



## STAFF REPORT

**DATE:** June 23, 2020

**TO:** Kent Cagle, City Manager

**FROM:** Tony D. McIlwain, AICP, CFM, Exec. Dir. of Planning & Dev. Services

**SUBJECT:** Consider an ordinance approving a written service agreement and the annexation of approximately 5.811 acres of land lying contiguous to the existing city limits along the north right-of-way of Chaparral Road, and approximately 310' east of the Heritage Oaks subdivision, Killeen, Texas.

### **BACKGROUND AND FINDINGS:**

On March 24, 2020, the Planning and Development Services Department received a voluntary petition for annexation from Killeen Chaparral Development, L.L.C., represented by Gary W. Purser, Jr. The subject tract is comprised of 5.811 acres and is located contiguous to the existing city limits along the north right-of-way of Chaparral Road, and approximately 310' east of the Heritage Oaks subdivision, Killeen, Texas. The owner is making the request to have the property annexed into the corporate limits of Killeen. At the April 28<sup>th</sup> City Council meeting, the Council directed the City Manager to negotiate and execute a written service agreement for the provisions of municipal services in the area. The following actions (listed below) have been completed.

### **Annexation Process**

**LGC 43.0672:** If Council decides to conduct a public hearing and institute annexation proceedings, Council shall direct the City Manager to negotiate and execute a written service agreement for the provisions of municipal services in the area. [note: there is no statutory time period in which to complete this action].

The written service agreement must include:

- (1) a list of each service the municipality will provide on the effective date of the annexation;  
and
- (2) a schedule that includes the period within which the municipality will provide each service that is not provided on the effective date of the annexation.

The municipality is not required to provide a service that is not included in the agreement.  
**[completed]**

**LGC 43.0673/ 43.905/ 43.9051:** At least 10 days and no more than 20 days in advance of the public hearing, publish notice in newspaper, post on website and send notice to school district and public and other entity that provides services.**[completed]**

**LGC 43.0673:** Hold public hearing and may adopt annexation ordinance at conclusion of the hearing. **[to be completed on June 23, 2020]**

**THE ALTERNATIVES CONSIDERED:**

The City Council may approve or disapprove the written service agreement and the annexation ordinance.

**Which alternative is recommended? Why?** Staff recommends approval of the written service agreement and the annexation ordinance. The annexation request is minor in size and anticipated scale of development.

**CONFORMITY TO CITY POLICY:**

The request for voluntary annexation conforms with current state law.

**FINANCIAL IMPACT:**

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

There are no expenditures expected in the current fiscal year. Based on the size of the tract, municipal expenditures will be minimal for the 5.811 acre area.

**Is this a one-time or recurring expenditure?**

Municipal expenditures would be a recurring cost.

**Is this expenditure budgeted?**

It is not budgeted within the current fiscal year.

**If not, where will the money come from?**

Future expenditures will come from the General Fund, Water & Sewer, Solid Waste, Drainage and Street Maintenance funding sources as necessary.

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

Yes.

**RECOMMENDATION:**

Staff recommends that the City Council approve the written service agreement and annexation ordinance.

**DEPARTMENTAL CLEARANCES:**

City Attorney

**ATTACHED SUPPORTING DOCUMENTS:**

Written Service Agreement

Maps

Exhibits

Ordinance