



City of Killeen

Agenda City Council

Tuesday, November 8, 2016

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

Minutes

[MN-16-029](#) Consider Minutes of Regular City Council Meeting of October 25, 2016.

Attachments: [Minutes](#)

[Okray Statement for Record](#)

Resolutions

[RS-16-136](#) Consider a memorandum/resolution authorizing the Solid Waste Division to purchase containers for the City of Killeen's solid waste collection systems.

Attachments: [Council Memorandum](#)

[RS-16-137](#) Consider a memorandum/resolution authorizing Change Order No. 63 with James Construction Group, LLC to the US 190/FM 2410/Rosewood Drive project.

Attachments: [Council Memorandum](#)

[Change Order](#)

[Change Order Tracking Form](#)

[Certificate of Interested Parties](#)

[RS-16-138](#) Consider a memorandum/resolution approving the appointment of a Fire Chief.

Attachments: [Council Memorandum](#)
[Brank Resume](#)

Ordinances

[OR-16-020](#) Consider an ordinance to approve, for FY 17, suspension of compensation step increases for all city employees, including civil service employees. (Tabled from September 27, 2016 Regular City Council Meeting.)

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

Public Hearings

[PH-16-038](#) 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 fund employee step increases.

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

[PH-16-039A](#) Consider a memorandum/resolution authorizing the donation of proceeds to the Texas A&M University Central Texas Foundation.

Attachments: [Council Memorandum](#)

[PH-16-039B](#) HOLD a public hearing and consider an ordinance amending the FY 2017 Annual Budget and Plan of Municipal Services of the City of Killeen by increasing the Community Services Donation Fund revenue and expenditure accounts by \$50,000 to support the Texas A&M University Central Texas Foundation.

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 November 4, 2016.

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 Military Relations Council Luncheon, November 4, 2016, 11:30 a.m., Grace Christian Center*

Dedicated Service -- Every Day, for Everyone!



City of Killeen

Legislation Details

File #: MN-16-029 **Version:** 1 **Name:** Minutes of Regular City Council Meeting of October 25, 2016
Type: Minutes **Status:** Minutes
File created: 10/18/2016 **In control:** City Council
On agenda: 11/8/2016 **Final action:**
Title: Consider Minutes of Regular City Council Meeting of October 25, 2016.
Sponsors: City Secretary
Indexes:
Code sections:
Attachments: [Minutes](#)
[Okray Statement for Record](#)

Date	Ver.	Action By	Action	Result
11/1/2016	1	City Council Workshop		

City of Killeen
 Regular City Council Meeting
 Killeen City Hall
 October 25, 2016 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 Interim City Manager Dennis M. Baldwin, City Attorney Kathryn Davis, City Secretary Dianna Barker, and Sergeant-at-Arms Smith.

Pastor Jones gave the invocation, and Mayor Pro-Tem Moore led everyone in the Pledge of Allegiance.

Approval of Agenda

Motion was made by Mayor Pro-Tem Moore 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 October 11th Regular City Council Meeting. Motion was seconded by Councilmember Fleming. Motion carried unanimously.

Resolutions

RS-16-126 Consider a memorandum/resolution appointing members to the Youth Advisory Commission.
Staff comments: Roxanne Flores

KILLEEN VOLUNTEERS, INC.-YOUTH ADVISORY COMMISSION		
<i>Sub-Committee: All Council</i>		
Current Members	New YAC Members	Special Qualifications
Kayla Anderson	Jeremiah Belser	Student Representative
Jeremiah Belser	Hyelim Choung	Student Representative
De'Veon Bradford	Hyewon Choung	Student Representative
Janella Calvillo	Arianna Chavez	Student Representative
Camryn Cotton	Julian Chavez	Student Representative
Ravyn Dietzman	Ravyn Dietzman	Student Representative
Sara Drussell	Abraham Everett	Student Representative
Abraham Everett	Loveless Gatewood	Student Representative
Loveless Gatewood	Crystal Graupman	Student Representative
Isaiah Grant	Madison Henry	Student Representative
Madison Henry	Lexy Hicks	Student Representative
Sierra Holland	Mychel Howard	Student Representative
Delano Hudson	Joseph Low	Student Representative
Keith Huey	Kaitlyn Low	Student Representative
Alejandro Jimenez	JoAnn Lomas-Mathis	Student Representative

Madison LaValley	Jason McDonald	Student Representative
JoAnn Lomas-Mathis	Joshua Moses	Student Representative
Adrian Manning	Demetra Paizanis	Student Representative
Rolando Mendoza	Michalis Paizanis	Student Representative
Joshua Moses	Jaelyn Rivas	Student Representative
Aimee Nazario-Ovalle	Mark Thomas	Student Representative
Jacob Nichols	Markeisha Thomas	Student Representative
Wesley Orolla	Skylar Vanderberg	Student Representative
Demetra Paizanis	Daniel Watford III	Student Representative
Deanta Pittman	MyAzia Williams	Student Representative
Keshawn Pittman	Olivia Winder	Student Representative
Nathan Rarangol	Adrian Manning	Student Representative
Cody Reinhard	Jeffrey Jamorabon	Student Representative
Jaelyn Rivas	Jerome Singletary Jr.	Student Representative
Jada Roper	La'Shaun Wright	Student Representative
Alana Shoemo	Marjerie Castro	Student Representative
Kristiane Smith	Vacancy	Student Representative
Monika Symonds	Vacancy	Student Representative
Markeisha Thomas	Vacancy	Student Representative
Skylar Vanderberg	Vacancy	Student Representative
Olivia Winder	Vacancy	Student Representative
Megan Young	vacancy	Student Representative

Staff recommends that the City Council appoint the nominated individuals.
Mayor Pro-Tem Moore swore-in the new YAC members.

Motion was made by Councilmember Fleming to approve RS-16-126. Motion was seconded by Councilmember Kilpatrick. Motion carried unanimously.

RS-16-127 Consider a memorandum/resolution authorizing a commercial lease at 207 and 209 West Avenue D, Killeen, Texas.

Staff comments: Stu McLennan

The current lease agreement ended on September 30, 2016. Staff and International Realtors have coordinated a 1-year lease extension through September 30, 2017. Staff recommends council authorize the City Manager to sign a commercial lease for the period October 1, 2016, to September 30, 2017, for property located at 207 and 209 West Avenue D, Killeen, Texas.

Motion was made by Councilmember Young to approve RS-16-127. Motion was seconded by Councilmember Rivera. Motion carried unanimously.

RS-16-128 Consider a memorandum/resolution adopting a master plan and approving an airport layout plan for Skylark Field.

Staff comments: Matthew Van Valkenburgh

Staff recommends City Council adopt the master plan for Skylark Field and authorize the City Manager to approve the Skylark Field Airport Layout Plan on behalf of the City upon its completion of review and approval by the Federal Aviation Administration and TxDOT Aviation Division.

Motion was made by Councilmember Okray to approve RS-16-128. Motion was seconded by Mayor Pro-Tem Moore. Motion carried unanimously.

RS-16-129 Consider a memorandum/resolution authorizing the lease with purchase option of a wheel loader for the Solid Waste Transfer Station.

Staff comments: Frank Tydlacka

Staff recommends the procurement of the wheel loader from Holt CAT, through the TASB BuyBoard, on a three-year lease of \$2,231.80 per month, and that the City Manager or designee is authorized to approve the purchase of the equipment at the end of the three-year lease period for \$133,744.00 if the purchase is approved in the FY19 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 Rivera to approve RS-16-129. Motion was seconded by Councilmember Fleming. Motion carried 5 to 2 with Councilmember Johnson and Councilmember Okray opposing.

RS-16-130 Consider a memorandum/resolution authorizing Change Order No. 29 to the Stagecoach Road Reconstruction, Phase 2 Project with McLean Construction, Inc.

Staff comments: David Olson

To correct an elevation difference, the driveways will need to be re-graded, the parking lot will need to be re-paved, and a Keystone wall will need to be added for stabilization. City staff recommends that City Council authorize the Interim City Manager to execute Change Order No. 29 in the amount of \$118,923.00 for the Stagecoach Road Reconstruction, Phase 2 project with McLean Construction, Inc.

Motion was made by Mayor Pro-Tem Moore to approve RS-16-130. Motion was seconded by Councilmember Okray. Motion carried 6 to 1 with Councilmember Johnson opposing.

RS-16-131 Consider a memorandum/resolution authorizing the award of a construction contract to Austin Filter System, Inc., for the South Nolan Creek Capital Improvement Program Bank Stabilization Phase 2 project.

Staff comments: David Olson

One bid was received from Austin Filter Systems, Inc. for a total bid amount of \$1,144,051.50. City staff recommends the City council award a construction contract to the lowest responsible responsive bidder meeting the specifications, Austin Filter System, Inc. in the amount of \$1,144,051.50.

Motion was made by Councilmember Kilpatrick to approve RS-16-131. Motion was seconded by Councilmember Johnson. Motion carried unanimously.

RS-16-132 Consider a memorandum/resolution appointing a replacement to the Technical Advisory Committee for the Killeen Temple Metropolitan Planning Organization.

Staff comments: Dennis Baldwin

The City of Killeen is a member of the Killeen Temple Metropolitan Planning Organization (KTMPPO). The City Manager was appointed to serve as a voting member on the

Committee. It is recommended that the City Council appoint Dennis Baldwin to replace Ann Farris.

Motion was made by Councilmember Fleming to approve RS-16-132. Motion was seconded by Councilmember Rivera. Motion carried unanimously.

RS-16-133 Consider a memorandum/resolution appointing citizen members to the City of Killeen Audit Committee.

Staff comments: Kathy Davis

The City of Killeen Audit Committee reached a consensus to recommend adding two citizen members to the Committee to provide another perspective for the forensic audit. Staff recommends that the City Council appoint James "Jack" Ralston and Bob Blair to the Audit Committee.

Motion was made by Councilmember Young to approve RS-16-133. Motion was seconded by Councilmember Fleming. Motion carried unanimously.

RS-16-134 Consider a memorandum/resolution to create an evaluation committee to review forensic audit RFQs.

Staff comments: Kathy Davis

On October 9, 2016, Council reached a consensus to appoint an evaluation committee consisting of seven public members and three council members.

The Council wishes to appoint the following individuals to the Evaluation Committee:

Councilmember Jim Kilpatrick (Chair)	Councilmember Shirley Fleming
Councilmember Dick Young	Megan Bradley
Richard Banta	Butch Menking
David Cole	Gregory Hughes
Dr. Jim Anderson	Kathy Harkin

Staff recommends that the City Council appoint the above individuals to the evaluation committee.

Motion was made by Councilmember Fleming to approve RS-16-134. Motion was seconded by Councilmember Kilpatrick. Motion carried unanimously.

RS-16-135 Consider a memorandum/resolution creating a Citizens' Advisory Committee to assist in the selection of the new City Manager.

Staff comments: Eva Bark

As part of the interview process, SGR recommends that the City Council create and utilize a Citizens' Advisory Committee of 8 public members to assist in the selection of the new City Manager. The council wishes to appoint the following individuals to the Citizens' Advisory Committee: Jimmy Towers, Tim Hancock, Dr. John Craft, Pat Kaufman, Frank Plowick, Ramon Alvarez, Maureen Jouett, Tim Doerbaum.

Staff recommends that the City Council appoint the above individuals to the Citizens' Advisory Committee.

Councilmember Fleming does not believe the committee should be comprised of citizens who do not live in Killeen.

Motion was made by Councilmember Rivera to approve RS-16-135. Motion was seconded by Councilmember Okray. Motion carried 5 to 2 with Councilmember Fleming and Councilmember Young opposing.

Ordinances

OR-16-022A Consider an ordinance to amend the Fire Department Classification Plan and Rank Structure.

The City Secretary read the caption of the ordinance.

AN ORDINANCE OF THE CITY COUNCIL OF KILLEEN, TEXAS, MERGING CLASSIFICATIONS IN THE FIRE DEPARTMENT OF THE CITY OF KILLEEN; ABOLISHING ALL CLASSIFICATIONS IN CONFLICT HEREWITH AND HERETOFORE EXISTING IN SUCH DEPARTMENT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; 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.

