



City of Killeen

Agenda

City Council Workshop

Tuesday, December 11, 2018

Utility Collections
Conference Room
210 West Avenue C
Killeen, Texas 76541

SPECIAL CITY COUNCIL WORKSHOP IMMEDIATELY FOLLOWING REGULAR CITY COUNCIL MEETING

Items for Discussion at Workshop

1. [DS-18-106](#) Discuss Agenda Items for the Regular City Council Meeting of December 18, 2018
2. [DS-18-107](#) Receive Quarterly Financial Report
Attachments: [Presentation](#)
3. [DS-18-108](#) Discuss Proposed Updates to Development Codes
Attachments: [Presentation](#)
4. [DS-18-109](#) Discuss Election Day Polling Locations
5. [DS-18-110](#) City Manager Updates
· Discuss Stonetree Golf Course Request for Proposals
6. [DS-18-111](#) Discuss Street Maintenance Fees
7. [DS-18-112](#) Discuss and Receive Legal Advice Regarding Invocation Procedure at City Council Meetings
8. [DS-18-113](#) Discuss and Receive Legal Advice from the City Attorney Regarding Right of Way Acquisition and the Role of the City of Killeen in the Widening of Chaparral Road

Items for Regular City Council Meeting of December 18, 2018

Resolutions

9. [RS-18-110](#) Consider a memorandum/resolution approving the investment report for the quarter ended September 30, 2018.
Attachments: [Staff Report](#)
[Presentation](#)
10. [RS-18-111](#) Consider a memorandum/resolution granting an Operating Authority to

Ambiance Limousine and Transportation.

Attachments: [Staff Report](#)

[Application](#)

[Presentation](#)

11. [RS-18-112](#) Consider a memorandum/resolution appointing citizens to Heritage Preservation Board and Killeen Volunteers, Incorporated.

Attachments: [Staff Report](#)

[Presentation](#)

Ordinances

12. [OR-18-018](#) Consider an ordinance amending the Killeen Code of Ordinances Chapter 11, "Fire Prevention and Protection" by removing the prohibition of use and sales of fireworks within the ETJ.

Attachments: [Staff Report](#)

[Ordinance](#)

[Presentation](#)

13. [OR-18-019](#) Consider an ordinance amending the Killeen Code of Ordinances Chapter 16, to no longer regulate the discharge of firearms in areas annexed after 1981 in accordance with state law, and to allow air-powered weapon businesses.

Attachments: [Staff Report](#)

[Ordinance](#)

[Presentation](#)

14. [OR-18-020](#) Consider an ordinance amending Chapter 28 Traffic, Article V. Stopping, Standing and Parking, Sec. 28-132 Parking in residential areas.

Attachments: [Staff Report](#)

[Ordinance](#)

[Map](#)

[Presentation](#)

Public Hearings

15. [PH-18-038](#) HOLD a public hearing and consider an ordinance requested by Titan Towers, L. P. on behalf of Abundant Life Church of God of Bell County, Inc. (Case #Z18-24) to rezone part of Lot 1, Block 1, Abundant Life Acres, from "R-3" (Multifamily Residential District) to "R-3" (Multifamily Residential District) with a Conditional Use Permit (C.U.P.) for a 150' tall monopole communication structure. The property is locally known as 1210 Florence Road, Killeen, Texas. (Requires a 3/4 majority vote)

Attachments: [Staff Report](#)

[Zoning Map and Notification Area](#)

[Minutes](#)

[Ordinance](#)

[Pharr vs. Tippitt](#)

[Site Plan](#)

[Opposition](#)

[Presentation](#)

16. [PH-18-039](#) HOLD a public hearing and consider an ordinance requested by the Killeen Independent School District (KISD) (Case #Z18-25) to rezone approximately 67.506 acres out of the J.D. Allcorn Survey, Abstract No. 25, from "A" (Agricultural District) to "R-1" (Single-Family Residential District) for a future public school site. The subject area is located northeast of the intersection of Chaparral Road and Cedar Ridge Circle, Killeen, Texas.

Attachments: [Staff Report](#)

[Zoning Map and Notification Area](#)

[Minutes](#)

[Ordinance](#)

[Pharr vs. Tippitt](#)

[Presentation](#)

17. [PH-18-040A](#) Consider a memorandum/resolution approving an Intergovernmental Support Agreement with the U.S. Army Garrison at Fort Hood.

Attachments: [Staff Report](#)

[Agreement](#)

[Presentation](#)

18. [PH-18-040B](#) HOLD a public hearing and consider an ordinance amending the FY 2019 Annual Budget and Plan of Municipal Services of the City of Killeen by increasing revenue and expenditure accounts in Aviation.

Attachments: [Staff Report](#)

[Ordinance](#)

[Presentation](#)

19. [PH-18-041A](#) Consider a memorandum/resolution approving an inter-fund loan agreement between the General Fund and Aviation.

Attachments: [Staff Report](#)

[Inter-fund Loan Agreement](#)

[Presentation](#)

20. [PH-18-041B](#) HOLD a public hearing and consider an ordinance amending the FY 2019 Annual Budget and Plan of Municipal Services of the City of Killeen by increasing revenue and expenditure accounts for the design of taxiway improvements at the Killeen-Fort Hood Regional Airport.

Attachments: [Staff Report](#)
[Ordinance](#)
[Presentation](#)

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 December 7, 2018.

Lucy C. Aldrich, 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.

- *56th Annual Christmas Parade, December 8, 2018, 4:30 p.m., Downtown Killeen*

Dedicated Service -- Every Day, for Everyone!



City of Killeen

Legislation Details

File #: DS-18-106 **Version:** 1 **Name:** Discuss Agenda Items
Type: Discussion Items **Status:** Discussion Items
File created: 11/26/2018 **In control:** City Council Workshop
On agenda: 12/11/2018 **Final action:**
Title: Discuss Agenda Items for the Regular City Council Meeting of December 18, 2018
Sponsors: City Manager Department
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
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City of Killeen

Legislation Details

File #: DS-18-107 **Version:** 1 **Name:** Receive Quarterly Financial Report
Type: Discussion Items **Status:** Discussion Items
File created: 11/27/2018 **In control:** City Council Workshop
On agenda: 12/11/2018 **Final action:**
Title: Receive Quarterly Financial Report
Sponsors: Finance Department
Indexes:
Code sections:
Attachments: [Presentation](#)

Date	Ver.	Action By	Action	Result
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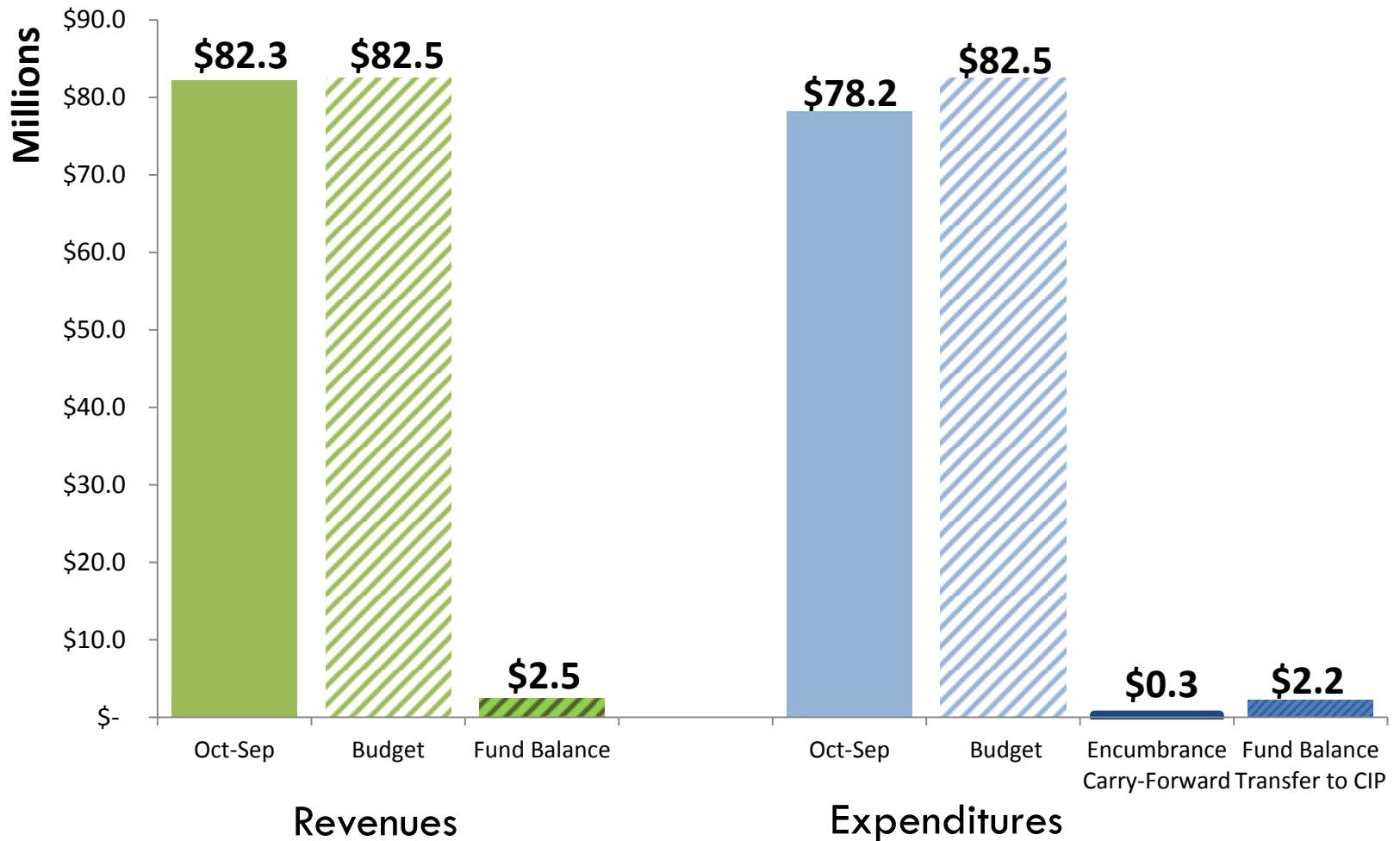
FY 2018 FOURTH QUARTER FINANCIAL REVIEW

DS-18-107

December 11, 2018

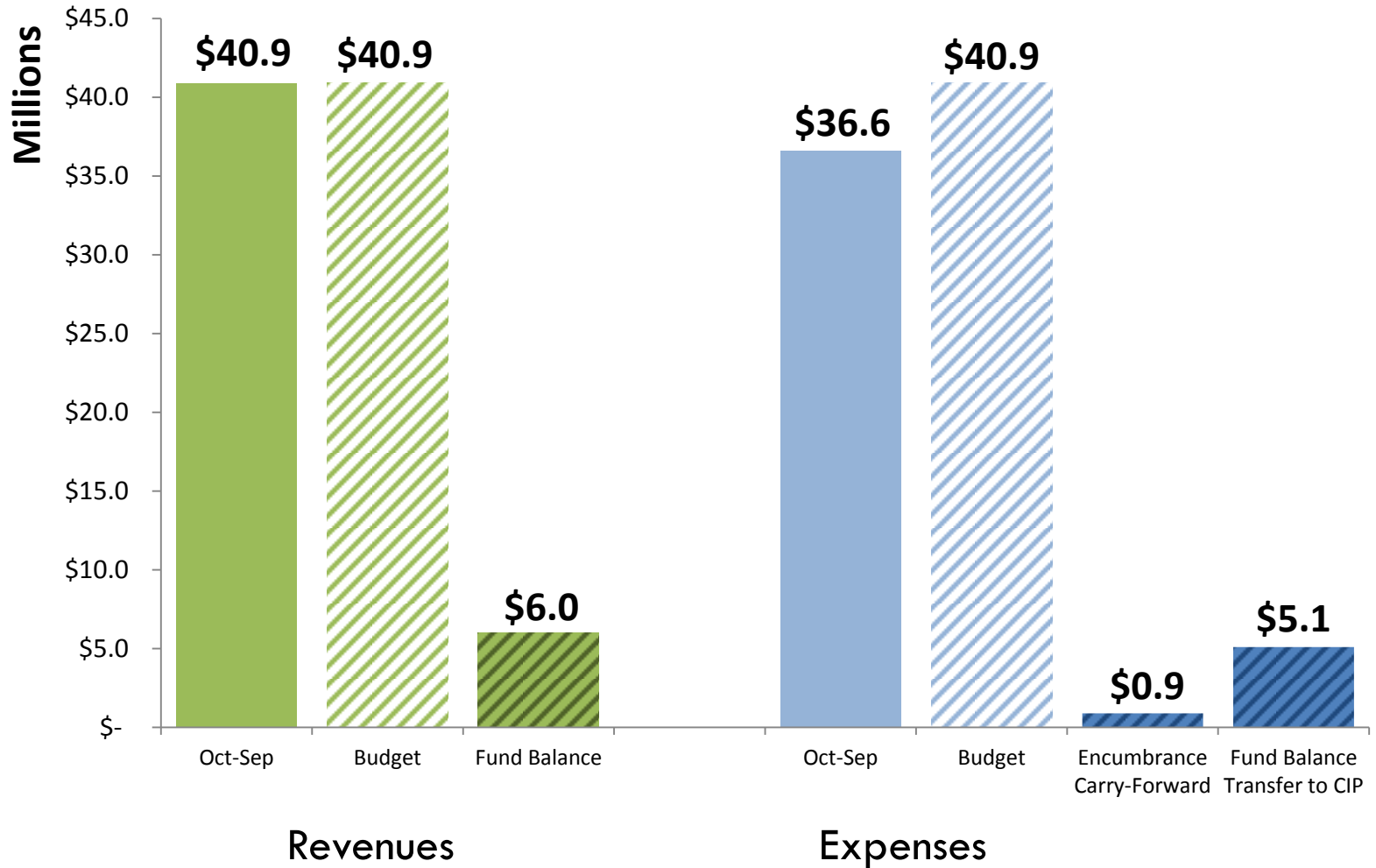
General Fund

2

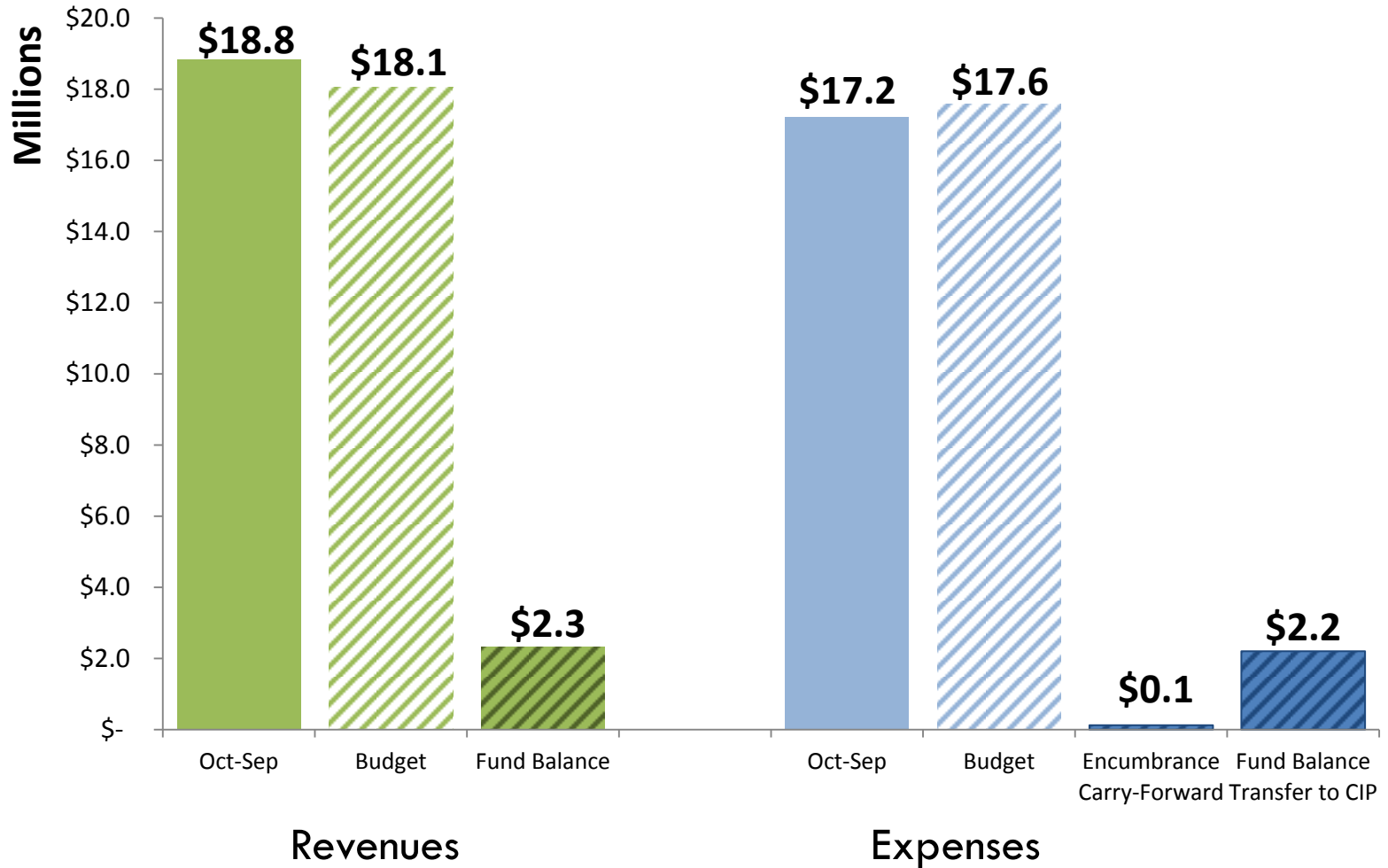


Water and Sewer

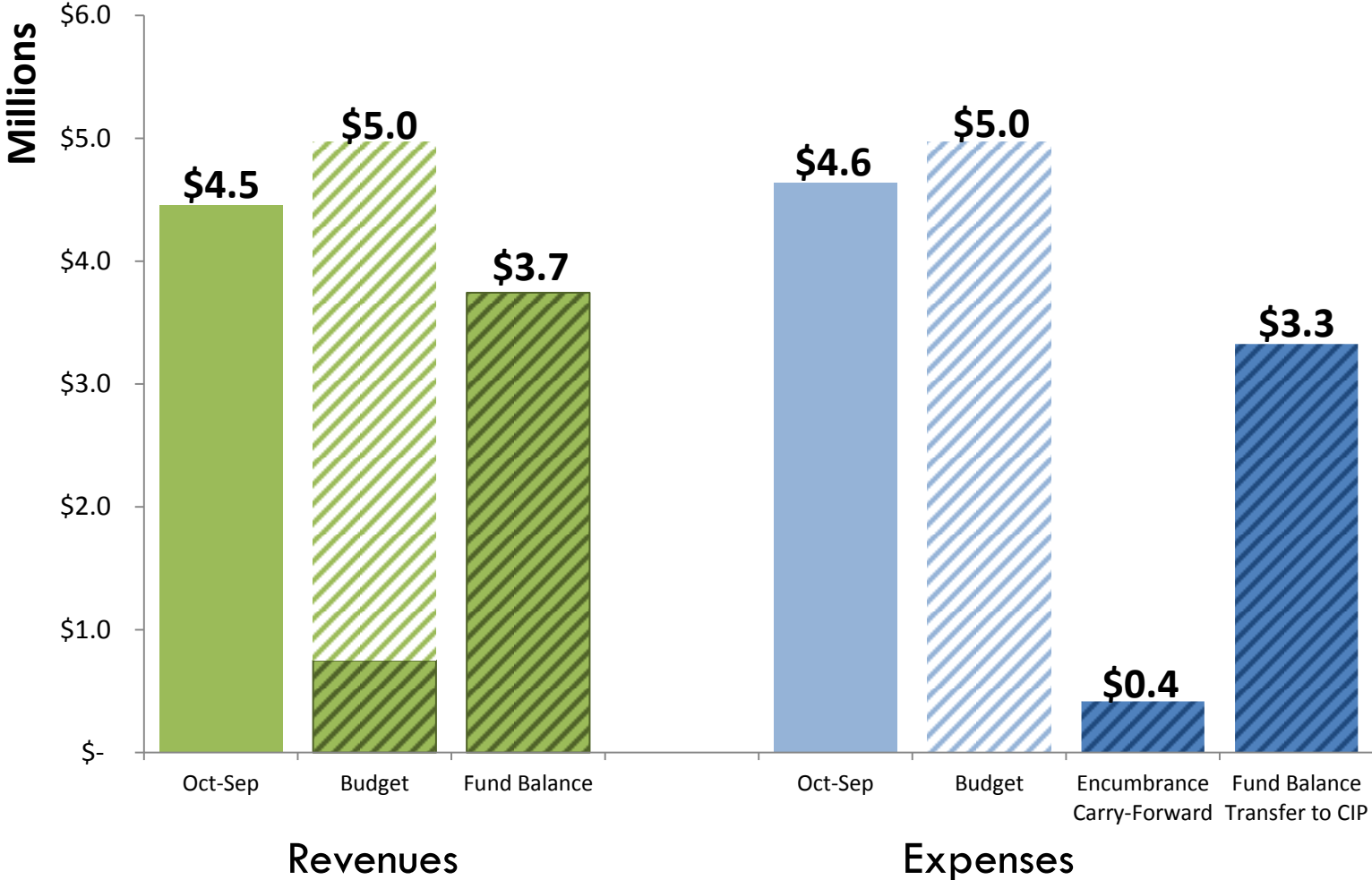
3



Solid Waste

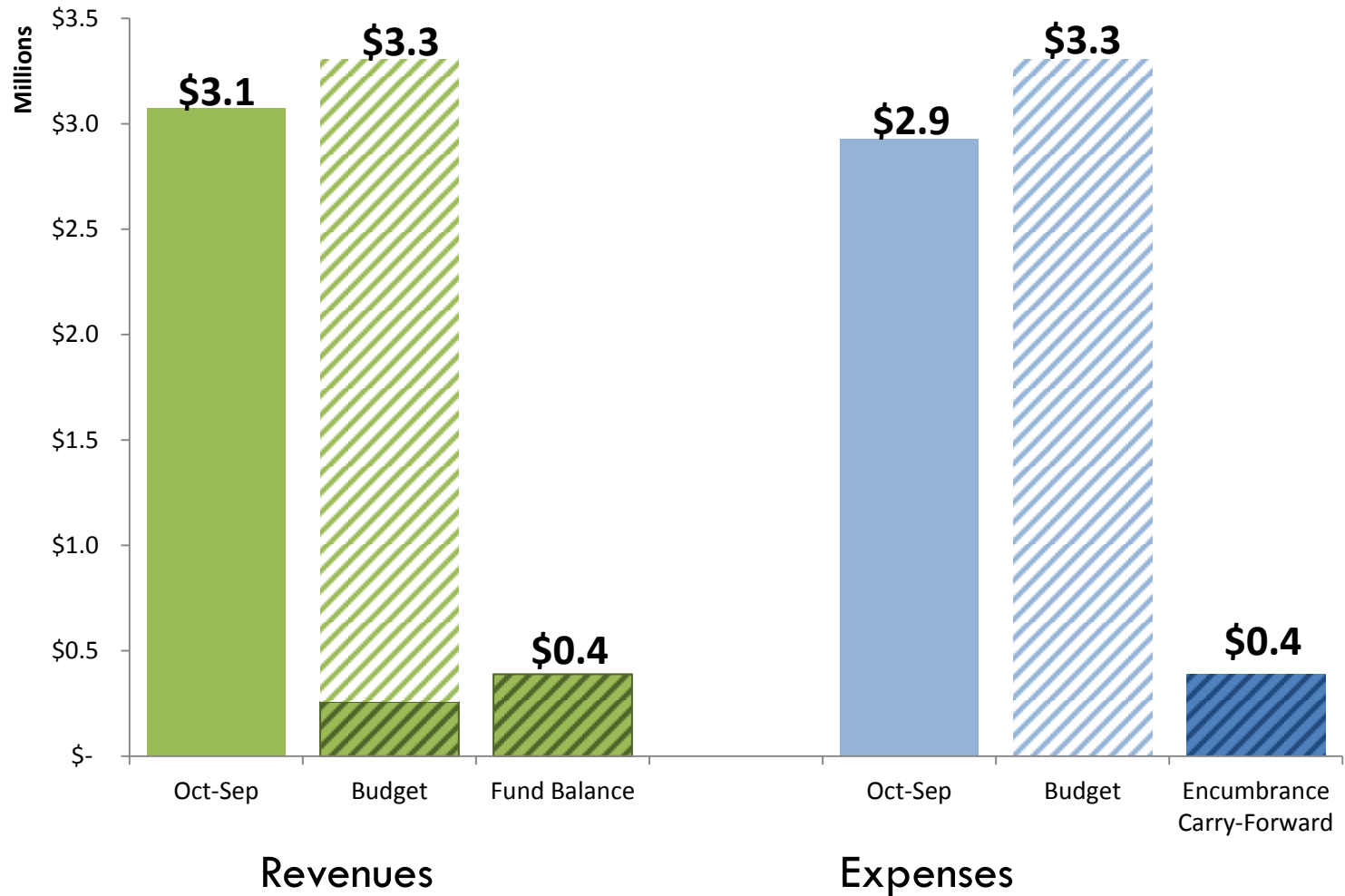


Drainage



Aviation

6





City of Killeen

Legislation Details

File #: DS-18-108 **Version:** 1 **Name:** Discuss Proposed Updates to Development Codes
Type: Discussion Items **Status:** Discussion Items
File created: 11/27/2018 **In control:** City Council Workshop
On agenda: 12/11/2018 **Final action:**
Title: Discuss Proposed Updates to Development Codes
Sponsors: Planning & Development Dept
Indexes:
Code sections:
Attachments: [Presentation](#)

Date	Ver.	Action By	Action	Result
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ORDINANCE AMENDMENTS FOR NEW DEVELOPMENT

DS-18-108

December 11, 2018

Background

- The City's subdivision regulations are contained in Chapter 26 of the Code of Ordinances
- City Staff have identified several key amendments within Chapter 26 that would provide a more sustainable, well organized approach to development
- City Staff is proposing these amendments in phases:
 - Ph. 1 - Subdivision concept plan and mandatory preliminary plats;
 - Ph. 2 - Traffic Impact Analysis (TIA);
 - Ph. 3 - Street connectivity and access management; and
 - Ph. 4 – Text amendments and housekeeping measures.

Subdivision Concept Plan/Preliminary Plat

3

- Provides a “full picture” of the overall development.
 - ▣ Street Connectivity and Thoroughfare Planning
 - ▣ Utility Extension
 - ▣ Open Spaces
- Requires developer to consider the extents of a common development rather than just a single phase.
 - ▣ Applies to parent tract under one ownership, legal interest, or common control.
- Can be done in a manner so as not to impede the timeline of development.
- Required by other local and regional cities.

Traffic Impact Analysis (TIA)

- Determines the impact of additional traffic generated by a proposed development on the transportation system.
- Requires development to pay for fair share and requires infrastructure to be built in conjunction with the development that necessitates it.
- Establishes thresholds for developments that require TIAs.
- This item would be difficult to implement without a concept plan/preliminary plat requirement.

Connectivity and Access Management

5

- Redefine street section, length of street between two intersections, as block length
- Clarify how and where block length should be measured
 - ▣ Block Length: The measurement of the linear distance of land along each side of a block between intersecting streets.
- Establish better standards for driveway spacing, line of sight, and other access management controls.

