

City of Killeen
City Council Meeting
Killeen City Hall
September 13, 2022 at 5:00 p.m.

Presiding: Mayor Debbie Nash-King

Attending: Mayor Protem Ken Wilkerson, Councilmembers Jessica Gonzalez, Riakos Adams, Nina Cobb, Michael Boyd, Jose Segarra, and Ramon Alvarez

Also attending were City Manager Kent Cagle, City Attorney Holli Clements, Interim City Secretary Laura Calcote, and Sergeant-at-Arms Officer Montes.

Councilmember Cobb gave the invocation.

Councilmember Adams led everyone in the Pledge of Allegiance.

Approval of Agenda

Motion was made by Mayor Protem Wilkerson to approve the agenda as written. Motion was seconded by Councilmember Boyd. Motion carried unanimously.

Citizen Comments

Mellisa Brown spoke regarding agenda items RS-22-125 and RS-22-127.

Anca Neagu spoke regarding agenda item RS-22-130 resigning from Animal Advisory Committee.

Bear Jones spoke regarding agenda item RS-22-130.

Linda Marzi spoke regarding agenda item RS-22-130 resigning from Animal Advisory Committee.

Shirley Del Conte spoke regarding agenda item RS-22-130 resigning from Animal Advisory Committee.

Janice Holladay spoke regarding agenda item RS-22-130.

Vicky Duke spoke regarding agenda item RS-22-130 resigning from Animal Advisory Committee.

Discussion Items

DS-22-109 Discuss Date for Annual Special Workshop/Townhall

The City Council had previously discussed the date of October 27, 2022 to hold the Annual Special Workshop/Townhall meeting. However, that date was unavailable at the Killeen Conference Center and a new date would need to be selected.

Mayor Protem Wilkerson made a motion of direction to hold the Annual Special Workshop/Townhall meeting on October 27, 2022 in the City Council Chambers. The motion of direction was seconded by Councilmember Gonzalez. Motion passed 6-1, with Councilmember Boyd in opposition.

Consent Agenda

MN-22-023 Consider Minutes of Regular City Council Meeting of August 9, 2022.

- MN-22-024** Consider Minutes of Regular City Council Meeting of August 23, 2022.
- RS-22-119** Consider a memorandum/resolution authorizing the renewal of a Microsoft Enterprise Agreement in the amount of \$511,999.46.
- RS-22-120** Consider a memorandum/resolution rejecting Bid No. 22-21 for the construction of the Corporate Hangar Phase II Project.
- RS-22-121** Consider a memorandum/resolution accepting a Federal Aviation Administration Military Airport Program Grant to construct a new corporate hangar at Killeen Fort Hood Regional Airport.
- RS-22-122** Consider a memorandum/resolution rejecting Bid No. 22-25 for the Wayfinding Signage Improvements Project.
- RS-22-123** Consider a memorandum/resolution awarding RFP 22-30 to United Health Care for an excess risk policy (stop loss insurance) for medical and pharmacy claims under the City health insurance plan, effective October 1, 2022 in the amount of \$648,405.
- RS-22-125** Consider a memorandum/resolution authorizing the acceptance of two tracts of land from Clear Creek Commercial, Ltd. related to the Pump Station No. 7 Upgrade Project.
- RS-22-126** Consider a memorandum/resolution approving changes and additions to the Administrative Policies and Procedures handbook.
- RS-22-127** Consider a memorandum/resolution accepting the donation of the former First National Bank Texas property located at 507 N. Gray Street and parking lots and awarding Bid 22-36, 507 N. Gray Street Asbestos & Demolition to AAR Inc. in the amount of \$618,700.
- RS-22-128** Consider a memorandum/resolution approving a negotiated settlement between the Atmos Cities Steering Committee and Atmos Energy Corp., Mid Tex Division regarding the 2022 Atmos Rate Review Mechanism Filing.
- RS-22-129** Consider a memorandum/resolution approving an amendment to the Hill Country Transit District Interlocal Agreement.

Motion was made by Mayor Protem Wilkerson to approve the consent agenda. Motion was seconded by Councilmember Boyd. Councilmember Adams made an amendment to the motion to remove RS-22-124 from the consent agenda. Motion was seconded by Mayor Protem Wilkerson. The amended motion carried unanimously.

Resolutions

RS-22-124 Consider a memorandum/resolution declaring a public purpose and approving Nonprofit Youth Organization Grant allocations.

City Council voted on each applicant separately.