Staff comments: Interim Fire Chief Brank

The Fire Chief is requesting that the City Council eliminate the two-career-ladder promotional system by merging the separate career ladders in the Fire Department into one, creating a seamless promotional progression through the Fire Department rank structure. This internal restructuring does not involve any changes in existing staffing salaries or duties. This action does not create any new classifications, nor does it create any new positions in any existing classifications. The intent of merging is to transfer positions from one classification to another within the same grade level; this action does not constitute a promotion or demotion of a person occupying any position affected. Staff recommends that the City Council authorize the changes to the Fire Department structure by changing the Fire Department to a single career ladder.

Motion was made by Councilmember Rivera to approve OR-16-022A. Motion was seconded by Councilmember Fleming. Motion carried unanimously.

OR-16-022B Consider an ordinance to amend the Fire Department pay plan.

The City Secretary read the caption of the ordinance.

AN ORDINANCE OF THE CITY COUNCIL OF KILLEEN, TEXAS AMENDING THE FIRE DEPARTMENT PAY PLAN; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

Staff comments: Eva Bark

Staff recommends that the City Council authorize the changes to the Fire Department pay plan to reflect the change in the Fire Department to a single career ladder.

Motion was made by Councilmember Kilpatrick to approve OR-16-022B. Motion was seconded by Councilmember Young. Motion carried unanimously.

Public Hearings

PH-16-036 HOLD a public hearing and consider an ordinance requested by Scott Lewellen of SiteExcel L.L.C. on behalf of Garland and Jo Ann Kelley (Case #Z16-17) to rezone approximately .229 acre (100 x 100 foot area), being part of the M. T. Martin Survey, Abstract No. 963, from “A” (Agricultural District) to “A” (Agricultural District) with a Conditional Use Permit (CUP) for a 120’ tall monopole communication tower. The subject area is located approximately 3,000 feet east of S. Fort Hood Street and approximately 2,500 feet west of Kelley Lane, Killeen, Texas. (Requires a 3/4 majority vote.)

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” (AGRICULTURAL DISTRICT) WITH A CONDITIONAL USE PERMIT (CUP) FOR A 120’ MONOPOLE COMMUNICATION TOWER; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

Staff comments: Tony McIlwain

The staff notified two (2) surrounding property owners regarding this request. Staff has received one response from Mr. Wayne Duncan; he is not in opposition to the request. The Planning & Zoning Commission recommended approval (vote of 6 to 0) of the applicant’s Conditional Use Permit request. The recommendation is based upon the adherence to the submitted site plan and communication monopole design, as well as the installation of an obstruction light for the tower.

Mayor Segarra opened the public hearing.

Scott Lewellen with SiteExcel LLC, representative of the property owners - available for questions.

With no one else appearing the public hearing was closed.

Motion was made by Councilmember Johnson to approve PH-16-036. Motion was seconded by Councilmember Kilpatrick. Motion carried unanimously.

Councilmember Okray submitted a statement for the record on item RS-16-133 and 134. See attached.

Adjournment

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

MEMORANDUM FOR RECORD
DS-16-157-10/18/16, RS-16-133 & RS-16-134
10/25/16

The city has distributed the Request for Qualification for our forensic services need. This action is in accordance with the mandate of residents. It is necessary to our duties and responsibilities to ensure that we conduct a thorough, all encompassing audit; we all agree to that. In no manner, shape, or form will I delay or inhibit this process along the course of implementing the audit mandate. We now await responses from qualified entities to engage to conduct the audit, in accordance with the parameters and scope of the audit defined by the Audit Committee.

Before tonight this body was apprised twice regarding forensic auditing processes and after receiving feedback from the governing body the Audit Committee, utilizing as a template the scope of services for the City of Port Arthur (currently in the process of conducting forensic audit), fashioned the audit scope for the City of Killen and charted our forensic audit course. The Audit Committee deliberated and determined that our scope should include the Finance, Public Works, and Human Resources Departments and all Enterprise Funds as variables within the scope. The scope is reasonably broad and encompassing in order to capture every variable that may be associated with our current policies and financial predicament. It is foresighted so that no variable is potentially omitted from scrutiny.

At the current juncture, the work of the Audit Committee is in the hands of the governing body. The process of getting it there is an occurrence that is not out of the ordinary when regarding committees and workflows within municipal governance. It is now time to move forward with the work of forensic auditing, as evidenced by our actions at workshop on Tuesday, October 25, 2016 and the acts we take this evening. Wrong or inaccurate understandings regarding the Request for Qualification appear to be relative regarding the forensic audit process. Wrong or inaccurate understandings are not relative. I attribute misguided understanding to a three-dimensional conundrum that enables misunderstanding. There appears to be unwillingness to reasonably read and comprehend material and presentations and selective implementation of memory. For clarity sake the basic role of Requests for Qualification is to pre-qualify respondents who may answer our request and meet the criteria. It is not a contractual engagement. Furthermore, respondents may be included in the subsequent contracting process to engage a qualified entity to conduct the forensic audit. At the initial stage, the Request for Qualification, it is conjecture, innuendo, and speculation to proffer regarding the content, time period, and the cost it will take to conduct a thorough forensic audit.

If there is error in the formulation of the Request for Qualification, the error is on the side of caution to ensure that an all-encompassing net is cast in order to capture all relevant variables and subject them to the scrutiny of review and analysis. Not only is intent to not to omit pertinent variables, it is to also ensure against beginning the process and determine during the course that necessary variables are missing or outside of the scope of the audit. Should such the latter occur, the subsequent course of action would be

to initiate an additional Request for Qualification for data not included in the original audit scope. The third order effect of such an occurrence is hindrance of the audit process and delay in serving the mandate of the people. The fundamental idea regarding the broad scope is to assemble all data and materials centrally so that data maybe qualified as essential to the audit process. This practice is common to causative research and investigative purposes so it was imperative to go big and subsequently narrow as necessary.

Notable experiences shape my familiarity with forensic audit processes but they do not make me an expert in any form or manner. A similar event occurred while I was on station in the Republic of Korea and the Federal Republic of Germany. Although the events are far removed in content, they are relative to the current tasks. The events are similar and share a common thread. Both events involved loss in accountability of US Titled ammunition and explosives. The materials involved in one of the events classified at the highest sensitivity level due to its ready use classification and configuration. The other event exemplifies why and how causative research aptly identifies misappropriation, discourages malfeasance, and establishes legally sufficient reason to remedy loss of accountability. Any investigation follows a broad-to-narrow approach and critical thinking follows an inductive/deductive path.

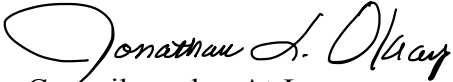
The Killeen Daily Herald reported August 13, 2016 that, “this audit must be conducted by a total outside non-local forensic audit team to ensure autonomy of results. I do not believe the City Council, staff or management has the expertise required to audit itself fairly.” The paper went on to quote why a forensic audit should target the past four to seven years, beginning with 2010’s fiscal budget. “Should any criminal act be found at any level, they must be prosecuted without regard to outcome... Gross negligence should be remedied... a forensic audit is an item demanded by our citizens, and an act of sound fiduciary oversight, this item must be quickly addressed and the process started so that we can move this city forward”. The article is entitled, “Councilman: No matter the consequence, forensic audit needed.” Moving forward is what I want and I assume that is what everyone wants however, I do grapple with that concept when comparing and contrasting deeds to words spoken.

Council received a Historical Operating Report that covers 2000 to 2016. A capital outlay of nearly 311% and for the year of 2006 is glaring because it is very high in comparison to the preceding and proceeding years. What happened there and does what happened affect us now? It is plausible to believe so given the authority of this governing body, the ability of the governing body to enact its will by way of City Council Memorandums and Resolutions, and the ability to carry over fiscal encumbrances from one fiscal year to the next. One such example in the recent past regards the financing of renovations of the Cornerstone Building. The encumbrance was carried over to the proceeding fiscal year and was not an item of discussion during the budget cycle. This body this year declined to approve the reimbursement CCMR that called for Certificates of Obligation to cover the cost of the renovation expenditure. With this occurrence fresh in my mind, it is apparent the scope of the audit is even more appropriate in order to

answer questions regarding the manner, context, and implementation of policy as they regard the carry over feature of encumbrances.

There are also concerns regarding the fiscal cost it will take to conduct the audit. I firmly believe that those concerns pale in comparison and ratio to the millions of dollars expended each year. The inductive-to-deductive approach of the scope will help better understand and leave no stone unturned. I also believe that apprehension about the cost to conduct the audit flows from conventional points of view regarding cost estimates generated from a forty-hour, fifty-two weeks cost basis. The reality of our contemporary times deem conventional point of view dated and shortsighted because we live in an age of analytics, algorithms, optical character recognition (OCR), and proprietary software that automate significant steps and procedures of audit processes. I realize that technology is powerful and beautiful and saturates our society, simplifying very difficult tasks. I believe the professionals within the accounting industry, particularly the forensic auditing community, are best suited to help us determine our needs and make critical analysis, assessments, and determinations regarding the policies of our organization that drive our financial condition and stability. The quality assurance of forensic auditing is priceless but I believe we are well within our ability to afford an intrusively thorough examination. We owe it to our city to comply and to act expeditiously in accordance with their mandate.

Jonathan L. Okray



Jonathan L. Okray
Councilmember At-Large



City of Killeen

Legislation Details

File #: RS-16-136 **Version:** 1 **Name:** Container Purchase FY 16/17
Type: Resolution **Status:** Resolutions
File created: 10/4/2016 **In control:** City Council
On agenda: 11/8/2016 **Final action:**
Title: Consider a memorandum/resolution authorizing the Solid Waste Division to purchase containers for the City of Killeen's solid waste collection systems.
Sponsors: Public Works Department, Solid Waste
Indexes:
Code sections:
Attachments: [Council Memorandum](#)

Date	Ver.	Action By	Action	Result
11/1/2016	1	City Council Workshop		

CITY COUNCIL MEMORANDUM

AGENDA ITEM

Approval for Solid Waste Container Purchases

ORIGINATING DEPARTMENT

Public Works - Solid Waste Division

BACKGROUND INFORMATION

The City of Killeen's municipal solid waste systems, both residential and commercial, are container-dependent. Citizens are issued a rollout container(s) that best fits the disposal needs of the household. Citizens have the choice of a 32-, 64-, or 96-gallon container, or a combination of these sizes, and pay a monthly disposal fee based on the size/volume and quantity of the containers selected. Commercial businesses are issued containers of various sizes (96 gallons; 300 gallons; and 2, 3, 4, 6, 8, 20, 30, and 40 cubic yards) and pay fees established by Division 6, Chapter 24 of the City of Killeen Code of Ordinances.

Solid Waste is required to have an inventory of containers in stock in order to accommodate the normal growth of the city and replace lost or damaged containers. In addition, an inventory of hardware and replacement parts, such as lids, wheels, axles, and dumpster bottoms is also required to facilitate repairs.

DISCUSSION/CONCLUSION

Buying these containers and associated hardware and replacement parts using purchasing cooperatives complies with competitive purchasing requirements established by the Texas Local Government Code. Residential containers are available for purchase through cooperatives such as the Houston-Galveston Area Council (HGAC) and TASB Buy Board. The supplier for all residential containers in the City's inventory has historically been the manufacturer Toter, Inc., which can be purchased through the HGAC Cooperative. The continued purchase of containers from Toter, Inc. for resupply of the inventory has four distinct advantages:

- The purchase of rollout containers that are compatible with the City's current rate structure is necessary as the rate structure is based on the size/volume of container (96, 64, and 32 gallons);
- The continued standardization of the City's container and parts inventory decreases administration costs and funds required for replacement parts, such as lids, wheels, and mounting hardware; and
- A delivery time of 6-8 weeks after placing the order provides for just-in-time inventory.
- Additionally, there are no additional setup costs for the City logo, serial numbers, and hot stamped instructions for the user.

Funds are allocated in the FY 2016/2017 solid waste annual budget in the amount of \$171,766 for the purchases of residential solid waste containers for resupply of the inventory. Containers

are purchased in full truckload quantities as needed, which provide the best unit prices. The current price for one full truckload of 96-gallon containers (624 each) is approximately \$35,449.

