

**City of Killeen**  
Regular City Council Meeting  
Killeen City Hall  
May 26, 2015 at 5:00 p.m.

Presiding: Mayor Scott Cospier

Attending: Mayor Pro-Tem Jose Segarra, Council members Jim Kilpatrick, Juan Rivera, Shirley Fleming, Brockley Moore, Jonathan Okray, and Elizabeth Blackstone

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

Chapman Dillard gave the invocation, and Councilmember Kilpatrick led everyone in the pledge of allegiance.

### **Approval of Agenda**

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

### **Minutes**

*Motion was made by Councilmember Kilpatrick to approve the minutes of the May 12<sup>th</sup> Regular City Council meeting. Motion was seconded by Councilmember Okray. Motion carried unanimously.*

*Motion was made by Councilmember Rivera to approve the minutes of the May 19<sup>th</sup> Special Called City Council meeting. Motion was seconded by Councilmember Fleming. Motion carried unanimously.*

### **Resolutions**

**RS-15-015A** Consider a memorandum/resolution authorizing the City Manager to enter into an advance funding agreement with the Texas Department of Transportation for the Gateway Monument (on SH 195 at the southern city limits) project.

**Staff comments:** Scott Osburn

By entering into this agreement with TxDOT, the City agrees the project will include funding through the State Governor's GCAA program to a maximum amount of \$290,000 and that the City of Killeen is responsible for 100% of all estimated construction costs above that amount. City staff recommends that the City Council authorize the City Manager to enter into an advance funding agreement with the Texas Department of Transportation for the Gateway Monument project.

*Motion was made by Councilmember Blackstone to approve RS-015A. Motion was seconded by Councilmember Okray. Motion carried unanimously.*

**RS-15-015B** Consider a memorandum/resolution to authorize the City Manager to execute a landscape maintenance agreement for the Gateway Monument project with the Texas Department of Transportation.

**Staff comments:** Scott Osburn

Staff recommends that the City enter into the landscape maintenance agreement for the Gateway Monument project with the Texas Department of Transportation and that the

City Manager is 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-015B. Motion was seconded by Councilmember Rivera. Motion carried unanimously.*

**RS-15-016** Consider a memorandum/resolution authorizing Change Order No. 37 with James Construction Group, LLC to the US 190/FM 2410/Rosewood Drive project.

**Staff comments:** George Lueck

Staff recommends that the City Council authorize the Change Order No. 37 with James Construction Group, LLC increasing the cost of the contract by \$81,923.78.

*Motion was made by Councilmember Rivera to approve RS-016. Motion was seconded by Councilmember Blackstone. Motion carried unanimously.*

**RS-15-017** Consider a memorandum/resolution authorizing Change Order No. 38 with James Construction Group, LLC to the US 190/FM 2410/Rosewood Drive project.

**Staff comments:** George Lueck

City staff recommends that the City Council authorize the Change Order No. 38 with James Construction Group, LLC decreasing the cost of the contract by \$107,342.92.

*Motion was made by Councilmember Kilpatrick to approve RS-017. Motion was seconded by Councilmember Moore. Motion carried unanimously.*

**RS-15-018** Consider a memorandum/resolution authorizing the award of a professional services agreement with Kasberg, Patrick & Associates, LP to design the Onion Road Area Water Line Project.

**Staff comments:** Steve Kana

Recommend that the City Council authorize the City Manager to enter into an agreement with KPA for a professional services agreement for the design and contract administration of the Onion Road Area Water Line Project in the amount of \$119,905.00, and that the City Manager be expressly authorized to execute any and all change orders within the amounts set by state and local law.

*Motion was made by Councilmember Blackstone to approve RS-018. Motion was seconded by Mayor Pro-Tem Segarra. Motion carried unanimously.*

**RS-15-019** Consider a memorandum/resolution authorizing a lease agreement with C&M Golf and Grounds Equipment for Parks and Recreation mowing equipment utilizing the TASB Buy Board.

**Staff comments:** Brett Williams

Staff recommends that the City Council authorize the lease of ten pieces of mowing equipment over thirty-six months to C&M Golf and Grounds of Waco, Texas, and that the city manager is expressly authorized to execute any and all change orders within the amounts set by state and local law.

*Motion was made by Councilmember Rivera to approve RS-019. Motion was seconded by Councilmember Moore. Motion carried unanimously.*

**RS-15-020** Consider a memorandum/resolution to authorize the award of a professional services contract to Halff & Associates to prepare a Parks Master Plan.

**Staff comments:** Brett Williams

Staff recommends City Council authorize the city manager to enter into a professional services contract with Halff & Associates in the amount of \$74,900 to provide parks master plan services.

*Motion was made by Mayor Pro-Tem Segarra to approve RS-020. Motion was seconded by Councilmember Okray. Motion carried unanimously.*

**RS-15-021** Consider a memorandum/resolution authorizing the lease of a bulldozer for the Solid Waste Transfer Station.

