



# City of Killeen

## Agenda City Council

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Tuesday, November 28, 2017

5:00 PM

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

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### Call to Order and Roll Call

<input type="checkbox"/> Jose Segarra, Mayor	<input type="checkbox"/> Jim Kilpatrick
<input type="checkbox"/> Shirley Fleming	<input type="checkbox"/> Debbie Nash-King
<input type="checkbox"/> Steve Harris	<input type="checkbox"/> Jonathan Okray
<input type="checkbox"/> Gregory Johnson	<input type="checkbox"/> Juan Rivera

### Invocation

### Pledge of Allegiance

### Approval of Agenda

### Minutes

1. [MN-17-027](#) Consider Minutes of Regular City Council Meeting of November 14, 2017.

**Attachments:** [Minutes](#)

### Resolutions

2. [RS-17-117](#) Consider a memorandum/resolution granting a deed without warranty to Tanja K. Robinson-Malone for property located at 501 Lisa Lane in Killeen, Texas, for property erroneously deeded to the City of Killeen.

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

[Draft Deed Without Warranty](#)

[Presentation](#)

### Public Hearings

3. [PH-17-050A](#) Consider a memorandum/resolution authorizing the acceptance of the Rifle-Resistant Body Armor Grant through state funding for the Police Department to purchase rifle-resistant body armor.

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

[Grant Program](#)

[Grant Application](#)

[Quote](#)

[Certificate of Interested Parties](#)

[Presentation](#)

4. [PH-17-050B](#) HOLD a public hearing and consider an ordinance amending the FY 2018 Annual Budget and Plan of Municipal Services of the City of Killeen by increasing revenue and expenditure accounts for the acceptance of Rifle-Resistant Body Armor Grant Program funds.

**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 November 22, 2017.*

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*Dianna Barker, City Secretary*

*The public is hereby informed that notices for City of Killeen meetings will no longer distinguish between matters to be discussed in open or closed session of a meeting. This practice is in accordance with rulings by the Texas Attorney General that, under the Texas Open Meetings Act, the City Council may convene a closed session to discuss any matter listed on the agenda, without prior or further notice, if the matter is one that the Open Meetings Act allows to be discussed in a closed session.*

*This meeting is being conducted in accordance with the Texas Open Meetings Law [V.T.C.A., Government Code, § 551.001 et seq.]. This meeting is being conducted in accordance with the Americans with Disabilities Act [42 USC 12101 (1991)]. The facility is wheelchair accessible and handicap parking is available. Requests for sign interpretive services are available upon requests received at least 48 hours prior to the meeting. To make arrangements for those services, please call 254-501-7700, City Manager's Office, or TDD 1-800-734-2989.*

## Notice of Meetings

*The Mayor and/or City Council have been invited to attend and/or participate in the following meetings/conferences/events. Although a quorum of the members of the City Council may or may not be available to attend this meeting, this notice is being posted to meet the requirements of the Texas Open Meetings Act and subsequent opinions of the Texas Attorney General's Office. No official action will be taken by Council.*

- *Celebrate Killeen Tree Lighting, December 1, 2017, 7:00 p.m., Killeen Community Center*
- *Holiday Under the Stars, December 2, 2017, 8:00 a.m., Killeen Community Center*

- *Christmas Parade, December 9, 2017, 4:30 p.m., Downtown Killeen*
- *GKCC Public Policy Luncheon, December 19, 2017, 11:30 a.m., CTC Anderson Hall*

**Dedicated Service -- Every Day, for Everyone!**



# City of Killeen

## Legislation Details

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**File #:** MN-17-027    **Version:** 1    **Name:** Minutes of Regular City Council Meeting of November 14, 2017  
**Type:** Minutes    **Status:** Minutes  
**File created:** 11/3/2017    **In control:** City Council  
**On agenda:** 11/28/2017    **Final action:**  
**Title:** Consider Minutes of Regular City Council Meeting of November 14, 2017.  
**Sponsors:** City Secretary  
**Indexes:**  
**Code sections:**  
**Attachments:** [Minutes](#)

Date	Ver.	Action By	Action	Result
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**City of Killeen**  
Regular City Council Meeting  
Killeen City Hall  
November 14, 2017 at 5:00 p.m.

Presiding: Mayor Jose L. Segarra

Attending: Mayor Pro-Tem Jim Kilpatrick, Councilmembers Debbie Nash-King, Juan Rivera, Shirley Fleming, Gregory Johnson, Jonathan Okray, and Steve Harris (5:02)

Also attending were City Manager Ronald L. Olson, Deputy City Attorney Traci Briggs, City Secretary Dianna Barker, and Sergeant-at-Arms Cole.

Councilmember Nash-King gave the invocation, and Mr. Riakos Adams led everyone in the Pledge of Allegiance.

**Approval of Agenda**

*Motion was made by Mayor Pro-Tem Kilpatrick to approve the agenda as written. Motion seconded by Councilmember Fleming. The motion carried unanimously.*

**Minutes**

*Motion was made by Councilmember Okray to approve the minutes of the October 24th Regular City Council Meeting. Motion was seconded by Councilmember Johnson. Motion carried unanimously.*

Councilmember Harris arrived at this point.

**Ordinances**

**OR-17-016** Consider an ordinance amending Chapter 29, Transportation.

The City Secretary read the caption of the ordinance.

**AN ORDINANCE AMENDING CHAPTER 29 OF THE CODE OF ORDINANCES OF THE CITY OF KILLEEN, TEXAS; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.**

**Staff comments:** Traci Briggs

Chapter 29, Transportation, is the city's regulation of for-hire transportation services, including taxicabs, limousines and shuttles. Staff was asked to revise the ordinance to minimize the regulations and to ensure it is enforceable. The main revisions of the proposed ordinance are: having all transportation services obtain a five-year operating authority; elimination of vehicle inspections; and modifying the driver requirements to align with driver requirements in state law for transportation network company (TNC) drivers. Staff recommends that the City Council approve the attached ordinance to amend Chapter 29, Transportation.

*Motion was made by Councilmember Johnson to approve OR-17-016. Motion was seconded by Councilmember Harris. Motion carried unanimously.*

### **Public Hearings**

**PH-17-047A** Consider a memorandum/resolution approving a Professional Services Agreement with Garver, LLC, for the design, bidding services, and construction phase services for passenger boarding bridge improvements at the Killeen-Fort Hood Regional Airport.

**PH-17-047B** HOLD a public hearing and consider an ordinance amending the FY 2018 Annual Budget and Plan of Municipal Services of the City of Killeen by increasing the AIP Grant revenue account and increasing various Aviation Department expenditure accounts.

The City Secretary read the caption of the ordinance.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS, AMENDING THE FY 2018 ANNUAL BUDGET AND PLAN OF MUNICIPAL SERVICES OF THE CITY OF KILLEEN BY INCREASING THE AIP GRANT REVENUE ACCOUNT AND INCREASING VARIOUS AVIATION DEPARTMENT EXPENDITURE ACCOUNTS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING A SAVING CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.**

**Staff comments:** Matt Van Valkenburgh and Jonathan Locke

In 2015, the City Council approved acceptance of an Airport Improvement Program (AIP) grant for two projects. One of those projects was for a Preliminary Engineering Report (PER) on the existing Passenger Boarding Bridges (PBB). The PER recommended improvements to two (2) bridges to increase their effectiveness and reduce maintenance costs. Staff has negotiated a professional services agreement with Garver, LLC, in the amount of \$599,400.00 for design, bidding, contract administration, and construction services for improvements to the passenger boarding bridges at the Killeen-Fort Hood Regional Airport. The FAA approval for the Passenger Facility Charge matching funds for the AIP grant award was received after the FY18 Budget was prepared. An amendment to the FY 2018 Annual Budget and Plan of Municipal Services of the City of Killeen for capital improvement projects at the Killeen-Fort Hood Regional Airport is needed.

Mayor Segarra opened the public hearing. With no one appearing, the public hearing was closed.

*Motion was made by Councilmember Okray to approve PH-17-047A. Motion was seconded by Councilmember Rivera. Motion carried unanimously.*

*Motion was made by Councilmember Rivera to approve PH-17-047B. Motion was seconded by Councilmember Fleming. Motion carried unanimously.*

**PH-17-048A** Consider an ordinance authorizing the issuance and sale of General Obligation Refunding Bonds.

The City Secretary read the caption of the ordinance.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS, AUTHORIZING THE ISSUANCE AND SALE OF CITY OF KILLEEN, TEXAS, GENERAL OBLIGATION REFUNDING BONDS; PROVIDING FOR THE SECURITY FOR AND PAYMENT OF SAID BONDS; PRESCRIBING THE FORM OF SAID BONDS; APPROVING ANY OFFICIAL STATEMENT, BOND PURCHASE AGREEMENT, PAYING AGENT/REGISTRAR AGREEMENT AND ESCROW AGREEMENT; ESTABLISHING THE PROCEDURES FOR SELLING AND DELIVERING THE BONDS; AND ENACTING OTHER PROVISIONS RELATING TO THE SUBJECT**

**PH-17-048B** HOLD a public hearing and consider an ordinance amending the FY 2018 Annual Budget and Plan of Municipal Services of the City of Killeen by increasing revenue and expenditure accounts for the issuance of General Obligation Refunding Bonds.

The City Secretary read the caption of the ordinance.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS, AMENDING THE FY 2018 ANNUAL BUDGET AND PLAN OF MUNICIPAL SERVICES OF THE CITY OF KILLEEN BY INCREASING REVENUE AND EXPENDITURE ACCOUNTS FOR THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING A SAVING CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.**

**Staff comments:** Jonathan Locke

Market conditions are such that \$30,295,000 in outstanding bonds can be refunded, saving the City an estimated \$2.2 million over the life of the bonds. Staff recommends City Council approve the ordinance authorizing the issuance and sale of General Obligation Refunding Bonds. Staff also recommends that the City Council approve the ordinance amending the FY 2018 Annual Budget and Plan of Municipal Services of the City of Killeen by increasing revenue and expenditure accounts for the issuance of General Obligation Refunding Bonds.

Mayor Segarra opened the public hearing. With no one appearing, the public hearing was closed.

