



City of Killeen

Agenda City Council

Tuesday, March 31, 2015

5:00 PM

Killeen City Hall
101 North College Street
City Council Chambers

Call to Order and Roll Call

___ Scott Casper, Mayor ___ Elizabeth Blackstone
___ Steve Harris ___ Terry Clark
___ Jose Segarra ___ Wayne Gilmore
___ Juan Rivera ___ Jonathan Okray

Invocation

Pledge of Allegiance

Approval of Agenda

Consent Agenda

[CA-15-032](#) Consider minutes of Regular City Council Meeting of March 10, 2015.

Attachments: [Minutes](#)

[CA-15-033](#) Consider a memorandum/resolution authorizing Change Order No. 6 to the Stagecoach Road Reconstruction, Phase 2 Project with McLean Construction, Inc.

Attachments: [Council Memorandum](#)
[Change Order](#)

[CA-15-034](#) Consider a memorandum/resolution for the procurement of network and core switches through the co-operative purchasing network - Texas Department of Information Resources.

Attachments: [Council Memorandum](#)

[CA-15-035](#) Consider a memorandum/resolution approving the investment report for the quarter ended December 31, 2014.

Attachments: [Council Memorandum](#)
[Quarterly Report](#)

[CA-15-036](#) Consider a memorandum/resolution appointing presiding and alternate judges for the May 9, 2015 general election.

Attachments: [Council Memorandum](#)

- [CA-15-037](#) Consider a memorandum/resolution amending the Joint Election Agreement with Killeen Independent School District to include Central Texas College.
Attachments: [Council Memorandum Agreement](#)
- [CA-15-038](#) Consider a memorandum/resolution authorizing the adoption of the 2015 Thoroughfare Plan Update.
Attachments: [Council Memorandum Exhibit A](#)
- [CA-15-039](#) Consider a memorandum/resolution to authorize the adoption and prioritization of the Transportation Capital Improvements Program (CIP).
Attachments: [Council Memorandum](#)
- [CA-15-040](#) Consider a memorandum/resolution supporting legislation allowing Bell County to create a Local Provider Participation Fund (LPPF).
Attachments: [Council Memorandum Resolution](#)

Public Hearings/Ordinances

- [PH-15-015A](#) HOLD a public hearing and consider a request to amend the Comprehensive Plan's Future Land Use Map (FLUM) from 'General Residential' to 'General Commercial' (FLUM# Z15-04) for approximately 3.5 acres, located along the south right-of-way of the West Elms Road extension, east of Carpet Lane, and north of Lots 1-8, Block 2, Stratford Addition 2nd Extension and Lot 8, Block 1, Stratford Addition 1st Extension, Killeen, Texas.
Attachments: [Council Memorandum Attachment Council Memorandum Minutes Ordinance](#)
- [PH-15-015B](#) HOLD a public hearing and consider an ordinance requested by Bellpas, Inc. (Case #Z15-04) to rezone 2.9 acres from "R-1" (Single-Family Residential District) to "B-5" (Business District), being part of the Thomas Robinette Survey, Abstract No. 686. The property is located at the southeast corner of the intersection of West Elms Road and Carpet Lane, Killeen, Texas.

Attachments: [Council Memorandum](#)
[Attachment to Council Memorandum](#)
[Minutes](#)
[Ordinance](#)
[Application](#)
[Location Map](#)
[Buffer Map](#)
[Considerations](#)

[PH-15-015C](#) HOLD a public hearing and consider an ordinance requested by Bellpas, Inc. (Case #Z15-05) to rezone 0.6 acres from "R-1" (Single-Family Residential District) to "B-5" (Business District), being part of the Thomas Robinette Survey, Abstract No. 686. The property is locally known as 3302 Granite Drive, Killeen, Texas.

Attachments: [Council Memorandum](#)
[Attachment to Council Memorandum](#)
[Minutes](#)
[Ordinance](#)
[Application](#)
[Location Map](#)
[Buffer Map](#)
[Considerations](#)

Ordinances / Resolutions

[OR-15-004](#) Consider a memorandum/resolution amending the City Council Rules of Procedure and Protocol-amending agenda order. (2nd of 2 Readings)

Attachments: [Council Memorandum](#)
[Rules of Procedure & Protocol](#)

[OR-15-005](#) Consider an ordinance declaring unopposed candidates and canceling the May 9, 2015 General Election in District 2 and District 4.

Attachments: [Council Memorandum](#)
[Ordinance](#)
[Certification of City Secretary](#)

[OR-15-007](#) Consider an ordinance amending Chapter 2, Article VI, Section 2-150 Fees and Chapter 24, Article II, Division 6, Rates for Municipal Solid Waste Collection and Disposal Service.

Attachments: [Council Memorandum](#)
[Ordinance](#)

Adjournment

I certify that the above notice of meeting was posted on the Internet and on the bulletin boards at Killeen City Hall and at the Killeen Police Department on or before 5:00 p.m. on March 27, 2015.

Dianna Barker, City Secretary

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

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

Future Workshop Items

The following items have been scheduled for workshop discussion on the dates shown. The final scheduling of these items is dependent upon the presenters/interested parties being available on the dates projected.

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.

- AUSA General Membership Meeting, April 1, 2015, 6:00 p.m., Killeen Civic and Conference Center*
- LULAC Banquet, April 18, 2015, 6:30 p.m., Phantom Warrior Club*

Dedicated Service -- Every Day, for Everyone!



City of Killeen

Legislation Details

File #: CA-15-032 **Version:** 1 **Name:** Minutes of Regular City Council Meeting of March 10, 2015
Type: Minutes **Status:** Consent Agenda
File created: 3/2/2015 **In control:** City Council
On agenda: 3/31/2015 **Final action:**
Title: Consider minutes of Regular City Council Meeting of March 10, 2015.
Sponsors: City Secretary
Indexes:
Code sections:
Attachments: [Minutes](#)

Date	Ver.	Action By	Action	Result
3/17/2015	1	City Council Workshop		

City of Killeen
Regular City Council Meeting
Killeen City Hall
March 10, 2015 at 5:00 p.m.

Presiding: Mayor Pro-Tem Elizabeth Blackstone

Attending: Council members Terry Clark, Juan Rivera, Wayne Gilmore, Steve Harris, Jonathan Okray, and Jose Segarra

Absent: Mayor Scott Cospers

Also attending were City Manager Glenn Morrison, City Attorney Kathryn Davis, City Secretary Dianna Barker, and Sergeant-at-Arms J. Bradam.

Councilmember Harris gave the invocation, and Mayor Pro-Tem Blackstone led everyone in the pledge of allegiance.

Approval of Agenda

Motion was made by Councilmember Clark to approve the agenda as written. Motion seconded by Councilmember Rivera. The motion carried unanimously.

Consent Agenda

CA-15-028 Consider minutes of Regular City Council Meeting of February 24, 2015.
No changes.

CA-15-029 Consider a memorandum/resolution awarding Bid No. 15-10 to D.I.J. Construction, Inc. for thermoplastic materials and to Maxwell Products, Inc. for crack seal material.

Staff comments: Scott Osburn

City staff recommends that City Council award purchase contracts to D.I.J. Construction Inc. for the purchase of Thermoplastic - White and Thermoplastic - Yellow and Maxwell Products, Inc. for the crack seal material - Polyflex III, under Bid 15-10 and reject all other submissions. Further that the City Council authorize the City Manager to enter into contracts with the same, including the proposed extensions described and all change orders in the amounts established by state and local law.

CA-15-030 Consider a memorandum/resolution rescheduling the regular City Council meeting of March 24, 2015.

Staff comments: Glenn Morrison

The Fort Hood Community Listening Session is scheduled for the evening of March 24, 2015. A majority of the City Council may be in attendance. It is recommended that the City Council meeting scheduled for March 24, 2015 be rescheduled for March 31, 2015.

CA-15-031 Consider minutes of Special City Council Meeting of March 3, 2015.
No changes.

Motion was made by Councilmember Rivera to approve Consent Agenda items CA-028 through CA-031, as presented. Motion was seconded by Councilmember Okray. Motion carried unanimously.

Public Hearings / Ordinances

PH-15-014 HOLD a public hearing and consider an ordinance amending the FY 2015 Annual Budget and Plan of Municipal Services of the City of Killeen by increasing Certificate of Obligation 2011 fund accounts by \$486,503 to finance Stagecoach Road Reconstruction Phase II and Elms Road Extension.

The City Secretary read the caption of the ordinance.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS, AMENDING THE FY 2015 ANNUAL BUDGET AND PLAN OF MUNICIPAL SERVICES OF THE CITY OF KILLEEN BY INCREASING CERTIFICATE OF OBLIGATION 2011 FUND ACCOUNTS BY \$486,503; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING A SAVINGS CLAUSE AND ESTABLISHING AN EFFECTIVE DATE.

Staff comments: Karen Evans

Additional funds are needed to cover contingency-related expenditures and change orders for the Stagecoach Road Reconstruction and Elms Road Extension projects. Staff recommends that City Council approve the attached ordinance amending the FY 2015 Annual Budget and Plan of Municipal Services increasing various capital project fund revenues and expenditures by \$486,503.

Mayor Pro-Tem Blackstone opened the public hearing. With no one appearing the public hearing was closed.

Motion was made by Councilmember Clark to approve PH-014 as presented. Motion was seconded by Councilmember Okray. Motion carried unanimously.

Ordinances / Resolutions

OR-15-004 Consider a memorandum/resolution amending the City Council Rules of Procedure and Protocol-amending agenda order. (1st of 2 Readings)

Staff comments: Kathy Davis

Staff recommended that the agenda format be amended to match what the practice has become. Removal of the consent agenda and creation of separate sections for "Minutes", "Resolutions", "Ordinances", and "Public Hearings" will match what our practice has become.

Motion was made by Councilmember Rivera to accept the changes and bring this item back to Council for a second reading. Motion was seconded by Councilmember Gilmore. Motion carried unanimously.

Adjournment

With no further business, upon motion being made by Councilmember Rivera, seconded by Councilmember Harris, and unanimously approved, the meeting was adjourned at 5:10 p.m.



City of Killeen

Legislation Details

File #: CA-15-033 **Version:** 1 **Name:** Stagecoach Rd Constr, Ph 2 Change Order #6
Type: Resolution/Consent Agenda **Status:** Consent Agenda
File created: 2/23/2015 **In control:** City Council
On agenda: 3/31/2015 **Final action:**
Title: Consider a memorandum/resolution authorizing Change Order No. 6 to the Stagecoach Road Reconstruction, Phase 2 Project with McLean Construction, Inc.
Sponsors: Public Works Department, Transportation Division
Indexes: Stagecoach Road
Code sections:
Attachments: [Council Memorandum](#)
[Change Order](#)

Date	Ver.	Action By	Action	Result
3/17/2015	1	City Council Workshop		

CITY COUNCIL MEMORANDUM

AGENDA ITEM

AUTHORIZE CHANGE ORDER NO. 6 TO THE STAGECOACH ROAD RECONSTRUCTION, PHASE 2 PROJECT WITH MCLEAN CONSTRUCTION, INC.

ORIGINATING DEPARTMENT

Public Works - Transportation Division

BACKGROUND INFORMATION

On July 30, 2013 (CCM/R 13-087R), City Council authorized the award of a construction contract (Bid 13-12) for the Stagecoach Road Reconstruction, Phase 2 project to McLean Construction, Inc. in the amount of \$17,171,171.10. This four and one-half (4.5) mile project is a continuation of the Stagecoach Road reconstruction project from East Trimmier Road to Tyrel Drive. It consists of rebuilding the existing 2-lane rural roadway section with roadside ditches into a 5-lane urban roadway section that contains a continuous center left turn lane with curb and gutter.

DISCUSSION/CONCLUSION

Urban roadway sections allow the storm water to be collected in a curb and gutter, routed through a storm drain system and outfall into a watercourse or drainage easement. The storm drain systems for this project were designed to outfall into the same locations as the existing rural roadway.

The water line west of Bowfield Drive to Featherline Road is currently located seven (7) inches below the existing ditch grade; at this location, the water line would be at grade where the proposed top of base and asphalt are to be located. The water line needs to be buried at the required 42 inches of cover over the pipe. Also, the location of the reinforced concrete pipe (RCP) for the project inlets, for storm water in this area, is in conflict with the existing water line. In addition, the proposed location for the RCP will run underneath the roadway. Relocation of the water line behind the new inlets, and out of the roadway, alleviates the conflict and will allow for future maintenance of the water line.

FISCAL IMPACT

The total cost of Change Order No. 6 is a net increase of \$51,975.00 resulting in a revised total contract price of \$15,591,244.30. This change order plus previous Change Orders No. 1 through 5 result in an overall decrease of 9.20% to the original contract. Funds for this change order are available in the 2011 Certificate of Obligation Bond, Stagecoach Improvements, account number 343-3490-800.58-36, in the amount of \$51,975.00.

RECOMMENDATION

City staff recommends that City Council authorize the City Manager to execute Change Order No. 6 in the amount of \$51,975.00 for the Stagecoach Road Reconstruction, Phase 2 project with McLean Construction, Inc.

CHANGE ORDER

No. 6

DATE OF ISSUANCE January 4, 2015

EFFECTIVE DATE _____

OWNER: City of Killeen
 CONTRACTOR: McLean Construction
 Contract: Stagecoach Road Reconstruction Phase 2
 Project: Stagecoach Road Reconstruction Phase 2
 OWNER's Contract No. 310-004-C ENGINEER's Contract No. _____
 ENGINEER: Walker Partners, LLC.

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

Description: Relocate water line west of Bowfield to Featherline.

Reason for Change Order: Current water line location is 7" below current ditch grade; at this location, the water line would be at grade where the proposed top of base and asphalt are to be located. RCP pipe for new project inlets are in conflict with the current grade. Relocating the water line behind the new inlets and buried at a depth to meet the standard 42 inches of cover required will alleviate the water line being located in the roadway.

Attachments: McLean Construction Change Order #6 Request form.

CHANGE IN CONTRACT PRICE:
Original Contract Price \$ <u>17,171,171.10</u>
Net Increase (Decrease) from previous Change Orders No. <u>1</u> to <u>5</u> : \$ <u><1,631,901.80></u>
Contract Price prior to this Change Order: \$ <u>15,539,269.30</u>
Net Increase of this Change Order: \$ <u>51,975.00</u>
Contract Price with all approved Change Orders: \$ <u>15,591,244.30</u>

CHANGE IN CONTRACT TIMES:
Original Contract Times: Substantial Completion: <u>N/A</u> Ready for final payment: <u>N/A</u> (days or dates)
Net change from previous Change Orders No. <u>N/A</u> to No. <u>N/A</u> : Substantial Completion: <u>N/A</u> Ready for final payment: <u>N/A</u> (days)
Contract Times prior to this Change Order: Substantial Completion: <u>N/A</u> Ready for final payment: <u>N/A</u> (days or dates)
Net increase (decrease) this Change Order: Substantial Completion: <u>N/A</u> Ready for final payment: <u>N/A</u> (days)
Contract Times with all approved Change Orders: Substantial Completion: <u>N/A</u> Ready for final payment: <u>N/A</u> (days or dates)

RECOMMENDED:

APPROVED:

ACCEPTED:

By: _____
ENGINEER (Authorized Signature)

By: _____
OWNER (Authorized Signature)

By: _____
CONTRACTOR (Authorized Signature)

Date: _____

Date: _____

Date: _____

EJCDC 1910-8-B (1996 Edition)

Prepared by the Engineers Joint Contract Documents Committee and endorsed by The Associated General Contractors of America and the Construction Specifications Institute.

CHANGE ORDER

INSTRUCTIONS

A. GENERAL INFORMATION

This document was developed to provide a uniform format for handling contract changes that affect Contract Price or Contract Times. Changes that have been initiated by a Work Change Directive must be incorporated into a subsequent Change Order if they affect Price or Times.

Changes that affect Contract Price or Contract Times should be promptly covered by a Change Order. The practice of accumulating Change Orders to reduce the administrative burden may lead to unnecessary disputes.

If Milestones have been listed in the Agreement, any effect of a Change Order thereon should be addressed.

For supplemental instructions and minor changes not involving a change in the Contract Price or Contract Times, a Field Order should be used.

B. COMPLETING THE CHANGE ORDER FORM

Engineer normally initiates the form, including a description of the changes involved and attachments based upon documents and proposals submitted by Contractor, or requests from Owner, or both.

Once Engineer has completed and signed the form, all copies should be sent to Owner or Contractor for approval, depending on whether the Change Order is a true order to the Contractor or the formalization of a negotiated agreement for a previously performed change. After approval by one contracting party, all copies should be sent to the other party for approval. Engineer should make distribution of executed copies after approval by both parties.

If a change only applies to price or to times, cross out the part of the tabulation that does not apply.



City of Killeen

Legislation Details

File #: CA-15-034 **Version:** 1 **Name:** Purchase for replacing network switching equipment
Type: Resolution/Consent Agenda **Status:** Consent Agenda
File created: 12/18/2014 **In control:** City Council
On agenda: 3/31/2015 **Final action:**
Title: Consider a memorandum/resolution for the procurement of network and core switches through the co-operative purchasing network - Texas Department of Information Resources.
Sponsors: Information Technology Department
Indexes:
Code sections:
Attachments: [Council Memorandum](#)

Date	Ver.	Action By	Action	Result
3/17/2015	1	City Council Workshop		

CITY COUNCIL MEMORANDUM

AGENDA ITEM	Replace Network and Core Switches Exceeding \$50,000.00
ORIGINATING DEPARTMENT	Information Technology Services

BACKGROUND INFORMATION

The City of Killeen network system is currently comprised of more than 180 network switches and three (3) core switches that operate on a five-year replacement cycle. The Information Technology (IT) Department replaces switches annually in accordance with the city's annual obsolescence replacement plan.

DISCUSSION/CONCLUSION

The IT Department is seeking approval to purchase network and core switches with total cost exceeding \$50,000.00, to be purchased through an approved Cisco reseller from the Texas Department of Information Resources (DIR) Co-operative Purchasing Network. This is the second year of our five-year replacement plan. The DIR contract falls within the provisions listed in Texas Local Government Code (TLGC) 252.022 which exempts the City from the competitive bidding process for this particular purpose. The IT staff plans to replace forty-one (41) network switches and three (3) core switches to enable the network infrastructure to meet current and future city needs, improving overall performance through increased scalability, management, redundancy, and security. The current switch infrastructure is more than ten years old. The costs of each network and core switch will vary, depending on its primary use.

FISCAL IMPACT

Funds for this replacement plan (\$305,000.00) have been included in the 2014-15 budget in the following computer hardware (46-40) accounts, non-departmental funds.

- \$127,800-General Fund (010-9508-491.46-40)
- \$ 10,000- Hotel Occupancy Tax Fund (214-9508-457.46-40)
- \$ 24,000-Aviation Fund (525-9508-521.46-40)
- \$ 13,000-Solid Waste Fund (540-9508-439.46-40)
- \$ 75,000-Water and Sewer Fund (550-9508-492.46-40)
- \$ 20,000-Drainage Utility Fund (575-9508-492.46-40)
- \$ 35,200-Municipal Courts Technology Fund (240-0000-417.46-40)
- \$305,000-Total

RECOMMENDATION

The City Staff requests that City Council approve the purchase of network and core switches as part of the five-year replacement cycle established for the City network and expressly authorize the City Manager to execute any and all change orders that may arise.



City of Killeen

Legislation Details

File #: CA-15-035 **Version:** 1 **Name:** Quarterly Investment Report Q1 FY 2015
Type: Resolution/Consent Agenda **Status:** Consent Agenda
File created: 3/4/2015 **In control:** City Council
On agenda: 3/31/2015 **Final action:**
Title: Consider a memorandum/resolution approving the investment report for the quarter ended December 31, 2014.
Sponsors: Finance Department
Indexes: Investment Reports
Code sections:
Attachments: [Council Memorandum](#)
[Quarterly Report](#)

Date	Ver.	Action By	Action	Result
3/17/2015	1	City Council Workshop		

CITY COUNCIL MEMORANDUM

AGENDA ITEM

**Investment Report for the Quarter
Ended December 31, 2014**

ORIGINATING DEPARTMENT

Finance

BACKGROUND INFORMATION

The City of Killeen's investment policy requires that a quarterly report of investment activity be submitted to the City Council within a reasonable time after the end of each quarter. The quarterly report shall include a detailed description of the investment position of the City, summarize the investment activity in each pooled fund group, state the total rate of return on the investment portfolio, and contain information regarding the market value and book values of each separately invested asset. The report also states the compliance of the investment portfolio of the City as it relates to the investment strategy expressed in the City's policy and the relevant provisions of the Public Funds Investment Act.