**Staff comments:** Grant Roach

Staff recommends the procurement of the dozer from WPI, through the TASB BuyBoard, on a three-year lease of \$2,265.46 per month, and the City Manager or designee is authorized to approve the purchase of the equipment at the end of the three-year lease period for \$62,000.00, if the purchase is approved in the FY 17-18 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 Moore to approve RS-021. Motion was seconded by Councilmember Blackstone. Motion carried unanimously.*

**RS-15-022** Consider a memorandum/resolution authorizing the donation of obsolete City property to the Bell County Information Technology Department.

**Staff comments:** Tom Moore

The City Staff requests that City Council find that the donation of items to the Bell County IT Department serves a public purpose and allow the property to be transferred.

*Motion was made by Councilmember Kilpatrick to approve RS-022. Motion was seconded by Councilmember Fleming. Motion carried unanimously.*

**RS-15-023** Consider a memorandum/resolution approving the investment report for the quarter ended March 31, 2015.

**Staff comments:** Dr. Ann Farris

Staff recommends that the City Council approve the investment report for the quarter that ended March 31, 2015.

*Motion was made by Councilmember Moore to approve RS-023. Motion was seconded by Councilmember Blackstone. Motion carried unanimously.*

**RS-15-024** Consider a memorandum/resolution approving the appointment of an Executive Director of Finance.

**Staff comments:** Dr. Ann Farris

Staff recommends Jonathan Locke be appointed to serve as Executive Director of Finance.

*Motion was made by Councilmember Rivera to approve RS-024. Motion was seconded by Councilmember Moore. Motion carried unanimously.*

### Ordinances

- OR-15-009** Consider an ordinance approving a negotiated settlement between the Atmos Cities Steering Committee and Atmos Energy, Corp., Mid-Tex Division, regarding the 2014 and 2015 Rate Review Mechanism Filings.

The City Secretary read the caption of the ordinance.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE (“ACSC”) AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY’S 2014 AND 2015 RATE REVIEW MECHANISM FILINGS; APPROVING A SETTLEMENT AGREEMENT WITH ATTACHED RATE TARIFFS AND PROOF OF REVENUES; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; REQUIRING THE COMPANY TO REIMBURSE ACSC’S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND THE ACSC’S LEGAL COUNSEL.**

**Staff comments:** Traci Briggs

There is no fiscal impact to the City. The average monthly bill impact for a residential customer will be an increase of \$1.14 per month, an increase of 1.59%. The average commercial customer will see an increase of \$2.69, or 0.96%. The ACSC Executive Committee, of which the City is a member based on population, recommends adopting the ordinance approving the negotiated settlement agreement resolving the 2014 and 2015 RRM filings, and implementing the rate changes.

*Motion was made by Councilmember Okray to approve OR-009. Motion was seconded by Councilmember Fleming. Motion carried unanimously.*

### Public Hearings

- PH-15-021A** Consider a memorandum/resolution to purchase mechanic toolkits for Fleet Services.

**Staff comments:** Stu McLennan

The cost to purchase fourteen master mechanic toolkits from Snap-on leveraging TXMAS contracts 3-51V-010 and 445-A1 is \$152,748.12. Staff recommends the city manager be authorized to take all actions necessary to purchase fourteen master mechanic toolkits from Snap-on for Fleet Services.

*Motion was made by Councilmember Kilpatrick to approve PH-021A. Motion was seconded by Councilmember Rivera. Motion carried unanimously.*

- PH-15-021B** HOLD a public hearing and consider an ordinance amending the FY 2015 Annual Budget and Plan of Municipal Services of the City of Killeen by increasing a Water and Sewer Fund account by \$152,749 to fund the purchase of 14 tool kits for Fleet Services.

The City Secretary read the caption of the ordinance.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS, AMENDING THE FY 2015 ANNUAL BUDGET AND PLAN OF MUNICIPAL SERVICES OF THE CITY OF KILLEEN BY INCREASING THE WATER AND SEWER FUND EXPENDITURE ACCOUNT BY \$152,749; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING A SAVINGS CLAUSE AND ESTABLISHING AN EFFECTIVE DATE.**

**Staff comments:** Stu McLennan

Staff recommends that the City Council approve this ordinance amending the FY 2015 Municipal Operating budget by \$152,749.

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

*Motion was made by Councilmember Fleming to approve PH-021B. Motion was seconded by Councilmember Blackstone. Motion carried unanimously.*

### **Adjournment**

With no further business, upon motion being made by Councilmember Rivera, seconded by Councilmember Okray, and unanimously approved, the meeting was adjourned at 5:40 p.m.

---

Scott Cospers, Mayor

---

Dianna Barker, City Secretary