1. Killeen Trojan Youth Sports – Mayor Protem Wilkerson made a motion to approve. Motion was seconded by Councilmember Gonzalez. Motion passed unanimously.
2. Killeen Creators – Councilmember Alvarez made a motion to approve. Motion was seconded by Councilmember Boyd. Motion passed 6-1, with Mayor Protem Wilkerson abstaining.
3. KIDZ University dba KU Youth Association – Councilmember Boyd made a motion to approve. Motion was seconded by Councilmember Alvarez. Motion passed unanimously.
4. Heart of Texas Goodwill – Councilmember Adams made a motion to approve. Motion was seconded by Councilmember Cobb. Motion passed unanimously.
5. Let’s Take a Step Together – Councilmember Adams made a motion to approve. Motion was seconded by Councilmember Boyd. Motion passed unanimously.
6. CTX Flames – Councilmember Adams made a motion to approve. Motion was seconded by Councilmember Boyd. Motion passed unanimously.
7. 5 Pearlz of Hope Foundation – Councilmember Adams made a motion to approve. Motion was seconded by Councilmember Alvarez. Motion passed unanimously.
8. Greater Vision Community Church – Councilmember Gonzalez made a motion to approve. Motion was seconded by Councilmember Alvarez. Motion passed 6-1, with Councilmember Adams abstaining.
9. Drive Nation Central Texas – Councilmember Boyd made a motion to approve. Motion was seconded by Mayor Protem Wilkerson. Motion passed unanimously.
10. Central Texas Youth Services Bureau – Councilmember Adams made a motion to approve. Motion was seconded by Mayor Protem Wilkerson. Motion passed unanimously.
11. Killeen-Fort Hood Kappa Alpha Psi Education and Leadership Foundation – Councilmember Adams made a motion to approve. Motion was seconded by Councilmember Gonzalez. Motion passed 6-1, with Mayor Protem Wilkerson abstaining.

RS-22-130 Consider a memorandum/resolution appointing members to vacant and unexpired terms on various boards and commissions.

Staff Comments: Holli Clements, City Attorney

This item was presented to and discussed by City Council during their September 6, 2022 Workshop meeting. Ms. Clements was available to provide additional updates and information and to answer questions.

Motion was made by Councilmember Adams to approve RS-22-130 and table the Animal Advisory Committee appointments. Councilmember Boyd seconded the motion. Councilmember Adams rescinded his motion and Councilmember Boyd rescinded his second.

Mayor Protem Wilkerson made a motion to approve RS-22-130, with the exception of the Animal Advisory Committee resignations. Motion was seconded by Councilmember Adams. Motion carried unanimously.

Budget

PH-22-070 HOLD a public hearing on the proposed tax rate for the fiscal year beginning October 1, 2022 and ending September 30, 2023.

Staff Comments: Miranda Drake, Director of Budget

Ms. Drake reviewed the projected beginning fund balances, revenues, expenditures and the ending fund balances for Fiscal Year 2023 in all of the City's funds. City staff recommended City Council hold a public hearing on the proposed Fiscal Year 2023 Annual Budget.

Mayor Nash-King opened the public hearing.

Melissa Brown spoke in opposition.

With no one else appearing, the public hearing was closed.

OR-22-012 Consider an ordinance adopting the Annual Budget for the City of Killeen for the fiscal year beginning October 1, 2022 and ending September 30, 2023.

The City Secretary read the caption of the ordinance.

AN ORDINANCE APPROVING AND ADOPTING A BUDGET FOR OPERATING THE MUNICIPAL GOVERNMENT OF THE CITY OF KILLEEN FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2022 AND ENDING ON SEPTEMBER 30, 2023; APPROPRIATING MONEY FOR THE VARIOUS FUNDS AND PURPOSES OF SUCH BUDGET INCLUDING APPROPRIATIONS OF MONEY TO PAY INTEREST AND PRINCIPAL SINKING FUND REQUIREMENTS ON ALL INDEBTEDNESS; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES AND APPROPRIATIONS IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; AND ESTABLISHING AN EFFECTIVE DATE.

Staff Comments: Miranda Drake, Director of Budget

The proposed Fiscal Year 2023 Budget was submitted to City Council July 5, 2022. A budget workshop was held on July 5, 2022 to provide City Council and citizens a thorough review of the proposed budget. City Council has discussed the budget nearly every week since the budget was submitted by the City Manager. In addition, a special City Council Workshop was held on July 18, 2022 and a budget public forum was held on July 19, 2022. On July 26, 2022, the City held the first budget public hearing. A second budget public hearing was held September 6, 2022 and a third and final public hearing was held this evening (PH-22-070). With a

majority vote being required by the City Council to adopt the budget, City staff's recommendation was to adopt the budget ordinance as presented.