DISCUSSION/CONCLUSION

The attached investment report summarizes all investment activity for the quarter ended December 31, 2014. The highlights of the report are as follows:

	July-Sep 2014	Oct-Dec 2014
Total interest earned during the quarter	\$62,223	\$77,476
Investment balance end of the quarter	\$125,239,615	\$146,502,653
Average yield total portfolio end of quarter	0.23%	0.23%

FISCAL IMPACT

Our investment portfolio directly impacts our interest earnings and aligns with current budgeted amounts.

RECOMMENDATION

Staff recommends that the City Council approve the attached investment report for the quarter that ended December 31, 2014.



City of Killeen

QUARTERLY INVESTMENT REPORT

For the Quarter Ended

December 31, 2014

Prepared by

Valley View Consulting, L.L.C.

The investment portfolio of the City of Killeen is in compliance with the Public Funds Investment Act and the Investment Policy and Strategies.

Executive Director of Finance

Assistant Director of Finance

Disclaimer: These reports were compiled using information provided by the City. No procedures were performed to test the accuracy or completeness of this information. The market values included in these reports were obtained by Valley View Consulting, L.L.C. from sources believed to be accurate and represent proprietary valuation. Due to market fluctuations these levels are not necessarily reflective of current liquidation values. Yield calculations are not determined using standard performance formulas, are not representative of total return yields and do not account for investment advisor fees.

Strategy Summary:

The Federal Open Market Committee (FOMC) maintained the Fed Funds target range between 0.00% and 0.25% (actual Fed Funds traded +/-10 bps). The FOMC ended Quantitative Easing (QE3) in October. Third quarter 2014 GDP was a very strong 5.0%. New payroll and unemployment data also very positive. The FOMC remains concerned by lack of wage growth and overall participation. The US stock markets again touched new highs, but have recently retrenched. Shorter interest rates are rising, while International economical and political struggles weigh on longer term US interest rates. Financial institution deposit yields generally provide the best interest earnings opportunity, although spreads to security yields have tightened.

Quarter End Results by Investment Category:

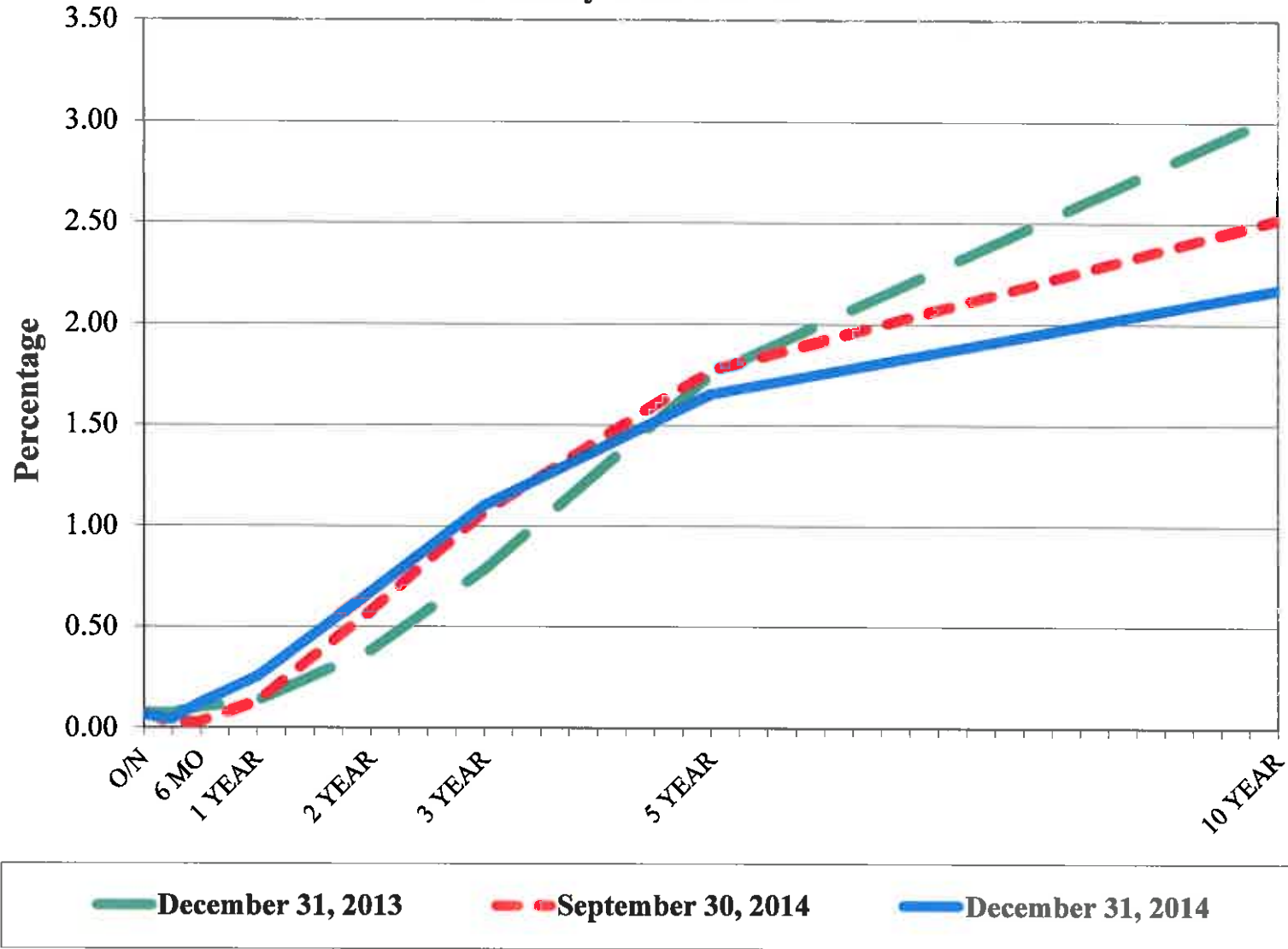
<u>Asset Type</u>	<u>Ave. Yield</u>	<u>December 31, 2014</u>		<u>September 30, 2014</u>	
		<u>Book Value</u>	<u>Market Value</u>	<u>Book Value</u>	<u>Market Value</u>
Demand Accounts	0.55%	\$ 7,441,852	\$ 7,441,852	\$ 4,146,597	\$ 4,146,597
Pools/MMA	0.13%	107,933,351	107,933,351	89,120,171	89,120,171
Securities/CDs	0.51%	31,127,451	31,127,451	36,119,444	36,119,444
Totals		\$ 146,502,653	\$ 146,502,653	\$ 129,386,212	\$ 129,386,212

<u>Average Yield (1)</u>		<u>Fiscal Year-to-Date Average Yield (2)</u>	
Total Portfolio	0.23%	Total Portfolio	0.23%
Rolling Three Mo. Treas. Yield	0.02%	Rolling Three Mo. Treas. Yield	0.02%
Rolling Six Mo. Treas. Yield	0.07%	Rolling Six Mo. Treas. Yield	0.07%
		Quarterly TexPool Yield	0.04%
		Interest Income	Bank Fees Offset
		Quarterly \$ 77,476	\$ 10,074
		Year-to-date \$ 77,476	\$ 10,074

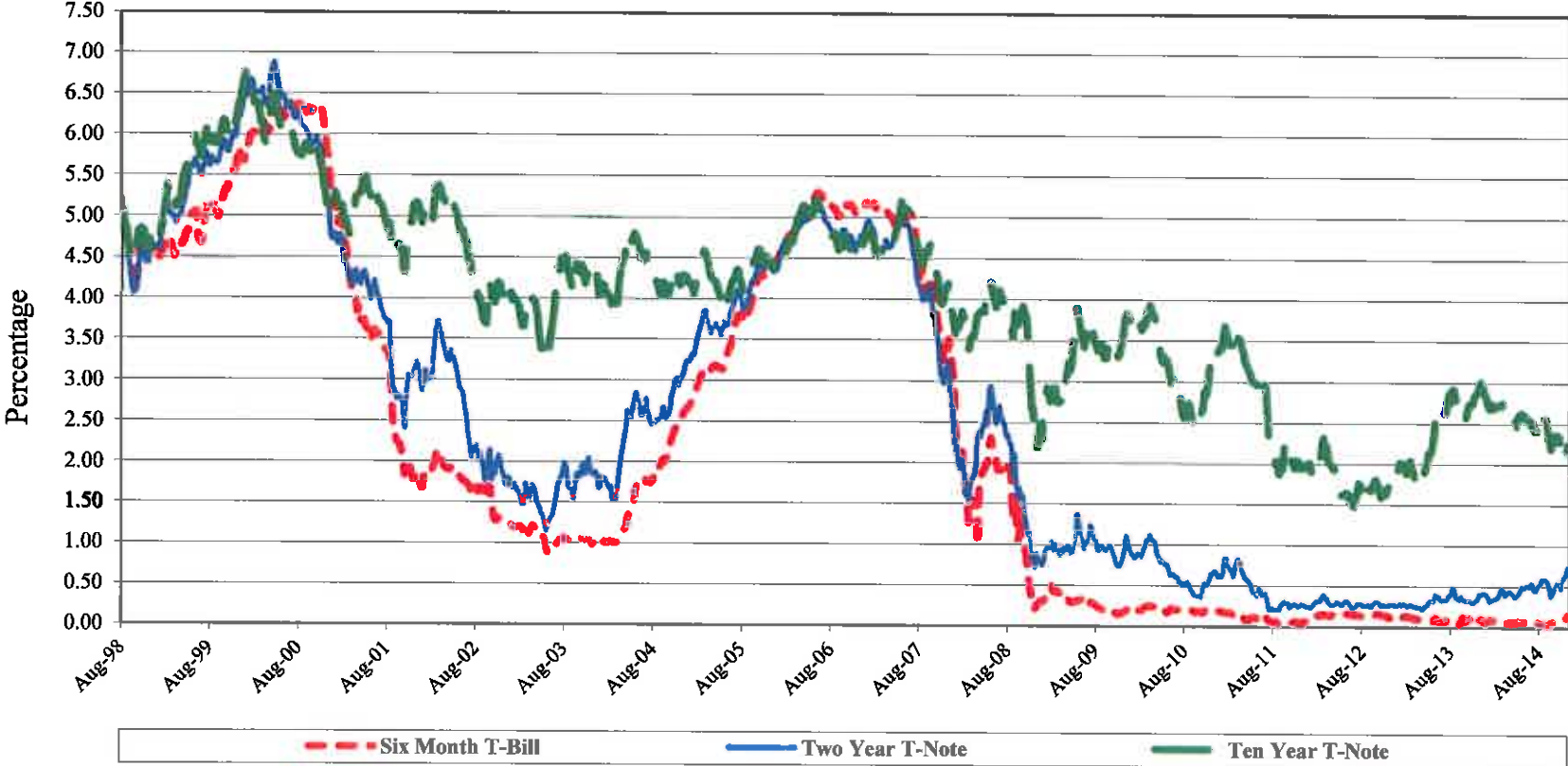
(1) Average Yield calculated using quarter end report yields and adjusted book values and does not reflect a total return analysis or account for advisory fees.

(2) Fiscal Year-to-Date Average Yields calculated using quarter end report yields and adjusted book values and does not reflect a total return analysis or account for advisory fees.

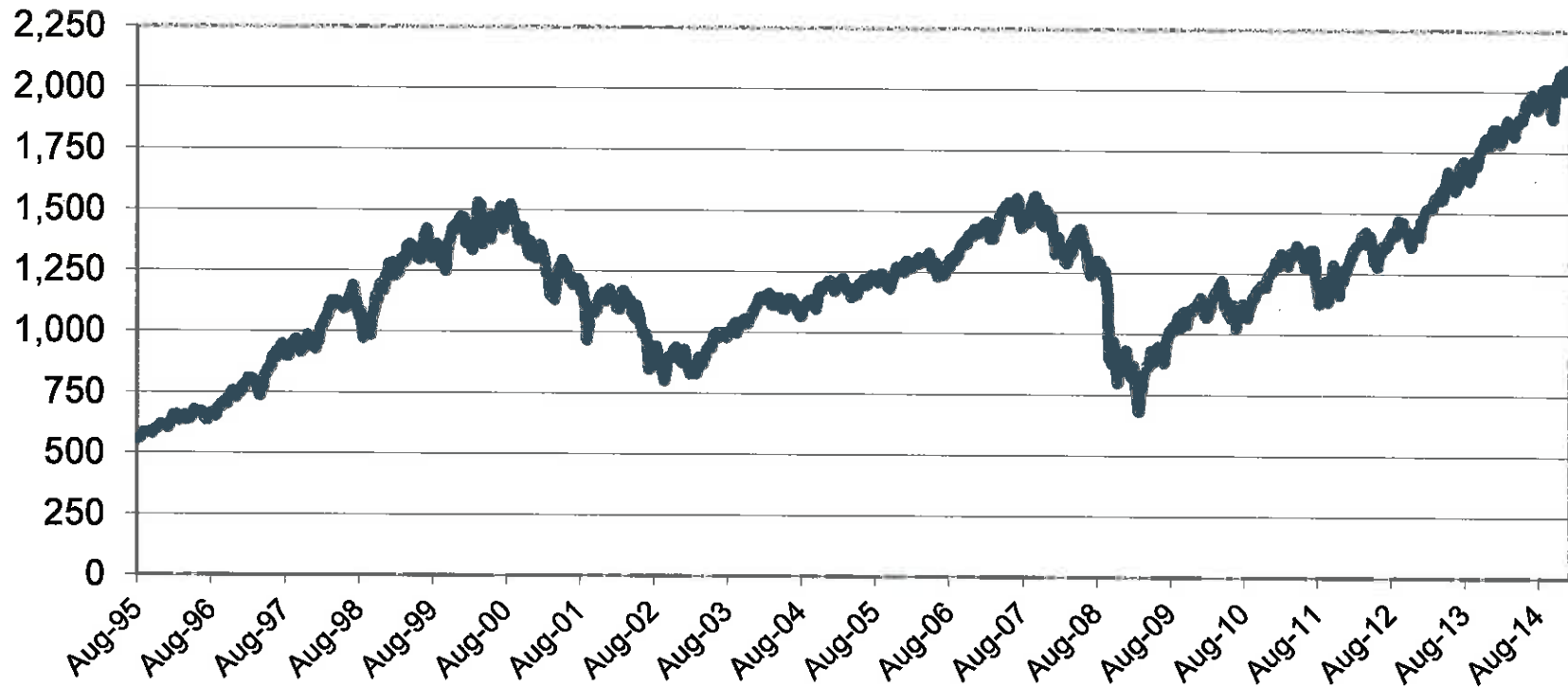
Treasury Yield Curves



US Treasury Historical Yields



S&P 500



Detail of Holdings

December 31, 2014

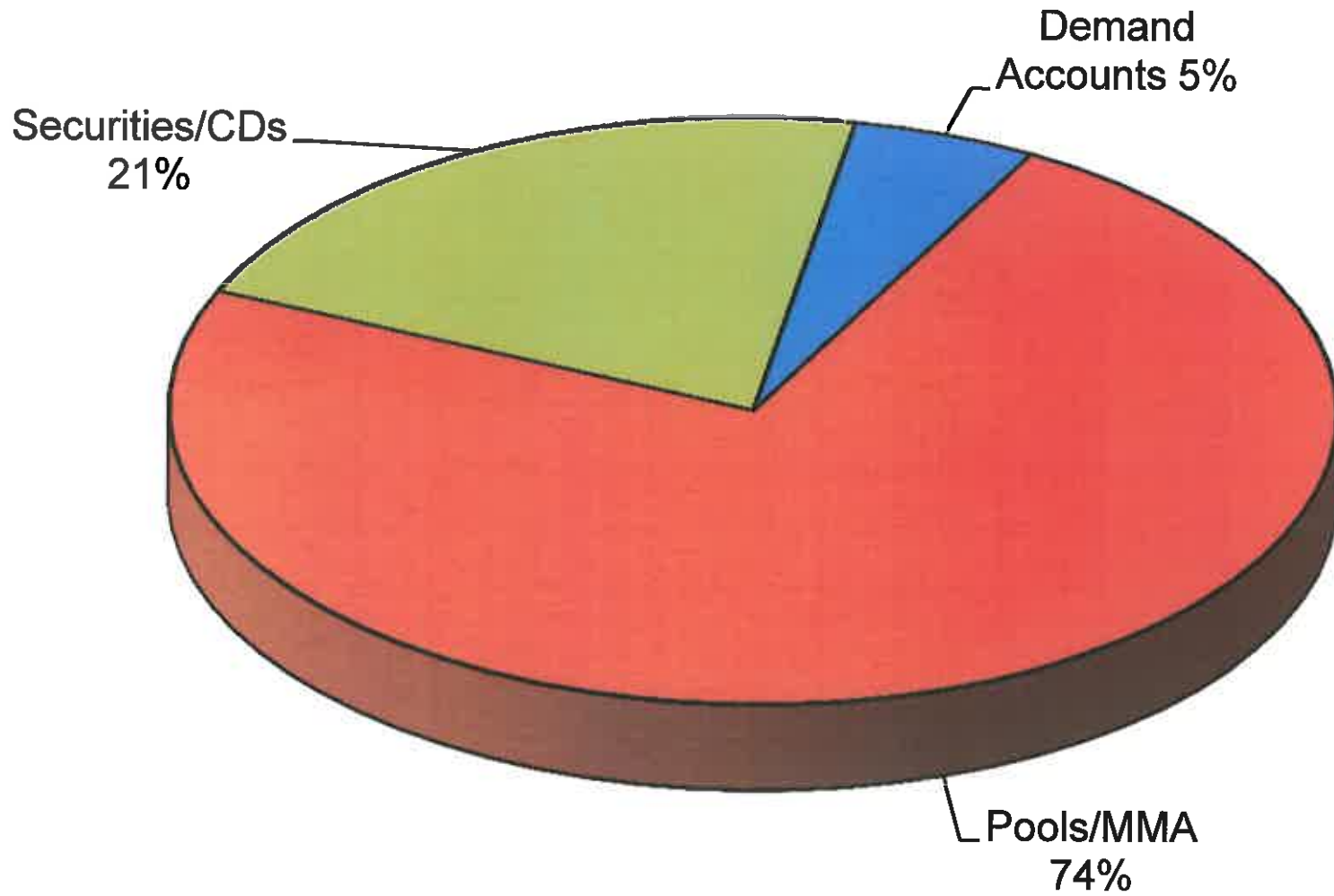
Description	Ratings	Coupon/ Discount	Maturity Date	Settlement Date	Par Value	Book Value	Market Price	Market Value	Life (Days)	Yield
BBVA Demand Account		0.00%	01/01/15	12/31/14	2,550,749	\$ 2,550,749	1.00	\$ 2,550,749	1	0.00%
BBVA DDA Comp. Balance (3)		0.86%	01/01/15	12/31/14	4,673,377	4,673,377	1.00	4,673,377	1	0.86%
1st Tennessee Bank		0.25%	01/01/15	12/31/14	206,643	206,643	1.00	206,643	1	0.25%
Union State Bank		0.15%	01/01/15	12/31/14	11,082	11,082	1.00	11,082	1	0.15%
BBVA Compass MMA 3		0.21%	01/01/15	12/31/14	5,020,368	5,020,368	1.00	5,020,368	1	0.21%
BBVA Compass MMA 4		0.26%	01/01/15	12/31/14	14,566,249	14,566,249	1.00	14,566,249	1	0.26%
FILA (IDP)		0.23%	01/01/15	12/31/14	19,011,524	19,011,524	1.00	19,011,524	1	0.23%
Comerica MMA		0.15%	01/01/15	12/31/14	3,151,543	3,151,543	1.00	3,151,543	1	0.15%
Southside Bank MMA		0.19%	01/01/15	12/31/14	10,072,165	10,072,165	1.00	10,072,165	1	0.19%
TexasTerm	AAAm	0.07%	01/01/15	12/31/14	644,929	644,929	1.00	644,929	1	0.07%
TexPool	AAAm	0.04%	01/01/15	12/31/14	51,822,020	51,822,020	1.00	51,822,020	1	0.04%
TexStar	AAAm	0.05%	01/01/15	12/31/14	3,644,553	3,644,553	1.00	3,644,553	1	0.05%
Comerica Bank CD		0.43%	01/26/15	04/26/13	2,517,998	2,517,998	100.00	2,517,998	26	0.43%
Comerica Bank CD		0.57%	03/02/15	03/01/13	2,020,084	2,020,084	100.00	2,020,084	61	0.57%
Comerica Bank CD		0.57%	03/02/15	03/01/13	2,020,084	2,020,084	100.00	2,020,084	61	0.57%
Central National Bank CD		0.31%	04/26/15	04/26/13	2,010,331	2,010,331	100.00	2,010,331	116	0.31%
Comerica Bank CD		0.53%	04/27/15	04/26/14	2,522,201	2,522,201	100.00	2,522,201	117	0.53%
Central National Bank CD		0.61%	09/05/15	09/05/14	2,003,042	2,003,042	100.00	2,003,042	248	0.61%
Independent Bank CD		0.38%	09/09/15	09/09/14	3,002,842	3,002,842	100.00	3,002,842	252	0.38%
Independent Bank CD		0.38%	09/09/15	09/09/14	3,002,842	3,002,842	100.00	3,002,842	252	0.38%
Independent Bank CD		0.37%	09/17/15	06/17/14	3,013,390	3,013,390	100.00	3,013,390	260	0.37%
Independent Bank CD		0.55%	12/12/15	09/12/14	3,004,114	3,004,114	100.00	3,004,114	346	0.55%
Central National Bank CD		0.74%	03/05/16	09/05/14	2,003,690	2,003,690	100.00	2,003,690	430	0.74%
Southside Bank CD		0.60%	03/08/16	09/08/14	1,001,496	1,001,496	100.00	1,001,496	433	0.60%
Southside Bank CD		0.70%	09/08/16	09/08/14	1,001,745	1,001,745	100.00	1,001,745	617	0.70%
Comerica Bank CD		0.72%	09/08/16	09/08/14	2,003,592	2,003,592	100.00	2,003,592	617	0.72%
					<u>\$ 146,502,653</u>	<u>\$ 146,502,653</u>		<u>\$ 146,502,653</u>	<u>54</u>	<u>0.23%</u>
									(1)	(2)

(1) **Weighted average life** - For purposes of calculating weighted average life, cash equivalent investments are assumed to have a one day maturity.