Purchases for commercial containers, such as metal dumpsters and roll-offs, are historically completed through the TASB Buy Board Cooperative or other purchasing cooperative, or a competitive quoting or bidding process as provided by the City's purchasing policy. Purchases are made in truckload quantities as needed, which provide the best unit price. Prices are subject to change due to fluctuating costs for steel and fuel. Funds are allocated in the FY 2016/2017 solid waste annual budget in the amount of \$50,392 for the purchase of commercial containers.

FISCAL IMPACT

Funds are approved and included in the FY 2016/2017 solid waste annual budget, account number 540-3460-439.41-66 in the amount of \$171,766 for the purchase of residential solid waste containers, and in account number 540-3465-439.43-73 in the amount of \$50,392 for the purchase of commercial containers.

RECOMMENDATION

City staff recommends that the City Council authorize the City Manager to procure residential solid waste containers and parts from Toter, Inc. through the HGAC Cooperative using the full allocation of funds in the amount authorized in the FY 2016/2017 Solid Waste Annual Budget and further recommends that the City Council authorize the City Manager to procure commercial containers and parts through a buy board and/or a competitive quoting or bidding process using the full allocation of funds authorized in the FY 2016/2017 solid waste annual budget.



City of Killeen

Legislation Details

File #: RS-16-137 **Version:** 1 **Name:** US 190/FM 2410/ROSEWOOD DR CHANGE ORDER #63
Type: Resolution **Status:** Resolutions
File created: 10/17/2016 **In control:** City Council
On agenda: 11/8/2016 **Final action:**
Title: Consider a memorandum/resolution authorizing Change Order No. 63 with James Construction Group, LLC to the US 190/FM 2410/Rosewood Drive project.
Sponsors: Public Works Department, Transportation Division
Indexes: US190-Rosewood-FM2410
Code sections:
Attachments: [Council Memorandum](#)
[Change Order](#)
[Change Order Tracking Form](#)
[Certificate of Interested Parties](#)

Date	Ver.	Action By	Action	Result
11/1/2016	1	City Council Workshop		

CITY COUNCIL MEMORANDUM

AGENDA ITEM

AUTHORIZE CHANGE ORDER NO. 63 TO THE US 190/FM 2410/ROSEWOOD DRIVE PASS-THROUGH FINANCING CONTRACT WITH JAMES CONSTRUCTION GROUP, LLC.

ORIGINATING DEPARTMENT

PUBLIC WORKS - TRANSPORTATION DIVISION

BACKGROUND INFORMATION

On January 8, 2013 (CCM/R 13-001R), the City Council awarded a construction contract to James Construction Group, LLC for the Pass Through Financing (PTF) Project, US 190/FM 2410/Rosewood Drive. This project included the construction of an overpass at the intersection of US 190 and Rosewood Drive, the widening of FM 2410, and the construction of Rosewood Drive from US 190 to Fawn Drive.

DISCUSSION/CONCLUSION

Change Order No. 63 is necessary to reconcile one of the remaining items on this project that have been under negotiation with the contractor and the Texas Department of Transportation (TxDOT) to comply with the terms of the associated contract. This change order provides for the conversion of temporary traffic barriers to permanent traffic barriers by milling and infilling the asphalt beneath said barriers. Failure to approve this action may lead to a reduction in the reimbursable funding under the terms of the associated contract between the City and TxDOT.

FISCAL IMPACT

Change Order No. 63 will increase the expenditure for the Project in the PTF US 190/FM 2410/Rosewood Drive, General Obligation Bonds, US 190/FM 2410/Rosewood Drive Account #341-3490-800.58-23. After reduction of Change Order No. 63, the remaining balance in the account is \$124,806.99.

The total cost of the project before this change order request was \$22,958,329.94. The cost of this change is a net increase of \$93,098.33 for an updated total contract price of \$23,051,428.27, or a cumulative 5% increase to the contract (see attached Change Order Tracking Form).

RECOMMENDATION

City staff recommends that the City Council authorize Change Order No. 63 with James Construction Group, LLC, increasing the cost of the contract by \$93,098.33 and request that the Interim City Manager be expressly authorized to execute the same.

CHANGE ORDER

No. 63

DATE OF ISSUANCE 10/17/2016

EFFECTIVE DATE _____

OWNER: City Of Killeen
 CONTRACTOR: James Construction Group, LLC.
 Contract: Bid No. 13-06
 TxDOT Project: PTF 1102 (054) ~ US 190 @ Rosewood Drive
 TxDOT Control No.: 0231-03-129
 ENGINEER's Contract No. _____
 ENGINEER: _____

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

Description: Add 2,040 LF of Retrofit Temporary Barrier for Permanent Use to the Main Lanes; add 4 EA of Traffic Control for Barrier Retrofit.

Reason for Change Order: The Temporary Barrier will be fitted for Permanent Use on the mail lanes. The work will consist of picking up the barriers, milling a 42" section where the barriers will be permanently positioned, replacing the barriers, and hand working Type D asphalt to maintain the cross-slope up to the barrier. These actions will require night closures of the inside lanes on the WBML and EBML on both sides of the overpass bridge during the proposed 4-day work period.

Attachments: Change Order Worksheet.

CHANGE IN CONTRACT PRICE:
Original Contract Price \$ <u>21,952,775.21</u>
Net Increase (Decrease) from previous Change Orders No. <u>1</u> to <u>62</u> : \$ <u>1,005,554.73</u>
Contract Price prior to this Change Order: \$ <u>22,958,329.94</u>
Net increase (decrease) of this Change Order: \$ <u>93,098.33</u>
Contract Price with all approved Change Orders: \$ <u>23,051,428.27</u>

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

RECOMMENDED:

By: _____
ENGINEER (Authorized Signature)

Date: _____
EJCDC 1910-8-B (1996 Edition)

APPROVED:

By: _____
OWNER (Authorized Signature)

Date: _____

ACCEPTED:

By: 
CONTRACTOR (Authorized Signature)

Date: 10/28/16

5880 W US HWY 190
Belton, TX 76513
Job Phone: 254-939-8610
Job Fax: 254-939-8611



10/12/2016

JCG Letter# 10503-0118

David Olson, P.E., CFM
City of Killeen
101 North College Street
Killeen, TX 76541

US190 ROSEWOOD - KILLEEN

Job #: 136283

Control#: 0231-03-129

RE: CHANGE ORDER PRICING - RETROFIT TEMP BARRIER & TRFC CNTRL

Dear Mr. Olson:

As requested, James Construction Group respectfully submits the following change order pricing for consideration:

Item	Description	QTY	UM	UP	Total
XXX1	Retrofit Temporary Barrier for Permanent Use	2,040	LF	\$27.25	\$55,581.98
XXX2	Traffic Control for Barrier Retrofit	4	EA	\$9,379.09	\$37,516.35

The above change order pricing assumes JCG will be paid by the each for each night traffic control is needed to complete the scope of work provided. Work will be scheduled upon approval of the above change order pricing.

Respectfully yours,
James Construction Group

A handwritten signature in blue ink that reads 'ABASONIC'.

Amber Basonic
Project Engineer

CC: Joey Williams
Rick Lewis
Matt Milliet

James Construction Group, LLC

Contractor's Basis of Estimate

Date:	10/11/2016	Project:	PTF 1102 (054)	County:	Bell
	45 Days (unless noted otherwise elsewhere)	Control:	0231-03-129, ETC	Highway:	US 190/FM 2410/Rosewood
CO Pricing Good For:		Original Contract:	21,952,775.21	Net CO:	1,005,554.73
Description:	Temporary Barrier Retrofit as Permanent	Revised Contract:			22,958,329.94
Estimated Qty:	2,040.00 LF	Narrative:	Contractor is directed to retro-fit temporary single slope barrier in a permanent configuration by moving barrier, milling underneath, resetting the barrier and backfilling with a 9" strip of TY D Hot Mix. Traffic Control is bid separately and will be paid by the night. This pricing only covers the scope provided. If patching of temporary barrier is desired, JCG will submit additional pricing for consideration.		
Estimated Change in Contract Sum:	\$ 55,581.98				
Estimated Change In Contract Time:	no time charged during these operations				

<u>Labor</u>	<u>Reg Hrs</u>	<u>OT Hrs</u>	<u>UM</u>	<u>Reg Rate</u>	<u>OT Rate (x1.5)</u>	<u>Extended</u>
Project Manager	32.00	8.00	HR	\$ 65.00	\$ 97.50	\$ 2,860.00
Foreman	32.00	8.00	HR	\$ 44.50	\$ 66.75	\$ 1,958.00
Trackhoe Operator	16.00	4.00	HR	\$ 22.00	\$ 33.00	\$ 484.00
Broom Operator	32.00	8.00	HR	\$ 18.00	\$ 27.00	\$ 792.00
Carpenter	16.00	4.00	HR	\$ 18.00	\$ 27.00	\$ 396.00
Carpenter	16.00	4.00	HR	\$ 18.00	\$ 27.00	\$ 396.00
Utility Laborer	32.00	8.00	HR	\$ 14.55	\$ 21.83	\$ 640.20
Utility Laborer	32.00	8.00	HR	\$ 14.55	\$ 21.83	\$ 640.20
Utility Laborer	16.00	4.00	HR	\$ 14.55	\$ 21.83	\$ 320.10
Utility Laborer	16.00	4.00	HR	\$ 14.55	\$ 21.83	\$ 320.10
					25% Profit	\$ 2,201.65
					55% Burdens	\$ 4,843.63
					Subtotal	\$ 15,851.88

<u>Equipment</u>	<u>QTY</u>	<u>UM</u>	<u>Rate</u>	<u>Extended</u>	
349 Trackhoe	20.00	HR	\$ 193.07	\$ 3,861.40	
420E IT Backhoe	40.00	HR	\$ 37.75	\$ 1,510.00	
Road Broom	40.00	HR	\$ 23.47	\$ 938.80	
Pickup Truck	40.00	HR	\$ 22.15	\$ 886.00	
Pickup Truck	40.00	HR	\$ 22.15	\$ 886.00	
Tractor Trailer (3 EA)	15.00	HR	\$ 75.00	\$ 1,125.00	
				15% Profit	
				Subtotal	\$ 10,588.28

<u>Subcontractors</u>	<u>QTY</u>	<u>UM</u>	<u>Price</u>	<u>Extended</u>	
Equipment Transport	2.00	EA	\$600.00	\$ 1,200.00	
Big Creek - Mobilization	1.00	LS	\$5,000.00	\$ 5,000.00	
Big Creek - Mill	793.00	SY	\$10.00	\$ 7,930.00	
Big Creek - Fill	65.50	TONS	\$200.00	\$ 13,100.00	
				5% Profit	
				Subtotal	\$ 28,591.50

<u>Material</u>	<u>QTY</u>	<u>UM</u>	<u>Price</u>	<u>Extended</u>	
	0.00	CY	\$0.00	\$ -	
				25% Markup	
				Subtotal	\$ -

<u>Additional Work Items</u>	<u>QTY</u>	<u>Units</u>	<u>Price</u>	<u>Extended</u>	
	0.00	DOL	\$0.00	\$ -	
				Subtotal	\$ -

TOTAL OF WORK PERFORMED	\$	55,031.66
BOND FEE (ADD 1%)	\$	550.32
TOTAL COST	\$	55,581.98
UNIT PRICE (TOTAL COST/EST. QTY)	\$	27.25

Amber Basonic

From: Mark Miller <mmiller@bigcreekconstruction.com>
Sent: Monday, September 19, 2016 2:25 PM
To: Amber Basonic
Subject: RE: Punchout work on City of Killeen, US 190/Rosewood Drive Project

	\$5000.00 move-in
354 2023 PLANE ASPH CONC PAV(0" TO 4")	\$10.00 per SY
3224 2042 D-GR HMAC(QAQC) TY-D SAC-B PG70-22	\$200.00 per ton

Big Creek excludes Traffic control. Will furnish mill/inlay labor and materials only.

Thanks,

Mark Miller
Big Creek Construction, LTD.

