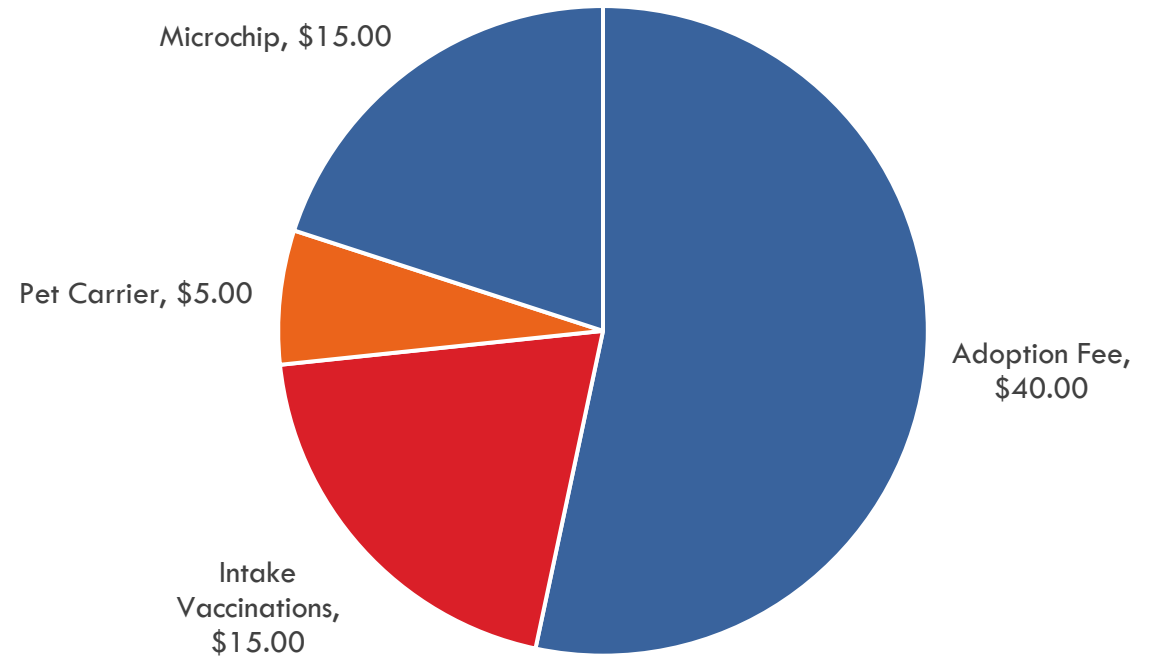
Animal Services

Current Fees - Sterilized Dog
Total - \$71.00



■ Adoption Fee ■ Intake Vaccinations ■ Leash ■ Microchip

Current Fees - Sterilized Cat
Total - \$75.00



■ Adoption Fee ■ Intake Vaccinations ■ Pet Carrier ■ Microchip

Animal Services

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New Fees

Proposed Adoption Fee – Dog \$75.00

- Includes the following:
 - ▣ Sterilization by KAS (if applicable)
 - ▣ Microchip
 - ▣ Intake vaccinations
 - ▣ Leash

Proposed Adoption Fee – Cat \$60.00

- Includes the following:
 - ▣ Sterilization by KAS (if applicable)
 - ▣ Microchip
 - ▣ Intake vaccinations
 - ▣ Pet carrier

Animal Services

- The proposed adoption fees provide transparency for adopters as they are inclusive of all services provided by KAS and do not require adopters to request information regarding a specific animal to know what price they should expect to pay at the time of adoption.
- For FY 2027, KAS is working to ensure as many adoptable animals are sterilized prior to adoption (when age appropriate) as possible. The proposed fees will aid in covering the cost of these surgeries with only a \$4.00 increase for adopting a sterilized dog. The cost to adopt a sterilized cat will decrease by \$15.00.

Animal Services

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Restructured Fees

Type	Unit	Benchmark Average	Current Fee	Proposed Fee	Change
<i>Impoundment</i>					
Impound – Intact Animal (1st Occurrence)	Per Animal	\$41.33	\$0.00	\$45.00	\$45.00
Impound – Intact Animal (2nd Occurrence)	Per Animal	\$69.00	\$0.00	\$70.00	\$70.00
Impound – Intact Animal (3rd + Occurrence)	Per Animal	\$77.33	\$0.00	\$100.00	\$100.00

Animal Services

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Restructured Fees

Type	Unit	Benchmark Average	Current Fee	Proposed Fee	Change
<i>Impoundment</i>					
Impound – Sterilized Animal (1st Occurrence)	Per Animal	\$27.86	\$0.00	\$30.00	\$30.00
Impound – Sterilized Animal (2nd Occurrence)	Per Animal	\$41.67	\$0.00	\$40.00	\$40.00
Impound – Sterilized Animal (3rd + Occurrence)	Per Animal	\$58.67	\$0.00	\$100.00	\$100.00

Request for Motion of Direction

22

- Changes will be incorporated into the adopted fee schedule



City of Killeen

Staff Report

File Number: RS-26-104

Consider a memorandum/resolution readopting the Governing Standards and Expectations with amendments.

DATE: July 7, 2026

TO: Kent Cagle, Interim City Manager

FROM: Holli Clements, City Attorney

SUBJECT: Readopt Governing Standards and Expectations with amendments

BACKGROUND AND FINDINGS:

The Governing Standards and Expectations were originally adopted by resolution in June 2018 and have been revised annually since then. The intent is for the Governing Standards to serve as a single-source reference containing the Council's rules, protocols, and expectations for itself, committee members, staff, and the public. The City Council begins review of the Governing Standards after the election each year and adopts an updated version by the end of July each year.

On June 16, 2026, City Council directed that the following changes be brought back for consideration:

- Section 1-50(a)(15): Add a separate section for citizens comments on non-agenda items to regular meeting agendas
- Section 1-80(d): Add provision to allow the public to participate remotely
- Section 2-60(d): Update the date for which city facilities may not be used for Councilmember-sponsored meetings to July 1 of odd-numbered years through election day
- Section 3-10(f): Update the date for Council appointments to committees and subcommittees to every December
- Section 3-20(e): Add Board of Adjustment to the list of Boards and Commissions that have appointment subcommittees
- Section 7-20: Update the date for annual review of the Governing Standards to December/January

THE ALTERNATIVES CONSIDERED:

The City Council may:

- 1) Continue discussions for further amendments to the Governing Standards and Expectations; or
- 2) Readopt the Governing Standards and Expectations as amended.

Which alternative is recommended? Why?

It is recommended that City Council readopt the Governing Standards and Expectations as amended.

CONFORMITY TO CITY POLICY:

The City Charter provides that the City Council may enact rules or procedures for all meetings of the City Council. The Governing Standards and Expectations provide for annual review of the document.

FINANCIAL IMPACT:

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

There is no expenditure related to this item.

Is this a one-time or recurring revenue/expenditure?

N/A

Is this revenue/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 revenue/expenditure?

N/A

RECOMMENDATION:

That City Council readopt the Governing Standards as amended.

DEPARTMENTAL CLEARANCES:

N/A

ATTACHED SUPPORTING DOCUMENTS:

Amended Governing Standards and Expectations
Presentation



City of Killeen

GOVERNING STANDARDS AND EXPECTATIONS

ADOPTED VIA RESOLUTION 18-052R
6/27/2018

LAST AMENDED VIA RESOLUTION ~~25-~~
~~407R~~ _____

Effective: ~~July 1, 2025~~ _____

PREFACE

The following is a single source reference document enumerating the Killeen City Council's Protocols, Rules of Order and Procedure, and Policies. The protocols and guidelines included in this reference document have been formally adopted by the City of Killeen City Council.

The Killeen City Council believes that effective municipal governance requires that individual Councilmembers adhere to a general set of principles when dealing with each other and the public. Furthermore, the City Council desires to conduct its meetings in a manner that is respectful, effective and efficient, while fostering an environment that is fair, open and responsive to the needs of the community.

As an elected official and representative of the City of Killeen, it is expected that you will:

- ❖ Respect the opinions of fellow Councilmembers, be well-informed on issues and participate in the deliberations of the Council.
- ❖ Accept responsibility to attend all Council meetings and work sessions.
- ❖ Provide appropriate notification to the Mayor and City Manager of an absence as soon as possible prior to the meeting time.
- ❖ Not disclose information which is confidential and, when asked by the public for information that is still confidential, will state that the information is confidential.
- ❖ Make every attempt to resolve any conflict with a fellow Councilmember prior to bringing the conflict to the attention of the Council.
- ❖ Assist in preserving order and decorum.
- ❖ Neither by conversation or otherwise delay or interrupt the proceeding or refuse to obey the orders of the Mayor or presiding officer or the rules of the City Council.
- ❖ Expect to be informed of all issues and data in a timely manner.

COUNCIL MEETING EXPECTATIONS:

Each Councilmember will:

- ❖ Endeavor to make the citizens comfortable and part of the process at the meetings.
- ❖ Make visitors comfortable by being courteous and respecting their opinions.
- ❖ Do their best to communicate in clear, concise and audible language and written communications.
- ❖ Strive to maintain a tone of voice that is courteous and sincere.
- ❖ Honor and act on all requests for action and/or information in a timely and courteous manner.
- ❖ Discuss issues, but not personalities, with non-Councilmembers. After an issue has been voted on, a councilmember will speak in a manner that does not undermine the integrity or motives of the Council.

COUNCIL FINAL AUTHORITY ON GUIDELINES: All questions regarding these guidelines shall be resolved by a majority vote of the City Council, present and voting.

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GOVERNING STANDARDS AND EXPECTATIONS

DIVISION 1. MEETINGS

Sec. 1-10. Authority

Pursuant to the provisions of the Charter of the City of Killeen, Texas, the City Council may enact rules of procedure for all meetings of the City Council of the City of Killeen, Texas, which shall be in effect upon their adoption by the City Council and until such times as they are amended or new rules adopted.

Sec. 1-20. City Council Agenda

- (a) The City Manager is responsible for creating, processing and distributing the agenda and agenda materials for City Council meetings.
- (b) The Mayor or a councilmember may direct the City Manager in writing, using the attached form (Attachment "A"), to place an item on the next available agenda to introduce the topic to the City Council. Items must be submitted to the City Manager no later than two weeks prior to the City Council meeting, and must contain adequate detail of the request to allow for proper posting under the Open Meetings Act. The City Council may discuss the item when presented, and if a majority of Council agrees that further discussion of the item is warranted, the item will be placed on a future agenda for more detailed discussion and staff work, if necessary. If Council does not agree that further discussion is warranted, the item may not be introduced again within six months unless either directed by a majority of the City Council to the City Manager during any scheduled regular or special meeting or work session, or directed by the Mayor and one Councilmember in writing to the City Manager. In all cases, at least one member of the City Council who is requesting that the item be renewed on an agenda shall have been on the prevailing side of the previous vote on the item. The Mayor or City Manager may also place an item on the agenda if they believe it is of general interest or necessary to carry out business.
- (c) A majority of the City Council, during any scheduled regular or special meeting or work session, may direct the City Manager to place an item on a future agenda.
- (d) Agenda items placed on the agenda by the Mayor or members of the City Council previously considered and whereby action was taken by the City Council may not be placed on a future agenda within six months of such action unless either directed by a majority of the City Council to the City Manager during any scheduled regular or special meeting or work session, or directed by the Mayor and one Councilmember in writing to the City Manager. In all cases, at least one member of the City Council who is requesting that the item be renewed on an agenda shall have been on the prevailing side of the previous vote on the item.
- (e) In order to provide Councilmembers ample time to review items and submit questions in advance, the agenda and all supporting documentation shall be presented to the City Council on or before the Tuesday of the week before any regular meeting and at least 72 hours before any work session meeting or special meeting. Any information not available at that time shall be sent to Councilmembers as a supplement as soon as possible before the meeting.

Sec. 1-30. Types of Meetings

- (a) *Regular Meetings:* A regular meeting is one during which the City Council takes official action during regular session. They are held on the first and third Tuesday of each month at 3 p.m., unless the meeting is rescheduled or cancelled. A regular meeting will include a work session to discuss items on the agenda prior to the regular session. Staff will make presentations for agenda items at the work session. The Mayor has the authority to adjust the start time for any regular meeting.
- (b) *Work Session Meetings:* A work session is a meeting to discuss or explore matters of interest to the City and/or meet with City boards, commissions or committee members, or City Staff. These meetings are informational and no formal action shall be taken unless the posted agenda indicates otherwise, although Council may provide direction to the City Manager via Motions of Direction. The Mayor may allow any citizen to participate in the discussion at a work session, but only as recognized by the Mayor. The Mayor may end citizen participation in a work session in order to allow the City Council to proceed with discussion. Work session meetings may be called by the Mayor or majority of the City Council as needed. The Mayor has the authority to establish the start time for any work session meeting.
- (c) *Special Meetings:* Per City of Killeen Charter sec. 34, special meetings may be called by the Mayor or by a majority of the Council. The call for a special meeting shall be filed with the City Secretary in written form, except that announcement of a special meeting, during any regular meeting at which all members are present, shall be sufficient notice of such special meeting. The call for a special meeting shall specify the day and the hour of the special meeting and shall identify the subject or subjects to be considered.
- (d) *Emergency Meeting:* In case of emergency or urgent public necessity, as defined by State law and confirmed by the City Attorney, which shall be expressed in the notice of the meeting, an emergency meeting may be called by the Mayor or City Manager, and it shall be sufficient if the notice is posted at least two hours before the meeting is convened.
- (e) *Closed Meeting:* The City Council may meet in a closed meeting under conditions allowed by applicable law. Details discussed in closed meetings shall be considered confidential and shall not be discussed or disclosed outside the meeting.
- (f) *Recessed Meetings.* Any meeting of the City Council may be recessed to a later time provided that no recess shall be for a period longer than twenty-four hours from the time the meeting is recessed.

Sec. 1-40. Quorum

A quorum at any meeting of the City Council will be established by the presence of four members of Council. The Mayor shall not count as a Councilmember for the establishment of a quorum.

Sec. 1-50. Order of Business

Regular City Council meetings will be generally conducted in the following order, unless otherwise specified. An executive session may be held at any time during a meeting pursuant to applicable State law.

- (a) *Agenda Format*: The Agenda shall provide for the following topics or subjects to be considered by the City Council in the following order:
1. CALL TO ORDER: This section shall note the time and place of the meeting.
 2. ROLL CALL: This section shall note the attendance of the Mayor, City Councilmembers, City Manager, City Attorney, City Secretary and Sergeant at Arms.
 3. INVOCATION: This section shall note the opening prayer. (See sec. 4-140 for invocation policy).
 4. PLEDGE OF ALLEGIANCE: This section shall note the observance of our national pledge.
 5. APPROVAL OF THE AGENDA: This section shall approve of the order and content of the agenda. The Mayor or any Councilmember may ask for the order and/or content of the agenda to be modified under this item upon consent of a majority of the Council.
 6. PRESENTATIONS. This section shall provide for any items to be submitted to the Council which are: proclamations; items not requiring extensive discussion; items requesting information or items requesting future action by the Council. No item requiring action by the Council shall be placed under this section.
 7. WORK SESSION: This section allows the City Council to receive presentations from staff and discuss items on the regular session agenda.
 8. REGULAR SESSION: This section will include items for Council consideration and action.
 9. CITIZENS COMMENTS ON AGENDA ITEMS: This section allows members of the public to address the Council regarding any item, other than a public hearing item, on the agenda for Council's consideration. Each person shall sign up prior to the start of the Council meeting, may speak only one (1) time, and such address shall be limited to three (3) minutes. A timer will be placed so that the speaker and citizens can see it. A majority vote of the City Council is required for any time extensions. The Mayor and Councilmembers shall have one (1) minute to respond to citizen comments with a statement or explanation without engaging in dialogue.
 10. CONSENT AGENDA: This section shall provide for items that require action by the Council, but where no discussion is anticipated. By a single motion, second, and affirmative majority vote, items under this section are approved without further discussion or action. Items such as, but not limited to, the approval of minutes, approval of plats, awarding of bids and permits are eligible for consideration under this section.
 11. RESOLUTIONS: This section shall provide for all resolution action items to be considered by the Council not provided for elsewhere on the agenda.
 12. ORDINANCES: This section shall provide for all ordinance action items to be considered by the Council not provided for elsewhere on the agenda.

13. PUBLIC HEARINGS: This section shall provide for Council consideration of any public hearings related to such hearings if action is required. Public hearings shall be conducted in the following manner:

- a. Reading of the caption of the ordinance (if applicable)
- b. Staff presents report.
- c. City Councilmembers may ask Staff questions. Councilmembers shall not use this time to indicate support or opposition for the matter before the City Council.
- d. The applicant then has the opportunity to present comments, testimony, and/or oral arguments. Only one person may represent the application during this section. (three (3) minute limit) A timer will be placed so that the speaker and citizens can see it.
- e. City Councilmembers may ask questions of the applicant.
- f. The Chair opens the public hearing.
- g. Upon opening the public hearing, and before any motion is adopted related to the merits of the issue to be heard, the Chair shall inquire if there is anyone present who desires to speak on the matter which is to be heard or to present evidence regarding the matter.
- h. Members of the public are provided with the opportunity for comments and testimony in accordance with Section 1.50(c) of these Governing Standards and Expectations.
- i. Mayor closes public hearing.
- j. The applicant may be given the opportunity to respond to questions from the City Council and for closing comment or rebuttal.
- k. The City Council deliberates and takes action as needed.
- l. The Chair announces the final decision of the City Council as applicable.

14. DISCUSSION ITEMS: This section provides for discussion of items where action is not required.

15. CITIZENS COMMENTS ON NON-AGENDA ITEMS: This section allows members of the public to address the Council regarding any item concerning City business that is not on the agenda. Each person shall sign up in advance, may speak only (1) time, and such address shall be limited to three (3) minutes. Comments under this section are limited to the first ten (10) members of the public to sign up for that particular meeting.

City Council will not discuss items that are not on the agenda. Pursuant to the Texas Open Meetings Act, response to a member of the public's inquiry about a subject that is not on the agenda must be limited to:

- (a) a brief statement of specific factual information or a recitation of existing policy; or
- (b) a proposal to place the subject on the agenda for a subsequent meeting.

16. ADJOURNMENT: This section provides for the closure of the meeting.

(b) *Reserved.*

(c) *Public Participation:* Whenever a member of the public is recognized to address the Council on an ordinance, resolution, or public hearing item, the individual will be given three (3) minutes to make comments, unless otherwise provided herein. A majority vote of the City Council is required for any time extensions.

In order to expedite matters and to avoid repetitious presentations, whenever a group of people wish to address the City Council on the same subject matter, those persons are encouraged to designate a spokesperson to address the City Council. The Mayor may extend the time allocation for a designated spokesperson if the persons for whom he or she speaks agree to yield their time to the spokesperson.

Sec. 1-60. Consideration of Ordinances, Resolutions and Motions

- (a) *Printed Form:* All ordinances and resolutions shall be presented to the Council only in written form.
- (b) *City Attorney to Approve:* All ordinances and resolutions shall be approved as to form and legality by the City Attorney.
- (c) *Recording of Votes:* The ayes and noes shall be taken upon the passage of all ordinances and resolutions and entered upon the official record of the City Council.
- (d) *Majority Vote Required:* Unless otherwise required by law, approval of every ordinance, resolution, or motion shall require the affirmative vote of a majority.

Sec. 1-70. General Procedures

- (a) *General Procedure:* General rules of parliamentary procedure as defined in this document and consistent with the City Charter and any applicable City ordinance, statute or other legal requirement, shall govern the proceedings of the City Council. To the extent not inconsistent with these rules, the City Council shall use Robert's Rules of Order as a general guideline for additional rules of parliamentary procedure without being a procedural requirement. However, failure to abide by, or adhere to, these rules shall not nullify or negate any action by the City Council. These rules of parliamentary procedure are intended solely as a guideline and tool, and are not intended to limit the inherent power and general legal authority of the City Council, or of its presiding officer, to govern the conduct of City Council meetings.
- (b) *Chair of Meeting:* The Mayor shall preside over all meetings of the City Council as the Chair and enforce these rules and procedures during a meeting. In the absence of the Mayor, the Mayor Pro Tem shall assume the Chair responsibility at the meeting. In the absence of the Pro Tem, the City Council will choose a Chair for the meeting.
- (c) *Authority of the Chair:* The Chair shall make decisions on questions of procedure, subject to review by the City Council as a whole as provided in Section 1-80(c)(4).
- (d) *City Council Deliberations:* The Chair has the responsibility to control the discussion and the order of speakers. Councilmembers will generally be called upon in the order of the request to speak. Generally, a Councilmember may not be recognized to speak subsequently until each Councilmember has had an opportunity to obtain the floor. A Councilmember holding the floor may address a question to another Councilmember and that Councilmember may, should they so choose, respond to the question while the floor is still held by the Councilmember asking the question.
- (e) *Limits to Deliberations:* After an agenda item is announced by the Chair, the City Council may discuss the item without the need for a motion on the item. Councilmembers will limit their

comments to the subject matter or motion currently being considered. The intent of this policy is not to limit debate, but rather to assist Councilmembers in their efforts to communicate effectively and concisely.

During work session meetings, each Councilmember shall have two (2) opportunities to speak on an agenda item that is not on consent agenda, limited to five (5) minutes each. All Councilmembers will be permitted a third opportunity to speak if approved by a majority vote of the City Council. During work session meetings, each Councilmember shall have one (1) opportunity to speak on consent agenda items for three (3) minutes. During regular or special meetings, each Councilmember shall have three (3) opportunities to speak on an agenda item, limited to three (3) minutes each. Responding to a request for clarification from another Councilmember or staff responses will not be included in the time allotments.

- (f) *Repetitious Comments Prohibited:* A speaker or Councilmember shall not present the same or substantially the same items or arguments to the City Council repeatedly or be repetitious in presenting oral comments. A speaker or Councilmember shall not present an argument on a matter previously considered by the City Council at the same session.
- (g) *Obtaining the Floor:* Any member of the City Council wishing to speak shall first obtain the floor by making a request for the floor to the Chair. The Chair shall recognize any Councilmember who appropriately seeks the floor.
- (h) *Motions:* Motions submitted for a vote shall contain only one question. If two or more points are involved, any member may require a division, if the question reasonably admits of a division. Motions may be made and seconded by any member of the City Council except the Chair. The most common motions are as follows:
 - 1. Amending a motion. Any Councilmember may move to amend a pending motion. No more than two amendments may be made to a pending motion. The last amendment shall be voted on first.
 - 2. Postpone to a Certain Date. This motion is used to delay consideration of an item until a specified date, i.e., the next City Council meeting, etc.
 - 3. Postpone Indefinitely. This motion is used to delay consideration of an item until an unspecified date.
 - 4. Point of Order. Any Councilmember may raise a point of order at any time. A point of order means that the Councilmember is asking for a ruling on whether the rules of procedure are being followed. A point of order shall immediately be acknowledged by the Chair, and all debate must stop. The point of order shall first be made to the Chair for a ruling, stating the alleged violation with specificity. A point of order directed to the Chair does not require a second and is not subject to amendment. The Chair rules on the point of order. The member may appeal the Chair's ruling to the Council. The appeal requires a second and the person making the appeal may make a brief statement and the Chair may respond. An appeal may generally be debated by the Council, but each councilmember may speak only once. The Council may affirm or overrule the Chair's ruling by a majority vote of the Councilmembers present.

5. Reconsideration. A councilmember who voted in the majority may move to reconsider an item that City Council has voted on. The motion and any action must be made immediately after the vote on the matter, and before the City Council has begun discussing or considering any other business.
- (i) *Procedures for Motions:* The following is the general procedure for making motions:
 1. The item is presented by Staff or others, followed by questions and discussion by Councilmembers.
 2. A Councilmember who wishes to make a motion shall first obtain the floor.
 3. A Councilmember who wishes to second a motion shall do so through a request to the Chair.
 4. Before a motion can be discussed, it shall be seconded. If a motion does not receive a second after a reasonable time, a Councilmember may call for a “point of order,” which mandates that the motion receives an immediate second, or it dies.
 5. Once the motion has been properly made and seconded, the Chair shall open the matter for further discussion offering the first opportunity to the moving party and, thereafter, to any Councilmember properly recognized by the Chair. The Chair may participate in discussion.
 - (j) *Continuance of Discussion or Hearings:* Any item being discussed or any public hearing at a City Council meeting may by motion be continued or tabled to any subsequent meeting.
 - (k) *Communications with Applicants or Petitioners:* Any Councilmember’s communication with an applicant or petitioner outside of a public meeting regarding a matter that will come to City Council for a decision must be disclosed in writing and provided to the City Secretary prior to City Council discussion or deliberation of the action. Examples include but are not limited to discussion with a property owner regarding his or her rezoning request, or discussion with a vendor prior to bid award.
 - (l) *Call for Recess:* The Chair shall call for a recess of ten (10) minutes at least every two (2) hours , or if requested by any two (2) Councilmembers.
 - (m) *Call for the Vote:* A Councilmember may call for the vote, in essence to end discussion and debate, only when the Councilmember has obtained the floor. A Councilmember may make a motion calling for the vote, but not before each Councilmember that wishes to speak has had at least one opportunity, and the motion must receive a second. The motion is not debatable and a vote on the motion shall take place immediately after a second is received. The motion is approved only if two-thirds (2/3) of the Councilmembers in attendance approve. If the motion fails, debate shall continue. A subsequent motion to call for the vote may be made after additional discussion.
 - (n) *No further discussion following a vote.* After a vote has been taken on an item, there shall be no further discussion of that item by the Mayor or a Councilmember during the meeting.
 - (o) *Votes not to be taken twice.* It is the responsibility of each Councilmember to ask for clarification before a vote on any motion properly made and seconded. Once a vote has been taken, a second vote will not be held because of Councilmember error unless a Motion for Reconsideration is properly made.

- (p) *Concluding meetings.* In order to achieve effective decision making and sound judgment, and in consideration of citizen, guest and staff expectations, meetings shall not extend beyond 11:00 pm except as provided herein. The Mayor or presiding officer shall not conclude a meeting when discussion of the item on the table is in progress. The Mayor or presiding officer shall allow discussion to continue until complete or a time when ending is appropriate. Meetings shall not end if a time sensitive matter that requires action by the City Council has not yet been considered.

Sec. 1-80. Decorum

- (a) *General:* During City Council meetings, Councilmembers shall preserve order and decorum, shall not interrupt or delay proceedings, and shall obey the rules of the City Council. Council Members shall demonstrate respect and courtesy to one another, to City Staff and to members of the public appearing before the Council. Councilmembers shall seek to phrase and communicate all writings, publications and speeches in a professional and constructive manner.

Members of the City Council will not condone any unethical or illegal activity from any Councilmember or members of the Staff. All members of the Council shall uphold the intent of this policy and govern their actions accordingly.

- (b) *Mayoral Responsibilities:*

1. *No vote.* The Mayor shall have a voice in all matters before the Council but shall only vote in accordance with City Charter provisions.
2. *Chair.* The Mayor shall serve as the Chair of all meetings. The Mayor Pro Tem shall preside in the absence of the Mayor. When presiding over any meeting, the Mayor Pro Tem shall only vote in instances where the Mayor could vote in accordance with Charter provisions.
3. *Preserve Order and Decorum.* The Chair is responsible for preserving order and decorum and shall keep the meetings orderly by recognizing each Member for discussion, encouraging civil debate among Members, and keeping discussion limited to the agenda item being considered.
4. *Encourage Participation.* The Chair will encourage all Councilmembers to participate in Council discussion and give each Member an opportunity to speak before any Member can speak again on the same subject.
5. *Official Spokesperson.* The Mayor is the official spokesperson for the Council on all matters unless absent, at which time the Mayor Pro Tem or appropriate designee will assume the role. The views presented by the Mayor, or the Mayor Pro Tem in his/her absence, should provide equitable representation of all Councilmembers.

- (c) Council Responsibilities

1. *Be Prepared.* Each Councilmember is responsible for being prepared to discuss the agenda.

2. *Attendance.* Attendance at work sessions and meetings is essential to the effective execution of a Councilmember's duties. It is the responsibility of Councilmembers to be informed about action taken by the City Council in their absence. In the case of an absence from a work session, the Councilmember is responsible for obtaining this information by viewing the recording of the work session prior to the City Council meeting during which the items are to be voted upon. The City Manager is responsible for maintaining an attendance log for the Mayor and each Councilmember, which is a public document.
3. *Decorum.* When addressing an agenda item, the Councilmember shall first be recognized by the Chair, shall confine comments to the question under debate, shall avoid reference to personalities, shall refrain from impugning the integrity or motives of any other Councilmember or Staff Member during debate or vote, and shall refrain from publicly implying or insinuating wrong-doing by another Councilmember or Staff Member without clear evidence of such behavior.
4. *Appeal.* Any Councilmember may appeal a ruling by the Chair to the Council as a whole. If the appeal is seconded, the person making the appeal may make a brief statement and the Chair may respond. An appeal may generally be debated by the Members, but each Member may speak only once. The affirmative vote of a majority of the Councilmembers present and voting shall be necessary to approve the motion to appeal.
5. *Enforcement of Policy.* Any Councilmember may ask the Chair to enforce the policy established by the Council. Should the Chair fail to do so, a majority vote of the Councilmembers present shall require the Chair to enforce the policy.
6. *Wait to be Recognized.* A member of the Council who wishes to be recognized shall request to speak and shall not proceed with remarks until recognized and named by the Chair of the meeting. Remarks shall be confined to the question before the Council.
7. *No Private Discussions.* While any other person who has been recognized by the Chair is speaking, other members shall not hold private discourse or in any manner interrupt the speaker. In all discussions, disrespectful language and behavior shall be avoided.
8. *Duty to Vote.* All Councilmembers must vote either in the affirmative or in the negative. A present member who does not vote will be officially recorded as a negative vote. When a Councilmember recuses oneself due to an actual or perceived conflict of interest and files the required affidavit, that Councilmember is not counted as present for quorum purposes and is not deemed to be "voting" for purposes of determining whether there has been a "majority vote of those voting and present."
9. *Third Party Representation.* A Councilmember may not represent any third party before any City board or commission.
10. *Personal Communication Devices.* All personal communication devices should be placed in a silent mode during any City Council meetings. Personal communication devices shall not be used for communicating City-related business. If an individual is using his or her personal communication device during a meeting and a member finds it disruptive, he or she should inform the Mayor.

11. *Dress Code.* It is the policy of City Council to create a dignified and professional environment for City Council meetings. Therefore, all Councilmembers shall dress in a professional manner while attending a City Council meeting or work session, or while representing the City in an official capacity as a member of the City Council.

(d) *Citizens' participation:* The following rules shall be in force for all persons in attendance at all meetings of Council:

1. *Rules of Decorum.* Persons attending City Council meetings should observe the same rules of propriety, decorum and good conduct as they would show in a courtroom, a place of worship, or at any other serious or solemn occasion during which matters of importance are being considered. Visitors will refrain from engaging in chatter, private conversations, and from making other distracting noises while the City Council is in session. Phones and other electronic devices should be set to off or silent mode. Visitors should not applaud, boo, clap, or otherwise audibly express approval or disapproval of the speech of another person in a manner likely to disturb the meeting.
2. *Addressing City Council.* Persons wishing to address the City Council on any matter listed on the agenda may be recognized by the Chair, provided the person has completed a Citizen Speaker Registration form, and presented it to the City Secretary prior to the beginning of the regularly scheduled City Council meeting or immediately following their address to the City Council. Speakers shall approach the lectern and give his/her name and city of residence before speaking. Speakers shall address the Mayor and City Council with civility that is conducive to appropriate public discussion. All public comments should be addressed through the Chair. Each speaker will be allowed three (3) minutes to speak, unless otherwise provided herein. A majority vote of the City Council is required for any time extensions. No person shall be allowed to address the City Council more than one time per agenda item. The public may participate remotely for citizens comments or public hearing items. Remote participants must sign up in advance following instructions provided on the City's website.
3. *Address Chair.* Persons may not engage in discussions with the City Council or staff during Council deliberations unless specifically asked a question by a Councilmember. Persons who have been asked a question by a Councilmember must be recognized by the Chair before being allowed to speak. The Chair may end any question and answer session between Councilmembers and a member of the public in order to facilitate the order of business.
4. *Printed Materials.* Persons may present printed material to the City Secretary to distribute to the City Council during a meeting.
5. *No Disruptions.* Persons attending City Council meetings shall remain seated or may stand in the back of the room and come and go so long as it does not disrupt the meeting. Persons in attendance shall not carry signs or placards. No person attending any City Council meeting shall delay the proceedings or refuse to obey the orders of the Chair.
6. *Removal.* Disturbances, transgressions of the rules or disorderly conduct in the City Council Chamber or other City Council meeting room may cause the transgressor to be removed from the meeting. The Chair of the meeting shall exercise control over persons who disrupt the meeting in the following order of action:

- a. Call the person to order, advising that person of the infraction;
 - b. Advise the person that the infraction must cease immediately or the person will be ordered to leave the meeting;
 - c. Order the person to leave the premises. A police officer may remove an individual or individuals for disrupting a meeting as authorized by Texas Penal Code Section 42.05.
7. *Room Limitations.* Persons are encouraged to attend Council meetings; however, the number admitted shall be limited to the fire safety capacity of the Council Chamber as determined by the Fire Chief or designee. If the capacity is surpassed, the City Council may adjourn the meeting and move its proceedings to a location that will accommodate a larger number of participants, or may make a live broadcast of the proceedings available in a nearby room.

Sec. 1-90. Staff Relations

- (a) *Presentations.* Staff presentations will be concise and will provide factual background information on the item as well as a recommendation for the City Council. Written presentations shall, to the extent possible, be provided to the City Council before the meeting.
- (b) *Ask Questions in Advance.* To ensure proper presentation of agenda items by Staff, questions arising from Councilmembers after receiving their information packet should be, whenever possible, presented to the City Manager for Staff consideration prior to the City Council meeting. This allows Staff the time to address Councilmembers' concerns and provide all Councilmembers with additional information as necessary. When questions are posed by Councilmembers in advance of a meeting, the questions and Staff responses shall be included in the staff presentation at the meeting.
- (c) *Presentation Requirements.* The City Manager shall designate the appropriate Staff Member to address each agenda item and shall see that each presentation is prepared and presented to inform and educate the City Council on the issues that require City Council action. The presentation should be professional, timely, and allow for discussion of options for resolving the issue. As a summary, the Staff Member making the presentation shall make it clear if no City Council action is required, or shall present the Staff recommendation as a part of the presentation, and/or present the specific options for City Council consideration. Other than asking clarification questions, City Councilmembers should allow the Staff Member to complete his or her presentation before discussing or debating the topic.
- (d) *Motions of Direction to City Manager.* During a work session or regular meeting, discussion may lead to a point where the council wishes to direct the City Manager in a particular manner. The appropriate way to accomplish this is for a councilmember to make a motion in which the City Manager is directed towards, or away from, a particular course of action. There must be a second and a vote on the Motion. If approved by a majority of the Councilmembers in attendance, the Motion of Direction becomes the official direction of the Council and will be transcribed and maintained for the record.
- (e) *Use of Staff Time.* The City Manager is directly responsible for providing information to the City Council concerning any inquiry by a specific Councilmember that is significant in nature and would be beneficial to all Councilmembers. If the City Manager or the Staff's time is being dominated or misdirected by a Councilmember, it is the City Manager's responsibility to inform the Mayor.

- (f) *Ethical Behavior Required.* The City Manager will exhibit the highest professional and ethical behavior. The City Manager is responsible for the professional and ethical behavior and discipline of his/her Staff. The City Manager is also responsible for ensuring that the Staff receives the training and information necessary to address the issues facing municipal government.
- (g) *Respect and Courtesy.* All Staff Members shall show one another, each Councilmember, and the public respect and courtesy at all times. They are also responsible for making objective, professional presentations to ensure public understanding and confidence in the process.
- (h) *Conflicts.* Any conflicts arising between the City Staff and the City Council will not be allowed to affect the normal course of business, but will be addressed by the Mayor and the City Manager outside of a public meeting.
- (i) *Council Orientation.* The City Manager, after an election, will ensure that the Staff has prepared information needed for the orientation of new Councilmembers and will inform the City Council of any available Texas Municipal League conferences and seminars.

Sec. 1-100. Statements by Public Officials Regarding Litigation

When the City of Killeen is involved in litigation or a legal dispute, Councilmembers shall refrain from commenting on settlements, appeals, or other issues related to the subject until the matter is resolved. The Mayor, City Manager, City Attorney or Communications Officer shall be authorized to provide any public responses or comments as needed on matters involving litigation.

Sec. 1-110. Disbursement of City Council Requested Information

As a general courtesy and to maintain equality in the disbursement of information, documentation or data requested by a Councilmember from Staff shall be provided to all members of the City Council.

DIVISION 2. CITY COUNCIL POLICIES AND OPERATING PROCEDURES

Sec. 2-10. State and Federal Legislation and Rule-Making Proceedings

- (a) The City Manager shall notify the City Council of pending matters of legislation or rule-making that may affect the interests of the City. The Mayor or any Councilmember may request that a legislative or rule-making initiative be presented to the City Council for a formal determination by the City Council of endorsement or opposition. The City Manager may, in the exercise of his professional judgment, determine to take action on or intervene in support of or opposition to a legislative or rule-making matter consistent with the City Council's adopted state and federal legislative agendas.
- (b) This policy is not intended to prohibit or restrict a member of the City Council acting as a private citizen, and not on behalf of the City, from participating in legislative or rule-making matters provided the Councilmember does not in any way imply that the position of the Councilmember is the official position of the City unless the City Council has so decided. A member of the City Council may accurately represent himself or herself as an elected official and as a member of the City Council, but may not use City resources, staff, letterhead, official email, or any City-approved logo in doing so.

Sec. 2-20. City Council Travel and Business Expenses

- (a) *Training Encouraged.* Subject to available funding, the City Council is encouraged to attend training relevant to the City Council's duties, such as:
 - 1. Annual meeting of the Texas Municipal League and affiliates
 - 2. Texas Municipal League newly-elected officials orientation (for newly-elected members of the City Council)
 - 3. National League of Cities and affiliates annual meeting - Washington, D.C.
 - 4. National League of Cities annual Congress of Cities (various locations)
 - 5. Other meetings as designated and approved by the Mayor or the City Council
 - 6. Attendance to committee or association functions related to the Texas Municipal League, the National League of Cities, or other organizations as approved by the Mayor or the City Council
 - 7. Attendance by the Mayor at the annual meeting of the U.S. Conference of Mayors

For purposes of this policy, "attendance" includes the payment of applicable membership fees for the Councilmember and the allowable expenses as described below. A member of the City Council may not commit to membership or participation in or attendance at meetings of organizations not listed in subsection (A) without the approval of the Mayor or the City Council except in the Councilmember's individual capacity and at the Councilmember's sole expense. To the extent that it does not conflict with these Governing Standards, the City Council Policy Regarding Training and Travel as amended in Resolution 07-105R, is incorporated herein.

- (b) *Reimbursement Process.* Section XII Travel Policy of the Financial Management Policy applies to elected officials. A Councilmember who seeks to incur or obtain reimbursement for expenses allowed under this policy shall file with the City Manager an approval request or reimbursement request, as the case may be, in accordance with current City policy.

Sec. 2-30. Council Requests for Information or Services from Staff

By Charter, the people of Killeen have chosen a council-manager form of government. This means that the City Council is responsible for setting policy direction for the City Manager, and the City Manager is responsible for implementing the City Council's policies. This separation of duties must be kept in mind when requesting information or services from City Staff. Section 29 of the City Charter specifically provides:

Neither the council nor any of its members shall direct the appointment of any person to, or his removal from office, by the city manager or by any of his subordinates; provided, however, that the appointment of assistant city managers, department heads and the city secretary shall be subject to the approval of the council. Except for the purpose of inquiry, the council and its members shall deal with the administrative service solely through the city manager and neither the council nor any member thereof shall give orders to any subordinates of the city manager, either publicly or privately.

Sec. 2-40. Process for Filling Unexpired City Council Term

If a vacancy on the City Council is required by Charter section 26 to be filled by City Council appointment, the following process will be used:

- (a) The vacancy will be advertised in the manner that is determined to reach the largest audience advising Killeen residents of the vacancy and giving interested residents two weeks to complete and return a fully-executed and notarized Application for a Place on the General Election Ballot. This form can be obtained from the City Secretary's office and must be received by the City Secretary's office by the specified date for the applicant to be considered for appointment to the vacant seat.
- (b) All completed applications received by the deadline will be forwarded to the City Council for review. The full City Council will conduct interviews with selected applicants. Interviews will be private unless prohibited by the Texas Open Meetings Act.
- (c) City Council will conduct deliberations in private unless prohibited by the Texas Open Meetings Act. The appointment will occur in an open and properly posted public meeting.

Sec. 2-50. Political Signs

Political signs shall comply with state law and the City's sign ordinances. Nothing contained in this policy shall be construed as allowing the placement or attachment of any sign on any tree, pole, building, or other sign or damaging in any manner any City property. This policy is not intended to limit in any manner the authority of the State or election officials regarding electioneering and the placement of signs, and this policy does not require the owner of a polling place or any property not owned by the City to allow the placement of signs on that property. No sign may be placed so as to encroach upon or obstruct any street, driveway, parking space, fire lane, sidewalk, pathway, or visibility triangle. Signs in violation of the City's Sign Ordinance will be removed.

Sec. 2-60. Use of City Facilities, Staff or Resources by the Mayor or City Councilmembers for Mayor or City Councilmember-Sponsored Meetings.

Recognizing that occasions arise where the Mayor or Councilmembers wish to engage with the citizens of Killeen outside of a formal City Council meeting, and also recognizing that City resources and staff time have limits, this policy sets forth the guidelines under which City facilities and resources may be used to support such meetings.

Each calendar year, the Mayor and each Councilmember may hold up to three non-political Mayor- or Councilmember-sponsored meetings that are supported by city resources in the following manner:

- (a) The complimentary use of a meeting space at the Killeen Community Center, Lions Park Senior Center, Police Department Headquarters Community Room, Killeen Arts and Activities Center, Killeen Civic and Conference Center boardroom, or the community room of a Fire Station if the desired space is available and not otherwise scheduled. The meeting space should be reserved in advance, but no more than two months in advance.
- (b) Technical support, to the extent it is available at the chosen space, and not otherwise in use.
- (c) Staff presentations, scheduled in advance through the City Manager.
- (d) The meeting will not occur between ~~July~~January 1st and election day ~~on which~~in odd-numbered years when the Mayor or a Councilmember position is to be elected, so that there can be no allegation that tax-payer dollars are being illegally spent in support of the Mayor or a Councilmember's reelection effort. This restriction does not apply to a candidate who is running unopposed.

In order to take advantage of the services listed above, the requesting Mayor or City Councilmember shall complete and return the Support for Mayor or Councilmember-Sponsored Meeting form to the City Manager. (See Attachment B) The City Manager or Assistant City Manager will manage a shared calendar for events described above to alleviate the overbooking of City staff and resources.

These guidelines are not intended to stop the Mayor or a City Councilmember from having a Mayor or City Council-sponsored meeting that is not supported by city resources.

These restrictions do not apply to the Annual State of the City address.

Sec. 2-70. Reserved.

Sec. 2-80. Assistance to Community Organizations for Special Events

Provided that adequate funding exists, the City will support the following community events on an annual basis, by providing in-kind (non-monetary) services. The City Council further determines that there is a public purpose for the support of these community events.

- 1. Christmas Parade
- 2. Veterans Day Parade

3. Wreaths for Vets
4. Celebrate Killeen Festival
5. Memorial Day Ceremony
6. Holiday Under the Stars
7. Killeen Rodeo
8. Food for Families
9. HEB Feast of Sharing
10. Breast Cancer 5K
11. MLK Day Walk
12. Juneteenth Festival
13. Juneteenth Parade
14. National Day of Prayer
15. November 5 Memorial Event

The City Council may approve in-kind support of up to three (3) additional events, after review and recommendation from the City Manager.

DIVISION 3. CITY COUNCIL COMMITTEES AND CITIZEN BOARDS, COMMISSIONS AND COMMITTEES

Sec. 3-10. City Council Committees

- (a) *Purpose.* Due to the complexity and diversity of City government issues, a closer view of some issues is required by the City Council. To provide a mechanism for continuous evaluation and discussion of these various issues beyond the limited time available at work sessions, the City Council adopts this policy regarding the establishment and use of City Council committees.
- (b) *Assignment to Committees.* Agenda items may be assigned to a committee by the Mayor with the consent of the City Council, or by the City Council.
- (c) *Standing committees.* Standing committees may be created as necessary to study and evaluate on going or long-term issues within the City. They will be created by Resolution, which must state the specific role the committee is to serve and name the members. Standing committees shall be subject to annual review by the City Council.
- (d) *Ad Hoc Committees.* Ad hoc committees may be created by the Mayor as necessary to study and evaluate a specific issue or problem within the City and are intended to be temporary. The Mayor shall make appointments to ad hoc committees with the consent of the City Council. When created, an ad hoc committee will also be given a sunset deadline. The committee will cease upon the earlier of the sunset date or the date the committee's specific task is complete. If the task is not complete by the sunset date, the Mayor shall establish a new sunset date.
- (e) *Committee Responsibilities.* Each committee, after receiving an assignment from the City Council, will consider policy decisions and actions, study issues, evaluate options, and develop recommendations. Each committee shall prepare reports and make recommendations to the City Council regarding every matter assigned to or considered by the committee, no less often than every six months. The committees shall only serve in an advisory capacity, and only for the City Council. No committee shall have any authority to make final decisions regarding the merits or resolution of any matter assigned to or considered by it.
- (f) *Appointments and Vacancies.* Appointments to committees and subcommittees will be made ~~as soon as practicable after the annual City Council election~~ each December in the following manner: Mayor has first choice of three committees, followed by Councilmembers in tenure order selecting one committee each, followed by additional round(s) of Councilmembers selecting committees until all committee appointments are filled. For the purpose of this section, tenure shall mean time in current office without a break from the time of election or appointment to present. In the event that tenure of Councilmembers is the same, the order of those members' selections will be based on the number of votes received when elected in highest to lowest order. Appointments to fill vacancies to assure continuity on the committees will be made in the same manner beginning with the next Councilmember in tenure order.
- (g) *Chair.* The Chair of each City Council standing or ad hoc committee shall be appointed by the Mayor.

- (h) *Staff Liaison.* The City Manager shall assign each City Council standing or ad hoc committee a Staff Liaison who shall assist the Chair in preparing the meeting agendas and coordinating the logistics of the committee meetings.
- (i) *Minutes of Meetings.* Committees shall keep minutes of their meetings. The minutes shall provide a summary of all business discussed or considered, action taken, the outcome of any votes, and those persons present at committee meetings. When completed, the minutes shall be signed by the Chair and maintained by the Staff Liaison for the committee. A copy of the minutes shall be distributed to the City Council.
- (j) *Agenda Postings.* Notice of all committee meetings shall be posted in accordance with the Texas Open Meetings Act (“TOMA”). However, since committee membership is made up of less than a quorum and therefore is not a meeting subject to the TOMA, a good-faith mistake in the publication of the agenda will not require the cancellation of the meeting.
- (k) *Councilmember as Liaison.* When a Councilmember is appointed to serve as a member of a board, committee or commission for an outside agency such as KEDC, KTMPO, etc., the Councilmember is responsible for keeping all Councilmembers informed of significant activities of that board, committee, or commission. The appointed Councilmember should report the actions of the board, committee, or commission during a work session of the City Council at a minimum of every six months for an ad hoc committee, annually for a standing committee, and quarterly for an outside agency.
- (l) *Recommendation Regarding the Continuation of Committees.* The Mayor shall annually review the activity of the existing standing committees to identify inactive committees and shall provide a report to the City Council recommending which committees should be continued and which dissolved.

Sec. 3-20. Citizen Boards, Commissions and Committees

- (a) *Purpose.* This Policy establishes the procedure for the appointment and reappointment of citizens to Boards, Commissions, and Committees for the City of Killeen, as well as the duties of Board, Commission, and Committee members.
- (b) *Time of Appointment.* All appointments and reappointments shall be made by the City Council prior to October 1st of each year for all positions to be filled that fiscal year. (Code of Ordinances, sec. 2-116)
- (c) *Review of Applications.* Staff will compile and present all applications for appointment to citizen boards, commissions, and committees to the City Council two weeks before the specified meeting. The Mayor and Councilmembers may interview applicants and/or request written information from applicants prior to appointment.
- (d) *Committee Membership Types:* Persons appointed to Committees shall be designated as either Regular Members or Ex Officio Members. A Regular Member is a member for all purposes; it is not required that he or she hold a specific office to be qualified for appointment. An Ex Officio Member is appointed to a committee because of a position he or she currently holds. Regular Members count towards a quorum and have voting privileges, while Ex-Officio Members do not (effective 10-1-19).

- (e) *Subcommittees.* Some citizen boards, commissions, and committees have subcommittees consisting of two Councilmembers. It is the responsibility of the subcommittee members to review and discuss applications for the board, commission, or committee for which they are a subcommittee member, and to reach a consensus regarding which applicant(s) are most qualified to fill a position and shall be recommended to the full City Council. This decision should be made prior to the work session at which appointments are scheduled to be discussed. As required or requested and to ensure that the purpose of the board, commission or committee is carried out effectively, the subcommittee Councilmembers will also act as liaisons between the board, commission or committee and the Staff; board, commission or committee members and the City Council; and between board, commission or committee members and any other person.

The following boards, commissions and committees have appointment subcommittees: ~~BOA-Construction, BOA-Fire Prevention, BOA-Airport Hazard, BOA-Zoning~~Board of Adjustment, Animal Advisory Committee, Senior Citizens Advisory, Youth Advisory Commission, and Bell County Health District.

- (f) *Full Council Appointments.* Some citizen boards, commissions, and committees do not have appointment subcommittees. For these committees, appointments are made after the full City Council has reviewed the appropriate applications and has had the opportunity to discuss applications in a work session. Consensus regarding which applicants are the most qualified to fill a position will be reached during a work session. If necessary, appointment decisions will be reached through a nomination process.