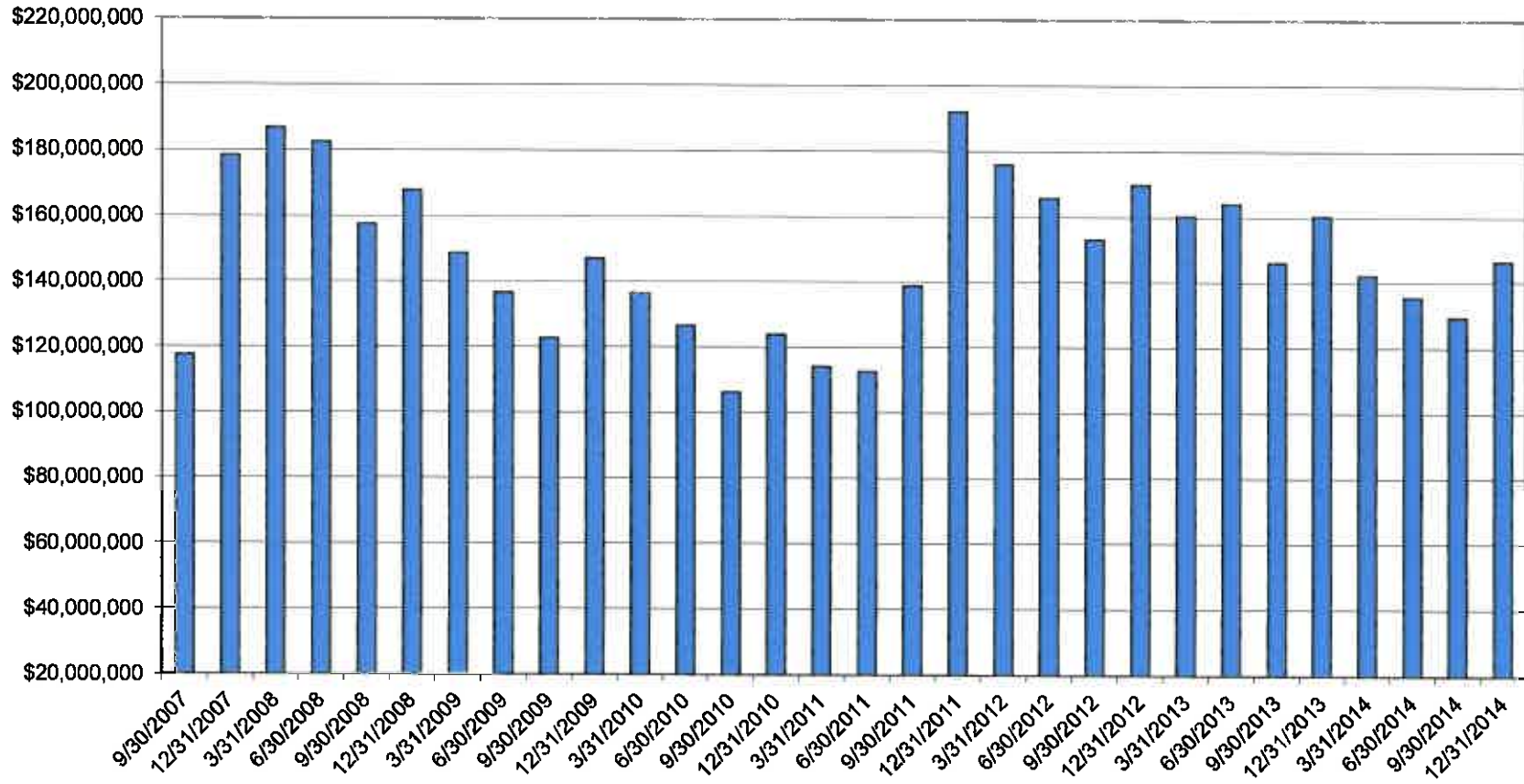
(2) **Weighted average yield to maturity** - The weighted average yield to maturity is based on adjusted book value, realized and unrealized gains/losses and investment advisory fees are not considered. The yield for the reporting month is used for cash equivalent investments.

(3) **Equivalent Yield of Bank Fees Offset** - Compensating balance in bank operating account yielded an equivalent investment yield as a result of Bank fees offset.

Portfolio Composition



Total Portfolio



Book Value Comparison

Description	Coupon/ Discount	Maturity Date	September 30, 2014			December 31, 2014		
			Par Value	Book Value	Purchases/ Adjustments	Sales/Adjust/ Maturities	Par Value	Book Value
BBVA Demand Account	0.86%	01/01/15	\$ 3,928,942	\$ 3,928,942	\$ 3,295,184	\$ -	\$ 7,224,126	\$ 7,224,125.73
1st Tennessee Bank	0.25%	01/01/15	206,576	206,576	67		206,643	206,643
Union State Bank	0.15%	01/01/15	11,078	11,078	4		11,082	11,082
BBVA Compass MMA 2	0.00%	01/01/15	5,008,429	5,008,429		(5,008,429)		
BBVA Compass MMA 3	0.21%	01/01/15	3,010,733	3,010,733	2,009,636		5,020,368	5,020,368
BBVA Compass MMA 4	0.26%	01/01/15	11,555,545	11,555,545	3,010,704		14,566,249	14,566,249
FILA (IDP)	0.23%	01/01/15	10,002,347	10,002,347	9,009,178		19,011,524	19,011,524
Comerica MMA	0.15%	01/01/15	9,049,697	9,049,697		(5,898,154)	3,151,543	3,151,543
Southside Bank MMA	0.19%	01/01/15	10,067,552	10,067,552	4,612		10,072,165	10,072,165
TexasTerm	0.07%	01/01/15	788,786	788,786		(143,857)	644,929	644,929
TexPool	0.04%	01/01/15	35,992,920	35,992,920	15,829,100		51,822,020	51,822,020
TexStar	0.05%	01/01/15	3,644,163	3,644,163	390		3,644,553	3,644,553
Central National Bank CD	0.46%	10/26/14	3,017,280	3,017,280		(3,017,280)		
Comerica Bank CD	0.47%	12/01/14	2,014,186	2,014,186		(2,014,186)		
Comerica Bank CD	0.43%	01/26/15	2,515,300	2,515,300	2,698		2,517,998	2,517,998
Comerica Bank CD	0.57%	03/02/15	2,017,216	2,017,216	2,868		2,020,084	2,020,084
Comerica Bank CD	0.57%	03/02/15	2,017,216	2,017,216	2,868		2,020,084	2,020,084
Central National Bank CD	0.31%	04/26/15	2,008,761	2,008,761	1,570		2,010,331	2,010,331
Comerica Bank CD	0.53%	04/27/15	2,518,871	2,518,871	3,330		2,522,201	2,522,201
Central National Bank CD	0.61%	09/05/15	2,000,000	2,000,000	3,042		2,003,042	2,003,042
Independent Bank CD	0.38%	09/09/15	3,000,000	3,000,000	2,842		3,002,842	3,002,842
Independent Bank CD	0.38%	09/09/15	3,000,000	3,000,000	2,842		3,002,842	3,002,842
Independent Bank CD	0.37%	09/17/15	3,010,613	3,010,613	2,777		3,013,390	3,013,390
Independent Bank CD	0.55%	12/12/15	3,000,000	3,000,000	4,114		3,004,114	3,004,114
Central National Bank CD	0.74%	03/05/16	2,000,000	2,000,000	3,690		2,003,690	2,003,690
Southside Bank CD	0.60%	03/08/16	1,000,000	1,000,000	1,496		1,001,496	1,001,496
Southside Bank CD	0.70%	09/08/16	1,000,000	1,000,000	1,745		1,001,745	1,001,745
Comerica Bank CD	0.72%	09/08/16	2,000,000	2,000,000	3,592		2,003,592	2,003,592
TOTAL			\$ 129,386,212	\$ 129,386,212	\$ 33,198,347	\$ (16,081,906)	\$ 146,502,653	\$ 146,502,653

Market Value Comparison

Description	Coupon/ Discount	Maturity Date	September 30, 2014		Qtr to Qtr Change	December 31, 2014	
			Par Value	Market Value		Par Value	Market Value
BBVA Demand Account	0.86%	01/01/15	\$ 3,928,942	\$ 3,928,942	\$ 3,295,184	\$ 7,224,126	\$ 7,224,126
1st Tennessee Bank	0.25%	01/01/15	206,576	206,576	67	206,643	206,643
Union State Bank	0.15%	01/01/15	11,078	11,078	4	11,082	11,082
BBVA Compass MMA 2	0.00%	01/01/15	5,008,429	5,008,429	(5,008,429)		
BBVA Compass MMA 3	0.21%	01/01/15	3,010,733	3,010,733	2,009,636	5,020,368	5,020,368
BBVA Compass MMA 4	0.26%	01/01/15	11,555,545	11,555,545	3,010,704	14,566,249	14,566,249
FILA (IDP)	0.23%	01/01/15	10,002,347	10,002,347	9,009,178	19,011,524	19,011,524
Comerica MMA	0.15%	01/01/15	9,049,697	9,049,697	(5,898,154)	3,151,543	3,151,543
Southside Bank MMA	0.19%	01/01/15	10,067,552	10,067,552	4,612	10,072,165	10,072,165
TexasTerm	0.07%	01/01/15	788,786	788,786	(143,857)	644,929	644,929
TexPool	0.04%	01/01/15	35,992,920	35,992,920	15,829,100	51,822,020	51,822,020
TexStar	0.05%	01/01/15	3,644,163	3,644,163	390	3,644,553	3,644,553
Central National Bank CD	0.46%	10/26/14	3,017,280	3,017,280	(3,017,280)		
Comerica Bank CD	0.47%	12/01/14	2,014,186	2,014,186	(2,014,186)		
Comerica Bank CD	0.43%	01/26/15	2,515,300	2,515,300	2,698	2,517,998	2,517,998
Comerica Bank CD	0.57%	03/02/15	2,017,216	2,017,216	2,868	2,020,084	2,020,084
Comerica Bank CD	0.57%	03/02/15	2,017,216	2,017,216	2,868	2,020,084	2,020,084
Central National Bank CD	0.31%	04/26/15	2,008,761	2,008,761	1,570	2,010,331	2,010,331
Comerica Bank CD	0.53%	04/27/15	2,518,871	2,518,871	3,330	2,522,201	2,522,201
Central National Bank CD	0.61%	09/05/15	2,000,000	2,000,000	3,042	2,003,042	2,003,042
Independent Bank CD	0.38%	09/09/15	3,000,000	3,000,000	2,842	3,002,842	3,002,842
Independent Bank CD	0.38%	09/09/15	3,000,000	3,000,000	2,842	3,002,842	3,002,842
Independent Bank CD	0.37%	09/17/15	3,010,613	3,010,613	2,777	3,013,390	3,013,390
Independent Bank CD	0.55%	12/12/15	3,000,000	3,000,000	4,114	3,004,114	3,004,114
Central National Bank CD	0.74%	03/05/16	2,000,000	2,000,000	3,690	2,003,690	2,003,690
Southside Bank CD	0.60%	03/08/16	1,000,000	1,000,000	1,496	1,001,496	1,001,496
Southside Bank CD	0.70%	09/08/16	1,000,000	1,000,000	1,745	1,001,745	1,001,745
Comerica Bank CD	0.72%	09/08/16	2,000,000	2,000,000	3,592	2,003,592	2,003,592
TOTAL			\$ 129,386,212	\$ 129,386,212	\$ 17,116,441	\$ 146,502,653	\$ 146,502,653

Allocation

December 31, 2014

Book & Market Value	Maturity Date	Total	General Operating	Special Revenue	Interest & Sinking	Enterprise Funds	Capital Projects	KEDC
BBVA Demand Account	01/01/15	\$ 7,224,126	\$ 3,213,598	\$ 2,273,686	\$ 2,379,548	\$ 77,670	\$ (954,126)	\$ 233,751
1st Tennessee Bank	01/01/15	206,643	206,643					
Union State Bank	01/01/15	11,082					11,082	
BBVA Compass MMA 3	01/01/15	5,020,368	2,008,086			3,012,282		
BBVA Compass MMA 4	01/01/15	14,566,249	5,011,638				9,554,611	
FILA (IDP)	01/01/15	19,011,524	2,000,555			5,004,428	12,006,542	
Comerica MMA	01/01/15	3,151,543	3,018,279				133,263	
Southside Bank MMA	01/01/15	10,072,165	4,028,675				6,043,490	
TexasTerm	01/01/15	644,929	52,381			52,338	540,210	
TexPool	01/01/15	51,822,020	8,532,499	933,568	14,571,469	9,249,613	14,186,229	4,348,643
TexStar	01/01/15	3,644,553	2,429,702			1,214,851		
Central National Bank CD	10/26/14							
Comerica Bank CD	12/01/14							
Comerica Bank CD	01/26/15	2,517,998					2,517,998	
Comerica Bank CD	03/02/15	2,020,084				2,020,084		
Comerica Bank CD	03/02/15	2,020,084	2,020,084					
Central National Bank CD	04/26/15	2,010,331					2,010,331	
Comerica Bank CD	04/27/15	2,522,201					2,522,201	
Central National Bank CD	09/05/15	2,003,042					2,003,042	
Independent Bank CD	09/09/15	3,002,842					3,002,842	
Independent Bank CD	09/09/15	3,002,842					3,002,842	
Independent Bank CD	09/17/15	3,013,390					3,013,390	
Independent Bank CD	12/12/15	3,004,114				3,004,114		
Central National Bank CD	03/05/16	2,003,690					2,003,690	
Southside Bank CD	03/08/16	1,001,496				1,001,496		
Southside Bank CD	09/08/16	1,001,745				1,001,745		
Comerica Bank CD	09/08/16	2,003,592				2,003,592		
Totals		\$ 146,502,653	\$ 32,522,139	\$ 3,207,254	\$ 16,951,017	\$ 27,642,213	\$ 61,597,636	\$ 4,582,394

Allocation

September 30, 2014

Book & Market Value	Maturity Date	Total	General Operating	Special Revenue	Interest & Sinking	Enterprise Funds	Capital Projects	KEDC
BBVA Demand Account	10/01/14	\$ 3,928,942	\$ 1,278,161	\$ 2,584,738	\$ 1,590,363	\$ 693,412	\$ (2,452,899)	\$ 235,167
1st Tennessee Bank	10/01/14	206,576	206,576					
Union State Bank	10/01/14	11,078					11,078	
BBVA Compass MMA 2	10/01/14	5,008,429	5,008,429					
BBVA Compass MMA 3	10/01/14	3,010,733				3,010,733		
BBVA Compass MMA 4	10/01/14	11,555,545	2,007,053				9,548,492	
FILA (IDP)	10/01/14	10,002,347				5,001,528	5,000,819	
Comerica MMA	10/01/14	9,049,697	3,017,138				6,032,558	
Southside Bank MMA	10/01/14	10,067,552	4,026,830				6,040,723	
TexasTerm	10/01/14	788,786	52,373		71	52,259	684,083	
TexPool	10/01/14	35,992,920	297,941	758,506	3,699,081	7,949,089	18,175,263	5,113,040
TexStar	10/01/14	3,644,163	2,429,442			1,214,721		
Central National Bank CD	10/26/14	3,017,280					3,017,280	
Comerica Bank CD	12/01/14	2,014,186				2,014,186		
Comerica Bank CD	01/26/15	2,515,300					2,515,300	
Comerica Bank CD	03/02/15	2,017,216				2,017,216		
Comerica Bank CD	03/02/15	2,017,216	2,017,216					
Central National Bank CD	04/26/15	2,008,761					2,008,761	
Comerica Bank CD	04/27/15	2,518,871					2,518,871	
Central National Bank CD	09/05/15	2,000,000					2,000,000	
Independent Bank CD	09/09/15	3,000,000					3,000,000	
Independent Bank CD	09/09/15	3,000,000					3,000,000	
Independent Bank CD	09/17/15	3,010,613					3,010,613	
Independent Bank CD	12/12/15	3,000,000				3,000,000		
Central National Bank CD	03/05/16	2,000,000					2,000,000	
Southside Bank CD	03/08/16	1,000,000				1,000,000		
Southside Bank CD	09/08/16	1,000,000				1,000,000		
Comerica Bank CD	09/08/16	2,000,000				2,000,000		
Totals		\$ 129,386,212	\$ 20,341,160	\$ 3,343,244	\$ 5,289,515	\$ 28,953,144	\$ 66,110,942	\$ 5,348,207



City of Killeen

Legislation Details

File #: CA-15-036 **Version:** 1 **Name:** Appoint Election Judges and Alternate Judges
Type: Resolution/Consent Agenda **Status:** Consent Agenda
File created: 3/3/2015 **In control:** City Council
On agenda: 3/31/2015 **Final action:**
Title: Consider a memorandum/resolution appointing presiding and alternate judges for the May 9, 2015 general election.
Sponsors: City Secretary
Indexes:
Code sections:
Attachments: [Council Memorandum](#)

Date	Ver.	Action By	Action	Result
3/17/2015	1	City Council Workshop		

CITY COUNCIL MEMORANDUM

AGENDA ITEM Consider appointment of Presiding and Alternate Election Judges

ORIGINATING DEPARTMENT City Secretary/City Attorney

BACKGROUND INFORMATION

Section 32.001 of the Election Code requires the City Council to appoint presiding and alternate judges for each of the polling locations used on Election Day.

DISCUSSION/CONCLUSION

The following Persons are hereby named as presiding election judges and alternate presiding judges for said election at said precinct polling places and as the Early Voting Ballot Board to process the early voting results.