From: Amber Basonic [mailto:ABasonic@prim.com]
Sent: Monday, September 19, 2016 9:39 AM
To: Mark Miller <mmiller@bigcreekconstruction.com>
Cc: Joey Williams <JoeyWilliams@prim.com>
Subject: RE: Punchout work on City of Killeen, US 190/Rosewood Drive Project

Did you need more time to quote the remainder of the work, or is Big Creek only interested in quoting the mill & hot mix?

Amber Basonic
James Construction Group
(254) 718-8755

From: Mark Miller [mailto:mmiller@bigcreekconstruction.com]
Sent: Monday, September 19, 2016 9:31 AM
To: Amber Basonic <ABasonic@prim.com>
Subject: RE: Punchout work on City of Killeen, US 190/Rosewood Drive Project

Yes, I can but it will only be for the HMA work.



Rental Rate Blue Book®

Caterpillar 349E L

Crawler Mounted Hydraulic Excavators



Size Class:

Operating Weight 50.1 - 66.0 MTons

Weight:

109,100 lbs.

Configuration for 349E L

Power Mode	Diesel	Bucket Capacity - Heaped	4.1 cy
Operating Weight	49.4 t	Net Horsepower	404.0 hp

Equipment Notes: General Purpose bucket included in rate, unless otherwise noted.

Blue Book Rates

** FHWA Rate is equal to the monthly ownership cost divided by 176 plus the hourly estimated operating cost.

	Ownership Costs				Estimated Operating Costs	FHWA Rate**
	Monthly	Weekly	Daily	Hourly		
Published Rates	\$16,285.00	\$4,560.00	\$1,140.00	\$170.00	\$109.15	\$201.68
Adjustments						
Region (Temple: 90.7%)	(\$1,514.50)	(\$424.08)	(\$106.02)	(\$15.81)		
Model Year (2015: 100%)	-	-	-	-		
Ownership (100%)	-	-	-	-		
Operating (100%)	-	-	-	-		
Total:	\$14,770.50	\$4,135.92	\$1,033.98	\$154.19	\$109.15	\$193.07

Rate Element Allocation

Element	Percentage	Value
Depreciation (ownership)	36%	\$5,862.60 / mo
Overhaul (ownership)	51%	\$8,305.35 / mo
CFC (ownership)	6%	\$977.10 / mo
Indirect (ownership)	7%	\$1,139.95 / mo
Fuel (operating) @ \$3.46	54%	\$58.71 / hr

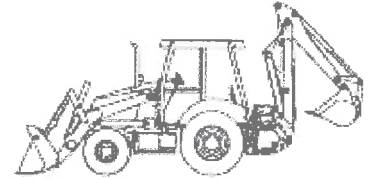
Revised Date: 2nd Half 2015

Rental Rate Blue Book®

September 19, 2016

Caterpillar 420E IT

Tractor-Loader-Backhoes

 Size Class:
 14' to Under 15'
 Weight:
 17,781 lbs.

Configuration for 420E IT

Power Mode	Diesel	Net Horsepower	93 hp
Backhoe Stick	Fixed	Loader Bucket Capacity--Heaped	1.25 cu yd
Drive	4WD		

Blue Book Rates

** FHWA Rate is equal to the monthly ownership cost divided by 176 plus the hourly estimated operating cost.

	Ownership Costs				Estimated Operating Costs Hourly	FHWA Rate** Hourly
	Monthly	Weekly	Daily	Hourly		
Published Rates	\$3,605.00	\$1,010.00	\$255.00	\$38.00	\$18.95	\$39.43
Adjustments						
Region (Texas: 91.8%)	(\$295.61)	(\$82.82)	(\$20.91)	(\$3.12)		
Model Year (100%)	-	-	-	-		
Ownership (100%)	-	-	-	-		
Operating (100%)					-	
Total:	\$3,309.39	\$927.18	\$234.09	\$34.88	\$18.95	\$37.75

Rate Element Allocation

Element	Percentage	Value
Depreciation (ownership)	33%	\$1,189.65/mo
Overhaul (ownership)	49%	\$1,766.45/mo
CFC (ownership)	7%	\$252.35/mo
Indirect (ownership)	11%	\$396.55/mo
Fuel (operating) @ 2.36	45%	\$8.54/hr

Revised Date: 2nd Half 2016

Rental Rate Blue Book®

September 19, 2016

Broce RJ-300 (disc. 1998)
 Self Propelled Pavement Brooms

 Size Class:
All
 Weight:
4,500 lbs.

Configuration for RJ-300 (disc. 1998)

Power Mode	Diesel	Horsepower	76
Broom Length	96 in	Transmission	Hydrostatic

Blue Book Rates

** FHWA Rate is equal to the monthly ownership cost divided by 176 plus the hourly estimated operating cost.

	Ownership Costs				Estimated Operating Costs Hourly	FHWA Rate** Hourly
	Monthly	Weekly	Daily	Hourly		
Published Rates	\$1,580.00	\$440.00	\$110.00	\$17.00	\$15.25	\$24.23
Adjustments						
Region (Texas: 91.6%)	(\$132.72)	(\$36.96)	(\$9.24)	(\$1.43)		
Model Year (100%)	-	-	-	-		
Ownership (100%)	-	-	-	-		
Operating (100%)					-	
Total:	\$1,447.28	\$403.04	\$100.76	\$15.57	\$15.25	\$23.47

Rate Element Allocation

Element	Percentage	Value
Depreciation (ownership)	32%	\$505.60/mo
Overhaul (ownership)	58%	\$916.40/mo
CFC (ownership)	4%	\$63.20/mo
Indirect (ownership)	6%	\$94.80/mo
Fuel (operating) @ 2.36	44%	\$6.64/hr

Revised Date: 2nd Half 2016



Rental Rate Blue Book®

June 27, 2016

On-Highway Light Duty Trucks

Miscellaneous Models

Size Class:

Net Hp 200 - 299 HP

Configuration for On-Highway Light Duty Trucks

Horsepower	285	Power Mode	Gasoline
Cab Type	Conventional	Axle Configuration	4X2
Ton Rating	3/4	Horsepower	285.0

Blue Book Rates

** FHWA Rate is equal to the monthly ownership cost divided by 176 plus the hourly estimated operating cost.

	Ownership Costs				Estimated Operating Costs	FHWA Rate**
	Monthly	Weekly	Daily	Hourly		
Published Rates	\$655.00	\$185.00	\$46.00	\$7.00	\$18.75	\$22.47
Adjustments						
Region (Texas: 91.4%)	(\$56.33)	(\$15.91)	(\$3.96)	(\$0.60)		
Model Year (2015: 100%)	-	-	-	-		
Ownership (100%)	-	-	-	-		
Operating (100%)					-	
Total:	\$598.67	\$169.09	\$42.04	\$6.40	\$18.75	\$22.15

Rate Element Allocation

Element	Percentage	Value
Depreciation (ownership)	56%	\$366.80 / mo
Overhaul (ownership)	27%	\$176.85 / mo
CFC (ownership)	7%	\$45.85 / mo
Indirect (ownership)	10%	\$65.50 / mo
Fuel (operating) @ \$2.82	81%	\$15.27 / hr

Revised Date: 2nd Half 2015

James Construction Group, LLC

Contractor's Basis of Estimate

Date:	10/11/2016	Project:	PTF 1102 (054)	County:	Bell
CO Pricing Good For:	45 Days (unless noted otherwise elsewhere)	Control:	0231-03-129, ETC	Highway:	US 190/FM
Description:	Lane Closures for Barrier Retrofit	Original Contract:	21,952,775.21	Net CO:	1,005,554.73
Estimated Qty:	4.00 EA	Revised Contract:			22,958,329.94
Estimated Change in Contract Sum:	\$ 37,516.35	Narrative:	Traffic control, per provided TCP for retrofitting the barrier. Contractor will be paid by the each for each night used.		
Estimated Change In Contract Time:	no time to be charged				

<u>Labor</u>	<u>Reg Hrs</u>	<u>OT Hrs</u>	<u>UM</u>	<u>Reg Rate</u>	<u>OT Rate (x1.5)</u>	<u>Extended</u>
	0.00	0.00	HR	\$ -	\$ -	\$ -
					25% Profit	\$ -
					55% Burdens	\$ -
					Subtotal	\$ -

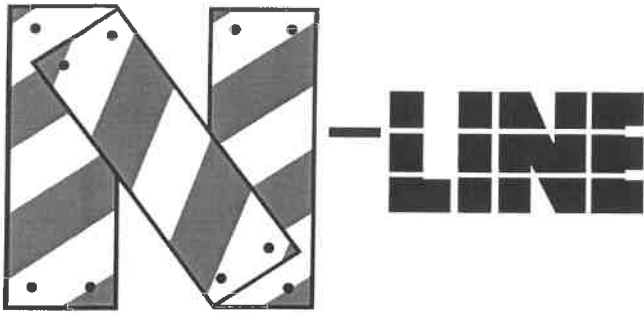
<u>Equipment</u>	<u>QTY</u>	<u>UM</u>	<u>Rate</u>	<u>Extended</u>
			15% Profit	\$ -
			Subtotal	\$ -

<u>Subcontractors</u>	<u>QTY</u>	<u>UM</u>	<u>Price</u>	<u>Extended</u>
N-Line Traffic (Traffic Control)	4.00	EA	\$8,844.03	\$ 35,376.10
			5% Profit	\$ 1,768.81
			Subtotal	\$ 37,144.91

<u>Material</u>	<u>QTY</u>	<u>UM</u>	<u>Price</u>	<u>Extended</u>
	0.00	CY	\$0.00	\$ -
			25% Markup	\$ -
			Subtotal	\$ -

<u>Additional Work Items</u>	<u>QTY</u>	<u>Units</u>	<u>Price</u>	<u>Extended</u>
	0.00	DOL	\$0.00	\$ -
			Subtotal	\$ -

TOTAL OF WORK PERFORMED	\$	37,144.91
BOND FEE (ADD 1%)	\$	371.45
TOTAL COST	\$	37,516.35
UNIT PRICE (TOTAL COST/EST. QTY)	\$	9,379.09



PROPOSAL

PROPOSAL ID
9/19/2016 15:08

TRAFFIC MAINTENANCE[®]
an AWP company

PROJECT INFORMATION
JAMES
AMBER BASONIC
KILLEEN TEXAS
9/19/2016

ITEM	DESCRIPTION	UNIT	QNTY	RATE	AMOUNT
9-3401	Stationed single lane closure equipment delivery, setup, rental and take down. Night. Includes Advanced Warning Signs, 1 Arrowboard, 1 TMA, Channelizing devices, and 1 Message Board.	EA	4.00	\$2,125.00	\$8,500.00 T
9-3401-H	Stationed lane closure services. Night. 8 Man Crew.	HR	16.00	\$280.00	\$4,480.00 T
9-3401-HOT	Stationed lane closure services. Night. Overtime.	HR	8.00	\$420.00	\$3,360.00 T
				Sales Tax	\$1,348.05
					\$17,688.05

Excludes Rumble Strips. Excludes Police Services.

Excludes advance public notice message board - if required.

Excludes any addenda.

Hourly rates begin and end at jobsite.

Excludes flaggers, police and pilot vehicle services. Call for quote.

Excludes police services.

Excludes design, engineering, permits, fines and fees.

Excludes sales tax, bonds, and AGC dues.

Items not specifically noted will be additional.

Prices are firm when order is placed within 30 days from contract award.

Proposal based on plans originated prior to bid date. Rates subject to change for plans generated after bid date.

Terms are Net 30 with approved credit.

Any alterations or deviation by the engineer from the plans and specifications will be executed only upon written change order, and will be charged over and above the proposal. All material is guaranteed to be as specified, and the above listed work will be performed in accordance with the plans and specifications submitted. This proposal is an offer to perform the specific work described above and is dependent on the acceptance of an agreeable contract. This proposal will become an attachment to any contract.

N-LINE representative:  Clay Roberts | clay.roberts@n-linetraffic.com | (254) 757-2278 ext 114

The above prices, specifications, and conditions are satisfactory and are hereby accepted. You are authorized to do the work outlined above. Payment will be made as outlined above.

