



# City of Killeen

## Agenda

### City Council Workshop

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Tuesday, June 18, 2019

5:00 PM

City Hall  
Council Chambers  
101 N. College Street  
Killeen, Texas 76541

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#### Citizens Petitions and Information

1. [CP-19-007](#) Mellisa Brown- Request Creation of New Citizen Committees

#### Items for Discussion at Workshop

2. [DS-19-049](#) Discuss Agenda Items for the Regular City Council Meeting of June 25, 2019
3. [DS-19-050](#) Introduce Annual Review of Governing Standards and Expectations

Attachments: [Presentation](#)

#### Items for Regular City Council Meeting of June 25, 2019

##### Minutes

4. [MN-19-014](#) Consider Minutes of Regular City Council Meeting of June 11, 2019.

Attachments: [Minutes](#)

##### Resolutions

5. [RS-19-050](#) Consider a memorandum/resolution renewing the investment advisory services agreement with Valley View Consulting, LLC.

Attachments: [Staff Report](#)

[Agreement](#)

[Certificate of Interested Parties](#)

[Presentation](#)

6. [RS-19-051](#) Consider a memorandum/resolution authorizing the procurement of fleet replacement vehicles.

Attachments: [Staff Report](#)

[Quotes](#)

[Certificate of Interested Parties](#)

[Presentation](#)

7. [RS-19-052](#) Consider a memorandum/resolution authorizing the procurement of Cisco SmartNet Services Support and Maintenance.  
**Attachments:** [Staff Report](#)  
[Quotes](#)  
[Certificate of Interested Parties](#)  
[Presentation](#)
8. [RS-19-053](#) Consider a memorandum/resolution authorizing a Memorandum of Understanding with the Bell County Public Health District for a shower trailer for emergency events.  
**Attachments:** [Staff Report](#)  
[Memorandum of Understanding](#)  
[Insurance](#)  
[Presentation](#)
9. [RS-19-054](#) Consider a memorandum/resolution authorizing the expenditure of city funds in excess of \$50,000 for police equipment and ammunition from GT Distributors, Inc.  
**Attachments:** [Staff Report](#)  
[Certificate of Interested Parties](#)  
[Presentation](#)
10. [RS-19-055](#) Consider a memorandum/resolution entering into an agreement with Infojini Temporary Employment Agency for temporary and contract personnel services.  
**Attachments:** [Staff Report](#)  
[Agreement](#)  
[Presentation](#)
11. [RS-19-056](#) Consider a memorandum/resolution authorizing the execution of Change Order No. 1 & 2 to James Construction Group, LLC for the Rosewood Drive Extension - Heritage Oaks Hike & Bike Trail.  
**Attachments:** [Staff Report](#)  
[Change Order No. 1](#)  
[Change Order No. 1 Worksheet](#)  
[Change Order No. 2](#)  
[Change Order No. 2 Worksheet](#)  
[Certificate of Interested Parties](#)  
[Presentation](#)

## Ordinances

12. [OR-19-009A](#) Consider an ordinance creating the classification of Assistant Chief of Fire

and amend the number of authorized civil service positions for the Killeen Fire Department.

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

[Ordinance](#)

[Presentation](#)

13. [OR-19-009B](#) Consider an ordinance amending the Fire Department pay plan to add classification of Assistant Chief of Fire.

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

[Proposed Pay Plan](#)

[Ordinance](#)

[Presentation](#)

14. [OR-19-013](#) Consider an ordinance amending Chapter 32, Article 1 Municipal Drainage Utility System by providing for a rate model based on impervious cover.

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

[Ordinance](#)

[Sample Rate Comparisons](#)

[Presentation](#)

## Public Hearings

15. [PH-19-017](#) HOLD a public hearing and consider an ordinance adopting the 2019-2020 Annual Action Plan; a substantial amendment to the 2018-19 Annual Action Plan; and authorizing an application for and allocation of Community Development Block Grant (CDBG) and Home Investment Partnerships (HOME) program funds. (1st of 2 Public Hearings)

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

[CDAC Minutes](#)

[Ordinance](#)

[Presentation](#)

16. [PH-19-018](#) HOLD a public hearing and consider a resolution approving an Internet Safety Policy for the Library Services Division's public access computers.

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

[Policy](#)

[Children's Internet Protection Act](#)

[Funding Commitment Decision Letter](#)

[Presentation](#)

17. [PH-19-019A](#) HOLD a public hearing and consider an ordinance submitted by Sycamore Strategies, L.L.C., on behalf of Reeces Creek Developers, Ltd. (FLUM#19-05), to amend the Comprehensive Plan's Future Land Use

Map (FLUM) from 'General Commercial' ('GC') and 'General Residential' ('GR') designations to a 'Multi-Family Residential' ('MFR') designation for approximately 13.105 acres. The property is addressed as 4000 Robinett Road, Killeen, Texas.

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

[Map](#)

[Minutes](#)

[Ordinance](#)

[Considerations](#)

[Presentation](#)

18. [PH-19-019B](#) HOLD a public hearing and consider an ordinance submitted by Sycamore Strategies L.L.C., on behalf of Reeces Creek Developers Ltd. (Case #Z19-11), to rezone 13.105 acres from "B-3" (Local Business District) to a Planned Unit Development (PUD) with "R-3A" (Multifamily Apartment Residential District) for a senior apartment complex. The property is locally known as 4000 Robinett Road, Killeen, Texas.

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

[Maps](#)

[Minutes](#)

[Feasibility Report](#)

[Colored Rendering](#)

[Ordinance](#)

[Considerations](#)

[Responses](#)

[Presentation](#)

19. [PH-19-020A](#) HOLD a public hearing and consider an ordinance submitted by Skyline Development, on behalf of Mary Barr (FLUM#19-06), to amend the Comprehensive Plan's Future Land Use Map (FLUM) from an 'Estate' (E) designation to a 'Multi-Family Residential' (MFR) designation for approximately 12 acres. The property is located east of 60th Street and north of Bills Road, Killeen, Texas.

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

[Map](#)

[Minutes](#)

[Ordinance](#)

[Considerations](#)

[Presentation](#)

20. [PH-19-020B](#) HOLD a public hearing and consider an ordinance submitted by Skyline Development, on behalf of Mary Barr (Case #Z19-12), to rezone approximately 12 acres from "R-1" (Single-Family Residential District) to



"R-3A" (Multifamily Apartment Residential District) for a senior apartment complex. The property is located east of 60th Street and north of Bills Road, Killeen, Texas.

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

[Maps](#)

[Minutes](#)

[Colored Rendering](#)

[Ordinance](#)

[Considerations](#)

[Responses](#)

[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 June 14, 2019.*

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*Lucy C. Aldrich, City Secretary*

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

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

## Notice of Meetings

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

- Korean War Veterans Association Banquet, July 27, 2019, 5:00 p.m., Club Hood

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



# City of Killeen

## Legislation Details

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**File #:** CP-19-007    **Version:** 1    **Name:** Mellisa Brown- Request Creation of New Citizen Committees  
**Type:** Citizen Petition    **Status:** Citizens Petitions  
**File created:** 6/6/2019    **In control:** City Council Workshop  
**On agenda:** 6/18/2019    **Final action:**  
**Title:** Mellisa Brown- Request Creation of New Citizen Committees  
**Sponsors:** City Manager Department  
**Indexes:**  
**Code sections:**  
**Attachments:**

Date	Ver.	Action By	Action	Result
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# City of Killeen

## Legislation Details

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**File #:** DS-19-049    **Version:** 1    **Name:** Discuss Agenda Items  
**Type:** Discussion Items    **Status:** Discussion Items  
**File created:** 5/9/2019    **In control:** City Council Workshop  
**On agenda:** 6/18/2019    **Final action:**  
**Title:** Discuss Agenda Items for the Regular City Council Meeting of June 25, 2019  
**Sponsors:** City Manager Department  
**Indexes:**  
**Code sections:**  
**Attachments:**

Date	Ver.	Action By	Action	Result
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# City of Killeen

## Legislation Details

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**File #:** DS-19-050    **Version:** 1    **Name:** Introduce Annual Review of Governing Standards and Expectations  
**Type:** Discussion Items    **Status:** Discussion Items  
**File created:** 6/3/2019    **In control:** City Council Workshop  
**On agenda:** 6/18/2019    **Final action:**  
**Title:** Introduce Annual Review of Governing Standards and Expectations  
**Sponsors:** City Attorney Department, City Council, City Manager Department  
**Indexes:**  
**Code sections:**  
**Attachments:** [Presentation](#)

Date	Ver.	Action By	Action	Result
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# REVIEW OF GOVERNING STANDARDS AND EXPECTATIONS

DS-19-050

June 18, 2018

# Governing Standards & Expectations

2

- ❑ A single-source reference containing the City Council's rules, protocols, procedures, policies and expectations
- ❑ Adopted June 27, 2018
- ❑ Requires annual review and re-adoption

# Proposed Changes and Topics for Discussion

3

- “Order of Business/Public Hearings” (sec. 1-50(a)(11))
  - ▣ clarify that only one person can represent applicant during PH
- “Assistance to Community Organizations for Special Events” (sec. 2-80)
  - ▣ discuss which events the Council wishes to support;
  - ▣ include a statement that events not on this year’s list will be considered during next year’s review;
  - ▣ Include finding of a public purpose

# Proposed Changes and Topics for Discussion

4

- “Use of City Facilities, Staff or Resources by the Mayor or City Councilmembers for Mayor or City Councilmember-Sponsored Meetings” (sec. 2-60)
  - ▣ Specifically exempt Annual State of the City address;
  - ▣ Reduce 6 month restriction to Jan. 1;
  - ▣ Allow staff to attend more than 1 meeting per year, but keep equipment and room restrictions;
  - ▣ Clarify Jan. 1 restriction applies to the position up for re-election, rather than the person;
  - ▣ Restrictions still apply to unopposed candidate?



# Proposed Changes and Topics for Discussion

5

- “Citizen Boards, Commissions and Committees”
  - ▣ sec. 3-20(l): clarify that some committees are legally required to comply with posting requirements of the Open Meetings Act
  - ▣ Add back types of committee appointments (regular v. ad hoc) and clarify whether ad hoc has voting privileges
- “Ethics/Guidelines and Procedures” (sec. 6-80):
  - ▣ clarify that reporting standards also apply to P&Z

# Proposed Changes and Topics for Discussion

6

- Division 4: “Council Directives and Executive Limitations.” Delegate to CM the authority to:
  - ▣ Approve change orders under \$50,000 (LGC 271.060)
  - ▣ Interpret these policies;
  - ▣ Apply for grants;
  - ▣ Approve police and fire rescue officer over hires, not to exceed the number of over hires currently approved by ordinance

# Incorporate Interim Amendments

7

- Add sec. 4-140 “Directives Regarding Zoning Notification Boundaries and Signage”
- Add sec. 4-150 “Legislative Prayer”

# Next Steps

8

- Review Governing Standards and Expectations, and proposed changes and topics for discussion
- Discussion July 2<sup>nd</sup> , and July 16<sup>th</sup> if necessary



# City of Killeen

## Legislation Details

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**File #:** MN-19-014    **Version:** 1    **Name:** Minutes of Regular City Council Meeting of June 11, 2019  
**Type:** Minutes    **Status:** Minutes  
**File created:** 6/3/2019    **In control:** City Council Workshop  
**On agenda:** 6/18/2019    **Final action:**  
**Title:** Consider Minutes of Regular City Council Meeting of June 11, 2019.  
**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  
June 11, 2019 at 5:00 p.m.

Presiding: Mayor Jose Segarra

Attending: Mayor Pro Tem Jim Kilpatrick, Councilmembers, Butch Menking, Juan Rivera, Gregory Johnson, Shirley Fleming, Debbie Nash-King and Steve Harris

Also attending were Assistant City Manager David Ellison, City Attorney Kathryn Davis, City Secretary Lucy Aldrich, and Sergeant-at-Arms Cole.