PRECINCT #106: Rose Mary Campbell - Presiding Judge
Hazel Daniels - Alternate Judge

PRECINCT #109: David Barrett - Presiding Judge
Guadalupe Balle - Alternate Judge

PRECINCT #201/204: Judy Roundtree - Presiding Judge
Rosalind Floyd - Alternate Judge

PRECINCT #205: Klaus Adams - Presiding Judge
Ewald Coet - Alternate Judge

PRECINCT #206/402/409: Sue Hallmark - Presiding Judge
Joshua Burns - Alternate Judge

PRECINCT #207: Paul Eishen, Sr. - Presiding Judge
Darryl Breedlove - Alternate Judge

PRECINCT #203/208/210: LeeAnna George - Presiding Judge
Richard Hoxworth - Alternate Judge

PRECINCT #404: Phyllis Jones - Presiding Judge
Calvin Lock - Alternate Judge

PRECINCT #405: John Driver - Presiding Judge
Racheal Brent - Alternate Judge

PRECINCT #406: Lucille Ward - Presiding Judge
Sandra O'Brien - Alternate Judge

PRECINCT #401/412/413: Bruce Ellyson - Presiding Judge
Sunok McNeal - Alternate Judge

PRECINCT #408: Art Kinsinger - Presiding Judge
Caroline Sowers - Alternate Judge

PRECINCT #410: Dorothy Kinsinger - Presiding Judge
Kerry Campbell - Alternate Judge

EARLY VOTING BALLOT BOARD:

Barbara Garrett - Presiding Judge
Claudia Brown - Alternate Judge

EARLY VOTING:

City Hall - Rose Mary Campbell - Presiding Judge
Katherine Gordon - Alternate Judge
Gilmore Senior Center - Dorothy Kinsinger - Presiding Judge
Nadine Overall - Alternate Judge
Lions Club Senior Center - Arthur Kinsinger - Presiding Judge
Caroline Sowers

FISCAL IMPACT

The average cost to conduct an election is \$50,000.00 and \$50,000.00 has been budgeted in Account No. 010-1010-416.50-45. The joint election agreement between the City and KISD provides that KISD will pay half of the election costs.

RECOMMENDATION

Staff recommends the above individuals be named to serve as election officials for the election on May 9, 2015.



City of Killeen

Legislation Details

File #: CA-15-037 **Version:** 1 **Name:** Amended Joint Election Agreement
Type: Resolution/Consent Agenda **Status:** Consent Agenda
File created: 3/9/2015 **In control:** City Council
On agenda: 3/31/2015 **Final action:**
Title: Consider a memorandum/resolution amending the Joint Election Agreement with Killeen Independent School District to include Central Texas College.
Sponsors: City Secretary
Indexes:
Code sections:
Attachments: [Council Memorandum Agreement](#)

Date	Ver.	Action By	Action	Result
3/17/2015	1	City Council Workshop		

CITY COUNCIL MEMORANDUM

AGENDA ITEM

**Amend the Joint Election Contract with KISD
to also include Central Texas College**

ORIGINATING DEPARTMENT

City Attorney/City Secretary

BACKGROUND INFORMATION

Section 271.002 of the Election Code authorizes two or more political subdivisions that will hold elections on the same day in all or part of the same county to enter into an agreement to hold the elections jointly in the election precincts that can be served by common polling places.

DISCUSSION/CONCLUSION

On February 10, 2015 the City Council passed a resolution adopting a joint election contract between the City and KISD. Since then Central Texas College (CTC) has announced it will hold an election on the same day. The attached Joint Election agreement has been amended to include CTC.

FISCAL IMPACT

Allowing for a joint election with both KISD and CTC will allow the expenses of the May 9, 2015 election to be split three ways, saving the City approximately \$8,000.00.

RECOMMENDATION

Staff recommends adoption of the attached Amended Joint Election Agreement.

THE STATE OF TEXAS §
 § **CONTRACT FOR ELECTION SERVICES - Early Voting**
COUNTY OF BELL §

THIS CONTRACT made this ____ day of March 2015, by and between the City of Killeen, hereinafter called “Killeen,” the Killeen Independent School District, hereinafter called “KISD,” and the Central Texas College, hereinafter called “CTC”, pursuant to V.A.T.S., Election Code, Sec. 271.002 and Sec. 271.006, witnesseth:

1. **INTENT.** The parties have determined that it is in the public interest of the inhabitants of Killeen that this contract be made and entered into for the purpose of voter convenience and public economy in connection with the May 9, 2015 election. Each entity shall provide its own ballots.

2. **CONTRACTING OFFICERS.** The Contracting Officer for KISD is the Board of Trustees Secretary. The Contracting Officer for Killeen is the City Secretary. The Contracting Officer for CTC is the Office of the Chancellor Executive Assistant.

3. **DUTIES AND SERVICES OF CONTRACTING OFFICERS.** Killeen’s Contracting Officer shall procure the personnel as required to conduct early voting at the main early voting location and the two temporary branch early voting locations. In addition, KISD’s and CTC’s contracting officer shall procure the personnel as required to conduct early voting at their respective administration offices.

The order of election and notice of election includes the location of early voting, and Killeen agrees to support KISD and CTC in early voting at the Gilmore Senior Center, Lions Club Senior Center, and City Hall. Killeen will be responsible for the ordering of voter registration lists for early voting within the city limits of Killeen. KISD and CTC shall be responsible for ordering voter registration lists for precincts located wholly outside of the Killeen city limits and have responsibility for staffing and operation of early voting at a location to be determined by KISD and CTC.

4. **DUTIES AND SERVICES OF KILLEEN:**

- A. Qualify voters.
- B. Maintain poll list for early voting by personal appearance.
- C. Maintain signature roster for early voting by personal appearance.
- D. Provide copies of any documents as requested by KISD and CTC.

5. **COST OF SERVICE.** KISD and CTC each shall compensate Killeen for one-third of any personnel expenses necessitated as a result of this agreement and mutually agreed upon by the parties. Said costs shall not exceed the maximum allowable personnel costs for election officials. KISD and CTC each shall compensate Killeen one-third of any additional actual costs incurred by Killeen as a result of this agreement and mutually agreed upon in advance by the parties. Killeen shall compensate KISD and CTC for one-third of any personnel expenses necessitated as a result of this agreement and mutually agreed upon by the parties. In the event that Killeen is able to cancel a race in one or more districts, KISD and CTC shall share equally the cost of election expenses within those districts.

6. **TERMINATION.** In the event that all positions in the KISD, CTC, or Killeen election are uncontested and no proposition is presented for vote, that party shall have the right to withdraw from and terminate this agreement by notification of other party in writing. In that event, that party would not share in any cost of election operations, except fees accrued and expenses incurred prior to receipt of a written notice of termination by the party incurring such fees or expenses.

7. **GENERAL CONDITIONS.** Nothing contained in this contract shall authorize or permit a change (1) in the officer with whom or the place at which any document or record relating to the election is to be filed, or (2) in the place at which any function of the canvass of the election return is made.

EXECUTED in multiple originals as of the ____ day of March 2015.

CITY OF KILLEEN

By _____
Glenn Morrison, City Manager

ATTEST:

Dianna Barker, City Secretary

KILLEEN INDEPENDENT SCHOOL DISTRICT

By _____
Terry Delano, Board President

ATTEST:

Minerva Trujillo, Board Secretary

CENTRAL TEXAS COLLEGE

By _____
Charles Rex Weaver

ATTEST:

Debra Havens, Executive Assistant

THE STATE OF TEXAS §
 § **CONTRACT FOR ELECTION SERVICES - Election Day**
COUNTY OF BELL §

THIS CONTRACT made this ____ day of March 2015, by and between the City of Killeen, hereinafter called “Killeen,” the Killeen Independent School District, hereinafter called “KISD,” and Central Texas College, hereinafter called “CTC”, pursuant to V.A.T.S., Election Code, Sec. 271.002 and Sec. 271.006, witnesseth:

1. **INTENT.** The parties have determined that it is in the public interest of the inhabitants of Killeen that this contract be made and entered into for the purpose of voter convenience and public economy in connection with the May 9, 2015 election. Each entity shall provide its own ballots.

2. **CONTRACTING OFFICERS.** The Contracting Officer for KISD is the Board of Trustees Secretary. The Contracting Officer for Killeen is the City Secretary. The Contracting Officer for CTC is the Officer of the Chancellor Executive Assistant.

3. **DUTIES AND SERVICES OF CONTRACTING OFFICERS.** For voters living within the city limits, Killeen’s Contracting Officer shall procure and prepare the lists of registered voters, ballots, voting equipment, and personnel as required to conduct Election Day voting.

The order of election and notice of election includes the precinct locations of voting on Election Day, and Killeen agrees to support KISD and CTC in such voting. Killeen will be responsible for acquiring the election equipment from a company certified by the State of Texas. KISD and CTC shall be responsible for ordering voter registration lists and equipment for precincts located wholly outside the Killeen city limits and have responsibility for the staffing and operation of those precincts.

The thirteen city precincts and locations for Election Day voting (subject to availability) are as follows:

- Precinct #106 – Transforming Life Fellowship
- Precinct #109 – St. Joseph’s Catholic Church
- Precinct #203/208/209/210 – Cedar Valley Elementary School
- Precinct #201/204 – Fire Station #3
- Precinct #205 – Jackson Professional Learning Center
- Precinct #206/402/409 – Killeen Family Recreation Center at Lions Club Park
- Precinct #207 – Copper Mountain Branch Library
- Precinct #404 – Fire Station #7
- Precinct #405 – Robert M. Shoemaker High School
- Precinct #406 – Central Fire Station
- Precinct #401/412/413 – Haynes Elementary School
- Precinct #408 – Fire Station #5
- Precinct #410 – Fire Department Support Facility

4. **DUTIES AND SERVICES OF KILLEEN:**

- A. Qualify voters.
- B. Maintain poll list of voters.
- C. Maintain signature roster of voters.
- D. Provide copies of any documents as requested by KISD and/or CTC.

5. **COST OF SERVICE.** KISD and CTC each shall compensate Killeen for one-third of any personnel expenses necessitated as a result of this agreement and mutually agreed upon by the parties. Said costs shall not exceed the maximum allowable personnel costs for election officials. KISD and CTC each shall compensate Killeen one-third of any additional actual costs incurred by Killeen as a result of this agreement and mutually agreed upon in advance by the parties. . In the event that Killeen is able to cancel a race in one or more districts, KISD and CTC shall share equally the cost of election expenses within those districts.

6. **TERMINATION.** In the event that all positions in the KISD, CTC, or Killeen election are uncontested and no proposition is presented for vote, that party shall have the right to withdraw from and terminate this agreement by notification to the other party in writing. In that event, that party would not share in any cost of election operations, except fees accrued and expenses incurred prior to receipt of a written notice of termination by the party incurring such fees or expenses.

7. **GENERAL CONDITIONS.** Nothing contained in this contract shall authorize or permit a change (1) in the officer with whom or the place at which any document or record relating to the election is to be filed, or (2) in the place at which any function of the canvass of the election return is made.

EXECUTED in multiple originals as of the ____ day of March 2015.

CITY OF KILLEEN

By _____
Glenn Morrison, City Manager

ATTEST:

Dianna Barker, City Secretary

KILLEEN INDEPENDENT SCHOOL DISTRICT

By _____
Terry Delano, Board President

ATTEST:

Minerva Trujillo, Board Secretary

CENTRAL TEXAS COLLEGE

By _____
Charles Rex Weaver

ATTEST:

Debra Havens, Executive Assistant



City of Killeen

Legislation Details

File #: CA-15-038 **Version:** 1 **Name:** 2015 Thoroughfare Plan Update
Type: Resolution/Consent Agenda **Status:** Consent Agenda
File created: 3/11/2015 **In control:** City Council
On agenda: 3/31/2015 **Final action:**
Title: Consider a memorandum/resolution authorizing the adoption of the 2015 Thoroughfare Plan Update.
Sponsors: Public Works Department, Transportation Division
Indexes:
Code sections:
Attachments: [Council Memorandum](#)
[Exhibit A](#)

Date	Ver.	Action By	Action	Result
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CITY COUNCIL MEMORANDUM

AGENDA ITEM

AUTHORIZE THE ADOPTION OF THE 2015 THOROUGHFARE PLAN UPDATE

ORIGINATING DEPARTMENT

Public Works/Transportation Division

BACKGROUND INFORMATION

A transportation thoroughfare plan is a City's general plan for guiding thoroughfare system development and the planned widening and extension of its roads, streets, and public highways within the City. The plan indicates the need for right-of-way and proposed alignments for new roadways, as well as plans for widening and extending existing thoroughfares.

The City's existing Thoroughfare Plan and Development Manual was adopted in 1984 (CCM/R 84-87R) as a planning tool to guide development of the City. Since adoption, City Councils have found that the plan and manual are essential to guide future public and private development decisions. Through the plan and manual, the City has the opportunity to implement street development standards in undeveloped areas and improve and upgrade thoroughfares in already developed areas over a period of years.

DISCUSSION/CONCLUSION

Since the adoption of the Thoroughfare Plan and Development Manual, the plan has been amended multiple times with the latest revision being June 22, 2010 (CCM/R 10-063R). As City limits develop internally and expand through annexation, new roadways and expanding existing roadways become necessary, thereby necessitating amendments to the Thoroughfare Plan.

On March 17, 2015, the City's consultants, the Alliance Transportation Group, presented the update to the City's Thoroughfare Plan and consensus was reached to move the update forward for adoption. As additional information, the proposed revisions in the 2015 plan from the 2010 update are summarized in the attached Exhibit A. The exhibit illustrates the alignments that have been omitted, modified, added, and provides reasoning for the changes.

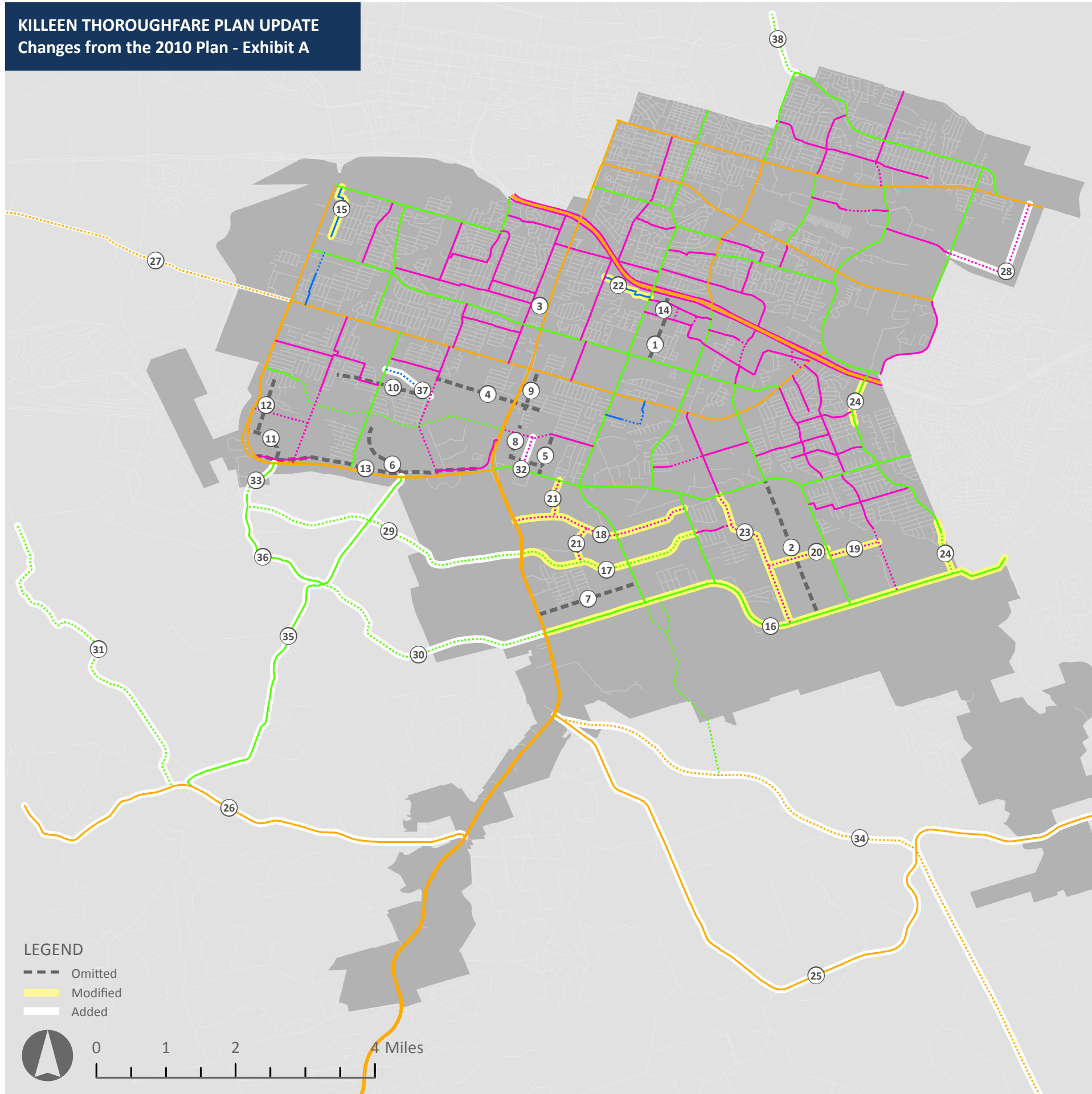
FISCAL IMPACT

There is no fiscal impact at this time.

RECOMMENDATION

City staff recommends that the City Council authorize the adoption of the 2015 Thoroughfare Plan Update for the City of Killeen.

KILLEEN THOROUGHFARE PLAN UPDATE
Changes from the 2010 Plan - Exhibit A



ID	Name	Reason for Change	
Omitted Projects	1	Christie Dr	Development since 2010
	2	Cunningham Rd	Difficult property acquisition
	3	Edgefield St	Development in ROW
	4	Gemini Ln	Environmental constraints
	5	Hercules Ave	Stakeholder feedback
	6	Maxdale Rd	Stakeholder feedback
	7	E/W Collector	Development since 2010
	8	E/W and N/S Collector	Stakeholder feedback
	9	N/S Collector	Development since 2010
	10	E/W Collector	Development since 2010
	11	Collector	Difficult property acquisition
	12	N/S Marginal Access	Difficult property acquisition
	13	Reese Creek Rd	Planned conversion to trail
	14	Wal-Mart Blvd	Difficult grade
Modified Projects	15	Black Orchid Dr	Development since 2010
	16	Chaparral Rd	Elimination of tight curves
	17	E/W Arterial	Environmental constraints
	18	E/W Collector	Environmental constraints
	19	E/W Collector	Moved north (better spacing)
	20	E/W Collector	Moved south (better spacing)
	21	N/S Collector	Environmental constraints
	22	Lowes Blvd	Now existing
23	Onion Rd	Development since 2010	
24	Rosewood Dr	Development since 2010	
Added Projects	25	FM 2484	From KTMPO plan
	26	FM 2670	From KTMPO plan
	27*	FM 3470	From KTMPO plan
	28	E/W and N/S Collector	From KTMPO plan
	29*	E/W Arterial	Environmental constraints
	30*	E/W Arterial	New route
	31	E/W Arterial	Environmental constraints
	32	N/S Collector	Development since 2010
	33	Ivy Mountain Rd	Addl. connection w/Mayberry
	34	Major E/W Arterial	Addl. connection with IH 35
	35	Maxdale Rd	New route
	36	Mayberry Park Rd	Environmental constraints
	37	Turland Dr	Feedback from KISD
	38	Westcliff Rd	From KTMPO plan

*Further study needed to develop alignment



City of Killeen

Legislation Details

File #: CA-15-039 **Version:** 1 **Name:** Transportation Capital Improvements Program
Type: Resolution/Consent Agenda **Status:** Consent Agenda
File created: 3/11/2015 **In control:** City Council
On agenda: 3/31/2015 **Final action:**
Title: Consider a memorandum/resolution to authorize the adoption and prioritization of the Transportation Capital Improvements Program (CIP).
Sponsors: Public Works Department, Transportation Division
Indexes:
Code sections:
Attachments: [Council Memorandum](#)

Date	Ver.	Action By	Action	Result
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CITY COUNCIL MEMORANDUM

AGENDA ITEM

**AUTHORIZE THE ADOPTION AND
PRIORITIZATION OF THE TRANSPORTATION
CAPITAL IMPROVEMENTS PROGRAM (CIP)**

ORIGINATING DEPARTMENT

Public Works/Transportation Division

BACKGROUND INFORMATION

On August 24, 2010, City Council approved a resolution prioritizing six street improvement projects. Prioritizations of the projects were as follows:

1. Stagecoach Road (SH 195 east to the City limits) - Estimated Completion, Fall 2016
2. Bunny Trail (Stan Schlueter Loop south to SH 201) - Complete
3. Elms Road Extension - Carpet Lane east to SH 195) - Estimated Completion, Winter 2016
4. Cunningham Road (Stan Schlueter Loop south to Stagecoach Road) - Complete
5. Lowe's Boulevard Extension (Florence Road east to Trimmier Road) - Estimated Completion, Fall 2017
6. Rosewood Drive (Stagecoach Road south to Chaparral Road) - Complete through Riverstone Drive

On May 13, 2014, City Council authorized a Professional Services Agreement with Alliance Transportation Group, Inc. for the 2015 Thoroughfare Plan Update and to develop a Capital Improvements Program (14-058R). The project scope provided for a program of proposed projects to address roadway system deficiencies since the last prioritization of projects. Of the previous prioritized projects, the first five are either complete or currently under construction. The final project, Rosewood Drive, is approximately 3,200 feet from connecting to Chaparral Road. One component of this final segment is the necessity to construct a 600 foot bridge spanning Trimmier Creek.

