



City of Killeen

Agenda

City Council

Tuesday, February 28, 2017

5:00 PM

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

Call to Order and Roll Call

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

Invocation

Pledge of Allegiance

Approval of Agenda

Citizens Petitions

1. [CP-17-003](#) Shirley Del Conte (1201 Smith Drive) - Improvements in North Killeen

Minutes

2. [MN-17-005](#) Consider Minutes of Regular City Council Meeting of February 14, 2017.

Attachments: [Minutes](#)

[Okray Memorandum for Record](#)

Resolutions

3. [RS-17-016](#) Consider a memorandum/resolution appointing members to the Youth Advisory Commission.

Attachments: [Council Memorandum](#)

4. [RS-17-017](#) Consider a memorandum/resolution declaring a vacancy in the Arts Commission.

Attachments: [Council Memorandum](#)

[Vacancy Declaration](#)

5. [RS-17-018](#) Consider a memorandum/resolution authorizing the City Manager to accept grant funding from the Petco Foundation for the Police Department's Animal Services Unit adoption preparation program.

Attachments: [Council Memorandum](#)

[Grant Application](#)

[Award Notice](#)

6. [RS-17-019](#) Consider a memorandum/resolution to enter into an agreement with LifeQuest Services - Life Line Billing Systems, LLC for emergency medical services billing.

Attachments: [Council Memorandum](#)

[Contract](#)

[Certificate of Interested Parties](#)

7. [RS-17-020](#) Consider a memorandum/resolution authorizing the execution of Change Order No. 13 to McLean Construction, Inc. for the Trimmier Road Widening Project.

Attachments: [Council Memorandum](#)

[Change Order](#)

[Change Order History](#)

[Bid Items](#)

[Certificate of Interested Parties](#)

8. [RS-17-021](#) Consider a memorandum/resolution authorizing the execution of Change Order No. 14 to McLean Construction, Inc. for the Trimmier Road Widening Project.

Attachments: [Council Memorandum](#)

[Change Order](#)

[Change Order History](#)

[Bid Items](#)

[Certificate of Interested Parties](#)

Ordinances

9. [OR-17-005](#) Consider an ordinance to amend the number of authorized civil service positions for the Killeen Police Department.

Attachments: [Council Memorandum](#)

[Ordinance](#)

Public Hearings

10. [PH-17-006](#) HOLD a public hearing and consider an ordinance amending the Tax Increment Reinvestment Zone Number Two (TIRZ #2) project and financing plan and boundary.

Attachments: [Council Memorandum](#)

[Ordinance](#)

[Survey](#)

[Map](#)

11. [PH-17-007](#) HOLD a public hearing and consider an ordinance amending the FY 2017 Annual Budget and Plan of Municipal Services of the City of Killeen to realign budgets due to the elimination of the Support Services Department.
Attachments: [Council Memorandum](#)
[Ordinance](#)
12. [PH-17-008](#) HOLD a public hearing and consider an ordinance amending the FY 2017 Annual Budget and Plan of Municipal Services of the City of Killeen to authorize expenditure of Killeen Economic Development Corporation funds for Air Service Development initiatives and projects at the Killeen Fort Hood Regional Airport.
Attachments: [Council Memorandum](#)
[Ordinance](#)
13. [PH-17-009](#) HOLD a public hearing and consider an ordinance amending the FY 2017 Annual Budget and Plan of Municipal Services of the City of Killeen to increase General Fund revenue and expenditure accounts to provide funding for a Deputy City Marshall and Grants Coordinator.
Attachments: [Council Memorandum](#)
[Ordinance](#)
14. [PH-17-010](#) HOLD a public hearing and consider an ordinance amending the FY 2017 Annual Budget and Plan of Municipal Services of the City of Killeen to authorize the carryforward of FY 2016 revenues and expenditures to the FY 2017 budget and amending various special revenue and capital improvement project funds.
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 February 24, 2017.

Dianna Barker, City Secretary

The public is hereby informed that notices for City of Killeen meetings will no longer distinguish between matters to be discussed in open or closed session of a meeting. This practice is in accordance with rulings by the Texas Attorney General that, under the Texas Open Meetings Act, the City Council may convene a closed session to

discuss any matter listed on the agenda, without prior or further notice, if the matter is one that the Open Meetings Act allows to be discussed in a closed session.

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

Notice of Meetings

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

- *GKCC Division West Update Luncheon, March 14, 2017, 11:30 a.m., CTC Anderson Hall*
- *I-14 Signing & Great American Defense Community Designation Ceremony, April 22, 2017, 9:00 a.m., Central Texas College Anderson Center*

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City of Killeen

Legislation Details

File #: CP-17-003 **Version:** 1 **Name:** Shirley Del Conte (1201 Smith Drive) - Improvements in North Killeen

Type: Citizen Petition **Status:** Citizens Petitions

File created: 2/22/2017 **In control:** City Council

On agenda: 2/28/2017 **Final action:**

Title: Shirley Del Conte (1201 Smith Drive) - Improvements in North Killeen

Sponsors: City Manager Department

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
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City of Killeen

Legislation Details

File #: MN-17-005 **Version:** 1 **Name:** Minutes of Regular City Council Meeting of February 14, 2017
Type: Minutes **Status:** Minutes
File created: 2/7/2017 **In control:** City Council
On agenda: 2/28/2017 **Final action:**
Title: Consider Minutes of Regular City Council Meeting of February 14, 2017.
Sponsors: City Secretary
Indexes:
Code sections:
Attachments: [Minutes](#)
[Okray Memorandum for Record](#)

Date	Ver.	Action By	Action	Result
2/21/2017	1	City Council Workshop		

City of Killeen
Regular City Council Meeting
Killeen City Hall
February 14, 2017 at 5:00 p.m.

Presiding: Mayor Jose L. Segarra

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

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

Mr. Jones gave the invocation, and Councilmember Kilpatrick led everyone in the Pledge of Allegiance.

Approval of Agenda

Motion was made by Mayor Pro-Tem Moore to approve the agenda pulling PH-17-004A from consideration. Motion seconded by Councilmember Fleming. The motion carried unanimously.

Citizens Petitions

CP-17-002 Libuse Harris-Brown (1804 Sherman Drive) - Services for Animals
Ms. Harris-Brown would like to see changes made that would require Animal Control, Police, or Fire Department to respond if a call is placed to 9-1-1 from someone needing assistance with their animal.

Minutes

Motion was made by Councilmember Kilpatrick to approve the minutes of the January 24, 2017 Regular City Council Meeting and the minutes from the February 7, 2017 Special City Council meeting. Motion was seconded by Councilmember Rivera. Motion carried unanimously.

Resolutions

RS-17-006 Consider a memorandum/resolution authorizing the procurement of fleet tires.
Staff comments: Frank Tydlacka
Based upon the last year's expenditures for tires and recently-published 2017 pricing, it is anticipated that the City could again spend approximately \$226,000.00 in FY17. Staff recommends approval of the anticipated expenditure of \$226,000.00 in FY17 for tires purchased from Southern Tire Mart that are then charged back to the various City departments and divisions as authorized in the FY17 budget, and that the City Manager or designee is expressly authorized to execute any and all change orders within the amounts set by state and local law.

Motion was made by Councilmember Okray to approve RS-17-006. Motion was seconded by Mayor Pro-Tem Moore. Motion carried unanimously.

RS-17-007 Consider a memorandum/resolution approving an Interlocal Agreement between City of Killeen and CTCOG for participation in Nolan Creek Flood Protection Study.

Staff comments: David Olson

In order to formalize Killeen's participation with CTCOG in this program, it is necessary to enter into an Interlocal Agreement with CTCOG. CTCOG was required to sign the grant agreement with the TWDB by January 25, 2017. Therefore, the Mayor signed the attached Interlocal Agreement in reliance upon Council's earlier approval of the substantive terms of this agreement on December 13, 2016, and now asks that Council ratify that earlier signature. This agreement merely memorializes Council's agreement of December 13, 2016 to in-kind services of \$92,371.33 and a cash contribution of \$54,227.67.

Staff recommends that the City Council approve and ratify the attached Interlocal Agreement.

Motion was made by Councilmember Rivera to approve RS-17-007. Motion was seconded by Councilmember Johnson. Motion carried unanimously.

RS-17-008 Consider a memorandum/resolution approving the Interlocal Cooperation Agreement between Bell County, Texas, and the City of Killeen, Texas, for the management and supervision of a portion of county hotel/motel tax proceeds.

Staff comments: Leslie Hinkle

On February 24, 2015, the City Council authorized Bell County to collect and pay the City 2% of the net county tax receipts collected from hotels in the geographical boundaries of the city for management by the City in providing city programs.

The County has since collected that hotel tax and is presenting the Interlocal Cooperation Agreement for consideration. Staff recommends the Killeen City Council approve this agreement in accordance with the Texas Interlocal Cooperation Act, Chapter 791, Texas Government Code and authorize the City Manager to execute said agreement.

Motion was made by Councilmember Fleming to approve RS-17-008. Motion was seconded by Councilmember Kilpatrick. Motion carried unanimously.

Judge Burrows from Bell County presented a check in the amount of \$82,497.68 and asked the money to be used for the Killeen hotel and convention industry.

RS-17-009 Consider a memorandum/resolution of support for an application to Texas Department of Housing and Community Affairs for Westwind Apartments and Payton Senior LLC, affordable housing developments.

Staff comments: Leslie Hinkle

Westwind of Killeen is located on the northwest corner of Stan Schlueter Loop and Trimmer Road and proposing 120 units. Payton Senior is proposing 125 units of senior housing and they are located at the southwest quadrant of E Central Texas Expressway and Cunningham Road. In order to be competitive for the tax credits, both proposed developments must submit for a resolution of support from the City of Killeen. Staff recommends that the City Council approve the Resolutions of Support for the application to Texas Department of Housing and Community Affairs for the Westwind Apartments and Payton Senior Apartments.

Motion was made by Councilmember Rivera to approve RS-17-009. Motion was seconded by

Councilmember Johnson. Motion carried unanimously.

RS-17-010 Consider a memorandum/resolution authorizing the award of a professional services agreement with Freese and Nichols to design the South Water Supply Project.

Staff comments: David Olson

As the developer of the City's hydraulic computer model, Freese and Nichols have significant knowledge of the water infrastructure needs in the southern area of the City. F&N has submitted a proposal to design the South Water Supply Project. Staff recommends that City Council authorize the City Manager to enter into an agreement with Freese and Nichols for a professional services agreement for the design and contract administration of the South Water Supply Project in the amount of \$1,863,179.00 and that the City Manager is expressly authorized to execute any and all changes within the amounts set by state and local law.

Motion was made by Mayor Pro-Tem Moore to approve RS-17-010. Motion was seconded by Councilmember Rivera.

Councilmember Okray made a statement for the record. See attached.

Motion carried 6 to 1 with Councilmember Fleming opposing.

RS-17-011 Consider a memorandum/resolution authorizing the City Manager to execute an Election Services Contract with Bell County for election services and computer software usage.

Staff comments: Kathy Davis

The Bell County elections administrator has again made available for lease to the city election equipment, VoteSafe, Election Day support, and other miscellaneous services for the May 6, 2017 general election. Staff recommends the City Manager be authorized to execute the attached Contract for election services on behalf of the City of Killeen.

Motion was made by Councilmember Kilpatrick to approve RS-17-011. Motion was seconded by Councilmember Young. Motion carried unanimously.

RS-17-012 Consider a memorandum/resolution approving a Killeen Economic Development Corporation (KEDC) performance agreement in support of Air Service Development (ASD) initiatives and projects at the Killeen Fort Hood Regional Airport (KFHRA).

Staff comments: Matthew Van Valkenburgh

Staff presented information to KEDC related to funding for Air Service Development for the KFHRA to retain existing air service, pursue new aviation opportunities, and develop programs that would make the airport more competitive within the region. Staff recommends the City Council approve the Killeen Economic Development Corporation Performance Agreement to provide up to \$90,000 for Air Service Development and authorize the City Manager to execute the agreement and any and all amendments to the agreement within the amounts set by state and local law.

Motion was made by Councilmember Rivera to approve RS-17-012. Motion was seconded by Councilmember Johnson. Motion carried unanimously.

RS-17-013 Consider a memorandum/resolution authorizing the use of a Request for Qualifications/Proposal (RFQ/P) for improvements to the rental car ready lot at Killeen-

Fort Hood Regional Airport (KFHRA).

Staff comments: Matthew Van Valkenburgh

Staff recommends using an RFQ/P to select a team for a turnkey solution to design, build, and finance this improvement. A standard bid process only guarantees the lowest cost, but not necessarily the best value of a proposal. The RFQ/P process will provide the best value system for the airport and the City. Staff recommends the City Council authorize staff to utilize the RFQ/P process to identify and select the best value design-build team for the upgrades to the rental car ready facility at the Killeen-Fort Hood Regional Airport.

Motion was made by Councilmember Fleming to approve RS-17-013. Motion was seconded by Mayor Pro-Tem Moore. Motion carried unanimously.

Ordinances

OR-17-003 Consider an ordinance amending sign regulations in Articles IV and V of Chapter 31 of the City of Killeen Code of Ordinances.

The City Secretary read the caption of the ordinance.

AN ORDINANCE AMENDING CHAPTER 31 OF THE CODE OF ORDINANCES OF THE CITY OF KILLEEN; AMENDING ARTICLE IV DISTRICT REGULATIONS AND ARTICLE V SUPPLEMENTAL REGULATIONS; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

Staff comments: Holli Clements

Staff completed a comprehensive review of the City's sign ordinances to identify any regulations that are not in compliance with the *Reed* decision. The primary purpose of the proposed ordinance is to remove content based distinctions found mostly in the "Definitions" and "Signs allowed without a permit" sections. In addition, the revisions update and reorder parts of the ordinance for clarity, address citizen concerns that were voiced during the review process, and add a substitution clause allowing noncommercial speech anywhere commercial speech is allowed. The Planning and Zoning Commission unanimously recommends that the City Council adopt the proposed ordinance amending sign regulations in Articles IV and V of Chapter 31 of the City of Killeen Code of Ordinances. There was one additional change made at the meeting. The ordinance in the packet incorrectly referred to 31-503(7) and 31-503(8). The corrected references in 31-505(6) are as follows: 31-505 (6) Signs attached to any fence or property boundary walls except for signs denoted in section 31-503(9) and signs denoted in section 31-503(10).

Motion was made by Councilmember Okray to approve OR-17-003 with the above mentioned additional change. Motion was seconded by Councilmember Kilpatrick. Motion carried unanimously.

Public Hearings

PH-17-002 HOLD a public hearing and consider an ordinance amending the FY 2017 Annual Budget and Plan of Municipal Services of the City of Killeen to authorize expenditure of insurance proceeds at Skylark Field.

The City Secretary read the caption of the ordinance.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS, AMENDING THE FY 2017 ANNUAL BUDGET AND PLAN OF MUNICIPAL SERVICES OF THE CITY OF KILLEEN BY INCREASING THE AVIATION ENTERPRISE FUND REVENUE ACCOUNT BY \$5,240; INCREASING ENTERPRISE FUND EXPENDITURE ACCOUNTS BY \$5,240; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING A SAVING CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

Staff comments: Jonathan Locke

Repairs to the airfield guidance sign and the airport perimeter fence were completed utilizing FY 2017 maintenance account funds originally budgeted for other anticipated annual maintenance requirements. Approval of a budget amendment is required for the expenditure and transfer of the insurance proceeds to restore funding to the original expenditure accounts. Staff recommends that City Council approve the ordinance amending the FY 2017 Annual Budget and Plan of Municipal Services.

Mayor Segarra opened the public hearing. With no one appearing the public hearing was closed.

Motion was made by Mayor Pro-Tem Moore to approve PH-17-002. Motion was seconded by Councilmember Fleming. Motion carried unanimously.

PH-17-003 HOLD a public hearing and consider an ordinance requested by Christian Fellowship Church of Killeen, Inc. (Case #Z16-24) to rezone approximately 12.82 acres out of the Moses T. Martin Survey, Abstract No. 963, from “A” (Agricultural District) to “A-R1” (Agricultural Single-Family Residential District). The property is locally known as 8838 Trimmier Road, Killeen, Texas.

The City Secretary read the caption of the ordinance.

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF KILLEEN BY CHANGING THE ZONING OF CERTAIN PROPERTY OUT OF THE CITY OF KILLEEN, BELL COUNTY, TEXAS, FROM “A” (AGRICULTURAL DISTRICT) TO “A-R1” (AGRICULTURAL SINGLE-FAMILY RESIDENTIAL DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

Staff comments: Tony McIlwain

The Church wants to utilize the site for a new sanctuary. The staff notified eight (8) surrounding property owners regarding this request. Staff has received no protests. The Planning & Zoning Commission recommended approval of the applicant’s zoning request by a vote of 7 to 0.

Mayor Segarra opened the public hearing. With no one appearing the public hearing was closed.

Motion was made by Councilmember Okray to approve PH-17-003. Motion was seconded by Mayor Pro-Tem Moore. Motion carried unanimously.

PULLED FROM CONSIDERATION

PH-17-004A HOLD a public hearing and consider an ordinance requested by Theresa Marie Hammond and Yeon Ok Lee to amend the Comprehensive Plan’s Future Land Use Map (FLUM) from ‘General Residential’ to ‘General Commercial’ (FLUM# Z16-25) for Lots

6 and 8, Block 4, Sunset Addition. The properties are locally known as 307 and 309 Carter Street, Killeen, Texas.

PH-17-004B HOLD a public hearing and consider an ordinance requested by Theresa Marie Hammond and Yong Ok Lee (Case #Z16-25) to rezone Lots 6 and 8, Block 4, Sunset Addition, from “R-1” (Single-Family Residential District) to “B-5” (Business District). The properties are locally known as 307 and 309 Carter Street, Killeen, Texas.

The City Secretary read the caption of the ordinance.

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF KILLEEN BY CHANGING THE ZONING OF CERTAIN PROPERTY OUT OF THE CITY OF KILLEEN, BELL COUNTY, TEXAS, FROM “R-1” (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO “B-2” (LOCAL RETAIL DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

Staff comments: Tony McIlwain

This request is submitted by Theresa Marie Hammond and Yong Ok Lee for a proposed barbershop and cafe. The staff notified twenty-four (24) surrounding property owners regarding this request. Staff has received no protests. The Planning & Zoning Commission recommended approval of “B-2” (Local Retail District) by a vote of 7 to 0. The “B-2” zoning district will allow a barbershop and café and is the most restrictive district in which the proposed uses are allowed.

Mayor Segarra opened the public hearing.

Dan Corbin, representing Ms. Yong Lee, 603 N. 8th St. - spoke in favor of request.

Pamela Callaway, Washington State, owner of home on Carter Street - spoke against request.

Della Blake, 312 Carter Street - spoke against request.

With no one appearing the public hearing was closed.

Motion was made by Councilmember Johnson to approve PH-17-004B with zoning of B-2. Motion was seconded by Councilmember Young. Motion carried unanimously.

Adjournment

With no further business, upon motion being made by Councilmember Okray, seconded by Mayor Pro-Tem Moore, and unanimously approved, the meeting was adjourned at 6:05 p.m.

MEMORANDUM FOR RECORD
RS-17-010, 2-14-17

I do support the consideration authorizing the award of a professional services agreement with to design the South Water Supply Project. However, it is guarded support. What weight or relevance will Impact Fees have on funding this and other phases of construction? What is the projected impact on the use of the resource this project brings, in terms of gallons per day, ratio of participation to resource in fiscal terms? To what level, in terms of rates and fees, will development contribute to procurement and delivery of associated resource and maintenance of infrastructure?

Jonathan L. Okray

A handwritten signature in black ink that reads "Jonathan L. Okray". The signature is written in a cursive style with a large initial 'J'.

Councilmember At-Large



City of Killeen

Legislation Details

File #: RS-17-016 **Version:** 1 **Name:** YAC Commissioner Appointments
Type: Resolution **Status:** Resolutions
File created: 1/27/2017 **In control:** City Council
On agenda: 2/28/2017 **Final action:**
Title: Consider a memorandum/resolution appointing members to the Youth Advisory Commission.
Sponsors: Volunteer Services
Indexes:
Code sections:
Attachments: [Council Memorandum](#)

Date	Ver.	Action By	Action	Result
2/21/2017	1	City Council Workshop		

CITY COUNCIL MEMORANDUM

AGENDA ITEM

APPOINTMENT OF MEMBERS TO THE YOUTH ADVISORY COMMISSION

ORIGINATING DEPARTMENT

Community Services/Volunteer Services

BACKGROUND INFORMATION

The City Council is responsible for making appointments to the boards and commissions. These appointments occur once each year and as vacancies occur.

DISCUSSION/CONCLUSION

Appointments are needed for the Youth Advisory Commission for the 2016-2017 year. The following recommendations are provided for City Council consideration:

KILLEEN VOLUNTEERS, INC. - YOUTH ADVISORY COMMISSION		
<i>Sub-Committee: All Council</i>		
Current Members	New YAC Members	Special Qualifications
Jeremiah Belser	Isaiah Crockett	Student Representative
Michalis Paizanis	Vivian Dorman	Student Representative
La'Shaun Wright	Lorena Kirk	Student Representative
Vacancy	Julie Kirk	Student Representative
Vacancy	Hailee Kirk	Student Representative
Vacancy	Bryanna Palma	Student Representative
Vacancy	Anna Rice	Student Representative
Vacancy	Ashton White	Student Representative
Vacancy	Khalil Corbett-Canada	Student Representative

FISCAL IMPACT

These proposed changes have no fiscal impact.

RECOMMENDATION

It is recommended that the City Council appoint the nominated individuals.



City of Killeen

Legislation Details

File #: RS-17-017 **Version:** 1 **Name:** Declare Arts Commission Music/Radio/TV seat vacant
Type: Resolution **Status:** Resolutions
File created: 2/7/2017 **In control:** City Council
On agenda: 2/28/2017 **Final action:**
Title: Consider a memorandum/resolution declaring a vacancy in the Arts Commission.
Sponsors: City Secretary
Indexes:
Code sections:
Attachments: [Council Memorandum](#)
[Vacancy Declaration](#)

Date	Ver.	Action By	Action	Result
2/21/2017	1	City Council Workshop		

CITY COUNCIL MEMORANDUM

AGENDA ITEM

Declaring a Vacancy in the Arts Commission

ORIGINATING DEPARTMENT

City Attorney/City Secretary

BACKGROUND INFORMATION

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

DISCUSSION/CONCLUSION

Sec.2-118 of the City of Killeen Code of Ordinances provides that, in the case of excessive absences, a board, commission or committee member can be removed from office. Missing three (3) consecutive meetings or more than twenty-five (25) percent of the meetings in a twelve-month period where the board, commission or committee meets more than four (4) times per year shall constitute excessive absences.

Section 2-118 also lays out the process for declaring a position vacant due to excessive absences. Immediately after missing the requisite number of meetings, the secretary shall notify the president or chair in writing, who then notifies the city manager's office with recommendations in writing. The city manager then places the matter on the next available city council meeting agenda for consideration. At that meeting, the council may declare the position vacant.

The Chair of the Arts Commission has notified the city manager's office that Mr. Mike Bartoszek is no longer able to regularly attend Arts Commission meetings and has missed the last four meetings. The Chair has requested that the position be declared vacant.