Chapter 26- Text Amendments

- Provide housekeeping text amendments including chapter definitions, the approval process, the plat recording process, etc.
- These changes are meant to add clarity and provide for minor changes.
- In many cases these changes should help expedite the development review process by making all requirements clear on the front end.

Alternatives

7

- Do not to move forward with amendments.
 - ▣ Development will continue under current regulations.
- Move forward with some but not all amendments.
- Prepare and present all ordinance amendments to:
 - ▣ Planning & Zoning Commission then City Council.
 - ▣ City Council only.

Recommendation

- City Staff recommends that the City Council direct the City Manager or designee to move forward with amendments to Chapter 26 by presenting the amendments to the Planning & Zoning Commission for review and comment, then to City Council for final approval.



City of Killeen

Legislation Details

File #: DS-18-109 **Version:** 1 **Name:** Discuss Election Day Polling Locations
Type: Discussion Items **Status:** Discussion Items
File created: 12/6/2018 **In control:** City Council Workshop
On agenda: 12/11/2018 **Final action:**
Title: Discuss Election Day Polling Locations
Sponsors: City Manager Department
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
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City of Killeen

Legislation Details

File #: DS-18-110 **Version:** 1 **Name:** City Manager Updates
Type: Discussion Items **Status:** Discussion Items
File created: 11/26/2018 **In control:** City Council Workshop
On agenda: 12/11/2018 **Final action:**
Title: City Manager Updates
· Discuss Stonetree Golf Course Request for Proposals
Sponsors: City Manager Department
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
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City of Killeen

Legislation Details

File #: DS-18-111 **Version:** 1 **Name:** Discuss Street Maintenance Fees
Type: Discussion Items **Status:** Discussion Items
File created: 12/6/2018 **In control:** City Council Workshop
On agenda: 12/11/2018 **Final action:**
Title: Discuss Street Maintenance Fees
Sponsors: City Manager Department
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
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City of Killeen

Legislation Details

File #: DS-18-112 **Version:** 1 **Name:** Procedure on Invocation at City Council Meetings
Type: Discussion Items **Status:** Discussion Items
File created: 11/7/2018 **In control:** City Council Workshop
On agenda: 12/11/2018 **Final action:**
Title: Discuss and Receive Legal Advice Regarding Invocation Procedure at City Council Meetings
Sponsors: City Manager Department
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
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City of Killeen

Legislation Details

File #: DS-18-113 **Version:** 1 **Name:** Widening of Chaparral Road
Type: Discussion Items **Status:** Discussion Items
File created: 12/6/2018 **In control:** City Council Workshop
On agenda: 12/11/2018 **Final action:**
Title: Discuss and Receive Legal Advice from the City Attorney Regarding Right of Way Acquisition and the Role of the City of Killeen in the Widening of Chaparral Road
Sponsors: Public Works Department
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
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City of Killeen

Legislation Details

File #: RS-18-110 **Version:** 1 **Name:** Quarterly Investment Report for the quarter ended September 30, 2018

Type: Resolution **Status:** Resolutions

File created: 11/21/2018 **In control:** City Council Workshop

On agenda: 12/11/2018 **Final action:**

Title: Consider a memorandum/resolution approving the investment report for the quarter ended September 30, 2018.

Sponsors: Finance Department

Indexes:

Code sections:

Attachments: [Staff Report](#)
[Presentation](#)

Date	Ver.	Action By	Action	Result
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STAFF REPORT

DATE: December 11, 2018
TO: Ronald L. Olson, City Manager
FROM: Jonathan Locke, Executive Director of Finance
SUBJECT: Quarterly Investment Report

BACKGROUND AND FINDINGS:

The attached investment report summarizes all investment activity for the quarter that ended September 30, 2018. The highlights of the report are as follows:

	Apr - Jun 2018	Jul - Sept 2018	Change
Interest Income	\$416,532	\$392,509	-5.77%
Investment Balance	\$101,060,784	\$81,689,608	-19.17%
Average Yield	1.74%	1.92%	0.18%

THE ALTERNATIVES CONSIDERED:

Which alternative is recommended? Why?

N/A

CONFORMITY TO CITY POLICY:

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 shall 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.

FINANCIAL IMPACT:

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

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

N/A

Is this a one-time or recurring expenditure?

N/A

Is this expenditure budgeted?

N/A

If not, where will the money come from?

N/A

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

N/A

RECOMMENDATION:

Staff recommends that the City Council approve the attached investment report for the quarter that ended September 30, 2018.

DEPARTMENTAL CLEARANCES:

Legal

ATTACHED SUPPORTING DOCUMENTS:

Quarterly Investment Report



City of Killeen

QUARTERLY INVESTMENT REPORT

For the Quarter Ended

September 30, 2018

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.

Jonathan Locke, Executive Director of Finance

Karen Evans, Controller

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:

Asset Type	September 30, 2017			September 30, 2018		
	Ave. Yield	Book Value	Market Value	Ave. Yield	Book Value	Market Value
Demand Accounts	0.35%	\$ 10,972,068	\$ 10,972,068	0.35%	\$ 11,717,955	\$ 11,717,955
Pools/MMA	1.27%	22,517,583	22,517,583	2.17%	14,855,416	14,855,416
Securities/CDs	1.32%	33,911,726	33,911,726	2.19%	55,116,237	55,116,237
Totals		\$ 67,401,377	\$ 67,401,377		\$ 81,689,608	\$ 81,689,608
Fourth Quarter-End Yield	1.15%			1.92%		

Average Quarter-End Yields (1):

	2017 Fiscal Year	2018 Fiscal Year
Killeen	0.93%	1.64%
Rolling Three Month Treasury	0.75%	1.69%
Rolling Six Month Treasury	0.77%	1.73%
TexPool	0.74%	1.62%
Fiscal YTD Interest Earnings	\$ 713,176	\$ 1,416,563

(1) Average Quarterly Yield calculated using quarter-end report average yield and adjusted book value.

Summary

Quarter End Results by Investment Category:

Asset Type	June 30, 2018		September 30, 2018		
	Book Value	Market Value	Book Value	Market Value	Ave. Yield
Demand Accounts	\$ 11,186,170	\$ 11,186,170	\$ 11,717,955	\$ 11,717,955	0.35%
Pools/MMA	22,745,192	22,745,192	14,855,416	14,855,416	2.17%
Securities/CDs	67,129,422	67,129,422	55,116,237	55,116,237	2.19%
Totals	\$ 101,060,784	\$ 101,060,784	\$ 81,689,608	\$ 81,689,608	

Current Quarter Average Yield (1)

Total Portfolio	1.92%
Rolling Three Month Treasury	2.08%
Rolling Six Month Treasury	2.15%

Fiscal Year-to-Date Average Yield (2)

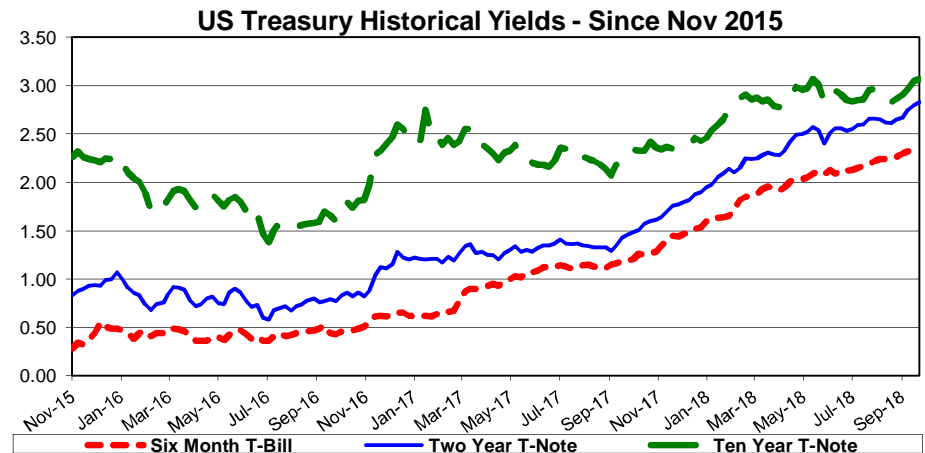
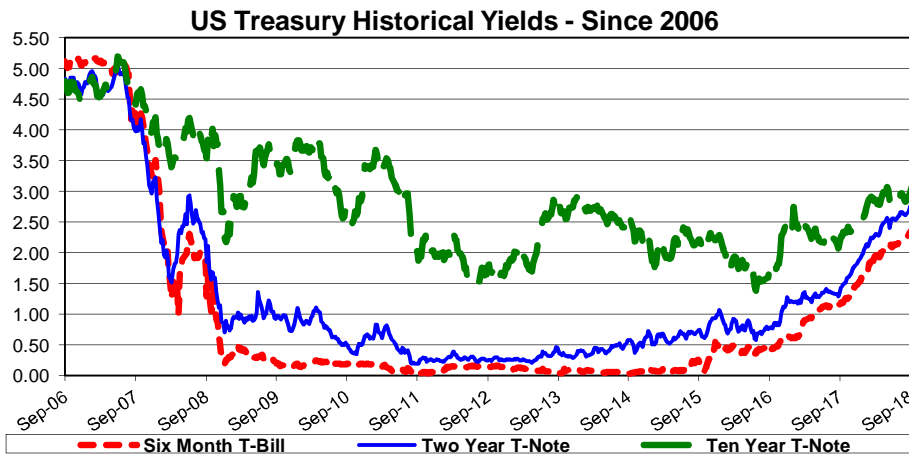
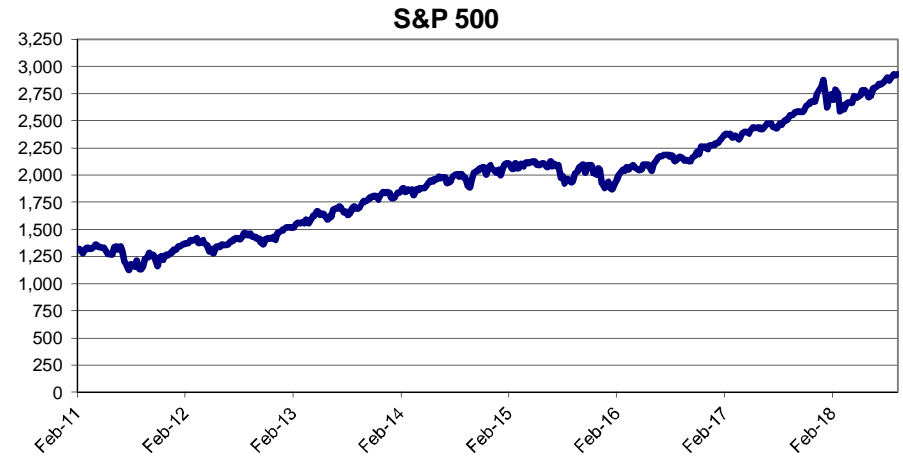
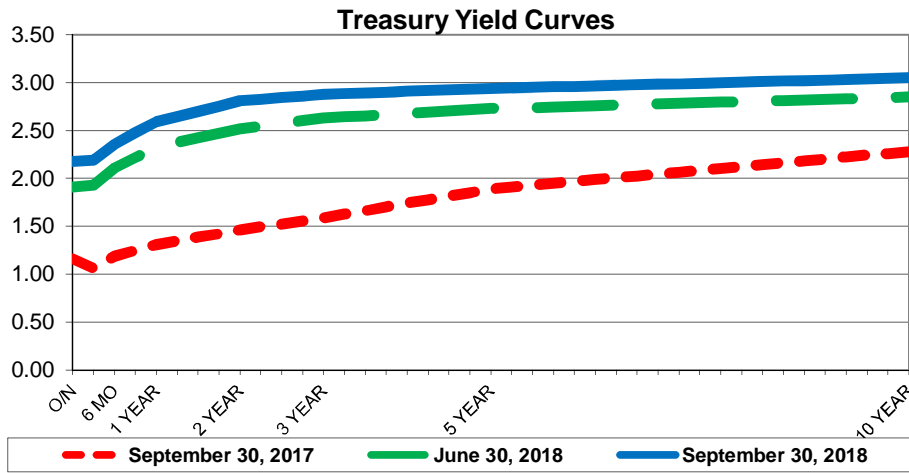
Total Portfolio	1.64%
Rolling Three Month Treasury	1.69%
Rolling Six Month Treasury	1.73%
TexPool	1.62%

	<u>Interest Income</u>	<u>Bank Fees Offset</u>
Quarterly	\$ 392,509	\$ 11,147
Year-to-date	\$ 1,416,563	\$ 42,316

(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.

The Federal Open Market Committee (FOMC) increased the Fed Funds target range to 2.00% - 2.25% (Effective Fed Funds are trading +/-2.18%). Additional range increases are still projected for Dec 2018 and 2019. Gradual Federal Reserve Bank portfolio reduction continues by limiting reinvestment of maturing holdings. Second Quarter grew 4.2% (final estimate). Employment/Unemployment continues to strong levels. West Texas Intermediate Crude oil increased above +/- \$70. The Stock Markets reached new highs. Consumer Confidence is strong. Personal Income is improving. The flattening yield curve may or may not impact long range FOMC actions.



Investment Holdings
September 30, 2018

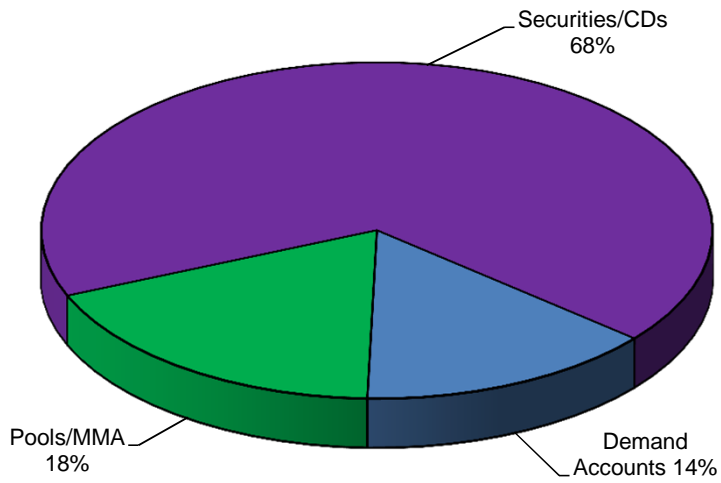
Description	Ratings	Coupon/ Discount	Maturity Date	Settlement Date	Par Value	Book Value	Market Price	Market Value	Life (Days)	Yield
BBVA Demand Account (3)		0.36%	10/01/18	09/30/18	\$ 11,499,580	\$ 11,499,580	1.00	\$ 11,499,580	1	0.36%
Cash on Hand		0.00%	10/01/18	09/30/18	10,495	10,495	1.00	10,495	1	0.00%
Hometown Cash on Hand		0.00%	10/01/18	09/30/18	207,879	207,879	1.00	207,879	1	0.00%
Southside Bank MMA		2.14%	10/01/18	09/30/18	3,817,886	3,817,886	1.00	3,817,886	1	2.14%
LegacyTexas MMA		2.06%	10/01/18	09/30/18	73,673	73,673	1.00	73,673	1	2.06%
Green Bank MMA		2.13%	10/01/18	09/30/18	2,442,030	2,442,030	1.00	2,442,030	1	2.13%
NexBank MMA		2.22%	10/01/18	09/30/18	7,290,381	7,290,381	1.00	7,290,381	1	2.22%
TexSTAR	AAAm	2.00%	10/01/18	09/30/18	1,231,447	1,231,447	1.00	1,231,447	1	2.00%
Third Coast Bank SSB CD		1.85%	12/15/18	12/15/17	4,055,808	4,055,808	100.00	4,055,808	76	1.85%
LegacyTexas Bank CD		1.50%	01/03/19	06/01/17	2,037,893	2,037,893	100.00	2,037,893	95	1.50%
Third Coast Bank SSB CD		1.90%	03/15/19	12/15/17	5,071,655	5,071,655	100.00	5,071,655	166	1.90%
Green Bank CD		1.95%	04/03/19	01/03/18	2,019,386	2,019,386	100.00	2,019,386	185	1.95%
BBVA Compass Bank CD		1.92%	06/08/19	12/08/17	12,187,881	12,187,881	100.00	12,187,881	251	1.92%
Green Bank CD		2.00%	07/03/19	01/03/18	2,019,885	2,019,885	100.00	2,019,885	276	2.00%
LegacyTexas Bank CD		2.28%	08/01/19	03/02/18	8,092,391	8,092,391	100.00	8,092,391	305	2.28%
BBVA Compass Bank CD		1.97%	09/08/19	12/08/17	2,540,167	2,540,167	100.00	2,540,167	343	1.97%
LegacyTexas Bank CD		2.75%	12/02/19	06/01/18	3,020,843	3,020,843	100.00	3,020,843	428	2.75%
Green Bank CD		2.08%	01/03/20	01/03/18	3,031,023	3,031,023	100.00	3,031,023	460	2.08%
Wallis State Bank CD		2.49%	03/02/20	04/02/18	3,018,624	3,018,624	100.00	3,018,624	519	2.49%
East West Bank CD		2.67%	04/01/20	05/04/18	1,011,033	1,011,033	100.00	1,011,033	549	2.67%
East West Bank CD		2.96%	05/01/20	09/17/18	2,002,272	2,002,272	100.00	2,002,272	579	2.96%
East West Bank CD		2.99%	07/01/20	09/13/18	5,007,378	5,007,378	100.00	5,007,378	640	2.99%
					\$ 81,689,608	\$ 81,689,608		\$ 81,689,608	219	1.92%
									(1)	(2)

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

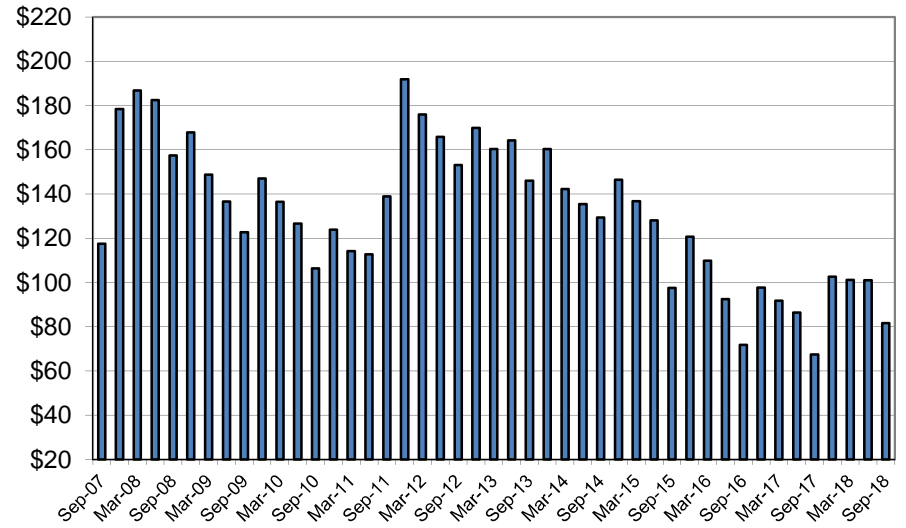
(2) **Weighted average yield to maturity** - The weighted average yield to maturity is based on adjusted book value, realized and unrealized gains/losses and investment advisory fees are not considered. The yield for the reporting month is used for cash equivalent investments.

(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.

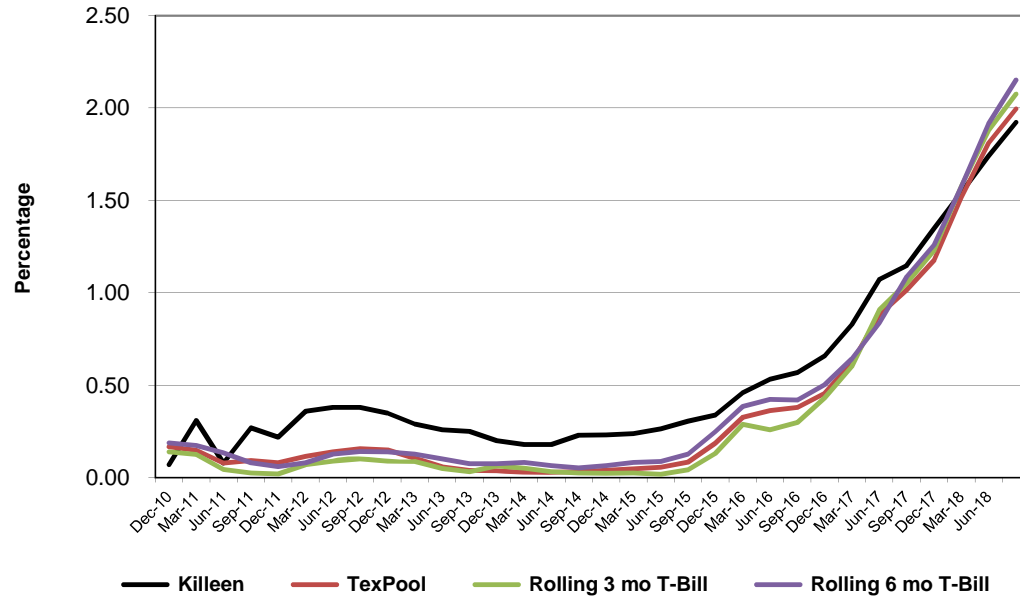
Portfolio Composition



Total Portfolio (Millions)



Total Portfolio Performance



Book Value Comparison

Description	Coupon/ Discount	Maturity Date	June 30, 2018		Purchases/ Adjustments	Sales/Adjust/ Maturities	September 30, 2018	
			Par Value	Book Value			Par Value	Book Value
BBVA Demand Account	0.36%	10/01/18	\$ 10,986,818	\$ 10,986,818	\$ 512,763	\$ —	\$ 11,499,580	\$ 11,499,580
Cash on Hand	0.00%	10/01/18	10,495	10,495			10,495	10,495
Hometown Cash on Hand	0.00%	10/01/18	188,858	188,858	19,022		207,879	207,879
Southside Bank MMA	2.14%	10/01/18	8,777,199	8,777,199		(4,959,314)	3,817,886	3,817,886
LegacyTexas MMA	2.06%	10/01/18	73,306	73,306	367		73,673	73,673
Green Bank MMA	2.13%	10/01/18	2,429,234	2,429,234	12,796		2,442,030	2,442,030
NexBank MMA	2.22%	10/01/18	7,250,587	7,250,587	39,794		7,290,381	7,290,381
TexSTAR	2.00%	10/01/18	4,214,866	4,214,866		(2,983,419)	1,231,447	1,231,447
Central National Bank CD	1.51%	07/03/18	5,075,929	5,075,929		(5,075,929)	—	—
BBVA Compass Bank CD	1.30%	07/03/18	5,587,328	5,587,328		(5,587,328)	—	—
LegacyTexas Bank CD	1.48%	08/01/18	6,066,745	6,066,745		(6,066,745)	—	—
BBVA Compass Bank CD	1.40%	09/18/18	2,542,769	2,542,769		(2,542,769)	—	—
Third Coast Bank SSB CD	1.85%	12/15/18	4,036,984	4,036,984	18,825		4,055,808	4,055,808
LegacyTexas Bank CD	1.50%	01/03/19	2,030,207	2,030,207	7,686		2,037,893	2,037,893
Third Coast Bank SSB CD	1.90%	03/15/19	5,047,482	5,047,482	24,173		5,071,655	5,071,655
Green Bank CD	1.95%	04/03/19	2,009,616	2,009,616	9,770		2,019,386	2,019,386
BBVA Compass Bank CD	1.92%	06/08/19	12,129,182	12,129,182	58,699		12,187,881	12,187,881
Green Bank CD	2.00%	07/03/19	2,009,863	2,009,863	10,022		2,019,885	2,019,885
LegacyTexas Bank CD	2.28%	08/01/19	8,046,063	8,046,063	46,328		8,092,391	8,092,391
BBVA Compass Bank CD	1.97%	09/08/19	2,527,616	2,527,616	12,551		2,540,167	2,540,167
LegacyTexas Bank CD	2.75%	12/02/19	3,000,000	3,000,000	20,843		3,020,843	3,020,843
Green Bank CD	2.08%	01/03/20	3,015,386	3,015,386	15,637		3,031,023	3,031,023
Wallis State Bank CD	2.49%	03/02/20	3,000,000	3,000,000	18,624		3,018,624	3,018,624
East West Bank CD	2.67%	04/01/20	1,004,252	1,004,252	6,781		1,011,033	1,011,033
East West Bank CD	2.96%	05/01/20	—	—	2,002,272		2,002,272	2,002,272
East West Bank CD	2.99%	07/01/20	—	—	5,007,378		5,007,378	5,007,378
TOTAL			\$ 101,060,784	\$ 101,060,784	\$ 7,844,327	\$ (27,215,503)	\$ 81,689,608	\$ 81,689,608

Market Value Comparison

Description	Coupon/ Discount	Maturity Date	June 30, 2018		Qtr to Qtr Change	September 30, 2018	
			Par Value	Market Value		Par Value	Market Value
BBVA Demand Account	0.36%	10/01/18	\$ 10,986,818	\$ 10,986,818	\$ 512,763	\$ 11,499,580	\$ 11,499,580
Cash on Hand	0.00%	10/01/18	10,495	10,495		10,495	10,495
Hometown Cash on Hand	0.00%	10/01/18	188,858	188,858	19,022	207,879	207,879
Southside Bank MMA	2.14%	10/01/18	8,777,199	8,777,199	(4,959,314)	3,817,886	3,817,886
LegacyTexas MMA	2.06%	10/01/18	73,306	73,306	367	73,673	73,673
Green Bank MMA	2.13%	10/01/18	2,429,234	2,429,234	12,796	2,442,030	2,442,030
NexBank MMA	2.22%	10/01/18	7,250,587	7,250,587	39,794	7,290,381	7,290,381
TexSTAR	2.00%	10/01/18	4,214,866	4,214,866	(2,983,419)	1,231,447	1,231,447
Central National Bank CD	1.51%	07/03/18	5,075,929	5,075,929	(5,075,929)	—	—
BBVA Compass Bank CD	1.30%	07/03/18	5,587,328	5,587,328	(5,587,328)	—	—
LegacyTexas Bank CD	1.48%	08/01/18	6,066,745	6,066,745	(6,066,745)	—	—
BBVA Compass Bank CD	1.40%	09/18/18	2,542,769	2,542,769	(2,542,769)	—	—
Third Coast Bank SSB CD	1.85%	12/15/18	4,036,984	4,036,984	18,825	4,055,808	4,055,808
LegacyTexas Bank CD	1.50%	01/03/19	2,030,207	2,030,207	7,686	2,037,893	2,037,893
Third Coast Bank SSB CD	1.90%	03/15/19	5,047,482	5,047,482	24,173	5,071,655	5,071,655
Green Bank CD	1.95%	04/03/19	2,009,616	2,009,616	9,770	2,019,386	2,019,386
BBVA Compass Bank CD	1.92%	06/08/19	12,129,182	12,129,182	58,699	12,187,881	12,187,881
Green Bank CD	2.00%	07/03/19	2,009,863	2,009,863	10,022	2,019,885	2,019,885
LegacyTexas Bank CD	2.28%	08/01/19	8,046,063	8,046,063	46,328	8,092,391	8,092,391
BBVA Compass Bank CD	1.97%	09/08/19	2,527,616	2,527,616	12,551	2,540,167	2,540,167
LegacyTexas Bank CD	2.75%	12/02/19	3,000,000	3,000,000	20,843	3,020,843	3,020,843
Green Bank CD	2.08%	01/03/20	3,015,386	3,015,386	15,637	3,031,023	3,031,023
Wallis State Bank CD	2.49%	03/02/20	3,000,000	3,000,000	18,624	3,018,624	3,018,624
East West Bank CD	2.67%	04/01/20	1,004,252	1,004,252	6,781	1,011,033	1,011,033
East West Bank CD	2.96%	05/01/20	—	—	2,002,272	2,002,272	2,002,272
East West Bank CD	2.99%	07/01/20	—	—	5,007,378	5,007,378	5,007,378
TOTAL			\$ 101,060,784	\$ 101,060,784	\$ (19,371,176)	\$ 81,689,608	\$ 81,689,608

