



City of Killeen

Agenda

City Council

Tuesday, November 22, 2016

4:00 PM

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

Call to Order and Roll Call

<input type="checkbox"/> Jose Segarra, Mayor	<input type="checkbox"/> Brockley Moore
<input type="checkbox"/> Shirley Fleming	<input type="checkbox"/> Jonathan Okray
<input type="checkbox"/> Gregory Johnson	<input type="checkbox"/> Juan Rivera
<input type="checkbox"/> Jim Kilpatrick	<input type="checkbox"/> Dick Young

Invocation

Pledge of Allegiance

Approval of Agenda

Minutes

[MN-16-030](#) Consider Minutes of Regular City Council Meeting of November 8, 2016.

Attachments: [Minutes](#)

Resolutions

[RS-16-139](#) Consider a memorandum/resolution approving the investment report for the quarter ended September 30, 2016.

Attachments: [Council Memorandum](#)
[Quarterly Investment Report](#)

[RS-16-140](#) Consider a memorandum/resolution authorizing the use of a Request for Qualifications/Request for Proposals (RFQ/RFP) for improvements to the rental car return facility system at Killeen-Fort Hood Regional Airport.

Attachments: [Council Memorandum](#)

[RS-16-141](#) Consider a memorandum/resolution terminating lease agreements at the Killeen Arts & Activities Center with Richard Milburn Academy, Bell County - Human Services, Central Texas Council of Governments-Housing Division, Bring Everyone in the Zone, and Killeen Civic Art Guild.

Attachments: [Council Memorandum](#)

- [RS-16-142](#) Consider a memorandum/resolution updating authorized representatives for TexPool.
Attachments: [Council Memorandum](#)
[Resolution Amending Authorized Representatives](#)
[Authorized Representative Deletion](#)
- [RS-16-143](#) Consider a memorandum/resolution rescheduling the December 2016 City Council meetings.
Attachments: [Council Memorandum](#)
- [RS-16-144](#) Consider a memorandum/resolution authorizing a change order for the City of Killeen Fiber Installation Project.
Attachments: [Council Memorandum](#)
[StageCoach to Elms Estimate](#)
[Change Order PD HQ](#)
[Elms to KCCC Estimate](#)
[Change Order Fire Station 6](#)
[Certificate of Interested Parties](#)
- [RS-16-145](#) Consider a memorandum/resolution for a service agreement with Web Benefits Design.
Attachments: [Council Memorandum](#)
[Contract](#)
[Certificate of Interested Parties](#)

Public Hearings

- [PH-16-037](#) HOLD a public hearing and consider a resolution renaming Rosewood Drive to "JD Aycock Boulevard."
Attachments: [Council Memorandum](#)
[Exhibit](#)
- [PH-16-040A](#) HOLD a public hearing and consider an ordinance requested by Linda Nellis, Trustee of the Donald Earl Nellis and Lenner Hair Nellis Revocable Living Trust (Case #Z16-18) to rezone 15.104 acres out of the R. Cunningham Survey, Abstract No. 199, from "R-1" (Single-Family Residential District) to Planned Unit Development (PUD) with "R-3A" (Multifamily Apartment Residential District) use for a project named South Station Apartments. The property is located near the northeast corner of Cunningham Road and E. Stan Schlueter Loop (FM 3470).

Attachments: [Council Memorandum](#)[Attachment to CCMO](#)[Minutes](#)[Ordinance](#)[Application](#)[Location map](#)[Buffer map](#)[Development Summary](#)[Concept Plan](#)[Considerations](#)

[PH-16-040B](#) Consider a Resolution of No Objection for an application to Texas Department of Housing & Community Affairs for South Station Apartments, an affordable housing development.

Attachments: [Council Memorandum](#)[South Station Proposal](#)

[PH-16-041](#) HOLD a public hearing and consider an ordinance to amend the Comprehensive Plan's Future Land Use Map (FLUM) from 'Suburban Residential' to 'General Residential' (FLUM# Z16-19) for approximately 152 acres, being part of the Azra Webb Survey, Abstract No. 857. The property is located on the north right-of-way of Stagecoach Road, east of S. Fort Hood Street (S. H. 195), Killeen, Texas.

Attachments: [Council Memorandum](#)[Attachment to CCMO](#)[Minutes](#)[Ordinance](#)

[PH-16-042](#) HOLD a public hearing and consider an ordinance requested by WBW Land Investments, L.P. (Case #Z16-19) to rezone approximately 52.42 acres, being part of the Azra Webb Survey, Abstract No. 857, from "A-R1" (Agricultural Single-Family Residential District) to "SR-1" (Suburban Residential Single Family District) and "R-1" (Single-Family Residential District) to allow for single family residential housing. The property is located along the north right-of-way of Stagecoach Road, west of Rein Drive and the Wagon Wheel and Stagecoach Road Subdivisions, Killeen, Texas.

Attachments: [Council Memorandum](#)
[Attachment to CCMO](#)
[Minutes](#)
[Ordinance](#)
[Application](#)
[Location map](#)
[Buffer map](#)
[Considerations](#)
[Responses](#)

[PH-16-043](#) HOLD a public hearing and consider an ordinance requested by Karen Wunsch of Masterplan Consultants, on behalf of the Sheryl Yowell Anderson 1998 Trust Et Al, (Case #Z16-20) to rezone 3.093 acres out of the Simeon D. Carothers Survey, Abstract No. 177, from "A" (Agricultural District) to "A" (Agricultural District) with a Conditional Use Permit (CUP) for an electric substation. The substation is proposed to be located approximately 1,230 feet east of Shimla Drive and 557 feet north of Rusack Drive, Killeen, Texas.

Attachments: [Council Memorandum](#)
[Attachment to CCMO](#)
[Minutes](#)
[Ordinance](#)
[Application](#)
[Location map](#)
[Buffer map](#)
[Attachment](#)
[Site Plan](#)
[Considerations](#)

[PH-16-044A](#) Consider a memorandum/resolution authorizing the award of a construction contract to Choice Builders, LLC, for the Brookhaven Rancier Hike & Bike Trail project.

Attachments: [Council Memorandum](#)
[Engineer Letter of Recommendation](#)
[Bid Tabulation](#)
[Certificate of Interested Parties](#)

[PH-16-044B](#) HOLD a public hearing and consider an ordinance amending the FY 2017 Annual Budget and Plan of Municipal Services of the City of Killeen for the Brookhaven/Rancier Hike & Bike Trail.

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 18, 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.

Dedicated Service -- Every Day, for Everyone!



City of Killeen

Legislation Details

File #: MN-16-030 **Version:** 1 **Name:** Minutes of Regular City Council Meeting of November 8, 2016
Type: Minutes **Status:** Minutes
File created: 11/7/2016 **In control:** City Council
On agenda: 11/22/2016 **Final action:**
Title: Consider Minutes of Regular City Council Meeting of November 8, 2016.
Sponsors: City Secretary
Indexes:
Code sections:
Attachments: [Minutes](#)

Date	Ver.	Action By	Action	Result
11/15/2016	1	City Council Workshop		

City of Killeen
Regular City Council Meeting
Killeen City Hall
November 8, 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 Gilman.

Councilmember Young gave the invocation, and Councilmember Okray 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 Fleming. The motion carried unanimously.

Minutes

Motion was made by Councilmember Kilpatrick to approve the minutes of the October 25th Regular City Council Meeting. Motion was seconded by Councilmember Rivera. Motion carried unanimously.

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.

Staff comments: David Olson

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 of \$171,766 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.

Motion was made by Councilmember Rivera to approve RS-16-136. Motion was seconded by Councilmember Kilpatrick. Motion carried 5 to 2 with Councilmember Johnson and Councilmember Okray opposing.

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.

Staff comments: David Olson

This change order provides for the conversion of temporary traffic barriers to permanent traffic barriers by milling and infilling the asphalt beneath said barriers.

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.

Motion was made by Councilmember Okray to approve RS-16-137. Motion was seconded by Councilmember Fleming. Motion carried 6 to 1 with Councilmember Johnson opposing.

RS-16-138 Consider a memorandum/resolution approving the appointment of a Fire Chief.
Staff comments: Dennis Baldwin
It is recommended to approve the selection of Brian Brank to serve as Fire Chief.

Motion was made by Mayor Pro-Tem Moore to approve RS-16-138. Motion was seconded by Councilmember Rivera. Motion carried unanimously.

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.)

The City Secretary read the caption of the ordinance.

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.

Staff comments: Jonathan Locke

This ordinance will approve a suspension of compensation step increases for all city employees, including each classification in the City of Killeen Fire and Police Departments, in FY 17. The suspension will be effective October 1, 2016. If the City Council wishes for all city employees to receive their scheduled step increases for FY 17, then this ordinance must be disapproved.

Motion was made by Councilmember Young to disapprove OR-16-020. Motion was seconded by Councilmember Kilpatrick. Motion carried unanimously.

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.

The City Secretary read the caption of the ordinance.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS, AMENDING THE FY 2017 ANNUAL BUDGET AND PLAN OF MUNICIPAL SERVICES OF THE CITY OF KILLEEN 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.

Staff comments: Jonathan Locke

This budget amendment will fund the scheduled step increases for both civil service and non-civil service employees for FY 17. 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). Staff recommends that City Council approve the ordinance amending the FY 2017 Annual Budget and Plan of Municipal Services.

Mayor Segarra opened the public hearing.

With no one appearing the public hearing was closed.

Motion was made by Councilmember Kilpatrick to approve PH-16-038. Motion was seconded by Councilmember Rivera. Motion carried unanimously.

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

Staff comments: Brett Williams

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. Approval of this item will also establish that the city's participation in this event serves a legitimate public purpose.

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.

The City Secretary read the caption of the ordinance.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS, AMENDING THE FY 2017 ANNUAL BUDGET AND PLAN OF MUNICIPAL SERVICES OF THE CITY OF KILLEEN BY INCREASING THE 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.

Staff comments: Jonathan Locke

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

Mayor Segarra opened the public hearing.

With no one appearing the public hearing was closed.

Motion was made by Mayor Pro-Tem Moore to approve PH-16-039A&B. Motion was seconded by Councilmember Rivera. Motion carried 6 to 1 with Councilmember Young opposing.

Adjournment

With no further business, upon motion being made by Councilmember Okray, seconded by Councilmember Kilpatrick, and unanimously approved, the meeting was adjourned at 5:30 p.m.



City of Killeen

Legislation Details

File #: RS-16-139 **Version:** 1 **Name:** Quarterly Investment Report For Quarter Ended September 30, 2016
Type: Resolution **Status:** Resolutions
File created: 11/8/2016 **In control:** City Council
On agenda: 11/22/2016 **Final action:**
Title: Consider a memorandum/resolution approving the investment report for the quarter ended September 30, 2016.
Sponsors: Finance Department
Indexes:
Code sections:
Attachments: [Council Memorandum](#)
[Quarterly Investment Report](#)

Date	Ver.	Action By	Action	Result
11/15/2016	1	City Council Workshop		

CITY COUNCIL MEMORANDUM

AGENDA ITEM

Quarterly Investment Report, September 30, 2016

ORIGINATING DEPARTMENT

Finance

BACKGROUND INFORMATION

The City of Killeen's investment policy requires that a quarterly report of investment activity be submitted to the City Council within a reasonable time after the end of each quarter. The quarterly report must include a detailed description of the investment position of the City, summarize the investment activity in each pooled fund group, state the total rate of return on the investment portfolio, and contain information regarding the market value and book values of each separately invested asset. The report also states the compliance of the investment portfolio of the City as it relates to the investment strategy expressed in the City's policy and the relevant provisions of the Public Funds Investment Act.

DISCUSSION/CONCLUSION

The attached investment report summarizes all investment activity for the quarter that ended September 30, 2016. The highlights of the report are as follows:

	Apr - Jun 2016	Jul - Sep 2016	Change
Interest Income	\$117,241	\$101,069	-13.79%
Investment Balance	\$92,447,715	\$71,805,732	-22.33%
Average Yield	0.53%	0.57%	0.04%

FISCAL IMPACT

Our investment portfolio directly impacts our interest earnings and aligns with current budgeted amounts.

RECOMMENDATION

Staff recommends that the City Council approve the attached investment report for the quarter that ended September 30, 2016.



City of Killeen

QUARTERLY INVESTMENT REPORT

For the Quarter Ended

September 30, 2016

Prepared by

Valley View Consulting, L.L.C.

The investment portfolio of the City of Killeen is in compliance with the Public Funds Investment Act and the Investment Policy and Strategies.

Executive Director of Finance

Assistant Director of Finance

Disclaimer: These reports were compiled using information provided by the City. No procedures were performed to test the accuracy or completeness of this information. The market values included in these reports were obtained by Valley View Consulting, L.L.C. from sources believed to be accurate and represent proprietary valuation. Due to market fluctuations these levels are not necessarily reflective of current liquidation values. Yield calculations are not determined using standard performance formulas, are not representative of total return yields and do not account for investment advisor fees.

Annual Comparison of Portfolio Performance

FYE Results by Investment Category:

<u>Asset Type</u>	<u>September 30, 2015</u>			<u>September 30, 2016</u>		
	<u>Ave. Yield</u>	<u>Book Value</u>	<u>Market Value</u>	<u>Ave. Yield</u>	<u>Book Value</u>	<u>Market Value</u>
Demand Accounts	0.45%	\$ 9,930,938	\$ 9,930,938	0.32%	\$ 14,627,808	\$ 14,627,808
Pools/MMA	0.15%	65,057,376	65,057,376	0.47%	30,049,679	30,049,679
Securities/CDs	0.70%	22,598,192	22,598,192	0.81%	27,128,245	27,128,245
Totals		\$ 97,586,506	\$ 97,586,506		\$ 71,805,732	\$ 71,805,732

	<u>2015</u>	<u>2016</u>	<u>Change</u>
Total Portfolio (1)	0.26%	0.48%	0.21%
Rolling Three Mo. Treas. Yield	0.03%	0.25%	0.22%
Rolling Six Mo. Treas. Yield	0.09%	0.37%	0.28%
Quarterly TexPool Yield	0.06%	0.31%	0.26%

(1) Average Yield calculated using quarter end report yields and adjusted book values and does not reflect a total return analysis or account for advisory fees.

Summary

Quarter End Results by Investment Category:

Asset Type	Ave. Yield	September 30, 2016		June 30, 2016	
		Book Value	Market Value	Book Value	Market Value
Demand Accounts	0.32%	\$ 14,627,808	\$ 14,627,808	\$ 11,305,826	\$ 11,305,826
Pools/MMA	0.47%	30,049,679	30,049,679	48,998,463	48,998,463
Securities/CDs	0.81%	27,128,245	27,128,245	32,143,425	32,143,425
Totals		\$ 71,805,732	\$ 71,805,732	\$ 92,447,715	\$ 92,447,715

Current Quarter Average Yield (1)

Total Portfolio 0.57%

Rolling Three Mo. Treas. Yield 0.26%

Rolling Six Mo. Treas. Yield 0.42%

Fiscal Year-to-Date Average Yield (2)

Total Portfolio 0.48%

Rolling Three Mo. Treas. Yield 0.25%

Rolling Six Mo. Treas. Yield 0.37%

Quarterly TexPool Yield 0.31%

Interest Income

Quarterly \$ 101,069
Year-to-date \$ 407,250

Bank Fees Offset

\$ 11,151
\$ 43,664

(1) Average Yield calculated using quarter end report yields and adjusted book values and does not reflect a total return analysis or account for advisory fees.

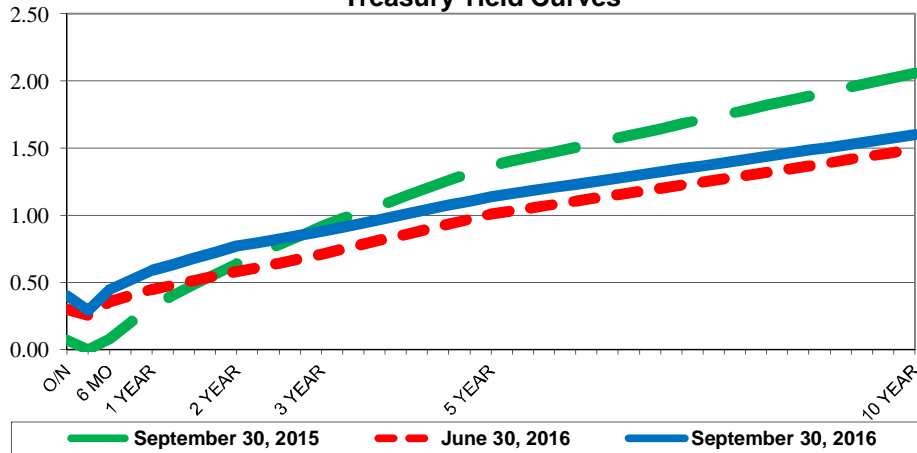
(2) Fiscal Year-to-Date Average Yields calculated using quarter end report yields and adjusted book values and does not reflect a total return analysis or account for advisory fees.

Economic Overview

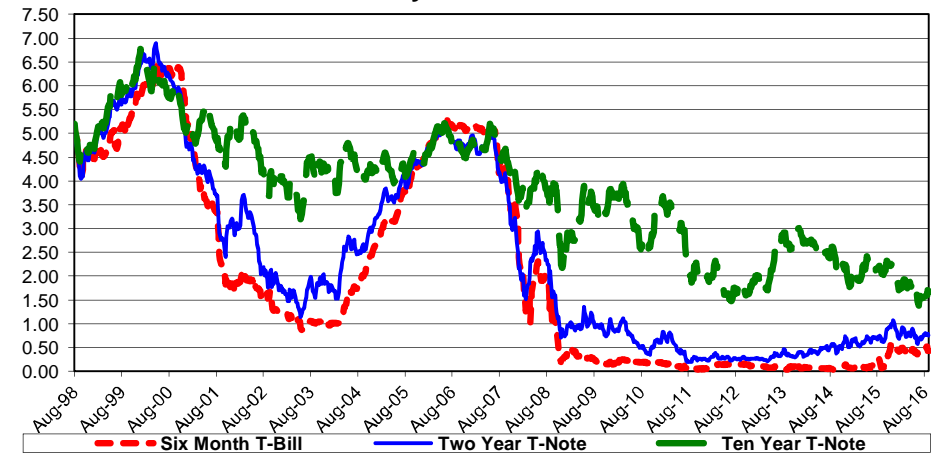
9/30/2016

The Federal Open Market Committee (FOMC) maintained the Fed Funds target range of 0.25% - 0.50% (actual Fed Funds traded +/-40 bps). The September FOMC meeting recorded dissenting votes for maintaining rates. More hawkish members wanted to raise the range by 0.25%. The current probability of a December FOMC meeting vote to raise the Fed Funds target is +/-60%. Second Quarter US GDP revised to 1.4% (from 1.1%, no more revision is expected). Other economic data reflected modest, yet inconsistent, growth. The US Stock markets have maintained higher levels. Treasury yields drifted slightly higher on tightening rumors. Taxable municipal bonds or CDs offer the best interest earnings opportunity, if available.

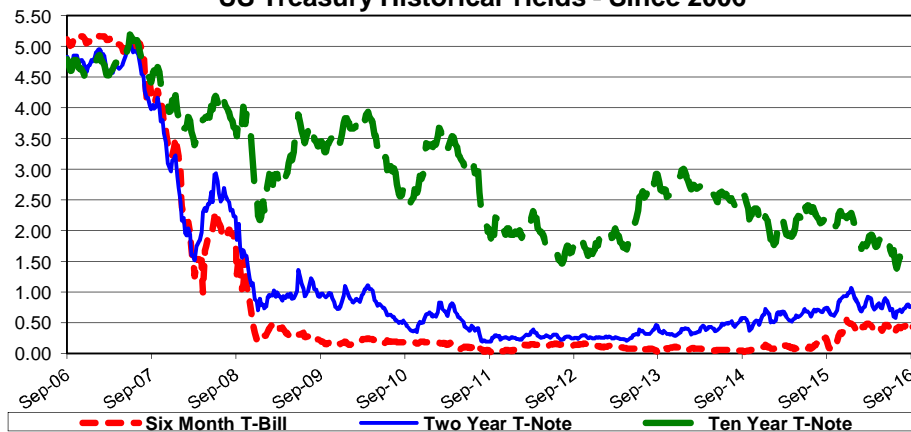
Treasury Yield Curves



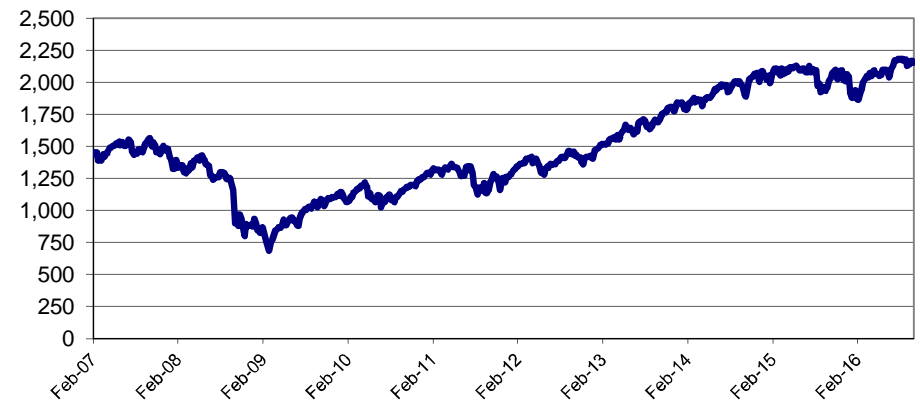
US Treasury Historical Yields - Since 1998



US Treasury Historical Yields - Since 2006



S&P 500



Investment Holdings
September 30, 2016

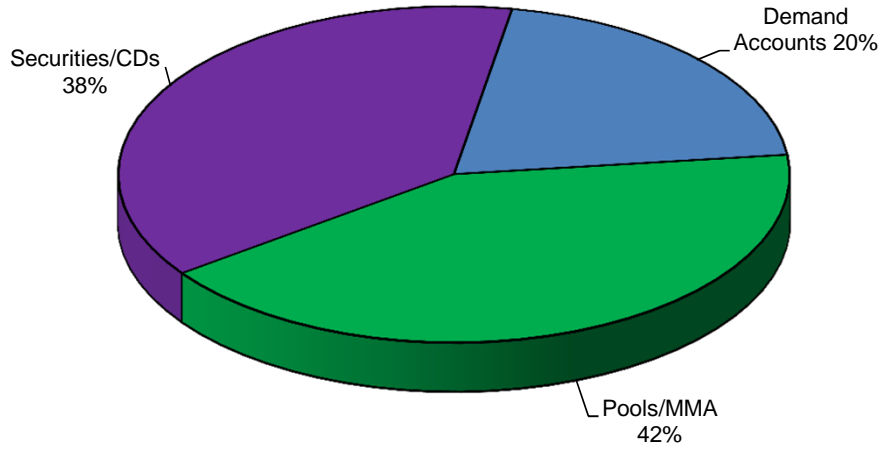
Description	Ratings	Coupon/ Discount	Maturity Date	Settlement Date	Par Value	Book Value	Market Price	Market Value	Life (Days)	Yield
BBVA Demand Account (3)		0.32%	10/01/16	09/30/16	\$ 14,605,417	\$ 14,605,417	1.00	\$ 14,605,417	1	0.32%
Cash on Hand		0.00%	10/01/16	09/30/16	11,280	11,280	1.00	11,280	1	0.00%
Union State Bank		0.15%	10/01/16	09/30/16	11,112	11,112	1.00	11,112	1	0.15%
FILA (IDP)		0.47%	10/01/16	09/30/16	6,079,906	6,079,906	1.00	6,079,906	1	0.47%
Southside Bank MMA		0.53%	10/01/16	09/30/16	4,609,014	4,609,014	1.00	4,609,014	1	0.53%
LegacyTexas Bank MMA		0.40%	10/01/16	09/30/16	2,655,493	2,655,493	1.00	2,655,493	1	0.40%
Green Bank MMA		0.55%	10/01/16	09/30/16	9,024,439	9,024,439	1.00	9,024,439	1	0.55%
TexasDAILY	AAAm	0.50%	10/01/16	09/30/16	2,796	2,796	1.00	2,796	1	0.50%
TexPool	AAAm	0.38%	10/01/16	09/30/16	7,674,700	7,674,700	1.00	7,674,700	1	0.38%
TexSTAR	AAAm	0.41%	10/01/16	09/30/16	3,331	3,331	1.00	3,331	1	0.41%
LegacyTexas Bank CD		0.65%	10/03/16	01/29/16	1,004,299	1,004,299	100.00	1,004,299	3	0.65%
Central National Bank CD		0.61%	10/31/16	03/07/16	2,000,000	2,000,000	100.00	2,000,000	31	0.61%
Wallis State Bank CD		0.70%	11/01/16	02/02/16	1,003,493	1,003,493	100.00	1,003,493	32	0.70%
Wallis State Bank CD		0.71%	12/01/16	02/02/16	1,003,543	1,003,543	100.00	1,003,543	62	0.71%
Central National Bank CD		0.71%	12/29/16	03/07/16	1,000,000	1,000,000	100.00	1,000,000	90	0.71%
Central National Bank CD		0.80%	01/03/17	02/01/16	1,003,993	1,003,993	100.00	1,003,993	95	0.80%
Central National Bank CD		0.85%	02/01/17	02/01/16	1,004,243	1,004,243	100.00	1,004,243	124	0.85%
Comerica Bank CD		0.80%	03/02/17	03/02/15	2,024,247	2,024,247	100.00	2,024,247	153	0.80%
Central National Bank CD		1.01%	03/09/17	09/09/15	3,022,915	3,022,915	100.00	3,022,915	160	1.01%
Central National Bank CD		0.95%	04/26/17	04/26/15	2,045,203	2,045,203	100.00	2,045,203	208	0.95%
LegacyTexas Bank CD		0.75%	05/01/17	05/06/16	1,002,530	1,002,530	100.00	1,002,530	213	0.75%
LegacyTexas Bank CD		0.86%	05/01/17	06/21/16	1,002,169	1,002,169	100.00	1,002,169	213	0.86%
LegacyTexas Bank CD		0.75%	05/01/17	08/09/16	2,001,274	2,001,274	100.00	2,001,274	213	0.75%
LegacyTexas Bank CD		0.77%	06/01/17	05/06/16	1,002,597	1,002,597	100.00	1,002,597	244	0.77%
LegacyTexas Bank CD		0.90%	06/01/17	06/21/16	1,002,270	1,002,270	100.00	1,002,270	244	0.90%
LegacyTexas Bank CD		0.79%	07/03/17	05/06/16	1,002,665	1,002,665	100.00	1,002,665	276	0.79%
Central National Bank CD		0.82%	08/01/17	09/30/16	1,000,000	1,000,000	100.00	1,000,000	305	0.82%
LegacyTexas Bank CD		0.80%	08/01/17	08/09/16	2,001,359	2,001,359	100.00	2,001,359	305	0.80%
LegacyTexas Bank CD		0.85%	09/01/17	08/09/16	2,001,444	2,001,444	100.00	2,001,444	336	0.85%
					\$ 71,805,732	\$ 71,805,732		\$ 71,805,732	69	0.57%
									(1)	(2)

(1) **Weighted average life** - For purposes of calculating weighted average life, cash equivalent investments are assumed to have a one day maturity.

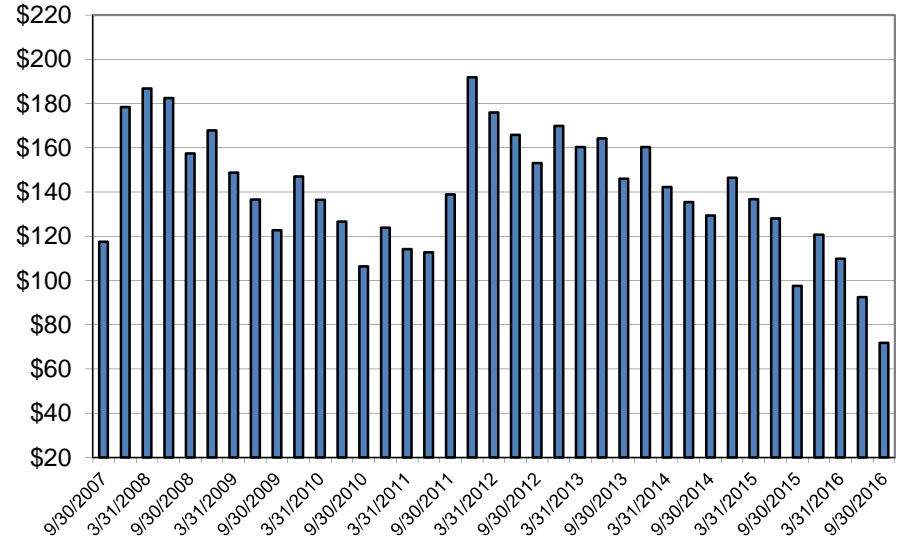
(2) **Weighted average yield to maturity** - The weighted average yield to maturity is based on adjusted book value, realized and unrealized gains/losses and investment advisory fees are not considered. The yield for the reporting month is used for cash equivalent investments.

(3) **Bank Fees Offset Equivalent Yield** - Compensating balance in bank operating account yielded a blended equivalent investment yield as a result of Bank fees offset.

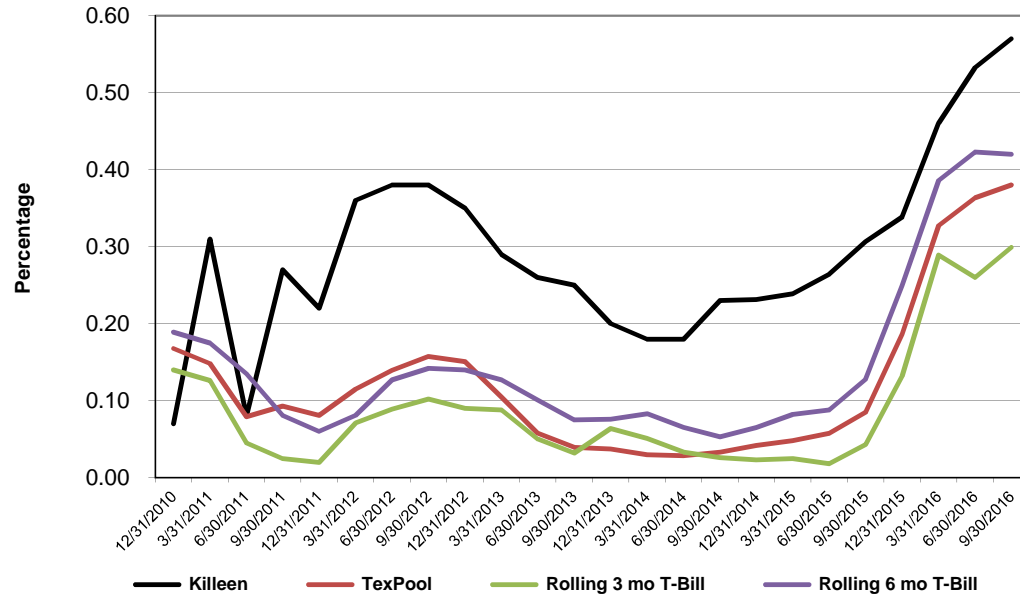
Portfolio Composition



Total Portfolio (Millions)



Total Portfolio Performance



Book Value Comparison

Description	Coupon/ Discount	Maturity Date	June 30, 2016		Purchases/ Adjustments	Sales/Adjust/ Maturities	September 30, 2016	
			Par Value	Book Value			Par Value	Book Value
BBVA Demand Account	0.32%	10/01/16	\$ 11,283,440	\$ 11,283,440	\$ 3,321,977	\$ -	\$ 14,605,417	\$ 14,605,417
Cash on Hand	0.00%	10/01/16	11,280	11,280			11,280	11,280
Union State Bank	0.15%	10/01/16	11,106	11,106	6		11,112	11,112
FILA (IDP)	0.47%	10/01/16	6,072,781	6,072,781	7,126		6,079,906	6,079,906
Southside Bank MMA	0.53%	10/01/16	4,602,951	4,602,951	6,063		4,609,014	4,609,014
LegacyTexas Bank MMA	0.40%	10/01/16	12,649,216	12,649,216		(9,993,723)	2,655,493	2,655,493
Green Bank MMA	0.55%	10/01/16	9,011,668	9,011,668	12,770		9,024,439	9,024,439
TexasDAILY	0.50%	10/01/16	4,777,038	4,777,038		(4,774,242)	2,796	2,796
TexPool	0.38%	10/01/16	6,449,113	6,449,113	1,225,587		7,674,700	7,674,700
TexSTAR	0.41%	10/01/16	5,435,697	5,435,697		(5,432,366)	3,331	3,331
LegacyTexas Bank CD	0.60%	08/01/16	4,009,802	4,009,802		(4,009,802)	-	-
LegacyTexas Bank CD	0.60%	08/01/16	1,002,451	1,002,451		(1,002,451)	-	-
LegacyTexas Bank CD	0.60%	08/01/16	1,002,451	1,002,451		(1,002,451)	-	-
Wallis State Bank CD	0.63%	09/01/16	1,001,553	1,001,553		(1,001,553)	-	-
Wallis State Bank CD	0.63%	09/01/16	1,001,553	1,001,553		(1,001,553)	-	-
Southside Bank CD	0.70%	09/08/16	1,012,319	1,012,319		(1,012,319)	-	-
Comerica Bank CD	0.72%	09/08/16	2,025,362	2,025,362		(2,025,362)	-	-
Central National Bank CD	0.71%	09/30/16	1,000,000	1,000,000		(1,000,000)	-	-
LegacyTexas Bank CD	0.65%	10/03/16	1,002,655	1,002,655	1,644		1,004,299	1,004,299
Central National Bank CD	0.61%	10/31/16	2,000,000	2,000,000			2,000,000	2,000,000
Wallis State Bank CD	0.70%	11/01/16	1,001,726	1,001,726	1,767		1,003,493	1,003,493
Wallis State Bank CD	0.71%	12/01/16	1,001,751	1,001,751	1,793		1,003,543	1,003,543
Central National Bank CD	0.71%	12/29/16	1,000,000	1,000,000			1,000,000	1,000,000
Central National Bank CD	0.80%	01/03/17	1,001,973	1,001,973	2,020		1,003,993	1,003,993
Central National Bank CD	0.85%	02/01/17	1,002,096	1,002,096	2,147		1,004,243	1,004,243
Comerica Bank CD	0.80%	03/02/17	2,020,171	2,020,171	4,076		2,024,247	2,024,247
Central National Bank CD	1.01%	03/09/17	3,015,230	3,015,230	7,686		3,022,915	3,022,915
Central National Bank CD	0.95%	04/26/17	2,040,371	2,040,371	4,832		2,045,203	2,045,203
LegacyTexas Bank CD	0.75%	05/01/17	1,000,637	1,000,637	1,893		1,002,530	1,002,530
LegacyTexas Bank CD	0.86%	05/01/17	1,000,000	1,000,000	2,169		1,002,169	1,002,169
LegacyTexas Bank CD	0.75%	05/01/17	-	-	2,001,274		2,001,274	2,001,274
LegacyTexas Bank CD	0.77%	06/01/17	1,000,654	1,000,654	1,943		1,002,597	1,002,597
LegacyTexas Bank CD	0.90%	06/01/17	1,000,000	1,000,000	2,270		1,002,270	1,002,270
LegacyTexas Bank CD	0.79%	07/03/17	1,000,671	1,000,671	1,994		1,002,665	1,002,665
Central National Bank CD	0.82%	08/01/17	-	-	1,000,000		1,000,000	1,000,000
LegacyTexas Bank CD	0.80%	08/01/17	-	-	2,001,359		2,001,359	2,001,359
LegacyTexas Bank CD	0.85%	09/01/17	-	-	2,001,444		2,001,444	2,001,444
TOTAL			\$ 92,447,715	\$ 92,447,715	\$ 11,613,840	\$ (32,255,822)	\$ 71,805,732	\$ 71,805,732