RECOMMENDATION

It is recommended that the City Council consider whether to declare the Music/Radio/TV seat on the Arts Commission vacant.



received
1-19-17

December 9, 2016

City Secretary
City of Killeen
PO Box 1329
Killeen, TX 76540

Dear City Secretary:

It is my obligation to inform you that Mike Bartoszek, a Music/radio/tv/tape/sound recording member of the Killeen Arts Commission, has failed to meet the minimum requirements with regards to attendance in accordance with the Killeen City Code, Section 2-118, Declaration of position vacancy due to excessive absences.

For this reason, I recommend that you declare this position as vacant.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ralph Cossey Jr.', written in a cursive style.

Ralph Cossey Jr.
Chairperson
Killeen Arts Commission

cc: City Manager's Office



City of Killeen

Legislation Details

File #: RS-17-018 **Version:** 1 **Name:** Petco Foundation - Think Adoption First Oct-2016 Grant
Type: Resolution **Status:** Resolutions
File created: 1/26/2017 **In control:** City Council
On agenda: 2/28/2017 **Final action:**
Title: Consider a memorandum/resolution authorizing the City Manager to accept grant funding from the Petco Foundation for the Police Department's Animal Services Unit adoption preparation program.
Sponsors: Animal Services, Police Department
Indexes:
Code sections:
Attachments: [Council Memorandum](#)
[Grant Application](#)
[Award Notice](#)

Date	Ver.	Action By	Action	Result
2/21/2017	1	City Council Workshop		

CITY COUNCIL MEMORANDUM

AGENDA ITEM

Petco Foundation - Think Adoption First

ORIGINATING DEPARTMENT

Police Department/Animal Services

BACKGROUND INFORMATION

The Animal Services Unit (ASU) is in constant search for new ideas to improve on the adoption process. Over the past several years ASU has made several efforts to acquire additional funding to cover the cost of spay/neuter and vaccination for the adopted animals at the shelter. This would ensure that animals are in compliance with the local ordinance and state law while providing fully vetted animals for adoption. It improves the overall quality of life of the animal and provides a new pet for the family with the least fiscal impact. In an effort to support this ideology, the Petco Foundation has chosen to support the Killeen Animal Services by awarding the City of Killeen a grant for \$45,000 from the Petco Foundation for the October 2016 grant cycle.

DISCUSSION/CONCLUSION

This first objective of this grant is to provide aid in preparing animals for adoption by funding the cost of vaccinations and spay/neuter procedures. The second purpose of the funding is to aid in the promotion of our adoption and vaccination programs. The third purpose of this funding is designated for the procurement of equipment that will help in the daily care of our animals. These three functions together will improve the health and quality of the animals we are presenting for adoption in a manner that will help draw attention to their needs while presenting our pets at their best to join with their new owners.

As this program is implemented and progresses, we intend to expand on our spay/neuter and vaccination program and prepare as many animals prior to adoption as possible. When an animal cannot be vetted prior to adoption, a special voucher will be issued to the new owner that can be redeemed through pre-approved sources to have the required spay/neuter and or vaccinations performed. This will ensure that each animal meets the standards required by ordinance and state law upon adoption.

FISCAL IMPACT

This grant funding has been approved in the amount of \$45,000 and requires no matching funds to be contributed by the city. The funds will be deposited into Account #249-0000-362-30-01. The grant term lasts until all funds are expended.

RECOMMENDATION

Staff recommends that the Council authorize the City Manager to receive the funding allocated by Petco Foundation for ASU's shelter's adoption preparation program.

31-1-1001.58
JUL 27 2016

City of Killeen

GRANT PRE-APPLICATION ASSESSMENT COVER PAGE

Name of Grant: October 2016 Cycle Grant		Anticipated Award Amount: 45,000
Purpose of Grant: Spay/Neuter, Adoption, Promotion, Industrial Dishwasher		
Date:	CFDA #, if applicable:	Grant Exempted: <input type="checkbox"/>
Initiating Department or Division: Killeen Police Department / Patrol/ ASU		
Contact Name: Edward W. Tucker	Contact Phone: (254) 526-4455	





Pre-Application Assessment Considerations

1. Financial

- a. Total anticipated project cost
- b. Match requirements and sources
- c. Program income considerations
- d. Staffing requirements, to include salary and benefits increases for multi-year grants
- e. Documentation of a continuation plan. Departments are required to develop continuation plans, which are plans for sustaining grant funded programs if funding is reduced during the grant term. In the event that a grant funded program continues beyond the grant term, the plan must identify alternative funding.

2. Programmatic

- a. The proposed program should align with the City's strategic priorities and/or the department's business plan
- b. The provision or expansion of services to address critical needs
- c. The Department's capacity to administer the financial and administrative aspects of the grant

Transmittal Sequence	Authorized Approver	Signature	Date
1	Department Director		6/22/16
2	Grants Analyst		6/23/16
3	Director of Finance		6/23/16
4	City Manager or Designee		6/29/16
5	Return to Grants Analyst		6/29/16

requests

Applicant Dashboard
Apply

tools

Fax to File
View Organization History

Application

Question List

Apply / Organizations responsible for Animal Control sheltering but not field officers / Application / Preview

Fields with an asterisk (*) are required.



Grant Cycle*

Decisions are made in May and October for this grant category. If you are seeking an October 2016 decision, name your request "OCT 2016 Grant Cycle". If you are seeking a May decision date, please wait and submit your application during the next cycle.

October 2016 Grant Cycle

Amount Requested*

Please provide the total amount requested.

\$ 45,000.00

Service Area population*

100,000 - 249,000

Geographic Area*

Geographic region in which funds will be used

Texas

Petco VIN

Please provide 4-8 digit Petco VIN (Vendor Identification Number) if known. If you do not know or do not have a VIN, please leave blank.

123005

Partner Newsletter*

Is everyone in your organization who should be receiving our partner newsletter signed up? If not, please indicate email addresses below for those that would like to receive important updates regarding grants, adoptions and other exclusive partner information.

- Yes
- No

Email #1

asanchez@killeentexas.gov

Email #2

ganderson@killeentexas.gov

Email #3



IMPORTANT: It is imperative that you read the Grant Application Instructions prior to completing this application. Failure to accurately complete the application in accordance with the Grant Application Instructions may result in a denial of your request.

ANIMALS RECEIVED AND OUTCOME INFORMATION FOR 2015

Please indicate the number of animals for 2015 in each category below.

IMPORTANT: This application is for animal welfare organizations that provide sheltering and adoption services (in addition to other services). Your organization must have data to input in this section in order to proceed.

****We strongly suggest that you access the Excel version of our Animal Data Worksheet OR printout and complete the attached pdf version Animal Data Worksheet prior to completing the section below.**

NOTE: For questions requesting a number, please enter one number only. If none, please enter 0. Please do not enter special characters such as dashes or number ranges. You may save your work and complete this section at a later date if necessary.

RECEIVED INFORMATION

On-hand (in care) as of January 1st*

118

Stray animals*

4499

Owner surrenders*

568

Transfers*

Animals transferred in from other organizations

79

Other animals*

These animals received that do not fit in the categories above. Also, please provide additional information the text box below

530

TOTAL received/cared for*

Sum of all "received" fields above for the calendar year Jan 1 to Dec 31. (Remember to include your on-hand / in care as of January 1st in this TOTAL)

5794

Describe other animals received

If you entered animals in the "Other animals" received, please describe the other methods of receiving animals below.

These animals are submitted for disposal, court ordered surrenders requiring euthanzia, and returns.

✓ 750 characters left of 750

OUTCOME INFORMATION

Adopted*

#2365

Returned to owner*

#1084

Transferred*

Animals transferred out to other organizations

636

Died in care*

90

Euthanized*

1384

Other animal outcomes*

Those animal outcomes that do not fit in the categories above. Also, please provide additional information in the text box below.

119

On-hand (in care) on December 31st*

116

TOTAL outcomes*

Sum of the "outcome" fields above for the calendar year Jan 1 to Dec 31. (Remember to include your on-hand / in-care on December 31st in this TOTAL.)

5794

Describe other animal outcomes

If you entered animals in the "Other animals" outcomes, please describe those outcomes below.

Lost and missing animals, foster animals and disposal.

✓ 750 characters left of 750

VALIDATION*

TOTAL animals received/cared for MUST equal your TOTAL animal outcomes (see instructions).

*Total "Received" includes your in care count at the beginning of the year

*Total "Outcomes" includes your in care count at the end of the year.

Please verify that these two numbers are equal and the values indicated for the various categories add up correctly prior to proceeding.

Yes

ORGANIZATION FINANCIAL DATA

Total 2015 expenses*

Or your last fiscal year. For nonprofits please refer to your tax returns and enter the amount on the "total expenses" line.

\$ 813,710

Portion of expenses government funded*

Include the amount of all direct funding from government including any contracts, grants or other payments.

\$ 813,710

Total 2015 revenue*

Or your last fiscal year. For nonprofits please refer to your tax returns and enter the amount on the "total revenue" line.

\$ 89,654

Current budgeted expenses*

Total expense amount for your current annual budget

\$ 981,040

OPERATIONAL INFORMATION

Total spay/neuter surgeries*

Total number of spay/neuter surgeries during the year funded by your organization (all types).

55

Spay/neuter surgeries of shelter animals

55

Spay/neuter surgeries of public animals

Number of spay/neuter surgeries of public animals performed by your clinic or funded in full or part by your organization.

0

Feral cat spay/neuter surgeries

Number of feral cat spay/neuter surgeries. Animals released and not otherwise included in shelter or public surgeries.

0

Total number of days CLOSED for adoptions*

During a 365 day-year

65

Extended hours*

Number of weekend hours and weekday hours after 5pm OPEN for adoptions during a typical week (excluding any holiday weeks).

2 As of June 2016, shelter open until 7pm on Thursdays.

Average DOG adoption fees

51-100

Average CAT adoption fees*

51-100

Adoption promotion*

Do you do adoption promotions, specials or events?

- Yes
- No

Adoption time frame*

The typical time period for an animal to be given to adopter after completing the application is:

Same day

If not same day, please indicate reason(s)

Check all that apply

- Spay/neuter surgery
- Home visit
- Reference check/Landlord check
- Compatibility check with other animals
- Other - please indicate below

Other reason not same day

If you selected "Other" above, please specify reason

Adoption approvals*

What is the estimated percentage of adoption applications submitted that are approved?

95%

Satellite adoption centers*

Please indicate total number of satellite adoption centers. Satellite adoption center refers to adoption space inside another business where animals are housed and shown for adoption. For example, cat housing in a Petco store would be considered a satellite adoption center.

1

Location

Please provide business name, city and state of the location of any satellite adoption centers.

Petco
Harker Heights, Texas

✓ 1,000 characters left of 1,000

Shelter software*

What shelter software do you use to track your information?

Chameleon

Other software

If you selected "Other" above, please indicate name of shelter tracking software used.

Shelter statistics*

Does your organization annually publish your shelter statistics on your website for total intake, adoptions, euthanasia, transfers, etc?

- Yes
- No

PARTNERS AND REFERENCES

Transfers*

Do you transfer animals to other organizations?

- Yes
- No

Top 3 transfer partners

The partners in which you transferred out the greatest number of animals in the past year, and the approximate number of transferred animals per group. Please provide full name and address of organizations.

Texas Humane Heroes 475-600
 1093 E. Crystal Falls Parkway
 Leander, Texas 78641
 (512) 260-3602

✓ 5,000 characters left of 5,000

Petco Adoption Partner*

Is your organization an active adoption partner with your local Petco store?

- Yes
- No

Frequency

If yes, how often do you bring animals for adoption to Petco stores?

Two weekends per month.

Adoptions at Petco

If yes, how many adoptions did you do in 2015 at Petco stores?

101-200

Welcome to the Family*

Are you aware of the "Welcome to the Family" (WTF) program that provides a voucher for adopters enabling them to pick up a new pet kit at any Petco store?

- Yes
- No

Ordered WTF vouchers?

If you are an approved adoption partner organization, have you ordered the "Welcome to the Family" vouchers for use at your shelter?

- Yes, we have and are using now
- Yes, we have ordered and are waiting to receive them
- Not yet, but we intend to soon
- No - we need more information

Interested in partnership?

If not a current adoption partner, are you interested in becoming a Petco adoption partner?

- Yes
- No

Partnership obstacle

If you are not interested in partnering with your local Petco for adoptions, please advise primary reason why not. This will better enable us to determine how to best assist our partners in an effort to increase pet adoptions.

N/A

Other reason

If you selected "Other" above, please provide additional information.

N/A

Recommendations*

Please include the names of those that would be willing to provide a recommendation for your organization. Include Petco employees and others. Please include name, organization or company (if applicable), phone number and/or email address.

Petco Frank (254)627-0021
 Killeen Cause for Paws Ms. Loboy (254)338-5288

✓ 1,000 characters left of 1,000

PURPOSE OF FUNDING REQUEST

Primary Purpose*

Please tell us the primary purpose of your funding request.

Adoption preparation

Secondary Purpose

If applicable

Adoption Promotion

Additional Purpose

If applicable

Buy industrial dishwasher, washers and dryers

Other Purpose

If you selected "Other" above, please specify other purpose.

Date of Event

If your request is for sponsorship of an event, please provide date of event. List one date only even if event is longer than one day or multiple events.



Amount per Purpose

If you selected more than one purpose, indicate below the amount for each purpose.

Primary 30,000
Secondary 5,000
Additional 10,000

✓ 5,000 characters left of 5,000

Use of Investment*

How will your organization utilize the investment made by the Petco Foundation, if granted?

The Killeen Animal shelter will provide dogs and cats with required animal care, vaccination, medical, and spay/neuter, purchases of industrial dishwasher, dryer and washer.

✓ 10,000 characters left of 10,000

Recognition*

If an investment is made in your organization by the Petco Foundation, please share your ideas of how will you will recognize the Petco Foundation for said investment. Valued recognition communicates the Petco Foundation's lifesaving commitment to animals. We prefer no gifts, plaques, certificates etc. recognizing any one member of our staff.

Petco will receive an appreciation letter from KPD, a post on KPD facebook site and City of Killeen facebook site.

✓ 5,000 characters left of 5,000

Other information

Please provide other important information that may be relevant or important to our consideration of your request. Attachments may be added in the next section.

✓ 10,000 characters left of 10,000

ATTACHMENTS

REQUIRED FINANCIAL DATA

If your most recent Form 990 is not published on GuideStar, please upload your most recent Form 990, excluding schedules. If you do not file a Form 990, please attach audited financial statements, if available, or otherwise unaudited financials statements. If you are a municipal or governmental entity, please upload your department or divisional budget. *If your document is too large, please include a link to the document below.*

Upload a file [6 MiB allowed]

Link

You may include a link to information such as your 990 or financial statements here



Document or photo related to your submission

If you are a qualified organization and applying for a Lifesaving Impact Award, please upload required document here. If not, other document types or a photo related to your application may also be uploaded here.

Upload a file [6 MiB allowed]

Additional document or photo

If you are applying for sponsorship of an event, please upload a listing of all sponsor levels and benefits here. If not, other document types or a photo related to your application may be uploaded here.

Upload a file [4 MIB allowed]

NOTE: Every application **MUST** include a W-9 form completed, signed and dated within the last year.

Additionally, if you have never received funds from the Petco Foundation, please also include a copy of your IRS tax-exempt determination letter, section 501(c)(3). If you do not have a 501(c)(3) tax determination letter, the only other way to qualify would be to be a governmental entity and submit the completed Government or Municipal Agency form.

IMPORTANT: The name on the W-9 form must match the name on the 501c3 letter or governmental agency form.

W-9 form*

Please print page one, complete and sign IRS W-9 Form . Scan completed document and save to your computer OR if you need to create a pdf (electronic copy), click on the link "Fax to File" found in the beige margin to the left and follow the directions. This will allow you to create a document that you may upload to your application. Don't forget to include a signature where it indicates, "Signature" on the form.

Upload a file [2 MB allowed]

IRS tax-exempt determination letter

Please upload a copy of your IRS tax-exempt determination letter. If you need to create a pdf (electronic copy) from a hard copy, please click on the "Fax to File" link in the beige margin to the left and follow the instructions. You will be able to create a document that you may upload to your application. (State exemption forms do NOT qualify.)

Upload a file [2 MIB allowed]

Governmental or Municipal Agency

Please print, complete and sign the Governmental Agencies or Organizations Registration if you are a government or municipal agency and not in possession of a 501(c)(3) tax determination letter. You may scan and upload this document after signing or if you need to create an attachment, click on the link "Fax to File" found in the beige margin to the left and follow the directions. This will allow you to create a pdf (electronic document) that you may upload to your application. Please check the appropriate boxes that explains your situation.

Upload a file [2 MIB allowed]

Certification*

I certify that I am an officer or authorized representative of the organization submitting this application and that all information on this grant application is true and correct in all material respects. I agree that all funds granted will be utilized as set forth in this application or as otherwise agreed to in writing by the organization and the Petco Foundation. I agree on behalf of the organization that as a partner of the Petco Foundation any public messaging that includes information about the Petco Foundation shall promote a positive message about helping animals and saving lives. The organization agrees that it shall not disparage or speak negatively or take any action intended, or which would reasonably be expected, to harm the Petco Foundation or its reputation or which would reasonably be expected to lead to unwanted or unfavorable publicity to the Petco Foundation.

- Yes
 No

Government or municipal organization certification

If submitting this application on behalf of a governmental or municipal agency, department or division, I hereby certify that any grant funds awarded will be utilized and become part of the funding on the animal control sheltering department and shall not be appropriated to the general funds of the municipality.

- Yes
 No
 N/A

Address Change?*

Has your organization address changed recently? If so, please indicate "Yes" and complete the "Update address, contact information or submit W-9" form that is available at the bottom of our Grant Application page. You may access the form from the side bar menu at the top by selecting "Apply". The online form and attachments are required to update your address and assure that checks are mailed to the correct address.

- Yes
 No

By submitting this application you consent to receiving emails from the Patco Foundation. You may opt out at any time by using the unsubscribe option on each email.

IMPORTANT: Once you select "Submit Application" you will NOT be able to modify your submission. If you want to review your application, click "Save Application" to review and make any final changes before submitting. You will be able to view or print the application from your account later, if desired.

Grant Management Software
provided by  **FOUNDANT**
Technology

-----Original Message-----

From: Foundation Administrator [<mailto:administrator@grantinterface.com>]

Sent: Wednesday, December 28, 2016 1:18 PM

To: Edward W. Tucker

Subject: Killeen Animal Services - Petco Foundation Grant Approval

Congratulations!

The Petco Foundation is thrilled to support the lifesaving work you do by granting your organization the amount of \$45,000. These funds are designated for the purpose(s) outlined in your grant request for the OCT 2016 grant cycle.

Funds will be distributed to you 2-4 weeks following receipt of this email notification. By endorsing and depositing the grant check, you represent and warrant that your organization will meet the obligations specified in the grant request.

Please note that it is the intention of the Petco Foundation that funds donated shall not be appropriated to the general funds of the municipality, but rather must be utilized and become part of the funding of the animal control sheltering department.

To support your organization as you publicize the grant we have included a link to our Partner Press Kit. We encourage you to use this toolkit - which includes sample social media posts, a sample media alert, and a sample press release - to spread the word to your supporters and community about the lifesaving work you'll do with these funds.

Visit the Partners page on the Petco Foundation website to access the press kit under "Partner Resources" at http://www.petco.com/petco_Page_PC_foundationpresskit.aspx

Please remember to complete your follow-up report by the due date indicated online. The follow-up report questionnaire may be found online, attached to your approved grant application. After signing in click on "Edit" in the lower right corner to access the follow up questionnaire.

Thank you for all that you do for the animals in your community. We look forward to hearing about the wonderful things you were able to accomplish with this grant.

Sincerely,
The Petco Foundation Team

Questions about your grant? Please contact foundationpartners@petco.com.

The Petco Foundation desires that all funds and efforts be prioritized for lifesaving, and seeks to reduce our environmental footprint. Therefore, we respectfully request that no items are mailed to the Petco Foundation and that any thank you letters be sent by email only to foundationpartners@petco.com. We welcome and appreciate recognition on

social media (@petcofoundation), on your website, or in other print and digital communications. We ask that this recognition thank the Petco Foundation, Petco and/or our Petco store partners collectively rather than individual employees of Petco or the Petco Foundation.

The Petco Foundation is a 501(c)(3) nonprofit, tax exempt corporation. Tax I.D. 33-0845930



City of Killeen

Legislation Details

File #: RS-17-019 **Version:** 1 **Name:** Emergency Medical Services (EMS Billing) RFQ
Type: Resolution **Status:** Resolutions
File created: 2/3/2017 **In control:** City Council
On agenda: 2/28/2017 **Final action:**
Title: Consider a memorandum/resolution to enter into an agreement with LifeQuest Services - Life Line Billing Systems, LLC for emergency medical services billing.
Sponsors: Finance Department
Indexes:
Code sections:
Attachments: [Council Memorandum](#)
[Contract](#)
[Certificate of Interested Parties](#)

Date	Ver.	Action By	Action	Result
2/21/2017	1	City Council Workshop		

CITY COUNCIL MEMORANDUM

AGENDA ITEM

**Emergency Medical Services (EMS) Billing
Request for Qualifications (RFQ)**

ORIGINATING DEPARTMENT

Finance

BACKGROUND INFORMATION

The City of Killeen employs six full-time EMS Billing personnel with an annual operating budget of approximately \$240,000. The department processes billing for the Fire Department that averages 17,000 EMS calls annually. In a continued effort to identify efficiencies, an analysis was performed to assess the viability of outsourcing the billing function. The results of the analysis showed that outsourcing had the potential to enhance customer service and increase revenues at a lower operational cost. An RFQ was issued and six proposals were received. The firms that submitted a proposal include Digitech, EF Recovery, Intermedix, LifeQuest Services, PST Services, and Wittman Enterprises.

DISCUSSION/CONCLUSION

A six-member committee reviewed the proposals and narrowed the list to four finalists. The proposals were rated using the criteria:

- EMS Billing Technique - Ability to effectively bill all EMS calls in accordance with applicable laws and regulations.
- EMS Patient Care Reporting System - Ability to fully integrate with the City's electronic patient care reporting system.
- Fire Service Fee Recovery Technique - Ability to effectively bill all Fire Service Fees with applicable laws and regulations.
- Fire Service Fee Recovery Reporting System - Ability to fully integrate with the City's system.
- Reporting Features - Ability to meet all city and Texas Department of State Health Services reporting requirements.

A subcommittee then contacted and evaluated the references of the finalists. Of those that were evaluated, LifeQuest Services was selected as the most advantageous. The company has 24 years of experience and currently provides billing services to more than 230 clients across 21 states. LifeQuest Services also has an established interface with the City's current electronic patient care reporting system. They will provide first level support for patient inquiries with live telephone hours from Sunday 4:30 PM through Friday 5:30 PM CST. The firm also offers patients the ability to pay online and by phone, as well as by mail. In addition, LifeQuest will provide initial, ongoing, and proactive on-site training to our Fire EMS personnel to ensure the City's processes are operating at an optimum level. The firm's estimated transition timeline is 30 days.