Motion was made by Mayor Protem Wilkerson to approve OR-22-012. Motion was seconded by Councilmember Boyd.

The City Secretary called for a record vote:

*Mayor Pro Tem Wilkerson - Aye
Councilmember Adams - Aye
Councilmember Alvarez - Aye
Councilmember Gonzalez - Aye
Councilmember Segarra - Aye
Councilmember Boyd - Aye
Councilmember Cobb – Aye*

Motion carried unanimously.

RS-22-131 Consider a memorandum/resolution ratifying the property tax revenue increase reflected in the Annual Budget for the fiscal year October 1, 2022 through September 30, 2023.

Staff Comments: Miranda Drake, Director of Budget

The Local Government Code requires the governing body to ratify the property tax revenue increase if the budget will raise more revenue from property taxes than in the previous year. The Fiscal Year 2023 Annual Budget will raise more revenue from property taxes than last year's budget by an amount of \$3,569,392, which is a 6.3 percent increase from last year's budget. The property tax revenue to be raised from new property added to the tax roll this year is \$1,032,327.

Motion was made by Mayor Protem Wilkerson to approve the RS-22-131. Motion was seconded by Councilmember Boyd. Motion carried 6-1, with Councilmember Cobb in opposition.

OR-22-013 Consider an ordinance setting a tax rate of \$0.6233 per \$100 valuation, comprised of \$0.4656 for maintenance and operations and \$0.1577 for debt service, for fiscal year 2023 (tax year 2022).

The City Secretary read the caption of the ordinance.

AN ORDINANCE SETTING THE TAX RATE AND LEVYING A TAX UPON ALL PROPERTY SUBJECT TO TAXATION WITHIN THE CITY LIMITS OF THE CITY OF KILLEEN, TEXAS, FOR THE 2022 TAX YEAR AND FOR THE USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY OF KILLEEN FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022, AND

ENDING SEPTEMBER 30, 2023; APPORTIONING SAID LEVY AMONG THE VARIOUS FUNDS AND ITEMS FOR WHICH REVENUE MUST BE RAISED INCLUDING PROVIDING A SINKING FUND FOR THE RETIREMENT OF THE BONDED DEBT OF THE CITY; AND ESTABLISHING AN EFFECTIVE DATE.

Staff Comments: Miranda Drake, Director of Budget

On August 2, 2021, at a City Council meeting, the Killeen City Council set the preliminary tax rate at the rate of \$0.6233 per \$100 valuation. The preliminary tax rate represents the maximum rate that can be adopted for the FY 2023 Budget. The no-new-revenue tax rate for FY 2023 (2022 tax year) is \$0.6059. The voter-approval tax rate for FY 2023 (2022 tax year) is \$0.7559. The Texas Tax Code requires the vote on an ordinance setting a tax rate that exceeds the no-new-revenue rate to be a record vote and approved by at least sixty (60) percent of the members of the governing body. In order to set the tax rate above the no-new-revenue rate of \$0.6059, the ordinance must be approved by at least five (5) members of City Council. City staff recommended City Council approve the ordinance setting a tax rate of \$0.6233 per \$100 valuation, comprised of \$0.4656 for maintenance and operations and \$0.1577 for debt service, for fiscal year 2023 (tax year 2022).

Mayor Pro Tem Wilkerson made a motion stating “I move that the property tax rate be increased by the adoption of a tax rate of \$0.6233, which is effectively a 2.87 percent increase in the tax rate.” Motion was seconded by Councilmember Boyd.

The City Secretary called for a record vote:

*Mayor Pro Tem Wilkerson - Aye
Councilmember Adams - Aye
Councilmember Alvarez - Aye
Councilmember Gonzalez - Aye
Councilmember Segarra - Aye
Councilmember Boyd - Aye
Councilmember Cobb – Nay*

Motion carried 6-1, with Councilmember Cobb in opposition.

RS-22-132 Consider a memorandum/resolution to adopt the Five-Year Capital Improvement Plan for Fiscal Year 2023-2027.