Market Value Comparison

Description	Coupon/ Discount	Maturity Date	June 30, 2016		Qtr to Qtr Change	September 30, 2016	
			Par Value	Market Value		Par Value	Market Value
BBVA Demand Account	0.32%	10/01/16	\$ 11,283,440	\$ 11,283,440	\$ 3,321,977	\$ 14,605,417	\$ 14,605,417
Cash on Hand	0.00%	10/01/16	11,280	11,280		11,280	11,280
Union State Bank	0.15%	10/01/16	11,106	11,106	= 6	11,112	11,112
FILA (IDP)	0.47%	10/01/16	6,072,781	6,072,781	7,126	6,079,906	6,079,906
Southside Bank MMA	0.53%	10/01/16	4,602,951	4,602,951	6,063	4,609,014	4,609,014
LegacyTexas Bank MMA	0.40%	10/01/16	12,649,216	12,649,216	(9,993,723)	2,655,493	2,655,493
Green Bank MMA	0.55%	10/01/16	9,011,668	9,011,668	12,770	9,024,439	9,024,439
TexasDAILY	0.50%	10/01/16	4,777,038	4,777,038	(4,774,242)	2,796	2,796
TexPool	0.38%	10/01/16	6,449,113	6,449,113	1,225,587	7,674,700	7,674,700
TexSTAR	0.41%	10/01/16	5,435,697	5,435,697	(5,432,366)	3,331	3,331
LegacyTexas Bank CD	0.60%	08/01/16	4,009,802	4,009,802	(4,009,802)	–	–
LegacyTexas Bank CD	0.60%	08/01/16	1,002,451	1,002,451	(1,002,451)	–	–
LegacyTexas Bank CD	0.60%	08/01/16	1,002,451	1,002,451	(1,002,451)	–	–
Wallis State Bank CD	0.63%	09/01/16	1,001,553	1,001,553	(1,001,553)	–	–
Wallis State Bank CD	0.63%	09/01/16	1,001,553	1,001,553	(1,001,553)	–	–
Southside Bank CD	0.70%	09/08/16	1,012,319	1,012,319	(1,012,319)	–	–
Comerica Bank CD	0.72%	09/08/16	2,025,362	2,025,362	(2,025,362)	–	–
Central National Bank CD	0.71%	09/30/16	1,000,000	1,000,000	(1,000,000)	–	–
LegacyTexas Bank CD	0.65%	10/03/16	1,002,655	1,002,655	1,644	1,004,299	1,004,299
Central National Bank CD	0.61%	10/31/16	2,000,000	2,000,000		2,000,000	2,000,000
Wallis State Bank CD	0.70%	11/01/16	1,001,726	1,001,726	1,767	1,003,493	1,003,493
Wallis State Bank CD	0.71%	12/01/16	1,001,751	1,001,751	1,793	1,003,543	1,003,543
Central National Bank CD	0.71%	12/29/16	1,000,000	1,000,000		1,000,000	1,000,000
Central National Bank CD	0.80%	01/03/17	1,001,973	1,001,973	2,020	1,003,993	1,003,993
Central National Bank CD	0.85%	02/01/17	1,002,096	1,002,096	2,147	1,004,243	1,004,243
Comerica Bank CD	0.80%	03/02/17	2,020,171	2,020,171	4,076	2,024,247	2,024,247
Central National Bank CD	1.01%	03/09/17	3,015,230	3,015,230	7,686	3,022,915	3,022,915
Central National Bank CD	0.95%	04/26/17	2,040,371	2,040,371	4,832	2,045,203	2,045,203
LegacyTexas Bank CD	0.75%	05/01/17	1,000,637	1,000,637	1,893	1,002,530	1,002,530
LegacyTexas Bank CD	0.86%	05/01/17	1,000,000	1,000,000	2,169	1,002,169	1,002,169
LegacyTexas Bank CD	0.75%	05/01/17	–	–	2,001,274	2,001,274	2,001,274
LegacyTexas Bank CD	0.77%	06/01/17	1,000,654	1,000,654	1,943	1,002,597	1,002,597
LegacyTexas Bank CD	0.90%	06/01/17	1,000,000	1,000,000	2,270	1,002,270	1,002,270
LegacyTexas Bank CD	0.79%	07/03/17	1,000,671	1,000,671	1,994	1,002,665	1,002,665
Central National Bank CD	0.82%	08/01/17	–	–	1,000,000	1,000,000	1,000,000
LegacyTexas Bank CD	0.80%	08/01/17	–	–	2,001,359	2,001,359	2,001,359
LegacyTexas Bank CD	0.85%	09/01/17	–	–	2,001,444	2,001,444	2,001,444
TOTAL			\$ 92,447,715	\$ 92,447,715	\$ (20,641,982)	\$ 71,805,732	\$ 71,805,732

Allocation

September 30, 2016

Book & Market Value	Maturity Date	Total	Pooled Investments	General Fund	Special Revenue	Interest & Sinking	Enterprise Funds	Capital Projects	Employee Benefit Trust
BBVA Demand Account	10/01/16	\$ 14,605,417	\$ 13,551,777	\$ -	\$ 65,388	\$ -	\$ 402	\$ 439,553	\$ 548,296
Cash on Hand	10/01/16	11,280		5,080	2,000		4,200		
Union State Bank	10/01/16	11,112						11,112	
FILA (IDP)	10/01/16	6,079,906	6,079,906						
Southside Bank MMA	10/01/16	4,609,014	4,609,014						
LegacyTexas MMA	10/01/16	2,655,493	2,655,493						
Green Bank MMA	10/01/16	9,024,439	9,024,439						
TexasDAILY	10/01/16	2,796	2,796						
TexPool	10/01/16	7,674,700	7,674,700						
TexSTAR	10/01/16	3,331	3,331						
LegacyTexas Bank CD	10/03/16	1,004,299		1,004,299					
Central National Bank CD	10/31/16	2,000,000	2,000,000						
Wallis State Bank CD	11/01/16	1,003,493		1,003,493					
Wallis State Bank CD	12/01/16	1,003,543		1,003,543					
Central National Bank CD	12/29/16	1,000,000	1,000,000						
Central National Bank CD	01/03/17	1,003,993		1,003,993					
Central National Bank CD	02/01/17	1,004,243		1,004,243					
Comerica Bank CD	03/02/17	2,024,247		2,024,247					
Central National Bank CD	03/09/17	3,022,915						3,022,915	
Central National Bank CD	04/26/17	2,045,203						2,045,203	
LegacyTexas Bank CD	05/01/17	1,002,530	1,002,530						
LegacyTexas Bank CD	05/01/17	1,002,169	1,002,169						
LegacyTexas Bank CD	05/01/17	2,001,274	2,001,274						
LegacyTexas Bank CD	06/01/17	1,002,597	1,002,597						
LegacyTexas Bank CD	06/01/17	1,002,270	1,002,270						
LegacyTexas Bank CD	07/03/17	1,002,665	1,002,665						
Central National Bank CD	08/01/17	1,000,000	1,000,000						
LegacyTexas Bank CD	08/01/17	2,001,359	2,001,359						
LegacyTexas Bank CD	09/01/17	2,001,444	2,001,444						
Totals		\$ 71,805,732	\$ 58,617,764	\$ 7,048,899	\$ 67,388	\$ -	\$ 4,602	\$ 5,518,783	\$ 548,296

Allocation

June 30, 2016

Book & Market Value	Maturity Date	Total	Pooled Investments	General Fund	Special Revenue	Interest & Sinking	Enterprise Funds	Capital Projects	Employee Benefit Trust
BBVA Demand Account	07/01/16	\$ 11,283,440	\$ 10,308,236	\$ -	\$ 364,729	\$ -	\$ 301,165	\$ 261,190	\$ 48,120
Cash on Hand	07/01/16	11,280		5,080	2,000		4,200		
Union State Bank	07/01/16	11,106						11,106	
FILA (IDP)	07/01/16	6,072,781	6,072,781						
Southside Bank MMA	07/01/16	4,602,951	4,602,951						
LegacyTexas MMA	07/01/16	12,649,216	12,649,216						
Green Bank MMA	07/01/16	9,011,668	9,011,668						
TexasDaily	07/01/16	4,777,038	4,777,038						
TexPool	07/01/16	6,449,113	6,449,113						
TexSTAR	07/01/16	5,435,697	5,435,697						
LegacyTexas Bank CD	08/01/16	4,009,802				4,009,802			
LegacyTexas Bank CD	08/01/16	1,002,451		1,002,451					
LegacyTexas Bank CD	08/01/16	1,002,451					1,002,451		
Wallis State Bank CD	09/01/16	1,001,553		1,001,553					
Wallis State Bank CD	09/01/16	1,001,553					1,001,553		
Southside Bank CD	09/08/16	1,012,319					1,012,319		
Comerica Bank CD	09/08/16	2,025,362					2,025,362		
Central National Bank CD	09/30/16	1,000,000	1,000,000						
LegacyTexas Bank CD	10/03/16	1,002,655		1,002,655					
Central National Bank CD	10/31/16	2,000,000	2,000,000						
Wallis State Bank CD	11/01/16	1,001,726		1,001,726					
Wallis State Bank CD	12/01/16	1,001,751		1,001,751					
Central National Bank CD	12/29/16	1,000,000	1,000,000						
Central National Bank CD	01/03/17	1,001,973		1,001,973					
Central National Bank CD	02/01/17	1,002,096		1,002,096					
Comerica Bank CD	03/02/17	2,020,171		2,020,171					
Central National Bank CD	03/09/17	3,015,230						3,015,230	
Central National Bank CD	04/26/17	2,040,371						2,040,371	
LegacyTexas Bank CD	05/01/17	1,000,637	1,000,637						
LegacyTexas Bank CD	05/01/17	1,000,000	1,000,000						
LegacyTexas Bank CD	06/01/17	1,000,654	1,000,654						
LegacyTexas Bank CD	06/01/17	1,000,000	1,000,000						
LegacyTexas Bank CD	07/03/17	1,000,671	1,000,671						
Totals		\$ 92,447,715	\$ 68,308,661	\$ 9,039,455	\$ 366,729	\$ 4,009,802	\$ 5,347,050	\$ 5,327,897	\$ 48,120



City of Killeen

Legislation Details

File #: RS-16-140 **Version:** 1 **Name:** Request to use RFP-Car Wash Project at KHFHRA
Type: Resolution **Status:** Resolutions
File created: 10/25/2016 **In control:** City Council
On agenda: 11/22/2016 **Final action:**
Title: Consider a memorandum/resolution authorizing the use of a Request for Qualifications/Request for Proposals (RFQ/RFP) for improvements to the rental car return facility system at Killeen-Fort Hood Regional Airport.
Sponsors: Aviation Department
Indexes:
Code sections:
Attachments: [Council Memorandum](#)

Date	Ver.	Action By	Action	Result
11/15/2016	1	City Council Workshop		

CITY COUNCIL MEMORANDUM

AGENDA ITEM

REQUEST AUTHORIZATION TO UTILIZE A REQUEST FOR QUALIFICATIONS/REQUEST FOR PROPOSALS (RFQ/RFP) FOR IMPROVEMENTS TO THE RENTAL CAR RETURN FACILITY AT THE KILLEEN-FORT HOOD REGIONAL AIRPORT

ORIGINATING DEPARTMENT

Aviation

BACKGROUND INFORMATION

On August 9, 2011, the City Council approved lease agreements with the Rental Car Concessions at Killeen-Fort Hood Regional Airport which included the collection of a Customer Facility Charge (CFC) to fund improvements to the rental car areas. The CFCs are accrued in a restricted fund for the purpose and benefit of funding improvements to the car rental facilities.

DISCUSSION/CONCLUSION

Staff consulted with the rental car companies at Killeen-Fort Hood Regional Airport (KFHRA) to generate a project priority list for rental car facility improvements. That list identified the initial priority improvements should be for the rental car ready area, more specifically to upgrade the vacuum systems and add an automated car wash to the existing site.

Staff recommends using a RFQ/RFP to select a team for the design-build of these improvements. The design-build process for this project will offer more design options with the designer and contractor working together as a team. The Texas Government Code requires that the Owner publish a Request for Qualifications and then ask for additional information, or full proposals, from up to five qualified respondents. This two-step process requires an RFQ and an RFP. It is the opinion of staff that using a quantitative, evaluative process such as the RFQ/RFP will provide the City with the greatest opportunity to receive the best value. The RFQ/RFP will garner information from interested parties and permit an evaluation committee to review and evaluate the requested information. This evaluation will examine the content of each proposal and compare each system proposal to the specifications of the RFP, as well as evaluating the proposer's level of experience with design-build at various facilities, references of the proposer, adaptability of the system for future added capabilities, and serviceability/maintainability of the proposed system. A standard bid process only guarantees the lowest cost, but not necessarily the best value of a proposal. Although cost will be considered in negotiations with the selected firm, it does not necessarily represent the best overall value to the City. The RFQ/RFP and design-build process will provide the best value system for the airport and the City.

FISCAL IMPACT

There is no fiscal impact associated with the use of an RFQ/RFP for this procurement versus a bid method. The project is 100% funded by the Customer Facility Charge (CFC) Fund in the CFC Projects account number 526-0512-521.67-01.

RECOMMENDATION

That City Council find that the RFQ/RFP procedure will provide the best value for the KFHRA rental car facility improvements and authorizes staff to utilize the RFQ/RFP procurement method to identify and select the best value design-build team for the upgrades to the rental car return facility at the Killeen-Fort Hood Regional Airport.



City of Killeen

Legislation Details

File #: RS-16-141 **Version:** 1 **Name:** Termination of KAAC Leases
Type: Resolution **Status:** Resolutions
File created: 10/27/2016 **In control:** City Council
On agenda: 11/22/2016 **Final action:**
Title: Consider a memorandum/resolution terminating lease agreements at the Killeen Arts & Activities Center with Richard Milburn Academy, Bell County - Human Services, Central Texas Council of Governments-Housing Division, Bring Everyone in the Zone, and Killeen Civic Art Guild.
Sponsors: City Manager Department, Community Development Department
Indexes:
Code sections:
Attachments: [Council Memorandum](#)

Date	Ver.	Action By	Action	Result
11/15/2016	1	City Council Workshop		

CITY COUNCIL MEMORANDUM

AGENDA ITEM

Termination of Lease Agreements at Killeen Arts & Activities Center

ORIGINATING DEPARTMENT

City Manager/Community Development

BACKGROUND INFORMATION

In August and September 2016, Killeen City Council approved lease amendments with the above referenced tenants. On September 20, 2016, the city received the results of a structural assessment of Killeen City Hall. That assessment revealed major work that needed to be done in order for the building to continue to function as office space for city administration and other city offices.

DISCUSSION/CONCLUSION

After further consideration of the results of the structural assessment and the cost associated with the required repairs of city hall, the Interim City Manager is recommending that Killeen City Hall offices and potentially other city offices move to the Killeen Arts & Activities Center and those current tenants at the KAAC be notified that the city intends to terminate the lease agreements by the end of the FY 16-17 fiscal year (September 30, 2017). According to the current lease terms, notice must be given to the tenant at least nine (9) months in advance for Richard Milburn Academy and a six (6) month notice be given to the other five (5) tenants.

Two tenants will remain at the KAAC, those being Greater Killeen Free Clinic and Central Texas 4-C, Inc. (Headstart). These agencies received Community Development Block Grant funding during the KAAC redevelopment project for the renovations needed to serve their agency needs. Greater Killeen Free Clinic received \$300,000 and Headstart received \$180,000 for those renovations. Their leases are for a period of fifteen (15) years, as required by HUD for the federal investment in the project. If their leases were terminated, these two agencies would be required to pay a pro-rata portion of this funding back to the city and they do not have that financial capacity to do so. They also provide direct medical and educational services to the Killeen community. The civic spaces at the KAAC will remain to be utilized by clients who rent the spaces for weddings, receptions, reunions, meetings and other celebratory events.

FISCAL IMPACT

The loss of revenue from the tenants annually equates to approximately \$161,996.40 in rent plus additional monthly payments for utilities that are used and billed to the tenants.

RECOMMENDATION

According to the terms of the Lease Agreements, recommend that Killeen City Council terminate the lease agreements with Richard Milburn Academy, Bell County-Human Services, Central Texas Council of Governments - Housing Division, Bring Everyone in the Zone, and Killeen Civic Art Guild. Lessor (City of Killeen) shall give Lessee written notice within seven (7) days of such determination.



City of Killeen

Legislation Details

File #: RS-16-142 **Version:** 1 **Name:** Update TexPool Account Representatives
Type: Resolution **Status:** Resolutions
File created: 10/28/2016 **In control:** City Council
On agenda: 11/22/2016 **Final action:**
Title: Consider a memorandum/resolution updating authorized representatives for TexPool.
Sponsors: Finance Department
Indexes:
Code sections:
Attachments: [Council Memorandum](#)
[Resolution Amending Authorized Representatives](#)
[Authorized Representative Deletion](#)

Date	Ver.	Action By	Action	Result
11/15/2016	1	City Council Workshop		

CITY COUNCIL MEMORANDUM

AGENDA ITEM

**Updating authorized representatives for
TexPool**

ORIGINATING DEPARTMENT

Finance

BACKGROUND INFORMATION

The City of Killeen has funds invested with the Texas Local Government Investment Pool (TexPool). The City Council formally approves any changes in the individuals who serve as our authorized representatives when dealing with investments.

DISCUSSION/CONCLUSION

Dennis M. Baldwin, Interim City Manager, and Althea Davis, Staff Accountant, will need to be added as authorized representatives. Lillian Ann Farris will need to be removed. All other representatives will remain the same.

FISCAL IMPACT

There is no fiscal impact due to these changes.

RECOMMENDATION

Staff recommends that the following changes be made regarding TexPool authorized representatives for the City of Killeen and that the attached Resolution Amending Authorized Representatives from TexPool be approved:

Add	Remove	Remain
Dennis M. Baldwin, Interim City Manager	Lillian Ann Farris	Jonathan Locke, Director of Finance
Althea Davis, Staff Accountant		Karen Evans, Assistant Director of Finance
		Latashia Cherry, Accounting Supervisor



Resolution Amending Authorized Representatives

Please use this form to amend or designate Authorized Representatives.

This document supersedes all prior Authorized Representative forms.

* Required Fields

1. Resolution

WHEREAS,

City of Killeen

Participant Name*

177070

Location Number*

("Participant") is a local government of the State of Texas and is empowered to delegate to a public funds investment pool the authority to invest funds and to act as custodian of investments purchased with local investment funds; and

WHEREAS, it is in the best interest of the Participant to invest local funds in investments that provide for the preservation and safety of principal, liquidity, and yield consistent with the Public Funds Investment Act; and

WHEREAS, the Texas Local Government Investment Pool ("TexPool/ Texpool Prime"), a public funds investment pool, were created on behalf of entities whose investment objective in order of priority are preservation and safety of principal, liquidity, and yield consistent with the Public Funds Investment Act.

NOW THEREFORE, be it resolved as follows:

- A. That the individuals, whose signatures appear in this Resolution, are Authorized Representatives of the Participant and are each hereby authorized to transmit funds for investment in TexPool / TexPool Prime and are each further authorized to withdraw funds from time to time, to issue letters of instruction, and to take all other actions deemed necessary or appropriate for the investment of local funds.
- B. That an Authorized Representative of the Participant may be deleted by a written instrument signed by two remaining Authorized Representatives provided that the deleted Authorized Representative (1) is assigned job duties that no longer require access to the Participant's TexPool / TexPool Prime account or (2) is no longer employed by the Participant; and
- C. That the Participant may by Amending Resolution signed by the Participant add an Authorized Representative provided the additional Authorized Representative is an officer, employee, or agent of the Participant;

List the Authorized Representative(s) of the Participant. Any new individuals will be issued personal identification numbers to transact business with TexPool Participant Services.

1. Dennis M. Baldwin

Name

Interim

Title

254-501-7700/254-634-2484/dbaldwin@killeentexas.gov

Phone/Fax/Email

Signature

2. Jonathan Locke

Name

Executive Director of Finance

Title

254-501-7730/254-501-8984/jlocke@killeentexas.gov

Phone/Fax/Email

Signature



Resolution Amending Authorized Representatives

Please use this form to amend or designate Authorized Representatives.

This document supersedes all prior Authorized Representative forms.

*** Required Fields**

1. Resolution

WHEREAS,

City of Killeen

Participant Name*

77070

Location Number*

("Participant") is a local government of the State of Texas and is empowered to delegate to a public funds investment pool the authority to invest funds and to act as custodian of investments purchased with local investment funds; and

WHEREAS, it is in the best interest of the Participant to invest local funds in investments that provide for the preservation and safety of principal, liquidity, and yield consistent with the Public Funds Investment Act; and

WHEREAS, the Texas Local Government Investment Pool ("TexPool/ Texpool Prime"), a public funds investment pool, were created on behalf of entities whose investment objective in order of priority are preservation and safety of principal, liquidity, and yield consistent with the Public Funds Investment Act.

NOW THEREFORE, be it resolved as follows:

- A. That the individuals, whose signatures appear in this Resolution, are Authorized Representatives of the Participant and are each hereby authorized to transmit funds for investment in TexPool / TexPool Prime and are each further authorized to withdraw funds from time to time, to issue letters of instruction, and to take all other actions deemed necessary or appropriate for the investment of local funds.
- B. That an Authorized Representative of the Participant may be deleted by a written instrument signed by two remaining Authorized Representatives provided that the deleted Authorized Representative (1) is assigned job duties that no longer require access to the Participant's TexPool / TexPool Prime account or (2) is no longer employed by the Participant; and
- C. That the Participant may by Amending Resolution signed by the Participant add an Authorized Representative provided the additional Authorized Representative is an officer, employee, or agent of the Participant;

List the Authorized Representative(s) of the Participant. Any new individuals will be issued personal identification numbers to transact business with TexPool Participant Services.

1. Althea Davis

Name

Staff Accountant

Title

254-501-7746/254-501-8984/adavis@killeentexas.gov

Phone/Fax/Email

Signature

2. Karen Evans

Name

Assistant Director of Finance

Title

254-501-7740/254-501-8984/kevans@killeentexas.gov

Phone/Fax/Email

Signature

1. Resolution (continued)

3. Latashia Cherry
 Name
Accounting Supervisor
 Title
254-501-7790/254-501-8984/lcherry@killeentexas.gov
 Phone/Fax/Email

 Signature

4. _____
 Name

 Title

 Phone/Fax/Email

 Signature

List the name of the Authorized Representative listed above that will have primary responsibility for performing transactions and receiving confirmations and monthly statements under the Participation Agreement.

Althea Davis

Name

In addition and at the option of the Participant, one additional Authorized Representative can be designated to perform only inquiry of selected information. This limited representative cannot perform transactions. If the Participant desires to designate a representative with inquiry rights only, complete the following information.

 Name

 Title

 Phone/Fax/Email

D. That this Resolution and its authorization shall continue in full force and effect until amended or revoked by the Participant, and until TexPool Participant Services receives a copy of any such amendment or revocation. This Resolution is hereby introduced and adopted by the Participant at its regular/special meeting held on the _____ day _____, 20__.

Note: Document is to be signed by your Board President, Mayor or County Judge and attested by your Board Secretary, City Secretary or County Clerk.

City of Killeen

Name of Participant*

SIGNED

 Signature*
Jose L. Segarra
 Printed Name*
Mayor
 Title*

ATTEST

 Signature*
Dianna Barker
 Printed Name*
City Secretary
 Title*

2. Mailing Instructions

The completed Resolution Amending Authorized Representatives can be faxed to TexPool Participant Services at 1-866-839-3291, or mailed to:

TexPool Participant Services
1001 Texas Avenue, Suite 1400
Houston, TX 77002

ORIGINAL SIGNATURE AND DOCUMENT REQUIRED

TEX-REP

2 OF 2



Authorized Representative Deletion Form

Please complete this form to delete Authorized Representative(s) of the Participant.

*Required Fields

1. Participant Information

Participant Name*	Location Number*	Effective Date*
-------------------	------------------	-----------------

2. Deletions

Please print the name(s) of the individual(s) to be deleted:

As Authorized Representative(s):

As Inquiry Only Representative(s):

1. _____	1. _____
2. _____	2. _____
3. _____	3. _____

3. Primary Contact

If the person being deleted is the Primary Contact, please provide the name of the TexPool Authorized Representative that will be the new Primary Contact. The Primary Contact is the individual who will receive the daily transaction confirmations, monthly statements, monthly newsletter, TexPool Updates, and other TexPool mailings.

Name	Title
Telephone Number	Fax Number
Email Address	

4. Inquiry Only

If the person being deleted is an Inquiry Only Representative, please specify below if you wish to add another individual in this capacity. Please note: Inquiry Only Representatives cannot perform transactions.

Name	Title
Telephone Number	Fax Number
Email Address	

5. Approvals

Please enter the name of two individuals who are currently Authorized Representatives and who authorize the deletion(s) of the individual(s) above.

Note: This authorization must be executed by a current Authorized Representative of the Participant as set forth in the duly enacted Resolution of the Participant, which is on file with TexPool.

<input type="text"/>	<input type="text"/>
Authorized Representative Signature*	Date*
<input type="text"/>	<input type="text"/>
Printed Name*	Telephone Number
<input type="text"/>	
Title*	
<input type="text"/>	<input type="text"/>
Authorized Representative Signature*	Date*
<input type="text"/>	<input type="text"/>
Printed Name*	Telephone Number
<input type="text"/>	
Title*	

6. Mailing Instructions

The completed Authorized Representative Deletion Form can be faxed to TexPool Participant Services at 1-866-839-3291, or mailed to:

TexPool Participant Services
1001 Texas Avenue, Suite 1400
Houston, TX 77002



City of Killeen

Legislation Details

File #: RS-16-143 **Version:** 1 **Name:** Reschedule December City Council Meeting
Type: Resolution **Status:** Resolutions
File created: 10/31/2016 **In control:** City Council
On agenda: 11/22/2016 **Final action:**
Title: Consider a memorandum/resolution rescheduling the December 2016 City Council meetings.
Sponsors: City Manager Department
Indexes:
Code sections:
Attachments: [Council Memorandum](#)

Date	Ver.	Action By	Action	Result
11/15/2016	1	City Council Workshop		

CITY COUNCIL MEMORANDUM

AGENDA ITEM

Reschedule City Council Meeting

ORIGINATING DEPARTMENT

City Manager's Office

BACKGROUND INFORMATION

Section 34 of the City Charter provides that the City Council shall meet regularly, but not less frequently than twice a month. Historically, the City Council has scheduled these two meetings for the second and fourth Tuesdays of the month.

DISCUSSION/CONCLUSION

The fourth Tuesday of December falls during the Christmas holidays. It is recommended that the December City Council meetings be rescheduled for another date.

FISCAL IMPACT

No fiscal impact.

RECOMMENDATION

That the City Council meetings of December 2016 be held Tuesday, December 6, 2016 and Tuesday, December 13, 2016.



City of Killeen

Legislation Details

File #: RS-16-144 **Version:** 1 **Name:** City of Killeen Fiber Installation Project
Type: Resolution **Status:** Resolutions
File created: 11/1/2016 **In control:** City Council
On agenda: 11/22/2016 **Final action:**
Title: Consider a memorandum/resolution authorizing a change order for the City of Killeen Fiber Installation Project.
Sponsors: Information Technology Department
Indexes:
Code sections:
Attachments: [Council Memorandum](#)
[StageCoach to Elms Estimate](#)
[Change Order PD HQ](#)
[Elms to KCCC Estimate](#)
[Change Order Fire Station 6](#)
[Certificate of Interested Parties](#)

Date	Ver.	Action By	Action	Result
11/15/2016	1	City Council Workshop		

CITY COUNCIL MEMORANDUM

AGENDA ITEM

Change Order for City of Killeen Fiber Installation Project

ORIGINATING DEPARTMENT

Information Technology Services

BACKGROUND INFORMATION

The Information Technology Services Department (ITS) and Bell County IT solidified an interlocal agreement for fiber installation projects on April 20, 2014 (CCMR 14-043R). Bell County IT has a contract with JC Communications through September 2017 for fiber installation. The interlocal agreement allows the city to purchase fiber installation and maintenance service from JC Communications under Bell County's contract at the same pricing offered to Bell County and satisfies the city's bidding requirements pursuant to Texas Government Code section 791.025.

Fiber Installation from CTC and TAMU-CT (Phase 1) and TAMU-CT and Killeen PD Headquarters on Community Blvd (Phase 2) was completed through utilization of this JC Communication contract. ITS Department has received previous approval from the council to work Phase 3 (Cornerstone) through Phase 4 (CCMR 15-147R) of this fiber installation project.

The staff's initial plan was to splice a fiber run (24 strands) from the intersection of Stagecoach and WS Young to the Transportation building at WS Young and Bacon Ranch. This run includes fiber to Lion's Club Park, KCCC and the Transportation building. After reviewing our plan for the fiber loop throughout the city, staff determined that the splice would limit our capacity for future growth within the loop. This change allows us to keep the integrity of the future growth and use PD HQ as a major fiber hub in the south part of the city. The WS Young project will begin at PD HQ with 48 strands of fiber going all the way to the Transportation building, all other buildings previously mentioned and includes Fire Station #6 on Elms Road. Future expansion of the city and its facilities to the south will be better serviced with this proposed change.

DISCUSSION/CONCLUSION

The staff is seeking approval for a change order to run fiber from PD HQ through the WS Young corridor providing full fiber connectivity in and out of PD Headquarters. This will also provide an opportunity to include Fire Station 6, as the fiber will run through its property. This change will provide better access to PD Headquarters, Lion's Club Park, Fire Station 6, Killeen Convention and Conference Center and Transportation.

FISCAL IMPACT

The initial cost for Phase 4 was \$106,359. The additional cost for this change order is \$40,363.90. The original estimate for the splice option to Elms Rd. was \$56,018.00; the added

cost for the direct fiber to PD HQ is \$28,390.82 and the addition of Fire Station 6 is \$11,973.08. The breakout of costs for each is depicted below with original costs, changes by section and the net change.

Phase 4	Sections within the Phase	Original	Revised Contract Amount	Change Order
	Stagecoach Road to Elms	\$ 56,018	\$ 84,409	\$ 28,390.82
	Elms to KCCC/FS 6	\$ 17,811	\$ 29,784	\$ 11,973.08
	KCCC to Trans/Fleet/SW	\$ 13,843	\$ 13,843	\$ -
	E. Stan Schleuter to Lions Club Park	\$ 18,687	\$ 18,687	\$ -
	TOTAL COST	\$ 106,359	\$ 146,723	\$ 40,363.90

Funding for this change order comes from the Capital Outlay Computer Equipment accounts from the General and all Enterprise funds.

Account	Funds Req'd	Current Balance
010-2705-419.61-40	\$ 16,549.20	\$ 117,337
214-2705-419.61-40	\$ 1,614.56	\$ 24,684
525-2705-419.61-40	\$ 2,421.83	\$ 14,385
540-2705-419.61-40	\$ 3,229.11	\$ 17,237
550-2705-419.61-40	\$ 13,320.09	\$ 127,292
575-2705-419.61-40	\$ 3,229.11	\$ 16,304
TOTAL FUNDS	\$ 40,363.90	
	\$ 317,239	

The financial impact of the entire fiber loop project is to decrease our commercial internet costs at all city facilities. Based on the scheduled completion date at this time, the entire fiber project will reach the break-even point during FY 2021.

RECOMMENDATION

The staff recommends that City Council authorize the Interim City Manager to approve this change order in the amount of \$40,363.90 to provide more efficient fiber connectivity through the City of Killeen.



J.C. Communications

(512) 670-1522 Office

(512) 267-5551 Fax

16504-1 Red Wagon Lane

Leander, TX 78641

Estimate

Date	Estimate #
6/20/2016	2377

Name / Address
City Of Killeen

Description	Qty	U/M	Cost	Project
				Stagecoach to E. El...
				Total
install 1/4" strand	10,800		0.56	6,048.00
install new anchor and downguy	15		100.00	1,500.00
bldg core and attachment	0		100.00	0.00
pull fiber through building	0		1.20	0.00
Proof pipe	0		0.45	0.00
Pull fiber through existing pipe	0		0.75	0.00
lash or over lash new 12ct	11,700		0.68	7,956.00
Place Riser	0		30.00	0.00
pole make-ready for new poles	60		50.00	3,000.00
pole transfer	180		50.00	9,000.00
assist in Pole information submittals	60		50.00	3,000.00
PE stamped engineered plans for underground/aerial/TXDOT	0		1,500.00	0.00
Traffic Control	10		350.00	3,500.00
TXDOT crossing	0		2,500.00	0.00
FDP prep and Place	0		85.00	0.00
Prep and Place OSP splice enclosure	0		150.00	0.00
Splice fiber to FDP/OSP enclosure	0		27.50	0.00
OTDR test fiber bi-directional	0		7.00	0.00
power meter test for attenuation	0		7.00	0.00
Underground trench	0		15.00	0.00
Underground trench rock adder	0		6.50	0.00
Underground Bore	0		35.00	0.00
Underground Bore rock adder	0		18.00	0.00
Place Hand Hole	0		525.00	0.00
materials 48ct sm armored fiber optic cable	11,700		0.77	9,009.00
materials 12ct sm armored fiber optic cable	0		0.52	0.00
materials strand and hardware	10,800		0.50	5,400.00
materials lashing materials	11,700		0.15	1,755.00
materials patch panel 12pt fully loaded	0		487.50	0.00
City of Killeen Phase 3 Stagecoach to E. Elms Rd main Rte			Subtotal	
			Sales Tax (8.25%)	
			Total	



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 16504-1 Red Wagon Lane
 Leander, TX 78641

Estimate

Date	Estimate #
6/20/2016	2377

Name / Address
City Of Killeen

Project
Stagecoach to E. El...

Description	Qty	U/M	Cost	Total
materials OSP fiber splice enclosure	0		875.00	0.00
materials splicing heat shrinks	0		0.42	0.00
materials Hand hole	0		875.00	0.00
materials 1.25" innerduct X 3	0		1.15	0.00
material misc	11,700		0.50	5,850.00

City of Killeen Phase 3 Stagecoach to E. Elms Rd main Rte	Subtotal	\$56,018.00
	Sales Tax (8.25%)	\$0.00
	Total	\$56,018.00



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16504-1 Red Wagon Lane

Leander, TX 78641

Estimate

Date	Estimate #
9/28/2016	3453

Name / Address
City Of Killeen

Description	Qty	U/M	Cost	Project
				PD to E. Elms Rd m...
				Total
install 1/4" strand	10,800		0.56	6,048.00
install new anchor and downguy	15		100.00	1,500.00
bldg core and attachment	0		100.00	0.00
pull fiber through building	0		1.20	0.00
Proof pipe	400		0.45	180.00
Pull fiber through existing pipe	450		0.75	337.50
lash or over lash new 48ct	21,700		0.68	14,756.00
Place Riser	3		30.00	90.00
pole make-ready for new poles	60		50.00	3,000.00
pole transfer	180		50.00	9,000.00
assist in Pole information submittals	120		50.00	6,000.00
PE stamped engineered plans for underground/aerial/TXDOT	0		1,500.00	0.00
Traffic Control	20		350.00	7,000.00
TXDOT crossing	0		2,500.00	0.00
FDP prep and Place	1		85.00	85.00
Prep and Place OSP splice enclosure	1		150.00	150.00
Splice fiber to FDP/OSP enclosure	96		27.50	2,640.00
OTDR test fiber bi-directional	48		7.00	336.00
power meter test for attenuation	48		7.00	336.00
Underground trench	0		15.00	0.00
Underground trench rock adder	0		6.50	0.00
Underground Bore	0		35.00	0.00
Underground Bore rock adder	0		18.00	0.00
Place Hand Hole	0		525.00	0.00
materials 48ct sm armored fiber optic cable	21,700		0.77	16,709.00
materials 12ct sm armored fiber optic cable	0		0.52	0.00
materials strand and hardware	10,800		0.50	5,400.00
materials lashing materials	21,700		0.15	3,255.00
materials patch panel 48pt fully loaded	1		821.00	821.00
City of Killeen Phase 4 PD to E. Elms Rd main Rremain Rte			Subtotal	
			Sales Tax (8.25%)	
			Total	



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16504-1 Red Wagon Lane

Leander, TX 78641

Estimate

Date	Estimate #
9/28/2016	3453

Name / Address
City Of Killeen

Project
PD to E. Elms Rd m...