Allocation

September 30, 2018

Book & Market Value	Maturity Date	Total	Pooled Investments	General Fund	Special Revenue	Enterprise Funds	Employee Benefit Trust
BBVA Demand Account	10/01/18	\$ 11,499,580	\$ 9,836,979	\$ -	\$ 103,108	\$ 1,038,015	\$ 521,479
Cash on Hand	10/01/18	10,495		4,395	2,000	4,100	
Hometown Cash on Hand	10/01/18	207,879		207,879			
Southside Bank MMA	10/01/18	3,817,886	3,817,886				
LegacyTexas MMA	10/01/18	73,673	73,673				
Green Bank MMA	10/01/18	2,442,030	2,442,030				
NexBank MMA	10/01/18	7,290,381	7,290,381				
TexSTAR	10/01/18	1,231,447	1,231,447				
Third Coast Bank SSB CD	12/15/18	4,055,808	4,055,808				
LegacyTexas Bank CD	01/03/19	2,037,893	2,037,893				
Third Coast Bank SSB CD	03/15/19	5,071,655	5,071,655				
Green Bank CD	04/03/19	2,019,386	2,019,386				
BBVA Compass Bank CD	06/08/19	12,187,881	12,187,881				
Green Bank CD	07/03/19	2,019,885	2,019,885				
LegacyTexas Bank CD	08/01/19	8,092,391	8,092,391				
BBVA Compass Bank CD	09/08/19	2,540,167	2,540,167				
LegacyTexas Bank CD	12/02/19	3,020,843	3,020,843				
Green Bank CD	01/03/20	3,031,023	3,031,023				
Wallis State Bank CD	03/02/20	3,018,624	3,018,624				
East West Bank CD	04/01/20	1,011,033	1,011,033				
East West Bank CD	05/01/20	2,002,272	2,002,272				
East West Bank CD	07/01/20	5,007,378	5,007,378				
Totals		\$ 81,689,608	\$ 79,808,632	\$ 212,274	\$ 105,108	\$ 1,042,115	\$ 521,479

Allocation

June 30, 2018

Book & Market Value	Maturity Date	Total	Pooled Investments	General Fund	Special Revenue	Enterprise Funds	Employee Benefit Trust
BBVA Demand Account	07/01/18	\$ 10,986,818	\$ 9,669,990	\$ -	\$ 100,142	\$ 1,174,052	\$ 42,633
Cash on Hand	07/01/18	10,495		4,395	2,000	4,100	
Hometown Cash on Hand	07/01/18	188,858		188,858			
Southside Bank MMA	07/01/18	8,777,199	8,777,199				
LegacyTexas MMA	07/01/18	73,306	73,306				
Green Bank MMA	07/01/18	2,429,234	2,429,234				
NexBank MMA	07/01/18	7,250,587	7,250,587				
TexSTAR	07/01/18	4,214,866	4,214,866				
Central National Bank CD	07/03/18	5,075,929	5,075,929				
BBVA Compass Bank CD	07/03/18	5,587,328	5,587,328				
LegacyTexas Bank CD	08/01/18	6,066,745	6,066,745				
BBVA Compass Bank CD	09/18/18	2,542,769	2,542,769				
Third Coast Bank SSB CD	12/15/18	4,036,984	4,036,984				
LegacyTexas Bank CD	01/03/19	2,030,207	2,030,207				
Third Coast Bank SSB CD	03/15/19	5,047,482	5,047,482				
Green Bank CD	04/03/19	2,009,616	2,009,616				
BBVA Compass Bank CD	06/08/19	12,129,182	12,129,182				
Green Bank CD	07/03/19	2,009,863	2,009,863				
LegacyTexas Bank CD	08/01/19	8,046,063	8,046,063				
BBVA Compass Bank CD	09/08/19	2,527,616	2,527,616				
LegacyTexas Bank CD	12/02/19	3,000,000	3,000,000				
Green Bank CD	01/03/20	3,015,386	3,015,386				
Wallis State Bank CD	03/02/20	3,000,000	3,000,000				
East West Bank CD	04/01/20	1,004,252	1,004,252				
Totals		\$ 101,060,784	\$ 99,544,604	\$ 193,253	\$ 102,142	\$ 1,178,152	\$ 42,633



City of Killeen

Legislation Details

File #: RS-18-111 **Version:** 1 **Name:** Ambiance Limousine Operating Authority
Type: Resolution **Status:** Resolutions
File created: 11/21/2018 **In control:** City Council Workshop
On agenda: 12/11/2018 **Final action:**
Title: Consider a memorandum/resolution granting an Operating Authority to Ambiance Limousine and Transportation.
Sponsors: City Secretary
Indexes:
Code sections:
Attachments: [Staff Report](#)
[Application](#)
[Presentation](#)

Date	Ver.	Action By	Action	Result
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STAFF REPORT

DATE: December 11, 2018

TO: Ronald L. Olson, City Manager

FROM: Kathy Davis, City Attorney

SUBJECT: Operating Authority Application from Ambiance Limousine & Transportation

BACKGROUND AND FINDINGS:

Chapter 29, City of Killeen Code of Ordinances, provides the manner by which an operating authority is granted. An operating authority is for ground transportation and taxicab services. An applicant must file an application, fee, and supporting documentation.

Ambiance Limousine & Transportation has been granted a ground transportation in the recent past and has operated in Killeen without incident. The City of Killeen was notified by the applicant's insurance company on February 1, 2018, that the automobile insurance coverage on the ground transportation vehicles was to cancel on March 1, 2018, due to non-payment of premiums. A letter was sent to Ambiance Limousine & Transportation notifying the company that as of the cancellation date of March 1, 2018, the operating authority with the City will become null and void unless they could provide proof of valid insurance coverage. The City did not hear from Ambiance Limousine in response to the letter.

On November 16, 2018, Ambiance Limousine & Transportation submitted an application, paid the required fee and supplied the proper supporting documents to be in compliance with Chapter 29 of the Code of Ordinances. The application is complete and provides for a limousine service and airport shuttle from any established pick-up point in Killeen. As indicated on the application, the company will operate three vehicles: a 2014 Chrysler Stretch Limousine with a seating capacity of 10, and two 2011 Ford E350 Vans with a seating capacity of 15 each. Operating authority permits are valid for five years with the window sticker permits expiring annually on December 31.

THE ALTERNATIVES CONSIDERED:

Grant the operating authority to allow the applicant to provide limousine services to the citizens of Killeen, or do not grant the operating authority.

Which alternative is recommended? Why?

Staff recommends the City Council grant the operating authority to Ambiance Limousine & Transportation. The application is complete and does conform to the city's code of ordinances.

CONFORMITY TO CITY POLICY:

This request conforms with Chapter 29, Transportation, of the city's code of ordinances.

FINANCIAL IMPACT:

\$300.00 application fee paid to the City of Killeen.

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

N/A

Is this a one-time or recurring expenditure?

N/A

Is this expenditure budgeted?

N/A

If not, where will the money come from?

N/A

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

N/A

RECOMMENDATION:

City staff recommends the City Council approve an Operating Authority to Ambiance Limousine & Transportation effective January 1, 2019.

DEPARTMENTAL CLEARANCES:

City Secretary
City Attorney

ATTACHED SUPPORTING DOCUMENTS:

Application



TERWAN CRAWLEY

PO BOX 940
KILLEEN, TEXAS 76540

November 15, 2018

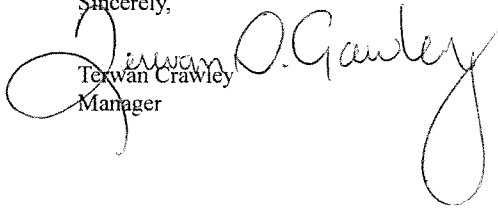
Subject: Proposed Services

Dear Mayor and Council Members of the City of Killeen:

I, Terwan D Crawley, will provide limousine and transportation services for the City of Killen, to include weddings, proms, tours, special events, business meetings, et cetera.

If you have any further questions or comments regarding this letter, please feel free to discuss it with me personally at 910 920-6568.

Sincerely,


Terwan Crawley
Manager

Received
11/16/2018
ACW



CITY OF KILLEEN

APPLICATION FOR OPERATING AUTHORITY FOR TAXI CABS AND GROUND TRANSPORTATION SERVICES

Chapter 29, Article 2 of the City of Killeen Code of Ordinances

An operating authority is valid for five (5) years from date of approval. Vehicle permits are renewed annually.

1. Business/Trade Name: TERWAN D. CRAWLEY (AMBIANCE LIMOUSINE) ^{TRANSPORTATION}

Business Address: 108 CEDAR ELM COURT

Mailing Address: P. O. BOX 940

E-mail: ambiancelimo@gmail.com Telephone #: 910-920-6568

2. Please check the type(s) of Operating Authority requested:

- Limousine Service
- Airport Shuttle Service
- Other _____
- Shuttle Service
- Charter Service
- Taxi Cab

3. Business Owner(s) Information:

Name: TERWAN D. CRAWLEY Driver's License # [REDACTED]

Name: TROY SHIRRIEL Driver's License # [REDACTED]

Name: ZEFREM A. SMITH Driver's License # [REDACTED]

4. Number of permits requested for each service vehicle:

Limousine 3 Airport Shuttle 1 Shuttle _____

Charter _____ Other _____ Taxi Cab _____

5. Provide the following information for each vehicle to be used to provide the service (if additional space is needed include on a separate page):

Yr.	Make	Model	Body Style	Seating Capacity*	Service Type**	License Number	Vehicle Identification No.
1) 2011	FORD	E350	VAN	15			
2) 2011	FORD	E350	VAN	15			
3) 2014	CHEV	300	LINO	10			
4)							
5)							
6)							
7)							
8)							
9)							
10)							

* Manufacturer's rated seating capacity

** (L) Limousine (A) Airport Shuttle (S) Shuttle (C) Charter (O) Other

✓ 6. Name of Insurance Co.: VAUGHT INSURANCE SERVICES
 Agent Name: MS. VAUGHT OR MIRA
 Agent Phone #: WP006926 Agent Insurance License #: _____

7. The applicant must provide the following information and attach as part of the application:

- ✓ ➤ Current State of Texas registration on each service vehicle;
- ✓ ➤ The proposed rate of fare.
- ✓ ➤ A certificate of insurance as proof of insurance coverage listing the City of Killeen as additional insured.

For Taxi Cab services only:
 Color scheme of vehicles: _____
 Attach a description of the taximeter proposed to be used and a current rate card.

✓ 8. A \$300.00 non-refundable operating authority application fee must be submitted with this application.

Fees submitted upon approval of operating authority:

- ✓ Vehicle permit - \$50.00/vehicle
- Airport permit - \$40.00/vehicle (if applicable)
- Driver permit - \$25.00/driver (this fee is collected by the Killeen Police Department)

All drivers must go to the Killeen Police Department headquarters, *Records department*, located at 3304 Community Boulevard in Killeen to obtain a Driver Permit. The police department will require a letter of sponsorship from the company, a valid current Texas Driver's License, and a \$25.00 fee (cash only).

See Section 29-22, Driver Qualifications, for regulations/requirements on service vehicle drivers.

I, Terwan D. Crawley, applicant, do swear or affirm that all of the information included within this application is accurate, and I understand that any omitted information or information found to be inaccurate will result in the denial of this application for operating authority or the revocation of an operating authority that is granted based on the information provided in this application. I also swear or affirm that I have read and understand Chapter 29 of the Killeen City Code relating to Transportation and agree to comply with the terms as written and as may be amended.

<u>Terwan D. Crawley</u>	owner	16 Nov 2018
Signature of Applicant	Title	Date

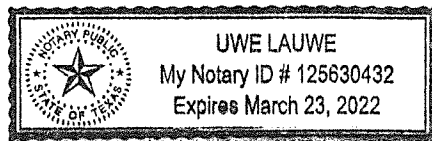
THE STATE OF TEXAS

COUNTY OF BELL

BEFORE ME, the undersigned authority, on this day appeared Terwan D. Crawley, known to me to be the person whose name is signed to the foregoing application and duly sworn by me states under oath that he/she has read the said application and that all of the facts therein set forth are true and correct.

Sworn to before me, this, 16 day of November, 2018.

[Signature]
Notary Public



Application must go to the City Council for approval and City Manager approval.



TERWAN CRAWLEY

PO BOX 940
KILLEEN, TEXAS 76540

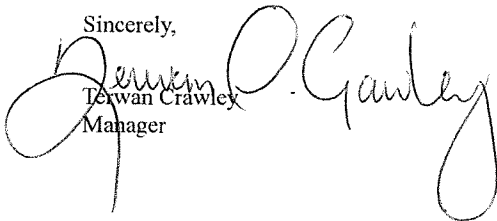
November 15, 2018

Subject: Proposed Rates

Dear Mayor and Council Members of the City of Killeen:

I, Terwan D Crawley, propose rates of service as follows: Hourly rates starting at \$85 per hour dependent upon the circumstances of requested services as well as the day of the week.
If you have any further questions or comments regarding this letter, please feel free to discuss it with me personally at 910 920-6568.

Sincerely,


Terwan Crawley
Manager



**AMBIANCE LIMOUSINE
OPERATING AUTHORITY**

RS-18-111

December 11, 2018

Ordinance Requirements

- Must obtain an operating authority from City Council by submitting an application.
- Once approved:
 - ▣ Authorities are valid for 5 years and are not transferable;
 - ▣ Vehicles must display a vehicle permit obtained from the city on each vehicle;
 - ▣ Drivers must obtain a driver's permit from PD.

Specifics and Findings

- Will operate three vehicles: a 2014 Chrysler stretch limousine and two 2011 Ford E350 vans.
- Application is complete, and complies with Chapter 29, Transportation, City of Killeen Code of Ordinances.

Financial Impact

4

- \$300.00 new operating authority application fee
- \$50.00 window sticker (per vehicle), renewed annually.

- There are no expenses to the City of Killeen.

Alternatives

5

- Approve the application and allow the limousine service to operate for a five year period
- Deny the request

Recommendation

6

- Staff recommends approval of the operating authority application from Ambiance Limousine & Transportation.



City of Killeen

Legislation Details

File #: RS-18-112 **Version:** 1 **Name:** Appointments to Boards and Commissions
Type: Resolution **Status:** Resolutions
File created: 11/21/2018 **In control:** City Council Workshop
On agenda: 12/11/2018 **Final action:**
Title: Consider a memorandum/resolution appointing citizens to Heritage Preservation Board and Killeen Volunteers, Incorporated.
Sponsors: City Secretary
Indexes:
Code sections:
Attachments: [Staff Report](#)
[Presentation](#)

Date	Ver.	Action By	Action	Result
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STAFF REPORT

DATE: December 11, 2018

TO: Ronald L. Olson, City Manager

FROM: Kathy Davis, City Attorney

SUBJECT: Boards and Commissions – Heritage Preservation Board and Killeen Volunteers, Incorporated

BACKGROUND AND FINDINGS:

The City of Killeen makes annual appointments to boards, commissions, and committees in September of each year and throughout the year as vacancies occur. The City Council made annual appointments to various Boards & Commissions at its September 11, 2018 regular meeting and filled several vacancies at its November 13, 2018 meeting. Since then, two vacancies have occurred on two separate boards.

Ms. Holly Teel submitted her resignation from the Heritage Preservation Board on October 27, 2018 creating a vacancy for an unexpired term. The City Secretary's office has received applications from citizens expressing an interest to serve on the board.

Heritage Preservation Board (All Council)

Current Member	Status	New Member	Comments
Holly Teel (unexpired 2016-19)	Resigned		Citizen Rep

Staff from Volunteer Services has notified the City Secretary's office that Olivia Winder is no longer the Chair for the Youth Advisory Commission and that Ms. Madelynn Spear has been elected by her peers on the Youth Commission to serve as the Chair. Therefore, the Youth Commission representative position on Killeen Volunteers will need to be filled with Ms. Spear as necessary. Also, on December 3, 2018, Mr. Terry Mustapher, Celebrate Killeen Chair submitted his resignation from the committee leaving the Celebrate Killeen representative position on Killeen Volunteers vacant. Until a new chair is appointed by the Celebrate Killeen board members, Ms. Angenet Wilkerson, Celebrate Killeen Co-Chair is prepared to be the Celebrate Killeen representative on Killeen Volunteers, Inc.

Killeen Volunteers, Inc. (Sub-Comm: J. Kilpatrick, D. Nash-King)

Current Member	Status	New Member	Comments
Olivia Winder	No longer Chair for YAC	Madelynn Spear	YAC Rep
Terry Mustapher	Resigned	Angenet Wilkerson	Celebrate Killeen Representative

THE ALTERNATIVES CONSIDERED:

The City Council may choose to approve the above listed appointments and complete the Boards.

The City Council may choose not to approve the above listed appointments, which would cause continued vacancies on the Boards.

CONFORMITY TO CITY POLICY:

Making these appointments conforms to relevant city ordinances and policies.

FINANCIAL IMPACT:

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

There is no current or future expenditure with these appointments.

Is this a one-time or recurring expenditure?

N/A

Is this expenditure budgeted?

N/A

If not, where will the money come from?

N/A

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

N/A

RECOMMENDATION:

It is recommended that the City Council appoint new member individuals to fill the vacancies on the Heritage Preservation Board and Killeen Volunteers, Incorporated.

DEPARTMENTAL CLEARANCES:

City Attorney

ATTACHED SUPPORTING DOCUMENTS:

N/A



APPOINTMENT OF CITIZENS TO BOARDS AND COMMISSIONS

RS-18-112

December 11, 2018

Background

2

- In August of each year the City Council begins considering the appointment and re-appointments of citizens to various boards and commissions and throughout the year as vacancies occur.
- City Council made appointments to various boards and commissions on September 11, 2018 and again on November 13, 2018.
- Since then, three vacancies have occurred on two separate boards.

□ ***Heritage Preservation Board (All Council)***

Current Member	Status	New Member	Comments
Holly Teel (Unexpired 2016-19)	Resigned		Citizen Rep

□ ***Killeen Volunteers Inc. (Sub-Comm: J. Kilpatrick, D. Nash-King)***

Current Member	Status	New Member	Comments
Olivia Winder	YAC Rep	Madelynn Spear	YAC Rep
Terry Mustapher	Resigned	Angenet Wilkerson	Celebrate Killeen Rep

Recommendation

4

- Staff recommends that City Council appoint new member individuals to fill the vacancies on the Heritage Preservation Board and Killeen Volunteers, Incorporated.



City of Killeen

Legislation Details

File #: OR-18-018 **Version:** 1 **Name:** Fireworks Ordinance Amendment
Type: Ordinance **Status:** Ordinances
File created: 11/19/2018 **In control:** City Council Workshop
On agenda: 12/11/2018 **Final action:**
Title: Consider an ordinance amending the Killeen Code of Ordinances Chapter 11, "Fire Prevention and Protection" by removing the prohibition of use and sales of fireworks within the ETJ.
Sponsors: City Attorney Department, Fire Department
Indexes:
Code sections: Sec. 11-5. - Fireworks-prohibited use
Attachments: [Staff Report](#)
[Ordinance](#)
[Presentation](#)

Date	Ver.	Action By	Action	Result
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STAFF REPORT

DATE: December 11, 2018
TO: Ronald L. Olson, City Manager
FROM: Kathryn H. Davis, City Attorney
SUBJECT: Amending of Chapter 11

BACKGROUND AND FINDINGS:

The Texas State Legislature amended the Texas Local Government Code, Section 217.042 to remove a municipality's ability to restrict fireworks within the extraterritorial jurisdiction. Our ordinance should be amended to reflect the current law.

THE ALTERNATIVES CONSIDERED:

1. Do not amend Chapter 11 regarding the sale of fireworks in the City's ETJ.
2. Amend Chapter 11 to come in to be consistent with state law.

Which alternative is recommended? Why?

City Staff recommends 2, amending Chapter 11, to be consistent with state law.

CONFORMITY TO CITY POLICY:

This amendment is in compliance with City policy.

FINANCIAL IMPACT:

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

N/A

Is this a one-time or recurring expenditure?

N/A

Is this expenditure budgeted?

N/A

If not, where will the money come from?

N/A

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

N/A

RECOMMENDATION:

City Staff recommends the amending the City's Ordinance Chapter 11 to be consistent with state law.

DEPARTMENTAL CLEARANCES:

Fire Chief
Legal

ATTACHED SUPPORTING DOCUMENTS:

Ordinance

ORDINANCE _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS, AMENDING CHAPTER 11 OF THE CODE OF ORDINANCES OF THE CITY OF KILLEEN BY AMENDING SECTION 11.5 TO NO LONGER RESTRICT FIREWORKS IN THE CITY’S ETJ; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE, AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, the City of Killeen, Texas is a home-rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and,

WHEREAS, the City of Killeen seeks to exercise its lawful authority to enact all reasonable legislation for the promotion of public welfare including the preservation of health, safety and convenience

Whereas, the state legislatures may restrict the municipality’s ability to regulate certain matters and they did so regarding the use and sale of fireworks in the Texas Local Government Code, Section 217.042,

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

SECTION I. That Chapter 11, Article 1 of the City of Killeen Code of Ordinances is hereby amended to read as follows:

Chapter 11 – FIRE PREVENTION AND PROTECTION

ARTICLE 1. – IN GENERAL

Sec. 11-5 – Fireworks – Prohibited use.

(a) Except as hereinafter provide in section 11-6, it shall be unlawful for any person to possess, store, offer for sale, sell at retail, or use or explode any fireworks within the corporate limits of the city ~~and within the area immediately adjacent and contiguous to the city limits and extending outside the city limits for a distance of five thousand (5,000) feet, unless such area is within the corporate limits of another municipality.~~

SECTION II: That all ordinances or resolutions or parts of ordinances or resolutions in conflict with the provisions of this ordinance are here by repealed to the extent of such conflict.

SECTION III: That should any section or part of any section, paragraph or clause of this ordinance be declared invalid or unconstitutional for any reason, it shall not invalidate or impair the validity, force or effect of any other section or sections or part of a section or paragraph of this ordinance.

SECTION IV: That the Code of Ordinances of the City of Killeen, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION V: That this ordinance shall be effective upon publication according to law.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Killeen, Texas, this 18th day of December, 2018, at which meeting a quorum was present, held in accordance with the provision of V.T.C.A., Government Code, §551.001 *et seq.*

APPROVED

Jose L. Segarra,, MAYOR

ATTEST:

Lucy C. Aldrich, CITY SECRETARY

APPROVED AS TO FORM:

Kathryn H. Davis, CITY ATTORNEY



AMENDING FIRE CODE –
FIREWORKS

OR-18-018

December 11, 2018

Background

- As written, ordinance restricts the possession, storage, offer for sale, sale, or use of fireworks within the city limits and ETJ
- Texas Local Government Code Section 217.042 was amended to remove a municipality's ability to prohibit fireworks in the ETJ
- We have not been enforcing ETJ restriction since the law changed, however, we should amend ordinance to match current state law

Alternatives

3

- Amend ordinance to enforce fireworks restriction only within our city limits, in accordance with current state law; or
- Leave ordinance as written, and only enforce the fireworks restriction within our city limits.

Recommendation

4

Staff recommends amending the fireworks ordinance to remove ETJ restriction, in compliance with state law.



City of Killeen

Legislation Details

File #: OR-18-019 **Version:** 1 **Name:** Weapons Ordinance Amendment
Type: Ordinance **Status:** Ordinances
File created: 11/19/2018 **In control:** City Council Workshop
On agenda: 12/11/2018 **Final action:**
Title: Consider an ordinance amending the Killeen Code of Ordinances Chapter 16, to no longer regulate the discharge of firearms in areas annexed after 1981 in accordance with state law, and to allow air-powered weapon businesses.
Sponsors: Police Department, City Attorney Department
Indexes:
Code sections: Sec. 16-43. - Discharge of firearms, Sec. 16-44. - Discharge of air powered weapons or archery device, Sec. 16-45. - Discharge of firearm near structures buildings roadways
Attachments: [Staff Report](#)
[Ordinance](#)
[Presentation](#)

Date	Ver.	Action By	Action	Result
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STAFF REPORT

DATE: December 11, 2018
TO: Ronald L. Olson, City Manager
FROM: Kathryn H. Davis, City Attorney
SUBJECT: Amendment of Chapter 16

BACKGROUND AND FINDINGS:

Current state law restricts cities from regulating the discharge of firearms or other weapons in the extraterritorial jurisdiction or in an area annexed by the city after September 1, 1981, except under certain circumstances.

In addition, our current ordinances restrict the use of air-powered weapons to such an extent as to prevent certain entertainment businesses from offering these services to patrons.

THE ALTERNATIVES CONSIDERED:

1. Maintain current ordinance which will leave us in conflict with current state law and prevent the operation of certain types of entertainment businesses that use air-powered weapons.
2. Approve the recommended amendments as presented.

Which alternative is recommended, and Why?

Staff recommends alternative 2, approve amendments as presented. This will allow the city's ordinances to be in compliance with state law and also allow air-powered type weapon businesses to open in the city.

CONFORMITY TO CITY POLICY:

These ordinance amendments are in compliance with city policies.

FINANCIAL IMPACT:

N/A

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

N/A

Is this a one-time or recurring expenditure?

N/A

Is this expenditure budgeted?

N/A

If not, where will the money come from?

N/A

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

N/A

RECOMMENDATION:

City staff recommends adopting the amendments to Chapter 16 as provided.

DEPARTMENTAL CLEARANCES:

Legal

ATTACHED SUPPORTING DOCUMENTS:

Ordinance

ORDINANCE _____

AN ORDINANCE AMENDING CHAPTER 16, ARTICLE 11, DIVISION 2 OF THE CODE OF ORDINANCES OF THE CITY OF KILLEEN, TEXAS BY AMENDING SECTION 16-44 PROVIDING FOR AIR POWERED WEAPON BUSINESS AND SECTION 16-46 PROVIDING A DEFENSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Killeen has previously adopted ordinances relating to the discharge of firearms and other weapons; and

WHEREAS, the discharge of weapons in the city limits is a public safety issue; and

WHEREAS, Texas Legislatures made an exception for certain annexed areas for weapons ordinances; and

WHEREAS, the City of Killeen seeks to allow certain air powered weapon businesses to operate, **NOW THEREFORE**

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

SECTION I. That Chapter 16, Article II, Division 2 of the City of Killeen Code of Ordinances is hereby amended to read as follows:

**Chapter 16 – MISCELLANEOUS PROVISIONS AND OFFENSES
ARTICLE II – OFFENSES AGAINST PUBLIC SAFETY**

DIVISION 2. WEAPONS

Sec. 16-41. Definition.