FISCAL IMPACT

LifeQuest will process patient bills and collect payments. Payments received by LifeQuest are available to the City on the following business day. They will provide weekly and monthly reconciliation reports. The City will pay LifeQuest 4.6% of the amount collected by the firm.

The industry standard for EMS billing collections is 65% of the net amount billed (total billed less insurance write-offs). In FY 2016, the EMS Billing Department collected 60% of the net amount billed. Assuming a net amount billed of \$5 million, if LifeQuest collected at the same 60% rate, the City would earn an additional \$102,000 due to the firm's fees being lower than our in-house operational costs. If LifeQuest collects at the 65% industry average level, the City would net \$340,500 additional revenue.

RECOMMENDATION

Staff recommends that the City Council approve entering into the agreement with LifeQuest Services - Life Line Billing Systems, LLC to provide EMS billing services and that the City Manager or designee be expressly authorized to execute any and all changes to this contract within the amounts set by state and local law.

LIFE LINE BILLING SYSTEMS, LLC

SERVICE AGREEMENT

EMERGENCY MEDICAL SERVICES (EMS) BILLING AND FIRE SERVICE FEE RECOVERY

This SERVICE AGREEMENT ("Agreement") is entered into this 28th day of February, 2017, ("Effective Date") by and between City of Killeen, a governmental entity duly organized and existing under the laws of the State of Texas, whose notice address is 101 North College Street, Killeen, Texas 76540 ("Service Provider") and Life Line Billing Systems, LLC, d/b/a LifeQuest Services, a limited liability company duly organized and existing under the laws of the State of Delaware, whose notice address is N2930 State Road 22, Wautoma, Wisconsin 54982 ("Agency") (Service Provider and Agency are generically referred to herein as "Party" and/or "Parties").

Article 1

Recitals

1.1 Service Provider Operations. Service Provider is engaged in the business of providing EMS and Rescue response and it desires to receive Services from Agency.

1.2 Agency Operations. Agency is engaged in the business of providing customized billing, collecting and data management systems and desires to do the billing, collecting and provide data management for the Service Provider.

1.3 Consideration. In consideration of the mutual covenants and agreements contained in this Agreement and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the Parties, the Parties hereby agree to the terms of this Agreement.

1.4 Definitions. Words with initial capital letters that are not proper names are either defined within the text of this Agreement or specifically as follows:

"Breach" shall mean the failure by one Party to perform any obligation set forth in this Agreement having an effect on the other Party. (A "material" breach of contract is a breach that strikes so deeply at the heart of the contract that it renders the agreement "irreparably broken" and defeats the purpose of making the contract in the first place.)

"Healthcare Accounts" means any Patient Accounts that are provided by the Service Provider that is regulated by the Health Insurance Portability and Accountability Act of 1996 ("HIPAA") requiring additional obligations, warranties and covenants by the Parties that are referenced in this Agreement and within the incorporated and attached Exhibit B-2 and Exhibit B-3.

"Patient Accounts" means the accounts receivable that result from a patient's receipt of ambulance and/or rescue services and include accounts not in default.

1.5 Account Status. Agency provides billing services for Service Provider on Patient Accounts that are not in default and collecting for services by Service Provider on accounts and other services as provided in this Agreement.

Article 2

Services

Agency shall supply the customized billing, collecting and data management services for Patient Accounts to the Service Provider as detailed in this Article ("Services").

2.1. Agency Processing. Agency shall supply reports and do the billing and collecting through its employees as detailed in Exhibit A-1 attached hereto and incorporated by reference.

2.2. Insurance Processing. Agency shall process insurance claims generated by the appropriate carriers of patients, who have provided the necessary information for insurance filings.

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LifeQuest Billing Services: City of Killeen

2.3. Inquiries. Agency shall handle and respond to all inquiries concerning the Patient Accounts by patients, insurance companies and Service Provider. Service Provider shall assist Agency with any inquiries related to the services provided by the Service Provider. Agency shall provide a toll-free telephone number for patient and Service Provider inquiries.

2.4. Software. Agency shall implement software upgrades as required by changes in the law and/or national insurance standards.

2.5. Reports. Agency shall create and review monthly reports for the internal analysis of factors affecting the collecting performance of the Patient Accounts and present the information to the Service Provider upon the detection of any means available to improve the efficiency of collecting.

Article 3

Obligations of Service Provider

3.1. Pre-Screening. Service Provider shall be responsible for the accuracy of the original data regarding the Patient Accounts delivered to the Agency as further detailed in Exhibit B-1 attached hereto and incorporated by reference.

3.2. Validity of Accounts. Service Provider represents and warrants to Agency that all Patient Account debts are valid, legally enforceable debts, and in compliance with any corresponding state or federal law ("Laws and Regulations"). Upon request by the Agency, Service Provider shall provide specific assurance of validity in accordance with the Laws and Regulations.

3.3. Notification Requirements. Service Provider must immediately notify Agency in writing of its actual, constructive or reasonably conceived knowledge of any of the following events: (i) any patient of Service Provider files bankruptcy, is represented by an attorney or has submitted a dispute(s) regarding any Patient Account to the Service Provider or is the subject of a complaint or a cease and desist notification by debtor during the time in which Agency is providing Services to the Patient Account (collectively referred to as "Consumer Actions") and (ii) Service Provider receives any direct or indirect payment on a Patient Account or a returned check on any such payment during the time in which Agency is providing Services to the Service Provider.

3.4. Ceasing collecting. Service Provider has the right to cease collecting of any Patient Account upon Agency's receipt of written Notice from Service Provider.

Article 4

Term

4.1. Initial Term. The term of this Agreement shall commence on the Effective Date and shall continue for a period of twenty-four (24) months ("Initial Term").

4.2. Renewal. Upon the expiration of the Initial Term and unless otherwise Terminated, this Agreement can be extended and consecutively renewed for up to three (3) twelve (12) month terms (each shall be generically referred to herein as "Subsequent Term(s)") (the Initial Term and Subsequent Term(s) shall be jointly referred to as "Term") – total period not to exceed five (5) years.

4.3. Termination. This Agreement shall terminate as provided in this section ("Termination"). The date of termination is defined within each subsection ("Termination Date").

4.3.1. Written Notice/No Fault. Either party may terminate this Agreement by giving written notice to the other Party at least one hundred twenty (120) days prior to said Termination.

4.3.2. Discontinuance of Business. This Agreement shall terminate in the event the Agency discontinues the operation of its business. The Termination Date shall be the last day of the month in which Agency ceases operations.

4.3.3. Breach of Contract. A non-breaching Party ("Non-breaching Party") may immediately terminate this Agreement upon the allegedly breaching Party's ("Breaching Party") failure to cure the Breach within thirty (30) days of receipt of Non-breaching Party's written Notice of the Breach, and having a material effect on the Non-breaching Party that has been sufficiently set forth by the Non-

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LifeQuest Billing Services: City of Killeen

breaching Party and received in writing by the Breaching Party. The Termination Date shall be thirty (30) days from the Breaching Party's receipt of the written Notice of the Breach.

4.3.4. Failure of Performance. Except in the event of a Material Breach, the failure by either Party to perform any of their obligations hereunder shall not be deemed a breach of this Agreement unless the Party gives the Party failing to perform written Notice of such failure to perform and such failure is not corrected within thirty (30) days after receipt of such Notice ("Termination Date").

4.4. Effect of Termination. The Parties agree that upon Termination of this Agreement for any reason, Agency shall be entitled to receive any accrued but unpaid Fees through the Termination Date and the rights and obligations of Articles 6-8 pertaining to confidentiality shall survive Termination and continue in full force and effect.

Article 5

Collection Fees

5.1 Fees. Service Provider shall pay Agency the fees set forth in this Article ("Fees").

5.1.1. Billing Contingency Fees. 4.6% of the Patient Accounts collected in billing/phase one as further detailed in Exhibit A-1 attached hereto ("Billing Procedures").

5.1.2. Reasonable Costs. The Service Provider shall compensate the Agency for all reasonable costs incurred by the Agency which are tied directly to implementing the billing services solution (annual technology Service Bridge at \$100 per user not to exceed 10 users and technology directory for City of Killeen not to exceed \$750 one time cost).

5.2. Payment of Fees. Service Provider and Agency agree to manage the payment of Fees in accordance with the provisions of this section.

5.2.1. Payments. Agency shall provide monthly payments from the established, agreed upon account to the Service Provider.

5.2.2. Payment Procedure. Service Provider authorizes electronic transfer of Agency fees when electronic transfer of Service Provider payment is made from the checking account at the time of the month end reporting provided by Agency ("Due Date"). Any Fees not paid by the Due Date shall be subject to a late charge of twelve percent (12%) per annum or the highest rate allowed by applicable law. Service Provider acknowledges that its failure to authorize Fees to the Agency upon receipt of month end reports constitutes a breach of this Agreement. Service Provider grants Agency a lien on the Checking Account until the Fee is received by Agency. In addition, Service Provider shall be responsible for all costs of collecting, including reasonable attorney's fees incurred in enforcing this Section ("Payment Terms").

5.2.3. Electronic Funds Transfer. When a check is used by Service Provider for Agency's payment, the Service Provider authorizes Agency to either use information from any check received by Agency to make a one-time EFT from the applicable account or to process the payment as a check transaction. When Agency uses an EFT, funds may be withdrawn from the applicable account as soon as the same day Agency receives payment and Service Provider will not receive a cancelled check back from its financial institution.

Article 6

Confidential Information

The Service Provider hereby acknowledges that it shall have access to Agency's Confidential Information. Service Provider acknowledges that Agency's obligations under this Agreement are expressly contingent on Service Provider's compliance with this article. Service Provider expressly recognizes that: (i) the efficacy and profitability of Agency's business is dependent in part upon Service Provider's protection of Agency's Confidential Information; (ii) Service Provider may already possess

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LifeQuest Billing Services: City of Killeen

Confidential Information which Agency desires to protect and (iii) in receiving Services, Service Provider may be provided access to and/or gain knowledge of Agency's Confidential Information as defined below.

6.1. Nondisclosure. To ensure the continued confidentiality of the Confidential Information, Service Provider shall not, during the Term of this Agreement or for a period of twenty-four (24) months after Termination of this Agreement, disclose to or use, for any other person or entity, directly or indirectly, any of Agency's Confidential Information, except as such disclosure or use is expressly authorized by Agency in writing, as permitted by law or is reasonably required in connection with performance of this Agreement.

6.2. Property. All Confidential Information and all Agency's files, reports, materials, records, documents, notes, memoranda and other items and any originals or copies thereof, which Service Provider either is provided, prepares, uses or simply acquires during the Term of this Agreement ("Property") are, and shall remain, the sole and exclusive property of the Agency and shall not be removed from Agency's and Service Provider's premises or disclosed to any other party without the prior written consent of Agency.

6.3. Confidential Information. As used herein, the term "Confidential Information" means any and all information relating directly or indirectly to Agency that is not generally ascertainable from public or published information or trade sources including, without limitation, all information concerning copyrighted materials, patented materials, contracts, forms, research, product information, services and pricing of services, patient data and any information protected by any state or federal privacy laws or regulations, which is or was disclosed to Service Provider, or known by Service Provider as a consequence of or through Service Provider's relationship with Agency.

6.4. Remedies. In the event of a breach of any covenant in this article, it is understood and agreed that Agency shall be entitled to injunctive relief, as well as all applicable remedies at law or in equity, available to Agency against the Service Provider and any such breach shall be a Material Breach.

6.5. Return of Confidential Information. Service Provider agrees, immediately upon the Termination of this Agreement, to make a diligent search for any and all Property and return to Agency or destroy the information as directed prior to, or upon, the Termination of this Agreement.

6.6. Applicable Law. The Parties shall comply with all applicable laws, including, without limitation, HIPAA and the additional requirements for any Healthcare Accounts as further detailed in Exhibit B-2 and Exhibit B-3 attached hereto and incorporated by reference.

6.7. Indemnification Regarding Open Records. Agency understands that the Service Provider must comply with public records laws, and the Agency may from time to time be the custodian of Service Provider's records subject to disclosure. Agency agrees to provide Service Provider with any public records it requests that do not fall under the protection of the HIPAA promptly after the Service Provider requests the same in writing. To the extent allowed by law, Service provider shall indemnify and hold Agency harmless from any actions resulting from open records requests.

Article 7

Indemnification

7.1 Agency Indemnification. To the extent allowed by law, Service Provider shall indemnify and hold the Agency and assigns harmless from and against any actions, causes of action, claims, demands, damages, costs, loss of services, expenses, compensation and attorney's fees incurred or suffered as a result of the Service Provider's breach of any provision of this Agreement whether by negligent or intentional means causing an incident where recovery is sought including, but not limited to, actions arising out of the failure of the Service Provider to fully, completely, accurately and adequately report, for purposes of the Agency's collecting attempt of a Customer Account. It is understood and agreed that this acknowledgment is given as a full release of liability to the Agency, to the extent allowed by law.

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7.2 Service Provider Indemnification. Agency shall indemnify and hold the Service Provider and assigns harmless from and against any actions, causes of actions, claims, demands, damages, costs, loss of services, expenses, compensation and attorney's fees incurred or suffered as a result of the Agency's breach of any provision of this Agreement whether by negligent or intentional means. It is understood and agreed that this acknowledgment is given as a full release of liability to the Service Provider.

Article 8

Miscellaneous Provisions

8.1. Exclusivity. Service Provider hereby acknowledges the Agency is the exclusive provider of the Services specified herein to the Service Provider.

8.2. Assignment. Either Party may freely assign this Agreement upon the nonassigning Party's failure to provide the written rejection of an assignment, not to be unreasonably withheld by nonassigning Party, within thirty (30) days of its receipt of written Notice of assignment from the assigning Party.

8.3. Severability. The Parties agree that if any term or clause of this Agreement is to any extent illegal, otherwise invalid, or incapable of being enforced, such term or clause shall be excluded to the extent of such invalidity or unenforceability; all other terms and clauses hereof shall remain in full force and effect; and, to the extent permitted and possible, the invalid or unenforceable term or clause shall be deemed replaced by a term or clause that is valid and enforceable and that comes closest to expressing the intention of such invalid or unenforceable term or clause.

8.4. Governing Law and Venue. This Agreement shall be governed by and construed in accordance with the laws of the State of Texas without giving any effect to any choice or conflict provision of law that would cause the application of the laws of any jurisdiction other than the State of Texas. The venue of any dispute arising out of this Agreement shall be a Court of competent jurisdiction in and for Bell County, Texas.

8.5. Notices. Any notice required or permitted to be given under this Agreement shall be sufficient if given: (i) in writing and personally delivered; (ii) sent by certified mail, postage prepaid, to the address set forth in the introductory paragraph or other notice address as designated in writing between the Parties prior to delivery and shall be effective and duly delivered on the day of personal or courier delivery; (iii) via electronic mail to an electronic mail address as designated in writing between the Parties prior to delivery and shall be effective and duly delivered upon the sending Party's confirmation of receiving Party's receipt of electronic notice or (iv) via electronic facsimile transmission to the name, address and facsimile number of the receiving Party as designated in writing between the Parties prior to delivery and shall be effective and duly delivered upon the sending Party's receipt of confirmation ("Notice").

8.6. Waiver. The waiver of one Party of a breach of any provision of this Agreement by the other Party shall not operate or be construed as a waiver of any subsequent breach.

8.7. Binding Effect. This Agreement shall be binding upon and shall inure to the benefit of the Parties hereto, their respective heirs, representatives, successors and assigns.

8.8. Entire Agreement. This Agreement and any Exhibits or Addendums attached hereto shall be deemed to express, embody and supersede all previous understandings, agreements and commitments, whether written or oral, between the Parties hereto with respect to the subject matter hereof and to fully and finally set forth the entire agreement between the Parties hereto. No modifications shall be binding unless stated in writing and signed by all Parties hereto.

8.9. Counterparts. This Agreement may be signed in one or more counterparts but all of which taken together shall constitute one instrument.

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8.10. **Attorney Fees.** In any proceeding to enforce the terms of this Agreement, each Party shall be responsible for their own attorney's fees, unless otherwise stated in this Agreement, or if an action brought forth is deemed frivolous by a court of law, in which case the Party bringing the frivolous action shall be responsible for any attorney's fees incurred.

8.11. **Construction.** The Parties and their respective counsel have had the opportunity to review and revise this Agreement. The Parties acknowledge that the normal rule of construction that any ambiguities are to be resolved against the drafting Party shall not be employed in the interpretation of this Agreement.

8.12. **Incorporation of Recitals and Introductory Statements.** The Parties hereto acknowledge that the recitals and all introductory statements are true and correct and incorporated by reference.

8.13. **Electronic Signatures.** Facsimile and electronic signatures in PDF form shall be considered original signatures for the purpose of enforcing this Agreement.

IN WITNESS WHEREOF, the Parties have entered into this Agreement as of the Effective Date.

Agency:
Life Line Billing Systems, LLC, d/b/a LifeQuest
Services
a Delaware limited liability company

Service Provider:
City of Killeen
a Texas governmental entity

Date: 15 February 2017

Date: _____



By: Michael J. Finn
Its: Chief Executive Officer

By: Ronald L. Olson
Its: City Manager

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EXHIBIT A

BILLING PROCEDURES

All billing services on Patient Accounts will be in the name of Service Provider.

Initial Billing

- Patient receives initial billing for services that were provided. In addition, Patient's primary insurance company is billed. With Patients who are participating in a Medicaid Program, Medicaid will be billed directly. If Medicaid Patient has primary commercial insurance coverage, that company will be billed first and Medicaid will act as a secondary carrier. Medicaid and Medicaid HMO Patients will not receive a bill if required by state law, unless appropriate waivers are allowed and obtained and signed by the Patient or other authorized person.
- The Patient will typically be billed within seven days of receipt of all the necessary billing documentation and information.
- For the convenience of the Patient transported by your service there is an invoice and a return envelope for sending the payment with all applicable billings.

Additional Billing

- The Patient will receive additional bills/statements/denial notices normally within thirty (30) days after the first bill was sent. Agency utilizes a scheduling procedure to optimize revenue recovery based on effective business practices. We will work to place bills into specific cycles, which will ensure the submission of regularly scheduled billings. Once the Patient's primary insurance has paid, any secondary insurance will be submitted for consideration for any unpaid balances.
- Medicare, Medicaid, and private insurance companies that have paid the maximum amounts eligible for the Patient and any outstanding balances/monies owed will be pursued via self-pay/private pay options.

Note: Any resubmissions that would be necessary due to lack of information or incorrect information would be resubmitted upon receiving the proper information at any stage of billing.

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EXHIBIT B-1

DOCUMENTATION PROCEDURES

1. Patient should have the Insurance/Medicare Authorization form signed at the hospital by the patient or patient's representative.
2. Medicare or Medicaid patient that is transported from hospital to hospital or hospital to nursing home/residence must have a Physicians Certification Statement for transport completed by a doctor BEFORE the transport unless there is an acute emergency.
3. Run Forms:
 - A. All documents should be completed legibly.
 - B. The patient's name, address, phone number and Social Security number need to be documented if at all possible.
 - C. Record location of patient pick-up and transport destination.
 - D. Record all appropriate dispatch information. (Nature of Call)
 - E. Record all patient past history related to this emergency/non-emergency.
 - F. Record all patient complaints related to this emergency/non-emergency.
 - G. Complete a detail narrative indicating the medical necessity for transport.
 - H. Record patient's date of birth.
 - I. Record admitting/receiving doctor's name (first & last).
 - J. Record the responsible party for all patients.
 - K. Record all times accurately.
 - L. Record loaded mileage to the nearest tenth of a mile (i.e. 11.2 mi).
 - M. Record crew names, crew license levels and any specialty areas of expertise which are relevant to the patient care being provided.
 - N. Have all crew members review the form for accuracy and completeness before leaving receiving facility.
 - O. Service Provider shall keep copies of all information provided to the Agent.
 - P. Record reasons why transport by other means was contraindicated.
 - Q. Record reasons why the level of service was required, i.e. ALS assessment.
 - R. Record patient condition at the time of transport including chief complaint.
 - S. Record zip code at point of pickup.
 - T. Obtain necessary Medicare and Medicaid waivers where appropriate, signed by patient or other appropriate person. *PCS and/or ABN

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EXHIBIT B-2

Healthcare Account Provisions

These provisions provide additional terms not included in the Agreement that apply to any Healthcare Accounts placed by Service Provider.