Description	Qty	U/M	Cost	Total
materials OSP fiber splice enclosure	1		875.00	875.00
materials splicing heat shrinks	96		0.42	40.32
materials Hand hole	0		875.00	0.00
materials 1.25" innerduct X 3	0		1.15	0.00
material misc	11,700		0.50	5,850.00
~~~~~ CHANGE ORDER ~~~~~				
September 28, 2016				
> Increased quantity of Labor from 0 to 400. Increased price of Labor from \$0.00 to \$180.00. (+\$180.00)				
> Increased quantity of Labor from 0 to 450. Increased price of Labor from \$0.00 to \$337.50. (+\$337.50)				
> Increased quantity of Labor from 11,700 to 21,700. Increased price of Labor from \$7,956.00 to \$14,756.00. (+\$6,800.00)				
> Increased quantity of Labor from 0 to 3. Increased price of Labor from \$0.00 to \$90.00. (+\$90.00)				
> Increased quantity of Labor from 60 to 120. Increased price of Labor from \$3,000.00 to \$6,000.00. (+\$3,000.00)				
> Increased quantity of Labor from 10 to 20. Increased price of Labor from \$3,500.00 to \$7,000.00. (+\$3,500.00)				
> Increased quantity of Labor from 0 to 1. Increased price of Labor from \$0.00 to \$85.00. (+\$85.00)				
> Increased quantity of Labor from 0 to 1. Increased price of Labor from \$0.00 to \$150.00. (+\$150.00)				
> Increased quantity of Labor from 0 to 96. Increased price of Labor from \$0.00 to \$2,640.00. (+\$2,640.00)				
> Increased quantity of Labor from 0 to 48. Increased price of Labor from \$0.00 to \$336.00. (+\$336.00)				
> Increased quantity of Labor from 0 to 48. Increased price				

City of Killeen Phase 4 PD to E. Elms Rd main Rremain Rte	<b>Subtotal</b>
	<b>Sales Tax (8.25%)</b>
	<b>Total</b>



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16504-1 Red Wagon Lane

Leander, TX 78641

# Estimate

Date	Estimate #
9/28/2016	3453

Name / Address
City Of Killeen

Project
PD to E. Elms Rd m...

Description	Qty	U/M	Cost	Total
of Labor from \$0.00 to \$336.00. (+\$336.00) > Increased quantity of MATERIALS from 11,700 to 21,700. Increased price of MATERIALS from \$9,009.00 to \$16,709.00. (+\$7,700.00) > Increased quantity of MATERIALS from 11,700 to 21,700. Increased price of MATERIALS from \$1,755.00 to \$3,255.00. (+\$1,500.00) > Increased quantity of MATERIALS from 0 to 1. Increased price of MATERIALS from \$0.00 to \$821.00. Changed description of MATERIALS. (+\$821.00) > Increased quantity of MATERIALS from 0 to 1. Increased price of MATERIALS from \$0.00 to \$875.00. (+\$875.00) > Increased quantity of MATERIALS from 0 to 96. Increased price of MATERIALS from \$0.00 to \$40.32. (+\$40.32) Total change to estimate +\$28,390.82 ~~~~~				

City of Killeen Phase 4 PD to E. Elms Rd main Rremain Rte	<b>Subtotal</b>	\$84,408.82
	<b>Sales Tax (8.25%)</b>	\$0.00
	<b>Total</b>	\$84,408.82



J.C. Communications

16504-1 Red Wagon Lane  
 Leander, TX 78641  
 (512) 670-1522 Office  
 (512) 267-5551 Fax

# Estimate

Date	Estimate #
11/19/2014	2379

Name / Address
City Of Killeen

Description	Qty	U/M	Cost	Project
				Splice at E.Elm to K...
				Total
install 1/4" strand	2,800		0.56	1,568.00
install new anchor and downguy	3		100.00	300.00
bldg core and attachment	0		100.00	0.00
pull fiber through building	0		1.20	0.00
Proof pipe	310		0.45	139.50
Pull fiber through existing pipe	500		0.75	375.00
lash or over lash new 12ct	3,200		0.68	2,176.00
Place Riser	1		30.00	30.00
pole make-ready for new poles	15		50.00	750.00
pole transfer	45		50.00	2,250.00
assist in Pole information submittals	15		50.00	750.00
PE stamped engineered plans for underground/aerial/TXDOT	0		1,500.00	0.00
Traffic Control	3		350.00	1,050.00
TXDOT crossing	0		2,500.00	0.00
FDP prep and Place	1		85.00	85.00
Prep and Place OSP splice enclosure	1		150.00	150.00
Splice fiber to FDP/OSP enclosure	24		27.50	660.00
OTDR test fiber bi-directional	12		7.00	84.00
power meter test for attenuation	12		7.00	84.00
Underground trench	0		15.00	0.00
Underground trench rock adder	0		6.50	0.00
Underground Bore	0		35.00	0.00
Underground Bore rock adder	0		18.00	0.00
Place Hand Hole	0		525.00	0.00
materials 48ct sm armored fiber optic cable	0		0.77	0.00
materials 24ct sm armored fiber optic cable	3,700		0.61	2,257.00
materials 12ct sm armored fiber optic cable	0		0.52	0.00
materials strand and hardware	2,800		0.50	1,400.00
materials lashing materials	3,200		0.15	480.00
City of Killeen Phase 3 Splice at E.Elm to KCCC			<b>Subtotal</b>	
			<b>Sales Tax (8.25%)</b>	
			<b>Total</b>	



J.C. Communications

16504-1 Red Wagon Lane

Leander, TX 78641

(512) 670-1522 Office

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# Estimate

Date	Estimate #
11/19/2014	2379

Name / Address
City Of Killeen

Project
Splice at E.Elm to K...

Description	Qty	U/M	Cost	Total
materials patch panel 12pt fully loaded	1		487.50	487.50
materials OSP fiber splice enclosure	1		875.00	875.00
materials splicing heat shrinks	24		0.42	10.08
materials Hand hole	0		875.00	0.00
materials 1.25" innerduct X 3	0		1.15	0.00
material misc	3,700		0.50	1,850.00

City of Killeen Phase 3 Splice at E.Elm to KCCC	<b>Subtotal</b>	\$17,811.08
	<b>Sales Tax (8.25%)</b>	\$0.00
	<b>Total</b>	\$17,811.08



J.C. Communications

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16504-1 Red Wagon Lane

Leander, TX 78641

# Estimate

Date	Estimate #
10/14/2016	3493

Name / Address
City Of Killeen

Description	Qty	U/M	Cost	Project
				Fire station 6 & Tras...
				Total
install 1/4" strand	1,200		0.56	672.00
install new anchor and downguy	6		100.00	600.00
bldg core and attachment	0		100.00	0.00
pull fiber through building	400		1.20	480.00
Proof pipe	300		0.45	135.00
Pull fiber through existing pipe	300		0.75	225.00
lash or over lash new 12ct	2,150		0.68	1,462.00
Place Riser	1		30.00	30.00
pole make-ready for new poles	10		50.00	500.00
pole transfer	0		50.00	0.00
assist in Pole information submittals	10		50.00	500.00
PE stamped engineered plans for underground/aerial/TXDOT	0		1,500.00	0.00
Traffic Control	3		350.00	1,050.00
TXDOT crossing	0		2,500.00	0.00
FDP prep and Place	1		85.00	85.00
Prep and Place OSP splice enclosure re-entry	1		50.00	50.00
Splice fiber to FDP/OSP enclosure	24		27.50	660.00
OTDR test fiber bi-directional	12		7.00	84.00
power meter test for attenuation	12		7.00	84.00
Underground trench	0		15.00	0.00
Underground trench rock adder	0		6.50	0.00
Underground Bore	0		35.00	0.00
Underground Bore rock adder	0		18.00	0.00
Place Hand Hole	0		525.00	0.00
Place new pole	1		600.00	600.00
materials 48ct sm armored fiber optic cable	0		0.77	0.00
materials 12ct sm armored fiber optic cable	2,850		0.52	1,482.00
materials strand and hardware	1,200		0.50	600.00
materials lashing materials	2,150		0.15	322.50
City of Killeen Phase 4 Fire station 6 & Traspo add			<b>Subtotal</b>	
			<b>Sales Tax (8.25%)</b>	
			<b>Total</b>	



J.C. Communications  
 (512) 670-1522 Office  
 (512) 267-5551 Fax  
 16504-1 Red Wagon Lane  
 Leander, TX 78641

# Estimate

Date	Estimate #
10/14/2016	3493

Name / Address
City Of Killeen

				Project
				Fire station 6 & Tras...
Description	Qty	U/M	Cost	Total
materials patch panel 12pt fully loaded	1		487.50	487.50
materials OSP fiber splice enclosure trays	1		45.00	45.00
materials splicing heat shrinks	24		0.42	10.08
materials Hand hole	0		875.00	0.00
materials 1.25" innerduct X 3	0		1.15	0.00
materials 30ft class 5 pole	1		384.00	384.00
material misc	2,850		0.50	1,425.00
City of Killeen Phase 4 Fire station 6 & Traspo add			<b>Subtotal</b>	\$11,973.08
			<b>Sales Tax (8.25%)</b>	\$0.00
			<b>Total</b>	\$11,973.08



# 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:  
 2016-135242

Date Filed:  
 11/10/2016

Date Acknowledged:

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

JPC Construction Inc DBA J.C. Communications  
 Leander, 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

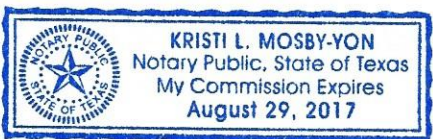
3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.

12212  
 Telecommunications Construction

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary

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.



*Heather D. Chamberlain*  
 Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said Heather Chamberlain, this the 10th day of November 2016, to certify which, witness my hand and seal of office.

*Kristi Mosby-Yon*      Kristi Mosby-Yon      Notary  
 Signature of officer administering oath      Printed name of officer administering oath      Title of officer administering oath



# City of Killeen

## Legislation Details

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**File #:** RS-16-145    **Version:** 1    **Name:** Web Benefits Design Contract  
**Type:** Resolution    **Status:** Resolutions  
**File created:** 11/4/2016    **In control:** City Council  
**On agenda:** 11/22/2016    **Final action:**  
**Title:** Consider a memorandum/resolution for a service agreement with Web Benefits Design.  
**Sponsors:** Human Resources Department  
**Indexes:**  
**Code sections:**  
**Attachments:** [Council Memorandum](#)  
[Contract](#)  
[Certificate of Interested Parties](#)

Date	Ver.	Action By	Action	Result
11/15/2016	1	City Council Workshop		



# WEB BENEFITS DESIGN

*Technology, Communications & Administration*

## ACA and Compliance Services Contract Addendum

### City of Killeen





## Technology & Administration Delivery Agreement

Thank you very much for allowing WBD the opportunity to continue to work with City of Killeen to deliver technology, communications and administrative services. We look forward to continuing our mutually beneficial business relationship that will facilitate growth, progress, increased efficiencies and creative, cost-savings solutions for the City of Killeen benefits and human resources teams.

The terms and conditions in your signed Web Benefits Design contract are applicable and binding to this ACA contract addendum.

WBD – ACA Compliance Services		
Name of Broker / Consultant	Gallagher - Sugarland	
Name of Employer	City of Killeen	
# of Benefits-Eligible EE's Loaded Into Total Access Exchange <i>This is the number used to calculate all baseline PEPM calculations</i>	1400	
One Time, Annual or Renewal Fees	1X Fee	Client Election
<b>Initial Set Up Fee – ACA Reporting</b> Includes configuring system to populate 1094 and 1095 forms, along with the initial setup and management of IRS electronic data filing requirements.	\$1,000	<input checked="" type="checkbox"/>
<b>ACA Historical Data Load</b> (for employers with mid-year installations)	\$1,000	<input checked="" type="checkbox"/>
<b>Inforce Client Discount</b> (no historical data charge)	-\$1,000	
<b>Mid-Year PEPM Catchup</b> (January 1 – June 30 2016)	\$8,400	
<b>Total One Time Fees</b>	<b>\$9,400</b>	
ACA Compliance Services	PEPM Cost	Client Election
<b>ACA Compliance Services – Standard</b> Displaying Summary of Benefits and Coverage on Benefits Website, displaying the Employee Notice of Exchange on Benefits Website and displaying all SPD's, COBRA, FMLA and other Employer-Mandated Communications and Notifications	Included	<input checked="" type="checkbox"/>
<b>ACA Compliance Services – Enhanced</b> <ul style="list-style-type: none"> <li>• 1094C and 1095C Forms</li> <li>• Year End W-2 Report</li> <li>• Reinsurance Assessment Fee Report</li> <li>• Affordability Report</li> </ul>	\$1.00*	<input checked="" type="checkbox"/>
<b>Hard Copy Distribution (Mailings) of Employee 1095 B &amp; C Forms</b> Web Benefits Design will print and mail Employee forms with a cover letter to the address on file.	\$3.00 Per mailing	<input type="checkbox"/>
<b>Total Cost</b>		
<b>Total Recurring ACA &amp; Compliance Monthly Fees</b> (beginning July 1, 2016)	<b>\$1,400</b>	

*FEE BASED ON TOTAL NUMBER OF 1095-C FORMS PRODUCED



## ACA & Compliance Services Contract Addendum

### WBD RESPONSIBILITIES: 1094 AND 1095 REPORT AND FORM GENERATION SERVICES (ENHANCED)

- 1094 C and 1095-C Forms *(Electronic master file of all employee and employer forms)*
- WBD will supply an electronic version of the master file of all employee and employer forms
- Form generation will be completed on or before the IRS mandated timeline set forth.
- Form generation will include population of all data including lines 14, 15 and 16 of Part 2 on Form 1095-C.
- Includes form generation for COBRA participants *(assuming client uses WBD specific file format)*
- Electronic filing with the IRS *(option provided at no additional cost, employer may choose to opt out)*
- Corrections and amended IRS filings
- Authorized administrators can access all 1095-B and 1095-C forms via HR Access
- Individual employees can access their personal 1095-C form via the Total Access Exchange.
- WBD will provide telephonic support for questions or requests to re-issue forms.
- WBD will provide the following additional reports in Excel:
  - ✓ Year-end healthcare summary reports with data for Box 12 on W-2 forms. *(Reports include data from the effective date of system installation. WBD does not load historical data for W-2 reporting purposes).*
  - ✓ Affordability Report *(illustrates affordability metrics comparing salary vs. coverage options)*
  - ✓ Reinsurance Assessment Fee Report



## ACA & Compliance Services Contract Addendum

### ACA - EMPLOYER PLAN ADMINISTRATOR RESPONSIBILITY

In order for WBD to provide ACA reporting, certain information requirements must be upheld by the employer and/or plan administrator.

- The services to be provided by WBD are administrative in nature; Employer retains all authority and responsibility as plan sponsor.
- Employer is ultimately responsible for all fiduciary responsibility associated with the 1094 and 1095 forms. WBD will not assume liability for fines, fees or financial penalties.
- WBD can only report on the data provided to us by the client. WBD's accuracy relies on the integrity of the data within our system. WBD does not create data, but uses data provided by the employer to process calculations and reports. The validity and accuracy of the data provided in the system is the employer's responsibility.
- In order to generate accurate series codes, the employer must provide system indicators differentiating benefits eligible vs. non-eligible employees.
- Historical data loads will be required for all time periods prior to the effective date of WBD's Total Access Exchange installation.
- Client is responsible for providing historical data within 30 days of the contract effective date.
- If you are loading employees that are not currently housed in the WBD System (ex: Union, COBRA), and the data has changed prior to 12/31 of the plan year, then you must send us this updated data, in our file specs, before January 10th in order to file on time with the IRS.
- For historical data loads, the client agrees to adhere to the file specifications provided by WBD.
- Client is responsible for physical distribution of employee forms and notifications unless WBD is contracted for this additional service (*see mailing and fulfillment services section of contract on page 2*)
- Employer is responsible for collecting missing dependent information. If dependents are missing from the system or have missing information (*SSN, date of birth, etc.*), it is the employer or employee's responsibility to enter that information into the EBISA.
- If client wishes to refresh annualized salaries with final year end salaries, a complete salary file including employee name, SSN and employee ID# must be received no later than January 10th.
- If employer chooses to modify the 1094 employer transmittal form, all modifications must be completed by the employer outside of the EBISA. If employer modifies the 1094 form, employer will be responsible for the electronic filing with the IRS.
- If employer does not use WBD's integrated COBRA services, then the employer is responsible for providing this information to WBD in WBD's specific file format along with all historical data if applicable.

## Billing and Payment Agreement

- This constitutes a binding contract beginning 01/01/2016. In the event of early termination, the monthly fees are due and payable through 12/31/2018, unless terminated for cause.
- Monthly fees are invoiced on the first of each month for the prior month's services. For full year historical data loads, your bill will reflect 12 month pricing (i.e. \$12 per 1095-C form). Payments are due upon receipt of invoice and are considered late if not paid prior to the next month's billing cycle.
- Late fees may apply.
- Web Benefits Design accepts payment by credit card or check.
- If paying by check, please make checks payable to Web Benefits Design Corporation.


### PAYMENT INFORMATION

Web Benefits Design Corporation  
P.O. Box 1568  
Windermere, FL 34786-1568

Auto Credit Card debits are available. All credit card receipts and/or invoices will be sent to you via email to the e-mail below:

Contacts	Employer Information	Broker Information
Company Name	City of Killeen	Gallagher Benefit Services
Address	101 North College St. Killeen, TX 76541	2245 Texas Drive Suite 140 Sugar Land, TX 77479
Account Contact	Catherine Mathes	Burke Sunday
Phone	254-298-5650	281-295-3013
Email	<a href="mailto:cmathes@killeentexas.gov">cmathes@killeentexas.gov</a>	<a href="mailto:Burke_Sunday@aig.com">Burke_Sunday@aig.com</a>
Client Website		
Billing Contacts and Payment Information	Employer Information	Broker Information
Billing Contact		
Billing Phone		
Billing Email		
Method of Payment	Check   Automatic Monthly Credit Card	Check   Automatic Monthly Credit Card
Credit Card Information	Visa   MasterCard   American Express	Visa   MasterCard   American Express
Credit Card Number		

## Signature and Authorization

Contract Signature	Employer Signature	Broker Signature
Printed Name	CO Catherine Mathes Eva Bark	Steve Heenan Web Benefits Design Corp.
Signature	CO Catherine Mathes Eva Bark	
Date	7/7/16	7-8-16



# CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

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

## OFFICE USE ONLY CERTIFICATION OF FILING

**1 Name of business entity filing form, and the city, state and country of the business entity's place of business.**  
Web Benefits Design  
Orlando, FL United States

Certificate Number:  
2016-135291

Date Filed:  
11/10/2016

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

Date Acknowledged:

**3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.**  
2016 ACA Reporting Addendum  
Affordable Care Act reporting and electronic submission services.

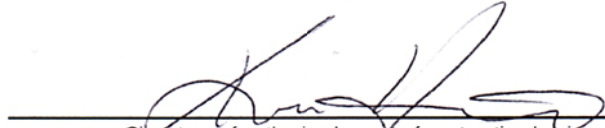
4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary
	Web Benefits Design	Orlando, FL United States	X	

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.

 **MICHELLE ROSARIO**  
**NOTARY PUBLIC**  
**STATE OF FLORIDA**  
Comm# FF096241  
Expires 5/4/2018

  
_____  
Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said individual, this the 10th day of November, 2016, to certify which, witness my hand and seal of office.

  
_____  
Signature of officer administering oath

Michelle Rosario  
_____  
Printed name of officer administering oath

Notary  
_____  
Title of officer administering oath



# City of Killeen

## Legislation Details

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**File #:** PH-16-037    **Version:** 1    **Name:** Street Name Change - Rosewood Drive to "JD Aycock Boulevard"  
**Type:** Resolution/Public Hearing    **Status:** Public Hearings  
**File created:** 10/6/2016    **In control:** City Council  
**On agenda:** 11/22/2016    **Final action:**  
**Title:** HOLD a public hearing and consider a resolution renaming Rosewood Drive to "JD Aycock Boulevard."  
**Sponsors:** Planning & Development Dept  
**Indexes:**  
**Code sections:**  
**Attachments:** [Council Memorandum](#)  
[Exhibit](#)

Date	Ver.	Action By	Action	Result
10/18/2016	1	City Council Workshop		

## CITY COUNCIL MEMORANDUM

### AGENDA ITEM

**DISCUSS AND CONSIDER A REQUEST TO  
RENAME ROSEWOOD DRIVE TO "JD AYCOCK  
BOULEVARD"**

### ORIGINATING DEPARTMENT

**Planning and Development Services**

### BACKGROUND INFORMATION

Rosewood Drive is a public street that runs north-south from the intersection of Martin Luther King Boulevard (FM 2410) to a future terminus onto Chaparral Road. Rosewood Drive is classified as a 90' minor arterial on the City's current Thoroughfare Plan. City staff has been approached by Councilman Brockley Moore to honor Texas House Representative Jimmy Don Aycock by having a street named in recognition of his contributions to the city of Killeen and public education within District 54. Councilman Moore is requesting to change the name of Rosewood Drive to "JD Aycock Boulevard".

### DISCUSSION/CONCLUSION

Article IV, Chapter 25 of the Killeen Code of Ordinances provides a process for street name changes. Section 25-118 of this Chapter specifies that "Applications for a street name change may be considered for any one (1) of the following reasons, which must be specified in the application:

- (1) To establish continuity of the street's name;
- (2) To eliminate name spelling duplication, phonetic duplication, or misspelling;
- (3) To bring coherence to the street numbering designation (east, west, north, south);
- (4) To provide necessary roadway designation (Street, Road, Lane, Circle, Drive, Boulevard, and similar designations);
- (5) To honor a person, place, institution, group, entity, event or similar subject;
- (6) To enhance a neighborhood through association of the street name with its location, area characteristics, history and similar factors."

Pursuant to Code section 25-120:

In all instances where it is the city's recommendation that a street name be changed, the department head shall file a request for a change of the name of a street with the department of planning and economic development. The written request shall state the present official name of the city street, the proposed new name, and a statement of reason or reasons from among those listed above, claimed for such a name change.

### FISCAL IMPACT

The fiscal impact associated with this action involves changing the appropriate street signs to reflect the changed name of "JD Aycock Boulevard". Staff provided Council with a breakdown of the projected city sign (local) cost, which is approximately \$1,975. Staff is estimating that

TXDOT signage would cost approximately \$30,270. Funding for the local street sign cost is available in street maintenance account (redflex) number 243-0000-495.42-37.

## **RECOMMENDATION**

Councilman Moore's street name change request is consistent with Code Section 25-118 (5) which is to "to honor a person, place, institution, group, entity, event or similar subject" with regard to street names. The Planning Staff has reviewed the Bell County tax rolls and determined that one property owner will be affected by the street name change. That property is addressed as 6101 Rosewood Drive. The property owner, AJH Timber Ridge Estates, L.L.C., which owns the undeveloped property, Lot 7A, Block 17, Timber Ridge Estates Phase Three Replat, has been notified of the request and the date/ time of the City Council meeting where it will be considered. Staff recommends that the City Council approve the street name change request from Rosewood Drive to "JD Aycock Boulevard."

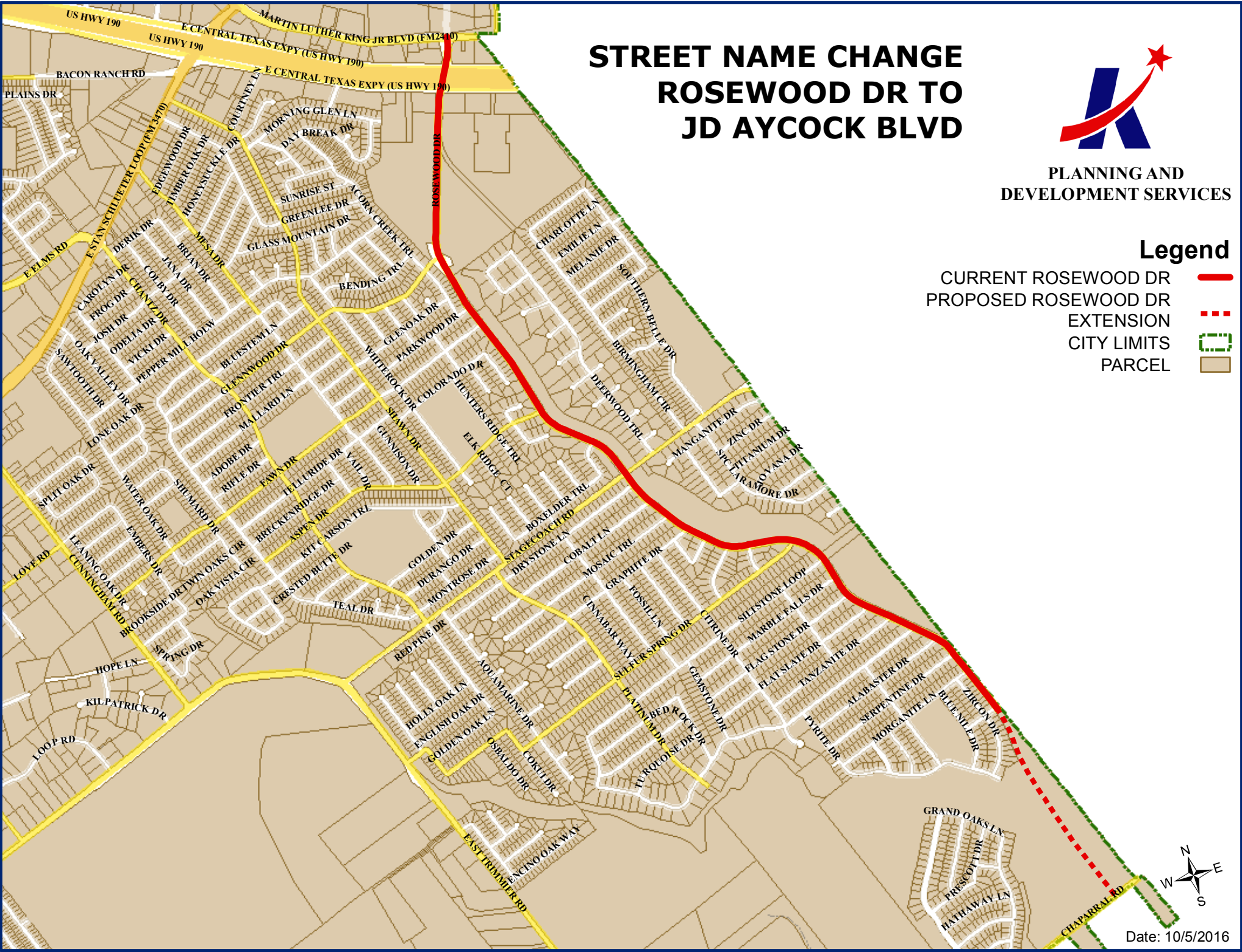
# STREET NAME CHANGE ROSEWOOD DR TO JD AYCOCK BLVD



PLANNING AND  
DEVELOPMENT SERVICES

### Legend

- CURRENT ROSEWOOD DR
- PROPOSED ROSEWOOD DR
- EXTENSION
- CITY LIMITS
- PARCEL





# City of Killeen

## Legislation Details

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**File #:** PH-16-040A    **Version:** 1    **Name:** Zoning 16-18  
**Type:** Ordinance/Public Hearing    **Status:** Public Hearings  
**File created:** 11/4/2016    **In control:** City Council  
**On agenda:** 11/22/2016    **Final action:**  
**Title:** HOLD a public hearing and consider an ordinance requested by Linda Nellis, Trustee of the Donald Earl Nellis and Lenner Hair Nellis Revocable Living Trust (Case #Z16-18) to rezone 15.104 acres out of the R. Cunningham Survey, Abstract No. 199, from "R-1" (Single-Family Residential District) to Planned Unit Development (PUD) with "R-3A" (Multifamily Apartment Residential District) use for a project named South Station Apartments. The property is located near the northeast corner of Cunningham Road and E. Stan Schlueter Loop (FM 3470).  
**Sponsors:** Planning & Development Dept  
**Indexes:**  
**Code sections:**  
**Attachments:** [Council Memorandum](#)  
[Attachment to CCMO](#)  
[Minutes](#)  
[Ordinance](#)  
[Application](#)  
[Location map](#)  
[Buffer map](#)  
[Development Summary](#)  
[Concept Plan](#)  
[Considerations](#)

Date	Ver.	Action By	Action	Result
11/15/2016	1	City Council Workshop		

## CITY COUNCIL MEMORANDUM

### AGENDA ITEM

**ZONING CASE #Z16-18 "R-1" (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO PUD (PLANNED UNIT DEVELOPMENT) WITH "R-3A" (MULTIFAMILY APARTMENT RESIDENTIAL DISTRICT)**

### ORIGINATING DEPARTMENT

**PLANNING & DEVELOPMENT SERVICES**

Pedcor Investments, L.L.C. submits this request on behalf of Linda Nellis, Trustee of the Donald Earl Nellis and Lenner Hair Nellis Revocable Living Trust to rezone 15.104 acres out of the R. Cunningham Survey, Abstract No. 199, from "R-1" (Single-Family Residential District) to Planned Unit Development (PUD) with "R-3A" (Multifamily Apartment Residential District) use for a project named South Station Apartments. The developer for the project is proposing to construct a 256 dwelling unit project with twelve (12) two and three-story buildings, one (1) two-story building, one leasing office and a community center. The development will consist of 72 one-bedroom units; 160 two-bedroom units and 24 three-bedroom units.

### District Descriptions:

**A building or premises in an "R-3A" Multifamily Apartment Residential District shall be used only for the following purposes:**

(a) Uses. A building or premises in an "R-3A" Multifamily Apartment Residential District shall be used only for the following purposes:

- (1) Any use permitted in the "R-1" or "R-2" districts
- (2) Multifamily structures containing five (5) or more separate dwelling units, including large apartment complexes with high rise structures
- (3) Boarding and lodging houses
- (4) Fraternity or sorority houses
- (5) Licensed group or community homes housing six (6) or more persons
- (6) Dormitories for educational or employment purposes as a primary use
- (7) Any group housing activity not otherwise identified in another multifamily or business district
- (8) Accessory buildings and uses, customarily incident to the above uses and located on the same lot therewith, not involving the conduct of a business

(b) Planned unit development required-rezoning applications requesting zoning under this division shall be subject to the requirements of 31-256.9 of this division, if applicable.

A planned unit development (PUD) is a land use design incorporating the concepts of density and common open space. Common open space shall include, but is not limited to, community amenities such as parks, gardens, pedestrian trails, recreation areas, and usable undisturbed, natural areas. The PUD designation serves as an "overlay zoning and development classification." In this capacity, the designation permits specific negotiated development regulations to be applied to the base land use zoning district(s) in which the property is located. When a parcel of land receives a PUD designation, the entire parcel must be assigned one or more standard zoning district classifications. However, the added PUD overlay classification enables the developer of the site to request that specific land use development regulations be

applied to his development site. Such specific land use and development regulations shall not take effect until they are reviewed, public hearings held and approved by both the Planning and Zoning Commission and the City Council. The PUD classification is an overlay designation to provide the flexibility to permit development projects which may include multiple land uses. This classification serves the following purposes: establish a procedure for the development of a parcel of land under unified control to reduce or eliminate the inflexibility that might otherwise result from strict application of land use standards and procedures designed primarily for individual lots; ensure structured review and approval procedures are applied to unique development projects that intended to take advantage of common open space and promote pedestrian circulation;

(c) Allow developers greater freedom to be innovative in selecting the means to provide access, light, open space and amenities; and