For the purposes of this division the following words and phrases shall have the meanings respectively ascribed to them by this section:

Air Powered Weapon shall mean any paintball gun, BB gun, pellet gun, air rifle or air pistol.

Archery Device shall mean any bow, compound bow, crossbow, crossbow pistol or any other device capable of firing an arrow or bolt.

Firearm shall mean any pistol, handgun, rifle or shotgun that fires a projectile through the combustion of gunpowder or propellant.

Indoor archery range shall mean a room, place or enclosure equipped with targets for practice with a bow, compound bow, crossbow, crossbow pistol or any other device capable of firing an arrow or bolt.

Indoor firing range shall mean a room, place or enclosure equipped with targets for practice with any BB gun, pellet gun, air rifle or pistol, gun, pistol or firearm of any description.

Shooting gallery shall be as defined in section 5-51.

Permit Holder shall mean the person to which a permit was issued or his guest(s). A person shall be assumed to be a guest if the Permit Holder is present at the permitted activity and consents to the person's presence or the person has written permission to participate in the permitted activity from the person to which the permit was issued. Written permission must include the name, date of birth and home address of the person being given permission.

Sec. 16-42. Penalty.

Unless stated otherwise, violations of this division shall be punished as provided in section 1-8.

Sec. 16-43. Discharge of Firearms.

Except as otherwise regulated by state law and this division, it shall be unlawful to discharge, other than within an indoor firing range or shooting gallery, within the city limits a firearm of any description without first obtaining a permit from the city manager.

Sec. 16-44. Discharge of Air Powered Weapons or Archery Device.

1. It shall be unlawful to discharge any air powered weapon or archery device on locations zoned other than A Agricultural, ~~or~~ A-R1 Agricultural Single Family Residential, or District B-5 Business District as part of a business establishment.
2. It shall be unlawful to discharge any air powered weapon or archery device on locations of less than 5 acres in size.
3. It shall be unlawful to discharge an air-powered weapon or archery device in a manner not reasonably likely to contain the fired projectile to the property controlled by the property owner or agent.

Sec. 16-45. Discharge of firearm near structures, buildings, roadways.

1. It shall be unlawful for any holder of a permit issued under this division to discharge any firearm within one hundred (100) yards of any occupied residence not owned or controlled by the property owner or his agent.

2. It shall be unlawful for any holder of a permit issued under this division to discharge a firearm on any property less than twenty-five (25) acres in size. It is permissible for more than one property owner to join with another property owner in permitting contiguous properties to meet the minimum acreage requirements of this section.
3. It shall be unlawful for any holder of a permit issued under this division to discharge a firearm in a manner not reasonably likely to contain the fired projectile to the permitted property.

Sec. 16-46. Exceptions.

Sections 16-43, 16-44 and 16-45 do not apply to:

- a. a peace officer lawfully acting within in the scope of the peace officer's duties;
- b. an authorized agent, officer, employee or representative of a state or federal agency lawfully acting within the scope of that person's duties;
- c. a person acting in self defense;
- d. the discharge of any firearm that does not release a projectile as part of a demonstration at a special event, function or activity, or for signal or ceremonial purposes in athletic events, or by a military organization;
- e. the use of toy bows and soft rubber tipped arrows;
- f. a person acting in defense of livestock or crops;
- g. a discharge in the city's extraterritorial jurisdiction or in an area annexed by the city after September 1, 1981, if the weapon discharged is:
 - (1) a shotgun, air rifle or pistol, BB gun, or bow and arrow discharged:
 - (a) on a tract of land of 10 acres or more and more than 150 feet from a residence or occupied building located on another property; and
 - (b) discharged in a manner not reasonably expected to cause a projectile to cross the boundary of the tract; or
 - (2) a center fire or rim fire rifle or pistol of any caliber discharged:
 - (a) on a tract of land of 50 acres or more and more than 300 feet from a residence or occupied building located on another property; and
 - (b) in a manner not reasonably expected to cause a projectile to cross the boundary of the tract.

* * * * *

SECTION II: That all ordinances or resolutions or parts of ordinances or resolutions in conflict with the provisions of this ordinance are here by repealed to the extent of such conflict.

SECTION III: That should any section or part of any section, paragraph or clause of this ordinance be declared invalid or unconstitutional for any reason, it shall not invalidate or impair the validity, force or effect of any other section or sections or part of a section or paragraph of this ordinance.

SECTION IV: That the Code of Ordinances of the City of Killeen, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION V: That this ordinance shall be effective upon publication according to law.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Killeen, Texas, this 18th day of December, 2018, at which meeting a quorum was present, held in accordance with the provision of V.T.C.A., Government Code, §551.001 *et seq.*

APPROVED

Jose L. Segarra, MAYOR

ATTEST:

Lucy C. Aldrich, CITY SECRETARY

APPROVED AS TO FORM:

Kathryn H. Davis, CITY ATTORNEY



AMENDING WEAPONS ORDINANCE

OR-18-019

December 11, 2018

Current Ordinance

2

- Only allows discharge of air-powered weapons and archery devices in agricultural and agricultural single family residential zoned property
 - ▣ Air Powered Weapons: paintball gun, BB gun, pellet gun, air rifle or air pistol
 - ▣ Archery Device: bow, compound bow, crossbow, crossbow pistol, or any other device capable of firing an arrow or bolt
- This does not allow for paintball businesses

Proposed Amendments

3

- Allow for discharge of air powered weapons and archery devices as part of a business located on property zoned B-5 Business District; and
- In accordance with state law, provide for an exception to enforcement that a restricted discharge occurred in the ETJ or in an area annexed after September 1, 1981, if the firearm or other weapon is:

Proposed Amendment, con't.

- A shotgun, air rifle or pistol, BB gun, or bow and arrow discharged:
 - on a tract of land of 10 acres or more and more than 150 feet from a residence or occupied building located on another property; and
 - In a manner not reasonably expected to cause a projectile to cross the boundary of the tract; OR
- A center fire or rim fire rifle or pistol of any caliber discharged:
 - On a tract of land of 50 acres or more and more than 300 feet from a residence or occupied building located on another property; and
 - In a manner not reasonably expected to cause a projectile to cross the boundary of the tract.

Alternatives

- Adopt amendments allowing for paintball and similar air-powered weapon businesses in Killeen, and incorporating state-mandated defenses to prosecution; or
- Leave ordinance as currently written and continue to disallow paintball and similar air-powered weapon businesses, but continue to recognize state-mandated exceptions.

Recommendation

6

Staff recommends amending the weapons ordinance to allow for air-powered weapon businesses and to incorporate state-mandated exceptions to prosecution



City of Killeen

Legislation Details

File #: OR-18-020 **Version:** 1 **Name:** Parking Ordinance Amendment
Type: Ordinance **Status:** Ordinances
File created: 11/19/2018 **In control:** City Council Workshop
On agenda: 12/11/2018 **Final action:**
Title: Consider an ordinance amending Chapter 28 Traffic, Article V. Stopping, Standing and Parking, Sec. 28-132 Parking in residential areas.
Sponsors: Police Department
Indexes:
Code sections: Sec. 28-132. - Parking in residential areas
Attachments: [Staff Report](#)
[Ordinance](#)
[Map](#)
[Presentation](#)

Date	Ver.	Action By	Action	Result
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STAFF REPORT

DATE: December 11, 2018
TO: Ronald L. Olson, City Manager
FROM: Charles Kimble, Chief of Police
SUBJECT: Parking Ordinance Amendment

BACKGROUND AND FINDINGS:

On April 10, 2018, the City Council voted to update the parking ordinance under Section 28-132, subsection b, related to large truck parking *adjacent* to residential areas to prohibit parking within 500 feet of residential areas after review by the Killeen Police Department, in concert with the Planning Department and the Legal Department. This ordinance specifically references the parking of vehicles exceeding the capacity of one (1) ton, including, but not limited to, truck tractors, on a street in the vicinity of property zoned or used for residential purposes.

The current city ordinance states it is unlawful to park a vehicle of this type *within 500 feet of* property zoned or used for residential purposes. When large commercial vehicles park near residential property, it can cause difficulty for neighborhood drivers to see around the large vehicles. The motoring public may also have to drive left of center to travel around a large vehicle parked on the roadway. Additionally, if the vehicle is a tractor with a refrigerated trailer, the vehicle can become a noise nuisance when parked near residential property.

Upon review of the current ordinance and in consideration of public safety and public nuisance abatement, in addition to alleviate concerns of citizens in the area, it is recommended that the ordinance be updated to reflect prohibited parking by a vehicle over one (1) ton within a distance of 600 feet of a residential area. Any areas with numerous violations may have *no parking* signs installed as recommended by the Public Works Department.

THE ALTERNATIVES CONSIDERED:

1. Take no action and allow the ordinance to remain unchanged.
2. Expand the distance between residential areas and parking of large commercial vehicles to 600 feet to allow a buffer for noise abatement and to increase driving safety for nearby residents.

Which alternative is recommended? Why?

Staff recommends the second alternative, which allows for driving safety and noise abatement for residents.

CONFORMITY TO CITY POLICY:

The new ordinance is a minor amendment and conforms to city policy.

FINANCIAL IMPACT:

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

N/A

Is this a one-time or recurring expenditure?

N/A

Is this expenditure budgeted?

N/A

If not, where will the money come from?

N/A

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

N/A

RECOMMENDATION:

Staff recommends Council approve the amendment to City Ordinance 28-132, making it unlawful for any person to park any vehicle having a capacity of more than one (1) ton, including, but not limited to, truck tractors, on a street within 600 feet of property zoned or used for residential purposes.

DEPARTMENTAL CLEARANCES:

Planning Department
City Attorney

ATTACHED SUPPORTING DOCUMENTS:

Ordinance
Map

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 28, ARTICLE V. OF THE CODE OF ORDINANCES OF THE CITY OF KILLEEN, TEXAS, REGARDING TRAFFIC: STOPPING, STANDING AND PARKING: PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, Ordinance 28-132 was adopted on April 10, 2018, replacing the former “Parking in residential areas” Chapter 28-132; and

WHEREAS, staff has administered traffic under the ordinance since that time; however, the ordinance needs to be refined to improve public safety and quality of life for citizens, **NOW, THEREFORE**,

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

SECTION 1. That Chapter 28, Traffic Sec. 28-132, is hereby adopted to read as follows:

Chapter 28 TRAFFIC

ARTICLE V. STOPPING, STANDING AND PARKING

Sec. 28-132. - Parking in residential areas. (a) For the purposes of this article, the following have the meanings provided herein. The word "vehicle" means every device in, upon or by which any person or property is or may be transported or drawn upon a highway, excluding light trucks used for personal family or household purposes, not modified for commercial use. The term "travel trailer" shall mean a vehicular, portable home designed as a temporary dwelling for travel, recreational and vacation uses; such homes shall be classified as a travel trailer whether or not its wheels, rollers, skids or other rolling equipment have been removed, and whether or not any addition thereto has been built on the ground; and shall also include pickup campers, converted buses, self-powered motor homes, tent trailers, tents and analogous temporary portable housing and accessory buildings. The term "light truck" shall mean a vehicle with a manufacturer's rated carrying capacity not to exceed two thousand (2,000) pounds, and is intended to include those trucks commonly known as pickup trucks,

panel delivery trucks, and carryall trucks. The term "trailer" does not include a boat trailer carrying a boat, but would include an empty boat trailer. The term "boat" shall mean a boat trailer carrying a boat.

(b) Except as otherwise provided in this article, it shall be unlawful for any person to park any vehicle having a capacity of more than one (1) ton including, but not limited to, truck tractors, within ~~500~~ 600 feet of a property zoned or used for residential purposes.

(c) It shall be unlawful for any person to park any vehicle having a capacity of more than one (1) ton on private property in any district zoned R-1, R-1A, RM-1, RT-1, R-2, R-3, R-3F, R-3A, or R-MP, excluding travel trailers and light trucks used for personal family or household purposes, not modified for commercial use, except as provided in this article.

(d) It shall be unlawful for any person to park a trailer of any capacity on a street adjacent to property zoned or used for residential purposes.

(e) It shall be unlawful for any person to park more than one (1) trailer on private property visible from any public right of way in any district zoned R-1, R-1A, RM-1, RT-1, R-2, R-3, R-3F, R-3A, or R-MP. Any trailer parked in accordance with this section shall be sixteen (16) feet or less and shall in no way encroach upon any public street or public right-of-way, including a sidewalk. For purposes of this article, the length of a trailer does not include the tongue.

(f) The provisions of this section shall not deny or make an offense for the parking of any vehicle or trailer while involved in the legitimate delivery or pickup of merchandise, goods, services or passengers to and from locations necessary for commercial purposes. A bill of lading, routing sheet, work order or other such documentation portraying the specific address to be serviced shall be sufficient evidence to exempt such vehicles. This subsection does not authorize the parking of a vehicle or trailer overnight.

SECTION II: That all ordinances or resolutions or parts of ordinances or resolutions in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

SECTION III: That should any section or part of any section or paragraph of this ordinance be declared invalid or unconstitutional for any reason, it shall not invalidate or impair the validity, force or effect of any other section or sections or part of a section or paragraph of this ordinance.

SECTION IV: That the Code of Ordinances of the City of Killeen, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION V: That this ordinance shall be effective upon publication according to law.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Killeen, Texas, on this the 18th day of December, 2018, 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

APPROVED AS TO FORM:

Kathryn H. Davis
CITY ATTORNEY

ATTEST:

Lucy C. Aldrich
CITY SECRETARY



LARGE TRUCK PARKING IN RESIDENTIAL AREAS

OR-18-020

December 11, 2018

Truck Parking

- ❑ In April of 2018, Council amended the Parking Ordinance, Section 28-132 addressing large truck parking, restricting parking from within 500 feet of areas zoned or used for residential purposes.
- ❑ City staff reviewed options defining the restriction of parking trucks over one ton within 600 feet of residential property to address continued citizen concerns, noise abatement and driving safety.
- ❑ Areas with continued violations may also have no parking signs when recommended by Public Works.



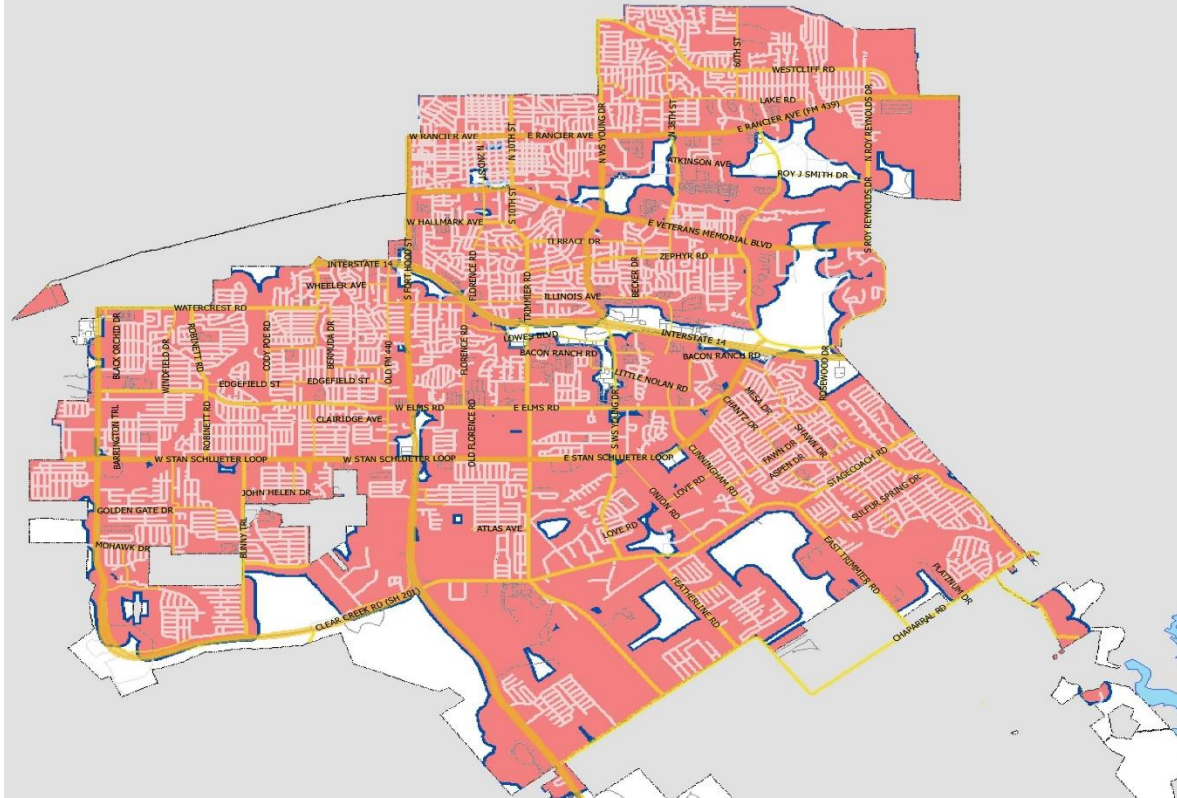
3

Truck parking on Folly Drive

Driving Safety and Noise Abatement



Restricted Parking Map



5

Residential Buffer Map

Map of proposed amendment restricting parking additional 100 feet (depicted in blue).

Alternatives

6

- ❑ Take no action, ordinance remains as is.
- ❑ Expand distance from property used as residential to 600 feet based on citizen concerns, allowing a buffer for noise abatement and driver safety.

Recommendation

7

- ❑ After due consideration of traffic safety, noise abatement and citizen concerns, the distance of 600 feet is recommended.
- ❑ Staff recommends Council approve the ordinance Chapter 28, Article V., Sec 28-132: *Parking in residential areas* as revised.



City of Killeen

Legislation Details

File #: PH-18-038 **Version:** 1 **Name:** Zoning 18-24
Type: Ordinance/Public Hearing **Status:** Public Hearings
File created: 11/26/2018 **In control:** City Council Workshop
On agenda: 12/11/2018 **Final action:**

Title: HOLD a public hearing and consider an ordinance requested by Titan Towers, L. P. on behalf of Abundant Life Church of God of Bell County, Inc. (Case #Z18-24) to rezone part of Lot 1, Block 1, Abundant Life Acres, from "R-3" (Multifamily Residential District) to "R-3" (Multifamily Residential District) with a Conditional Use Permit (C.U.P.) for a 150' tall monopole communication structure. The property is locally known as 1210 Florence Road, Killeen, Texas. (Requires a 3/4 majority vote)

Sponsors: Planning & Development Dept

Indexes:

Code sections:

Attachments: [Staff Report](#)
[Zoning Map and Notification Area](#)
[Minutes](#)
[Ordinance](#)
[Pharr vs. Tippitt](#)
[Site Plan](#)
[Opposition](#)
[Presentation](#)

Date	Ver.	Action By	Action	Result
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STAFF REPORT

DATE: December 11, 2018

TO: Ronald L. Olson, City Manager

FROM: Dr. Ray Shanaa, Exec. Dir. of Planning and Development Services

SUBJECT: ZONING CASE #Z18-24 "R-3" (MULTIFAMILY RESIDENTIAL DISTRICT)
TO "R-3" (MULTIFAMILY RESIDENTIAL DISTRICT) WITH A
CONDITIONAL USE PERMIT (C.U.P.)

BACKGROUND AND FINDINGS:

Nature of the Request:

Titan Towers, L. P. on behalf of Abundant Life Church of God of Bell County, Inc. has submitted a request to rezone part of Lot 1, Block 1, Abundant Life Acres, from "R-3" (Multifamily Residential District) to "R-3" (Multifamily Residential District) with a Conditional Use Permit (C.U.P.) for a 150' tall monopole communication structure. The property is locally known as 1210 Florence Road, Killeen, Texas.

The proposed monopole is proposed to be located approximately 155' from the west and south property lines and approximately 310' from Florence Road. The rear portion of the subject property abuts two residential areas (Rolling Acres and Swope Estates, First Extension). The proposed communication tower will be enclosed by a 50' by 50' enclosure, which will be accessed via an all-weather surface.

Criteria for Approval of a Conditional Use Permit (CUP):

Conditional Use Permits must be approved by the majority of the Planning and Zoning Commission and then by the City Council with a three-fourths affirmative vote. The City Council may approve the application with or without conditions, deny the application, postpone the matter for future consideration, or refer the application back to the Planning and Zoning Commission for further study and recommendation. The City Council may establish conditions of approval that are reasonably necessary to insure 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: Titan Towers, L. P. on behalf of Abundant Life Church of God of Bell County, Inc.

Property Location: The subject area is located at 1210 Florence Road, Killeen, Texas.

Legal Description: Lot 1, Block 1, Abundant Life Acres

Zoning/ Plat Case History:

- There is no recent zoning history for this property.
- The subject property is platted at Lot 1, Block 1, Abundant Life Acres, which was filed for record on October 26, 1996, in Cabinet C, Slide 88-B, Plat Records of Bell County, Texas.

Character of the Area:

Existing Land Use(s) on the Property: The subject property is a church site, with a surrounding mixture of commercial and residential development types.

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

Screening Requirements: Killeen Code of Ordinances Sec. 31-606, states that a communication facility "must be completely enclosed by a fence, wall, or barrier which limits climbing access to such tower and any supporting systems, lines, wires, buildings, or other structures. The facility must be fully screened from view from property used or zoned for residential use and public roadways." The applicant has expressed a desire to utilize chain-link fencing as the preferred screening material; staff is amenable with chain-link fencing only along the south and west sides of the property. The south side of the property is shielded from view by dense tree flora and the west side of the property abuts commercial uses. The north and east sides of the site must comply with the provisions of Code Sec. 31-606.

INFRASTRUCTURE AND COMMUNITY FACILITIES:**Water, Sewer and Drainage Services:**

Provider: City of Killeen

Within Service Area: Yes

Feasibility Study or Service Commitment: Upon construction, the applicant is allowed to extend a water service line to the site for fire protection.

Transportation:

Existing conditions: Ingress/ Egress to the property is via Florence Road, which is classified as a collector street (70' ROW) on the City's adopted Thoroughfare Plan.

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

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

Environmental Assessment: This property is located in a Zone X Special Flood Hazard Area (SFHA). There is a FEMA recognized watercourse, locally known as Florence Ditch Tributary, which runs from west to east along the southern most property line. Florence Ditch Tributary is located within a publically dedicated existing drainage easement. There are no known wetlands

on this parcel. Prior to leaving the city, runoff from Florence Ditch Tributary flows into Florence Ditch before it joins with South Nolan Creek near Bishop Drive. South Nolan Creek, east of Liberty Ditch, is currently listed on the TCEQ's 303(d) water quality list for impairment due to bacteria and concerns for near non-attainment for nutrients.

The property was platted in 1996. As a result, the 1993 Drainage Design Criteria applies to future development on this parcel. 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 the subject property, shall coordinate tie-in to all publicly dedicated infrastructure with the Public Works Department.

LAND USE ANALYSIS:

Land Use Plan: The land is designated as 'Residential Mix' (R-Mix) on the Future Land Use Map (FLUM) of the Comprehensive Plan. The R-Mix designation allows a mixture of residential types and densities, public/ institutional uses as well as parks and public spaces.

Plan Recommendation: The Comprehensive Plan does not address communication towers.

Consistency: The applicant's Conditional Use Permit request does not trigger a change to the Future Land Use Map (FLUM).

Public Notification: The staff notified forty-six (46) surrounding property owners within a 400' notification boundary regarding this request. Staff received one objection from Mr. and Mrs. Frederick, owners of 1405 S. 2nd Street.

THE ALTERNATIVES CONSIDERED:

Which alternative is recommended?

Staff is not recommending any alternative other than the applicant's request.

Why?

The requested Conditional Use Permit (CUP) complies with Chapter 31 of the City of Killeen Code of Ordinances.

CONFORMITY TO CITY POLICY:

This zoning request conforms to the City's policy and procedures as detailed in Chapter 31 of the Killeen Code of Ordinances.

FINANCIAL IMPACT:

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

This zoning request does not involve the expenditure of city funds.

Is this a one-time or recurring expenditure?

This is not applicable.

Is this expenditure budgeted?

This is not applicable.

If not, where will the money come from?

This is not applicable.

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

This is not applicable.

RECOMMENDATION:

The Planning and Zoning Commission by a vote of 6 to 1 recommended approval of the applicant's request for a Conditional Use Permit (C.U.P.) for a proposed 150' tall monopole communications structure, with the allowance of chain-link fencing as an acceptable screening device along the west and south project site. Commissioner Gukeisen voted in opposition.

DEPARTMENTAL CLEARANCES:

This item has been reviewed by the Planning and Legal Department.

ATTACHED SUPPORTING DOCUMENTS:

Zoning Map and Notification Area

Minutes

Ordinance

Pharr vs. Tippitt

Site Plan

Opposition



Zoning Case Notification Plan

Case Z-2018-24

Council District: 3

R-3 TO R-3 W/ CUP

1 inch = 200 feet

Subject Property Legal Description: ABUNDANT LIFE ACRES, BLOCK 001, LOT 0001

Legend



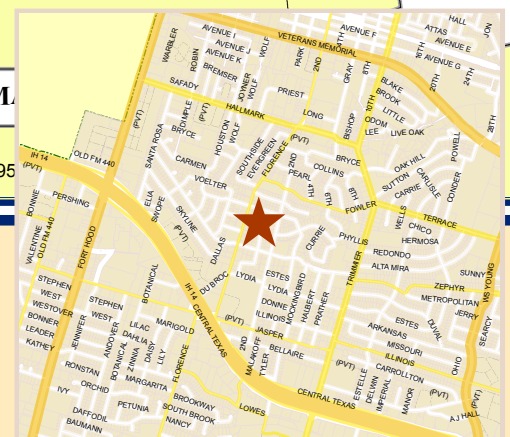
400 Ft Notification Area



Zoning Case Location



Killeen City Limits



**MINUTES
PLANNING AND ZONING COMMISSION MEETING
DECEMBER 3, 2018**

**CASE #Z18-24
“R-3” to “R-3” w/ C.U.P**

HOLD a public hearing and consider a request submitted by Titan Towers, L.P. on behalf of Abundant Life Church of God of Bell County, Inc., to rezone a part of Lot 1, Block 1, Abundant Life Acres, from “R-3” (Multifamily Residential District) to “R-3” (Multifamily Residential District) with a Conditional Use Permit (C.U.P.) for a 150’ tall communication structure. The subject area is located at 1210 Florence Road, Killeen, Texas.

Chairman Peters requested staff comments.

Assistant Director, Tony McIlwain stated this request was submitted by Titan Towers, L. P. on behalf of Abundant Life Church of God of Bell County, Inc. to rezone part of Lot 1, Block 1, Abundant Life Acres, from “R-3” (Multifamily Residential District) to “R-3” (Multifamily Residential District) with a Conditional Use Permit (C.U.P.) for a 150’ tall monopole communication structure. The property is located at 1210 Florence Road, Killeen, Texas.

Mr. McIlwain stated that the monopole is proposed to be located approximately 155’ from the west and south property lines and approximately 310’ from Florence Road. The rear portion of the subject property abuts two residential areas (Rolling Acres and Swope Estates, First Extension). The proposed communication tower will be located within a 50’ by 50’ enclosure, which will be accessed via an all-weather surface. The adjacent residential areas are zoned “R-1” (Single-Family Residential District) and “R-3” (Multifamily Residential District).

Mr. McIlwain stated that staff notified forty-six (46) surrounding property owners within a 400’ notification boundary regarding this request. One response in opposition was received from Mr. and Mrs. Johnny Frederick, 1405 S. 2nd Street, Killeen, Texas.