Customer Signature: _____

Date: _____

Austin
P.O. Box 4750, Bryan, TX 77805
11101 Decker Lake, Austin, TX 78724
(512) 836-0808 | (512) 836-2575

Bryan
P.O. Box 4750, Bryan, TX 77805
2620 Clarks Ln, Bryan, TX 77808
(979) 778-9999 | (979) 778-0121

Waco
P.O. Box 4750, Bryan, TX 77805
1800 South Loop 340, Waco TX 76706
(254) 757-2278 | (254) 757-2279

855-N-LINE-TX (654-6389)
www.n-linetraffic.com

CHANGE ORDER(S) FOR US 190-FM 2410-Rosewood Drive PTF Project

NOTE			
Department/Division:	Public Works/ Transportation	Bid No.:	13-06
Vendor Name:	James Construction Group, LLC	CCMR No.:	13-001R
Original Contract Amount:	\$21,952,775.21	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	
Date CCMR Approved:	01/08/13		

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	07/24/13		\$1,590.99	341-3490-800.58-23	Relocate TxDOT ground box, conductor and conduit.	\$21,954,366.20	0.01%
2	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	09/03/13		\$33,496.00	341-3490-800.58-23	Eliminate existing rumble strip.	\$21,987,862.20	0.16%
3	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	11/26/13	13-141R	\$72,687.60	341-3490-800.58-23	Change in temporary special shoring.	\$22,060,549.80	0.49%
4	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	11/04/13		\$26,847.12	341-3490-800.58-23	Redesign of 90 degree connection of 18" RCP laterals.	\$22,087,396.92	0.61%
5	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	01/28/14		\$8,383.00	341-3490-800.58-23	Flex base trench backfill for Rosewood Drive laterals.	\$22,095,779.92	0.65%
6	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	01/28/14		\$10,141.05	341-3490-800.58-23	Additional TY C Hotmix Asphalt pavement for detour.	\$22,105,920.97	0.70%
7	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	01/28/14		\$42,158.84	341-3490-800.58-23	Additional inlet and RCP lateral on Ph 3 detour.	\$22,148,079.81	0.89%
8	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	01/14/14	14-002R	\$90,694.94	341-3490-800.58-23	Connect drainage flume at Sta 92+00 at West side of Rosewood Drive to 5x3 concrete box culvert and earthen channel.	\$22,238,774.75	1.30%
9	<input checked="" type="checkbox"/> Proposed <input type="checkbox"/> Approved	05/13/14	14-053R	\$83,537.30	341-3490-800.58-23	Add temporary special shoring for the barrier wall and the Vista wire wall at the 8x6 reinforced concrete box.	\$22,322,312.05	1.68%
10	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	01/28/14		\$8,610.95	341-3490-800.58-23	Add traffic control modifications and corrugated metal pipe size increase.	\$22,330,923.00	1.72%
11	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	07/11/14		\$23,649.27	341-3490-800.58-23	Cut, plug and relocate existing 8" waterline on EB frontage road.	\$22,354,572.27	1.83%
12	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	07/11/14		\$29,158.70	341-3490-800.58-23	Repairing a pothole on the WB US 190 Main Lanes Detour	\$22,383,730.97	1.96%
13	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	07/11/14		\$2,184.36	341-3490-800.58-23	Installed Temporary Traffic Control Low Profile CTB's on the WB Frontage Rd for RWW4	\$22,385,915.33	1.97%
14	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	07/11/14		\$35,520.38	341-3490-800.58-23	Removal and replacement of the TRF on the WB Main Lanes	\$22,421,435.71	2.13%
15	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	07/11/14		\$27,716.17	341-3490-800.58-23	Relocating a existing 8" water line in conflict with the Rosewood Drainage System	\$22,449,151.88	2.26%

16	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	07/11/14		\$34,141.81	341-3490-800.58-23	Out-of-Phase installation of storm drainage	\$22,483,293.69	2.42%
17	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	07/11/14		\$3,446.65	341-3490-800.58-23	Lowering Type 2 Curb Inlets on FM 2410	\$22,486,740.34	2.43%
18	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	07/11/14		\$1,250.00	341-3490-800.58-23	Move and reset Crash Cushion Attenuators	\$22,487,990.34	2.44%
19	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	08/06/14		\$3,014.91	341-3490-800.58-23	Decorative Transition Strips between curb and sidewalk	\$22,491,005.25	2.45%
20	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	08/06/14		\$13,666.25	341-3490-800.58-23	Type H Inlet and 18" HDPE Drianage Pipe Installed on Rosewood Dr.	\$22,504,671.50	2.51%
21	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	08/06/14		-\$22,239.31	341-3490-800.58-23	Asphalt and Aggregate type for One-Course Surface Treatment	\$22,482,432.19	2.41%
22	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	08/18/14		\$1,800.00	341-3490-800.58-23	Concrete Median Barrier - Extend Quantities - Phase 4 Stage 1	\$22,484,232.19	2.42%
23	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	08/18/14		\$10,342.00	341-3490-800.58-23	Illumination Conduit Bore For Existing Circuit	\$22,494,574.19	2.47%
24	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	09/18/14		\$3,118.62	341-3490-800.58-23	Additional Drainage installed at the end of RWW1	\$22,497,692.81	2.48%
25	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	09/26/14		\$28,772.76	341-3490-800.58-23	Concrete Sidewalk Bridges on Rosewood Dr	\$22,526,465.57	2.61%
26	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	09/26/14		\$10,080.67	341-3490-800.58-23	Raising US 190 TY-H Inlet and re-grading	\$22,536,546.24	2.66%
27	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	12/09/14	14-156R	-\$376,886.37	341-3490-800.58-23	Plan and Overlay, Striping and Signage Changes	\$22,159,659.87	0.94%
28	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	03/30/15		\$13,318.96	341-3490-800.58-23	Roy Reynolds Right Hand Turn Lane - Mill, Overlay, and Stripe	\$22,172,978.83	1.00%
29	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	04/28/15	15-043R	\$56,578.33	341-3490-800.58-23	Mainlane Detour Repairs	\$22,229,557.16	1.26%
30	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	05/08/15		\$3,335.06	341-3490-800.58-23	Bridge Rail Conduit & Traffic Counter Poles	\$22,232,892.22	1.28%
31	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	05/06/15		\$1,565.87	341-3490-800.58-23	Install temporary Icy Road Signs	\$22,234,458.09	1.28%
32	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	05/06/15		\$28,569.18	341-3490-800.58-23	Out of Phase Storm Crossing EBFR & Relocation of D-3 Inlet	\$22,263,027.27	1.41%
33	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	05/06/15		\$1,451.70	341-3490-800.58-23	Removing an underground obstruction at EB Bent #3	\$22,264,478.97	1.42%
34	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	05/06/15		\$35,462.77	341-3490-800.58-23	FM 2410 Driveway Modifications	\$22,299,941.74	1.58%
35	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	05/06/15		\$42,475.15	341-3490-800.58-23	Concrete Driveway Removal	\$22,342,416.89	1.77%
36	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	05/06/15		\$6,253.11	341-3490-800.58-23	FM 2410 Pipe Crossing	\$22,348,670.00	1.80%
37	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	06/10/15	15-055R	\$81,923.78	341-3490-800.58-23	EBML Detour reconstruction	\$22,430,593.78	2.18%

38	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	06/10/15	15-056R	-\$107,342.92	341-3490-800.58-23	SMA-F SAC A PG 76-22 Surface Course	\$22,323,250.86	1.69%
39	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	09/02/15		\$3,973.06	341-3490-800.58-23	WBML Pavement Repairs	\$22,327,223.92	1.71%
40	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	09/04/15		\$7,507.23	341-3490-800.58-23	Killeen Self storage driveway drainage	\$22,334,731.15	1.74%
41	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	09/04/15		\$2,042.67	341-3490-800.58-23	FM 2410 Riprap between driveways	\$22,336,773.82	1.75%
42	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	09/04/15		-\$1,369.50	341-3490-800.58-23	Stone riprap substitution	\$22,335,404.32	1.74%
43	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	09/04/15		\$27,950.03	341-3490-800.58-23	Milling roadway repairs	\$22,363,354.35	1.87%
44	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	09/04/15		\$16,492.78	341-3490-800.58-23	Inlets, Remove CO7, Raise 410+00 & 442+00	\$22,379,847.13	1.95%
45	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	11/09/15		\$20,710.06	341-3490-800.58-23	FM 2410 Mill & Fill Existing pavement	\$22,400,557.19	2.04%
46	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	11/09/15		\$1,780.69	341-3490-800.58-23	Cut & Restore Roy Reynolds & Stonetree	\$22,402,337.88	2.05%
47	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	11/09/15		\$5,742.75	341-3490-800.58-23	Obstruction Lighting Conduit	\$22,408,080.63	2.07%
48	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	11/09/15		\$3,582.00	341-3490-800.58-23	Extra depth curb & gutter - EBML Off ramp	\$22,411,662.63	2.09%
49	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	11/09/15		\$23,787.23	341-3490-800.58-23	Handrail	\$22,435,449.86	2.20%
50	<input type="checkbox"/> Proposed <input type="checkbox"/> Approved	N/A		\$0.00	341-3490-800.58-23	Railing - VOID (TxDOT disapproved plan change)	\$22,435,449.86	2.20%
51	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	03/02/16		\$32,820.48	341-3490-800.58-23	Driveway Overruns	\$22,468,270.34	2.35%
52	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	03/02/16		\$9,594.71	341-3490-800.58-23	Additional VIVDS Detection Cameras	\$22,477,865.05	2.39%
53	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	03/23/16	16-29R	\$90,948.56	341-3490-800.58-23	Eastbound main lane roadway repairs	\$22,568,813.61	2.81%
54	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	03/29/16		\$35,568.89	341-3490-800.58-23	Law Enforcement to aid traffic control	\$22,604,382.50	2.97%
55	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	04/29/16		\$42,200.85	341-3490-800.58-23	Overruns for barricades, const exts, msg boards and inlets	\$22,646,583.35	3.16%
56	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	06/15/16		\$15,989.65	341-3490-800.58-23	WBFR driveway remove and replace	\$22,662,573.00	3.23%
57	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	06/15/16		\$2,893.64	341-3490-800.58-23	Remove concrete curb and ramp and replace curb and gutter	\$22,665,466.64	3.25%
58	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	06/15/16		\$2,135.75	341-3490-800.58-23	Rebar Cages	\$22,667,602.39	3.26%
59	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	06/15/16		\$582.00	341-3490-800.58-23	Block sod	\$22,668,184.39	3.26%

60	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	06/15/16		\$14,328.37	341-3490-800.58-23	Overruns for T-401 Rail Foundation and Driveway on Rosewood	\$22,682,512.76	3.32%
61	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	09/13/16	16-101R	\$260,109.67	341-3490-800.58-23	Overruns/Underruns Clean-up	\$22,942,622.43	4.51%
62	<input type="checkbox"/> Proposed <input checked="" type="checkbox"/> Approved	10/05/16		\$15,707.51	341-3490-800.58-23	C&G WBFR, Pedestrian handrail EBFR, Rd closures	\$22,958,329.94	4.58%
63	<input checked="" type="checkbox"/> Proposed <input type="checkbox"/> Approved			\$93,098.33	341-3490-800.58-23	C&G WBFR, Pedestrian handrail EBFR, Rd closures	\$23,051,428.27	5.00%

Vendor Signature/Date

Dept. Head Signature/Date

Recommended:

Purchasing Manager/Date

Recommended:

Director of Finance/Date

Recommended:

City Attorney/Date

Approved/Disapproved:

City Manager/Date

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:
 2016-130144

Date Filed:
 10/28/2016

Date Acknowledged:

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

James Construction Group LLC
 Belton, 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.

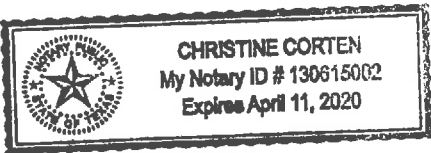
Bid No 13-06
 Change Order #63 TxDOT Control # 0231-03-129

4 Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
		Controlling	Intermediary
Primoris Services Corporation	Dallas, TX United States	X	
Carroll, Brian	Temple, TX United States		X
Milliet, Matthew	Belton, 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.



[Signature]
 Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said Matthew C Milliet, this the 28 day of October, 2016, to certify which, witness my hand and seal of office.

