



## STAFF REPORT

**DATE:** September 5, 2017

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

**FROM:** David Olson, Executive Director of Public Works

**SUBJECT:** Accept the donation of two parcels located along Edgefield Ditch between Edgefield Street and Elms Road.

### **BACKGROUND AND FINDINGS:**

On April 10, 2001, the City Council authorized the City Manager to apply for a "Statewide Transportation Enhancement Program for a Hike & Bike Trail Along Nolan Creek". TxDOT subsequently approved the application. To date, two phases of this trail have been constructed. The original proposed trail included a future extension of the trail along Edgefield Street. The current Draft Parks Master Plan also identifies a future trail extension in this same vicinity. The two parcels offered for donation abut drainage right of way already accepted by the City. The southern parcel contains existing drainage infrastructure. The northern parcel is utilized to access Edgefield Ditch for maintenance.

### **THE ALTERNATIVES CONSIDERED:**

City staff reviewed the properties identified to determine whether each parcel could serve a legitimate public purpose. Two options were considered with this offer of land donation. The first was to allow the owner to retain fee simple ownership of the underlying land. The second was for the City to accept the land donations.

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

Staff's recommendation is to accept the land donations. The City currently has a drainage easement on the entire 0.440 acre southern parcel. That existing drainage easement contains existing drainage infrastructure. The 0.179 acre northern parcel is currently un-platted. Upon platting a 25' creek buffer zone would be required. This would result in only 0.04 acres of buildable space on this parcel. Acceptance of the land donations would allow the City to preserve the existing riparian buffers and also utilize the land as part of the future Hike & Bike trail system.

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

The City has historically accepted land donations in the past when there is a direct benefit to the City. Acceptance of these parcels aligns with the sustainable drainage maintenance and community parks initiative contained in Vision 2030.

**FINANCIAL IMPACT:**

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

The current cost for acceptance of the land donations would be the \$54 for Bell County recordation fee. Staff also checked for liens and delinquent taxes, as well as assessed for environmental hazards. Taxes are current as of the date of the proposed Council action. Funding for the above one-time closing expenses is available in the FY17 Drainage Utility Fund special services account (575-3476-432.47-99).

Until the northern parcel is developed as part of the Hike & Bike Trail system, the increased recurring annual expenditure would be approximately \$282 for the maintenance of that parcel. The southern parcel is already part of the annual maintenance rotation so there would not be any additional expenses related to the maintenance of that parcel.

**Is this expenditure budgeted?**

The additional maintenance for the small northern parcel can be added into the existing maintenance rotation for this watercourse and can be completed within the existing annual budget.

**RECOMMENDATION:**

City staff recommends that the City Council accept the donation of the properties described herein and that the City Manager be authorized and empowered to act in the name and on behalf of the City of Killeen in all lawful ways to execute and deliver all contracts, notes, deeds of trust, deeds, consents of sale, assignments, consent, notices, filings, certificates, acknowledgements, closing statements, affidavits, and other documents, and to do and perform every other act as he may deem necessary and appropriate to carry out the acceptance of the above-described properties in accordance with this resolution.

**DEPARTMENTAL CLEARANCES:**

Legal  
Finance  
Community Services

**ATTACHED SUPPORTING DOCUMENTS:**

Warranty Deed 0.179 Acre  
Warranty Deed 0.440 Acre