(d) Provide flexibility from the strict application of existing development regulations and land use standards and allow developers the opportunity to take advantage of special site characteristics and location.

The regulatory provisions of this classification are intended to achieve the above purposes while maintaining the spirit of the current City of Killeen development regulations, as amended. As such, these provisions represent the governing body's minimum quality of life standard and no variance or exception shall be granted thereto.

### **Property Specifics**

**Applicant/Property Owner:** Linda Nellis on behalf of the Donald Earl Nellis and Lenner Hair Nellis Revocable Living Trust

**Property Location:** The property is located near the northeast corner of Cunningham Road and E. Stan Schlueter Loop (FM 3470).

**Legal Description:** 15.104 acres out of the R. Cunningham Survey, Abstract No. 199, Killeen, Texas

### **Zoning/ Plat Case History:**

- There is no recent zoning activity for the property.
- The subject property is not platted.

### **Character of the Area**

**Existing Land Use(s) on the Property:** The project area currently contains several small structures. The property is bounded to the north and east by "B-5" (Business District) zoned sites, one of which contains a Walmart Neighborhood Market retail store. The property is bounded by "R-1" zoned land along its southern boundary.

### **Figure 1. Zoning Map**

See Attachment



**Historic Properties:** None

## **Infrastructure and Community Facilities**

### **Water, Sewer and Drainage Services:**

Provider: City of Killeen

Within Service Area: Yes

Feasibility Study or Service Commitment: The existing potable water main that would serve the property is a 4-inch diameter transmission main running parallel to the lot frontage within the right-of-way of Cunningham Road and/or 12-inch diameter transmission main. Upon approval of a future development permit application, the developer would be required to extend public water mains across the property to provide adequate domestic and fire flows in accordance with the City of Killeen Code of Ordinances and other applicable development criteria. A permit applicant is solely responsible for, and shall perform and submit the results of all required testing of the public water mains to confirm adequate flow and pressure exists to support any Code-mandated fire protection measures.

Various scenarios are available for retail potable water supply to a multifamily development:

- a master meter (with backflow/crossflow isolation) set at a tap on a public water main, with a multi-service-unit-equivalent yard line with or without (owner-side) sub-metering
- a looped dedicated public water main (the means of water distribution required per the City's adopted Infrastructure Development & Design Standards Manual) internal to the complex with one or more service connections
- an individual service connections from an abutting public water main to individual buildings, and in some cases individual units

Please note that transmission of potable water to individual "customers" through a private potable water transmission system that does not conform with 30 TAC 290 and Killeen Code of Ordinances Chapter 30 rules would result in regulation of the supplier as a retail water purveyor by the TCEQ. Public sanitary sewer utility service is immediately available to the property. An existing 12-inch diameter gravity sanitary sewer interceptor that serves the entire contributing wastewater drainage basin crosses the full extent of the eastern portion of the subject tract. Upon approval of a future development permit application, the developer would be required to extend a public sanitary sewer main to provide adequate collection capacity in accordance with City of Killeen Code of Ordinances and other applicable development criteria.

It shall be noted that Public Works personnel have performed only a basic assessment of publicly-dedicated water and sanitary sewer infrastructure that would serve this property. The property owner and his agents are cautioned that unknown or unforeseen site conditions may require remedial action to provide safe and adequate water, sewer, or drainage service to the property. Further, City of Killeen development regulations require that capacity analyses related to development of the property are the sole responsibility of the owner. The owner or his agents, acting as the permit applicant for re-development of the subject property, shall coordinate tie-in to all publicly dedicated infrastructure with the Public Works Department.

### **Transportation:**

Existing conditions: The applicant is advised that ingress/egress to and from E. Stan Schlueter Loop (FM 3470), which is classified as a principal arterial (110') by the City's adopted

Thoroughfare Plan, will be disciplined through TXDOT's access management guidelines. It is functioning at its desired level of service. Ingress/egress to and from Cunningham Road will be disciplined through the policies of the City's Thoroughfare Development Manual when the property is developed. Cunningham Road - classified as a minor arterial (90') street by the City's adopted Thoroughfare Plan - is constructed as an urban section road functioning at its desired level of service. City Code requires that capacity analysis related to development is the responsibility of the developer.

Proposed Improvements: No proposed improvements are contemplated as part of this zoning request.

Projected Traffic Generation: Significant upon build out.

### **Environmental Assessment**

**Topography:** The property ranges in elevation from 840 feet to 876 feet in elevation.

**Regulated Floodplain/Floodway/Creek:** This parcel is located within a Zone X FEMA regulatory Special Flood Hazard Area (SFHA). The Little Nolan Creek Watershed is located northwest of the subject area, but does not encroach onto the property.

### **Land Use Analysis**

**Land Use Plan:** This area is designated as 'General Residential' on the Future Land Use Map (FLUM) of the Comprehensive Plan.

**Plan Recommendation:** The 'General Residential' character encourages detached residential dwellings as the primary focus, attached housing types subject to compatibility and open space standards (e.g. duplexes), planned developments with a mix of housing types subject to compatibility and open space standards, public/institutional, parks, and other public spaces. The characteristics of this designation include:

- Predominantly "R-1" zoning district with less openness and separation between dwellings compared to Suburban Residential areas.
- Auto-oriented character that can be offset with architectural standards, landscaping, and limited uniform subdivision designs.
- Neighborhood-scale commercial emerging over time for well-suited areas.

**Consistency:** The zoning request is consistent with the intent of the Comprehensive Plan.

### **Public Notification**

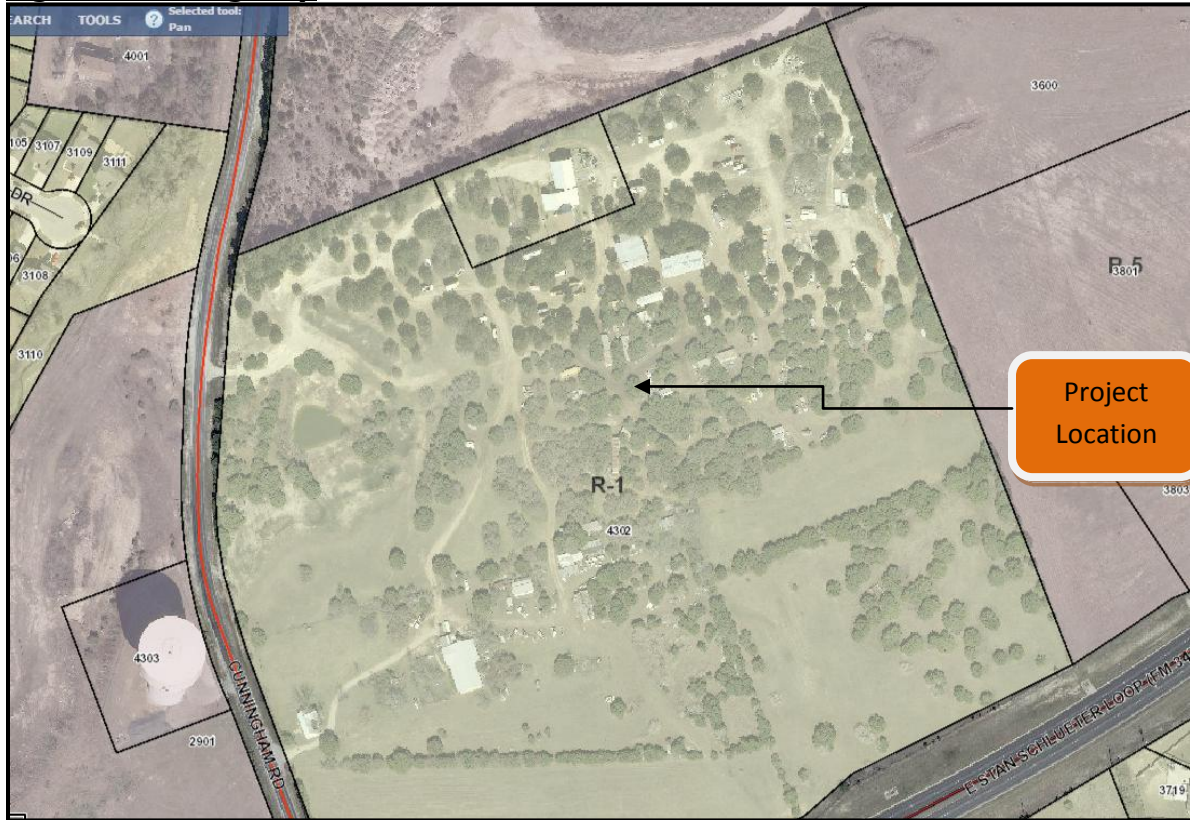
The staff notified seven (7) surrounding property owners regarding this request. Staff received no responses.

### **Recommendation**

The Planning & Zoning Commission recommended approval of the applicant's PUD zoning request by a vote of 7 to 0. The Planning and Zoning Commission recommends the following conditions as part of the approval:

- the applicant shall adhere to the submitted site plan, architectural elevations and floorplans, with consideration of moving the community amenities to a more centralized location;
- the applicant shall satisfy all landscaping and screening requirements set in Killeen Code of Ordinances Sections 31-255.5 and 31-255.7. Specifically, the requirements amount to 128 trees and 768 shrubs and screening around the north, east and south project boundaries; and
- the applicant shall provide a second amenity area (to include equipment) in the eastern portion of the development site; preferably the square shaped area located near buildings 11-13.

**Figure 1. Zoning Map**



**MINUTES  
PLANNING AND ZONING COMMISSION MEETING  
NOVEMBER 7, 2016**

**CASE #Z16-18  
R-1 to PUD w/R-3A**

**HOLD a public hearing and consider a request by Linda Nellis, Trustee of the Donald Earl and Lenner Hair Nellis Revocable Living Trust to rezone approximately 15.104 acres out of the Robert Cunningham Survey, Abstract No. 199, from “R-1” (Single-Family Residential District) zoning district to a Planned Unit Development (PUD) with “R-3A” (Multifamily Apartment Residential District) zoning district. The property is located on the northeast corner of Stan Schlueter Loop and Cunningham Road. The property is locally known as 4302 Cunningham Road, Killeen, Texas.**

Chairman Frederick requested staff comments.

City Planner Tony McIlwain stated that Pedcor Investments, L.L.C. submits this request to develop a project named *South Station Apartments*. The developer for the project is proposing to construct a 256 dwelling unit project with twelve (12) two and three-story buildings, one two-story building, one leasing office and a community center. The development will consist of 72 one-bedroom units; 160 two-bedroom units and 24 three-bedroom units. The applicant is advised that ingress/egress to and from E. Stan Schlueter Loop (FM 3470) is classified as a principal arterial (110') by the City's adopted Thoroughfare Plan and will be disciplined through TXDOT's access management guidelines. It is functioning at its desired level of service. Ingress/egress to and from Cunningham Road will be disciplined through the policies of the City's Thoroughfare Development Manual when the property is developed. Cunningham Road – classified as a minor arterial (90') street by the City's adopted Thoroughfare Plan – is constructed as an urban section road functioning at its desired level of service. City Code requires that capacity analysis related to development is the responsibility of the developer.

The staff notified 7 (seven) surrounding property owners regarding this request. No responses have been received.

Staff recommends approval of the applicant's PUD request subject to the following:

- the applicant shall adhere to the submitted site plan, architectural elevations and floorplans;
- the applicant shall satisfy all landscaping and screening requirements set in Killeen Code of Ordinances Sections 31-255.5 and 31-255.7. Specifically, the requirements amount to 128 trees and 768 shrubs and screening around the north, east and south project boundaries; and
- the applicant shall provide a second amenity area (to include equipment) in the eastern portion of the development site; preferably the square shaped area located near buildings 11-13.

Ms. Jean Latsha, Pedcor Investments, LLC, 5014 W. Frances Pl, Austin, Texas, was present to represent this request. Ms. Latsha asked for some flexibility while the plans are being developed. Commissioner Cooper asked Ms. Latsha if they could consider the relocation of the amenities. Ms. Latsha stated they could consider the relocation of the amenities, but she could not make any promises. She also stated that they will meet all requirements.

Chairman Frederick opened the public hearing. With no one requesting to speak, the public hearing was closed.

The Commission recognized Kristina Ramirez, Director of Environmental Services, who stated that the illustrated detention ponds could change in size and the conceptual plan for the PUD wasn't the final design of the pond. She also clarified that a detention pond only requires a fence if the pond is greater than 4 feet and does not have an inner ledge. Ms. Ramirez also explained other options for the developer.

Commissioner Harkin had concerns with more traffic on Cunningham Road.

Commissioner Cooper motioned to approve the request with the recommendation from staff. Vice Chair Dorroh seconded the motion. The motion passed 7-0.

Chairman Frederick stated that this request will be forwarded to City Council with a recommendation to approve.

**ORDINANCE _____**

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF KILLEEN BY CHANGING THE ZONING OF CERTAIN PROPERTY OUT OF THE CITY OF KILLEEN, BELL COUNTY, TEXAS, FROM R-1 (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO PLANNED UNIT DEVELOPMENT (PUD) WITH R-3A (MULTIFAMILY APARTMENT RESIDENTIAL DISTRICT) USES; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Linda Nellis, Trustee submits this request on behalf of the Donald Earl Nellis and Lenner Hair Nellis Revocable Living Trust to the City of Killeen for a request for an amendment of the Zoning Ordinance of the City of Killeen by changing the classification of approximately 15.104 acres, being part of the R. Cunningham Survey, Abstract No. 199, from “R-1” (Single-Family Residential District) to a Planned Unit Development (PUD) with “R-3A” (Multifamily Apartment Residential District) uses for a project named South Station Apartments, said request having been duly presented and recommended for approval by the Planning and Zoning Commission of the City of Killeen on the 7th day of November 2016 with the following conditions:

- the applicant shall adhere to the submitted site plan, architectural elevations and floorplans, with consideration of moving the community amenities to a more centralized area;
  - the applicant shall satisfy all landscaping and screening requirements set in Killeen Code of Ordinances Sections 31-255.5 and 31-255.7. Specifically, the requirements amount to 128 trees and 768 shrubs and screening around the north and south project boundaries;
- and

- the applicant shall provide a second amenity area (to include equipment) in the eastern portion of the development site; preferably the square shaped area located near buildings 11-13;

and due notice of the filing of said request and the date of hearing thereon was given as required by law, and hearing on said request was set for 5:00 P.M., on the 22nd day of November 2016, at the City Hall, City of Killeen;

**WHEREAS**, the City Council at said hearing duly considered said request, the action of the Planning and Zoning Commission and the evidence in support thereof, and the City Council that the request should be approved;

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

**Section I.** That the zoning classification of the following described tract be changed from “R-1” (Single-Family Residential District) to Planned Unit Development (PUD) with “R-3A” (Multifamily Apartment Residential District) uses, with those conditions stipulated by the Planning and Zoning Commission, for approximately 15.104 acres, being part of the R. Cunningham Survey, Abstract No. 199, for property located near the northeast corner of the intersection of Cunningham Road and E. Stan Schlueter Loop (FM 3470), Killeen, Texas.

**Section II.** That should any section or part of this ordinance be declared unconstitutional or invalid for any reason, it shall not invalidate or impair the validity, force, or effect of any other section or parts of this ordinance.

**Section III.** That all ordinances and resolutions, or parts thereof, in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

**Section IV.** That this ordinance shall take effect immediately upon passage of the



ordinance.

**PASSED AND APPROVED** at a regular meeting of the City Council of the City of Killeen, Texas, this 22nd 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**

Case #16-18

Ord. #





Date Paid:	<u>10/07/2010</u>
Amount Paid:	<u>\$ 300.00</u>
Cash/MO #/Check #:	<u># 335996</u>
Receipt #:	<u>461</u>

CASE #: Z16-18

## City of Killeen Zoning Change Application

**General Zoning Change \$300.00** [ ] **Conditional Use Permit \$500.00**

**Name(s) of Property Owner:** Linda Nellis, Trustee of the Donald Earl Nellis and Lenner Hair Nellis Revocable Living Trust

Current Address: 21204 Bogie Road

City: Edmond State: OK Zip: 73102 - _____

Home Phone: (405) 826-5279 Business Phone: ( ) _____ Cell Phone: ( ) _____

Email: linda@nellisvineyards.com

**Name of Applicant:** Pedcor Investments, A Limited Liability Company  
(If different than Property Owner)

Address: 770 3rd Ave SW

City: Carmel State: IN Zip: 46032

Home Phone: ( ) _____ Business Phone: (317) 208-3767 Cell Phone (512) 470-7312

Email: jlatsha@pedcor.net

Address/Location of property to be rezoned: 4302 Cunningham Road

Legal Description: attached

Metes & Bounds or Lot(s) Block Subdivision

Is the rezone request consistent with the Comprehensive Plan? YES NO

If NO, a FLUM amendment application must be submitted.

Type of Ownership: _____ Sole Ownership _____ Partnership  Corporation _____ Other

Present Zoning: R-1 Present Use: vacant

Proposed Zoning: PUD Proposed Use: multifamily development (R-3A uses)

Conditional Use Permit for: N/A

This property was conveyed to owner by deed dated 8/31/1998 and recorded in Volume 3855, Page 305, Instrument Number 030339 of the Bell County Deed Records. (Attached)

Is this the first rezoning application on a unilaterally annexed tract?

Yes _____ (Fee not required) No  (Submit required fee)

## APPOINTMENT OF AGENT

As owner of the subject property, I hereby appoint the person designated below to act for me, as my agent in this request.

Name of Agent: Jean Latsha and/or Craig Lintner, Pedcor Investments, A Limited Liability Company

Mailing Address: 770 3rd Ave SW

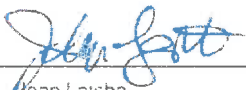
City Carmel State: IN Zip: 46032 - _____

Home Phone: (62) 463-32 Business Phone: (317) 208-3/67 Email: jlatsha@pedcor.net

I acknowledge and affirm that I will be legally bound by the words and acts of my agent, and by my signature below, I fully authorize my agent to:

**be the point of contact between myself and the City; make legally binding representations of fact and commitments of every kind on my behalf; grant legally binding waivers of rights and releases of liabilities of every kind on my behalf; to consent to legally binding modifications, conditions, and exceptions on my behalf; and, to execute documents on my behalf which are legally binding on me. This authorization only applies to this specific zoning request.**

I understand that the City will deal only with a fully authorized agent. At any time it should appear that my agent has less than full authority to act, then the application may be suspended and I will have to personally participate in the disposition of the application. I understand that all communications related to this application are part of an official proceeding of City government and, that the City will rely upon statements made by my agent. Therefore, I agree to hold harmless and indemnify the City of Killeen, its officers, agents, employees, and third parties who act in reliance upon my agent's words and actions from all damages, attorney fees, interest and costs arising from this matter. If my property is owned by a corporation, partnership, venture, or other legal entity, then I certify that I have legal authority to make this binding appointment on behalf of the entity, and every reference herein to 'I', 'my', or 'me' is a reference to the entity.

Signature of Agent <u></u>	Title <u>Land Acquisition Manager</u>
Printed/Typed Name of Agent <u>Jean Latsha</u>	Date <u>9-27-16</u>
Signature of Agent <u></u>	Title <u>Senior Vice President</u>
Printed/Typed Name of Agent <u>Craig H. Lintner</u>	Date <u>9-27-16</u>
Signature of Applicant _____	Title _____
Printed/Typed Name of Applicant _____	Date _____
Signature of Property Owner _____	Title _____
Printed/Typed Name of Property Owner _____	Date _____
Signature of Property Owner _____	Title _____
Printed/Typed Name of Property Owner _____	Date _____
Signature of Property Owner _____	Title _____
Printed/Typed Name of Property Owner _____	Date _____

*Application must be signed by the individual applicant, by each partner of a partnership, or by an officer of a corporation or association.

## APPOINTMENT OF AGENT

As owner of the subject property, I hereby appoint the person designated below to act for me, as my agent in this request.

Name of Agent: Jean Latsha and/or Craig Lintner, Pedcor Investments, A Limited Liability Company

Mailing Address: 770 3rd Ave SW

City: Carmel State: IN Zip: 46032 -

Home Phone: (512) 470-7312 Business Phone: (317) 208-3767 Email: jlatsha@pedcor.net

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**be the point of contact between myself and the City; make legally binding representations of fact and commitments of every kind on my behalf; grant legally binding waivers of rights and releases of liabilities of every kind on my behalf; to consent to legally binding modifications, conditions, and exceptions on my behalf; and, to execute documents on my behalf which are legally binding on me. This authorization only applies to this specific zoning request.**

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Signature of Agent _____	Title <u>Land Acquisition Manager</u>
Printed/Typed Name of Agent <u>Jean Latsha</u>	Date <u>9-27-16</u>
Signature of Agent _____	Title <u>Senior Vice President</u>
Printed/Typed Name of Agent <u>Craig H. Lintner</u>	Date <u>9-27-16</u>
Signature of Applicant _____	Title _____
Printed/Typed Name of Applicant _____	Date _____
Signature of Property Owner <u>[Signature]</u>	Title <u>Trustee</u>
Printed/Typed Name of Property Owner <u>Linda A. Nellis, Trustee</u>	Date _____
Signature of Property Owner <u>of Donald + Lerner Nellis Revocable</u>	Title _____
Printed/Typed Name of Property Owner <u>Living Trust</u>	Date _____
Signature of Property Owner _____	Title _____
Printed/Typed Name of Property Owner _____	Date _____

*Application must be signed by the individual applicant, by each partner of a partnership, or by an officer of a corporation or association.



**PLANNING AND  
DEVELOPMENT SERVICES**

**ZONING CASE:**

Z16-18

**ZONING FROM:**

R-1 To PUD

**APPLICANT:**

PEDCOR INVESTMENTS


**PROPERTY OWNER:**

LINDA NELLIS TRUSTEE

**LEGAL DESCRIPTION:**

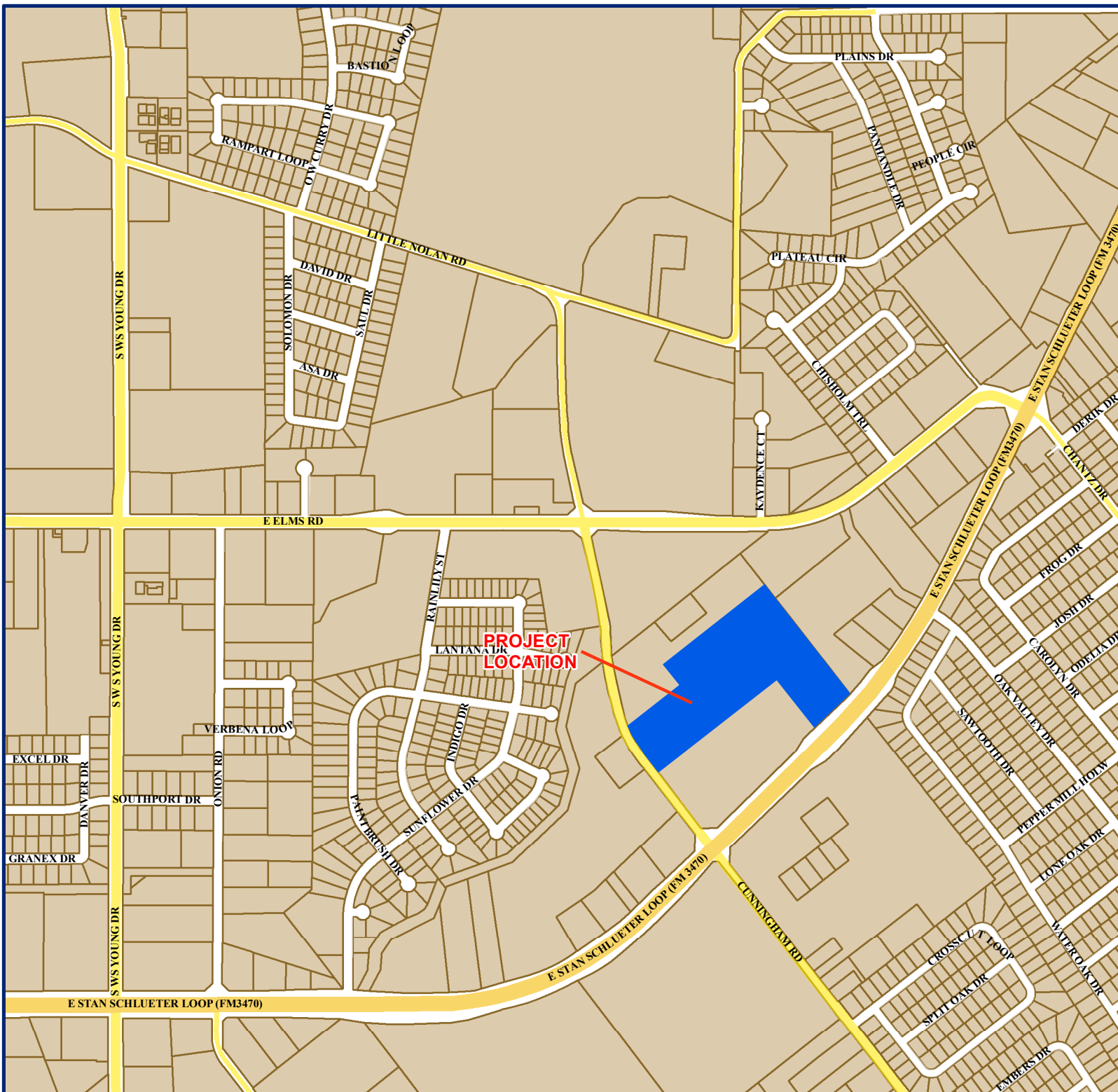
15 ACRES OUT OF  
A0199BC R CUNNINGHAM,  
2, (PT 31.597AC TRACT)  
ACRES 25.166

**Legend**

-  Zoning Case
-  Parcel
-  City Limits



Date: 10/12/2016





**PLANNING AND  
DEVELOPMENT SERVICES**

**ZONING CASE:**

Z16-18

**ZONING FROM:**

R-1 To PUD

**APPLICANT:**

PEDCOR INVESTMENTS







**PROPERTY OWNER:**

LINDA NELLIS TRUSTEE

**LEGAL DESCRIPTION:**

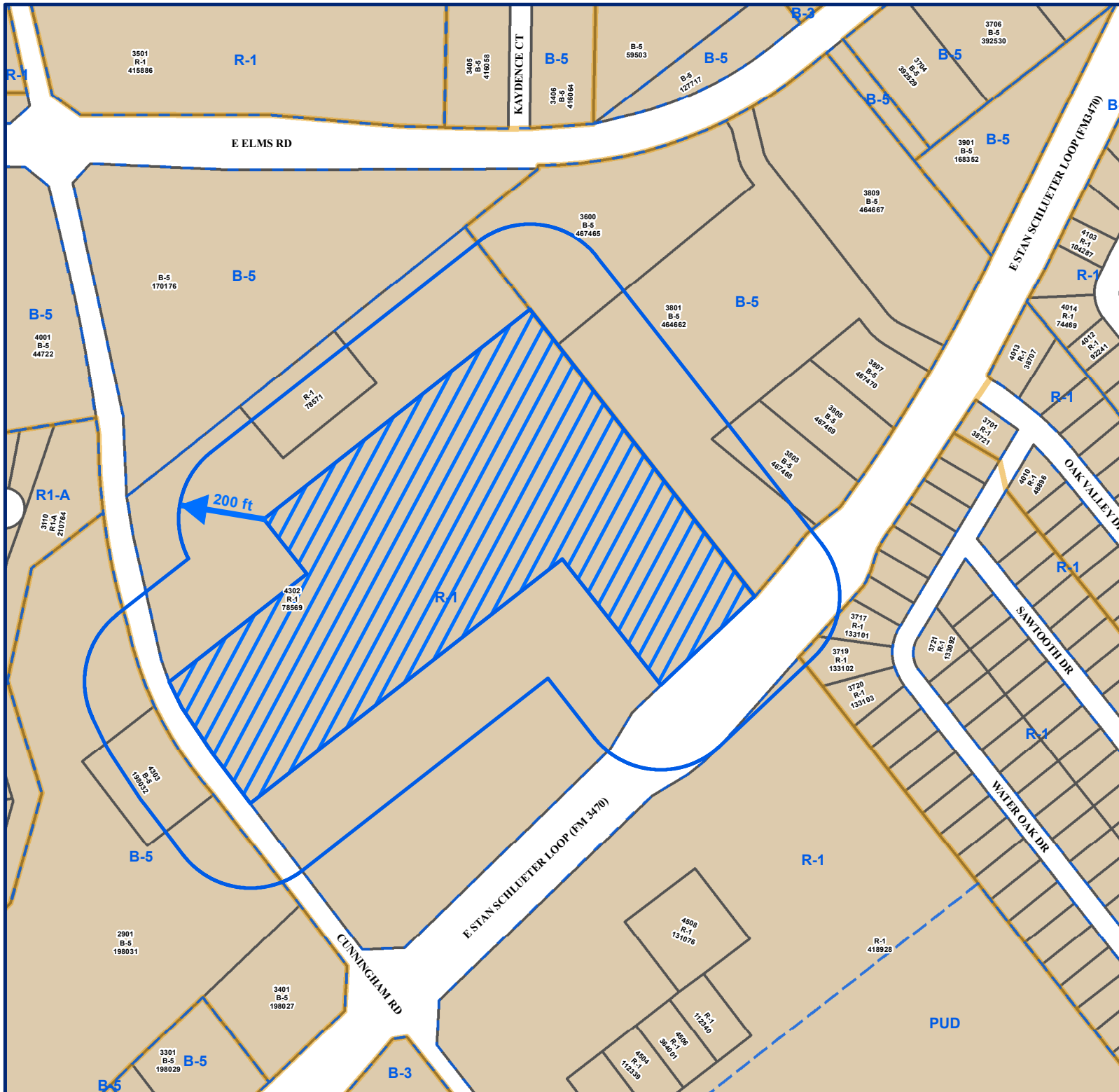
15 ACRES OUT OF  
A0199BC R CUNNINGHAM,  
2, (PT 31.597AC TRACT)  
ACRES 25.166

**LEGEND**

-  200' Buffer
-  Zoning Case
-  Current Zoning
-  Subdivision
-  Parcel
-  City Limits



Date: 10/12/2016





## Development Summary

### Site/Community Assets and Development Details

Pedcor Investments, A Limited Liability Company ("Pedcor") is proposing to construct an apartment community, South Station Apartments, located at the northeast corner of Stan Schlueter Loop and Cunningham Road. While subject to change, current plans are for 256 units, consisting of 72 one-bedroom, 160 two-bedroom, and 24 three-bedroom units. The site is adjacent to a new Wal-Mart Neighborhood Store and within less than a mile of several community assets, including a pharmacy, restaurants, churches, convenience stores, retail shops and public schools. It is also just over a mile from the Lions Club park. A map of the site showing the location of some of these community assets is attached. The proximity to these amenities provides not only needed services but opportunities for residents to work close to home.

For those commuting, the site is located on a fixed route of the Central Texas HOP, with a stop at the southwest corner of Stan Schlueter Loop and Cunningham. Pedcor has already had conversations with the HOP about the best way for the residents of South Station Apartments to utilize this public transportation service and will continue to work with them as plans are finalized. Several options are being discussed, including the installation of a shelter, the relocation of the current stop, and/or the installation of a pad in anticipation of a future route change. At the very least, the current route and stop will undoubtedly benefit the residents.

The development consists of twelve 2-and-3-story residential buildings and one 2-story residential building as well as a community center and leasing office. While final determinations regarding common amenities have not been made, the current plan, which is typical of Pedcor properties, includes a pool with a splash pad, covered pavilion with grills and picnic tables, a playground and tot lot, fully furnished clubhouse with business center, perimeter fencing and controlled access gates, a laundry room, and a fitness center. In addition, Pedcor provides common area wi-fi in order to provide the residents greater connectivity.

The units in the development are also amenity-rich and include 9-foot ceilings, self-cleaning ovens, Energy Star refrigerators with icemakers, Energy Star dishwashers and windows, storage rooms, covered patios/balconies and entries, ceiling fans, and laundry connections, amongst others. Proposed floor plans are attached here.

### Developer Experience

Pedcor has been developing, constructing and managing affordable rental housing communities since the inception of the tax credit program in 1987. The company has developed over 16,800 units across



17 states, and of these units, just under half were financed with tax-exempt bonds and 4% HTC, with the remaining being financed with either competitive (9%) HTCs or conventionally, providing unrestricted market rate units. Pedcor has raised over \$1 billion in debt and \$640 million in HTC equity proceeds and have successfully closed 127 partnerships. The organization is vertically integrated, managing the architecture and engineering in-house through its plan production and engineering departments. Pedcor serves as a long term partner in the community, continuing to own and manage the properties that they develop throughout the period that they are income and rent restricted, and in many cases even longer. In addition, while affordable housing is its primary business, Pedcor has two financial institutions that are part of our ownership structure.

## Conformance with City of Killeen Requirements for PUD Classification

Pedcor is requesting a planned unit development (“PUD”) classification pursuant to Division 8B, Section 31-256.9 of the Code of Ordinances of the City of Killeen (“Ordinance”). Pursuant to Division 8, Section 31-800 of the Ordinance, the parcel must be assigned a standard zoning district classification, and Pedcor is seeking a base zoning of R-3A. The development use regulations for R-3A zoning include multifamily structures containing five or more separate dwelling units, including large apartments complexes. The proposed development will conform with the height and area regulations, architectural design, landscaping, parking regulations, and screening requirements found in Division 8B, Sections 31-256.1 through 31-256.8 of the Ordinance, related to Multifamily Apartment Residential District.

Section 31-802 of the Ordinance includes several requirements of a PUD classification, all of which will be met by the proposed development. The site is L-shaped with access to both an existing minor arterial street (Cunningham Road) and principal arterial (Stan Schlueter Loop), as indicated on the 2015 Thoroughfare Plan, a portion of which is attached here. As stated above, the PUD will conform with the R-3A zoning requirements. The proposed site is approximately 15 acres, so exceeds the general minimum requirement of 5 acres. Landscape buffers and a perimeter fence will separate the PUD from adjacent land uses, and the minimum size requirement of such buffers will be met as shown in the conceptual site plan.

Section 31-803 of the Ordinance states that no PUD shall be approved if it found that the development:

1. Does not conform with applicable regulations and standards established by this article;
2. Is not compatible with existing or permitted uses on abutting sites, in terms of use, building height, setbacks and open spaces, landscaping, drainage, or access and traffic circulation;
3. Potentially create unfavorable effects or impacts on other existing or permitted uses on abutting sites that cannot mitigated by imposed conditions, screening, or other provision of this section;
4. Adversely affects the safety and convenience of vehicular and pedestrian circulation and parking in the vicinity, including traffic reasonably expected to be generated by the proposed use and other uses anticipated considering existing zoning and land uses in the area;