[Signature]
 Signature of officer administering oath

Christine Corten
 Printed name of officer administering oath

Admin Asst
 Title of officer administering oath



City of Killeen

Legislation Details

File #: RS-16-138 **Version:** 1 **Name:** Appointment of Fire Chief
Type: Resolution **Status:** Resolutions
File created: 10/25/2016 **In control:** City Council
On agenda: 11/8/2016 **Final action:**
Title: Consider a memorandum/resolution approving the appointment of a Fire Chief.
Sponsors: Human Resources Department
Indexes:
Code sections:
Attachments: [Council Memorandum](#)
[Brank Resume](#)

Date	Ver.	Action By	Action	Result
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CITY COUNCIL MEMORANDUM

AGENDA ITEM

Appointment of Fire Chief

ORIGINATING DEPARTMENT

City Manager

BACKGROUND INFORMATION

The position of Fire Chief was approved in the FY 16-17 Budget. Section 29 of the City Charter authorizes the City Manager to appoint Department Heads with approval of the Council.

DISCUSSION/CONCLUSION

The Fire Chief position was advertised in a variety of outlets to include the City of Killeen website, Texas Municipal League Career Center, Texas City Management Association, Texas Fire Chiefs Association, and Texas Commission of Fire Protection websites. The eligibility list included thirty-three (33) applicants. The most highly qualified candidates, a total of four, were selected for interview by two panels that included City Department Heads and citizens from the community.

Of the candidates, Brian Brank was selected to serve as Fire Chief; his resume' is attached. Mr. Brank will be present in our audience Tuesday night (November 8, 2016).

FISCAL IMPACT

Sufficient funds are available in the Fire Department for this position.

RECOMMENDATION

Recommendation to approve the selection of Brian Brank to serve as Fire Chief.

Brian R Brank

166 Roadrunner Lane
Killeen, Texas 76542

*Personal Cell (254-289-3977) *Office (254-501-7671) *Work Cell (254-466-5500)

bbrank@brankmail.com
bbrank@killeentexas.gov

Objective

Fire Chief Killeen, Texas

Prologue

The Citizens of Killeen deserve the best and most well rounded Fire Chief. I am a subject matter expert in every aspect of the municipal fire industry. I have actually worked extensively in every division in the modern fire department and know them all well. I have studied a multitude of departmental organizational arrangements and financials across the United States and internationally. I am visionary leader that can see what others cannot and understand that the personnel that actually do the work need to be integrally involved in the development of facilities, equipment, and policies. I will provide leadership for the Killeen Fire Department (KFD) and expert advice to the city staff during all circumstances both emergency and nonemergency.

Municipal Fire Experience

* 06/27/06 to 01/01/11 > *10/01/15 to Present > **Chief of Finance/ Budget/ Support – Staff Position** > I have administered this position with complete competency. The purview for this assignment includes Finance/Budget and Controls, Facilities Design/Fire Station Construction/Maintenance, Apparatus Design/Construction/Maintenance including fire station land acquisition. I have completely supervised financing, designing, and the building of fire stations 1 and 8. With input from tenured fire personnel who have special skill sets in construction that understand the necessary design to make the fire stations user friendly, **station 1 did win a national award for design excellence**. Moreover, during construction of these two modern fire stations, I am the individual that was responsible for quality control and budget processes. I am currently overseeing the construction of fire station 9. I also supervised the research and design teams of exceptional specifications for: a 100-foot Aerial Elevating Platform, 2000 GPM Fire Engines, Wildland trucks, Advanced Life Support (ALS) Ambulances, and Heavy Rescue Units. A new generation of Fire Stations and Apparatus has been designed with exceptional performance specifications that lead to better efficiencies and safety for citizens and firefighters.

For many years I have prepared and administered operating budgets each year of over \$18 million and capital budgets of over \$10 million for fire stations, land, and equipment. I understand thoroughly and have directly used RFQ, RFP, quality construction processes, bond sales for capital purchase, lease to purchase, budget process, and controls. As well as the most recent new SAFER grant for 37 new fire personnel \$4,443,404, I have significantly contributed to acquiring successful grants for partial funding \$310,000 of a Fire Engine, the T-Pass Grace telemetry accountability system \$208,000, and wildland gear \$58,000. Further, I was integrally involved in the budget activation phase of a \$1.8 million SAFER grant for 18 personnel. My skills have been finely polished in the practice of strategic master planning. These acquired skills will certainly be of great value to Killeen's long range goals.

Due to my exceptional experience and my academic education preparation (Masters in Business Administration) my competency is replete. My competence is exemplary in every discipline of the municipal the fire service Industry.

* 01/01/11 to 10-01-15 > **Chief of Operations – Fire/ EMS Staff Position** > Killeen Fire Department (KFD) – Killeen, Texas - Population 140,000 (extra-territorial jurisdiction of 150 square miles) - 8 Fire Stations – 237 personnel of which more than 150 are paramedics (Texas EMT-P):

I directed and controlled three 24 hour shifts, six (6) Battalion Chiefs, 21 Station Officers, all Fire Suppression/Emergency Medical Services (EMS) Operations, Special Operations, Hazardous Materials (Haz-Mat), Confined Space Rescue, Swift Water Rescue, Wildland Urban Interface (WUI), Aerial Operations, High Angle Rescue, and Aircraft Rescue Firefighting (ARFF). Moreover, as with Killeen's 2007 flooding, and this last October 2015 localized flooding, I have tacit knowledge of Swift Water. In 2007 I was tasked to create the KFD's swift water rescue team, arranged the budgeting and personnel, purchase of boat and equipment, and the acquired the required training. KFD's Swift Water rescue team has won two National Higgins & Langley awards for exceptional performance and is now part of Texas Task Force 1; I was the on-scene Incident

Commander of the 2012 swift water rescues. When the need arises, during extreme emergencies I have skill sets in command and control that will be of particular benefit. Specifically, important in the event of a large or serious unfortunate incident, my broad Incident Command and Line experience will be a valuable benefit to the citizens of Killeen.

I reviewed operational policies in KFD and assisted the Emergency Management Coordinator with memorandums of understanding (MOUs) and Texas Department of Emergency Management (TDEM) annexes. I have significantly contributed to the automatic aid, mutual aid, and task force/strike team cooperative agreements that have been codified. Emergency preparedness and disaster response planning is paramount to effectively mitigating catastrophic events.

- * 06/04/99 to 04/19/02 > **Chief of Administration- HR, Personnel, Training, Recruiting, Haz-Mat – Staff Position** > My oversight Included human resources, provisions of Local Government Code 143, “State Civil Service”, State and Federal labor law compliance, diversity enhancement, discipline review, grievance processing, training, and recruiting. I helped to begin the process which lead to the formation of the new KFD Fire Academy and I was the individual that initiated contact with KISD to begin the KISD Fire Academy which graduates TCFP certified cadets from high school that has added to the KFD diversity. Regarding issues with personnel, I understand the complex issues affecting firefighters while conducting daily work activities and their morale. I strive for outcomes to all stakeholders that reflect positively. I always consider the city’s management objectives, balancing personnel needs and work to solve their problems equitably. Moreover, if the need ever arises I have become well versed in collective bargaining. While maintaining operational excellence and clarity of purpose -- honesty, fairness, and empathy are on my mind; this is the management style I do adhere to, faithfully. Understanding these complexities of personnel issues will be invaluable to the Killeen Fire Department.
- * 04/03/97 to 06/04/99 > * 04/19/02 to 06/27/06 > **Battalion Chief Shift Operations Commander** > I was responsible for all emergency operations in the City and extra-territorial jurisdiction (approximately 150 square miles). Oversight included 50 on-duty personnel and those recalled for emergencies in the City of Killeen. This responsibility included Fire suppression, EMS, ARFF, Haz-Mat, and any other emergencies requiring mitigation. I have commanded a multitude of large scale incidents including large scale fires, Haz-mat, multiple vehicle accidents, and WUI. I wrote KFD’s original policies for Haz-Mat and assumed all responsibilities for ARFF FAA Title 14 Part 139 Class I Index A Airport.
- * 07/13/81 to 09/17/84 > **Fire Marshal’s Office - Fire Prevention Inspector, Plans Examiner, Life Safety Officer, Arson Investigator, Peace Officer, Public Education Specialist – Staff Position.** > All of the afore mentioned experience combined with the time I served in Fire Marshal’s Fire Prevention Office as Fire Prevention Inspector, Plans Examiner, Life Safety Officer, Arson Investigator, Peace Officer, Public Education Specialist gives me a unique broad depth of understanding about the fire service and all of its traditional and nontraditional delivery system disciplines. This very unique and unusual combination of face-to-face human interaction at all levels, divisions, and my academic preparation makes me uniquely qualified to be the KFD Fire Chief. I am exceptionally well rounded!!
- * 04/03/97 to Present > **Director of Aircraft Rescue Firefighting FAA Title 14 Part 139 Class I Airport Program** > I have been the responsible party to maintain records, ensure training, and interface with the FAA Inspector. I am well versed in Part 139 Index A through E requirements. As required by the Federal Aviation Inspector, in 2013 when the Killeen Airport Manager asked for KFD’s assistance during an FAA Inspection, the KFD ARFF program continues to be in complete compliance with all FAA laws.
- * 01/01/11 to 10/01/15 > **Region 23 Texas Intrastate Mutual Aid System Coordinator (TIFMAS)** – I was TIFMAS coordinator responsible to gather local resources for deployment; under TIFMAS, region 23 that may deploy anywhere in Texas during extreme catastrophic events. KFD has deployed to hurricanes Katrina, Rita, and Ike, as well as the Jarrell tornado; KFD deployed to Possum Kingdom (PK) Complex Fire, Bryson Complex Fire, Magnolia Fire and other large Central Texas WUI events. In 2011 I personally deployed as Strike Team Leader to the Possum Kingdom (PK) Complex Fire and Bryson Complex Fire and have played an interregional role in mitigation solutions for very large scale WUI events. Killeen is a city with considerable WUI. My experience will be invaluable.
- * 06/04/99 to 04/19/02 > *01/01/11 to 10/1/15 > **Coordinator Volunteer Fire Department** – Provided guidance and direction to Volunteer Firefighters. I coordinated meetings, training, and certifications as well as acted as liaison for activities.
- * 09/17/84 to 04/03/97 > **Station Company Officer** > While in this position I was the go-to expert in Fire Science, Fire Fighting tactics, Hydraulics, and Driver Pump Operator proficiencies. I also taught these disciplines to cadets in the previous Killeen Fire Academy. Extensive experience as a Line Station Company Officer and Fire Rescue Officer (FRO)/Paramedic have provided me with one-on-one direct personal interface with fire personnel and citizens in need for over 15 years. As noted in my cover letter, this direct interface experience may be the most important attribute of all to understand solutions concerning personnel labor issues. Regarding personnel, training, and equipment my extensive experience of understanding personnel’s mindset will greatly benefit the fire fighters and Citizens of Killeen, Texas. Unity of labor relations to

management is extremely important. Being an approachable, fair, and empathetic, yet decisive Fire Chief is cogent to provide an effective proficient Killeen Fire Department that provides operational excellence that is proactive within the community.

* 07/03/78 to 07/13/81 > **Fire Fighter/ EMT/ Paramedic** > Direct interface of hazard mitigation and EMS treatment for the public. During my career I have been on thousands of diverse Fire, Rescue and EMS calls. I completely understand the training, equipment, and experience necessary to protect the citizens of Killeen.