Pastor Mark Price from Grace Christian Center gave the invocation; and Councilmember Rivera 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 was seconded by Councilmember Fleming. The motion carried unanimously.*

**Presentation**

**PR-19-003** Presentation MDA Check Presentation - Killeen Fire Fighters' Association  
Mr. Mark Clifford from the Killeen Fire Fighters' Association presented a check to the Muscular Dystrophy Association in the amount of \$64,245 resulting from the recent Fill the Boot campaign.

**Minutes**

*Motion was made by Councilmember Menking to approve the minutes of the May 21, 2019 Special City Council Meeting. Motion was seconded by Councilmember Rivera. Motion carried unanimously.*

*Motion was made by Councilmember Menking to approve the minutes of the May 28, 2019 Regular City Council Meeting. Motion was seconded by Councilmember Rivera. Motion carried unanimously.*

**Resolutions**

**RS-19-048** Consider a memorandum/resolution approving the investment report for the quarter ended March 31, 2019.  
**Staff Comments:** Jon Locke, Executive Director of Finance.  
Mr. Locke introduced Susan Anderson with Valley View Consulting who presented the investment report for the quarter ending March 31, 2019.

*Motion was made by Councilmember Fleming to approve RS-19-048. Motion was seconded by Councilmember Johnson. Motion carried unanimously.*

**RS-19-049** Consider a memorandum/resolution approving the abandonment of a 10' utility easement affecting Lot 1A, Block 1, Texas Sunflower Addition Amended plat. The property is addressed as 5002 Thayer Drive, Killeen, Texas.

**Staff Comments:** Tony McIlwain, Assistant Director of Planning and Development Services.

Killeen MFD, LLC has submitted a request for the abandonment of a 10' utility easement. Upon revisions to the site layout, it has been identified that the platted 10' utility easement would conflict with the placement of a proposed building. City staff has notified other City departments as well as franchise utility providers and no opposition has been received regarding the applicant's abandonment request. Staff recommends that the City Council approve the utility abandonment request and authorize the City Manager to issue a quitclaim deed to the applicant.

*Motion was made by Mayor Pro Tem Kilpatrick to approve RS-19-049. Motion was seconded by Councilmember Nash-King. Motion carried unanimously.*

### **Ordinances**

**OR-19-011** Consider an ordinance annexing approximately 76.459 acres of land, being adjacent to 5601 Clear Creek Road, Killeen, Texas, pursuant to a petition for voluntary annexation and approving the annexation service plan.

The City Secretary read the caption of the ordinance.

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF KILLEEN, BELL COUNTY, TEXAS, TO INCLUDE LAND LYING ADJACENT TO THE PRESENT CITY LIMITS, MORE COMMONLY REFERRED TO AS TRACT 1 AND MORE ACCURATELY DESCRIBED HEREIN; DECLARING SAID LAND TO BE A PART OF SAID CITY; DECLARING SAID LAND AND ITS INHABITANTS AND ANY FUTURE INHABITANTS OF SAID LAND TO BE ENTITLED TO ALL THE RIGHTS AND PRIVILEGES OF OTHER LANDS AND CITIZENS OF THE CITY AND TO BE BOUND BY THE ACTS AND ORDINANCES OF THE CITY; PROVIDING FOR WAIVER OF CERTAIN FEES DURING THE FIRST YEAR OF INCORPORATION; EXTENDING DISTRICT BOUNDARIES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

**Staff comments:** Ray Shanaa, Director of Planning and Development Services. Public hearings for this annexation request were conducted on May 7 and May 21. City Council was provided a copy of the annexation service plan prior to the May 21 public hearing. Per Local Government Code 43.064, the City Council may approve or disapprove the annexation ordinance and associated service plan.

*Motion was made by Councilmember Rivera to approve OR-19-011. Motion was seconded by Councilmember Nash-King. Motion carried 4 to 3 with Councilmember Fleming, Councilmember Johnson and Councilmember Harris in opposition.*

**OR-19-012** Consider an ordinance annexing approximately 83.01 acres of land, being adjacent to 7501 Chaparral Road, Killeen, Texas, pursuant to a petition for voluntary annexation, and approving the annexation service plan.

The City Secretary read the caption of the ordinance.

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF KILLEEN, BELL COUNTY, TEXAS, TO INCLUDE LAND LYING ADJACENT TO THE PRESENT CITY LIMITS, MORE COMMONLY REFERRED TO AS TRACT 1 AND MORE ACCURATELY DESCRIBED HEREIN; DECLARING SAID LAND TO BE A PART OF SAID CITY; DECLARING SAID LAND AND ITS INHABITANTS AND ANY FUTURE INHABITANTS OF SAID LAND TO BE ENTITLED TO ALL THE RIGHTS AND PRIVILEGES OF OTHER LANDS AND CITIZENS OF THE CITY AND TO BE BOUND BY THE ACTS AND ORDINANCES OF THE CITY; PROVIDING FOR WAIVER OF CERTAIN FEES DURING THE FIRST YEAR OF INCORPORATION; EXTENDING DISTRICT BOUNDARIES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

**Staff comments:** Ray Shanaa, Director of Planning and Development Services. Public hearings for this annexation request were conducted on May 7 and May 21. City Council was provided a copy of the annexation service plan prior to the May 21 public hearing. Per Local Government Code 43.064, the City Council may approve or disapprove the annexation ordinance and associated service plan.

*Motion was made by Councilmember Rivera to approve OR-19-012. Motion was seconded by Councilmember Menking. Motion carried 4 to 3 with Councilmember Fleming, Councilmember Johnson and Councilmember Harris in opposition.*

### **Adjournment**

With no further business, upon motion being made by Councilmember Rivera, seconded by Councilmember Nash-King, and unanimously approved, the meeting was adjourned at 6:00 p.m.





# City of Killeen

## Legislation Details

<b>File #:</b>	RS-19-050	<b>Version:</b>	1	<b>Name:</b>	Investment Advisors Agreement Extension
<b>Type:</b>	Resolution	<b>Status:</b>		<b>Status:</b>	Resolutions
<b>File created:</b>	6/3/2019	<b>In control:</b>		<b>In control:</b>	City Council Workshop
<b>On agenda:</b>	6/18/2019	<b>Final action:</b>		<b>Final action:</b>	
<b>Title:</b>	Consider a memorandum/resolution renewing the investment advisory services agreement with Valley View Consulting, LLC.				
<b>Sponsors:</b>	Finance Department				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	<a href="#">Staff Report</a> <a href="#">Agreement</a> <a href="#">Certificate of Interested Parties</a> <a href="#">Presentation</a>				

Date	Ver.	Action By	Action	Result
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## STAFF REPORT

**DATE:** June 18, 2019

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

**FROM:** Jonathan Locke, Executive Director of Finance

**SUBJECT:** Investment Advisory Services Agreement Renewal

### **BACKGROUND AND FINDINGS:**

On May 18, 2017, the City initiated a Request for Qualifications (RFQ) seeking responses from qualified firms to provide investment advisory services. Two proposals were received and evaluated by a committee consisting of Finance personnel. The committee selected Valley View Consulting as the most qualified respondent.

On July 25, 2017, City Council approved the investment advisory services agreement with Valley View Consulting. The initial agreement is effective for a two-year term that ends June 30, 2019. The agreement may be extended for additional one or two-year periods.

Valley View Consulting has extensive investment advisory experience, and is registered with the Securities and Exchange Commission (SEC) to provide investment advisory services. The scope of the agreement includes the firm providing advice on market conditions, analyzing risk/return relationships between investment alternatives, assisting staff in keeping the City's investment policy in compliance with the Public Funds Investment Act, assisting in the purchase and sale of investment securities, and assisting staff with the Request for Application (RFA) process for the City's primary depository bank.

### **THE ALTERNATIVES CONSIDERED:**

- (1) Do not renew the investment advisory services agreement.
- (2) Renew the investment advisory services agreement for 1 year.
- (3) Renew the investment advisory services agreement for 2 years.

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

Staff recommends option 3, to renew the investment advisory services agreement with Valley View Consulting, LLC for a two-year period expiring June 30, 2021.

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

The Public Funds Investment Act (PFIA) section 2256.003 states that "...The governing body of an investing entity may contract with an investment management firm registered under the Investment Advisers Act of 1940 (15 U.S.C. Section 80b-1 et seq.) or with the State Securities Board to provide for the investment and management of its public funds or other funds under

its control. A contract made under authority of this subsection may not be for a term longer than two years. A renewal or extension of the contract must be made by the governing body of the investing entity by order, ordinance, or resolution."

**FINANCIAL IMPACT:**

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

Valley View Consulting's fee varies based on the City's average quarterly investment portfolio balance. The firm receives 3 basis points (0.03%) of the City's average quarterly total portfolio book value less the demand deposit account balance with the City's primary depository bank. The total amount paid for services in FY 2018 was \$29,861. Based on an average portfolio balance of \$100 million, the estimated annual fee for services will be \$30,000 in FY 2019 and FY 2020.

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

The firm's fee is a recurring expenditure paid quarterly.

**Is this expenditure budgeted?**

Yes

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

N/A

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

Yes

**RECOMMENDATION:**

Staff recommends that City Council renew the investment advisory services agreement with Valley View Consulting, LLC for a two-year period expiring June 30, 2021.

**DEPARTMENTAL CLEARANCES:**

Finance  
Legal

**ATTACHED SUPPORTING DOCUMENTS:**

Agreement  
Certificate of Interested Parties

**AGREEMENT  
BY AND BETWEEN  
CITY OF KILLEEN, TEXAS  
AND  
VALLEY VIEW CONSULTING, L.L.C.**

It is understood and agreed that the City of Killeen, Texas (the *Investor*) will have from time to time money available for investment (the *Investable Funds*) and Valley View Consulting, L.L.C. (the *Advisor*) has been requested to provide professional services to the Investor with respect to the Investable Funds. This agreement (the *Agreement*) constitutes the understanding of the parties with regard to the subject matter hereof.

1. This Agreement shall apply to any and all Investable Funds of the Investor from time to time during the period in which this Agreement shall be effective.
2. The Advisor agrees to provide its professional services to direct and coordinate all programs of investing as may be considered and authorized by the Investor.
3. The Advisor agrees to perform the following duties:
  - a. Assist the Investor in developing cash flow projections,
  - b. Suggest appropriate investment strategies to achieve the Investor's objectives,
  - c. Advise the Investor on market conditions, general information and economic data,
  - d. Analyze risk/return relationships between various investment alternatives,
  - e. Attend periodic meetings as requested by the Investor,
  - f. Assist in the selection, purchase and sale of investments. The Advisor shall not have discretionary investment authority over the Investable Funds and the Investor shall make all decisions regarding purchase and sale of investments. Eligible investments are listed in the Investor's Investment Policy,
  - g. Advise on the investment of bond funds as to provide the best possible rate of return to the Investor in a manner which is consistent with the proceedings of the Investor authorizing the investment of the bond funds or applicable federal rules and regulations,
  - h. Assist the Investor in creating investment reports in compliance with State legislation and the Investor's Investment Policy, and
  - i. Assist the Investor with the primary bank depository service RFA process.

4. The Investor agrees to:
  - a. Compensate the Advisor for any and all services rendered and expenses incurred as set forth in Appendix A attached hereto,
  - b. Provide the Advisor with the schedule of estimated cash flow requirements related to the Investable Funds, and will promptly notify the Advisor as to any changes in such estimated cash flow projections,
  - c. Allow the Advisor to rely upon all information regarding schedules, investment policies and strategies, restrictions, or other information regarding the Investable Funds as provided to it by the Investor and that the Advisor shall have no responsibility to verify, through audit or investigation, the accuracy or completeness of such information,
  - d. Recognize that there is no assurance that recommended investments will be available or that such will be able to be purchased or sold at the price recommended by the Advisor, and
  - e. Not require the Advisor to place any order on behalf of the Investor that is inconsistent with any recommendation given by the Advisor or the policies and regulations pertaining to the Investor.
5. In providing the investment services in this Agreement, it is agreed that the Advisor shall have no liability or responsibility for any loss or penalty resulting from any investment made or not made in accordance with the provisions of this Agreement, except that the Advisor shall be liable for its own gross negligence or willful misconduct; nor shall the Advisor be responsible for any loss incurred by reason of any act or omission of any broker, selected with reasonable care by the Advisor and approved by the Investor, or of the Investor's custodian. Furthermore, the Advisor shall not be liable for any investment made which causes the interest on the Investor's obligations to become included in the gross income of the owners thereof.
6. The fee due to the Advisor in providing services pursuant to this Agreement shall be calculated in accordance with Appendix A attached hereto, and shall become due and payable as specified. Any and all expenses for which the Advisor is entitled to reimbursement in accordance with Appendix A attached hereto shall become due and payable at the end of each contract quarter in which such expenses are incurred.
7. This Agreement shall remain in effect until June 30, 2021 with the option of the Investor to extend this Agreement in additional one or two year periods. Provided, however, the Investor or Advisor may terminate this Agreement upon thirty (30) days written notice to the other party. In the event of such termination, it is understood and agreed that only the amounts due to the Advisor for services provided and expenses incurred to and including the date of termination will be due and payable. No penalty will be assessed for termination of this Agreement. In the event this Agreement is terminated, all investments and/or funds held by the Advisor shall be returned to the Investor as soon as practicable. In addition, the parties hereto agree that upon termination of this Agreement the Advisor

shall have no continuing obligation to the Investor regarding the investment of funds or performing any other services contemplated herein.