5. Fails to reasonably protect persons and property from infrastructure failure, erosion, flood or water damage, fire, odors, dust, noise, fumes, vibrations, glare, and similar hazards or impacts;
6. Adversely affects emergency access, traffic control, or adjacent properties by inappropriate infrastructure standards, location, access, lighting, or type of signs; or

7. Will be detrimental to the public health, safety and welfare, or injurious to property or improvements in the vicinity, for reasons specifically articulated by the planning and zoning commission or the city council.

As stated previously, South Station Apartments will conform to the applicable (R-3A) zoning regulations. The existing adjacent uses include a commercial development (zoned B-5) to the east of the property and vacant land to the south. Although currently zoned for residential use (R-1), the property to the south is anticipated to be re-zoned for commercial use by the owner (not Pedcor). On the west side of the property is Cunningham Road, and on the other side of the road is vacant land zoned B-5. There is one single family home (zoned R-1) to the north of the site, but the proposed PUD includes a 100-foot buffer between the South Station property line and the property line of the home owner. A portion of the Killeen zoning map showing the location of the site is attached here.

The proposed development will provide adequate landscaping, open space, and setbacks as shown in the conceptual site plan attached. The plan also indicates that the site drains partly to the north and partly to the south, and there are two detention ponds included in the plan. There are two access drives, one on Stan Schlueter Loop and one on Cunningham Road, which will serve to mitigate the additional traffic on each individual road and provide for better circulation, as well as giving emergency vehicles two points of ingress/egress. The site as currently designed also exceeds parking requirements. In addition, the on-site amenities such as a pool, fitness room, and playgrounds will allow the residents of the development access to them without having to get in their cars and generate more traffic.

The development will not adversely impact the safety of the surrounding properties or produce odors, dust, noise, fumes, glare, or other hazards. It will have adequate emergency access and will not include any inappropriate lighting, signs, etc. Finally, the development will not be detrimental to the public health, safety, and welfare of the properties in the vicinity. The development will instead provide quality housing for its residents and be an asset to the community.

## Attachments

Map with community assets

Proposed Building elevation and Floor plans

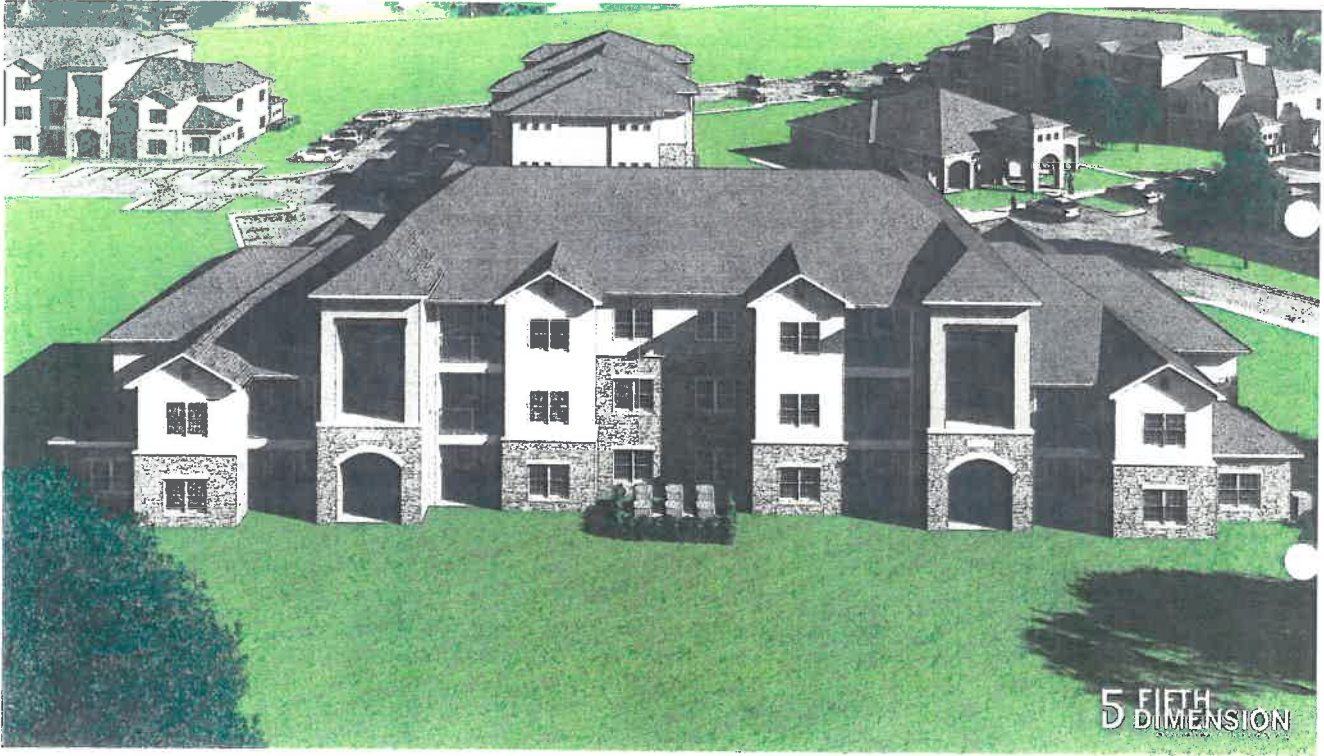
Portion of 2015 City of Killeen Thoroughfare Plan map

Portion of City of Killeen Zoning map

Conceptual Site Plan for South Station Apartments











No.	DATE	REMARKS	BY

**SOUTH STATION APARTMENTS**  
CITY OF KILLEEN, BELL COUNTY, TEXAS

**DEVELOPMENT CONCEPT PLAN**

SHEET TITLE:

*For Interim Review Only*  
These documents are released for the purpose of review and comment under the authority of:  
**MIKE W. KREGEL**  
#33017  
October 31, 2016.  
They are not to be used for construction purposes.

**MITCHELL & ASSOCIATES, INC.**  
ENGINEERING & SURVEYING  
102 N. COLLEGE  
KILLEEN, TEXAS 76541  
PHONE: (254) 634-5541  
FAX: (254) 634-2141  
2525 ROAD OF PROFESSIONAL ENGINEERS FROM ARDENWOOD AV. 3241  
T. R. & L. S. FIRM REGISTRATION NO. 10054-00

DWG. NO.	DATE	SCALE	FOUR	AREA
18-71-V	Oct 2016	AS SHOWN	1 LOT	1 BLOCK

**LEGEND**

DRAINAGE AREA I.D. SUB-DRAINAGE AREA NUMBER  
DA 1A-2 3.34 AC AREA (ACRES)

- ADJACENT PROPERTY LINES
- SUBJECT PROPERTY LINES
- EASEMENT LINES
- BUILDING LINES
- EXISTING CONTOUR LINES
- EXISTING DRAINAGE AREA BOUNDARY
- 6W --- 6W PROPOSED 6" WATER LINE
- 6S --- 6S PROPOSED 6" SEWER LINE
- CANOPY TREE
- NON-CANOPY TREE
- SHRUB

NOTE: LANDSCAPING SHOW IS CONCEPTUAL IN NATURE. FINAL PROPOSED LANDSCAPING WILL EXCEED THE REQUIREMENTS SET FORTH IN THE CITY OF KILLEEN LANDSCAPE ORDINANCE.

**SITE INFORMATION:**

**PROPERTY INFORMATION:**  
NO. OF BLOCKS: 1  
NO. OF LOTS: 1  
ACREAGE: 15.09 AC.

**LAND USE:**  
EXISTING: UNDEVELOPED  
PROPOSED: MULTI-FAMILY RESIDENTIAL

**ZONING:**  
EXISTING: R-1  
PROPOSED: PUD

**BUILDING & PARKING INFORMATION:**

BLDG TYPE	STORIES	QTY	A1	B1	C1	TOTAL
I	2-3-2	3	0	36	24	60
II	2-3-2	9	72	108	0	180
III	2	1	0	16	0	16
<b>TOTAL</b>		<b>13</b>	<b>72</b>	<b>160</b>	<b>24</b>	<b>256</b>

Accessible units (5%):  
Included in totals: 4 8 1 13

PARKING REQUIRED:	1 2/3 PER UNIT	427 SPACES REQ'D
PARKING PROVIDED:	STANDARD SPACES: 428 (18 ACCESSIBLE)	
NOTE: ACCESSIBLE SPACES ARE INCLUDED IN TOTALS	CARPORTS: 48 (1 ACCESSIBLE)	
	GARAGES: 24 (1 ACCESSIBLE)	
	TOTAL: 500 (20 ACCESSIBLE)	

**BUILDING LEGEND**

- 2 STORY
- 3 STORY
- CLUBHOUSE/PAVILLION

SCREENING FENCE

NELLIS, DONALD EARL & LENNER 9.51 AC. REMAINDER

VISITOR CALL BOX W/ KNOW KEY OPENER & SITE MAP

EX 12" WATER

EX 12" FORCE MAIN (ABANDONED)

EX 15" SEWER

EX MANHOLE RIM: 879.32 FL: 873.63

10' UTILITY EASEMENT (Vol. 3238, Pg. 103 Cab. D, Sl. 278)

WAL-MART KILLEEN EAST ADDITION CALLED 18.78 AC. DOC. No. 2016-4357

2" IR FOUND

FM 3470 (STAN SCHLEUTER RD)

# CONSIDERATIONS

Texas Supreme Court in Pharr v. Tippitt, 616 S. W 2nd 173 (Tex 1981) established general guidelines which the Planning and Zoning Commission and City Council should take into consideration when making their respective recommendation and decision on a zoning request.

## **A. General Factors to Consider:**

Is the request in accordance with the comprehensive plan?

Is the request designed to lessen congestion in the streets; secure safety from fire, panic or other dangers; promote health and the general welfare; provide adequate light and air; prevent the overcrowding of land; avoid undue concentration of population; or facilitate the adequate provision of transportation, water, sewers, schools, parks and other public requirements?

What if any, is the nature and degree of an adverse impact upon neighboring lands?

The suitability or unsuitability of the tract for use as presently zoned.

Whether the amendment bears a substantial relationship to the public health, safety, morals or general welfare or protects and preserves historical and cultural places and areas.

Whether there is a substantial public need or purpose for the new zoning.

Whether there have been substantially changed conditions in the neighborhood.

Is the new zoning substantially inconsistent with the zoning of neighboring lands? (Whether the new zoning is more or less restrictive.)

The size of the tract in relation to the affected neighboring lands – is the tract a small tract or isolated tract asking for preferential treatment that differs from that accorded similar surrounding land without first proving changes in conditions?

Any other factors which will substantially affect the health, safety, morals or general welfare.

## **B. Conditional Use Permit (if applicable)**

Whether the use is in harmonious with and adaptable to buildings, structures and use of abutting property and other property in the vicinity of the premises under construction.

## **C. Conditions to Consider**

1. Occupation shall be conducted only by members of family living in home.
2. No outside storage or display
3. Cannot change the outside appearance of the dwelling so that it is altered from its residential character.
4. Cannot allow the performance of the business activity to be visible from the street.
5. Cannot use any window display to advertise or call attention to the business.
6. Cannot have any signs
7. No off-street parking or on-street parking of more than two (2) vehicles at any one time for business related customer parking.
8. No retail sales.
9. Length of Permit.





# City of Killeen

## Legislation Details

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**File #:** PH-16-040B    **Version:** 1    **Name:** Resolution of No Objection -South Station Apartments  
**Type:** Resolution/Public Hearing    **Status:** Public Hearings  
**File created:** 11/9/2016    **In control:** City Council  
**On agenda:** 11/22/2016    **Final action:**  
**Title:** Consider a Resolution of No Objection for an application to Texas Department of Housing & Community Affairs for South Station Apartments, an affordable housing development.  
**Sponsors:** Community Development Department  
**Indexes:**  
**Code sections:**  
**Attachments:** [Council Memorandum](#)  
[South Station Proposal](#)

Date	Ver.	Action By	Action	Result
11/15/2016	1	City Council Workshop		

## CITY COUNCIL MEMORANDUM

### AGENDA ITEM

**Resolution of No Objection for South Station Apartments**

### ORIGINATING DEPARTMENT

**Community Development**

### BACKGROUND INFORMATION

The Texas Department of Housing & Community Affairs administers the housing tax credit program, which is a highly competitive program (9% tax credits) and applications are scored using a qualified allocation plan. They also administer the non-competitive (4%) tax credits and tax exempt bond programs. The housing tax credits are sold to investors in exchange for cash equity for the development. This development proposed by Pedcor Investments LLP, is to be financed with tax-exempt bonds, issued by Bell County Housing Finance Corporation (the "HFC"), and non-competitive (4%) low-income housing tax credits ("HTCs") administered by the Texas Department of Housing and Community Affairs ("TDHCA"). The bonds are anticipated to be privately placed and remain outstanding for 40 years. Construction and permanent financing will be provided through an FHA 221(d)(4) program loan, which provides for a below market interest rate on the debt. In addition, approximately \$18 million in equity will be provided through the syndication of the housing tax credits. Any remaining costs will be covered by rental income and deferred developer fees.

### DISCUSSION/CONCLUSION

In order to be eligible for the tax credits, Pedcor Investments, LLP is required to submit to TDHCA a "resolution of no objection" from the City of Killeen. This resolution must state that a hearing has been conducted by the local government in order to receive public comment on the proposed development and generally that, after due consideration, the City does not object to the proposed development. Without the resolution, the proposal will not move forward. The proposed development consists of 256 total units and the development will be income and rent restricted, reserved for households with incomes at or below 60% of the Area Median Income, so this development would serve households making anywhere from \$24,960 to \$41,280, depending on household size.

### FISCAL IMPACT

Property taxes generated by the development are currently estimated at over \$215,000 per year. Building permit fees and related construction will also bring value to the city of Killeen. Development costs are estimated to be \$46.7 million. Pedcor will not be seeking any funding from the City of Killeen.

### RECOMMENDATION

Staff recommends that the City Council approve a Resolution of No Objection for the application to Texas Department of Housing & Community Affairs for the South Station Apartments.



# South Station Apartments - development summary

## 1 GENERAL INFORMATION

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Pedcor Investments, A Limited Liability Company (“Pedcor”) is proposing to construct a 256-unit apartment community, South Station Apartments, consisting of 72 one-bedroom, 160 two-bedroom, and 24 three-bedroom units. This development will be income and rent restricted, reserved for households with incomes at or below 60% of the Area Median Income (“AMI”). The current Median Income for the Killeen-Temple MSA is \$59,300, so this community would serve households making anywhere from \$24,960 to \$41,280, depending on household size. Opening monthly rents are estimated to range from \$601 for a one-bedroom, \$728 for a two-bedroom, to \$839 for a three-bedroom unit, but these will fluctuate with changes in AMI.

The development is proposed to be financed with tax-exempt bonds, issued by Bell County Housing Finance Corporation (the “HFC”), and non-competitive (4%) low-income housing tax credits (“HTCs”) administered by the Texas Department of Housing and Community Affairs (“TDHCA”). The HFC has passed a Preliminary Inducement Resolution to issue the bonds, and Pedcor will submit an application for the tax credits to the TDHCA later this year. In order to be eligible for the tax credits, Pedcor is required to submit to the TDHCA a “resolution of no objection” from the City of Killeen. This resolution must state that a hearing has been conducted by the local government in order to receive public comment on the proposed development and generally that, after due consideration, the City does not object to the proposed development. Without the resolution, the proposal will not move forward.

## 2 DEVELOPER EXPERIENCE

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Pedcor has been developing, constructing and managing affordable rental housing communities since the inception of the tax credit program in 1987. The company has developed over 16,800 units across 17 states, and of these units, just under half were financed with tax-exempt bonds and 4% HTCs, with the remaining being financed with either competitive (9%) HTCs or conventionally, providing unrestricted market rate units. They have raised over \$1 billion in debt and \$640 million in HTC equity proceeds and have successfully closed 169 partnerships. Pedcor is vertically integrated, managing the architecture and engineering in-house through its plan production and engineering departments. They are also long term partners in the community; they continue to own and manage the properties that they develop throughout the period that they are income and rent restricted, and in many cases even longer. In addition, while affordable housing is its primary business, Pedcor has two financial institutions that are part of its ownership structure. A full corporate resume is available for review.

## 3 DEVELOPMENT DETAILS

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The proposed site is located at the northeast corner of Stan Schlueter Loop and Cunningham Road. It is adjacent to the new Wal-Mart Neighborhood Store and within less than a mile of several community amenities, including a pharmacy, restaurants, churches, convenience stores, retail shops and public schools. It is also just over a mile from the Lions Club park. The proximity to these amenities provides not only needed services but opportunities for residents to work close to home. For those commuting,

the site is located on a fixed route of the Central Texas HOP, with a stop at the southwest corner of the intersection. Pedcor is currently under contract to purchase the property and has an active application with the City of Killeen to re-zone the property as a Planned Unit Development (“PUD”). On November 7, the planning and zoning commission voted unanimously to approve the South Station PUD. The zoning case is scheduled to be presented to council at the November 22 meeting.

Attached are both a map of the property indicating some of the surrounding amenities as well as a conceptual site plan, along with renderings of a similar Pedcor development which will be under construction in Georgetown early next year.

The apartment complex consists of thirteen 2 and 3-story buildings as well as a community center and leasing office. While final determinations regarding common amenities have not been made, the current plan, which is typical of Pedcor properties, includes a pool with a splash pad, covered pavilion with grills and picnic tables, a playground and tot lot, fully furnished clubhouse with business center, perimeter fencing and controlled access gates, a laundry room, and a fitness center. In addition, common area wi-fi is provided to offer the residents greater connectivity.

The units in the development are also amenity-rich and include 9-foot ceilings, self-cleaning ovens, Energy Star refrigerators with icemakers, Energy Star dishwashers and windows, storage rooms, covered patios/balconies and entries, ceiling fans, and laundry connections, amongst others.

Pedcor Management Corp. will manage the property in order to maintain complete control over the operations. Pedcor management will also provide a number of services for the residents of the community. Again, while the scope of these services will be refined as the needs of the tenants are assessed, typically services include GED preparation and/or character building classes, quarterly financial planning courses, annual health fair, quarterly health and nutritional courses, notary public services and twice-monthly community activities.

## 4 FINANCE AND OWNERSHIP STRUCTURE/FISCAL IMPACT

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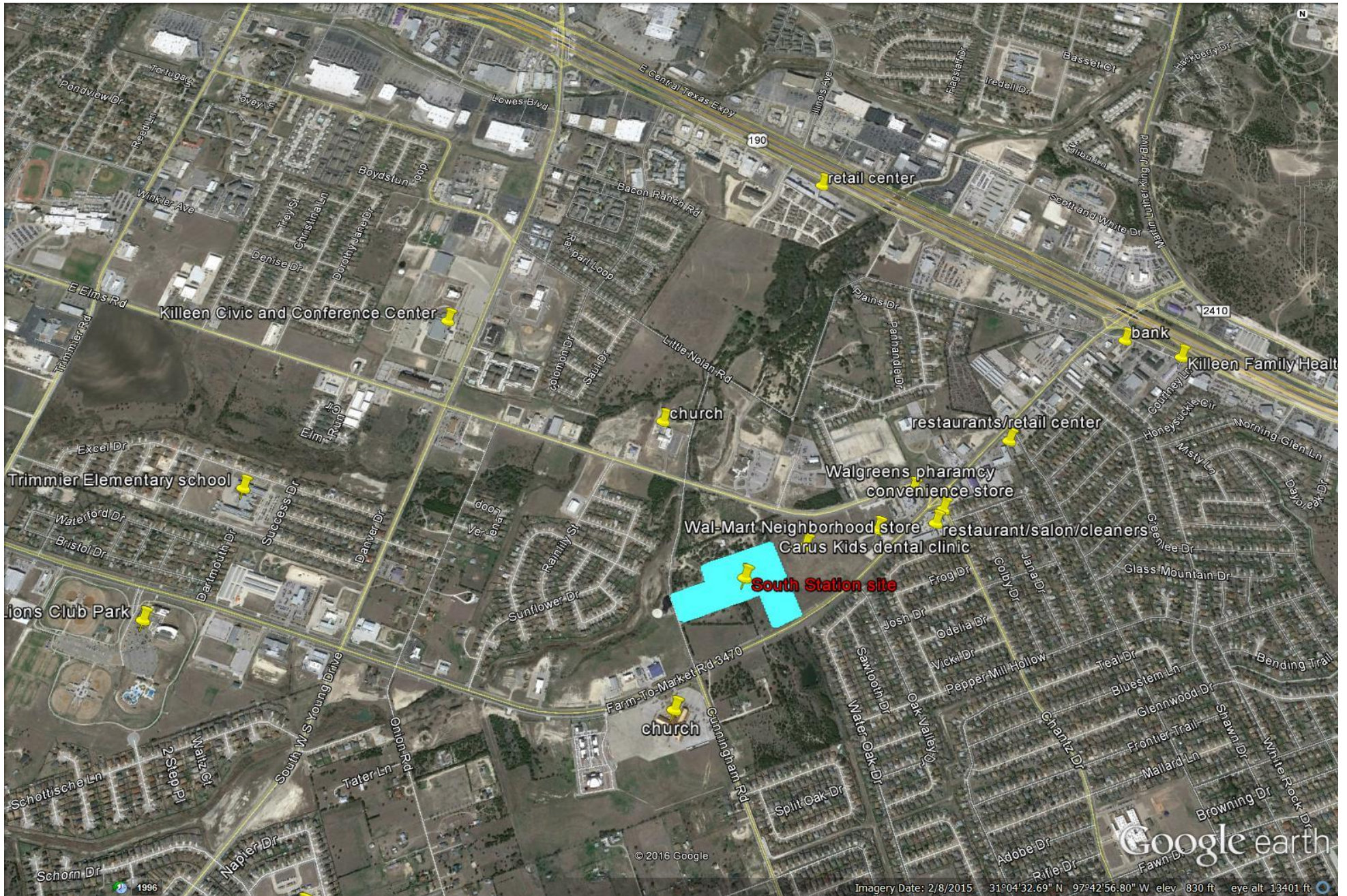
Although still being refined as plans are developed, total costs are estimated at \$46.7 million. The HFC will act as the conduit issuer of tax-exempt bonds in the amount of approximately \$23 million. The bonds are anticipated to be privately placed and remain outstanding for 40 years. Construction and permanent financing will be provided through an FHA 221(d)(4) program loan, which provides for a below market interest rate on the debt. In addition, approximately \$18 million in equity will be provided through the syndication of the housing tax credits. Any remaining costs will be covered by rental income and deferred developer fees.

The development will be owned by a limited partnership, with 99.99% of the partnership owned by an investor limited partner (the tax credit syndicator) and .01% owned by a single asset entity (limited liability company) controlled by Pedcor. The HFC will not be part of the ownership and will act only as the issuer of the bonds. Pedcor will not be seeking any funding from the city and does not have plans to request a tax exemption. Property taxes generated by the development are currently estimated at over \$215,000 per year.

## 5 ATTACHMENTS

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Map indicating proposed site and amenities in the area  
Conceptual Site Plan  
Renderings of proposed Pedcor development in Georgetown



Killeen Civic and Conference Center

Trimmer Elementary school

Lions Club Park

retail center

bank

Killeen Family Health

church

restaurants/retail center

Walgreens pharmacy  
convenience store

Wal-Mart Neighborhood store

restaurant/salon/cleaners

Carus Kids dental clinic

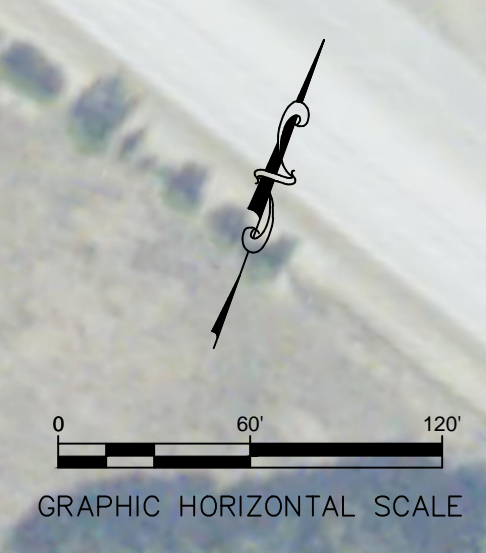
South Station site

church

Google earth

© 2016 Google

Imagery Date: 2/8/2015 31°04'32.69" N 97°42'56.80" W elev 830 ft eye alt 13401 ft



No.	DATE	REMARKS	BY

**SOUTH STATION APARTMENTS**  
CITY OF KILLEEN, BELL COUNTY, TEXAS  
**DEVELOPMENT CONCEPT PLAN**

**LEGEND**

DRAINAGE AREA I.D.  
SUB-DRAINAGE AREA NUMBER

DA 1A-2  
3.34 AC

AREA (ACRES)

- ADJACENT PROPERTY LINES
- SUBJECT PROPERTY LINES
- - - EASEMENT LINES
- - - BUILDING LINES
- - - EXISTING CONTOUR LINES
- - - EXISTING DRAINAGE AREA BOUNDARY
- 6W 6W PROPOSED 6" WATER LINE
- 6S 6S PROPOSED 8" SEWER LINE
- ☐ CANOPY TREE
- NON-CANOPY TREE
- SHRUB

NOTE: LANDSCAPING SHOW IS CONCEPTUAL IN NATURE. FINAL PROPOSED LANDSCAPING WILL EXCEED THE REQUIREMENTS SET FORTH IN THE CITY OF KILLEEN LANDSCAPE ORDINANCE.

**SITE INFORMATION:**

**PROPERTY INFORMATION:**  
NO. OF BLOCKS: 1  
NO. OF LOTS: 1  
ACREAGE: 15.08 AC.

**LAND USE:**  
EXISTING: UNDEVELOPED  
PROPOSED: MULTI-FAMILY RESIDENTIAL

**ZONING:**  
EXISTING: R-1  
PROPOSED: PUD

**BUILDING & PARKING INFORMATION:**

BLDG TYPE	STORIES	QTY	A1	B1	C1	TOTAL
I	2-3-2	3	0	36	24	60
II	2-3-2	9	72	108	0	180
III	2	1	0	16	0	16
<b>TOTAL</b>		<b>13</b>	<b>72</b>	<b>160</b>	<b>24</b>	<b>256</b>

Accessible units (5%):  
Included in totals: 4 8 1 13

PARKING REQUIRED:	1 2/3 PER UNIT	427 SPACES REQ'D
PARKING PROVIDED:	STANDARD SPACES: 428 (18 ACCESSIBLE)	
NOTE: ACCESSIBLE SPACES ARE INCLUDED IN TOTALS	CARPORITS: 48 (1 ACCESSIBLE) GARAGES: 24 (1 ACCESSIBLE) TOTAL: 500 (20 ACCESSIBLE)	

**BUILDING LEGEND**

- 2 STORY
- 3 STORY
- CLUBHOUSE/PAVILLION

**MITCHELL & ASSOCIATES, INC.**  
ENGINEERING & SURVEYING  
102 N. COLLEGE  
KILLEEN, TEXAS 76541  
PHONE: (254) 634-5541  
FAX: (254) 634-2141  
TEXAS BOARD OF PROFESSIONAL ENGINEERS FIRM REGISTRATION NO. 3241  
T. R. L. S. FIRM REGISTRATION NO. 102004-00

DATE: OCT 2016  
SCALE: AS SHOWN  
DRAWN BY: BTW  
DWG No.: 16-71-V

SCALE	FB/ALB	AS SHOWN	1 LOT	AREA



**5 FIFTH**  
**D DIMENSION**  
ARCHITECTURE & INTERIORS LLC







# City of Killeen

## Legislation Details

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**File #:** PH-16-041    **Version:** 1    **Name:** FLUM #Z16-19  
**Type:** Ordinance/Public Hearing    **Status:** Public Hearings  
**File created:** 11/4/2016    **In control:** City Council  
**On agenda:** 11/22/2016    **Final action:**  
**Title:** HOLD a public hearing and consider an ordinance to amend the Comprehensive Plan's Future Land Use Map (FLUM) from 'Suburban Residential' to 'General Residential' (FLUM# Z16-19) for approximately 152 acres, being part of the Azra Webb Survey, Abstract No. 857. The property is located on the north right-of-way of Stagecoach Road, east of S. Fort Hood Street (S. H. 195), Killeen, Texas.  
**Sponsors:** Planning & Development Dept  
**Indexes:**  
**Code sections:**  
**Attachments:** [Council Memorandum](#)  
[Attachment to CCMO](#)  
[Minutes](#)  
[Ordinance](#)

Date	Ver.	Action By	Action	Result
11/15/2016	1	City Council Workshop		

## CITY COUNCIL MEMORANDUM

AGENDA ITEM

COMPREHENSIVE PLAN FUTURE LAND USE  
MAP (FLUM) AMENDMENT: 'SUBURBAN  
RESIDENTIAL' TO 'GENERAL RESIDENTIAL'

ORIGINATING DEPARTMENT

PLANNING & DEVELOPMENT SERVICES

### Nature of the Request

Staff is initiating a request to amend the Comprehensive Plan's Future Land Use Map (FLUM) to change approximately 152 acres, being part of the Azra Webb Survey, Abstract No. 857, from a 'Suburban Residential' designation to a 'General Residential' designation. The property is located on the north right-of-way of Stagecoach Road, east of S. Fort Hood Street (S. H. 195), Killeen, Texas.

### Figure 1. Future Land Use Map (FLUM)

See Attachment

**The factors below should be reviewed and addressed when a Future Land Use & Character map adjustment is proposed:**

- **Scope of Amendment:** Is the proposed map change limited to one or a few parcels, or would it affect a much larger area? **The amendment would affect approximately 152 acres, and should be considered a large scale amendment.**
- **Change in Circumstances:** What specific conditions (e.g., population size and/or characteristics, area character and building form, property/structure conditions, infrastructure or public services, market factors including need for more land in a particular designation, etc.) have changed sufficiently to render the current map designation(s) inappropriate or out-of-date? **The area is largely undeveloped with some religious land uses and associated development along Stagecoach Road. The property is bounded by existing urban (Rahman Subdivision and Trimmier Estates) and suburban (Wagon Wheel Subdivision) residential land uses as well as commercial and University District (UD) zoning along the western boundary.**

Page 7.8 of the Comprehensive Plan states that the *"Killeen Comprehensive Plan is meant to be a flexible document allowing for adjustment to changing conditions over time. Shifts in political, economic, physical, technological, and social conditions, and other unforeseen circumstances, may influence and change the priorities and fiscal outlook of the community."* Staff is of the determination that the transition to a 'General Residential' designation will allow greater flexibility in that a wider array of residential housing types are encouraged (e.g. detached single-family residential, duplexes, townhomes, patio homes) as well as neighborhood-scale commercial uses such as the

**neighborhood business district and lower intensity commercial zoning districts.**

- **Consistency with Other Plans:** In addition to the Comprehensive Plan, is the proposed map change consistent with the intent and policy direction of any applicable small area plans, utility or drainage plans, or other City plans? **The proposed map change is consistent with other City planning efforts (Water and Wastewater Master Plan, Thoroughfare Plan, Parks Master Plan). Currently the City's adopted Thoroughfare Plan illustrates two collectors within the subject area, which are not impacted by the requested change. All new development will be required to conform with the City's adopted Water and Wastewater master planning efforts and the Drainage Design Manual.**
  
- **Adequate Information:** Do City staff, the Planning and Zoning Commission, and/or City Council have enough and appropriate information to move ahead with a decision (e.g., utility capacity, potential traffic impacts, other public service implications, resident/stakeholder concerns and input)? **Staff has sufficient information regarding utility capacity and roadway level of service for this area.**
  
- **Stakeholder Input:** What points, concerns, and insights have been raised by area residents, property owners, business owners, or others? **With the exception of listing this action as a public hearing item on the Planning and Zoning Commission's agenda, there is no public notice requirement for this amendment action. However, staff has notified the (4) four affected property owners for this area.**

**The 'Suburban Residential' character encourages the following land uses and has the following characteristics:**

- Detached residential dwellings;
- Planned developments to provide for other housing types (e.g., townhouse, patio) in a suburban character setting;
- Public/institutional, parks and public spaces;
- Larger baseline minimum lot sizes to allow for larger front yards, building setbacks, and side yard separation;
- Less noticeable accommodation of vehicles;
- Encourages smaller lot sizes in exchange for greater open space set asides;
- Encourages conservation design or cluster development.

**If approved the 'General Residential' designation encourages the following land uses and has the following characteristics:**

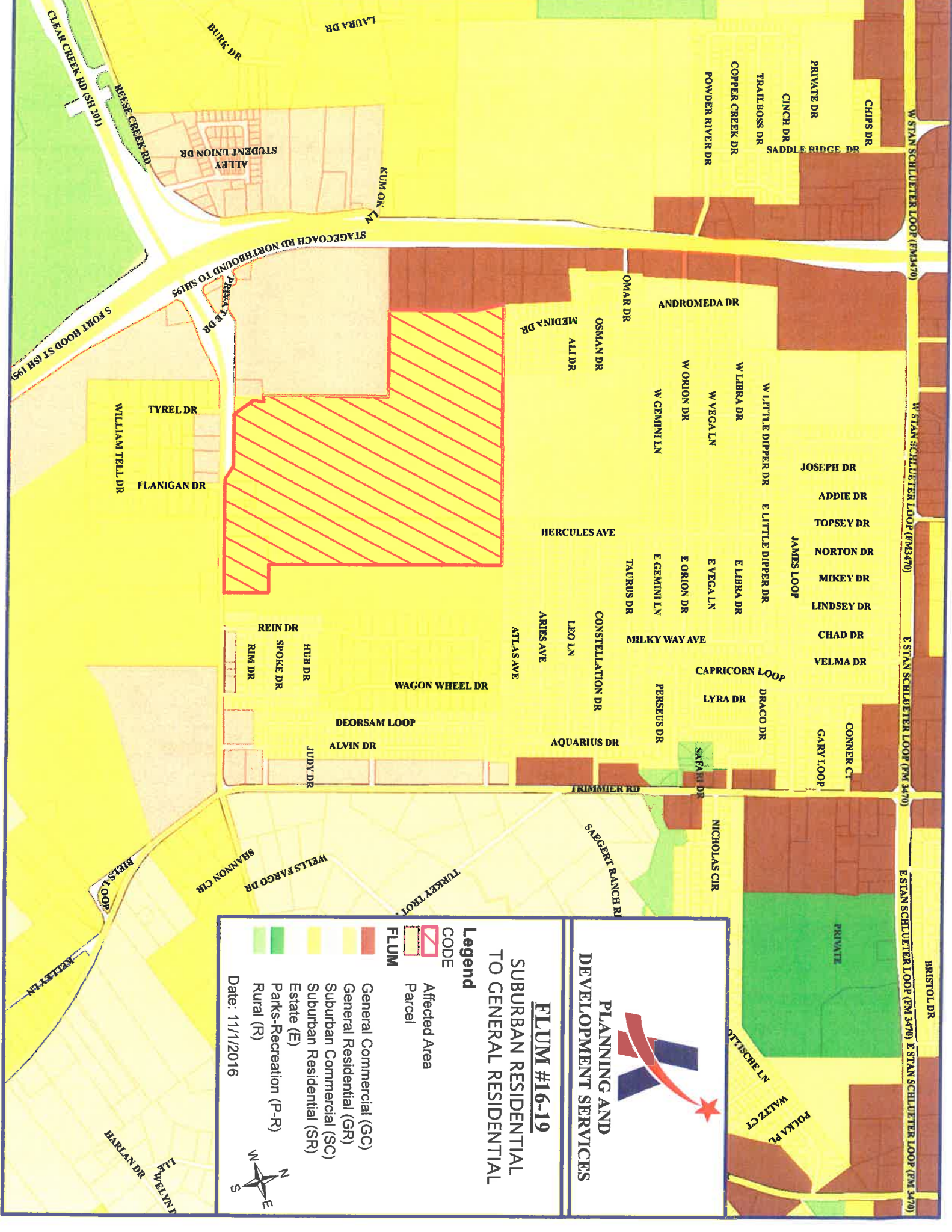
- Detached residential dwellings;
- Attached housing types subject to compatibility and open space standards (e.g., duplexes, townhomes, patio homes);
- Planned developments, potentially with a mix of housing types and varying densities, subject to compatibility and open space standards; public/institutional; parks and public spaces.

- Predominantly “R-1” zoning district with less openness and separation between dwellings compared to Suburban Residential areas.
- Auto-oriented character that can be offset with architectural standards, landscaping and limited uniform subdivision designs.
- Neighborhood-scale commercial emerging over time for well-suited areas.

### **Recommendation**

The Planning and Zoning Commission recommended approval of amending the FLUM from ‘Suburban Residential’ to ‘General Residential’ for the approximate 152 acres area by a vote of 4 to 3, with Commissioners Harkin, McLaurin and Peters in opposition. As detailed above, there is greater market flexibility and land use variety within the ‘General Residential’ designation. As proposed, the requested FLUM amendment would still provide an approximate 500’ wide ‘Suburban Residential’ designation west of the Wagon Wheel and Stagecoach Road subdivisions to encourage compatible housing types near this established community.

Additionally, the FLUM designation does not preclude sound decision-making and community feedback as it relates to zoning requests. However, considering the amount of commercially designated areas located west of the subject area and its proximity to the University District, staff supports amending the FLUM to encourage a wide range of housing types in this area. It is the staff’s intent to work collaboratively with property owners, developers and the building community to further economic development in this area (through residential development) to encourage investor interest and reduce the commercial lag evident at this critical corner. In previous discussions with the Commission regarding FLUM amendments, generally flat land at or near major thoroughfares has been viewed as being acceptable locations for ‘General Residential’ type land uses.



  