*Motion was made by Mayor Pro-Tem Kilpatrick to approve PH-17-048A&B. Motion was seconded by Councilmember Okray. Motion carried unanimously.*

**PH-17-049** HOLD a public hearing and consider an ordinance requested by V Bar Properties, L.P., (Case# Z17-24) to rezone approximately 1.855 acres out of W. H. Cole Survey, Abstract No. 200, from “B-3” (Local Business District) to “R-2” (Two Family Residential District). The property is located on the east and west rights-of-way of Taylor Renee Drive, north of Chaparral Road, Killeen, Texas.

The City Secretary read the caption of the ordinance.

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF KILLEEN BY CHANGING THE ZONING OF CERTAIN PROPERTY OUT OF THE CITY OF KILLEEN, BELL COUNTY, TEXAS, FROM “B-3” (LOCAL BUSINESS DISTRICT) TO “R-1” (TWO FAMILY RESIDENTIAL DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.**

**Staff comments:** Tony McIlwain

Staff notified seven (7) surrounding property owners regarding this request. One written response protesting the request was received, as well as a petition signed by numerous individuals opposed to the request. In all, a total of three (3) respondents were property owners within the 200' notification boundary. The Planning and Zoning Commission recommended approval of "R-1" zoning by a vote of 4 to 1. The applicant acknowledged the petition signed by the residents in the neighborhood and consented to the more restrictive district. Staff agrees with the Planning and Zoning Commission's recommendation. Additionally, staff is of the determination that the submitted request for "R-2" (Two Family District) is not consistent with the zoning of adjacent properties within this community. The existing residential housing within both the Cospers Ridge Estates subdivision and further north in Splawn Ranch are exclusively of the single-family residential type. Additionally, duplex development will not be consistent with the character of the abutting "SR-1" zoned lots.

Mayor Segarra opened the public hearing. With no one appearing, the public hearing was closed.

*Motion was made by Councilmember Fleming to approve PH-17-049, changing the zoning from B-3 to R-1. Motion was seconded by Councilmember Okray. Motion carried 5 to 2 with Councilmember Harris and Councilmember Johnson opposing.*

**Adjournment**

With no further business, upon motion being made by Councilmember Okray, seconded by Mayor Pro-Tem Kilpatrick, and unanimously approved, the meeting was adjourned at 5:31 p.m.





# City of Killeen

## Legislation Details

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**File #:** RS-17-117    **Version:** 1    **Name:** Deed without warranty for 501 Lisa Lane  
**Type:** Resolution    **Status:** Resolutions  
**File created:** 11/2/2017    **In control:** City Council  
**On agenda:** 11/28/2017    **Final action:**  
**Title:** Consider a memorandum/resolution granting a deed without warranty to Tanja K. Robinson-Malone for property located at 501 Lisa Lane in Killeen, Texas, for property erroneously deeded to the City of Killeen.  
**Sponsors:** City Attorney Department  
**Indexes:**  
**Code sections:**  
**Attachments:** [Staff Report](#)  
[Draft Deed Without Warranty Presentation](#)

Date	Ver.	Action By	Action	Result
11/14/2017	1	City Council Workshop		



## STAFF REPORT

**DATE:** November 14, 2017

**TO:** Ronald L. Olson, City Manager

**VIA:** Kathy Davis, City Attorney

**FROM:** Traci Briggs, Deputy City Attorney

**SUBJECT:** Granting a deed without warranty to Tanja K. Robinson-Malone for property located at 501 Lisa Lane in Killeen, Texas for property erroneously deeded to the City of Killeen

### **BACKGROUND AND FINDINGS:**

By instrument number 2012-00053708, dated December 29, 2012, Tanja K. Robinson (now Robinson-Malone) erroneously deeded a single-family residence she owned at 501 Lisa Lane in Killeen to the City of Killeen. As staff understands it, Ms. Robinson married a veteran who was entitled to the veteran tax exemption. She apparently received bad advice from someone, and rather than deeding the property to her and her spouse, she deeded it to the city. This was done without the knowledge or consent of the city, and the city has no use for the property. Ms. Robinson-Malone is unable to correct the error without city action.

Because the city does not pay property taxes, no taxes have been assessed or collected since the conveyance. The Bell County Tax Appraisal District has confirmed that the taxes back to December 29, 2012, will be due from Ms. Robinson-Malone if the deed returning the property to her is dated back to the date of the original transfer.

The intent of this action is to reject the erroneous conveyance, deed the property back to Ms. Robinson-Malone and get the property back on the tax rolls.

### **THE ALTERNATIVES CONSIDERED:**

The options are to reject the conveyance to the city and deed it back to Ms. Robinson-Malone, or to take no action.

### **Which alternative is recommended? Why?**

Staff recommends rejecting the conveyance to the city and deeding it back to Ms. Robinson-Malone. While the Appraisal District shows the city as the owner, no taxes are being assessed or collected. Also, Ms. Robinson-Malone and her husband are limited on the options they have on the property, including financing, unless they can show ownership.

**CONFORMITY TO CITY POLICY:**

This action conforms to state law and city policy.

**FINANCIAL IMPACT:**

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

There is no expenditure related to this action. The executed deed will be provided to Ms. Robinson-Malone's attorney for filing.

**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 reject the December 29, 2012, conveyance of 501 Lisa Lane to the city, and authorize the City Manager to execute a Deed Without Warranty to return title to Tanja K. Robinson-Malone.

**DEPARTMENTAL CLEARANCES:**

City Attorney

**ATTACHED SUPPORTING DOCUMENTS:**

Draft Deed Without Warranty

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

**Deed without Warranty**

**Date:** December 29, 2012

**Grantor:** CITY OF KILLEEN, a municipal corporation

**Grantor's Mailing Address:**

CITY OF KILLEEN  
Post Office Box 1329  
Killeen, Texas 76540-1329

**Grantee:** TANJA K. ROBINSON-MALONE formerly known as TANJA K. ROBINSON

**Grantee's Mailing Address:**

TANJA K. ROBINSON-MALONE formerly known as TANJA K. ROBINSON  
501 Lisa Lane  
Killeen, Texas 76543-4129

**Consideration:**

Good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged.

**Property (including any improvements):**

Lot One (1), in Block One A (1A), of Colonial Heights, 1st Extension, being a replat of Lots 76-83, 88-92 and 97-111, Block 2, and all of Block 1, Colonial Heights, in the City of Killeen, Bell County, Texas, according to the plat of record in Cabinet B, Slide 248-B, Plat Records of Bell County, Texas.

**Reservations from Conveyance:**

None

**Exceptions to Conveyance and Warranty:**

None

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance, grants, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever, without express or implied warranty. All warranties that might arise by common law as well as the warranties in section 5.023 of the Texas Property Code (or its successor) are excluded.

**Said property was previously deeded by Grantee to the City of Killeen by General Warranty Deed recorded in Instrument No. 2012-00053708. Such transfer was done in error and the Grantor is now transferring the property back to TANJA K. ROBINSON-MALONE formerly known as Tanja K. Robinson. Grantee herein shall be responsible for all property taxes back to December 29, 2012, the date of the erroneous deed.**

When the context requires, singular nouns and pronouns include the plural.

**CITY OF KILLEEN**, a municipal corporation

\_\_\_\_\_

STATE OF TEXAS )

COUNTY OF BELL )

Before me, \_\_\_\_\_, on this day personally appeared \_\_\_\_\_, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that \_\_\_\_\_ executed the same as the act of **CITY OF KILLEEN**, a municipal corporation, as its \_\_\_\_\_, for the purposes and consideration therein expressed.

Given under my hand and seal of office this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Notary Public, State of Texas

My commission expires: \_\_\_\_\_



# DEED WITHOUT WARRANTY / LISA LANE

RS-17-117

November 14, 2017

# Background

- Tanja Robinson owned property at 501 Lisa Lane
- She married Mr. Malone, a Veteran
- They wanted to take advantage of Mr. Malone's right to the veteran exemption for property taxes
- Ms. Robinson received advice to deed the property to the city rather than to herself and her new husband
- The deed was filed December 29, 2012

# What this means



- City is exempt from paying property taxes
- The city is listed as the owner so no taxes have been assessed or collected since 2012
- Ms. Robinson is limited in what she can do with her property, including financing and insurance





# Deed Without Warranty

- Proposed action
  - ▣ Reject the original conveyance
  - ▣ Authorize the City Manager to execute a Deed Without Warranty
  - ▣ Provide the document to Ms. Robinson-Malone for filing
- Taxes
  - ▣ Tax Appraisal District confirmed that taxes will be collected back to 2012 as long as the deed is dated back to the faulty deed

# Conclusion



Staff recommends that the City Council reject the December 29, 2012, conveyance to the city and authorize the City Manager to execute a Deed Without Warranty to return title to the property to Ms. Robinson-Malone



# City of Killeen

## Legislation Details

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**File #:** PH-17-050A    **Version:** 1    **Name:** Rifle-Resistant Body Armor Grant  
**Type:** Resolution/Public Hearing    **Status:** Public Hearings  
**File created:** 10/23/2017    **In control:** City Council  
**On agenda:** 11/28/2017    **Final action:**  
**Title:** Consider a memorandum/resolution authorizing the acceptance of the Rifle-Resistant Body Armor Grant through state funding for the Police Department to purchase rifle-resistant body armor.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [Staff Report](#)  
[Grant Program](#)  
[Grant Application](#)  
[Quote](#)  
[Certificate of Interested Parties](#)  
[Presentation](#)

Date	Ver.	Action By	Action	Result
11/14/2017	1	City Council Workshop		



## STAFF REPORT

**DATE:** November 14, 2017

**TO:** Ronald L. Olson, City Manager

**FROM:** Charles F. Kimble, Chief of Police

**SUBJECT:** Acceptance of Grant Funds for Rifle Resistant Body Armor Program

### **BACKGROUND AND FINDINGS:**

The Office of the Governor, Criminal Justice Division, announced the Rifle-Resistant Body Armor Grant Program earlier this year. There are no matching funds requirements as the grant funds the entire cost of body armor. The Police Department has applied for this grant in accordance with City of Killeen Grant Policy.