8. The Advisor reserves the right to offer and perform these and other services for various other clients. The Investor agrees that the Advisor may give advice and take action with respect to any of its other clients, which may differ from advice given to the Investor. The Investor agrees to coordinate with and avoid undue demands upon the Advisor to prevent conflicts with the performance of the Advisor towards its other clients.
9. The Advisor shall not assign this Agreement without the express written consent of the Investor.
10. By marking the appropriate line, the Investor acknowledges that:
  - 1) \_\_\_\_\_ The Investor was provided a written copy of Form ADV Part 2 not less than 48 hours prior to entering into this written contract, or
  - 2) \_\_\_\_\_ The Investor received a written copy of Form ADV Part 2 at the time of entering into this contract and has the right to terminate this contract without penalty within five business days after entering into this contract.
  - 3)   X   The Investor is renewing an expiring contract and has received in the past and offered annually, a written copy of Form ADV Part 2.
11. This Agreement will be governed by Texas law, and jurisdiction shall lie in Bell County, Texas.

When accepted by the Investor, this Agreement, together with Appendix A attached hereto, will constitute the entire Agreement between the Investor and Advisor for the purposes and the consideration herein specified. Acceptance will be indicated on one executed copy sent to the Advisor.

Respectfully submitted,



Richard G. Long, Jr.  
Manager, Valley View Consulting, L.L.C.

This agreement is hereby agreed to and executed on behalf of the Killeen, Texas.

By: \_\_\_\_\_  
Ronald L. Olson  
City Manager, Killeen, Texas

Date: \_\_\_\_\_

## APPENDIX A

### FEE SCHEDULE AND EXPENSE ITEMS

In consideration for the services rendered by the Advisor in connection with the investment of the Investable Funds designated by the Investor, it is understood and agreed that the fee will be as follows:

The Advisor shall receive an annual fee equal to 0.03% (3 basis points) of the average quarterly total portfolio book value less DDA balances with the primary depository bank. Said fee shall be calculated and billed at the end of each Investor fiscal quarter.

In the event a flexible repurchase agreement or other similar investment option is utilized, the Advisor shall receive a normal and customary fee within the guidelines of the Internal Revenue Service, **in lieu of the Agreement Fee.**

#### **Expenses:**

Said fee includes all costs of services related to this Agreement, and all travel and business expense related to periodic meeting attendance. Only with pre-trip Investor approval, the Advisor may also request reimbursement for special meeting or event travel and business expense. The obligation of the Advisor to pay expenses shall not include any costs incident to litigation, mandamus action, test case or other similar legal actions.

Although none are anticipated, any other fees retained by the Advisor shall be disclosed to the Investor.

# 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.**

Valley View Consulting, L.L.C.  
Huddleston, VA United States

**Certificate Number:**  
2019-502795

**Date Filed:**  
06/11/2019

**Date Acknowledged:**

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

City of Killeen

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

Contract Renewal  
Investment Advisory Services, Cash and Investment Management

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary
	Long, Richard	Huddleston, VA United States	X	

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

☐**6 UNSWORN DECLARATION**

My name is Julie S. Gerhardt, and my date of birth is 7/16/1970.

My address is 2205 Woodcrest Dr, Lynchburg, VA, 24503, USA.  
(street) (city) (state) (zip code) (country)

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Lynchburg (City) County, State of Virginia, on the 11 day of June, 2019.  
(month) (year)

*Julie Gerhardt*

\_\_\_\_\_  
Signature of authorized agent of contracting business entity  
(Declarant)





# INVESTMENT ADVISORY SERVICES

RS-19-050

JUNE 18, 2019

# Background

2

- Request for Qualifications (RFQ) initiated in May 2017 for investment advisory services
- City Council approved an agreement with Valley View Consulting on July 25, 2017
  - ▣ Effective for two-years and expires June 30, 2019
  - ▣ Option to renew in one or two-year periods

# Compensation and Scope

3

- ❑ Compensation
  - ▣ .03% of the average quarterly portfolio
  - ▣ Amount paid for services in FY 2018 - \$29,861
  - ▣ Estimated amount for FY 2019 & 2020 - \$30,000
- ❑ Scope of agreement includes:
  - ▣ Assisting with the purchase/sale of investments, cash flow analysis, and Request for Application for primary depository bank

# Alternatives

4

- ❑ Do not renew the investment advisory services agreement;
- ❑ Renew the investment advisory services agreement for one year; or
- ❑ Renew the investment advisory services agreement for two years.

# Recommendation

5

Staff recommends that City Council renew the investment advisory services agreement with Valley View Consulting, LLC for a two-year period expiring June 30, 2021.



# City of Killeen

## Legislation Details

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**File #:** RS-19-051      **Version:** 1      **Name:** Procurement of fleet replacement vehicles.  
**Type:** Resolution      **Status:** Resolutions  
**File created:** 6/3/2019      **In control:** City Council Workshop  
**On agenda:** 6/18/2019      **Final action:**  
**Title:** Consider a memorandum/resolution authorizing the procurement of fleet replacement vehicles.  
**Sponsors:** Animal Services, Building Inspections, Code Enforcement, Engineering, Facility Maintenance, Fire Department, Environmental Services, Fleet Services, Information Technology Department, Police Department, Public Works Department, Recreation Services Department, Solid Waste, Water & Sewer  
**Indexes:**  
**Code sections:**  
**Attachments:** [Staff Report](#)  
[Quotes](#)  
[Certificate of Interested Parties](#)  
[Presentation](#)

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------



## STAFF REPORT

**DATE:** June 18, 2019

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

**FROM:** Jonathan Locke, Executive Director of Finance

**SUBJECT:** Procurement of Fleet Replacement Vehicles

### **BACKGROUND AND FINDINGS:**

Funding for the acquisition of replacement vehicles and equipment was approved as part of the City's FY 2019 Budget processes. The Fleet Services division maintains an annual vehicle and equipment replacement schedule. The criteria used to establish this replacement schedule is based upon available funding, units per category, age, mileage/hours, repair costs, and department/division feedback. The annual fleet replacement budget for FY 2017 and FY 2018 was \$752,155 and \$4,444,596, respectively. The FY 2019 Budget includes \$4,613,300 for fleet replacement.

There are 51 pieces of equipment that have exceeded their useful life and are proposed for replacement at this time. The number of procurements per category is listed below:

Category	Description	Qty.
Public Safety	8 Trucks, 7 Cars, 2 Vans, 10 SUVs	27
Public Works	8 Trucks, 1 Van, 1 SUV, 1 Valve Exerciser Trailer	11
Recreation	2 Trucks, 1 Utility Tractor	3
Support Services	7 Trucks, 3 Vans	10

The existing vehicles being replaced are on average 17 years of age and have an average of 120,000 miles.

### **THE ALTERNATIVES CONSIDERED:**

- 1.) Defer replacement, which could cause the departments to operate in a reduced resource capacity, incur increased maintenance costs, and lose any remaining residual value in the existing vehicles.
- 2.) Replace the vehicles in order to provide safe and effective services and achieve the least cost of ownership.

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

The second alternative is recommended in order to meet the departments' mission and operate in the safest and most cost effective manner.

**CONFORMITY TO CITY POLICY:**

The City of Killeen is a member of several purchasing cooperatives that are in compliance with Texas Local Government Code section 271.102. Purchases made through a cooperative satisfy competitive bid requirements.

**FINANCIAL IMPACT:**

The purchase pricing from Caldwell Country Chevrolet utilizing the TASB BuyBoard Cooperative is as follows:

<b>Division</b>	<b>Make/Model</b>	<b>Units</b>	<b>Cost</b>	<b>Total Cost</b>
Bldg. Serv.	Chevrolet 2500 Truck	1	\$26,275.00	\$26,275.00
Bldg. Serv.	Chevrolet 2500 Service Body Truck	1	\$34,558.00	\$34,558.00
Police	Chevrolet Malibu	7	\$20,612.00	\$144,284.00
Water Dist.	Chevrolet 1500 Truck	1	\$26,830.00	\$26,830.00
W&S Ops.	Chevrolet 1500 Truck	2	\$26,830.00	\$54,060.00*
W&S Ops.	Chevrolet 2500 Truck	2	\$28,775.00	\$57,550.00

\*Includes \$400.00 BuyBoard fee for all Caldwell Country Chevrolet purchases

The purchase pricing from Grande Truck Center utilizing the TASB BuyBoard Cooperative is as follows:

<b>Division</b>	<b>Make/Model</b>	<b>Units</b>	<b>Cost</b>	<b>Total Cost</b>
Bldg. Serv.	Ford F550/UTEM Aerial Truck	1	\$126,360.10	\$126,360.10

The purchase pricing from Rockdale Country Ford utilizing the Texas SmartBuy Cooperative is as follows:

<b>Division</b>	<b>Make/Model</b>	<b>Units</b>	<b>Cost</b>	<b>Total Cost</b>
Fire	Ford F250 Truck	1	\$38,366.00	\$38,366.00

The purchase pricing from Rockdale Country Ford utilizing the TASB BuyBoard Cooperative is as follows:

<b>Division</b>	<b>Make/Model</b>	<b>Units</b>	<b>Cost</b>	<b>Total Cost</b>
Code Enf.	Ford Escape SUV	1	\$21,316.00	\$21,316.00
Fire	Ford Explorer Interceptor	1	\$45,316.00	\$45,316.00*
Permit Insp.	Ford Escape SUV	1	\$21,316.00	\$21,316.00
Police	Ford Escape SUV	7	\$20,985.00	\$146,895.00

\*Includes \$400.00 BuyBoard fee for all Rockdale Country Ford purchases

The purchase pricing from Rush Truck Center utilizing the TASB BuyBoard Cooperative is as follows:



<b>Division</b>	<b>Make/Model</b>	<b>Units</b>	<b>Cost</b>	<b>Total Cost</b>
Animal Serv.	Ford 250 Transit Cargo Van H-EL	1	\$35,719.40	\$35,719.40
Animal Serv.	Ford F250 Truck & Module	1	\$61,092.24	\$61,092.24
Custodial	Ford Transit Connect Van	2	\$26,683.56	\$53,367.12
I.T.	Ford Transit Connect Van	1	\$29,219.00	\$29,219.00
Police	Ford 250 Transit Cargo Van H-L	1	\$33,495.75	\$33,495.75
W&S Ops.	Ford 150 Transit Cargo Van M-L	1	\$31,400.12	\$31,400.12*
Drain Maint.	Ford F250 Truck	2	\$34,304.80	\$68,609.60

\*Includes \$400.00 BuyBoard fee for all Rush Truck Center purchases

The purchase pricing from Silsbee Ford utilizing the TASB BuyBoard Cooperative is as follows:

<b>Division</b>	<b>Make/Model</b>	<b>Units</b>	<b>Cost</b>	<b>Total Cost</b>
Parks	Ford F150 Truck	2	\$29,065.00	\$58,130.00
Police	Ford F150 Truck	4	\$26,758.00	\$107,032.00
Police	Ford F150 Truck	1	\$28,288.00	\$28,288.00
Police	Ford F150 Truck	1	\$35,649.00	\$35,649.00
SW Res.	Ford F150 Truck	1	\$24,059.00	\$24,059.00*
W&S Eng.	Ford F150 Truck	4	\$33,605.00	\$134,420.00
Drain Eng.	Ford Explorer	1	\$29,649.00	\$29,649.00

\*Includes \$400.00 BuyBoard fee for all Silsbee Ford purchases

The purchase pricing from United Ag and Turf utilizing the Sourcewell Cooperative is as follows:

<b>Division</b>	<b>Make/Model</b>	<b>Units</b>	<b>Cost</b>	<b>Total Cost</b>
Parks	John Deere 5075E Tractor	1	\$27,245.26	\$27,245.26

The purchase pricing from Vermeer utilizing the TASB BuyBoard Cooperative is as follows:

<b>Division</b>	<b>Make/Model</b>	<b>Units</b>	<b>Cost</b>	<b>Total Cost</b>
W&S Ops.	Vermeer Vactron LP573XDT	1	\$79,483.00	\$79,483.00

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

<b>Category</b>	<b>FY19</b>
Public Safety	\$718,769.39
Public Works	\$371,640.72
Recreation	\$85,375.26
Support Services	\$404,199.22
<b>Total</b>	<b>\$1,579,984.59</b>

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

These are one-time expenditures.