Academic Education

* Master Business Administration: Texas A&M Central Texas Mu Delta - Honor Society	Major: MBA Aug 2010: GPA 3.83
* Bachelor of Applied Arts/Science: Tarleton State University Mu Delta - Honor Society - Graduated - Magna Cum Laude	Major: Business Occupations Dec 2008: GPA 3.79
* Associates Degree: Central Texas College Phi Theta Kappa - Honor Society	Major: Fire Protection Technology Dec 1989: GPA 3.8

Selected Professional Education Specifically Relevant to Fire Chief

Certified Fire Executive (CFE) (Fire Chief) - Texas Fire Chief's Academy (TFCA)	May 2011
Executive Development - National Fire Academy (NFA)	Jul 2013
Fire Officer IV (Chief Officer), TX A&M Engineer Ext. Ser. (TEEX, PROBOARD, TCFP)	May 2012
USFA Type 3 Incident Management Team (NFA) (FEMA)	June 2012
ICS 100-200-300-400-700-800 - Off Homeland Security (OHS, EMI, FEMA)	Various Dates
Master Firefighter- TX Comm. Fire Protection (TCFP, IFSAC)	Sept 1989
Master/Air Craft Crash Fire Rescue/ARFF (TCFP, IFSAC)	May 2007
Master Inspector (TCFP, IFSAC)	Oct 2012
Hazardous Materials Technician (TCFP, TEEX, PROBOARD, IFSAC)	April 2014
Hazardous Material Incident Commander (TEEX, PROBOARD, IFSAC)	June 2012
Command and Control Wildland/Urban Interface- Chief Officer (NFA, FEMA)	Sep 2013
Incident Command System (ICS) WMD – Office of Domestic Preparedness (ODP)	Feb 2004
Chemistry of Hazardous Materials (NFA) (FEMA)	Aug 1991
Hazardous Materials Control School (Technician) – (TEEX)	July 1988
Railroad Emergency Response Course ID #1039 (TCFP)	Sept 1992
Advanced Vertical Rescue (KFD)	Aug 1987
Wildland Urban Interface Summit – Austin/Bastrop - Texas Forest Service (TFS)	Dec 2011
Basic Wildland Firefighter National Wildfire Coordinating Group (NWCG-TCFP)	Jan 2012
Basic Emergency Management - Texas Department of Emergency Management (TDEM)	Feb 2012
Homeland Security Exercise and Evaluation Program - Homeland Security (FEMA)	Jan 2012
Plans Examiner (TCFP, IFSAC)	July 2008
Arson Investigator (CTC)	Dec 1981
Driver Pump Operator (TCFP, IFSAC)	May 2013
Emergency Vehicle Response – Texas Municipal League (TML)	May 2002
Supervisors Role D.O.T. Regulations Drug Free Workplace - National Safety Council	Feb 1991
Diversity in the Workplace - Texas Leadership Institute	Oct 2006
Public Fire Education (FEMA) US Fire Administration	April 1982
Fire Service Instructor II (TCFP, IFSAC)	May 2012
Swift-water Rescue Squad Leader-TX A&M Engineer Ext. Ser. (TEEX), Texas Task Force 1	Mar 2013
Paramedic/ EMT-P - Temple Junior College, Department State Health Services (DSHS)	May 1980
Emergency Medical Technician – DSHS, National Registry	April 2015
Intermediate Peace Officer-TX Comm. Law Enforcement Officer Standards (TCLEOSE)	Aug 1990

A multitude of other Professional Fire related certifications available upon request

Professional Affiliations

International Association of Fire Chiefs (IAFC)	Member in Good Standing
IAFC- Volunteer and Combination Officers Section (VOCS)	Member in Good Standing
Texas Fire Chief's Association	Member in Good Standing



City of Killeen

Legislation Details

File #: OR-16-020 **Version:** 1 **Name:** Pay Freeze
Type: Ordinance **Status:** Ordinances
File created: 9/14/2016 **In control:** City Council
On agenda: 11/8/2016 **Final action:**
Title: Consider an ordinance to approve, for FY 17, suspension of compensation step increases for all city employees, including civil service employees. (Tabled from September 27, 2016 Regular City Council Meeting.)
Sponsors: Human Resources Department
Indexes:
Code sections:
Attachments: [Council Memorandum Ordinance](#)

Date	Ver.	Action By	Action	Result
11/1/2016	1	City Council Workshop		
10/11/2016	1	City Council	Reviewed and Referred	
10/4/2016	1	City Council Workshop		
9/27/2016	1	City Council	Tabled	
9/20/2016	1	City Council Workshop		

CITY COUNCIL MEMORANDUM

AGENDA ITEM

**Suspension of Compensation Step Increases
All Employees, FY 17**

ORIGINATING DEPARTMENT

City Manager

BACKGROUND INFORMATION

The FY 17 budget, adopted on September 13, 2016, included a suspension of compensation step increases for all city employees.

DISCUSSION/CONCLUSION

The City Council adopts the pay plan for all employees, which establishes the salary of all city employees. This includes all non-civil service employees, probationary fire and police officers, and those in civil service classifications authorized under the provisions of Texas Local Government Code 143.041.

This ordinance will approve a suspension of compensation step increases for all city employees in FY 17. The suspension will be effective October 1, 2016. The approval of the ordinance authorizes the use of the 2016-2017 pay plan, with no employee movement across steps.

FISCAL IMPACT

The adoption of the proposed ordinance has granted a net savings of \$736,121 in the FY 17 budget.

RECOMMENDATION

It is recommended that the City Council approve this ordinance, suspending compensation step increases for all city employees, including each classification in the City of Killeen Fire and Police Department, as provided in the previously-approved pay plan.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS, SUSPENDING THE COMPENSATION STEP INCREASES OF ALL EMPLOYEES FOR FY 17; PROVIDING A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on September 13, 2016, the City Council adopted the FY 17 budget, which included the suspension of compensation step increases for all employees for FY 17.

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

SECTION I: That the compensation step increases for all employees, including both civil service and non-civil service employees, is hereby suspended for FY 17. Furthermore, the 2016-2017 pay plans for both civil service and non-civil service employees will remain in effect with no employee movement across steps for FY 17.

SECTION II: 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 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 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 V: That this ordinance shall be effective October 1, 2016.



City of Killeen

Legislation Details

File #: PH-16-038 **Version:** 1 **Name:** FY 2017 Employee Step Increases
Type: Ordinance/Public Hearing **Status:** Public Hearings
File created: 10/26/2016 **In control:** City Council
On agenda: 11/8/2016 **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 fund employee step increases.
Sponsors: Finance Department
Indexes:
Code sections:
Attachments: [Council Memorandum](#)
[Ordinance](#)

Date	Ver.	Action By	Action	Result
11/1/2016	1	City Council Workshop		

CITY COUNCIL MEMORANDUM

AGENDA ITEM

**FY 2017 Step Increase Budget
Amendment**

ORIGINATING DEPARTMENT

Finance

BACKGROUND INFORMATION

On October 6, 2016, a meeting was held by the ad hoc committee formed by City Council to identify budget cuts that equaled the cost of employee step increases for FY 2017. In attendance were councilmembers Richard Young, Juan Rivera, Jim Kilpatrick (by phone), Dr. Ann Farris, Chief Baldwin, Interim Chief Brank, Eva Bark and Jon Locke. The committee successfully identified cuts in the FY 2017 budget equal to the cost of the step increase.

On October 11, 2016, at a special City Council workshop, councilmembers requested clarification as to why the actual cost of the step increases (\$528,902.71) was less than the estimated amount (\$736,121) that was previously shared at the September 27, 2016 City Council meeting. The total variance between the two figures is \$207,218.29.

DISCUSSION/CONCLUSION

The estimated amount (\$736,121) was calculated by Finance early in the budget process. The amount was calculated assuming that all vacancies would be filled and that those individuals would receive a step increase during FY 2017. At that time, there were more than 140 vacant positions and the cost of the step increase attributable to the vacant positions was \$120,917. The estimated amount also included a step increase for the SAFER grant employees that would become effective when the fire officers completed training. The SAFER grant employees will not receive a step increase until their one-year anniversary. This reduced the cost of the step increases for the SAFER employees from \$101,583 to \$42,330, a reduction of \$59,253. After reviewing the actual cost of the increase (\$528,902.71), staff realized that \$8,591 in Workers Compensation expenses was not included.

A total of \$188,761 has been identified to clarify the \$207,218.29 difference between the estimated amount (\$736,121) and the actual amount (\$528,902.71). The remaining \$18,457 is due to budget changes made during the FY 2017 budget process (i.e. freezing vacant positions). A summary of the reconciliation follows:

Step Increase Difference

Estimated Amount	\$736,121.00
Actual Amount	\$528,902.71
Difference	\$207,218.29
Reconciliation	
Vacancies (140 employees)	\$120,917
SAFER Grant Employees	\$59,253
Workers Compensation	\$8,591
Total	\$188,761
Remaining Difference	\$18,457

FISCAL IMPACT

There is no financial impact to the FY 2017 budget. The cost of the step increases for each fund is:

General Fund	\$424,206
Hotel Occupancy Tax	\$4,707
Cable System Improvement PEG	\$609
Community Development	\$646
Court Security	\$541
Juvenile Case Manager	\$486
Public Works Sanitary Sewers	\$352
Aviation	\$15,367
Solid Waste	\$26,704
Water & Sewer	\$33,948
Drainage	\$11,870
Fleet Services	\$9,467
Total	\$528,903

Only the General Fund requires a budget amendment. The other funds are able to reduce their budgets without an amendment. The budget amendment moves departmental budgets that were made available through expense reductions between departments. The committee found the following expense reductions in the General Fund:

Police Budget Reduction	\$112,406
Fire Budget Reduction	\$100,000
Consulting Services Reduction	\$50,000
Fuel Budget Reduction	\$119,470
SAFER Grant Revenue	\$42,330
Total	\$424,206

The total cost of the step increases in the General Fund is \$424,206. The budget amendment only amends \$211,800 due to the Police and Fire reductions noted above that are \$112,406 and \$100,000, respectively. An internal budget transfer will be completed for Police and Fire.

The budget amendment will amend the following accounts:

General Fund

Revenues

Account Number	Account Name	Budget	Change	Amended
010-0000-382-45-30	DHS - SAFER GRANT	2,153,083	42,330	2,195,413
Total		2,153,083	42,330	2,195,413

Transfer from:

Account Number	Account Name	Budget	Change	Amended
010-0215-417.41-30	FUEL	2,885	(324)	2,561

010-2131-460.41-30	FUEL	5,400	(606)	4,794
010-2132-460.41-30	FUEL	6,828	(766)	6,062
010-2175-460.41-30	FUEL	2,739	(307)	2,432
010-2705-419.41-30	FUEL	1,861	(209)	1,652
010-3020-424.41-30	FUEL	15,528	(1,743)	13,785
010-3025-425.41-30	FUEL	48,361	(5,427)	42,934
010-3440-434.41-30	FUEL	11,338	(1,272)	10,066
010-3445-434.41-30	FUEL	166,618	(18,699)	147,919
010-3446-434.41-30	FUEL	2,326	(261)	2,065
010-4052-450.41-30	FUEL	9,608	(1,078)	8,530
010-4053-450.41-30	FUEL	10,759	(1,207)	9,552
010-6000-441.41-30	FUEL	518,909	(58,160)	460,749
010-6070-441.41-30	FUEL	21,276	(2,388)	18,888
010-7070-442.41-30	FUEL	240,795	(27,023)	213,772
010-0200-413-47-01	CONSULTING	255,000	(50,000)	205,000
Total		1,320,231	(169,470)	945,761

Transfer to:

Account Number	Account Name	Budget	Change	Amended
010-0205-413-40-05	FULL-TIME SALARIES	186,888	2,810	189,698
010-0215-417-40-05	FULL-TIME SALARIES	643,541	6,202	649,743
010-0405-414-40-05	FULL-TIME SALARIES	141,774	1,163	142,937
010-1005-416-40-05	FULL-TIME SALARIES	612,409	3,468	615,877
010-1010-416-40-05	FULL-TIME SALARIES	51,783	260	52,043
010-2010-415-40-05	FULL-TIME SALARIES	689,066	9,113	698,179
010-2130-460-40-05	FULL-TIME SALARIES	181,401	1,446	182,847
010-2131-460-40-05	FULL-TIME SALARIES	252,591	2,803	255,394
010-2132-460-40-05	FULL-TIME SALARIES	453,047	3,843	456,890
010-2134-460-40-05	FULL-TIME SALARIES	99,581	313	99,894
010-2135-460-40-05	FULL-TIME SALARIES	128,729	1,325	130,054
010-2305-418-40-05	FULL-TIME SALARIES	598,235	3,571	601,806
010-2705-419-40-05	FULL-TIME SALARIES	765,990	9,225	775,215
010-3007-429-40-05	FULL-TIME SALARIES	111,641	1,554	113,195
010-3020-424-40-05	FULL-TIME SALARIES	599,947	6,249	606,196
010-3020-424-40-10	PART-TIME SALARIES	480	191	671
010-3024-425-40-05	FULL-TIME SALARIES	62,787	735	63,522
010-3025-425-40-05	FULL-TIME SALARIES	834,639	7,702	842,341
010-3026-425-40-05	FULL-TIME SALARIES	430,859	2,923	433,782
010-3026-425-40-10	PART-TIME SALARIES	53,237	292	53,529
010-3027-429-40-05	FULL-TIME SALARIES	41,282	516	41,798
010-3030-428-40-05	FULL-TIME SALARIES	76,114	386	76,500
010-3032-428-40-05	FULL-TIME SALARIES	106,275	679	106,954
010-3035-429-40-05	FULL-TIME SALARIES	121,226	814	122,040
010-3040-429-40-05	FULL-TIME SALARIES	80,908	783	81,691
010-3215-423-40-05	FULL-TIME SALARIES	810,512	2,685	813,197
010-3215-423-40-10	PART-TIME SALARIES	51,863	1,150	53,013