Staff Comments: Miranda Drake, Director of Budget

The Fiscal Year 2023 - 2027 Capital Improvement Plan (CIP) for the City of Killeen is a comprehensive document that provides a five-year outlook for capital projects. This document serves as a guide for the preparation of the capital budget. Only those projects scheduled for Fiscal Year 2023 will be incorporated into the annual budget. If additional funding becomes available or projects finish under the budgeted amount, projects may move to earlier fiscal years as applicable. The Five-Year Capital Improvement Plan is updated on an annual basis. Projects shown in later years are for planning purposes only, as funding and priorities may change during the life of the program. City staff recommended City Council adopt the Five-Year Capital Improvement Plan for Fiscal Years 2023-2027.

Motion was made by Mayor Pro Tem Wilkerson to approve the RS-22-132. Motion was seconded by Councilmember Boyd. Motion carried unanimously.

OR-22-014 Consider an ordinance amending the Code of Ordinances Chapter 24, Solid Waste, to amend commercial solid waste rates.

The City Secretary read the caption of the ordinance.

AN ORDINANCE AMENDING CHAPTER 24, SOLID WASTE, OF THE CODE OF ORDINANCES OF THE CITY OF KILLEEN, TEXAS, BY AMENDING SOLID WASTE RATES; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

Staff Comments: Jeffrey Reynolds, Executive Director of Public Works

On July 17, 2021, City Council received the results of the solid waste rate study. The study found that the City's commercial revenues were insufficient to fully fund the projected expenses over the next three years. It also found that residential revenues could sufficiently fund the projected expenses over the next three years. On September 14, 2021, Council approved a commercial rate increase of eight percent (8%) to offset the projected shortfall in the Solid Waste Fund. The first year of the recommended increase was approved in FY 2022 and the second year is included in the FY 2023 Proposed Budget. The increase is estimated to generate an additional \$581,067 in annual revenue. City staff recommended City Council approve the ordinance amending commercial solid waste rates approved in the FY 2023 Annual Budget.

Motion was made by Mayor Protem Wilkerson to approve the OR-22-014. Motion was seconded by Councilmember Gonzalez. Motion carried unanimously.

OR-22-015 Consider an ordinance amending the Code of Ordinances Chapter 30, Water, Sewers, and Sewage Disposal, to amend commercial water rates.

The City Secretary read the caption of the ordinance.

AN ORDINANCE AMENDING CHAPTER 30 WATER, SEWERS, AND SEWAGE DISPOSAL, ARTICLE IV, OF THE CODE OF ORDINANCES OF THE CITY OF KILLEEN, TEXAS, BY AMENDING COMMERCIAL WATER RATES; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

Staff Comments: Jeffrey Reynolds, Executive Director of Public Works

On July 7, 2020, City Council received the results of the 2020 Water and Sewer Rate Study. The study found that the City's water revenues were insufficient to fully fund the projected expenses over the next five years. It also found that sewer revenues could sufficiently fund the projected five-year sewer expenses. City Council deferred a rate adjustment at the time due to the pandemic. On September 14, 2021, Council approved a water rate increase which included adjusting the base meter charge and volumetric rate. The first phase of the adjustment is included in the proposed FY 2023 Budget which is estimated to generate an additional \$158,000 in annual revenue. City staff recommended City Council approve the ordinance amending commercial water rates approved in the FY 2023 Annual Budget.

Motion was made by Mayor Protem Wilkerson to approve the OR-22-015. Motion was seconded by Councilmember Adams. Motion carried unanimously.

Public Hearings

PH-22-071 HOLD a public hearing and consider an ordinance amending the FY 2022 Annual Budget of the City of Killeen to increase revenue and expense accounts in multiple Aviation Funds.

The City Secretary read the caption of the ordinance.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS, AMENDING THE FY 2022 ANNUAL BUDGET OF THE CITY OF KILLEEN TO ADJUST REVENUE AND EXPENDITURE ACCOUNTS IN MULTIPLE AVIATION FUNDS; REPEALING ALL ORDINANCES OR PARTS

OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING A SAVINGS CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

Staff Comments: Miranda Drake, Director of Budget

This item was presented to City Council during their September 6, 2022 Workshop meeting. Ms. Drake was available to provide additional information and answer questions.

Mayor Nash-King opened the public hearing.

With no one to speak, the public hearing was closed.

Motion was made by Councilmember Adams to approve PH-22-071. Motion was seconded by Mayor Protem Wilkerson. Motion carried unanimously.

Adjournment

With no further business, upon motion being made by Mayor Protem Wilkerson, seconded by Councilmember Adams, and unanimously approved, the meeting was adjourned at 6:10 p.m.