As part of the grant application, the department was required to select a make and model of body armor for the project. Department subject matter experts looked at available options and selected the Safariland/Protech Shift 360 Body Armor package offered exclusively by GT Distributors, Inc. It offers the best combination of maximum protection, value, and features that the department was searching for including modular pouches, identification panels, and a storage bag. The armor carrier is scalable and capable of being upgraded to meet any future needs.

The Police Department is requesting authority to accept \$127,350 in grant funding and purchase 225 units of rifle-resistant body-armor from GT Distributors, Inc. through a state purchasing cooperative. The body armor package is exclusively available from GT Distributors, Inc., through the Texas Association of School Boards (TASB) BuyBoard, making this purchase in compliance with state competitive purchasing requirements as found in the Texas Local Government Code. GT Distributors, Inc. TASB Buyboard contract # 524-17 is effective through March 31, 2018.

### **THE ALTERNATIVES CONSIDERED:**

Accept grant funding and purchase the body armor from GT Distributors, Inc. through the state purchasing cooperative as proposed.

Request budget funds for rifle-resistant body armor in future years.

Do not issue rifle-resistant body armor to police officers.

### **Which alternative is recommended? Why?**

The first alternative is the most reasonable since the grant funds 100% of the cost of the body armor with no matching funds requirement.

**CONFORMITY TO CITY POLICY:**

This purchase conforms to City Policy and applicable laws.

**FINANCIAL IMPACT:**

There is no immediate financial impact. The grant funds \$127,350 to purchase the rifle-resistant body armor. There is no matching funds requirement.

The following statement is a specific grant requirement:

In the event of the loss or misuse of grant funds, the City of Killeen will return all funds to the Office of the Governor, Criminal Justice Division.

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

\$127,350 in grant funds (\$0 in City of Killeen funds)

This body armor has a warranty period and recommended service life of five years. After five years, the department will seek additional funding through budget or grant sources in order to continue the program. Current cost to replace armor plates is \$81,675. The vest carriers will not be subject to replacement at five years.

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

One time

**Is this expenditure budgeted?**

Following approval of the corresponding budget amendment

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

Grant funds from the Office of the Governor, Criminal Justice Division, Rifle-Resistant Body Armor Grant Program.

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

N/A

**RECOMMENDATION:**

The city staff recommends that the city manager be authorized to accept the grant funds and execute the purchase of body armor from GT Distributors, Inc. through the TASB State BuyBoard and that the City Manager or designee is expressly authorized to execute any and all change orders within the amounts set by state and local law.

**DEPARTMENTAL CLEARANCES:**

Legal  
Purchasing  
Finance

**ATTACHED SUPPORTING DOCUMENTS:**

Grant Program  
Grant Application  
Quote  
Certificate of Interested Parties



## MEMORANDUM Killeen Police Department

To: Mr. Ron Olson, City Manager  
From: Commander Alex Gearhart  
Date: August 4, 2017  
Subject: BG-Rifle-Resistant Body Armor Grant Program (BAGP)

Senate Bill 12 was recently signed into law which authorized the Criminal Justice Division (CJD) of the Governor's Office to create a grant program to assist agencies in the purchase of rifle-resistant body armor. The law was passed in response to last year's ambush attack in Dallas by a lone assailant armed with a rifle. Four Dallas Police Officers and one DART Police Officer were killed in the attack and others were injured. The legislature realized that regular body armor does not protect officers from this threat. Killeen is facing an uptick in violent crime including crimes committed with rifles. Current armor leaves a gap in the protection we are providing to our officers who must respond to these threats.

The department is seeking approval to apply for this grant. **The deadline to apply is September 6, 2017.** Attached to this memorandum, you will find a Grant Pre-Application Assessment Cover Page for the BG-Rifle-Resistant Body Armor Grant Program (BAGP), a flyer with description of armor package selected and Grant Announcement.

The following information is provided in response to city grant policy regarding pre-application assessment considerations:

**Total Cost:**

\$127,350 (\$566 per unit)

**Match Requirement:**

There is no matching funds requirement with this grant. The grant pays for 100% of the cost of the armor.

**Staffing Requirement:**

None

**Continuation Plan:**

Most body armor, including the armor plates selected for this grant, have a five-year warranty and replacement cycle. The initial cost to start this grant is \$127,350. This cost includes the ceramic armor plates and the plate carrier. The current cost to replace the plates alone after the



warranty period expires is \$81,675. As we believe this to be a critical piece of protective equipment, we will seek funding sources, including budgeted funds and future grant opportunities in order to continue the program.

**Alignment with strategic plan and/or department's business plan:**

Body Armor is a critical piece of equipment for police officers. Regular soft body armor does not provide protection from rifles. Killeen is experiencing an uptick in violent crime, including crimes committed with rifles. Providing this level of protection to officers is critical and aligns with the current KPD Strategic Plan Objectives 1.7 (Improve Workplace Safety) and 3.24 (Procure Adequate Ballistic Protection for Operations.) One of the key strategies for achieving these objectives is to budget necessary ballistic devices for police operations.

The selected armor package is available from GT Distributors at this contract price through the state purchasing cooperative. Please contact me if you need any further information or documentation.

Respectfully,



Cdr. Alex Gearhart  
Chief of Staff  
Killeen Police Department



Office of the Governor

## Criminal Justice Division

Funding Announcement (Amended):

### ***Rifle-Resistant Body Armor Grant Program***

July 12, 2017

## Opportunity Snapshot

Below is a high-level overview of many of the elements of this opportunity. Full information is provided in the funding announcement that follows.

### Amendment

The original funding announcement was amended to remove restrictions on eligibility for state colleges and universities and with more explicit instructions regarding the submission of budgets.

### Purpose

The purpose of this announcement is to solicit applications for projects that equip law enforcement officers at risk of shootings with rifle-resistant body armor.

### Eligible Funding Areas

Funds may be used by law enforcement agencies to equip law enforcement officers with bullet-resistant personal body armor compliant with the National Institute of Justice (NIJ) standard for rifle protection.

### Funds Available

It is anticipated that up to \$25 million may be funded under this announcement.

### Process

Applicants will respond to this funding announcement by completing an application in eGrants <https://eGrants.gov.texas.gov>.

### Budget

There is no minimum or maximum request under this program, however, applicants should consider the overall availability of funds and CJD's goal to provide resources to as many departments as possible. Funds may only be used to obtain body armor, including bulletproof vests, ballistic plates, and plate carriers.

### Match

There is no match requirement under this program.

### Project Periods

All projects must begin between Jan. 1 and Mar. 1, 2018. A project period may not exceed 12 months.

### Organizational Eligibility

Applications may be submitted by the Texas Department of Public Safety, and units of local government and educational institutions that operate law enforcement agencies employing peace officers under Article 2.12, Texas Code of Criminal Procedure, including municipalities, counties, independent school districts, universities, public and private colleges and universities, federally recognized Native American tribes, community colleges and hospital districts. *With the exception of the Texas Department of Public Safety, applications must be submitted by the entity operating the law enforcement agency, not the agency itself, e.g. the county government, not the sheriff's office.*

### Contact Information

If additional information is needed, contact the eGrants help desk at [eGrants@gov.texas.gov](mailto:eGrants@gov.texas.gov) or (512) 463-1919.

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# Rifle-Resistant Body Armor Grant Program

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The goal of the Governor’s Criminal Justice Division (CJD) is to provide needed funding to improve public safety and support victims of crime by filling system gaps and promoting innovative solutions to common problems. In 2017, in response to the July 7<sup>th</sup>, 2016, shooting of numerous police officers in Dallas, Texas, the Legislature passed and the Governor signed Senate Bill 12, which created a grant program within the governor’s office to increase the safety of Texas’ law enforcement officers by assisting agencies in the purchase of rifle-resistant body armor. CJD is now accepting applications for projects under this program.

If you are interested in applying for a grant under this program, follow the four-step process outlined below.

- **Step One - Review the Process:** Get familiar with the funding announcement and the process used for this particular program.
- **Step Two - Consider the Requirements:** Consider the eligibility requirements as well as what will be required of successful applicants.
- **Step Three - Apply in eGrants.** Compile and submit your grant application. To understand how to apply online or to register for the system go to <https://eGrants@gov.texas.gov>.
- **Step Four – Funding Decisions and Grant Acceptance.** Await the funding decision, which is provided through a grant award or other notice from CJD. If you receive an award, complete the acceptance process to access funds.

## Step 1: Review the Process

### Timeline

Action	Date
Funding Announcement Release	July 7, 2017
Online System Opening Date	July 7, 2017
Final Date to Submit an Application	September 6, 2017 5PM CST
Earliest Start Date	January 1, 2018
Latest Start Date	March 1, 2018

### Submission Method

Applicants must submit applications through via eGrants ([eGrants.gov.texas.gov](https://eGrants@gov.texas.gov)) by the deadline above.

## Step 2: Consider the Requirements

### Organizational Eligibility

Applications may be submitted by the Texas Department of Public Safety, and units of local government and educational institutions that operate law enforcement agencies employing peace officers under Article 2.12, Texas Code of Criminal Procedure, including municipalities, counties, independent school districts, universities, public and private colleges and universities, federally recognized Native American tribes, community colleges and hospital districts. (This announcement has been revised to remove restrictions on state public universities.)

State agencies other than the Texas Department of Public Safety are not authorized under law to apply for funds under this grant program.

*With the exception of the Texas Department of Public Safety, applications must be submitted by the entity operating the law enforcement agency, not the agency itself, e.g. the county government, not the sheriff's office.*

### Funding and Project Period Limits

It is anticipated that up to \$25 million may be funded under this announcement. This amount represents the full level of funding available. (Funds are authorized under Senate Bill 12 and appropriated by the 85<sup>th</sup> Legislature.) The number and amount of awards will depend upon the reasonableness of costs of individual, eligible applications, and the total volume of applications received.

A project funded may not exceed a one-year grant period.

### Match Requirement

There is no match requirement under this program.

### Eligible Expenses

**Eligible equipment.** Grant funds are restricted to obtaining body armor compliant with the National Institute of Justice (NIJ) standard (Ballistic Resistance of Body Armor NIJ Standard-0101.06) type III (rifles) or type IV (armor piercing rifle) body armor, including bullet-resistant vests, ballistic plates, and plate carriers.