010-3229-426-40-05	FULL-TIME SALARIES	153,089	1,465	154,554
010-3250-426-40-05	FULL-TIME SALARIES	238,953	1,423	240,376
010-3255-427-40-05	FULL-TIME SALARIES	34,733	267	35,000
010-3257-426-40-05	FULL-TIME SALARIES	90,740	559	91,299
010-3440-434-40-05	FULL-TIME SALARIES	201,128	1,605	202,733
010-3445-434-40-05	FULL-TIME SALARIES	1,587,064	13,250	1,600,314
010-4051-450-40-05	FULL-TIME SALARIES	407,008	761	407,769
010-4052-450-40-05	FULL-TIME SALARIES	607,894	7,200	615,094
010-4053-450-40-05	FULL-TIME SALARIES	479,781	4,989	484,770
010-6000-441-40-05	FULL-TIME SALARIES	19,521,333	82,111	19,603,444
010-6070-441-40-05	FULL-TIME SALARIES	491,109	4,891	496,000
010-7070-442-40-05	FULL-TIME SALARIES	13,200,869	21,078	13,221,947
Total		45,200,506	211,800	45,412,306

RECOMMENDATION

Staff recommends that 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 PROVIDE FUNDING FOR EMPLOYEE STEP INCREASES; 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 provide funding for employee step increases;

WHEREAS, transfers between departments and the allocation of revenue require 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:

Revenue				
Account Number	Account Name	Budget	Budget Change	Amended Budget
010-0000-382-45-30	DHS-SAFER GRANT	2,153,083	42,330	2,195,413
Total		2,153,083	42,330	2,195,413

Transfer From:				
Account Number	Account Name	Budget	Budget Change	Amended Budget
010-0215-417.41-30	FUEL	2,885	(324)	2,561
010-2131-460.41-30	FUEL	5,400	(606)	4,794
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010-3025-425.41-30	FUEL	48,361	(5,427)	42,934
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010-4053-450.41-30	FUEL	10,759	(1,207)	9,552
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010-7070-442.41-30	FUEL	240,795	(27,023)	213,772
010-0200-413-47-01	CONSULTING	255,000	(50,000)	205,000
Total		1,320,231	(169,470)	945,761

Transfer To:				
Account Number	Account Name	Budget	Change	Amended
010-0205-413-40-05	FULL-TIME SALARIES	186,888	2,810	189,698
010-0215-417-40-05	FULL-TIME SALARIES	643,541	6,202	649,743
010-0405-414-40-05	FULL-TIME SALARIES	141,774	1,163	142,937
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010-1010-416-40-05	FULL-TIME SALARIES	51,783	260	52,043
010-2010-415-40-05	FULL-TIME SALARIES	689,066	9,113	698,179
010-2130-460-40-05	FULL-TIME SALARIES	181,401	1,446	182,847
010-2131-460-40-05	FULL-TIME SALARIES	252,591	2,803	255,394
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010-3020-424-40-10	PART-TIME SALARIES	480	191	671
010-3024-425-40-05	FULL-TIME SALARIES	62,787	735	63,522
010-3025-425-40-05	FULL-TIME SALARIES	834,639	7,702	842,341
010-3026-425-40-05	FULL-TIME SALARIES	430,859	2,923	433,782
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010-3040-429-40-05	FULL-TIME SALARIES	80,908	783	81,691
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010-3229-426-40-05	FULL-TIME SALARIES	153,089	1,465	154,554
010-3250-426-40-05	FULL-TIME SALARIES	238,953	1,423	240,376
010-3255-427-40-05	FULL-TIME SALARIES	34,733	267	35,000
010-3257-426-40-05	FULL-TIME SALARIES	90,740	559	91,299
010-3440-434-40-05	FULL-TIME SALARIES	201,128	1,605	202,733
010-3445-434-40-05	FULL-TIME SALARIES	1,587,064	13,250	1,600,314
010-4051-450-40-05	FULL-TIME SALARIES	407,008	761	407,769
010-4052-450-40-05	FULL-TIME SALARIES	607,894	7,200	615,094
010-4053-450-40-05	FULL-TIME SALARIES	479,781	4,989	484,770
010-6000-441-40-05	FULL-TIME SALARIES	19,521,333	82,111	19,603,444
010-6070-441-40-05	FULL-TIME SALARIES	491,109	4,891	496,000
010-7070-442-40-05	FULL-TIME SALARIES	13,200,869	21,078	13,221,947
Total		45,200,506	211,800	45,412,306

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 8th day of November, 2016, 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-16-039A **Version:** 1 **Name:** TAMUCT Golf Classic
Type: Resolution/Public Hearing **Status:** Public Hearings
File created: 9/21/2016 **In control:** City Council
On agenda: 11/8/2016 **Final action:**
Title: Consider a memorandum/resolution authorizing the donation of proceeds to the Texas A&M University Central Texas Foundation.
Sponsors: Community Services Department
Indexes:
Code sections:
Attachments: [Council Memorandum](#)

Date	Ver.	Action By	Action	Result
11/1/2016	1	City Council Workshop		

CITY COUNCIL MEMORANDUM

AGENDA ITEM

Authorizing the donation of proceeds to the Texas A&M University Central Texas Foundation.

ORIGINATING DEPARTMENT

Community Services

BACKGROUND INFORMATION

Stonetree Golf Club hosted the inaugural Texas A&M Central Texas (TAMUCT) Golf Classic in 2010. The TAMUCT Golf Classic was launched to serve as a funding mechanism to support the university's scholarship funding for students. The TAMUCT Foundation has raised in excess of \$2.5 million for student scholarships. The TAMUCT Golf Classic is hosted annually in Central Texas. The hosting responsibilities are shared between Killeen and Copperas Cove. Killeen has hosted four of the six TAMUCT Golf Classic events.

DISCUSSION/CONCLUSION

As host of the TAMUCT Golf Classic, the City of Killeen has assisted the university in raising roughly \$26,000 for the university's scholarship fund. The following is a breakdown of the funds given back to TAMUCT at the conclusion of the four TAMUCT Golf Classic events hosted by the City of Killeen:

- 2010 - \$29,000 raised, \$22,000 contribution following expenses
- 2011 - \$26,000 raised, \$18,000 contribution following expenses
- 2013 - \$39,000 raised, \$31,000 contribution following expenses
- 2014 - \$46,000 raised, \$35,000 contribution following expenses

Staff proposes that City Council authorize Stonetree Golf Club to collect donations for the TAMUCT Golf Classic and utilize collected funds to pay any and all expenses related to hosting the event. At the events conclusion and following the payment of all incurred expenses related to the event, the remaining funds will be distributed in their entirety to the TAMUCT Foundation.

Article III, Section 52 and Article XI, Section 3 of the Texas Constitution states that the legislature may not authorize any county, city or other political subdivision to lend its credit or grant public money in aid of an individual, association, or corporation. The intent is to prevent local governments from making expenditures for private purposes. However, a donation can be made if the city council determines there is a legitimate public purpose, the city receives adequate consideration or return benefit for its donation, and the arrangement has sufficient controls to guarantee that city funds are being used for a municipal public purpose.

Community Services recognizes the value added to the local community via this partnership. The growth of TAMUCT Foundation's efforts will have a positive impact on our local economy

and will assist in the university's ability to attract a diverse student body. The community's financial participation in the TAMUCT Golf Classic is confirmation in the local community's support of the university.

FISCAL IMPACT

In 2014 the TAMUCT Golf Classic received sponsorships totaling \$46,000. After all fees associated with hosting the event were paid, a contribution in the amount of \$35,000 was made to the TAMUCT Foundation.

RECOMMENDATION

Staff recommends City Council authorize the city manager to allocate funds generated from the 2017 TAMUCT Golf Classic to the TAMUCT Foundation to support the university's scholarship program. The 2017 TAMUCT Golf Classic is scheduled for May 6, 2017. This action is needed to allow staff to engage in soliciting and receiving donations for the annual event.



City of Killeen

Legislation Details

File #: PH-16-039B **Version:** 1 **Name:** FY 2017 Budget Amendment TAMU-CT Golf Classic

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

File created: 10/24/2016 **In control:** City Council

On agenda: 11/8/2016 **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 by increasing the Community Services Donation Fund revenue and expenditure accounts by \$50,000 to support the Texas A&M University Central Texas Foundation.

Sponsors: Finance Department, Golf Course

Indexes:

Code sections:

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

Date	Ver.	Action By	Action	Result
11/1/2016	1	City Council Workshop		

CITY COUNCIL MEMORANDUM

AGENDA ITEM

Budget Amendment

ORIGINATING DEPARTMENT

Finance

BACKGROUND INFORMATION

The TAMUCT Golf Classic was launched to serve as a funding mechanism to support the university's scholarship funding for students. The TAMUCT Foundation has raised in excess of \$2.5 million for student scholarships. The TAMUCT Golf Classic is hosted annually in Central Texas. The hosting responsibilities are shared between Killeen and Copperas Cove. Killeen has hosted four of the six TAMUCT Golf Classic events.

Staff proposes that City Council authorize Stonetree Golf Club to collect donations for the TAMUCT Golf Classic and utilize collected funds to pay any and all expenses related to hosting the event. At the event's conclusion and following the payment of all incurred expenses related to the event, the remaining funds will be distributed in their entirety to the TAMUCT Foundation.

DISCUSSION/CONCLUSION

A budget amendment needs to be approved by City Council to allow Stonetree Golf Club to host the TAMUCT Golf Classic, to utilize collected funds to pay any and all expenses related to hosting the event and to distribute the remaining funds to the TAMUCT Foundation.

FISCAL IMPACT

Budgeted revenues and expenditures will be increased by \$50,000 resulting in a net fiscal impact to the City of Killeen of \$0.

Revenues:

Account Number	Description	Original Budget	Budget Increase	Amended Budget
238-0000-362-05-06	Donations	\$0	\$50,000	\$50,000

Expenditures:

Account Number	Description	Original Budget	Budget Increase	Budget Increase
238-3020-424-41-85	Ed/Rec Sup	\$0	\$10,000	\$10,000
238-3020-424-51-20	TAMUC Cont	\$0	\$40,000	\$40,000

RECOMMENDATION

Staff recommends that the City Council approve this ordinance amending the FY 2017 Municipal Operating budgeted revenues and expenditures by \$50,000.

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 COMMUNITY SERVICES DONATION FUND REVENUE AND EXPENDITURE ACCOUNTS; 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 the Community Services Donation Fund accounts by adding funds for the Texas A&M University Central Texas Foundation; 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:

Revenues:

<i>Account Number</i>	<i>Description</i>	<i>Original Budget</i>	<i>Budget Increase</i>	<i>Amended Budget</i>
238-0000-362-05-06	TAMU Donations	\$0	\$50,000	\$50,000

Expenditures:

<i>Account Number</i>	<i>Description</i>	<i>Original Budget</i>	<i>Budget Increase</i>	<i>Amended Budget</i>
238-3020-424-41-85	TAMU Educational/Recreational Supplies	\$0	\$10,000	\$10,000
238-3020-424-51-20	TAMU Contribution	\$0	\$40,000	\$40,000

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 8th day of November, 2016, 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