1. **Healthcare Account Laws.** Health Insurance Portability and Accountability Act (HIPAA) and the Electronic Transaction, Security and Privacy Standards (“Standards”) promulgated by the Department of Health and Human Services and set forth in 45 C.F.R. Parts 142, 160, 162 and 164; as well as HIPAA governing privacy of certain information (“HIPAA Privacy Rule”) or the security of certain information (“HIPAA Security Rule”) (collectively the “HIPAA Rules”) (HIPAA, Standards and HIPAA Rules collectively the “Healthcare Account Laws”).
2. **Healthcare assurances.** Agency, for the purpose of the Healthcare Accounts: (i) is a “Business Associate” under HIPAA and (ii) will perform the Services within the limits of the Healthcare Account Laws.
3. **“Services”** for Healthcare Accounts also specifically include: (i) the determination of eligibility or coverage, including coordination of benefits or the determination of cost sharing amounts, and subrogation of health benefit claims; (ii) obtaining payment under a contract for reinsurance and related health care data processing; and (iii) review of health care services with respect to coverage under a health plan or justification of charges.
4. **Return of accounts.** Service Provider must accept, without penalty to Agency, any Healthcare Account that Agency believes or has reason to believe is subject to restrictions on the use or disclosure of Protected Health Information (PHI), as defined in 45 C.F.R. § 160.103.
5. **Notification requirements.** Service Provider must immediately notify Agency in writing of its actual or reasonably conceived knowledge of any restrictions placed on the use of Agency, along with sufficient detail to allow Agency to honor such restrictions.
6. **Service Provider representations.** Service Provider “Representations” also include (i) Service Provider has and shall obtain all necessary consents under 45 C.F.R. § 164.506 (c) for all Healthcare Accounts, sufficient to permit the disclosure of PHI to Agency and to permit Agency to perform services incidental to this Agreement; (ii) that the uses and disclosures of the PHI of Healthcare Accounts are consistent and in accordance with the Service Provider’s privacy policies and procedures adopted pursuant to the Standards, HIPAA and any other Applicable Laws and (iii) all uses and disclosures of the Healthcare Account information specified in this Agreement are made and authorized as part of treatment, payment and healthcare operations relating to Service Provider.
7. **Special confidentiality considerations for Healthcare Accounts.** The confidentiality considerations contained in this section apply to Healthcare Accounts only.
 - a. Agency is not prohibited by confidentiality from sending the patient or the responsible party a copy of the bill issued by Service Provider or using a copy of the bill issued by Service Provider as evidence in a court proceeding.
 - b. To the extent the Services provided to Service Provider by Agency may cause Agency to be defined as a “Business Associate” of Service Provider under the HIPAA Rules, and the Service Provider in its capacity as a “Covered Entity” as defined in the HIPAA Privacy Rule is required to comply with the HIPAA Privacy Rule or the HIPAA Security Rule, Agency shall:
 - i. not use or further disclose PHI, other than as permitted or required by this Agreement or as required by law, further provided that in any case, such use or disclosure would not constitute a violation of the HIPAA Privacy Rule if done by Service Provider;

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- ii. other than as provided for in this Agreement, use appropriate administrative, physical and technical safeguards to prevent use or disclosure of PHI, and to reasonably and appropriately protect the confidentiality, integrity and availability of the electronic PHI that Agency creates, maintains or transmits on behalf of Agency, and provide Service Provider with any requested information regarding such safeguards;
- iii. be obligated to provide information, to make corrections or amendments to information, to respond to the written instruction or request of Service Provider; and deliver information and documentation to Service Provider as directed, in writing, by Service Provider;
- iv. promptly report to Service Provider any use or disclosure of PHI by Agency, its officers, directors, employees, agents and subcontractors and, to the extent known by Agency, report to Service Provider any use or disclosure by such persons not authorized by this Agreement and the remedial action taken by Agency with respect to such use or disclosure and provide such information to Service Provider upon written request of Service Provider, which request shall be made only in connection with an accounting request made to Service Provider under the then applicable HIPAA Standards;
- v. information regarding any unauthorized use or disclosure of PHI shall be maintained by Agency for a period of not less than six (6) years from the date of such unauthorized use or disclosures;
- vi. report to Service Provider any PHI not provided to Agency by Service Provider that Agency becomes aware;
- vii. ensure that any agents of Agency, including a subcontractor, to whom Agency provides PHI that is received from, or created or received by Agency on behalf of Service Provider, agrees to the same restrictions and conditions set forth in this section that apply to Agency with respect to such PHI;
- viii. to the extent applicable to Agency, promptly make available PHI in the Designated Record Set (as defined in 45 C.F.R. § 164.501) in accordance with 45 C.F.R. § 164.524;
- ix. to the extent applicable to Agency, promptly make available PHI in the Designated Record Set for amendment and incorporate any amendments to PHI as requested by Service Provider in accordance with 45 C.F.R. § 164.526;
- x. to the extent applicable to Agency, promptly make available information required for Service Provider to provide an accounting of disclosure in accordance with 45 C.F.R. § 164.528;
- xi. use and disclose the information for the proper management and administration of Agency and to carry out the legal responsibilities of Agency including, but not limited to its duties under the FDCPA (Fair Debt Collection Practices Act) and as otherwise provided in this Agreement;
- xii. mitigate, to the extent practicable, any harmful effect that is known to Agency, of a use or disclosure of PHI by the Agency in violation of this Agreement;
- xiii. shall provide Service Provider with copies of any subcontractor or agent contracts upon written request throughout the Term;
- xiv. make PHI available to Service Provider and to the individual who has a right of access as required under HIPAA within thirty (30) days of the request;
- xv. make Agency's internal practices, books, and records related to the use and disclosure of PHI received from, or created or received by Agency on behalf of Service Provider available to the Secretary of Health and Human Services for purposes of determining Service Provider's

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compliance with the Health and Human Services Department Standards for Individually Identifiable Health Information, 45 C.F.R. Parts 142, 160, 162 and 164; and

- xvi. within thirty (30) calendar days of termination of this Agreement, if feasible, return all PHI received from, or created or received by Agency, its agents and subcontractors on behalf of Service Provider that is maintained in any form, or, if such return is not feasible, extend the protections of this section to the PHI retained by Service Provider and limit further uses and disclosure of PHI to those purposes that make the return or destruction of the PHI infeasible.

EXHIBIT B-3

Supplemental Business Associate Provisions

These provisions provide additional terms not included in the Agreement that apply to any Healthcare Accounts placed by Service Provider.

1. **Purpose.** The Parties hereby intend to provide additional protections for the privacy and the security of Protected Health Information (PHI) disclosed to Agency for Healthcare Accounts only, in compliance with the Healthcare Accounts Laws, specifically the Health Insurance Portability and Accountability Act (HIPAA), and to satisfy certain standards and requirements of HIPAA, including, but not limited to Title 45, Section 164-504(c) of the Code of Federal Regulations (“CFR”), as the same may be amended from time to time. If this Exhibit in any way conflicts with other provisions of the Agreement relating to Healthcare Accounts, then the stricter of the conflicting provisions shall apply.
2. **Catch-all definition.** The following terms if used in this Agreement shall have the same meaning as those terms in the HIPAA Rules: Breach, Data Aggregation, Designated Record Set, Disclosure, Health Care Operations, Individual, Minimum Necessary, Notice of Privacy Practices, Protected Health Information, Required by Law, Secretary, Security Incident, Subcontractor, Unsecured Protected Health Information, and Use.
3. **Additional definitions.** Within this Exhibit, the following meanings have been added or added to: (i) “Business Associate” means and is interchangeable with Agency; (ii) “Covered Entity” means and is interchangeable with Service Provider and (iii) PHI includes any information, whether oral or recorded in any form or medium: (a) that relates to the past, present or future physical or mental condition of a patient, the provision of health care to a patient, or the past, present or future payment for the provision of health care to a patient; (b) that identifies the patient or with respect to which there is a reasonable basis to believe the information can be used to identify the patient, and shall have the meaning given to such term under HIPAA Laws, including, but not limited to 45 CFR Section 164.501; and (c) is limited to the information provided and/or made available by Covered Entity to Business Associate (see 45 CFR § 160.103; 45 CFR § 501).
4. **Additional Business Associate obligations.**
 - a. **Permitted Uses and Disclosures.** Business Associate may use and/or disclose PHI in the performance of its obligations under the Agreement, as permitted by the Healthcare Account Laws and in compliance with the terms of this Agreement (see 45 CFR § 164.504(e)(2)(i)).
 - b. **Use and Disclosure for Management, Administration and Legal.** Business Associate is permitted to use and/or disclose PHI for the proper management and administration of Business Associate or to carry out the legal responsibilities of Business Associate.
 - c. **Data Aggregation Services.** Business Associate is permitted to use and disclose PHI to provide “Data Aggregation Services,” as defined by 45 C.F.R. 164.501, relating to the health care operations of Covered Entity. The Parties agree that any PHI provided to Business Associate hereunder which is later de-identified and therefore no longer identifies a patient, will no longer be subject to the provisions set forth in this Agreement.
 - d. **Nondisclosure.** Business Associate will not use or further disclose Covered Entity’s PHI other than as permitted or required by this Agreement or as required by law (see 45 CFR §164.504(e)(2)(ii)(A)).
 - e. **Express allowances.** Business Associate is expressly authorized to use the PHI for: (1) the preparation of invoices to patients, carriers, insurers and others responsible for payment or

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reimbursement of the services provided to the patients; (2) the preparation of reminder notices and documents pertaining to collecting of overdue Healthcare Accounts and (3) the submission of supporting documentation to carriers, insurers and other payers to substantiate the health care services provided to the patients or to appeal denials of payment for same.

- f. **Safeguards.** Business Associate shall use appropriate safeguards to prevent use or disclosure of Covered Entity's PHI other than as provided for by this Agreement (see 45 CFR § 164.504(e)(2)(ii)(A)).
5. **Reporting of disclosures.** Business Associate shall immediately report to Covered Entity any use or disclosure of Covered Entity's PHI not allowed by this Agreement or the Agreement that Business Associate becomes aware of (see 45 CFR § 164.504(e)(2)(ii)(C)).
6. **Business Associate's agents.** Business Associate shall ensure that any agents, including subcontractors, to whom it provides PHI received from, created or received by Business Associate on behalf of Covered Entity agree to the same restrictions and conditions that apply to Business Associate with respect to such PHI (see 45 CFR § 164.504(e)(2)(D)).
7. **Availability of information to Covered Entity.** To the extent applicable, Business Associate shall make available to Covered Entity such information as Covered Entity may require to fulfill Covered Entity's obligations to provide access to, provide a copy of, and account for disclosures with respect to PHI pursuant to HIPAA including, but not limited to, 45 CFR Sections 164.524 and 164.528 (see 45 CFR § 164.504(e)(2)(E) and (G)).
8. **Amendment of PHI.** To the extent Business Associate maintains PHI in a Designated Record Set, as defined by 45 C.F.R 164-501, Business Associate shall make Covered Entity's PHI available to Covered Entity as Covered Entity may require to fulfill Covered Entity's obligations to amend PHI pursuant to HIPAA, including, but not limited to, 45 CFR Section 164.526 and Business Associate shall, as directed by Covered Entity, incorporate any amendments to Covered Entity's PHI into copies of such PHI maintained by Business Associate (see 45 CFR § 164.504(e)(2)(F)).
9. **Internal Practices.** Business Associate shall make its internal practices, books and records relating to the use and disclosure of PHI received from Covered Entity (or created or received by Business Associate on behalf of Covered Entity) available to the Secretary of the U.S. Department of Health and Human Services (HHS) for purposes of determining Business Associate's compliance with HIPAA and the HIPAA Regulations (see 45 CFR § 164.504(e)(2)(H)).
10. **Notification of Breach.** Business Associate shall notify Covered Entity as soon as commercially reasonable of any unauthorized use or disclosure of PHI or Security Incident, as defined by 45 C.F.R. 164.304 of which Business Associate becomes aware, but in no event shall Business Associate delay more than forty-eight (48) hours after discovery of a breach before notifying Covered Entity. Business Associate shall take prompt corrective action to cure any such deficiencies. In the event of a disclosure of PHI that requires notification, Covered Entity shall develop and take the lead in complying with HIPAA notification provisions, and Business Associate shall cooperate as reasonably required.
11. **Termination.** If either Business Associate or Covered Entity knows of a pattern of activity or practice of the other that constitutes a material breach or violation of the party's obligations under the provisions of this Exhibit, then Business Associate or Covered Entity shall send written notice to the other describing the other Party's failure in detail and affording that Party a thirty (30) day period in which to cure such failure. If the Party's efforts to cure such breach or end such violation are unsuccessful, the other party shall either: (i) terminate the Agreement, if feasible or (ii) if termination of the Agreement is not feasible, the Party discovering the breach shall report the other's breach or violation to the Secretary of HHS (see 45 CFR § 164.504(e)(1)(ii)). Upon termination of this Agreement for any reason the Business Associate shall return or destroy all PHI received from

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Covered Entity (or created or received by Business Associate on behalf of Covered Entity) that Business Associate still maintains in any form, and shall retain no copies of such PHI or, if return or destruction is not feasible, it shall continue to extend the protections of this Agreement to such information, and limit further use of such PHI to those purposes that make the return or destruction of such PHI infeasible (see 45 CFR § 164.504(e)(2)(I)). Business Associate (Agency) shall also insure that any Business Associate of the Business Associate (Agency) herein complies with the terms of this Exhibit.

12. **Amendment to Comply with Law.** The Parties acknowledge that state and federal laws relating to electronic data security and privacy are rapidly evolving and that amendment of this Agreement may be required to provide for procedures to ensure compliance with such developments. The references to the specific Healthcare Account Laws referenced parenthetically at the end of certain provisions in this Agreement are used to show the legal reference upon which the provision is based upon, but shall have no legal effect that requires the referenced law to be fully incorporated herein. Upon Covered Entity's request, Business Associate agrees to promptly enter into negotiations with Covered Entity concerning the terms of an amendment to this Agreement embodying written assurances to the extent necessary to allow Covered Entity to comply with amendments to the standards and requirements of the Healthcare Account Laws.
13. **Assistance in Litigation or Administrative Proceedings.** Each Party shall make itself and any subcontractors (to the extent possible), employees or agents assisting Business Associate in the performance of its obligations under this Agreement available to the other Party at no cost to the other Party to testify as witnesses, or as otherwise needed in the event of litigation or administrative proceedings being commenced against the other Party, its directors, officers or employees based upon claimed violation of HIPAA or other Healthcare Account Laws relating to security and privacy, except where the Party or its subcontractor, employee or agent is a named adverse to the other Party.
14. **No Third Party Beneficiaries.** Nothing expressed or implied in this Exhibit is intended to confer, nor shall anything herein confer, upon any person other than Covered Entity, Business Associate and their respective successors or assigns, any rights, remedies, obligations or liabilities whatsoever.

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

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

OFFICE USE ONLY CERTIFICATION OF FILING

Certificate Number:
 2017-167486

Date Filed:
 02/15/2017

Date Acknowledged:

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

Life Line Billing Systems, LLC (LifeQuest Services)
 Wautoma, WI United States

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

City of Killeen, Texas

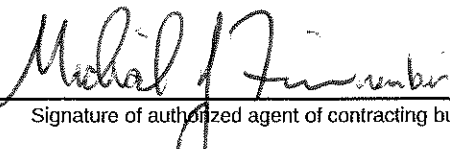
3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.

RFQ 17-03
 EMS Billing and Fire Service Fee Recovery

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary
	Nolan, Joe	Winnetka, IL United States	X	
	Beck, Kevin	Wautoma, WI United States		X
	Braun, Jeff	Wautoma, WI United States		X
	Finn, Michael	Chicago, IL United States		X


5 Check only if there is NO Interested Party.

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


 Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said MICHAEL J. FINN, this the 15th day of February, 2017, to certify which, witness my hand and seal of office.

 FEDER H. CULVER II NOTARY PUBLIC, WI
 Signature of officer administering oath Printed name of officer administering oath Title of officer administering oath
 Expires 06/26/2020



City of Killeen

Legislation Details

File #: RS-17-020 **Version:** 1 **Name:** Change Order Trimmier #13
Type: Resolution **Status:** Resolutions
File created: 2/6/2017 **In control:** City Council
On agenda: 2/28/2017 **Final action:**
Title: Consider a memorandum/resolution authorizing the execution of Change Order No. 13 to McLean Construction, Inc. for the Trimmier Road Widening Project.
Sponsors: Transportation Division, Public Works Department
Indexes: Trimmier Road Widening
Code sections:
Attachments: [Council Memorandum](#)
[Change Order](#)
[Change Order History](#)
[Bid Items](#)
[Certificate of Interested Parties](#)

Date	Ver.	Action By	Action	Result
2/21/2017	1	City Council Workshop		

CITY COUNCIL MEMORANDUM

AGENDA ITEM

AUTHORIZE THE EXECUTION OF CHANGE ORDER NO. 13 TO MCLEAN CONSTRUCTION, INC, FOR THE TRIMMIER ROAD WIDENING PROJECT

ORIGINATING DEPARTMENT

PUBLIC WORKS - TRANSPORTATION DIVISION

BACKGROUND INFORMATION

Due to the increasing volumes of traffic on and around Trimmier Road, on March 26, 2013, the City Council authorized staff to enter into a Professional Services Agreement with Mitchell and Associates, Inc., to prepare the designs for road widening and additional access improvements along Trimmier Road spanning from Jasper Drive to Elms Road and to coincide with construction being completed through the Texas Department of Transportation's (TxDOT) US 190 widening project (CCM/R 13-029R.). At this time, TxDOT's US 190 expansion project extending from the main gate of Fort Hood to W. S. Young Drive is currently underway, increasing from (4) lanes to six (6) lanes. The project scope also includes the widening of Trimmier Road directly under US 190 within the TxDOT right-of-way.

In relation to the Trimmier Road Widening Project, on May 30, 2013, the Killeen-Temple Metropolitan Planning Organization (KTMPO) distributed nomination forms for the Statewide Transportation Planning Metropolitan Mobility (STP-MM) Category 7 funds, an opportunity to help fund the projects within the Trimmier corridor. On September 10, 2013, City Council authorized submission of an application to participate in the KTMPO (STP-MM) Category 7 funds project call (CCM/R 13-103R) to fund a portion (US 190 to Bacon Ranch Road) of the Trimmier Road Widening Project. The City Council also expressed its commitment to fund the remaining portion of the project (consisting of two parts of Trimmier: Bacon Ranch Road to Elms Road and US 190 to Jasper Road). On September 18, 2013, the KTMPO awarded \$2,000,000 to the City of Killeen for the Category 7 project with a City match for the estimated balance of the portion of the project submitted. The portion of the project from US 190 to Bacon Ranch Road was estimated to total \$3,464,243, minus the \$2,000,000 Category 7 award and \$156,047 of TxDOT indirect costs, leaving a City match amount of \$1,308,196. The match and the remainder of the project were to be funded out of Certificates of Obligation indicated by the Reimbursement Resolution approved by City Council on February 25, 2014 (CCM/R 14-023R).

Prior to these actions, several City Council directives and City staff actions were begun to address traffic congestion, pedestrian improvements, and safety concerns on W. S. Young Drive, Lowe's Boulevard and the Trimmier corridors.

In relation to W.S. Young Drive, on January 26, 2007, the City Manager executed a Professional Services Contract to design the widening of W. S. Young Drive from Bacon Ranch Road to Little Nolan Road. The purpose of this project was to improve the sight distance throughout this corridor and mitigate the potential for vehicular accidents to occur. The installation of a

continuous left hand turn lane is intended to improve the sight distance for drivers turning from Bacon Ranch Road northbound onto W.S. Young Drive and the general traffic flow in the area.

In relation to Lowe's Boulevard, on July 12, 2011, the City Council authorized the award of a Professional Services Agreement to design the extension of Lowe's Boulevard from Trimmier Road to Florence Road (CCM/R 10-100R). This project was previously included in the approved prioritized list in CCM/R 10-095R on August 24, 2010. The Certificate of Obligation funding for the prioritized projects was depleted prior to the Lowe's Boulevard project being advertised for bids.

As all of the above-described projects are either contiguous projects or in the same general vicinity and designed by the same firm, City staff proposed that they be combined into one bid package. Including these projects, as recommended, eliminates duplicity of effort and improves coordination for traffic control and construction project sequencing.

Following the above actions, on February 25, 2014, a Reimbursement Resolution was approved by City Council whereby a portion of a future Certificate of Obligation Bond issuance would be used for street improvements. The action proposed that the City's general fund advance funds for the projects identified; when proceeds from the sale of the Certificates of Obligation Bonds were received, any amounts previously advanced from the general fund would be repaid to the general fund (CCM/R 14-023R). On March 11, 2014, a required initial payment of \$37,448 from the City to the Texas Department of Transportation (TxDOT) for design review was authorized by City Council to be sent with an executed Advance Funding Agreement (CCM/R 14-029R) to secure the Category 7 funds previously discussed. The construction plans were then subsequently submitted to, and approved by, TxDOT. At that time, TxDOT authorized the City to proceed with the bidding process.

The City advertised for bids on July 27, 2014, August 3, 2014, and August 10, 2014. On August 28, 2014, at 3:15 p.m., bids were opened and read aloud for the construction of the Trimmier Road Widening Project. On September 23, 2014, the City Council authorized awarding a construction contract to McLean Construction, Inc. in the amount of \$6,845,845.00 (CCM/R 14-129R).

DISCUSSION/CONCLUSION

Change Order No. 13 will adjust bid item quantities to site conditions. This is a midterm clean up change order resulting in a project credit for items that will not be constructed as part of the Trimmier Road Widening project. Items include vegetative watering, asphalt milling, pavement marking, and water meter relocation.

FISCAL IMPACT

The total cost of the project before this Change Order request was \$7,560,611.55. The total cost of this change is a net decrease in the amount of \$78,188.30, resulting in a total contract price of \$7,482,423.25 or a cumulative 9.30% increase to the original contract. This change will add funding to the Certificate of Obligation 2014, Trimmier Bond account number 347-3490-800.58-76.

RECOMMENDATION

City staff recommends the City Council authorize the City Manager to execute Change Order No. 13 with McLean Construction, Inc., decreasing the cost of the contract by \$78,188.30.

CHANGE ORDER

No. 13

OWNER: CITY OF KILLEEN
CONTRACTOR: McLean Construction, Inc
Contract: CSJ 0909-36- 147 RPIC: William K. Swearingen, Jr., P.E.
Project: Trimmier Road Widening
OWNER's Contract No. 313-002 OWNER's Bid No. 14-14
ENGINEER: William K. Swearingen, Jr, P.E. ENGINEER's Contract No. N/A

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

Description: See attached Bid Items Worksheet.

Reason for Change Order: This change order will adjust bid item quantities to site conditions.

Attachments: Bid Items worksheet.

CHANGE IN CONTRACT PRICE:
Original Contract Price \$ <u>6,845,845.00</u>
Net Increase (Decrease) from previous Change Orders No. <u>1</u> to <u>12</u> : \$ <u>714,766.55</u>
Contract Price prior to this Change Order: \$ <u>7,560,611.55</u>
Net increase (decrease) of this Change Order: \$ <u>-78188.30</u>
Contract Price with all approved Change Orders: \$ <u>7,482,423.25</u>

CHANGE IN CONTRACT TIMES:
Original Contract Times: Substantial Completion: <u>572</u> Ready for final payment: <u>602</u> (days or dates)
Net change from previous Change Orders No. <u>1</u> to No. <u>12</u> : Substantial Completion: <u>373</u> Ready for final payment: <u>373</u> (days)
Contract Times prior to this Change Order: Substantial Completion: <u>945</u> Ready for final payment: <u>975</u> (days or dates)
Net increase (decrease) this Change Order: Substantial Completion: <u>0</u> Ready for final payment: <u>0</u> (days)
Contract Times with all approved Change Orders: Substantial Completion: <u>945</u> Ready for final payment: <u>975</u> (days or dates)

RECOMMENDED:

By: _____
ENGINEER (Authorized Signature)

Date: _____

APPROVED:

By: _____
TxDOT (Authorized Signature)

Date: _____

ACCEPTED:

By: _____
CONTRACTOR (Authorized Signature)

Date: _____

APPROVED:

By: _____
OWNER (Authorized Signature)

Date: _____

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.