Staff recommended approval of the applicant’s request for a Conditional Use Permit (C.U.P.) for the proposed 150’ tall monopole communications structure with the allowance of chain-link fencing as an acceptable screening for the west and south sides of the project site.

Mr. Laddie Galloway, Titan Towers, P.O. Box 6060, Abilene, Texas, was present to represent this request.

Chairman Peters opened the public hearing.

Mr. Johnny Frederick, 1405 S. 2nd Street, Killeen, Texas, spoke in opposition and stated that this would be an eyesore to the area and that there is an existing tower located at Nolan Middle School.

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

Commissioner Cooper motioned to recommend approval of the request with the fencing requirement added as a condition. Commissioner Holly seconded, and the motion passed by a vote of 6 to 1. Commissioner Gukeisen voted in opposition.

Chairman Peters stated that the request will be forwarded to City Council with a recommendation to approve. Mr. McIlwain stated that the request will have to be approved by a super majority vote.

ORDINANCE _____

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF KILLEEN BY CHANGING THE ZONING OF PART OF LOT 1, BLOCK 1, ABUNDANT LIFE ACRES, FROM “R-3” (MULTIFAMILY RESIDENTIAL DISTRICT) TO “R-3” (MULTIFAMILY RESIDENTIAL DISTRICT) WITH A CONDITIONAL USE PERMIT” (C.U.P.) FOR A 150’ MONONPOLE COMMUNICATION STRUCTURE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Titan Towers, L.P. on behalf of Abundant Life Church of God of Bell County, Inc. 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 part of Lot 1, Block 1, Abundant Life Acres, from “R-3” (Multifamily Residential District) to “R-3” (Multifamily Residential District) with a Conditional Use Permit (C.U.P.) for a 150’ tall monopole communication structure, said request having been duly recommended for approval by the Planning and Zoning Commission of the City of Killeen on the 3rd day of December 2018, with the following condition: that chain-link fencing is acceptable for a screening device along the west and south site boundary; 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 18th day of December 2018, 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 $\frac{3}{4}$ majority opinion that the applicant’s zoning request should be approved subject to the condition as stipulated by the Planning and Zoning Commission;

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

SECTION I. That the zoning classification of part of Lot 1, Block 1, Abundant Life Acres, being locally known as 1210 Florence Road, Killeen, Texas, be changed from “R-3” (Multifamily Residential District) to “R-3” (Multifamily Residential District) with a Conditional Use Permit (C.U.P.) for a 150’ tall monopole communication structure.

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 18th day of December 2018, 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:

Lucy C. Aldrich, CITY SECRETARY

APPROVED AS TO FORM

Kathryn H. Davis, City Attorney

Case #18-24

Ord. #18-__

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?

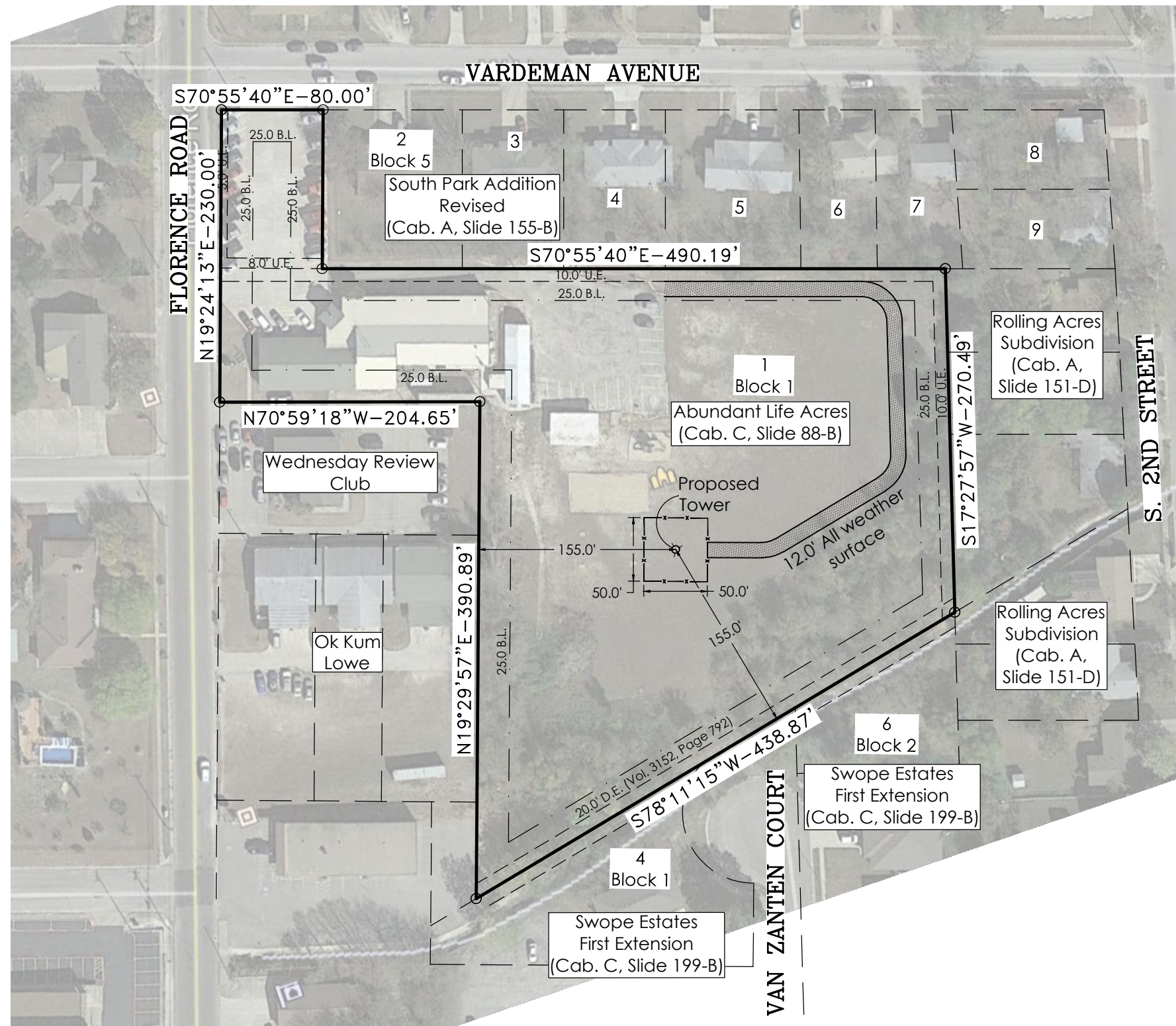
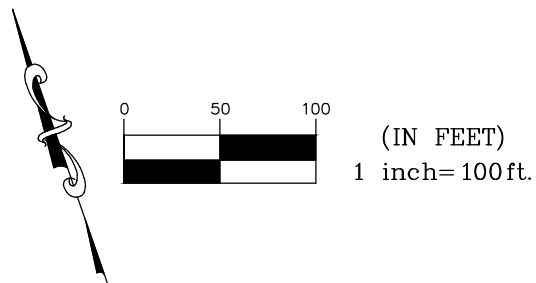
Any other factors which will substantially affect the health, safety, morals or general welfare.

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.



NOTE:

1. Boundary shown is based on record information and is not intended to represent an on the ground survey.
2. Screening shall be provided on the north and east sides of the Communication Facility, in accordance with Sec. 31-606 of the City of Killeen Code of Ordinances.

No.	DATE	REVISIONS	REMARKS	AR BY
1	10/30/18		ADD NOTE 2	AR

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LOT 1, BLOCK 1
ABUNDANT LIFE ACRES
KILLEEN, BELL COUNTY, TEXAS

TOWER SITE PLAN
 CONDITIONAL USE PERMIT

SHEET TITLE:

MITCHELL & ASSOCIATES, INC.
 ENGINEERING & SURVEYING
 102 N. COLLEGE STREET
 KILLEEN, TEXAS 76541
 PHONE: (254) 634-5541 FAX: (254) 634-2141
 TEXAS BOARD OF PROFESSIONAL ENGINEERS FIRM REGISTRATION NO. 3241
 T. B. P. L. S. FIRM REGISTRATION NO. 100204-00

DATE: June 18	AREA: **Ac.	REF.: 1345-D
SCALE: AS SHOWN	LOTS: 1	DWG# 18-161-B-X
DWN BY: FRB	BLK: 1	SHEET C1

Johnny & Kim Frederick
1405 S. 2nd St.
Killeen TX 76541

Planning and Zoning Commission

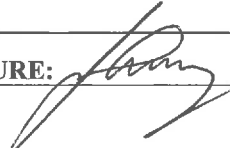
I am writing to oppose the rezoning request Case #Z18-24.
This is a residential area with very few businesses located along Florence Rd.
This 150ft tower will be an eyesore to the area and is not needed .
There is already a Tower at Nolan Middle school about 2000ft south of the proposed location.
The city requires a distance of 3000ft between Billboards and off premise signs.
This request is too close to an existing tower if a new antenna is needed they should co-locate on an existing tower.
This location is also right along a creek I would think for a tower to be of the best use it would be on high ground.
Pharr v Tippit requires there be a public need and that the rezoning be compatible with the surrounding neighborhood and this does not .

Thank you for your consideration



Johnny Frederick

-----CUT HERE-----

YOUR NAME: <i>Johnny Frederick</i>	PHONE NUMBER: <i>554-1124</i>
CURRENT ADDRESS: <i>1405 S. 2nd Killeen TX 76541</i>	
ADDRESS OF PROPERTY OWNED: <i>Same</i>	
"R-3" to "R-3" w/C.U.P.	
COMMENTS: <i>Oppose</i>	RECEIVED
<i>See Att.</i>	NOV 3 0 2016
	PLANNING
SIGNATURE: 	SPO #Z18-24/ <i>23</i>



ZONING CASE #Z18-24 “R-3” TO “R-3”
WITH A C.U.P.

PH-18-038

December 11, 2018

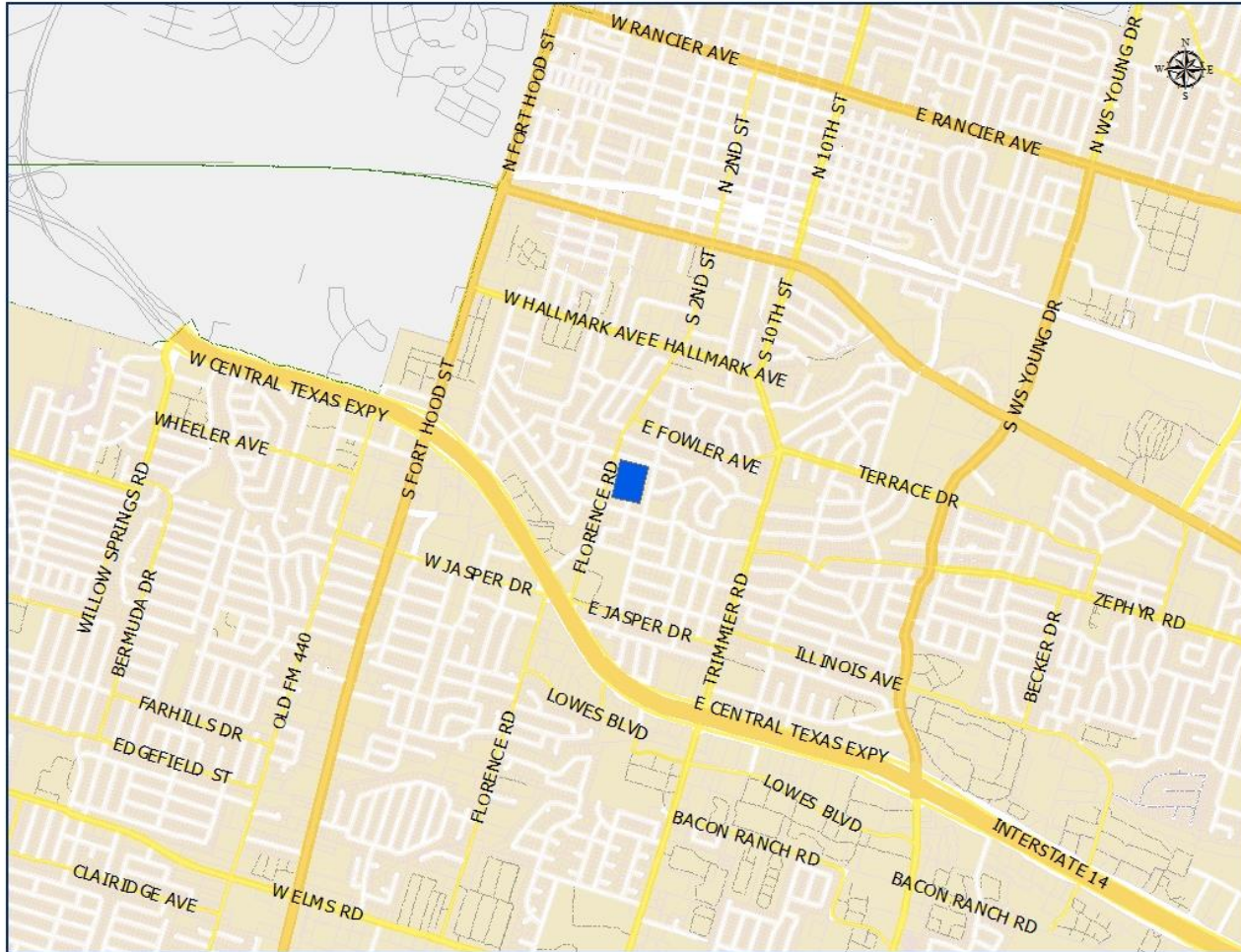
Case #Z18-24 - “R-3” to “R-3” with a C.U.P.

2

- Titan Towers, L.P. has submitted this request on behalf of Abundant Life Church of God of Bell County, Texas to rezone part of Lot 1, Block 1, Abundant Life Acres, from “R-3” (Multifamily Residential District) to “R-3” (Multifamily Residential District) with a Conditional Use Permit (C.U.P.) for a 150’ tall monopole communication structure.
- The property is locally known as 1210 Florence Road, Killeen, Texas.

Case #Z18-24 - "R-3" to "R-3" with a C.U.P.

3



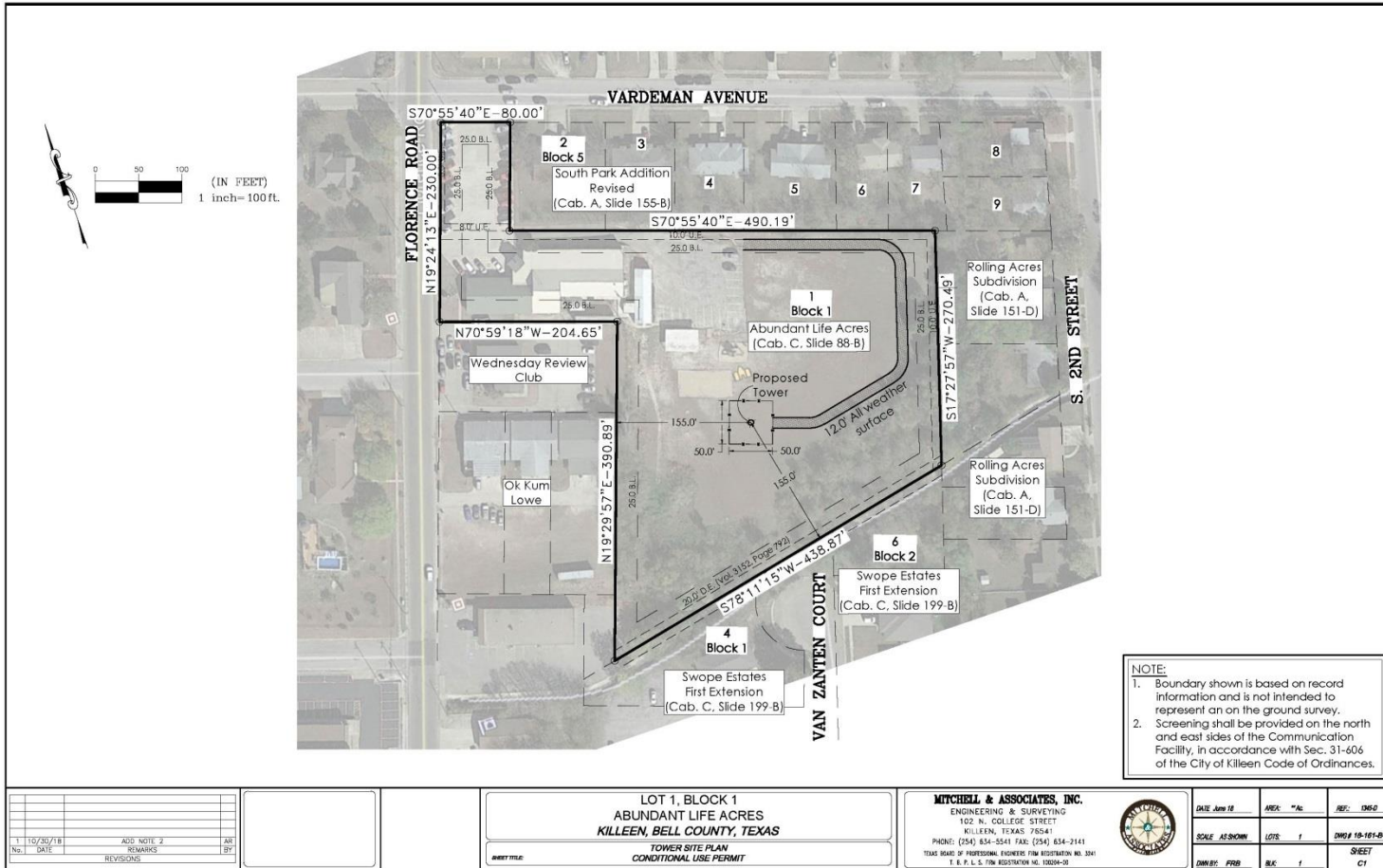
Case #Z18-24 - “R-3” to “R-3” with a C.U.P.

4

- The monopole is proposed to be located approximately 155’ from the west and south property lines and approximately 310’ from Florence Road.
- The monopole will be located within a 50’ by 50’ enclosure, which will be accessed via an all-weather surface.

Case #Z18-24 - "R-3" to "R-3" with a C.U.P.

5



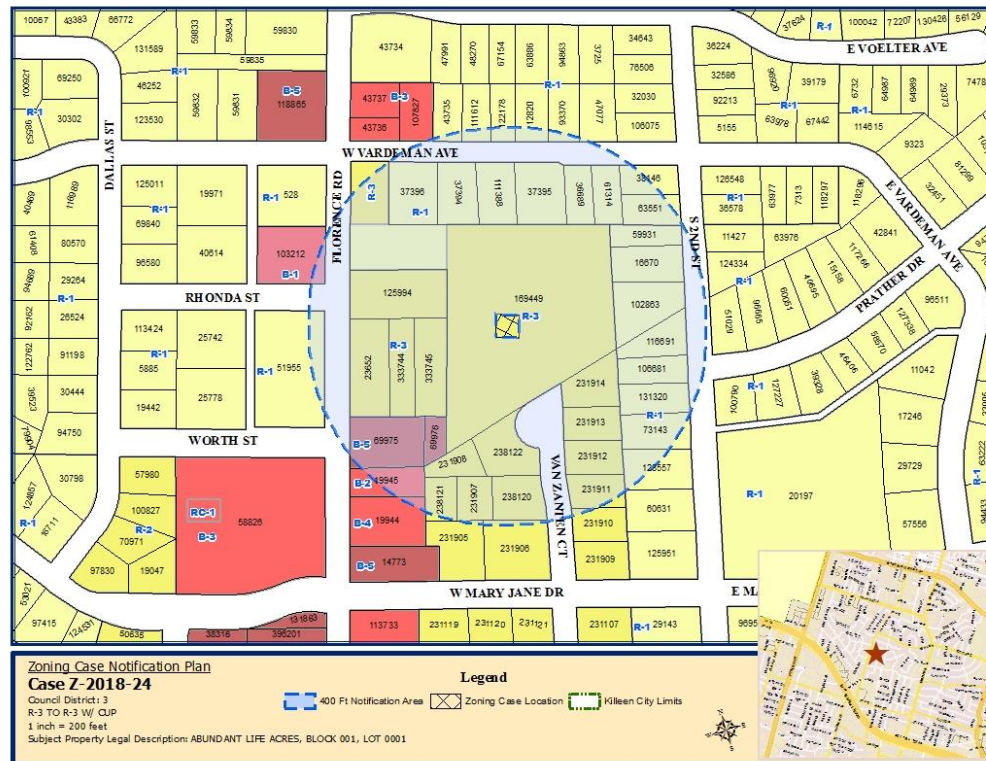
Case #Z18-24 - “R-3” to “R-3” with a C.U.P.

6

- The land is designated as ‘Residential Mix’ (R-Mix) on the Future Land Use Map (FLUM) of the Comprehensive Plan.
- The R-Mix designation allows a mixture of residential types and densities, public/ institutional uses as well as parks and public spaces.
- The applicant’s Conditional Use Permit request does not trigger a change to the Future Land Use Map (FLUM).

Case #Z18-24 - "R-3" to "R-3" with a C.U.P.

The staff notified forty-six (46) surrounding property owners within the 400' notification boundary. Staff received one (1) protest from the Fredericks, who owns 1405 S. 2nd Street, Killeen, Texas.



Case #Z18-24 - “R-3” to “R-3” with a C.U.P.

8

- The Planning and Zoning Commission (by a vote of 6 to 1) recommended approval of the applicant’s request for a Conditional Use Permit (C.U.P.) for a proposed 150’ tall monopole communications structure with the allowance of chain-link fencing as an acceptable screening device along the west and south project site.



City of Killeen

Legislation Details

File #: PH-18-039 **Version:** 1 **Name:** Zoning 18-25
Type: Ordinance/Public Hearing **Status:** Public Hearings
File created: 11/26/2018 **In control:** City Council Workshop
On agenda: 12/11/2018 **Final action:**
Title: HOLD a public hearing and consider an ordinance requested by the Killeen Independent School District (KISD) (Case #Z18-25) to rezone approximately 67.506 acres out of the J.D. Allcorn Survey, Abstract No. 25, from "A" (Agricultural District) to "R-1" (Single-Family Residential District) for a future public school site. The subject area is located northeast of the intersection of Chaparral Road and Cedar Ridge Circle, Killeen, Texas.
Sponsors: Planning & Development Dept
Indexes:
Code sections:
Attachments: [Staff Report](#)
[Zoning Map and Notification Area](#)
[Minutes](#)
[Ordinance](#)
[Pharr vs. Tippitt](#)
[Presentation](#)

Date	Ver.	Action By	Action	Result
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STAFF REPORT

DATE: December 11, 2018

TO: Ronald L. Olson, City Manager

FROM: Dr. Ray Shanaa, Exec. Dir. of Planning and Development Services

SUBJECT: ZONING CASE #Z18-25 "A" (AGRICULTURAL DISTRICT) TO "R-1"
(SINGLE-FAMILY RESIDENTIAL DISTRICT)

BACKGROUND AND FINDINGS:

Nature of the Request:

The Killeen Independent School District (KISD) has submitted a request to rezone approximately 67.506 acres out of the J.D. Allcorn Survey, Abstract No. 25, from "A" (Agricultural District) to "R-1" (Single-Family Residential District) for a future public school site. The subject area is located northeast of the intersection of Chaparral Road and Cedar Ridge Circle, Killeen, Texas.

Property Specifics:

Applicant/Property Owner: Killeen Independent School District (KISD)

Property Location: The subject area is located northeast of the intersection of Chaparral Road and Cedar Ridge Circle, Killeen, Texas.

Legal Description: 67.506 acres out of the J.D. Allcorn Survey, Abstract No. 25

Zoning/ Plat Case History:

- The "A" zoning for his property has been in place since its annexation into the City.
- The subject property is not platted.

Character of the Area:

Existing Land Use(s) on the Property: The subject property is undeveloped and located north and south of existing single family communities.

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

INFRASTRUCTURE AND COMMUNITY FACILITIES:

Water, Sewer and Drainage Services:

Provider: City of Killeen

Within Service Area: Yes

Feasibility Study or Service Commitment: Upon construction, the applicant shall be required to extend the necessary municipal infrastructure to the site.

Transportation:

Existing conditions: Ingress/ Egress to the property is via Chaparral Road, which is classified as a 110' wide Minor Arterial on the City's adopted Thoroughfare Plan.

Proposed Improvements: Upon platting and submission of development plans for this property, staff will engage with the applicant to discuss right-of-way dedication and any other transportation related improvements directly proportionate to the impact of the development.

Projected Traffic Generation: Undetermined at this time.

Environmental Assessment: The property does not lie within a FEMA regulatory Special Flood Hazard Area (SFHA). Currently, sheet flow runoff exits this parcel in three primary ways. Approximately 6.8 acres flows through a drainage easement northward into existing drainage infrastructure in the Yowell Ranch subdivision between Lots 28 and 29, Block 6, before entering Yowell Creek Tributary. Additionally approximately 6.7 acres flows in a northwesterly direction before turning north and entering a drainage easement into existing drainage infrastructure in the Yowell Ranch subdivision between Lots 41 and 42, Block 6, before entering Yowell Creek Tributary. The receiving drainage infrastructure in Yowell Ranch flows north into Yowell Creek before entering Chaparral Creek. Finally, approximately 50 acres flows south to a low area along the southern property line, before leaving the City and entering the adjacent Cedar Ridge Phase #2 and #3 subdivisions. It is important to note that there is no existing drainage easement in the adjacent subdivisions that connects the KISD property to the existing drainage infrastructure within the Cedar Ridge Phase #2 and #3 subdivisions. Once the sheet flow from the KISD parcel passes through the Cedar Ridge Phase #2 and #3 subdivisions, it flows into Chaparral Creek before re-entering the city. The remaining approximate 4 acres sheet flows along the eastern property boundary. From there, half of it sheet flows north to Yowell Creek Tributary, where it then follows the same path as the flow from between Lots 28 and 29, Block 6, of the Yowell Ranch subdivision. The other half sheet flows south into Chaparral Creek where it then follows the same path as the flow that passes through the Cedar Ridge Phase #2 and #3 subdivisions.

Currently, Chaparral Creek outfalls into the Trimmier Creek SFHA before leaving the City of Killeen and entering Stillhouse Hollow Lake. Water quality within the Trimmier Creek watershed is currently improving. Trimmier Creek was identified by the TCEQ in 2010 as impaired for bacteria and concern for near non-attainment for impaired microbenthic community. Trimmier Creek was later delisted for bacteria impairment in 2014 and will be delisted for concern for near non-attainment for impaired microbenthic community with the adoption of the 2016 303(d) list. There are no known wetlands on this parcel.

At the time of development, the current Drainage Design Manual (DDM), post construction requirements, and infrastructure design and development standards will be applicable to this site. 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 the subject property, shall coordinate tie-in to all publicly dedicated infrastructure with the Public Works Department.

LAND USE ANALYSIS:

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

Plan Recommendation: The 'General Residential' designation encourages detached residential dwellings, attached housing types, planned developments, public/ institutional uses as well as parks and public spaces.

Consistency: Consistent

Public Notification: The staff notified one hundred and forty-two (142) surrounding property owners within a 400' notification boundary regarding this request. Staff received no objections.

THE ALTERNATIVES CONSIDERED:

Which alternative is recommended?

Staff is not recommending any alternative other than the applicant's request.

Why?

The request complies with the Comprehensive Plan.