The following boards, commissions, and committees do NOT have appointment subcommittees: Arts Commission, Community Development Advisory Committee, Heritage Preservation Board, Killeen Economic Development Committee, Killeen Sister Cities, Planning & Zoning Commission, TIRZ #2 Board, and Killeen-Temple Metropolitan Planning Organization (KTMP)

- (g) *Term Limits.* To encourage broad citizen participation, no person may be appointed to serve more than six consecutive years, excluding unexpired terms, on a particular board, commission, or committee. This limitation does not apply if a particular position requires specialized knowledge, licenses, or certifications and no other qualified and interested person is available, or for other good cause found by the City Council and specified in the appointment resolution. (Code of Ordinances, sec. 2-117)

- (h) *Criteria for Appointment.* When determining the most qualified applicant, Council should consider the following information:

1. Date of application;
2. Primary residence— Is residency a requirement for the position? Is applicant a City of Killeen resident or live in the ETJ?
3. Is applicant currently serving on other boards, commissions, and/or committees?
4. Does applicant have specialized knowledge, licenses, or certifications that are required or helpful for the position?
5. If applicant is being considered for reappointment, is such reappointment prohibited by term limits?
6. If applicant is being considered for reappointment, has applicant maintained a good record of attendance?

7. Has the applicant completed the Killeen Citizens Academy or the KPD Citizen Police Academy?
- (i) *Chair.* Each committee shall have the power to adopt a process for electing and removing its chair.
 - (j) *Staff Liaison.* The City Manager shall assign each Board, Commission, or Committee a Staff Liaison who shall assist the Chair in preparing the meeting agendas and coordinating the meeting logistics.
 - (k) *Duty to Attend Meetings and to Vote.* Board, Commission, and Committee members have a duty to attend meetings unless excused in advance by the Chair. Absences by the Chair must be approved in advance by the Vice-Chair. All members must vote either in the affirmative or in the negative on each motion presented, unless he or she has disclosed a legal or perceived conflict of interest and filed the required affidavit in advance. A present member who does not vote and who has not filed the required affidavit will be officially recorded as a negative vote.
 - (l) *Minutes of Meetings.* Committees shall keep minutes of their meetings. The minutes shall provide a summary of all business discussed or considered, action taken, the outcome of any votes, and those persons present at committee meetings. When completed, the minutes shall be signed by the Chair and maintained by the Staff Liaison for the committee.
 - (m) *Agenda Postings.* Notice of all committee meetings shall be posted in accordance with the Texas Open Meetings Act (“TOMA”). However, since some citizen committee meetings do not meet the definition of a meeting under the TOMA, a good-faith mistake in the publication of the agenda for a meeting to which the TOMA does not apply will not require the cancellation of the meeting.
 - (n) *No Employee Appointments.* To ensure that citizens have an adequate opportunity to participate on citizen boards, commissions, and committees, current City of Killeen employees will not be appointed to citizen boards, commissions, and committees, even if they are residents of the City of Killeen. If an individual who is currently serving on a citizen board, commission, or committee is hired by the City of Killeen, once the current term is complete, he or she is not eligible for reappointment to his or her position on the board, commission, or committee. However, an employee may be appointed to a board, commission or committee if state law requires an employee to serve on a specific board because of that employee’s position with the City.
 - (o) *No City Councilmember Appointments.* Understanding that citizen committees are most effective when the members are able to communicate freely, no City Councilmember will be appointed as a member of a citizen committee.
 - (p) *Recommendation Regarding the Continuation of Committees.* The Mayor shall annually review the activity of the existing committees to identify inactive committees and shall provide a report to the Council recommending which committees should be continued and which dissolved.
 - (q) *Bylaws.* No board, commission or committee will create or amend its bylaws in a way that limits the City Council or Staff or that creates requirements for the City Council or Staff. Further, no board, commission or committee will create or amend its bylaws to change the purpose or mission of the board, commission or committee, expand the scope of the board, commission or committee, or in any way cause the board, commission or committee to function in a way not intended by the City Council unless approved by the City Council.

Sec. 3-30. *Communications on Behalf of the City by Citizen Members of Boards, Commissions and Committees*

- (a) Boards, commissions, and committees, whether established by reason of State law, the Charter, by ordinance or on an ad hoc basis, are an integral part of the municipal government process. The citizens who serve on City boards, commissions, and committees provide an important service to the citizens of Killeen. Boards and commissions, and the members of those boards, commissions, and committees, do not, however, speak for the City on larger issues of City governance. The City Council is responsible for all aspects of the City's governance and it is the legislative and policy-making body for the City.

- (b) If a board, commission, or committee desires to communicate to others a position on any matter of public concern, the board, commission, or committee shall first seek approval from the City Council before engaging in such communication. The City Council will speak for the City. The City Council will determine the official position of the City on the issue presented by the board, commission or committee, and whether it shall be communicated.

DIVISION 4. COUNCIL DIRECTIVES AND EXECUTIVE LIMITATIONS

A. Council Directives to Management

Sec. 4-10. Public Use of City Hall and Other City Facilities

The City Manager shall develop a program addressing the use of the Council Chambers, the meeting rooms in City Hall, and other city-owned meeting space by other governmental entities, non-profit groups for public purposes, and City departments. The program shall be consistent with current security protocols and shall recognize the public use of City Hall for public business as paramount.

Sec. 4-20. Policy for Support of Community Events

The City Manager shall develop a policy providing for the annual support of the community events listed in sec. 2-80. Such support shall be in-kind (non-monetary), and subject to available funding. The policy shall also provide guidelines for supporting other events not listed in sec. 2-80, in a manner that will recoup the City's costs.

Sec. 4-30. Compensation of City Employees

The City Manager is directed to bring forward an annual employee compensation plan that is within the City's financial and budgetary limits, and compensates all City employees at a level that is competitive with the compensation paid to employees within the City's employment market area. The City Manager is directed to have compensation surveys conducted to determine whether employment compensation for City employees is competitive.

Sec. 4-40. Restrictions on the Representation of Third-Parties by Former City Employees ("Revolving Door Policy")

A former employee of the City who was employed as a departmental director, Assistant City Manager, City Manager, City Auditor or Municipal Judge may not make any communication to or appearance before the City Council before the second anniversary of the date the former employee ceased to be employed by the City if the communication or appearance is made: (1) with the intent to influence the City Council; (2) is made or done on behalf of any person other than the former employee in an individual capacity, and; (3) is made or done in connection with any matter on which the former employee seeks official action.

Sec. 4-50. Motions of Direction to City Manager

During a work session or regular meeting, discussion may lead to a point where the City Council wishes to direct the City Manager in a particular manner. The appropriate way to accomplish this is for a City Councilmember to make a motion in which the City Manager is directed towards, or away from, a particular course of action. There must be a second and a vote on the Motion. If approved by a majority of the City Councilmembers in attendance, the Motion of Direction becomes the official direction of the City Council and will be transcribed and maintained for the record.

Sec. 4-60. Directive to Use Official City of Killeen E-mail Addresses

To ensure compliance with the Texas Public Information Act and required retention schedules and to further transparency in the communication and discussion of City business, the City Manager will ensure that Staff uses only official City of Killeen e-mail addresses for both Staff and Councilmembers, when communicating with City Councilmembers about City business. If circumstances require a Staff member to conduct City business on a non-City email account, the Staff member shall promptly forward the associated electronic communications to a city email account.

Sec. 4-70. Delegation of Authority to Determine Purchasing Method

Chapter 252 of the Texas Local Government Code allows a governing body to determine that an approved method other than competitive sealed bidding provides the best value for the municipality. The Code also allows the governing body to delegate that authority to a designated representative. The City Council hereby delegates its authority to determine which approved purchasing method provides the best value for the municipality to the City Manager.

Sec. 4-80. Directive to Adopt Finance Policies and Review Annually

The City Manager is directed to provide to the City Council a comprehensive set of Financial and Budget Policies for consideration and adoption by the Council. Such policies shall be reviewed and adopted annually.

Sec. 4-90. Issuance of Correction Deeds and Deeds Without Warranty

The City Council hereby delegates to the City Manager the authority to issue a correction deed or a deed without warranty when the property subject to the deed was deeded to the City of Killeen either by mistake or without the City's authorization and the City has no need for the property. Deeding the property back to the original owner shall only occur when the owner agrees to pay all taxes that would have been owed had the property never been deeded to the City. This action will also put the property back on the tax roll. The City Manager will promptly advise the City Council when these instances occur.

Sec. 4-100. Directive to Adopt Media Policy

- (a) The City Manager is directed to develop a media policy to establish communication protocols between staff and members of the media.
- (b) The Executive Director of Communications shall provide updates to the City Council and the citizens of Killeen as important incidents arise and in general no less than once a month. The report may be a presentation to the City Council or provided in a written report.

Sec. 4-110. Delegation of Signature Authority

Unless the Charter, a statute, regulation, order or the City Council itself states to the contrary, the City Council hereby authorizes the City Manager to delegate his signature authority to a subordinate staff member as he deems appropriate.

Sec. 4-120. Directive to Develop Economic Development Policy

The City Manager is directed to develop an Economic Development Policy for the City Council's consideration.

Sec. 4-130. Directive to Develop Street Maintenance Policy

The City Manager is directed to develop a policy addressing Street Maintenance within the City for the City Council's consideration.

Sec. 4-140. Directive to Develop Invocation Procedure

To solemnize its proceedings, it is the policy of the City Council to open its meetings with an invocation. In order to respect the constitutional rights of all persons, participation in the invocation or prayer will be voluntary; no one in attendance will be required to participate, and no one demonstrating appropriate respect and decorum will be excluded from participating. Everyone will be treated equally in all respects whether they choose to participate, or not participate, in the prayer or invocation.

In order to ensure compliance with this policy and with the law, the City Manager is directed to establish appropriate procedures to allow for an invocation at the beginning of City Council meetings.

This policy, and the procedure implementing the policy, is not intended, and shall not be implemented or construed in any way, to affiliate the City Council with, nor express the City Council's preference for or against, any faith, belief, or religious denomination. Rather, this policy is intended to acknowledge and express the City Council's respect for the diversity of denominations, faiths, and beliefs represented and practiced among the citizens of Killeen.

Sec. 4-150. Directive Regarding Zoning Notification Boundaries and Signage

The City Manager is directed to increase to 400 feet the notification boundary for properties subject to a request for a zoning classification change. In addition, the City Manager is directed to include appropriate signage on real property subject to a zoning classification change request. Such signage shall be visible to the public in advance of the public hearings before the Planning and Zoning Commission and the City Council.

Sec. 4-160. Delegation of Authority to Approve Certain Change Orders

Texas Local Government Code sec. 271.060 allows the City Council to delegate the authority to approve a change order increasing or decreasing a contract by \$50,000 or less. The City Council hereby delegates such authority to the City Manager, however, once the cumulative amount of change orders for a single contract reaches \$500,000.00, all future change orders for that contract must be taken to the City Council for approval, regardless of the amount.

Sec. 4-170. Delegation of Authority to Apply for Grants

Some grant applications require the authority of the governing body in order to apply for a grant on behalf of the City. The City Council hereby delegates the authority to apply for grants to the City Manager.

Sec. 4-180. Delegation of Authority to Employ Police and Fire Over-Hires

The City Council has approved a set number of over-hires allowed for the police and fire departments.

The City Council hereby delegates the authority to the City Manager to employ such over-hires, provided that the number of over-hires does not exceed the number of over-hires currently approved by ordinance.

B. Executive Limitations

Sec. 4-210. Global Executive Constraint

The City Manager shall not cause or allow any organizational practice, activity, decision, or circumstance that is either unlawful, imprudent, or in violation of commonly accepted business and professional ethics.

Sec. 4-220. Treatment of Customers of City Services

With respect to interactions with customers, the City Manager shall not cause or allow conditions, procedures, or decisions that are unsafe, untimely, undignified, or unnecessarily intrusive.

The City Manager will not:

1. Elicit information for which there is no clear necessity.
2. Use methods of collecting, reviewing, transmitting, or storing customer information that fail to protect against improper access to the material.
3. Operate facilities without appropriate accessibility and privacy.
4. Operate without establishing with customers a clear understanding of what may be expected and what may not be expected from the service offered.
5. Operate without informing customers of this policy or providing a way to be heard for persons who believe that they have not been accorded a reasonable interpretation of their rights under this policy.

Sec. 4-230. Treatment of Staff

With respect to the treatment of paid and volunteer staff, the City Manager shall not cause or allow conditions that are illegal, unfair, undignified, disorganized, or unclear.

The City Manager will not:

1. Operate without written personnel rules that (a) clarify rules for staff, (b) provide for effective handling of grievances, and (c) protect against wrongful conditions, such as nepotism and grossly preferential treatment for personal reasons.
2. Retaliate against any staff member for non-disruptive expression of dissent.
3. Allow staff to be unaware of City Manager's interpretations of their protections under this policy.
4. Allow staff to be unprepared to deal with emergency situations.

Sec. 4-240. Financial Planning/Budgeting

The City Manager shall not cause or allow financial planning for any fiscal year or the remaining part of any fiscal year that deviates materially from City Council priorities, or risks financial jeopardy.

The City Manager will not allow budgeting that:

1. Risks incurring those situations or conditions described as unacceptable in the Executive Limitations policy section 4-250, entitled "Financial Condition and Activities."
2. Omits credible projection of revenues and expenses separation of capital and operational items, cash flow analysis, and disclosure of planning assumptions.
3. Provides less than the amount determined annually by the City Council for the City Council's direct use during the year.

Sec. 4-250. Financial Condition and Activities

With respect to the actual, ongoing financial condition and activities, the City Manager may not cause or allow the development of fiscal jeopardy or a material deviation of actual expenditures from the City Council's established priorities.

The City Manager will not:

1. Expend more funds than have been budgeted in the fiscal year.
2. Incur short-term debt in an amount greater than can be repaid by certain and otherwise unencumbered revenue within 60 days.
3. Use any long-term reserves without City Council direction and approval.
4. Conduct inter-fund borrowing in amounts greater than can be restored within 120 days.
5. Allow payables or receivables not to be settled within a reasonable time frame.
6. Allow tax payments or other government-ordered payments or filings to be overdue or inaccurately filed.
7. Make a single purchase or commitment of greater than \$50,000 without City Council approval, unless a verifiable and documented emergency exists. Splitting orders to avoid this limit is not acceptable.
8. Acquire, encumber or dispose of real estate unless allowed by law or approved by the City Council.
9. Issue expense checks to himself or herself without the signature of a Council-approved signatory who has been provided with appropriate documentation and receipts.

Sec. 4-260. Asset Protection

The City Manager shall not allow the City's assets to be unprotected, inadequately maintained, or unnecessarily risked.

The City Manager will not:

1. Ensure the organization's physical structures and contents for less than one hundred percent of scheduled value against theft, fire and casualty losses or insure against liability losses to Councilmembers, staff, volunteers and the organization itself for less than the average for comparable organizations.
2. Allow personnel unauthorized access to City funds.
3. Knowingly subject facilities and equipment to improper wear and tear or insufficient maintenance without first bringing the issues to the City Council's attention.
4. Unnecessarily expose the organization, its City Council or staff to claims of liability.
5. Receive, process or disburse funds under controls that are insufficient to meet the City Council-appointed auditor's standards.
6. Make any purchase that violates the City's Purchasing Policy or Financial Governance Policies.
7. Allow property, information and files to be unprotected from loss or significant damage.
8. Make any investment that is not in compliance with the City's Investment Policy.

Sec. 4-270. Emergency City Manager Succession

In order to protect the City Council from sudden loss of City Manager services, the City Manager shall not permit there to be less than one other person familiar enough with City Council and City Manager issues and procedures to be able to maintain organization services.

Sec. 4-280. Compensation and Benefits

With respect to employment, compensation and benefits to employees, consultants, contract workers and volunteers, the City Manager shall not cause or allow jeopardy to fiscal integrity or public image.

The City Manager will not:

1. Change the City Manager's own compensation and benefits, except as those benefits are consistent with a package for all other employees.
2. Promise or imply permanent or guaranteed employment.
3. Establish current compensation and benefits that deviate materially from the geographic or professional market for the skills employed.

4. Create obligations over a longer term than revenues can be safely projected.
5. Establish or change pension or retirement benefits so as to cause unpredictable or inequitable situations, including those that:
 - a) Incur unfunded liabilities;
 - b) Provide less than some basic level of benefits to all full-time employees, though differential benefits to encourage longevity are not prohibited;
 - c) Allow any employee to lose benefits already accrued from any foregoing plan; and
 - d) Treat the City Manager differently from other key employees.

Sec. 4-290. *Communication and Support to the City Council*

The City Manager shall not cause or allow the City Council to be uninformed or unsupported in its work.

The City Manager will not:

1. Let the City Council be unaware of any significant incidental information it requires including anticipated adverse media coverage, threatened or pending lawsuits, and material internal and external changes.
2. Allow the City Council to be unaware that, in the City Manager's opinion, the City Council is not in compliance with its own policies, particularly in the case of City Council behavior which is detrimental to the work relationship between the City Council and the City Manager.
3. Allow the City Council to be without decision information required periodically by the City Council or let the council be unaware of relevant trends.
4. Present information in unnecessarily complex or lengthy form or in a form that fails to differentiate among information of three types: monitoring, decision preparation, and other.
5. Allow the City Council to be without a workable mechanism for City Council, officer, or committee communications.
6. Deal with the Council in a way that favors or privileges certain Councilmembers over others, except when (a) fulfilling individual requests for information, which will be provided to all City Councilmembers; or (b) responding to officers or committees duly charged by the Council.
7. Allow the City Council to be unaware of any actual or anticipated noncompliance with any City Council Executive Limitations.
8. Endanger the City's public image, credibility, or its ability to accomplish its established goals.

DIVISION 5. COMMUNICATIONS

Sec. 5-10. Purpose

Since government is only successful when the citizens are kept informed and educated about the issues facing their municipality, it is necessary that the media play a role in the governmental process. It is through an informed public that progress is ensured and good government remains sensitive to its constituents. These guidelines are designed to help ensure fair relationships with all media reporters. The City Council and the City Manager recognize that the media provides an important link between the City Council and the public. It is desired to establish a professional working relationship to help maintain a well-informed and educated citizenry.

Furthermore, although traditional media continues to play an important role in distributing information, social media and other City managed web-based technologies make information increasingly available to the public in real time and in its entirety. All avenues of communicating information are important and have a meaningful impact on city government.

Sec. 5-20. General Provisions

- (a) City staff will make all meeting notices, agendas, minutes, and supporting documentation available to the City Council and to the public via the City's official website. If supporting documentation is not available to the City Council in advance of a workshop meeting, at City Council's discretion the Council will be given two workshop sessions to discuss the item before it moves to a business meeting for action.
- (b) City Council meetings will be live streamed and archived in their entirety and made available to the public via the City's official website.

Sec. 5-30. Media

- (a) Media shall be welcome to attend all public meetings of the City Council.
- (b) Media may be asked to occupy a designated area in some circumstances but may generally locate in places open to the public.
- (c) Media may not disturb the decorum or professionalism of City Council meetings or work sessions.
- (d) Media may contact the Mayor and City Councilmembers directly.
- (e) The Mayor is the primary spokesperson for the City on matters regarding policy decisions or any City Council information pertaining to issues on the agenda. To ensure fair treatment of an issue, any clarifications requested by the media on the issue should be addressed after the meeting. When opposing positions have been debated, regardless of the outcome, the public is better informed when all sides have adequate coverage by the media. This lets the public know the item was seriously debated and options discussed before a vote was taken, and helps build confidence in their government. In respect to each City Councilmember and the citizens of the City, the views presented by each City Councilmember should be given equitable representation. Although Councilmembers may express differing ideas, equitable representation helps promote unity of purpose by allowing the public to be informed of each Councilmember's position during his/her term

of office and not solely during an election campaign.

- (f) City Councilmembers may not speak to media or the public on behalf of the body; they may speak only as an individual member.
- (g) To preserve the decorum and professionalism of City Council meetings, the media are requested to refrain from talking with other people in the audience and to conduct any interview with the public outside the meeting room while the City Council is in session. Media interviews will not take place in City Council Chambers.
- (h) Media wishing to speak to City staff will comply with the Media Policy developed by the City Manager.

Sec. 5-40. Social Media

- (a) City Councilmembers participating in social media relating to City business shall use their real names.
- (b) City Councilmembers will maintain posts to social media sites relating to City business in accordance with records retention law.
- (c) City Councilmembers will not participate in online discussions, groups or forums that contain or have the potential to contain a quorum of City Council (walking quorum).
- (d) City Councilmembers are encouraged to share information from City social media sites on their own sites.

Sec. 5-50. Email

- (a) To ensure compliance with the Texas Public Information Act and required retention schedules and to further transparency in the communication and discussion of City business, City Councilmembers will use their official City of Killeen email addresses to conduct City business. If circumstances require a City Councilmember to conduct City business on a non-City email account, he or she shall promptly forward the associated electronic communications to a City email account.
- (b) City Councilmembers will not “email all,” “copy all,” “blind copy all” or “reply all” to emails discussing City business that contain or have the potential to contain a quorum of members.

Sec. 5-60. Other

- (a) The City of Killeen logo is copyrighted. It may only be used for official City business and may not be used on campaign materials or for personal business.
- (b) The Mayor, as the ceremonial head of the City, is the issuer of proclamations, certificates, awards, City coins, etc. on behalf of the City of Killeen. City Councilmembers wishing to bestow such honors shall request the Mayor to issue and present.
- (c) The Mayor may sign letters and petitions making requests or stating positions on behalf of the City so long as they do not conflict with a City Council decision or directive.

- (d) Dedication plaques placed on City buildings shall include the names of the Mayors and City Councilmembers who served from the time funding was budgeted for the project through completion.

DIVISION 6. ETHICS

A. Policy Statement

It is the desire of the Killeen City Council to promote and encourage the highest standard of conduct for elected City officials, and officials appointed to City Boards and Commissions who represent the citizens of Killeen. The members of the Killeen City Council support the philosophy that elected Officials and appointed Board Members act in a manner that avoids even the appearance of impropriety.

Each elected official or appointed Board Member shall, at a minimum, comply with all State laws and City ordinances and policies regarding ethical behavior. Elected and appointed officials shall always act in the public interest rather than in the furtherance of self-interest or those of special interest.

The Killeen City Council recognizes that it cannot by policy define ethical behavior, but it expects each elected or appointed official to act conscientiously in public service, recognizing that the public is best served when elected or appointed officials make decisions and act in a manner that promotes confidence by the citizens of Killeen in the process of City Government.

B. Guidelines and Procedures

The following provisions apply to members of the City Council and members of any board, commission or committee established pursuant to the Charter or the ordinances of Killeen, by the laws of this state, or by the City Council (hereinafter referred to as "Officials.")

Sec. 6-10. Council and Appointed Board Members

Within thirty days of election or appointment to a Board or Commission, or within 30 days of adoption of these Governing Standards and Expectations, each Official shall sign and deliver to the City Secretary:

1. a copy of the Ethics Policy Agreement;
2. a copy of the Standards of Conduct Agreement;
3. a disclosure statement that discloses any real property owned by the Official or a relative within the first degree of consanguinity or affinity within the Killeen city limits or ETJ, and specifies any business interest located within Killeen, or any business interest that may have dealings with the City. The Official is obligated to update the disclosure as circumstances change.

Within ninety days of election or appointment, each Official shall complete the Open Meetings Act and Public Information Act training sponsored by the Texas Attorney General's Office.

Sec. 6-20. Acceptance of Gratuities

No Official shall knowingly solicit or accept, from any source, any gift, favor, service or thing of value, including a promise of future employment, in consideration of having exercised any official power or performing any official duty on behalf of the City. Acceptance of any gratuities shall be disclosed as required by Chapter 176 of the Texas Local Government Code.

Sec. 6-30. Use of City Facilities, Personnel, Equipment, etc.

No Official shall knowingly use city facilities, personnel, equipment, or supplies, or use any confidential information concerning the property, operations, policies, or affairs of the City, for his or her private, personal and/or political gain.

Sec. 6-40. Conduct in Commercial Transactions

No Official shall knowingly be an interested party to any exchange, purchase, or sale of property, goods, or services with the City, or enter into any contract with the City, except in full and impartial compliance with state statutes, city charter, ordinances and applicable regulations and subject to any restrictions of the city charter; provided further that such persons shall receive no favor or special concession or inducement not customarily available and granted by the city in such a transaction; and provided further than any discretion by Officers, in connection with any such transaction, shall be exercised impartially and upon the same standards applied to all citizens of Killeen.

Sec. 6-50. Representing Interests Contrary to Those of the City

No Official shall knowingly represent, directly or indirectly, another person or any group or entity, in any action or proceeding against the interests of the City or in any litigation in which the City or any City department, agency, commission or board is a party, or may become a party.

Sec. 6-60. Conflicting Interests in Legal Proceedings

No Official shall knowingly represent, directly or indirectly, another person or any group or entity in any action or proceeding in the City's Municipal Court of Record, which was instituted by a City officer or employee in the course of official duties or in any criminal proceeding in which any City officer or employee is a material witness for the prosecution.

Sec. 6-70. Disclosure of Personal Financial Interest and Abstention from Voting

If any Officer has a conflict of interest as defined by Chapter 171 of the Texas Local Government Code, he or she shall file the required affidavit and abstain from all participation in the matter, to include leaving the room when possible. The determination of whether a conflict of interest applies should be construed liberally. In fact, the Officer is encouraged to consider abstention when the public would likely perceive the circumstances as a conflict of interest. While it is the Officer's sole responsibility to determine whether a conflict of interest exists, the Officer may discuss the circumstances with the City Attorney or designee to assist in his/her decision-making. Absent a conflict of interest, the Officer has a duty to vote in every item presented during a meeting.

Sec. 6-80. Communications with Applicants or Petitioners

Any City Councilmember communication with an applicant or petitioner (or their agent) outside of a public meeting regarding a matter that will come to the City Council for a decision must be disclosed in writing and provided to the City Secretary prior to City Council discussion or deliberation of the action. Examples include but are not limited to discussion with a property owner regarding his or her rezoning request, or discussion with a vendor prior to bid award. The City Secretary will provide the statement(s) to the Mayor, who will disclose the communication during the meeting at which the action will be discussed or considered, before any discussion or consideration has occurred.

Any Planning and Zoning Commissioner communication with an applicant or petitioner (or their agent) outside of a public meeting regarding a matter that will come to the Planning and Zoning Commission for a decision or recommendation must be disclosed in writing and provided to the City Secretary prior to the Commission's discussion or deliberation of the action. The City Secretary will provide the statement(s) to the Commission Chair, who will disclose the communication during the meeting at which the action will be discussed or considered, before any discussion or consideration has occurred.

DIVISION 7. ENFORCEMENT AND ADMINISTRATION

Sec. 7-10. Policy Enforcement

If a Councilmember believes this policy has been violated, the topic shall be placed on a meeting agenda following the procedure established in section 1-20(b). If it is a Staff Member who is in violation of this policy, the City Manager will handle the matter in accordance with City policy as he deems appropriate in accordance with personnel policy.

Sec. 7-20. Annual Review and Re-adoption of These Governing Standards and Expectations

Each ~~December~~ June, ~~after the new City Council is elected and seated,~~ the ~~new~~ City Council shall begin review of these Governing Standards and Expectations and should work towards re-adoption of an updated version by the end of ~~July~~ January each year.

Sec. 7-30. City Manager and City Attorney Roles Regarding Protocol.

The City Attorney assists the Mayor as a resource to confer with, and acts as an advisor for interpreting the City Council's adopted Governing Standards and Expectations. The City Manager, the City Attorney nor any other Staff member is responsible for enforcing these protocols and guidelines.



ATTACHMENT A

REQUEST TO PLACE ITEM ON THE AGENDA

(Per Section 1-20 of Governing Standards and Expectations)

Requestor(s): _____

Date: _____

Problem/Issue/Idea Name for Agenda:

Description of Problem/Issue/Idea:

Requested Action:



CITY OF KILLEEN

ATTACHMENT B

SUPPORT FOR MAYOR OR COUNCILMEMBER-SPONSORED MEETING

(Per Section 2-60 of Governing Standards and Expectations)

Requestor: _____

Date of Event: _____ Event Start Time: _____ Event End Time: _____

Name of Event: _____

Number of Attendees expected: _____ Is your event open to the public: Yes No

Preferred City Facility: Killeen Community Center Lions Club Park Senior Center
 Killeen Police Headquarters Community Room
 Community room of a Killeen Fire Station
 Killeen Civic and Conference Center Boardroom
 Killeen Arts and Activity Center

Will you require any audio visual equipment or technical support (please explain):

Will you require attendance of city staff for presentations or other purpose (please explain)?:

Will you require additional set up and/or clean up time? If so, state move in and move out times:

In: _____ Out: _____

Per calendar year, the Mayor and each Councilmember may hold up to three (3) Mayor or Councilmember-sponsored meetings that are supported by city resources in the following manner:

1. The complimentary use of an above listed meeting space if space is available and not otherwise scheduled.
2. The meeting space should be reserved in advance, but no more than two months in advance.
3. Technical support, to the extent it is available at the chosen space, and not otherwise in use.
4. City Staff presentations, scheduled in advance through the City Manager.
5. The meeting will not occur within the six months preceding an election in which the Mayor or a Councilmember is a candidate for re-election so that there can be no allegation that tax-payer dollars are being illegally spent in support of the Mayor or a Councilmember's reelection effort.

Councilmember Signature

Date

TO BE COMPLETED BY CITY MANAGER OR DESIGNEE

Approved Denied

Signature

Date



ATTACHMENT C

Reserved.



ATTACHMENT D

CITY OF KILLEEN ETHICS POLICY AGREEMENT

I hereby certify that I have received a copy of and agree to abide by the City of Killeen Ethics Policy.

Council/Board/Commission/Committee Member Signature

Printed Name

Date



ATTACHMENT E

CITY OF KILLEEN STANDARDS OF CONDUCT

I hereby certify that I have received a copy of and agree to abide by the City of Killeen Standards of Conduct.

Board/Commission/Committee Member Signature

Printed Name

Date



ATTACHMENT F
AMENDMENT HISTORY

Date	Resolution Number
January 15, 2019	19-008R
August 27, 2019	19-084R
February 9, 2021	21-019R
September 28, 2021	21-122R
June 28, 2022	22-087R
June 27, 2023	23-102R
November 28, 2023	23-193R
January 9, 2024	24-001R
June 25, 2024	24-116R
July 1, 2025	25-107R



GOVERNING STANDARDS

RS-26-104

July 7, 2026

Background

- The Governing Standards and Expectations were originally adopted by resolution in June 2018 and revised annually since then.
- The intent is for the Governing Standards to serve as a single-source reference containing the Council's rules, protocols, procedures, policies and expectations for itself, committee members, staff and the public.
- Section 7-20 provides that the new City Council shall begin review of the Governing Standards after the election and work to re-adopt an updated version by the end of July each year.
- On June 16, 2026, City Council directed that certain changes be brought back to City Council and that additional revisions be discussed on July 7, 2026.

Council-Directed Changes

- Section 1-50(a)(15): Add a separate section for citizen comments on non-agenda items to regular meeting agendas
- Section 1-80(d): Add provision to allow the public to participate remotely
- Section 2-60(d): Update the date for which city facilities may not be used for Councilmember-Sponsored Meetings from January 1 through election day to July 1 of odd numbered years through election day
- Section 3-10(f): Update the date for Council appointments to committees and subcommittees to every December
- Section 3-20(e): Add Board of Adjustment to the list of Boards with appointment subcommittees
- Section 7-20: Update the date for annual review of the Governing Standards to December/January

Additional Councilmember Requested Changes

- Regular meeting start time starting at 5 p.m.
- Mayor may set time for special meetings if there is no council motion specifying the time. Changes to the time of regular meetings would require approval by a majority of City Council
- Anything on the agenda not discussed by 11 p.m. is moved to a special meeting agenda for the following week
- Meetings will not be adjourned prior to 11 p.m. if there is still business to be discussed on the agenda unless there is an emergency
- Return to 4 minutes for Citizens Comments and Public Hearings, 3 minutes for non-agenda items
- Split agenda into two separate meetings, whether same day or different days, have a call to order, agenda approval, and adjournment on the workshop and the meeting

Additional Councilmember Requested Changes

- Add invocation and pledge to Special City Council meetings'
- Either define "citizen" as any member of the public for purposes of citizens comments/participation or rename the sections to "Public Comment"
- Remove requirement to submit participation form prior to meeting start
- Procedure for Council investigations
- Remove the authority of the Mayor to remove citizens from the premises
- Clarify that staff presentations are not required for consent agenda items unless a Councilmember requests that an item be pulled from consent agenda for further discussion

Next Steps

6

- The City Council may:
 - 1) continue discussions for further amendments to the Governing Standards and Expectations; or
 - 2) readopt the Governing Standards and Expectations with amendments.



City of Killeen

Staff Report

File Number: RS-26-105

Consider a memorandum/resolution approving the appointment of a City Secretary.

DATE: July 7, 2026
TO: Kent Cagle, Interim City Manager
FROM: Kate McDaniel, Executive Director of Human Resources
SUBJECT: Appointment of a City Secretary

BACKGROUND AND FINDINGS:

On May 19, 2026, Laura Calcote submitted her letter of resignation as the City Secretary for the City of Killeen, Texas effective June 2, 2026.

The City received two hundred and thirty-eight (238) applications. One hundred and fifteen (115) candidates met or exceeded the minimum qualifications for the position. On June 22, 2026, a conditional job offer was extended to Lisa "Elaine" Simpson, with an effective start date of July 13, 2026.

Ms. Simpson has more than twenty-five (25) years of local government experience as a City Secretary in the state of Texas. She holds a Master of Public Administration from the University of North Texas and a Bachelor of Arts in Political Science from the University of Texas of the Permian Basin. She is also certified as a Texas Registered Municipal Clerk, a Master Municipal Clerk, and a State of Texas Public Notary. Ms. Simpson is an IIMC Athenian Dialogue Society Fellow and a member of the National Association of Parliamentarians.

THE ALTERNATIVES CONSIDERED:

N/A

Which alternative is recommended? Why?

N/A

CONFORMITY TO CITY POLICY:

This action conforms to city policy. City Secretary appointment is subject to approval by the City Council pursuant to Section 29 of the City Charter.

FINANCIAL IMPACT:

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

The annual base salary of the position is \$120,000, plus benefits. The prorated amount through the end of FY26 is estimated at \$34,381, salary and benefits.

Is this a one-time or recurring revenue/expenditure?

This is a recurring expenditure.

Is this revenue/expenditure budgeted?

Yes. Sufficient funding is budgeted and available within the General Fund Legal Department salary and benefit accounts (100-51110-150-152-000000 through 100-51700-150-152-000000).

If not, where will the money come from?

N/A

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

Yes

RECOMMENDATION:

Staff recommends that the Council approve the appointment of Lisa "Elaine" Simpson as the City Secretary for the City of Killeen.

DEPARTMENTAL CLEARANCES:

City Manager
City Attorney
Finance

ATTACHED SUPPORTING DOCUMENTS:

Resume
Presentation

Lisa "Elaine" Simpson, TRMC / MMC / MPA

Professional Summary

Accomplished and certified Municipal Clerk with more than 25 years of leadership experience across multiple Texas cities, including Home Rule and General Law Type 'A' municipalities. Department Head / Director level professional for City Clerk office and Human Resources. Recognized for modernizing practices, ensuring compliance with state laws, creative problem solving, and fostering transparency through adoption of digital tools and best practices. Customer service professional committed to public service excellence and continuous professional education.

Core Competencies

- Municipal Governance
- Agenda & Records Management
- TOMA/TPIA Compliance
- Codification & Ordinances
- Elections Administration
- Staff Leadership
- Process Improvement
- Community & Council Relations
- Boards & Commissions Support
- Human Resources
- Website management/design

Professional Experience

City of Liberty Hill, TX — City Secretary
2022–2026

- Implemented paperless agendas via Granicus Peak software
- Coordinated a major recodification project bringing seven years of ordinances current; adopted by Council (Sep 2023)
- Implemented GovQA for public records management and initiated transition to Laserfiche for electronic recordkeeping
- Supported the Charter Commission in adoption of the city's first Home Rule Charter (2024)

City of Granite Shoals, TX — City Secretary / Human Resources Manager
2013–2022

- Implemented paperless agendas via Granicus Peak software
- Supported Boards, Committees, and Commissions including Planning and Zoning, Parks, Deer Management, and the Board of Zoning Adjustments
- Supported the Charter Amendment Commission (2019)
- Managed city records in compliance with state and local requirements
- Managed Human Resources including recruitment, hiring, onboarding, benefits, training, testing, and offboarding
- Served as public information lead; managed media inquiries and maintained the city's website
- Maintained the City Code of Ordinances
- Managed grant reporting for solid waste grants through Capital Area Council of Governments (CAPCOG)

City of Garland, TX — Interim City Secretary / Deputy City Secretary
2010–2012

- Managed elections, minutes, legal notices, and records for a city of 235,000+
- Supervised a team of two; oversaw departmental budget and strategic projects
- Delivered responsive administrative and public services to residents and Council

City of Haslet, TX — City Secretary
2008–2010

- Oversaw elections, HR, and public information; supervised four staff
- Designed and conducted the 2009 Citizen Survey, increasing civic feedback and transparency
- Led modernization initiatives including a city website upgrade and City Hall server installation
- Saved the city \$7,000 by computerizing the sale of surplus equipment and vehicles via online auction

City of Seagoville, TX — City Secretary
2006–2008

- Implemented recodification of the City Code of Ordinances (first since 1977)
- Served as staff liaison to the Animal Shelter Committee and led a Council Chamber sound system upgrade project

City of Seymour, TX — City Secretary / Treasurer
2000–2006

- Supervised five employees and managed a \$5M municipal budget
- Served as City Treasurer; supervised the Court Clerk; managed HR, budgeting, and grant reporting
- Earned TRMC and CMC certifications during tenure

(Earlier experience available upon request; includes City of Lancaster, Tarrant County, and Collin County Election Administration roles.)

Education

Master of Public Administration (MPA)
University of North Texas, Denton, TX

Bachelor of Arts, Political Science (Minor: History)
University of Texas of the Permian Basin, Odessa, TX

Associate of Arts, General Studies
Odessa College, Odessa, TX

Certifications

- Texas Registered Municipal Clerk (TRMC), Recertified through 2031
- Master Municipal Clerk (MMC), International Institute of Municipal Clerks
- State of Texas Notary Public (Active)
- IIMC Athenian Dialogue Society Fellow
- Member, National Association of Parliamentarians — 2025

Professional Affiliations

- Texas Municipal Clerks Association (TMCA)
- International Institute of Municipal Clerks (IIMC)
- Hill Country Chapter TMCA, 2013–present

Community Involvement

- Garland Friends of the Library
- American Cancer Society "Relay for Life" Chair (Baylor County, 2006)
- Seymour Noon Lions Club, Lion of the Year (2005–2006)



APPOINTMENT OF A CITY SECRETARY

RS-26-104

July 7, 2026

Background

2

- The City Secretary submitted her resignation on May 19, 2026, and the position became vacant on June 2, 2026
- Recruitment
 - ▣ The position was posted for hire on May 19, 2026
 - 238 applications were received
 - 115 of those applications qualified for the position
- Interviews were conducted June 11 and 12, 2026

Candidate Information

- A conditional job offer has been made to Ms. Lisa “Elaine” Simpson.
- Ms. Simpson has more than 25 years of local government experience as a City Secretary in the state of Texas and holds a Masters of Public Administration from the University of North Texas and a Bachelors of Arts in Political Science from the University of Texas of the Permian Basin.
- Ms. Simpson is certified as a Texas Registered Municipal Clerk, a Master Municipal Clerk, and a State of Texas Public Notary. She is also an IIMC Athenian Dialogue Society Fellow and a member of the National Association of Parliamentarians.

Staff Recommendation

4

Staff recommends that the City Council approve the appointment of Ms. Lisa “Elaine” Simpson as the City of Killeen’s City Secretary.



City of Killeen

Staff Report

File Number: RS-26-106

Consider a memorandum/resolution authorizing Change Order No. 4 for the Gilmer Street Reconstruction Project with TTG Utilities, Inc. in the amount of -\$403,083.06.

DATE: July 7, 2026

TO: Kent Cagle, Interim City Manager

FROM: Andrew Zagars, P.E., City Engineer

SUBJECT: Authorize Change Order No. 4 for the Gilmer Street Reconstruction Project with TTG Utilities, Inc. in the amount of -\$403,083.06.

BACKGROUND AND FINDINGS:

The fiscal year (FY22) 2022 Capital Improvement Plan includes the Gilmer Street Reconstruction Project, as a funded project for design and construction. On November 9, 2021, the City Council approved a preliminary design contract with KSA Engineers, in the amount of \$658,710.00.

On November 7, 2023, City Council awarded a construction contract in the amount of \$4,004,004.00 to TTG Utilities Inc. for the construction of the Gilmer Street Reconstruction Project (CCMR 23-181).

Three Change orders occurred during the time of construction for this project.

Change Order #1 in the amount of \$48,716.80, was for unforeseen water and sewer services that were found to conflict with the new roadway excavation.

Change order #2 which was approved by council on January 7, 2025, addressed the replacement of an unknown 4-inch water main that portions of sanitary sewer main that needed to be replaced and were in conflict with the roadway construction. This change order was in the amount of \$905,195.23 and use available funds from the Water and Sewer Capital Improvement Fund.

Change Order #3 was a no cost change order to add weather and delay days to the contract.

This final change order No. 4, finalizes the total amount of the construction contract based on actual measurements in the field of the item quantities. This change order reflects a deduction in the total amount of the contract in the amount of -\$403,083.06. This change order is broken down to funds in the Certificate of Obligation 2022 Bond Fund in the amount of -\$341,382.30, largely due to the reduction of soil lime treatment. The Water and Sewer Capital Improvement fund is the remaining deduction in the amount of -\$61,700.76.

The total decrease for Change Orders No. 4 is -\$403,083.06 which when adding all change orders results in a 13.76% increase to the original contract.

THE ALTERNATIVES CONSIDERED:

N/A

Which alternative is recommended? Why?

N/A

CONFORMITY TO CITY POLICY:

This item conforms to State and Local policies

FINANCIAL IMPACT:

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

The total amount of Change Order #4 is a net decrease in the contract in the amount of -\$403,083.06.

Is this a one-time or recurring revenue/expenditure?

This is a one-time expenditure.

Is this revenue/expenditure budgeted?

Yes, the amount will be credited back to the Certificate of Obligation 2022 Bond Fund and the Water and Sewer Capital Improvement fund for use with other capital projects.

If not, where will the money come from?

N/A

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

Yes, the amount will be credited back to the Certificate of Obligation 2022 Bond Fund and the Water and Sewer Capital Improvement fund for use with other capital projects. The Certificate of Obligation 2022 Bond Fund, Account 305-56201-900-400-922026 will be credited -\$341,382.30, and the Water and Sewer CIP, account 350-56201-900-400-922021 will be credited -\$61,700.76.

RECOMMENDATION:

Staff recommends that the City Council authorize the City Manager, or designee, to execute Change Order #4 with TTG Utilities Inc., for the Gilmer Street Reconstruction project in the amount of -\$403,083.06.

DEPARTMENTAL CLEARANCES:

Engineering
Finance

City Attorney

ATTACHED SUPPORTING DOCUMENTS:

Change Order

Proposal

Resolution

Presentation

CHANGE ORDER(S) FOR GILMER STREET PEDESTRIAN AND ROAD IMPROVEMENT PROJECT

Department/Division:	Development Services/Engineering	Bid No.:	24-03	NOTE 1. If individual Change Order request is \geq \$50,000, please attach CCMR in front of Change Order request for Council approval 2. If, cumulatively, Change Orders are \geq 25% of awarded contract amount please attach CCMR in front of Change Order request for Council approval
Vendor Name:	TTG UTILITIES, INC.	CCMR No.:	23-176R	
Original Contract Amount:	\$4,004,004.00			
Date CCMR Approved:	11/14/23			

HISTORY OF CHANGE ORDERS

CO#	Proposed or Approved	Date CCMR Approved	CCMR#	Amount	Account Number <small>(xxx-xxxx-xxx-xx.xx)</small>	BRIEF Reason for Change Order Request (must fit in allotted space)	Updated Contract Amount	% Change in Contract
1	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved			\$48,716.80	328-8934-493.69-03	There is an increase in funding per this Change Order due adds/deduct to existing items, plus adding new items.	\$4,052,720.80	1.22%
2	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved			\$689,867.50	350-56201-900-400-922021	There is an increase in funding per this Change Order due to adding water line replacement items.	\$4,742,588.30	18.45%
2	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved			\$215,327.73	350-56201-900-400-922026	There is an increase in funding per this Change Order due to adding existing items and sewer line replacement items.	\$4,957,916.03	23.82%
3	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved			\$0.00	350-56201-900-400-922026	There is no change in funding per this Change Order, this is for a project extension for days only.	\$4,957,916.03	23.82%
4	<input checked="" type="checkbox"/> Proposed <input type="checkbox"/> Approved			-\$341,382.30	305-56201-900-400-922026	There is an decrease in funding per this Change Order due to the reduction of street and sewer line items for closeout.	\$4,616,533.73	15.30%
4	<input checked="" type="checkbox"/> Proposed <input type="checkbox"/> Approved			-\$61,700.76	350-56201-900-400-922021	There is an decrease in funding per this Change Order due to the reduction of water line items for closeout.	\$4,554,832.97	13.76%
5	<input type="checkbox"/> Proposed <input type="checkbox"/> Approved						\$4,554,832.97	13.76%
6	<input type="checkbox"/> Proposed <input type="checkbox"/> Approved						\$4,554,832.97	13.76%
7	<input type="checkbox"/> Proposed <input type="checkbox"/> Approved						\$4,554,832.97	13.76%
8	<input type="checkbox"/> Proposed <input type="checkbox"/> Approved						\$4,554,832.97	13.76%

Project Manager _____

Dept. Head Signature/Date _____

Recommended: _____

Recommended: _____

Purchasing Manager/Date _____

Director of Finance/Date _____

Recommended: _____

Approved/Disapproved: _____

City Attorney/Date _____

City Manager/Date _____

CHANGE ORDER FORM

Change Order No. 4

Date of Issuance: May 14, 2026 Effective Date: May 14, 2026

Project Name: Gilmer Street Road and Pedestrian Improvements	Owner's Contract No.: 23-22
Owner: City of Killeen, Texas	Date of Contract: January 22, 2024
Contractor: TTG Utilities, Inc.	Project No.: 100226

You are directed to make the following changes in the Contract Documents:

Description:

Change order indicating additional items needed to complete construction and over/under run quantities to reflect the final contract amount for the project.