**Eligible purchase models.** Funds may be used for the outright purchase of eligible equipment, or other supply-service or subscription models. However, grant funds are restricted to the one-year project period, and costs for any subscription models or additional extended warranties that extend beyond the project period must be prorated to correspond to the project period.

**Eligible officers to equip.** Grant funds may only be used to equip peace officers (as defined by Article 2.12, Texas Code of Criminal Procedure) directly employed by a law enforcement agency operated by the applicant. Funds may not be used to equip officers employed by other agencies that are not eligible to apply. CJD may prioritize the equipping of certain types of officers or applicants if the total requested

funds exceed the funds appropriated by the Legislature. (See “Selection and Fund Allocation Criteria” below under Step 4.) Only one set of body armor (partial or complete) per officer may be purchased.

**Equipment purchasing.** The Texas Comptroller of Public Accounts’ Statewide Procurement Division (SPD) has developed a list of Bullet Proof Vest and Body Armor that local government members may order on [Texas SmartBuy](http://www.txsmartbuy.com/) ( <http://www.txsmartbuy.com/> ). Grantees may find more information about available products and get assistance with purchasing equipment on the [SB12 Body Armor web page](http://comptroller.texas.gov/purchasing/contracts/body-armor.php) ( <http://comptroller.texas.gov/purchasing/contracts/body-armor.php> ), or contact SPD for help in evaluating vendor offers against the pricing on statewide contracts.

Because CJD is attempting to equip the maximum number of law enforcement officers in Texas, if the total funding requested by applicants exceeds available funding, applicants with more reasonable and competitive project budgets may receive priority. Not all body armor listed at the Comptroller’s website complies with the requirements of this grant program.

### Ineligible Costs and Activities

Costs under this grant program are strictly limited to the procurement of eligible body armor. Grant funds may not be used to support services, activities, and costs including but not limited to:

- 1) Salaries or personnel costs, including any portion of the salary of, or any other compensation for an elected or appointed government official;
- 2) Supplanting or use of grant funds to replace any other existing federal, state or local funds;
- 3) Indirect costs;
- 4) Training and/or maintenance costs;
- 5) Travel;
- 6) Any costs ancillary to the purchase of eligible body armor, such as policy development, training costs, staff, or any other item determined ineligible or unreasonable by CJD;
- 7) Any other prohibition imposed by federal, state, or local law.

### Reporting Requirements

**Financial Report.** At the end of each state fiscal quarter during the one-year grant period, grantees will be required to submit a financial status report via eGrants in the format required by CJD.

**Progress Report.** Grantees will be required to submit a single close-out report via the Public Policy Research Institute at Texas A&M University ( <https://ppri.tamu.edu/> ) 12 months after their project start date. Close-out reports will be very brief and will principally ask for:

- 1) Number of officers employed by the law enforcement agency;
- 2) Number of officers equipped with NIJ-compliant level III & IV body armor; and
- 3) A brief description of any shooting events in which an officer equipped with body armor purchased with grant funds was struck by gunfire.

## Program-Specific Requirements

**Required Agency Policies.** As required by Chapter 772.0073, Texas Government Code (as passed in Senate Bill 12), an eligible organization may apply for grant funds only after its law enforcement agency adopts a policy addressing the:

- 1) Deployment and allocation of vests or plates to its officers; and
- 2) Usage of vests or plates by its officers.

CJD requires that the policy on usage of vests or plates include mandatory training on the proper care, fitting, inspection, use, storage, and maintenance of the armor. CJD also requires that the policy specify that body armor may not be left in patrol vehicles when an officer is not on duty to minimize the heat damage to the armor.

In crafting these policies, applicants should be aware that the inspection, storage, and replacement of body armor were identified as potential points of failure in body armor use by the Police Executive Research Forum. See [\*“A Practitioner’s Guide To the 2011 National Body Armor Survey of Law Enforcement Officers”\*](#) for more information.

**NIJ Body Armor Standards.** Body armor purchased with grant funds must comply with the National Institute of Justice (NIJ) standard (Ballistic Resistance of Body Armor NIJ Standard-0101.06) for type III (rifles) or type IV (armor piercing rifle) body armor, including bullet-resistant vests, ballistic plates, and plate carriers. Grantees are responsible for ensuring that any purchases meet this requirement and must certify compliance at the time of application.

**Personally Fitted Vest Requirement.** All body armor vests purchased with grant funds must be personally fitted for individual officers, including vests specifically fitted to individual female law enforcement officers. “Personally fitted” does not require armor be individually manufactured based on the measurements of a specific wearer, but rather that it provide the best possible fit and coverage, through a combination of:

- 1) Correctly-sized panels and carrier, determined through appropriate measurement; and
- 2) Properly adjusted straps, harnesses, fasteners, flaps, or other adjustable features.

The American Society for Testing and Materials (ASTM) International has made available the Standard Practice for Body Armor Wearer Measurement and Fitting of Armor ([\*Active Standard ASTM E3003\*](#)) available at no cost. The [\*Personal Armor Fit Assessment checklist\*](#), is excerpted from ASTM E3003.

Grantees are responsible for ensuring that all purchases meet this requirement and must certify compliance at the time of application.

## Standard CJD Requirements

**CJD Regulations.** Grantees must comply with the standards applicable to this funding source cited in the Texas Administrative Code (1 TAC Chapter 3), and all statutes, requirements, and guidelines applicable to this funding.



**Uniform Crime Reports.** Eligible applicants operating a law enforcement agency must be current on reporting Part I violent crime data to the Texas Department of Public Safety (DPS) for inclusion in the annual Uniform Crime Report (UCR). To be considered eligible for funding, applicants must have submitted a full twelve months of accurate data to DPS for the most recent calendar year.

**Criminal History Reporting.** The county (or counties) in which the applicant is located must have a 90% average on both adult and juvenile criminal history dispositions reported to the Texas Department of Public Safety for calendar years 2012 through 2016 as of August 31, 2017

**Immigration and Customs Enforcement Requests:** An application requirement pertaining to full compliance with Department of Homeland Security detainer requests applies to all municipal or county governments that operate a subdivision or department that detains individuals after arrest for a criminal violation. Full text of this certification can be found on the Narrative tab of each application or at [http://gov.texas.gov/cjd/dhs\\_detainerrequest](http://gov.texas.gov/cjd/dhs_detainerrequest). All applicants must select one of four options in their eGrants application to be considered for funding under this announcement.

## Step 3: Apply via eGrants

### Basics

To apply to CJD for these grants, you must complete or make sure you have already completed some standard requirements. All of the following are needed to apply within eGrants:

- Applicants must have a DUNS (Data Universal Numbering System) number assigned to its agency (to request a DUNS number, go to <http://fedgov.dnb.com/webform/displayHomePage.do>).
- Applicants must be registered in the federal System for Award Management (SAM) database located at <https://www.sam.gov/> and maintain an active registration throughout the grant period.
- Applicants must have or register for an account in eGrants [eGrants@gov.texas.gov](mailto:eGrants@gov.texas.gov).

### Profile Tab – Grant.Vendor Sub-Tab Direct Deposit Procedures

New Direct Deposit procedures: Applicants must upload the required [Direct Deposit forms](#), [New Payee Identification Form](#), and [W9 Form](#) for each application prior to submission. The eGrants system will not allow an application submission until these forms are attached to the application. These forms are available at <https://egrants.gov.texas.gov/updates.aspx> under the Financial Management Tools section or by clicking on the hyperlinks above.

### Narrative Tab – Program-Specific Questions

Applicants must enter the number of officers currently employed by the agency, the number of officers currently equipped with Type III and Type IV body armor, and the number proposed to be equipped under the grant for the following four categories:

- 1) Officers within a tactical response (SWAT-style) unit or specifically assigned tactical response duties;

- 2) Officers who are engaged in traffic or highway patrol, otherwise regularly detain or stop motor vehicles, are primary responders to calls for assistance from the public, or execute arrest or search warrants for criminal offenses;
- 3) All other officers employed by the agency;
- 4) All other reserve officers.

### **Narrative Tab – Required Certifications**

There are a variety of certifications on the eGrants application that applicants are required to make when submitting their application. Applicants should carefully review these certifications, which are also found in this funding announcement’s “Appendix A: Required Certifications”.

### **Narrative Tab – Project Narrative**

The eGrants system contains nine narrative boxes, but only one is required for this grant program. Using the headings indicated below in bold type, applicants should use the “Project Abstract” box, to describe:

- 1) **Duties.** The duties of the four categories of officers proposed to be equipped under the project, including how those duties would expose the officers to gunfire that necessitates Type III and Type IV body armor.
- 2) **History.** Any recent history of shootings that demonstrates the need for Type III and Type IV body armor.
- 3) **Non-Tactical Duties.** If the project proposes equipment for reserve officers and/or officers not engaged in tactical response duties, regular patrol, response to calls for assistance, or the execution of warrants related to criminal offenses, why such officers have a need for this level of body armor.
- 4) **Multi-Agency Breakdown.** If the project will equip more than one agency operated by an applicant, how many of each category of officer (tactical response officers; patrol/response/warrant-serving officers; other employed officers; other reserve officers) work in each agency. (For example, if a county’s application contains equipment for officers in a constable’s office and a sheriff’s office, those total should be broken-out here.)

Applicants should enter “n/a” in all other project narrative boxes.

### **Activities Tab – CJD Purpose Areas**

Applicants must estimate the percentage of time officers proposed to be equipped under their project will be specifically assigned to:

- 1) Educational campuses;
- 2) Jails or prisons;
- 3) Juvenile facilities (not regular K-12 or college campuses);
- 4) Victim services facilities;
- 5) General (all other areas)

### **Activities Tab – Fund Source Information and Requirements**

If the officers to be equipped with grant funds are explicitly assigned to specific educational campuses (K-12 or higher education), the applicant must enter the TOTAL students at ALL campuses that will be served by the project.

### **Activities Tab – OOG-Defined Project Activity Area**

Applicants should assign 100% of their project activity to “Equipment and Technology”. For the Description of Activity, “Equipping officers with Type III and Type IV body armor” is sufficient.

### **Measures Tab**

There are no additional measures required for this grant program.

### **Budget Tab**

Applicants must submit a budget line item for each type of item being purchased, including the expected make and model of the item and the quantity of item to be purchased. For example, a budget line item listing a quantity of one and a description reading “12 bullet resistant vests” is incorrect. That budget line item should list a quantity of 12 and a description reading “Bullet resistant vests by [manufacturer] of model [model of vest]”.