**Is this expenditure budgeted? If not, where will the money come from?**

These expenditures are budgeted in the following accounts:

<b>Division/Department</b>	<b>Account</b>	<b>Cost</b>	<b>Available Funds</b>
Animal Services	349-6070-441.61-10	\$96,811.64	\$98,500.00
Building Services	349-3258-426.61-10	\$187,193.10	\$191,500.00
Code Enforcement	349-4053-450.61-10	\$21,316.00	\$23,500.00
Custodial Services	349-3259-426.61-10	\$53,367.12	\$53,500.00
Drainage Utility Engineering	375-3435-432.61-10	\$29,649.00	\$31,700.00
Drainage Utility Maintenance	375-3448-434.61-10	\$68,609.60	\$101,411.55
Fire	349-7070-442.61-10	\$83,682.00	\$101,916.73
Information Technology	349-2705-419.61-10	\$29,219.00	\$30,000.00
Parks & Public Grounds	349-3025-425.61-10	\$85,375.26	\$96,250.00
Permits & Inspections	349-4052-450.61-10	\$21,316.00	\$23,000.00
Police	349-6000-441.61-10	\$495,643.75	\$532,866.00
Solid Waste Residential	388-3460-439.61-10	\$24,059.00	\$43,055.90
Water Distribution	387-3410-436.61-10	\$26,830.00	\$29,302.00
Water & Sewer Engineering	387-3435-432.61-10	\$134,420.00	\$136,000.00
Water & Sewer Operations	387-3420-438.61-10	\$222,493.12	\$251,954.00

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

Yes, in the amount indicated in the table above.

**RECOMMENDATION:**

Staff recommends that City Council approve the procurement of the fleet, and that the City Manager or designee be authorized to execute any change orders as permitted by state and local law.

**DEPARTMENTAL CLEARANCES:**

Building Insp & CE  
Fire Department  
Parks and Public Grounds  
Police Department  
Public Works Department  
Support Services  
Purchasing  
Finance  
Legal

**ATTACHED SUPPORTING DOCUMENTS:**

Quotes

Certificates of Interested Parties

QUOTE# 00DR-507

## CONTRACT PRICING WORKSHEET

End User: CITY OF KILLEEN	Contractor: CALDWELL COUNTRY
Contact Name: FRANK TYDLACKA GRANT ROACH	CALDWELL COUNTRY CHEVROLET
Email: FTYDLACKA@KILLEENTEXAS.GOV GROACH@KILLEENTEXAS.GOV	Prepared By: AVERYT KNAPP
Phone #: 254-501-7789 254-501-7798	Email: aknapp@caldwellcountry.com
Fax #: 254-501-8934	Phone #: 254-773-2674
Location City & State: KILLEEN, TX	Fax #: 254-773-8808
Date Prepared: June 6, 2019	Address: 800 HWY 21 E. Caldwell, TX 77836
Contract Number: BUYBOARD #521-16	Tax ID #
Product Description: 2019 CHEVROLET 2500HD SILVERADO 4X2 DOUBLE CAB LWB CC25953	

A Base Price &amp; Options:

\$26,275

## B Published Options

Code	Description	Cost	Code	Description	Cost
	4X2-DOUBLE CAB, 6.0L-V8, 6-SPD AUTOMATIC, 4.10 LOCKING REAR AXLE DIFFERENTIAL, 40-20- 40 VINYL BENCH, FULL RUBBER FLOOR, AIR CONDITION, AMFM- STEREO W/BLUETOOTH, TILT, CRUISE, POWER WINDOWS, POWER LOCKS, TRAILER TOW MIRRORS, SPRAY ON BED LINER, LONG BOX, REAR STEP BUMPER, OEM HD TRAILER TOW PACKAGE W/CONNECTOR, OEM INTEGRATED TRAILER BRAKE CONTROLLER	INCL			
	GM POWERTRAIN WARRANTY 5YR/100,000 MILES @ N/C	INCL			
Subtotal B					INCL

## C Unpublished Options

Code	Description	Cost	Code	Description	Cost

Subtotal C						
D Other Price Adjustments (Installation, Delivery, Etc...)						
Subtotal D						INCL
E Unit Cost Before Fee & Non-Equipment Charges (A+B+C+D)						\$26,275
Quantity Ordered						1
X						
Subtotal E						\$26,275
F Non-Equipment Charges (Trade-In, Warranty, Etc...)						
BUY BOARD \$400 FEE						
G. Color of Vehicle: WHITE						
H. Total Purchase Price (E+F)						\$26,275
Estimated Delivery Date:					120 DAYS APPX	

QUOTE# 00WT-612

## CONTRACT PRICING WORKSHEET

End User: CITY OF KILLEEN	Contractor: CALDWELL COUNTRY
Contact Name: FRANK TYDLACKA GRANT ROACH	CALDWELL COUNTRY CHEVROLET
Email: FTYDLACKA@KILLEENTEXAS.GOV GROACH@KILLEENTEXAS.GOV	Prepared By: AVERYT KNAPP
Phone #: 254-501-7789 254-501-7798	Email: aknapp@caldwellcountry.com
Fax #: 254-501-8934	Phone #: 254-773-2674
Location City & State: KILLEEN, TX	Fax #: 254-773-8808
Date Prepared: MAY 31, 2019	Address: 800 HWY 21 E. Caldwell, TX 77836
Contract Number: BUYBOARD #521-16	Tax ID #
Product Description: 2020 CHEVROLET 2500HD SILVERADO 4X2 REGULAR CAB W-UTL CC20903	

A Base Price &amp; Options:

\$34,558

B Published Options

Code	Description	Cost	Code	Description	Cost
	4X2-REGULAR CAB, 56"CA, 9,900#GVWR, 6.6L-V8 GAS, 6-SPD AUTOMATIC, 3.73 LOCKING REAR AXLE DIFFERENTIAL, 40-20- 40 VINYL SEATS, FULL RUBBER FLOOR, AIR CONDITION, AMFM- STEREO W/BLEETOOTH, TILT, CRUISE, POWER WINDOWS, POWER LOCKS, POWER TRAILER TOW MIRRORS, KEYLESS ENTRY, REAR CAMERA PROVISION, 8' KNAPHIEDE 696-2 STANDARD SERVICE BODY, 3 COMPARTMENTS PER SIDE, 14.6" DEEP COMPARTMENTS, STANDARD SHELIVING AND DIVIDERS, 49" WIDE FLOOR, FULL SPRAY IN BED LINER, FLOOR, WALLS AND REAR BUMPER, LED LIGHTS TAIL LIGHTS AND REFLECTORS, 8" STEEL TREADPLATE BUMPER, PAINT BODY OUTSIDE WHITE, WEIGHT SLIP & CERTIFICATION, CLASS V REAR HITCH W/7-WAY PLUG, INSTALL OF REAR VISION CAMERA	INCL			

	GM POWERTRAIN WARRANTY 5YR/100,000 MILES @ N/C	INCL			
Subtotal B					INCL
C Unpublished Options					
Code	Description	Cost	Code	Description	Cost
Subtotal C					
D Other Price Adjustments (Installation, Delivery, Etc...)					
Subtotal D					INCL
E Unit Cost Before Fee & Non-Equipment Charges (A+B+C+D)					\$34,558
Quantity Ordered					1
X					\$34,558
Subtotal E					
F Non-Equipment Charges (Trade-In, Warranty, Etc...)					
BUY BOARD \$400 FEE					
G. Color of Vehicle: WHITE					
H. Total Purchase Price (E+F)					\$34,558
			Estimated Delivery Date:	150 DAYS APPX (Q1-Q2 2020)	

**CALDWELL COUNTRY****CHEVROLET****BUYBOARD BID 521-16**End User: CITY OF KILLEENCaldwell Rep: AARON WILEYContact: GRANT ROACHPhone/fax: 254-773-8824 / 254-773-8808Phone/email: 254-501-7798/groach@killeentexas.govDate: Friday, May 10, 2019Product Description: CHEVY MALIBU LSemail: aaron@caldwellcountry.comA. Bid Series: 34A. Base Price: \$ **18,820.00****B. Published Options [Itemize each below]**

Code	Options	Bid Price	Code	Options	Bid Price
1ZC69	2020 MALIBU FWD	\$ 1,692.00		REAR VIEW CAMERA	INCL
	1.5L TURBO 4 CYLINDER	INCL			
	A/C& HEAT ; AM/FM RADIO	INCL			
	CLOTH BUCKET SEATS	INCL			
	CARPET FLOORS & MATS	INCL			
	CRUISE CONTROL	INCL			
	DAYTIME RUNNING LIGHTS	INCL			
	BLUETOOTH	INCL			
	POWER WINDOWS AND LOCKS	INCL			
	KEYLESS ENTRY	INCL			
	KEYLESS START	INCL			
Total of B. Published Options:					\$ 1,692.00

**C. Unpublished Options [Itemize each below, not to exceed 25%]**

\$= 0.0 %

Options	Bid Price	Options	Bid Price
		INGOT SILVER	COLOR
		ESTIMATED 90-120 DAYS	DELIVERY
Total of C. Unpublished Options:			\$ -

D. Registration, Inspection, Paperwork, Postage cost, Courthouse time, &amp; Runner time:

\$ 100.00

E.