Reason for Change Order:

Project closeout

Attachments (list documents supporting change):

Itemized Change Order

CHANGE IN CONTRACT PRICE:

CHANGE IN CONTRACT TIMES:

Original Contract Price:
\$ 4,004,004.00

[Increase] [Decrease] from previously approved Change Orders No. 1 to No. 3 :

\$ 953,912.03

Contract Price prior to this Change Order:

\$ 4,957,916.03

Decrease of this Change Order:

\$ 402,683.06

Contract Price incorporating this Change Order:

\$ 4,555,232.97

Original Contract Times: Working days Calendar days
Substantial completion (days): 300
Ready for final payment (days) 330

[Increase] from previously approved Change Orders No. 1 to No. 3 :

Substantial completion (days): 313
Ready for final payment (days): 313

Contract Times prior to this Change Order:

Substantial completion (days): 613
Ready for final payment (days): 643

[Increase] [Decrease] of this Change Order:

Substantial completion (days): 0
Ready for final payment (days): 0

Contract Times with all approved Change Orders:

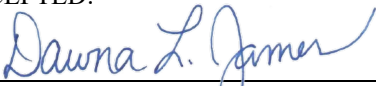
Substantial completion (days): 702
Ready for final payment (days): 799

RECOMMENDED:
By: 
Engineer (Authorized Signature)

Date: 5-14-2026

ACCEPTED:
By: _____
Owner (Authorized Signature)

Date: _____

ACCEPTED:
By: 
Contractor (Authorized Signature)

Date: 05/14/2026

KSA ENGINEERS, INC. 10801 North Mopac Expressway, Building 3 - Suite 200 Austin, Texas 78759 CONTRACT CHANGE ORDER							Date:	05/14/26	Project No.:	100226		
To: Dawna James TTG Utilities, Inc. 305 Memorial Dr. Suite B Gatesville, TX 76528							Location:	Killeen, TX				
							Job Description:				Gilmer Street Road and Pedestrian Improvements	
							Change Order No.:				4	
							Original Contract:				\$4,004,004.00	
							Change Orders to Date:				\$953,912.03	
				Total Contract Price:		\$4,957,916.03						

You are hereby requested to comply with the following changes from the contract plans and specifications:

Item No.	Description of changes - quantities, units, unit price, change in completion schedule, etc.	Unit	Original Qty.	New Qty.	Net Change Qty.	Cost	Decrease in contract price (3)	Increase in contract price (4)
1.02	Remove and Dispose Concrete Sidewalk and Curb Ramps (Typ.4") and Miscellaneous Off-Street Hard Surfacing (Up to 4")	SY	2,415	2,419	4	\$15.00		\$60.00
1.05	Remove and Dispose Curb and Gutter	LF	5,595	5,645	50	\$9.00		\$450.00
1.08	Remove and Dispose Tree, Less up to 1' Diameter	EA	3	0	-3	\$1,200.00	-\$3,600.00	
1.09	Remove and Dispose Tree, 1'-2' Diameter	EA	3	2	-1	\$2,500.00	-\$2,500.00	
1.11	Remove and Dispose Masonry Mailbox (If Needed)	EA	4	0	-4	\$235.00	-\$940.00	
1.14	Provide Temporary Mailbox with Concrete Filled Container Base During Construction (Estimated Amount)	EA	20	0	-20	\$320.00	-\$6,400.00	
1.15	Paint Existing Pavement Markings Black, 4" Width (Krylon Industrial KRY8304 or Similar)	LF	491	0	-491	\$3.60	-\$1,767.60	
1.18	4" Reinforced Concrete Sidewalk	SY	2,864	2,738	-126	\$85.00	-\$10,710.00	
1.19	6" Header Curb (Locations Not Within Curb Ramp Pay Limits, and Unanticipated Field Slope Mitigation)	LF	1,500	279	-1,221	\$21.00	-\$25,641.00	
1.20	Sidewalk Ramp Type 1 (Perpendicular)	EA	11	12	1	\$2,500.00		\$2,500.00
1.21	Sidewalk Ramp Type 2 (Parallel No Buffer)	EA	3	4	1	\$2,500.00		\$2,500.00
1.22	Sidewalk Ramp Type 7 (Directional)	EA	40	30	-10	\$2,500.00	-\$25,000.00	
1.23	Reinforced Concrete Driveway	SY	1,849	1,829	-20	\$125.00	-\$2,500.00	
1.24	Mountable Curb	LF	565	496	-69	\$28.50	-\$1,966.50	
1.28	Lime	TON	715	364	-351	\$350.00	-\$122,850.00	
1.31	Fog Seal (Parking Lot Application)	SY	1,035	285	-750	\$2.50	-\$1,875.00	
1.32	Concrete Spill Curb	LF	252	211	-41	\$28.50	-\$1,168.50	
1.33	Concrete Catch Curb	LF	4,732	5,372.50	641	\$28.50		\$18,254.25
1.34	Reinforced Concrete Valley Gutter & Filet	SY	755	522	-233	\$145.00	-\$33,785.00	
1.35	Chain Link Fence 42", Bolted Posts	LF	188	285	97	\$30.00		\$2,910.00
1.37	Furnish and Install New Masonry Mailbox	EA	4	0	-4	\$2,300.00	-\$9,200.00	
1.39	Pavement Marking, Double Yellow Centerline, 4"	LF	4,910	5,621	711	\$1.80		\$1,279.80
1.56	Adjust Sanitary Sewer Manhole to Grade w/New Ring and Cover	EA	6	10	4	\$1,000.00		\$4,000.00
1.57	Adjust Cleanout to Grade	EA	2	1	-1	\$325.00	-\$325.00	
1.58	Adjust Water Valve to Grade	EA	23	32	9	\$525.00		\$4,725.00
1.61	Adjust Gas Valve to Grade	EA	3	8	5	\$450.00		\$2,250.00
1.62	Silt Fence	LF	3,376	1,230	-2,146	\$5.25	-\$11,266.50	
1.63	Rock Filter Dam	LF	24	0	-24	\$70.00	-\$1,680.00	
1.66	Material Testing	LS	1	0.54	0	\$45,000.00	-\$20,733.51	
1.83	Install Tree Well Planting Area Including Root Barrier	SY	325	151	-174	\$169.50	-\$29,493.00	
1.86	Block Sodding (Estimated)	SF	16,371	0	-16,371	\$0.75	-\$12,278.25	
1.90	Ground Box TY D (162922) w/Apron	EA	2	3	1	\$4,500.00		\$4,500.00
1.98	Ground Box (Prepare)	EA	2	3	1	\$2,550.00		\$2,550.00
1.99	Miscellaneous Construction Items	LS	1	0.34	-1	\$100,000.00	-\$65,901.99	
CO 1.99.04	FURNISH AND INSTALL HANDRAIL (RFI 004)	LF	14	26.50	12.50	\$295.00		\$3,687.50
CO 1.99.6.3	POST MOUNTED HANDICAPPED VAN ACCESSIBLE PARKING SIGN R7-8 TYPE C (RFI 006)	EA	1	2	1	\$400.00		\$400.00
CO 1.26	3" HMAC TY B	TON	34	0	-34	\$25.50	-\$867.00	
CO 2.02	CONNECT EXISTING SEWER TO NEW	EA	3	2	-1	\$1,259.50	-\$1,259.50	
CO 2.05	LOC/RECONNECT SEWER SERVICES	EA	4	2	-2	\$3,538.13	-\$7,076.26	
CO 3.04	CUT/CONNECT TO WL	EA	21	14	-7	\$4,900.00	-\$34,300.00	
CO 3.05	CUT/PLUG WL	EA	21	20	-1	\$765.00	-\$765.00	
CO 3.09	SHORT SIDE WATER SVC REONNECT	EA	27	21	-6	\$1,550.00	-\$9,300.00	
CO 3.10	LONG SIDE WATER SVC RECONNECT	EA	26	22	-4	\$2,250.00	-\$9,000.00	

KSA ENGINEERS, INC. 10801 North Mopac Expressway, Building 3 - Suite 200 Austin, Texas 78759 CONTRACT CHANGE ORDER							Date:	05/14/26	Project No.:	100226			
To: Dawna James TTG Utilities, Inc. 305 Memorial Dr. Suite B Gatesville, TX 76528							Location:	Killeen, TX					
							Job Description:				Gilmer Street Road and Pedestrian Improvements		
							Change Order No.:				4		
							Original Contract:				\$4,004,004.00		
							Change Orders to Date:				\$953,912.03		
Total Contract Price:				\$4,957,916.03									
You are hereby requested to comply with the following changes from the contract plans and specifications:													
Item No.	Description of changes - quantities, units, unit price, change in completion schedule, etc.						Decrease in contract price (3)		Increase in contract price (4)				
(1)	(2)	Unit	Original Qty.	New Qty.	Net Change Qty.	Cost							
CO 3.16	CONCRETE CAP OVER WCID WL	EA	1	2	1	\$1,400.00			\$1,400.00				
Contract price change due to this Change Order:													
Total Decrease									-\$454,149.61				
Total Increase									\$51,466.55				
Net decrease in contract price									-\$402,683.06				
							The sum of -\$402,683.06 is hereby subtracted from the total contract price and the total adjusted price to date thereby is \$4,555,232.97						
							The time provided for completion as provided in the contract will increase by 0 calendar days. Therefore, the completion date changes from 03/31/26 to 03/31/26						
This document shall become an amendment to the contract and all provisions of the contract will apply hereto.													

PROJECT CODE: 922026

PROJECT CODE: 922021

PROJECT CODE: 922026

PROJECT CODE: 922026

PROJECT CODE: 922026

PROJECT CODE: 922021

KSA ENGINEERS, INC. 10801 North Mopac Expressway, Building 3 - Suite 200 Austin, Texas 78759 CONTRACT CHANGE ORDER							Date:	05/14/26	Project No.:	100226
To: Dawna James TTG Utilities, Inc. 305 Memorial Dr. Suite B Gatesville, TX 76528							Location:	Killeen, TX		
							Job Description:			
							Gilmer Street Road and Pedestrian Improvements			
							Change Order No.:	4		
Original Contract:	\$4,004,004.00									
Change Orders to Date:	\$953,912.03									
Total Contract Price:	\$4,957,916.03									

You are hereby requested to comply with the following changes from the contract plans and specifications:

Item No.	Description of changes - quantities, units, unit price, change in completion schedule, etc.	Unit	Original Qty.	New Qty.	Net Change Qty.	Cost	Decrease in contract price (3)	Increase in contract price (4)
(1)	(2)							
1.02	Remove and Dispose Concrete Sidewalk and Curb Ramps (Typ.4") and Miscellaneous Off-Street Hard Surfacing (Up to 4")	SY	2,415	2,419	4	\$15.00		\$60.00
1.05	Remove and Dispose Curb and Gutter	LF	5,595	5,645	50	\$9.00		\$450.00
1.08	Remove and Dispose Tree, Less up to 1' Diameter	EA	3	0	-3	\$1,200.00	-\$3,600.00	
1.09	Remove and Dispose Tree, 1'-2' Diameter	EA	3	2	-1	\$2,500.00	-\$2,500.00	
1.11	Remove and Dispose Masonry Mailbox (If Needed)	EA	4	0	-4	\$235.00	-\$940.00	
1.14	Provide Temporary Mailbox with Concrete Filled Container Base During Construction (Estimated Amount)	EA	20	0	-20	\$320.00	-\$6,400.00	
1.15	Paint Existing Pavement Markings Black, 4" Width (Krylon Industrial KRY8304 or Similar)	LF	491	0	-491	\$3.60	-\$1,767.60	
1.18	4" Reinforced Concrete Sidewalk	SY	2,864	2,738	-126	\$85.00	-\$10,710.00	
1.19	6" Header Curb (Locations Not Within Curb Ramp Pay Limits, and Unanticipated Field Slope Mitigation)	LF	1,500	279	-1,221	\$21.00	-\$25,641.00	
1.20	Sidewalk Ramp Type 1 (Perpendicular)	EA	11	12	1	\$2,500.00		\$2,500.00
1.21	Sidewalk Ramp Type 2 (Parallel No Buffer)	EA	3	4	1	\$2,500.00		\$2,500.00
1.22	Sidewalk Ramp Type 7 (Directional)	EA	40	30	-10	\$2,500.00	-\$25,000.00	
1.23	Reinforced Concrete Driveway	SY	1,849	1,829	-20	\$125.00	-\$2,500.00	
1.24	Mountable Curb	LF	565	496	-69	\$28.50	-\$1,966.50	
1.28	Lime	TON	715	364	-351	\$350.00	-\$122,850.00	
1.31	Fog Seal (Parking Lot Application)	SY	1,035	285	-750	\$2.50	-\$1,875.00	
1.32	Concrete Spill Curb	LF	252	211	-41	\$28.50	-\$1,168.50	
1.33	Concrete Catch Curb	LF	4,732	5,372.50	641	\$28.50		\$18,254.25
1.34	Reinforced Concrete Valley Gutter & Filet	SY	755	522	-233	\$145.00	-\$33,785.00	
1.35	Chain Link Fence 42", Bolted Posts	LF	188	285	97	\$30.00		\$2,910.00
1.37	Furnish and Install New Masonry Mailbox	EA	4	0	-4	\$2,300.00	-\$9,200.00	
1.39	Pavement Marking, Double Yellow Centerline, 4"	LF	4,910	5,621	711	\$1.80		\$1,279.80
1.56	Adjust Sanitary Sewer Manhole to Grade w/New Ring and Cover	EA	6	10	4	\$1,000.00		\$4,000.00
1.57	Adjust Cleanout to Grade	EA	2	1	-1	\$325.00	-\$325.00	
1.58	Adjust Water Valve to Grade	EA	23	32	9	\$525.00		\$4,725.00
1.61	Adjust Gas Valve to Grade	EA	3	8	5	\$450.00		\$2,250.00
1.62	Silt Fence	LF	3,376	1,230	-2,146	\$5.25	-\$11,266.50	
1.63	Rock Filter Dam	LF	24	0	-24	\$70.00	-\$1,680.00	
1.66	Material Testing	LS	1	0.54	0	\$45,000.00	-\$20,733.51	
1.83	Install Tree Well Planting Area Including Root Barrier	SY	325	151	-174	\$169.50	-\$29,493.00	
1.86	Block Sodding (Estimated)	SF	16,371	0	-16,371	\$0.75	-\$12,278.25	
1.90	Ground Box TY D (162922) w/Apron	EA	2	3	1	\$4,500.00		\$4,500.00
1.98	Ground Box (Prepare)	EA	2	3	1	\$2,550.00		\$2,550.00
1.99	Miscellaneous Construction Items	LS	1	0.34	-1	\$100,000.00	-\$65,901.99	
CO 1.99.04	FURNISH AND INSTALL HANDRAIL (RFI 004)	LF	14	26.50	12.50	\$295.00		\$3,687.50
CO 1.99.6.3	POST MOUNTED HANDICAPPED VAN ACCESSIBLE PARKING SIGN R7-8 TYPE C (RFI 006)	EA	1	2	1	\$400.00		\$400.00
CO 1.26	3" HMAC TY B	TON	34	0	-34	\$25.50	-\$867.00	
CO 2.02	CONNECT EXISTING SEWER TO NEW	EA	3	2	-1	\$1,259.50	-\$1,259.50	
CO 2.05	LOC/RECONNECT SEWER SERVICES	EA	4	2	-2	\$3,538.13	-\$7,076.26	
CO 3.04	CUT/CONNECT TO WL	EA	21	14	-7	\$4,900.00	-\$34,300.00	
CO 3.05	CUT/PLUG WL	EA	21	20	-1	\$765.00	-\$765.00	
CO 3.09	SHORT SIDE WATER SVC REONNECT	EA	27	21	-6	\$1,550.00	-\$9,300.00	
CO 3.10	LONG SIDE WATER SVC RECONNECT	EA	26	22	-4	\$2,250.00	-\$9,000.00	

KSA ENGINEERS, INC. 10801 North Mopac Expressway, Building 3 - Suite 200 Austin, Texas 78759 CONTRACT CHANGE ORDER							Date:	05/14/26	Project No.:	100226	
To: Dawna James TTG Utilities, Inc. 305 Memorial Dr. Suite B Gatesville, TX 76528							Location:	Killeen, TX			
							Job Description:			Gilmer Street Road and Pedestrian Improvements	
							Change Order No.:	4			
							Original Contract:	\$4,004,004.00			
							Change Orders to Date:	\$953,912.03			
							Total Contract Price:	\$4,957,916.03			
You are hereby requested to comply with the following changes from the contract plans and specifications:											
Item No.	Description of changes - quantities, units, unit price, change in completion schedule, etc.	Unit	Original Qty.	New Qty.	Net Change Qty.	Cost	Decrease in contract price (3)	Increase in contract price (4)			
(1)	(2)										
CO 3.16	CONCRETE CAP OVER WCID WL	EA	1	2	1	\$1,400.00		\$1,400.00			
	Contract price change due to this Change Order:										
	Total Decrease						-\$454,149.61				
	Total Increase							\$51,466.55			
	Net decrease in contract price						-\$402,683.06				
							The sum of -\$402,683.06 is hereby subtracted from the total contract price and the total adjusted price to date thereby is \$4,555,232.97				
							The time provided for completion as provided in the contract will increase by 0 calendar days. Therefore, the completion date changes from 03/31/26 to 03/31/26				
This document shall become an amendment to the contract and all provisions of the contract will apply hereto.											

Regular 11-14-2023
Item # RS-23-181
CCM/R 23-176R

CITY COUNCIL MEMORANDUM FOR RESOLUTION

DATE: November 7, 2023
TO: Kent Cagle, City Manager
FROM: Edwin Revell, Executive Director of Development Services
SUBJECT: Authorize the award of Bid No. 24-03, Gilmer Street Road and Pedestrian Improvements to TTG Utilities, Inc., in the amount of \$4,004,004.00

BACKGROUND AND FINDINGS:

This project was included in the Street Reconstruction CO Bond in FY 2022 as a result of the previous pavement management program that prioritized the streets needing to be replaced.

The project includes reconstruction of Gilmer Street between Veterans Memorial Blvd and Rancier Road and will include full replacement of the roadway, curb and gutter, and sidewalk. The project also includes new street trees, street lighting, and drainage improvements.

KSA provided professional services for design and bid support. All received bids were opened on September 21, 2023 and were read aloud through zoom online video conferencing and are noted below.

Bidders	Total Bid Amount
JDR Excavation, LLC	\$4,452,835.51
TTG Utilities, Inc.	\$4,004,004.00

THE ALTERNATIVES CONSIDERED:

1. Reject all received bids and do not move forward with the construction of the Gilmer Street Road and Pedestrian Improvements Project.
2. Award Bid 24-03, Gilmer Street Road and Pedestrian Improvements Project, to TTG Utilities, Inc. in the amount of \$4,004,004.00.

Which alternative is recommended? Why?

Alternative 2 is recommended because:

- a. TTG Utilities, Inc. is the lowest responsible bidder.
- b. KSA the design engineering firm on this project, reviewed and recommended the contract be awarded to TTG Utilities, Inc. in the amount of \$4,004,004.00.

CONFORMITY TO CITY POLICY:

The project conforms to all State and City purchasing policies.

FINANCIAL IMPACT:

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

The total cost for the construction of the Gilmer Street Road and Pedestrian Improvements Project is \$4,004,004.00. There is sufficient amount of funds in the Drainage Capital project account and 2022 CO Bond Capital project account.

Is this a one-time or recurring expenditure?

This is a one-time expenditure.

Is this expenditure budgeted?

Yes, funds are available in the Drainage Capital Improvement Program (CIP) Fund account 375-8934-493.69-03 (project code 240000) and the Certificates of Obligations Bond, Series 2022 Fund account 328-8934-493.69-03 (project code 220026).

If not, where will the money come from?

N/A

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

Yes

RECOMMENDATION:

Staff recommends that the City Council award Bid 24-03 Gilmer Street Road and Pedestrian Improvements Project, to TTG Utilities, Inc., in the amount of \$4,004,004.00, and authorize the City Manager or his designee to enter into a contract with TTG Utilities, Inc., and authorize the City Manager to execute any and all change orders.

DEPARTMENTAL CLEARANCES:

Development Services
Finance
City Attorney

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

That the above stated recommendation is hereby approved and authorized.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Killeen, Texas, this the 14th day of November 2023, 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


Debbie Nash-King
MAYOR

APPROVED AS TO FORM:


Holli C. Clements
CITY ATTORNEY 

ATTEST:


Laura J. Calcote
CITY SECRETARY



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.
TTG Utilities, Inc.
Gatesville, TX United States

Certificate Number:
2023-1083679

Date Filed:
10/16/2023

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:
11/15/2023

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.
Bid 24-03
Gilmer Street Road and Pedestrian Improvements

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary
	Pena, Ricardo	Gatesville, TX United States	X	

5 Check only if there is NO Interested Party.

6 UNSWORN DECLARATION

My name is _____, and my date of birth is _____.

My address is _____ (street) _____ (city) _____ (state) _____ (zip code) _____ (country).

I declare under penalty of perjury that the foregoing is true and correct.

Executed in _____ County, State of _____, on the _____ day of _____, 20____.
(month) (year)

Signature of authorized agent of contracting business entity
(Declarant)

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.

TTG Utilities, Inc.
Gatesville, TX United States

Certificate Number:
2023-1083679

Date Filed:
10/16/2023

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.

Bid 24-03
Gilmer Street Road and Pedestrian Improvements

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary
	Pena, Ricardo	Gatesville, TX United States	X	

5 Check only if there is NO Interested Party.


6 UNSWORN DECLARATION

My name is Dawna L. James, and my date of birth is 11/11/1965.

My address is 305 Memorial Dr., Gatesville, TX, 76528, USA.
(street) (city) (state) (zip code) (country)

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Coryell County, State of Texas, on the 16th day of October, 20 23.
(month) (year)



Signature of authorized agent of contracting business entity
(Declarant)



City of Killeen

Staff Report

File Number: OR-26-010

Consider an Ordinance authorizing the temporary traffic control change on Llewellyn Drive during the Capital Improvement Project construction.

DATE: July 7, 2026

TO: Kent Cagle, Interim City Manager

FROM: Andrew Zagars, P.E. City Engineer

SUBJECT: Ordinance to authorize the temporary traffic control on Llewellyn Drive during the CIP construction

BACKGROUND AND FINDINGS:

Llewellyn Drive is in the south part of town between Stagecoach and Featherline Road. This is a local roadway that connects to both roadways. This roadway connects both roads and has a history of bypass traffic going through the neighborhood. The roadway is an average of 18 feet in width. With the construction of Stagecoach, this traffic has increased for vehicles trying to avoid the construction, and the traffic signals at Stagecoach and W.S. Young, and Stagecoach and Featherline Road.

In February 2026 Public Works received a request for speed study to be done through the Neighborhood Traffic Calming Program (NTCP). The test was run between March 2, 2026 and March 6, 2026. The results of the speed study test showed excessive speeding and an increase in traffic along the roadway showing that the public are using Llewellyn Drive as a bypass. The higher volumes correspond to the peak hours of traffic and the school hours of the neighboring schools.

After reviewing the collected data, it was determined that installation of additional signage for the speed limits was recommended. This included one set of radar signs showing motorists the speed limit and flashing LED signs in another location.

Additional testing was performed during the week of April 20th-24th. The results showed a decrease in speeding to acceptable limits, but an increase in traffic volumes. As a result, the decision to install temporary "Road Closed to Thru Traffic" signs were installed to help deter the bypass traffic.

Additional testing was run on April 27 through May 1, May 1 through May 8, May 11 through May 15, and May 18 through May 22. All tests showed a continual decrease in traffic volumes with the speed limits remaining within acceptable limits.

As part of the NTCP, Phase 1 focusses on the installation of signs to inform the public, additional

striping, and increase in law enforcement. Engineering reviewed the data and determined that keeping the temporary road closure signs is recommended for the duration of the capital projects within the area. The Stagecoach Phase 1 project is currently under construction with a completion expected by the end of the summer of 26. Shortly following will be the construction of Stagecoach Phase 2 and the Featherline widening projects. Llewellyn Drive is within the limits of all these projects. It is the recommendation of the engineering department to maintain the temporary Road Closure signs through the duration of the construction of all three projects.

THE ALTERNATIVES CONSIDERED:

1. Authorize the ordinance to maintain the Temporary Road Closed to Thru Traffic Signs along Llewellyn Drive for the duration of the Capital projects in the immediate area that include Stagecoach Road Reconstruction, Phases 1 and 2, and the reconstruction of Featherline Road.
2. Do not authorize the proposed Ordinance to maintain the current Temporary Road Closed to Thru Traffic Signs and have them removed

Which alternative is recommended? Why?

Staff are recommending Alternative 1 to adopt the proposed Ordinance to maintain the Temporary Road Closed to Thru Traffic Signs along Llewellyn Drive for the duration of the Capital projects in the immediate area. Llewellyn Drive is a special case where this road is being negatively impacted by three capital projects in a short time frame. Continual test results have shown that the signage has reduced the overall bypass traffic.

CONFORMITY TO CITY POLICY:

This item conforms with state and local policy.

FINANCIAL IMPACT:

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

N/A

Is this a one-time or recurring revenue/expenditure?

N/A

Is this revenue/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 revenue/expenditure?

N/A

RECOMMENDATION:

Staff recommends adopting the proposed Ordinance to maintain the Temporary Road Closed to Thru Traffic Signs along Llewellyn Drive for the duration of the Capital projects in the immediate area.

DEPARTMENTAL CLEARANCES:

Engineering Services
Finance
Legall

ATTACHED SUPPORTING DOCUMENTS:

Ordinance
Presentation

AN ORDINANCE ESTABLISHING A TEMPORARY LOCAL ACCESS ROAD CLOSURE ON LLEWELLYN DRIVE, FOR THE DURATION OF THE ROADWAY IMPROVEMENT PROJECTS OF STAGECOACH ROAD RECONSTRUCTION AND FEATHERLINE ROAD RECONSTRUCTION BY THE CITY OF KILLEEN; AUTHORIZING INSTALLATION OF APPROPRIATE SIGNS AND MARKINGS; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING A CUMULATIVE CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Killeen, Texas is a home-rule city and has exclusive control over the public highways, streets, and alleys within the City, as established by Texas Transportation Code, Section 311.001; and,

WHEREAS, the City is performing construction projects in vicinity of Llewellyn Lane which includes the Stagecoach Road Reconstruction Project and the Featherline Road Reconstruction Project; and,

WHEREAS, the City Engineer, having given consideration to safe stopping-sight distances, roadway widths, speed limits, traffic volumes, existing roadway conditions of Llewellyn Drive, the nature of the construction project, and other factors which affect the safety of the traveling public and construction workers, has determined and recommended that a temporary regulatory local access road closure should be established for the duration of the construction these construction projects; and,

WHEREAS, the City Engineer, as the City's traffic engineer, has determined that the requirements for the installation of temporary signage, in accordance with City of Killeen Municipal Code Section 28-31, has been met; and,

WHEREAS, the City Council finds and determines, based upon the above-mentioned determinations and recommendations of the City Engineer, that a temporary regulatory local access road closure is necessary, as hereinafter set out in this Ordinance.

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

SECTION I. That during the construction of the Stagecoach Phase 1, Stagecoach Phase 2, and Featherline Road Widening improvements, no person shall drive a vehicle through Llewellyn Lane as a detour and that Llewellyn Drive will be temporarily signed as local access only with appropriate signage stating "Road Closed. Local Access Only".

The City Engineer of the City of Killeen is hereby authorized and directed to designate said temporary regulatory signage. The temporary regulatory signage shall be effective during the period of construction and shall terminate upon the earlier of either (a) construction completion,

as determined by the City of Killeen. Upon termination of the temporary regulatory signage, the installed signage shall be removed.

SECTION II. That the temporary regulatory signage established above is based upon the determinations and recommendations of the City Engineer of the City of Killeen.

SECTION III. That the City Engineer is hereby authorized and directed to elect and install appropriate signs and markings at the designated locations commensurate with the provisions of this ordinance.

SECTION IV. That all existing ordinances, or any part thereof, in conflict with this Ordinance are hereby expressly repealed.

SECTION V. That repeal of the ordinances, or parts of ordinances, effectuated by the enactment of this Ordinance shall not be construed as abating any actions pending under or by virtue of such ordinances; or as discontinuing, abating, modifying or altering any penalty accruing or to accrue; or as affecting the liability of any person, firm or corporation; or as waiving any right of the municipality under any section or provision existing at the time of the passage of this Ordinance.

SECTION VI. 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 VII. That this Ordinance shall take effect ten days from the date of its passage.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Killeen, Texas, this 7th day of July 2026, 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:

Joseph Soloman, MAYOR

ATTESTED:

Micheal Loller, INTERIM CITY SECRETARY

APPROVED AS TO FORM:

Holli C. Clements, CITY ATTORNEY
Ord. #26-_____



LLEWELLYN DRIVE
TEMPORARY TRAFFIC
CONTROL

OR-26-010

July 7, 2026

Background and Findings

- Llewellyn Drive is located in the south part of town adjacent to three (3) Capital Projects.
- Llewellyn is a local roadway that connects to Featherline and Stagecoach.
- In February 2026, Public Works received a request for a speed study.
- Tests were performed between March 2, 2026 and March 6, 2026.
- The study found excessive speeding and high volumes.

Background and Findings

- ❑ After review of the test data, it was determined to install speed limits signs as an initial response, this included radar and LED signs.
- ❑ Additional testing was performed during the week of April 20th-24th after the signs were installed. Results showed a decrease in speeding to acceptable limits, but an increase in volume.
- ❑ As a result, the decision was made to install temporary “Road Closed to Thru Traffic” to help deter the bypass traffic.
- ❑ Testing continued in April thru May with results showing a decrease in traffic volume.

Background and Findings

4

□ Test Data

Test Dates	85th Percentile	Volume	Volume/Avg Day
3-2 to 3-6	42	2897	725
4-13 to 4-17	32	3982	973
4-20 to 4-24	32	4489	1122
4-27 to 5-1	34	2088	522
5-1 to 5-8	34	2135	356
5-11 to 5-15	34	1434	358
5-18 to 5-22	34	1325	331
6-1 to 6-5	34	543	135

Installed Signs

5



Installed Signs

6



Location Map



Sign Locations along Llewellyn Drive

Background and Findings

- Chapter 28-31 states the traffic engineer can place temporary devices for no more than ninety (90) days.
- The proposed Ordinance will allow the temporary road closure signs to state into effect until all city CIP project are completed.
 - ▣ Stagecoach Phase 1
 - ▣ Stagecoach Phase 2
 - ▣ Featherline Widening

Alternatives Considered

9

The City Council has three (3) alternatives. The Council may:

- Choose not to adopt the ordinance;
- Adopt the ordinance with amendments; or
- Adopt the ordinance as presented

Recommendation

- Staff recommends that the City Council approve the ordinance to modify Section 28-251, School zones, maximum speed limits, setting the school speed limit zones to include the 20 mph speed zone along Breeder Lane.



City of Killeen

Staff Report

File Number: OR-26-011

Consider an Ordinance approving the establishment of a School Speed Zone Along Breeder Lane.

DATE: July 7, 2026

TO: Kent Cagle, Interim City Manager

FROM: Andrew Zagars, P.E., City Engineer

SUBJECT: Approve an ordinance to establish a school speed zone along Breeder Lane

BACKGROUND AND FINDINGS:

As part of a recent speed study along Breeder Lane, it was determined that a large amount of pedestrian and bike traffic use this roadway to get to a sidewalk connection to Haynes Elementary. Staff reached out to Killeen ISD and confirmed that they were acceptable to extend the school speed zone along Breeder Lane to the sidewalk connection to the school.

City of Killeen Code of Ordinances Section 28-251 declares designated locations as school speed zones. The purpose of the proposed ordinance is to establish a 20-mph school speed zone along Breeder Lane, starting at the intersection with Bunny Trail and extending 850 feet west.

The proposed school speed zone will help ensure the safety of students walking and biking to and from school. The recommended school speed zone is based on guidance provided by the Texas Manual on Traffic Control Devices and the existing usage pattern of the students. Once the school zone is in place, the ordinance will allow enforcement of the school zone.

THE ALTERNATIVES CONSIDERED:

The City Council has three (3) alternatives. The Council may:

1. Choose not to adopt the Ordinance;
2. Adopt the Ordinance with amendments; or
3. Adopt the Ordinance as presented.

Which alternative is recommended? Why?

Staff recommends adoption of the Ordinance as presented. The proposed ordinance will help ensure and promote the safety of the students walking and riding their bike to Haynes Elementary School by using the existing walkway connected to Breeder Lane.

CONFORMITY TO CITY POLICY:

The proposed Ordinance conforms to all City policies.

FINANCIAL IMPACT:

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

N/A

Is this a one-time or recurring revenue/expenditure?

N/A

Is this revenue/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 revenue/expenditure?

N/A

RECOMMENDATION:

Staff recommends adoption of the Ordinance as presented. The proposed ordinance will help ensure and promote the safety of the students walking and riding their bike to Haynes Elementary School by using the existing walkway connected to Breeder Lane.

DEPARTMENTAL CLEARANCES:

Engineering
Legal

ATTACHED SUPPORTING DOCUMENTS:

Ordinance
Map
Presentation

AN ORDINANCE AMENDING CHAPTER 28, TRAFFIC, ARTICLE IX, MISCELLANEOUS RULES OF THE CITY OF KILLEEN CODE OF ORDINANCES TO AMEND THE SCHEDULE OF SCHOOL SPEED ZONES; PROVIDING A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

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

WHEREAS, Section 545.356 of the Texas Transportation Code authorizes the City to alter, by ordinance, the prima facie speed limits from the results of an engineering and traffic investigation; and,

WHEREAS, the City Council is concerned with the public's safety and welfare and the protection of the lives of children; and,

WHEREAS, the uniformity of school zones, speed limits and signs will aid in the protection of the children in addition to promoting the orderly flow of traffic within the City; and,

WHEREAS, the City Council deems it necessary to establish prima facie speed limits near public and private elementary and secondary schools within its territorial limits; and,

WHEREAS, recent speed studies and observations of school traffic along Breeder Lane necessitate updating the school zone ordinance;

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

SECTION I. Chapter 28, Traffic, Article IX., Miscellaneous Rules of the City of Killeen Code of Ordinances are hereby amended to read as follows:

Sec. 28-251. School zones, maximum speed limits.

- (a) A person commits an offense if he operates or drives a vehicle in a school traffic zone in the following designated areas or on the following designated streets at a speed greater than the speed designated by this section for that area or street or portion thereof, and any speed in excess of the limit provided in this section shall be prima facie evidence that the speed is not reasonable nor prudent and is unlawful. On the basis of recommendations of the traffic engineer, determined on the basis of engineering and traffic studies, the city council shall designate school speed zones with appropriate pavement markings or signs, which street markings, warnings, or signs shall be placed at the school speed zones by the traffic engineer. The speed limit designated for school speed zones shall be effective only during official school days and at times when appropriate flashing warnings and/or signs advising motorists of the speed limit are placed in conspicuous places.

- (b) In accordance with the recommendations of the traffic engineer, the following designated locations and areas are declared to be school speed zones and the maximum speed limit for all motor vehicles operated within such areas and locations and on such streets on school days, when either a flashing warning signal is in operation or when appropriate signs are in place and conspicuous shall be as follows:

Street Corridor	Speed Limit	School Speed Zone — Beginning	School Speed Zone — Ending	School
38 th Street	20	200 feet west of Westcliff Road	Haven Drive	Brookhaven and Rancier Middle
Adrian Barnes Drive	20	Elms Road	Weiss Drive	C. E. Ellison High
Alamacitos Creek Drive	20	Bunny Trail	200 feet East of Bunny Trail	Haynes Elementary
Alexander Street	20	200 feet north of F. M. 439	200 feet south of F. M. 439	East Ward Elementary
Alta Vista Drive	20	200 feet south of Wheeler Avenue	U.S. 190 Eastbound Frontage Road	Pershing Park Elementary
Ambrose Drive	20	200 feet west of Robinett Road	Robinett Road	Live Oak Middle
Anca Drive	20	McGregor Loop	150 feet south of Grand Terrace Drive	Pat Carney Elementary School
Arkansas Avenue	20	160 feet west of South W. S. Young	South W. S. Young	Manor Middle
Aspen Drive	20	230 feet east of Hunters Ridge Trail	Shawn Drive	Timber Ridge Elementary
Atkinson Avenue	20	300 feet west of School Property Line	334 feet west of North 38 th Street	Career and Tech Center
Atkinson Drive	20	North 38 th Street	150 feet west of North 42 nd Street	Killeen High
Azura Way	20	South intersection of McGregor Loop	150 feet south of Grand Terrace Drive	Pat Carney Elementary School
Bacon Ranch Road	20	127 feet east of Trimmier Road	104 feet east of Covey Lane (East)	Grace Lutheran School
Barbara Lane	20	Janis Drive	200 feet east of Pamela Drive	Sugarloaf Elementary
Basset Court	20	200 feet west of Herndon Drive	300 feet east of Gowan Drive	Ira Cross Jr. Elementary

Biels Loop	20	North intersection of Biels Loop and West Trimmier Road	South intersection of Biels Loop and West Trimmier Road	Charles E. Patterson Middle School
Bigpine Drive	20	300 feet south of Eastwood Drive	Westwood Drive	Maxdale Elementary
Bonnie Drive	20	200 feet south of Wheeler Avenue	U.S. 190 Eastbound Frontage Road	Pershing Park Elementary
Breeze Drive	20	200 feet south of Bull Run Drive	Thunder Creek Drive	Live Oak Middle
Breeder Lane	20	850 feet west of Bunny Trail	Bunny Trail	Haynes Elementary
Bull Run Drive	20	200 feet west of Robinett Road	200 feet east of Breeze Drive	Live Oak Middle
Bundrant Drive	20	300 feet north of Saint Francis Drive	Rancier Avenue	St. Joseph Catholic School
Bunny Trail	20	200 feet north of Alamacitos Creek Dr.	300 feet south of Canadian River Loop	Haynes Elementary
Catalina Drive	20	Breeze Drive	200 feet east of Breeze Drive	Live Oak Middle
Canadian River Loop	20	Bunny Trail	200 feet east of Bunny Trail	Haynes Elementary
Chantz Drive	20	300 feet north of Mallard Lane	200 feet south of Fawn Drive	Cedar Valley Elementary
Chantz Drive	20	200 feet north of Kit Carson Trail	300 feet south of Golden Drive	Liberty Hill Middle
Clear Creek Road (SH 201)	35	317 feet north of Desert Willow Drive	670 feet south of Elms Road	Shoemaker High School
Colorado Drive	20	20 feet south Shawn Drive	Yellow Pine Court	Timber Ridge Elementary
Commerce Drive	20	Rail Road Tracks	322 feet west of North 38 th Street	Career and Tech Center
Creek Land Road	35	200 feet north of Katy Creek Lane	150 feet south of Katy Creek Lane	Dr. J. Fowler Elementary
Daisy Drive	20	200 feet north of Marigold Drive	200 feet south of Marigold Drive	Bellaire Elementary
Dartmouth Drive	20	300 feet south of Granex Drive	Granex Drive	Trimmier Elementary
Dean Road	20	200 feet west of Hillcrest Drive	200 feet east of Garth Drive	West Ward Elementary

Dubrock Drive	20	300 feet south of Florence Road	Florence Road	Nolan Middle
Eastwood Drive	20	300 feet west of Bigpine Drive	Southhill Drive	Maxdale Elementary
Edgefield Street	20	212 feet west of Tallwood Drive	200 feet east of Tallwood Drive	Palo Alto Middle
Elms Road	20	300 feet west of Roundrock Drive	200 feet east of Tallwood Drive	Palo Alto Middle
Elms Road	25	185 feet west of Windfield Drive	Clear Creek Road (SH 201)	Shoemaker High School
Elms Road	25	300 feet west of Adrian Barnes Drive	112 feet west of Christie Drive	C. E. Ellison High
Eppinette Drive	20	Schorn Drive	Oster Drive	Saegert Elementary
Estelle Avenue	20	200 feet north of Carrollton Avenue	200 feet south of Grandon Drive	Clifton Park Elementary
Excel Drive	20	Courage Avenue	300 feet east of Success Drive	Trimmier Elementary
F. M. 439	20	200 feet west of Alexander Street	210 feet east of Patton Road	East Ward Elementary
Fawn Drive	20	280 feet west of Chantz Drive	200 feet east of Mesa Drive	Cedar Valley Elementary
Florence Road	20	430 feet south of Marigold Drive	Jasper Drive	Bellaire Elementary
Florence Road	20	155 feet north of Jasper Drive	300 feet north of Lydia Drive	Nolan Middle
Foster Lane	20	200 feet south of Michael Drive	200 feet north of Vahrenkamp Drive	Iduma Elementary
Garth Drive	20	200 feet south of Dean Road	Central Drive	Fairway Middle
Golden Drive	20	Chantz Drive	300 feet east of Leadville Drive	Liberty Hill Middle
Golden Gate Drive	20	Azura Way	100 feet west of Cascada Drive	Pat Carney Elementary School
Gowan Drive	20	150 feet north of Iredell Drive	200 feet north of Basset Court	Ira Cross Jr. Elementary
Gowen Drive	20	Zephyr Road	150 feet north of Peaks Drive	Gateway High/Middle
Grandon Drive	20	200 feet east of Estelle Avenue	Trimmier Road	Clifton Park Elementary
Granex Drive	20	Courage Avenue	300 feet east of Success Drive	Trimmier Elementary
Haven Drive	20	88 feet south of Blackburn Drive	Hilliard Avenue	Brookhaven and Rancier Middle

Herndon Drive	20	150 feet north of Iredell Drive	200 feet north of Basset Court	Ira Cross Jr. Elementary
Hillcrest Drive	20	200 feet south of Dean Road	Williamson Avenue	West Ward Elementary
Hilliard Avenue	20	Haven Drive	207 feet east of Remington Drive	Brookhaven and Rancier Middle
Hunters Ridge Trail	20	Colorado Drive	300 feet south of school property	Timber Ridge Elementary
Illinois Avenue	20	22 feet east of Ohio Street	217 feet of West Goode Drive	Manor Middle
Jackson Street	20	200 feet north of F. M. 439	F. M. 439	East Ward Elementary
Janis Drive	20	200 feet south of Barbara Lane	200 feet north of Kimberly Lane	Sugarloaf Elementary
Jasper Drive	20	300 feet west of Daisy Drive	300 feet east of 2 nd Street	Bellaire Elementary
Katy Creek Lane	20	170 feet west of Creek Land Road	End of Katy Creek Lane	Dr. J. Fowler Elementary
Kimberly Lane	20	Janis Drive	200 feet east of Pamela Drive	Sugarloaf Elementary
Kit Carson Trail	20	282 feet south of Chantz Drive	300 feet east of Leadville Drive	Liberty Hill Middle
Lake Road	20	300 feet west of North 42 nd Street	400 feet east of Pudd Lane	Killeen Adventist Jr.
Lake Road	20	200 feet south of Ruiz Drive	200 feet north of Ruiz Drive	Peebles Elementary
Leadville Drive	20	300 feet south of Golden Drive	Kit Carson	Liberty Hill Middle
Lily Drive	20	200 feet south of Marigold Drive	Marigold Drive	Bellaire Elementary
Lisa Lane	20	Atkinson Drive	300 feet north of Atkinson Drive	Killeen High
Littlepine Drive	20	300 feet west of Bigpine Drive	Bigpine Drive	Maxdale Elementary
Louise Lane	20	190 feet north of Katy Creek Lane	Katy Creek Lane	Dr. J. Fowler Elementary
Marigold Drive	20	200 feet west of Daisy Drive	Florence Road	Bellaire Elementary
Michael Drive	20	200 feet west of Foster Lane	Pennington Avenue	Iduma Elementary
McGregor Loop	20	400 feet west of Aurelia Drive	100 feet west of Cascada Drive	Pat Carney Elementary School
Mikulec Drive	20	Horne Drive	Oster Drive	Saegert Elementary

Napier Drive	20	Schorn Drive	Oster Drive	Saegert Elementary
Nyla Drive	20	200 feet north of Katy Creek Lane	Katy Creek Lane	Dr. J. Fowler Elementary
Oster Drive	20	Napier Drive	Mikulec Drive	Saegert Elementary
North 38 th Street	25	1508 feet south of Atkinson Drive	187 feet north of Atkinson Drive	Killeen High
North W. S. Young	20	300 feet south of Poage Avenue	300 feet north of Peebles Drive	Peebles Elementary
Patton Road	20	52 feet south of F. M. 439	Stone Avenue	East Ward Elementary
Pennington Avenue	20	200 feet south of Michael Drive	300 feet north of school property line	Iduma Elementary
Poage Avenue	20	200 feet west of North W. S. Young	300 feet east of Peebles Drive	Peebles Elementary
Rambling Range Drive	20	200 feet west of Robinett Road	Robinett Road	Live Oak Middle
Rancier Avenue	25	300 feet west of School Property Line	200 feet east of Bundrant Drive	St. Joseph Catholic School
Rancier Avenue	35	240 feet west of Westcliff Road	240 feet east of Westcliff Road	Haybranch Elementary
Roadrunner Drive	20	Westwood Drive	300 feet north of Westwood Drive	Maxdale Elementary
Robinett Road	20	200 feet south of Bull Run Drive	200 feet north of Thunder Creek Drive	Live Oak Middle
Ronstan Drive	20	197 feet west of Janis Drive	Janis Drive	Sugarloaf Elementary
Ronstan Drive	20	Pamela Drive	200 Feet east of Pamela Drive	Sugarloaf Elementary
Ruger Drive	20	300 feet south of Hilliard Drive	Hilliard Drive	Brookhaven and Rancier Middle
South 2 nd Street	20	200 feet south of Jasper Drive	300 feet north of Lydia Drive	Nolan Middle
South W. S. Young	20	300 feet south of Illinois Avenue	Richard Drive	Manor Middle
Southhill Drive	20	300 feet south of Eastwood Drive	Westwood Drive	Maxdale Elementary
Southport Drive	20	Success Drive	200 feet east of Success Drive	Trimmier Elementary

Stagecoach Road	30	Rosewood Drive	200 feet west of Chantz Drive	Liberty Hill Middle School
Stagecoach Road	25	200 feet east of West Trimmier Road	1750 feet west of West Trimmier Road	Pathways Academy, Career & Tech Education, Charles Patterson Middle School
Starfish Drive	20	Breeze Drive	200 feet east of Breeze Drive	Live Oak Middle
Stone Avenue	20	128 feet west of Goodnight Drive	200 feet east of Patton Road	East Ward Elementary
Success Drive	20	Granex Drive	Excel Drive	Trimmier Elementary
Tallwood Drive	20	200 feet south of Elms Road	175 feet north of Anna Lee Drive	Palo Alto Middle
Thunder Creek Drive	20	200 feet west of Robinett Road	200 feet east of Breeze Drive	Live Oak Middle
Trimmier Road	20	200 feet north of Jasper Drive	137 feet south of Grandon Drive	Clifton Park Elementary
Trimmier Road	25	233 feet north of Elms Road	300 feet north of Weiss Drive	C. E. Ellison High
U.S. 190 Eastbound Frontage Road	20	312 feet west of Alta Vista Drive	256 feet east of Bonnie Drive	Pershing Park Elementary
U.S. 190 Eastbound Frontage Road	20	500 feet north of Jasper Drive	97 feet south of Florence Road	Bellaire Elementary
U.S. 190 Westbound Frontage Road	20	430 feet south of Jasper Drive	371 feet north of Dubrock Drive	Nolan Middle
Vahrenkamp Drive	20	200 feet west of Foster Lane	Pennington Avenue	Iduma Elementary
Weiss Drive	20	300 feet west of Adrian Barnes Drive	Trimmier Road	C. E. Ellison High
West Stan Schlueter Loop	30	129 feet west of Delores Drive	128 feet east of Kaulean Drive	Reeces Creek Elementary
West Stan Schlueter Loop	35	24 feet east of Wade Drive	18 feet west of Hitchrock Drive	Willow Springs Elementary
West Trimmier Road	25	2090 feet south of Stagecoach Road	375 feet north of Stagecoach Road	Pathways Academy, Career & Tech Education, Charles Patterson Middle School

Westcliff Road	20	Rancier Avenue	339 feet north of Dan Drive	Haybranch Elementary
Wheeler Avenue	20	300 feet west of Alta Vista Drive	200 feet east of Bonnie Drive	Pershing Park Elementary
White Rock Drive	20	80 feet south of Fawn Dr.	300 feet south of school property line	Timber Ridge Elementary
Whitlow Drive	20	Williamson Avenue	Garth Drive	Fairway Middle
Williamson Avenue	20	300 feet west of Walton Walker Drive	Garth Drive	West Ward Elementary
Zephyr Road	20	76 feet west of Hammond Drive	300 feet east of Gowen Drive	Gateway High/Middle

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

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

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

PASSED AND APPROVED at a regular meeting of the City Council of the City of Killeen, Texas, this 7th day of July 2026, 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:

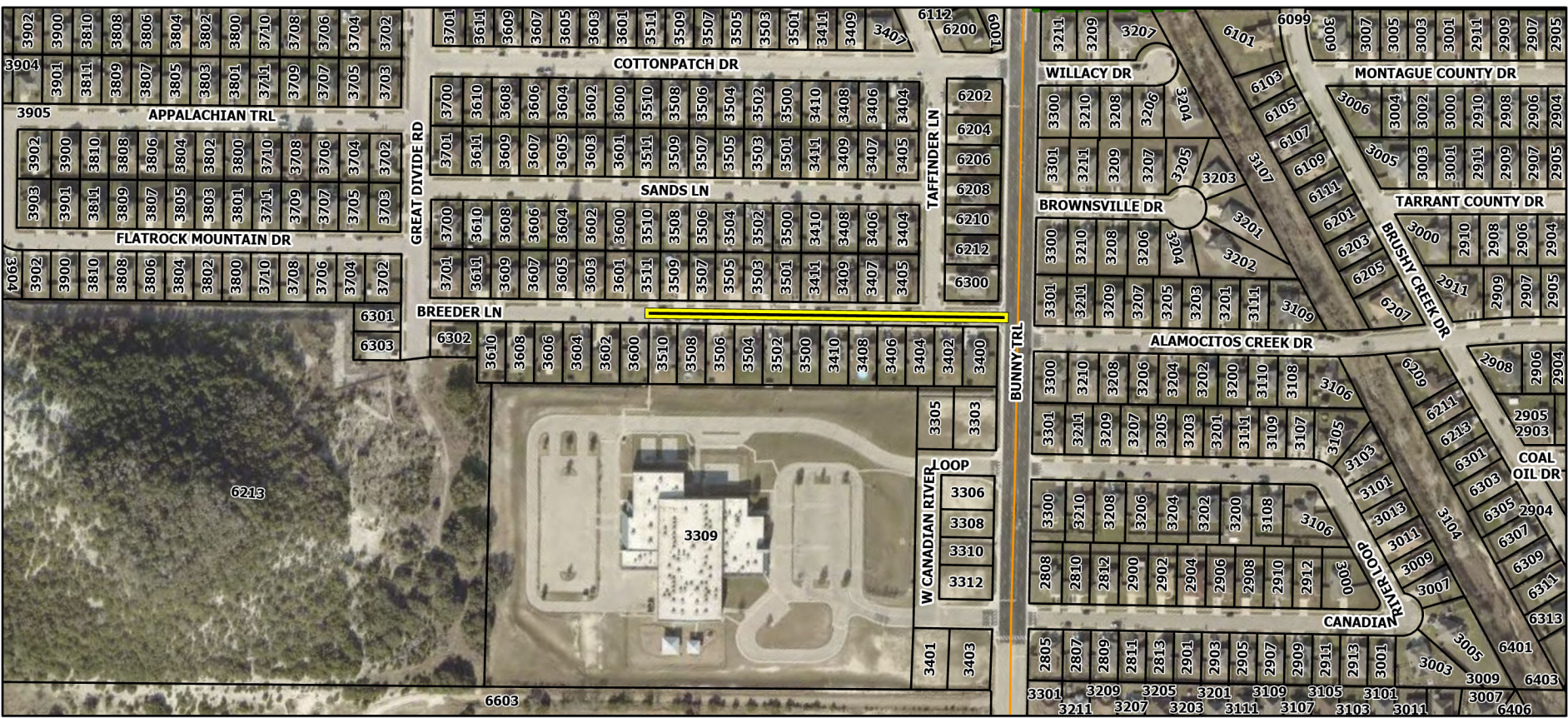
Joseph Soloman, MAYOR

ATTESTED:

Micheal Loller, INTERIM CITY SECRETARY

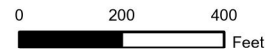
APPROVED AS TO FORM:

Holli C. Clements, CITY ATTORNEY
Ord. #26-_____



SCHOOL ZONE LOCATION

Legend
 School Zone





BREEDER LANE SCHOOL
ZONE

OR-26-011

July 7, 2026

Background and Findings

- ❑ Chapter 28 of the Code of Ordinances declares the designated listing of adopted school zone locations.
- ❑ The extension of the school zone was proposed as a result of a recent speed study along Breeder Lane.
- ❑ Killeen ISD reviewed and accepted the request.
- ❑ Speed will be reduced to 20mph during posted hours.
- ❑ The limits of the school zone will extend 850 feet from the intersection of Bunny Trail to the existing school pathway.

Location Map



Proposed Breeder Lane School Zone

Alternatives Considered

4

The City Council has three (3) alternatives. The Council may:

- Choose not to adopt the ordinance;
- Adopt the ordinance with amendments; or
- Adopt the ordinance as presented

Recommendation

- Staff recommends that the City Council approve the ordinance to modify Section 28-251, School zones, maximum speed limits, setting the school speed limit zones to include the 20-mph speed zone along Breeder Lane.



City of Killeen

Staff Report

File Number: OR-26-012

Consider an ordinance submitted by Vincent Gerard & Associates on behalf of First Assembly of God Inc. (**Case# Z26-10**) for a Conditional Use Permit (CUP) to allow for the installation of a wireless telecommunication tower on property zoned "B-3" (Local Business District), being approximately 2.0 acres, being Lot 1, Block 1, McClurkan Addition. The subject property is locally addressed as 7432 East Trimmier Road, Killeen, Texas. (Requires 3/4 Majority Vote for Approval)

DATE: July 7, 2026
TO: Kent Cagle, Interim City Manager
FROM: Wallis Meshier, Exec. Dir. Of Dev. Serv.
SUBJECT: Zoning Case # Z26-10: "B-3" to "B-3 W/CUP"

BACKGROUND AND FINDINGS:

Property Information:

Property Owner: First Assembly of God Inc.
Agent: Vincent Gerard & Associates
Current Zoning: "B-3" (Local Business District)
Proposed Zoning: "B-3 W/CUP" (Local Business District with Conditional Use Permit)
FLUM Designation: 'C' (Campus)
Growth Sector Designation: 'CG' (Controlled Growth)

Summary of Request:

The applicant is requesting approval of a Conditional Use Permit (CUP) to construct an approximately 85-foot tall monopole wireless telecommunications tower on property zoned "B-3" (Local Business District) at 7432 East Trimmier Road. The proposed facility is intended to improve wireless service coverage in the southeastern portion of Killeen. The tower is designed to accommodate multiple carriers and will include associated ground equipment.