DISCUSSION/CONCLUSION

A Transportation Capital Improvements Program (CIP) formally identifies transportation needs ranging from rebuilding existing city roads; traffic signals; participation in future Texas Department of Transportation (TxDOT) projects; maintenance and optimizations of existing signals; pavement condition assessment; and transportation administration.

A Capital Improvements Program is used to coordinate the location, timing, and financing of capital improvements, like public infrastructure, over a specified time period. The CIP is the primary tool to program funds for implementing recommendations in the City of Killeen 2015 Thoroughfare Plan. While the 2015 Thoroughfare Plan proposes a long term vision for the transportation system over the next 25 years, the CIP prioritizes projects for more detailed design, engineering, and construction within the next five to ten years.

As presented by the Alliance Transportation Group at the March 17, 2015 City Council workshop meeting, the following projects were prioritized as high priority based on their ability to provide safe and convenient travel options, impact future mobility, improve local economy, and support land use goals.

1. West Trimmier Road - Stagecoach Road to Chaparral Road
2. East Trimmier Road - Stagecoach Road to Chaparral Road
3. W.S. Young Drive - US 190 to Illinois Avenue
4. Chaparral Road - SH 195 to FM 3481
5. Jasper Drive Overpass
6. Featherline Drive - Stagecoach Road to Chaparral Road
7. Florence Road - Jasper Drive to Elms Road
8. FM 2484 - SH 195 to IH 35
9. Bunny Trail Traffic Signals - At Clear Creek Road (SH 201)
10. Cunningham Road - FM 3470 (Stan Schlueter Loop) to US 190
11. SH 195 Overpass - at Business 190 (Veterans Memorial Boulevard)
12. SH 195 Turn Around - North and South at FM 3470 (Stan Schlueter Loop)
13. Rosewood Drive Extension - Serpentine Drive to Chaparral Road
14. FM 3470 (Stan Schlueter Loop) West - SH 201 to US 190 Bypass

High priority projects are recommended for implementation over the lifespan of the CIP (five to ten years). However, medium and other priority projects were also included in the CIP to account for shifting community goals and objectives, or changes to project details. As such, the CIP should be used as a general framework for implementing future transportation improvements, not as a rigid guideline. As conditions change over time, projects may be moved between priority levels and implemented based on other considerations related to plan goals such as project readiness, the identification of cost sharing partners, or the development potential of surrounding parcels.

If the City Council elects to pursue implementation of the proposed projects, the projects do not have to be constructed in the order as they are ranked; rather preference should be given to projects with available right-of-way, cost sharing partners, regional solutions, and cost and construction sequencing. An example of construction sequencing is a project that is proposed to be constructed at a new location that will be less disruptive to the traveling public, rather than the reconstruction of a roadway that will necessitate detours. Also, new location projects are usually lower cost and provide alternative routes to improve emergency response time, as well as give the traveling public additional detour route options.

By adopting the program and the prioritization of projects, it should be noted that this action does not commit the City or future City Councils to funding the projects, it merely establishes the vision and initial priorities.

FISCAL IMPACT

There is no fiscal impact at this time.

RECOMMENDATION

City staff recommends that the City Council authorize the adoption and prioritization of the Transportation Capital Improvements Program for the City of Killeen.



City of Killeen

Legislation Details

File #: CA-15-040 **Version:** 1 **Name:** Support Legislation for Local Provider Participation Fund

Type: Resolution/Consent Agenda **Status:** Consent Agenda

File created: 3/25/2015 **In control:** City Council

On agenda: 3/31/2015 **Final action:**

Title: Consider a memorandum/resolution supporting legislation allowing Bell County to create a Local Provider Participation Fund (LPPF).

Sponsors: City Manager Department

Indexes:

Code sections:

Attachments: [Council Memorandum](#)
[Resolution](#)

Date	Ver.	Action By	Action	Result
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CITY COUNCIL MEMORANDUM

AGENDA ITEM

**Support for the Creation of a Bell County
Local Provider Participation Fund**

ORIGINATING DEPARTMENT

City Manager's Office

BACKGROUND INFORMATION

At the March 17 City Council Workshop, Carlyle Walton, CEO of Metroplex Hospital, briefed the City Council regarding legislation enabling the creation of a Local Provider Participation Fund (LPPF) in Bell County. The purpose of creating a Bell County LPPF is to assist our local safety-net providers to gain fair access to the \$30 billion Texas Transformation & Quality Improvement 1115 Waiver (the "Texas Waiver").

Approved in 2011, the Texas Waiver allows for private-public partnerships to expand access to healthcare. In areas with hospital districts, these partnerships are improving access, availability, delivery, efficiency and funding for healthcare services. The partnerships are needed because private hospitals are required to have a government funding partner to participate in the Texas Waiver program.

DISCUSSION/CONCLUSION

While private safety-net hospitals in large urban communities thrive because of the Texas Waiver, private safety-net hospitals in smaller communities that do not have hospital districts often find it impossible to access the funds available to them via the Texas Waiver.

City Council gave consensus to support a resolution enabling the creation of an LPPF, thus providing our local hospitals access to the Texas Waiver.

FISCAL IMPACT

No fiscal impact.

RECOMMENDATION

That the City Council approve a resolution of support for the creation of a Bell County Local Provider Participation Fund (LPPF).

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS
SUPPORTING LEGISLATION CREATING A BELL COUNTY LOCAL PROVIDER
PARTICIPATION FUND**

WHEREAS, the Texas Health Care Transformation and Quality Improvement Program Medicaid Section 1115 Waiver (the "Waiver") provides opportunities for communities to access financial resources to improve health care services in their counties and reimburse hospitals for previously unreimbursed uncompensated care;

WHEREAS, creating a Local Provider Participation Fund (LPPF) in Bell County would enable local safety-net hospitals to reclaim federal tax dollars through the Waiver;

WHEREAS, not having a Bell County LPPF has caused local hospitals to forego hundreds of millions of dollars available under the Waiver;

WHEREAS, these LPPF dollars could have been used to improve access, availability, delivery and efficiency of healthcare services without imposing any additional burdens on county taxpayers; and

WHEREAS, the City of Killeen and its healthcare safety-net would benefit greatly from the passage of this legislation and urges the Texas Legislature to extend the authority to use Local Provider Participation Funds to Bell and other counties.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Killeen that the City of Killeen supports legislation that would grant Bell County the authority to create a local provider participation fund to benefit Bell County hospitals.

PASSED AND APPROVED this ____ day of _____, 2015.

City Secretary

Mayor

(SEAL)



City of Killeen

Legislation Details

File #: PH-15-015A **Version:** 1 **Name:** FLUM #15-04
Type: Ordinance/Public Hearing **Status:** Public Hearing/Ordinances
File created: 2/18/2015 **In control:** City Council
On agenda: 3/31/2015 **Final action:**
Title: HOLD a public hearing and consider a request to amend the Comprehensive Plan's Future Land Use Map (FLUM) from 'General Residential' to 'General Commercial' (FLUM# Z15-04) for approximately 3.5 acres, located along the south right-of-way of the West Elms Road extension, east of Carpet Lane, and north of Lots 1-8, Block 2, Stratford Addition 2nd Extension and Lot 8, Block 1, Stratford Addition 1st Extension, Killeen, Texas.
Sponsors: Planning & Development Dept
Indexes:
Code sections:
Attachments: [Council Memorandum](#)
[Attachment Council Memorandum](#)
[Minutes](#)
[Ordinance](#)

Date	Ver.	Action By	Action	Result
3/17/2015	1	City Council Workshop		

CITY COUNCIL MEMORANDUM

AGENDA ITEM

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

ORIGINATING DEPARTMENT

PLANNING & DEVELOPMENT SERVICES

Nature of the Request

This is a request to revise the Comprehensive Plan's Future Land Use Map (FLUM) to change a 'General Residential' designated area to a 'General Commercial' designated area for approximately 3.5 acres. The property is located along the south right-of-way of the West Elms Road extension, east of Carpet Lane, and north of Lots 1-8, Block 2, Stratford Addition 2nd Extension and Lot 8, Block 1, Stratford Addition 1st Extension, Killeen, Texas.

The applicant has submitted a concurrent request to rezone the subject properties from "R-1" (Single-Family Residential District) to "B-5" (Business District).

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

Plan Recommendation: The Comprehensive Plan calls for detached residential dwellings; attached housing types subject to compatibility and open space standards (e.g., duplexes, townhomes, patio homes); planned developments, potentially with a mix of housing types and varying densities, subject to compatibility and open space standards; public/institutional; parks and public spaces. The characteristics of this designation include:

Predominantly "R-1" zoning district with less openness and separation between dwellings compared to 'Suburban Residential' areas.

Auto-oriented character that can be offset with architectural standards, landscaping and limited uniform subdivision designs.

Neighborhood-scale commercial emerging over time for well-suited areas.

If approved, the proposed revision to the property would result in a 'General Commercial' designation on the Future Land Use Map (FLUM) of the Comprehensive Plan. This designation calls for a wide range of commercial, retail and service uses, at varying scales and intensities depending on the site.

Figure 1. Future Land Use Map (FLUM)

See Attachment

The items below should be reviewed and addressed when a Future Land Use & Character map adjustment is proposed:

Scope of Amendment: Is the proposed map change limited to one or a few parcels, or would it affect a much larger area? **The amendment affects approximately 3.5 acres of land; which is considered small scale.**

Change in Circumstances: What specific conditions (e.g., population size and/or characteristics, area character and building form, property/structure conditions, infrastructure or public services, market factors including need for more land in a particular designation, etc.) have changed sufficiently to render the current map designation(s) inappropriate or out-of-date? **There has been significant change in transportation infrastructure in the area. The City has planned for the extension of West Elms Road, which is classified as a 90' minor arterial on the City's adopted Thoroughfare Plan, for many years. The City is now actively constructing West Elms Road. The extension of West Elms Road will provide a continuous arterial corridor and multiple roadway connectivity points. It also fundamentally changes the character of this area of the City by introducing higher volume vehicular/pedestrian traffic, increased corridor visibility and new commercial corners. The West Elms Road extension, in effect, will create a new growth area, and the need for more land in a 'General Commercial' designation.**

Consistency with Other Plans: In addition to the Comprehensive Plan, is the proposed map change consistent with the intent and policy direction of any applicable small area plans, utility or drainage plans, or other City plans? **This proposed amendment is compatible with other city planning efforts.**

Adequate Information: Do City staff, the Planning and Zoning Commission, and/or City Council have enough and appropriate information to move ahead with a decision (e.g., utility capacity, potential traffic impacts, other public service implications, resident/stakeholder concerns and input)? **Yes, this information has been considered in the West Elms Road extension.**

Stakeholder Input: What points, concerns, and insights have been raised by area residents, property owners, business owners, or others? **With the exception of listing this action as a public hearing item on the Planning and Zoning Commission's agenda, there is no public notice requirement for this amendment action; staff received no stakeholder input during the Planning and Zoning Commission's public hearing.**

Recommendation

The Planning and Zoning Commission recommended approval of amending the Future Land Use Map from 'General Residential' to 'General Commercial' by a vote of 8 to 0. Chapter 4 of the Comprehensive Plan, *Mobility*, highlights that *"homes fronting directly onto busy streets are a concern...both for roadway capacity and safety reasons, as well as longer-term values and appeal of these properties for residential use."* Amending the FLUM will help promote neighborhood shopping and retail centers in this part of the City, while providing a commercial buffer between the existing Stratford Addition subdivision and West Elms Road. It also satisfies the planning need for commercial and retail development along this corridor.

Figure 1. Future Land Use Map (FLUM)



Note: Subject area has been identified as 'General Residential'

**PLANNING AND ZONING COMMISSION MEETING
MARCH 2, 2015**

**CASE FLUM #Z15-04
GENERAL RESIDENTIAL TO GENERAL COMMERCIAL**

HOLD a public hearing and consider a request to amend the Comprehensive Plan's Future Land Use Map (FLUM) from 'General Residential' to 'General Commercial' for approximately 3.5 acres, located along the south right-of-way of the West Elms Road extension, east of Carpet Lane, and north of Lots 1-8, Block 2, Stratford Addition 2nd Extension and Lot 8, Block 1, Stratford Addition 1st Extension, Killeen, Texas.

Chairman Frederick requested staff comments.

Senior Planner Charlotte Humpherys, stated that this request is the result of a request to amend to Comprehensive Plan's Future Land Use Map (FLUM) from 'General Residential' to General Commercial'.

Staff recommended amending the Future Land Use Map from 'General Residential' to 'General Commercial'. Chapter 4 of the Comprehensive Plan, *Mobility*, highlights that "*homes fronting directly onto busy streets are a concern...both for roadway capacity and safety reasons, as well as longer-term values and appeal of these properties for residential use.*" Amending the FLUM will help promote neighborhood shopping and retail centers in this part of the City, while providing a commercial buffer between the existing Stratford Addition subdivision and West Elms Road. It also removes a future planning need for additional general residential development along this corridor.

Mr. Bob Mitchell, Mitchell & Associates, Inc., 102 N. College Street, Killeen, Texas, was present to represent the request.

Chairman Frederick opened the public hearing. With no one requesting to speak, the public hearing was closed.

Commissioner Butler motioned to recommend approval of the requested change to the FLUM. Vice Chair Dorroh seconded the motion. The motion passed 8-0.

Chairman Frederick stated that this request will be forwarded to City Council, on March 24, 2015, with a recommendation to approve.

ORDINANCE _____

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN'S FUTURE LAND USE MAP FROM 'GENERAL RESIDENTIAL' TO 'GENERAL COMMERCIAL' FOR APPROXIMATELY 3.5 ACRES OF LAND LOCATED ALONG THE SOUTH RIGHT-OF-WAY OF WEST ELMS ROAD, EAST OF CARPET LANE, AND NORTH OF LOTS 1-8, BLOCK 2, STRATFORD ADDITION 2ND EXTENSION AND LOT 8, BLOCK 1, STRATFORD ADDITION 1ST EXTENSION, KILLEEN, TEXAS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR A PENALTY; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, it is the intent of the City Council to achieve orderly growth and fiscally prudent land development; and,

WHEREAS, the City Council finds that zoning regulations must be adopted in accordance with a comprehensive plan; and,

WHEREAS, the City Council has received a request from Bellpas, Inc. to revise the Future Land Use Map of the Comprehensive Plan to change approximately 3.5 acres from 'General Residential' to 'General Commercial'; and

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

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

SECTION I: That the land use designation of the following described tract be amended from 'General Residential' to 'General Commercial' for approximately 3.5 acres, being located along the south right-of-way of West Elms Road, east of Carpet Lane, and north of Lots 1-8, Block 2, Stratford Addition 2nd Extension and Lot 8, Block 1, Stratford Addition 1st Extension, Killeen, Texas.

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 31st day of March 2015, 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:

Scott Cospers
MAYOR

ATTEST:

Diana Barker
CITY SECRETARY

APPROVED AS TO FORM

Kathryn H. Davis
CITY ATTORNEY

Case #:FLUM #Z15-04
Ord#:15-___



City of Killeen

Legislation Details

File #: PH-15-015B **Version:** 1 **Name:** Zoning 15-04
Type: Ordinance/Public Hearing **Status:** Public Hearing/Ordinances
File created: 2/18/2015 **In control:** City Council
On agenda: 3/31/2015 **Final action:**
Title: HOLD a public hearing and consider an ordinance requested by Bellpas, Inc. (Case #Z15-04) to rezone 2.9 acres from "R-1" (Single-Family Residential District) to "B-5" (Business District), being part of the Thomas Robinette Survey, Abstract No. 686. The property is located at the southeast corner of the intersection of West Elms Road and Carpet Lane, Killeen, Texas.
Sponsors: Planning & Development Dept
Indexes:
Code sections:
Attachments: [Council Memorandum](#)
[Attachment to Council Memorandum](#)
[Minutes](#)
[Ordinance](#)
[Application](#)
[Location Map](#)
[Buffer Map](#)
[Considerations](#)

Date	Ver.	Action By	Action	Result
3/17/2015	1	City Council Workshop		

CITY COUNCIL MEMORANDUM

AGENDA ITEM

ZONING CASE #Z15-04 "R-1" (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO "B-5" (BUSINESS DISTRICT)

ORIGINATING DEPARTMENT

PLANNING & DEVELOPMENT SERVICES

Nature of the Request

Bellpas, Inc. submits a request to rezone 2.9 acres out of the Thomas Robinette Survey, Abstract No. 686, from "R-1" (Single-Family Residential District) to "B-5" (Business District). The property is located at the southeast corner of the intersection of West Elms Road and Carpet Lane, Killeen, Texas.

A building or premises in the "B-5" Business District shall be used only for the following purposes:

- (1) Any use permitted in the "B-4" district.
- (2) Building material and lumber sales (outside storage permitted).
- (3) Storage warehouse. Less than one hundred thousand (100,000) square feet.
- (4) Newspaper or job printing.
- (5) Railroad or bus passenger terminal.
- (6) Tire recapping or retreading.
- (7) Trailer rental or sales.
- (8) Wholesale house.
- (9) Auto parts sales, used. No outside storage, display or dismantling.
- (10) A customarily incidental use.
- (11) Any commercial use not included in any other district, provided such use is not noxious or offensive because of odors, dust, noise, fumes or vibrations.
- (12) Mobile home sales.
- (13) Sale of beer and/or wine for off-premises consumption only.
- (14) Tattooing (as licensed per Texas Health and Safety Code, chapter 146, as amended).

Property Specifics

Applicant/Property Owner: Bellpas, Inc.

Property Location: The property is located at the southeast corner of the intersection of West Elms Road and Carpet Lane, Killeen, Texas.

Legal Description: 2.9 acres out of the Thomas Robinette Survey, Abstract No. 686.

Zoning/Plat Case History:

There is no recent zoning activity for this property.
This property has not been platted.

Character of the Area

Existing Land Uses(s) on the Property: Vacant.

Figure 1. Zoning Map

See Attachment

Historic Properties: None

Infrastructure and Community Facilities

Water, Sewer and Drainage Services:

Provider: City of Killeen

Within Service Area: Yes

Feasibility Study or Service Commitment: The existing potable water main that serves the property is an 8-inch diameter distribution main running along Carpet Lane and a 6-inch diameter distribution main running along Granite Drive. Upon approval of a future development permit application, the developer would be required to extend public water mains across the property to provide adequate commercial and fire flows in accordance with the City of Killeen Code of Ordinances and other applicable development criteria. A permit applicant is solely responsible for, and shall perform and submit the results of all required testing of the public water mains to confirm adequate flow and pressure exists to support any Code-mandated fire protection measures.

The existing sanitary sewer main that serves the property is an 10-inch diameter collection main along Granite Drive. Upon approval of a future development permit application, the developer would be required to extend public sanitary sewer mains to provide adequate collection capacity in accordance with the City of Killeen Code of Ordinances and other applicable development criteria.

Transportation:

Existing conditions: The site has frontage along West Elms Road and Carpet Lane, which are classified as a 90' minor arterial and a 60' local street respectively, on the City's adopted Thoroughfare Plan. Ingress/egress to the tract from West Elms Road will be disciplined through the policies of the City's Thoroughfare Development Manual when the property is developed.

Proposed Improvements: West Elms Road, currently under construction along the northern border of the property, will be an urbanized road section (curb and gutter).

Projected Traffic Generation: Moderate.

Environmental Assessment

Topography: The property is undulating and ranges in elevation from 968 feet to 984 feet above sea level.

Regulated Floodplain/Floodway/Creek: The subject property is not in a FEMA regulatory Special Flood Hazard Area (SFHA). This parcel is located immediately upstream of a regulated Special Flood Hazard Area (SFHA). Current City codes require the establishment of a creek buffer zone along the main branch of Trimmier Road Ditch that will span a distance of 25' beyond the top of each bank. Currently there are two watercourses that collect sheet flow runoff on this development enters Trimmier Road Ditch within the subdivision boundary. Although aerial maps show a tributary that runs from Carpet Lane to the junction with Trimmier Road Ditch, due to the installation of storm drains along Carpet Lane and West Elms Road, this tributary will no longer be necessary once the West Elms Road Extension project is completed. Trimmier Road Ditch flows into Little Nolan Creek and then into Nolan Creek prior to leaving the City. Both Little Nolan Creek and Nolan Creek are currently listed on the TCEQ's 2012 303(d) water quality list for impairment due to bacteria and concerns for near non-attainment for nutrients.