Applicants receiving awards are not locked-in to the make and model of equipment in their application, but must consult with their grant manager and request a budget adjustment changing the make and model *before* making any purchases. CJD reserves the right to deny a requested change, and any purchases of equipment not listed in the approved budget are not guaranteed to be reimbursed.

### **Submit.Application and Certify.Application Tabs**

After completing the application, submit the application by selecting the “Submit Initial Application” button on the bottom of the Submit.Application tab. (If your application is missing information, a list of errors will appear on the Submit.Application tab.)

After the initial submission, the project officials will receive an email notification. The Authorized Official must then log-in to the application and certify the application by selecting the “Certify Official Application” button at the bottom of the Certify.Application tab (only visible once the application has been initially submitted).

Applications are not complete until the Authorized Official has CERTIFIED the application, and they must do so BEFORE the application deadline.

For support documents and “how-to” videos and other resources, including the Guide to Creating an Application, see the eGrants support page at <https://egrants.gov.texas.gov/updates.aspx>.

## Step 4: Review your Funding Decision

### Selection and Fund Allocation Criteria

CJD will review applications to understand the overall demand for the program and for significant variations in costs per item. After this review, CJD will determine if all eligible applications can be funded based on funds available, if there are cost-effectiveness benefits to normalizing or setting limits on the range of costs, and if other fair-share cuts may allow for broader distribution and a higher number of projects while still remaining effective.

In the event that the total requested funds exceed available funding, CJD may also prioritize applications for municipal police departments, sheriff's offices, or – within projects – officers engaged in tactical response and regular patrol/response or warrant-execution duties.

**Final Decisions – All Projects:** The executive director will consider the analysis described above along with other factors and make all final funding decisions. Other factors may include need, cost effectiveness, overall funds availability, CJD or state government priorities and strategies, legislative directives, need, geographic distribution, balance of focuses and approaches, or other relevant factors.

CJD may not fund all applications or may only award part of the amount requested. Per Title 1, Section 3.9 of the Texas Administrative Code, all funding decisions made by the executive director are final and are not subject to appeal. The receipt of an application by CJD does not obligate CJD to fund the grant or to fund it at the amount requested.

### Announcements

After CJD makes final funding decisions, each applicant will receive either an unfunded notice, a preliminary decision notification, or a final grant award. The award will provide all of the conditions and requirements of the grant. Release of final grant awards are always contingent on CJD's receipt of the federal grant award under which the program is funded and CJD cannot release or guarantee funding to any applicant until that award is received and acceptance is processed and a determination is made that adequate funding is available. All grantees receiving federal and state funds must comply with the applicable statutes, rules, regulations, and guidelines related to the funding source under which the grant is funded. In instances where both federal and state requirements apply to a grantee, the more restrictive requirements apply.

## Appendix: Required Certifications

Applicants must certify that they will comply with the following requirements to the extent that they are applicable. CJD, at its sole discretion, will determine the applicability of requirements:

**A. Constitutional Compliance:** Applicant assures that it will not engage in any activity that violates Constitutional law including profiling based upon race.

**B. Required Agency Policies:** Applicant assures that it has adopted policies addressing the deployment and allocation of vests or plates to its officers; and the usage of vests or plates by its officers. CJD requires that the policy on usage of vests or plates include mandatory training on the proper care, fitting, inspection, use, storage, and maintenance of the armor. CJD also requires the policy specify that body armor may not be left in patrol vehicles when an officer is not on duty in order to minimize the heat damage to the armor.

In crafting these policies, applicants should be aware that the inspection, storage, and replacement of body armor were identified as potential points of failure in body armor use by the Police Executive Research Forum. See [“A Practitioner’s Guide To the 2011 National Body Armor Survey of Law Enforcement Officers”](#) For more information.

**C. NIJ Body Armor Standards.** Applicant assures that body armor purchased with grant funds will comply with the National Institute of Justice (NIJ) standard (Ballistic Resistance of Body Armor NIJ Standard-0101.06) for type III (rifles) or type IV (armor piercing rifle) body armor, including bullet-resistant vests, ballistic plates, and plate carriers.

**D. Personally Fitted Vest Requirement.** Applicant assures that all body armor vests purchased with grant funds will be personally fitted for individual officers, including vests specifically fitted to individual female law enforcement officers. “Personally fitted” does not require armor be individually manufactured based on the measurements of a specific wearer, but rather that it provide the best possible fit and coverage, through a combination of:

- 1) Correctly-sized panels and carrier, determined through appropriate measurement; and
- 2) Properly adjusted straps, harnesses, fasteners, flaps, or other adjustable features.

The American Society for Testing and Materials (ASTM) International has made available the Standard Practice for Body Armor Wearer Measurement and Fitting of Armor ([Active Standard ASTM E3003](#)) available at no cost. The [Personal Armor Fit Assessment checklist](#), is excerpted from ASTM E3003.

**E. Uniform Crime Reports:** Eligible applicants operating a law enforcement agency must be current on reporting Part I violent crime data to the Texas Department of Public Safety for inclusion in the annual Uniform Crime Report (UCR) and must have been current for the twelve previous months.

**F. Criminal History Reporting:** The county (or counties) in which the applicant is located must have a 90% average on both adult and juvenile criminal history dispositions reported to the Texas Department of Public Safety for calendar years 2012 through 2016, as of August 31, 2017.

**G. Immigration and Customs Enforcement Requests:** The full text of this certification is found at [http://gov.texas.gov/cjd/dhs\\_detainerrequest](http://gov.texas.gov/cjd/dhs_detainerrequest). To be in compliance with this requirement, any county or municipal government that includes a department that detains individuals after arrest for a criminal violation must provide a letter signed by the head of each such department certifying to the requirements. This letter may be used for any application submitted to OOG for a period of up to two years from the date it is signed. If the applicant has submitted a letter to CJD in the prior year, that letter meets the requirement of this section. If that period expires during the project period of any grant, the grantee must submit an updated letter for each such grant to remain in compliance with this requirement. All applicants must select one of the following options:

- Applicant is not a county or municipal government.
- Applicant is a county or municipal government and does not include any department that detains individuals after arrest for a criminal violation at any time.
- Applicant is a county or municipal government that includes department(s) that detain individuals after arrest for a criminal violation. Letters certifying compliance and signed by the heads of all such departments have been uploaded to this application.
- Applicant is a county or municipal government that includes department(s) that detain individuals after arrest for a criminal violation. The Authorized Official has read the certification found at [http://gov.texas.gov/cjd/dhs\\_detainerrequest](http://gov.texas.gov/cjd/dhs_detainerrequest). Further, the Authorized Official will not be submitting signed letters certifying compliance from the heads of all such departments and understands that failure to comply with this certification may result in OOG, at its sole discretion, rejecting this application and any other application from the relevant county or municipal government.

**H. Civil Rights Liaison:** A civil rights liaison who will serve as the grantee's civil rights point of contact and who will be responsible for ensuring that the grantee meets all applicable civil rights requirements must be designated. The designee will act as the grantee's liaison in civil rights matters with CJD and with the federal Office of Justice Programs.

**Overall Certification:** Each applicant agency must certify to the specific requirements detailed above as well as all requirements within the CJD funding announcement and *Criminal Justice Division & Homeland Security Grants Division Grantee Conditions and Responsibilities* document to be eligible for this program.

## About CJD

Our mission at the Criminal Justice Division is to direct much needed resources to those who are committed to making Texas a safer place and those who help victims of crime to recover and feel safe again. In carrying out this mission, we are committed to helping our grantees by actively finding ways for them to accomplish their goals and by making sure that we always have our eye to identifying the approaches that work best. We envision positive and beneficial working relationships with our grantees where we provide as much assistance as is needed and where we are always ready with answers, not burdensome restrictions or requirements.

CJD is providing over \$250 million in funding to hundreds of organizations during state fiscal year 2016 for juvenile justice, delinquency prevention, victims services, law enforcement, prosecution, courts, specialty courts, prevention of child sex trafficking, and other types of projects to benefit Texans.

Version 4: June 30, 2017

**Agency Name:** City of Killeen -- Police Department  
**Grant/App:** 3500601 **Start Date:** 1/1/2018 **End Date:** 12/31/2018

**Project Title:** Rifle Resistant Body Armor Program  
**Status:** Pending OOG Review

**Eligibility Information**

**Your organization's Texas Payee/Taxpayer ID Number:**  
17460015047006

**Application Eligibility Certify:**

Created on:8/29/2017 10:04:18 AM By: Alex Gearhart

**Profile Information**

**Applicant Agency Name:** City of Killeen -- Police Department  
**Project Title:** Rifle Resistant Body Armor Program  
**Division or Unit to Administer the Project:** Administrative Services Division/Office of Management and Budget  
**Address Line 1:** 3304 Community Blvd  
**Address Line 2:**  
**City/State/Zip:** Killeen Texas 76542-6381  
**Start Date:** 1/1/2018  
**End Date:** 12/31/2018

**Regional Council of Governments(COG) within the Project's Impact Area:** Central Texas Council of Governments  
**Headquarter County:** Bell  
**Counties within Project's Impact Area:** Bell

**Grant Officials:**

**Authorized Official**

**User Name:** Dennis Baldwin  
**Email:** dbaldwin@killeentexas.gov  
**Address 1:** 101 N. College Street  
**Address 1:**  
**City:** Killeen, Texas 76541  
**Phone:** 254-501-7700 Other Phone:  
**Fax:** 254-634-2484  
**Title:** Mr.  
**Salutation:** Mr.  
**Position:** Interim City Manager

**Project Director**

**User Name:** Karen Evans



**Email:** kevans@killeentexas.gov  
**Address 1:** PO Box 1329  
**Address 1:**  
**City:** Killeen, Texas 76540  
**Phone:** 254-501-7740 Other Phone:  
**Fax:**  
**Title:** Ms.  
**Salutation:** Ms.  
**Position:** Assistant Finance Director

### **Financial Official**

**User Name:** Kitty Guerrero  
**Email:** cvenzlauskas-guerrero@killeentexas.gov  
**Address 1:** 3304 Community Blvd  
**Address 1:**  
**City:** Killeen, Texas 76542  
**Phone:** 254-501-8952 Other Phone:  
**Fax:** 254-200-7978  
**Title:** Ms.  
**Salutation:** Ms.  
**Position:** Killeen Police Dept Finance Manager

### **Grant Writer**

**User Name:** Alex Gearhart  
**Email:** agearhart@killeentexas.gov  
**Address 1:** 3304 Community Blvd  
**Address 1:**  
**City:** Killeen, Texas 76542  
**Phone:** 254-200-7989 Other Phone: 254-462-6005  
**Fax:** 254-200-7978  
**Title:** Mr.  
**Salutation:** Commander  
**Position:** Chief of Staff

### **Grant Vendor Information**

**Organization Type:** Unit of Local Government (City, Town, or Village)  
**Organization Option:** applying to provide services to all others  
**Applicant Agency's State Payee Identification Number (e.g., Federal Employer's Identification (FEI) Number or Vendor ID):** 17460015047006  
**Data Universal Numbering System (DUNS):** 068980739

### **Narrative Information**

Introduction

Information related to this program is in the relevant CJD funding announcement for the Rifle-Resistant Body Armor Grant Program. Applicants MUST read the funding announcement

(linked above under “OOG Solicitation”) for important information on eligible program activities and expenses and instructions on how to fill out applications. Failure to adequately follow instructions in the funding announcements may result in CJD deeming a grant ineligible for funding.