Zoning/Plat Case History:

The property was annexed into the City of Killeen in 2004 through Ordinance No. 04-12 and subsequently zoned "A" (Agriculture District). In 2014, the property was rezoned to "B-3" (Local Business District) through Ordinance No. 14-094. The property is platted as Lot 1, Block 1,

McClurkan Addition.

Character of the Area:

- North:** Developed property (Christian Life Church) zoned "A-R1" (Agricultural Single-Family Residential District)
- South:** Developed commercial property (First Assembly of God Inc.) zoned "B-3" (Local Business District)
- East:** Developed residential property zoned "R-1" (Single-Family Residential District)
- West:** Undeveloped property zoned "A-R1" (Agricultural Single-Family Residential District)

Future Land Use Map Analysis:

The property is located within the 'Controlled Growth' (Growth Sector) area on the Growth Sector Map and designated as 'Campus' (Place Type) on the Future Land Use Map (FLUM) of the Killeen 2040 Comprehensive Plan.

The 'Controlled Growth' sector includes areas in the city limits and approved Municipal Utility Districts (MUDs) that have access to city infrastructure in close proximity. Development proposed in this sector will be evaluated for adherence to the Big Ideas and Recommendations of the plan, particularly those related to housing and neighborhood options, and improve the fiscal health and sustainability of Killeen.

The 'Campus' place type is characterized by large-scale institutional developments and the associated amenities and services that support them. Examples include Texas A&M University-Central Texas, Killeen Independent School District facilities, and large church campuses. These areas function as regional destinations due to their institutional presence and service offerings. While development within this place type is primarily institutional in nature, supporting residential uses may also be appropriate. This place type encourages a development mix of up to one hundred percent (100%) nonresidential uses and up to twenty-five percent (25%) residential uses.

The request is consistent with the following Big Ideas of the 2040 Comprehensive Plan:

- Resource stewardship and fiscally responsible growth ensure a more prosperous community for the long haul.

The comprehensive plan calls for managing the development of land and capital investments (such as streets, utilities, and drainage) to ensure a more prosperous community for the long haul, and similar to the need for these common resident services listed here, staff notes that there is a need for other types of utilities, such as wireless services. So, staff finds that the proposed communication tower may provide the community with better or more reliable phone services in the vicinity.

Development Zone Analysis:

This property is located within the City of Killeen Development Zone #8, which is generally situated south of Stagecoach Road, east of State Highway 195, and west of East Trimmer Road. This

development zone consists of approximately 60.33% residential uses and 39.67% commercial uses. Overall, the current land use mix in the surrounding area includes approximately 463.61 acres (13.19%) of Special Districts, 1,657.65 acres (47.14%) of Residential, no Industrial acreage (0.00%), 191.31 acres (5.44%) of Commercial, and 1,203.59 acres (34.23%) of Agricultural uses, for a total of approximately 3,516.15 acres. In addition, vacant land accounts for approximately 1,631.73 acres, or 46.41% of the area.

Water, Sewer and Drainage Services:

Provider: City of Killeen

Within Service Area: Yes

Feasibility Study or Service Commitment: Water, wastewater, and drainage services are located within the City of Killeen municipal utility service area and are available to the subject tract.

Note: This zoning change request does not cover the entire parcel.

Water services are available for the tract via an existing 6" water distribution main located on the west side of East Trimmier Road.

Wastewater services are available for the tract via an existing 6" wastewater main located on the west side of East Trimmier Road.

No existing storm sewer infrastructure is adjacent to the tract.

Transportation and Thoroughfare Plan:

Access for the tract is via East Trimmier Road, which is an 85-foot-wide right-of-way and is classified as a Proposed Minor Arterial in the currently adopted Comprehensive Plan.

No appreciable increase in traffic is expected to be generated as a result of this zoning classification change.

PARKS AND PROPOSED TRAIL PLAN:

There are no proposed parks or trails located on this site.

Environmental Assessment:

The tract is in the Stillhouse Hollow Lake / Lampasas River Watershed. The tract is located in Zone X Unshaded (0.2% Annual Chance Flood Hazard Area), per Federal Emergency Management Agency Flood Insurance Rate Map 48027C0290E with effective date September 26, 2008.

The tract is not impacted by freshwater ponds, freshwater forested/shrub wetlands, freshwater emergent wetlands, or riverine habitats as shown on the National Wetlands Inventory maps for the properties. No visual evidence of other environmental impediments is apparent on the tract at this time.

Public Notification:

Staff notified property owners of forty-four (44) surrounding properties regarding this request.

As of the date of this staff report, twelve (12) responses have been received regarding this request. Of the responses received, five (5) are from property owners located within the 200-foot notification buffer and seven (7) are from property owners located within the 400-foot notification buffer.

Staff Findings:

Staff finds that the proposed zoning is compatible with existing land use and is consistent with the Future Land Use Map and Killeen 2040 Comprehensive Plan.

THE ALTERNATIVES CONSIDERED:

The City Council has three (3) alternatives:

- Disapprove the applicant’s CUP request;
- Approve the CUP with conditions; or
- Approve the applicant’s CUP request as recommended by the Planning & Zoning Commission.

Which alternative is recommended? Why?

Staff recommends approval of the request for a Conditional Use Permit (CUP) with the following conditions:

1. The project will substantially comply with the Site Plan.
2. The project will comply with requirements for collocation, screening, lighting, and site development per Sec. 31-604, 31-606, and 31-609 prior to issuance of Certificate of Occupancy.
3. Parking areas and drive aisles will be constructed with an all-weather surface (asphalt or concrete) per Sec. 31-487.
4. The site design shall maximize use of existing trees and vegetation, and landscape screening shall be installed and maintained per Sec. 31-609 (a) (6).
5. The applicant shall construct a public sidewalk along the street frontage to connect the existing sidewalks.
6. Permits shall expire if not constructed within six (6) months, not put into use within one hundred twenty (120) days after construction, or

discontinued for more than six (6) consecutive months, unless extended per Sec. 31-610.

7. The permittee shall notify the director of changes in ownership or operation of the tower within thirty (30) days.

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. Public infrastructure serving the property is already in place and maintained by the City. These maintenance costs will continue throughout the life of the development.

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:

Pursuant to Sec. 31-603(b) of the Killeen Code of Ordinances, approval of a Conditional Use Permit for a wireless telecommunications tower requires a three-fourths (3/4) majority vote of the City Council. Accordingly, approval of this request will require a minimum of six (6) affirmative votes from the seven-member City Council.

Staff recommends approval of the applicant's request for a Conditional Use Permit (CUP) to allow the installation of a wireless telecommunications tower on property zoned "B-3" (Local Business District), subject to the aforementioned conditions.

At their regular meeting on May 11, 2-26, the Planning and Zoning Commission

recommended approval of the applicant's request as recommended by staff with an additional condition that the tower is camouflaged with a tree design by a vote of 5 to 2, with Commissioner Sabree and Commissioner Moss in opposition.

Commissioner Sabree stated that she was opposed because the adverse effects caused by proximity of residing by a wireless telecommunication tower are not known and the citizens present stated there was no issue with their current coverage.

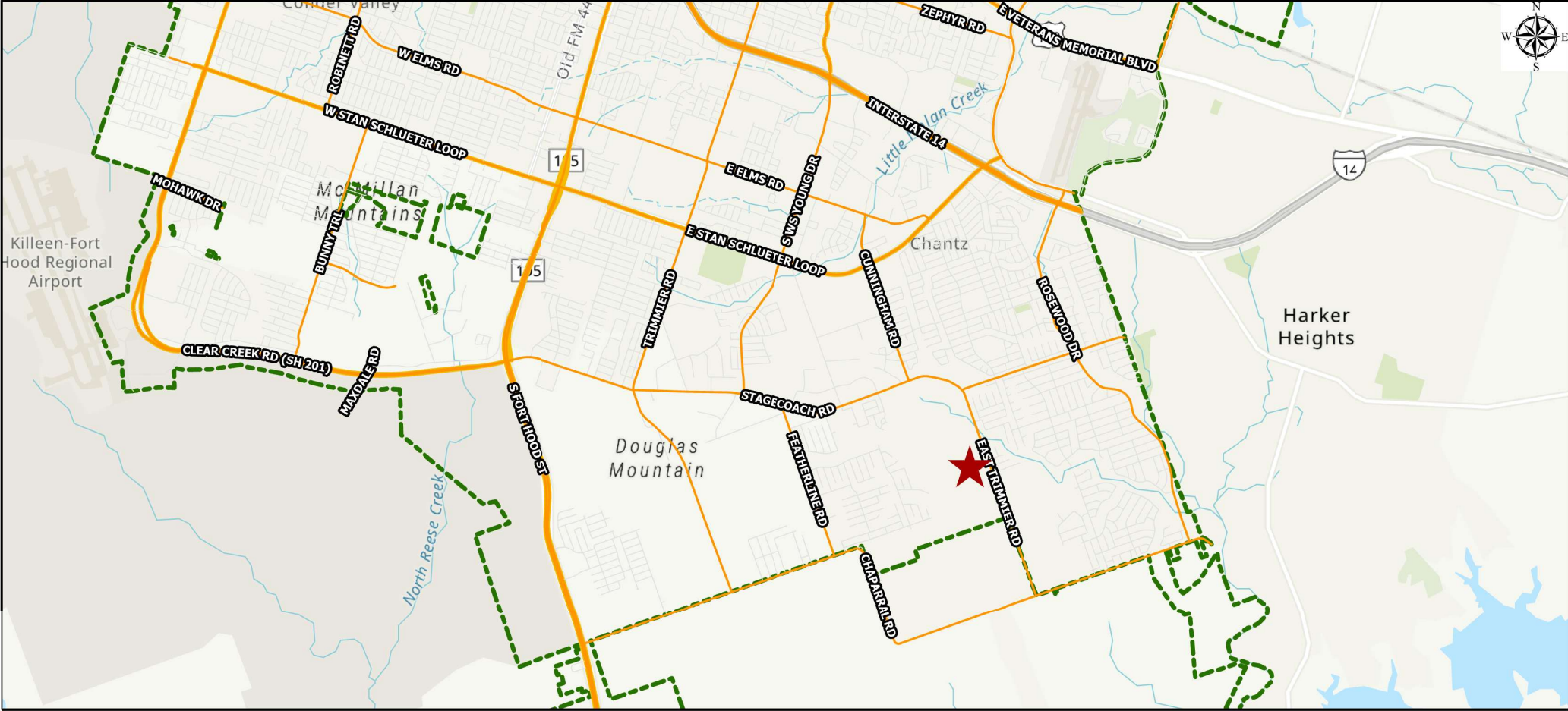
Commissioner Moss also stated he was in opposition because the citizens stated that they had no issue with their current coverage and he would like to see information depicting that the surrounding antennas are at capacity.

DEPARTMENTAL CLEARANCES:

Planning
Legal

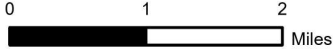
ATTACHED SUPPORTING DOCUMENTS:

Maps
Site Photos
Minutes
Ordinance
Letter of Request
Site Plans
Responses
Presentation



LOCATION MAP

Council District: 2



Subject Property Legal Description: MCCLURKAN ADDITION, BLOCK 001, LOT 0001. ACRES 2

Zoning Case 2026-10
B-3 TO B-3 W/CUP

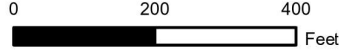
Legend

-  Major Roads
-  City Limit
-  Zoning Case Location



AERIAL MAP

Council District: 2

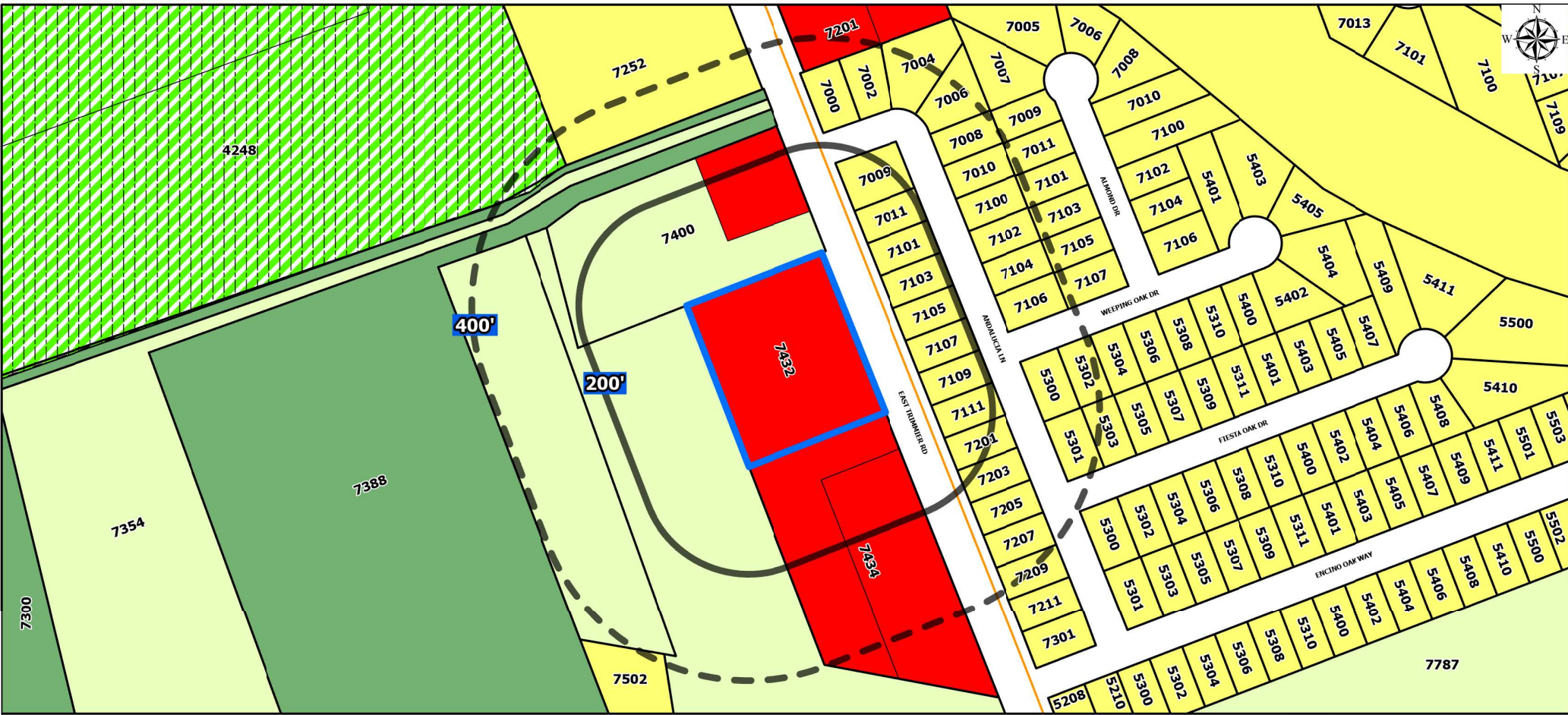


Zoning Case 2026-10
B-3 TO B-3 W/CUP

Legend

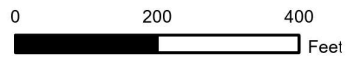
 Zoning Case

Subject Property Legal Description: MCCLURKAN ADDITION, BLOCK 001, LOT 0001. ACRES 2



NOTIFICATION MAP

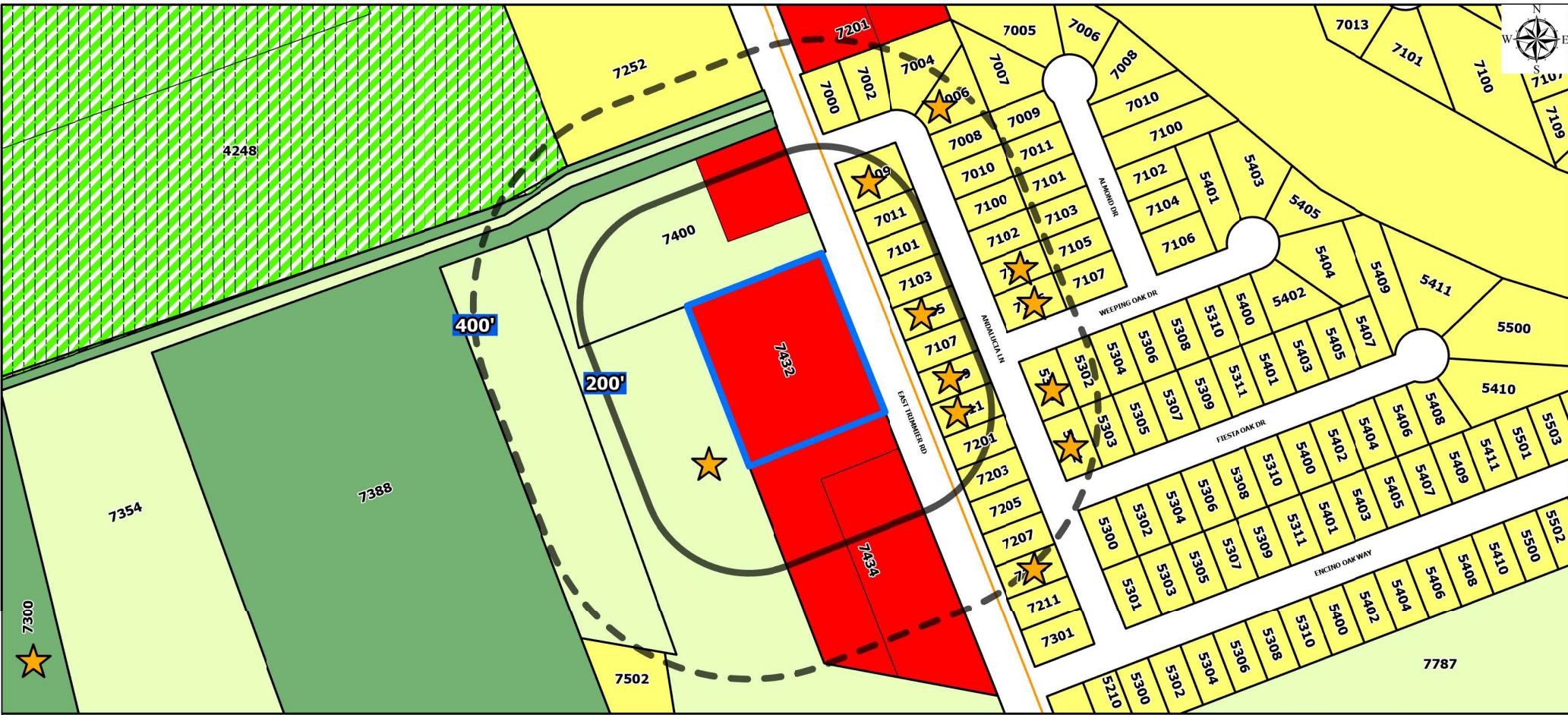
Council District: 2



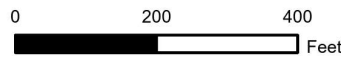
Zoning Case 2026-10
B-3 TO B-3 W/CUP

Legend	Color/Pattern	Code
	Dark Green	A
	Light Green	A-R1
	Red	B-3
	Yellow	R-1
	Green Hatched	PUD
	Dashed Green Line	City Limit
	Blue Outline	Zoning Case

Subject Property Legal Description: MCCLURKAN ADDITION, BLOCK 001, LOT 0001. ACRES 2



RESPONSE MAP
 Council District: 2



Zoning Case 2026-10

B-3 TO B-3 W/CUP

Area in Opposition (141,500.10 SqFt) ÷ 200' Buffer Area (362,827.21 SqFt) = 38.99%

Subject Property Legal Description: MCCLURKAN ADDITION, BLOCK 001, LOT 0001. ACRES 2

Legend

	A		B-3		R-1
	A-R1		PUD		City Limit
	Zoning Case				
	Opposed				

SITE PHOTOS

Case #Z26-10: "B-3" to "B-3 w/CUP"



View of the subject property from East Trimmier Road:



View looking toward the rear of the subject property:



SITE PHOTOS

Case #Z26-10: "B-3" to "B-3 w/CUP"



View looking south toward Chaparral Road from the subject property:



View looking north toward Stagecoach Road from the subject property:



MINUTES
PLANNING AND ZONING COMMISSION MEETING
MAY 11, 2026
CASE # Z26-10
“B-3” to “B-3 W/CUP”

Hold a public hearing and consider a request submitted by Vincent Gerard & Associates on behalf of First Assembly of God Inc. (**Case# Z26-10**) for a Conditional Use Permit (CUP) to allow for the installation of a wireless telecommunication tower on property zoned “B-3” (Local Business District), being approximately 2.0 acres, being Lot 1, Block 1, McClurkan Addition. The subject property is locally addressed as 7432 East Trimmier Road, Killeen, Texas.

This item was presented to the Commission during their Work Session. Ms. Lopez was available to answer questions.

Vincent Huebinger with Vincent and Gerard & Associates was present to represent the case. Mr. Huebinger explained that the purpose of this wireless telecommunication tower was to improve capacity and improve in-building coverage. Stated that there is currently coverage in the area, but the focus of the tower is to improve coverage northeast of the subject property. The subject property was the only available site that would meet the commercial zoning requirements, while increasing the coverage for the target neighborhood.

Mr. Huebinger mentioned the RF (radiofrequency) exposure and why the tower should not cause concern regarding adverse health effects to citizens nearby.

Commissioner Moss asked the applicant if there was information available depicting the requests for service in that area or any complaints. Mr. Huebinger stated that the carrier would have that information at their network operations center. He further explained how the network providers would determine whether a new wireless tower would be required.

Commissioner Moss inquired if this was the only site that this proposed project could be located at. Mr. Huebinger stated that this was the only property that was appropriately zoned in the area that required coverage.

Chairman Purifoy stated that from the responses submitted, citizens expressed health concerns and fall risks of the tower. Mr. Huebinger described how the fall zone depicted on the site plan and the engineering of the plans will ensure safety of the surrounding neighborhoods.

Commissioner Jones asked if the development of this wireless telecommunication tower caused the property values to go down. Mr. Huebinger clarified that there is no decrease in property values due to proximity to wireless telecommunication towers. Mr. Huebinger also stated that Verizon has released studies stating that depict an increase in property value in nearby homes that have better coverage.

There was a discussion of the collocation, and how the other network carriers would be able to use the proposed wireless telecommunication tower.

There was also a discussion about how this proposed tower would improve coverage in the area.

There was also a discussion about the input of Watts and radiofrequency and concerns of negative effects to health or medical devices.

Chairman Purifoy opened the public hearing at 5:07 p.m.

Mr. Steven Jones spoke in opposition to the request. He stated that in residential neighborhoods, citizens will be using either fiber optics or Wi-Fi, so there is no need for these developments. Mr. Jones expressed concerns regarding children's safety and health issues. He also said that he currently has no coverage issues within his home.

There was a discussion about the possible location of a nearby wireless telecommunication tower.

Mr. Ed DiPrete spoke in opposition to this request. He stated that he would not have chosen his current home if there had been a wireless telecommunication tower at the proposed subject property at the time of purchase. He expressed concerns about a decrease in the property value of his home and safety. Mr. DiPrete stated that he had no coverage issues within his home.

Mr. Ricky Reyes spoke in opposition to the request. He expressed concerns about the decrease in property values and increased density caused by new developments.

Mr. Cecil Adams spoke in support of this request. He explained that he was the pastor of church adjacent to the subject property, who are the ones submitting this request for consideration. Mr. Adams stated that the reason the tower will be located on the subject property is due to future residential development in the area. Mr. Adams said that he has experienced issues with coverage, while streaming for his church services.

Mr. Donald Smith spoke in support of this request. Mr. Smith stated that he was a member of the same church as Mr. Adams and that when the board of the church voted on approving moving forward with this project, it was unanimous approval.

The Commission called the applicant, Mr. Huebinger, back to the podium.

Commissioner Moss asked the applicant if it was possible for any of the pre-existing surrounding towers to be boosted, to improve the coverage in the target area. Mr. Huebinger stated that it is possible to add antennas to the towers to improve coverage, but the max is nine (9) and the surrounding towers have already been boosted to capacity.

There was a discussion about whether the applicant would be willing to camouflage the tower to look like a tree.

Mr. Huebinger addressed some of the comments made by the citizens.

There was a discussion about whether the cellphone tower would depreciate the property values of the surrounding neighborhood.

With no one wishing to speak, the public hearing was closed at 5:30 p.m.

Commissioner Cooper moved to recommend approval of the request as recommended by staff with a condition that the tower is camouflaged with a pine tree design. Commissioner Jones seconded, and the motion passed by a vote of 5 to 2, with Commissioner Moss and Commissioner Sabree in opposition.

Commissioner Sabree stated that she was opposed because the adverse effects caused by the proximity of residing by a wireless telecommunication tower are not known and the citizens present stated there was no issue with their current coverage.

Commissioner Moss also stated he was in opposition because the citizens stated that they had no issue with their current coverage and he would like to see information depicting that the surrounding antennas are at capacity.

ORDINANCE NO. 26-XXX

AN ORDINANCE AMENDING THE CITY OF KILLEEN ZONING ORDINANCE BY CHANGING THE ZONING OF APPROXIMATELY 2.0 ACRES BEING LOT 1, BLOCK 1, MCCLURKAN ADDITION FROM “B-3” (LOCAL BUSINESS DISTRICT) TO “B-3” (LOCAL BUSINESS DISTRICT) W/CONDITIONAL USE PERMIT; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 211 of the Texas Local Government Code and Section 31-39 of the City of Killeen Code of Ordinances, the City Council, upon application, may amend the City of Killeen Zoning Ordinance following a recommendation by the Planning and Zoning Commission and a public hearing;

WHEREAS, Vincent Gerard & Associates, on behalf of behalf of First Assembly of God Inc., presented to the City of Killeen, a request for an amendment to the City of Killeen Zoning Ordinance by changing the classification of approximately 2.0 acres, being Lot 1, Block 1, McClurkan Addition, locally addressed as 7432 East Trimmier Road, from “B-3” (Local Business District) to “B-3” (Local Business District) with a Conditional Use Permit (CUP) for the installation of a wireless telecommunication tower with conditions as follows:

1. The project will substantially comply with the Site Plan.
2. The project will comply with requirements for collocation, screening, lighting, and site development per Sec. 31-604, 31-606, and 31-609 prior to issuance of Certificate of Occupancy.
3. Parking areas and drive aisles will be constructed with an all-weather surface (asphalt or concrete) per Sec. 31-487.
4. The site design shall maximize use of existing trees and vegetation, and landscape screening shall be installed and maintained per Sec. 31-609 (a)(6).
5. The applicant shall construct a public sidewalk along the street frontage to connect the existing sidewalks.

6. Permits shall expire if not constructed within six (6) months, not put into use within one hundred twenty (120) days after construction, or discontinued for more than six (6) consecutive months, unless extended per Sec. 31-610.
7. The permittee shall notify the director of changes in ownership or operation of the tower within thirty (30) days.

WHEREAS, the Planning and Zoning Commission of the City of Killeen, following a public hearing on May 11, 2026, duly recommended approval of the application for amendment, subject to an additional condition requiring the tower to be camouflaged as a tree;

WHEREAS, 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 3:00 P.M., on June 16, 2026, at the City Hall, City of Killeen; and

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 applicant's zoning request should be approved as recommended by the Planning and Zoning Commission.

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

SECTION I. That the zoning classification of approximately 2.0 acres, being Lot 1, Block 1, McClurkan Addition, locally addressed as 7432 East Trimmier Road, from "B-3" (Local Business District) to "B-3" (Local Business District) with a Conditional Use Permit (CUP) for the installation of a wireless telecommunication tower with conditions.

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 16th day of June 2026, 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:

Joseph Soloman, MAYOR

ATTEST:

Laura J. Calcote, CITY SECRETARY

APPROVED AS TO FORM

Holli C. Clements, CITY ATTORNEY

Case #26-10

Ord. #26-____



VINCENT GERARD & ASSOCIATES, INC.

Mr. Wallis Meshier
Planning & Development
Killeen Texas

March 27, 2006

Summary Letter for Vertical Bridge Verizon Mobility Wireless Communications Site. 7432 E Trimmier Road Killeen Texas 76542

After a request from Verizon Mobility and a search of all properties within a 1/4-mile search ring study, we believe we have found an excellent location and solution for a wireless site in the Southeastern Portion of Killeen Texas for best coverage in this immediate area. This site will provide necessary coverage to the homes, in home businesses, and new neighborhoods for wireless customers in and around the area along Trimmier Road and East Stagecoach Road, within the high residential development area of Killeen. This site will accommodate all the major carriers at 85' with a 10' lightning rod. (TOS 95') Verizon radio frequency engineers are having some "in building coverages" issues in the immediate area of this location. Their customers are also having "Capacity" issues with their site to the west and north in Killeen. The combination of a new home development and existing homesites for local communications that now include larger attachments, videos, pictures and general applications have slowed down the RF power for existing sites. These sites are discussed below and need to offload this RF and data traffic to this proposed current site. Their goal is to have 5G quick speed data and continue their best in building coverage throughout Southeastern Killeen. If this capacity issue is not alleviated, customers will start receiving long wait times in the queue and will eventually start dropping calls due to capacity overload on their existing infrastructure. No other vertical options were available for co-locations.

Master Inventory of existing sites with Verizon Equipment within 5 miles

Towers #1, # 2 & 3 are shown on the below capacity map.

Approval Process

Verizon has requested an 85' monopole height, which will allow Vertical Bridge to market to the other two big carriers, T-Mobile and AT&T wireless. A monopole design is the least obtrusive structure in our industry. By code Division 6 Tower Regulations, wireless use is allowed by a Conditional Use Permit in this B-3 Commercial Zone.



Zoning Map

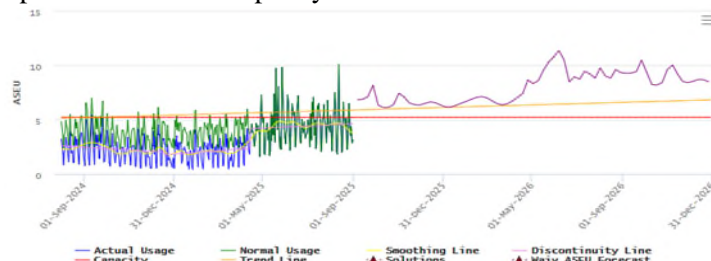
Capacity Explained Verizon Sites (Proprietary)

Surrounding Sites Triggering Capacity



Note;
All
Verizon
Sites
Shown
operating
Over
capacity

Capacity issues are becoming a difficult situation with the increased use of Smart phones and multiple applications and alerts customers are using. Verizon has provided a map of existing sites with capacity issues, shown in red for the site to the west and north sectors. The carrier has added additional antenna to the existing structure and the antenna array is completely full. These modifications occur over the course of years of operations. The exhibit above shows an antenna sector operating above the normal capacity and those sites shown in a red line will need to be offloaded. Once the situation looks like this antenna sectors for Verizon, the RF engineering team issues a new search ring for the area of concern to download the major increase of activity and data on that site. That is the case for this proposed site location. The bar graph below is an example of the current capacity issues.



Fall Zone

Monopoles at 85' in height typically have a fall zone designed by the manufacturer in case of catastrophe. The monopole will not fall like a tree, rather implode onto itself in a designated weak point on the pole. For this site, the fall zones for an 85' monopoles is typically 30-40' from the base of the structure. This allows surrounding land use and property owners the benefit of full use of their property in case of a major ice storm and wind damage the structure.

Residential Setbacks & Inspection trips.

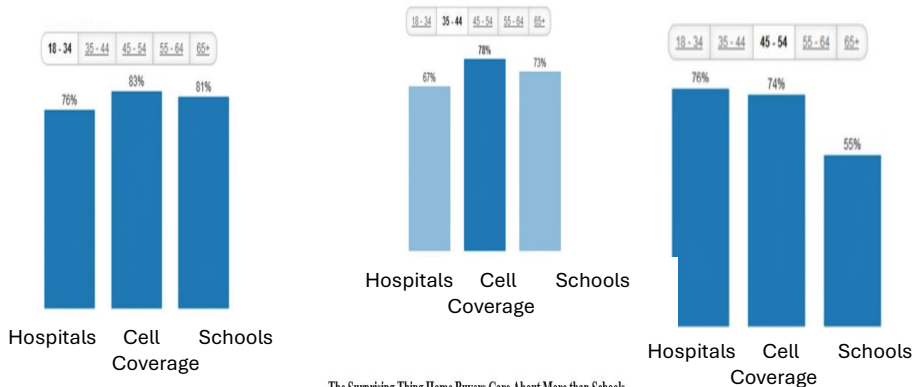
The closest residential lots are 260' to the east across E Trimmer Road. This is over 3x the height of the monopole. The unmanned site will be accessed 1x per month by maintenance workers by pickup truck or SUV for inspections. A waiver is necessary for any landscaping on all sides of the site, considering that the site is located amongst a heavy live oak tree cover. The current tract of land is being used as a parsonage and missionary house for the church.

Value of Surrounding Property, Use and enjoyment of surrounding landowners.

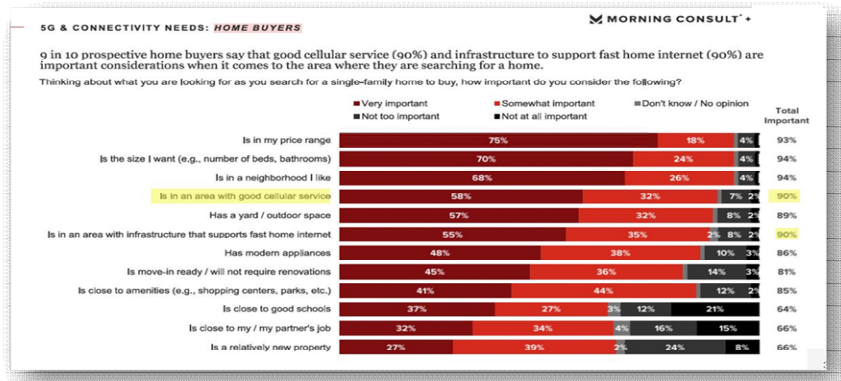
There has not been any substantial evidence on decreased values use and enjoyment of adjoining properties. Recent studies show an actual preference of home buyers for great or good coverages over schools and hospitals nearby. Root Metrics and Morning Consult has prepared a study based on surveys of homebuyers on what were the most important items in their purchase of a specific property. Age difference varies, and among the older folks the hospitals increase in concern. Below are the bar graphs from Root Metrics studies and Morning Consult. We have also included a value study from an MAI Appraiser in Tennessee for backup information which concludes no decreased values on adjoining properties around wireless communication Tower sites.

The Surprising Thing Home Buyers Care About More than Schools

(RootMetrics/Money, June 2, 2015)



The Surprising Thing Home Buyers Care About More than Schools
(RootMetrics/Money, June 2, 2015)



Necessity of the Specific Use Permit for Public Safety & Welfare.

The carrier’s data shows that over 90% of 911 calls come from mobile phones. This site will increase the capacity for 911, adding reliable speed and connection to the 911 dispatchers.

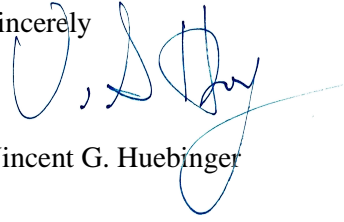
Nature of the site, Available Vertical Infrastructure, Zoning and Candidate Options

The tower owner Vertical Bridge and Primary carrier Verizon Mobility have explored every available option for existing infrastructure such as the existing towers, water tanks and rooftops. No other options were available for co-location. This leads us to a new site build. It will be a standard monopole, and the equipment will be outdoor cabinets, backup battery and backup generators for emergency power loss only. The monopole and equipment are shown on the zoning drawings and site plan filed with this SUP application.

Tower Owner Responsibilities

Vertical Bridge will maintain the site in good condition and actively pursue additional carriers on this site. They have provided a letter in this application.

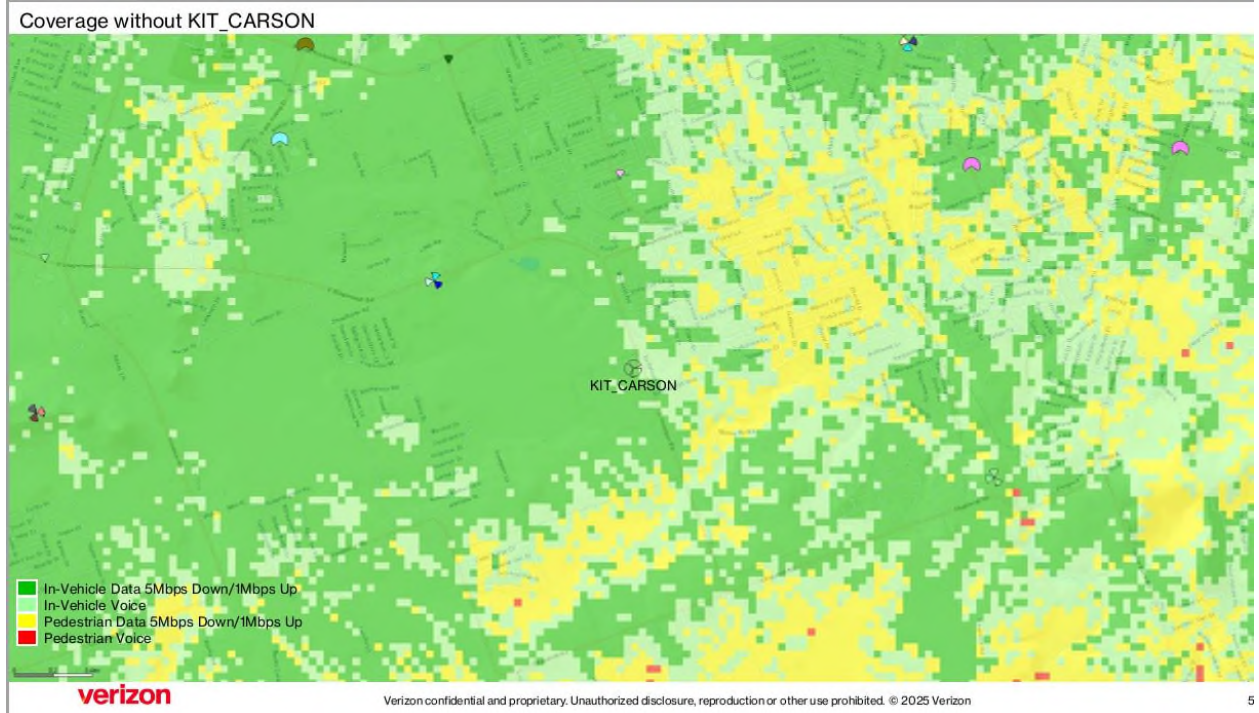
If there are any questions concerning the summary, zoning site plan and supplemental information please contact us or Jody Kriloff, Vertical Bridge.

Sincerely

 Vincent G. Huebinger

Aerial Exhibit – Closest Tower Pinnacle (“Verizon is Using”)

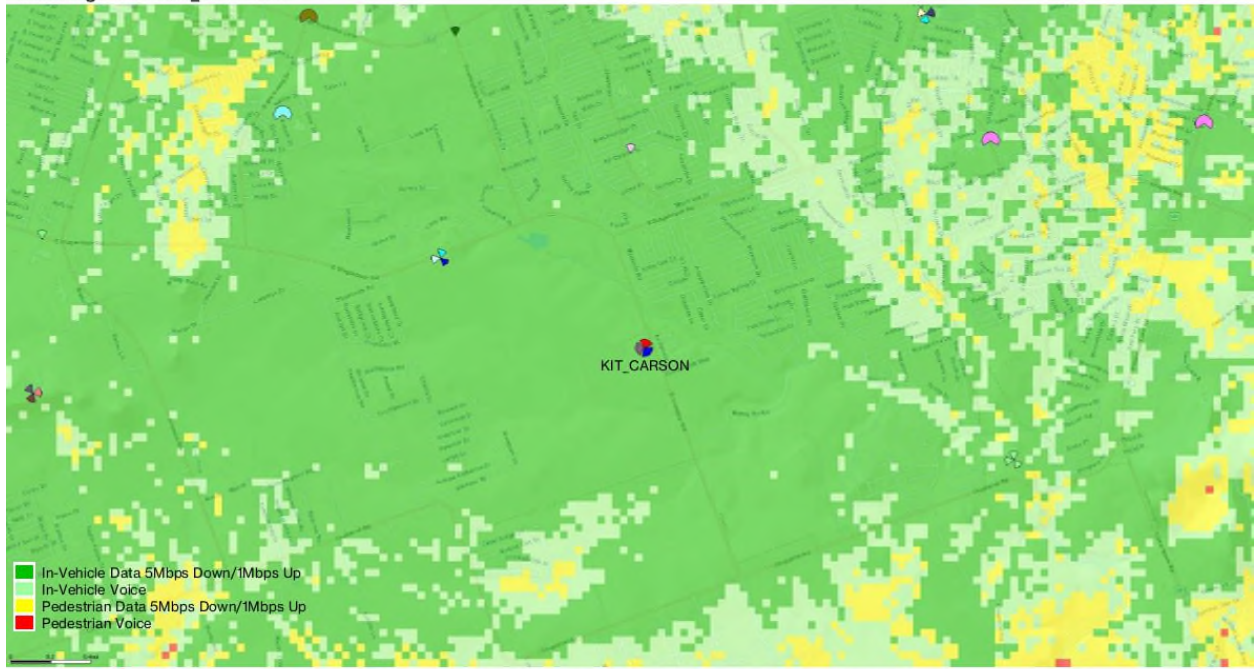


RF Maps- “Before”



RF Maps –“On Air”

Coverage with KIT_CARSON

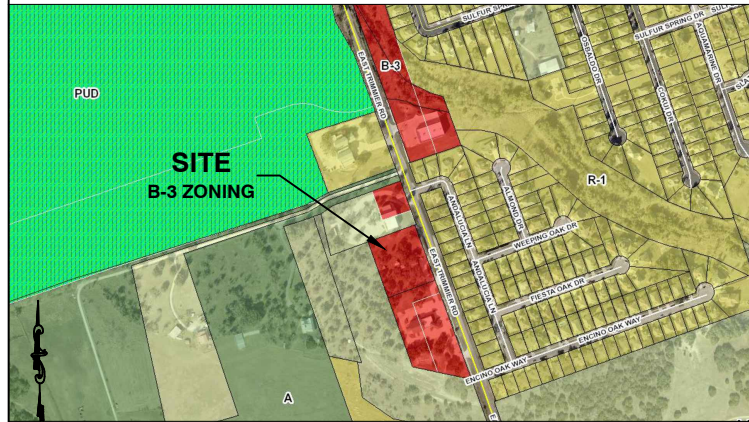


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CONDITIONAL USE PLAN

PROPOSED WIRELESS TELECOMMUNICATIONS FACILITY WITH 85' MONOPOLE AND EQUIPMENT

ZONING MAP:



AERIAL MAP:



PROJECT INFORMATION:

TOWER OWNER

VERTICAL BRIDGE
750 PARK OF COMMERCE DRIVE,
BOCA RATON, FL 33487
CONTACT: JODY KRIOFF
EMAIL: JODY.KRIOFF@VERTICALBRIDGE.COM
PH: 512-586-3229

APPLICANT

VINCENT GERARD & ASSOCIATES
5524 BEE CAVES ROAD #K4,
AUSTIN, TX 78746
CONTACT: VINCE HUEBINGER
PHONE: 512.328.2693

ZONING

B-3 LOCAL BUSINESS
DISTRICT

SITE LOCATION

LAT. 31° 02' 44.0" N
LONG. 97° 41' 56.8" W

PROJECT TYPE

NEW 85' MONOPOLE
UNMANNED TELECOMMUNICATION
FACILITY, CONSISTING OF FUTURE
EQUIPMENT PLATFORMS, SHELTERS,
DIRECTIONAL AND GPS ANTENNAS

UTILITIES

ELECTRIC PROVIDER
TXU ENERGY RETAIL COMPANY

PERMITTING

COUNTY: BELL COUNTY
JURISDICTION: CITY OF KILLEEN
BUILDING CODE: 2014 IBC
EXISTING USE: RURAL/VACANT
PROPOSED USE: TELECOMMUNICATIONS FACILITY

LEGAL DESCRIPTION

ALAMO LAND & SUGAR CO W165°-N987.59'
LOT 9 BLK 51 EXC W115°-N463.09' 2.518AC
GR 2.478AC NET

PRIMARY CARRIER

VERIZON WIRELESS
CONTACT: TIM CALETKA
6696 TRI COUNTY PKWY #100,
SCHERTZ, TX 78154
210-834-1664

ONE-CALL TEXAS

CONTRACTOR TO CALL
BEFORE DIGGING
PHONE: 811 OR
1.800.545.6000

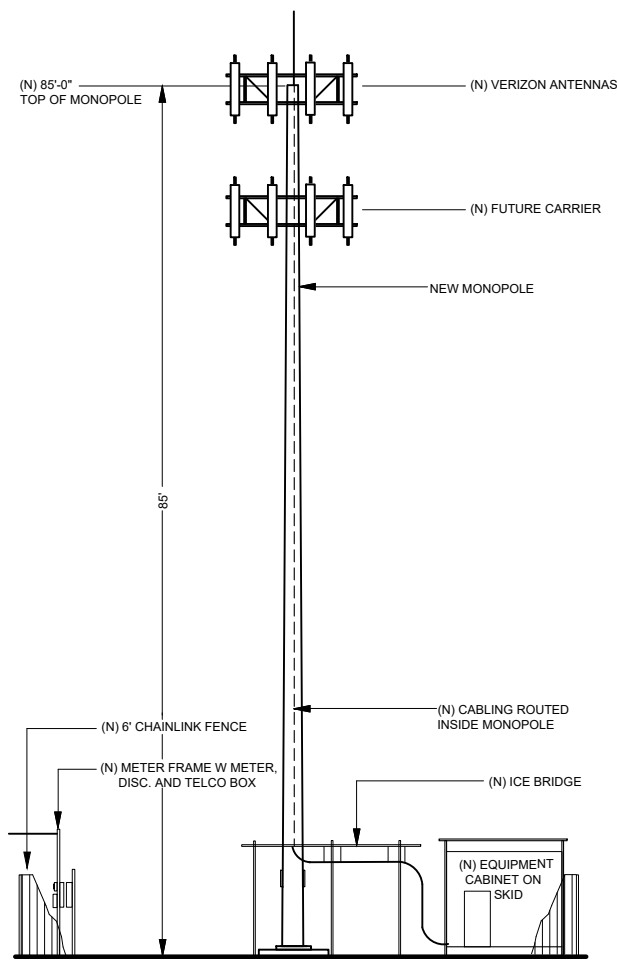
LANDOWNER

FIRST ASSEMBLY OF GOD INC
PO BOX 11299,
KILLEEN, TX 76547

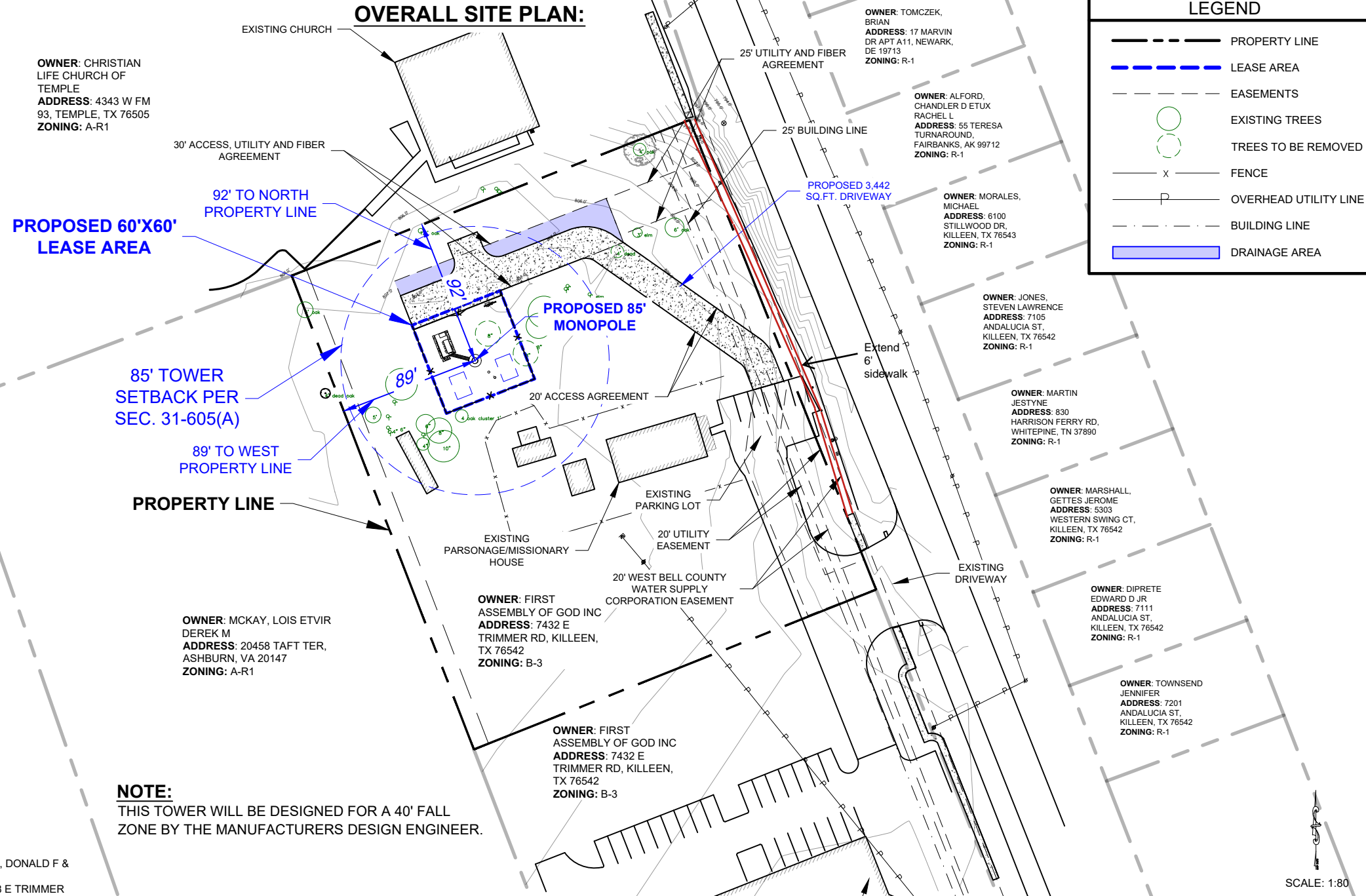
ADDRESS

7430 E TRIMMER RD,
KILLEEN, TX 76542
(911 ADDRESS)

PROPOSED TOWER ELEVATION



OVERALL SITE PLAN:



NOTE:
THIS TOWER WILL BE DESIGNED FOR A 40' FALL ZONE BY THE MANUFACTURERS DESIGN ENGINEER.