CONFORMITY TO CITY POLICY:

This zoning request conforms to the City's policy and procedures as detailed in Chapter 31 of the Killeen Code of Ordinances.

FINANCIAL IMPACT:

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

This zoning request does not involve the expenditure of city funds.

Is this a one-time or recurring expenditure?

This is not applicable.

Is this expenditure budgeted?

This is not applicable.

If not, where will the money come from?

This is not applicable.

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

This is not applicable.

RECOMMENDATION:

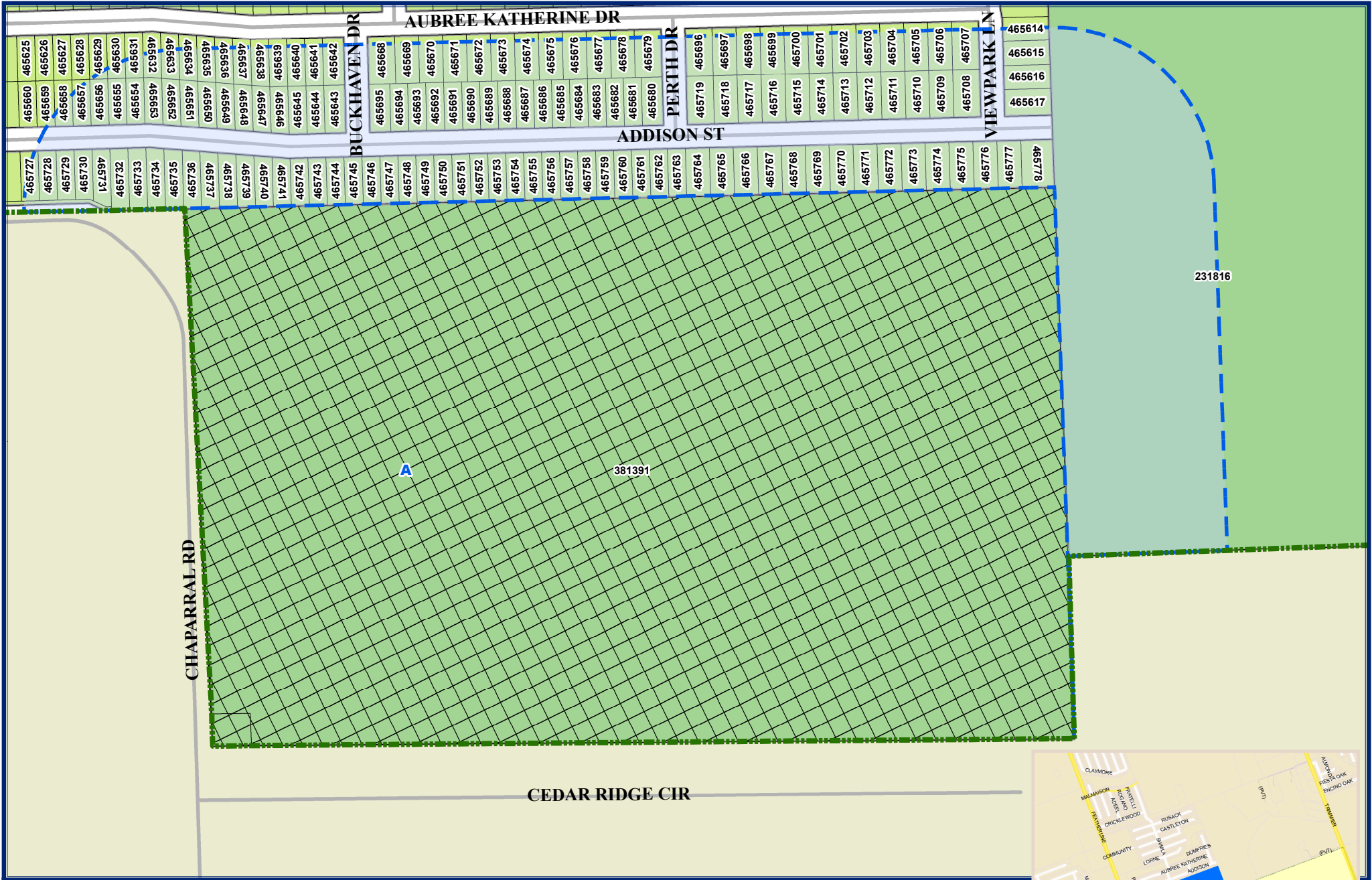
The Planning and Zoning Commission recommended approval of the applicant's request by a vote of 7 to 0.

DEPARTMENTAL CLEARANCES:

This item has been reviewed by the Planning and Legal Departments.

ATTACHED SUPPORTING DOCUMENTS:

Zoning Map and Notification Area
Minutes
Ordinance
Pharr vs. Tippitt



Zoning Case Notification Plan

Case Z-2018-25





Council District: 2

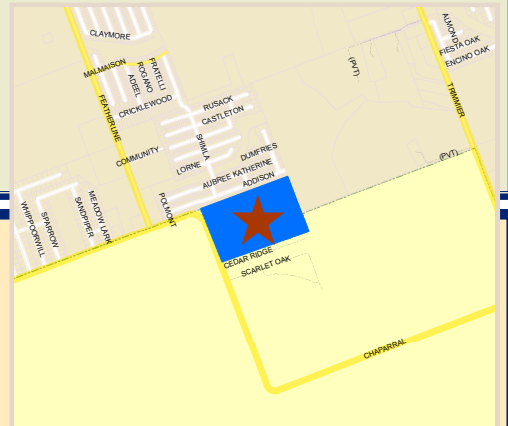
ZONING FROM: A ZONING TO: R-1

1 inch = 322 feet

Subject Property Legal Description: A0025BC J D ALLCORN, ACRES 67.504

Legend

	400 Ft Notification Area		Killeen City Limits
	Zoning Case Location		Bell County Area



**MINUTES
PLANNING AND ZONING COMMISSION MEETING
DECEMBER 3, 2018**

**CASE #Z18-25
“A” to “R-1”**

HOLD a public hearing and consider a request submitted by Cunningham-Allen, Inc. on behalf of the Killeen Independent School District (KISD), to rezone approximately 67.506 acres, being out of the J. D. Allcorn Survey, Abstract No. 25, from “A” (Agricultural District) to “R-1” (Single-Family Residential District) for a future public school site. The property is located on the northeast corner of Chaparral Road and Cedar Ridge Circle, Killeen, Texas.

Chairman Peters requested staff comments.

Assistant Director, Tony McIlwain stated this request is to rezone approximately 67.506 acres out of the J.D. Allcorn Survey, Abstract No. 25, from “A” (Agricultural District) to “R-1” (Single-Family Residential District) for a future public school site. The subject area is located northeast of the intersection of Chaparral Road and Cedar Ridge Circle, Killeen, Texas.

Mr. McIlwain stated that staff notified one hundred and forty-two (142) surrounding property owners within a 400’ notification boundary regarding this request. Staff received one response in support from Mr. Bruce Whitis, 3000 Illinois Avenue.

Staff recommends approval of the applicant’s request.

Mr. Elias Haddad, Cunningham-Allen, 3103 Bee Cave Road, Austin, Texas was present to represent this request.

Chairman Peters opened the public hearing.

Mr. Rodney Robinson, 3618 Addison Street, Killeen, Texas, stated that he had concerns with Chaparral Road, increase in traffic and students using the neighborhood as a shortcut.

Commissioner Cooper asked that when they plan the school layout to take into consideration egress and ingress and the location where students are dropped off and picked up.

Mr. Haddad stated that a Traffic Impact Analysis (TIA) will be done.

Commissioner Gukeisen had drainage concerns.

Mr. McIlwain stated that this is the first part of the process and when the plat is submitted, they will have to meet all the requirements and address any concerns.

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

Commissioner Latham motioned to recommend approval of the request. Commissioner Cooper seconded, and the motion passed by a vote of 7 to 0.

Chairman Peters stated that the request will be forwarded to City Council with a recommendation to approve.

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.

ORDINANCE _____

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF KILLEEN BY CHANGING THE ZONING OF APPROXIMATELY 67.506 ACRES OUT OF THE J.D. ALLCORN SURVEY, ABSTRACT NO. 25, FROM “A” (AGRICULTURAL DISTRICT) TO “R-1” (SINGLE-FAMILY RESIDENTIAL DISTRICT) FOR A FUTURE PUBLIC SCHOOL SITE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Killeen Independent School District (KISD) 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 67.506 acres out of the J.D. Allcorn Survey, Abstract No. 25, from “A” (Agricultural District) to “R-1” (Single-Family Residential District) for a future public school site, said request having been duly recommended for approval by the Planning and Zoning Commission of the City of Killeen on the 3rd day of December 2018, 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 18th day of December 2018, 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 applicant’s zoning request should be approved subject to the condition as stipulated by the Planning and Zoning Commission;

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

SECTION I. That the zoning classification of approximately 67.506 acres out of the J.D. Allcorn Survey, Abstract No. 25, be changed from “A” (Agricultural District) to “R-1” (Single-Family Residential District), for property located northeast of the intersection of Chaparral Road and Cedar Ridge Circle, 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 18th day of December 2018, 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:

Lucy C. Aldrich, CITY SECRETARY

APPROVED AS TO FORM

Kathryn H. Davis, CITY ATTORNEY

Case #18-25

Ord. #18-____



ZONING CASE #Z18-25 "A" TO "R-1"

PH-18-039

December 11, 2018

Case #Z18-25 - “A” to “R-1”

2

- The Killeen Independent School District (KISD) has submitted this request to rezone 67.506 acres out of the J.D. Allcorn Survey, Abstract No. 25, from “A” (Agricultural District) to “R-1” (Single-Family Residential District) for a future school site.
- The property is located northeast of the intersection of Chaparral Road and Cedar Ridge Circle, Killeen, Texas.

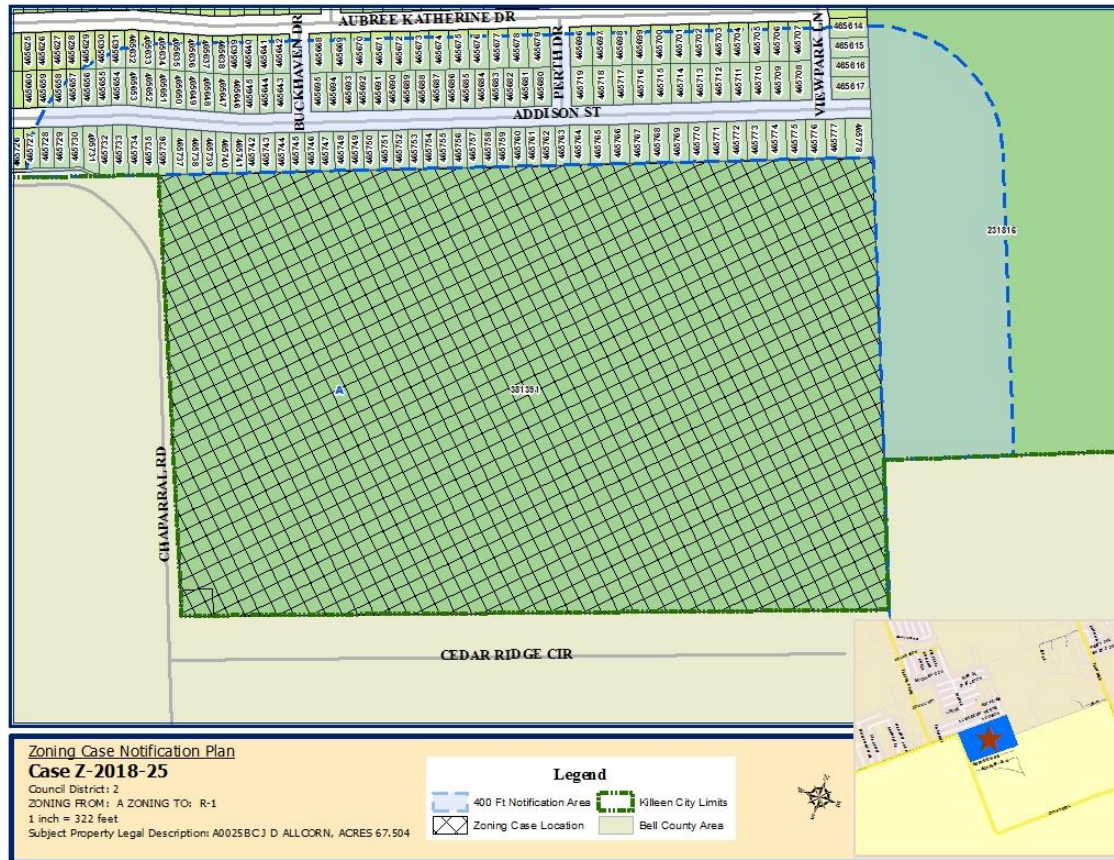
Case #Z18-25 - “A” to “R-1”

4

- The property is designated as ‘General Residential’ on the City’s FLUM.
- The ‘General Residential’ designation encourages detached residential dwellings, attached housing types, planned developments, public/ institutional uses as well as parks and public spaces.

Case #Z18-25 - "A" to "R-1"

The staff notified one hundred and forty-two (142) surrounding property owners within the 400' notification boundary and received no protests.



Case #Z18-25 - “A” to “R-1”

6

- The Planning and Zoning Commission recommend approval of the applicant’s request by a vote of 7 to 0.



City of Killeen

Legislation Details

File #: PH-18-040A **Version:** 1 **Name:** Intergovernmental Support Agreement with the U.S. Army Garrison at Fort Hood

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

File created: 11/26/2018 **In control:** City Council Workshop

On agenda: 12/11/2018 **Final action:**

Title: Consider a memorandum/resolution approving an Intergovernmental Support Agreement with the U.S. Army Garrison at Fort Hood.

Sponsors: Aviation Department

Indexes:

Code sections:

Attachments: [Staff Report](#)
[Agreement](#)
[Presentation](#)

Date	Ver.	Action By	Action	Result
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STAFF REPORT

DATE: December 11, 2018

TO: Ronald L. Olson, City Manager

FROM: Matthew Van Valkenburgh A.A.E., Executive Director of Aviation

SUBJECT: APPROVAL OF AN INTERGOVERNMENTAL SUPPORT AGREEMENT WITH THE U.S. ARMY GARRISON AT FORT HOOD FOR MAINTENANCE ON ROBERT GRAY ARMY AIRFIELD

BACKGROUND AND FINDINGS:

In April 2016, the Department of Defense sponsored a series of workshops at Fort Hood to introduce a program in which local communities could provide various services to military installations which would benefit both entities. Throughout May/June 2016, the City of Killeen engaged in discussions with Fort Hood to explore the benefits of potentially entering into a variety of Intergovernmental Support Agreements (IGSA) with the Fort Hood Installation. These types of agreements were made possible by the program's establishment via the 2013 National Defense Authorization Act (Act). The Act established the IGSA program as a way of ensuring the needs of military installations throughout the country were met, while strengthening local relationships and saving the Federal Government funds. Under the IGSA, military installations are authorized to enter into agreements with local governments to provide necessary services to the installations. The IGSA removes many historical obstacles to these types of relationships, including: 1) authorization to sole-source services from public entities; 2) using wage grades normally paid by public entities 3) establishing multi-year agreements; 4) paying for services using operations and maintenance funds; and, 5) removing the requirement that IGSA's must follow Federal Acquisition Regulations (FAR), which are administratively burdensome and, therefore, increase the cost associated with working for a Federal agency. In short, these Public-Public Partnerships are designed to create efficiencies, cost savings and build stronger ties between installations and communities.

As part of these discussions, Fort Hood identified several needs for preventative maintenance on Robert Gray Army Airfield (RGAAF). These areas include airfield marking maintenance, which is the painting, routine maintenance, and upkeep of all surface markings for the runways and taxiways (movement areas) of RGAAF; and, pavement maintenance, which is minor asphalt and concrete repair and preventative maintenance of the runways, taxiways, and aprons. Discussions between Killeen Department of Aviation (KDOA) staff and RGAAF management identified RGAAF needs and expectations as well as KDOA capabilities and limitations. Following refinement of the scope of work, KFHR staff developed capital and recurring costs associated with such an endeavor and presented a draft IGSA document to the Fort Hood Garrison for review and discussion.

Following several review/discussion cycles, Fort Hood completed their reviews and forwarded the proposed program and agreement through the Army Installation Management Command which subsequently approved the agreement.

THE ALTERNATIVES CONSIDERED:

Alternatives considered: (1) approve the IGSA with the U.S. Army Garrison - Fort Hood, or (2) not approve the agreement.

Which alternative is recommended? Why?

Staff recommends alternative 1. The IGSA is a win-win for both organizations. The Army will be getting scheduled, preventative airfield maintenance at a savings and the KFHRA will receive additional revenues. The agreement assures the airfield will remain in excellent condition and be maintained annually by a professional maintenance team. The KDOA has a proven track record managing projects and work for projects at RGAAF and a staff / engineering team with knowledge and working relationships with Fort Hood that will be invaluable for success of the agreement.

CONFORMITY TO CITY POLICY:

Yes

FINANCIAL IMPACT:

This agreement has revenue and expenditures for each year of the agreement; the revenue for the agreement will increase contractually 2% per annum for the duration of the agreement. The initial year of the agreement provides revenues of approximately \$517,540.

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

Approximately \$463,978; similar for future years but will vary dependent upon material, equipment, and personnel costs.

Is this a one-time or recurring expenditure?

Recurring for each year of the agreement, however, the expenditure will vary dependent upon material, equipment, and personnel costs.

Is this expenditure budgeted?

A budget amendment is required.

If not, where will the money come from?

N/A

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

Upon approval of the budget amendment.

RECOMMENDATION:

Approve an Intergovernmental Support Agreement with the U.S. Army Garrison at Fort Hood at Robert Gray Army Airfield / Killeen-Fort Hood Regional Airport and authorize the City Manager or designee to execute same as well as any and all amendments as allowed per federal, state, or local law.

DEPARTMENTAL CLEARANCES:

Finance

Legal

ATTACHED SUPPORTING DOCUMENTS:

Agreement

INTERGOVERNMENTAL SUPPORT AGREEMENT (IGSA)
BETWEEN THE
UNITED STATES
AND CITY OF KILLEEN, TEXAS

This is an Intergovernmental Support Agreement (hereafter referred to as the IGSA or Agreement) between the United States and the City of Killeen (hereafter referred to as the CITY) is entered into pursuant to federal law codified at 10 USC 2679. The statute authorizes the Secretary of the Army to enter into an IGSA on a sole source basis with a state or local government to receive installation support and services. The Secretary of the Army has delegated authority to the Garrison Commander, US Army Garrison-Ft. Hood (hereafter GC), to execute agreements on behalf of the United States.

The purpose of this IGSA is to outline the roles and responsibilities of the parties, identify the services to be furnished by the City, the prices to be paid by the United States, and the appropriate reimbursement and quality control procedures. The parties undertake this Agreement in order to provide services, supplies or construction to the United States, to achieve cost savings for the Department of the Army, and to provide additional revenues to local governments and their work forces.

RESPONSIBILITIES OF THE PARTIES:

The CITY shall perform the installation support services as stated in this IGSA. The term “installation support services” only includes services, supplies, resources and support typically provided by a local government for its own needs and without regard to whether such services, supplies resources, and support are provided to its residents generally, except that the term does not include security guard or firefighting services.

This is a non-personal services agreement. Each party is responsible for all costs of its personnel including pay, benefits, support and travel. Each party is responsible for supervision or management of its personnel.

The tasks, duties and responsibilities set forth in this IGSA may not be interpreted or implemented in any manner that results in CITY personnel creating or modifying federal policy, obligating appropriated funds of the United States, or overseeing the work of federal employees. Under no circumstances, shall CITY employees or contractors be deemed federal employees. If the CITY shall provide services through a contract, the contract must be awarded through competitive procedures. (This requirement does not apply to collective bargaining agreements between the CITY and its employees.) Employees of the United States may not perform services for or on behalf of the CITY without the approval of the GC.

SUMMARY OF SERVICES AND PRICE:

Year	Price
Base Period – First five years of execution	
Year 1	\$517,752
Year 2	\$528,107
Year 3	\$538,669
Year 4	\$549,443
Year 5	\$560,432
Option Years – Five years following conclusion of Base	
Option Year 6	\$571,641
Option Year 7	\$583,073
Option Year 8	\$594,735
Option Year 9	\$606,629
Option Year 10	\$618,762

Services and schedule are detailed in Attachment 1, Scope of Work. Additional task-order work may be contracted with the City at rates listed in Attachment 2, “Additional Work Task Order Matrix,” and paid for as discussed in paragraph “PAYMENT,” below.

TERM OF AGREEMENT: The term of this agreement shall be for five years from the execution of the Agreement by the GC, and renewable for successive one-year periods for five additional years, contingent on the appropriation of adequate funds by act of Congress. The United States shall only be obligated for an additional year of performance upon receipt of such funds, and only upon written notice by the GC of an intent to award the option for an additional year of performance. The GC shall provide notice of the renewal of the IGSA at least 10 days prior to the expiration of then current performance period. The GC may condition the renewal upon availability of funds, and may suspend performance of the renewed period at no additional cost to the United States, until adequate funds have been received. If funds are not received, the parties agree that the Agreement can be unilaterally terminated by the GC without further liability to the United States. In the absence of funding, the United States shall have no obligation to request services and the City shall have no obligation to incur new services or costs.

PAYMENT: The United States shall pay the CITY for services as described in Attachments 1, 2, and 3, on a quarterly basis or as invoiced on a task-order basis. Payment shall be based for services provided as set forth in this Agreement and associated Attachments. The CITY shall not include any State or Local taxes in the prices it charges the United States unless approved by the GC in advance. The City shall electronically submit invoices or payment requests to the Government’s Coordination Representative (CR) and the GC. Payment for quarterly services shall be on at the rates specified in SUMMARY OF SERVICES AND PRICE, above, in four quarterly payments based on work performed as described in electronic invoice. The GC will not authorize payment for task-order work unless all billed services have been satisfactorily completed, and may reduce the amount(s) billed for unsatisfactory or partial performance, or for other reasons specified in this Agreement. The Government will make payment in accordance with the Prompt Payment Act (31 USC 3903) and implementing regulations Interest shall be paid for late payments as required by the Act, and shall be paid at the rate established by the Secretary of the Treasury for disputes under the Contract Disputes Act of 1978.

The payment method for IGSA’s will be made via Miscellaneous Payment transactions processed through the General Fund Enterprise Business System (GFEB’S). All IGSA’s will be manually entered

into GFEBS to commit and obligate funds. Payments will be processed within GFEBS by the garrison Resource Management office, who will submit payment documents to DFAS who will issue payment via electronic fund transfer (EFT) or check to the Service Provider.

OPEN COMMUNICATIONS AND QUALITY CONTROL: The Parties shall identify and present any issues and concerns that could potentially impede successful performance of the IGSA in a timely and professional manner. The CITY shall maintain a quality control plan to ensure all work is completed within the specified timelines and quality standards specified in the Agreement. After its execution, an initial joint meeting of the Parties will be conducted to discuss the terms of the IGSA. The initial meeting shall also discuss orientation of the CITY and its employees to work areas on the installation as well a phase-in plan to permit the orderly transition of responsibilities for performance of the services by the CITY.

INSPECTION OF SERVICES: The CITY will only tender services and goods in conformance with the IGSA. The Directorate of Public Works (DPW), with the approval of the Agreement Officer, shall appoint a CR who will be responsible for inspecting all services performed. The CITY will be notified of the identity of the CR and his alternate, and of any changes. If services are performed outside the installation, the CR shall be granted access to areas where services are performed. The CR shall have the right to inspect and test all services; inspections and tests to be conducted in a manner that will not unduly delay the performance of work.

If the CR determines that services do not conform to the requirements in Agreement, the CR can require the CITY to perform the services again, in whole or in part, at no additional cost to the government. Alternately, the CR can reduce the price to be paid for services to reflect the reduced value of the services to be performed. If the services cannot be corrected by re-performance, the CR can reduce the billed price to reflect the reduced value of the services to be performed. The CR may alternately, in his sole discretion, waive price reductions or re-performance of services. Such waivers shall not constitute a waiver of requirements in the IGSA unless approved in writing by the GC.

If the CITY is unable to perform any of the services due to an occurrence beyond the reasonable control of the parties, such as Acts of God, unusually severe weather, or government activities on the installation which impede the CITY's performance, the City shall promptly notify the CR. In those rare instances in which the CITY fails to re-perform services or abandons performance, the United States may perform or contract for performance of the services and charge those costs to the CITY. Except in an emergency, the United States will not exercise this authority without providing prior notice to the POC designated by the CITY to allow for amicable resolution of issues between the parties. If services are deemed to be deficient and cannot be corrected to the satisfaction of the CR, the GC may terminate the IGSA immediately. Such termination shall not become effective without prior notice and consultation with the CITY POC identified in this agreement.

TERMINATION: The IGSA may be terminated by mutual written agreement at any time. Except as otherwise specified in this agreement, either party can unilaterally terminate this IGSA upon 30 days written notice to the POCs designated in this Agreement.

The United States reserves the right to terminate this agreement for its convenience at any time. When notified by the GC of the termination, the CITY shall immediately stop all work. The government will pay the CITY a percentage of the agreed price reflecting the percentage of work performed to the notice. The CITY shall not be paid for any work performed or costs incurred which reasonably could have been avoided.

SUSPENSION OF AGREEMENT: The United States reserves the right to suspend performance of the agreement or access to the installation in event of emergencies, mobilizations, national security reasons, or for other reasons outside the control of the United States.

APPLICABLE LAW: The IGSA is subject to the law and regulations of the United States. If any federal statute expressly prescribes policies or requirements that differ from the terms and conditions of this IGSA, the provisions of the statute shall govern.

CLAIMS AND DISPUTES: The parties shall use their best efforts to resolve any disagreement or disputes they may have regarding this Agreement. To minimize disputes, the parties will meet periodically, preferably on a monthly basis, to discuss performance and any other issues they may have. The CR shall represent the Government in such meetings. Both United States and City representatives shall at a minimum maintain electronic records of all disputes and their resolutions.

If the parties are unable to resolve an issue, the CR or the CITY may submit a claim arising out of the Agreement to the GC or designated representative for a final decision. The written submission must specify the nature and basis for the relief requested and include all data that supports the claim, and should designate a CITY representative to discuss the claim and its resolution. The GC shall issue a final decision within 90 days of receipt of any claim.

If the CITY is dissatisfied with the GC's decision, it may appeal the matter to the Commanding General, III Corps and Fort Hood, and must specify the basis of its disagreement. The Commanding General or designated representative shall issue a final written determination on the matter within 60 days of receipt of the appeal to all POCs specified in this agreement. All final determinations resulting in financial disbursement shall be coordinated with the GC or designee on the part of the United States, and the designated POC for the CITY.

If the above process proves insufficient for resolving a dispute, the dispute may be submitted to a court of competent jurisdiction.

NOTICES, POINTS OF CONTACT (POCs):

The POCs for issues pertaining to this IGSA are as follows:

For the United States, the CR or his designated representative.

For the City: Matthew Van Valkenburgh, AAE, Executive Director of Aviation or his designated representative

QUARTERLY REVIEW AND PLANNING BOARDS:

The POCs specified above, with additional representatives as indicated by the GC and the CITY, shall meet no less frequently than once every quarter to discuss upcoming work plans for site access issue, mission compliance, and associated issues, review work completed in the past quarter for satisfactory quality control and completion, and resolve issues or disputes regarding the Agreement at the lowest level possible prior to elevation as described in CLAIMS AND DISPUTES, above. Records of these quarterly review and planning boards shall be maintained electronically by both United States and City representatives.