\$ -

F. Manufacturer Destination/Delivery:

G. Floor Plan Interest (for in-stock and/or equipped vehicles):

\$ -

H. Lot Insurance (for in-stock and/or equipped vehicles):

\$ -

I. Contract Price Adjustment:

\$ -

J. Additional Delivery Charge: 0 miles

\$ -

K. Subtotal:

\$ 20,612.00

L. Quantity Ordered 7 x K =

\$ 144,284.00

M. Trade in:

N. BUYBOARD FEE PER PURCHASE ORDER:

O. TOTAL PURCHASE PRICE WITH BUYBOARD FEE:

\$ 144,284.00



QUOTE# 00DR-587

## CONTRACT PRICING WORKSHEET

End User: CITY OF KILLEEN			Contractor: CALDWELL COUNTRY		
Contact Name: FRANK TYDLACKA GRANT ROACH			CALDWELL COUNTRY CHEVROLET		
Email: <a href="mailto:FTYDLACKA@KILLEENTEXAS.GOV">FTYDLACKA@KILLEENTEXAS.GOV</a> GROACH@KILLEENTEXAS.GOV			Prepared By: AVERYT KNAPP		
Phone #: 254-501-7789 254-501-7798			Email: aknapp@caldwellcountry.com		
Fax #: 254-501-8934			Phone #: 254-773-2674		
Location City & State: KILLEEN, TX			Fax #: 254-773-8808		
Date Prepared: MAY 28, 2019			Address: 800 HWY 21 E. Caldwell, TX 77836		
Contract Number: BUYBOARD #521-16			Tax ID #		
Product Description: 2019-2020 CHEVROLET 1500 SILVERADO 4X4 DOUBLE CAB SWB CK10753					
A Base Price & Options:					\$26,830
B Published Options					
Code	Description	Cost	Code	Description	Cost
	4X4-DOUBLE CAB, 5.3L-V8, 6-SPD AUTOMATIC, 40-20-40 VINYL BENCH, FULL RUBBER FLOOR, AIR CONDITION, AMFM- STEREO W/BLEETOOTH, TILT, CRUISE, POWER WINDOWS, POWER LOCKS, POWER MIRRORS, KEYLESS ENTRY, SPRAY ON BED LINER, SHORT BOX, REAR STEP BUMPER, OEM HD TRAILER TOW PACKAGE W/CONNECTOR	INCL			
	GM POWERTRAIN WARRANTY 5YR/100,000 MILES @ N/C	INCL			
Subtotal B					INCL
C Unpublished Options					
Code	Description	Cost	Code	Description	Cost
Subtotal C					

D Other Price Adjustments (Installation, Delivery, Etc...)		
Subtotal D		INCL
E Unit Cost Before Fee & Non-Equipment Charges (A+B+C+D)		\$26,830
Quantity Ordered		3
X		
Subtotal E		\$80,490
F Non-Equipment Charges (Trade-In, Warranty, Etc...)		
BUY BOARD \$400 FEE		\$400
G. Color of Vehicle: WHITE		
H. Total Purchase Price (E+F)		\$80,890
	Estimated Delivery Date:	120 DAYS APPX

QUOTE# 00DR-507

## CONTRACT PRICING WORKSHEET

End User: CITY OF KILLEEN	Contractor: CALDWELL COUNTRY
Contact Name: FRANK TYDLACKA GRANT ROACH	CALDWELL COUNTRY CHEVROLET
Email: <u>FTYDLACKA@KILLEENTESXAS.GOV</u> GROACH@KILLEENTEXAS.GOV	Prepared By: AVERYT KNAPP
Phone #: 254-501-7789 254-501-7798	Email: aknapp@caldwellcountry.com
Fax #: 254-501-8934	Phone #: 254-773-2674
Location City & State: KILLEEN, TX	Fax #: 254-773-8808
Date Prepared: MAY 28, 2019	Address: 800 HWY 21 E. Caldwell, TX 77836
Contract Number: BUYBOARD #521-16	Tax ID #
Product Description: 2019 CHEVROLET 2500HD SILVERADO 4X4 DOUBLE CAB LWB CK25953	

A Base Price &amp; Options:

\$28,775

## B Published Options

Code	Description	Cost	Code	Description	Cost
	4X4-DOUBLE CAB, 6.0L-V8, 6-SPD AUTOMATIC, 4.10 LOCKING REAR AXLE DIFFERENTIAL, 40-20- 40 VINYL BENCH, FULL RUBBER FLOOR, AIR CONDITION, AMFM- STEREO W/BLUETOOTH, TILT, CRUISE, POWER WINDOWS, POWER LOCKS, TRAILER TOW MIRRORS, SPRAY ON BED LINER, LONG BOX, REAR STEP BUMPER, OEM HD TRAILER TOW PACKAGE W/CONNECTOR, OEM INTEGRATED TRAILER BRAKE CONTROLLER	INCL			
	GM POWERTRAIN WARRANTY 5YR/100,000 MILES @ N/C	INCL			
Subtotal B					INCL

## C Unpublished Options

Code	Description	Cost	Code	Description	Cost

Subtotal C					
D Other Price Adjustments (Installation, Delivery, Etc...)					
Subtotal D					INCL
E Unit Cost Before Fee & Non-Equipment Charges (A+B+C+D)					\$28,775
Quantity Ordered					2
X					
Subtotal E					\$57,550
F Non-Equipment Charges (Trade-In, Warranty, Etc...)					
BUY BOARD \$400 FEE					\$
G. Color of Vehicle: WHITE					
H. Total Purchase Price (E+F)					\$57,550
Estimated Delivery Date:				120 DAYS APPX	

ADDENDUM TO CONTRACT FOR GOODS OR SERVICES

This addendum supplements that certain Vehicle Purchases, dated 6/28/19, made by and between the City of Killeen and Caldwell Country Chevrolet.

1. **Verification by Vendor.** Vendor hereby verifies that it does not boycott Israel and will not boycott Israel during the term of this contract. Boycotting Israel is defined in Texas Government Code section 808.001 to mean refusing to deal with, terminating business activities with, or taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes.

2. **Incorporation.** The provisions of this Addendum shall be incorporated into and are hereby made an essential part of the contract.

3. **Full Force and Effect.** Except as expressly modified herein, all other terms and provisions set for in the contract shall remain in full force and effect and shall not otherwise be affected by this Addendum.

The City and Vendor have duly executed this Addendum as of this 30 day of may, 2019.

City of Killeen

Vendor

\_\_\_\_\_

By: \_\_\_\_\_

Title:

\_\_\_\_\_

Averyt Knapp

By: A Knapp

Fleet Director

# TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE

## BUYBOARD

6/10/2019

### PRODUCT PRICING BASED ON CONTRACT

Customer:

City of Killeen

Product Description:

2019 F550 R/C aerial

A: Base Price in Bid/Proposal Number **521-16** \$ **27,449.00**

B: Published Options (Itemize each item below)

99T Diesel	\$ 9,980.00	525 Cruise Control	\$ 575.00
THB Traction Rear Tires	\$ 475.00	535 High Capacity Trailer Tow	\$ 1,565.00
X8L 4.88 L/S Axle	\$ 650.00	585 Blue Tooth radio	\$ 500.00
68M 19,500 GVWR	\$ 1,695.00	62R PTO Prov	\$ 575.00
90L Power group	\$ 1,450.00	67P HD Ft Axle and susp	\$ 545.00
18A Upfitter Module	\$ 650.00	872 Rear View camera	\$ 795.00
18B Running Boards	\$ 650.00		\$ -
41H Block Heater	\$ 350.00	UTL146A Aerial	\$ 46,939.00
425 50 state emissions	\$ 575.00	service Body	\$ 10,582.00
52B elect Brake Controller	\$ 550.00		\$ -

Subtotal Column 1: \$ 17,025.00

Subtotal Column 2: \$ 62,076.00

Published Options added to Base Price (Subtotal of "Col 1" + "Col 2") \$ 79,101.00

C: Subtotal of A + B => \$ 106,550.00

D: UnPublished Options

Uppgrase to Brande FX Body and customer specifications on Aerial	\$ 20,110.10		\$ -
	\$ -		\$ -
	\$ -		\$ -
	\$ -		\$ -
	\$ -		\$ -

Subtotal Column 1: \$ 20,110.10

Subtotal Column 2: \$ -

Body \$ 20,110.10

E: Contract Pride Adjustment (If any, explain here) Chassis Discount \$ - \$ (700.00)

F: Total of C + D + E (Not including Buy Board Fee) => \$ 125,960.10

G: Quantity Ordered (Units x F) => # of Units 1 \$ 125,960.10

H: BUYBOARD Fee (From Fee Schedules, Table: => @ % \$ 400.00

I: Non-Equipment Charges & Credits (ie: Ext. Warranty, Trade-In, Cost of Factory trips, etc.)

	\$ -
	\$ -

Subtotal of Non-Equipment Charges \$ -

J: TOTAL PURCHASE PRICE INCLUDING (G + H + I) => \$ 126,360.10

Grande Truck Center  
PO Box 201210  
San Antonio, Texas 78220

Rocky Shoffstall  
PH 210-666-7112  
FX 210-666-7216  
800-779-7672 X112  
6/10/2019

ADDENDUM TO CONTRACT FOR GOODS OR SERVICES

This addendum supplements that certain Equipment Purchases, dated 6/28/19, made by and between the City of Killeen and Grande Truck Center.

1. **Verification by Vendor.** Vendor hereby verifies that it does not boycott Israel and will not boycott Israel during the term of this contract. Boycotting Israel is defined in Texas Government Code section 808.001 to mean refusing to deal with, terminating business activities with, or taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes.
2. **Incorporation.** The provisions of this Addendum shall be incorporated into and are hereby made an essential part of the contract.
3. **Full Force and Effect.** Except as expressly modified herein, all other terms and provisions set for in the contract shall remain in full force and effect and shall not otherwise be affected by this Addendum.

The City and Vendor have duly executed this Addendum as of this 11<sup>th</sup> day of June, 2019.

City of Killeen

Vendor

By: \_\_\_\_\_

Title: \_\_\_\_\_

By: Keith Sheffert

Sales

**COUNTRY FORD FORD**  
**DBA ROCKDALE COUNTRY FORD**  
**BUYBOARD BID 521-16**

End User: CITY OF KILLEEN CODE, PERMITS, INSPECTIONS  
 Contact: GRANT ROACH  
 Phone/email: 254-501-7798/groach@killeentexas.gov  
 Product Description: FORD ESCAPE BASE

Caldwell Rep: AARON WILEY  
 Phone/fax: 254-773-8824 / 254-773-8808  
 Date: Tuesday, June 04, 2019  
 email: aaron@caldwellcountry.com

A. Bid Series: 130

A. Base Price: \$ 20,285.00

**B. Published Options [Itemize each below]**

Code	Options	Bid Price	Code	Options	Bid Price
UOF	2020 S MODEL	\$ 700.00		SYNC WITH BLUETOOTH	INCL
	1.5L ECOBOOST ; 8-SPD AUTO	INCL		REARVIEW CAMERA	INCL
	A/C & HEAT	INCL		BATTERY SAVER FEATURE	INCL
	AM/FM/CD; CRUISE CONTROL	INCL		POWER ADJUSTABLE MIRRORS	INCL
	POWER WINDOWS AND LOCKS	INCL		FRONT AND REAR FLOOR MATS	INCL
	CLOTH SEATS	INCL		5- PASSENGER SEATING	INCL
	CARPET FLOORS	INCL	47B	CARGO SHADE	\$ 128.00
	COMPASS; AUX. AUDIO INPUT	INCL	50C	FLOOR LINERS	\$ 118.00
	ELECTRIC BRAKE ASSIST	INCL	50Q	CARGO MAT	\$ 85.00
	KEYLESS ENTRY	INCL			
	4 POWER POINTS INSIDE VEHICLE	INCL			
<b>Total of B. Published Options:</b>					<b>\$ 1,031.00</b>

**C. Unpublished Options [Itemize each below, not to exceed 25%]**

\$= 0.0 %

Options	Bid Price	Options	Bid Price
		WHITE	COLOR
		CARCOAL BLACK INTERIOR	INCL
		ESTIMATED 90- 120 DAYS	DELIVERY
<b>Total of C. Unpublished Options:</b>			<b>\$ -</b>

D. Pre-delivery Inspection:

\$ -

E. Texas State Inspection:

\$ -

F. Manufacturer Destination/Delivery:

\$ -

G. Floor Plan Interest (for in-stock and/or equipped vehicles):

\$ -

H. Lot Insurance (for in-stock and/or equipped vehicles):

\$ -

I. Contract Price Adjustment:

\$ -

J. Additional Delivery Charge: 0 miles

\$ -

K. Subtotal:

\$ 21,316.00

L. Quantity Ordered 2 x K =

\$ 42,632.00

M. Trade in:

N. BUYBOARD FEE PER PURCHASE ORDER:

\$ -

O. TOTAL PURCHASE PRICE WITH BUYBOARD FEE:

\$ 42,632.00



QUOTE# 003E-CAPQ48097

## CONTRACT PRICING WORKSHEET

End User: CITY OF KILLEEN		Contractor: ROCKDALE COUNTRY	
Contact Name: GRANT ROACH		ROCKDALE COUNTRY FORD DBA CALDWELL COUNTRY	
Email: GROACH@KILLEENTEXAS.GOV		Prepared By: Averyt Knapp	
Phone #: 254-501-7798		Email: aknapp@caldwellcountry.com	
Fax #:		Phone #: 979-567-6116	
Location City & State: KILLEEN, TX		Fax #: 979-567-0853	
Date Prepared: MAY 24, 2019		Address: P. O. Box 72, ROCKDALE, TX 76567	
Contract Number: BUY BOARD #521-16		Tax ID # 27-3037856	
Product Description: 2020 FORD EXPLORER PPV K8A			
A Base Price & Options:			\$33,148
B Fleet Quote Option:			
Code	Description	Cost	Code Description Cost
	PPV-AWD, 3.3L-V6, 10-SPD AUTOMATIC, CLOTH FRONT/CLOTH REAR BENCH (NO CONSOLE), CARPET FLOOR W/MATS, STANDARD BLACK RIMS, AIR CONDITION FRONT AND REAR 17A, KEYLESS ENTRY 55F, REVERSE SENSING 76R, REAR TAIL LAMP HOUSING PROVISION 86T, FRONT HEADLAMP HOUSING PROVISION- STD, WIRELESS CONNECTIVITY-STD	INCL	
	FORD WARRANTY 5YR/60,000 MILES POWERTRAIN @ N/C	INCL	ROCKDALE COUNTRY FORD PO BOX 72 ROCKDALE, TEXAS 76567
	CAPQ48097 LOGISTICS	\$11418 \$350	
Subtotal B			\$11,768
C Unpublished Options			
Code	Description	Cost	Code Description Cost
Subtotal C			
D Other Price Adjustments (Installation, Delivery, Etc...)			