CHANGE ORDER(S) FOR Trimmer Road Widening Project

(Project Name)

Department/Division: Public Works		Bid No.: 14-14	NOTE 1. If individual Change Order request is ≥ \$50,000, please attach CCMR in front of Change Order request for Council approval 2. If, cumulatively, Change Orders are ≥ 25% of awarded contract amount please attach CCMR in front of Change Order request for Council approval
Vendor Name: McLean Construcion			
Original Contract Amount: \$6,845,845.00		CCMR No.: 14-129R	
Date CCMR Approved: 09/23/14			

HISTORY OF CHANGE ORDERS

CO#	Proposed or Approved	Date CCMR Approved	CCMR#	Amount	Account Number <small>(xxx-xxxx-xxx-xx.xx)</small>	BRIEF Reason for Change Order Request (must fit in allotted space)	Updated Contract Amount	% Change in Contract
1	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	05/01/15		\$0.00	347-3490-800.58-76	Add 147 days to contract time	\$6,845,845.00	0.00%
2	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	10/17/15		\$35,978.00	347-3490-800.58-76	8" , 4,000 psi Concrete Roadway pavement + 30 days	\$6,881,823.00	0.53%
3	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	11/25/15		\$401,246.50	347-3490-800.58-76	Lowe's Blvd Extension and N/S Connector Road revisions	\$7,283,069.50	6.39%
4	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	02/24/16		\$98,986.85	347-3490-800.58-76	Trimmer Road waterline and storm drainage revisions	\$7,382,056.35	7.83%
5	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	02/24/16		-\$6,590.50	347-3490-800.58-76	Adds/Deducts and Guard Rail	\$7,375,465.85	7.74%
6	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	04/05/16		\$7,675.00	347-3490-800.58-76	Trimmer Road waterline and storm drainage revisions	\$7,383,140.85	7.85%
7	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	04/05/16		\$30,971.20	347-3490-800.58-76	Adds/Deducts and Waterline Relocation at Lowes Blvd.	\$7,414,112.05	8.30%
8	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	05/13/16		\$14,860.00	347-3490-800.58-76	Lowering of waterline/adjust traffic signal conduits	\$7,428,972.05	8.52%
9	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	08/04/16		\$24,777.00	347-3490-800.58-76	Quantities change for Walmart Boulevard traffic signalization	\$7,453,749.05	8.88%
10	<input type="checkbox"/> Proposed <input type="checkbox"/> Approved	N/A		\$0.00	347-3490-800.58-76	Change Order #10 was not approved by City Council	\$7,453,749.05	8.88%
11	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	01/30/17	17-001R	\$97,905.10	347-3490-800.58-76	Traffic Signal changes for future Maintenance Costs	\$7,551,654.15	10.31%
12	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	01/30/17		\$8,957.40	347-3490-800.58-76	18" HDPE pipe and Traffic Signal quantity additions	\$7,560,611.55	10.44%
13	<input checked="" type="checkbox"/> Proposed <input type="checkbox"/> Approved			-\$78,188.30	347-3490-800.58-76	Adjustment of line item quantities	\$7,482,423.25	9.30%

Vendor Signature/Date _____

Dept. Head Signature/Date _____

Recommended: _____

Recommended: _____

Purchasing Manager/Date _____

Director of Finance/Date _____

Recommended:

Approved/Disapproved:

City Attorney/Date

City Manager/Date

JOB NAME: TRIMMIER ROAD - CO#13

CSJ: 0909-36-147

Changes to Trimmier Road portion only

Line No.	Item No.	Description	Bid Quantity	Previous Quantity	Proposed C/O Quantity	Proposed Quantity	UOM	Unit Price	Proposed Reduced Amount	Proposed Added Amount	Proposed Total Amount
(6)	168 2001	VEGITAIVE WATERING	216	216	-100	116	MG	15.80	-1,580.00		-1,580.00
(11)	354 2021	PLANE ASPH CONC PAV(0" TO 2")	28387	28387	-13000	15,387	SY	\$2.50	-32,500.00		-32,500.00
(12)	354 2024	PLANE ASPH CONC PAV(2" TO 4")	4259	4259	-4259	0	SY	\$4.00	-17,036.00		-17,036.00
(76)	662 2001	WK ZN PAV MRK NON-REMOV (W) 4" (BRK)	4430	4430	-2215	2,215	LF	\$0.30	-664.50		-664.50
(77)	662 2002	WK ZN PAV MRK NON-REMOV (W) 4" (DOT)	80	80	-40	40	LF	\$0.70	-28.00		-28.00
(78)	662 2012	WK ZN PAV MRK NON-REMOV (W) 8" (SLD)	1260	1260	-630	630	LF	\$0.50	-315.00		-315.00
(79)	662 2016	WK ZN PAV MRK NON-REMOV (W) 24" (SLD)	300	300	-150	150	LF	\$2.40	-360.00		-360.00
(80)	662 2017	WK ZN PAV MRK NON-REMOV (W) (ARROW)	8	8	-4	4	EA	\$72.80	-291.20		-291.20
(81)	662 2027	WK ZN PAV MRK NON-REMOV (W) (WORD)	5	5	-2	3	EA	\$84.00	-168.00		-168.00
(82)	662 2030	WK ZN PAV MRK NON-REMOV (Y) 4" (BRK)	440	440	-220	220	LF	\$0.30	-66.00		-66.00
(83)	662 2032	WK ZN PAV MRK NON-REMOV (Y) 4" (SLD)	19502	19502	-14502	5,000	LF	\$0.30	-4,350.60		-4,350.60
(96)	677 2001	ELIM EXT PAV MRK & MRKS (4")	11966	11966	-5000	6,966	LF	\$0.50	-2,500.00		-2,500.00
(130)	COK 5006	CROSSWALK (SPL)	50	50	-50	0	SY	\$242.00	-12,100.00		-12,100.00
(137)	COK 6006	RELOCATE LARGE WATER METER	2	1	-1	0	EA	\$6,229.00	-6,229.00		-6,229.00
TOTAL									-78,188.30	\$0.00	-78,188.30

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

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

OFFICE USE ONLY CERTIFICATION OF FILING

Certificate Number:
2017-166280

Date Filed:
02/14/2017

Date Acknowledged:

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

McLean Construction
Killeen, TX United States

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

City of Killeen

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

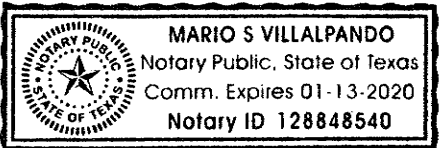
CSJ 0909-36-147
CO#13 Deduct Work Zone Stripe, Plane Asphalt

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary
	McLean Construction	Killeen, TX United States	X	

5 Check only if there is NO Interested Party.

6 AFFIDAVIT

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



[Handwritten Signature]

Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said Steve Shepherd, this the 14th day of FEB, 2017, to certify which, witness my hand and seal of office.

[Handwritten Signature] _____ Printed name of officer administering oath
Mario Villalpando

Title of officer administering oath



City of Killeen

Legislation Details

File #: RS-17-021 **Version:** 1 **Name:** Trimmier Road Widening Change Order 14
Type: Resolution **Status:** Resolutions
File created: 2/6/2017 **In control:** City Council
On agenda: 2/28/2017 **Final action:**
Title: Consider a memorandum/resolution authorizing the execution of Change Order No. 14 to McLean Construction, Inc. for the Trimmier Road Widening Project.
Sponsors: Transportation Division, Public Works Department
Indexes: Trimmier Road Widening
Code sections:
Attachments: [Council Memorandum](#)
[Change Order](#)
[Change Order History](#)
[Bid Items](#)
[Certificate of Interested Parties](#)

Date	Ver.	Action By	Action	Result
2/21/2017	1	City Council Workshop		

CITY COUNCIL MEMORANDUM

AGENDA ITEM

AUTHORIZE THE EXECUTION OF CHANGE ORDER NO. 14 TO MCLEAN CONSTRUCTION, INC, FOR THE TRIMMIER ROAD WIDENING PROJECT

ORIGINATING DEPARTMENT

PUBLIC WORKS - TRANSPORTATION DIVISION

BACKGROUND INFORMATION

Due to the increasing volumes of traffic on and around Trimmier Road, on March 26, 2013, the City Council authorized staff to enter into a Professional Services Agreement with Mitchell and Associates, Inc., to prepare the designs for road widening and additional access improvements along Trimmier Road spanning from Jasper Drive to Elms Road and to coincide with construction being completed through the Texas Department of Transportation's (TxDOT) US 190 widening project (CCM/R 13-029R.). At this time, TxDOT's US 190 expansion project extending from the main gate of Fort Hood to W. S. Young Drive is currently underway, increasing from (4) lanes to six (6) lanes. The project scope also includes the widening of Trimmier Road directly under US 190 within the TxDOT right-of-way.

In relation to the Trimmier Road Widening Project, on May 30, 2013, the Killeen-Temple Metropolitan Planning Organization (KTMPO) distributed nomination forms for the Statewide Transportation Planning Metropolitan Mobility (STP-MM) Category 7 funds, an opportunity to help fund the projects within the Trimmier corridor. On September 10, 2013, City Council authorized submission of an application to participate in the KTMPO (STP-MM) Category 7 funds project call (CCM/R 13-103R) to fund a portion (US 190 to Bacon Ranch Road) of the Trimmier Road Widening Project. The City Council also expressed its commitment to fund the remaining portion of the project (consisting of two parts of Trimmier: Bacon Ranch Road to Elms Road and US 190 to Jasper Road). On September 18, 2013, the KTMPO awarded \$2,000,000 to the City of Killeen for the Category 7 project with a City match for the estimated balance of the portion of the project submitted. The portion of the project from US 190 to Bacon Ranch Road was estimated to total \$3,464,243, minus the \$2,000,000 Category 7 award and \$156,047 of TxDOT indirect costs, leaving a City match amount of \$1,308,196. The match and the remainder of the project were to be funded out of Certificates of Obligation indicated by the Reimbursement Resolution approved by City Council on February 25, 2014 (CCM/R 14-023R).

Prior to these actions, several City Council directives and City staff actions were begun to address traffic congestion, pedestrian improvements, and safety concerns on W. S. Young Drive, Lowe's Boulevard and the Trimmier corridors.

In relation to W.S. Young Drive, on January 26, 2007, the City Manager executed a Professional Services Contract to design the widening of W. S. Young Drive from Bacon Ranch Road to Little Nolan Road. The purpose of this project was to improve the sight distance throughout this corridor and mitigate the potential for vehicular accidents to occur. The installation of a

continuous left hand turn lane is intended to improve the sight distance for drivers turning from Bacon Ranch Road northbound onto W.S. Young Drive and the general traffic flow in the area.

In relation to Lowe's Boulevard, on July 12, 2011, the City Council authorized the award of a Professional Services Agreement to design the extension of Lowe's Boulevard from Trimmier Road to Florence Road (CCM/R 10-100R). This project was previously included in the approved prioritized list in CCM/R 10-095R on August 24, 2010. The Certificate of Obligation funding for the prioritized projects was depleted prior to the Lowe's Boulevard project being advertised for bids.

As all of the above-described projects are either contiguous projects or in the same general vicinity and designed by the same firm, City staff proposed that they be combined into one bid package. Including these projects, as recommended, eliminates duplicity of effort and improves coordination for traffic control and construction project sequencing.

Following the above actions, on February 25, 2014, a Reimbursement Resolution was approved by City Council whereby a portion of a future Certificate of Obligation Bond issuance would be used for street improvements. The action proposed that the City's general fund advance funds for the projects identified; when proceeds from the sale of the Certificates of Obligation Bonds were received, any amounts previously advanced from the general fund would be repaid to the general fund (CCM/R 14-023R). On March 11, 2014, a required initial payment of \$37,448 from the City to the Texas Department of Transportation (TxDOT) for design review was authorized by City Council to be sent with an executed Advance Funding Agreement (CCM/R 14-029R) to secure the Category 7 funds previously discussed. The construction plans were then subsequently submitted to, and approved by, TxDOT. At that time, TxDOT authorized the City to proceed with the bidding process.

The City advertised for bids on July 27, 2014, August 3, 2014, and August 10, 2014. On August 28, 2014, at 3:15 p.m., bids were opened and read aloud for the construction of the Trimmier Road Widening Project. On September 23, 2014, the City Council authorized awarding a construction contract to McLean Construction, Inc. in the amount of \$6,845,845.00 (CCM/R 14-129R).

DISCUSSION/CONCLUSION

Change Order No. 14 will adjust plan quantity items for work on the Lowes West roadway portion of the Trimmier Road Widening project. This Change Order will adjust items for site conditions and add lime stabilization treatment to 24" of existing sub-grade materials deemed unsuitable for roadway construction. City staff developed multiple options including removal and replacement of existing materials and multiple stabilization practices. The proposed option provides the most economical solution. Change Order No. 14 will add 90 days to the project time allotment.

FISCAL IMPACT

The total cost of the project before this Change Order request, pending the approval of Change Order #13, was \$7,482,423.25. The total cost of this change is a net increase in the amount of \$239,781.00, resulting in a total contract price of \$7,722,204.25 or a cumulative 12.80%

increase to the original contract. Funding will be available in the Certificate of Obligation 2014 - Fund 347 bond fund, following the encumbrance carryforward and capital improvement projects budget amendment. Expenses for the Trimmier project are charged to account number 347-3490-800.58-76.

RECOMMENDATION

City staff recommends the City Council authorize the City Manager to execute Change Order No. 14 with McLean Construction, Inc., increasing the cost of the contract by \$239,781.00.

CHANGE ORDER

No. 14

OWNER: CITY OF KILLEEN
CONTRACTOR: McLean Construction, Inc
Contract: CSJ 0909-36- 147 RPIC: William K. Swearingen, Jr., P.E.
Project: Trimmier Road Widening
OWNER's Contract No. 313-002 OWNER's Bid No. 14-14
ENGINEER: William K. Swearingen, Jr, P.E. ENGINEER's Contract No. N/A

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

Description: See attached Bid Items Worksheet.

Reason for Change Order: The changes will adjust plan quantity items for work on the Lowes West roadway portion of the Trimmier Road Widening project. This Change Order will adjust items for site conditions and add lime stabilization treatment to 24" of existing sub-grade materials deemed unsuitable for roadway construction.

Attachments: Bid Items Worksheet.

CHANGE IN CONTRACT PRICE:
Original Contract Price \$ <u>6,845,845.00</u>
Net Increase (Decrease) from previous Change Orders No. <u>1</u> to <u>13</u> : \$ <u>636,578.25</u>
Contract Price prior to this Change Order: \$ <u>7,482,423.25</u>
Net increase (decrease) of this Change Order: \$ <u>239,781.00</u>
Contract Price with all approved Change Orders: \$ <u>7,722,204.25</u>

CHANGE IN CONTRACT TIMES:
Original Contract Times: Substantial Completion: <u>572</u> Ready for final payment: <u>602</u> (days or dates)
Net change from previous Change Orders No. <u>1</u> to No. <u>13</u> : Substantial Completion: <u>373</u> Ready for final payment: <u>373</u> (days)
Contract Times prior to this Change Order: Substantial Completion: <u>945</u> Ready for final payment: <u>975</u> (days or dates)
Net increase (decrease) this Change Order: Substantial Completion: <u>90</u> Ready for final payment: <u>90</u> (days)
Contract Times with all approved Change Orders: Substantial Completion: <u>1035</u> Ready for final payment: <u>1065</u> (days or dates)

RECOMMENDED:

By: _____
ENGINEER (Authorized Signature)

Date: _____

APPROVED:

By: _____
TxDOT (Authorized Signature)

Date: _____

ACCEPTED:

By: _____
CONTRACTOR (Authorized Signature)

Date: _____

APPROVED:

By: _____
OWNER (Authorized Signature)

Date: _____

CHANGE ORDER(S) FOR Trimmier Road Widening Project

(Project Name)

Department/Division:	Public Works	Bid No.:	14-14	NOTE 1. If individual Change Order request is ≥ \$50,000, please attach CCMR in front of Change Order request for Council approval 2. If, cumulatively, Change Orders are ≥ 25% of awarded contract amount please attach CCMR in front of Change Order request for Council approval
Vendor Name:	McLean Construcion	CCMR No.:	14-129R	
Original Contract Amount:	\$6,845,845.00			
Date CCMR Approved:	09/23/14			

HISTORY OF CHANGE ORDERS

CO#	Proposed or Approved	Date CCMR Approved	CCMR#	Amount	Account Number (xxx-xxxx-xxx-xx.xx)	BRIEF Reason for Change Order Request (must fit in allotted space)	Updated Contract Amount	% Change in Contract
1	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	05/01/15		\$0.00	347-3490-800.58-76	Add 147 days to contract time	\$6,845,845.00	0.00%
2	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	10/17/15		\$35,978.00	347-3490-800.58-76	8" , 4,000 psi Concrete Roadway pavement + 30 days	\$6,881,823.00	0.53%
3	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	11/25/15		\$401,246.50	347-3490-800.58-76	Lowe's Blvd Extension and N/S Connector Road revisions	\$7,283,069.50	6.39%
4	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	02/24/16		\$98,986.85	347-3490-800.58-76	Trimmier Road waterline and storm drainage revisions	\$7,382,056.35	7.83%
5	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	02/24/16		-\$6,590.50	347-3490-800.58-76	Adds/Deducts and Guard Rail	\$7,375,465.85	7.74%
6	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	04/05/16		\$7,675.00	347-3490-800.58-76	Trimmier Road waterline and storm drainage revisions	\$7,383,140.85	7.85%
7	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	04/05/16		\$30,971.20	347-3490-800.58-76	Adds/Deducts and Waterline Relocation at Lowes Blvd.	\$7,414,112.05	8.30%
8	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	05/13/16		\$14,860.00	347-3490-800.58-76	Lowering of waterline/adjust traffic signal conduits	\$7,428,972.05	8.52%
9	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	08/04/16		\$24,777.00	347-3490-800.58-76	Quantities change for Walmart Boulevard traffic signalization	\$7,453,749.05	8.88%
10	<input type="checkbox"/> Proposed <input type="checkbox"/> Approved	N/A		\$0.00	347-3490-800.58-76	Change Order #10 was not approved by City Council	\$7,453,749.05	8.88%
11	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	01/30/17	17-001R	\$97,905.10	347-3490-800.58-76	Traffic Signal changes for future Maintenance Costs	\$7,551,654.15	10.31%
12	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	01/30/17		\$8,957.40	347-3490-800.58-76	18" HDPE pipe and Traffic Signal quantity additions	\$7,560,611.55	10.44%
13	<input checked="" type="checkbox"/> Proposed <input type="checkbox"/> Approved			-\$78,188.30	347-3490-800.58-76	Adjustment of line item quantities	\$7,482,423.25	9.30%
14	<input checked="" type="checkbox"/> Proposed <input type="checkbox"/> Approved			\$239,781.00	347-3490-800.58-76	Adds/Deducts and Lowes Blvd. West Sub-grade Stabilization	\$7,722,204.25	12.80%

Vendor Signature/Date

Dept. Head Signature/Date

Recommended:

Recommended:

Purchasing Manager/Date

Director of Finance/Date

Recommended:

Approved/Disapproved:

City Attorney/Date

City Manager/Date

JOB NAME: TRIMMIER RD WIDENING PROJECT - CO#14 CSJ: 0909-36-147

CITY OF KILLEEN PROJECTS portion only

Line No.	Item No.	Description	Bid Quantity	Previous Quantity	Proposed C/O Quantity	Proposed Quantity	UOM	Unit Price	Proposed Reduced Amount	Proposed Added Amount	Proposed Total Amount
(153)	168 2001	VEGETATIVE WATERING	612	643	-200	443	MG	\$16.20	-3,240.00		-3,240.00
(159)	354 2021	PLANE ASPH CONC PAV(0" TO 2")	5354	981	-981	0	SY	\$2.00	-1,962.00		-1,962.00
(222)	662 2001	WK ZN PAV MRK NON-REMOV (W) 4" (BRK)	530	530	-530	0	LF	\$2.00	-1,060.00		-1,060.00
(223)	662 2012	WK ZN PAV MRK NON-REMOV (W) 8" (SLD)	65	65	-65	0	LF	\$2.20	-143.00		-143.00
(224)	662 2017	WK ZN PAV MRK NON-REMOV (W) (ARROW)	1	1	-1	0	EA	\$123.00	-123.00		-123.00
(225)	662 2032	WK ZN PAV MRK NON-REMOV (Y) 4" (SLD)	2090	2090	-2090	0	LF	\$1.80	-3,762.00		-3,762.00
(257)	COK 5006	CROSSWALK (SPL)	74	74	-74	0	SY	\$248.00	-18,352.00		-18,352.00
(289)	7034 001	24" LIME STABILIZATION - 7% LIME (3-8" LIFTS)	1	0	1	1	LS	\$268,423.00		268,423.00	268,423.00
TOTAL									-28,642.00	\$0.00	239,781.00

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

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

OFFICE USE ONLY CERTIFICATION OF FILING

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

McLean Construction
Killeen, TX United States

Certificate Number:
2017-166283

Date Filed:
02/14/2017

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

City of Killeen

Date Acknowledged:

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

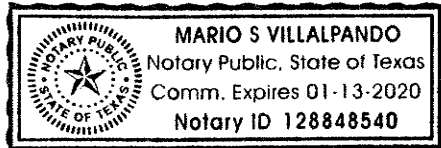
CSJ 0909-36-147
CO#14 24" Lime Stabilization

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary
	McLean Construction	killeen, TX United States	X	

5 Check only if there is NO Interested Party.

6 AFFIDAVIT

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



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

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said Steve Shepherd, this the 14th day of FEB, 2017, to certify which, witness my hand and seal of office.

[Handwritten Signature]
Signature of officer administering oath

Mario Villalpando
Printed name of officer administering oath

Title of officer administering oath



City of Killeen

Legislation Details

File #: OR-17-005 **Version:** 1 **Name:** Ammendment to PD Positions
Type: Ordinance **Status:** Ordinances
File created: 2/3/2017 **In control:** City Council
On agenda: 2/28/2017 **Final action:**
Title: Consider an ordinance to amend the number of authorized civil service positions for the Killeen Police Department.
Sponsors: Human Resources Department
Indexes:
Code sections:
Attachments: [Council Memorandum](#)
[Ordinance](#)

Date	Ver.	Action By	Action	Result
2/21/2017	1	City Council Workshop		

CITY COUNCIL MEMORANDUM

AGENDA ITEM

**Ordinance To Amend the Number of
Authorized Civil Service Positions for the
Killeen Police Department**

ORIGINATING DEPARTMENT

Human Resources

BACKGROUND INFORMATION

The Texas Local Government Code (TLGC), Chapter 143, became effective September, 1977; this codification represents an effort to present, in a coherent and practical format, the laws and civil service procedures for Texas police and fire departments. The civil service system was established in the City of Killeen in an election duly called and lawfully conducted on August 13, 1977. The rules and regulations of TLGC Chapter 143 apply to all classified police and fire officers.

One of the provisions of TLGC, Chapter 143, is that the municipality's governing body establishes the civil service classifications by ordinance. This ordinance, as adopted by the governing body, further prescribes the number of positions in each classification [TLGC 143.021(a)].

TLGC, Chapter 143 provides the department head of a civil service police department may make one appointment, plus one, occupying the position immediately below that of the department head.

DISCUSSION/CONCLUSION

Due to the pending budgetary impacts of the City of Killeen, the elimination of the Assistant Chief's position will aid in the resolution of the projected budget shortfalls. After eliminating this position, the work load of the administrative functions of the police department will be assigned to the remaining Assistant Chief position. The overall impact to the functioning of the police department will be minimized through the efficient distribution of supervisory responsibilities. An Assistant Chief retired on January 31, 2017, and the position proposed to be eliminated is currently vacant.

The Human Resources Department is requesting changes to the current police staffing by one (1) position, eliminating one (1) Assistant Chief.

Current Strength of Force for KPD		Revised Strength of Force for KPD	
Police Officer	239	Police Officer	239
Police Sergeant	24	Police Sergeant	24
Police Lieutenant	10	Police Lieutenant	10
Police Captain	5	Police Captain	5
Assistant Chief of Police	2	Assistant Chief of Police	1

FISCAL IMPACT

Financial impact will be a savings of \$137,876.84.

RECOMMENDATION

Staff recommends the adoption of the proposed ordinance to eliminate one (1) Assistant Chief of Police, full-time position.