### **Instructions for Section 1: Program-Specific Questions**

Applicants should answer questions regarding the current state of the agency and the number if the grant is funded at the full amount.

### **Instructions for Section 2: Certifications**

Applicants should review the stated certifications and further requirements in the Funding Announcement before making the Overall Certification.

### **Instructions for Section 3: Project Narrative**

The eGrants system contains nine narrative boxes, but only one is required for this grant program. Using the headings indicated below in bold type, applicants should use the “Project Abstract” box, to describe:

1. **Duties.** The duties of the four categories of officers proposed to be equipped under the project, including how those duties would expose the officers to gunfire that necessitates Type III and Type IV body armor.
2. **History.** Any recent history of shootings that demonstrates the need for Type III and Type IV body armor.
3. **Non-Tactical/Patrol/Warrant-Serving Duties.** If the project proposes equipment for reserve officers and/or officers not engaged in tactical response duties, regular patrol, response to calls for assistance, or the execution of warrants related to criminal offenses, why such officers have a need for this level of body armor.
4. **Multi-Agency Breakdown.** If the project will equip more than one agency operated by an applicant, how many of each category of officer (tactical response officers; patrol/response/warrant-serving officers; other employed officers; other reserve officers) work in each agency. (For example, if a county’s application contains equipment for officers in a constable’s office and a sheriff’s office, those totals should be broken-out here.)

Applicants should enter 'N/A' in all other project narrative boxes.

### **Section 1: Program-Specific Questions**

Applicants must enter the number of officers currently employed by the agency, the number of officers currently equipped with Type III and Type IV body armor, and the number proposed to be equipped under the grant for the following four categories:

**A. Tactical Response** - officers within a tactical response (SWAT-style) unit or specifically assigned tactical response duties

Current total number of officers:

39

Current number of officers equipped with Type III and Type IV body armor:

39

Target number of officers equipped with Type III and Type IV body armor after grant:

39

**B. Traffic or Highway Patrol** - officers who are engaged in traffic or highway patrol, otherwise regularly detain or stop motor vehicles, are primary responders to calls for assistance from the public, or execute arrest or search warrants for criminal offenses

Current total number of officers:

225

Current number of officers equipped with Type III and Type IV body armor:

0

Target number of officers equipped with Type III and Type IV body armor after grant:

225

**C. Other** - all other officers *employed* by the agency

Current total number of officers:

16

Current number of officers equipped with Type III and Type IV body armor:

0

Target number of officers equipped with Type III and Type IV body armor after grant:

0

**D. Reserve Officers** - all other reserve officers

Current total number of officers:

0

Current number of officers equipped with Type III and Type IV body armor:

0

Target number of officers equipped with Type III and Type IV body armor after grant:

0

Section 2: Certifications

In addition to the requirements found in existing statute, regulation, and the funding announcement, this program requires applicant organizations to certify compliance with the following:

#### **A. Constitutional Compliance**

Applicant assures that it will not engage in any activity that violates Constitutional law including profiling based upon race.

#### **B. Required Agency Policies**

Applicant assures that it has adopted policies addressing the deployment and allocation of vests or plates to its officers; and the usage of vests or plates by its officers. CJD requires that the policy on usage of vests or plates include mandatory training on the proper care, fitting, inspection, use, storage, and maintenance of the armor. CJD also requires the policy specify that body armor may not be left in patrol vehicles when an officer is not on duty in order to minimize the heat damage to the armor.

In crafting these policies, applicants should be aware that the inspection, storage, and replacement of body armor were identified as potential points of failure in body armor use by the Police Executive Research Forum. See "[A Practitioner's Guide To the 2011 National Body Armor Survey of Law Enforcement Officers](#)" for more information.

#### **C. NIJ Body Armor Standards**

Applicant assures that body armor purchased with grant funds will comply with the National Institute of Justice (NIJ) standard (Ballistic Resistance of Body Armor NIJ Standard-0101.06) for type III (rifles) or type IV (armor piercing rifle) body armor, including bullet-resistant vests, ballistic plates, and plate carriers.

#### **D. Personally Fitted Vest Requirement**

Applicant assures that all body armor vests purchased with grant funds will be personally fitted for individual officers, including vests specifically fitted to individual female law enforcement officers. "Personally fitted" does not require armor be individually manufactured based on the measurements of a specific wearer, but rather that it provide the best possible fit and coverage, through a combination of:

1. Correctly-sized panels and carrier, determined through appropriate measurement; and
2. Properly adjusted straps, harnesses, fasteners, flaps, or other adjustable features.

The American Society for Testing and Materials (ASTM) International has made available the Standard Practice for Body Armor Wearer Measurement and Fitting of Armor ([Active Standard ASTM E3003](#)) available at no cost. The Personal Armor Fit Assessment [checklist](#), is excerpted from ASTM E3003.

#### **E. Uniform Crime Reports**

Eligible applicants operating a law enforcement agency must be current on reporting Part I violent crime data to the Texas Department of Public Safety (DPS) for inclusion in the annual

Uniform Crime Report (UCR). To be considered eligible for funding, applicants must have submitted a full twelve months of accurate data to DPS for the most recent calendar year.

#### **F. Criminal History Reporting**

The county (or counties) in which the applicant is located must have a 90% average on both adult and juvenile criminal history dispositions reported to the Texas Department of Public Safety for calendar years 2012 through 2016, as of August 31, 2017.

#### **G. Immigration and Customs Enforcement Requests**

The full text of this certification can be found [here](#). To be in compliance with this requirement, any county or municipal government that includes a department that detains individuals after arrest for a criminal violation must provide a letter signed by the head of each such department certifying to the requirements. This letter may be used for any application submitted to OOG for a period of up to two years from the date it is signed. If that period expires during the project period of any grant, the grantee must submit an updated letter for each such grant to remain in compliance with this requirement.

All applicants must select one of the following options:

- Applicant is not a county or municipal government
- Applicant is a county or municipal government and does not include any department that detains individuals after arrest for a criminal violation at any time
- Applicant is a county or municipal government that includes department(s) that detain individuals after arrest for a criminal violation. Letters certifying compliance and signed by the heads of all such departments have been uploaded to this application.
- Applicant is a county or municipal government that includes department(s) that detain individuals after arrest for a criminal violation. The Authorized Official has read the certification found on the aforementioned CJD website. Further, the Authorized Official will not be submitting signed letters certifying compliance from the heads of all such departments and understands that failure to comply with this certification may result in OOG, at its sole discretion, rejecting this application and any other application from the relevant county or municipal government.

#### **H. Civil Rights Liaison**

A civil rights liaison who will serve as the grantee's civil rights point of contact and who will be responsible for ensuring that the grantee meets all applicable civil rights requirements must be designated. The designee will act as the grantee's liaison in civil rights matters with CJD and with the federal Office of Justice Programs.

Enter the Name of the Civil Rights Liaison:

Cdr. Alex Gearhart

Enter the Address for the Civil Rights Liaison:

3304 Community Blvd. Killeen, Texas 76542

Enter the Phone Number for the Civil Rights Liaison [(999) 999-9999 x9999]:

254-200-7989

**Overall Certification**

Each applicant agency must certify to the specific requirements detailed above as well as to comply with all requirements within the CJD Funding Announcement, the *Guide to Grants*, the *Grantee Conditions and Responsibilities*, any authorizing or applicable state and federal statutes and regulations to be eligible for this program.

**X I certify to all of the application content & requirements.**

**Project Abstract :**

1. Duties – The department will equip most officers below the rank of Commander with rifle-resistant body armor. The officers and supervisors who will be so equipped are responsible for responding to calls for service, conducting investigations, executing warrants and making arrests, all of which could potentially expose them to gunfire. This program will not include members of our Tactical Response Unit, who are already equipped with upgraded body armor, or administrative personnel. 2. History – The City of Killeen is experiencing an uptick in violent crime. Currently, part 1 Violent Crimes are up 20.67%, Murder is up 57.14% and Robbery is up 39.34%. Responding to these crimes potentially places officers in danger of being exposed to gunfire. Within the last several months, our officers have responded to gun fights involving gang members armed with semiautomatic rifles, a shooting at an apartment complex in which the suspect fired a full 30-round magazine into an apartment and a pawn shop robbery with 15 stolen firearms—five of which were rifles. Within the last year, 84 long guns have been taken into evidence in relation to a crime. In 2013, a member of our Tactical Response Unit was killed by an assailant armed with a rifle. The officer was struck in an area not protected by his upgraded body armor. This incident is a stark reminder of the dangers faced by our officers. 3. Non-Tactical Duties – This project will not equip officers who are not engaged in tactical response duties. 4. Multi-Agency Breakdown – This is not a multi-agency project.