**PLANNING AND  
DEVELOPMENT SERVICES**

**FLUM #16-19**  
**SUBURBAN RESIDENTIAL  
TO GENERAL RESIDENTIAL**

**Legend**

CODE	DESCRIPTION
	Affected Area
	Parcel
	<b>FLUM</b>
	General Commercial (GC)
	General Residential (GR)
	Suburban Commercial (SC)
	Suburban Residential (SR)
	Estate (E)
	Parks-Recreation (P-R)
	Rural (R)

Date: 11/1/2016



**PLANNING AND ZONING COMMISSION MEETING  
NOVEMBER 7, 2016**

**CASE FLUM #Z16-19  
SUBURBAN RESIDENTIAL TO GENERAL RESIDENTIAL**

**HOLD a public hearing and consider an amendment to the Future Land Use Map (FLUM) of the Comprehensive Plan to change approximately 152 acres, out of the Azra Webb Survey, Abstract No. 857, from a ‘Suburban Residential’ designation to a ‘General Residential’ designation for various properties located northeast of the intersection of S. Fort Hood Street (S. H. 195) and Stagecoach Road.**

Chairman Frederick requested staff comments.

City Planner Tony McIlwain stated that Staff is initiating this request to amend the Comprehensive Plan’s Future Land Use Map (FLUM). to change approximately 152 acres, being part of the Azra Webb Survey, Abstract No. 857, from a ‘Suburban Residential’ designation to a ‘General Residential’ designation. The property is located on the north right-of-way of Stagecoach Road, east of S. Fort Hood Street (S. H. 195), Killeen, Texas. The amendment would affect approximately 152 acres and should be considered a large scale amendment. The area is largely undeveloped with some religious land uses and associated development along Stagecoach Road. The property is bounded by existing urban (Rahman Subdivision and Trimmier Estates) and suburban (Wagon Wheel Subdivision) residential land uses as well as commercial and University District zoning along the western boundary.

Page 7.8 of the Comprehensive Plan states that the *“Killeen Comprehensive Plan is meant to be a flexible document allowing for adjustment to changing conditions over time. Shifts in political, economic, physical, technological, and social conditions, and other unforeseen circumstances, may influence and change the priorities and fiscal outlook of the community.”* Staff is of the determination that the transition to a ‘General Residential’ designation will allow greater flexibility in that a wider array of residential housing types are encouraged (e.g. detached single-family residential, duplexes, townhomes, patio homes) as well as neighborhood-scale commercial uses such as the neighborhood business district and lower intensity commercial zoning districts.

Staff recommends approval of amending the FLUM from ‘Suburban Residential’ to ‘General Residential’ for the approximate 152 acres area. There is greater market flexibility and land use variety within the ‘General Residential’ designation. As proposed, the requested FLUM amendment would still provide an approximate 500’ wide ‘Suburban Residential’ designation west of the Wagon Wheel and Stagecoach Road subdivisions to encourage compatible housing types near this established community.

Additionally, the FLUM designation does not preclude sound decision-making and community feedback as it relates to zoning requests. However, considering the amount of commercially designated areas located west of the subject area and its proximity to the

University District, staff supports amending the FLUM to encourage a wide range of housing types in this area. It is the staff's intent to work collaboratively with property owners, developers and the building community to further economic development in this area (through residential development) to encourage investor interest and reduce the commercial lag evident at this critical corner. In previous discussions with the Commission regarding FLUM amendments, generally flat land at or near major thoroughfares has been viewed as being acceptable locations for 'General Residential' type land uses.

With the exception of listing this action as a public hearing item on the Planning and Zoning Commission's agenda, there is no public notice requirement for this amendment action. However, staff has notified the (4) four affected property owners for this area.

Commissioner Harkin stated that she opposed the change. The Commission should keep high standards and this area needs to be "Suburban Residential".

Chairman Frederick opened the public hearing.

Ms. Lynn Dowling, 601 Rein Drive, Killeen, Texas, was present to speak in opposition to the request.

Mr. Josh Welch, 3000 Illinois Avenue, Ste 100, Killeen, Texas, was present to speak in support of the request.

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

Vice Chair Dorroh motioned to recommend approval of the request. Commissioner Latham seconded the motion. The motion passed 4-3 with Commissioners Harkin, Peters and McLaurin in opposition.

Chairman Frederick stated that this request will be forwarded to City Council with a recommendation to approve.

ORDINANCE _____

**AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN'S FUTURE LAND USE MAP FROM 'SUBURBAN RESIDENTIAL' TO 'GENERAL RESIDENTIAL' FOR APPROXIMATELY 152 ACRES, BEING PART OF THE AZRA WEBB SURVEY, ABSTRACT NO. 857, BEING GENERALLY LOCATED NORTHEAST OF THE INTERSECTION OF S. FORT HOOD STREET (S.H. 195) AND STAGECOACH ROAD, KILLEEN, TEXAS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.**

**WHEREAS**, the City of Killeen finds that Chapter 213.003 of the Local Government Code enables municipalities to adopt and amend comprehensive plans in the interest of coordinating long-range development of the municipality.

**WHEREAS**, the Planning and Zoning Commission has received a request by city planning staff to amend the Future Land Use Map (FLUM) of the Comprehensive Plan, to change approximately 152 acres, out of the Azra Webb Survey, Abstract No. 857, being generally located northeast of the intersection of S. Fort Hood Street (S.H. 195) and Stagecoach Road, from 'Suburban Residential' to 'General Residential'; said revision having been duly presented and recommended for approval by the Planning and Zoning Commission of the City of Killeen on the 7th day of November 2016, and due notice of the filing of said revision and the date of hearing thereon was given as required by law, and hearing on said request was set for 5:00 P.M., on the 22nd day of November 2016, at the City Hall, City of Killeen;

**WHEREAS**, the City Council at said hearing duly considered said request, the action of the Planning and Zoning Commission and the evidence in support thereof, and the City Council being of the opinion that the amendment should be approved;

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



**SECTION I:** That the land use designation of approximately 152 acres, out of the Azra Webb Survey, Abstract No. 857, being generally located northeast of the intersection of S. Fort Hood Street (S.H. 195) and Stagecoach Road, be changed from ‘Suburban Residential’ to ‘General Residential’.

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

**SECTION III.** That all ordinances and resolutions, or parts thereof, in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

**SECTION IV.** That this ordinance shall take effect immediately upon passage of the ordinance.

**PASSED AND APPROVED** at a regular meeting of the City Council of the City of Killeen, Texas, this 22nd 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:**

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**Jose L. Segarra**  
**MAYOR**

**ATTEST:**

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**Diana Barker**  
**CITY SECRETARY**

**APPROVED AS TO FORM**

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**Kathryn H. Davis**  
**CITY ATTORNEY**  
Case #: FLUM #Z16-19  
Ord#:16-___



# City of Killeen

## Legislation Details

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**File #:** PH-16-042    **Version:** 1    **Name:** Zoning 16-19  
**Type:** Ordinance/Public Hearing    **Status:** Public Hearings  
**File created:** 11/4/2016    **In control:** City Council  
**On agenda:** 11/22/2016    **Final action:**  
**Title:** HOLD a public hearing and consider an ordinance requested by WBW Land Investments, L.P. (Case #Z16-19) to rezone approximately 52.42 acres, being part of the Azra Webb Survey, Abstract No. 857, from "A-R1" (Agricultural Single-Family Residential District) to "SR-1" (Suburban Residential Single Family District) and "R-1" (Single-Family Residential District) to allow for single family residential housing. The property is located along the north right-of-way of Stagecoach Road, west of Rein Drive and the Wagon Wheel and Stagecoach Road Subdivisions, Killeen, Texas.  
**Sponsors:** Planning & Development Dept  
**Indexes:**  
**Code sections:**  
**Attachments:** [Council Memorandum](#)  
[Attachment to CCMO](#)  
[Minutes](#)  
[Ordinance](#)  
[Application](#)  
[Location map](#)  
[Buffer map](#)  
[Considerations](#)  
[Responses](#)

Date	Ver.	Action By	Action	Result
11/15/2016	1	City Council Workshop		



(13) Accessory buildings and uses, incident to the uses in this section and located on the same lot therewith, not involving the conduct of a retail building...

(14) A subdivision entry sign, when such sign is located on a lot that abuts a subdivision boundary and fronts on a street entering the subdivision. Such sign:

- a. Shall not have a sign face which exceeds a total of twenty-four (24) square feet; and
- b. Shall not exceed six (6) feet in height; and
- c. Shall not be located in a side or rear yard which is adjacent to any other lot designated for residential use; and
- d. Shall advertise only the name of the subdivision.

(15) Cemetery.

**A building or premises in an "SR-1" Suburban Residential Single-Family District shall be used only for the following purposes:**

- (1) Single-family detached dwellings.
- (2) Any use permitted in section 31-186(1-13(b)).

### **Property Specifics**

**Applicant/Property Owner:** WBW Land Investments, L.P.

**Property Location:** The property is located on the north right-of-way of Stagecoach Road, west of Rein Drive and the Wagon Wheel and Stagecoach Road Subdivisions, Killeen, Texas.

**Legal Description:** Part of the Azra Webb Survey, Abstract No. 857, Killeen, Texas.

**Zoning/ Plat Case History:**

- There is no recent zoning activity for the property.
- The subject property is not platted.

### **Character of the Area**

**Existing Land Use(s) on the Property:** None. The Wagon Wheel and Stagecoach Road subdivisions (immediately to the east) are comprised of single-family residential homes and contain lots that are larger than the 6,000 square feet "R-1" minimum lot size. Additionally, there are "R1-A" zoned garden homes constructed on smaller lots (<6,000 sq. ft.) north of this area within the Trimmier Estates Phase Three subdivision.

### **Figure 1. Zoning Map**

See Attachment

**Historic Properties:** None

### **Infrastructure and Community Facilities**

**Water, Sewer and Drainage Services:**

Provider: City of Killeen

Within Service Area: Yes

Feasibility Study or Service Commitment: Water and sanitary sewer are available to the property. The property owner will need to extend water, sewer and drainage infrastructure during the subdivision process.

**Transportation:**

Existing conditions: Stagecoach Road is classified a 90' minor arterial on the City's adopted Thoroughfare Plan.

Proposed Improvements: No proposed improvements are contemplated as part of this zoning request.

Projected Traffic Generation: Traffic will be moderate upon build out.

**Environmental Assessment**

**Topography:** The property ranges in elevation from 916 feet to 942 feet in elevation.

**Regulated Floodplain/Floodway/Creek:** The property is not within any FEMA regulatory Special Flood Hazard Area (SFHA).

**Land Use Analysis**

**Land Use Plan:** This area is designated as 'Suburban Residential' on the Future Land Use Map (FLUM) of the Comprehensive Plan.

**Plan Recommendation:** The 'Suburban Residential' character encourages detached residential dwellings, planned developments to provide for other housing types (e.g., townhouse, patio) in a suburban character setting, public/institutional, parks and public spaces. The characteristics of this designation include:

- Larger baseline minimum lot sizes to allow for larger front yards, building setbacks, and side yard separation
- Less noticeable accommodation of vehicles
- Encourages smaller lot sizes in exchange for greater open space set asides
- Encourages conservation design or cluster development

**Consistency:** The "SR-1" zoning request is appropriate with regard to the FLUM designation of this property. The "R-1" request, while it also allows single-family homes, is not the most appropriate zoning with regard to the Comprehensive Plan; therefore staff is requesting an amendment to the FLUM to 'General Residential' for a portion of this tract and a greater area to facilitate a greater variety of housing types and land uses in accordance with the Comprehensive Plan.

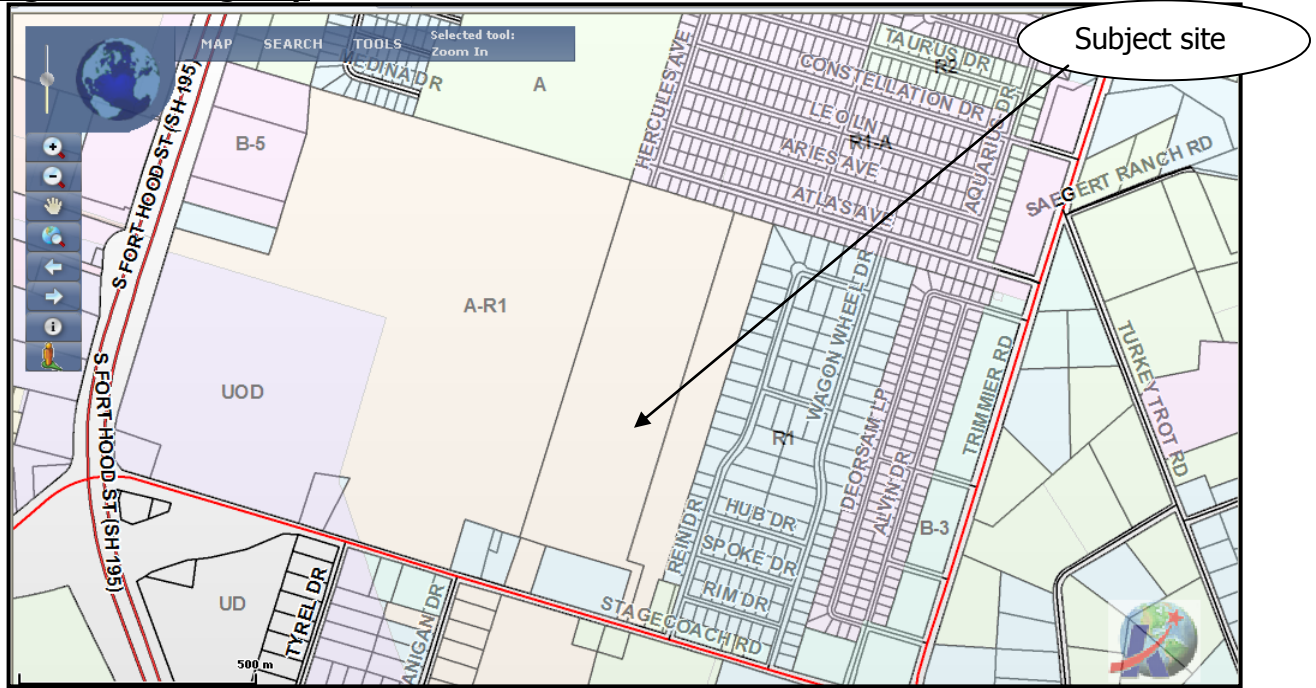
**Public Notification**

The staff notified seventy-four (74) surrounding property owners regarding this request. Staff has received opposition from adjacent property owners. These have been included for consideration.

## **Recommendation**

The Planning & Zoning Commission recommended approval of the applicant's split zoning concept of "SR-1" and "R-1" zoning districts by a vote of 4 to 2, with Commissioners McLaurin and Peters in opposition. Commissioner Harkin recused herself from the vote as she resides within the 200' notification area. If approved, the eastern one-half of the applicant's property will provide a more compatible zoning for the established larger residential lots that are located to the east. In terms of lot area regulations, some of the core differences between the "SR-1" and "R-1" zoning districts are the minimum lot size (8,400 sq. ft. versus 6,000 sq. ft. respectively) and minimum side yard setbacks (10 ft. versus 7 ft. respectively). As referenced on Page 7.8 of the Comprehensive Plan, the *"Killeen Comprehensive Plan is meant to be a flexible document allowing for adjustment to changing conditions over time. Shifts in political, economic, physical, technological, and social conditions, and other unforeseen circumstances, may influence and change the priorities and fiscal outlook of the community."*

**Figure 1. Zoning map**



**MINUTES  
PLANNING AND ZONING COMMISSION MEETING  
NOVEMBER 7, 2016**

**CASE #Z16-19  
A-R1 to SR-1 AND R-1**

**HOLD a public hearing and consider a request by WBW Land Investments, L.P. to rezone approximately 52.42 acres, out of the Azra Webb Survey, Abstract No. 857 from “A-R1” (Agricultural Single-family Residential District) to “SR-1” (Suburban Residential Single-family District) and “R-1” (Single-family Residential District) for single family housing. The property is located on the north side of Stagecoach Road and west of Rein Drive, Killeen, Texas.**

**Commissioner Harkin stepped away from the dais.**

Chairman Frederick requested staff comments.

City Planner, Tony McIlwain, stated that WBW Land Investments, L.P. has submitted this request to rezone approximately 52.42 acres, from “A-R1” (Agricultural Single-Family Residential District) to “SR-1” (Suburban Residential Single Family District) and “R-1” (Single-Family Residential District) to allow for single family residential housing. The property is located along the north right-of-way of Stagecoach Road, west of Rein Drive and the Wagon Wheel and Stagecoach Road Subdivisions, Killeen, Texas.

The staff notified seventy-four (74) surrounding property owners within a 200’ notification boundary regarding this request. The City Planner stated that staff has received 37 responses, 1 is from the property owner who is in support of the request, and 6 individuals are renters whose opposition does not count as protest by the Texas Local Government Code; twenty eight were oppositions from property owners and one of the responses was not a protest, but noted that she wanted to see more vegetation as a buffer.

City Planner stated that staff notified an area greater than the developer intended and captured 74 property owners. An opposition map was created to calculate how many property owners responded in opposition to the request and 17.3 percent of the land area within the 200 foot buffer.

Staff recommends approval of the applicant’s split zoning concept of “SR-1” and “R-1” zoning districts. If approved, the eastern one-half of the applicant’s property will provide a more compatible zoning for the established larger residential lots that are located to the east.

Mr. Josh Welch, W&B Development, 3000 Illinois Avenue, Killeen, Texas, was present to represent this request.

Chairman Frederick opened the public hearing.

Ms. Lynn Dowling, 601 Rein Drive, Killeen, Texas, and Ms. Kathy Harkin, 6607 Rein Drive,



Killeen, Texas, were present to speak in opposition to the request; lot size was one of the concerns.

Mignon Pressley, 1700 Stagecoach Road, Killeen, Texas, was also present to speak in opposition to the request.

With no one else requesting to speak the public hearing was closed.

Vice Chair Dorroh motioned to recommend approval of the requested zoning. Commissioner Cooper seconded the motion. The motion passed 4-2 with Commissioners McLaurin and Peters in opposition.

Chairman Frederick stated that this request will be forwarded to City Council with a recommendation to approve.

**Commissioner Harkin returned to the dais.**

**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-R1 (AGRICULTURAL SINGLE FAMILY RESIDENTIAL DISTRICT) TO SR-1 (SUBURBAN RESIDENTIAL SINGLE FAMILY DISTRICT) AND R-1 (SINGLE FAMILY RESIDENTIAL DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, W. B. W. Land Investments, L.P. has presented to the City of Killeen a request for amendment of the zoning ordinance of the City of Killeen by changing the classification of 52.42 acres, being part of the Azra Webb Survey, Abstract No. 857, from A-R1 (Agricultural Single-family Residential District) to SR-1 (Suburban Residential Single-family District) and R-1 (Single-family Residential District), said request having been duly presented and recommended for approval of SR-1 and R-1 zoning by the Planning and Zoning Commission of the City of Killeen, on the 7th day of November 2016, and due notice of the filing of said request and the date of hearing thereon was given as required by law, and hearing on said request was set for 5:00 P.M., on the 22nd day of November 2016, at the City Hall, City of Killeen;

**WHEREAS**, the City Council at said hearing duly considered said request, the action of the Planning and Zoning Commission and the evidence in support thereof, and the City Council being of the majority opinion that the request should be tabled at that meeting;

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

**Section I.** That the zoning classification for approximately 52.42 acres, being part of the Azra Webb Survey, Abstract No. 857, be changed from A-R1 (Agricultural Single-family Residential District) to SR-1 (Suburban Residential Single-family District) and R-1 (Single-family

Residential District). The property is located along the north right-of-way of Stagecoach Road, west of Rein Drive and the Wagon Wheel and Stagecoach Road Subdivisions, Killeen, Texas.

**Section II.** That should any section or part of this ordinance be declared unconstitutional or invalid for any reason, it shall not invalidate or impair the validity, force, or effect of any other section or parts of this ordinance.

**Section III.** That all ordinances and resolutions, or parts thereof, in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

**Section IV.** That this ordinance shall take effect immediately upon passage of the ordinance.

**PASSED AND APPROVED** at a regular meeting of the City Council of the City of Killeen, Texas, this 22nd 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**  
Case #16-19  
Ord. # 16-



Date Paid: 10/11/16  
 Amount Paid: \$ 300.00  
 Cash/MO #/Check #: # 332  
 Receipt #: 462

CASE #: 216-19

**City of Killeen**  
**Zoning Change Application**

General Zoning Change \$300.00  Conditional Use Permit \$500.00

Name(s) of Property Owner: WBW Land Investments LP

Current Address: 3000 Illinois Ave Ste 100

City: Killeen State: TX Zip: 76543

Home Phone: ( ) Business Phone: ( ) 254 953 5353 Cell Phone: ( )

Email: jwelch@wbdevelopment.com

Name of Applicant: _____  
 (If different than Property Owner)

Address: _____

City: _____ State: _____ Zip: _____

Home Phone: ( ) Business Phone: ( ) Cell Phone: ( )

Email: _____

Address/Location of property to be rezoned: N. of stagecoach S. of Trimmer Estates

Legal Description: A0857 BC A Webb, 11-1, Acres 62.31

Metes & Bounds or Lot(s) Block Subdivision

Is the rezone request consistent with the Comprehensive Plan?  YES  NO  
 If NO, a FLUM amendment application must be submitted.

Type of Ownership: _____ Sole Ownership  Partnership _____ Corporation _____ Other

Present Zoning: A-R1 Present Use: Vacant

Proposed Zoning: SE-1/R-1 Proposed Use: (residential)

Conditional Use Permit for: _____

This property was conveyed to owner by deed dated 12-21-12 and recorded in Volume _____, Page _____, Instrument Number 2012-00093225 of the Bell County Deed Records. (Attached)

Is this the first rezoning application on a unilaterally annexed tract?  
 Yes _____ (Fee not required) No _____ (Submit required fee)

**APPOINTMENT OF AGENT**

As owner of the subject property, I hereby appoint the person designated below to act for me, as my agent in this request.

Name of Agent: Josh Welch

Mailing Address: 3000 Illinois Ave Ste 100

City: Killeen State: TX Zip: 76543

Home Phone: ( ) _____ Business Phone: ( ) ²⁵⁴ 953 5353 Email: jwelch@wbdevelopment.com

I acknowledge and affirm that I will be legally bound by the words and acts of my agent, and by my signature below, I fully authorize my agent to:

**be the point of contact between myself and the City; make legally binding representations of fact and commitments of every kind on my behalf; grant legally binding waivers of rights and releases of liabilities of every kind on my behalf; to consent to legally binding modifications, conditions, and exceptions on my behalf; and, to execute documents on my behalf which are legally binding on me. This authorization only applies to this specific zoning request.**

I understand that the City will deal only with a fully authorized agent. At any time it should appear that my agent has less than full authority to act, then the application may be suspended and I will have to personally participate in the disposition of the application. I understand that all communications related to this application are part of an official proceeding of City government and, that the City will rely upon statements made by my agent. Therefore, I agree to hold harmless and indemnify the City of Killeen, its officers, agents, employees, and third parties who act in reliance upon my agent's words and actions from all damages, attorney fees, interest and costs arising from this matter. If my property is owned by a corporation, partnership, venture, or other legal entity, then I certify that I have legal authority to make this binding appointment on behalf of the entity, and every reference herein to 'I', 'my', or 'me' is a reference to the entity.

Signature of Agent [Signature] Title Development Manager

Printed/Typed Name of Agent Josh Welch Date 10-7-16

Signature of Agent _____ Title _____

Printed/Typed Name of Agent _____ Date _____

Signature of Applicant _____ Title _____

Printed/Typed Name of Applicant _____ Date _____

→ Signature of Property Owner [Signature] Title President

Printed/Typed Name of Property Owner Bruce Whitis Date 10-6-16

Signature of Property Owner _____ Title _____

Printed/Typed Name of Property Owner _____ Date _____

Signature of Property Owner _____ Title _____

Printed/Typed Name of Property Owner _____ Date _____

*Application must be signed by the individual applicant, by each partner of a partnership, or by an officer of a corporation or association.



**PLANNING AND  
DEVELOPMENT SERVICES**

**ZONING CASE:**

Z16-19

**ZONING FROM:**

A-R1 To SR-1 & R-1

**APPLICANT:**

WBW LAND INVESTMENTS

**PROPERTY OWNER:**

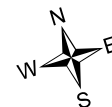
WBW LAND INVESTMENTS

**LEGAL DESCRIPTION:**

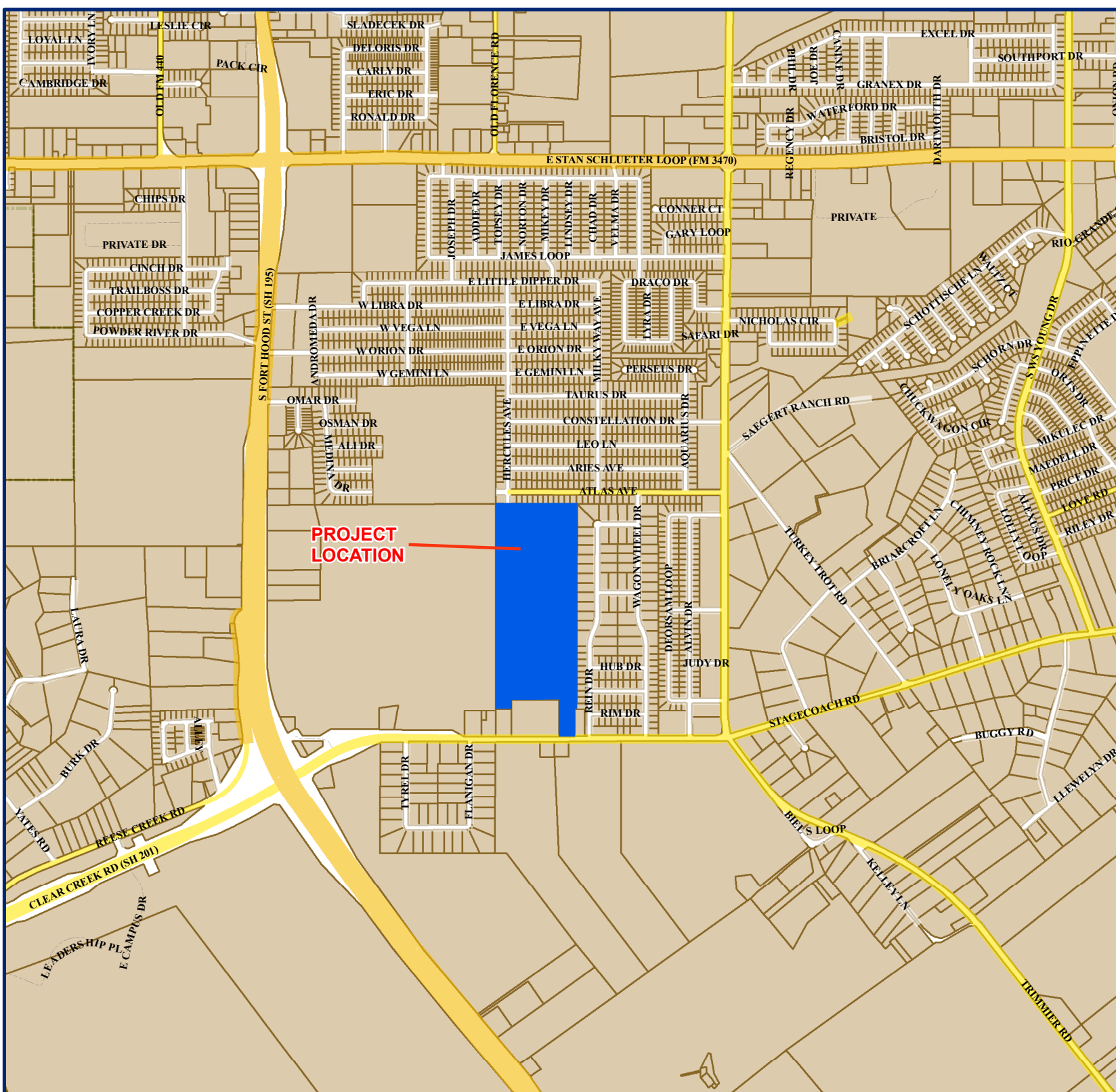
A0857BC A WEBB, 11-1,  
(PT 62.310AC TRACT),  
ACRES 53.973

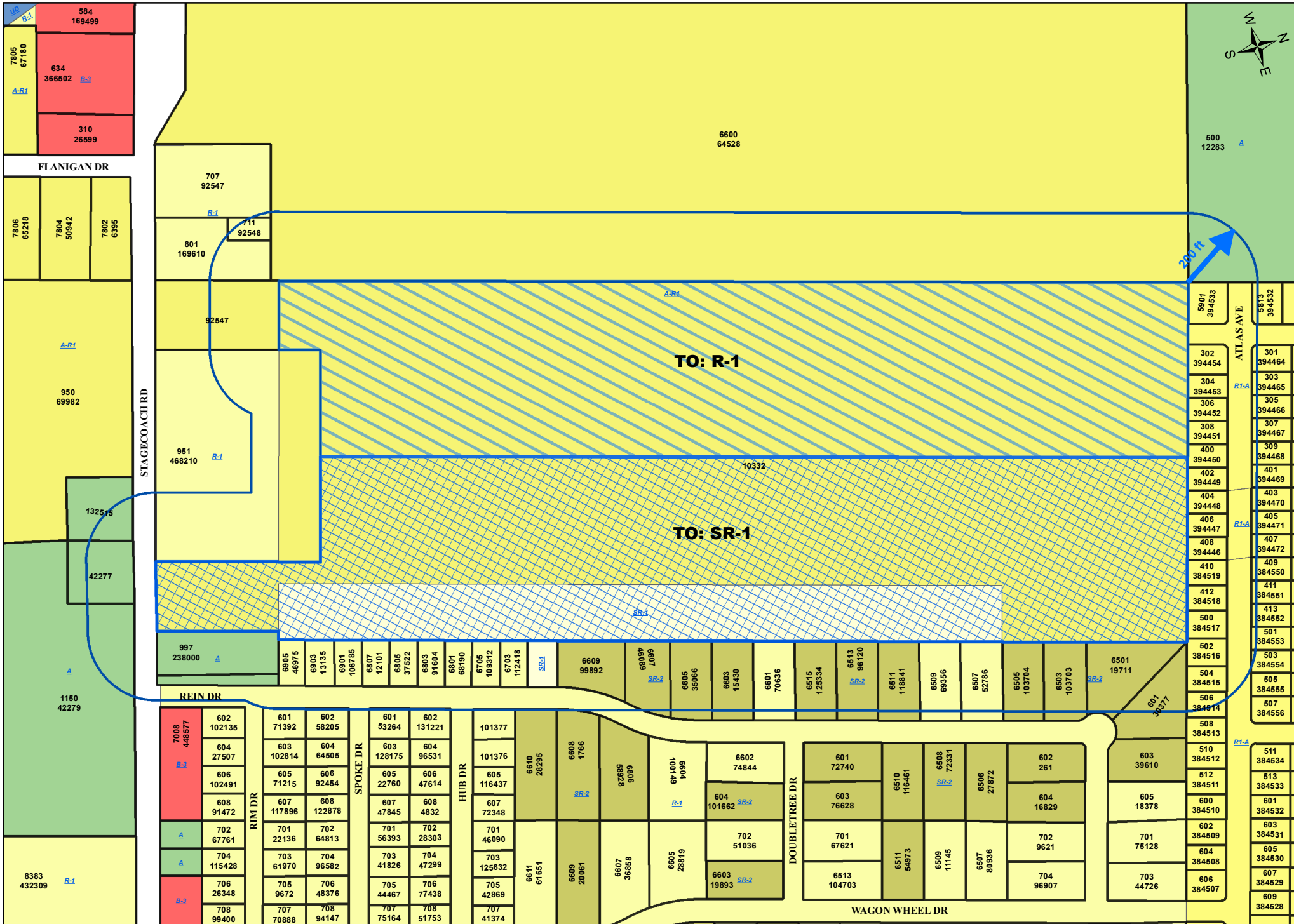
**Legend**

-  Zoning Case
-  Parcel
-  City Limits



Date: 10/13/2016





**ZONING CASE:** Z16-19

**APPLICANT:** WBW LAND INVESTMENTS

**LEGAL DESCRIPTION:** A0857BC A WEBB, 11-1, (PT 62.310AC TRACT), ACRES 53.973

**ZONING FROM:** SR-1\A-R1 To SR-1\R-1

**PROPERTY OWNER:** WBW LAND INVESTMENTS

Date: 10/13/2016

# CONSIDERATIONS

Texas Supreme Court in Pharr v. Tippitt, 616 S. W 2nd 173 (Tex 1981) established general guidelines which the Planning and Zoning Commission and City Council should take into consideration when making their respective recommendation and decision on a zoning request.

## A. General Factors to Consider:

Is the request in accordance with the comprehensive plan?

Is the request designed to lessen congestion in the streets; secure safety from fire, panic or other dangers; promote health and the general welfare; provide adequate light and air; prevent the overcrowding of land; avoid undue concentration of population; or facilitate the adequate provision of transportation, water, sewers, schools, parks and other public requirements?

What if any, is the nature and degree of an adverse impact upon neighboring lands?

The suitability or unsuitability of the tract for use as presently zoned.

Whether the amendment bears a substantial relationship to the public health, safety, morals or general welfare or protects and preserves historical and cultural places and areas.

Whether there is a substantial public need or purpose for the new zoning.

Whether there have been substantially changed conditions in the neighborhood.

Is the new zoning substantially inconsistent with the zoning of neighboring lands? (Whether the new zoning is more or less restrictive.)

The size of the tract in relation to the affected neighboring lands – is the tract a small tract or isolated tract asking for preferential treatment that differs from that accorded similar surrounding land without first proving changes in conditions?

Any other factors which will substantially affect the health, safety, morals or general welfare.

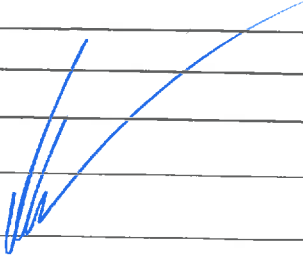
## B. Conditional Use Permit (if applicable)

Whether the use is in harmonious with and adaptable to buildings, structures and use of abutting property and other property in the vicinity of the premises under construction.

## C. Conditions to Consider

1. Occupation shall be conducted only by members of family living in home.
2. No outside storage or display
3. Cannot change the outside appearance of the dwelling so that it is altered from its residential character.
4. Cannot allow the performance of the business activity to be visible from the street.
5. Cannot use any window display to advertise or call attention to the business.
6. Cannot have any signs
7. No off-street parking or on-street parking of more than two (2) vehicles at any one time for business related customer parking.
8. No retail sales.
9. Length of Permit.



----- CUT HERE -----	
YOUR NAME: <i>Bruce White</i>	PHONE NUMBER: <i>254 953 5353</i>
CURRENT ADDRESS: <i>3000 Illinois Ave Ste 100 Gillean TX</i>	
ADDRESS OF PROPERTY OWNED: <i>N. of Stone coach, W of Res'n</i>	
COMMENTS:	<i>A-R1 to SR-1 and R-1</i>
<i>Approve</i>	
	<b>RECEIVED</b>
	<b>NOV 07 2016</b>
	<b>PLANNING</b>
SIGNATURE: 	SPO #Z16-19/ <i>74</i>

-CUT HERE-

YOUR NAME: *Barbara Plunkett*

PHONE NUMBER: *253-886-9526*

CURRENT ADDRESS: *6501 Rem Dr.*

ADDRESS OF PROPERTY OWNED: *6501 Rem Dr.*

COMMENTS:

A-R1 to SR-1 and R-1

*Propose they add 400 ft between the properties and put in a greenbelt with natural Texas trees, plants.*

*This would separate the properties & help the environment, plant more trees!*

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SIGNATURE: *B. Plunkett*

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SPO #Z16-19/ 35

PLANNING

YOUR NAME:	Kathy Harkin	PHONE NUMBER:	254-247-8747
CURRENT ADDRESS:	1607 Rein Dr.		
ADDRESS OF PROPERTY OWNED:	1607 Rein Dr.		
COMMENTS:	OPPOSE	A-R1 to SR-1 and R-1	