ANNUAL REVIEWS AND AMENDMENTS TO THE IGSA:

Unless otherwise specified, all notices under this Agreement shall be provided to the POCs specified above. The POCs and a management official at least one level above the POCs as well as the IGSA GC shall meet annually to discuss the IGSA, and consider any amendments to the Agreement. Any party can propose amendments at any time. All amendments must be reduced to writing and incorporated by amendment to Agreement by the GC in order to be effective.

DUTY TO PROTECT GOVERNMENT PROPERTY ON THE INSTALLATION: The CITY shall conduct a visit of the installation with the CR prior to performance to satisfy itself of the general and local conditions existing on the installation to include sites where services will be performed. The CITY shall prepare an accident avoidance plan and plan to protect Government property on the installation. The City shall take measures to protect and not damage any property of the United States during performance of services. Should the CITY damage such property, the CITY may replace the item or restore it to its prior condition at its own cost or reimburse the United States for such costs. If the City does not take measures to replace or restore, the United States reserves the right to deduct replacement or restoration costs from amounts billed by the CITY each month. The CR shall provide written notice of the Government's intent to offset costs against billings to allow the parties to resolve the matter amicably. Such resolution can include a schedule for payments to cover the loss or restoration of Government property over the term of the current period of performance.

CONTINUITY OF SERVICES: The City recognizes that the services under this Agreement are vital to the United States and must be continued without interruption, and performed even in event of a dispute between the parties. Should the United States terminate this Agreement for any reason, the City agrees to furnish phase-in training to any successor contractor and exercise its best efforts and cooperation to effect an orderly and efficient transition of services.

HOLD HARMLESS: Except as otherwise provided in this Agreement, the CITY shall indemnify and hold the United States harmless against any and all judgments, expenses, liabilities, claims and charges of whatever kind or nature that may arise as a result of the activities of the CITY or its employees in performance of this Agreement.

WAGES AND LABOR LAW PROVISIONS: These provisions apply to the CITY and any contractor performing services under this IGSA on behalf of the CITY. The CITY shall be exempt from federal labor statutes, provided it pays its employees at wage grades or rates normally paid by the CITY, and complies with all applicable CITY labor laws and standards. In no event, however, shall any employee be paid at wage rate below the minimum wage established in the Fair Labor Standards Act. The CITY shall comply with all applicable federal, state and local occupational safety and health requirements and standards. If the CITY has knowledge that any actual or potential labor dispute by its employees may delay or threaten to delay performance of the contract, the CITY shall immediately notify the CR and the GC. The CITY shall provide timely updates until the dispute is resolved.

NON-DISCRIMINATION AND SEXUAL ASSAULT/HARASSMENT: This provision applies to CITY and its contractors. The CITY agrees not to discriminate against any employee based upon race, color, religion, sex, national origin, or sexual orientation, or to allow any employee to engage in discriminatory practices or conduct while performing work under this IGSA. The CITY shall not permit employees which engage in sexual assault, sexual harassment or trafficking to perform services under this IGSA. The CITY shall not engage in age discrimination, and shall comply with

the Americans with Disabilities Act with respect to the hiring and accommodation of employees performing services under this IGSA.

TRANSFERABILITY: This Agreement is not transferable except with the written authorization of the GC.

ACTIONS OF DESIGNEES: Any act described in the IGSA to be performed by an individual or official can be performed of the designee of such individual or official, with the exception of the GC.

Signatures and dates of signatures of the parties:

FOR THE UNITED STATES:

FOR THE CITY OF KILLEEN:

Henry C. Perry, COL, AV
Garrison Commander
US Army Garrison Ft. Hood

Ronald L. Olson
City Manager
City of Killeen

Date

Date

List all Attachments/Annexes:

Attachment 1 – Scope of Work

Attachment 2 – Additional Task Order Work Price Matrix

Attachment 3 – Technical Specifications

Figure 1 – Airfield Maintenance Areas

Scope of Work
Airfield Marking and Pavement Maintenance
Robert Gray Army Airfield

PROJECT DESCRIPTION

Purpose. The City of Killeen, represented by the Department of Aviation (KDOA), will provide professional maintenance service for Robert Gray Army Airfield (RGAAF) as defined in this agreement. These services will include pavement marking and maintenance of the runway and taxiways to provide painting of all airfield markings on a rotational schedule and routine or preventative pavement maintenance of the movement areas annually. Routine pavement maintenance will include runway rubber removal; preventative maintenance will include crack sealing of movement areas and minor asphalt and concrete repairs (e.g., repair of lightning strikes, routing of cracks on concrete surfaces and fill, and spall repair).

Existing Condition. The KDOA currently maintains the markings and pavement on the east side of RGAAF, generally considered to be primarily used by commercial air carriers, to Federal Aviation Administration (FAA) standards and requirements.

Proposed Approach. The KDOA will provide sufficient personnel and equipment suitable to ensure the marking and pavement maintenance of the RGAAF is maintained.

1.0 SCOPE OF WORK

1.1 The scope of this work will include the Aircraft Operations Areas (AOA) of RGAAF as shown in figure 1.

1.2 Marking of AOA.

1.2.1 Runway. Those segments of the runway centerline that are obscured by rubber accumulation or degraded during the rubber removal process will be painted annually following the completion of rubber removal. Those centerline segments not painted during the rubber removal process will be painted per the schedule in Table 1. All other runway markings will be painted per the schedule in Table 1.

1.2.2 Taxiways. All taxiways are included in the Scope of Work (SOW) of this agreement. Taxiway markings, to include runway lead-in lines, will be painted according to the schedule in Table 1. All markings will be reviewed daily during inspections by RGAAF and KDOA operations personnel and discrepancies reported to KDOA for maintenance action.

1.2.3 Aviation Ramps. Aviation ramps included in this SOW include the North, South, Hazardous Cargo, Northeast, Southeast, and UAS ramps. Other areas on the airfield not identified in this agreement will be painted per the Task Order Matrix in attachment 2.

1.2.4 Marking Removal. In time, paint will accumulate on various markings to form layers which will easily chip and mar the marking appearance. To ensure markings are kept in the best condition, removal of those markings which have accumulated excess paint over time will be completed prior to applying new paint to those areas. These areas will be concurred upon by KDOA and RGAAF staff prior to any marking removal. Any markings removed will be done via non-scarifying equipment.

1.2.5 Compliance with Regulations. All marking will comply with either Department of the Army or FAA requirements per the latest Department of the Army engineering technical letter (ETL) or FAA Advisory Circulars (AC) standards as depicted by Figure 1.

1.3 Pavement Maintenance of AOA

1.3.1 Crack Sealing of airfield pavements. Bituminous asphalt crack sealant will be applied to airfield pavements with visible cracking as identified via airfield inspections or as required to ensure regulatory compliance.

1.3.2 Rubber Removal Runway 15/33. Accumulations of rubber will be removed from Runway 15/33 via the most effective means and methods available to limit surface damage at least annually. The scope and necessity of the work to be performed will be mutually agreed upon by RGAAF and KDOA operations management. If conditions require additional rubber removal during the annual time frame, this will be authorized upon agreement of both RGAAF and KFHRA.

1.3.3 Minor Asphalt or concrete repair. Minor repairs (3' x 3' or less) to various pavements will be made as identified through daily inspections. This may include repair of concrete spalls, cracks in concrete, asphalt patches to various surfaces, damage to surfaces due to lightning strikes, etc.

1.3.4. Major Pavement Repair. Pavement surfaces requiring a major repair (e.g., in excess of 3' x 3' area, pavement replacement, mill / overlay, seal coat, etc.) are not in the scope of this agreement. Repairs of this magnitude will be discussed and agreed upon by RGAAF and KDOA management prior to any action being taken.

2.0 PROJECT METHODS

2.1 Project Coordination.

2.1.1 Prior to the commencement of any work on the airfield, the specific scope of work will be discussed and agreed upon by both parties. Areas will be delineated, appropriate runway and taxiway closures will be coordinated, and NOTAMs will be issued for flight and airfield safety.

2.1.2 The work will be considered complete upon inspection of the work area and agreement by both parties the work has been satisfactorily completed.

2.2 Airfield markings will be painted on surfaces of the AOA using approved FAA materials, methods, and accordance with product/manufacturer's specifications.

2.2.1 Airfield markings will be painted per the schedule in Table 1.

2.2.2 The KDOA will utilize various types of equipment and industry-standard techniques and materials to maintain markings.

2.2.3 KDOA and RGAAF operations personnel will inspect markings daily and provide reports to KDOA operations. Deficiencies or issues noted on these reports will be given to the KDOA maintenance division; for those items outside the schedule of Table 1, the KDOA will schedule repair of the items as soon as practicable.

2.3 Routine and preventative pavement maintenance is an annual upkeep function determined by the pavement condition as per Table 2.

2.3.1 The KDOA will utilize various types of equipment and industry-standard techniques and materials to maintain the pavements in a safe, operable condition.

2.3.2 KDOA and RGAAF operations personnel will inspect pavement daily and provide reports to KDOA operations. Deficiencies or issues noted on these reports will be given to the KDOA maintenance division which will schedule repair of the items.

2.3.3 Pavement repairs will be completed as soon as practicable dependent upon scheduled airfield operations.

2.3.4 Routine crack-sealing of the AOA will be a continuous annual preventative maintenance process.

2.4 Areas requiring marking or pavement repair / upkeep not included in this agreement and outside of the AOA identified in figure 1 may be scheduled as task orders and priced per the line items in attachment 2. Repair / rehabilitation of these tasks will be scheduled to be completed as soon as practicable dependent upon scheduled airfield operations.

3.0 PROJECT SCHEDULE

The AOA, depicted in Figure 1 will be maintained according to either Department of the Army or FAA requirements and regulations. The recommended maintenance schedules are provided in Table 1 and Table 2. However, these are only recommended frequencies; in no case shall markings or pavements be permitted to become unsafe or unusable. Table 1 schedules may be flexed to meet maintenance requirements based on operational needs, weather, or other conditions.

Table 1. Marking Maintenance Schedule

AREA	DESCRIPTION*	FREQUENCY (YEAR)
1	Taxiway A	1, 3, 5
2	Taxiway C (west), E (west), and F	1, 3, 5
3	Taxiway B, B1, B2, and B3	2,4
4	Taxiway C (east), C1, D, E (east), and G	2,4
5	Runway – All runway and blast pad markings	1, 3, 5
6	Runway – Primarily centerline	1-5
7	Ramps – North, South, and Hazardous Cargo	1, 3, 5
8	Ramps – Northeast, Southeast, and UAS	2, 4

*Painting of taxiways includes surface painted hold position signs

Table 2. Maintenance Schedule

MAINTENANCE	FREQUENCY
Rubber Removal	Annually
Crack Sealing	Continuous
Asphalt /Concrete Repair	Continuous

4.0 PERSONNEL

The KDOA is fully staffed and trained to provide the scope of work. For this task the KDOA will have:

4.1 Supervisor. The supervisor will be a competent and experienced individual who is familiar with RGAAF, the scope of work required to maintain each project area, and is qualified to operate on RGAAF.

4.2 Crew. Crews will be fully qualified on all equipment required for the project.

4.3 Training. Personnel performing airfield inspections, maintenance, and repair on the airfield will have passed the RGAAF Movement Area Driver Training Course and possess a blue Airfield Access Badge.

5.0 EQUIPMENT

The KDOA shall provide equipment to perform the required maintenance functions, including all safety equipment, e.g., runway closure markers and low-profile lighted barricades, to adequately delineate the work areas.

6.0 COMMUNICATIONS

6.1 Personnel. Personnel will have communications equipment and be able to communicate with air traffic control (ATC) while working on the AOA.

7.0 TASK ORDER SERVICES

7.1 Fees. KDOA will provide airfield marking and pavement maintenance services for areas of RGAAF within this scope, per the Task Order Matrix in attachment 2.

7.2 Task Orders. KDOA will provide additional airfield markings or pavement maintenance services for those areas of RGAAF beyond this scope. These additional services will be charged at a rate per the Task Order Matrix in attachment 2.

8.0 SPECIFICATIONS

Specifications for the materials and work repairs are in attachment 3.

9.0 QUALITY CONTROL / QUALITY ASSURANCE

To ensure work outlined in this Agreement is performed and completed per the standards in Attachment 3, quality control and quality assurance personnel and procedures will be implemented.

9.1 Quality Control / Quality Assurance (QC / QA) Representatives

9.1.1 Fort Hood will designate a QA representative for IGSA pavement maintenance and/or repair tasks.

9.1.2 The City of Killeen will designate a QC representative for IGSA pavement maintenance and/or repair tasks.

9.2 QC and QA procedures

9.2.1 QC and QA representatives serve as the single points of contact for Fort Hood and the City Killeen during the repair task.

9.2.2 QC and QA representatives will provide oversight of site conditions and workmanship at all times during the repair task.

9.2.3 QC and QA representatives will provide final inspection of the task and provide a consensus that the repair task has been satisfactorily accomplished

9.2.4 All repair tasks will comply with the specifications outlined in Attachment 3.

Killeen Fort Hood Regional Airport - Fort Hood
Inter-Governmental Service Agreement
Task Order Cost Matrix

Task Order Item	Unit	Totals				
			2% increase per annum			
<u>Asphalt</u>						
Routed Crack Sealing	Lineal Foot	\$1.40	\$1.43	\$1.46	\$1.49	\$1.52
Crack sealing	Lineal Foot	\$1.00	\$1.02	\$1.04	\$1.06	\$1.08
Asphalt Repair (up to 8" deep)	Square Foot	\$8.00	\$8.16	\$8.32	\$8.49	\$8.66
<u>Concrete</u>						
Concrete Spalling / minor repair (saw cut, removal, install elastomeric concrete patch)	Cubic Foot	\$300	\$306.00	\$312.12	\$318.36	\$324.73
(saw cut, removal, install standard high-strength concrete patch)	Cubic Foot	\$102	\$104.04	\$106.12	\$108.24	\$110.41
<u>Markings</u>						
Yellow reflective	Square Foot	\$0.65	\$0.66	\$0.68	\$0.69	\$0.70
Red reflective	Square Foot	\$0.65	\$0.66	\$0.68	\$0.69	\$0.70
White reflective	Square Foot	\$0.65	\$0.66	\$0.68	\$0.69	\$0.70
Black non-reflective	Square Foot	\$0.50	\$0.51	\$0.52	\$0.53	\$0.54
Helipad		\$4,500	\$4,590	\$4,682	\$4,775	\$4,871
Compass Rose		\$7,000	\$7,140	\$7,283	\$7,428	\$7,577
<u>Rubber Removal</u>						
Chemical / water combination	Square Foot	\$0.16	\$0.17	\$0.18	\$0.19	\$0.20

RGAAF IGSA Airfield Marking and Pavement Maintenance Specification

1. Applicability.

All pavement maintenance and repairs associated with this agreement will adhere to the following specifications. Herein, “City” refers to the City of Killeen Airport Authority, “Army” to the United States Army Garrison Fort Hood, “DAO” to the garrison’s Directorate of Aviation Operations, and “DPW” to the Garrison’s Directorate of Public Works.

2. References.

All references listed below will be included as references to this specification. This is not intended to be a complete list of references for this specification and additional references may be required for completion of work.

FAA Advisory Circulars (ACs)	
AC 150/5340-1	Standards for Airport Markings
AC 150/5370-2	Operational Safety on Airports During Construction
AC 150/5370-10	Standard Specifications for Airport Construction
AC 150/5380-6	Procedures for Maintenance of Airport Pavements
Unified Facilities Criteria (UFCs)	
UFC 3-250-03	Standard Practice Manual for Flexible Pavements
UFC 3-250-04	Standard Practice for Concrete Pavements
UFC 3-250-06	Repair of Rigid Pavements Using Epoxy Resin Grouts, Mortars, and Concretes
UFC 3-250-08FA	Standard Practice for Sealing Joints and Cracks in Rigid and Flexible Pavements
ETL 1110-3-1512	Army Airfield and Heliport Markings
UFC 3-260-02	Pavement Design for Airfields
UFC 3-270-01	Asphalt Maintenance and Repair
UFC 3-270-02	Asphalt Crack Repair
UFC 3-270-03	Concrete Crack and Partial-Depth Spall Repair
UFC 3-270-04	Concrete Repair
State of Texas Standards	
SHSDB	State Highway Standard Design Book
TMUTCD	Manual of Uniform Traffic Control Devices, Texas-Specific Edition

RGAAF IGSA Airfield Marking and Pavement Maintenance Specification

3. Work Planning

3.1 Work Planning

Except in those cases which require immediate action or repair, the City shall submit a work plan to the DAO for review and approval no later than 14 days prior to work start. The work plan will present the scope of work, contacts, timelines, staging areas, haul routes, locations of traffic control measures (barricades, et cetera) to be placed.

3.2 Publication of Notices To Airmen (NOTAMs)

The DAO assumes responsibility for the publication of NOTAMs when required for any affected work areas.

3.3 Barricades.

Low profile barricades will be used/installed to control traffic flow during repair/restriping projects. Frangible lighting will be installed on barricades which will remain in-place during hours of darkness. Barricades will conform to FAA Advisory Circular 150-5370-10G, paragraph 70-08, "Barricades, Warning Signs, and Hazard Markings."

3.4 Dig Permits

The City is required to request and receive an approved Dig Permit issued by the Fort Hood Dig Permit office prior to any excavations in excess of six (6) inches.

4. FOD Control

Areas of pavement maintenance and repair will be swept and inspected for FOD prior to the area being released for aircraft operations. Sweeping may be performed by Army or City personnel with prior coordination with the relevant agency.

5. Surface Repairs

5.1 Asphalt

5.1.1 Asphalt Repairs

5.1.1.1 Materials

All repairs to asphalt pavement shall comply with criteria specified in Figure 1 and applicable regulatory guidance.

RGAAF IGSA Airfield Marking and Pavement Maintenance Specification

5.1.1.2 Procedure

Prior to applying any new asphalt patch, the area shall be cut square to a minimum of three inches from the edge of the damaged pavement. Existing material shall be removed to a minimum depth of two inches and a maximum depth of eight inches. At the time of repair, the base course shall be visually inspected to determine its suitability for re-use. If the base course is found to be contaminated with fines or other deleterious material, it shall be removed and replaced in kind. The patch area shall be lined with a tack coat at an application rate of between 0.10 and 0.15 gallons per square yard of surface coverage. Asphalt shall be placed per criteria specified at Figure 1.

5.1.1.3 Exclusions

Geotechnical investigation, full reconstruction, major asphalt repairs in excess of three feet by three feet in dimension, and full-scale mill and overlay of a section of pavement, are not covered by this specification or the intent of this IGSA. They shall be evaluated jointly by the City, DAO, and DPW, on a case by case basis.

5.1.2 Asphalt Crack Repairs

5.1.2.1 Materials.

All crack sealant shall be suited for use in the Central Texas climate.

5.1.2.2 Asphalt Crack Seal Procedures.

All vegetation will be removed from crack prior to application of sealant. If extensive vegetation is present, treat the specific area with a concentrated solution of a water-based herbicide approved by DPW.

Hairline cracks less than $\frac{1}{4}$ " (0.25") shall not be sealed.

Cracks between $\frac{1}{4}$ " (0.25) and $\frac{1}{2}$ " (0.50) in width will be blown out with compressed air to remove any loose debris and crack sealant hot-applied to fill voids. Sealant material will not protrude over the crack surface and will be no more than $\frac{1}{8}$ " (0.125") below the asphalt surface.

Cracks over $\frac{1}{2}$ " (0.50) will receive the same preparatory steps as above, except that cracks will be routed to smooth sides and a uniform width as required by crack size. Crack shall be blown with high-pressure air to ensure all loose debris is removed from the crack. Water may be used, but if water is used, crack must be allowed to dry completely before sealant material is applied. Hot-applied crack sealant material will be injected into cleaned and dried cracks to form a slight convex surface to aid the sealant material to expand and contract with the underlying asphalt material. Sealant material will not protrude more than 3" horizontally and $\frac{1}{4}$ " (0.25) vertically past the crack surface and will be no more than $\frac{1}{8}$ " (0.125") below the asphalt surface.

RGAAF IGSA Airfield Marking and Pavement Maintenance Specification

5.1.2.3 Exclusions

Cracks over one inch (1") in width shall not be considered as part of this agreement except by arrangement as cost matrix task order work (attachment 2). Where such work is performed, the methods used for repairs over 1/2" (0.50) shall be applied.

5.2 Concrete

5.2.1 Concrete Repairs

5.2.1.1 Materials

Small, localized repairs of less than 1' x 1' and less than 6" in-depth (total volume less than 0.5 cubic feet) may be repaired using an epoxy resin elastomeric concrete repair kit (Delpatch or equivalent).

Repairs of greater than 1' in any direction or 0.5' in-depth will be performed with concrete with a maximum slump of 1.5" and a minimum 28-day compressive strength of 4500 psi.

5.2.1.2 Concrete Repair Procedures

The damaged area will be isolated from the surrounding pavement by saw cutting. If depth of damage is known, saw cuts will extend to a minimum of one inch below damage and will be no closer than one inch to damaged concrete. If depth is unknown, initial saw cut shall be to a minimum of 2" deep. Saw cuts will be straight and form rectangular areas. Repair material will be determined by Paragraph 5.2.1.1, "Materials," above, or by agreement between City, DAO, and DPW prior to start of repair. Material to be removed, if full thickness, shall be removed by lifting and direct removal. If partial depth, material shall be chipped out and bottom made level.

Prior to concrete placement, the concrete surface shall be moistened with water, as by spraying or other means. Existing joints shall be maintained throughout placement. Concrete placement shall take place as soon as practical after mixing, no more than 60 minutes after adding water. Concrete placement shall only happen when temperatures are above 50° F and below 90° F unless otherwise approved by DPW. All exposed concrete surfaces shall be floated, vibrated, and finished to match surrounding finish. Surface shall deviate no more than 1/8" (0.125) vertically from surrounding surfaces. Curing for all materials shall be as per manufacturer instructions.

5.2.1.3 Exclusions

Whole slab replacement or repairs of greater than 3' x 3' are not considered to be part of this agreement, and shall be negotiated as separate task orders or repaired via alternate means.

RGAAF IGSA Airfield Marking and Pavement Maintenance Specification

5.2.2 Concrete Crack Seal/Repairs

5.2.2.1 Materials

All crack sealant shall be suited for use in the Central Texas climate. Crack sealants used on areas subject to fuel spill shall be fuel-resistant. Hot-applied joint material shall not be used on concrete pavements.

5.2.2.2 Concrete Crack Seal/Repair Procedures

All vegetation will be removed from crack prior to application of sealant. If extensive vegetation is present, treat the specific area with a concentrated solution of a water-based herbicide approved by DPW.

Hairline cracks of less than ¼" (0.25) shall not be sealed.

Cracks between ¼" (0.25) and ½" (0.5) in width will be blown out with compressed air to remove any loose debris and crack sealant applied to fill voids. Sealant material will not protrude over the crack surface and will be no more than 1/8" (0.125") below the concrete surface.

Cracks over ½" (0.5) will receive the same preparatory steps as above, except that the crack will be routed to smooth sides and a uniform width dictated by crack size. Crack shall be blown with high-pressure air to ensure all loose debris is removed from the crack. Water may be used, but if water is used, crack must be allowed to dry completely before sealant material is applied. Sealant material will be placed in void in accordance with manufacturer recommendations. Sealant material will be no more than 1/8" (0.125) below the adjacent concrete surface.

5.2.2.3 Exclusions

Concrete cracks in excess of 1" are considered major repairs and are not covered under this agreement.

6. Surface Marking

6.1 Materials

6.1.1 Paints

Paint shall meet FAA TT-P-1952E Type I or II Waterborne Paint. Colors shall be white, yellow, black, red, and orange as defined in FAA TT-P-1952E and used as appropriate for each individual marking location.

RGAAF IGSA Airfield Marking and Pavement Maintenance Specification

6.1.2 Retroreflective Beads

Retroreflective beads, when used, shall be reflective media to meet FAA TT-B-1325D Type I or III.

6.2 Surface Marking Procedures

Marking may only be performed with the surface clean, dry and surface temperatures of a least 55° F and rising. Painting operations shall be discontinued when the surface temperature exceeds paint manufacturers recommendations. Marking will not be performed with winds in excess of 10 Knots unless windscreens are used to shroud paint guns. Edges of non-radius markings shall not vary from a straight line more than 1/2" in 50 ft.

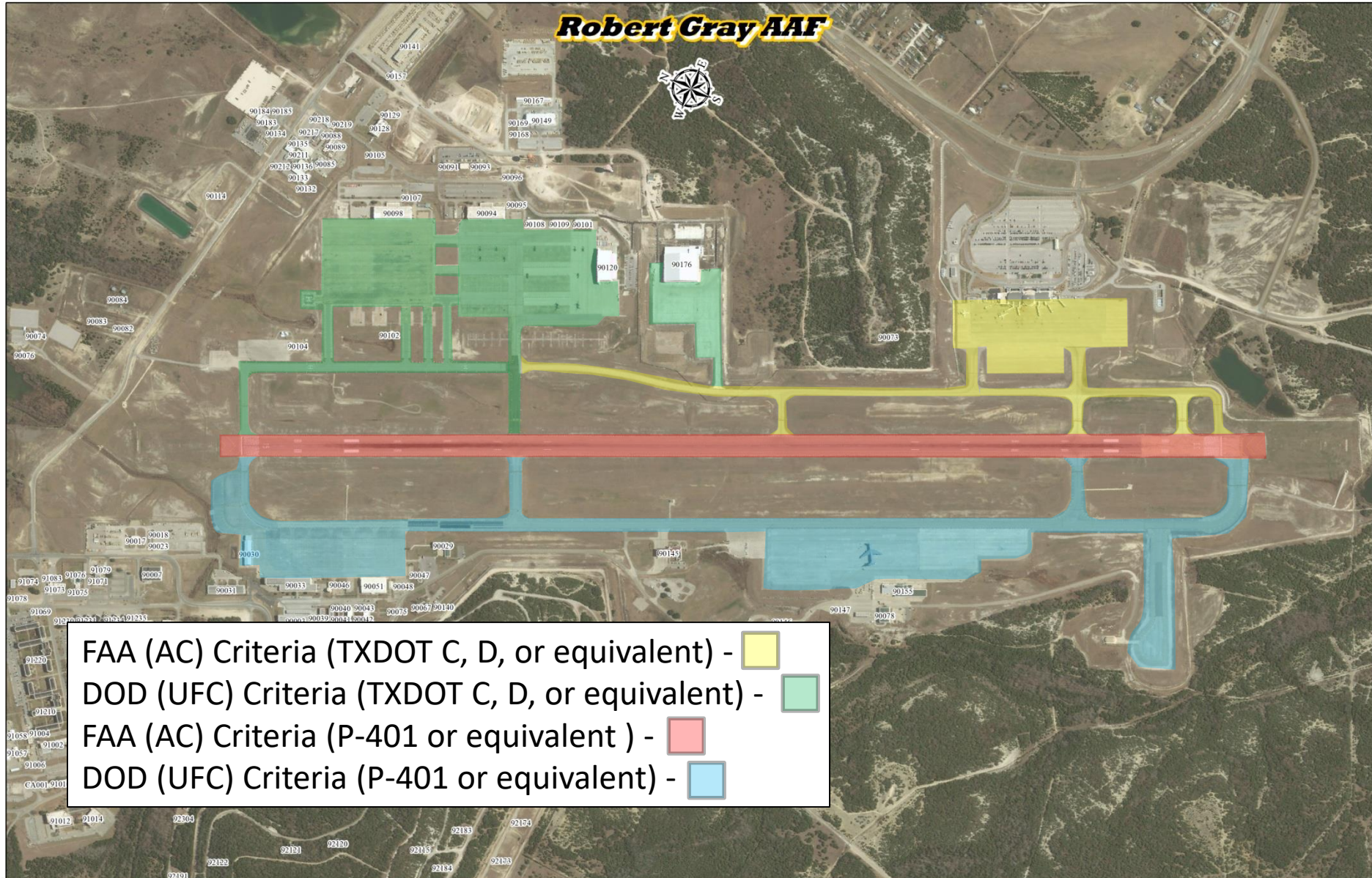
Marking dimensions and spacing shall adhere to the following tolerances:

Dimensions and Spacing	Tolerance
36" or less	+ - 1/2"
Greater than 36" to 6'	+ - 1"
Greater than 6' to 60'	+ - 2"
Greater than 60'	+ - 3"

6.3 Exclusions

The required survey and marking of the compass rose are not included in this agreement. Marking of airfield helipads are also excluded from this agreement but may be marked as per the task order cost matrix at Attachment 2.