**Problem Statement :**

n/a

**Supporting Data :**

n/a

**Project Approach & Activities:**

n/a

**Capacity & Capabilities:**

n/a

**Performance Management :**

n/a

**Data Management:**

n/a

**Target Group :**

n/a

**Evidence-Based Practices:**

n/a

**Project Activities Information**

Introduction

Only agencies that specifically and exclusively serve educational campuses should fill out the below section.

Campus-Based Projects

This project is based on – or serves – one or more specific educational campuses (K-12 or higher education).

How many TOTAL students at ALL campuses will be served by the project? (enter “0” if this project is not based on – or serves – specific educational campuses):

0

**Selected Project Activities:**

<b>ACTIVITY</b>	<b>PERCENTAGE:</b>	<b>DESCRIPTION</b>
Equipment and Technology	100.00	Equipping officers with type III and IV body armor

**CJD Purpose Areas**

<b>PERCENT DEDICATED</b>	<b>PURPOSE AREA</b>	<b>PURPOSE AREA DESCRIPTION</b>
--------------------------	---------------------	---------------------------------

100.00	Safety and Security: General	To increase the safety and security of the general public (general law enforcement)
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### Measures Information

Objective Output Measures

OUTPUT MEASURE	TARGET LEVEL
----------------	--------------

Objective Outcome Measures

OUTCOME MEASURE	TARGET LEVEL
-----------------	--------------

Custom Output Measures

CUSTOM OUTPUT MEASURE	TARGET LEVEL
-----------------------	--------------

Custom Outcome Measures

CUSTOM OUTCOME MEASURE	TARGET LEVEL
------------------------	--------------



### Section 1: Resolution from Governing Body

Applications from nonprofit corporations, local units of governments, and other political subdivisions must include a [resolution](#) that contains the following:

1. Authorization by your governing body for the submission of the application to CJD that clearly identifies the name of the project for which funding is requested;
2. A commitment to provide all applicable matching funds;
3. A designation of the name and/or title of an authorized official who is given the authority to apply for, accept, reject, alter, or terminate a grant (Note: If a name is provided, you must update CJD should the official change during the grant period.); and
4. A written assurance that, in the event of loss or misuse of grant funds, the governing body will return all funds to CJD.

Upon approval from your agency's governing body, upload the [approved](#) resolution to eGrants by clicking on the **Upload Files** sub-tab located in the **Summary** tab.

### Section 2: Contract Compliance

Will CJD grant funds be used to support any contracts for professional services?

Yes  
 No

For applicant agencies that selected **Yes** above, describe how you will monitor the activities of the sub-contractor(s) for compliance with the contract provisions (including equipment purchases), deliverables, and all applicable statutes, rules, regulations, and guidelines governing this project.

### Section 3: Lobbying

For applicant agencies requesting grant funds in excess of \$100,000, have any federally appropriated funds been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant loan, or cooperative agreement?

Yes  
 No  
 N/A

For applicant agencies that selected either **No** or **N/A** above, have any non-federal funds been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress in connection with this federal contract, loan, or cooperative agreement?

- Yes  
 No  
 N/A

#### Section 4: Fiscal Year

Provide the begin and end date for the applicant agency's fiscal year (e.g., 09/01/20xx to 08/31/20xx).

Enter the Begin Date [mm/dd/yyyy]:

10/1/2017

Enter the End Date [mm/dd/yyyy]:

9/30/2018

#### Section 5: Sources of Financial Support

Each applicant must provide the amount of grant funds expended during the most recently completed fiscal year for the following sources:

Enter the amount (\$) of Federal Grant Funds:

516960

Enter the amount (\$) of State Grant Funds:

106262

#### Section 6: Single Audit

Applicants who expend less than \$750,000 in federal grant funding or less than \$750,000 in state grant funding are exempt from the Single Audit Act and cannot charge audit costs to a CJD grant. However, CJD may require a limited scope audit as defined in 2 CFR Part 200, Subpart F - Audit Requirements.

Has the applicant agency expended federal grant funding of \$750,000 or more, or state grant funding of \$750,000 or more during the most recently completed fiscal year?

- Yes  
 No

Applicant agencies that selected **Yes** above, provide the date of your organization's last annual single audit, performed by an independent auditor in accordance with the State of Texas Single Audit Circular; or CFR Part 200, Subpart F - Audit Requirements.

Enter the date of your last annual single audit:

3/28/2017

Section 7: Equal Employment Opportunity Plan

**Type I Entity**

Defined as an applicant that meets one or more of the following criteria:

- the applicant has less than 50 employees;
- the applicant is a non-profit organization;
- the applicant is a medical institution;
- the applicant is an Indian tribe;
- the applicant is an educational institution, or
- the applicant is receiving a single award of less than \$25,000.

Requirements for a Type I Entity

- The applicant is exempt from the EEOP requirements required to prepare an EEOP because it is a Type I Entity as defined above, pursuant to 28 CFR 42.302;
- the applicant must complete Section A of the [Certification Form](#) and send it to the Office for Civil Rights (OCR) to claim the exemption from developing an EEOP; and
- the applicant will comply with applicable federal civil rights laws that prohibit discrimination in employment and in the delivery of services.

**Type II Entity**

Defined as an applicant that meets the following criteria:

- the applicant has 50 or more employees, and
- the applicant is receiving a single award of \$25,000 or more, but less than \$500,000.

Requirements for a Type II Entity - Federal law requires a Type II Entity to formulate an EEOP and keep it on file.

- The applicant agency is required to formulate an EEOP in accordance with 28 CFR 42.301, et seq., subpart E;
- the EEOP is required to be formulated and signed into effect within the past two years by the proper authority;
- the EEOP is available for review by the public and employees or for review or audit by officials of CJD, CJD's designee, or the Office of Civil Rights, Office of Justice Programs, U.S. Department of Justice, as required by relevant laws and regulations;
- the applicant will comply with applicable federal civil rights laws that prohibit discrimination in employment and in the delivery of services; and
- the EEOP is required to be on file in the office of (enter the name and address where the EEOP is filed below):

Enter the name of the person responsible for the EEOP and the address of the office where the EEOP is filed:

Erich Morsbach Chief of Staff Killeen Police Department 3304 Community Blvd. Killeen, TX 76542

**Type III Entity**

Defined as an applicant that is NOT a Type I or Type II Entity.

Requirements for a Type III Entity - Federal law requires a Type III Entity to formulate an EEOP and submit it for approval to the Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice.

- The EEOP is required to be formulated and signed into effect within the past two years by the proper authority;
- the EEOP has been submitted to the Office of Civil Rights (OCR), Office of Justice Programs, U.S. Department of Justice and has been approved by the OCR, or it will be submitted to the OCR for approval upon award of the grant, as required by relevant laws and regulations; and
- the applicant will comply with applicable federal civil rights laws that prohibit discrimination in employment and in the delivery of services.

Based on the definitions and requirements above, the applicant agency certifies to the following entity type:

- Type I Entity
- Type II Entity
- Type III Entity

**Section 8: Debarment**

Each applicant agency will certify that it and its principals (as defined in 2 CFR Part 180.995):

- Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal Court, or voluntarily excluded from participation in this transaction by any federal department or agency;
- Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property; or
- Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state, or local) with commission of any of the offenses enumerated in the above bullet; and have not within a three-year period preceding this application had one or more public transactions (federal, state, or local) terminated for cause or default.

Select the appropriate response:

- I Certify  
 Unable to Certify

If you selected **Unable to Certify** above, please provide an explanation as to why the applicant agency cannot certify the statements.

### **Fiscal Capability Information**

#### Section 1: Organizational Information

Enter the Year in which the Corporation was Founded:

Enter the Date that the IRS Letter Granted 501(c)(3) Tax Exemption Status:

Enter the Employer Identification Number Assigned by the IRS:

Enter the Charter Number assigned by the Texas Secretary of State:

#### Section 2: Accounting System

The grantee organization must incorporate an accounting system that will track direct and indirect costs for the organization (general ledger) as well as direct and indirect costs by project (project ledger). The grantee must establish a time and effort system to track personnel costs by project. This should be reported on an hourly basis, or in increments of an hour.

Is there a list of your organization's accounts identified by a specific number (i.e., a general ledger of accounts).

Select the appropriate response:

- Yes  
 No

Does the accounting system include a project ledger to record expenditures for each Program by required budget cost categories?

Select the appropriate response:

- Yes  
 No

Is there a timekeeping system that allows for grant personnel to identify activity and requires signatures by the employee and his or her supervisor?

Select the appropriate response:

- Yes
- No

If you answered 'No' to any question above in the Accounting System section, in the space provided below explain what action will be taken to ensure accountability.

Enter your explanation:

### Section 3: Financial Capability

Grant agencies should prepare annual financial statements. At a minimum, current internal balance sheet and income statements are required. A balance sheet is a statement of financial position for a grant agency disclosing assets, liabilities, and retained earnings at a given point in time. An income statement is a summary of revenue and expenses for a grant agency during a fiscal year.

Has the grant agency undergone an independent audit?

Select the appropriate response:

- Yes
- No

Does the organization prepare financial statements at least annually?

Select the appropriate response:

- Yes
- No

According to the organization's most recent Audit or Balance Sheet, are the current total assets greater than the liabilities?

Select the appropriate response:

- Yes
- No

If you selected 'No' to any question above under the Financial Capability section, in the space provided below explain what action will be taken to ensure accountability.

Enter your explanation:

### Section 4: Budgetary Controls

Grant agencies should establish a system to track expenditures against budget and / or funded amounts.

Are there budgetary controls in effect (e.g., comparison of budget with actual expenditures on a monthly basis) to include drawing down grant funds in excess of:

a) Total funds authorized on the Statement of Grant Award?

- Yes
- No

b) Total funds available for any budget category as stipulated on the Statement of Grant Award?

- Yes
- No

If you selected 'No' to any question above under the Budgetary Controls section, in the space provided below please explain what action will be taken to ensure accountability.

Enter your explanation:

#### Section 5: Internal Controls

Grant agencies must safeguard cash receipts, disbursements, and ensure a segregation of duties exist. For example, one person should not have authorization to sign checks and make deposits.

Are accounting entries supported by appropriate documentation (e.g., purchase orders, vouchers, receipts, invoices)?

Select the appropriate response:

- Yes
- No

Is there separation of responsibility in the receipt, payment, and recording of costs?