Land Use Analysis

Land Use Plan: This area is designated for 'General Residential' character on the Future Land Use Map (FLUM) of the Comprehensive Plan.

Plan Recommendation: The Comprehensive Plan considers 'General Residential' to be of a medium intensity category/character that encompasses detached residential dwelling units, attached housing types, planned developments, as well as parks and public/institutional places. Neighborhood-scale commercial uses are expected to emerge over time and should be encouraged on sites, and in locations, within or near the edge of 'General Residential' areas.

Consistency: The applicant's proposed change to a "B-5" commercially zoned district is not consistent with the Killeen Comprehensive Plan. There is a concurrent consideration to amend the FLUM from 'General Residential' to 'General Commercial'.

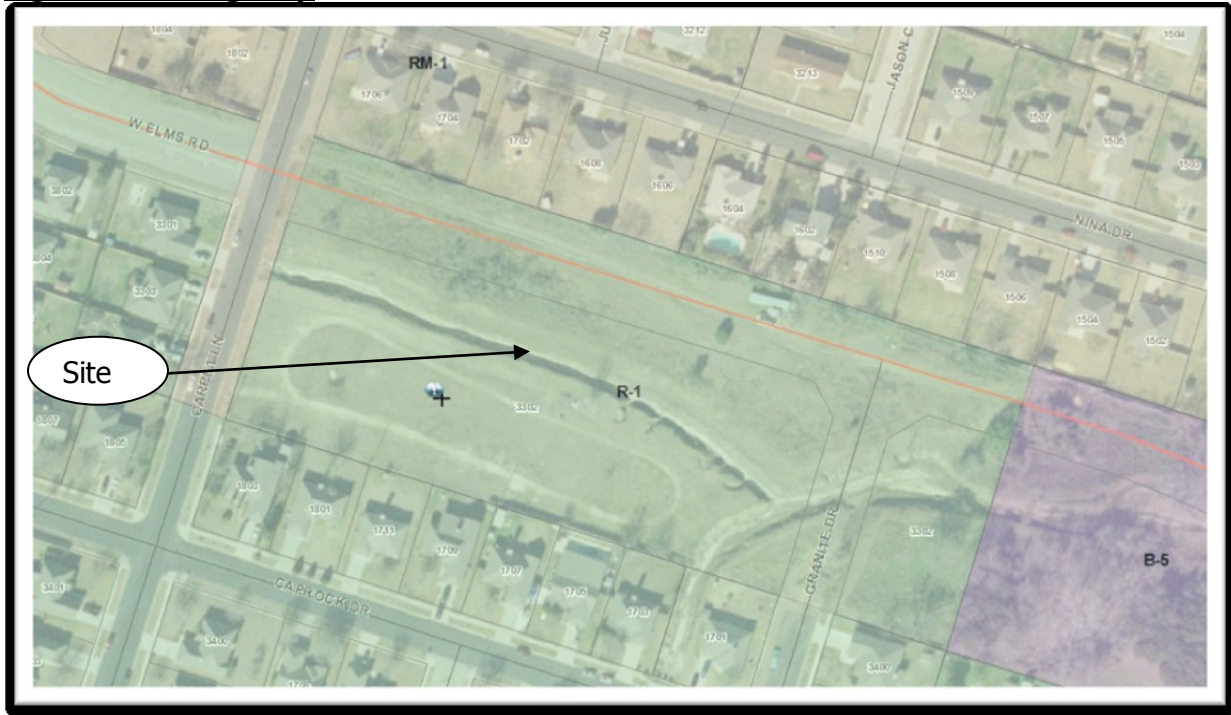
Public Notification

Staff notified 42 surrounding property owners within the 200' notification area. Staff has received no protests.

Recommendation

The Planning and Zoning Commission recommended approval of "B-3" zoning by a vote of 8 to 0. At 2.9 acres, the property has sufficient land area to support a small shopping/ retail operation or other associated uses. The "B-3" zoning also reduces potential land use incompatibilities that may arise with abutting single-family residential development. This tract does not abut any commercially zoned property.

Figure 1. Zoning Map



**PLANNING AND ZONING COMMISSION MEETING
MARCH 2, 2015**

**CASE #Z15-04
R-1 to B-5**

HOLD a public hearing and consider a request by Bellpass, Inc. to rezone approximately 2.9 acres, out of the T. Robinett Survey, Abstract No. 686, from R-1 (Single-Family Residential District) to B-5 (Business District). The property is located on the southeast corner of Carpet Lane and Elms Road, Killeen, Texas.

Chairman Frederick requested staff comments.

Senior Planner Charlotte Humpherys, stated that Bellpas, Inc. submitted a request to rezone 2.9 acres out of the Thomas Robinette Survey, Abstract No. 686, from “R-1” (Single-Family Residential District) to “B-5” (Business District). The property is located at the southeast corner of the intersection of W. Elms Road and Carpet Lane, Killeen, Texas.

Staff notified 42 surrounding property owners within the 200’ notification boundary and no responses have been received.

Staff recommended approval of “B-3” (Local Business District) for the property. At 2.9 acres, the property has sufficient land area to support a small shopping/ retail operation or other associated uses. The “B-3” zoning also reduces potential land use incompatibilities that may arise with abutting single-family residential development. This tract does not abut any commercially zoned property.

Mr. Bob Mitchell, Mitchell and Associates, Inc., 102 N. College, Killeen, Texas, was present to represent this request.

Chairman Frederick opened the public hearing. With no one requesting to speak, the public hearing was closed.

Commissioner Alvarez motioned to recommend approval of B-3 zoning. Commissioner Butler seconded the motion. The motion passed 8–0.

Chairman Frederick stated that this request will be forwarded to City Council, on March 24, 2015, with a recommendation to approve.

ORDINANCE _____

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF KILLEEN BY CHANGING THE ZONING OF CERTAIN PROPERTY OUT OF THE CITY OF KILLEEN, BELL COUNTY, TEXAS, FROM R-1 (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO B-5 (BUSINESS DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Bellpas, Inc. submits this request for an amendment of the zoning ordinance of the City of Killeen by changing the classification of approximately 2.9 acres, being part of the Thomas Robinette Survey, Abstract No. 686, from R-1 (Single-Family Residential District) to B-5 (Business District), said request having been duly presented and recommended for approval of B-3 (Local Business District) zoning by the Planning and Zoning Commission of the City of Killeen on the 2nd day of March 2015, and due notice of the filing of said request and the date of hearing thereon was given as required by law, and hearing on said request was set for 5:00 P.M., on the 31st day of March 2015, at the City Hall, City of Killeen;

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

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

SECTION I. That the City Council has determined that the zoning classification of the following described tract be changed from R-1 (Single-Family Residential District) to B-3 (Local Business District) zoning for approximately 2.9 acres, being part of the Thomas Robinette Survey, Abstract No. 686, and being located at the southeast corner of

the intersection of West Elms Road and Carpet Lane, Killeen, Texas.

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 31st day of March 2015, 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:

Scott Cosper, MAYOR

ATTEST:

Dianna Barker, CITY SECRETARY

APPROVED AS TO FORM

Kathryn H. Davis, City Attorney

Case #15-04
Ord. #15-____



**City of Killeen
Zoning Change Application**

Name(s) of Property Owner (s): Bellpas, Inc.

Address: P.O. Box 280

City: Kempner State: Texas Zip: 76539

Home Phone: N/A Business Phone: N/A Cell Phone: 254-290-7023

Name of Applicant: Same as Above
(if different than Property Owner)

Address: Same as Above

City: Same as Above State: Same as Above Zip: Same as Above

Home Phone: () N/A Business Phone: () Same as Above Cell Phone:

Address/ Location of Property to be Rezoned: The corner of Carpet Lane and Elms

Has the Property been Platted? N
Lot(s) Block(s) Subdivision

Legal Description: 2.9 Acres out of the T. Robinett Survey, Abstract No. 686

Is there a simultaneous plat of this property? No

Type of Ownership: Sole Ownership Partnership Corporation Other

Recorded Copy of Warranty Deed: Vol. 2959, Page 199

Is copy of the deed attached? Yes

Present Zoning(s): R-1 Present Use: Undeveloped

Proposed Zoning(s): B-5 Proposed Use: Business

APPOINTMENT OF AGENT

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

Name of Agent: Mitchell & Associates, Inc.

Mailing Address: P.O. Box 1088 / 102 N College

City: Killeen State: Texas Zip: 76540 - _____

Home Phone: (____) N/A Business Phone: (254) 634-5541

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

be the point of contact between myself and the City; make legally binding representations of fact and commitments of every kind on my behalf; grant legally binding waivers of rights and releases of liabilities of every kind on my behalf; consent to legally binding modifications, conditions, and exceptions on my behalf; and, to execute documents on my behalf which are legally binding on me.

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

Signature of Agent Title Agent

Printed/Typed Name of Agent Mitchell & Associates, Inc. Date 1-30-15

Signature of Property Owner Title Agent

Printed/Typed Name of Property Owner Mike Atkinson Date _____

Signature of Property Owner _____ Title _____

Printed/Typed Name of Property Owner _____ Date _____

Signature of Property Owner _____ Title _____

Printed/Typed Name of Property Owner _____ Date _____

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



**PLANNING AND
DEVELOPMENT SERVICES**

ZONING CASE:
#Z15-04

ZONING FROM:
R-1 TO B-5

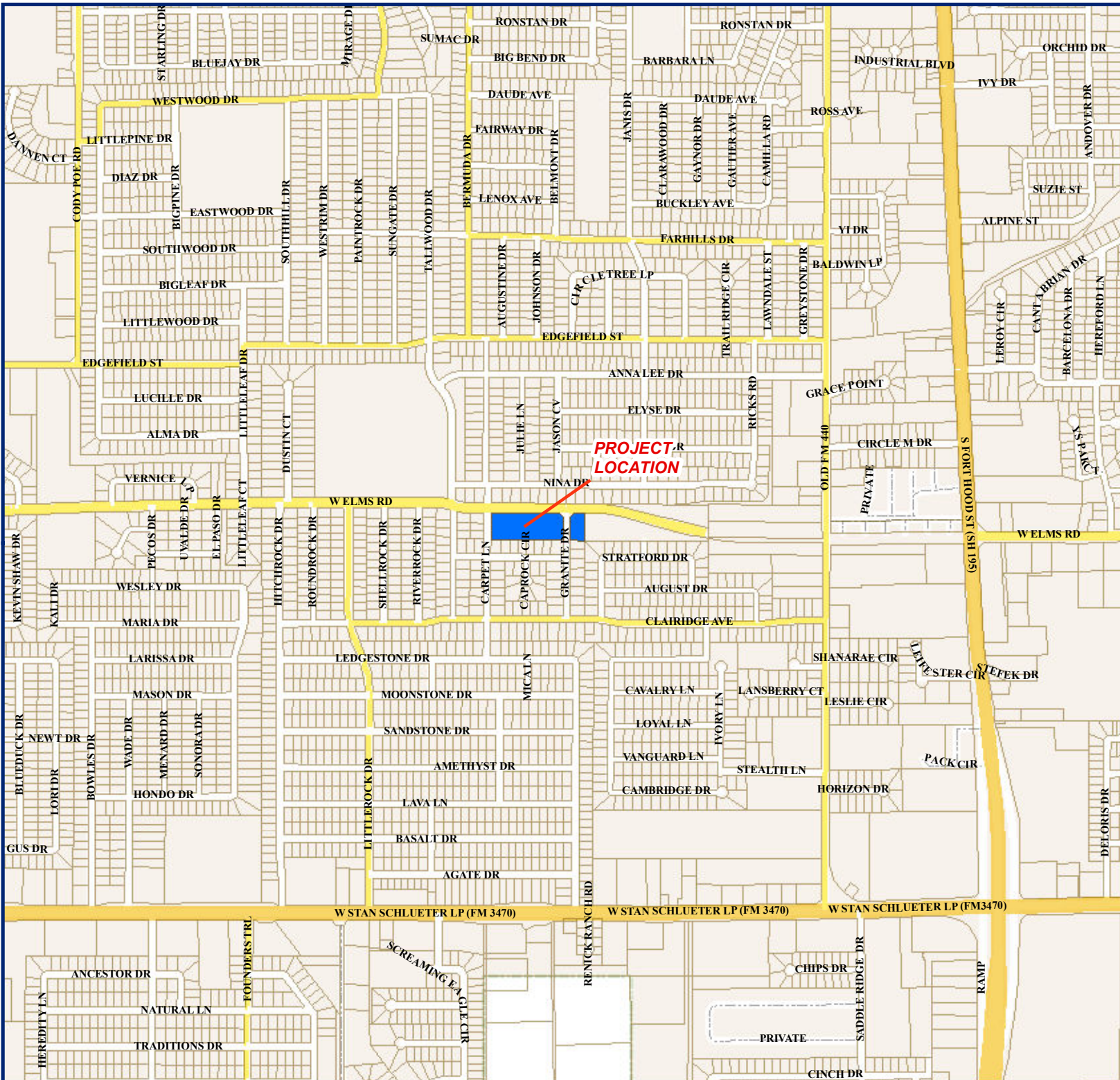
PROPERTY OWNER:
Bellpas Inc

Legend

-  Parcel
-  Zoning Case
-  City Limits



Date: 2/2/2015





**PLANNING AND
DEVELOPMENT SERVICES**

ZONING CASE:

#Z15-04






ZONING FROM:

R-1 TO B-5

PROPERTY OWNER:

Bellpas Inc

LEGEND

-  15_04
-  Zoning Case
-  Subdivision
-  Parcel
-  City Limits



Date: 2/2/2015



CONSIDERATIONS

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

A. General Factors to Consider:

Is the request in accordance with the comprehensive plan?

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

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

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

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

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

Whether there have been substantially changed conditions in the neighborhood.

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

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

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

B. Conditional Use Permit (if applicable)

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

C. Conditions to Consider

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



City of Killeen

Legislation Details

File #: PH-15-015C **Version:** 1 **Name:** Zoning 15-05
Type: Ordinance/Public Hearing **Status:** Public Hearing/Ordinances
File created: 2/18/2015 **In control:** City Council
On agenda: 3/31/2015 **Final action:**
Title: HOLD a public hearing and consider an ordinance requested by Bellpas, Inc. (Case #Z15-05) to rezone 0.6 acres from "R-1" (Single-Family Residential District) to "B-5" (Business District), being part of the Thomas Robinette Survey, Abstract No. 686. The property is locally known as 3302 Granite Drive, Killeen, Texas.
Sponsors: Planning & Development Dept
Indexes:
Code sections:
Attachments: [Council Memorandum](#)
[Attachment to Council Memorandum](#)
[Minutes](#)
[Ordinance](#)
[Application](#)
[Location Map](#)
[Buffer Map](#)
[Considerations](#)

Date	Ver.	Action By	Action	Result
3/17/2015	1	City Council Workshop		

CITY COUNCIL MEMORANDUM

AGENDA ITEM

ZONING CASE #Z15-05 "R-1" (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO "B-5" (BUSINESS DISTRICT)

ORIGINATING DEPARTMENT

PLANNING & DEVELOPMENT SERVICES

Nature of the Request

Bellpas, Inc. submits a request to rezone 0.6 acres out of the Thomas Robinette Survey, Abstract No. 686, from "R-1" (Single-Family Residential District) to "B-5" (Business District). The property is locally known as 3302 Granite Drive, Killeen, Texas.

A building or premises in the "B-5" Business District shall be used only for the following purposes:

- (1) Any use permitted in the "B-4" district.
- (2) Building material and lumber sales (outside storage permitted).
- (3) Storage warehouse. Less than one hundred thousand (100,000) square feet.
- (4) Newspaper or job printing.
- (5) Railroad or bus passenger terminal.
- (6) Tire recapping or retreading.
- (7) Trailer rental or sales.
- (8) Wholesale house.
- (9) Auto parts sales, used. No outside storage, display or dismantling.
- (10) A customarily incidental use.
- (11) Any commercial use not included in any other district, provided such use is not noxious or offensive because of odors, dust, noise, fumes or vibrations.
- (12) Mobile home sales.
- (13) Sale of beer and/or wine for off-premises consumption only.
- (14) Tattooing (as licensed per Texas Health and Safety Code, chapter 146, as amended).

Property Specifics

Applicant/Property Owner: Bellpas, Inc.

Property Location: The property is locally known as 3302 Granite Drive, Killeen, Texas.

Legal Description: 0.6 acres out of the Thomas Robinette Survey, Abstract No. 686.

Zoning/Plat Case History:

There is no recent zoning activity for this property.

This property has not been platted.

Character of the Area

Existing Land Uses(s) on the Property: Vacant.

Figure 1. Zoning Map

See Attachment

Historic Properties: None

Infrastructure and Community Facilities

Water, Sewer and Drainage Services:

Provider: City of Killeen

Within Service Area: Yes

Feasibility Study or Service Commitment: The existing potable water main that serves the property is an 8-inch diameter distribution main running along Carpet Lane and a 6-inch diameter distribution main running along Granite Drive. Upon approval of a future development permit application, the developer would be required to extend public water mains across the property to provide adequate commercial and fire flows in accordance with the City of Killeen Code of Ordinances and other applicable development criteria. A permit applicant is solely responsible for, and shall perform and submit the results of all required testing of the public water mains to confirm adequate flow and pressure exists to support any Code-mandated fire protection measures.

The existing sanitary sewer main that serves the property is a 10-inch diameter collection main along Granite Drive. Upon approval of a future development permit application, the developer would be required to extend public sanitary sewer mains to provide adequate collection capacity in accordance with the City of Killeen Code of Ordinances and other applicable development criteria.

Transportation:

Existing conditions: The site has frontage along West Elms Road and Carpet Lane, which are classified as a 90' minor arterial and a 60' local street respectively, on the City's adopted Thoroughfare Plan. Ingress/egress to the tract from West Elms Road will be disciplined through the policies of the City's Thoroughfare Development Manual when the property is developed.

Proposed Improvements: West Elms Road, currently under construction along the northern border of the property, will be an urbanized road section (curb and gutter).

Projected Traffic Generation: Moderate.

Environmental Assessment

Topography: The property is undulating and ranges in elevation from 960 feet to 972 feet above sea level.

Regulated Floodplain/Floodway/Creek: Approximately 0.2 acres of the approximate 0.6 acres in this zoning case are located within a regulated Special Flood Hazard Area (SFHA). The soils for the site are classified as follows: approximately 0.6 acres are Denton Silty Clay, 1 to 3

percent slopes, clay loam. Current City codes require the establishment of a creek buffer zone along Trimmier Road Ditch that will span a distance of 25 feet beyond the top of each bank.

Currently sheet flow runoff on this development enters Trimmier Road Ditch within the subdivision boundary. Trimmier Road Ditch flows into Little Nolan Creek and then into Nolan Creek prior to leaving the City. Both Little Nolan Creek and Nolan Creek are currently listed on the TCEQ's 2012 303(d) water quality list for impairment due to bacteria and concerns for near non-attainment for nutrients.

Land Use Analysis

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

Plan Recommendation: The Comprehensive Plan considers 'General Residential' to be of a medium intensity category/character that encompasses detached residential dwelling units, attached housing types, planned developments, as well as parks and public/institutional places. Neighborhood-scale commercial uses are expected to emerge over time and should be encouraged on sites, and in locations, within or near the edge of 'General Residential' areas.

Consistency: The applicant's proposed change to a "B-5" commercially zoned district is not consistent with the Killeen Comprehensive Plan. There is a concurrent consideration to amend the FLUM from 'General Residential' to 'General Commercial'.

Public Notification

Staff notified 20 surrounding property owners within the 200' notification area. Staff has received 0 protests.

Recommendation

The Planning and Zoning Commission recommended approval of "B-5" zoning by a vote of 8 to 0. Given the extension of West Elms Road, this site has substantial potential to serve as a primary retail/commercial center for this area. This zoning request is also consistent with the adjacent "B-5" parcel to the east.