Subtotal D	INCL
E Unit Cost Before Fee & Non-Equipment Charges (A+B+C+D)	\$44,916
Quantity Ordered	1
Subtotal E	\$44,916
F Non-Equipment Charges (Trade-In, Warranty, Etc...)	
BUY BOARD FEE	\$400
G. Color of Vehicle: WHITE	
H. Total Purchase Price (E+F)	\$45,316
Estimated Delivery Date:	Q3-Q4 2019

QUOTE# 001P-FE (CAPQ50903)

## CONTRACT PRICING WORKSHEET

End User: CITY OF KILLEEN			Contractor: ROCKDALE COUNTRY		
Contact Name: FRANK TYDLACKA			ROCKDALE COUNTRY FORD DBA CALDWELL COUNTRY		
Email: FTYDLACKA@KILLEENTEXAS.GOV			Prepared By: Averyt Knapp		
Phone #: 254-501-7789			Email: aknapp@caldwellcountry.com		
Fax #:			Phone #: 979-567-6116		
Location City & State: KILLEEN, TX			Fax #: 979-567-0853		
Date Prepared: MAY 23, 2019			Address: P. O. Box 72, ROCKDALE, TX 76567		
Contract Number: SMART BUY 070-A1			Tax ID # 27-3037856		
Product Description: 2019 FORD F250 CREW CAB (SERIES 866E)					
A Base Price: (COMMODITY CODE #07202128665)					\$28,358
B Fleet Quote Option:					
Code	Description	Cost	Code	Description	Cost
	6.2L-V8, 6-SPD AUTOMATIC, 40-XX-40 BENCH, FULL RUBBER FLOOR, AIR CONDITION, AMFM- STEREO, TILT, CRUISE, POWER WINDOWS, POWER LOCKS, POWER TRAILER TOW MIRRORS, KEYLESS ENTRY, REAR STEP BUMPER, REAR VISION CAMERA	INCL			
	FORD WARRANTY 5YR/60,000 MILES POWERTRAIN @ N/C	INCL		ROCKDALE COUNTRY FORD PO BOX 72 ROCKDALE, TEXAS 76567	
#30	SPRAY ON LINER	\$548			
#52	FOUR WHEEL DRIVE 4X4	\$2580			
#125	OEM TRAILER BRK CTRL	\$320			
#133	OEM HD TOW PACKAGE	\$350			
#503	8' BED	\$195			
#999	40-XX-40 CLOTH, EMERGENCY CONSOLE W/SIDE MOUNTED FLIP UP ARMREST, INTERNAL CUP HOLDERS, CAPQ50903 -HD LEGEND GRILLE GUARD, 4- VERTEX SUPER LED SPOLIT RED/WHITE, CENCOM SAPPHIRE SIREN SYSTEM, SA315P BLACK PLASTIC SPEAKER, SAK61P SPEAKER BRACKET, 1- PIECE EQPT MOUNTING BRACKET, 4" MOUNTING SPACE, 6" ACCESSORY POCKET W/HINGED LID AND LOCK, 4.5" DEEP,	\$6035			

	TWO LIGHTER PLUG, ONE DUAL USB PORT, INDIVIDUAL LIGHTING CONTROL SUPPLIES, 2- 6 HEAD FUSE BLOCK W/PILOTT INDICATOR LIGHTS, CAP FLEET WIRING HARNESS, TOTAL INSTALL				
Subtotal B					\$10,028
C Unpublished Options					
Code	Description	Cost	Code	Description	Cost
Subtotal C					
D Other Price Adjustments (Installation, Delivery, Etc...)					
Subtotal D					INCL
E Unit Cost Before Fee & Non-Equipment Charges (A+B+C+D)					\$38,366
Quantity Ordered					1
Subtotal E					\$38,366
F Non-Equipment Charges (Trade-In, Warranty, Etc...)					
G. Color of Vehicle: WHITE					
H. Total Purchase Price (E+F)					\$38,366
Estimated Delivery Date:					150-165 DAYS APPX

**COUNTRY FORD FORD**  
**DBA ROCKDALE COUNTRY FORD**  
**BUYBOARD BID 521-16**

End User: CITY OF KILLEEN Caldwell Rep: AARON WILEY  
Contact: GRANT ROACH Phone/fax: 254-773-8824 / 254-773-8808  
Phone/email: 254-501-7798/groach@killeentexas.gov Date: Tuesday, May 21, 2019  
Product Description: FORD ESCAPE BASE email: aaron@caldwellcountry.com

A. Bid Series: 130 A. Base Price: \$ 20,285.00

**B. Published Options [Itemize each below]**

Code	Options	Bid Price	Code	Options	Bid Price
UOF	2020 S MODEL	\$ 700.00		SYNC WITH BLUETOOTH	INCL
	2.5L I4 FFV ; 6-SPD AUTOMATIC	INCL		REARVIEW CAMERA	INCL
	A/C & HEAT	INCL		BATTERY SAVER FEATURE	INCL
	AM/FM/CD; CRUISE CONTROL	INCL		POWER ADJUSTABLE MIRRORS	INCL
	POWER WINDOWS AND LOCKS	INCL		FRONT AND REAR FLOOR MATS	INCL
	CLOTH SEATS	INCL		5- PASSENGER SEATING	INCL
	CARPET FLOORS	INCL			
	COMPASS; AUX. AUDIO INPUT	INCL		<b>POSSIBLE CHANGES TO THE</b>	
	ELECTRIC BRAKE ASSIST	INCL		<b>2020 MODEL COMING</b>	
	KEYLESS ENTRY	INCL			
	4 POWER POINTS INSIDE VEHICLE	INCL			
<b>Total of B. Published Options:</b>					<b>\$ 700.00</b>

**C. Unpublished Options [Itemize each below, not to exceed 25%]** \$= 0.0 %

Options	Bid Price	Options	Bid Price
		INGOT SILVER	COLOR
		CARCOAL BLACK INTERIOR	INCL
		ESTIMATED 90- 120 DAYS	DELIVERY
<b>Total of C. Unpublished Options:</b>			<b>\$ -</b>

D. Pre-delivery Inspection: \$ -

E. Texas State Inspection: \$ -

F. Manufacturer Destination/Delivery: \$ -

G. Floor Plan Interest (for in-stock and/or equipped vehicles): \$ -

H. Lot Insurance (for in-stock and/or equipped vehicles): \$ -

I. Contract Price Adjustment: \$ -

J. Additional Delivery Charge: 0 miles \$ -

K. Subtotal: \$ **20,985.00**

L. Quantity Ordered 7 x K = \$ **146,895.00**

M. Trade in:

N. BUYBOARD FEE PER PURCHASE ORDER:

O. TOTAL PURCHASE PRICE WITH BUYBOARD FEE: \$ **146,895.00**

ADDENDUM TO CONTRACT FOR GOODS OR SERVICES

This addendum supplements that certain Vehicle Purchases, dated 4/18/19, made by and between the City of Killeen and Rockdale Country Ford.

1. **Verification by Vendor.** Vendor hereby verifies that it does not boycott Israel and will not boycott Israel during the term of this contract. Boycotting Israel is defined in Texas Government Code section 808.001 to mean refusing to deal with, terminating business activities with, or taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes.
2. **Incorporation.** The provisions of this Addendum shall be incorporated into and are hereby made an essential part of the contract.
3. **Full Force and Effect.** Except as expressly modified herein, all other terms and provisions set for in the contract shall remain in full force and effect and shall not otherwise be affected by this Addendum.

The City and Vendor have duly executed this Addendum as of this 13 day of March, 2019.

City of Killeen

\_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Vendor



By: Averyt Knapp

Fleet Director

# Animal Services #00787

## TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE BUYBOARD

Vendor	RUSH TRUCK CENTER	Date Prepared	6/3/2019
Contact for Vendor:	COLTON KRUSE	Phone	(830) 320-5219
End User:	City of Killeen		
End User Contact:	Grant Roach	Phone/Fax	(254) 501-7798
Product Description:	Ford F-250 Animal Control Trucks		Q 0787

A: Base Price in Bid/Proposal Number: 521-16		Series: F-250		\$ 19,355.00	
B: Published Options(Items Below)					
	DESCRIPTION	AMOUNT	OPT #	DESCRIPTION	AMOUNT
Ford	X2A	\$ 2,795.00	Ford	Daytime Running Lights/XL Value Package	\$ 1,045.00
Ford	Power Equipment Group	\$ 915.00	RTC-0051	21 Pt. Rush Care Inspection	\$ 1,236.00
Ford	Upfitter Interface Module	\$ 295.00	RTC-0053	Body Prep Package	\$ 2,438.00
			RTC-1076	Animal Control Unit	\$ 28,235.00
Ford	Upfitter Switches/Extra Extra Heavy Duty Alternator	\$ 250.00			
Ford	Exterior Back Up Alarm/Medium Duty Battery	\$ 350.00			
Subtotal Column 1: \$ 4,605.00			Subtotal Column 2: \$ 32,954.00		
Published Options added to Base Price (Subtotal of "Col 1" & "Col 2")					\$ 37,559.00

C: Subtotal of A + B					\$ 56,914.00
D: Non Published Options					
Animal Control Unit with Options		\$ 2,403.24			
Subtotal Column 1: \$ 2,403.24		Subtotal Column 2: \$		-	

Unpublished Options added to Base price (Subtotal "Col 1 + Col 2")	\$ 2,403.24
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E: Contract Price Adjustment (If any, explain here)	
Ford Freight and Materials Surcharge	\$ 1,275.00

F: Total of C + D +/- E	\$ 60,592.24
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G: Quantity ordered Units: 1.00 x F	\$ 60,592.24
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H: BUYBOARD Administrative Fee	
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I: Non-Equipment Charges & Credits (I.e.: Ext. Warranty, Trade-In, Delivery, etc.)					
Freight	\$ 500.00				
					\$ 500.00

J: TOTAL PURCHASE PRICE INCLUDING (G+H+I)	\$ 61,092.24
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# Animal Services #00784 Replacement

## TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE BUYBOARD

Vendor: **RUSH TRUCK CENTER** Date Prepared: **6/3/2019**  
 Contact for Vendor: **COLTON KRUSE** Phone: **(830) 320-5219**  
 End User: **City of Killeen**  
 End User Contact: **Grant Roach** Phone/Fax: **254.501.7798**  
 Product Description: **Ford Transit Van 00784**

A: Base Price in Bid/Proposal Number: <b>521-16</b>		Series: <b>Connect</b>	\$ <b>22,530.00</b>
B: Published Options (Itemize Below)			
	DESCRIPTION	AMOUNT	
Ford	R3X	\$ 6,010.00	
Ford	Reverse Sensing	\$ 295.00	
Ford	3.5 L EcoBoost	\$ 1,865.00	
Ford	2 additional keys	\$ 75.00	
Ford	Front and Rear vinyl floor	\$ 245.00	
Subtotal Column 1: \$ 8,490.00		Subtotal Column 2: \$ 2,629.40	
Published Options added to Base Price (Subtotal of "Col 1" & "Col 2")			\$ <b>11,119.40</b>