<p>This property is located off Stagecoach + Hwy 195. It's been turned down numerous times for not meeting FLUM/Comp Plan + Countless Residents opposing. The property to the EAST IS SR2 by lot size being a minimal 10,800 square ft to 1 acre.</p>			
<p>* I would approve a park or equal build of SR1 + SR2 housing</p>			
SIGNATURE:	Kathy Harkin	SPO #Z16-19/	46

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PO BOX 1329 KILLEEN TEXAS 76540-1329 254 501 7630 254 501 7628 FAX  
WWW.CIKILLEEN.TX.US

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YOUR NAME:	Lynn Dowling	PHONE NUMBER:	(254) 317-0254
CURRENT ADDRESS:	601 Rein Drive		
ADDRESS OF PROPERTY OWNED:			
COMMENTS:		A-R1 to SR-1 and R-1	
<p>Oppose changing city's Future Land Use Map and Comprehensive Plan to R-1</p>			
<p>SR-1 is consistent with adjoining neighborhoods not R-1</p>			
SIGNATURE:	Lynn Dowling	SPO #Z16-19/	34

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29 in opposit  
+ 6 remas

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YOUR NAME: Sandra Santiago-Green PHONE NUMBER: 254-290-5029  
 CURRENT ADDRESS: 602 Hub Drive Killeen, TX 76542  
 ADDRESS OF PROPERTY OWNED: 602 Hub Drive  
 COMMENTS: PHARR VS. Tippit A-R1 to SR-1 and R-1  
 opposed unless I see housing with  
 land comparable to 11,000 square foot and  
 up like what we have.  
 We are looking toward our future and  
 neighborhoods we can grow in.

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 SPO #Z16-19/ 56

SIGNATURE: [Signature]

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YOUR NAME: Bonnie James PHONE NUMBER: 291-8852  
 CURRENT ADDRESS: 6805 Res Dr Killeen, TX  
 ADDRESS OF PROPERTY OWNED:  
 COMMENTS: PHARR VS TIPPIT A-R1 to SR-1 and R-1  
 I appose - congestion - noise - park  
 needed. More Crime!!!! public  
 safety for my kids & grandkids -

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 SPO #Z16-19/ 57

SIGNATURE: [Signature]

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YOUR NAME: Ute McNeelley PHONE NUMBER: 254 245 7812  
 CURRENT ADDRESS: 601 Spoke Dr  
 ADDRESS OF PROPERTY OWNED:  
 COMMENTS: opposed PHARR vs TIPPIT A-R1 to SR-1 and R-1

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 SPO #Z16-19/ 59

SIGNATURE: Ute McNeelley

CONFIDENTIAL

YOUR NAME: Robert Sloth	PHONE NUMBER: 466-0764
CURRENT ADDRESS: 6705 Rein Dr	
ADDRESS OF PROPERTY OWNED:	
COMMENTS: OPPOSED / PHARR vs Tippit	A-R1 to SR-1 and R-1
too many houses too close together	
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	PLANNING
SIGNATURE: <i>[Signature]</i>	SPO #Z16-19/ 52

YOUR NAME: Rueben & Pauline Rabsatt	PHONE NUMBER: 254-634-3480
CURRENT ADDRESS: 6513 Rein Drive	
ADDRESS OF PROPERTY OWNED: 6513 Rein Drive	
COMMENTS:	A-R1 to SR-1 and R-1
Pharr vs Tippit: Opposed	
All considerations	
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SIGNATURE: <i>[Signature]</i>	SPO #Z16-19/ 41

CONFIDENTIAL

YOUR NAME: Fidel CABRERA	PHONE NUMBER: 254 634 3929
CURRENT ADDRESS: 6603 Rein DR	
ADDRESS OF PROPERTY OWNED: same	
COMMENTS: oppose PHARR vs Tippitt	A-R1 to SR-1 and R-1
ALL 9 conditions	
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SIGNATURE: <i>[Signature]</i>	SPO #Z16-19/ 44

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YOUR NAME: Tracy Myers PHONE NUMBER: 6026971848  
 CURRENT ADDRESS: 505 Atlas Ave Killeen TX 76542  
 ADDRESS OF PROPERTY OWNED: Same  
 COMMENTS: No. A-R1 to SR-1 and R-1  
 Don't want the traffic and congestion - Emergency vehicles need room.  
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 SIGNATURE: Jimmy R Myers SPO #Z16-19/ 75

YOUR NAME: Carolyn Sue Allemann PHONE NUMBER: 254-289-5319  
 CURRENT ADDRESS: 6608 Rein  
 ADDRESS OF PROPERTY OWNED:  
 COMMENTS: Oppose - Pharr vs Tippet A-R1 to SR-1 and R-1  
 zoning inconsistent with the zoning of neighboring lands - low restrictive  
 10 general factors breached  
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 SIGNATURE: Carolyn Sue Allemann SPO #Z16-19/ 48

YOUR NAME: Adrian + Linda Knotts PHONE NUMBER: 458-0663  
 CURRENT ADDRESS: 6701 Rein  
 ADDRESS OF PROPERTY OWNED:  
 COMMENTS: Pharr versus Tippet A-R1 to SR-1 and R-1  
 R1 needs to be SR1. Do not change FLUM  
 unless lots conform with existing lots then  
 taper to SR1. Will except SR2 1 Row then  
 SR1.  
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 SIGNATURE: Linda Knotts SPO #Z16-19/ 50

YOUR NAME: Adrian Knotts PHONE NUMBER:

CURRENT ADDRESS: 6701 Rein Dr

ADDRESS OF PROPERTY OWNED:

COMMENTS: Opposed = Pharr v. Tippit A-R1 to SR-1 and R-1  
- Housing to Match something to  
our size property  
This is not compatible

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**PLANNING**

SIGNATURE: [Signature] SPO #Z16-19/ 50

YOUR NAME: Christine Daniels PHONE NUMBER: 254-813-4790

CURRENT ADDRESS: 6801 Rein Dr Killeen

ADDRESS OF PROPERTY OWNED: 6801 Rein Dr

COMMENTS: Oppose - All Pharr v. Tippit A-R1 to SR-1 and R-1  
Considerations  
Congestion, Over enrollment schools, Open Spaces + parks  
negative impact on housing market - yards for our  
Kids! Parks needed.

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SIGNATURE: [Signature] SPO #Z16-19/ 54

PO BOX 1329 KILLEEN, TEXAS 76540-1329 TEL: 254.501.7620 FAX: 254.501.7628  
WWW.CIKILLEEN.TX.US

YOUR NAME: Linda Robinson PHONE NUMBER: 254-526-3397

CURRENT ADDRESS: 6609 Rein Dr.

ADDRESS OF PROPERTY OWNED: 6609 Rein Dr.

COMMENTS: Opposed A-R1 to SR-1 and R-1  
Pharr vs Tippit says all considerations  
must be met. Our way of life will be  
negatively impacted by the traffic and  
the prospect of empty houses

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NOV 07 2016  
**PLANNING**

SIGNATURE: [Signature] SPO #Z16-19/ 47

YOUR NAME: *Roddy Hernandez* PHONE NUMBER: *254-423-0616*  
 CURRENT ADDRESS: *412 Atlas Ave. Killeen, TX 76542*  
 ADDRESS OF PROPERTY OWNED:  
 COMMENTS: *We don't want congestion, A-R1 to SR-1 and R-1  
 no more traffic and there's a lot  
 of houses: Oppose*  
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 PLANNING  
 SIGNATURE: *Roddy Hernandez* SPO #Z16-19/ *25*

YOUR NAME: *Rodriguez Jose* PHONE NUMBER: *515 290 6233*  
 CURRENT ADDRESS: *500 Atlas Ave.*  
 ADDRESS OF PROPERTY OWNED: *500 Atlas Ave Killeen TX, 76542*  
 COMMENTS: *A-R1 to SR-1 and R-1  
 no no no!!! Our lots small, neighbors have nice  
 yards. We didn't have large yards, like our neighbors to  
 choose when we bought this house.*  
 RECEIVED  
 NOV 07 2016  
 PLANNING  
 SIGNATURE: *J Rodriguez* SPO #Z16-19/ *27*

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YOUR NAME: *Erin Davis* PHONE NUMBER: *254 251 8109*  
 CURRENT ADDRESS: *506 Atlas Ave Killeen, TX 76542*  
 ADDRESS OF PROPERTY OWNED: *506 Atlas Ave Killeen, TX 76542*  
 COMMENTS: *A-R1 to SR-1 and R-1  
 Pharr VS Tippit  
 ALL Conditions - Need larger yards  
 to expand home in later years. My Neighbors  
 leave, move all the time.*  
 Opposed  
 RECEIVED  
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 PLANNING  
 SIGNATURE: *Erin Davis* SPO #Z16-19/ *33*



YOUR NAME: Lynn A Washington      PHONE NUMBER: 254-338-5312

CURRENT ADDRESS: 6503 Rein Dr, Killeen TX

ADDRESS OF PROPERTY OWNED: 6503 Rein Dr, Killeen, TX

COMMENTS: A-R1 to SR-1 and R-1

Requesting ~~zone~~ SR-2 Lot size 28,749. Requesting homes of lot size ~~to be larger than~~ equal to our zoning reason because smaller lots bring down the value of our lot, multiple homes to our backyard.

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NOV 07 2016  
PLANNING

SIGNATURE: Lynn A Washington      SPO #Z16-19/ 36

YOUR NAME: Wallace Dimey Jr / Kid Dimey      PHONE NUMBER: 254-554-5919

CURRENT ADDRESS: 6505 Rein Dr Killeen TX 76542

ADDRESS OF PROPERTY OWNED:

COMMENTS: A-R1 to SR-1 and R-1

OPPOSE: yards like our neighborhood single family house - one story  
My yard large.

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PLANNING

SIGNATURE: Wallace Dimey Jr, Kid Dimey      SPO #Z16-19/ 37

YOUR NAME: Kevin Williams      PHONE NUMBER: 870 820 5483

CURRENT ADDRESS: 308 Atlas Ave, Killeen, TX

ADDRESS OF PROPERTY OWNED: 308 Atlas Ave

COMMENTS: A-R1 to SR-1 and R-1

Contractors should build same size or bigger lots as mine, smaller homes (duplexes) normally results to more crime due to their cheaper prices. Traffic will be increase, leading to more accidents. Smaller homes will also bring the value of my house down. Improve the neighborhood.

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PLANNING

SIGNATURE: Kevin Williams      SPO #Z16-19/ 11

YOUR NAME: Jason Sheets PHONE NUMBER: 817-504-3483  
 CURRENT ADDRESS: 400 Atlas Ave, Keller, TX  
 ADDRESS OF PROPERTY OWNED: 400 Atlas Ave, Keller, TX  
 COMMENTS: Oppose A-R1 to SR-1 and R-1

In looking at our neighborhood, there are too many vacant houses available. It is now an issue of safety by increasing housing and opening the ~~edge~~ traffic in a neighborhood known as a traditionally safe neighborhood.

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 NOV 07 2016  
 PLANNING

SIGNATURE: [Signature] SPO #Z16-19/ 13

YOUR NAME: GLENN R. BAUER PHONE NUMBER: (254) 526-2744  
 CURRENT ADDRESS: 6605 REIN DR  
 ADDRESS OF PROPERTY OWNED: SAME  
 COMMENTS: OPPOSE R-1 ON THE EAST A-R1 to SR-1 and R-1

side of the property in question - How many more times do we have to oppose the same thing, the council all ready knows the feelings of community and this should be the last time, I pray. PHARR VS TRIP

RECEIVED  
 NOV 07 2016  
 PLANNING

SIGNATURE: Glenn R. Bauer SPO #Z16-19/ 45

YOUR NAME: Omar Lugo PHONE NUMBER: 337-423-6581  
 CURRENT ADDRESS: 405 Atlas Ave  
 ADDRESS OF PROPERTY OWNED: 405 Atlas Ave  
 COMMENTS: A-R1 to SR-1 and R-1

I oppose to this due to the rezoning will cause higher traffic in our housing area. We already have enough traffic speeding up and down Atlas Ave, we do not need anymore. I also oppose due to this area already being over populated with houses we do not need any more.

RECEIVED  
 NOV 07 2016  
 PLANNING

SIGNATURE: [Signature] SPO #Z16-19/ 20

CUT HERE

YOUR NAME: John Whitwell PHONE NUMBER: 3680301

CURRENT ADDRESS: 302 Atlas Ave

ADDRESS OF PROPERTY OWNED: 302 Atlas Ave

COMMENTS: A-R1 to SR-1 and R-1  
 Proposed, Home vs. Trip  
 - Neighborhood needs park - Dog/Children Area

RECEIVED  
 NOV 07 2016  
 PLANNING

SIGNATURE: [Signature] SPO #Z16-19/ 05

CUT HERE

YOUR NAME: Maximiliano Ruiz PHONE NUMBER: 357-319-4678

CURRENT ADDRESS: 301 Atlas Ave 76572

ADDRESS OF PROPERTY OWNED:

COMMENTS: A-R1 to SR-1 and R-1  
 O PROSC  
 Traffic Congestion - Kids play in street - No yard room  
 for future house improvements.

RECEIVED  
 NOV 07 2016  
 PLANNING

SIGNATURE: [Signature] SPO #Z16-19/ 06

CUT HERE

YOUR NAME: Ramon R. Parecki II PHONE NUMBER: 360-870-8492

CURRENT ADDRESS: 304 Atlas Ave, Killeen, Tx. 76542

ADDRESS OF PROPERTY OWNED: 304 Atlas Ave, Killeen Tx 76542

COMMENTS: A-R1 to SR-1 and R-1  
 Oppose, Community stability and  
 Safety.  
 To Reduce the area Congestion and provide more green space.

RECEIVED  
 NOV 07 2016  
 PLANNING

SIGNATURE: [Signature] SPO #Z16-19/ 07

CUT HERE

YOUR NAME: Maria Parales	PHONE NUMBER: 254 422 3677
CURRENT ADDRESS: 304 Atlas Ave	
ADDRESS OF PROPERTY OWNED:	
COMMENTS: Too Many rentals on my street. No!	A-R1 to SR-1 and R-1
	RECEIVED
	NOV 07 2016
	PLANNING
SIGNATURE: Maria Parales	SPO #Z16-19/ 07

CUT HERE

YOUR NAME: Audi & Bridget Price	PHONE NUMBER: 254 213 9076
CURRENT ADDRESS: 306 Atlas Ave	
ADDRESS OF PROPERTY OWNED:	
COMMENTS: OPPOSE	A-R1 to SR-1 and R-1
Need open spaces - our schools in area are over full	
	RECEIVED
	NOV 07 2016
	PLANNING
SIGNATURE: Audi Price, Bridget Price	SPO #Z16-19/ 09

CUT HERE

YOUR NAME: Richard Parks	PHONE NUMBER: 634 2241
CURRENT ADDRESS: 305 ATLAS AVE	
ADDRESS OF PROPERTY OWNED:	
COMMENTS: No	A-R1 to SR-1 and R-1
Need larger yards like older neighbors behind our homes	
	RECEIVED
	NOV 07 2016
	PLANNING
SIGNATURE: Richard Parks	SPO #Z16-19/ 10

CUT HERE

YOUR NAME: <u>Chong S. McKeon</u>	PHONE NUMBER: <u>(254) 526-7009</u>
CURRENT ADDRESS: <u>601 Rim Dr. Killeen, TX 76542</u>	
ADDRESS OF PROPERTY OWNED: <u>601 Rim Dr. Killeen, TX 76542</u>	
COMMENTS:	A-R1 to SR-1 and R-1
<u>I do not agree with this rezoning and would like to protest.</u>	
<b>RECEIVED</b>	
<b>NOV 07 2016</b>	
<b>PLANNING</b>	
SIGNATURE: <u>[Signature]</u>	SPO #Z16-19/ <u>63</u>

P.O. BOX 1329 KILLEEN, TEXAS 76540-1329 254.501.7630 254.501.7628 FAX  
WWW.CIKILLEEN.TX.US

CUT HERE

YOUR NAME: <u>James &amp; Marilyn Dykes</u>	PHONE NUMBER: <u>915-269-7918</u>
CURRENT ADDRESS: <u>4565 Lima Canada Ct, EL Paso, Tx 79934</u>	
ADDRESS OF PROPERTY OWNED: <u>502 Aslas Ave, Killeen, Tx 76542</u>	
COMMENTS:	A-R1 to SR-1 and R-1
<u>We Are Opposed to This Re-Zoning</u>	
<b>RECEIVED</b>	
<b>NOV 08 2016</b>	
<b>PLANNING</b>	
SIGNATURE: <u>[Signature]</u>	SPO #Z16-19/ <u>29</u>

CUT HERE

YOUR NAME: <i>Debra Doren</i>	PHONE NUMBER: <i>N/A</i>
CURRENT ADDRESS: <i>6809 Rein</i>	
ADDRESS OF PROPERTY OWNED: <i>Farrell Bowers (owner)</i>	
COMMENTS: <i>Oppose</i>	<i>A-R1 to SR-1 and R-1</i>
<i>PHARA Views Tippitt</i>	
<i>ALL considerations</i>	
<b>RECEIVED</b>	
<i>NOV 07 2016</i>	
<b>PLANNING</b>	
SIGNATURE: <i>Debra Doren</i>	SPO #Z16-19/ <i>58</i>

Tenant X

CUT HERE

YOUR NAME: <i>Jarrad Williams</i>	PHONE NUMBER: <i>910 273 3514</i>
CURRENT ADDRESS: <i>6507 Rein Dr</i>	
ADDRESS OF PROPERTY OWNED: <i>Mark Gonzalez (owner)</i>	
COMMENTS: <i>Match existing neighborhood. Our homes here since 1970-1980.</i>	<i>A-R1 to SR-1 and R-1</i>
<b>RECEIVED</b>	
<i>NOV 07 2016</i>	
<b>PLANNING</b>	
SIGNATURE: <i>JW</i>	SPO #Z16-19/ <i>38</i>

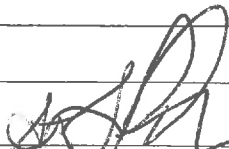
Tenant

CUT HERE

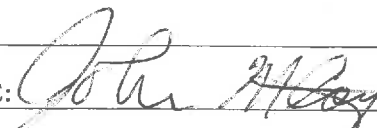
YOUR NAME: <i>Ronnie W. Payne</i>	PHONE NUMBER: <i>254-220-9453</i>
CURRENT ADDRESS: <i>6803 Rein Dr</i>	
ADDRESS OF PROPERTY OWNED: <i>Donald Hubbert (owner)</i>	
COMMENTS: <i>All Pharr Tippitt Reasons. Too Congested for Area. Match our lot size and single family homes.</i>	<i>A-R1 to SR-1 and R-1</i>
<b>RECEIVED</b>	
<i>NOV 07 2016</i>	
<b>PLANNING</b>	
SIGNATURE: <i>R Payne</i>	SPO #Z16-19/ <i>55</i>

Tenant

Tenant relative

YOUR NAME: STEVEN J. PARKER	PHONE NUMBER: 760 501-4041
CURRENT ADDRESS: 509 ATLAS AVE. KILLEEN, TX. 76542	
ADDRESS OF PROPERTY OWNED: SAME AS ABOVE.	
COMMENTS: <b>Opposed</b>	A-R1 to SR-1 and R-1
LOT SIZES TOO SMALL FOR SURROUNDING PROPERTIES.	
TRAFFIC WOULD BE TOO MUCH.	
<b>RECEIVED</b>	
NOV 07 2016	
<b>PLANNING</b>	
SIGNATURE: 	SPO #Z16-19/ 32

Tenant

YOUR NAME: John McCoy	PHONE NUMBER: 254 699 1012
CURRENT ADDRESS: 309 Atlas Ave	
ADDRESS OF PROPERTY OWNED: 140 Brightwood Dr. Raeford NC	
COMMENTS: <b>oppose</b>	A-R1 to SR-1 and R-1
Need open spaces room for Kids to play, need room for cars to park, boats, trailers off road parking!	
<b>RECEIVED</b>	
NOV 07 2016	
<b>PLANNING</b>	
SIGNATURE: 	SPO #Z16-19/ 14

PO BOX 1329 KILLEEN TEXAS 76540 1329 254 501 7630 254 501 7628 FAX  
WWW.CIKILLEEN.TX.US

David Gray (owner)

CUT HERE

YOUR NAME: Derrick Spafford PHONE NUMBER: (940) 672-8001

CURRENT ADDRESS: 401 Atlas Ave

ADDRESS OF PROPERTY OWNED: (Milmini Thompson owner)  
A-R1 to SR-1 and R-1

COMMENTS: I feel that more  
traffic will affect the  
safety of my children.  
Oppose

*Tenant*

RECEIVED

NOV 07 2016

PLANNING

SIGNATURE: [Handwritten Signature]

SPO #Z16-19/ 16





# City of Killeen

## Legislation Details

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**File #:** PH-16-043    **Version:** 1    **Name:** Zoning 16-20  
**Type:** Ordinance/Public Hearing    **Status:** Public Hearings  
**File created:** 11/4/2016    **In control:** City Council  
**On agenda:** 11/22/2016    **Final action:**

**Title:** HOLD a public hearing and consider an ordinance requested by Karen Wunsch of Masterplan Consultants, on behalf of the Sheryl Yowell Anderson 1998 Trust Et Al, (Case #Z16-20) to rezone 3.093 acres out of the Simeon D. Carothers Survey, Abstract No. 177, from "A" (Agricultural District) to "A" (Agricultural District) with a Conditional Use Permit (CUP) for an electric substation. The substation is proposed to be located approximately 1,230 feet east of Shimla Drive and 557 feet north of Rusack Drive, Killeen, Texas.

**Sponsors:** Planning & Development Dept

**Indexes:**

**Code sections:**

**Attachments:** [Council Memorandum](#)  
[Attachment to CCMO](#)  
[Minutes](#)  
[Ordinance](#)  
[Application](#)  
[Location map](#)  
[Buffer map](#)  
[Attachment](#)  
[Site Plan](#)  
[Considerations](#)

Date	Ver.	Action By	Action	Result
11/15/2016	1	City Council Workshop		

## CITY COUNCIL MEMORANDUM

### AGENDA ITEM

**ZONING CASE #Z16-17 "A" (AGRICULTURAL DISTRICT) TO "A" (AGRICULTURAL DISTRICT) WITH A CONDITIONAL USE PERMIT (CUP)**

### ORIGINATING DEPARTMENT

**PLANNING & DEVELOPMENT SERVICES**

Karen Wunsch, of Masterplan Consultants, submits this request on behalf of the Sheryl Yowell Anderson 1998 Trust Et Al, to rezone 3.093 acres out of the Simeon D. Carothers Survey, Abstract No. 177, from "A" (Agricultural District) to "A" (Agricultural District) with a Conditional Use Permit (CUP) for an electric substation. The substation is proposed to be located approximately 1,230 feet east of Shimla Drive and 557 feet north of Rusack Drive, Killeen, Texas.

### **Criteria for approval:**

The City Council may establish such conditions of approval as are reasonably necessary to ensure compatibility with surrounding uses and to preserve the public health, safety and welfare. Such conditions may include, without limitation, a limited term or duration of the permit; requirements for special yards, lot sizes, open spaces, buffers, fences, walls or screening; requirements for the installation and maintenance of landscaping or erosion control measures; requirements for street improvements, regulation of vehicular ingress or egress and traffic circulation, regulation of signs; regulation of hours or other characteristics of operation; establishment of development schedules for performance or completion; and such other reasonable conditions as the City Council may deem necessary to preserve the health, safety, and welfare of the applicant and the public.

### **Property Specifics**

**Applicant/Property Owner:** Sheryl Yowell Anderson 1998 Trust Et Al

**Property Location:** The substation is proposed to be located approximately 1,230 feet east of Shimla Drive and 557 feet north of Rusack Drive, Killeen, Texas.

**Legal Description:** Simeon D. Carothers Survey, Abstract No. 177

### **Zoning/ Plat Case History:**

- There is no recent zoning activity for this property.
- The property has not been platted.

### **Character of the Area**

**Existing Land Use(s) on the Property:** This portion of the property contains existing electrical utility structures and supporting infrastructure.

**Historic Properties:** There are no historic structures on this property.

### **Figure 1. Zoning Map**

See Attachment

### **Infrastructure and Community Facilities**

#### **Water, Sewer and Drainage Services:**

Provider: City of Killeen

Within Service Area: Yes

Feasibility Study or Service Commitment: The extension of water and sewer is not required for this proposed use.

#### **Transportation:**

Existing conditions: There is no improved public right-of-way serving this portion of the tract. Access onto the property will be facilitated via a gravel drive extending from Shimla Drive within an existing TP&L easement.

Proposed Improvements: There are no planned transportation improvements as part of this zoning request.

Projected Traffic Generation: There will be virtually no increase in traffic as a result of this consideration.

### **Environmental Assessment**

**Topography/Regulated Floodplain/Floodway/Creek:** The area to be zoned is located in a Zone X Special Flood Hazard Area (SFHA). There are no known wetlands within the area being zoned. This area is currently un-platted and will need to be come into conformance with current drainage standards when development occurs on the parcel. Currently runoff on this development sheet flows east for approximately 0.25 miles prior to entering Yowell Creek. The runoff then flows from Yowell Creek into Trimmier Creek prior to leaving the City. Trimmier Creek is currently listed on the TCEQ's current 303(d) water quality list for impairment due to bacteria. In addition Trimmier Creek was listed on the same list for concerns for near-nonattainment of the Water Quality Standards for the macrobenthic community. The TCEQ listed post-development erosion and sedimentation as the potential source for the impaired macrobenthic community in this basin.

### **Land Use Analysis**

**Land Use Plan:** The land is designated as 'Estate' on the Future Land Use Map (FLUM) of the Comprehensive Plan.

**Plan Recommendation:** The Comprehensive Plan allows the following development types within the 'Estate' designation: detached residential dwellings, public/institutional uses, and parks and public spaces.

**Consistency:** The applicant's Conditional Use Permit request for an electric substation does not trigger a change to the FLUM.

### **Public Notification**

The staff notified one (1) surrounding property owners regarding this request. Staff has received no protest.

### **Recommendation**

The Planning & Zoning Commission recommended approval by a vote of 7 to 0 of the applicant's Conditional Use Permit request subject to adherence to the site plan.

**Figure 1. Location Map**



**MINUTES  
PLANNING AND ZONING COMMISSION MEETING  
NOVEMBER 7, 2016**

**CASE #Z16-20  
“A” to “A” w/CUP**

**HOLD a public hearing and consider a request by Anderson, Sheryl Yowell 1998 Trust to rezone approximately 3.093 acres, out of the Simeon D. Carothers Survey, Abstract No. 177, from “A” (Agricultural District) to “A” (Agricultural District) with a Conditional Use Permit (CUP) for an electric substation. The property is located approximately 1,230 feet east of Shimla Drive and 557 feet north of Rusack Drive, Killeen, Texas.**

Chairman Frederick requested staff comments.

City Planner, Tony McIlwain, stated that the request is for a Conditional Use Permit (CUP) for an electric substation. The property is owned by the Yowell Family and for the last two years they have been in contact with Oncor discussing a proposed substation.

The purpose of the Conditional Use Permit process is to identify those land uses that may be appropriate within a zoning district but, due to their location, function or operation, could have a harmful impact on adjacent properties or the surrounding area, and to provide a procedure whereby such uses may be permitted by further restricting or conditioning the same so as to mitigate or eliminate such potential adverse impacts. The Conditional Use Permit runs with the land, regardless of ownership, until termination of the Permit. The Planning and Zoning Commission may recommend approval of a Conditional Use Permit by majority vote, but shall recommend disapproval of an application if it finds one or more of the following, or other valid justifications, to be true:

- (A) The proposed use will be incompatible with existing or permitted uses on surrounding sites because of use, building height, bulk and scale, setbacks and open spaces, coverage, landscaping and screening, drainage, or access and circulation features;
- (B) The proposed use is not suitable to the premises or structure(s) in which it will be conducted;
- (C) The proposed use will be detrimental to the public health, safety or welfare, or will negatively affect the property or improvements in the vicinity;
- (D) The proposed use fails to reasonably protect persons and property from erosion, flood or water damage, fire, noise, glare, odors, or similar hazards or impacts;
- (E) The proposed use will materially and adversely affect traffic control or adjacent properties by inappropriate location, lighting or types of signs;

(F) The proposed use fails to provide adequate and convenient off-street parking and loading facilities; or

(G) The proposed use will incorporate the sale or distribution of alcoholic beverages for on-premises consumption except where the applicant seeks a temporary permit, not to exceed two (2) months in duration, to allow for the on-premises sale, distribution or consumption of alcoholic beverages for temporary events in compliance with a Texas Alcoholic Beverage Commission issued permit and the Texas Alcoholic Beverage Code, as amended.

The staff notified one (1) surrounding property owners within a 200' notification boundary regarding this request and no responses have been received.

Staff recommends approval of the applicant's Conditional Use Permit request subject to adherence to location as depicted on the site plan and inclusion of the proposed mesh fence material to cover the 7' tall chain-link fence.

Ms. Karen Wunsch, Masterplan, 6500 River Place Blvd., Bldg. 7, Suite 250, Austin, Texas, was present to represent this request.

Chairman Frederick opened the public hearing. With no one requesting to speak, the public hearing was closed.

Commissioner Cooper motioned to recommend approval of the requested zoning. Vice Chair Dorroh seconded the motion. The motion passed 7-0.

Chairman Frederick stated that this request will be forwarded to City Council with a recommendation to approve.

**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 AN ELECTRIC SUBSTATION; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS,** Masterplan Consultants on behalf of the Sheryl Yowell Anderson 1998 Trust Et Al, has presented to the City of Killeen a request for amendment of the Zoning Ordinance of the City of Killeen by changing the classification of approximately 3.093 acres, being part of the Simeon D. Carothers Survey, Abstract No. 177, Killeen, Texas, from “A” (Agricultural District) to “A” (Agricultural District) with a Conditional Use Permit (CUP) for an electric substation, said request having been duly presented and recommended for approval by the Planning and Zoning Commission of the City of Killeen on the 7th day of November 2016, and due notice of the filing of said request and the date of hearing thereon was given as required by law, and hearing on said request was set for 5:00 P.M., on the 22nd day of November 2016, at the City Hall, City of Killeen;

**WHEREAS,** the City Council at said hearing duly considered said request, the action of the Planning and Zoning Commission and the evidence in support thereof, and the City Council being of a majority that the request should be approved;

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

**Section I.** That the zoning classification of the following described tract be changed from “A” (Agricultural District) to “A” (Agricultural District) with a Conditional Use Permit



(CUP) for an electric substation for a 3.093 acres area, being part of the Simeon D. Carothers Survey, Abstract No. 177, Killeen, Texas. The subject area is located approximately 1,230 feet east of Shimla Drive and 557 feet north of Rusack Drive, Killeen, Texas.

**Section II.** That should any section or part of this ordinance be declared unconstitutional or invalid for any reason, it shall not invalidate or impair the validity, force, or effect of any other section or parts of this ordinance.

**Section III.** That all ordinances and resolutions, or parts thereof, in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

**Section IV.** That this ordinance shall take effect immediately upon passage of the ordinance.

**PASSED AND APPROVED** at a regular meeting of the City Council of the City of Killeen, Texas, this 22nd 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**

Case #16-20  
Ord. #



Date Paid:	10-21-2016
Amount Paid:	\$ 500.00
Cash/MO #/Check #:	# 2780
Receipt #:	467

CASE #: 216-20

## City of Killeen Zoning Change Application

General Zoning Change \$300.00  Conditional Use Permit \$500.00

Name(s) of Property Owner: ANDERSON, SHERYL YOWELL 1998 TRUST ETAL

Current Address: 4248 E. Stagecoach Road

City: Killeen State: TX Zip: 76542 -

Home Phone: ( ) 254-681-7774 Business Phone: ( )  Cell Phone: ( )

Email: debbie@hgtsbank.com

Name of Applicant: Karen Wunsch - Masterplan  
(If different than Property Owner)

Address: 6500 River Place Blvd., Bldg. 7, Suite 250

City: Austin State: TX Zip: 75730

Home Phone: ( ) 512-519-9197 Business Phone: ( ) 512-524-9745 Cell Phone ( ) 512-202-5542

Email: karen@masterplanconsultants.com

Address/Location of property to be rezoned: Approx. 1,230.16 feet east of Shimla Dr., 556.96 feet north of Rusack Dr.

Legal Description: 3.093 ACRES TRACT SITUATED IN THE SIMEON D. CAROTHERS SURVEY, ABSTRACT NO. 177