AN ORDINANCE OF THE CITY COUNCIL OF KILLEEN, TEXAS, TO AUTHORIZE THE NUMBER OF POLICE DEPARTMENT CIVIL SERVICE EMPLOYEES TO COMPLY WITH THE PROVISIONS OF TEXAS LOCAL GOVERNMENT CODE §143.021; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

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

SECTION I. That the City Council authorizes the following civil service classifications of employees in the Police Department of the City of Killeen shall be amended for the purpose of covering such employees under the provisions of Texas Local Government Code 143.021(a) as required by statute. These classifications and no others shall exist with the number shown indicating the number of positions in each classification:

<u>CLASSIFICATION</u>	<u>NUMBER IN EACH CLASSIFICATION</u>			
	<u>FY 15-16 (amended December, 2016)</u>		<u>FY 16-17 (amended February, 2017)</u>	
	<u>(Base Authorization)</u>	<u>(Over hire)</u>	<u>(Base Authorization)</u>	<u>(Over hire)</u>
Police Officer	239	10	239	10
Police Sergeant	24	0	24	0
Police Lieutenant	10	0	10	0
Police Captain	5	0	5	0
Assistant Police Chief	2	0	1	0

This change to the authorized number of Assistant Police Chief positions reflects a reduction of one (1) Assistant Police Chief position.

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

SECTION III. That should any part of this ordinance be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remaining parts of this ordinance.

SECTION IV. That this ordinance shall be effective February 28, 2017, 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 28th day of February, 2017, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A., Government Code, 551.001 *et seq.*

APPROVED

Jose L. Segarra, MAYOR

ATTEST:

Dianna Barker, CITY SECRETARY

APPROVED AS TO FORM:

Kathryn H. Davis, CITY ATTORNEY



City of Killeen

Legislation Details

File #: PH-17-006 **Version:** 1 **Name:** TIRZ#2 Amendment
Type: Ordinance/Public Hearing **Status:** Public Hearings
File created: 12/8/2016 **In control:** City Council
On agenda: 2/28/2017 **Final action:**
Title: HOLD a public hearing and consider an ordinance amending the Tax Increment Reinvestment Zone Number Two (TIRZ #2) project and financing plan and boundary.
Sponsors: Planning & Development Dept
Indexes:
Code sections:
Attachments: [Council Memorandum](#)
[Ordinance](#)
[Survey](#)
[Map](#)

Date	Ver.	Action By	Action	Result
2/21/2017	1	City Council Workshop		

CITY COUNCIL MEMORANDUM

AGENDA ITEM

Consider amending the Tax Increment Reinvestment Zone Number Two (TIRZ #2) project and financing plan and boundary

ORIGINATING DEPARTMENT

PLANNING & DEVELOPMENT SERVICES

BACKGROUND INFORMATION

In 2008, the City of Killeen established the Tax Increment Reinvestment Zone Number Two (TIRZ #2) for the purpose of capturing the increase of tax revenue generated within the zone as a funding source for public infrastructure, with the goal of accelerating development and redevelopment in several areas of the City. The TIRZ #2 boundary was then amended in September of 2015, to include an additional thirty-two acres located at the southwest corner of Rancier Avenue and 38th Street. The afore-mentioned thirty-two acres is the project site for a proposed Walmart superstore and associated commercial outparcels. In January of 2017, the TIRZ #2 Board met to receive updates and discuss the feasibility of extending the boundary to include Rancier Avenue, from Fort Hood Street to Root Avenue.

DISCUSSION/CONCLUSION

The Board voted unanimously to amend the TIRZ #2 boundary to include Rancier Avenue, from Fort Hood Street to Root Avenue, as depicted in the attached boundary expansion map. The Board also voted to update the TIRZ #2 project and financing plan to account for the boundary expansion as necessary.

FISCAL IMPACT

No fiscal impact.

RECOMMENDATION

Staff recommends that City Council approve the boundary expansion of the TIRZ #2 as depicted in the attached boundary map and the attached project and financing plan, as approved by the TIRZ Board.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS AMENDING THE TAX INCREMENT REINVESTMENT ZONE NUMBER TWO PROJECT AND FINANCING PLAN AND BOUNDARY; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, the Killeen City Council established the Tax Increment Reinvestment Zone Number Two (TIRZ #2) in 2008 for the purpose of dedicating the increase on tax revenue generated within the TIRZ #2 to provide funds for public infrastructure to encourage accelerated development and redevelopment in several areas of the city;

WHEREAS, the TIRZ #2 board voted unanimously to amend the TIRZ #2 boundary on January 25, 2017 as depicted in the attached boundary map described in Exhibit "A;"

WHEREAS, the City Council duly considered said recommendation that the TIRZ#2 boundary and project plan amendment should be approved;

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

SECTION I. That the City of Killeen adopts the following TIRZ #2 Project and Financing Plan and Boundary Amendment:

SECTION II.

City of Killeen

Tax Increment Reinvestment Zone #2

Project and Financing Plan

This document constitutes the final Tax Increment Reinvestment Zone Project Plan for the Tax Increment Reinvestment Zone (TIRZ) #2, as required by Chapter 311 of the Texas Tax Code.

I. Project Plan

A. TIRZ Project Description

In August 2008, the City of Killeen created TIRZ#2 over approximately 2,104 acres of vacant and partially developed land on contiguous properties in the city limits of Killeen. The TIRZ#2 boundary was then amended in September of 2015 to include an additional 32 acres in the Southwest corner of Rancier Avenue and

38th Street to accommodate a proposed retail development in that area. Additional TIRZ#2 boundary amendment was made January 25, 2017 to include Rancier Avenue from Fort Hood Street to Root Avenue.

Development Projects and Public Infrastructure in the TIRZ

- Public Infrastructure – water lines, sanitary sewer lines, underground utilities
- Public Roads and Highways – improvements to US190 & FM 2410
- Beautification – gateway improvements, streetscape improvements, municipal furnishings, landscape improvements
- Public Safety – street lights, sidewalks
- Public Land and Buildings - park acquisition, city hall, park improvements

Expenditures associated with the acquisition, design, construction and financing of the planned improvements and other specific project related costs will be funded by tax increment revenue derived from increases in property tax revenues throughout the duration of TIRZ#2. Development is projected to increase taxable property values in the TIRZ from its current assessed value to \$298 million.

B. Developer and Financing Description

Downtown: The City of Killeen will be responsible for improvements in the downtown area and general vicinity and gateways utilizing funds generated by the TIRZ increment.

Industrial Park: The City of Killeen will be responsible for improvements in the industrial park utilizing funds generated by the TIRZ increment.

La Cascata: The developer of the La Cascata project is First Advisors, Inc. They will finance and develop the mixed-use project private improvements along with the public infrastructure improvements and amenities.

The City will provide reimbursement to the developer, First Advisors, Inc., for public improvements, subject to approval of a reimbursement contract between the City and the developer.

C. Conditions and Circumstances of the Property

1. **La Cascata:** There is a lack of basic infrastructure including: water, sanitary sewer, storm sewer, roads, and drainage. The development project will provide full public infrastructure and amenities to the community, including green spaces, trails, and water features.

2. **Downtown Killeen:** Downtown Killeen and the general vicinity and gateways need pedestrian amenities, consistent urban design features, landscaping, and public spaces. TIRZ dollars will be allocated to provide these basic features for the benefit of the public and sustainability of the land uses and their respective tax values.
3. **Killeen Industrial Park:** The Industrial Park lacks full development and utilities. Investment of TIRZ revenues will allow the Industrial Park to realize its full taxable highest and best land use, thereby increasing the opportunities for job and economic growth.
4. **Rancier Avenue and 38th Street:** This area has a lack of basic infrastructure including: water, sanitary sewer, storm sewer, infrastructure, and drainage. The proposed retail development will provide a significant benefit to the TIRZ and community.
5. **Existing Uses and Conditions of Property in the Proposed TIRZ and Future Uses and Conditions of Property in the TIRZ.**
 - **Existing Land Uses and Conditions:**

The area of the TIRZ is approximately 2,132 acres in size. The area is a mixture of vacant, developed and partially developed properties. The area includes properties that have frontages on public streets and highways. Properties in the area have various stages of utilities and infrastructure serving them.
 - **Proposed Land Uses:**

Proposed land uses include: commercial, retail, offices, medical, public buildings, parks, open space, parking, and amenities such as trails and water features.
 - **Maps:**

Exhibit A: Killeen TIRZ Boundary

D. Justification for TIRZ Creation

The developer of the La Cascata project (First Advisors, Inc.) believes that the demographic, market demand and overall economic conditions justify the risk for the proposed La Cascata development. The development of infrastructure and vertical improvements, along with the public amenities, will bring the property to its highest and best use and provide an opportunity to capture pent-up demand for the various land uses proposed.

The new development and subsequent public improvements in the TIRZ #2 will provide social, economic, and quality of life benefits to the entire community. Creation of the TIRZ will establish the funding mechanisms for public infrastructure improvements that are essential for the attraction of private

investment that would otherwise not occur in the reasonably foreseeable future. If not for the creation of the TIRZ, property will not be developed, due in part to the infrastructure conditions listed above.

E. Proposed Changes of Zoning Ordinances, Master Plan of Municipality, Building Codes, and Other Municipal Ordinances.

All construction will be done in conformance with existing city ordinances, regulations and building codes, of the City of Killeen and Bell County. There are no proposed changes of any city building codes or ordinances.

F. List of Estimated Non-Project Costs

Costs that will be expended by the Developer, without reimbursement, are listed below.

Non-Reimbursable Project Costs	Estimated Costs
Miscellaneous Land Development Hard and Soft Costs and Land Acquisition	\$ 84,000,000
Total	\$ 84,000,000

G. Displacement of Residents

There will be no displacement of residents within the TIRZ.

II. TIRZ #2 Financing Plan

A. A Listing of the Proposed Public Works or Public Improvements in the Zone

See below and refer to the map exhibits.

B. A List Describing the Estimated Project Costs of the Zone is Shown Below, including Creation and Administration Costs

Public Infrastructure and Related Items	Estimated Costs
Safety and Visual Improvements in Downtown Killeen and Industrial Park	
<i>Gray Street landscaping and irrigation</i>	\$ 150,000
<i>Avenue D landscaping and irrigation</i>	\$ 100,000
<i>Gray Street decorative lighting and installation</i>	\$ 500,000
<i>Avenue D decorative lighting and installation</i>	\$ 300,000
<i>Relocate above ground utilities underground Downtown</i>	\$ 2,000,000
<i>Rancier Avenue landscaping and irrigation</i>	\$ 48,000
<i>Rancier Avenue pedestrian mobility improvements</i>	\$ 209,000

Public Use	
<i>Downtown land acquisition and development of park space</i>	\$ 2,000,000
<i>Gray Street – Street and sidewalk rehabilitation</i>	\$ 4,000,000
<i>Avenue D – Street and sidewalk rehabilitation</i>	\$ 2,500,000
<i>Widening FM 2410 and Stan Schlueter Loop Intersection</i>	\$ 4,000,000
<i>Construction of Rosewood Drive overpass at US 190</i>	\$ 4,800,000
<i>City Hall in the downtown</i>	\$ 15,000,000
Redevelopment	
<i>Downtown land acquisition and redevelopment</i>	\$ 2,000,000
La Cascata Infrastructure Development for Commercial Development	
<i>Water, sanitary sewer, storm sewer, internal public roads, landscaping, water features, green space, trails – <u>commercial component only</u></i>	\$ 9,000,000
Administrative /Professional Services	\$ 200,000
Total	\$ 46,807,000

*The above costs are estimates and based on the best information available as of December 2016. Cost will vary and costs may be distributed between the various line items based on the discretion of the TIRZ Board of Directors and/or City of Killeen City Council.

C. Estimated Time When Monetary Obligations Are Incurred

Costs will be incurred beginning in 2010 and are anticipated to continue per the Table A: Buildout Schedule.

D. Estimated Amount of Bonded Indebtedness

The City, upon a recommendation from the Tax Increment Reinvestment Zone Board, may issue bonds, notes, or other obligations secured by tax increment revenues, the proceeds of which could be used to pay for or reimburse developers for Project Costs, including public improvements, interest, developer costs, and costs associated with the bond issue. The City, upon a recommendation from the Tax Increment Reinvestment Zone Board, may issue one or more series of bonds or notes at the time the Zone generates sufficient tax increment revenues to pay principal and interest on such obligations. However, the City may elect to pay for Project Costs directly from tax increment proceeds as they become available, without the sale of bonds or notes.

E. Methods of Financing and Sources of Revenue

Tax increment revenues will be derived from the development of the La Cascata mixed-use project, development in the Killeen Industrial Park, and increase in property values in downtown Killeen. Development is projected to increase taxable property values in the Killeen TIRZ to approximately \$298 million during the life of the TIRZ.

Table A depicts the build-out projection and the annual captured appraised value for the mixed-use development proposed in the TIRZ; improvements in the industrial park; and improvements in the downtown area. Table B depicts the projected revenue schedule for the TIRZ.

To ensure timely construction of public improvements, both “pay-as-you-go” and/or bond financing may be utilized. Potential financing methods may include:

1. **Tax Increment Bonds or Notes:** As allowed by annual incremental increases in Zone assessed value, tax-exempt tax increment bonds or notes may be issued to fund improvements.
2. **Bond Anticipation Notes:** Notes issued in anticipation of tax increment or bond revenue may be issued to facilitate implementation of particular projects as warranted.
3. **Other Private Financing:** The project will be developed using traditional bank financing subject to future TIRZ fund reimbursement provided to the Developer.
4. **Tax Increment Contract Revenue Bonds:** The City may elect to create a Redevelopment Authority with the authority to issue all or part of the debt contemplated in the Plan. The Board may elect to enter into Development Agreements with the developer to provide for public projects in furtherance of the provisions of the Plan. In such situations, development agreements may be subject to the developer’s ability to generate sufficient increment to fund the agreement.
5. **Percentage of Increment Dedicated to the Zone:**
The percentage of tax value increment anticipated to be dedicated to the Zone follows.

Taxing Unit	Dedicated Tax Rate	% of Total Participation
<u>City of Killeen</u>	<u>\$0.74980</u>	100%
<u>Bell County</u>	<u>\$0.42120</u>	100%
<u>Central Texas College</u>	<u>\$0.13660</u>	100%
TOTAL	\$1.3076/\$100 valuation	100%

*The above rates are based on Property Tax Rate 2015 information.

F. Tax Increment Fund

The City of Killeen will establish and maintain the Zone’s tax increment fund. The City will deposit an amount of money into the tax increment fund equal to the City’s ad valorem tax revenues collected from the taxable property in the project, less the tax increment base revenue. The City will deposit revenues derived from all taxing jurisdictions participating in the TIRZ into the tax increment fund,

in accordance with the conditions of an agreement with each jurisdiction's participation.

G. Market Feasibility Study

The feasibility study is Exhibit D.

H. Duration of the Zone

The duration of the TIRZ #2 is proposed to be twenty (20) years, or at an earlier time designated by subsequent ordinance, or at such time, subsequent to the issuance of any bonds, notes or other obligations that all project costs, bonds, notes or other obligations have been paid in full. Year One (1) is expected to consist of planning and pre-development activities.

I. Exhibits

Exhibit A	Killeen TIRZ #2 Boundary
Exhibit B	Current Land Use Map of TIRZ
Exhibit C	Future Land Use and Proposed Development Areas maps
Exhibit D	Market (Economic) Feasibility Study

II. Tables

Table A	Schedule of Zone Estimated Captured Appraised Value
Table B	Proposed Zone Revenue Schedule

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 or paragraph of this ordinance be declared invalid or unconstitutional for any reason, it shall not invalidate or impair the validity, force or effect of any other section or sections or part of a section or paragraph of this ordinance.

SECTION 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 28th day of February 2017, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A., Government Code, §551.001 et seq.

APPROVED:

Jose L. Segarra, MAYOR

ATTEST:

Dianna Barker, CITY SECRETARY

APPROVED AS TO FORM

Kathryn H. Davis, City Attorney

Ord. _____

City of Killeen TIRZ #2 Rancier Ave Expansion Boundary Description

Beginning at a point in the northeast corner of Spofford, block 00B, lot pt 5, (E 100' OF N 122.8' OF 5), 765-100, CORNER BLDG, ACRES .307 as recorded in the Plat Records of Bell County, Texas.

Following the north line of Spofford Subdivision and thence following the south right of way of Rancier Ave:

N 73 56 09 W Approximate Distance: 661.92

S 15 42 47 W Approximate Distance: 4.14

N 73 26 05 W Approximate Distance: 609.38

N 72 03 24 W Approximate Distance: 58.55

N 72 03 24 W Approximate Distance: 619.18

Thence N 72 48 16 W Approximate Distance: 650.52 to the Northwest corner of N E Puckett Addition, block 001, lot 1, 2, (W 67' OF 1 & 2 & STRIP 3.5' X 29' OF 2, LESS ROW)

Thence N 72 48 16 W Approximate Distance: 100.09 To a point on the existing Killeen city limits boundary on the west side of S. Fort Hood St.

Thence N 16 39 34 E following the existing Killeen city limits boundary for an Approximate Distance: 64.79

Thence generally following the existing city limits boundary
S 73 14 41 E Approximate Distance: 683.28 to the Southwest corner of JR Smith 760-13
S 70 36 58 E Approximate Distance: 238.34
S 71 55 15 E Approximate Distance: 240.50
S 71 49 11 E Approximate Distance: 263.63
S 73 19 01 E Approximate Distance: 1155.85
N 16 47 12 E Approximate Distance: 9.12
S 72 50 00 E Approximate Distance: 126.24

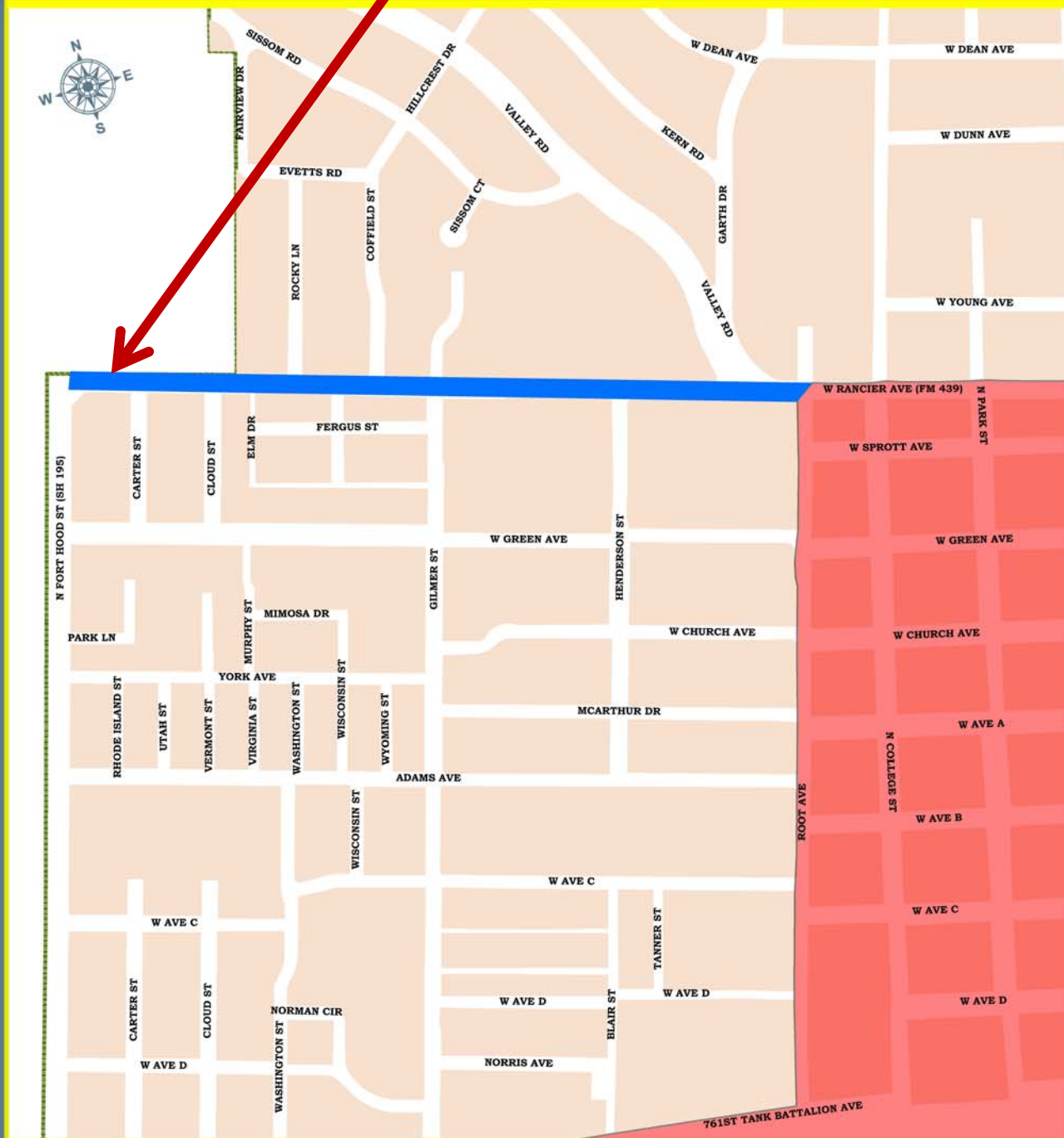
Thence S 69 03 42 E Approximate Distance: 55.22 to a corner of the existing TIRZ Boundary

Thence S 64 47 W Approximate Distance: 84.94 following the existing TIRZ boundary to the point of beginning.

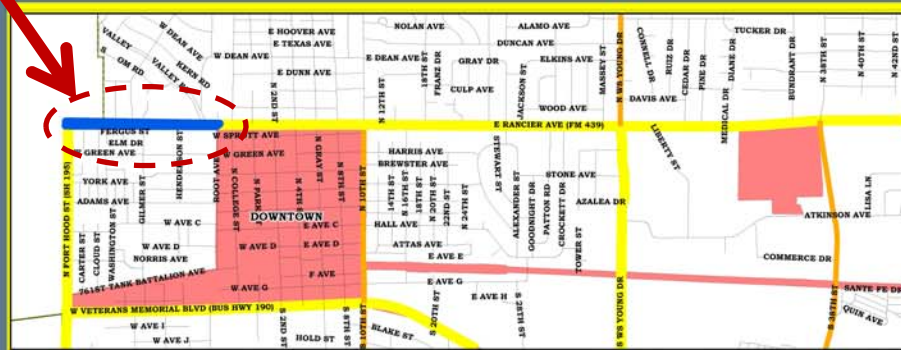
TIRZ #2 Proposed Expansion Project Location

KILLEEN, TEXAS

TIRZ BOUNDARY EXHIBIT



TIRZ #2 Proposed Expansion Project Location



LOCATION MAP

UPDATED: 01/17/2017





City of Killeen

Legislation Details

File #: PH-17-007 **Version:** 1 **Name:** Budget Amendment
Type: Ordinance/Public Hearing **Status:** Public Hearings
File created: 2/2/2017 **In control:** City Council
On agenda: 2/28/2017 **Final action:**
Title: HOLD a public hearing and consider an ordinance amending the FY 2017 Annual Budget and Plan of Municipal Services of the City of Killeen to realign budgets due to the elimination of the Support Services Department.
Sponsors: Finance Department
Indexes: Budget Amendments
Code sections:
Attachments: [Council Memorandum](#)
[Ordinance](#)

Date	Ver.	Action By	Action	Result
2/21/2017	1	City Council Workshop		

CITY COUNCIL MEMORANDUM

AGENDA ITEM

**FY 2017 Budget Amendment Due to
Organizational Realignment**

ORIGINATING DEPARTMENT

Finance

BACKGROUND INFORMATION

Prior to the organizational realignment, the divisions of Fleet Services, Purchasing, Printing Services, Building Services, Custodial Services, and Emergency Management were under the Support Services Department. The Support Services Department was eliminated in an effort to increase efficiency and reduce operating costs. The divisions that were under Support Services were then moved as follows: Fleet Services and Purchasing moved to Finance; Printing Services moved to Public Information; Building Services and Custodial Services moved to Community Development; and Emergency Management moved to the Fire Department.