C: Subtotal of A + B		\$ <b>33,649.40</b>
D: Non Published Options		
Roadside safety kit	\$ 295.00	
Subtotal Column 1: \$ 295.00	Subtotal Column 2: \$ -	

Unpublished Options added to Base price (Subtotal "Col 1 + Col 2") \$ **295.00**

E: Contract Price Adjustment (If any, explain here)  
 Ford Freight and Materials Surcharge \$ **1,275.00**

F: Total of C + D +/- E \$ **35,219.40**

G: Quantity ordered Units: **1.00** x F \$ **35,219.40**

H: BUYBOARD Administrative Fee

I: Non-Equipment Charges & Credits (I.e.: Ext. Warranty, Trade-In, Delivery, etc.)  
 Freight \$ **500.00**  
 \$ **500.00**

J: TOTAL PURCHASE PRICE INCLUDING (G+H+I) \$ **35,719.40**



# Custodial #00822 & #00807 Replacement

## TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE BUYBOARD

Vendor	RUSH TRUCK CENTER	Date Prepared	6/3/2019
Contact for Vendor:	COLTON KRUSE	Phone	(830) 320-5219
End User:	City of Killeen		
End User Contact:	Grant Roach	Phone/Fax	254.501.7798
Product Description:	Ford Transit Connect 00822/00807		

A: Base Price in Bid/Proposal Number: 521-16		Series: Connect	\$ 20,270.00
B: Published Options(Items Below)			
	DESCRIPTION	AMOUNT	
Ford	S9E	\$ 1,215.00	
Subtotal Column 1: \$ 1,215.00		Subtotal Column 2: \$ 2,957.56	
Published Options added to Base Price(Subtotal of "Col 1" & "Col 2")			\$ 4,172.56

C: Subtotal of A + B		\$ 24,442.56
D: Non Published Options		
Subtotal Column 1: \$ -	Subtotal Column 2: \$ -	

Unpublished Options added to Base price (Subtotal "Col 1 + Col 2")	\$ -
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E: Contract Price Adjustment (If any, explain here)		
Ford Freight and Materials Surcharge		\$ 1,741.00

F: Total of C + D +/- E	\$ 26,183.56
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G: Quantity ordered Units: 2.00 x F	\$ 52,367.12
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H: BUYBOARD Administrative Fee	
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I: Non-Equipment Charges & Credits (I.e.: Ext. Warranty, Trade-In, Delivery, etc.)			
Freight	\$ 500.00		
			\$ 1,000.00

J: TOTAL PURCHASE PRICE INCLUDING (G+H+I)	\$ 53,367.12
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# Drainage Utility Maintenance #01065 & #01066 Replacement

## TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE BUYBOARD

Vendor	RUSH TRUCK CENTER	Date Prepared	6/3/2019
Contact for Vendor:	COLTON KRUSE	Phone	(830) 320-5219
End User:	City of Killeen		
End User Contact:	Grant Roach	Phone/Fax	(254) 501-7798
Product Description:	2019 F-250	01065/01066	

A: Base Price in Bid/Proposal Number: 521-16		Series: F-250	\$ 19,855.00
B: Published Options (Itemize Below)			
	DESCRIPTION	AMOUNT	
Ford	W2B	\$ 8,124.20	
Ford	Power Equipment Group	\$ 1,125.00	
Ford	X1, value Pkg	\$ 1,000.00	
	Spray in bedliner	\$ 595.00	
Ford	L1245/75R 17 BSW A/T	\$ 165.00	
Subtotal Column 1: \$ 11,009.20		Subtotal Column 2: \$ 2,490.60	
Published Options added to Base Price (Subtotal of "Col 1" & "Col 2")			\$ 13,499.80

C: Subtotal of A + B		\$ 32,851.80
D: Non Published Options		
Subtotal Column 1: \$ -	Subtotal Column 2: \$ -	
Unpublished Options added to Base price (Subtotal "Col 1 + Col 2")		\$ -

E: Contract Price Adjustment (If any, explain here)		
Ford Freight and Materials Surcharge		\$ 1,275.00

F: Total of C + D +/- E	\$ 34,129.80
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G: Quantity ordered Units: 2.00 x F	\$ 68,259.60
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H: BUYBOARD Administrative Fee	
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I: Non-Equipment Charges & Credits (I.e.: Ext Warranty, Trade-In, Delivery, etc.)			
Courtesy Delivery	\$ 350.00		
			\$ 350.00

J: TOTAL PURCHASE PRICE INCLUDING (G+H+I)	\$ 68,609.60
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# Information Technology #00821 Replacement

## TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE BUYBOARD

Vendor	<i>RUSH TRUCK CENTER</i>	Date Prepared	<i>6/3/2019</i>
Contact for Vendor:	<i>COLTON KRUSE</i>	Phone	<i>(830) 320-5219</i>
End User:	<i>City of Killeen</i>		
End User Contact:	<i>Grant Roach</i>	Phone/Fax	<i>251,501 7798</i>
Product Description:	<i>Ford Transit Connect/00821</i>		

A: Base Price in Bid/Proposal Number: 521-16			Series: Connect		\$ 20,270.00
B: Published Options( <i>Itemize Below</i> )					
	DESCRIPTION	AMOUNT	OPT #	DESCRIPTION	AMOUNT
Ford	S9E	\$ 1,215.00	RTC-0051	21 Pl. Rush Care Inspection	\$ 1,236.00
Ford	Reverse Sensing	\$ 200.00	RTC-1059	Lot Insurance	\$ 851.00
Ford	SYNC	\$ 595.00	RTC-1060	Floorplan Interest	\$ 849.00
Ford	Aluminum wheels	\$ 395.00			
Ford	Blind spot info	\$ 575.00			
Ford	anti-theft	\$ 195.00			
Subtotal Column 1: \$ 3,175.00			Subtotal Column 2: \$ 2,936.00		
Published Options added to Base Price( <i>Subtotal of "Col 1" &amp; "Col 2"</i> )					\$ 6,111.00

C: Subtotal of A + B							\$ 26,381.00
D: Non Published Options							
Subtotal Column 1: \$		-		Subtotal Column 2		\$	-

Unpublished Options added to Base price ( <i>Subtotal "Col 1 + Col 2"</i> )	\$ -
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E: Contract Price Adjustment ( <i>If any, explain here</i> )				
Ford Freight and Materials Surcharge				\$ 2,338.00

F: Total of C + D +/- E	\$ 28,719.00
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G: Quantity ordere Units: <i>1.00</i> x F	\$ 28,719.00
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H: BUYBOARD Administrative Fee	
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I: Non-Equipment Charges & Credits ( <i>I.e.: Ext. Warranty, Trade-In, Delivery, etc.</i> )					
Freight	\$ 500.00				
					\$ 500.00

J: TOTAL PURCHASE PRICE INCLUDING (G+H+I)	\$ 29,219.00
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# TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE BUYBOARD

Vendor <b>RUSH TRUCK CENTER</b>	Date Prepared <b>5/14/2019</b>
Contact for Vendor: <b>COLTON KRUSE</b>	Phone <b>(830) 302-5219</b>
End User: <b>City of Killeen</b>	
End User Contact: <b>Grant Roach</b>	Phone/Fax <b>254.501 7798</b>
Product Description: <b>2018 Ford Transit Cargo Van</b>	

A: Base Price in Bid/Proposal Number: <b>521-16</b>			Series: <b>Transit</b>			\$ <b>22,530.00</b>	
B: Published Options(Items Below)							
	DESCRIPTION	AMOUNT		OPT #	DESCRIPTION	AMOUNT	
Ford	R2X	\$ 6,913.02		Ford			
Ford	anti-theft alarm	\$ 155.00		Ford			
Ford	cruise control	\$ 325.00		Ford			
Ford	silver steel wheel covers	\$ 35.00		RTC-0051	21 Pt. Rush Care Inspection	\$ 1,236.00	
Ford	securilock pats	\$ 75.00		RTC-1059	Lot Insurance	\$ 267.38	
Ford	sun visors	\$ 75.00		RTC-1060	Floor Plan Interest	\$ 259.35	
Subtotal Column 1: \$ <b>7,578.02</b>			Subtotal Column 2: \$ <b>1,762.73</b>				
Published Options added to Base Price(Subtotal of "Col 1" & "Col 2")						\$ <b>9,340.75</b>	

C: Subtotal of A + B						\$ <b>31,870.75</b>	
D: Non Published Options							
Subtotal Column 1:						Subtotal Column 2: \$ <b>-</b>	

Unpublished Options added to Base price (Subtotal "Col 1 + Col 2")	
--	--

E: Contract Price Adjustment (If any, explain here)	
Ford Freight and Materials Surcharge	\$ <b>1,275.00</b>

F: Total of C + D +/- E	\$ <b>33,145.75</b>
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G: Quantity ordered Units: <b>1.00</b> x F	\$ <b>33,145.75</b>
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H: BUYBOARD Administrative Fee	%	
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I: Non-Equipment Charges & Credits (I.e.: Ext. Warranty, Trade-In, Delivery, etc.)					
Courtesy Delivery	\$ 350.00				
					\$ <b>350.00</b>

J: TOTAL PURCHASE PRICE INCLUDING (G+H+I)	\$ <b>33,495.75</b>
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# TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE BUYBOARD

Vendor RUSH TRUCK CENTER Date Prepared 2/8/2019  
 Contact for Vendor: COLTON KRUSE Phone (830) 320-5219  
 End User: City of Killeen  
 End User Contact: Grant Roach Phone/Fax (254) 501-7798  
 Product Description: Ford Transit Van

A: Base Price in Bid/Proposal Number: <u>521-16</u>		Series: <u>Transit</u>	\$ <u>21,675.00</u>
B: Published Options (Itemize Below)			
	DESCRIPTION	AMOUNT	OPT # DESCRIPTION AMOUNT
Ford	F2C	\$ 2,560.00	RTC-0051 21 Pt. Rush Care Inspection \$ 1,236.00
Ford	3.5L EcoBoost V6	\$ 1,865.00	RTC-1059 Lot Insurance \$ 571.09
Ford	Reverse Sensing System	\$ 295.00	RTC-1060 Dealer Flooring \$ 578.03
Ford	Vinyl Sun Visors/ 2 Additional Keys	\$ 150.00	
Subtotal Column 1: \$ 4,870.00		Subtotal Column 2: \$ 2,385.12	
Published Options added to Base Price (Subtotal of "Col 1" & "Col 2")			\$ 7,255.12

C: Subtotal of A + B		\$ 28,930.12
D: Non Published Options		
Roadside Safety Kit	\$ 295.00	
Subtotal Column 1: \$ 295.00	Subtotal Column 2: \$ -	

Unpublished Options added to Base price (Subtotal "Col 1 + Col 2") \$ 295.00

E: Contract Price Adjustment (If any, explain here) \$ 1,275.00  
 Ford Freight and Materials Surcharge

F: Total of C + D +/- E \$ 30,500.12

G: Quantity ordered Units: 1.00 x F \$ 30,500.12

H: BUYBOARD Administrative Fee \$ 400.00

I: Non-Equipment Charges & Credits (I.e.: Ext. Warranty, Trade-In, Delivery, etc.)			
Freight	\$ 500.00		
			\$ 500.00

J: TOTAL PURCHASE PRICE INCLUDING (G+H+I) \$ 31,400.12

H.B. 89

ADDENDUM TO CONTRACT FOR GOODS OR SERVICES

This addendum supplements that certain Vehicle Purchases, dated 4/18/19, made by and between the City of Killeen and Rush Truck Center.

1. **Verification by Vendor.** Vendor hereby verifies that it does not boycott Israel and will not boycott Israel during the term of this contract. Boycotting Israel is defined in Texas Government Code section 808.001 to mean refusing to deal with, terminating business activities with, or taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes.
2. **Incorporation.** The provisions of this Addendum shall be incorporated into and are hereby made an essential part of the contract.
3. **Full Force and Effect.** Except as expressly modified herein, all other terms and provisions set for in the contract shall remain in full force and effect and shall not otherwise be affected by this Addendum.