SITE NAME:
VERTICAL BRIDGE KIT CARSON

CASE NUMBER:

SUBMITTAL DATE:



SITE INFORMATION

7430 E TRIMMER RD,
KILLEEN, TX 76542
(911 ADDRESS)

PROPERTY OWNER






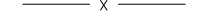



FIRST ASSEMBLY OF GOD
INC
PO BOX 11299,
KILLEEN, TX 76547

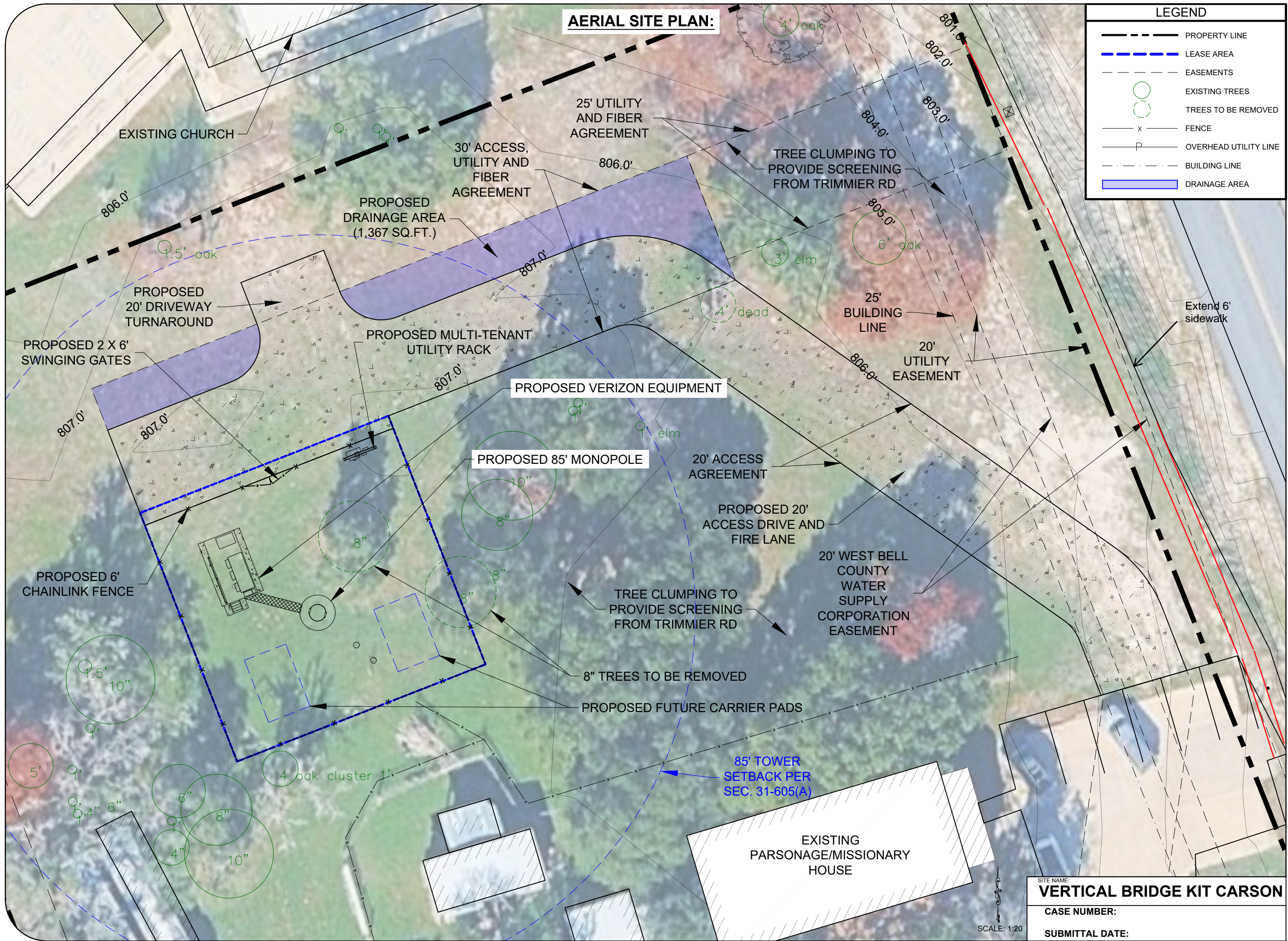
TOWER OWNER

VERTICAL BRIDGE
750 PARK OF
COMMERCE DRIVE,
BOCA RATON, FL 33487

AERIAL SITE PLAN:

LEGEND

-  PROPERTY LINE
-  LEASE AREA
-  EASEMENTS
-  EXISTING TREES
-  TREES TO BE REMOVED
-  FENCE
-  OVERHEAD UTILITY LINE
-  BUILDING LINE
-  DRAINAGE AREA



SITE INFORMATION
 7430 E TRIMMIER RD,
 KILLEEN, TX 76542
 (911 ADDRESS)

PROPERTY OWNER
 FIRST ASSEMBLY OF GOD
 INC
 PO BOX 11299,
 KILLEEN, TX 76547

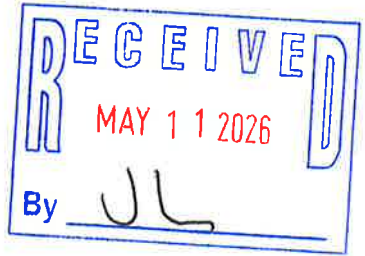
TOWER OWNER
 VERTICAL BRIDGE
 750 PARK OF
 COMMERCE DRIVE,
 BOCA RATON, FL 33487

SITE NAME: **VERTICAL BRIDGE KIT CARSON**
 CASE NUMBER:
 SUBMITTAL DATE:

SCALE: 1:20



City of Killeen
Development Services|Planning



April 29, 2026

RE: Case# Z26-10

Hold a public hearing and consider a request submitted by Vincent Gerard & Associates on behalf of First Assembly of God Inc. (Case# Z26-10) for a Conditional Use Permit (CUP) to allow for the installation of a wireless telecommunication tower on property zoned "B-3" (Local Business District), being approximately 2.0 acres, being Lot 1, Block 1, McClurkan Addition. The subject property is locally addressed as 7432 East Trimmer Road, Killeen, Texas.

Dear Property Owner:

The enclosed map shows the property to be rezoned, outlined by a solid blue line. The dashed circular line marks the 400-foot radius around the property. In accordance with Texas Local Government Code Sec. 211.007, we are required to provide written notice to the owner of all properties within two hundred (200) feet of the proposed change. Additionally, the City of Killeen provides written notice to the owner of all properties within four hundred (400) feet of the proposed change.

The City of Killeen Planning and Zoning Commission will review this request at their Workshop at 4:30 p.m. on May 11, 2026. Immediately following the Workshop, the Planning and Zoning Commission will hold a Public Hearing regarding this request during their Regular Meeting. The meetings will be held in the Utility Collections Conference Room, at Utility Collections, 210 W. Avenue C, Killeen, Texas.

You may also indicate your support or opposition to this request, by filling out the bottom portion of this letter and sending it to: *City of Killeen, Planning Division, 200 E. Avenue D, Suite 6, Killeen, Texas 76541*. To be considered a protest under Sec. 211.006 (d) of the Texas Local Government Code, the protest must be written and signed by the owner of the property located within 200 feet of the notification area. Any petition, whether in support of or opposition to this request, must be received by the Planning Department no later than 12:00 p.m., May 11, 2026. After the Planning and Zoning meeting, this matter will be forwarded to the City Council Workshop (for review) on June 16, 2026 at 3:00 p.m., followed immediately by the City Council Meeting (for voting) in Council Chambers, at City Hall, 101 North College Street, Killeen, Texas, where you may also appear and speak. If you desire additional information relative to this matter, please call (254) 501-7631.

-----CUT HERE-----

YOUR NAME:	<i>Veneta Garcia</i>	PHONE NUMBER:	<i>254-462-2277</i>
CURRENT ADDRESS:	<i>1300 East Trimmer</i>		
ADDRESS OF PROPERTY OWNED:	<i>Killeen TX</i>		
COMMENTS:	<i>I don't give my permission for installation of tower</i>		
SIGNATURE:	<i>[Signature]</i>		
REQUEST: "B-3" to "B-3" w/CUP for Cell Tower			
Z26-10/41			



City of Killeen

Development Services|Planning



April 29, 2026

RE: Case# Z26-10

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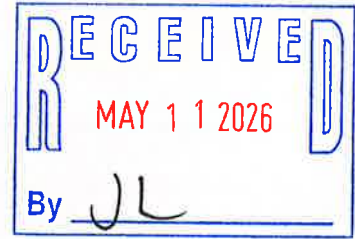
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-----CUT HERE-----

YOUR NAME:	LOIS mckAY	PHONE NUMBER:	571 919 9822
CURRENT ADDRESS:	20458 Taft Ter, Ashburn, VA 20147		
ADDRESS OF PROPERTY OWNED:	# 451593, E. Trimmier Rd, Killeen, TX 76542		
COMMENTS:	see attached letter		
SIGNATURE:			
		REQUEST: "B-3" to "B-3"	
		w/CUP for Cell Tower	
		Z26-10/04	

1/5

Derek and Lois McKay
20458 Taft Terrace
Ashburn, VA 20147
Phone: 571-919-9822 or 571-919-7137
Email: expat.mckay@gmail.com



May 11, 2026

City of Killeen Planning Division
200 E. Avenue D, Suite 6
Killeen, Texas 76541

RE: Formal Written Protest Pursuant to Tex. Local Gov't Code § 211.0061 — Case No. Z26-10 | Conditional Use Permit for Wireless Telecommunication Tower at 7432 East Trimmier Road, Killeen, Texas

Dear Members of the Killeen Planning and Zoning Commission and City Council:

I. Standing and Authority to Protest

We are the owners of real property located within 200 feet of the subject property at 7432 East Trimmier Road, Killeen, Texas (Lot 1, Block 1, McClurkan Addition), which is the subject of Case No. Z26-10. Our property is identified in the Bell County Appraisal District records as Property ID No. 451593 (JD ALCORN #25). As qualifying property owners, We hereby submit this formal written protest pursuant to Texas Local Government Code § 211.0061 (as amended effective September 1, 2025, by H.B. 24, 89th Texas Legislature) against the issuance of a Conditional Use Permit (CUP) to allow installation of a wireless telecommunication tower on property zoned "B-3" (Local Business District).

Pursuant to Tex. Local Gov't Code § 211.0061(b), a formal protest of a proposed change to a zoning regulation or district boundary must be written and signed by owners of at least 20% of the area of the lots or land covered by the proposed change, or at least 60% of the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet therefrom. If such threshold is met, the proposed change must receive the affirmative vote of at least three-fourths (3/4) of all members of the governing body in order to take effect. We respectfully request that this protest be entered into the official record and that neighboring property owners within 200 feet be notified of their right to join this protest.

II. Grounds for Protest Under Texas Law

A. The CUP Is Incompatible with the Surrounding Area and Violates the Intent of the Zoning Code

Under Tex. Local Gov't Code § 211.001, the purpose of municipal zoning authority is to promote the public health, safety, morals, and general welfare, and to protect the character and stability of residential areas. The subject property is bordered by and directly across the street from a newly constructed residential neighborhood. Approving a CUP for a large commercial telecommunications tower in this location is fundamentally incompatible with the residential and mixed-use character of the immediate vicinity.

A Conditional Use Permit, as authorized under Texas zoning law and the City of Killeen's zoning ordinance, may only be granted where the proposed use is consistent with the general purpose and intent of the applicable zoning district and does not materially injure the use and enjoyment of other property in the immediate vicinity. The placement of an industrial-scale telecommunications tower in direct proximity to a residential neighborhood fails this standard and should be denied on that basis alone.

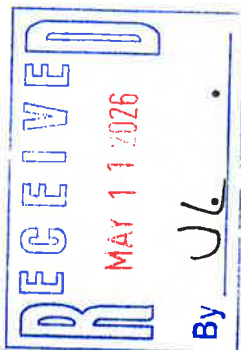
Furthermore, We are the owner of Property ID No. 451593 (JD ALCORN #25) and plan to pursue rezoning of our property to residential use in the future, consistent with the residential development already present and growing in the immediate area. Approval of this CUP would directly impair that planned rezoning, prejudice our property's highest and best use, and undermine the City's own interest in promoting orderly, compatible residential growth in this corridor. Specifically, the proximity of a commercial telecommunications tower to our property may render a future residential rezoning application difficult or impossible to approve, as the presence of such infrastructure is widely considered incompatible with residential land use standards and would undermine any finding that the area is suitable for residential development. The Commission should weigh the long-term land use trajectory of the surrounding area, not merely its current zoning designation, when evaluating the compatibility of this CUP.

B. Documented and Foreseeable Harm to Property Values

The Texas Constitution, Article I, Section 17, expressly prohibits the taking, damaging, or destruction of private property for public use without adequate compensation. While this protest does not constitute an eminent domain claim, it places the Commission on formal notice that approval of this CUP is reasonably certain to damage the value and enjoyment of nearby private property. Relevant findings include:

- Certified real estate appraisers and peer-reviewed research consistently document property value declines of 15–20% in close proximity to cell towers.
- The U.S. Department of Housing and Urban Development (HUD) officially classifies cell towers as a Hazard and Nuisance, requiring appraisers to make adjustments to assessed value.
- More than 90% of surveyed homebuyers report they would pay less for a property near a cell tower, severely limiting the marketability of affected properties.

A reduction in property values would also reduce the City's ad valorem tax base, harming the public interest as well as private landowners.



Should the City approve this CUP and property values decline by 25% or more, affected owners may have a cognizable claim under the Texas Private Real Property Rights Preservation Act, Tex. Gov't Code Chapter 2007, which waives sovereign immunity for governmental actions that result in such a devaluation. I raise this not as a threat but as a material risk the Commission should weigh in its deliberation.

C. Public Safety — Hazardous Materials and Structural Risk

Cell tower installations routinely store hazardous materials on-site, including lead-acid battery arrays and diesel fuel storage tanks exceeding 180 gallons, used for backup power. These materials pose risks of chemical leakage, groundwater contamination, fire, and toxic smoke in the event of equipment failure or natural disaster. Several Texas county fire departments have formally designated such sites as HAZMAT locations. Approving this CUP in close proximity to a residential neighborhood creates foreseeable public safety risks inconsistent with the City's duty to promote the health and safety of its residents under Tex. Local Gov't Code § 211.001.

D. Adverse Impact on Neighborhood Character and the City's Comprehensive Plan

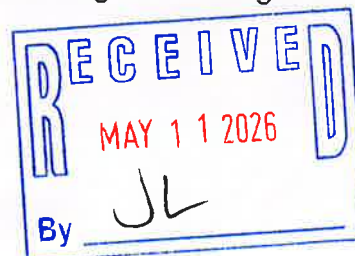
Texas zoning law, under Tex. Local Gov't Code § 211.004, requires that zoning regulations be made in accordance with a comprehensive plan and designed to preserve the character of existing development. The construction of a large telecommunications tower directly adjacent to a new residential community is inconsistent with orderly and compatible land use development. Granting this CUP would constitute improper "spot approval" of an incompatible use, and sets a precedent for further industrial or commercial encroachment into an area that is actively developing as a residential corridor.

E. Request for Alternative Site Analysis

Prior to any approval, We respectfully request that the Commission require the applicant to demonstrate that alternative locations for this telecommunications infrastructure were fully evaluated, and that no suitable site exists farther from residential development. Many Texas municipalities and communities nationwide have adopted minimum residential setback requirements of 500 to 1,500 feet for cell tower installations. The City of Killeen should evaluate whether such a setback policy is warranted here and whether this location satisfies any such standard.

III. Formal Request for Relief

For the foregoing reasons, and pursuant to the authority granted under Texas Local Government Code § 211.0061, I formally protest the issuance of Conditional Use Permit Case No. Z26-10. We respectfully request that the Planning and Zoning Commission and City Council:

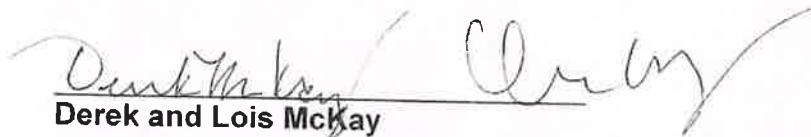


4/5

- Deny the Conditional Use Permit requested in Case No. Z26-10;
- Enter this written protest into the official record for Case No. Z26-10, triggering the supermajority (3/4) vote requirement under Tex. Local Gov't Code § 211.0061(d) if the applicable protest threshold is met;
- Require the applicant to provide a full alternative site analysis prior to any approval;
- Consider adopting a residential setback ordinance for telecommunications towers consistent with Tex. Local Gov't Code § 211.003's authority to regulate the height and use of structures.

Although We are unable to attend the public hearing in person, as We currently reside out of state, We respectfully request that this written protest be given full and equal consideration by the Commission and City Council in accordance with Tex. Local Gov't Code § 211.0061. A property owner's physical absence from a hearing does not diminish the legal weight or validity of a timely filed written protest, and We ask that the record reflect accordingly. We are available to provide additional documentation or a written statement upon request. Should the Commission approve this CUP over valid written protest, We reserve all rights available to me under Texas law, including the right to seek judicial review pursuant to Tex. Local Gov't Code § 211.011.

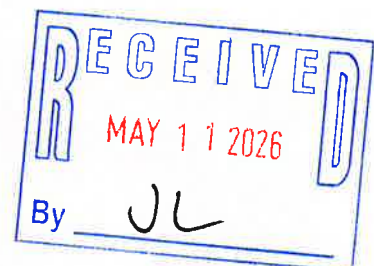
Respectfully submitted,



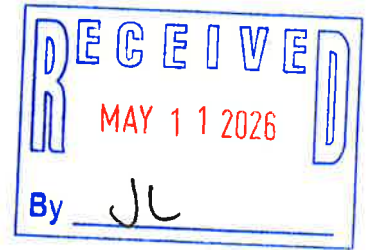
Derek and Lois McKay

Property Owner ID # 451593 — Protesting Party, Case No. Z26-10

Statutory References: Tex. Local Gov't Code §§ 211.001, 211.003, 211.004, 211.006, 211.0061 (H.B. 24, eff. Sept. 1, 2025), 211.007, 211.011; Tex. Const. Art. I, § 17; Tex. Gov't Code Chapter 2007 (Private Real Property Rights Preservation Act)



5/5



April 29, 2026

RE: Case# Z26-10

Hold a public hearing and consider a request submitted by Vincent Gerard & Associates on behalf of First Assembly of God Inc. (Case# Z26-10) for a Conditional Use Permit (CUP) to allow for the installation of a wireless telecommunication tower on property zoned "B-3" (Local Business District), being approximately 2.0 acres, being Lot 1, Block 1, McClurkan Addition. The subject property is locally addressed as 7432 East Trimmer Road, Killeen, Texas.


Dear Property Owner:

The enclosed map shows the property to be rezoned, outlined by a solid blue line. The dashed circular line marks the 400-foot radius around the property. In accordance with Texas Local Government Code Sec. 211.007, we are required to provide written notice to the owner of all properties within two hundred (200) feet of the proposed change. Additionally, the City of Killeen provides written notice to the owner of all properties within four hundred (400) feet of the proposed change.

The City of Killeen Planning and Zoning Commission will review this request at their Workshop at 4:30 p.m. on May 11, 2026. Immediately following the Workshop, the Planning and Zoning Commission will hold a Public Hearing regarding this request during their Regular Meeting. The meetings will be held in the Utility Collections Conference Room, at Utility Collections, 210 W. Avenue C, Killeen, Texas.

You may also indicate your support or opposition to this request, by filling out the bottom portion of this letter and sending it to: *City of Killeen, Planning Division, 200 E. Avenue D, Suite 6, Killeen, Texas 76541*. To be considered a protest under Sec. 211.006 (d) of the Texas Local Government Code, the protest must be written and signed by the owner of the property located within 200 feet of the notification area. Any petition, whether in support of or opposition to this request, must be received by the Planning Department no later than 12:00 p.m., May 11, 2026. After the Planning and Zoning meeting, this matter will be forwarded to the City Council Workshop (for review) on June 16, 2026 at 3:00 p.m., followed immediately by the City Council Meeting (for voting) in Council Chambers, at City Hall, 101 North College Street, Killeen, Texas, where you may also appear and speak. If you desire additional information relative to this matter, please call (254) 501-7631.

-----CUT HERE-----

YOUR NAME:	Ricky P. Reyes	PHONE NUMBER:	254-466-2670
CURRENT ADDRESS:	7004 Andaluca St.		254-290-5810
ADDRESS OF PROPERTY OWNED:	7004 Andaluca St. Killeen		76542
COMMENTS:	Please see attached.		
	We strongly oppose this proposal.		
SIGNATURE:			REQUEST: "B-3" to "B-3" w/CUP for Cell Tower Z26-10/ 23

ATTENTION CITY OF KILLEEN:

WE, **RICKY AND ROSEMARIE REYES**, OF 7006 ANDALUCIA ST, KILLEEN, TX, STRONGLY OPPOSE THE PROPOSITION TO BUILD A WIRELESS TELECOMMUNICATION TOWER ON PROPERTY ZONE "B-3" ON LOT 1, BLOCK 1, MCCLURKAN ADDITION, WHICH HAPPENS TO BE THE FIRST ASSEMBLY OF GOD CHURCH DIRECTLY ACROSS FROM OUR NEIGHBORHOOD. OUR HOME IS WITHIN THE 400 FEET RADIUS OF WHERE THIS TOWER IS EXPECTED TO BE BUILT, WHICH WILL SIGNIFICANTLY IMPACT OUR PROPERTY VALUE. FOR MANY REASONS, WE ARE STRONGLY OPPOSING THIS.

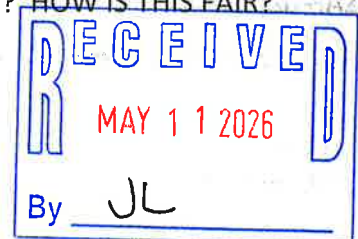
1. THERE IS ALREADY 3 CELL TOWERS BUILT NORTH AND ONE CELL TOWER BUILT EAST OF OUR PROPERTY, ALL APPROXIMATELY WITHIN 1500 FT. STUDIES SHOW THAT ALTHOUGH A CELL TOWER MAY OFFER BENEFIT OF BETTER SIGNAL STRENGTH TO WIRELESS CUSTOMERS, THESE STRUCTURES RAISE CONCERNS ABOUT HEALTH, AESTHETICS AND POTENTIAL FINANCIAL IMPACT ON NEARBY HOMES. THIS IS VERY TRUE.

2. WE PURCHASED OUR HOME IN 2024 AND WE CONTINUE TO PAY ON A MORTGAGE THAT IS STILL NEARLY EQUIVALENT TO THE APPRAISED VALUE FROM 2024. THIS IS OUR HOME AND WHERE ALL OUR HARD-WORKING MONEY GOES TO IN MAKING IT A SAFE, PEACEFUL AND ENJOYABLE PLACE TO LIVE. IN 2024, WE HAD NO IDEA THERE WERE PLANS TO BUILD A DOLLAR GENERAL STORE ONE BLOCK AWAY. SINCE THEN, OUR HOME VALUE DROPPED \$9K IN 2025, AND ANOTHER PROPOSAL TO DROP THE VALUE \$12K MORE IN 2026 - THAT IS A TOTAL OF \$21K IN JUST TWO YEARS! WE JUST LOST EQUITY IN TWO YEARS TIME, WHICH IS DEEPLY CONCERNING. IT WILL TAKE YEARS TO CATCH UP TO THIS LOSS IN VALUE. IF A CELL TOWER IS BUILT, WE RISK LOSING MORE VALUE ON OUR HOME - HOMEOWNERS ARE LOSING TO BIG CORPORATIONS WHILE THEY GAIN; AND TO HAVE A CHURCH PROFIT AS WELL WITH NO REGARDS TO HOMEOWNERS AFFECTED BY THIS IS NOT RIGHT AT ALL.

3. A CELL TOWER LITERALLY VISIBLE FROM MY FRONT DOOR WILL BE AN EYESORE. WE PICKED OUR HOME BECAUSE IT WAS AESTHETICALLY PLEASING AND WORTH THE PURCHASE PRICE IN THIS AREA. SOMEONE ELSE'S GAIN SHOULD NOT BE AT THE COMFORT OF OTHERS.

4. WE ARE IN OUR 50s, AND SAFETY IS A BIG CONCERN. WE ALSO HAVE NEIGHBORHOOD CHILDREN WHO ARE ALWAYS OUTSIDE PLAYING. WE SHOULD NOT HAVE TO WORRY ABOUT BAD WEATHER, ICEY STORMS, OR HIGH WINDS POTENTIALLY CAUSING STRUCTURAL DAMAGE ON A NEARBY CELL TOWER WHERE PARTS CAN GO FLYING, OR THE STRUCTURE MIGHT COLLAPSE CAUSING SEVERE DAMAGE OR INJURY TO THE PEOPLE OF OUR NEIGHBORHOOD AND THEIR HOMES. THIS IS A HUGE SAFETY AND HEALTH RISK TO WORRY ABOUT.

5. A CELL TOWER CAN ALSO BE AN EXTREME FIRE HAZARD; IF SPARKS OCCUR, HOMEOWNERS NOW MUST WORRY ABOUT FIRES SPREADING. ARE HOME INSURANCE COMPANIES NOW GOING TO CHARGE MORE BECAUSE OF ALL THESE HAZARDS AND RISKS? HOW IS THIS FAIR?



24

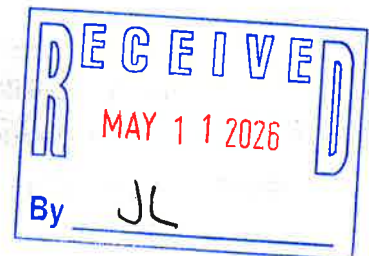
6. ONLY HOMEOWNERS WITHIN A CERTAIN FEET WERE NOTIFIED OF THIS PROPOSAL AND IT IS EXTREMELY CONCERNING THAT THE CITY DOES NOT TRULY NOTIFY ALL HOMEOWNERS THAT THIS PROPOSAL COULD ADVERSELY AFFECT. THIS IS AN UNFAIR ADVANTAGE, BECAUSE MANY HOMEOWNERS ARE NOT AWARE AND THEREFORE NOT SHOWING UP IN NUMBERS TO FIGHT THIS. WE SHOULD NOT HAVE TO WORRY ABOUT OUR HOMES DECREASING IN VALUE WHILE OTHERS PROFIT, ESPECIALLY HOMEOWNERS WHO JUST BOUGHT THEIR HOMES AND HAVE ALREADY SEEN SIGNIFICANT DECREASE SUCH OUR HOME. WITH SO MANY NEW HOMES BEING BUILT NEARBY, NEW HOMEOWNERS ARE LIKELY NOT BEING PROPERLY INFORMED OF THE RISKS.

WE SINCERELY HOPE THAT THE CITY WILL RECONSIDER THIS PROPOSAL. IT IS CAUSING A DISSERVICE TO THE HARDWORKING PEOPLE AND HOMEOWNERS AFFECTED.

THANK YOU FOR YOUR TIME.



RICKY AND ROSEMARIE REYES





TAX APPRAISAL DISTRICT OF BELL COUNTY
PO BOX 390
BELTON, TX 76513-0390
 Phone: (254) 939-5841
www.bellcad.org

2026 Notice of Appraised Value

THIS IS NOT A TAX STATEMENT
DO NOT PAY FROM THIS NOTICE

Property ID: 398282
Ownership %: 1.00000000
Legal: SPANISH OAKS, BLOCK 008, LOT 0004
Legal Acres: 0.0000
Situs: 7006 ANDALUCIA LN

46367*123**G50**0.574**1/4*****AUTO**5-DIGIT 76542
 REYES, RICKY & ROSEMARIE
 7006 ANDALUCIA ST
 KILLEEN, TX 76542-5949



Online Protest Info:	
Account ID:	945879
EFile PIN:	AGF2YE

DATE OF NOTICE: April 15, 2026

Dear Property Owner,
 The appraisal as of January 1, 2026 is outlined below:

PROTEST FILING DEADLINE: May 15, 2026

Appraisal Information		Last Year - 2025	Proposed - 2026
(+)	Structure / Improvement Market Value	247,836	235,982
(+)	Market Value of Non Ag/Timber Land	53,000	53,000
(=)	Total Market Value	300,836	288,982
	Assessed Value	300,836	288,982
	Homestead Cap Value excluding Non-Homesite Value (i.e. Ag, Commercial)	300,836	288,982
	Exemptions	DVHS HS	DVHS HS

Homestead Cap Value/Circuit Breaker Limitation (Total Market Value – Assessed Value) = \$0

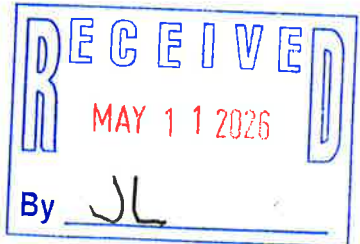
Under Section 23.231, Tax Code, for the 2024, 2025, and 2026 tax years, the appraised value of real property other than a residence homestead for ad valorem tax purposes may not be increased by more than 20 percent each year, with certain exceptions. The circuit breaker limitation provided under Section 23.231, Tax Code, expires December 31, 2026. Unless this expiration date is extended by the Texas Legislature, beginning in the 2027 tax year, the circuit breaker limitation provided under Section 23.231, Tax Code, will no longer be in effect and may result in an increase in ad valorem taxes imposed on real property previously subject to the limitation.

The Tax Appraisal District of Bell County DOES NOT set tax rates. The governing body of each taxing unit decides whether or not taxes on the property will increase. The Appraisal District only determines the value of the property.

Visit Texas.gov/PropertyTaxes to find a link to your local property tax database on which you can easily access information regarding your property taxes, including information regarding the amount of taxes that each entity that taxes your property will impose if the entity adopts its proposed tax rate. Your local property tax database will be updated regularly during August and September as local elected officials propose and adopt the property tax rates that will determine how much you pay in property taxes.

Loss of another \$12k

Home is already losing value.



4/4

YOUR NAME: Tyler Morgan
PHONE NUMBER: 573-413-3454
CURRENT ADDRESS: 7009 Andaluca St Killeen TX 76542
ADDRESS OF PROPERTY OWNED: 7009 Andaluca St Killeen TX 76542
COMMENTS: We are opposed to the installation of a wireless telecommunication tower on property zoned B-3. Due to the fact it would drop the property value for all the properties in our neighborhood.

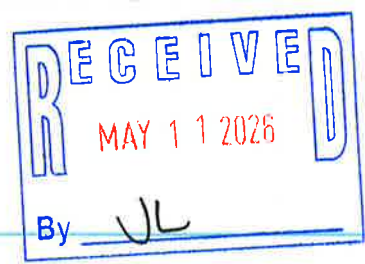
1/2

SIGNATURE:


REQUEST: "B-3" to "B-3"
w/CUP for Cell Tower
Z26-10/19

P.O. Box 1329 Killeen, Texas 76541 • 254.501.7648 • Fax 254.501.7628
www.KilleenTexas.gov

RECEIVED
MAY 11 2026
By JL



2/2

To whom it may concern,

I am writing to formally express my strong opposition to the proposed installation of a telecommunication tower on the First Assembly of Gods property. This specific project poses a significant threat to the financial well-being & residential character of our entire neighborhood.

Our homes are more than just shelters; for most of us, they represent our primary financial asset & a lifetime of investment. Reliable real estate data & common market sentiment suggest that presence of large industrial structures in close proximity to residential zones can lead to a measurable decrease in property values. By moving forward with this tower, the church is effectively prioritizing short-term lease revenue over the long-term equity & financial security of hundreds of its neighbors.

Beyond the financial impact, there is the matter of community harmony. A neighborhood is defined by its aesthetic & the mutual respect between its institutions & its residents. Placing a massive, metallic structure near our residential skyline disrupts the visual integrity of our streets & sets a very troubling precedent for land use.

I urge the City of Killeen Planning & Zoning Commission to consider the collective burden being placed on the homeowners. There must be alternative locations, industrial zones, or less populated areas, where this infrastructure can be built without devaluing the hard-earned assets of local families. I ask that you stand with the residents & deny the request for this church.

Sincerely,
Tyler & Brittney Morgan
7009 Andaluia St, Killeen, TX 76542
573-413-3454



City of Killeen

City of Killeen Planning and Zoning Commission

April 29, 2026

RE: Case# Z26-10

Hold a public hearing and consider a request submitted by Vincent Gerard & Associates on behalf of First Assembly of God Inc. (Case# Z26-10) for a Conditional Use Permit (CUP) to allow for the installation of a wireless telecommunication tower on property zoned "B-3" (Local Business District), being approximately 2.0 acres, being Lot 1, Block 1, McClurkan Addition. The subject property is locally addressed as 7432 East Trimmier Road, Killeen, Texas.

Dear Property Owner:

The enclosed map shows the property to be rezoned, outlined by a solid blue line. The dashed circular line marks the 400-foot radius around the property. In accordance with Texas Local Government Code Sec. 211.007, we are required to provide written notice to the owner of all properties within two hundred (200) feet of the proposed change. Additionally, the City of Killeen provides written notice to the owner of all properties within four hundred (400) feet of the proposed change.

The City of Killeen Planning and Zoning Commission will review this request at their Workshop at 4:30 p.m. on May 11, 2026. Immediately following the Workshop, the Planning and Zoning Commission will hold a Public Hearing regarding this request during their Regular Meeting. The meetings will be held in the Utility Collections Conference Room, at Utility Collections, 210 W. Avenue C, Killeen, Texas.

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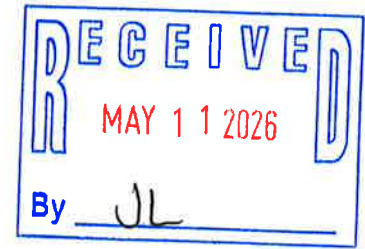
-----CUT HERE-----

YOUR NAME: Steven L. Jones	PHONE NUMBER: 573-280-6178
CURRENT ADDRESS: 7105 Andalucia, Killeen, TX 76542	
ADDRESS OF PROPERTY OWNED: 7105 Andalucia, Killeen, TX 76542	
COMMENTS: I formally object to the requested zone change and special use permit. <u>See Attached.</u>	
SIGNATURE: S L Jones	REQUEST: "B-3" to "B-3" w/CUP for Cell Tower Z26-10/15



1/3

Steven L. Jones
7105 Andalucia
Killeen, TX 76542
573-280-6178
senoj@hotmail.com



May 6, 2026

City of Killeen Planning and Zoning Commission
201 W. Avenue C, Killeen, Texas

RE: Formal Protest of Case# Z26-10 – Proposed Telecommunication Tower at 7432 East Trimmier Road, Killeen, Texas.

To Members of the Planning Commission:

I am writing as a homeowner in the Andalucia Neighborhood, Killeen to formally object to the requested zone change and special use permit for the telecommunications tower proposed for 7432 East Trimmier Road, Killeen, Texas.

My property is located at 7105 Andalucia which is less than 200 feet from the proposed site.

I urge the Commission to deny this application based on the following:

- **Incompatibility with Residential Zoning:** The proposed tower is located in a residential area, directly infringing on the enjoyment of my property. Placing an industrial structure of this magnitude this close to homes is incompatible with the character of our neighborhood.
- **Depreciation of Property Value:** A tower of this size in close proximity will have a significant negative impact on the resale value of my home and others in the neighborhood. The National Association of Realtors data (attached) suggests that my home will lose 15-20% of resale value!
- **Structural Safety and Fall Risk:** At a distance of less than 200 feet, my residence sits within the potential “fall zone” and “ice throw” radius of the structure. Given our sometimes extreme weather patterns it poses a direct physical threat to my family and property that is not mitigated.
- **Insurance:** Some homeowners’ insurance policies may include “extra hazard” charges or specific exclusions for damage related to nearby towers.
- **Failure to exhaust other options:** There are currently two towers located within one mile of my property, one to the North and one to the South. Coverage is excellent with no dead spots in the area. Is the tower even necessary or beneficial in the proposed location?
- **Proper notification:** At least one owner of property in the 200 foot zone is Active Duty Military. She has relocated and leases out the property in her absence. She may currently be deployed to a combat zone. With only one week notice provided, I seriously doubt that she has been properly notified of these proceedings.

I request that this protest be included in the official public record for this case and that I be notified of all future hearings or decisions regarding this matter.

Sincerely,

Steven L. Jones



What is the impact on property values for a telecom tower to be built within 200 feet?

Building a telecom tower within 200 feet of a residential property typically results in a significant negative impact on its market value, with research and real estate experts citing price drops between 2% and 20%. 📄 National Association of REALTORS® +2

The 200-foot range is considered the highest impact zone. Houses at this distance often sell for less and take longer to close because nearly 94% of potential buyers report being less interested in properties near cell towers. 📄 Environmental Health Sciences - +2

Estimated Value Impact by Proximity

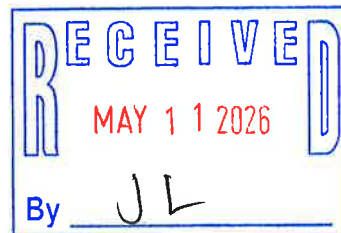
The loss in value is directly tied to how close the tower is and whether it is visible from the home. 📄

Distance from Tower <small>📄</small>	Estimated Value Decrease	Key Factor
0 – 330 feet (0–100m)	15% to 20%	Highest impact; "nuisance" zone
330 – 660 feet (100–200m)	10% to 15%	Significant marketability loss
660 – 1,000 feet (200–300m)	5% to 10%	Impact begins to taper off
Over 1,500 feet	Minimal to 0%	Effects largely disappear

Primary Drivers of Devaluation

- **Visual Aesthetics:** Large, industrial-looking structures are seen as "eyesores" that clash with residential character. Towers that are **visible** from the property suffer an average **9.78% price drop**, compared to much smaller impacts for those that are

Ask anything





City of Killeen
Development Services|Planning

April 29, 2026

RE: Case# Z26-10

Hold a public hearing and consider a request submitted by Vincent Gerard & Associates on behalf of First Assembly of God Inc. (Case# Z26-10) for a Conditional Use Permit (CUP) to allow for the installation of a wireless telecommunication tower on property zoned "B-3" (Local Business District), being approximately 2.0 acres, being Lot 1, Block 1, McClurkan Addition. The subject property is locally addressed as 7432 East Trimmer Road, Killeen, Texas.

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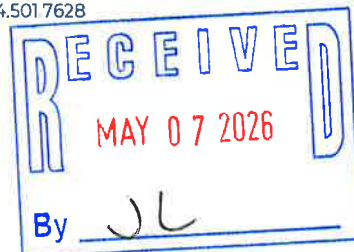
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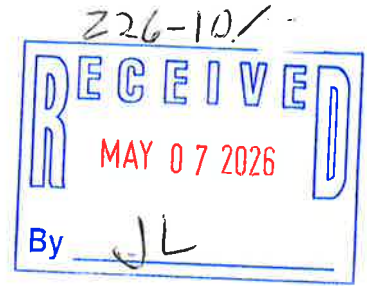
-----CUT HERE-----

YOUR NAME:	EDWARD D. Prete JR	PHONE NUMBER:	401-286-5155
CURRENT ADDRESS:	7111 ANPA LUCIA ST KILLEEN		
ADDRESS OF PROPERTY OWNED:	7111 ANPA LUCIA ST. KILLEEN		
COMMENTS:	We do not want a tower of any kind located within our property area. Thank you		
SIGNATURE:	Edward D. Prete Jr		REQUEST: "B-3" to "B-3" w/CUP for Cell Tower Z26-10/15



Edward D. DiPrete Jr.
7111 Andalucia
Killeen, TX 76542
401-286-5155
nelta1@aol.com

May 7, 2026



City of Killeen Planning and Zoning Commission
201 W. Avenue C, Killeen, Texas

RE: Formal Protest of Case# Z26-10 – Proposed Telecommunication Tower at 7432 East Trimmier Road, Killeen, Texas.

To Members of the Planning Commission:

I am writing as a homeowner in the Andalucia Neighborhood, Killeen to formally object to the requested zone change and special use permit for the telecommunications tower proposed for 7432 East Trimmier Road, Killeen, Texas.

My property is located at 7111 Andalucia which is less than 200 feet from the proposed site.

I urge the Commission to deny this application based on the following:

- **Incompatibility with Residential Zoning:** The proposed tower is located in a residential area, directly infringing on the enjoyment of my property. Placing an industrial structure of this magnitude this close to homes is incompatible with the character of our neighborhood.
- **Depreciation of Property Value:** A tower of this size in close proximity will have a significant negative impact on the resale value of my home and others in the neighborhood. The National Association of Realtors data (attached) suggests that my home will lose 15-20% of resale value!
- **Structural Safety and Fall Risk:** At a distance of less than 200 feet, my residence sits within the potential “fall zone” and “ice throw” radius of the structure. Given our sometimes extreme weather patterns it poses a direct physical threat to my family and property that is not mitigated.
- **Insurance:** Some homeowners’ insurance policies may include “extra hazard” charges or specific exclusions for damage related to nearby towers.
- **Failure to exhaust other options:** There are currently two towers located within one mile of my property, one to the North and one to the South. Coverage is excellent with no dead spots in the area. Is the tower even necessary or beneficial in the proposed location?

I request that this protest be included in the official public record for this case and that I be notified of all future hearings or decisions regarding this matter.

Sincerely,



Edward D. DiPrete Jr.



City of Killeen
Development Services|Planning

April 29, 2026

RE: Case# Z26-10

Hold a public hearing and consider a request submitted by Vincent Gerard & Associates on behalf of First Assembly of God Inc. (Case# Z26-10) for a Conditional Use Permit (CUP) to allow for the installation of a wireless telecommunication tower on property zoned "B-3" (Local Business District), being approximately 2.0 acres, being Lot 1, Block 1, McClurkan Addition. The subject property is locally addressed as 7432 East Trimmer Road, Killeen, Texas.


Dear Property Owner:

The enclosed map shows the property to be rezoned, outlined by a solid blue line. The dashed circular line marks the 400-foot radius around the property. In accordance with Texas Local Government Code Sec. 211.007, we are required to provide written notice to the owner of all properties within two hundred (200) feet of the proposed change. Additionally, the City of Killeen provides written notice to the owner of all properties within four hundred (400) feet of the proposed change.

The City of Killeen Planning and Zoning Commission will review this request at their Workshop at 4:30 p.m. on May 11, 2026. Immediately following the Workshop, the Planning and Zoning Commission will hold a Public Hearing regarding this request during their Regular Meeting. The meetings will be held in the Utility Collections Conference Room, at Utility Collections, 210 W. Avenue C, Killeen, Texas.

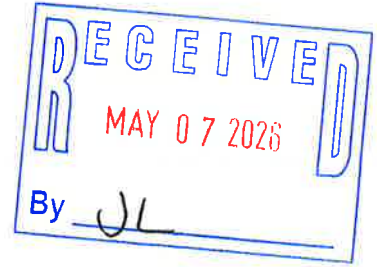
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-----CUT HERE-----

YOUR NAME: Shanura Q. Stephens	PHONE NUMBER: 254-289-1589
CURRENT ADDRESS: 7104 Andalucia, Killeen TX 76542	
ADDRESS OF PROPERTY OWNED: 7104 Andalucia, Killeen TX 76542	
COMMENTS: I formally object to the requested zone change and special use permit.	
SIGNATURE: 	RECEIVED MAY 07 2026 By JL
	REQUEST: "B-3" to "B-3" w/CUP for Cell Tower
	Z26-10/ 28



City of Killeen
Development Services/Planning



April 29, 2026

RE: Case# Z26-10

Hold a public hearing and consider a request submitted by Vincent Gerard & Associates on behalf of First Assembly of God Inc. (Case# Z26-10) for a Conditional Use Permit (CUP) to allow for the installation of a wireless telecommunication tower on property zoned "B-3" (Local Business District), being approximately 2.0 acres, being Lot 1, Block 1, McClurkan Addition. The subject property is locally addressed as 7432 East Trimmer Road, Killeen, Texas.

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-----CUT HERE-----

YOUR NAME:	ROGER Trevino II	PHONE NUMBER:	254-449-6387
CURRENT ADDRESS:	5301 Fiesta Oak Drive, Killeen, TX 76542		
ADDRESS OF PROPERTY OWNED:	Same as above		
COMMENTS:	We, the undersigned residents and property owners within the Spanish Oaks subdivision, respectfully oppose the proposed construction of a telecommunications tower near our homes. While we understand the need for improved infrastructure, we believe that the proposed location is inappropriate due to concerns regarding neighborhood aesthetics, property value, and the overall impact on our community. We respectfully request that local officials deny approval for this location and consider sites further away from residential areas.		
SIGNATURE:	[Signature] and K. Trevino		REQUEST: "B-3" to "B-3" w/CUP for Cell Tower Z26-10/15



City of Killeen

Development Services\Planning

April 29, 2026

RE: Case# Z26-10

Hold a public hearing and consider a request submitted by Vincent Gerard & Associates on behalf of First Assembly of God Inc. (Case# Z26-10) for a Conditional Use Permit (CUP) to allow for the installation of a wireless telecommunication tower on property zoned "B-3" (Local Business District), being approximately 2.0 acres, being Lot 1, Block 1, McClurkan Addition. The subject property is locally addressed as 7432 East Trimmier Road, Killeen, Texas.

Dear Property Owner:

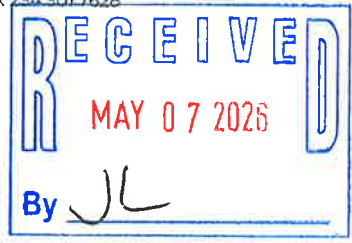
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-----CUT HERE-----

YOUR NAME:	Heath Guidry	PHONE NUMBER:	940-781-6478
CURRENT ADDRESS:	7209 Andalusia Dr, Killeen Tx 76542		
ADDRESS OF PROPERTY OWNED:	7209 Andalusia, Killeen, Tx 76542		
COMMENTS:	No tower here!		
SIGNATURE:		REQUEST: "B-3" to "B-3" w/CUP for Cell Tower	
		Z26-10/15	





City of Killeen

Development Services | Planning

April 29, 2026

RE: Case# Z26-10

Hold a public hearing and consider a request submitted by Vincent Gerard & Associates on behalf of First Assembly of God Inc. (Case# Z26-10) for a Conditional Use Permit (CUP) to allow for the installation of a wireless telecommunication tower on property zoned "B-3" (Local Business District), being approximately 2.0 acres, being Lot 1, Block 1, McClurkan Addition. The subject property is locally addressed as 7432 East Trimmer Road, Killeen, Texas.


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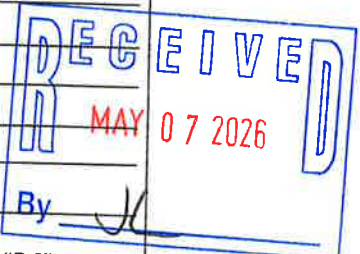
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-----CUT HERE-----

YOUR NAME:	Lorenzo Maldonado	PHONE NUMBER:	(410) 937-7033
CURRENT ADDRESS:	5300 Weeping Oak Dr. Killeen, TX 76542		
ADDRESS OF PROPERTY OWNED:	5300 Weeping Oak Dr. Killeen, TX 76542		
COMMENTS:	I do not want a cell tower near our home.		
SIGNATURE:			
REQUEST: "B-3" to "B-3" w/CUP for Cell Tower Z26-10/15			





City of Killeen

Development Services | Planning

April 29, 2026

RE: Case# Z26-10

Hold a public hearing and consider a request submitted by Vincent Gerard & Associates on behalf of First Assembly of God Inc. (Case# Z26-10) for a Conditional Use Permit (CUP) to allow for the installation of a wireless telecommunication tower on property zoned "B-3" (Local Business District), being approximately 2.0 acres, being Lot 1, Block 1, McClurkan Addition. The subject property is locally addressed as 7432 East Trimmer Road, Killeen, Texas.

Dear Property Owner:

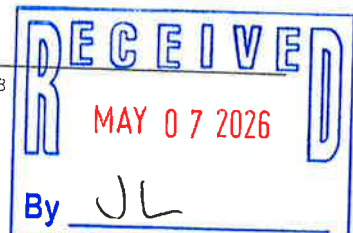
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-----CUT HERE-----

YOUR NAME:	Michelle Marshall	PHONE NUMBER:	254 432 1079
CURRENT ADDRESS:	7109 Andalusia St.		
ADDRESS OF PROPERTY OWNED:	Killeen, TX 76542		
COMMENTS:	Please consider <u>not</u> placing this wireless communication across from our property I don't want it & don't agree with it thanks in advance		
SIGNATURE:	Michelle Marshall		
		REQUEST: "B-3" to "B-3" w/CUP for Cell Tower	
		Z26-10/15	





City of Killeen

Development Services | Planning

April 29, 2026

RE: Case# Z26-10

Hold a public hearing and consider a request submitted by Vincent Gerard & Associates on behalf of First Assembly of God Inc. (Case# Z26-10) for a Conditional Use Permit (CUP) to allow for the installation of a wireless telecommunication tower on property zoned "B-3" (Local Business District), being approximately 2.0 acres, being Lot 1, Block 1, McClurkan Addition. The subject property is locally addressed as 7432 East Trimmier Road, Killeen, Texas.

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-----CUT HERE-----

YOUR NAME: Steven L. Jones	PHONE NUMBER: 573-280-6178
CURRENT ADDRESS: 7105 Andalucia, Killeen, TX 76542	
ADDRESS OF PROPERTY OWNED: 7105 Andalucia, Killeen, TX 76542	
COMMENTS: I formally object to the requested zone change and special use permit. <u>See Attached.</u>	
SIGNATURE: S L Jones	REQUEST: "B-3" to "B-3" w/CUP for Cell Tower Z26-10/15



Steven L. Jones
7105 Andalucia
Killeen, TX 76542
573-280-6178
senoj@hotmail.com

May 6, 2026

City of Killeen Planning and Zoning Commission
201 W. Avenue C, Killeen, Texas

RE: Formal Protest of Case# Z26-10 – Proposed Telecommunication Tower at 7432 East Trimmier Road, Killeen, Texas.