DISCUSSION/CONCLUSION

The budget realignment does not increase the overall budget. It realigns amounts budgeted for the divisions that were under Support Services to their respective new department.

FISCAL IMPACT

A total of \$3,601,665 will be realigned from Support Services to the following departments:

- Finance (Fleet Services and Purchasing) - \$1,714,730;
- Public Information (Printing Services) - \$231,869;
- Community Development (Building Services and Custodial Services) - \$1,534,549; and
- Fire Department (Emergency Management) - \$120,517.

RECOMMENDATION

Staff recommends that the City Council approve the ordinance amending the FY 2017 Annual Budget and Plan of Municipal Services.

ORDINANCE _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS, AMENDING THE FY 2017 ANNUAL BUDGET AND PLAN OF MUNICIPAL SERVICES OF THE CITY OF KILLEEN TO REALIGN BUDGETS DUE TO THE ELIMINATION OF THE SUPPORT SERVICES DEPARTMENT; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING A SAVINGS CLAUSE AND ESTABLISHING AN EFFECTIVE DATE.

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

WHEREAS, it is the desire of the Killeen City Council to realign the divisional budgets under Support Services to the appropriate new department;

WHEREAS, the realignment of budget between departments requires City Council approval;

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

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

Account Number	Account Name	Current Budget	Budget Change	Amended Budget
General Fund				
010-2130-460.40-05	FULL-TIME SALARIES	182,847	(182,847)	-
010-2130-460.40-25	SALARIES / LONGEVITY	971	(971)	-
010-2130-460.41-10	SUPPLIES / OFFICE	1,400	(1,400)	-
010-2130-460.41-15	SUPPLIES / POSTAGE	50	(50)	-
010-2130-460.41-20	UNIFORMS & CLOTHING	330	(330)	-
010-2130-460.41-25	SUBSCRIPTION/PUBLICATIONS	130	(130)	-
010-2130-460.41-30	SUPPLIES / FUEL	89	(89)	-
010-2130-460.41-35	SUPPLIES / PRINT SUPPLIES	1,520	(1,520)	-
010-2130-460.42-43	COMPUTER MAINTENANCE	1,700	(1,700)	-
010-2130-460.43-15	VEHICLE REPAIR/MAINT	500	(500)	-
010-2130-460.44-05	TELEPHONE	206	(206)	-
010-2130-460.44-10	EQUIPMENT RENTAL/LEASE	2,900	(2,900)	-
010-2130-460.44-25	LEGAL AND PUBLIC NOTICES	13,952	(13,952)	-
010-2130-460.44-55	FACILITIES RENTAL	18,000	(18,000)	-
010-2130-460.44-75	DUES AND MEMBERSHIPS	1,795	(1,795)	-
010-2130-460.45-05	HOSPITAL INSURANCE	17,325	(17,325)	-
010-2130-460.45-10	BENEFITS / RETIREMENT	17,197	(17,197)	-

Account Number	Account Name	Current Budget	Budget Change	Amended Budget
010-2130-460.45-15	BENEFITS / SOCIAL SECURITY	13,648	(13,648)	-
010-2130-460.45-20	WORKERS' COMPENSATION	328	(328)	-
010-2131-460.40-05	FULL-TIME SALARIES	255,394	(255,394)	-
010-2131-460.40-15	SALARIES / OVERTIME	550	(550)	-
010-2131-460.40-25	SALARIES / LONGEVITY	2,416	(2,416)	-
010-2131-460.40-30	SALARIES / INCENTIVE PAY	3,664	(3,664)	-
010-2131-460.40-37	SALARIES / BILINGUAL	591	(591)	-
010-2131-460.40-55	SALARIES / ON CALL	3,724	(3,724)	-
010-2131-460.41-10	SUPPLIES / OFFICE	230	(230)	-
010-2131-460.41-20	UNIFORMS & CLOTHING	3,149	(3,149)	-
010-2131-460.41-30	SUPPLIES / FUEL	4,794	(4,794)	-
010-2131-460.41-35	PRINT SUPPLIES	407	(407)	-
010-2131-460.41-65	SUPPLIES / MINOR TOOLS	2,987	(2,987)	-
010-2131-460.41-70	CLEANING SUPPLIES	300	(300)	-
010-2131-460.41-99	SUPPLIES / OTHER	250	(250)	-
010-2131-460.42-10	BUILDING MAINTENANCE	242,688	(242,688)	-
010-2131-460.42-11	ELECTRICAL MAINTENANCE	75,000	(75,000)	-
010-2131-460.42-12	ELEVATOR MAINTENANCE	15,500	(15,500)	-
010-2131-460.43-10	SMALL EQUIP REPAIR	300	(300)	-
010-2131-460.43-15	VEHICLE REPAIR/MAINT	7,000	(7,000)	-
010-2131-460.43-20	REPAIRS / HEAT & AIR REPAIR	110,000	(110,000)	-
010-2131-460.44-04	WATER SERVICE	459	(459)	-
010-2131-460.44-05	TELEPHONE	3,545	(3,545)	-
010-2131-460.44-06	GAS SERVICE	700	(700)	-
010-2131-460.44-11	HIRE OF EQUIPMENT/FLEET	3,403	(3,403)	-
010-2131-460.44-50	ELECTRICITY SERVICES	3,847	(3,847)	-
010-2131-460.45-05	HOSPITAL INSURANCE	35,032	(35,032)	-
010-2131-460.45-10	BENEFITS / RETIREMENT	24,963	(24,963)	-
010-2131-460.45-15	BENEFITS / SOCIAL SECURITY	19,135	(19,135)	-
010-2131-460.45-20	WORKERS' COMPENSATION	5,201	(5,201)	-
010-2131-460.46-35	EQUIPMENT AND MACHINERY	680	(680)	-
010-2132-460.40-05	FULL-TIME SALARIES	456,890	(456,890)	-
010-2132-460.40-15	SALARIES / OVERTIME	1,436	(1,436)	-
010-2132-460.40-25	SALARIES / LONGEVITY	4,756	(4,756)	-
010-2132-460.40-70	VACATION-4TH WEEK BUYBK.	591	(591)	-
010-2132-460.41-10	SUPPLIES / OFFICE	300	(300)	-
010-2132-460.41-20	UNIFORMS & CLOTHING	7,503	(7,503)	-
010-2132-460.41-30	SUPPLIES / FUEL	6,062	(6,062)	-
010-2132-460.41-35	SUPPLIES / PRINT SUPPLIES	302	(302)	-
010-2132-460.41-65	SUPPLIES / MINOR TOOLS	300	(300)	-
010-2132-460.41-70	CLEANING SUPPLIES	46,258	(46,258)	-
010-2132-460.41-75	MEDICAL & CHEMICAL	75	(75)	-
010-2132-460.43-10	SMALL EQUIP REPAIR	2,500	(2,500)	-
010-2132-460.43-15	VEHICLE REPAIR/MAINT	4,000	(4,000)	-
010-2132-460.44-04	WATER SERVICE	109	(109)	-
010-2132-460.44-05	TELEPHONE	2,338	(2,338)	-
010-2132-460.44-06	GAS SERVICE	600	(600)	-

Account Number	Account Name	Current Budget	Budget Change	Amended Budget
010-2132-460.44-50	ELECTRICITY SERVICES	1,915	(1,915)	-
010-2132-460.45-05	HOSPITAL INSURANCE	81,574	(81,574)	-
010-2132-460.45-10	BENEFITS / RETIREMENT	43,650	(43,650)	-
010-2132-460.45-15	BENEFITS / SOCIAL SECURITY	34,998	(34,998)	-
010-2132-460.45-20	WORKERS' COMPENSATION	9,998	(9,998)	-
010-2132-460.46-05	OFFICE MACHINERY & EQUIP	2,400	(2,400)	-
010-2132-460.46-55	MINOR CAPITAL / MACHINERY	85	(85)	-
010-2134-460.40-05	FULL-TIME SALARIES	99,894	(99,894)	-
010-2134-460.40-25	SALARIES / LONGEVITY	1,102	(1,102)	-
010-2134-460.40-70	VACATION-4TH WEEK BUYBK.	591	(591)	-
010-2134-460.41-10	SUPPLIES / OFFICE	348	(348)	-
010-2134-460.41-20	UNIFORMS & CLOTHING	1,245	(1,245)	-
010-2134-460.41-35	SUPPLIES / PRINT SUPPLIES	3,577	(3,577)	-
010-2134-460.43-50	REPAIRS / MACHINERY	6,000	(6,000)	-
010-2134-460.44-05	TELEPHONE	77	(77)	-
010-2134-460.44-10	EQUIPMENT RENTAL/LEASE	50,677	(50,677)	-
010-2134-460.44-55	FACILITIES RENTAL	18,000	(18,000)	-
010-2134-460.45-05	HOSPITAL INSURANCE	11,261	(11,261)	-
010-2134-460.45-10	BENEFITS / RETIREMENT	9,550	(9,550)	-
010-2134-460.45-15	BENEFITS / SOCIAL SECURITY	7,644	(7,644)	-
010-2134-460.45-20	WORKERS' COMPENSATION	933	(933)	-
010-2134-460.46-45	COMPUTER SOFTWARE	540	(540)	-
010-2134-460.50-45	DISPOSAL/HAZ WASTE FEES	430	(430)	-
010-2134-460.61-35	MACHINERY & EQUIPMENT	20,000	(20,000)	-
010-2175-460.40-05	FULL-TIME SALARIES	87,426	(87,426)	-
010-2175-460.40-25	SALARIES / LONGEVITY	851	(851)	-
010-2175-460.41-10	SUPPLIES / OFFICE	5,850	(5,850)	-
010-2175-460.41-30	SUPPLIES / FUEL	2,432	(2,432)	-
010-2175-460.44-05	TELEPHONE	598	(598)	-
010-2175-460.44-50	ELECTRICITY SERVICES	3,336	(3,336)	-
010-2175-460.45-05	HOSPITAL INSURANCE	5,005	(5,005)	-
010-2175-460.45-10	BENEFITS / RETIREMENT	8,325	(8,325)	-
010-2175-460.45-15	BENEFITS / SOCIAL SECURITY	6,535	(6,535)	-
010-2175-460.45-20	WORKERS' COMPENSATION	159	(159)	-
010-2030-415.40-05	FULL-TIME SALARIES	-	182,847	182,847
010-2030-415.40-25	SALARIES / LONGEVITY	-	971	971
010-2030-415.41-10	SUPPLIES / OFFICE	-	1,400	1,400
010-2030-415.41-15	SUPPLIES / POSTAGE	-	50	50
010-2030-415.41-20	UNIFORMS & CLOTHING	-	330	330
010-2030-415.41-25	SUBSCRIPTION/PUBLICATIONS	-	130	130
010-2030-415.41-30	SUPPLIES / FUEL	-	89	89
010-2030-415.41-35	SUPPLIES / PRINT SUPPLIES	-	1,520	1,520
010-2030-415.42-43	COMPUTER MAINTENANCE	-	1,700	1,700
010-2030-415.43-15	VEHICLE REPAIR/MAINT	-	500	500
010-2030-415.44-05	TELEPHONE	-	206	206
010-2030-415.44-10	EQUIPMENT RENTAL/LEASE	-	2,900	2,900
010-2030-415.44-25	LEGAL AND PUBLIC NOTICES	-	13,952	13,952

Account Number	Account Name	Current Budget	Budget Change	Amended Budget
010-2030-415.44-55	FACILITIES RENTAL	-	18,000	18,000
010-2030-415.44-75	DUES AND MEMBERSHIPS	-	1,795	1,795
010-2030-415.45-05	HOSPITAL INSURANCE	-	17,325	17,325
010-2030-415.45-10	BENEFITS / RETIREMENT	-	17,197	17,197
010-2030-415.45-15	BENEFITS / SOCIAL SECURITY	-	13,648	13,648
010-2030-415.45-20	WORKERS' COMPENSATION	-	328	328
010-3258-426.40-05	FULL-TIME SALARIES	-	255,394	255,394
010-3258-426.40-15	SALARIES / OVERTIME	-	550	550
010-3258-426.40-25	SALARIES / LONGEVITY	-	2,416	2,416
010-3258-426.40-30	SALARIES / INCENTIVE PAY	-	3,664	3,664
010-3258-426.40-37	SALARIES / BILINGUAL	-	591	591
010-3258-426.40-55	SALARIES / ON CALL	-	3,724	3,724
010-3258-426.41-10	SUPPLIES / OFFICE	-	230	230
010-3258-426.41-20	UNIFORMS & CLOTHING	-	3,149	3,149
010-3258-426.41-30	SUPPLIES / FUEL	-	4,794	4,794
010-3258-426.41-35	SUPPLIES / PRINT SUPPLIES	-	407	407
010-3258-426.41-65	SUPPLIES / MINOR TOOLS	-	2,987	2,987
010-3258-426.41-70	CLEANING SUPPLIES	-	300	300
010-3258-426.41-99	SUPPLIES / OTHER	-	250	250
010-3258-426.42-10	BUILDING MAINTENANCE	-	242,688	242,688
010-3258-426.42-11	ELECTRICAL MAINTENANCE	-	75,000	75,000
010-3258-426.42-12	ELEVATOR MAINTENANCE	-	15,500	15,500
010-3258-426.43-10	SMALL EQUIP REPAIR	-	300	300
010-3258-426.43-15	VEHICLE REPAIR/MAINT	-	7,000	7,000
010-3258-426.43-20	HEAT & AIR REPAIR	-	110,000	110,000
010-3258-426.44-04	WATER SERVICE	-	459	459
010-3258-426.44-05	TELEPHONE	-	3,545	3,545
010-3258-426.44-06	GAS SERVICE	-	700	700
010-3258-426.44-11	HIRE OF EQUIPMENT/FLEET	-	3,403	3,403
010-3258-426.44-50	ELECTRICITY SERVICES	-	3,847	3,847
010-3258-426.45-05	HOSPITAL INSURANCE	-	35,032	35,032
010-3258-426.45-10	BENEFITS / RETIREMENT	-	24,963	24,963
010-3258-426.45-15	BENEFITS / SOCIAL SECURITY	-	19,135	19,135
010-3258-426.45-20	WORKERS' COMPENSATION	-	5,201	5,201
010-3258-426.46-35	EQUIPMENT AND MACHINERY	-	680	680
010-3259-426.40-05	FULL-TIME SALARIES	-	456,890	456,890
010-3259-426.40-15	SALARIES / OVERTIME	-	1,436	1,436
010-3259-426.40-25	SALARIES / LONGEVITY	-	4,756	4,756
010-3259-426.40-70	VACATION-4TH WEEK BUYBK.	-	591	591
010-3259-426.41-10	SUPPLIES / OFFICE	-	300	300
010-3259-426.41-20	UNIFORMS & CLOTHING	-	7,503	7,503
010-3259-426.41-30	SUPPLIES / FUEL	-	6,062	6,062
010-3259-426.41-35	SUPPLIES / PRINT SUPPLIES	-	302	302
010-3259-426.41-65	SUPPLIES / MINOR TOOLS	-	300	300
010-3259-426.41-70	CLEANING SUPPLIES	-	46,258	46,258

Account Number	Account Name	Current Budget	Budget Change	Amended Budget
010-3259-426.41-75	MEDICAL & CHEMICAL	-	75	75
010-3259-426.43-10	SMALL EQUIP REPAIR	-	2,500	2,500
010-3259-426.43-15	VEHICLE REPAIR/MAINT	-	4,000	4,000
010-3259-426.44-04	WATER SERVICE	-	109	109
010-3259-426.44-05	TELEPHONE	-	2,338	2,338
010-3259-426.44-06	GAS SERVICE	-	600	600
010-3259-426.44-50	ELECTRICITY SERVICES	-	1,915	1,915
010-3259-426.45-05	HOSPITAL INSURANCE	-	81,574	81,574
010-3259-426.45-10	BENEFITS / RETIREMENT	-	43,650	43,650
010-3259-426.45-15	BENEFITS / SOCIAL SECURITY	-	34,998	34,998
010-3259-426.45-20	WORKERS' COMPENSATION	-	9,998	9,998
010-3259-426.46-05	OFFICE MACHINERY & EQUIP	-	2,400	2,400
010-3259-426.46-55	MINOR CAPITAL / MACHINERY	-	85	85
010-0406-414.40-05	FULL-TIME SALARIES	-	99,894	99,894
010-0406-414.40-25	SALARIES / LONGEVITY	-	1,102	1,102
010-0406-414.40-70	VACATION-4TH WEEK BUYBK.	-	591	591
010-0406-414.41-10	SUPPLIES / OFFICE	-	348	348
010-0406-414.41-20	UNIFORMS & CLOTHING	-	1,245	1,245
010-0406-414.41-35	SUPPLIES / PRINT SUPPLIES	-	3,577	3,577
010-0406-414.43-50	REPAIRS / MACHINERY	-	6,000	6,000
010-0406-414.44-05	TELEPHONE	-	77	77
010-0406-414.44-10	EQUIPMENT RENTAL/LEASE	-	50,677	50,677
010-0406-414.44-55	FACILITIES RENTAL	-	18,000	18,000
010-0406-414.45-05	HOSPITAL INSURANCE	-	11,261	11,261
010-0406-414.45-10	BENEFITS / RETIREMENT	-	9,550	9,550
010-0406-414.45-15	BENEFITS / SOCIAL SECURITY	-	7,644	7,644
010-0406-414.45-20	WORKERS' COMPENSATION	-	933	933
010-0406-414.46-45	COMPUTER SOFTWARE	-	540	540
010-0406-414.50-45	DISPOSAL/HAZ WASTE FEES	-	430	430
010-0406-414.61-35	MACHINERY & EQUIPMENT	-	20,000	20,000
010-7075-442.40-05	FULL-TIME SALARIES	-	87,426	87,426
010-7075-442.40-25	SALARIES / LONGEVITY	-	851	851
010-7075-442.41-10	SUPPLIES / OFFICE	-	5,850	5,850
010-7075-442.41-30	SUPPLIES / FUEL	-	2,432	2,432
010-7075-442.44-05	TELEPHONE	-	598	598
010-7075-442.44-50	ELECTRICITY SERVICES	-	3,336	3,336
010-7075-442.45-05	HOSPITAL INSURANCE	-	5,005	5,005
010-7075-442.45-10	BENEFITS / RETIREMENT	-	8,325	8,325
010-7075-442.45-15	BENEFITS / SOCIAL SECURITY	-	6,535	6,535
010-7075-442.45-20	WORKERS' COMPENSATION	-	159	159
	Total General Fund	\$2,161,823	\$0	\$2,161,823
Internal Service Fund (ISF) - Fleet				
601-2133-460.40-05	FULL-TIME SALARIES	\$ 959,466	\$ (959,466)	\$ -
601-2133-460.40-15	SALARIES / OVERTIME	751	(751)	-

Account Number	Account Name	Current Budget	Budget Change	Amended Budget
601-2133-460.40-25	SALARIES / LONGEVITY	8,753	(8,753)	-
601-2133-460.40-30	SALARIES / INCENTIVE PAY	15,190	(15,190)	-
601-2133-460.40-37	SALARIES / BILINGUAL	591	(591)	-
601-2133-460.40-55	SALARIES / ON CALL	11,171	(11,171)	-
601-2133-460.41-10	SUPPLIES / OFFICE	2,000	(2,000)	-
601-2133-460.41-15	SUPPLIES / POSTAGE	175	(175)	-
601-2133-460.41-20	UNIFORMS & CLOTHING	16,600	(16,600)	-
601-2133-460.41-25	SUBSCRIPTION/PUBLICATIONS	600	(600)	-
601-2133-460.41-30	SUPPLIES / FUEL	2,929	(2,929)	-
601-2133-460.41-35	SUPPLIES / PRINT SUPPLIES	3,001	(3,001)	-
601-2133-460.41-40	COMPUTER SUPPLIES	250	(250)	-
601-2133-460.41-62	SUPPLIES / SHOP SUPPLIES	3,000	(3,000)	-
601-2133-460.41-65	SUPPLIES / MINOR TOOLS	9,000	(9,000)	-
601-2133-460.41-70	CLEANING SUPPLIES	2,200	(2,200)	-
601-2133-460.41-75	MEDICAL & CHEMICAL	500	(500)	-
601-2133-460.42-10	BUILDING MAINTENANCE	4,000	(4,000)	-
601-2133-460.42-40	TANKS, TOWERS, RESVR.	8,000	(8,000)	-
601-2133-460.42-43	COMPUTER MAINTENANCE	37,895	(37,895)	-
601-2133-460.43-10	SMALL EQUIP REPAIR	11,000	(11,000)	-
601-2133-460.43-15	VEHICLE REPAIR/MAINT	7,800	(7,800)	-
601-2133-460.43-20	REPAIRS / HEAT & AIR REPAIR	4,279	(4,279)	-
601-2133-460.43-25	REPAIRS / RADIO & COMM.	200	(200)	-
601-2133-460.44-04	WATER SERVICE	1,581	(1,581)	-
601-2133-460.44-05	TELEPHONE	1,673	(1,673)	-
601-2133-460.44-06	GAS SERVICE	18,000	(18,000)	-
601-2133-460.44-10	EQUIPMENT RENTAL/LEASE	4,100	(4,100)	-
601-2133-460.44-25	LEGAL AND PUBLIC NOTICES	900	(900)	-
601-2133-460.44-50	ELECTRICITY SERVICES	20,253	(20,253)	-
601-2133-460.44-70	TROPHIES AND AWARDS	300	(300)	-
601-2133-460.44-75	DUES AND MEMBERSHIPS	1,200	(1,200)	-
601-2133-460.45-05	HOSPITAL INSURANCE	78,033	(78,033)	-
601-2133-460.45-10	BENEFITS / RETIREMENT	94,066	(94,066)	-
601-2133-460.45-15	BENEFITS / SOCIAL SECURITY	73,990	(73,990)	-
601-2133-460.45-20	WORKERS' COMPENSATION	14,395	(14,395)	-
601-2133-460.46-35	EQUIPMENT AND MACHINERY	8,000	(8,000)	-
601-2133-460.46-50	FURNITURE & FIXTURES	1,000	(1,000)	-
601-2133-460.50-45	DISPOSAL/HAZ WASTE FEES	13,000	(13,000)	-
601-2033-415.40-05	FULL-TIME SALARIES	-	959,466	959,466
601-2033-415.40-15	SALARIES / OVERTIME	-	751	751
601-2033-415.40-25	SALARIES / LONGEVITY	-	8,753	8,753
601-2033-415.40-30	SALARIES / INCENTIVE PAY	-	15,190	15,190
601-2033-415.40-37	SALARIES / BILINGUAL	-	591	591
601-2033-415.40-55	SALARIES / ON CALL	-	11,171	11,171
601-2033-415.41-10	SUPPLIES / OFFICE	-	2,000	2,000
601-2033-415.41-15	SUPPLIES / POSTAGE	-	175	175