Metes & Bounds or Lot(s) Block Subdivision

Is the rezone request consistent with the Comprehensive Plan? YES NO  
If NO, a FLUM amendment application must be submitted.

Type of Ownership:  Sole Ownership  Partnership  Corporation X Other

Present Zoning: A Present Use: Agriculture

Proposed Zoning: A - CUP Proposed Use: Electric Substation

Conditional Use Permit for: Electric Substation

This property was conveyed to owner by deed dated June 1, 1999 and recorded in Volume 4050,  
Page 320, Instrument Number 28641 of the Bell County Deed Records.  
(Attached)

Is this the first rezoning application on a unilaterally annexed tract?  
Yes  (Fee not required) No X (Submit required fee)

## APPOINTMENT OF AGENT

As owner of the subject property, I hereby appoint the person designated below to act for me, as my agent in this request.

Name of Agent: Karen Wunsch

Mailing Address: 6500 River Place Blvd., Bldg. 7, Suite 250

City: Austin State: TX Zip: 78730 - _____

Home Phone: (512) 519-9197 Business Phone: (512) 524-9745 Email: karen@masterplanconsultants.com

I acknowledge and affirm that I will be legally bound by the words and acts of my agent, and by my signature below, I fully authorize my agent to:

**be the point of contact between myself and the City: make legally binding representations of fact and commitments of every kind on my behalf; grant legally binding waivers of rights and releases of liabilities of every kind on my behalf; to consent to legally binding modifications, conditions, and exceptions on my behalf; and, to execute documents on my behalf which are legally binding on me. This authorization only applies to this specific zoning request.**

**I understand that the City will deal only with a fully authorized agent.** At any time it should appear that my agent has less than full authority to act, then the application may be suspended and I will have to personally participate in the disposition of the application. I understand that all communications related to this application are part of an official proceeding of City government and, that the City will rely upon statements made by my agent. Therefore, **I agree to hold harmless and indemnify the City of Killeen, its officers, agents, employees, and third parties who act in reliance upon my agent's words and actions from all damages, attorney fees, interest and costs arising from this matter.** If my property is owned by a corporation, partnership, venture, or other legal entity, then I certify that I have legal authority to make this binding appointment on behalf of the entity, and every reference herein to 'I', 'my', or 'me' is a reference to the entity.

Signature of Agent *Karen Wunsch* Title Managing Director

Printed/Typed Name of Agent Karen Wunsch Date October 17, 2016

Signature of Agent _____ Title _____

Printed/Typed Name of Agent _____ Date _____

Signature of Applicant _____ Title _____

Printed/Typed Name of Applicant _____ Date _____

Signature of Property Owner *Deborah Yowell Farley* Title Trustee

Printed/Typed Name of Property Owner Deborah Yowell Farley 1998 Trust Date 10-18-16

Signature of Property Owner *Sheryl Yowell Anderson* Title Trustee

Printed/Typed Name of Property Owner Sheryl Yowell Anderson 1998 Trust Date 10-18-16

Signature of Property Owner _____ Title _____

Printed/Typed Name of Property Owner _____ Date _____

*Application must be signed by the individual applicant, by each partner of a partnership, or by an officer of a corporation or association.



**PLANNING AND  
DEVELOPMENT SERVICES**

**ZONING CASE:**

Z16-20

**ZONING FROM:**

A To A w/ CUP

**APPLICANT:**

KAREN WUNSCH -  
MASTERPLAN

**PROPERTY OWNER:**

ANDERSON, SHERYL  
YOWELL 1998 TRUST  
ET AL

**LEGAL DESCRIPTION:**

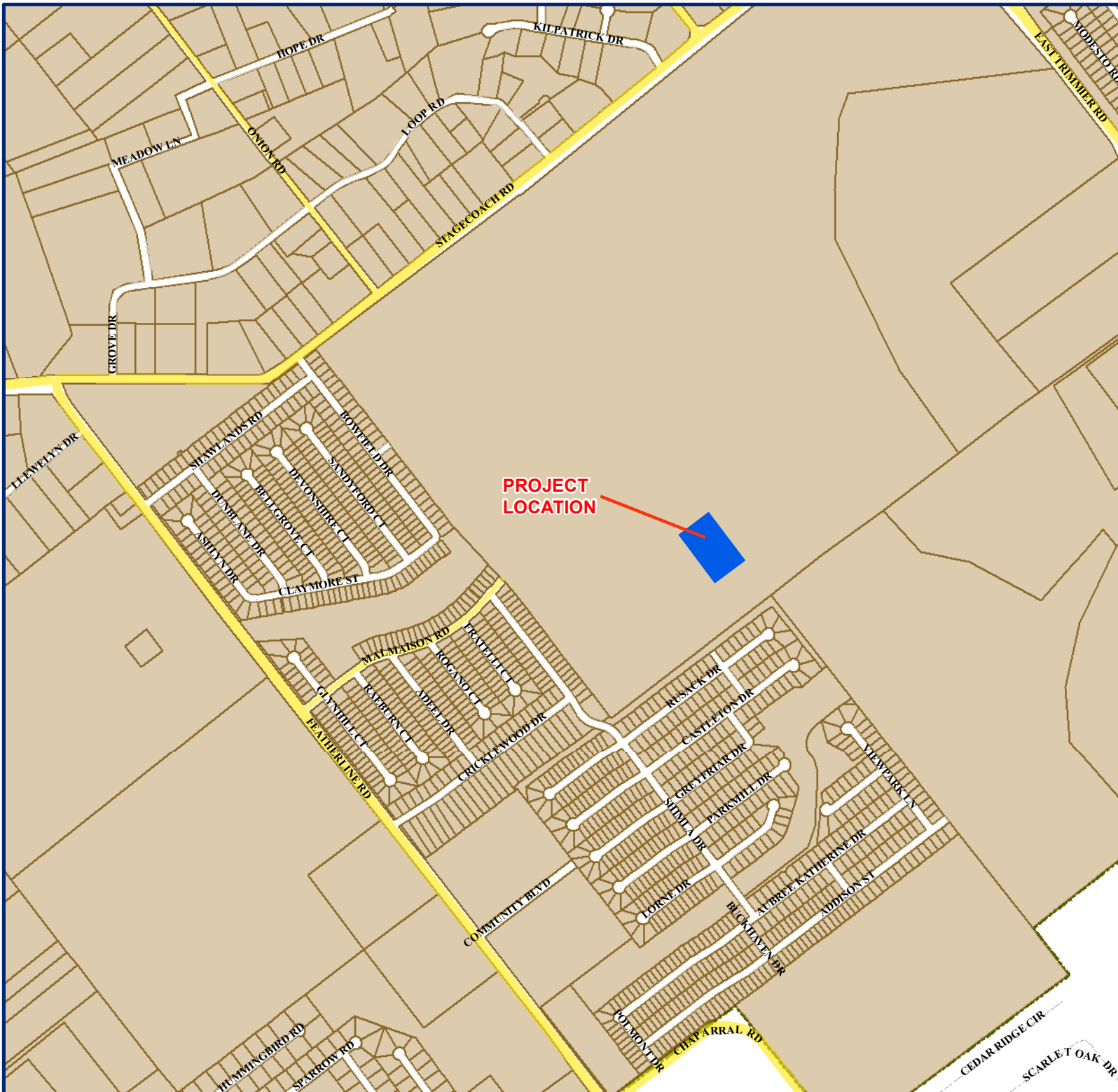
3.093 ACRES TRACT  
SITUATED IN THE SIMEON D.  
CAROTHERS SURVEY,  
ABSTRACT NO. 177

**Legend**

-  Zoning Case
-  Parcel
-  City Limits



Date: 10/25/2016





**PLANNING AND  
DEVELOPMENT SERVICES**

**ZONING CASE:**

Z16-20

**ZONING FROM:**

A To A w/ CUP

**APPLICANT:**

KAREN WUNSCH -  
MASTERPLAN







**PROPERTY OWNER:**

ANDERSON, SHERYL  
YOWELL 1998 TRUST  
ET AL

**LEGAL DESCRIPTION:**

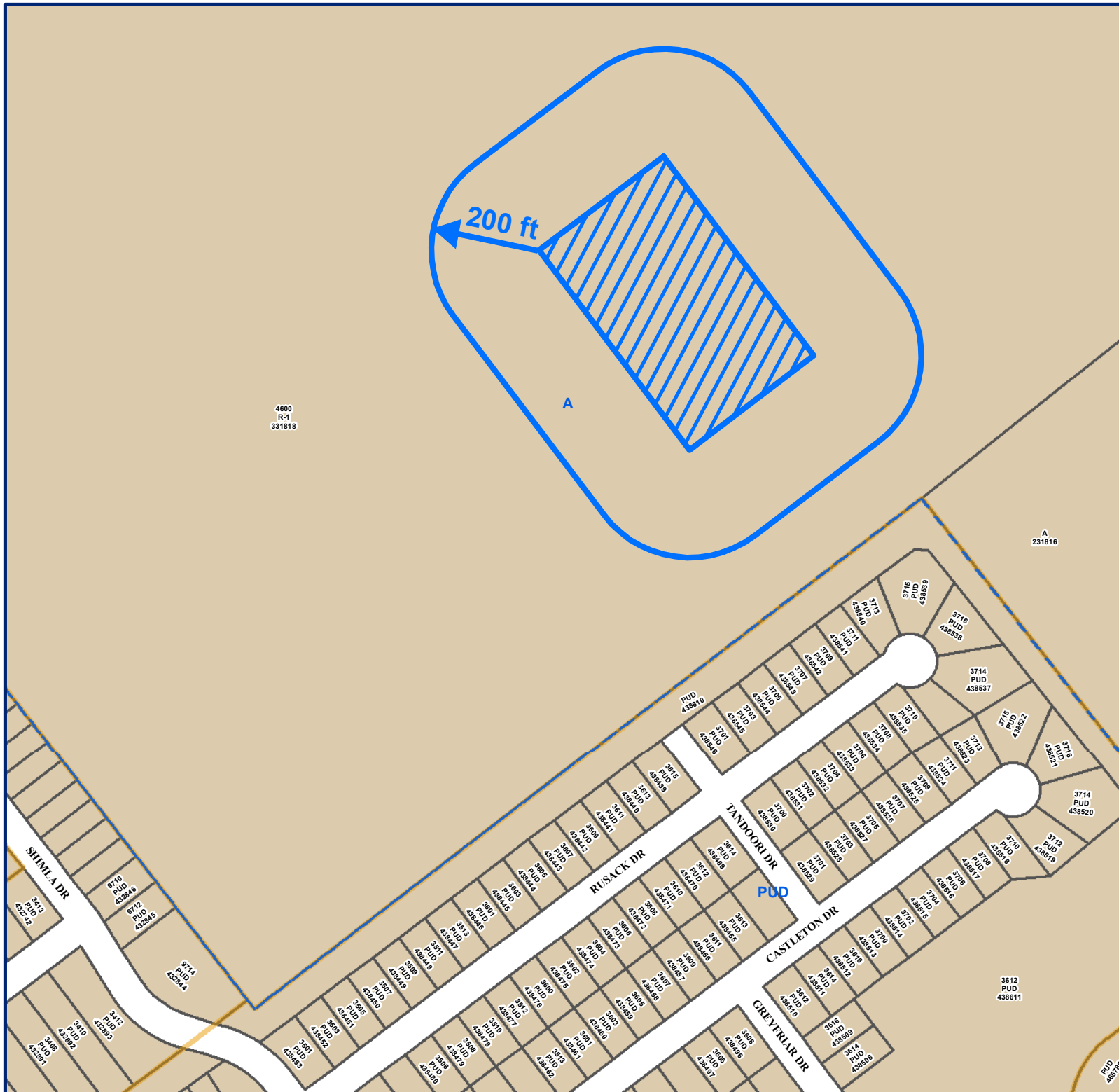
3.093 ACRES TRACT  
SITUTATED IN THE SIMEON D.  
CAROTHERS SURVEY,  
ABSTRACT NO. 177

**LEGEND**

-  200' Buffer
-  Zoning Case
-  Current Zoning
-  Subdivision
-  Parcel
-  City Limits



Date: 10/25/2016





# Masterplan

Texas Land Use Consultants

October 20, 2016

Mr. Tony McIlwain, AICP, CFM  
City Planner  
Planning and Development Services  
City of Killeen  
P.O. Box 1329  
Killeen, TX 76540

Subject: CUP Request for Oncor Electric Substation

Dear Mr. McIlwain:

As discussed during previous meetings and most recently during the Commercial Plan Review meeting on October 5th, Oncor Electric Delivery is requesting a CUP (Conditional Use Permit) for property zoned A (Agriculture) District to allow for development of an electrical substation. Provided for your review and use is the CUP application and support material, which includes a zoning exhibit and site plan.

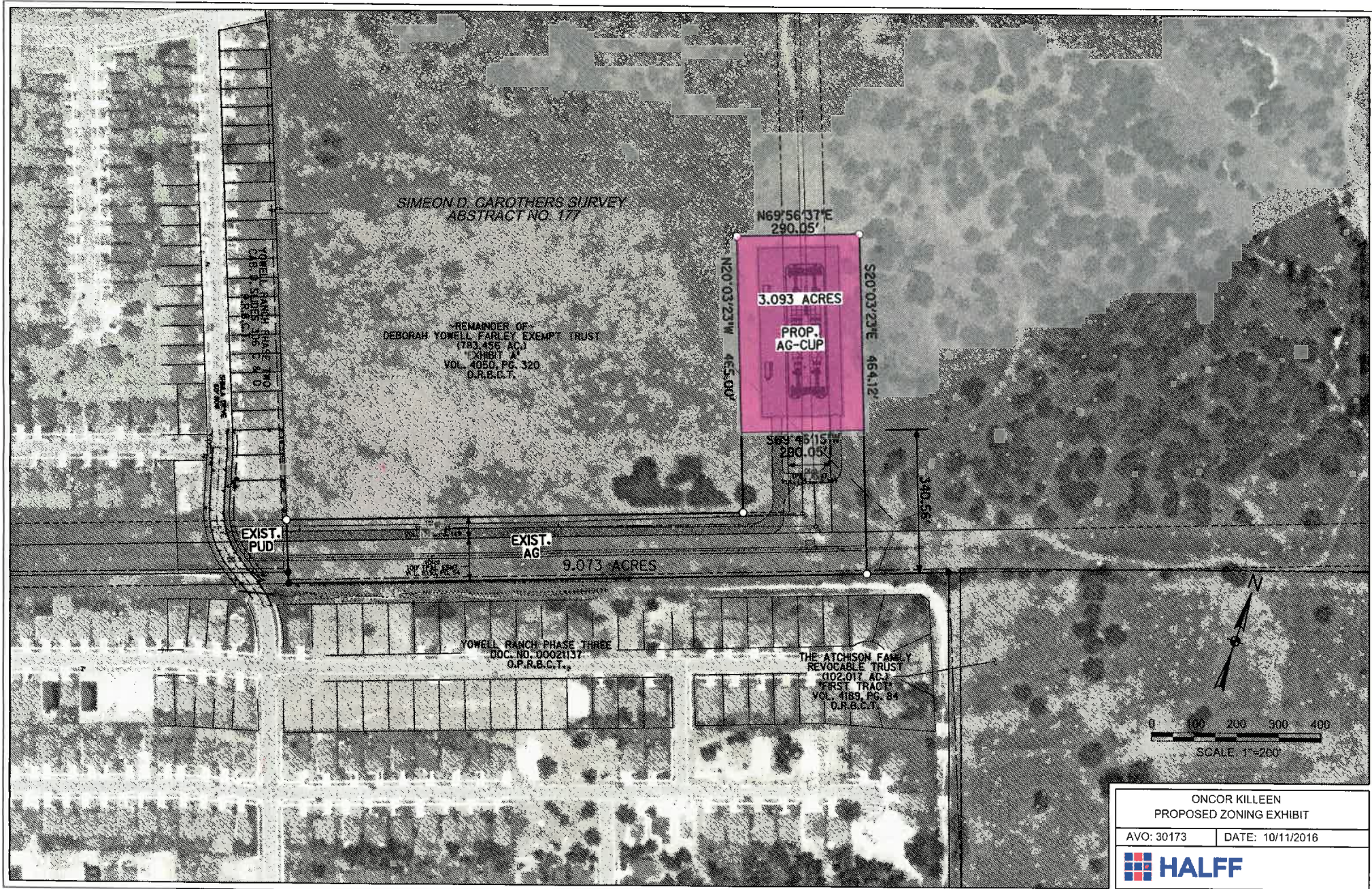
Development of the substation site is limited to 3.093 acres. However, 9.073 acres will be purchased from the current landowner to provide for access to the site. Careful consideration and extensive negotiations with the landowner were involved to select a site that would have minimal impact on existing and future residents, view corridors, and the future development potential of the remaining tract, while still providing for the service needs of the community as a whole. Access to the site will be taken from Shimla Drive within an existing "TP&L Easement" on Lot 1, Block 4 of the Yowell Ranch Phase Two subdivision. The owner of this lot is aware of and agreeable to the development plan.


Activity on the site will be limited to an electrical substation use. The facility will not have onsite employees, nor will the facility have standard hours of operation. Rather substations operate continuously in response to demand. Occasionally, Oncor employees in trucks will enter the site for inspection, monitoring, and maintenance. However, such trips are limited to approximately once or twice a month. The intent is to protect the development potential of the remaining tract. Therefore, the minimum acreage to accommodate the substation is being purchased, and the proposed site represents the maximum capacity for the use.

Thank you for assistance with this project. If you have any questions or require additional information, please contact me at [karen@masterplanconsultants.com](mailto:karen@masterplanconsultants.com) or 512-202-5542.

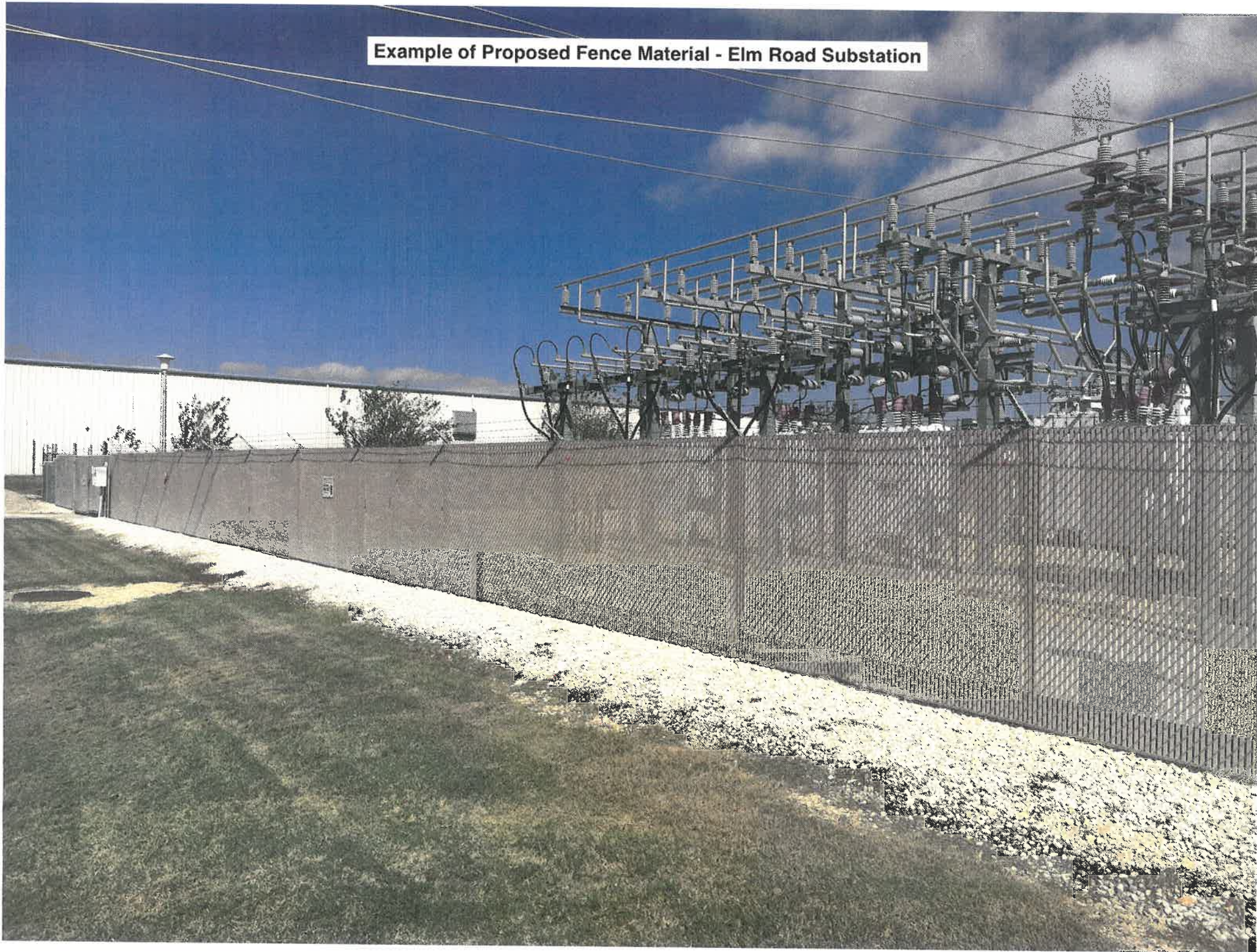
Sincerely,

Karen Wunsch, AICP



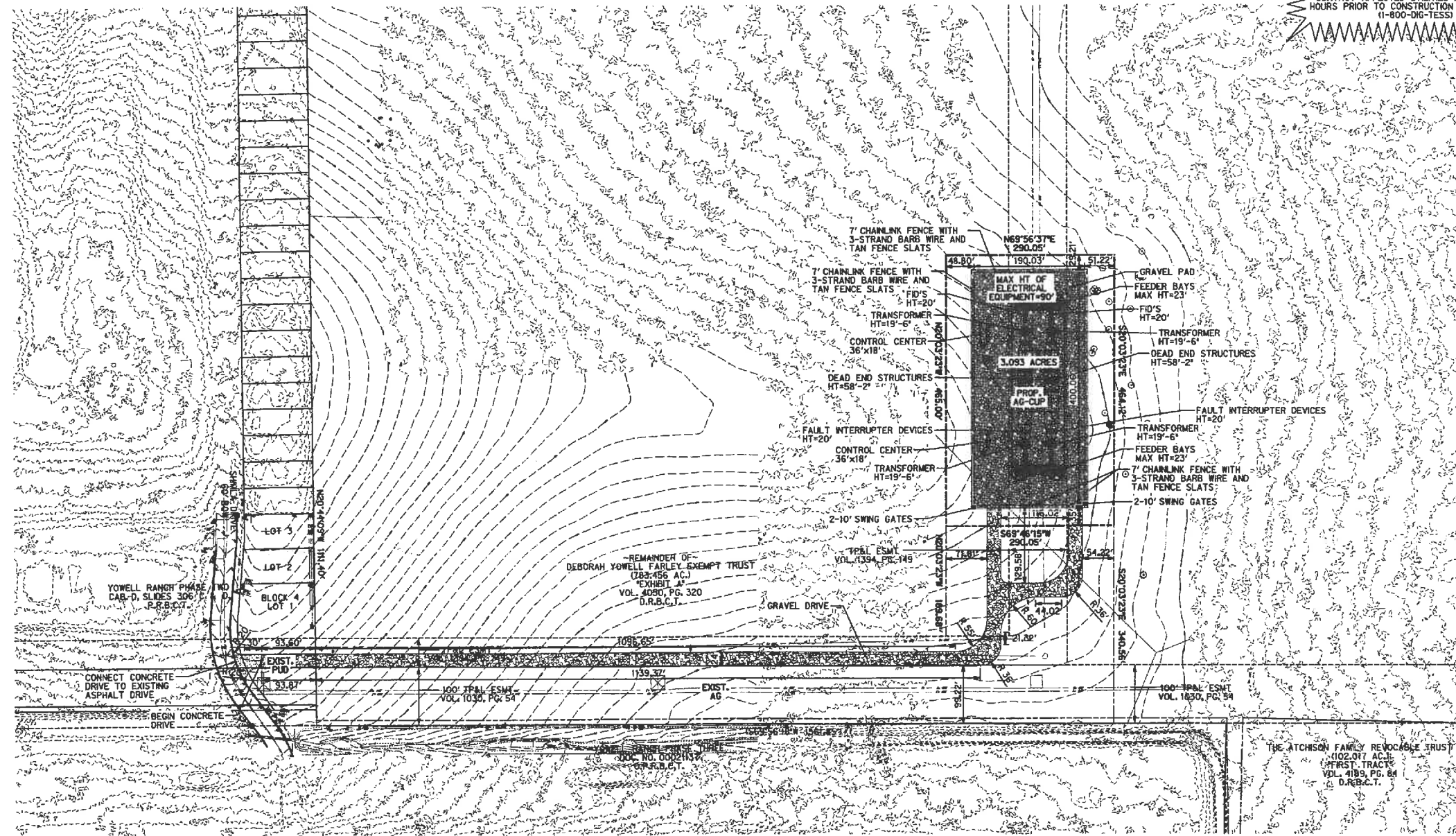
ONCOR KILLEEN PROPOSED ZONING EXHIBIT	
AVO: 30173	DATE: 10/11/2016
	

Example of Proposed Fence Material - Elm Road Substation

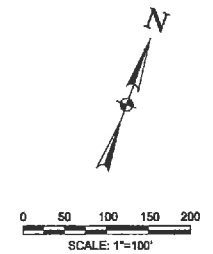




10/19/2016 10:48:35 AM ah2838 HALFF I:\300000\30173\CADD\DWG\Sheet\3003-SP-30173.dgn Design PDF 2D_MCN_FV_MR_3003.dgn



**CAUTION!!!**  
EXISTING UTILITIES IN THE AREA UTILITIES LOCATION SHOWN ARE SCHEMATIC IN NATURE AND MAY NOT ACCURATELY REFLECT SIZE, HORIZONTAL, AND/OR VERTICAL LOCATION. THE CONTRACTOR SHALL VERIFY THE EXACT LOCATION PRIOR TO BEGINNING CONSTRUCTION. CONTACT AFFECTED UTILITIES AT LEAST 48 HOURS PRIOR TO CONSTRUCTION IN THIS AREA. (1-800-DIG-TESS)



**LEGEND:**

- EX EXISTING FIBER OPTIC
- EX EXISTING TELEPHONE LINE
- EX EXISTING GAS LINE
- EX EXISTING SANITARY SEWER
- EX EXISTING OVERHEAD ELECTRIC
- EX EXISTING UNDERGROUND ELECTRIC
- EX EXISTING WATER LINE
- EX STORM SEWER
- MAJ MAJOR CONTOUR LINE
- MIN MINOR CONTOUR LINE
- EX MAJ EXISTING MAJOR CONTOUR LINE
- EX MIN EXISTING MINOR CONTOUR LINE
- PROP PROPERTY LINE
- EASE EASEMENT LINE
- ASP ASPHALT
- PP POWER POLE
- SM SANITARY SEWER MANHOLE
- WV WATER VALVE
- FH FIRE HYDRANT
- WM WATER METER

**NOTES**

1. ALL EXISTING UTILITIES ARE SHOWN SCHEMATICALLY AND ARE FOR THE CONTRACTOR'S GUIDANCE ONLY. THE CONTRACTOR SHALL VERIFY THE LOCATION, SIZE, AND MATERIAL OF ALL UTILITIES AFFECTED BY CONSTRUCTION PRIOR TO BEGINNING CONSTRUCTION. CONTRACTOR SHALL CONTACT ALL AFFECTED UTILITIES 48 HRS. PRIOR TO CONSTRUCTION.
2. ALL WORK AND MATERIAL SHALL BE IN ACCORDANCE WITH CITY OF KILLEEN STANDARD SPECIFICATIONS AND GENERAL DESIGN STANDARDS.
3. ALL DIMENSIONS ARE FROM FACE OF CURB/EDGE OF PAVEMENT UNLESS OTHERWISE NOTED.
4. ALL TEMPORARY GRADES SHALL BE 4:1 MINIMUM.
5. ALL GRADES ARE FINISHED GRADES UNLESS OTHERWISE NOTED.

**ONCOR ELECTRIC  
DELIVERY COMPANY**  
KILLEEN SUBSTATION  
KILLEEN, TEXAS



**HALFF**  
3805 PARKWOOD BLVD., SUITE 600  
KILLEEN, TEXAS 76749  
TEL: (817) 335-5270  
FAX: (817) 335-5274

Revision No.	Date	Description

**PRELIMINARY**  
FOR INTERIM REVIEW ONLY  
THESE DOCUMENTS ARE FOR INTERIM REVIEW AND NOT INTENDED FOR REGULATORY APPROVAL, PERMIT, BIDDING OR CONSTRUCTION PURPOSES. THEY WERE PREPARED BY OR UNDER THE SUPERVISION OF:  
BRAN M. BATAJAI 107708  
NAME P.E. NO.  
DATE 10/19/2016  
TITLE SPK #7-313

**ORIGINAL**  
OCT 21 2016  
**SUBMISSION**

BENCHMARKS				
*	NORTHING	EASTING	ELEVATION	DESCRIPTION
100	10353491.061	3116100.040	845.282	SPKSTP
101	10354494.138	3116072.158	852.484	SPKSTP
103	10354831.565	3116778.544	843.989	SRTPT4

Project No.: 30173  
Issued: XX / XX / XX  
Drawn By: HCS  
Checked By: BMS  
Scale: AS NOTED  
Sheet Title  
**SITE PLAN**  
**C0.03**  
Sheet Number

# CONSIDERATIONS

Texas Supreme Court in Pharr v. Tippitt, 616 S. W 2nd 173 (Tex 1981) established general guidelines which the Planning and Zoning Commission and City Council should take into consideration when making their respective recommendation and decision on a zoning request.

## **A. General Factors to Consider:**

Is the request in accordance with the comprehensive plan?

Is the request designed to lessen congestion in the streets; secure safety from fire, panic or other dangers; promote health and the general welfare; provide adequate light and air; prevent the overcrowding of land; avoid undue concentration of population; or facilitate the adequate provision of transportation, water, sewers, schools, parks and other public requirements?

What if any, is the nature and degree of an adverse impact upon neighboring lands?

The suitability or unsuitability of the tract for use as presently zoned.

Whether the amendment bears a substantial relationship to the public health, safety, morals or general welfare or protects and preserves historical and cultural places and areas.

Whether there is a substantial public need or purpose for the new zoning.

Whether there have been substantially changed conditions in the neighborhood.

Is the new zoning substantially inconsistent with the zoning of neighboring lands? (Whether the new zoning is more or less restrictive.)

The size of the tract in relation to the affected neighboring lands – is the tract a small tract or isolated tract asking for preferential treatment that differs from that accorded similar surrounding land without first proving changes in conditions?

Any other factors which will substantially affect the health, safety, morals or general welfare.

## **B. Conditional Use Permit (if applicable)**

Whether the use is in harmonious with and adaptable to buildings, structures and use of abutting property and other property in the vicinity of the premises under construction.

## **C. Conditions to Consider**

1. Occupation shall be conducted only by members of family living in home.
2. No outside storage or display
3. Cannot change the outside appearance of the dwelling so that it is altered from its residential character.
4. Cannot allow the performance of the business activity to be visible from the street.
5. Cannot use any window display to advertise or call attention to the business.
6. Cannot have any signs
7. No off-street parking or on-street parking of more than two (2) vehicles at any one time for business related customer parking.
8. No retail sales.
9. Length of Permit.



# City of Killeen

## Legislation Details

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**File #:** PH-16-044A    **Version:** 1    **Name:** Brookhaven-Rancier H&B Trl Contractor Contract Award

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

**File created:** 10/31/2016    **In control:** City Council

**On agenda:** 11/22/2016    **Final action:**

**Title:** Consider a memorandum/resolution authorizing the award of a construction contract to Choice Builders, LLC, for the Brookhaven Rancier Hike & Bike Trail project.

**Sponsors:** Public Works Department, Transportation Division

**Indexes:**

**Code sections:**

**Attachments:** [Council Memorandum](#)  
[Engineer Letter of Recommendation](#)  
[Bid Tabulation](#)  
[Certificate of Interested Parties](#)

Date	Ver.	Action By	Action	Result
11/15/2016	1	City Council Workshop		

## CITY COUNCIL MEMORANDUM

### AGENDA ITEM

**AUTHORIZE THE AWARD OF A CONSTRUCTION CONTRACT (BID 17-02) TO CHOICE BUILDERS, LLC FOR THE CONSTRUCTION OF THE BROOKHAVEN RANCIER HIKE & BIKE TRAIL PROJECT.**

### ORIGINATING DEPARTMENT

**PUBLIC WORKS - TRANSPORTATION DIVISION**

### BACKGROUND INFORMATION

On August 1, 2014, the Killeen-Temple Metropolitan Planning Organization (KTMPO), issued a Call for Projects (CFP) to utilize federal funding available through the Transportation Alternatives Program (TAP). The TAP replaces several programs such as Transportation Enhancements (TE), Recreational Trails, Safe Routes to Schools and several other discretionary programs, wrapping them into a single funding source.

On September 11, 2014, the City Manager submitted a letter to the Killeen Independent School District (KISD) requesting partnership by contributing 10% of the project construction cost. Under the program rules, entities choosing to submit applications rank higher if they have a partnership.

On October 7, 2014, the City Council authorized the City Manager to submit a TAP application for sidewalk projects (CCM/R 14-136R). On October 10, 2014, the City of Killeen submitted an application to the KTMPO requesting \$548,158 for the TAP Call for Projects. On November 19, 2014, the City of Killeen was awarded \$250,000 for the Brookhaven/Rancier Hike and Bike Trail.

### DISCUSSION/CONCLUSION

The City advertised for bids on September 25, October 2, and October 9, 2016. On October 26, 2016 bids were opened and read aloud for the construction of the project. There were four (4) responsible bids submitted for the project: Choice Builders, LLC, of Temple, in the amount of \$692,296; TTG Utilities, LP, of Gatesville, in the amount of \$769,157.86; Yoko Excavating, LLC, of Belton, in the amount of \$759,664; and Westar Construction, Inc., of Georgetown, in the amount of \$896,968.25. Of the responsible bidders, one (1) was responsive: Choice Builders, LLC; the other three (3) bidders failed to include required documentation with their bid. The responsible responsive low bidder is Choice Builders, LLC, in the amount of \$692,296 (see bid tabulation).

### FISCAL IMPACT

The total fiscal impact for this action is \$692,296. The funding for this project will be available in the Child Safety Fund, Brookhaven Sidewalk account, 248-3446-434.63-50, following the approval of a budget amendment. The budget amendment will make \$750,000 available for the

project, which establishes a \$57,704 project contingency. Funds located in the Child Safety Fund, account are received from a portion of property tax revenue from KISD that must be appropriated towards school related sidewalk, crosswalk, and signage improvements with the ultimate goal of providing a safe pedestrian travel route for school children.

## **RECOMMENDATION**

City staff recommends the City Council award a construction contract to the lowest responsible responsive bidder meeting the specifications, Choice Builders, LLC, in the amount of \$692,296.00. Additionally that it authorize the City Manager to execute all necessary contract documents and all change orders or supplemental agreements for the project within the amounts set by state and local law.

# Mitchell & Associates, Inc.

## Engineering & Surveying

October 27, 2016

City of Killeen  
Mr. David A. Olson, PE, C.F.M.  
Director of Transportation  
3201-A South WS Young Drive  
Killeen, TX 76542

REF: City of Killeen  
Brookhaven/Rancier Hike & Bike Trail  
Project No. 16-12  
CSJ # 909-36-151  
Bell County, Texas

Dear Mr. Olson:

This letter addresses the bid analysis for the Brookhaven/Rancier Hike & Bike Trail Project on which sealed bids were received by the City of Killeen Purchasing Manager through 3:15 PM October 26, 2016. There were four (4) bids received and the sealed envelopes containing the bids were opened publicly and read aloud by Ben Wilson, EIT of Mitchell and Associates, Inc. in the City of Killeen's City Hall Council Chambers located on first floor at 101 N. College St, Killeen TX. 76542. The City of Killeen Staff and all bidders were present for the bid opening. Attached to this letter is a Bid Tabulation Summary Sheet for the Bids received and a detailed bid tabulation for each of the four (4) bids received for your use.

The low Bidder for the project was Choice Builders, LLC; 3809 S. General Bruce Dr., Ste. 103, Temple TX. 76502 in the amount of \$692,296.00 which is the total bid price for the project shown on the Bid Schedule.

The Engineer's Opinion of Probable Cost (OPC) for the project was \$778,000.92

This calculates to a difference of \$85,704.92 or (11.02%) below the OPC. The bid provided meet all the requirements for the required bidding information as called out in the Project Manual.

I therefore recommend that the City of Killeen award Bid NO. 17-02, Brookhaven/Rancier Hike & Bike Trail (CSJ: 0909-36-151) in the Amount of \$692,296.00. If you have any questions or comments regarding this recommendation please contact me.

Sincerely,

  
Larry M. Sheppard, PE  
Mitchell & Associates, Inc.

e-mailed  
Attachment

---

102 N. College Street, P.O. Box 1088, Killeen, Texas 76541  
www.mitchellassociateskilleen.com (254) 634-5541  
Professional Engineers Firm Registration Number 3241  
Professional Land Surveyors Firm Registration Number 100204-00

<b>Bid Tabulation</b> For <b>BROOKHAVEN/RANCIER HIKE &amp; BIKE TRAIL</b> Project No.: 16-12 CITY OF KILLEEN, BELL COUNTY, TEXAS												
Prepared By: Mitchell & Associates, Inc., 102 N College Street, Killeen, Texas 76541					Westar Construction, Inc.		TTG Utilities, LP		Yoko Excavating, LLC		Choice Builders, LLC	
No.	Item Code Item No-Desc Code	Description	Quantity	Unit	Unit Cost	Unit Amount	Unit Cost	Unit Amount	Unit Cost	Unit Amount	Unit Cost	Unit Amount
1	100 6002	PREPARING ROW	32.2	STA	\$1,200.00	\$38,640.00	\$650.00	\$20,930.00	\$621.10	\$19,999.42	\$265.00	\$8,533.00
2	104 6015	REMOVING CONC (SIDEWALK)	38	SY	\$27.00	\$1,026.00	\$48.00	\$1,824.00	\$64.39	\$2,446.82	\$15.00	\$570.00
3	104 6022	REMOVING CONC (CURB AND GUTTER)	66	LF	\$9.00	\$594.00	\$13.00	\$858.00	\$28.59	\$1,886.94	\$5.30	\$349.80
4	104 6044	REMOVING CONC (FLUME)	296	SY	\$13.00	\$3,848.00	\$26.00	\$7,696.00	\$36.98	\$10,946.08	\$16.90	\$5,002.40
5	110 6001	EXCAVATION (ROADWAY)	275	CY	\$21.00	\$5,775.00	\$50.00	\$13,750.00	\$7.63	\$2,098.25	\$6.00	\$1,650.00
6	132 6003	EMBANKMENT (ORD COMP)(TY B)	600	CY	\$12.00	\$7,200.00	\$20.00	\$12,000.00	\$18.33	\$10,998.00	\$18.00	\$10,800.00
7	160 6003	FURNISH AND PLACING TOPSOIL (4")	2286	SY	\$4.50	\$10,287.00	\$5.45	\$12,458.70	\$3.15	\$7,200.90	\$1.20	\$2,743.20
8	164 6003	BROADCAST SEED (PERM) (RURAL)(CLAY)	2286	SY	\$1.00	\$2,286.00	\$1.50	\$3,429.00	\$1.48	\$3,383.28	\$0.70	\$1,600.20
9	164 6009	BROADCAST SEED (TEMP)(WARM)	2286	SY	\$1.00	\$2,286.00	\$0.36	\$822.96	\$0.49	\$1,120.14	\$0.70	\$1,600.20
10	168 2001	VEGETATIVE WATERING	77	MG	\$100.00	\$7,700.00	\$100.00	\$7,700.00	\$72.72	\$5,599.44	\$163.00	\$12,551.00
11	400 6001	STRUCT EXCAV	331	CY	\$18.00	\$5,958.00	\$13.50	\$4,468.50	\$19.64	\$6,500.84	\$15.30	\$5,064.30
12	402 6001	TRENCH EXCAVATION PROTECTION	357	LF	\$4.00	\$1,428.00	\$5.50	\$1,963.50	\$4.70	\$1,677.90	\$3.50	\$1,249.50
13	416 6030	DRILL SHAFT (24 IN)	208	LF	\$130.00	\$27,040.00	\$135.00	\$28,080.00	\$56.49	\$11,749.92	\$118.50	\$24,648.00
14	423 6005	RETAINING WALL (SPREAD FOOTING)	1883	SF	\$55.00	\$103,565.00	\$40.00	\$75,320.00	\$48.16	\$90,685.28	\$41.00	\$77,203.00
15	432 6001	RIPRAP (CONC) (4 IN)	32.1	CY	\$550.00	\$17,655.00	\$330.00	\$10,593.00	\$867.97	\$27,861.84	\$375.00	\$12,037.50
16	432 6031	RIPRAP (STONE PROTECTION) (12 IN)	71	CY	\$75.00	\$5,325.00	\$121.00	\$8,591.00	\$129.92	\$9,224.32	\$102.00	\$7,242.00
17	450 6050	RAIL (HANDRAIL)(TY D)	466	LF	\$133.00	\$61,978.00	\$145.00	\$67,570.00	\$131.00	\$61,046.00	\$206.00	\$95,996.00
18	464 6001	RC PIPE (CL III)(12 IN)	144	LF	\$55.00	\$7,920.00	\$65.00	\$9,360.00	\$95.19	\$13,707.36	\$48.00	\$6,912.00
19	464 6003	RC PIPE (CL III)(18 IN)	245	LF	\$70.00	\$17,150.00	\$65.00	\$15,925.00	\$76.16	\$18,659.20	\$60.00	\$14,700.00
20	464 6009	RC PIPE (CL III)(36 IN)	357	LF	\$125.00	\$44,625.00	\$135.00	\$48,195.00	\$171.36	\$61,175.52	\$131.00	\$46,767.00
21	467 6323	SET (TY II)(12 IN)(RCP)(4:1)(C)	4	EA	\$1,700.00	\$6,800.00	\$905.00	\$3,620.00	\$1,344.00	\$5,376.00	\$552.00	\$2,208.00
22	467 6358	SET (TY II)(18 IN)(RCP)(4:1)(C)	2	EA	\$2,000.00	\$4,000.00	\$905.00	\$1,810.00	\$1,344.00	\$2,688.00	\$552.00	\$1,104.00
23	467 6450	SET (TY II)(36 IN)(RCP)(4:1)(C)	2	EA	\$3,300.00	\$6,600.00	\$3,850.00	\$7,700.00	\$4,480.00	\$8,960.00	\$2,735.00	\$5,470.00
24	500 2001	MOBILIZATION	1	LS	\$81,000.00	\$81,000.00	\$50,000.00	\$50,000.00	\$60,039.21	\$60,039.21	\$32,500.00	\$32,500.00
25	502 2001	BARRICADES, SIGNS AND TRAFFIC HANDLING	3	MO	\$5,000.00	\$15,000.00	\$1,875.00	\$5,625.00	\$7,000.00	\$21,000.00	\$374.00	\$1,122.00
26	506 6002	ROCK FILTER DAMS (INSTALL) (TY 2)	65	LF	\$110.00	\$7,150.00	\$38.00	\$2,470.00	\$43.08	\$2,800.20	\$19.20	\$1,248.00
27	506 6003	ROCK FILTER DAM (INSTALL) (TY 3)	95	LF	\$135.00	\$12,825.00	\$83.00	\$7,885.00	\$64.84	\$6,159.80	\$53.70	\$5,101.50
28	506 6011	ROCK FILTER DAMS (REMOVE)	160	LF	\$20.00	\$3,200.00	\$15.00	\$2,400.00	\$10.50	\$1,680.00	\$23.00	\$3,680.00
29	506 6020	CONSTRUCTION EXITS (INSTALL) (TY 1)	750	SY	\$18.00	\$13,500.00	\$3.60	\$2,700.00	\$5.60	\$4,200.00	\$2.30	\$1,725.00
30	506 6024	CONSTRUCTION EXITS (REMOVE)	750	SY	\$9.00	\$6,750.00	\$1.85	\$1,387.50	\$5.60	\$4,200.00	\$1.20	\$900.00
31	506 6038	TEMP SEDMT CONT FENCE (INSTALL)	2710	LF	\$3.50	\$9,485.00	\$3.50	\$9,485.00	\$3.36	\$9,105.60	\$2.20	\$5,962.00
32	506 6039	TEMP SEDMT CONT FENCE (REMOVE)	2710	LF	\$1.00	\$2,710.00	\$0.85	\$2,303.50	\$1.24	\$3,360.40	\$0.70	\$1,897.00
33	531 6002	CONC SIDEWALKS (5")	2799	SY	\$51.75	\$144,848.25	\$52.00	\$145,548.00	\$47.88	\$134,016.12	\$46.20	\$129,313.80
34	618 6021	CONDT (PVC)(SCHD 40)(1 1/2")	1501	LF	\$10.00	\$15,010.00	\$22.50	\$33,772.50	\$9.64	\$14,469.64	\$6.50	\$9,756.50
35	618 6023	CONDT (PVC)(SCHD 40)(2")	1509	LF	\$12.00	\$18,108.00	\$19.00	\$28,671.00	\$10.23	\$15,437.07	\$6.60	\$9,959.40
36	620 6005	ELEC CONDR (NO.4/0) INSULATED	1501	LF	\$4.00	\$6,004.00	\$0.85	\$1,275.85	\$1.86	\$2,791.86	\$0.80	\$1,200.80
37	620 6006	ELEC CONDR (NO. 2) BARE	1501	LF	\$5.00	\$7,505.00	\$0.85	\$1,275.85	\$2.61	\$3,917.61	\$0.70	\$1,050.70
38	620 6015	ELEC CONDR (NO. 10) BARE	1501	LF	\$4.00	\$6,004.00	\$3.00	\$4,503.00	\$2.24	\$3,362.24	\$3.80	\$5,703.80
39	620 6016	ELEC CONDR (NO. 10) INSULATED	1501	LF	\$5.00	\$7,505.00	\$3.00	\$4,503.00	\$2.80	\$4,202.80	\$2.40	\$3,602.40
40	624 6002	GROUND BOX TY A (122311) W/APRON	3	EA	\$3,500.00	\$10,500.00	\$1,100.00	\$3,300.00	\$1,120.00	\$3,360.00	\$971.00	\$2,913.00
41	628 6144	ELC SRV TY D 120/240 060 (NS)SS(E)PS(U)	1	EA	\$25,000.00	\$25,000.00	\$8,100.00	\$8,100.00	\$8,400.00	\$8,400.00	\$6,839.00	\$6,839.00
42	2223 2009	16' LIGHT POLE	26	EA	\$1,100.00	\$28,600.00	\$2,400.00	\$62,400.00	\$2,234.62	\$58,100.12	\$3,880.00	\$100,880.00
43	6000 6036	INSTALL LUMINAIRE 150 W (HPS)	26	EA	\$2,400.00	\$62,400.00	\$365.00	\$9,490.00	\$115.38	\$2,999.88	\$407.00	\$10,582.00
44	COK 5001	COK CURB AND GUTTER	66	LF	\$33.00	\$2,178.00	\$53.00	\$3,498.00	\$15.00	\$990.00	\$24.00	\$1,584.00
45	COK 5002	COK 20' INLET	2	EA	\$10,000.00	\$20,000.00	\$6,550.00	\$13,100.00	\$4,200.00	\$8,400.00	\$4,127.00	\$8,254.00
46	COK 5003	WOODEN WIER INLET PROTECTION	2	EA	\$1,000.00	\$2,000.00	\$400.00	\$800.00	\$840.00	\$1,680.00	\$260.00	\$520.00
<b>Total Estimated Project Cost</b>						<b>\$896,968.25</b>		<b>\$769,157.86</b>		<b>\$759,664.00</b>		<b>\$692,296.00</b>

# 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:  
 2016-109748

Date Filed:  
 09/08/2016

Date Acknowledged:

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

Choice Builders, LLC  
 Temple, 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, Texas

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

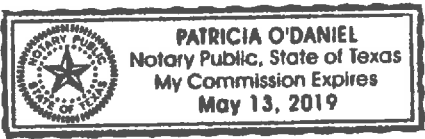
0909-36-151  
 Brookhaven/Rancier Hike & Bike Trail

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary

**5 Check only if there is NO interested Party.**

**6 AFFIDAVIT**

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



*[Handwritten Signature]*

Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said Charles O'Daniel, this the 08 day of Sept, 2016, to certify which, witness my hand and seal of office.

*[Handwritten Signature]*  
 Signature of officer administering oath

Patricia O'Daniel  
 Printed name of officer administering oath

Admin / Notary  
 Title of officer administering oath





# City of Killeen

## Legislation Details

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**File #:** PH-16-044B    **Version:** 1    **Name:** Brookhaven/Rancier Trail Budget Amendment  
**Type:** Ordinance/Public Hearing    **Status:** Public Hearings  
**File created:** 11/9/2016    **In control:** City Council  
**On agenda:** 11/22/2016    **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 for the Brookhaven/Rancier Hike & Bike Trail.  
**Sponsors:** Finance Department, Transportation Division  
**Indexes:**  
**Code sections:**  
**Attachments:** [Council Memorandum](#)  
[Ordinance](#)

Date	Ver.	Action By	Action	Result
11/15/2016	1	City Council Workshop		

## CITY COUNCIL MEMORANDUM

**AGENDA ITEM****FY 2017 Brookhaven/Rancier Hike & Bike Trail Budget Amendment****ORIGINATING DEPARTMENT****Finance /Public Works - Transportation Division****BACKGROUND INFORMATION**

On October 10, 2014, the City of Killeen submitted an application to the Killeen-Temple Metropolitan Planning Organization (KTMPO) requesting \$548,158 for the Transportation Alternatives Program (TAP) Call for Projects. On November 19, 2014, the City of Killeen was awarded \$250,000 for the Brookhaven/Rancier Hike and Bike Trail.

**DISCUSSION/CONCLUSION**

Public Works advertised for bids and is ready to move forward with a contract for construction of the Brookhaven/Rancier Hike & Bike Trail.

**FISCAL IMPACT**

A budget amendment is needed in the Child Safety Fund for the project. The total cost of the project is \$692,296. The amendment will increase revenues by \$250,000 to recognize the grant proceeds from the KTMPO. The amendment will also increase expenditures by \$581,283; \$250,000 that is being covered by the KTMPO grant and \$331,283 being carried forward from unused project funds in FY 2016.

<b>Revenues</b>				
Account Number	Description	Budget	Change	Amended Budget
248-0000-382.48-03	KTMPO Brookhaven-Rancier	\$0	\$250,000	\$250,000

<b>Expenditures</b>				
Account Number	Description	Budget	Change	Amended Budget
248-3446-434.63-50	Project Expense-Brookhaven	\$168,717	\$581,283	\$750,000

**RECOMMENDATION**

Staff recommends that City Council approve the ordinance amending the FY 2017 Budget.

**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 THE BROOKHAVEN/RANCIER HIKE & BIKE TRAIL; 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 Child Safety Fund accounts to provide funding for the Brookhaven/Rancier Trail; 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**

<b>Account Number</b>	<b>Account Name</b>	<b>Budget</b>	<b>Budget Change</b>	<b>Amended Budget</b>
248-0000-382.48-03	KTMPO Brookhaven-Rancier	\$0	\$250,000	\$250,000
<b>Total</b>		<b>\$0</b>	<b>\$250,000</b>	<b>\$250,000</b>

**Expenditures**

<b>Account Number</b>	<b>Account Name</b>	<b>Budget</b>	<b>Budget Change</b>	<b>Amended Budget</b>
248-3446-434.63-50	Project Expense-Brookhaven	\$168,717	\$581,283	\$750,000
<b>Total</b>		<b>\$168,717</b>	<b>\$581,283</b>	<b>\$750,000</b>

**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 _____22_____ 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