To Members of the Planning Commission:

I am writing as a homeowner in the Andalucia Neighborhood, Killeen to formally object to the requested zone change and special use permit for the telecommunications tower proposed for 7432 East Trimmier Road, Killeen, Texas.

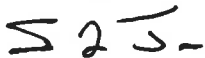
My property is located at 7105 Andalucia which is less than 200 feet from the proposed site.

I urge the Commission to deny this application based on the following:

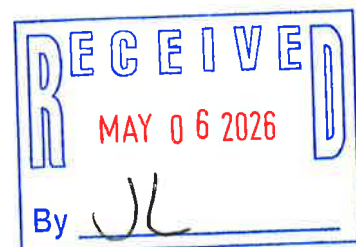
- **Incompatibility with Residential Zoning:** The proposed tower is located in a residential area, directly infringing on the enjoyment of my property. Placing an industrial structure of this magnitude this close to homes is incompatible with the character of our neighborhood.
- **Depreciation of Property Value:** A tower of this size in close proximity will have a significant negative impact on the resale value of my home and others in the neighborhood. The National Association of Realtors data (attached) suggests that my home will lose 15-20% of resale value!
- **Structural Safety and Fall Risk:** At a distance of less than 200 feet, my residence sits within the potential “fall zone” and “ice throw” radius of the structure. Given our sometimes extreme weather patterns it poses a direct physical threat to my family and property that is not mitigated.
- **Insurance:** Some homeowners’ insurance policies may include “extra hazard” charges or specific exclusions for damage related to nearby towers.
- **Failure to exhaust other options:** There are currently two towers located within one mile of my property, one to the North and one to the South. Coverage is excellent with no dead spots in the area. Is the tower even necessary or beneficial in the proposed location?
- **Proper notification:** At least one owner of property in the 200 foot zone is Active Duty Military. She has relocated and leases out the property in her absence. She may currently be deployed to a combat zone. With only one week notice provided, I seriously doubt that she has been properly notified of these proceedings.

I request that this protest be included in the official public record for this case and that I be notified of all future hearings or decisions regarding this matter.

Sincerely,



Steven L. Jones





What is the impact on property values for a telecom tower to be built within 200 feet?

Building a telecom tower within 200 feet of a residential property typically results in a significant negative impact on its market value, with research and real estate experts citing price drops between 2% and 20%. [National Association of REALTORS® +2](#)

The 200-foot range is considered the **highest impact zone**. Houses at this distance often sell for less and take longer to close because nearly **94% of potential buyers** report being less interested in properties near cell towers. [Environmental Health Sciences - +2](#)

Estimated Value Impact by Proximity

The loss in value is directly tied to how close the tower is and whether it is visible from the home. [📍](#)

Distance from Tower 📍	Estimated Value Decrease	Key Factor
0 – 330 feet (0–100m)	15% to 20%	Highest impact; "nuisance" zone
330 – 660 feet (100–200m)	10% to 15%	Significant marketability loss
660 – 1,000 feet (200–300m)	5% to 10%	Impact begins to taper off
Over 1,500 feet	Minimal to 0%	Effects largely disappear

Primary Drivers of Devaluation

- **Visual Aesthetics:** Large, industrial-looking structures are seen as "eyesores" that clash with residential character. Towers that are **visible** from the property suffer an average **9.78% price drop**, compared to much smaller impacts for those that are

Ask anything





- **Market Liquidity:** Properties near towers take longer to sell because the "pool" of willing buyers is significantly smaller—as many as **79% of buyers** say they would never consider a property within a few blocks of a tower. 🌐 Environmental Health Sciences - +1

🔧 Potential Mitigations

If a tower is being proposed near you, some property owners have successfully used these strategies:

- **Tax Appeals:** You may be able to lower your property tax bill by arguing that "Telecommunication Tower Tarnishing" has reduced your home's fair market value. 🏠 Fair Assessments LLC
- **Camouflaging:** Requesting that the tower be disguised (e.g., as a "monopine" or flag pole) can reduce the visual impact and subsequent value loss. 📖 Deutsche Nationalbibliothek

- **Setback Requirements:** Check local zoning laws; many municipalities require towers to be set back at least 1,500 feet from residential areas to protect property values. 🌐 Environmental Health Sciences - +1

To give you more specific advice, let me know:

- Is the tower **visible from your main windows** or yard?
- Is it a **large lattice tower** or a smaller **5G "small cell"** on a utility pole?
- Are you in a **residential neighborhood** or a more **rural/industrial area**?

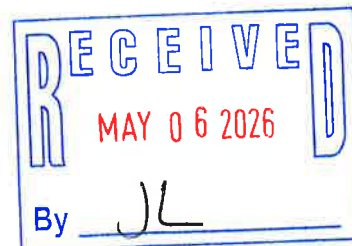


🌐 17 sites

Cell Towers Drop Property Values

* Realtor Evidence and Published Research on Market Impacts. Realtors and peer-reviewed studies report that cell towers can reduce

📌 "The cell tower will negatively effect the price"





National Association of REALTORS®

Mobile Cell Tower May Impact The Value of Your Property - LinkedIn


Jan 24, 2025 — Real Estate | Founder | Life & business coach |... * Living near a cell tower can potentially impact the worth of your property. Whi...



LinkedIn · Saša Stanisavljević

Show all





CASE #Z26-10:
“B-3” TO “B-3 W/CUP”

PH-26-019

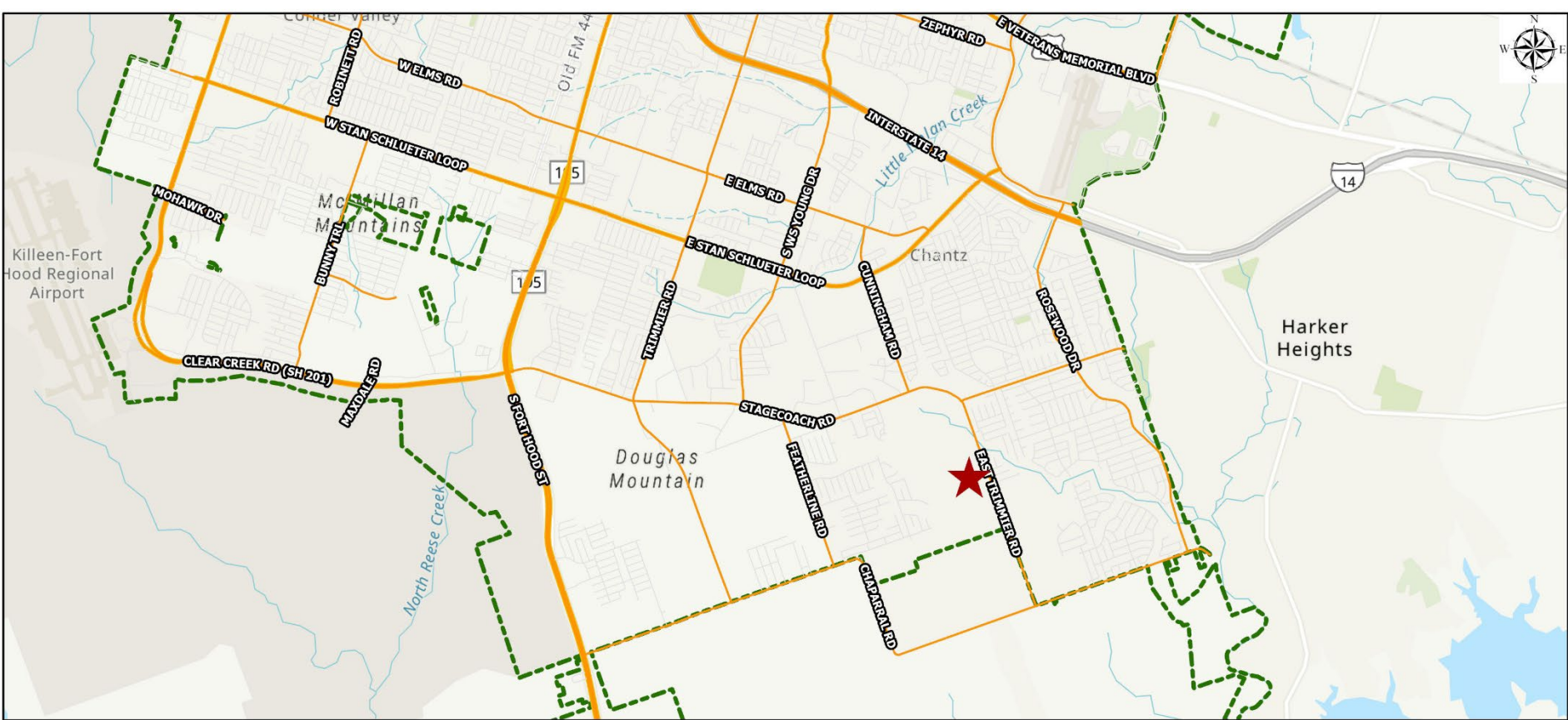
June 16, 2026

Case #Z26-10: “B-3” to “B-3 W/CUP”

- Hold a public hearing and consider a request submitted by Vincent Gerard & Associates on behalf of First Assembly of God Inc. (Case# Z26-10) for a Conditional Use Permit (CUP) to allow for the installation of a wireless telecommunication tower on property zoned “B-3” (Local Business District), being approximately 2.0 acres, being Lot 1, Block 1, McClurkan Addition.
- The subject property is locally addressed as 7432 East Trimmier Road, Killeen, Texas.

Summary of Request

- The applicant is requesting approval of a Conditional Use Permit (CUP) to allow for the construction of an 85-foot monopole wireless telecommunications tower.
- The proposed facility is intended to improve wireless service coverage in the southeastern portion of Killeen. It is designed to accommodate multiple carriers and will include associated ground equipment.



LOCATION MAP

Council District: 2



Zoning Case 2026-10

B-3 TO B-3 W/CUP

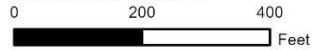
Legend

-  Major Roads
-  City Limit
-  Zoning Case Location

Subject Property Legal Description: MCCLURKAN ADDITION, BLOCK 001, LOT 0001. ACRES 2



AERIAL MAP
Council District: 2



Zoning Case 2026-10

B-3 TO B-3 W/CUP

Legend
 Zoning Case

Subject Property Legal Description: MCCLURKAN ADDITION, BLOCK 001, LOT 0001. ACRES 2

Case #Z26-10: “B-3” to “B-3 W/CUP”

6

View of the subject property from East Trimmier Road:



Case #Z26-10: “B-3” to “B-3 W/CUP”

7

View looking south toward Chaparral Road from subject property:



Case #Z26-10: “B-3” to “B-3 W/CUP”

8

Looking north toward Stagecoach Road from the subject property:

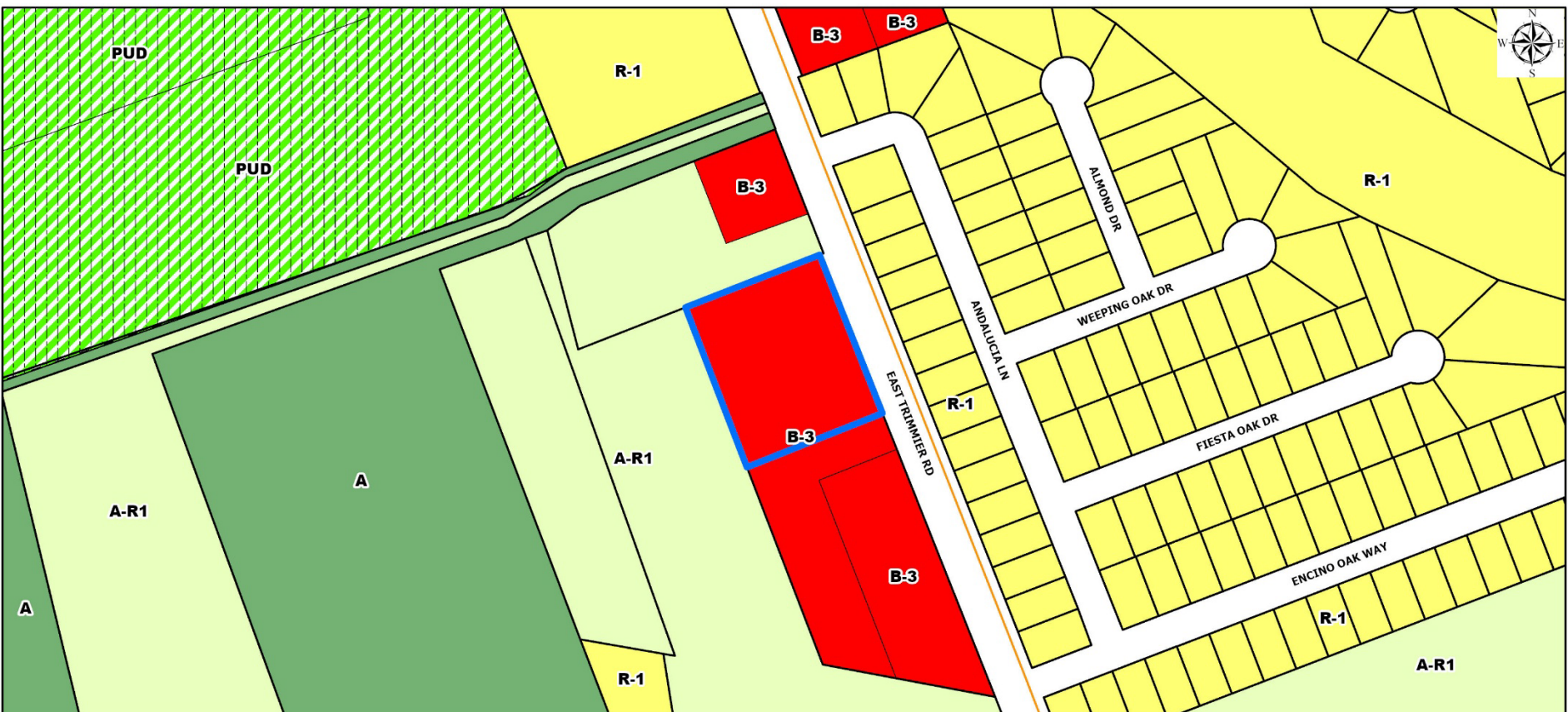


Case #Z26-10: “B-3” to “B-3 W/CUP”

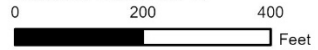
9

Aerial image shows the subject property & the surrounding area:





ZONING MAP
Council District: 2



Zoning Case 2026-10

B-3 TO B-3 W/CUP

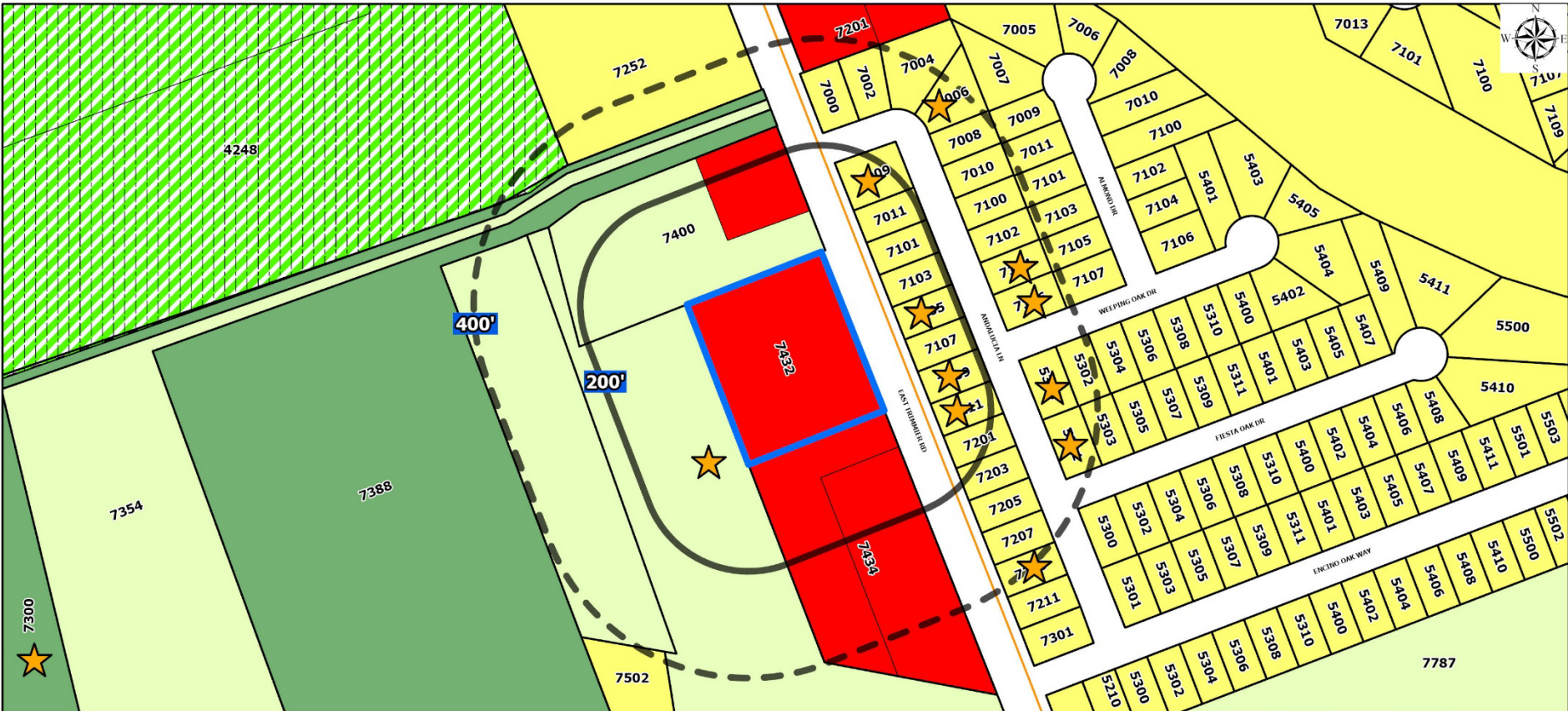
Subject Property Legal Description: MCCLURKAN ADDITION, BLOCK 001, LOT 0001. ACRES 2

Comprehensive Plan Alignment

- The property is located within the ‘Controlled Growth’ (Growth Sector) area on the Growth Sector Map and designated as ‘Campus’ (Place Type) on the Future Land Use Map (FLUM) of the Killeen 2040 Comprehensive Plan.

Public Notification

- Staff notified property owners of forty-four (44) surrounding properties regarding this request.
- Staff has received twelve (12) responses in opposition to this request, including five (5) from property owners within the 200-foot buffer, six (6) from property owners within the 400-foot buffer, and one (1) from a property owner outside the 400-foot buffer.



RESPONSE MAP

Council District: 2



Zoning Case 2026-10

B-3 TO B-3 W/CUP

Area in Opposition (141,500.10 SqFt) ÷ 200' Buffer Area (362,827.21 SqFt) = 38.99%

Subject Property Legal Description: MCCLURKAN ADDITION, BLOCK 001, LOT 0001. ACRES 2

Legend

A	B-3	R-1
A-R1	PUD	City Limit
Zoning Case	Opposed	

Staff Findings

- Per Killeen Code of Ordinance Sec. 31-603(b), approval of a Conditional Use Permit for a wireless telecommunications tower requires a three-fourths (3/4) majority vote of the City Council. Accordingly, approval of this request will require a minimum of six (6) affirmative votes by City Council.

Staff Recommendation

- Staff recommends approval of the applicant's request for a Conditional Use Permit (CUP) to allow the installation of a wireless telecommunications tower on property zoned "B-3" (Local Business District) with the following conditions:

Staff Recommendation

1. The project will substantially comply with the Site Plan.
2. The project will comply with requirements for collocation, screening, lighting, and site development per Sec. 31-604, 31-606, and 31-609 prior to issuance of Certificate of Occupancy.
3. Parking areas and drive aisles will be constructed with an all-weather surface (asphalt or concrete) per Sec. 31-487.

Staff Recommendation

4. The site design shall maximize use of existing trees and vegetation, and landscape screening shall be installed and maintained per Sec. 31-609 (a)(6).
5. The applicant shall construct a public sidewalk along the street frontage to connect the existing sidewalks.

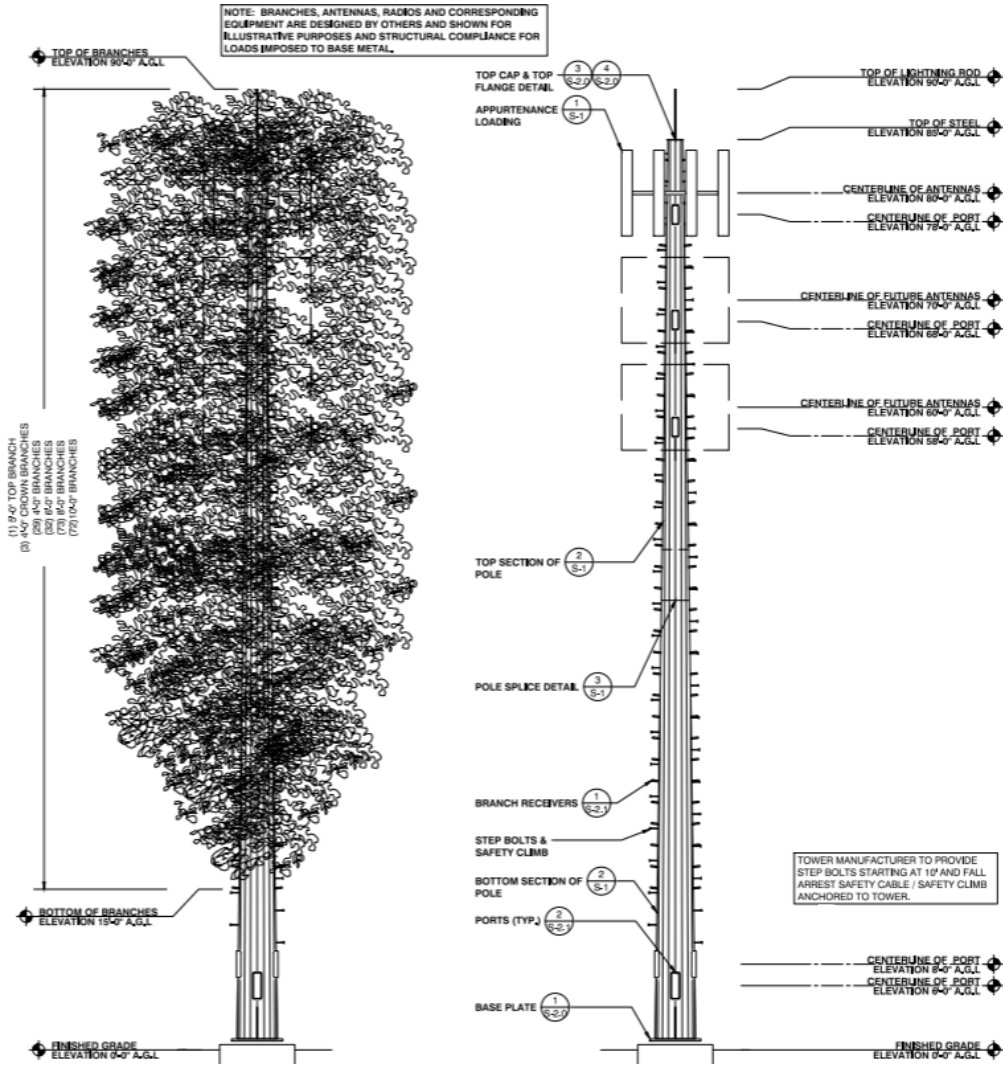
Staff Recommendation

6. Permits shall expire if not constructed within six (6) months, not put into use within one hundred twenty (120) days after construction, or discontinued for more than six (6) consecutive months, unless extended per Sec. 31-610.
7. The permittee shall notify the director of changes in ownership or operation of the tower within thirty (30) days.

Commission Recommendation

- At their regular meeting on May 11, 2026, the Planning and Zoning Commission recommended approval of the applicant's request by a vote of 5 to 2, with an additional condition requiring the tower to be camouflaged as a tree. Commissioners Sabree and Moss voted in opposition.
- Those Commissioners in opposition concurred with the residents that there is no need for a tower in this location.

**Exhibit Provided by
Applicant:**



Case #Z26-10: “B-3” to “B-3 W/CUP”

22

View looking south along Gray Street toward Long Ave:

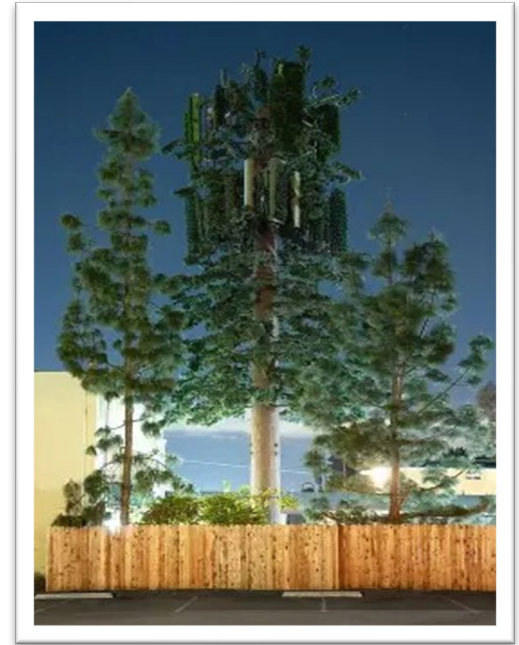


Existing Tower Located at 201
Long Avenue

Case #Z26-10: “B-3” to “B-3 W/CUP”

23

Examples of Camouflaged Cell Towers:





City of Killeen

Staff Report

File Number: PH-26-020

Hold a public hearing and consider an ordinance amending the corporate City limits of the City of Killeen, Bell County, Texas (DA26-01) by disannexing approximately 25.60 acres out of G. W. Allison Survey, Abstract No. 52 and R. A. McGee Survey, Abstract No. 651. The subject properties are generally located along Fort Hood Street, Killeen, Texas.

DATE: July 7, 2026

TO: Kent Cagle, Interim City Manager

FROM: Wallis Meshier, Exec. Dir. Of Dev. Serv.

SUBJECT: Petition for Disannexation

BACKGROUND AND FINDINGS:

On May 8, 2026, City staff received a petition for disannexation submitted by Tim Pearson of Cobb & Johns, on behalf of Stanley Secrest, for the disannexation of four tracts, totaling approximately 25.60 acres generally located on the west side of South Fort Hood Street.

The subject properties were annexed into the City of Killeen through an involuntary annexation on January 27, 2008, via Ordinance No. 07-112.

As required by Chapter 43 of the Texas Local Government Code, the annexation ordinance included a service plan detailing the provision of municipal services. In his petition for disannexation, Stanley Secrest, asserts that the City "failed to complete the Service Plan Improvements to provide services to the Property."

Tex. Local Gov't Code Sec. 43.056(g) states: "If the annexed area has a lower level of services, infrastructure, and maintenance than that within the corporate boundaries of the municipality before annexation, a service plan must provide the annexed area with a level of services, infrastructure, and maintenance that is comparable to other parts of the municipality with similar topography, land use, and population density."

The property is located within the West Bell County Water Supply Corporation CCN and currently has water service via a 6-inch water distribution main belonging to West Bell WSC. To provide wastewater service to the property, a sewer main would need to be extended down S. Fort Hood Street Road. However, the 2007 Annexation Service Plan permits the use of an on-site sewage system (i.e., septic).

The subject properties consist of approximately 25.60 acres of developed and undeveloped land. The character of the surrounding area is a mix of commercial, rural, and low residential density.

Significant undeveloped acreage remains in the vicinity, indicating development potential, which do not have access to all City utilities and are served by well and/or septic systems. Therefore, the subject property currently has access to a level of services, infrastructure, and maintenance that is comparable to other parts of the municipality with similar topography, land use, and population density in accordance with State law.

The 2007 Annexation Service Plan outlined several water and wastewater capital projects that were planned for the area. However, the plan also provided that the City of Killeen "finds and determines it to be unnecessary to immediately acquire or construct any currently scheduled Capital Improvements."

The 2007 Annexation Service Plan states the following:

"As property in the annexation area is developed, property owners will be required to extend necessary utilities to support their development in accordance with Killeen Code of Ordinances and Public Works Department practices, as may be amended."

"Nothing in the plan shall require the City to provide a uniform level of municipal services to...annexed areas, if...population density [is] sufficiently distinct to justify a different level of service.

THE ALTERNATIVES CONSIDERED:

N/A

Which alternative is recommended? Why?

N/A

CONFORMITY TO CITY POLICY:

The disannexation petition conforms to City policy.

FINANCIAL IMPACT:

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

The disannexation petition does not involve the expenditure of City funds.

Is this a one-time or recurring revenue/expenditure?

This is not applicable.

Is this revenue/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 revenue/expenditure?

This is not applicable

RECOMMENDATION:

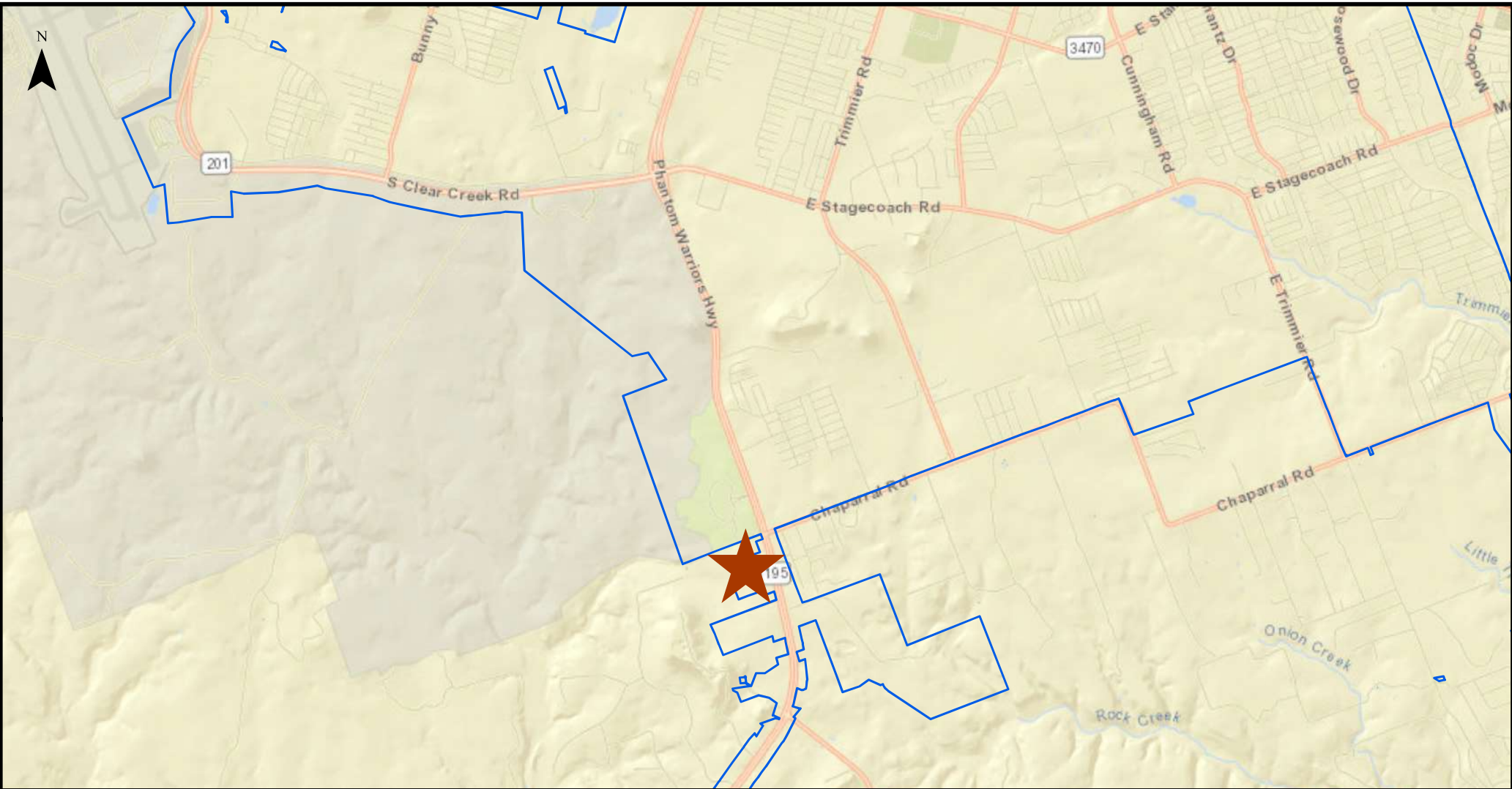
Staff finds that the City of Killeen has met all legal obligations to provide services to the property in accordance with the 2007 Annexation Service Plans and Chapter 43 for the Tex. Local Gov't Code. Therefore, staff recommends disapproval for the applicant's petition for disannexation.

DEPARTMENTAL CLEARANCES:

This item has been reviewed by Planning and Legal staff.

ATTACHED SUPPORTING DOCUMENTS:

Maps
Petition
2007 Annexation Ordinance
Ordinance
Presentation

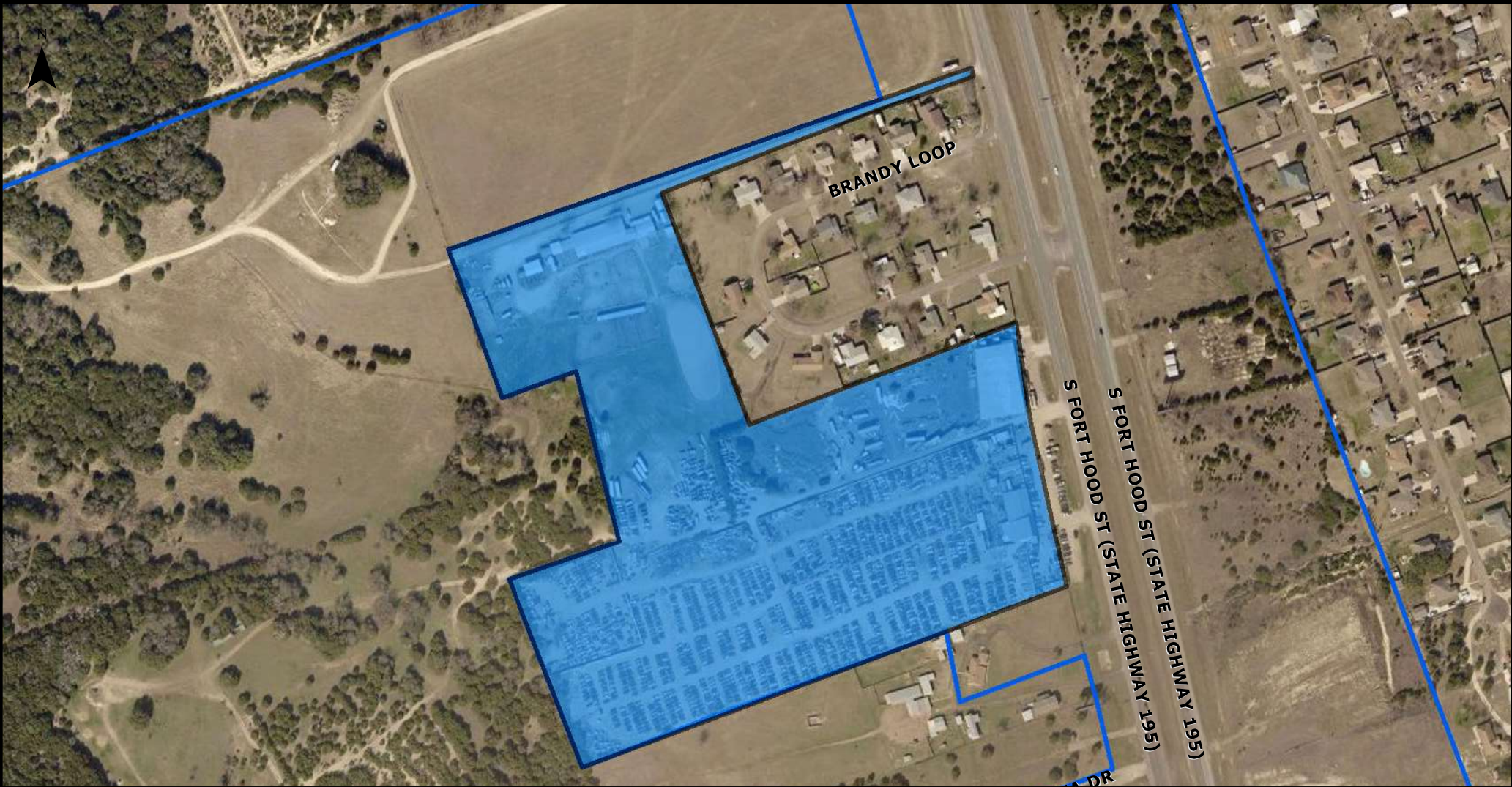


Legend

-  Killeen City Limits
-  Disannexation Location

Disannexation Map - DA 26-01

1 inch = 5,280 feet



BRANDY LOOP

S FORT HOOD ST (STATE HIGHWAY 195)
S FORT HOOD ST (STATE HIGHWAY 195)

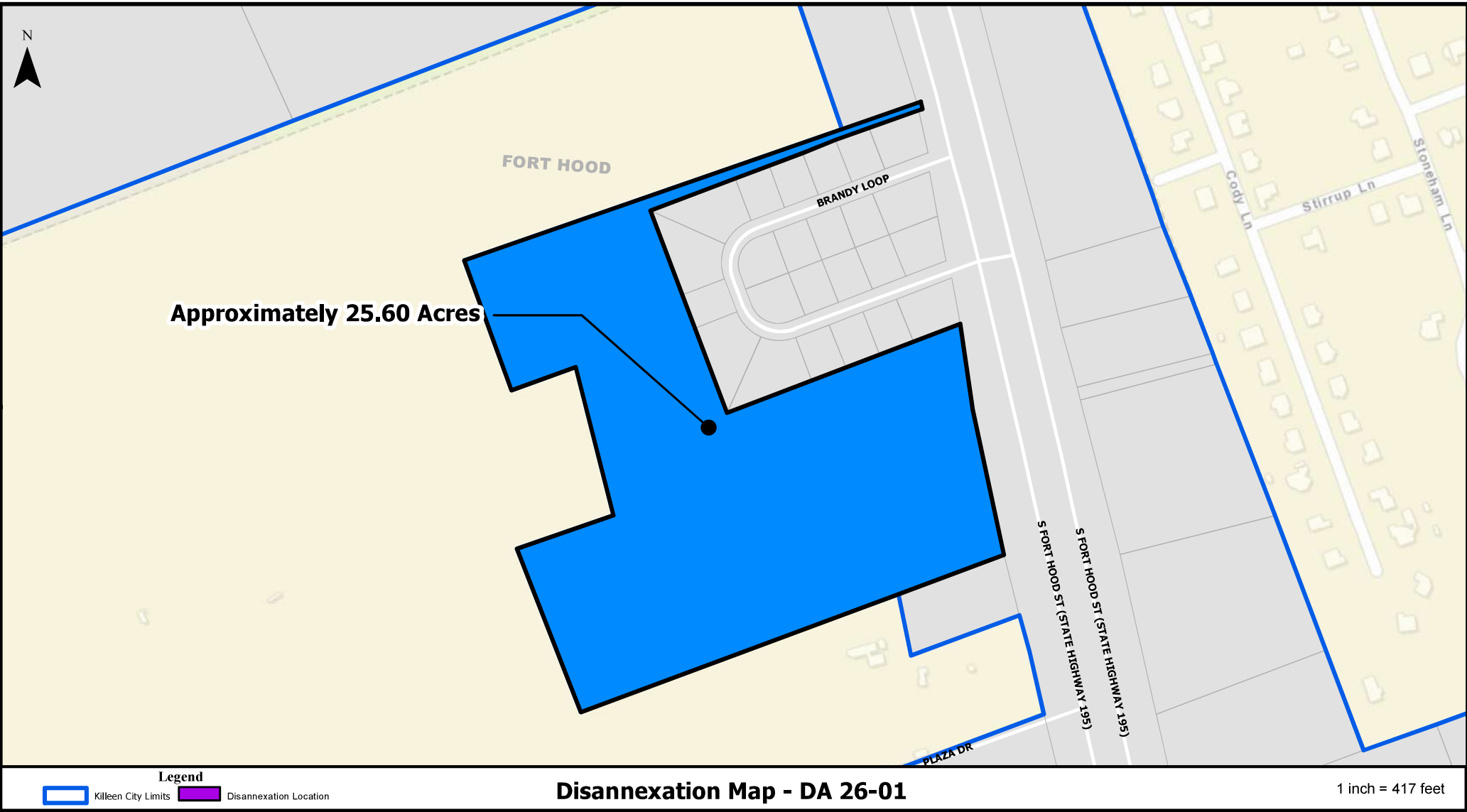
Legend

-  Killeen City Limits
-  Disannexation Location

Disannexation Map - DA 26-01

Approximately 25.60 Acres

1 inch = 375 feet



COBB & JOHNS

13341 West US-290, Building 2
Austin, Texas 78737
tim@cobbjohns.com
512-399-3150

May 6, 2026

RECEIVED

Via Hand Delivery

Holli Clements
City of Killeen, City Attorney
Laura Calcote
City of Killeen, City Secretary
101 N College Street
2nd Floor
Killeen, TX 76541

MAY 08 2026
@ 11:09 a.m.
City of Killeen
By: Laura J. Calcote
City Secretary

Re: Petition for Disannexation from the City of Killeen

Dear Mmes. Clements and Calcote,

Our firm represents Stanley Secrest related to this Petition for Disannexation from the City of Killeen (this "Petition"). This Petition is supported by the law and facts as follows:

1. This Petition is made by a majority of the property owners in the subject area (the "Petitioner"), as reflected by the signature, made in ink or indelible pencil, which is attached hereto as Exhibit 1. *See* TEX. LOC. GOV'T CODE § 43.141.
2. The Petitioner, who represents a majority of the property owners of the area defined by Exhibit 2, containing a description and plat, survey, or other likeness of the subject area (the "Disannexation Area"), hereby petitions for disannexation under Texas Local Government Code § 43.141.
3. In the nearly 20 years since annexing the Disannexation Area, the City of Killeen (the "City") has failed to provide the wastewater and stormwater services described in the service plan for the Disannexation Area. *See* Ex. 3 at ¶ 4 (Affidavit of Stanley Secrest).
4. The City, likewise, failed to provide full municipal services, including water and wastewater services, no later than 4.5 years after the effective date of the annexation, as required by Texas Local Government Code §§ 43.065(b) and 43.056(b)-(c). *See* Ex. 3 at ¶ 4 (Affidavit of Stanley Secrest).

5. This Petition meets the requirements of Texas Local Government Code § 43.141(d) in that it:
 - (1) is in writing;
 - (2) requests disannexation;
 - (3) is signed in ink or indelible pencil by the appropriate property owners;
 - (4) contains a note made by each property owner stating the person's residence address;
 - (5) describes the area to be disannexed with a likeness of the area attached; and
 - (6) is submitted to the secretary of the City.
6. Notice of this Petition was given by posting a copy of the Petition for 10 days in three public places in the Disannexation Areas, as evidenced by the attached sworn affidavit of Stanely Secrest and the pictures included therein. *See* TEX. LOC. GOV'T CODE § 43.141(f).
7. Notice of this Petition was published in a newspaper of general circulation serving the area before the 15th day before the date the Petition was circulated, as evidenced by the attached sworn affidavit of Stanely Secrest and the affidavit of the publisher of the newspaper included therein. *See* TEX. LOC. GOV'T CODE § 43.141(f).

Please do not hesitate to contact me if you have any questions regarding this Petition.

Respectfully,



Tim Pearson

Counsel for Petitioner

Encls:

Exhibit 1 (Signatures of Petitioner)

Exhibit 2 (Property Descriptions and Map)

Exhibit 3 (Affidavit of Stanley Secrest)

EXHIBIT 1
SIGNATURE TO PETITION BY
LANDOWNER OF THE DISANNEXATION AREA

The undersigned landowner represents a majority of the property owners of the Disannexation Area. By his signature below, he hereby petitions for disannexation from the City of Killeen.

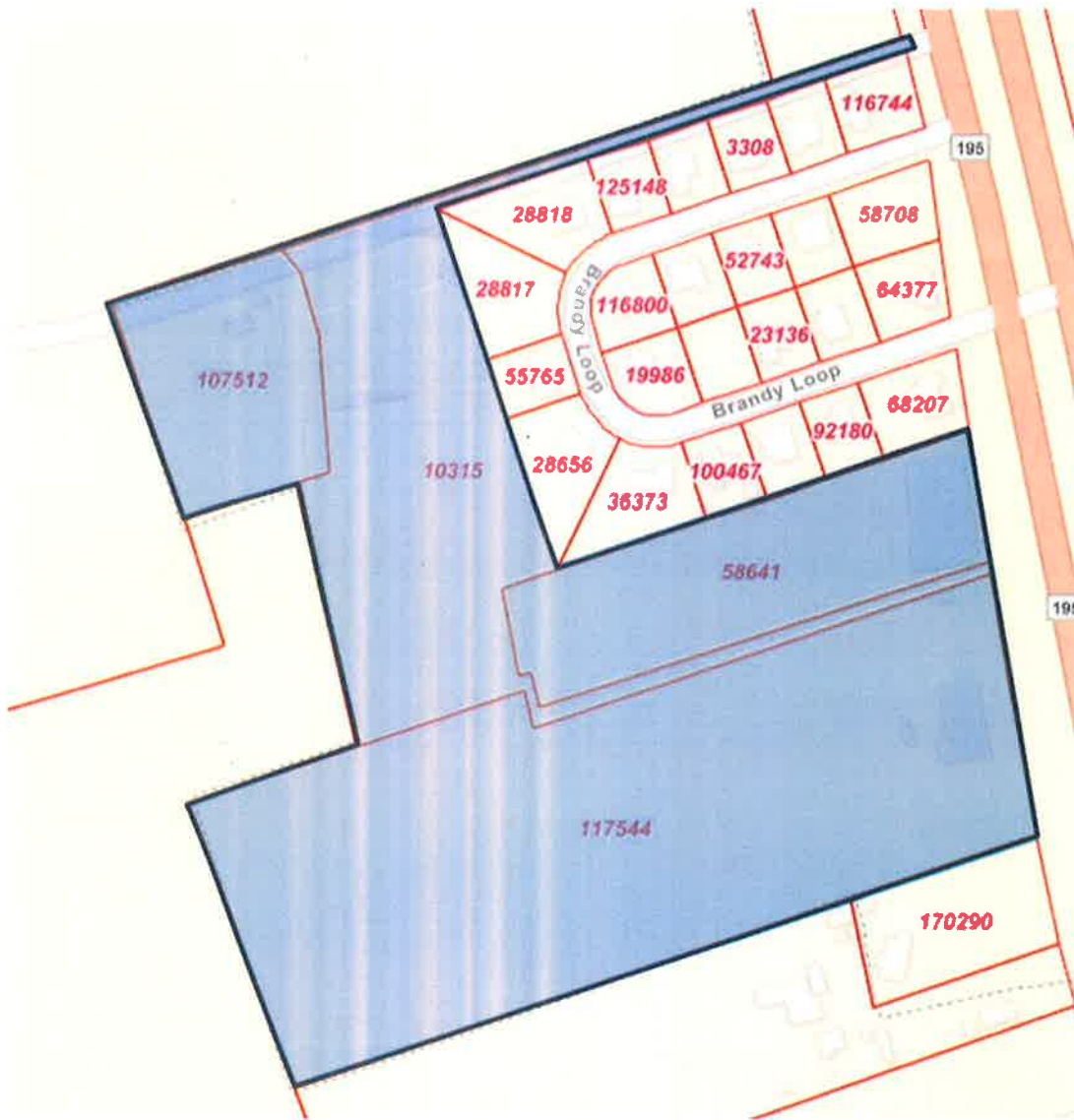
5-8-2026

Date


Stanley Secrest

12077 S Fort Hood Street
Killeen, Texas 76542

EXHIBIT 2
DESCRIPTION AND MAP OF DISANNEXATION AREA



TRACT ONE: Being a 13.05-acre, more or less, tract of land out of the G. W. Allison Survey, Abstract No. 52 in Bell County, Texas, being more particularly described by metes and bounds in Exhibit "A" attached hereto and made a part thereof for all purposes;

TRACT TWO: Being a 6.219-acre and a 2.202-acre, more or less, tracts of land out of the G. W. Allison Survey, Abstract No. 52 in Bell County, Texas, being more particularly described by metes and bounds in Exhibit "B" attached hereto and made a part thereof for all purposes; and

TRACT THREE: Being a 3.63 acre, more or less, tract of land out of the G. W. Allison Survey, Abstract No. 52 in Bell County, Texas, being more particularly described by metes and bounds in Exhibit "C" attached hereto and made a part thereof for all purposes;

EXHIBIT 3
AFFIDAVIT OF STANLEY SECREST IN SUPPORT OF
PETITION FOR DISANNEXATION FROM THE CITY OF KILLEEN

Before me, the undersigned authority, on this day personally appeared, Stanley Secrest, who under oath stated as follows:

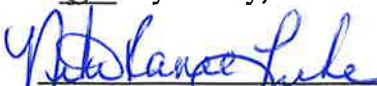
1. My name is Stanley Secrest. I am over eighteen (18) years of age and am legally competent to make this affidavit, which is true and correct, and is made voluntarily and not under duress.
2. I am the property owner of the area requested for disannexation (the "Disannexation Area") in the petition for disannexation (the "Petition").
3. The Disannexation Area was annexed under Chapter 43, Subchapter C-1 of the Texas Local Government Code, with a service plan prepared for the Disannexation Area under Texas Local Government Code §§ 43.065 and 43.056(b)-(o).
4. I swear that in the five years following the annexation of the Disannexation Area, the City of Killeen (the "City") the City failed to provide water, stormwater, and wastewater services to the Disannexation Area.
5. I swear that a copy of this Petition was posted for 10 days in three public places in the Disannexation Areas before it was circulated. Exhibit 3-1 of this affidavit includes true and correct copies of pictures of me at the time I posted the signs on April 20, 2026. They remained in place until April 30, 2026.
6. I swear that notice of this Petition was published in a newspaper of general circulation serving the area before the 15th day before the date the Petition was circulated. Exhibit 3-2 of this affidavit is a true and correct copy of the affidavit of publication in the Killeen Daily Herald, where it was published on April 21, 2026.



Stanley Secrest

Sworn and subscribed to before me on this the 8 day of May, 2026.