Figure 1. Zoning Map



**PLANNING AND ZONING COMMISSION MEETING
MARCH 2, 2015**

**CASE #Z15-05
R-1 to B-5**

HOLD a public hearing and consider a request by Bellpass, Inc. to rezone approximately 0.6 acre, out of the T. Robinett Survey, Abstract No. 686 from R-1 (Single-Family Residential District) to B-5 (Business District). The property is located on the southeast corner of Granite Drive and Elms Road, Killeen, Texas.

Chairman Frederick requested staff comments.

Senior Planner Charlotte Humpherys, stated that Bellpas, Inc. submitted a request to rezone 0.6 acre out of the T. Robinett Survey, Abstract No. 686, from “R-1” (Single-Family Residential District) to “B-5” (Business District). The property is locally known as 3302 Granite Drive, Killeen, Texas.

Staff recommended approval of “B-5” (Business District) zoning for this property. Given the extension of W. Elms Road, this site has substantial potential to serve as a primary retail/commercial center for this area. This zoning request is also consistent with the adjacent “B-5” parcel to the east.

Mr. Bob Mitchell, Mitchell and Associates, Inc., 102 N. College, Killeen, Texas, was present to represent this request.

Chairman Frederick opened the public hearing. With no one requesting to speak, the public hearing was closed.

Commissioner Cooper motioned to recommend approval of the requested zoning. Commissioner Dillard seconded the motion. The motion passed 8–0.

Chairman Frederick stated that this request will be forwarded to City Council, on March 24, 2015, with a recommendation to approve.

ORDINANCE _____

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF KILLEEN BY CHANGING THE ZONING OF CERTAIN PROPERTY OUT OF THE CITY OF KILLEEN, BELL COUNTY, TEXAS, FROM R-1 (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO B-5 (BUSINESS DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Bellpas, Inc. submits this request for an amendment of the zoning ordinance of the City of Killeen by changing the classification of approximately .6 acres, being part of the Thomas Robinette Survey, Abstract No. 686, from R-1 (Single-Family Residential District) to B-5 (Business District), said request having been duly presented and recommended for approval of B-5 (Business District) zoning by the Planning and Zoning Commission of the City of Killeen on the 2nd day of March 2015, and due notice of the filing of said request and the date of hearing thereon was given as required by law, and hearing on said request was set for 5:00 P.M., on the 31st day of March 2015, at the City Hall, City of Killeen;

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

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

SECTION I. That the City Council has determined that the zoning classification of the following described tract be changed from R-1 (Single-Family Residential District) to B-5 (Business District) zoning for approximately .6 acres, being part of the Thomas Robinette Survey, Abstract No. 686, and being located at 3302 Granite Drive, Killeen,

Texas.

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 31st day of March 2015, 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:

Scott Cosper, MAYOR

ATTEST:

Dianna Barker, CITY SECRETARY

APPROVED AS TO FORM

Kathryn H. Davis, City Attorney

Case #15-05
Ord. #15-____



**City of Killeen
Zoning Change Application**

Name(s) of Property Owner (s): Bellpas, Inc.

Address: P.O. Box 280

City: Kempner State: Texas Zip: 76539

Home Phone: N/A Business Phone: N/A Cell Phone: 254-290-7023

Name of Applicant: Same as Above
(if different than Property Owner)

Address: Same as Above

City: Same as Above State: Same as Above Zip: Same as Above

Home Phone: () N/A Business Phone: () Same as Above Cell Phone:

Address/ Location of Property to be Rezoned: The corner of Granite Drive and Elms

Has the Property been Platted? N
Lot(s) Block(s) Subdivision

Legal Description: 0.6 Acres out of the T. Robinett Survey, Abstract No. 686

Is there a simultaneous plat of this property? No

Type of Ownership: Sole Ownership Partnership Corporation Other

Recorded Copy of Warranty Deed: Vol. 2959, Page 199

Is copy of the deed attached? Yes

Present Zoning(s): R-1 Present Use: Undeveloped

Proposed Zoning(s): B-5 Proposed Use: Business

APPOINTMENT OF AGENT

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

Name of Agent: Mitchell & Associates, Inc.

Mailing Address: P.O. Box 1088 / 102 N College

City: Killeen State: Texas Zip: 76540 -

Home Phone: () N/A Business Phone: (254) 634-5541

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

be the point of contact between myself and the City; make legally binding representations of fact and commitments of every kind on my behalf; grant legally binding waivers of rights and releases of liabilities of every kind on my behalf; consent to legally binding modifications, conditions, and exceptions on my behalf; and, to execute documents on my behalf which are legally binding on me.

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

Signature of Agent Title Agent

Printed/Typed Name of Agent Mitchell & Associates, Inc. Date 1-30-15

Signature of Property Owner Title Agent

Printed/Typed Name of Property Owner Mike Atkinson Date

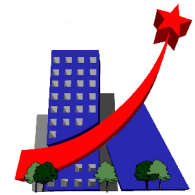
Signature of Property Owner Title

Printed/Typed Name of Property Owner Date

Signature of Property Owner Title

Printed/Typed Name of Property Owner Date

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



PLANNING AND
DEVELOPMENT SERVICES

ZONING CASE:
#Z15-05

ZONING FROM:
R-1 TO B-5

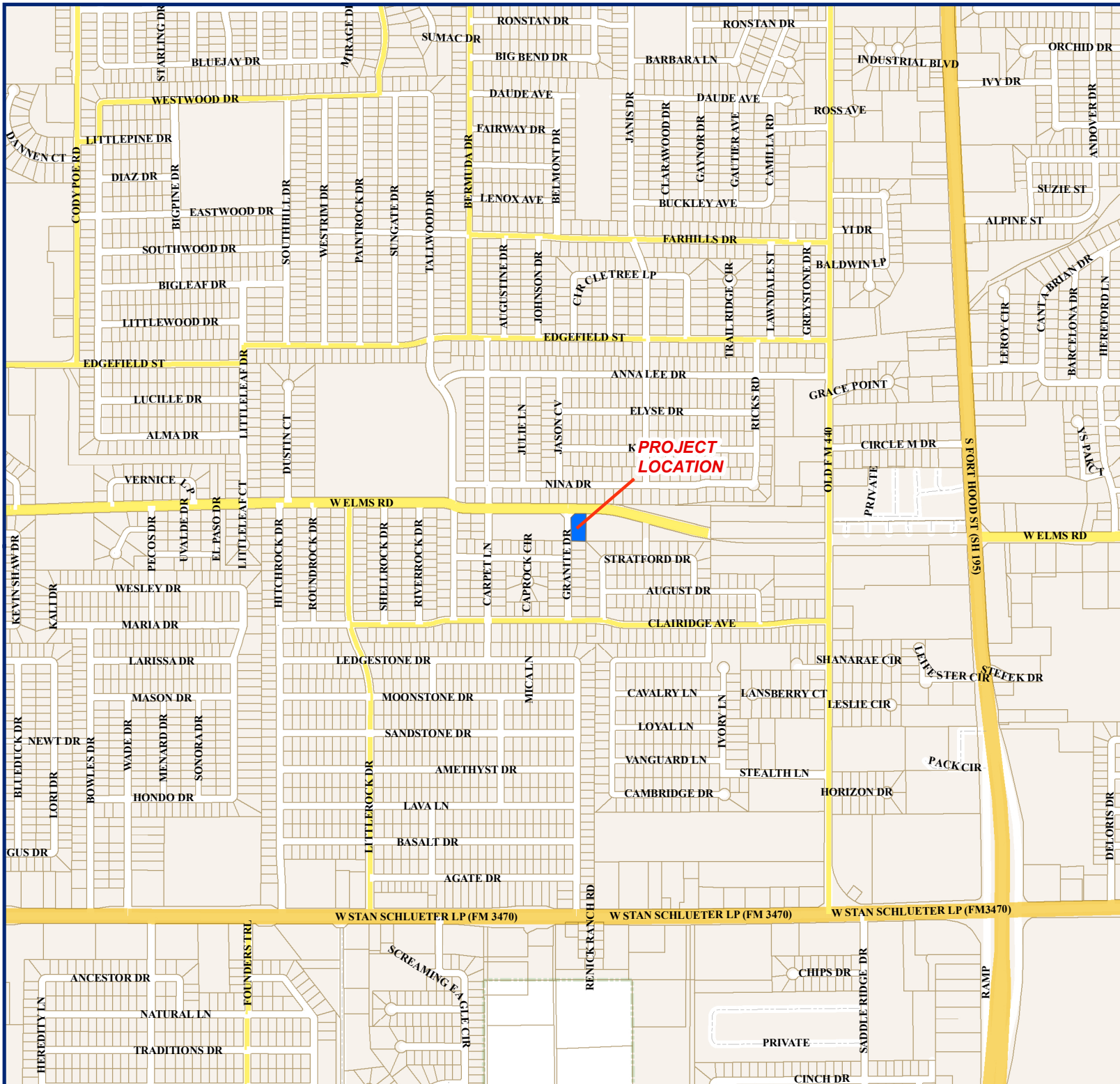
PROPERTY OWNER:
Bellpas Inc

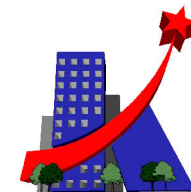
Legend

-  Zoning Case
-  Parcel
-  City Limits



Date: 2/4/2015





**PLANNING AND
DEVELOPMENT SERVICES**

ZONING CASE:
#Z15-05

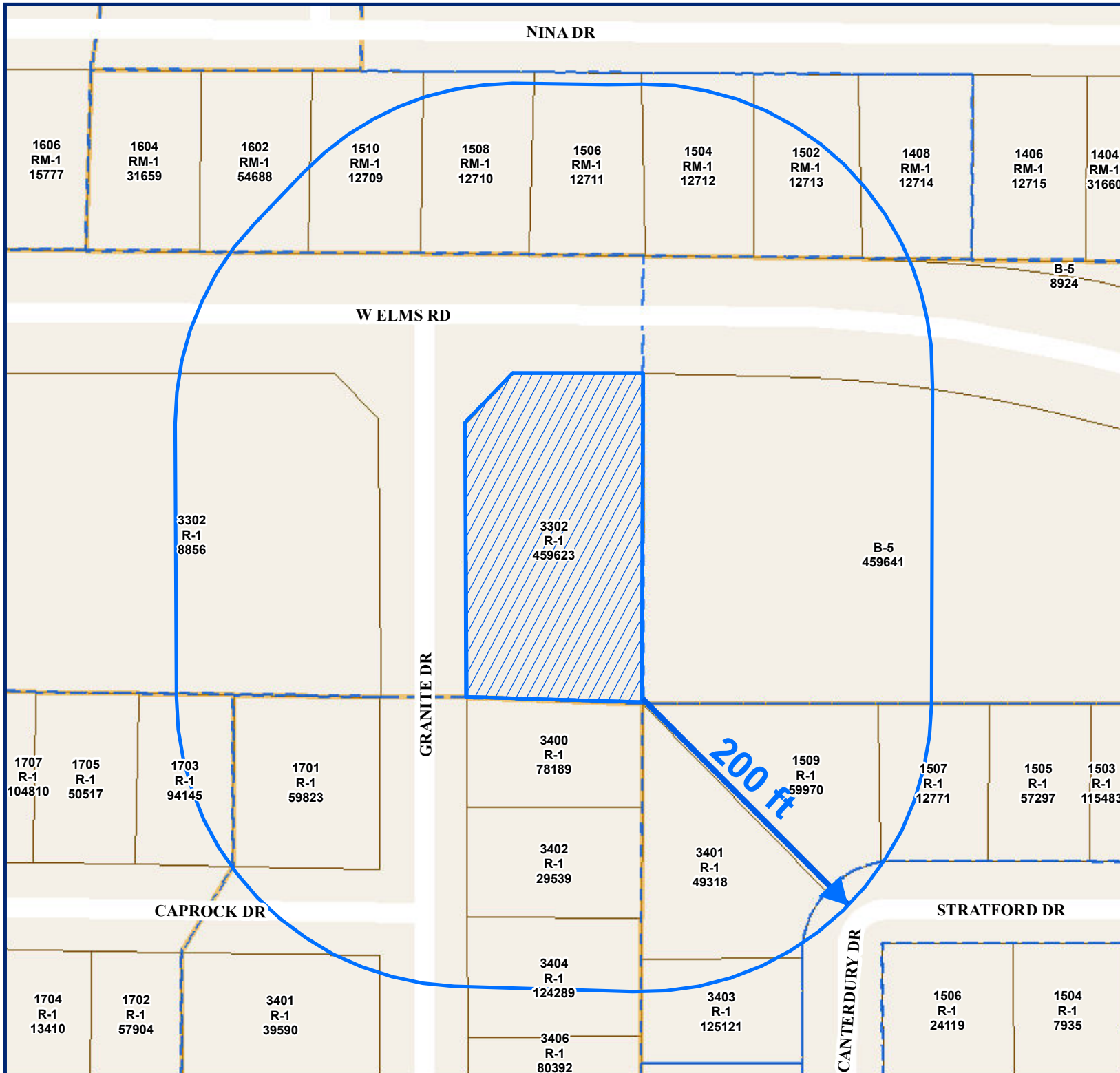
ZONING FROM:
R-1 TO B-5

PROPERTY OWNER:
Bellpas Inc

- LEGEND**
- Parcel selection
 - 15-05 BUFFER
 - Subdivision
 - Parcel
 - City Limits



Date: 2/11/2015



CONSIDERATIONS

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

A. General Factors to Consider:

Is the request in accordance with the comprehensive plan?

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

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

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

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

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

Whether there have been substantially changed conditions in the neighborhood.

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

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

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

B. Conditional Use Permit (if applicable)

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

C. Conditions to Consider

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



City of Killeen

Legislation Details

File #: OR-15-004 **Version:** 1 **Name:** City Council Rules of Procedure and Protocol
Type: Resolution **Status:** Ordinances / Resolutions
File created: 3/5/2015 **In control:** City Council
On agenda: 3/31/2015 **Final action:**
Title: Consider a memorandum/resolution amending the City Council Rules of Procedure and Protocol-amending agenda order. (2nd of 2 Readings)
Sponsors: City Attorney Department, City Manager Department
Indexes:
Code sections:
Attachments: [Council Memorandum](#)
[Rules of Procedure & Protocol](#)

Date	Ver.	Action By	Action	Result
3/17/2015	1	City Council Workshop		
3/10/2015	1	City Council		

CITY COUNCIL MEMORANDUM

AGENDA ITEM

Resolution amending the City Council Rules of Procedure and Protocol-amending agenda order

ORIGINATING DEPARTMENT

City Attorney

BACKGROUND INFORMATION

Killeen City Charter Section 36 allows the City Council to determine its own rules and order of business. In February 1995, the Council adopted rules of procedure and protocol governing its internal processes. Section 2.1 of the rules provides that amendment of, or additions to, these rules is a two-step process. First, the proposed amendment or new rule must be introduced into the record at a City Council meeting. Past practice has been that the proposal be accepted by a majority of the Council upon introduction. Second, at a subsequent meeting, the City Council must, by majority vote, adopt the proposed amendment or new rule.

DISCUSSION/CONCLUSION

The City Council Rules of Procedure and Protocol ("Protocol") sets forth the types and order of items to be included in your regular meeting agendas. In your February 17, 2015 workshop, staff recommended that the agenda format be amended to match what the practice has become.

Our current agenda format calls for a consent agenda, which is described as those items that require action by Council but where no discussion is anticipated. For the past three years, all items on the consent agenda have been fully briefed, negating the need for a consent agenda. Removal of the consent agenda and creation of separate sections for "Minutes", "Resolutions", "Ordinances", and "Public Hearings" will match what our practice has become.

In order to accomplish these changes to the agenda format, Council will need to amend its Protocol.

FISCAL IMPACT

None

RECOMMENDATION

Staff recommends that the City Council adopt the amendment, as attached.

**CITY OF KILLEEN
CITY COUNCIL
RULES OF PROCEDURE
AND
PROTOCOL**

1. AUTHORITY

1.1 *Charter:* The Charter of the City of Killeen allows the City Council to determine its own rules and order of business.

2. DEFINITIONS AND GENERAL RULES

2.1 *Amendment to Rules:* These rules may be amended, or new rules adopted by a majority vote of the Council, provided that the proposed amendments or new rules shall have been introduced into the record at a prior Council meeting.

* * * * *

5. ORDER OF BUSINESS

5.1 *Agenda:* The order of business of each meeting shall be as contained in the Agenda prepared by the City Manager. The agenda shall be a listing of topics or subjects to be considered by the Council. City Councilmembers may submit items to be placed on the agenda by providing the agenda item to the City Manager no later than 2:00 p.m. on the Wednesday preceding the next regular or special called meeting. This guideline does not preclude Councilmembers from submitting agenda items after 2:00 p.m. on the Wednesday preceding the next regular or special called meeting, but merely serves as a guideline in order to facilitate the timely and efficient delivery of the agenda and supporting materials. Before a Councilmember may place an item on the Agenda for consideration, it must first be placed as a Discussion Item. If a majority of Council wishes to consider the item further, then it may be placed on a future Agenda for action. If a Councilmember wishes the Council to discuss or consider a previously decided item, he or she may request the City Manager to place that item on the agenda. At the meeting or pre-session, the Council will decide whether to discuss or reconsider the issue. The City Manager shall deliver the agenda to the Council at least 72 hours prior to any regular or special called meeting.

5.2 *Agenda Format:* The Agenda shall provide for the following topics or subjects to be considered by the Council in the following order:

5.2.1 **CALL TO ORDER:** This section shall note the time and place of the meeting.

5.2.2 **ROLL CALL:** This section shall note the attendance of the Mayor, City Councilmembers, City Manager, City Attorney, and City Secretary.

5.2.3 **INVOCATION:** This section shall note the opening prayer.

5.2.4 PLEDGE OF ALLEGIANCE: This section shall note the observance of our national pledge.

5.2.5 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.

5.2.6 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.

5.2.7 CITIZENS PETITIONS AND INFORMATION: This section allows presentations by citizens of Killeen who are not currently in, or threatening civil or criminal litigation with, the City of Killeen or any of its officers or officials, or with whom litigation is reasonably anticipated. However, citizens who are currently involved or threatening litigation against the City may still address the council on issues wholly unrelated to the subject matter of the litigation. Individuals should address their petitions and presentations to the City Council and refrain from personally addressing individual members of the Council. Presentations may cover only one topic, must be related to City business, and shall be limited to 3 minutes, unless the Presiding Officer or any Councilmember allows a one (1) minute extension. A majority vote of the City Council is required for any other time extensions. Presentations must be scheduled and audio-visual materials requiring the use of equipment for presentation must be submitted through the City Manager's office by 2:00 p.m. on the Wednesday preceding the Council meeting at which the citizen wishes to speak.

5.2.8 MINUTES: This section shall provide for Council consideration of minutes.

5.2.9. RESOLUTIONS: This section shall provide for Council consideration of all resolutions that do not require a Public Hearing.

5.2.10 ORDINANCES: This section shall provide for Council consideration of all ordinances that do not require a Public Hearing.

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

- (1) Reading of the caption of the ordinance
- (2) Hearing of staff comments
- (3) Opening of Public Hearing
- (4) Closing of Public Hearing
- (5) City Council Discussion
- (6) Consideration of motion, second and vote

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

5.3 *Agenda Deadline:* Any person desiring either to present an item for the Councils' consideration or sign up to address the Council during Citizens Petitions and Information shall do so in the City Manager's office not later than 2:00 p.m. on the Wednesday preceding the meeting or workshop at which he/she wishes the subject to be considered.

5.4 *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 3 minutes to make comments. The Presiding Officer or any Councilmember may allow a 1-minute extension. A majority vote of the City Council is required for any other time extensions.

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City of Killeen

Legislation Details

File #: OR-15-005 **Version:** 1 **Name:** Ordinance Cancelling District 2 and District 4 Races
Type: Ordinance **Status:** Ordinances / Resolutions
File created: 3/5/2015 **In control:** City Council
On agenda: 3/31/2015 **Final action:**
Title: Consider an ordinance declaring unopposed candidates and canceling the May 9, 2015 General Election in District 2 and District 4.
Sponsors: City Secretary
Indexes:
Code sections:
Attachments: [Council Memorandum](#)
[Ordinance](#)
[Certification of City Secretary](#)

Date	Ver.	Action By	Action	Result
3/17/2015	1	City Council Workshop		

CITY COUNCIL MEMORANDUM

AGENDA ITEM

Ordinance declaring unopposed candidates, canceling the General Election in District 2 and District 4 for the May 9, 2015 election.