Select the appropriate response:

- Yes
- No

If you selected 'No' to any question above under the Internal Controls section, in the space provided below please explain what action will be taken to ensure accountability.

Enter your explanation:

**Budget Details Information**

**Budget Information by Budget Line Item:**

CATEGORY	SUB CATEGORY	DESCRIPTION	OOG	CASH MATCH	IN-KIND MATCH	GPI	TOTAL	UNIT/%
Equipment	Bulletproof Vest	Safariland Shift 360 Body Armor Package. Includes two Type IV armor plates and plate carrier.	\$127,350.00	\$0.00	\$0.00	\$0.00	\$127,350.00	225

**Source of Match Information**

**Detail Source of Match/GPI:**

DESCRIPTION	MATCH TYPE	AMOUNT
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**Summary Source of Match/GPI:**

Total Report	Cash Match	In Kind	GPI Federal Share	GPI State Share
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

**Budget Summary Information**

**Budget Summary Information by Budget Category:**

CATEGORY	OOG	CASH MATCH	IN-KIND MATCH	GPI	TOTAL
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Equipment	\$127,350.00	\$0.00	\$0.00	\$0.00	\$127,350.00
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**Budget Grand Total Information:**

<b>OOG</b>	<b>CASH MATCH</b>	<b>IN-KIND MATCH</b>	<b>GPI</b>	<b>TOTAL</b>
\$127,350.00	\$0.00	\$0.00	\$0.00	\$127,350.00

**Condition Of Fundings Information**

<b>Condition of Funding / Project Requirement</b>	<b>Date Created</b>	<b>Date Met</b>	<b>Hold Funds</b>	<b>Hold Line Item Funds</b>
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You are logged in as **User Name:** dbaldwin



GT Distributors - Austin  
 P.O. Box 16080  
 Austin TX 78761  
 (512) 451-8298 Ext. 0000

Quote	QTE0066787
Date	7/25/2017
Page:	1

**Bill To:**

**Ship To:**

Killeen City of (TX)  
 P O Box 1329  
 Attn: Accounts Payable  
 Killeen TX 76540-1329

Killeen PD  
 3304 Community Blvd  
 Killeen TX 76541

Purchase Order No.	Customer ID	Salesperson ID	Shipping Method	Payment Terms	Req Ship Date	Master No.
SB12 072517	000131	BF	FACTORY DIRECT	NET 15	0/0/0000	1,657,040

Quantity	Item Number	Description	UOM	Unit Price	Ext. Price
225	PTA-S360-PACKAGE*	Protech Shift 360 Rifle Plate Package	Each	\$566.00	\$127,350.00
		Each package includes: 1 - Shift 360 Plate Carrier, TMW, Velcro 2 - 4400 Type IV Plates 1 each - TP5A Double M4 Pouch, Med Pouch			
1	NOTES:	Notes:	EA	\$0.00	\$0.00
		2 Large "POLICE" ID Patches, 8.5"x3" Protech carry bag included			
1	NOTES:	Notes:	EA	\$0.00	\$0.00
		Quotation reflects Buyboard Contract 524-17. Contract period 04/01/17-03/31/18.			

All returns must be authorized by GT Distributors. Interest charges on past due invoices at the maximum rate allowed by law.

Thank you, your salesman was Adam Balak

Subtotal	\$127,350.00
Misc	\$0.00
Tax	\$0.00
Freight	\$0.00
<b>Total</b>	<b>\$127,350.00</b>

# CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

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

## OFFICE USE ONLY CERTIFICATION OF FILING

**1 Name of business entity filing form, and the city, state and country of the business entity's place of business.**  
G T DISTRIBUTORS, INC.  
AUSTIN, TX United States

**Certificate Number:**  
2017-278513

**Date Filed:**  
10/31/2017

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

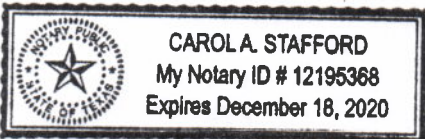
**Date Acknowledged:**

**3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.**  
524-17  
BUYBOARD CONTRACT FOR PUBLIC SAFETY AND FIREHOUSE SUPPLIES AND EQUIPMENT

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

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

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



*[Signature]*  
\_\_\_\_\_  
Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said **ALEXIS M HOSTETTER**, this the **31ST** day of **OCTOBER**, 20**17**, to certify which, witness my hand and seal of office.

*[Signature]*      *[Signature]*      *Accounting*  
\_\_\_\_\_  
Signature of officer administering oath      Printed name of officer administering oath      Title of officer administering oath



PH-17-050A

November 14, 2017



# Rifle-Resistant Body Armor Grant

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- State grant through Office of the Governor, Criminal Justice Division.
- Provides rifle-resistant body armor to police officers.
- After committee review, armor was selected by GT Distributors, Inc., through the TASB Buy Board.



# Funding

- Total Grant Program is \$127,350.
  - ▣ Grant funds \$127,350
  - ▣ City Match funds \$ 0
  
- This grant funds 100% of the armor and armor carriers.
  
- There is no match requirement.



# Recommendation

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Staff recommends that Council authorize the City Manager to accept the Rifle-Resistant Body Armor Grant Program funds in the amount of \$127,350 and execute the purchase of the body armor from GT Distributors.



# City of Killeen

## Legislation Details

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**File #:** PH-17-050B    **Version:** 1    **Name:** Budget Amendment Ordinance  
**Type:** Ordinance/Public Hearing    **Status:** Public Hearings  
**File created:** 10/30/2017    **In control:** City Council  
**On agenda:** 11/28/2017    **Final action:**  
**Title:** HOLD a public hearing and consider an ordinance amending the FY 2018 Annual Budget and Plan of Municipal Services of the City of Killeen by increasing revenue and expenditure accounts for the acceptance of Rifle-Resistant Body Armor Grant Program funds.  
**Sponsors:** Finance Department, Police Department  
**Indexes:**  
**Code sections:**  
**Attachments:** [Staff Report](#)  
[Ordinance](#)  
[Presentation](#)

Date	Ver.	Action By	Action	Result
11/14/2017	1	City Council Workshop		





## STAFF REPORT

**DATE:** November 14, 2017  
**TO:** Ronald L. Olson, City Manager  
**FROM:** Jonathan Locke, Executive Director of Finance  
**SUBJECT:** Budget Amendment

### **BACKGROUND AND FINDINGS:**

The Office of the Governor, Criminal Justice Division, announced the Rifle-Resistant Body Armor Grant Program earlier this year. There are no matching fund requirements for the grant. The Police Department has applied for this grant in accordance with City of Killeen Grant Policy.

The grant of \$127,350 will fund the purchase of 225 units of rifle-resistant body armor.

<b>Grant Funds</b>	<b>Revenues</b>
Police Department Intergovernmental Revenue	\$127,350
TOTAL	\$127,350

<b>Grant Funds</b>	<b>Expenditures</b>
Reserve Appropriation	\$127,350
TOTAL	\$127,350

### **THE ALTERNATIVES CONSIDERED:**

(1) Approve the ordinance amending the FY 2018 Annual Budget and Plan of Municipal Services of the City of Killeen by increasing revenue and expenditure accounts for the acceptance of state grant funds for the purchase of rifle-resistant body armor. (2) Do not approve the ordinance.

### **Which alternative is recommended? Why?**

Staff recommends option 1. The Police Department is in need of the equipment, and the grant covers the entire cost.

### **CONFORMITY TO CITY POLICY:**

City Charter, Article VII., Section 71

**FINANCIAL IMPACT:**

Accepting the grant and approving the ordinance to amend the budget involved no cost to the General Fund.

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

The amount of the expenditure and corresponding revenue is \$127,350. There is \$0 impact to the City to purchase the equipment.

**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 the City Council approve the ordinance amending the FY 2018 Annual Budget and Plan of Municipal Services of the City of Killeen by increasing revenue and expenditure accounts for the acceptance of Rifle-Resistant Body Armor Grant Program funds.

**DEPARTMENTAL CLEARANCES:**

City Attorney  
Finance

**ATTACHED SUPPORTING DOCUMENTS:**

Ordinance

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS, AMENDING THE FY 2018 ANNUAL BUDGET AND PLAN OF MUNICIPAL SERVICES OF THE CITY OF KILLEEN BY INCREASING REVENUE AND EXPENDITURE ACCOUNTS FOR THE ACCEPTANCE OF RIFLE-RESISTANT BODY ARMOR GRANT PROGRAM FUNDS; 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, 2017 to September 30, 2018, has been adopted by City Council in accordance with the City Charter; and

**WHEREAS**, it is the desire of the Killeen City Council to accept the state grant funds to purchase rifle-resistant body armor; and

**WHEREAS**, acceptance of the grant requires a budget amendment;

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

**SECTION 1.** That Ordinance 17-050, adopting a budget for operating the municipal government of the City of Killeen for the Fiscal year October 1, 2017 to September 30, 2018, be amended as to the portion of said budget as follows:

**Revenues:**

Account Number	Description	Original Budget	Budget Change	Amended Budget
010-000-382-10-00	Intergovernmental/Police Dept.	\$ -	\$127,350	\$127,350
	Total	\$ -	\$127,350	\$127,350

**Expenditures:**

Account Number	Description	Original Budget	Budget Change	Amended Budget
010-6000-441.50-20	Reserve Appropriation	\$ -	\$127,350	\$127,350
	Total	\$ -	\$127,350	\$127,350

**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 28th day of November, 2017, 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**

\_\_\_\_\_  
Dianna Barker  
City Secretary

\_\_\_\_\_  
Kathryn H. Davis  
City Attorney



# RIFLE-RESISTANT BODY ARMOR BUDGET AMENDMENT

PH-17-050B

November 14, 2017

# Rifle-Resistant Body Armor Budget Amendment

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- Purpose of budget amendment
  - ▣ Appropriate Rifle-Resistant Body Armor Grant.
  - ▣ Grant covers 100% of equipment cost.
- Fiscal Impact
  - ▣ There is no impact to the General Fund to acquire the equipment.

Department	Description	Current Budget	Budget Change	Amended Budget
General Fund – Police	Intergovernmental/ Police Dept.	\$0	\$127,350	\$127,350
	Reserve Appropriation	\$0	\$127,350	\$127,350