Notary Public in and for the State of Texas

**EXHIBIT 3-1 TO AFFIDAVIT OF STANLEY SECREST
PICTURES OF PUBLIC POSTING OF THIS PETITION**



**EXHIBIT 3-2 TO AFFIDAVIT OF STANLEY SECREST
AFFIDAVIT OF PUBLICATION**

KILLEEN DAILY HERALD

Serving The Growing Central Texas Area

PUBLISHER'S AFFIDAVIT

THE STATE OF TEXAS

COUNTY OF BELL

Personally appeared before the undersigned authority

GERTRUDE PEACOCK who being sworn says that
the attached ad for: **HWY 195 USED AUTO PARTS**
published in the **KILLEEN DAILY HERALD** on the following
dates to-wit: **APRIL 21, 2026** at a cost of **\$1,147.50**.

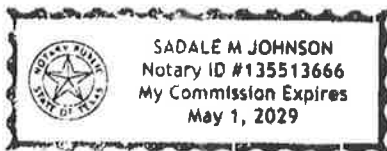


Advertising Representative

Subscribed and sworn before me on APRIL 21, 2026.



Notary Public, Bell, Texas



COBB & JOHNS

13341 West US-290, Building 2
Austin, TX 78787
tim@cobbjohns.com
512-399-3150

Via Hand Delivery

Holli Clements
City of Killeen, City Attorney
Laura Calcote
City of Killeen, City Secretary
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3. In the nearly 20 years since annexing the Disannexation Area, the City of Killeen (the "City") has failed to provide the wastewater and stormwater services described in the service plan for the Disannexation Area. See Ex. 3 at ¶ 4 (Affidavit of Stanley Secret).
4. The City, likewise, failed to provide full municipal services, including water and wastewater services, no later than 4.5 years after the effective date of the annexation, as required by Texas Local Government Code §§ 43.065(b) and 43.056(b)-(c). See Ex. 3 at ¶ 4 (Affidavit of Stanley Secret).
5. This Petition meets the requirements of Texas Local Government Code § 43.141(d) in that it:
 - (1) is in writing;
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 - (6) is submitted to the secretary of the City.

Notice of this Petition was given by posting a copy of the Petition for 10 days in three public places in the Disannexation Areas, as evidenced by the attached sworn affidavit of Stanley Secret and the pictures included therein. See TEX. LOC. GOV'T CODE § 43.141(f).

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Tim Pearson
Counsel for Petitioner

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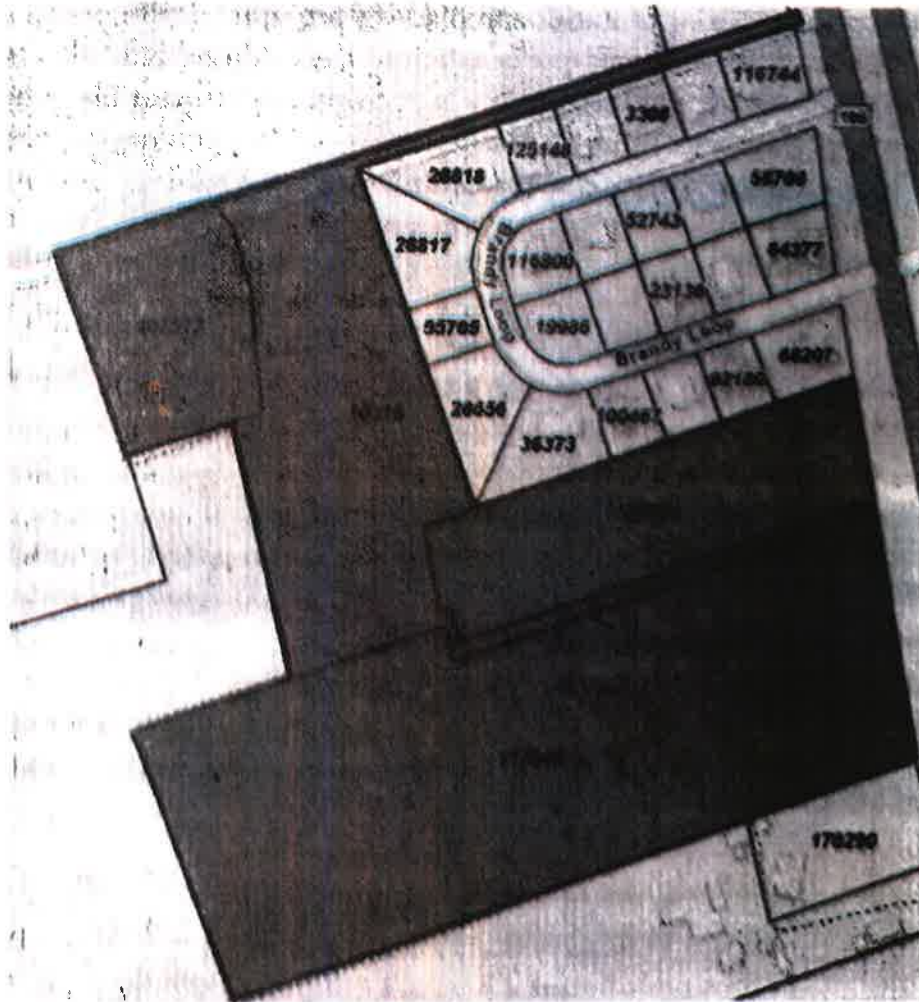
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Date _____

Stanley Secrest
12077 S Fort Hood Street, Killeen, Texas 76542

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(Legal Notice published in the Killeen Daily Herald on April 21, 2026.)

ORDINANCE NO. 07-111

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF KILLEEN, BELL COUNTY, TEXAS, TO INCLUDE LAND LYING ADJACENT TO THE PRESENT CITY LIMITS, MORE COMMONLY REFERRED TO AS TRACT 4 AND MORE ACCURATELY DESCRIBED HEREIN; DECLARING SAID LAND TO BE A PART OF SAID CITY; DECLARING SAID LAND AND ITS INHABITANTS AND ANY FUTURE INHABITANTS OF SAID LAND TO BE ENTITLED TO ALL THE RIGHTS AND PRIVILEGES OF OTHER LANDS AND CITIZENS OF THE CITY AND TO BE BOUND BY THE ACTS AND ORDINANCES OF THE CITY; PROVIDING FOR WAIVER OF CERTAIN FEES DURING THE FIRST YEAR OF INCORPORATION; EXTENDING DISTRICT BOUNDARIES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

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

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

WHEREAS, the City of Killeen has not used its annual ten percent (10%) annexation authority in the preceding three years, therefore, it is now eligible to annex up to a total of 13.5 square miles of property into the City during the calendar year 2007; and

WHEREAS, the area to be annexed, as described in this ordinance, being approximately 1.07 square miles does not exceed the amount authorized for annexation; and

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

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

WHEREAS, Texas Legislative House Bill 1472, codified and effective as of May 25, 2007 as Section 43.035 of the Local Government Code, states that a municipality may not annex an area of land appraised for ad valorem tax purposes and classified as agricultural, wildlife management or timberland unless the municipality offers a development agreement and the landowner declines to enter into the development agreement; and

WHEREAS, the City has offered a development agreement to each affected parcel that qualifies to receive an agreement as reflected by the Bell County Tax Appraisal Office's tax rolls under Local Government Code Section 43.035, the City has received three signed and returned agreements for properties located in the originally proposed annexation area 4, and the City has removed these properties from the original area as more specifically extracted in Exhibits B, C and D attached hereto; and

WHEREAS, properties entering into development agreements under Local Government Code Section 43.035 are guaranteed the continuation of extraterritorial status by virtue of the terms of the agreements, but remain subject to the enforcement of all regulations and planning authority of the City that do not interfere with the use of the area as agricultural, wildlife management or timberland; and

WHEREAS, Local Government Code Section 43.035 provides that those properties that the municipality has entered into development agreements with in conjunction with this annexation are contiguous and adjacent to the municipal boundary for the express purpose of considering those properties which are not eligible for development agreements, in this annexation or in potential future annexations, contiguous and adjacent to the municipal boundary; and

WHEREAS, all properties affected by this annexation are contiguous and adjacent to the municipal boundary of the City by virtue of physical location or the express language of Local Government Code Section 43.035; and,

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

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

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

SECTION I: That on and after the effective date of this ordinance, the City Limits of the City of Killeen, Texas, shall be and they are hereby extended to include certain lands lying adjacent and contiguous to the City Limits of said City of Killeen as they existed prior to the effective date of this ordinance; such land being more particularly described in Exhibits A, B, C, and D, which are attached hereto and incorporated herein for all purposes.

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

Killeen which are similarly situated and shall be bound by the acts and ordinances of the City of Killen, Texas.

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

SECTION IV: The Service Plan for the annexed area is attached as Exhibit E and is hereby incorporated herein for all purposes and adopted as a part of this ordinance.

SECTION V: During the period beginning from the effective date of this ordinance and continuing until midnight of the day of the first anniversary (one year) of the effective date, persons residing within the area annexed shall be exempt from the payment of the following described fees which are otherwise set by ordinances or resolutions of the City of Killeen.

- A. Permit fee for garage sales [Code of Ordinances § 15-72(3)];
- B. Licensing fee for animal vendor [Code of Ordinances § 6-156]; and
- C. Licensing fee for dog and cat registration [Code of Ordinances § 6-109]

The relief granted by this section shall be strictly construed as only a waiver of the stated fees for the stated period of time. This section does not waive, excuse, or release any person from complying with the duties, restrictions, procedures, conditions, benefits and privileges of the ordinances listed in this section. This section shall not be construed as a waiver of enforcement, or of prosecution, or of any remedies available, for violation of the ordinances listed in this section, save and except the collection of fees.

SECTION VI: It is further declared that the boundary of the City of Killeen City Council District 4 be extended by the land contained within Tract 4.

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

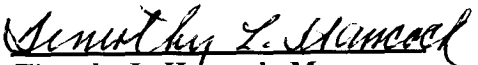
SECTION VIII: That should any section or part of any paragraph of this ordinance be declared invalid or unconstitutional for any reason, it shall not invalidate or impair the validity, force, or effect of any section or part of a section or paragraph of this ordinance.

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

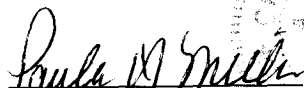
SECTION X: That this ordinance shall be effective on January 28, 2008 after its passage and publication according to the Killeen City Charter and State Law.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Killeen, Texas, this 18th day of December, 2007, at which meeting a quorum was present, held in accordance with the provisions of the Texas Open Meetings Act, Texas Government Code Chapter 551, as amended.

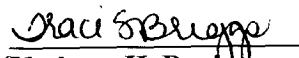
APPROVED:


Timothy L. Hancock, Mayor

ATTEST:


Paula A. Miller
CITY SECRETARY

APPROVED AS TO FORM


Kathryn H. Davis
CITY ATTORNEY

Attachments:

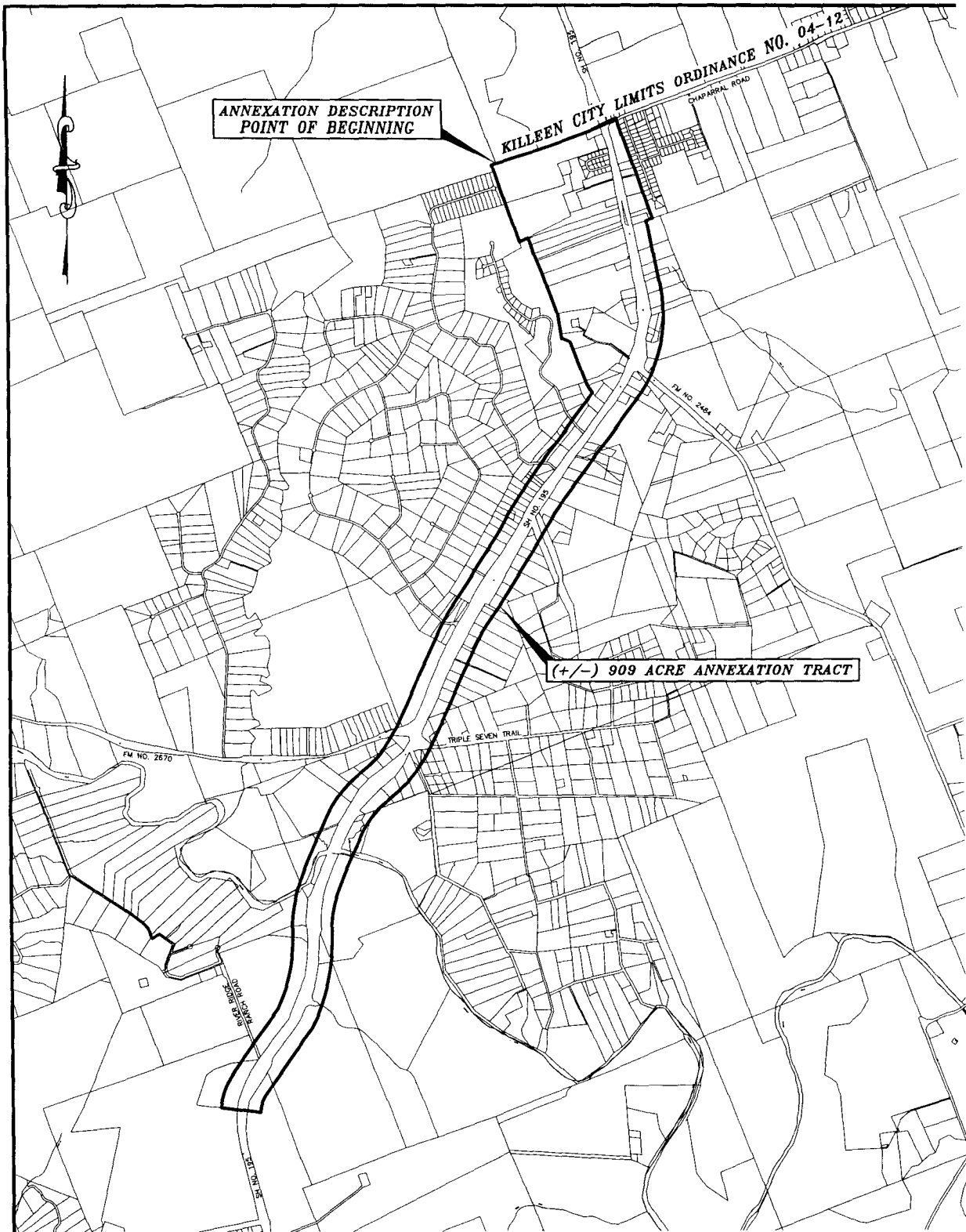
Exhibit "A" Boundary of area under consideration for annexation

Exhibit "B" Table of properties under commitment for Development Agreements

Exhibit "C" Map depicting properties under commitment for Development Agreements

Exhibit "D" Final annexation area boundary

Exhibit "E" Annexation Service Plan



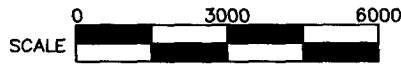
**“A” EXHIBIT SHOWING
A (+/-) 909 ACRE ANNEXATION TRACT
TO THE CITY OF KILLEEN, BELL COUNTY, TEXAS**

NOTE: THIS EXHIBIT WAS PREPARED UNDER 22 TAC §663.21 AND DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTEREST IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTEREST IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.



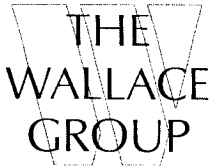
The Wallace Group, Inc.

3010 Illinois Avenue, Suite 100, Killeen, Texas 76543 (254) 554-5959
 Engineers ■ Architects ■ Planners ■ Surveyors
 Waco * Killeen * Austin * Dallas * Round Rock



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PLAT NO.	<u>E-K1990</u>	DRAFT DATE	<u>2-14-07</u>	DRAWN BY	<u>TAB</u>
WORK ORDER NO.	<u>20570</u>	FIELDBOOK/PG.	<u>N/A</u>	TAB #	<u>E-K1990</u>
DIGITAL FILE	<u>20570K-SV-EXHIBIT</u>	F/N #	<u>07-20570-01</u>		



ENGINEERS
ARCHITECTS
PLANNERS
SURVEYORS

WACO
KILLEEN
DALLAS
ROUND ROCK

Brad Bernhard, PE
Paul Boyer, PE
Dan Flaherty, RPLS
Sean Flaherty, RPLS
Tonny Gillespie, RPLS
Charlie Hershberger, RPLS
George Jezek, AIA
David Marek, PE
Matt Morgan, PE
Mike Murphy, RPLS
Doug Newport, PE
Dan Nixon, RPLS
Vana H. Proffitt, RPLS
Warren "Lynn" Simpson, RPLS
Darrell Vickers, AIA
R.E. "Bob" Wallace, PE, RPLS

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EXHIBIT "A"

City of Killeen Annexation 2007

ANNEXATION DESCRIPTION for a 909 acre, more or less, tract of land and being all of the G. W. Allison Survey, Abstract No. 52, Bell County, Texas, and being parts of the R. A. McGee Survey, Abstract No. 561, E. Berry Survey, Abstract No. 1018, J. T. Cole Survey, Abstract No. 1008, D. Davis Survey, Abstract No. 283, H. Williams Survey, Abstract No. 915, S. B. Cox Survey, Abstract No. 1209, B. S. Hoover Survey, Abstract No. 463, Francis Kennedy Survey, Abstract No. 488, C. H Bennett Survey, Abstract No. 126, William Lewis Survey, Abstract No. 1038, J. M. Storey Survey, Abstract No. 1290, and Robert J. Gilchrist Survey, Abstract No. 1077, Bell County, Texas. Said 909 acre tract being described as follows:

BEGINNING at the southwest corner of a called 5173 acre, more or less, tract of land as described in a City of Killeen Annexation in 2004, Ordinance No. 04-12, and being of record in Volume 5309, Page 539 if the Official Public Records of Real Property, Bell County, Texas,

THENCE in an easterly direction, more or less, along the current City Limits of Killeen, Bell County, Texas as described in the above Ordinance No. 04-12 to a point that intersects with the projection of the west lines of Chaparral West Phase One, of record in Cabinet B, Slide, 102, A Chaparral West Phase Two, of record in Cabinet C, Slide, 14-A, and Chaparral Lee's Acres, of record in Cabinet D, Slide, 17-A ,of the Bell County Plat Records,

THENCE in a southerly direction, more or less, crossing Chaparral Road then along the west boundaries of the above mentioned of Chaparral West Phase One, Chaparral West Phase Two, and Chaparral Lee's Acres to the southwest corner of said Chaparral Lee's Acres,

THENCE in a westerly direction, more or less, along the north line of a called 171.5 acre tract of land as described in a deed to The City of Killeen, of record in Volume 896, Page 453 of the Deed Records of Bell County, Texas, to point that is 500 foot east, parallel and adjacent to the Base Line of State Highway No. 195 as shown in the Plans of Proposed Right of Way Project No. 8009-1-67, CSJ No. 0836-02-045 Bell County Texas,

THENCE in a southerly direction, more or less, 500 foot east, parallel and adjacent to the above mentioned Base Line of Highway No. 195 and further described in Plans of Proposed Right of way of State Highway No. 195, Account No.8009-1-93, CSJ No. 0836-02-049 Bell County, Texas, to a point in a tract of land as described in a deed to C. W. Duncan, III and Deborah Giles Allen, of record in Volume 5652, Page 189 of the Official Public Records of Real Property, Bell County, Texas that intersects with the projection of the south line of a called 27.004 acre tract of land as described in a deed to John Wade Fisher of record in Volume 2254, Page 429 of said Official Public Records,

THENCE in a westerly direction, more or less, 1000 feet and crossing State Highway 195, to a point that is 500 foot west, parallel and adjacent to the Base Line of Highway No. 195, on the south line of the above mentioned 27.004 acre tract,

THENCE in a northerly direction, more or less, 500 foot west, parallel and adjacent to the above mentioned Base Lines of Highway No. 195 to a point that is on the common line of Creek Place Section One, of record in Cabinet A, Slide 328-A&B and a tract of land as described to Calvary Baptist Church, of record in Volume 1769, Page 457 of the above mentioned Deed Records,

THENCE in a northerly direction, more or less, along the easterly lines of following tracts, Creek Place Section One, the residue of a called 162.384 acre tract, as described in a deed to G. W. Development Inc., Lot 7, Block 1 of Mountain Oaks Addition, of Record in Cabinet C, Slide 298-B of said Plat Records, and to the northeast corner of the Resubdivision of Lot 26, Block A, Creek Place, Section 1, of record in Cabinet B, Slide 107-B,

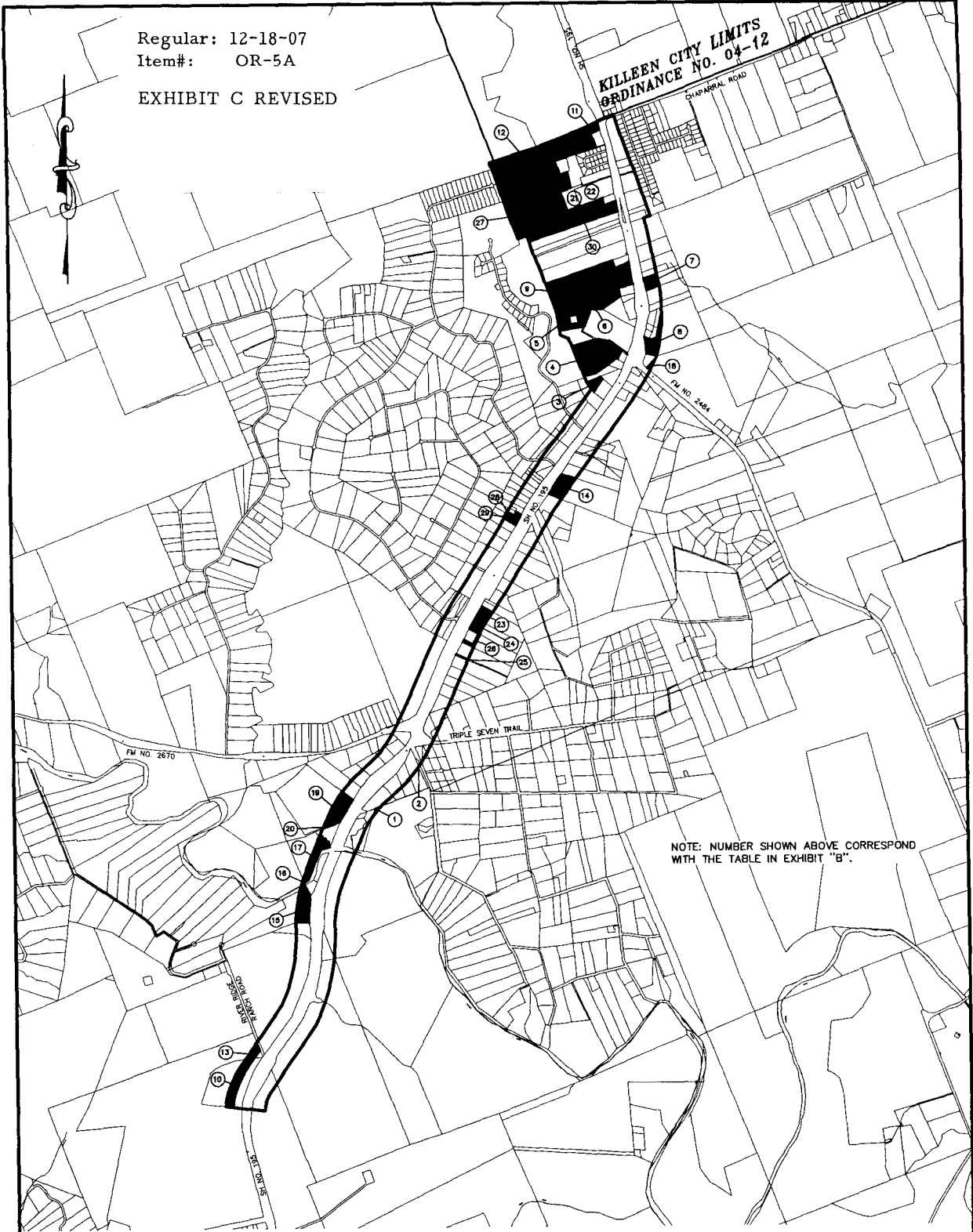
TRACT 4
EXHIBIT "B"

Number	Tract	15/5 year	Missing Info	geo_id	prop_id	FILE_AS_NAME	Addr3	Addr_City	State	Addr_zip	ag_apply	legal_acreage
1	4	15	No	0540500001	10913	BLUM, LAVALLA ROSE	2317 SUNNY LN	KILLEEN	TX	76543-4830	T	67.832
2	4	15	No	0540500004	330096	BLUM, LAVALLA ROSE	2317 SUNNY LN	KILLEEN	TX	76543-4830	T	0.896
3	4	15	No	0622185000	23291	COLLINS, GLENN	13245 STATE HWY 195	KILLEEN	TX	76542	T	1.833
4	4	15	No	0555190001	23301	COLLINS, HUBERT GLENN SR	13245 SH 195	KILLEEN	TX	76542	T	19.098
5	4	15	No	0555190500	23303	COLLINS, HUBERT GLENN SR	13245 SH 195	KILLEEN	TX	76542	T	8.945
6	4	15	No	0555190202	23305	COLLINS, HUBERT GLENN SR ETUX	13245 SH 195	KILLEEN	TX	76542	T	0.482
7	4	15	No	0555190700	31249	DUNN, RALPH A MRS	13050 STATE HIGHWAY 195	KILLEEN	TX	76542-4842	T	12.57
8	4	15	No	0555290800	31250	DUNN, RALPH A MRS	13050 STATE HIGHWAY 195	KILLEEN	TX	76542-4842	T	23.466
9	4	15	No	0555190900	34800	FARRIS, LABERA JANE	12661 STATE HIGHWAY 195	KILLEEN	TX	76542-4837	T	38.73
10	4	15	No	0626620200	36216	FISHER, JOHN WADE	5001 SH 195	KILLEEN	TX	76542	T	25.504
11	4	15	No	0472100000	40587	GIBBS, BERNICE DORRACE	11919 SH 195	KILLEEN	TX	76542	T	0.89
12	4	15	No	0472110000	40589	GIBBS, BERNICE DORRACE	11919 SH 195	KILLEEN	TX	76542	T	53.596
13	4	15	No	0626620003	187019	JOHNWADE PROPERTIES LTD	5001 SH 195	KILLEEN	TX	76542	T	326.586
14	4	15	No	0506250001	58714	KELPE, DAVID AND BETTY	14180 STATE HIGHWAY 195	KILLEEN	TX	76542-4850	T	
15	4	15		0900000021	207717	LAWRENCE, WILFORD A. & EVELYN A.	PO BOX 1109	FLORENCE	TX	76527-1109	T	23.33
16	4	15	No	0483310200	9869	LEAR, CAROL L	17049 SH 195	KILLEEN	TX	76542	T	35.49
17	4	15	No	0540580000	9870	LEAR, CAROL L	17049 SH 195	KILLEEN	TX	76542	T	11.449
18	4	15	No	0622100004	148976	LEMAY, COLETTE	22932 FM 2484	KILLEEN	TX	76542-5401	T	71.037
19	4	15	No	0537330000	64474	LETHCO, F M	16731 ST HWY 195	KILLEEN	TX	76542-4861	T	1
20	4	15	No	0483310100	64482	LETHCO, F M ETUX NELLIE	16731 ST HWY 195	KILLEEN	TX	76542-4861	T	7.586
21	4	15	No	0472160100	151031	MORRIS, DONALD LEE	12115 STATE HIGHWAY 195 UNIT A	KILLEEN	TX	76542-4888		0.5
22	4	15	No	0472160102	183594	MORRIS, DONALD LEE	12115 STATE HIGHWAY 195 UNIT A	KILLEEN	TX	76542-4888	T	3
23	4	15	No	0402160021	116425	MOSER, ROBERT D & MARCIA A	15015 STATE HIGHWAY 195	KILLEEN	TX	76542-5400	T	10.067
24	4	15	No	0402160024	116426	MOSER, ROBERT D & MARCIA A	15015 STATE HIGHWAY 195	KILLEEN	TX	76542-5400	T	10
25	4	15	No	0402160048	76946	MOSER, ROBERT D & MARCIA A	15015 STATE HIGHWAY 195	KILLEEN	TX	76542-5400	T	
26	4	15	No	0402160027	116427	MOSER, ROBERT D & MARCIA A	15015 STATE HIGHWAY 195	KILLEEN	TX	76542-5400	T	10
27	4	15	No	472110102	99263	RITZ, BARBARA	208 DAFFODIL DR	KILLEEN	TX	76542-1849	T	
28	4	15	No	0384564039	132911	STANDRIDGE, MARY L	14425 STATE HIGHWAY 195	KILLEEN	TX	76542-4854	T	4.086
29	4	15	No	0384564042	132912	STANDRIDGE, MARY L	14425 STATE HIGHWAY 195	KILLEEN	TX	76542-4854	T	2.545
30	4	15	No	0472160200	169334	VETERANS LAND BOARD	305 ILLINOIS DR	HARKER HTS	TX	76548-2021	T	5.5

Regular: 12-18-07

Item#: OR-5A

EXHIBIT C REVISED



NOTE: NUMBER SHOWN ABOVE CORRESPOND WITH THE TABLE IN EXHIBIT "B".

EXHIBIT "C"

ILLUSTRATION OF DEVELOPMENT AGREEMENTS WITHIN THE ANNEXATION STUDY AREA SHOWN IN EXHIBIT "A"

NOTE: THIS EXHIBIT WAS PREPARED UNDER 22 TAC §663.21 AND DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTEREST IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTEREST IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.



The Wallace Group, Inc.

3010 Illinois Avenue, Suite 100, Killeen, Texas 76543 (254) 554-5959
Engineers ■ Architects ■ Planners ■ Surveyors
Waco * Killeen * Dallas * Round Rock



SCALE

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PLAT NO.	<u>E-K2020</u>	DRAFT DATE	<u>12-14-07</u>	DRAWN BY	<u>TAB</u>
WORK ORDER NO.	<u>20570</u>	FIELDBOOK/PG.	<u>N/A</u>	TAB #	<u>E-K2020</u>
DIGITAL FILE	<u>20570K-SV-EXHIBIT</u>	F/N #	<u>N/A</u>		

EXHIBIT "D"
The City of Killeen, Bell County, Texas – Annexation, 2007

ANNEXATION DESCRIPTION for a 685 acre, more or less, tract of land and being parts of the G. W. Allison Survey, Abstract No. 52, the R. A. McGee Survey, Abstract No. 561, E. Berry Survey, Abstract No. 1018, J. T. Cole Survey, Abstract No. 1008, D. Davis Survey, Abstract No. 283, H. Williams Survey, Abstract No. 915, S. B. Cox Survey, Abstract No. 1209, B. S. Hoover Survey, Abstract No. 463, Francis Kennedy Survey, Abstract No. 488, C. H. Bennett Survey, Abstract No. 126, William Lewis Survey, Abstract No. 1038, J. M. Storey Survey, Abstract No. 1290, and Robert J. Gilchrist Survey, Abstract No. 1077, Bell County, Texas; said 685 acre tract being described as follows:

BEGINNING at a point at the intersection of the south line of a called 5,173 acre tract of land, more or less, as described in a City of Killeen Annexation in 2004, Ordinance No. 04-12, recorded in Volume 5309, Page 539 of the Official Public Records of Real Property, Bell County, Texas (O.P.R.R.P.B.C.T.) and the west right of way (R.O.W.) line of State Highway No. 195 (S.H. 195); said point being the northeast corner of a called 1.89 acre tract of land (Bell County Tax Appraisal District Geographic Identification No. 047210000) with the ownership given to Bernice Dorrace Gibbs in an Affidavit of Heirship, recorded in Volume 5300, Page 504, O.P.R.R.P.B.C.T. and described in a Warranty Deed to the Veterans Land Board of the State of Texas in care of Joe Ellwood Gibbs, recorded in Volume 861, Page 230 of the Deed Records of Bell County, Texas (D.R.B.C.T.);

THENCE in a Easterly direction, along the current City Limits of Killeen, Bell County, Texas as described in the above-mentioned Ordinance No. 04-12 to a point that intersects with the projection of the west lines of Chaparral West Phase One, recorded in Cabinet B, Slide 102-A, Chaparral West Phase Two, recorded in Cabinet C, Slide 14-A, and Chaparral Lee's Acres, recorded in Cabinet D, Slide 17-A of the Plat Records of Bell County, Texas (P.R.B.C.T.);

THENCE in a Southerly direction, crossing Chaparral Road, then along the west boundaries of the above-mentioned Chaparral West Phase One, Chaparral West Phase Two, and Chaparral Lee's Acres to the southwest corner of said Chaparral Lee's Acres;

THENCE in a Westerly direction, approximately 259 feet along the north line of a called 171.5 acre tract of land as described in a deed to The City of Killeen, recorded in Volume 896, Page 453, D.R.B.C.T. to a point that is 500 feet east, parallel and adjacent to the Base Line of S.H. 195 as shown in the Plans of Proposed R.O.W. Project No. 8009-1-67, CSJ No. 0836-02-045, Bell County, Texas, and further described in Plans of Proposed R.O.W. of S.H. 195, Account No. 8009-1-93, CSJ No. 0836-02-049, Bell County, Texas;

THENCE in a Southerly direction, along a line that is 500 feet east, parallel and adjacent to the above-mentioned Base Line of S.H. 195, approximately 1,473 feet to a point in the north line of the remainder of a called 200 acre tract of land (Bell County Tax Appraisal District Geographic Identification No. 0555190700) described in a deed to M. Y. Stacy, recorded in Volume 464, Page 507, D.R.B.C.T. and later inherited in an unrecorded Will from Jewel Stacy, viewable at the Bell County Tax Appraisal District, to her daughter, Edith Faye Dunn (Mrs. Ralph A. Dunn);

THENCE in a Westerly direction, approximately 267 feet along the north line of the above-mentioned 200 acre remainder tract to point in the east R.O.W. line of S.H. 195, being the northwest corner of said 200 acre remainder tract;

THENCE in a Southerly direction, approximately 341 feet along the common easterly R.O.W. line of said S.H. 195 and westerly line of said 200 acre remainder tract to a point being the southwest corner of said 200 acre remainder tract;

THENCE in a Easterly direction, approximately 262 feet along the south line of said 200 acre remainder tract to a point that is 500 feet east, parallel and adjacent to said Base Line of S.H. 195;

THENCE in a Southerly direction, along a line that is 500 feet east, parallel and adjacent to said Base Line of S.H. 195 approximately 960 feet to a point in the west line of that certain 200 acre remainder tract of land (Bell County Tax Appraisal District Geographic Identification No. 0555290800) described in said deed to M. Y. Stacy, recorded in Volume 464, Page 507, D.R.B.C.T.;

THENCE in a Southerly direction, approximately 332 feet along the west line of said 200 acre remainder tract to an interior point in a northerly line of said 200 acre remainder tract;

THENCE in a Westerly direction, following the northerly line of said 200 acre remainder tract with points of intersection at approximately 127 feet, at approximately 68 feet, and at approximately 156 feet to a point in the east R.O.W. line of said S.H. 195 and being a point in the west line of said 200 acre remainder tract;

THENCE in a Southerly direction, approximately 647 feet along the common easterly R.O.W. line of said S.H. 195 and westerly line of said 200 acre remainder tract to a point for the most westerly southwest corner of said 200 acre remainder tract;

THENCE in a Easterly direction, following the south line of said 200 acre remainder tract with points of intersection at approximately 229 feet and at approximately 47 feet to a point being a corner in the south line of said 200 acre remainder tract, same being the northwest corner of a called 116 acre tract of land (Bell County Tax Appraisal District Geographic Identification No. 0622100004) described in a deed to Colette Lemay, recorded in Volume 5253, Page 121, O.P.R.R.P.B.C.T.;

THENCE in a Southwesterly direction, approximately 386 feet along the northwesterly line of said 116 acre tract to a point in the northeasterly R.O.W. line of Farm to Market Road No. 2484 (F.M. 2484), and being a corner of the said 116 acre tract;

THENCE in a Southeasterly direction, approximately 84 feet along the common northeasterly R.O.W. line of said F.M. 2484 and southwesterly line of said 116 acre tract to a point that is 500 feet east, parallel and adjacent to said Base Line of S.H. 195;

THENCE in a Southwesterly direction, approximately 3,553 feet along a line that is 500 feet east, parallel and adjacent to said Base Line of S.H. 195 to a point in the north line of a called 109.320 acre tract of land (Bell County Tax Appraisal District Geographic Identification No. 0506250001) described in a deed to David M. Kelpe and wife, Betty Kelpe, recorded in Volume 3108, Page 61, O.P.R.R.P.B.C.T.;

THENCE in a Westerly direction, approximately 325 feet along the north line of the above-mentioned 109.320 acre tract to a point in the easterly R.O.W. line of said S.H. 195, same being the northwest corner of the said 109.320 acre tract;

THENCE in a Southwesterly direction, approximately 640 feet along the common easterly R.O.W. line of said S.H. 195 and the westerly line of said 109.320 acre tract to a point for the southwest corner of said 109.320 acre tract;

THENCE in a Easterly direction, approximately 301 feet along the south line of said 109.320 acre tract to a point that is 500 feet east, parallel and adjacent to said Base Line of S.H. 195;

THENCE in a Southwesterly direction, approximately 3,040 feet along a line that is 500 feet east, parallel and adjacent to said Base Line of S.H. 195 to a point in the north line of Lot 8, Block 1 of Legend Oaks Estates, recorded in Cabinet B, Slide 304-A, P.R.B.C.T. (Bell County Tax Appraisal District Geographic Identification No. 0402160021) and further described in a deed to Robert D. Moser and Marcia Adine Moser, recorded in Volume 4013, Page 125, O.P.R.R.P.B.C.T.;

THENCE in a Westerly direction, approximately 373 feet to point in the east R.O.W. line of said S.H. 195, same being the northwest corner of the above-mentioned Lot 8;

THENCE in a Southwesterly direction, approximately 667 feet along the easterly R.O.W. line of S.H. 195, and partway along the westerly line of said Lot 8, and partway along the westerly line of Lot 9, Block 1 of the above-mentioned Legend Oaks Estates, and further described in a deed to Robert D. Moser and Marcia Adine Moser, recorded in Volume 4616, Page 37, O.P.R.R.P.B.C.T. to a point for the southwest corner of the above-mentioned Lot 9;

THENCE in a Easterly direction, approximately 250 feet along the south line of said Lot 9 to point being the northernmost corner of Lot 10, Block 1 of said Legend Oaks Estates (Bell County Tax Appraisal District Geographic Identification No. 0402160027) and being further described in a deed to Robert Diar Moser and Marcia Adine Moser, recorded in Volume 4415, Page 799, O.P.R.R.P.B.C.T.;

THENCE in a Southwesterly direction, approximately 288 feet along a west line of above-mentioned Lot 10 to a point marking an interior corner;

THENCE in a Westerly direction, approximately 250 feet along a north line of said Lot 10 to a point in the east R.O.W. line of said S.H. 195 and being a corner of said Lot 10;

THENCE in a Southwesterly direction, approximately 74 feet along the common easterly R.O.W. line of said S.H. 195 and the westerly line of said Lot 10 to a point for the southwest corner of said Lot 10;

THENCE in a Southeasterly direction, approximately 365 feet along the south line of said Lot 10 to a point that is 500 feet east, parallel and adjacent to the said Base Line of S.H. 195;

THENCE in a Southwesterly direction, approximately 329 feet along a line that is 500 feet east, parallel and adjacent to said Base Line of S.H. 195 to a point in a northerly line of Lot 17, Block 1 of said Legend Oaks Estates (Bell County Tax Appraisal District Geographic Identification No. 0402160048) and further described in a deed to Robert Diar Moser and Marcia Adine Moser, recorded in Volume 3091, Page 704, O.P.R.R.P.B.C.T.;

THENCE in a Northwesterly direction, approximately 372 feet along the north line of above-mentioned Lot 17 to a point in the east R.O.W. line said S.H. 195 and being the northwest corner of said Lot 17;

THENCE in a Southwesterly direction, approximately 30 feet along the common easterly R.O.W. line of said S.H. 195 and westerly line of said Lot 17 to a point for the westernmost corner of said Lot 17;

THENCE in a Southeasterly direction, approximately 373 feet along the south line of said Lot 17 to a point that is 500 feet east, parallel and adjacent to the said Base Line of S.H. 195;

THENCE in a Southwesterly direction, approximately 2,929 feet along a line that is 500 feet east, parallel and adjacent to said Base Line of S.H. 195 to a point in the northeasterly line of the remainder of a called 49.42 acre tract of land (Bell County Tax Appraisal District Geographic Identification No. 0540500004) described in a deed to Harvey Blum, recorded in Volume 852, Page 49, D.R.B.C.T. and the easterly R.O.W. line of said S.H. 195;

THENCE in a Southwesterly direction, approximately 11 feet along the common line of the above-mentioned 49.42 acre remainder tract and said S.H. 195 to a point being a corner of said 49.42 acre remainder tract;

THENCE in a Southeasterly direction, approximately 8 feet along a west line of said 49.42 acre remainder tract to a point that is 500 feet east, parallel and adjacent to said Base Line of S.H. 195;

THENCE in a Southwesterly direction, approximately 1,559 feet along a line that is 500 feet east, parallel and adjacent to said S.H. 195 to a point in the northerly line of a called 6.9 acre tract of land (Bell County Tax Appraisal District Geographic Identification No. 0540500001) described in a deed to Harvey Blum, recorded in Volume 838, Page 335, D.R.B.C.T.;

THENCE in a Southwesterly direction, approximately 195 feet along the northerly line of the above-mentioned 6.9 acre tract to a point being the northwest corner of said 6.9 acre tract;

THENCE in a Southwesterly direction, approximately 574 feet along the west line of said 6.9 acre tract to a point that is 500 feet east, parallel and adjacent to said Base Line of S.H. 195;

THENCE in a Southwesterly direction, approximately 7,832 feet along a line that is 500 feet east, parallel and adjacent to said Base Line of S.H. 195 to a point in a tract of land (Bell County Tax Appraisal District Geographic Identification No. 0626600000) as described in a deed to C. W. Duncan, III and Deborah Giles Allen, recorded in Volume 5652, Page 189, O.P.R.R.P.B.C.T., said point intersects with the projection of the south line of a called 27.004 acre tract of land (Bell County Tax Appraisal District Geographic Identification No. 0626620100) as described in a deed to John Wade Fisher, recorded in Volume 2254, Page 429, D.R.B.C.T.;

THENCE in a Westerly direction, approximately 853 feet and crossing said S.H. 195 to a point that is 200 foot west, parallel and adjacent to the west R.O.W. line of said S.H. 195, and being on the south line of the above-mentioned 27.004 acre tract,

THENCE in a Northeasterly direction, approximately 1,786 feet along a line that is 200 foot west, parallel and adjacent to the west R.O.W. line of said S.H. 195 to a point in the common line of a called 484.499 acre tract of land (Bell County Tax Appraisal District Geographic Identification No. 0626620003) as described in a deed to Johnwade Properties, Ltd., recorded in Volume 3592, Page 455, O.P.R.R.P.B.C.T. and River Ridge Ranch Road;

THENCE in a Northwesterly direction, approximately 139 feet along the common line of the above-mentioned 484.499 acre tract and River Ridge Ranch Road to a point that is 500 feet west, parallel and adjacent to the said Base Line of S.H. 195;

THENCE in a Northeasterly direction, approximately 3,373 feet along a line that is 500 feet west, parallel and adjacent to said Base Line of S.H. 195 to a point in the south line of a called 23.33 acre tract of land (Bell County Tax Appraisal District Geographic Identification No. 0900000021) also known as Tract 7, River Ridge Ranch, described in a deed to Wilford A. Lawrence and wife, Evelyn A. Lawrence, recorded in Volume 3907, Page 757, O.P.R.R.P.B.C.T.;

THENCE in a Easterly direction, along the south line of the above-mentioned 23.33 acre tract, with points of intersection at approximately 43 feet, approximately 148 feet, and approximately 120 feet to a point in the west R.O.W. line of said S.H. 195, same being the southeast corner of said 23.33 acre tract;

THENCE in a Northerly direction, approximately 736 feet along the common east line of said 23.33 acre tract and west R.O.W. line of said S.H. 195 to a point for a corner of the said 23.33 acre tract;

THENCE in a Northwesterly direction, approximately 292 feet along the northeasterly line of said 23.33 acre tract to the approximate center of the Lampasas River and being in the south line of a called 52.22 acre tract of land (Bell County Tax Appraisal District Geographic Identification No. 0483310200 & 0540580000) described in an agreement between Kay and Greg Crouch and Carol Lear, recorded in Volume 4239, Page 796, O.P.R.R.P.B.C.T.;

THENCE in a Northeasterly direction, downstream with the approximate center of the Lampasas River and the south line of the above-mentioned 52.22 acre tract, with points of intersection at approximately 146 feet, approximately 960 feet, and approximately 165 feet to point where the approximate center of a tributary waterway intersects with approximate center of the Lampasas River, same being the easternmost corner of the said 52.22 acre tract;

THENCE in a Northwesterly direction, upstream with the approximate center of said tributary waterway and the east line of said 52.22 acre tract, with points of intersection at approximately 54 feet, approximately 55 feet, approximately 45 feet, approximately 50 feet, approximately 41 feet, approximately 69 feet, approximately 44 feet, approximately 80 feet, and approximately 31 feet to a point that is 500 feet west, parallel and adjacent to said Base Line of S.H. 195;

THENCE in a Northeasterly direction, approximately 153 feet along a line that is 500 feet west, parallel and adjacent to said Base Line of S.H. 195 to a point in the southeasterly line of a called 49.349 acre tract of land (Bell County Tax Appraisal District Geographic Identification No. 0483310100) described in a deed to F. M. Lethco and wife, Nellie Lethco, recorded in Volume 4139, Page 348, O.P.R.R.P.B.C.T.;

THENCE in a Northeasterly direction, approximately 464 feet along the southeasterly line of the above-mentioned 49.349 acre tract to a point in the west R.O.W. line of S.H. 195, and being a corner of said 49.349 acre tract;

THENCE in a Northeasterly direction, approximately 41 feet along the common easterly line of said 49.349 acre tract and westerly R.O.W. line of said S.H. 195 to a point for a corner of the said 49.349 acre tract, same being the southeast corner of Tract Two, a called 47.689 acre tract of land (Bell County Tax Appraisal District Geographic Identification No. 0537330000) described in a deed to F. M. Lethco, recorded in Volume 1365, Page 435, D.R.B.C.T.;

THENCE in a Northeasterly direction, approximately 744 feet along the common easterly line of the above-mentioned Tract Two and westerly R.O.W. line of said S.H. 195 to a point for the easternmost corner of said Tract Two;

THENCE in a Northwesterly direction, approximately 254 feet along the north line of said Tract Two to a point that is 500 feet west, parallel and adjacent to the said Base Line of S.H. 195;

THENCE in a Northeasterly direction, approximately 8,346 feet along a line that is 500 feet west, parallel and adjacent to said Base Line of S.H. 195 to a point in the south line of Lot 15, Block 1 of Creek Place, Section Three described in deed for Lots 13, 14, and 15, Block 1, Creek Place, Section Three (Bell County Tax Appraisal District Geographic Identification No. 0384564039 through 0384564042) to Mary L. Roberts, recorded in Volume 3612, Page 538, O.P.R.R.P.B.C.T.;

THENCE in a Southeasterly direction, approximately 436 feet along the south line of above-mentioned Lot 15 to the west R.O.W. line of said S.H. 195, and being the southeast corner of said Lot 15;

THENCE in a Northeasterly direction, approximately 323 feet along the west R.O.W. line of said S.H. 195, and partway along the east line of said Lot 15, and partway along the east line of the above-mentioned Lot 14 to a point being the northeast corner of said Lot 14 and the southeast corner of the above-mentioned Lot 13;

THENCE in a Northwesterly direction, approximately 191 feet along the common line of said Lots 13 and 14 to a point in the east line of a 175 foot by 200 foot house lot on said Lots 13 and 14;

THENCE following the perimeter of the above mentioned house lot in a Southerly direction, approximately 107 feet, in a Northwesterly direction, approximately 175 feet, and in a Northerly direction, approximately 107 feet to a point in the common line of said Lots 13 and 14;

THENCE in a Northwesterly direction, approximately 74 feet along the common line of said Lots 13 and 14 to a point that is 500 feet west, parallel and adjacent to said Base Line of S.H. 195;

THENCE in a Northeasterly direction, approximately 3,439 feet to a point in the common line of Creek Place, Section One, recorded in Cabinet A, Slide 328-A&B, P.R.B.C.T. and an unrecorded called 1.953 acre tract by description (Bell County Tax Appraisal District Geographic Identification No. 0622185000) provided by the owner Glenn Collins;

THENCE following the perimeter of the above mentioned 1.953 acre tract in a Southeasterly direction, approximately 144 feet, in a Northeasterly direction, approximately 420 feet, in a Northwesterly direction, approximately 117 feet, in a Southwesterly direction, approximately 344 feet to a point in the easterly line of the above-mentioned Creek Place, Section One;

THENCE in a Northwesterly direction, approximately 150 feet along the easterly line of said Creek Place, Section One to a point being the southernmost corner of a called 17.104 acre tract of land (Bell County Tax Appraisal District Geographic Identification No. 0555190001) described in deed to Hubert Glenn Collins, Sr. and wife, Patricia Ann Collins, recorded in Volume 1811, Page 749, D.R.B.C.T.;

THENCE following the perimeter of the above-mentioned 17.104 acre tract in a Northeasterly direction, approximately 315 feet, in a Northeasterly direction, approximately 357 feet, in a Northeasterly direction, approximately 268 feet, in a Southeasterly direction, approximately 46 feet, in a Northeasterly direction, approximately 236 feet, in a Northwesterly direction, approximately 413 feet, in a Westerly direction, approximately 353 feet, and in a Southwesterly direction, approximately 624 feet to a point being the westernmost corner of said 17.104 acre tract and being in the easterly line of the remainder of a called 162.384 acre tract, as described in a deed to G. W. Development Inc., recorded in Volume 3021, Page 331, O.P.R.R.P.B.C.T.;

THENCE in a Northwesterly direction, along the easterly line of the above-mentioned 162.384 acre remainder tract with points of intersection approximately at 299 feet, at approximately 173 feet, and at approximately 73 feet for the southwest corner of a called 8.945 acre tract of land (Bell County Tax Appraisal District Geographic Identification No. 0555190500) described in a deed to Hubert Glenn Collins, Sr. and wife, Patricia Ann Collins, recorded in Volume 2195, Page 109, D.R.B.C.T.;

THENCE in a Northeasterly direction, approximately 592 feet along the southerly line of the above-mentioned 8.945 acre tract to a point for a corner of said 8.945 acre tract in the west line of a called 1.010 acre tract of land (Bell County Tax Appraisal District Geographic Identification No. 0555190501) described in a deed to John Albert Enger, recorded in Volume 5526, Page 848, O.P.R.R.P.B.C.T.;

THENCE following the perimeter of the above-mentioned 1.010 acre tract in a northwesterly direction, approximately 197 feet, in a westerly direction, approximately 144 feet, in a northerly direction, approximately 197 feet, in a easterly direction, approximately 168 feet, in a northerly direction, approximately 21 feet, in a easterly direction, approximately 32 feet, in a southerly direction, approximately 21 feet, in a westerly direction, approximately 11 feet, in a southerly direction, approximately 198 feet, in a southeasterly direction, approximately 197 feet to a point being a corner of the said 1.010 acre tract and the southeast corner of the said 8.945 acre tract;

THENCE in a Northerly direction, approximately 475 feet along the easterly line of said 8.945 acre tract to a point being the southwest corner of a called 0.482 acre tract of land (Bell County Tax Appraisal District Geographic Identification No. 0555190202) described in a deed to Hubert Glenn Collins, Sr. and wife, Patricia Ann Collins, recorded in Volume 2670, Page 769, O.P.R.R.P.B.C.T.;

THENCE in a Easterly direction, approximately 296 feet along the south line of the above-mentioned 0.482 acre tract to point being the easternmost corner of said 0.482 acre tract and being in the southeasterly line of the remainder of a called 42.37 acre tract of land (Bell County Tax Appraisal District Geographic Identification No. 0555190900) described in a deed to LaBera Jane Farris, recorded in Volume 1660, Page 11, D.R.B.C.T.;

THENCE in a Northeasterly direction, along the southeasterly line of the above-mentioned 42.37 acre remainder tract, with points of intersection at approximately 550 feet, at approximately 251 feet, and at approximately 409 feet to a point in the west R.O.W. line of said S.H. 195, same being the easternmost corner of said 42.37 acre remainder tract;

THENCE in a Northwesterly direction, approximately 568 feet along the common west R.O.W. line of said S.H. 195 and east line of said 42.37 acre remainder tract to a point being the most easterly northeast corner of said 42.37 acre remainder tract;

THENCE in a Southwesterly direction, along the northerly line of the said 42.37 acre remainder tract, with points of intersection at approximately 408 feet, at approximately 201 feet, and at approximately 1,800 feet to a point being the westernmost corner of said 42.37 acre remainder tract and being in the east line of said 162.384 acre remainder tract;

THENCE in a Northwesterly direction, approximately 1,133 feet along the east line of said 162.384 acre remainder tract to a point for the southwest corner of a called 10.000 acre tract of land (Bell County Tax Appraisal District Geographic Identification No. 0472160200) described in a deed to Thomas Barker, recorded in Volume 3464, Page 435, O.P.R.R.P.B.C.T.;

THENCE in a Northeasterly direction, approximately 2,431 feet along the south line of the above-mentioned 10.000 acre tract to a point in the west R.O.W. line of said S.H. 195 and being the southeast corner of said 10.000 acre tract;

THENCE in a Northwesterly direction, approximately 181 feet along the common west R.O.W. line of said S.H. 195 and the east line of said 10.000 acre tract to a point for the northeast corner of said 10.000 acre tract, same being the southeast corner of the remainder of a called 10.476 acre tract of land (Bell County Tax Appraisal District Geographic Identification No. 0472160100) described in a deed to Donald Lee Morris, recorded in Volume 4289, Page 286, O.P.R.R.P.B.C.T.;

THENCE in a Northwesterly direction, approximately 120 feet along the common west R.O.W. line of said S.H. 195 and the east line of the above-mentioned 10.476 acre remainder tract to a point for the northeast corner of said 10.476 acre remainder tract;

THENCE in a Southwesterly direction, along the north line of said 10.476 acre remainder tract, with points of intersection at approximately 334 feet, approximately 156 feet, approximately 886 feet, to a point being a corner of said 10.476 acre remainder tract and a corner in the east line of a called 30.741 acre tract of land (Bell County Tax Appraisal District Geographic Identification No. 0472110102) with the ownership given to Ute-Barbara Ritz in an Affidavit of Heirship, recorded in Volume 6271, Page 402, O.P.R.R.P.B.C.T. and further described in a deed Charles E. Ritz and wife, Barbara U. Ritz, recorded in Volume 1809, Page 69, D.R.B.C.T. ;

THENCE in a Northwesterly direction, along the east line of the above-mentioned 30.741 acre tract, with points of intersection at approximately 479 feet, at approximately 283 feet, and at approximately 430 feet to a point for the northernmost corner of the said 30.741 acre tract;

THENCE in a Southwesterly direction, approximately 187 feet along a north line of said 30.741 acre tract to a point in the east line of the remainder of a called 123 acre tract of land (Bell County Tax Appraisal District Geographic Identification No. 0472100000) with the ownership given to Bernice Dorrace Gibbs in an Affidavit of Heirship, recorded in Volume 5300, Page 504, O.P.R.R.P.B.C.T. and described in a deed to the Veterans Land Board of the State of Texas in care of Joe Ellwood Gibbs, recorded in Volume 2639, Page 272, D.R.B.C.T.;

THENCE in a Northerly direction, along an east and south line of the above-mentioned 123 acre remainder tract, with points of intersection at approximately 353 feet, and at approximately 1,100 feet to a corner of said 1.89 acre tract;

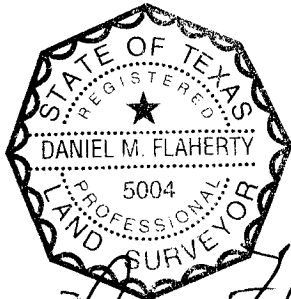
THENCE in a Northwesterly direction, approximately 384 feet along the east line of said 123 acre remainder tract to a point in the south line of the above-mentioned 1.89 acre tract;

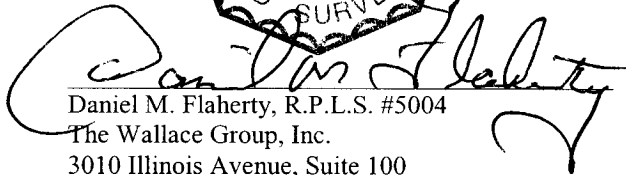
THENCE in a Northeasterly direction, approximately 233 feet to a point in the west R.O.W. line of said S.H. 195;

THENCE in a Northerly direction, along the common east line said 1.89 acre tract and west R.O.W. line of said S.H. 195 approximately 207 feet to the **POINT OF BEGINNING** and containing 685 acres of land, more or less.