ORIGINATING DEPARTMENT

City Attorney/City Secretary

BACKGROUND INFORMATION

The Texas Election Code, Chapter 2, section 2.051(b) provides that an election in a single-member district may be canceled if the candidate is unopposed, there are no write-in candidates and no proposition is to appear on the ballot.

DISCUSSION/CONCLUSION

The attached ordinance has been prepared canceling the election in District 2 and District 4 since those districts have an unopposed candidate, no write-in candidates, and no propositions to appear on said ballot.

FISCAL IMPACT

The amount spent on the election will be reduced by an amount of approximately \$9000.00

RECOMMENDATION

Staff recommends adoption of the proposed ordinance.

AN ORDINANCE DECLARING UNOPPOSED CANDIDATES IN THE MAY 9, 2015 GENERAL CITY ELECTION; CANCELING THE ELECTION IN DISTRICTS WITH UNOPPOSED CANDIDATES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the general city election was called for May 9, 2015 for the purpose of electing members to the City Council; and

WHEREAS, the City Secretary has certified in writing that there is no proposition on the ballot for District 2 or District 4, that no person has made a declaration of write-in candidacy for District 2 or District 4, and that the candidate on the ballot for District 2 and District 4 is unopposed for election to office; and

WHEREAS, under these circumstances, Chapter 2, section 2.051(b) Election Code, authorizes the City Council to declare the candidates for District 2 and District 4 elected to office and cancel the election in those Districts; NOW, THEREFORE,

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

SECTION I. The following candidates, who are unopposed in the May 9, 2015 general city election, is declared elected to office and shall be issued certificates of election following the time the election would have been canvassed:

Jose Segarra – District 2
Brockley King Moore – District 4

SECTION II. The May 9, 2015 general city election is canceled as to District 2 and District 4 and the City Secretary is directed to cause an Order of Cancellation to be posted on Election Day at each polling place that would have been used in the election.

SECTION III. It is declared to be the intent of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this ordinance is declared invalid by the judgment or decree of a court of competent jurisdiction, the invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance since the City Council would have enacted them without the invalid portion.

SECTION IV. This ordinance shall take effect upon its final passage, and it is so ordained.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Killeen, Texas, this 31st day of March, 2015, at which meeting a quorum was present, held in accordance with the provisions of the Texas Government Code, Section 551.001, et seq.

APPROVED

Scott Cospers, Mayor

ATTEST:

Dianna Barker, City Secretary

APPROVED AS TO FORM

Kathryn H. Davis, City Attorney

CERTIFICATION OF CITY SECRETARY

I, Dianna Barker, hereby certify that I am the City Secretary of the City of Killeen, Texas, and the authority responsible for having the official ballot prepared for the regular municipal election of May 9, 2015. I further certify, pursuant to Section 2.052, Texas Election Code, that the following candidates are unopposed for election to the office of Council Member, District 2 and District 4, to be on the ballot in the May 9, 2015 regular municipal election.

Jose Segarra is unopposed for election to the office of City Councilmember District No. 2,
Brockley King Moore is unopposed for election to the Office of City Councilmember District No. 4.

I further certify that no candidate's name is to be placed on a list of write-in candidates for the position of City Council Member District No. 2 or District No. 4 to appear on the ballot in the May 9, 2015 regular municipal election and that there are no propositions to appear on the ballot in said election in said District.

To certify which, witness my hand and seal of the City of Killeen, Texas, this the 31st day of March 2015.

Dianna Barker
City Secretary
City of Killeen, Texas



City of Killeen

Legislation Details

File #: OR-15-007 **Version:** 1 **Name:** Solid Waste Rate Change Ordinance
Type: Ordinance **Status:** Ordinances / Resolutions
File created: 2/27/2015 **In control:** City Council
On agenda: 3/31/2015 **Final action:**
Title: Consider an ordinance amending Chapter 2, Article VI, Section 2-150 Fees and Chapter 24, Article II, Division 6, Rates for Municipal Solid Waste Collection and Disposal Service.
Sponsors: Solid Waste, Public Works Department, Transfer Station, Recycling
Indexes:
Code sections: 2-150 - Fees, 24-115 - Residential Rates, 24-116 - Commercial Rates, 24-117 - Recycling Rates, 24-118 - Transfer Station RAtes
Attachments: [Council Memorandum](#)
[Ordinance](#)

Date	Ver.	Action By	Action	Result
3/17/2015	1	City Council Workshop		

CITY COUNCIL MEMORANDUM

AGENDA ITEM

Ordinance Amending Solid Waste Collection and Disposal Rates for Fiscal Year 2014-15

ORIGINATING DEPARTMENT

Public Works/Solid Waste

BACKGROUND INFORMATION

Due to the City's projected growth, inflation, and required capital improvements, the City Council authorized a professional services contract for the study of solid waste rates necessary to meet current and future solid waste collection and disposal needs. The study was completed by SCS Engineers and adopted by City Council on February 24, 2015.

DISCUSSION/CONCLUSION

In accordance with our planning practices, SCS Engineers was engaged to perform a master plan and rate study. The study analyzed solid waste services, future expansion, and replacement of assets. The study also analyzed the cost of providing services due to inflation, growth, and the cost of additional debt to fund capital needs. The rate recommendations cover a five-year study period.

Based upon the rate study, the proposed rates for all residential customers who use a 96-gallon container would increase from \$17.50 to \$19.76. For customers who choose the 64-gallon container, the monthly charge would increase from \$15.60 to \$17.76. For customers who choose the 32-gallon container, the monthly charge would increase from \$14.38 to \$16.76.

In addition, the rate for commercial customers who choose a 96-gallon container will increase from \$17.50 to \$21.30. All other commercial rates will increase by 7.80%.

All special service and administrative fees outlined in Chapter 2, Division 6, Fees and Chapter 24, Division 6, Rate schedule, as well as any other fees not outlined above, will increase by 5%.

In addition, the Solid Waste Division recommends the City adjust customer rates annually and every (12) month period thereafter, by the same percentage as the Consumer Price Index (CPI) (Dallas / Fort Worth Region for All Urban Consumers, less energy) as published by the US Department of Labor, Bureau of Labor Statistics, during the preceding twelve (12) months as measured from July of the previous year to June of the then current year.

FISCAL IMPACT

The receipt of additional revenue will more accurately offset the cost of expense for the solid waste services.

RECOMMENDATION

Staff recommends that the City Council adopt the attached ordinance amending the solid waste collection and disposal rates.

AN ORDINANCE AMENDING CHAPTER 2 (ADMINISTRATION), ARTICLE VI FEES, SECTION 2-150 FEES AND CHAPTER 24 (SOLID WASTE), ARTICLE II, DIVISION 6, SECTION 24-115. RESIDENTIAL RATES, SECTION 24-116. COMMERCIAL RATES, SECTION 24-117. RECYCLING RATES, AND SECTION 24-118. TRANSFER STATION RATES, OF THE OFFICIAL CODE OF ORDINANCES OF THE CITY OF KILLEEN, TEXAS, PROVIDING FOR INCREASES IN SOLID WASTE FEES; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

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

SECTION I: That Chapter 2 (Administration) of the Code of Ordinances of the City of Killeen is hereby amended to read as follows:

Chapter 2

ADMINISTRATION

ARTICLE VI. FEES

Sec. 2-150. -Fees.

The following fees are hereby established for the departments listed:

(n) Solid Waste (The following fees shall be annually adjusted in accordance with Chapter 24, Section 24-119 of this Code)

- (1) Special Collection Fee - ~~\$20.00~~ \$21.00 for a volume up to three (3) cubic yards; ~~\$7.00~~ \$7.50 for each additional cubic yard
- (2) Waiting time (blocked dumpster asked to wait) - ~~\$128.27~~ \$138.28/hour; ~~\$2.15~~ \$2.32/minute
- (3) After hours special pickup of dumpsters (under two hours) - ~~\$50.50~~ \$54.44
- (4) Deposit at water department for recurring use of transfer station in order to be able to charge disposal costs - ~~\$125.00~~ \$134.75
- (5) Installation of dumpster - ~~\$50.50~~ \$54.44
- (6) Relocation of dumpster - ~~\$50.50~~ \$54.44

SECTION II: That Chapter 24 (Solid Waste) of the Code of Ordinances of the City of Killeen is hereby amended to read as follows:

Chapter 24

SOLID WASTE

ARTICLE II. MUNICIPAL COLLECTION AND DISPOSAL SERVICE

DIVISION 6. RATE SCHEDULE

Sec. 24-115. - Residential rates.

- (a) Variable rates shall be charged depending on the size and quantity of containers selected. This monthly base rate includes the standard weekly services as stated in section 24-46(b). Sales tax shall be added to fees for goods and services where required by state law. A separate deposit of \$30.00 shall be required for solid waste services when establishing a water services account with the utility collections division.

Container Size(s) Available	Monthly Base Rate
96 gallon	\$17.50 \$19.76
64 gallon	\$15.60 \$17.76
32 gallon	\$14.38 \$16.76

- (b) Additional container(s) of the same or different size may be subscribed by paying the fee stated above for the additional container(s).
- (c) A container exchange fee of ~~\$10.00~~ \$10.50 shall be charged for all exchanges to a larger container or additional containers. This is a one-time fee charged to the monthly utility bill. There shall be no charge for customers who exchange a larger container for a smaller container.
- (d) Brush collection: on the scheduled collection day, residents are allowed up to six (6) cubic yards of segregated brush (dimensions of 4 ft x 4 ft x 12 ft). Brush in excess of this amount shall be charged a fee at the rate of seven dollars (~~\$7.00~~ \$7.50) per cubic yard.
- (e) Special collection service fee: solid waste (excluding non-collectibles) that are identified under section 24.54 and at curb on the scheduled collection day and properly prepared for collection shall be picked up for the following fees:
- (1) ~~\$20.00~~ \$21.00 minimum for a volume up to three (3) cubic yards.
 - (2) ~~\$7.00~~ \$7.50 per cubic yard in excess of three (3) cubic yards.

- (f) Replacement cost for lost, stolen, or damaged roll-out containers or recycling bins through customer abuse or neglect: ~~\$19.00~~ \$20.00 service fee, plus the cost to purchase the replacement container.
- (g) Replacement of container lids, wheels, and other container hardware due to customer abuse or neglect: ~~\$19.00~~ \$20.00 Service fee, plus the cost of replacement part(s).
- (h) Missed service fee for automated collection: ~~\$7.00~~ \$7.50 for return trip.
- (i) Automated container reload for excess garbage placed in plastic bag: ~~\$6.00~~ \$6.50 per reload; maximum number of reloads per collection two (2), for a maximum fee of ~~\$12.00~~ \$13.00.
- (j) Fee charged for an overloaded container: ~~\$6.00~~ \$6.50.
- (k) Residential premium service.
 - (1) ~~\$22.00~~ \$23.00 for emptying of automated container only.
 - (2) ~~\$22.00~~ \$23.00 service fee and ~~\$7.00~~ \$7.50 per cubic yard for other special waste properly prepared for collection.
- (l) Fee to remove roll-out residential container from curb by city employee: ~~\$6.00~~ \$6.50.
(Ord. No. 03-41, § I, 8-26-03; Ord. No. 09-057, § I, 9-15-09; Ord. No. 10-048, § I, 9-14-10; Ord. No. 11-081, § I, 9-13-11)

Sec. 24-116. - Commercial rates.

- (a) Once per week collection using a 96-gallon container: ~~\$17.50~~ \$21.30 per month.
- (b) Once per week collection using a 300-gallon container: ~~\$52.97~~ \$57.10 per month.
- (c) Dumpster container rates are based on size of container and frequency of weekly collection.
 - (1) Monthly fees:

Dumpster Size	Collections Per Week						
	1	2	3	4	5	6	7
2 cu yd	\$73.02	\$111.37	\$155.76	\$200.15	\$245.48	\$288.92	\$333.31
	\$78.72	\$120.06	\$167.91	\$215.76	\$264.93	\$311.46	\$359.31
3 cu yd	\$89.12	\$138.24	\$194.70	\$251.18	\$307.65	\$364.12	\$420.59
	\$96.07	\$149.04	\$209.89	\$270.77	\$331.65	\$392.50	\$453.40
4 cu yd	\$104.24	\$164.19	\$232.74	\$301.27	\$369.85	\$438.41	\$506.96

	\$112.37	\$177.00	\$250.89	\$324.77	\$398.70	\$472.61	\$546.50
6 cu yd	\$136.47	\$217.92	\$310.64	\$403.35	\$496.07	\$588.78	\$681.49
	\$147.77	\$234.92	\$334.87	\$434.81	\$534.76	\$634.70	\$734.65
8 cu yd	\$168.69	\$271.51	\$388.51	\$505.40	\$622.27	\$739.17	\$856.05
	\$181.85	\$292.69	\$418.81	\$544.82	\$670.81	\$796.83	\$922.82

(2) Fees for extra pickups:

Size of Container	For Customer Reload on Site	For Call-In Service
2 cu yd	\$11.38 \$12.27	\$25.65 \$27.65
3 cu yd	\$14.51 \$15.64	\$28.76 \$31.00
4 cu yd	\$17.60 \$18.97	\$31.86 \$34.35
6 cu yd	\$23.82 \$25.68	\$38.07 \$41.04
8 cu yd	\$30.02 \$32.36	\$44.28 \$47.73

(d) Fees for collection from privately owned, small compactors are based on size of compactor and frequency of weekly collection:

Compactor Size	Collections Per Week						
	1	2	3	4	5	6	7
4 cu yd	\$138.25	\$271.42	\$404.59	\$537.73	\$670.93	\$804.10	\$937.27
	\$149.03	\$292.59	\$436.15	\$579.67	\$723.26	\$866.82	\$1010.38
6 cu yd	\$185.48	\$366.56	\$545.65	\$725.74	\$905.82	\$1085.90	\$1265.97

	\$199.95	\$395.15	\$588.21	\$782.35	\$976.47	\$1170.60	\$1364.72
8 cu yd	\$232.76	\$459.68	\$686.84	\$913.91	\$1140.95	\$1368.00	\$1595.04
	\$250.92	\$495.54	\$739.95	\$985.19	\$1229.94	\$1474.70	\$1719.45

(e) Fees for roll-off container service:

(1)

Size of Container	Rental Fee (a)	Service
20 yd open top	\$123.89	\$126.81+weight^b
	\$133.55	\$136.70
30 yd open top	\$146.34	\$126.81+weight^b
	\$157.75	\$136.70
40 yd open top	\$167.81	\$126.81+weight^b
	\$180.90	\$136.70
20 yd compactor	Must own	\$126.81+weight^b \$136.70
30 yd compactor	Must own	\$126.81+weight^b \$136.70
42 yd compactor	Must own	\$126.81+weight^b \$136.70
(a) minimum fee: one month rental for first month; prorated for subsequent months		
^b weight fee is \$58.70 \$63.28 per ton		

(2) Prepaid deposit based on number of services per month:

Size of Roll Off	Number of Services Per Month							
	1	2	3	4	5	6	7	8
20 yd open top	\$399.00	\$695.40	\$991.80	\$1288.20	\$1584.60	\$1881.00	\$2177.40	\$2473.80
	\$430.12	\$749.64	\$1069.16	\$1388.68	\$1708.20	\$2027.72	\$2347.24	\$2666.76
30 yd open top	\$484.50	\$839.04	\$1194.72	\$1550.40	\$1906.08	\$2261.76	\$2575.26	\$2929.80
	\$522.29	\$904.49	\$1287.91	\$1671.33	\$2054.75	\$2438.18	\$2776.13	\$3158.32
40 yd open top	\$558.60	\$974.70	\$1390.80	\$1803.48	\$2217.30	\$2631.13	\$3047.22	\$3463.32
	\$602.17	\$1050.73	\$1499.28	\$1944.15	\$2309.25	\$2836.36	\$3284.90	\$3733.46

- (f) Installation of locking bar device on commercial containers: ~~\$31.38~~ \$33.83 installation fee plus ~~\$3.14~~ \$3.38 monthly rental.
- (g) Dumpster cleaning required by solid waste director or requested by customer, because of odor or unsanitary condition: ~~\$65.00~~ \$70.00 per wash.
- (h) Necessary dumpster cleaning and painting after a fire in container: ~~\$230.00~~ \$248.00
- (i) Mechanical assistance to customer to unload unauthorized items in container, such as appliances, couches, etc: ~~\$50.50~~ \$54.44.
- (j) *Manual collection:* ~~one hundred thirty eight dollars and thirty seven cents~~ one hundred forty nine dollars and sixteen cents (~~\$138.37~~ \$149.16) per hour based on the total amount of time including; but not limited to, travel, loading and disposal, plus weight of contents.
- (k) *Special mechanical collection:*
 - (1) ~~\$20.00~~ \$21.00 minimum for a volume up to three (3) cubic yards.
 - (2) ~~\$7.00~~ 7.50 per cubic yard in excess of (3) three cubic yards.
- (l) Waiting time (blocked dumpster asked to wait) - ~~\$128.27~~ \$138.28/hour; ~~\$2.15~~ \$2.32/minute.
- (m) After hours special pickup of dumpsters (under two hours) - ~~\$50.50~~ \$54.44.
- (n) Deposit at utility collections division for recurring use of transfer station in order to be able to charge disposal costs - ~~\$125.00~~ \$134.75.
- (o) Installation of dumpster - ~~\$50.50~~ \$54.44.

- (p) Relocation of dumpster -~~\$50.50~~ \$54.44.

(Ord. No. 03-41, § I, 8-26-03; Ord. No. 04-70, § I, 8-24-04; Ord. No. 05-72, § I, 9-13-05; Ord. No. 06-132, § I, 12-12-06; Ord. No. 09-057, § I, 9-15-09; Ord. No. 10-048, § I, 9-14-10; Ord. No. 11-081, § I, 9-13-11)

Sec. 24-117. - Recycling rates.

- (a) Subscription to the residential curbside recycling service: ~~\$2.48~~ \$2.60 per month.
- (b) Additional (or second) 22-gallon recycling bin: city's current cost to purchase containers - one time cost only.
- (c) Lid cover for the 22-gallon recycling bin: city's current cost to purchase lids - one time cost only.
- (d) Public scale fee:
- (1) Weight ticket - ~~\$9.00~~ \$9.50
 - (2) Copy of ticket - ~~\$6.00~~ \$6.50
- (e) Roll-off rental for special purposes or events: ~~\$65.00~~ \$68.25 (per service).
- (f) Fee for each appliance received at Killeen recycling center for CFC evacuation and disposal of appliance: ~~\$20.00~~ \$21.00.
- (g) Pickup of an appliance containing CFC's at residential curbside, CFC evacuation, and disposal of appliance: ~~\$40.00~~ \$42.00.

(Ord. No. 03-41, § I, 8-26-03; Ord. No. 09-057, § I, 9-15-09; Ord. No. 10-048, § I, 9-14-10; Ord. No. 11-081, § I, 9-13-11)

Sec. 24-118. - Transfer station rates.

- (a) Disposal fee, when applicable, shall be calculated by weight as determined by the on-site scales, at a rate of ~~fifty eight dollars and seventy cents~~ sixty three dollars and twenty eight cents (~~\$58.70~~ \$63.28) per ton, ~~two dollars and ninety three cents~~ three dollars and eight cents (~~\$2.93~~ \$3.08) per one hundred (100) pounds; which is the minimum fee.
- (b) Surcharge for unsecured load: ~~\$25.00~~ \$26.25.
- (c) Tire disposal fees:
- (1) Passenger/light truck tires greater than 12" rim size up to a 22" rim size: ~~\$3.00~~ \$3.15.
 - (2) Passenger/light truck tires up to a 12" rim size: ~~\$2.50~~ \$2.65.
 - (2) Commercial tires, but not larger than a 2" bead: ~~\$6.00~~ \$6.50.

(Ord. No. 03-41, § I, 8-26-03; Ord. No. 09-057, § I, 9-15-09; Ord. No. 10-048, § I, 9-14-10; Ord. No. 11-081, § I, 9-13-11)

Sec. 24-119. – Annual Consumer Price Index Rate Adjustment.

Rates established in this Division 6 shall be adjusted annually and become effective on October 1 of each successive year by the same percentage as the Consumer Price Index (CPI) (Dallas/Fort

Worth Region for All Urban Consumers, less energy) as published by the United States Department of Labor, Bureau of Labor Statistics, during the preceding twelve (12) month period as measured from July of the previous year through June of the then current year.

SECTION III. 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 IV. That should any section or part of any section, paragraph or clause 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 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 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 ____ day of _____, 2015, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A., Government Code, §551.001 *et seq.*