Figure 1
RGAAF / KFHRA IGSA Criteria Diagram





INTERGOVERNMENTAL SUPPORT AGREEMENT WITH FORT HOOD

RS-18-040A

December 11, 2018

IGSA

2

- IGSA is an initiative to produce successful public-military partnerships
 - ▣ Military-wide program
 - ▣ This is first for Fort Hood
 - ▣ Fort Hood workshops in April 2016
 - ▣ Aviation / Garrison meetings May/June 2016

- Provides that airfield markings and minor pavement maintenance will be done by KFHRA
 - ▣ Markings of runway, taxiways, and aprons
 - ▣ Minor asphalt and concrete work on same

IGSA

3

- Aviation developed IGSA scope of work and proposed fees
- Fort Hood completed reviews and forwarded to the Installation Management Command for approval
 - ▣ Final document received in October 2018
- Five (5) year agreement with five (5) one-year options
 - ▣ Initial year revenue ~\$517,000 (2% annual increase)
 - ▣ Initial expenses ~ \$460,000

IGSA

4

- Alternatives:
 - ▣ Approve the agreement
 - ▣ Do not approve the agreement

- Staff supports alternative 1
 - ▣ Win-win for Fort Hood and KFHRA
 - ▣ Provides a new line of business revenue for KFHRA
 - ▣ Maintains RGAAF pavements in excellent condition
 - ▣ Provides a consistent revenue source for KFHRA

Recommendation

5

- Approve the Intergovernmental Support Agreement with the U.S. Army Garrison and authorize the City Manager or designee to execute same as well as any and all amendments as allowed per federal, state, or local law.



City of Killeen

Legislation Details

File #: PH-18-040B **Version:** 1 **Name:** IGSA Budget Amendment
Type: Ordinance/Public Hearing **Status:** Public Hearings
File created: 11/21/2018 **In control:** City Council Workshop
On agenda: 12/11/2018 **Final action:**
Title: HOLD a public hearing and consider an ordinance amending the FY 2019 Annual Budget and Plan of Municipal Services of the City of Killeen by increasing revenue and expenditure accounts in Aviation.
Sponsors: Aviation Department, Finance Department
Indexes:
Code sections:
Attachments: [Staff Report](#)
[Ordinance](#)
[Presentation](#)

Date	Ver.	Action By	Action	Result
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STAFF REPORT

DATE: December 11, 2018
TO: Ronald L. Olson, City Manager
FROM: Jonathan Locke, Executive Director of Finance
VIA: Miranda Drake, Director of Budget
SUBJECT: Budget Amendment

BACKGROUND AND FINDINGS:

The Killeen-Fort Hood Regional Airport (KFHRA) staff has negotiated an inter-governmental support agreement (IGSA) with the U.S. Army Garrison at Fort Hood for maintenance on Robert Gray Army Airfield.

The IGSA is a win-win for both organizations. The Army will be getting scheduled, preventative airfield maintenance at a savings and the KFHRA will receive additional revenues. This agreement has revenue and expenditures for each year of the agreement. They are as follows:

	Revenue
US Department of Defense	\$517,540
TOTAL	\$517,540

Expenditures	
Full-time Salaries	\$58,148
Medical Insurance	9,883
Dental Insurance	552
Life Insurance	36
Retirement - TMRS	6,484
Social Security	3,605
Medicare	843
Workers Compensation	727
Uniforms & Clothing	2,200
Fuel	2,000
Airport Diesel Fuel	5,000
Minor Tools	1,000
Pavement Marking	162,000
Runway/Taxiway Maintenance	43,500
Equipment Rental/Lease	1,000
Engineering Services	25,000

Machinery & Equipment	142,000
TOTAL	\$463,978

THE ALTERNATIVES CONSIDERED:

(1) Approve the budget amendment to appropriate funding to support the IGSA with the U.S. Army Garrison - Fort Hood; or (2) Do not approve the budget amendment.

Which alternative is recommended? Why?

Alternative 1 is considered the prudent course of action. The revenue for this project exceeds the expenditures.

CONFORMITY TO CITY POLICY:

Yes

FINANCIAL IMPACT:

This agreement has revenue and expenditures for each year of the agreement. The revenue for the agreement for the first year will be \$517,540 and will increase contractually 2% per annum for the duration of the agreement.

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

FY 2019 - \$463,978

FY 2020 - \$400,019

FY 2021 - \$403,143

FY 2022 - \$406,395

FY 2023 - \$409,784

Is this a one-time or recurring expenditure?

Recurring for each year of the agreement, however, the expenditure will vary dependent upon material and equipment cost.

Is this expenditure budgeted?

A budget amendment is required.

If not, where will the money come from?

N/A

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

Upon approval of the budget amendment.

RECOMMENDATION:

Staff recommends that the City Council approve the ordinance amending the FY 2019 Annual Budget and Plan of Municipal Services of the City of Killeen increasing revenue and expenditure accounts in Aviation.

DEPARTMENTAL CLEARANCES:

Aviation
City Attorney
Finance

ATTACHED SUPPORTING DOCUMENTS:

Ordinance

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS, AMENDING THE FY 2019 ANNUAL BUDGET AND PLAN OF MUNICIPAL SERVICES OF THE CITY OF KILLEEN BY INCREASING REVENUE AND EXPENDITURE ACCOUNTS IN AVIATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING A SAVING 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, 2018 to September 30, 2019, 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 Killeen-Fort Hood Regional Airport revenue and expenditure accounts to allow for the expenditure of capital improvement projects; and

WHEREAS, the need for additional funds requires a budget amendment;

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

SECTION 1. That Ordinance 18-032, adopting a budget for operating the municipal government of the City of Killeen for the Fiscal year October 1, 2018 to September 30, 2019, be amended as to the portion of said budget as follows:

Revenues:

Account Number	Description	Original Budget	Budget Change	Amended Budget
525-0000-331-1501	US Dept of Defense	\$ -	\$ 517,540	\$ 517,540
	Total	\$ -	\$ 517,540	\$ 517,540

Expenditures:

Account Number	Description	Original Budget	Budget Change	Amended Budget
525-0505-521-4005	Full-time Salaries	\$ 1,343,157	\$ 58,148	\$ 1,401,305
525-0505-521-4082	Medical Insurance	79,051	9,883	88,934
525-0505-521-4083	Dental Insurance	8,288	552	8,840
525-0505-521-4084	Life Insurance	630	36	666
525-0505-521-4085	Retirement – TMRS	156,528	6,484	163,012
525-0505-521-4087	Social Security	84,770	3,605	88,375
525-0505-521-4088	Medicare	19,824	843	20,667
525-0505-521-4089	Workers Compensation	12,456	727	13,183
525-0505-521-4120	Uniforms & Clothing	8,830	2,200	11,030
525-0505-521-4130	Fuel	3,500	2,000	5,500
525-0505-521-4132	Airport Diesel Fuel	17,000	5,000	22,000
525-0505-521-4165	Minor Tools	1,500	1,000	2,500

Expenditures (continued):

Account Number	Description	Original Budget	Budget Change	Amended Budget
525-0505-521-4238	Pavement Marking	\$ 4,000	\$ 162,000	\$ 166,000
525-0505-521-4270	Runway/Taxiway Maint.	58,000	43,500	101,500
525-0505-521-4410	Equipment Rental/Lease	5,610	1,000	6,610
525-0505-521-4720	Engineering Services	-	25,000	25,000
525-0505-521-6135	Machinery & Equipment	-	142,000	142,000
	Total	\$ 1,803,144	\$463,978	\$ 2,267,122

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 law.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Killeen, Texas, this 18th day of December, 2018, 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:

APPROVED AS TO FORM

 Lucy C. Aldrich
 City Secretary

 Kathryn H. Davis
 City Attorney



AVIATION BUDGET AMENDMENT

PH-18-040B

December 11, 2018

Background

2

- Purpose of budget amendment
 - ▣ To appropriate funding to support the inter-governmental support agreement (IGSA) with the U.S. Army Garrison – Fort Hood for maintenance on Robert Gray Army Airfield.

- Fiscal Impact
 - ▣ Total estimated revenue - \$517,540.
 - ▣ Total estimated expenditures - \$463,978.

Account Description	Beginning	Change	Ending
Revenue:			
US Department of Defense	\$0	\$517,540	\$517,540
Expenditures:			
Various expenditure accounts	\$1,803,144	\$463,978	\$2,267,122

Aviation Budget Amendment

3

Department	Description	Current Budget	Budget Change	Amended Budget
Aviation	US Dept of Defense Revenue	\$0	\$517,540	\$517,540
	Expenditures:			
	Full-time Salaries	\$1,343,157	\$58,148	\$1,401,305
	Medical Insurance	79,051	9,883	88,934
	Dental Insurance	8,288	552	8,840
	Life Insurance	630	36	666
	Retirement – TMRS	156,528	6,484	163,012
	Social Security	84,770	3,605	88,375
	Medicare	19,824	843	20,667
	Workers Compensation	12,456	727	13,183
	Uniforms & Clothing	8,830	2,200	11,030
	Fuel	3,500	2,000	5,500

Aviation Budget Amendment (cont'd)

4

Department	Description	Current Budget	Budget Change	Amended Budget
Aviation	Airport Diesel Fuel	\$17,000	\$5,000	\$22,000
	Minor Tools	1,500	1,000	2,500
	Pavement Marking	4,000	162,000	166,000
	Runway/Taxiway Maint.	58,000	43,500	101,500
	Equipment Rental/Lease	5,610	1,000	6,610
	Engineering Services	-	25,000	25,000
	Machinery & Equipment	-	142,000	142,000
	Total		\$1,803,144	\$463,978

Recommendation

5

Staff recommends that City Council approve the ordinance amending the FY 2019 Annual Budget and Plan of Municipal Services.



City of Killeen

Legislation Details

File #: PH-18-041A **Version:** 1 **Name:** Interfund Transfer Agreement-Aviation
Type: Resolution/Public Hearing **Status:** Public Hearings
File created: 11/29/2018 **In control:** City Council Workshop
On agenda: 12/11/2018 **Final action:**
Title: Consider a memorandum/resolution approving an inter-fund loan agreement between the General Fund and Aviation.
Sponsors: Aviation Department
Indexes:
Code sections:
Attachments: [Staff Report](#)
[Inter-fund Loan Agreement Presentation](#)

Date	Ver.	Action By	Action	Result
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STAFF REPORT

DATE: December 11, 2018

TO: Ronald L. Olson, City Manager

FROM: Matthew Van Valkenburgh A.A.E., Executive Director of Aviation

SUBJECT: INTER-FUND LOAN AGREEMENT BETWEEN THE GENERAL FUND AND AVIATION

BACKGROUND AND FINDINGS:

The federal government, on March 23, 2018, provided the Federal Aviation Administration's (FAA) Airport Improvement Program (AIP) an additional \$1 billion in discretionary grants. Specifically, the FAA was given direction to give priority consideration to projects at primary airports that are classified as Small or Nonhub airports. The Killeen Fort Hood Regional Airport (KFHRA) is on the FAA list as a primary nonhub airport.

As such, staff visited the FAA on 17 September to discuss this program as well as several other issues. The FAA believes KFHRA has a very strong project which would compete well for this supplemental funding; that project is the rehabilitation of taxiway B and its associated pavements. This is a comprehensive project that includes rehabilitation for full length of taxiway B (approximately 10,500 ft), the addition of shoulders to the taxiway to provide primary surface stabilization, electrical upgrades to the lighting, drainage improvements, and the rehabilitation of taxiway B3. Rehabilitation, in this case, means a mill and overlay of approximately 2" of all existing surfaces. This project is on the City and FAA CIP lists; however, it is scheduled for FY 22. This rehabilitation was originally an airport project for 2015, however, the bids came in considerably higher than expected, funding was not available at the time, so we deferred this project and performed extensive internal maintenance [crack sealing] on the surfaces to preserve surface integrity until sufficient funding became available for the project.

The total cost of the project is approximately \$7,807,400 (per engineer's estimate). This is divided into:

Design and construction management: \$701,400

Construction and construction management: \$7,106,000

The application for the supplemental funding is different than a normal airport improvement program (AIP) grant. It is done via an electronic submission format and the timing is much different than the normal AIP cycle, i.e.:

Submission deadline: Oct 31, 2018 (completed/submitted)

Award expectation: Feb 28, 2019

Construction start: no later than Aug 2019

However, to be considered for a project award, FAA is strongly suggesting all projects are designed by or as close to the award date as possible. The proposed project must be able to provide a notice to proceed on the project within six (6) months of grant award.

This project was chosen following a meeting with the FAA that determined it was a priority safety and infrastructure project that would compete well for the funding. However, to be competitive and meet FAA timelines, it is imperative the project is designed as soon as possible. This can occur if funds are made available via a loan agreement between the General Fund and Aviation for the design amount. Per the loan agreement, this funding will be paid in full, with interest, by September of 2019; the loan funding is secured via an existing passenger facility charge (PFC) and an FY19 AIP entitlement grant. It is anticipated that the Airport Improvement Program funds will be received no later than September 2019, which will make the loan from the General Fund outstanding for approximately nine-months.

The interest to be paid by Aviation while the loan is outstanding will be at a rate of 2.5%, which represent the rate earned last quarter (2%) plus fifty basis points (0.5%). The interest will be paid by the Passenger Facility Charge Fund.

THE ALTERNATIVES CONSIDERED:

Alternatives considered: (1) approve inter-fund loan agreement, or (2) deny the inter-fund loan agreement.

Which alternative is recommended? Why?

Staff recommends alternative 1. The supplemental discretionary program offers the KFRA an opportunity to secure development funds that will not draw down future entitlement funds and will enhance the Airport's future development plans. The transfer is secured with existing funds through existing PFC funds and Airport entitlement funds; this ensures prompt repayment of the funds within a year of approval. Additionally, this transaction will guarantee the project is developed and "shovel-ready" for future funding opportunities if the project is not awarded in the initial round of grants.

CONFORMITY TO CITY POLICY:

Yes

FINANCIAL IMPACT:

The cost for the design of the taxiway improvements is \$701,400. The design will be covered by Airport Improvement Program funds (90%) and the Passenger Facility Charge Fund (10%). The estimated total cost of the project is \$7.8 million (\$701,400 design plus \$7.1 million construction). Aviation will pursue a grant to cover 90% of the construction cost, and the 10% match will be provided by the Passenger Facility Charge Fund.

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

Approximately \$701,400 for design of the project in FY19; no design expenditure anticipated in future years.

Is this a one-time or recurring expenditure?

One-time cost for project design.

Is this expenditure budgeted?

Yes; following approval of an accompanying budget amendment.

If not, where will the money come from?

N/A

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

Upon approval of the budget amendment.

RECOMMENDATION:

Approve the inter-fund loan agreement between the General Fund and Aviation and authorize the City Manager or designee to execute same as well as any and all amendments as allowed per federal, state, or local law.

DEPARTMENTAL CLEARANCES:

Finance

Legal

ATTACHED SUPPORTING DOCUMENTS:

Inter-fund Loan Agreement

INTER-FUND LOAN AGREEMENT

This Inter-Fund Loan Agreement (“Agreement”) between the City of Killeen Aviation Fund (“Borrower”) and the City of Killeen General Fund (“Lender”), shall be effective when approved by the City Council of the City of Killeen. In accordance with the following, Lender agrees to lend to Borrower, and Borrower agrees to repay to Lender, an amount not to exceed the principal amount, and interest accrued on the unpaid transfer balance:

1. **Purpose of the Agreement:** Borrower shall use the inter-fund loan funds to fund the design and bidding services for the rehabilitation Taxiway B and associated connecting pavements at the Killeen Fort Hood Regional Airport.
2. **Principal Inter-Fund Loan Amount:** The principal amount shall not exceed seven hundred one thousand and four hundred dollars (\$701,400). The inter-fund loan will be recorded as a receivable to the Lender and a payable to the Borrower.
3. **Term of the Agreement:** The term of this Agreement shall begin on December 18, 2018 and the outstanding balance including accrued interest is to be paid by September 30, 2019.
4. **Scheduled Payments:** No scheduled payments shall be required. Full repayment of the Inter-Fund Loan plus interest shall be made by September 30, 2019.
5. **Repayment Source:** Borrower shall repay the Inter-Fund Loan funds received into the Aviation Fund through the FY19 Airport Improvement Program (AIP) grant and Passenger Facilities Charges (PFC).
6. **Rate of Interest:** Interest shall accrue on the unpaid balance of the Inter-Fund Loan at the rate equal to 2.5%.

Department

Executive Director:

Signature Date

Executive Director
of Finance

Signature Date

City Manager

Signature Date



INTER-FUND LOAN AGREEMENT – GENERAL FUND AND AVIATION

PH-18-041A

December 11, 2018

Inter-Fund Loan Agreement

2

- Federal government provided the Federal Aviation Administration (FAA) \$ 1 billion for small and nonhub airports
 - ▣ Killeen Fort Hood Regional Airport (KFHRA) is on the list

- Provides that airports with eligible projects can apply for grants
 - ▣ Projects need to designed as soon as practicable to be ready for the grant award
 - ▣ Initial award anticipated February 28, 2019
 - ▣ KFHRA has eligible project in Taxiway B rehabilitation

Inter-Fund Loan Agreement

3

- Airport submitted application October 30, 2018
- FAA recommends projects be designed as soon as practicable to be ready for the grant award
- Design cost for project is \$701,400
 - ▣ Project team is ready to commit to project
- Funding mechanism for design is an inter-fund loan agreement from the General Fund to Aviation
- Loan security (paid in full by September 2019)
 - ▣ FY19 Airport AIP entitlement grant
 - ▣ Existing Passenger Facility Charge (PFC)

Inter-Fund Loan Agreement

4

□ Alternatives:

- ▣ Approve the inter-fund loan agreement
- ▣ Disapprove the inter-fund loan agreement
 - Airport will not compete for this funding

□ Endorsement:

- ▣ Staff supports alternative 1
 - Provides opportunity for Airport to secure development funds that will not draw down future entitlement funds
 - Enhances Airport future development plans
 - Loan is secured with PFC and FAA entitlement grant funds

Recommendation

5

- Approve the inter-fund loan agreement between the General Fund and Aviation, and authorize the City Manager or designee to execute same, as well as any and all amendments as allowed per federal, state, or local law



City of Killeen

Legislation Details

File #: PH-18-041B **Version:** 1 **Name:** Aviation Inter-fund Transfer
Type: Ordinance/Public Hearing **Status:** Public Hearings
File created: 12/4/2018 **In control:** City Council Workshop
On agenda: 12/11/2018 **Final action:**
Title: HOLD a public hearing and consider an ordinance amending the FY 2019 Annual Budget and Plan of Municipal Services of the City of Killeen by increasing revenue and expenditure accounts for the design of taxiway improvements at the Killeen-Fort Hood Regional Airport.
Sponsors: Finance Department
Indexes:
Code sections:
Attachments: [Staff Report](#)
[Ordinance](#)
[Presentation](#)

Date	Ver.	Action By	Action	Result
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STAFF REPORT

DATE: December 11, 2018
TO: Ronald L. Olson, City Manager
FROM: Jonathan Locke, Executive Director of Finance
VIA: Miranda Drake, Director of Budget
SUBJECT: Budget Amendment

BACKGROUND AND FINDINGS:

Staff at the Killeen-Ft. Hood Regional Airport (KFHRA) was notified by the Federal Aviation Administration (FAA) of a potential grant opportunity. The grant will cover approximately 90% of the cost of improvements needed on Taxiway B and the associated connecting pavements at KFHRA. In order to apply for the grant opportunity, funding has to be secured for the design of the project.

The cost to design the rehabilitation project is estimated to be \$701,400. The design costs will be paid by a combination of an Airport Improvement Program grant (90%) and the Passenger Facility Charge Fund (10%). The City has accumulated \$1.87 million in Airport Improvement Program entitlement funding. The entitlement funds are used on a reimbursement basis, so upfront funding is required. The General Fund will provide an inter-fund loan to initially cover the design costs, and bridge the gap until the Airport Improvement Program funding is received.

The City's Financial Governance Policies require inter-fund loans to be approved by the City Council. Since the General Fund will lose interest revenue on the \$701,400 loaned to initially cover the design costs, Aviation will pay interest on the outstanding amount. It is anticipated that the Airport Improvement Program funds will be received no later than September 2019, which will make the loan from the General Fund outstanding for approximately nine months.

The interest earned on the City's investments for last quarter was about 2%. The interest to be paid by Aviation while the loan is outstanding will be at a rate of 2.5%, which represents the rate earned last quarter (2%) plus fifty basis points (0.5%). The interest will be paid by the Passenger Facility Charge Fund in addition to the 10% match previously mentioned. The estimated interest to be paid on the loan is \$13,151.

The chart below summarizes the budget amendment needed for the design services:

	Revenues
Aviation AIP Grant Fund - Transfer In from PFC Fund	\$83,291
Aviation AIP Grant Fund - Grant Revenue	631,260
TOTAL	\$714,551

Expenditures	
Aviation AIP Grant Fund - Design/Engineering	\$701,400
Passenger Facility Charge (PFC) - Transfer Out to AIP Grant Fund	83,291
TOTAL	\$784,691

THE ALTERNATIVES CONSIDERED:

(1) Approve the budget amendment appropriating funds to pay for the design of taxiway improvements at the KFHRA; or (2) Do not approve the budget amendment.

Which alternative is recommended? Why?

Alternative 1 is recommended. The KFHRA will be able to secure funding for the design of the improvement project, and be in a position to submit a grant request for the estimated \$7.1 million construction phase of the project. The General Fund will receive interest on the amount loaned that will total approximately \$13,151.

CONFORMITY TO CITY POLICY:

The City's Financial Governance Policies, Section V. Budget Administration (B)(1) states that City Council may amend or change the budget by ordinance. Section XI. Inter-Fund Loans permits loans between funds with the approval of City Council.

FINANCIAL IMPACT:

The cost for the design of the taxiway improvements is \$701,400. The design will be covered by Airport Improvement Program funds (90%) and the Passenger Facility Charge Fund (10%). The estimated cost of the construction phase of the improvement project is \$7.1 million. Aviation will pursue a grant to cover 90% of the project cost, and the 10% match will be provided by the Passenger Facility Charge Fund.

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

The cost for the design of the taxiway improvements is \$701,400 in FY 2019. If grant funding is secured, the construction of the rehabilitation project will cost approximately \$7.1 million and is estimated to begin in FY 2019.

Is this a one-time or recurring expenditure?

This is a one-time expenditure.

Is this expenditure budgeted?

A budget amendment is required.

If not, where will the money come from?

N/A

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

Upon approval of the budget amendment.

RECOMMENDATION:

Staff recommends that the City Council approve the ordinance amending the FY 2019 Annual Budget and Plan of Municipal Services of the City of Killeen by increasing revenue and expenditure accounts for the design of taxiway improvements at the KFHRA.

DEPARTMENTAL CLEARANCES:

Aviation
City Attorney
Finance

ATTACHED SUPPORTING DOCUMENTS:

Ordinance

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS, AMENDING THE FY 2019 ANNUAL BUDGET AND PLAN OF MUNICIPAL SERVICES OF THE CITY OF KILLEEN BY INCREASING REVENUE AND EXPENDITURE ACCOUNTS FOR THE DESIGN OF TAXIWAY IMPROVEMENTS AT THE KILLEEN-FORT HOOD REGIONAL AIRPORT; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING A SAVING 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, 2018 to September 30, 2019, 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 Killeen-Fort Hood Regional Airport revenue and expenditure accounts to allow for the expenditure of capital improvement projects; and

WHEREAS, the need for additional funds requires a budget amendment;

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

SECTION 1. That Ordinance 18-032, adopting a budget for operating the municipal government of the City of Killeen for the Fiscal year October 1, 2018 to September 30, 2019, be amended as to the portion of said budget as follows:

Revenues:

Account Number	Description	Original Budget	Budget Change	Amended Budget
524-0000-391-05-29	Transfer In from PFC Fund	\$ -	\$ 83,291	\$ 83,291
524-0000-332-15-02	USDOT – FAA	4,988,575	631,260	5,619,835
	Total	\$ 4,988,575	\$ 714,551	\$ 5,703,126

Expenditures:

Account Number	Description	Original Budget	Budget Change	Amended Budget
524-0515-521-69-01	Design/Engineering	\$ -	\$ 701,400	\$ 701,400
529-9595-492-95-24	Transfer Out to AIP Grant Fund	-	83,291	83,291
	Total	\$ -	\$ 784,691	\$784,691

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 law.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Killeen, Texas, this 18th day of December, 2018, 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:

APPROVED AS TO FORM

Lucy Aldrich
City Secretary

Kathryn H. Davis
City Attorney



AVIATION BUDGET AMENDMENT

PH-18-041B

December 11, 2018

Background

2

- Purpose of budget amendment
 - ▣ To provide funding for the design of taxiway improvements at the Killeen-Fort Hood Regional Airport.
- Fiscal Impact
 - ▣ Total cost = \$714,551
 - Taxiway improvement design - \$701,400
 - Interest on inter-fund transfer agreement - \$13,151
 - ▣ AIP Grant Fund will pay 90% of design cost - \$631,260
 - ▣ Passenger Facility Charge (PFC) Fund will pay 10% of design cost - \$70,140
 - ▣ PFC Fund will pay all of the interest - \$13,151

Aviation Budget Amendment

3

Department	Description	Current Budget	Budget Change	Amended Budget
Aviation	Revenues:			
	Transfer In from PFC Fund	\$ -	\$ 83,291	\$ 83,291
	USDOT – FAA (Grant)	4,988,575	631,260	5,619,835
	Total Revenues	\$4,988,575	\$ 714,551	\$5,703,126
	Expenditures:			
	Design/Engineering	\$ -	\$ 701,400	\$ 701,400
	Transfer Out to AIP Grant Fund	-	83,291	83,291
	Total Expenditures	\$ -	\$ 784,691	\$ 784,691

Recommendation

4

Staff recommends that City Council approve the ordinance amending the FY 2019 Annual Budget and Plan of Municipal Services.