NOTE: This Document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interest in real property except those rights and interest implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

Compiled December, 2007




Daniel M. Flaherty, R.P.L.S. #5004

The Wallace Group, Inc.
3010 Illinois Avenue, Suite 100
Killeen, TX 76543
Ph. (254) 554-5959
Work Order No. 20570
FN 07-20570-02

12-14-2007
Date

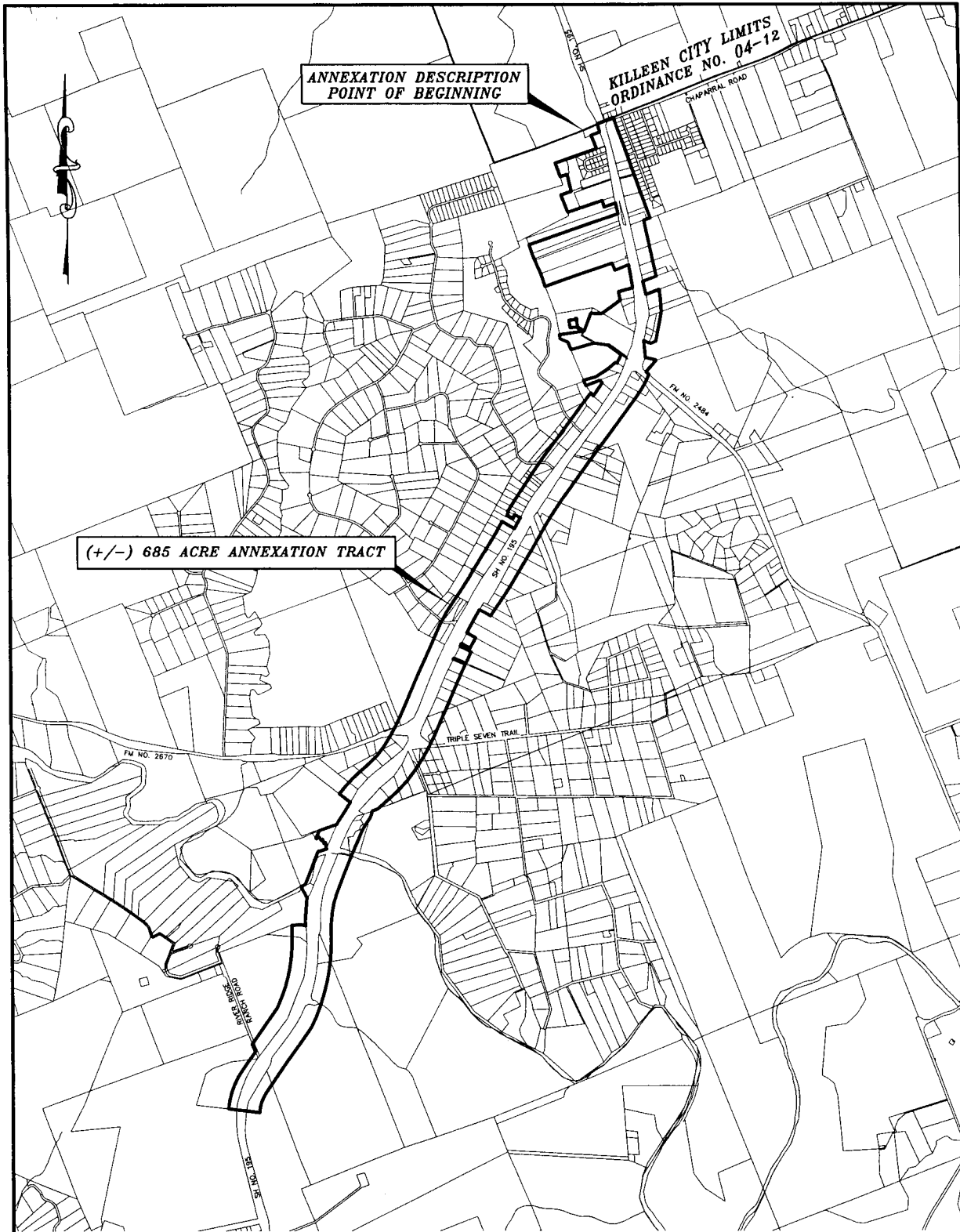


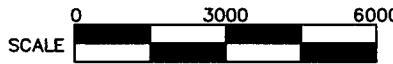
EXHIBIT "D"
A (+/-) 685 ACRE ANNEXATION TRACT
TO THE CITY OF KILLEEN, BELL COUNTY, TEXAS

NOTE: THIS EXHIBIT WAS PREPARED UNDER 22 TAC §663.21 AND DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTEREST IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTEREST IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.



The Wallace Group, Inc.

3010 Illinois Avenue, Suite 100, Killeen, Texas 76543 (254) 554-5959
 Engineers ■ Architects ■ Planners ■ Surveyors
 Waco * Killeen * Dallas * Round Rock



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PLAT NO.	<u>E-K2018</u>	DRAFT DATE	<u>12-14-07</u>	DRAWN BY	<u>TAB</u>
WORK ORDER NO.	<u>20570</u>	FIELDBOOK/PG.	<u>N/A</u>	TAB #	<u>E-K2018</u>
DIGITAL FILE	<u>20570K-SV-EXHIBIT</u>	F/N #	<u>07-20570-02</u>		

18 December 2007
Annexation Service Plan
Tract 4

INTRODUCTION

This Service Plan ("Plan") is made by the City of Killeen ("City") pursuant to Chapter 43 of the Texas Local Government Code. The Plan relates to the annexation to the City of an approximately 684 acre tract of land ("Tract 4") located in the southwest corner of the City of Killeen extraterritorial jurisdiction. The annexation area is generally located 1,000 ft. along the SH 195 corridor. The north boundary of the annexation area is south of the Central Texas State Veterans Cemetery, and the east boundary is to the west of Chaparral West Phase One and Two and Chaparral Lees subdivisions. The south boundary of the annexation area is approximately 1,153 ft. north of the City of Killeen extraterritorial jurisdiction line. This annexation will extend the council district four (4) boundary to the south. The area is depicted in a map attached as Exhibit D.

This plan is divided into two (2) main parts; tax based services and rate based services. Tax based services are those services that are financed by tax revenues; such as police and fire protection. The tax based services will commence on the effective date of the annexation. Rate based services are those services which citizens acquire by paying a fee; such as water, sanitary sewer and solid waste pick-up. The cost of rate based services is directly related to the cost of providing the service.

EFFECTIVE TERM

This Plan shall be in effect for a ten (10) year period commencing on the effective date of the annexation, unless otherwise stated in the Plan. The Plan represents the concept the City of Killeen will use to initially deliver services. It is subject to modification and its change and renewal shall be at the option of the City. Such option may be exercised by the adoption of an ordinance by the City Council which refers to this Plan and specifically renews this Plan for a stated period of time. The City reserves the right guaranteed to it by Section 43.056 (k) Local Government Code, to amend this Plan if the City Council determines that changed conditions or subsequent occurrences or any other legally sufficient circumstances exist under the Local Government Code, or other Texas laws to make this Plan unworkable, obsolete or unlawful.

TAX BASED SERVICE COMPONENTS

1. Public Safety:

a. Police Protection – The Killeen Police Department (KPD) will provide protection and law enforcement services in the annexation area, commencing on the effective date of annexation.

These Services include:

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

The Killeen Police Department will provide service to the annexation area with the same level of service now being provided to other comparable areas of the City.

b. Fire Protection – The Killeen Fire Department will provide fire protection, prevention and emergency medical services to the annexation area commencing on the effective date of the annexation. These services include:

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

These services are provided on a City – wide basis and Killeen Fire Department will provide fire protection and prevention services to the annexation area with the same level of service being provided to other comparable areas of the City. The City will establish an automatic aid agreement with Southwest Bell County Volunteer Fire Department to assist in providing fire protection and emergency medical services in annexation Tract 4 (see exhibit map on Tract 4). Southwest Bell County Volunteer Fire Department will provide first response Fire and Emergency Medical Services. The Killeen Fire Department will dispatch Fire Station 5 located at 905 West Jasper Dr. as primary response, Fire Station 6 located at 2001 Elms Rd and Southwest Bell County Volunteer Fire Department providing support to Fire Station 5. New Fire Station 8 is in the development phase and should come on line in the fall of 2008. Station 8 will be located on East Trimmier south of Stagecoach Road. Fire Station 8, when complete, will provide a quicker response to Tract 4 and will assist with response when it comes on line. Emergency medical Services first response will be provided by Southwest Bell County Volunteer Fire Department with Killeen providing the EMS unit for patient care and transport.

Currently, fire protection services and emergency medical service are provided to the annexation area through an inter-local Mutual Aid Agreement with Bell County.

2. Maintenance of Roads, Streets, and Lighting

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

- emergency pavement repair;
- ice and snow monitoring of major thoroughfares;
- repair maintenance of public streets on an as-needed basis;

- traffic control signals;
- right-of-way maintenance

Public roads and streets in the annexation area will be included in the City's preventive maintenance program. Preventive maintenance projects are prioritized on a City-wide basis and scheduled based on a variety of factors, including surface condition, rideability, age, traffic volume, functional classification, and available funding. The Streets Division will also provide regulatory traffic signage. Engineering studies to determine if traffic control devices are warranted will be conducted as needed in conjunction with growth and increased traffic volumes.

Anticipated future development within the annexation area may generate the requirement to construct streets in compliance with the City of Killeen development standards and requirements published in the Killeen Code of Ordinances and Public Works Department practices, as may be amended. Street lighting will be installed by property developers as development in the area warrants.

3. Maintenance of Parks and Recreation Facilities

The City of Killeen is not aware of the existence of any public parks, play grounds, or recreational facilities in the annexation area. In the event any such public facilities do exist, the City of Killeen will maintain such areas to the same extent that it maintains similar recreational facilities located in other areas of the City. As the annexation area is developed, current master plans for parks and recreational facilities will be reviewed and amended as appropriate to accommodate future growth and provide the same level of service as is provided in other areas of the city of comparable population density, land use and topography.

Recreational facilities and area amenities that are privately owned, maintained or operated will be unaffected by an annexation.

4. Maintenance of Publicly Owned Facilities or Buildings

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

5. Inspection Services

The City of Killeen and its Building and Inspections Department will provide inspection services (building, electrical, plumbing, code enforcement, etc.), with the same or

comparable level of service now being provided to other areas of the City with comparable land use, population density and topography as the newly annexed area.

6. Land Use Management

The City of Killeen Code of Ordinances mandates that all property annexed into the City be initially zoned Agriculture (AG). A building or premises in such a district may be used for stables, buildings in support of agriculture uses, single family residential structures and accessory uses. The City Planning and Zoning Commission is required to initiate a land use study of any areas annexed into the city. Within twelve (12) months of the effective date of the annexation, a recommendation for more specific zoning of tracts and lots will be submitted to the City Council for consideration.

In the conduct of the land use study citizens owning property in the annexation area will be provided notification of study meetings and asked to present their desires for the zoning of their property. This rezoning process will be conducted in strict compliance with notification and due process requirements of the Local Government Code and City of Killeen Code of Ordinances.

Property owners may continue to use their land in the newly annexed area in the manner in which the land was being used on the date the annexation proceedings were instituted if the land use was legal at that time. Property owners may seek land use protection for a land use begun after the date that annexation proceedings were initiated only if: (a) one or more licenses, certificates, permits, approvals, or other forms of authorization by a government entity were required by law for the planned land use; and (b) a completed application for the initial authorization was filed with the government entity before the date the annexation proceedings were instituted.

However, the City of Killeen's Code of Ordinances Killeen shall impose the following:

- (a) a regulation related to the location of adult oriented businesses;
- (b) a regulation preventing imminent destruction of property or injury to persons;
- (c) a regulation relating to public nuisances;
- (d) a regulation relating to flood control;
- (e) a regulation relating to the storage and use of hazardous substances;
- (f) a regulation relating to the sale and use of fireworks; and,
- (g) a regulation relating to the discharge of firearms or other weapons.

7. Other Services

The City of Killeen will provide other City Services to the annexation area, such as animal control, library, municipal court and general administration services at the same level of service now being provided to other areas of the City with similar population density, land use and topography. The requirement to register and license unneutered dogs and cats will be waived until the one (1)-year anniversary of the date of annexation. City Limit signs to encompass the new boundaries of the City as a result of the annexation will be installed within ninety (90) days of the effective date of the annexation. The City's authority to abate

nuisances (fireworks, etc.) within five thousand (5000) feet of its boundary is extended to provide protection to the annexation area.

RATE BASED SERVICE COMPONENTS

1. Solid Waste Services

Solid Waste services provided by the City of Killeen's Solid Waste Services Department will be available to annexation areas immediately upon annexation. The normally required solid waste deposit fee will be waived for the annexation area. The solid waste collection and disposal services provided to the annexation area will be equal to the service being provided to other areas of the City. The annexation area will be provided collection service at the same frequency of service as other areas of the City. The City may not prohibit the collection of solid waste in the area by a privately owned solid waste provider or impose a fee for solid waste management services to a person who continues to use the services of a privately owned solid waste management service provider before the second anniversary of the date the area is included within the corporate boundaries of the City (43.056(n) of the LGC). The City is not required to provide solid waste collection services to a person who continues to use the services of a privately owned solid waste management service provider (43.056(o) of the LGC). After the second anniversary of the date the annexation is effective the City of Killeen shall be the exclusive provider of solid waste services within the annexation area.

Services shall be provided in accordance with the City of Killeen Code of Ordinances, Chapter 24, to all residential and commercial customers requesting such service. Services shall include:

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

2. Maintenance of Water and Wastewater Services

The City of Killeen strives to provide comparable levels of service in all areas of the City, allowing for differences in population density, land use, and topography. In the annexation area the population density is low compared to other incorporated areas of the city. The present land use in the annexation area is characterized by undeveloped parcels and/or low density residential development. While further development is anticipated, the timeline and quantity of this development is currently too uncertain to predict the specific future needs. As the population density increases and land use patterns change, the City will provide comparable water and sewer services as in other comparable areas of the City.

The topography of the annexed area places it in the Stillhouse Hollow Lake drainage basin.

Municipalities are restricted from introducing treatment plant effluent into Stillhouse Hollow Lake. The City's Water and Wastewater Master Plan contains several major projects scheduled over the next three years to provide rate-based water and sanitary sewer municipal service to the annexed area. The projects include:

- a water project with 12" water lines providing a loop in the vicinity of SH195
- a water project with a loop connecting a 12" water line between the above project (12" loop in vicinity of SH195) to another new water line in the region,
- a waste water 16" force main along Chaparral Rd.,
- a waste water lift station, 14" force main, 12" gravity main and 10" gravity main along Chaparral Rd., and
- a waste water lift station, 10" force main and 12" gravity main along SH195 corridor.

a. **Water Utilities** – It is the intent of the City of Killeen to provide water utility services to the annexation area in an expedient and orderly manner. This plan provides continued quality service while minimizing the utility rate impact to both the newly acquired citizens as well as the existing customers of the City's utility system. The May 2007 Water and Wastewater Master Plan includes projects with an estimated cost of over \$6 million dollars to begin in approximately May 2009.. These projects will directly support the provision of water service to this annexation area.

Under this service plan concept, existing members of the West Bell County Water Supply Corporation (WBCWSC) would initially remain WBCWSC customers pursuant to § 402.101 Texas Local Government Code. Thus, the annexation area will continue to receive equivalent service as they are now receiving. This service is comparable to the service received by other comparable areas of the City.

The City will request joint jurisdiction of WBCWSC's Certificate of Convenience and Necessity (CCN) area. As with previous annexations, the City of Killeen will purchase existing WBCWSC utility infrastructure/construct parallel infrastructure in the annexation area at a rate consistent with the May 2007 City of Killeen Water and Wastewater Master Plan (as may be amended). As WBCWSC CCN area is acquired, WBCWSC purchased infrastructure or new parallel infrastructure constructed by the City will be inter-connected to the City's existing water system with a corresponding transfer of customers into the City's then existing rate structure. Existing water wells in the annexation area may be retained and used by the resident; however, if the resident connects to a public water system for potable water, the well water system must be disconnected to assure that water from the two systems cannot be mixed.

b. **Wastewater Utilities** – It is the intent of the City of Killeen to provide wastewater utility services to the annexation area in an expedient and orderly manner. This plan provides continued quality service while minimizing the utility rate impact to both the newly acquired citizens as well as the existing customers of the City's utility system. The May 2007 Water and Wastewater Master plan includes projects with an estimated cost of \$7 million dollars respectively, to begin in approximately December 2010. These projects will directly support the provision of wastewater service to this annexation area.

Water and wastewater service availability is defined as the specific projects in the schedule

provided for in the City of Killeen Water and Wastewater Master Plan. As property in the annexation area is developed, property owners will be required to extend necessary utilities to support their development in accordance with the Killeen Code of Ordinances and Public Works Department practices, as may be amended.

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

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

extended, anyone who connects to the line is required to pay their “pro rata” cost of the line extension if the connection is made within ten (10) years from the date of the execution of the agreement.

d. Under limited circumstances, the City of Killeen Director of Public Works may allow the continued use of or the establishment of an on-site sewage facility in locations where sanitary sewer service is not readily available. Such on-site sewage facilities must be permitted by the Bell County Health Department. Generally, sewer service shall be considered available when City owned infrastructure is located at a distance not to exceed 1000 feet that can accept gravity flow.

CAPITAL IMPROVEMENTS, AVAILABILITY AND LEVEL OF SERVICE

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

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

- Topography – The majority of the existing City of Killeen is located in the Nolan Creek drainage basin. The City’s sewer collection system transports wastewater to a Bell County WCID #1 Treatment Plant on the north side of the City (38th Street). The effluent from that plant is discharged into the Nolan Creek Tributary.

However, the annexation area is in the Stillhouse Hollow Lake drainage basin. This is one of the highest water quality lakes in the State of Texas. The discharge of treated effluent into Stillhouse Hollow Lake would have a negative impact for Bell County and the Brazos River Authority as documented by engineering studies completed by Roming-Parker Associates.

The basis for the Rate Based Service Components portion of the Annexation Service plan is the Water Wastewater Master Plan and the City of Killeen utility extension policy documented in Chapter 26, City of Killeen Code of Ordinances.

- Land Use – The City is characterized by clusters of lot/block residential development and platted professional, retail, industrial, and commercial development. The urban nature of the land use is so prevalent the Texas Department of Transportation required

the reduction of speed limits on U.S. Highway 190. Areas within the current City limits that are comparable in land use, topography and population density to the proposed annexation area are the areas between Stagecoach Road and Chaparral Road annexed in 2004.

Presently, the land use in the annexation area is characterized by agriculture activities in a rural open area with low density residential development. Should there be an unexpected and dramatic change in land use in the proposed annexation area (e.g. 150 acre electronics manufacturer or a 50 acre air freight terminal), then such change could justify advancing the Master Plan's timetable (and corresponding expenditures) to provide water and wastewater sooner than is now justified by agriculture use.

- Population Density – In January 2007, the City of Killeen estimated population was 100,233, with a corporate area of 45.3 square miles; the City population density is approximately 2,213 people per square mile. Bell County had a population of 238,756 in the year 2000 and an area of approximately 1,060 square miles, giving a density of about 225 persons per square mile. Bell County listed 65 parcels with residences in this annexation area. Therefore, the population density is estimated to be 639 persons per square mile.

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

CITY COUNCIL MEMORANDUM

AGENDA ITEM

**DISCUSS AND CONSIDER AN
ORDINANCE ANNEXING
APPROXIMATELY 1.07 SQUARE MILES
AND ADOPTING A SERVICE PLAN**

ORIGINATING DEPARTMENT

**PLANNING & ECONOMIC
DEVELOPMENT**

BACKGROUND INFORMATION

On September 25, 2007, the City Council directed staff to prepare a service plan providing for the extension of municipal service to a 1.07 square mile area (known as Tract 4) generally located in the southwest encompassed area of the City of Killeen extraterritorial jurisdiction. The annexation area is generally located 1,000 ft. along the SH 195 corridor. The north boundary of the annexation area is south of the Central Texas State Veterans Cemetery, and the east boundary is to the west of Chaparral West Phase One and Two and Chaparral Lees subdivisions. The south boundary of the annexation area is approximately 1,153 ft. north of the City of Killeen extraterritorial jurisdiction line. This annexation will extend the council district four (4) boundary to the west. On September 28, 2007 written notice was provided to land owners (per tax rolls) and public/private entities that provide services to the area to be annexed. Properly noticed public hearings were held on November 13th and 27th, 2007.

DISCUSSION/CONCLUSION

Staff has prepared an ordinance effecting annexation of 1.07 square miles into the corporate limits of the City of Killeen. The ordinance assigns an initial zoning of "A" (Agricultural District) to the annexed area, extends voting District 4 and waives certain fees for one year from the effective date of the ordinance.

RECOMMENDATIONS

Staff recommends that the City Council discuss and consider approval of an ordinance annexing 1.07 square miles to include the service plan attached as part of the annexation ordinance.

AN ORDINANCE AMENDING THE CORPORATE CITY LIMITS OF THE CITY OF KILLEEN, BELL COUNTY, TEXAS TO DISANNEX APPROXIMATELY 25.60 ACRES OF LAND OUT OF THE G. W. ALLISON SURVEY, ABSTRACT NO. 52; DECLARING SAID LAND TO NO LONGER BE A PART OF SAID CITY; DECLARING SAID LAND AND PRESENT AND FUTURE INHABITANTS OF SAID LAND TO NOT BE ENTITLED TO ANY OF THE RIGHTS AND PRIVILEGES OF CITIZENS OF THE CITY AND TO NOT BE BOUND BY THE ACTS AND ORDINANCES OF THE CITY; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Tim Pearson of Cobb & Johns, on behalf of Stanley Secrest, presented to the City of Killeen a request for disannexation of approximately 25.60 acres of land, out of the G. W. Allison Survey, abstract No. 52. The subject properties are generally located on the west side of S. Fort Hood Street, Killeen, Texas; and

WHEREAS, the City Council of the City of Killeen, pursuant to Local Government Code §43.142 is authorized to disannex an area in the municipality according to rules as may be provided by the charter of the municipality; and

WHEREAS, the City Council of the City of Killeen, pursuant to its Home Rule Charter, Section 7, is authorized to fix the boundaries of Killeen and relinquish territory of the City of Killeen;

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

SECTION I: That on and after the date of passage of this ordinance, the City of Killeen grants the petition for disannexation, and the city limits of the City of Killeen, Texas shall be and are hereby amended to relinquish approximately 25.60 acres of land, out of the G. W. Allison Survey, abstract No. 52. The subject properties are generally located on the west

side of S. Fort Hood Street, Killeen, Texas; said land being more particularly described in the Deed of Trust, which is attached hereto and incorporated herein for all purposes.

SECTION II: It is declared that the land hereby disannexed and described in Section I hereof is not and shall hereafter no longer be a part of the City of Killeen, Bell County, Texas, and it is hereby further declared that said land and the present and future inhabitants thereof are hereafter not entitled to any of the rights and privileges of citizens of the City of Killeen and shall not be bound by the acts and ordinances of the City of Killeen, Texas.

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

SECTION VI: 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 7th day of July 2026, 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:

Joseph Solomon, MAYOR

ATTEST:

Micheal A. Lollar, INTERIM CITY SECRETARY

APPROVED AS TO FORM

Holli C. Clements, CITY ATTORNEY

Case #DA26-01

Ord. #26-____

A stylized graphic consisting of a grey five-pointed star at the top right, with a curved grey line extending from the bottom left towards the star. The line is partially obscured by a large, light grey, stylized letter 'A' that serves as a background for the text.

PETITION FOR
DISANNEXATION – 25.60
ACRES

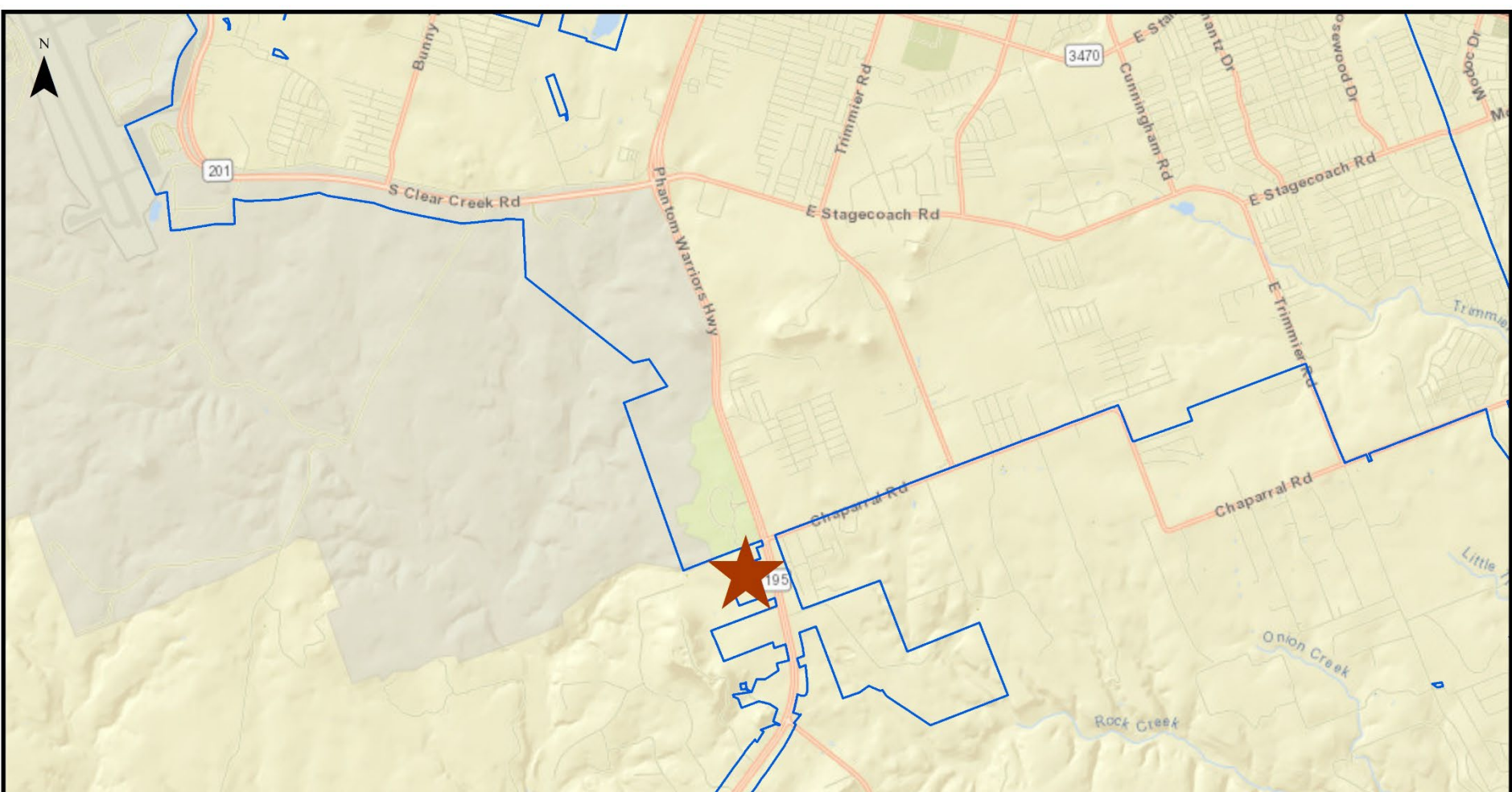
PH-26-020

July 7, 2026

Petition for Disannexation – 25.60 acres

2

- On May 8, 2026, City staff received a petition for disannexation submitted by Tim Pearson of Cobb & Johns, on behalf of Stanley Secrest, for the disannexation of four tracts, totaling approximately 25.60 acres generally located on the west side of South Fort Hood Street.



Legend

-  Killen City Limits
-  Disannexation Location

Disannexation Map - DA 26-01

1 inch = 5,280 feet



FORT HOOD

BRANDY LOOP

Approximately 25.60 Acres

Cody Ln

Stirrup Ln

Stoneham Ln

S FORT HOOD ST (STATE HIGHWAY 195)

S FORT HOOD ST (STATE HIGHWAY 195)

PLAZA DR

Legend

-  Killeen City Limits
-  Disannexation Location

Disannexation Map - DA 26-01

1 inch = 417 feet



Legend

-  Killen City Limits
-  Desannexation Location

Disannexation Map - DA 26-01

Approximately 25.60 Acres

1 inch = 375 feet

Petition for Disannexation – 25.60 acres

6

- The subject properties were annexed into the City of Killeen through an involuntary annexation on January 27, 2008, via Ordinance No. 07-112.

Petition for Disannexation – 25.60 acres

7

- As required by Chapter 43 of the Texas Local Government Code, the annexation ordinance included a service plan detailing the provision of municipal services.
- In its petition for disannexation, Stanley Secrest, asserts that the City “failed to complete the Service Plan Improvements to provide services to the Property.”

Petition for Disannexation – 25.60 acres

- Tex. Local Gov't Code Sec. 43.056(g):

If the annexed area has a lower level of services, infrastructure, and maintenance than that within the corporate boundaries of the municipality before annexation, a service plan must provide the annexed area with a level of services, infrastructure, and maintenance that is comparable to other parts of the municipality with similar topography, land use, and population density.

Petition for Disannexation – 25.60 acres

- The property is located within the West Bell County Water Supply Corporation CCN and currently has water service via a 6-inch water distribution main belonging to West Bell WSC.
- To provide wastewater service to the property, a sewer main would need to be extended down S. Fort Hood Street Road. However, the 2007 Annexation Service Plan permits the use of an on-site sewage system (i.e., septic).

Petition for Disannexation – 25.60 acres

- The subject properties consist of approximately 25.60 acres of developed and undeveloped land. The character of the surrounding area is a mix of commercial, rural, and low residential density.
- Significant undeveloped acreage remains in the vicinity, indicating development potential, which do not have access to all City utilities and are served by well and/or septic systems.

Petition for Disannexation – 25.60 acres

- Therefore, the subject property currently has access to a level of services, infrastructure, and maintenance that is comparable to other parts of the municipality with similar topography, land use, and population density in accordance with State law.

Petition for Disannexation – 25.60 acres

- The 2007 Annexation Service Plan outlined several water and wastewater capital projects that were planned for the area.
- However, the plan also provided that the City of Killeen “finds and determines it to be unnecessary to immediately acquire or construct any currently scheduled Capital Improvements.”

Petition for Disannexation – 25.60 acres

- The 2007 Annexation Service Plan states the following:
 - “As property in the annexation area is developed, property owners will be required to extend necessary utilities to support their development in accordance with Killeen Code of Ordinances and Public Works Department practices, as may be amended.”
 - “Nothing in the plan shall require the City to provide a uniform level of municipal services to...annexed areas, if...population density [is] sufficiently distinct to justify a different level of service.”

Staff Findings

- Staff finds that the City of Killeen has met all legal obligations to provide services to the property in accordance with the 2007 Annexation Service Plan and Chapter 43 of the Texas Local Gov't Code.

Staff Recommendation

15

- Therefore, staff recommends disapproval of the applicant's petition for disannexation.



City of Killeen

Staff Report

File Number: DS-26-053

Discuss and receive Killeen Arts Commission Poet Laureate Presentation



KILLEEN ARTS COMMISSION POET LAUREATE PROGRAM PROPOSAL

DS-26-053

July 7, 2026

Program Background

2

The Poet Laureate Program was first introduced to the City Council on April 7, 2026

- Presented as a Long Range Goal in the Arts Commission Annual Report
- Current proposal is result of subsequent research into funding, legal compliance, and regional program models

Purpose and Mission

3

- ❑ Establish the Killeen Poet Laureate Program as an official cultural initiative
- ❑ Appoint a “Literary Ambassador” to promote literacy and civic expression
- ❑ Support downtown activation and community engagement through the arts
- ❑ Celebrate Killeen’s diverse identity through “State of the City” poems and public workshops

Purpose and Mission

4

- Establish the Killeen Poet Laureate Program as an official cultural initiative of the City of Killeen
 - ▣ Program fosters inclusive and vibrant literary culture by celebrating poetry as a tool for:
 - Civic Expression
 - Storytelling
 - Literary Advancement
 - Cultural Representation

Purpose and Mission

5

- The Poet Laureate will:
 - ▣ Represent the City of Killeen as a Literary Ambassador
 - ▣ Promote literacy and artistic excellence
 - ▣ Engage residents through public readings and workshops
 - ▣ Amplify diverse voices reflective of Killeen's identity
 - ▣ Support civic and cultural events

Program Structure and Eligibility

6

- ❑ Term Length: 2-year term beginning Oct 1
- ❑ Compensation: \$5,000 per year, \$10,000 per term
- ❑ Eligibility:
 - ▣ 21 years of age or older
 - ▣ Resident of Killeen for minimum of 2 years prior to application
 - ▣ Established body of poetic work (published, performed, otherwise documented)
 - ▣ Evidence of previous community engagement
 - ▣ Availability for required program commitments

Roles and Responsibilities

7

- The Poet Laureate shall:
 - ▣ Compose and present an annual civic poem reflecting Killeen's identity, history, and community voice
 - ▣ Conduct a minimum of:
 - Four (4) public readings annually
 - Four (4) school or library workshops annually
 - ▣ Participate in civic events upon request
 - ▣ Collaborate with the Arts Commission or designated administering department on programming initiatives
 - ▣ Develop one (1) legacy literary project during the term

Administration Strategy

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- Administration
 - ▣ Arts Commission
 - Advisory input and program governance as assigned by Council
 - ▣ Current City Staff Liaisons (Finance Department)
 - Administrative coordination, event scheduling, documentation
 - ▣ Library Department
 - Budgetary and Financial Management
 - Archival preservation, literary documentation, digital storage, public access to program materials

Budget Breakdown

9

- Budget Allocation Summary
 - ▣ Fiscal Year 2027 total requested: \$18,750
 - ▣ Source: General Fund
 - Venue and event operations: \$5,250
 - Poet Laureate Honorarium: \$5,000
 - Programming: \$3,500
 - Marketing & Communications: \$2,500
 - Travel and professional representation: \$1,500
 - Administration: \$1,000

Discussion and Direction

- Arts Commission requesting a Motion of Direction to proceed with the Killeen Poet Laureate Program as presented
 - ▣ Budgetary Integration: direction to include proposed \$18,750 program request within the Fiscal Year 2027 Library Division budget

Questions?



City of Killeen

Staff Report

File Number: DS-26-054

Receive Fiscal Year 2027 Proposed Annual Budget and Overview Provided by the City Manager

City of Killeen, Texas
Fiscal Year 2027 / Tax Year 2026

Estimated Taxpayer Impact (Proposed FY 2027 Rate as of June 3 Preliminary Tax Roll)			
The following reflects the estimated impact of the City's proposed FY 2027 tax rate on the median-valued homestead property.			
	Current FY 2026	Proposed FY 2027	Difference
Median-Valued Homestead Property	\$233,428	\$239,672	\$6,244
Tax Rate	0.7014	0.7215	0.0201
Annual Property Tax Levy	\$1,637.26	\$1,729.23	\$91.97
Monthly Cost	\$136.44	\$144.10	\$7.66
Property tax amount = tax rate x taxable value of your property / 100			
<i>This table illustrates the estimated change in the median homestead property tax bill under the proposed rate compared to the current fiscal year.</i>			

State-Mandated Taxpayer Impact Statement (HB 1522)			
In accordance with House Bill 1522, 89th Texas Legislature, the City provides the following comparison of the median homestead property tax bill:			
	No-New-Revenue Rate FY 2026	No-New-Revenue Rate FY 2027	Difference
Median-Valued Homestead Property	\$233,428	\$239,672	\$6,244
Tax Rate	0.7014	0.6986	-0.0028
Annual Property Tax Levy	\$1,637.26	\$1,674.35	\$37.08
Monthly Cost	\$136.44	\$139.53	\$3.09
<i>This statement is required by House Bill 1522. State law requires a comparison between the current year's median homestead tax bill and the estimated tax bill under a budget funded at the FY 2027 no-new-revenue tax rate. This calculation is prescribed by statute and does not reflect the City's proposed FY 2027 tax rate or the actual change in the tax bill under the proposed budget.</i>			



City of Killeen

Staff Report

File Number: DS-26-055

Receive Fiscal Year 2027 Proposed Capital Improvement Program Overview



City of Killeen

Staff Report

File Number: DS-26-056

Discuss the City of Killeen Americans with Disabilities Act Self Evaluation and Transition Plan Draft.

A stylized graphic in the background consisting of a grey five-pointed star at the top right, with a curved line extending from its base towards the bottom left. The line is composed of two overlapping segments, one above the other, creating a sense of motion or a path.

AMERICANS WITH DISABILITIES ACT (ADA) TRANSITION PLAN – DRAFT

DS-26-056

July 7, 2026

Background

- In June 2021, the City entered into a 3-year Settlement Agreement with the Department of Justice (DOJ) that required the City to complete a Self-Evaluation of all city facilities, programs, activities, and public rights of way to determine compliance with the Americans with Disabilities Act (ADA).
 - The settlement's term ended on June 29, 2024.
- In 2022, the City established the role of ADA Compliance Manager (currently known as the ADA Coordinator) to oversee the City's efforts.

Background

3

- In 2022, the City engaged a consultant to complete its Self-Evaluation. The evaluation included:
 - Policies and Practices
 - City Website
 - Public Buildings
 - Parks and Park Amenities
 - Pedestrian Ramps
 - Sidewalks
 - Crosswalks
 - Pedestrian Signals

Transition Plan Draft

- In 2025, the City engaged STV, Inc., to draft a Transition Plan (P outlining the steps and timeline for bringing the Self-Evaluation findings into compliance with federal and state standards.
- The Transition Plan is:
 - Federally required by the ADA;
 - Driven by community, City Council, and staff input;
 - Compliance is enforced by multiple federal agencies;
 - A Living document which will be updated as needed; and
 - Has a dedicated webpage on the City website.

What is a Transition Plan?

- A Transition Plan (Plan) identifies accessibility barriers, sets priorities and timelines for improvements, includes community input, and outlines how the City will work toward meeting accessibility standards.
- The Plan establishes a framework for the City to work toward compliance with ADA requirements applicable to local government entities and outlines a proactive approach for identifying and remediating architectural barriers.

Plan Purpose and Goals

6

- ❑ Cross-departmental efforts to maximize resources.
 - ❑ Projects will occur simultaneously.
- ❑ Ensure safe and comfortable access to public buildings and public-rights-of-way.
- ❑ Enhance mobility and safety.
- ❑ Use public engagement to help inform decision making and foster an inclusive culture in Killeen.
- ❑ Align with federal and state standards.

Plan Contents

7

- The Plan is organized as follows:
 - Rules and Regulations
 - Public Involvement and Outreach
 - Self-Evaluation and Findings
 - Implementation
 - Facility Assessment & Barrier Removal
 - PROW Assessment & Barrier Removal

Community Engagement

- Community outreach efforts to collect input from citizens included the following:
 - Press Release
 - Social Media Campaign
 - Email Newsletter
 - K-beat and City Insight
 - Email Campaigns
 - Internal and to Stakeholders
 - City Billboard
 - Flyers
 - City Facilities and KISD
 - Website banner
 - Dedicated Web page
 - Grassroots movements

Community Engagement (cont.)

- Public Meetings
 - May 12th at the Lions Club Senior Center, 9-11 am
 - May 14th at City Hall and via Zoom (hybrid), 5:30 pm
 - Attendance: 35-40 people total
- Focus Group Meeting – June 26th
 - Comprised of attendees of the public meetings who expressed interest in further discussing details of the Plan.

Public Comment Period and Survey

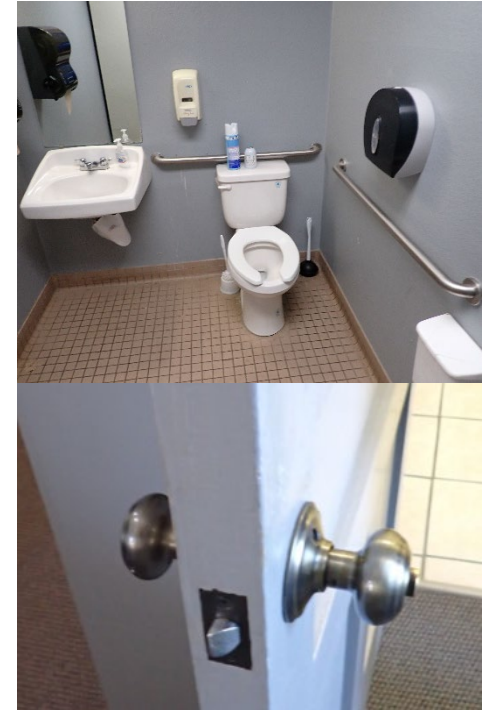
10

- 30-Day Public Comment Period
 - Open May 18th – June 17th
- Survey
 - Open April 23rd – June 17th
 - 112 anonymous respondents completed the survey
 - Results are posted on the City webpage
 - killeentexas.gov/721/ADA-Transition-Plan

Plan Implementation: Facilities

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- In May 2022, the City hired a consultant to evaluate its services, programs, policies, procedures, and facilities.
 - 56 facilities, 31 parks/trails, the City website and communication.
 - 31,104 deficiencies identified.
- Facilities were prioritized based on community feedback, how often they are used, and their purpose.



Plan Implementation: Facilities (cont.)

12

Phase*	Priority	Examples	Purpose
1	1	City Hall, Senior Center, etc.	Primarily polling locations and high-use public facilities.
2	2	City Parks and Libraries, etc.	Primarily facilities with the next highest level of public use.
3	3	Fire Stations and Police Headquarters, etc.	Primarily City operations and support facilities.
	4	Maintenance and Storage Facilities, etc.	Primarily limited or no public access.

*There are 3 Phases and 4 Priority tiers.

Plan Implementation: Public Rights-of-Way (PROW)

13

- ❑ PROW includes sidewalks, curb ramps, street crossings, pedestrian signals and on-street parking.
- ❑ In February 2023, STV evaluated the City's PROW.
 - 30,000+ touch points registered.
- ❑ Street assessments conducted in 2024 mirrored issues found prior.
- ❑ PROW items are being corrected as the city completes its maintenance and streets plan, including upgrades.



Estimated Timeline, Costs, and Funding

14

- Facilities, Programs, and Services:
 - Timeline: Minimum 20 years (based on available funding)
 - Estimated Cost: \$6.42M (2026)
 - Funding Source: Annual Capital Improvement Programs (CIP), or in limited cases, Enterprise Funds.

- PROW:
 - Timeline: Minimum 30 years
 - Estimated Cost: TBD
 - Funding Source: Multiple, as well as opportunities for grants.

Next Steps

15

- After receipt of comments and input from City Council and the public at the regular council meeting on July 7, 2026, staff will finalize the Plan.
- Staff will return to council with a final draft for consideration of adoption on July 21, 2026.



City of Killeen

Staff Report

File Number: DS-26-057

Discuss Killeen Economic Development Corporation (KEDC) Investigation



City of Killeen

Staff Report

File Number: RQ-26-003

Citywide Flood Map



ATTACHMENT A

REQUEST TO PLACE ITEM ON THE AGENDA
(Per Section 1-20 of Governing Standards and Expectations)

Requestor(s): _____

Date: _____

Problem/Issue/Idea Name for Agenda:

Description of Problem/Issue/Idea:

Requested Action:



City of Killeen

Staff Report

File Number: RQ-26-004

Killeen Housing Authority (KHA) Update



ATTACHMENT A

REQUEST TO PLACE ITEM ON THE AGENDA
(Per Section 1-20 of Governing Standards and Expectations)

Requestor(s): _____

Date: _____

Problem/Issue/Idea Name for Agenda:

Description of Problem/Issue/Idea:

Requested Action:



City of Killeen

Staff Report

File Number: DS-26-058

Discuss Rosa Hereford Community Center construction



City of Killeen

Staff Report

File Number: PR-26-014

Mayor's remarks on the July 4th Red White and Blue Music Festival Event