Account Number	Account Name	Current Budget	Budget Change	Amended Budget
601-2033-415.41-20	UNIFORMS & CLOTHING	-	16,600	16,600
601-2033-415.41-25	SUBSCRIPTION/PUBLICATIONS	-	600	600
601-2033-415.41-30	SUPPLIES / FUEL	-	2,929	2,929
601-2033-415.41-35	SUPPLIES / PRINT SUPPLIES	-	3,001	3,001
601-2033-415.41-40	COMPUTER SUPPLIES	-	250	250
601-2033-415.41-62	SUPPLIES / SHOP SUPPLIES	-	3,000	3,000
601-2033-415.41-65	SUPPLIES / MINOR TOOLS	-	9,000	9,000
601-2033-415.41-70	CLEANING SUPPLIES	-	2,200	2,200
601-2033-415.41-75	MEDICAL & CHEMICAL	-	500	500
601-2033-415.42-10	BUILDING MAINTENANCE	-	4,000	4,000
601-2033-415.42-40	TANKS, TOWERS, RESVR.	-	8,000	8,000
601-2033-415.42-43	COMPUTER MAINTENANCE	-	37,895	37,895
601-2033-415.43-10	SMALL EQUIP REPAIR	-	11,000	11,000
601-2033-415.43-15	VEHICLE REPAIR/MAINT	-	7,800	7,800
601-2033-415.43-20	REPAIRS / HEAT & AIR REPAIR	-	4,279	4,279
601-2033-415.43-25	RADIO & COMMUNICATION	-	200	200
601-2033-415.44-04	WATER SERVICE	-	1,581	1,581
601-2033-415.44-05	TELEPHONE	-	1,673	1,673
601-2033-415.44-06	GAS SERVICE	-	18,000	18,000
601-2033-415.44-10	EQUIPMENT RENTAL/LEASE	-	4,100	4,100
601-2033-415.44-25	LEGAL AND PUBLIC NOTICES	-	900	900
601-2033-415.44-50	ELECTRICITY SERVICES	-	20,253	20,253
601-2033-415.44-70	TROPHIES AND AWARDS	-	300	300
601-2033-415.44-75	DUES AND MEMBERSHIPS	-	1,200	1,200
601-2033-415.45-05	HOSPITAL INSURANCE	-	78,033	78,033
601-2033-415.45-10	BENEFITS / RETIREMENT	-	94,066	94,066
601-2033-415.45-15	BENEFITS / SOCIAL SECURITY	-	73,990	73,990
601-2033-415.45-20	WORKERS' COMPENSATION	-	14,395	14,395
601-2033-415.46-35	EQUIPMENT AND MACHINERY	-	8,000	8,000
601-2033-415.46-50	FURNITURE & FIXTURES	-	1,000	1,000
601-2033-415.50-45	DISPOSAL/HAZ WASTE FEES	-	13,000	13,000
	TOTAL ISF - Fleet	\$ 1,439,842	\$ -	\$ 1,439,842

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

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

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

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

PASSED AND APPROVED at a regular meeting of the City Council of the City of Killeen, Texas, this 28th day of February, 2017, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A., Government Code, 551.001 *et seq.*

APPROVED

Jose L. Segarra, MAYOR

ATTEST:

Dianna Barker, CITY SECRETARY

APPROVED AS TO FORM:

Kathryn H. Davis, CITY ATTORNEY



City of Killeen

Legislation Details

File #: PH-17-008 **Version:** 1 **Name:** Budget Amendment-KFHRA
Type: Ordinance/Public Hearing **Status:** Public Hearings
File created: 2/2/2017 **In control:** City Council
On agenda: 2/28/2017 **Final action:**
Title: HOLD a public hearing and consider an ordinance amending the FY 2017 Annual Budget and Plan of Municipal Services of the City of Killeen to authorize expenditure of Killeen Economic Development Corporation funds for Air Service Development initiatives and projects at the Killeen Fort Hood Regional Airport.
Sponsors: Aviation Department
Indexes: Budget Amendments
Code sections:
Attachments: [Council Memorandum Ordinance](#)

Date	Ver.	Action By	Action	Result
2/21/2017	1	City Council Workshop		

CITY COUNCIL MEMORANDUM

AGENDA ITEM

FY 2017 Budget Amendment for Air Service Development (ASD) initiatives and projects at the Killeen Fort Hood Regional Airport (KFHRA).

ORIGINATING DEPARTMENT

Aviation

BACKGROUND INFORMATION

The Killeen Economic Development Corporation (KEDC) and the City of Killeen have entered into a performance agreement to provide Air Service Development funds to the Killeen-Fort Hood Regional Airport.

DISCUSSION/CONCLUSION

A budget amendment is required to authorize the expenditure of these funds.

FISCAL IMPACT

The performance agreement with KEDC will provide revenue to the Aviation Enterprise Fund of up to \$90,000. This revenue was not budgeted in the FY 2017 budget; therefore, the additional expenditure of the \$90,000 will have no impact upon the projected year end fund balance for the KFHRA Enterprise Fund. The budget amendment will do the following:

Revenues

Account Number	Description	Budget	Change	Amended
525-0000-362.20-31	Contribution/Donation	\$0	\$90,000	\$90,000

Expenses

Account Number	Description	Budget	Change	Amended
525-0505-521.44-26	Promotion/Advertising	\$19,999	\$90,000	\$109,999

RECOMMENDATION

Staff recommends City Council approve the ordinance amending the FY 2017 Annual Budget and Plan of Municipal.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS, AMENDING THE FY 2017 ANNUAL BUDGET AND PLAN OF MUNICIPAL SERVICES OF THE CITY OF KILLEEN TO AUTHORIZE EXPENDITURE OF KILLEEN ECONOMIC DEVELOPMENT CORPORATION FUNDS FOR AIR SERVICE DEVELOPMENT INITIATIVES AND PROJECTS AT THE KILLEEN FORT HOOD REGIONAL AIRPORT; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING A SAVING CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

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

WHEREAS, it is the desire of the Killeen City Council to increase the Killeen Fort Hood Regional Airport KEDC Agreement revenue account and the Promotion/Advertising expenditure accounts and authorize the expenditure of these funds on Air Service Development projects; and

WHEREAS, the need for additional funds requires a budget amendment;

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

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

Revenues:

Account Number	Description	Original Budget	Budget Increase	Amended Budget
525-0000-362.20-31	Contribution/Donation	0	\$90,000	\$90,000

Enterprise Fund:

Account Number	Description	Original Budget	Budget Increase	Amended Budget
525-0505-521.44-26	Promotion/Advertising	\$19,999	\$90,000	\$109,999

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

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

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

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

PASSED AND APPROVED at a regular meeting of the City Council of the City of Killeen, Texas, this 28th day of February, 2017, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A., Government Code, §551.001 et seq.

APPROVED

Jose L. Segarra
MAYOR

ATTEST:

APPROVED AS TO FORM

Dianna Barker
City Secretary

Kathryn H. Davis
City Attorney



City of Killeen

Legislation Details

File #: PH-17-009 **Version:** 1 **Name:** Unfunded Positions Budget Amendment
Type: Ordinance/Public Hearing **Status:** Public Hearings
File created: 2/3/2017 **In control:** City Council
On agenda: 2/28/2017 **Final action:**
Title: HOLD a public hearing and consider an ordinance amending the FY 2017 Annual Budget and Plan of Municipal Services of the City of Killeen to increase General Fund revenue and expenditure accounts to provide funding for a Deputy City Marshall and Grants Coordinator.
Sponsors: Finance Department
Indexes: Budget Amendments
Code sections:
Attachments: [Council Memorandum](#)
[Ordinance](#)

Date	Ver.	Action By	Action	Result
2/21/2017	1	City Council Workshop		

CITY COUNCIL MEMORANDUM

AGENDA ITEM

**Budget Amendment to Provide
Funding for Unfunded Positions**

ORIGINATING DEPARTMENT

Finance Department

BACKGROUND INFORMATION

During the FY 2017 budget process, 19 positions were unfunded to add structural balance. City Council's guidance was, if funding was identified for one of the unfunded positions, the position could be reinstated following Council approval. Funding for the Deputy City Marshall and Grants Coordinator was identified and the positions have been approved by Council for reinstatement.

DISCUSSION/CONCLUSION

Funding for the Deputy City Marshall was identified through savings in fuel projections. Projected savings in Police and Fire fuel accounts will be moved to cover the cost of funding the Deputy City Marshall.

The Grants Coordinator will be funded through a new commercial card rebate program. Finance worked with BBVA, the City's depository bank, to institute the Virtual Commercial Card Payment Program. Under this program, vendors accepting credit cards will receive a one-time use credit card number for a specific amount. The City will receive rebates on these transactions based on the volume of charges. Annual recurring vendor transactions in excess of \$5.5 million have been identified that would result in an estimated annual rebate of \$75,000.

FISCAL IMPACT

The annual salary and benefit cost for the Deputy City Marshall is \$44,032. The position was hired December 12, 2016, with the prorated salary being \$35,363. The salary and benefits will be transferred from fuel savings identified in the Police and Fire Departments. The total amount budgeted for fuel in these departments is \$674,521. After this amendment, the adjusted budget for fuel in these departments will be \$639,158, sufficient to cover their fuel expenditures for the remainder of the fiscal year.

The annual salary and benefit cost for the unfunded Grants Coordinator is \$58,067. Prorated from March 1, 2017, the cost will be \$35,532; the estimated rebates from the commercial card program for the portion of the year in which they were instituted will be \$43,750.

RECOMMENDATION

Staff recommends that City Council approve the ordinance amending the FY 2017 Annual Budget and Plan of Municipal Services to provide funding for a Deputy City Marshall and Grants Coordinator.

ORDINANCE _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS, AMENDING THE FY 2017 ANNUAL BUDGET AND PLAN OF MUNICIPAL SERVICES OF THE CITY OF KILLEEN TO INCREASE GENERAL FUND REVENUE AND EXPENDITURE ACCOUNTS TO PROVIDE FUNDING FOR A DEPUTY CITY MARSHALL AND GRANTS COORDINATOR; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING A SAVINGS CLAUSE AND ESTABLISHING AN EFFECTIVE DATE.

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

WHEREAS, it is the desire of the Killeen City Council to increase general fund revenues for estimated virtual commercial card rebates and to provide funding for a Deputy City Marshall and a Grants Coordinator; and

WHEREAS, budget amendments requires approval from City Council;

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

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

Revenues:

Account Number	Description	Current Budget	Budget Increase	Amended Budget
010-0000-363-99-43	Virtual Card Rebates	\$0	\$43,750	\$43,750
Total		\$0	\$43,750	\$43,750

Expenditures:

Account Number	Description	Current Budget	Budget Increase	Amended Budget
<i>Increases for Grants Coordinator:</i>				
010-2010-415-40-05	Full-Time Salaries	\$689,066	\$27,643	\$716,709
010-2010-415-45-10	Retirement	\$65,786	\$2,701	\$68,487
010-2010-415-45-15	Social Security	\$52,024	\$2,115	\$54,139
010-2010-415-45-20	Workers' Comp.	\$1,328	\$50	\$1,378
010-2010-415-45-05	Hospital Insurance	\$48,017	\$3,023	\$51,040
Total		\$856,221	\$35,532	\$891,753
<i>Transfers for Deputy City Marshall:</i>				
Transfers From:				
010-6000-441-41-30	Fuel	\$460,749	(\$21,943)	\$438,806
010-7070-442-41-30	Fuel	\$213,772	(\$13,420)	\$200,352

Total		\$674,521	(\$35,363)	\$639,158
Transfers To:				
010-0215-417-40-05	Full-Time Salaries	\$643,541	\$26,319	\$669,860
010-0215-417-45-15	Social Security	\$47,729	\$2,013	\$49,742
010-0215-417-45-10	Retirement	\$61,688	\$2,572	\$64,260
010-0215-417-45-05	Hospital Insurance	\$86,583	\$4,030	\$90,613
010-0215-417-45-20	Workers' Comp.	\$2,775	\$429	\$3,204
Total		\$842,316	\$35,363	\$877,679

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

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

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

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

PASSED AND APPROVED at a regular meeting of the City Council of the City of Killeen, Texas, this 28th day of February, 2017, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A., Government Code, 551.001 *et seq.*

APPROVED

Jose L. Segarra, MAYOR

ATTEST:

Dianna Barker, CITY SECRETARY

APPROVED AS TO FORM:

Kathryn H. Davis, CITY ATTORNEY



City of Killeen

Legislation Details

File #: PH-17-010 **Version:** 1 **Name:** Encumbrance Carryforward and CIP Budget Amendment

Type: Ordinance/Public Hearing **Status:** Public Hearings

File created: 2/2/2017 **In control:** City Council

On agenda: 2/28/2017 **Final action:**

Title: HOLD a public hearing and consider an ordinance amending the FY 2017 Annual Budget and Plan of Municipal Services of the City of Killeen to authorize the carryforward of FY 2016 revenues and expenditures to the FY 2017 budget and amending various special revenue and capital improvement project funds.

Sponsors: Finance Department

Indexes: Budget Amendments

Code sections:

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

Date	Ver.	Action By	Action	Result
2/21/2017	1	City Council Workshop		

CITY COUNCIL MEMORANDUM

AGENDA ITEM

Budget Amendment

ORIGINATING DEPARTMENT

Finance

BACKGROUND INFORMATION

City Charter (Article VII, Section 71) states that all appropriations shall lapse at the end of the fiscal year to the extent that they shall not have been expended or lawfully encumbered. This section of the City Charter is an essential tool for effectively controlling departmental expenditures after the end of a fiscal year. However, during the course of each fiscal year, there are contracts and commitments that are entered into by the City during the current fiscal year and then completed in the next fiscal year.

In addition, various projects are also funded through the Capital Improvement Program (CIP). The CIP is primarily funded through the issuance of revenue bonds, general obligation bonds, and certificates of obligation. These funds can only be used for purposes outlined in the bond covenant and, by their very nature, span fiscal years.

DISCUSSION/CONCLUSION

A number of outstanding contracts and commitments for projects and/or services were not completed nor received by the City prior to the close of the fiscal year ending September 30, 2016. In order to complete contracted projects and/or services, FY 2016 appropriations need to be carried forward to the Annual Budget and Plan of Municipal Services for FY 2017 as a budget amendment.

The City of Killeen approves the CIP budget along with the Annual Budget and Plan of Municipal Services each year in September. Staff provides estimates based upon the best available information at that time, and the budget periodically needs to be amended as more accurate information becomes available. Changes in scope, schedules, or the project having remaining funds due to favorable bids or not enough funds due to unforeseen events requires that a budget amendment be approved by City Council.

FISCAL IMPACT

Upon approval, accounts will be amended in the FY 2017 budget as follows:

- An increase to General Fund expenditure accounts by \$202,150.
- An increase to Special Revenue Funds' revenue accounts by \$146,697.
- An increase to Special Revenue Funds' expenditure accounts by \$894,030.
- An increase to Capital Improvement Funds' expense accounts by \$7,233,774.
- An increase to Aviation expense accounts by \$65,761.
- An increase to Solid Waste expense accounts by \$20,428.
- A neutral impact to Water and Sewer expense accounts by \$0.
- An increase to Drainage Utility expense accounts by \$98,617.

An increase to Internal Service Fund expense accounts by \$3,311,075.

RECOMMENDATION

Staff recommends that the City Council approve the attached ordinance amending the Annual Budget and Plan of Municipal Services for FY 2017 to re-appropriate funds from the fiscal year ending September 30, 2016.

ORDINANCE _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS, AMENDING THE FY 2017 ANNUAL BUDGET AND PLAN OF MUNICIPAL SERVICES OF THE CITY OF KILLEEN TO AUTHORIZE THE CARRYFORWARD OF FY 2016 REVENUES AND EXPENDITURES TO THE FY 2017 BUDGET AND AMENDING VARIOUS SPECIAL REVENUE AND CAPITAL IMPROVEMENT PROJECT FUNDS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING A SAVINGS CLAUSE AND ESTABLISHING AN EFFECTIVE DATE.

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

WHEREAS, there are outstanding purchase orders and contracts that were not completed during the fiscal year ending September 30, 2016 which need to be carried forward to fiscal year ending September 30, 2017; and

WHEREAS, the need for the additional funds requires a budget amendment;

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

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

Account Number	Account Name	Original Budget	Budget Change	Amended Budget
General Fund				
010-0200-413.47-01	Consulting Services	\$ 255,000	\$ 11,071	\$ 266,071
010-2705-419.47-01	Consulting Services	38,000	7,000	45,000
010-2705-419.61-40	Computer Equipment	117,337	163,129	280,466
010-3015-423.42-10	Building Maintenance	-	<u>20,950</u>	<u>20,950</u>
	Sub-Total	410,337	202,150	612,487

Account Number	Account Name	Original Budget	Budget Change	Amended Budget
Special Revenue				
<u>Revenues</u>				
238-0000-362-05-07	Donations Parks	-	100,000	100,000
249-0000-362-30-01	Petco Grant	-	45,000	45,000
246-0000-382-10-20	Leose Grant	-	<u>1,697</u>	<u>1,697</u>
	Sub-Total	-	146,697	146,697
<u>Expenses</u>				
214-9508-457.61-40	Computer Equipment	-	6,966	6,966
220-9508-531.61.40	Computer Equipment	-	467	467
228-0065-495-51-80	COK PW Street Dept.	23,055	66,470	89,525
228-0066-495-51-80	COK PW Street Dept.	42,700	140,326	183,026
228-0066-495-51-82	COK Stewart Neighborhood	64,400	276,111	340,511
228-0067-495-51-98	Charitable Org. Trans.	-	2,160	2,160
233-0065-531-56-99	Elderly Tenant Based Rent	180,806	133,272	314,078
233-0066-531-56-72	Families in Crisis	97,623	41,410	139,033
233-0066-531-56-93	HAP Assistance	50,000	1,484	51,484
238-3025-531-50-20	Parks Reserve Appropriation	-	100,000	100,000
240-0000-417.61-40	Computer Equipment	-	3,472	3,472
246-7070-442-44-30	Training and Travel	-	1,697	1,697
250-2035-415-98-13	JLUS	-	25,195	25,195
249-6070-441-44-26	Promotions / Advertising	-	10,000	10,000
249-6070-441-46-35	Equipment and Machinery	-	10,000	10,000
249-6070-441-47-04	Veterinarian Services	-	<u>75,000</u>	<u>75,000</u>
	Sub-Total	458,584	894,030	1,352,614
Capital Improvement				
340-3490-800-56-63	City Owner Agreements	-	37,180	37,180
341-3490-800-58-23	US 190/Rosewood/FM 2410	-	221,099	221,099
343-3490-800-58-36	Stagecoach Improvements	-	2,033,175	2,033,175
347-3490-800-54-01	Other Projects	-	394,157	394,157
347-3490-800-58-76	Trimmer	3,015,005	249,749	3,264,754
347-3490-800-58-78	Fire Station #9	3,046,675	(1,046,676)	1,999,999
347-3490-800-58-85	Mohawk Drive	-	56,344	56,344
348-3490-800-58-80	Heritage Park	465,778	2,926,296	3,392,074
348-3490-800-58-81	Westside Trail	-	180,244	180,244
348-3490-800-58-89	Parks Master Plan	-	2,996	2,996
386-3495-800.54-76	Little Trimmer CR GRV MN	111,456	50,000	161,456
386-3495-800.54-83	Waterline Rehab PH 1	880,534	644,911	1,525,445

Account Number	Account Name	Original Budget	Budget Change	Amended Budget
386-3495-800.54-84	8" Onion Road Water Line	-	2,143	2,143
386-3495-800.58-46	Sewer Line SSES PH 4 - 15S	184,695	44,739	229,434
386-3495-800-54-91	Force/Gravity Main LS 20	-	169,750	169,750
386-3495-800-54-99	18" Gravity Main	-	231,239	231,239
528-0505-521.57-81	Radar Approach Control	4,550,000	(94,499)	4,455,501
576-9591-495-63-04	SNC AT ODOM	1,229,457	17,130	1,246,587
576-9591-495-63-07	Patriotic Ditch	242,149	14,576	256,725
576-9591-495-63-19	Bermuda	42,825	390,138	432,963
576-9591-495-63-22	Valley Ditch	-	30,750	30,750
576-9591-495-54-01	Other Projects	-	678,333	678,333
	Sub-Total	13,768,574	7,233,774	21,002,348

Aviation

525-0515-521.98-21	Passenger Boarding Bridge	-	6,210	6,210
525-0515-521.98-25	Airport Master Plan	715,349	(85,445)	629,904
525-0515-521.98-26	Wildlife Hazard Reduction	-	132,422	132,422
525-9508-521.61-40	Computer Equipment	-	12,040	12,040
527-9508-521.61-40	Computer Equipment	-	534	534
	Sub-Total	715,349	65,761	781,110

Solid Waste

540-9508-439.61-40	Computer Equipment	-	20,428	20,428
	Sub-Total	-	20,428	20,428

Water and Sewer

550-2705-419.61-40	Computer Equipment	-	60,290	60,290
550-3446-434-44-50	Electricity Services	339,521	(69,486)	270,035
550-9590-495-62-98	Sewer Serv. Extend Annexed	-	9,196	9,196
	Sub-Total	339,521	-	339,521

Drainage

575-3435-432.63-01	Minor Drainage Projects	300,000	110,675	410,675
575-3446-434-44-50	Electricity Services	118,094	(118,094)	-
575-3476-432-47-20	Engineering Services	117,734	84,430	202,164
575-9508-492-61-40	Computer Equipment	-	10,706	10,706
	Sub-Total	535,828	87,717	623,545

Account Number	Account Name	Original Budget	Budget Change	Amended Budget
Internal Service				
601-3025-425-61-10	Motor Vehicles	-	50,599	50,599
601-3440-434-61-10	Motor Vehicles	-	118,562	118,562
601-3460-439-61-10	Motor Vehicles	-	49,153	49,153
601-3465-439-61-10	Motor Vehicles	-	23,618	23,618
601-3478-439-61-10	Motor Vehicles	-	24,609	24,609
601-4052-450-61-10	Motor Vehicles	-	22,274	22,274
601-4053-450-61-10	Motor Vehicles	-	22,138	22,138
601-6000-441-61-10	Motor Vehicles	-	1,103,270	1,103,270
601-7070-442-61-10	Motor Vehicles	-	1,896,852	1,896,852
	Sub-Total	-	3,311,075	3,311,075
	Grand Total Revenues	<u>\$ -</u>	<u>\$ 146,697</u>	<u>\$ 146,697</u>
	Grand Total Expenses	<u>\$ 16,228,193</u>	<u>\$ 11,814,935</u>	<u>\$ 28,043,128</u>

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

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

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

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

PASSED AND APPROVED at a regular meeting of the City Council of the City of Killeen, Texas, this 28th day of February, 2017, at which meeting 1a quorum was present, held in accordance with the provisions of V.T.C.A., Government Code, 551.001 et seq.

APPROVED

Jose L. Segarra, MAYOR

ATTEST:

Dianna Barker, CITY SECRETARY

APPROVED AS TO FORM:

Kathryn H. Davis, CITY ATTORNEY