The City and Vendor have duly executed this Addendum as of this 18th day of March, 2019.

City of Killeen

Vendor

By: \_\_\_\_\_

Title: \_\_\_\_\_

Rush Truck Centers of Texas L.P.

By: [Signature]

National Fleet Account Sales Rep.

## PRODUCT PRICING SUMMARY BUYBOARD CONTRACT #521-16

## Vehicles and Heavy Duty Trucks

**VENDOR--Silsbee Ford, 1211 Hwy 96 N., Silsbee TX 77656**

**End User:** CITY OF KILLEEN

Prepared by: RICHARD HYDER

**Contact:** GRANT ROACH 254.501.7798

**Phone:** (409) 300-1385

**Email:** GROACH@KILLEENTEXAS.GOV

**Email:** [rhyder.cowboyfleet@gmail.com](mailto:rhyder.cowboyfleet@gmail.com)

**Product Description:** FORD EXPLORER

**Date:** May 13, 2019

**A. Bid Series:** 102

<b>A. Base Price:</b>	<b>\$ 26,318.00</b>
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**B. Published Options [Itemize each below]**

[illegible]

<b>Total of B. Published Options:</b>	<b>\$ 2,800.00</b>
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**C. Unpublished Options [Itemize each below, not to exceed 25%]**

\$= 0.5 \%

Options	Bid Price	Options	Bid Price
WINDOW TINT	\$ 150.00		
ORDER TO DELIVERY ~120 DAYS			

<b>Total of C. Unpublished Options:</b>	<b>\$ 150.00</b>
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#### D. Pre-delivery Inspection:

\$ -

**E. Texas State Inspection:**

\$ -

**F. Manufacturer Destination/Delivery:**

\$

**G. Floor Plan Interest (for in-stock and/or equipped vehicles):**

§ \_\_\_\_\_

**H Lot Insurance (for in-stock and/or equipped vehicles):**

§ 1

**I. Contract Price Adjustment:**

© 2006 The Authors

**J. Additional Delivery Charge:** 254 miles

\$	381.00
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**K. Subtotal:**

**\$ 29,649.00**

**L.      Quantity Ordered      1      x K =**

**\$ 29,649.00**

**M. Trade in:**

15 JULY 2004

**N. BUYBOARD Administrative Fee (\$400 per purchase order)**

\_\_\_\_\_

**O. TOTAL PURCHASE PRICE INCLUDING BUYBOARD FEE**

**\$ 29,649.00**

**PRODUCT PRICING SUMMARY BUYBOARD CONTRACT #521-16**

Vehicles and Heavy Duty Trucks

VENDOR--Silsbee Ford, 1211 Hwy 96 N., Silsbee TX 77656

End User: CITY OF KILLEEN

Prepared by: RICHARD HYDER

Contact: GRANT ROACH 254.501.7798

Phone: (409) 300-1385

Email: GROACH@KILLEENTEXAS.GOV

Email: rhyder.cowboyfleet@gmail.com

Product Description: 2019 FORD F150

Date: May 29, 2019

A. Bid Series: 113

A. Base Price: \$ 19,670.00

## B. Published Options [Itemize each below]

Code	Options	Bid Price	Code	Options	Bid Price
WIC	F150 SUPER CREW 4X2 6.5' BED	\$ 4,445.00	S95	FOG LAMPS	\$ 132.00
995	5.0L V8 GAS	\$ 940.00			
YZ	EXTERIOR COLORS WHITE	\$ -		#00685	
AG	INTERIOR VINYL 40/20/40	\$ -		#00691	
	REAR VIEW CAMERA	\$ -			
85A	POWER EQUIPMENT GROUP	\$ 1,100.00			
50S	CRUISE	\$ 212.00			
94S	AMBER WARNING LIGHTS	\$ 635.00			
53A	TRAILER TOW PKG	\$ 560.00			
96W	SPRAY IN BEDLINER	\$ 560.00			
18B	PLATFORM RUNNING BOARDS	\$ 235.00			
Total of B. Published Options:					\$ 8,819.00

## C. Unpublished Options [Itemize each below, not to exceed 25%]

\$= 0.7 %

Options	Bid Price	Options	Bid Price
TOW HOOKS	\$ 195.00		
ORDER TO DELIVERY 60-90 DAYS			
Total of C. Unpublished Options:			\$ 195.00

D. Pre-delivery Inspection:	\$ -
E. Texas State Inspection:	\$ -
F. Manufacturer Destination/Delivery:	\$ -
G. Floor Plan Interest (for in-stock and/or equipped vehicles):	\$ -
H. Lot Insurance (for in-stock and/or equipped vehicles):	\$ -
I. Contract Price Adjustment:	
J. Additional Delivery Charge: 254 miles	\$ 381.00
K. Subtotal:	\$ 29,065.00
L. Quantity Ordered 2 x K =	\$ 58,130.00
M. Trade in:	
N. BUYBOARD Administrative Fee (\$400 per purchase order)	\$ -
O. TOTAL PURCHASE PRICE INCLUDING BUYBOARD FEE	\$ 58,130.00



**PRODUCT PRICING SUMMARY BUYBOARD CONTRACT #521-16**

Vehicles and Heavy Duty Trucks

VENDOR--Silsbee Ford, 1211 Hwy 96 N., Silsbee TX 77656

End User: CITY OF KILLEENPrepared by: RICHARD HYDERContact: GRANT ROACH 254.501.7798Phone: (409) 300-1385Email: GROACH@KILLEENTEXAS.GOVEmail: rhyder.cowboyfleet@gmail.comProduct Description: 2019 FORD F150Date: April 26, 2019A. Bid Series: 113A. Base Price: \$ 19,670.00

## B. Published Options [Itemize each below]

Code	Options	Bid Price	Code	Options	Bid Price
W1C	F150 SUPER CREW XLT 4X2 5.5' BED	\$ 7,970.00			
995	5.0L V8 GAS	\$ 1,876.00		#00197	
UM	EXTERIOR COLOR AGATE BLACK	\$ -			
UC	INTERIOR VINYL 40/20/40	\$ 278.00			
	REAR VIEW CAMERA	\$ -			
302A	302A LUXURY PKG	\$ 2,595.00			
68X	XLT POWER GROUP (INC 91V)	\$ 447.00			
53A	TRAILER TOWING PKG	\$ 936.00			
96W	SPRAY IN BEDLINER	\$ 560.00			
96X	TONNEAU COVER	\$ 936.00			
Total of B. Published Options:					\$ 15,598.00

## C. Unpublished Options [Itemize each below, not to exceed 25%]

\$= 0.0 %

Options	Bid Price	Options	Bid Price
ORDER TO DELIVERY 60-90 DAYS			
Total of C. Unpublished Options:			\$ -

D. Pre-delivery Inspection:

\$ -

E. Texas State Inspection:

\$ -

F. Manufacturer Destination/Delivery:

\$ -

G. Floor Plan Interest (for in-stock and/or equipped vehicles):

\$ -

H. Lot Insurance (for in-stock and/or equipped vehicles):

\$ -

I. Contract Price Adjustment:

J. Additional Delivery Charge: 254 miles

\$ 381.00

K. Subtotal:

\$ 35,649.00

L. Quantity Ordered 1 x K =

\$ 35,649.00

M. Trade in:

N. BUYBOARD Administrative Fee (\$400 per purchase order)

O. TOTAL PURCHASE PRICE INCLUDING BUYBOARD FEE

\$ 35,649.00

**PRODUCT PRICING SUMMARY BUYBOARD CONTRACT #521-16**

**Vehicles and Heavy Duty Trucks**  
**VENDOR--Silsbee Ford, 1211 Hwy 96 N., Silsbee TX 77656**

End User: CITY OF KILLEENPrepared by: RICHARD HYDERContact: GRANT ROACH 254.501.7798Phone: (409) 300-1385Email: GROACH@KILLEENTEXAS.GOVEmail: rhyder.cowboyfleet@gmail.comProduct Description: 2019 FORD F150Date: April 26, 2019A. Bid Series: 113A. Base Price: \$ **19,670.00****B. Published Options [Itemize each below]**

Code	Options	Bid Price	Code	Options	Bid Price
W1C	F150 SUPER CREW 4X2 5.5' BED	\$ 3,245.00			
99B	3.3L V6 GAS	\$ -		#00133	
	EXTERIOR COLORS TBD	\$ -		#00138	
CG	INTERIOR CLOTH 40/20/40	\$ -		#00181	
	REAR VIEW CAMERA	\$ -		#00191	
85A	POWER EQUIPMENT GROUP	\$ 1,100.00			
50S	CRUISE	\$ 212.00			
53A	TRAILER TOWING PKG	\$ 560.00			
Total of B. Published Options:					\$ <b>5,117.00</b>

**C. Unpublished Options [Itemize each below, not to exceed 25%]**

\$= 6.4 %

Options	Bid Price	Options	Bid Price
SPRAY IN BEDLINER	\$ 395.00		
BAKFLIP G2 BED COVER	\$ 1,195.00		
ORDER TO DELIVERY 60-90 DAYS			
Total of C. Unpublished Options:			\$ <b>1,590.00</b>

D. Pre-delivery Inspection:

\$ -

E. Texas State Inspection:

\$ -

F. Manufacturer Destination/Delivery:

\$ -

G. Floor Plan Interest (for in-stock and/or equipped vehicles):

\$ -

H. Lot Insurance (for in-stock and/or equipped vehicles):

\$ -

I. Contract Price Adjustment:

J. Additional Delivery Charge: 254 miles

\$ 381.00

K. Subtotal:

\$ 26,758.00

L. Quantity Ordered 4 x K =

\$ 107,032.00

M. Trade in:

N. BUYBOARD Administrative Fee (\$400 per purchase order)

O. TOTAL PURCHASE PRICE INCLUDING BUYBOARD FEE

\$ **107,032.00**

**PRODUCT PRICING SUMMARY BUYBOARD CONTRACT #521-16**

Vehicles and Heavy Duty Trucks

VENDOR--Silsbee Ford, 1211 Hwy 96 N., Silsbee TX 77656

End User: CITY OF KILLEEN

Prepared by: RICHARD HYDER

Contact: GRANT ROACH 254.501.7798

Phone: (409) 300-1385

Email: GROACH@KILLEENTEXAS.GOV

Email: rhyder.cowboyfleet@gmail.com

Product Description: 2019 FORD F150

Date: April 29, 2019

A. Bid Series: 113

A. Base Price: \$ 19,670.00

## B. Published Options [Itemize each below]

Code	Options	Bid Price	Code	Options	Bid Price
W1C	F150 SUPER CREW 4X2 5.5' BED	\$ 3,245.00			
995	5.0L V8 GAS	\$ 1,876.00	#00937		
YZ	EXTERIOR COLORS WHITE	\$ -			
AG	INTERIOR VINYL 40/20/40	\$ -			
	REAR VIEW CAMERA	\$ -			
85A	POWER EQUIPMENT GROUP	\$ 1,100.00			
50S	CRUISE	\$ 212.00			
XL9	3.55 ELECTRONIC LOCKING AXLE	\$ 395.00			
53A	TRAILER TOW PKG	\$ 560.00			
67T	TRAILER BRAKE CONTROLLER	\$ 259.00			
Total of B. Published Options:					\$ 7,647.00

## C. Unpublished Options [Itemize each below, not to exceed 25%]

\$= 2.2 %

Options	Bid Price	Options	Bid Price
SPRAY IN BEDLINER	\$ 395.00		
WINDOW TINT	\$ 195.00		
ORDER TO DELIVERY 60-90 DAYS			
Total of C. Unpublished Options:			\$ 590.00

D. Pre-delivery Inspection:

\$ -

E. Texas State Inspection:

\$ -

F. Manufacturer Destination/Delivery:

\$ -

G. Floor Plan Interest (for in-stock and/or equipped vehicles):

\$ -

H. Lot Insurance (for in-stock and/or equipped vehicles):

\$ -

I. Contract Price Adjustment:

J. Additional Delivery Charge: 254 miles

\$ 381.00

K. Subtotal:

\$ 28,288.00

L. Quantity Ordered 1 x K =

\$ 28,288.00

M. Trade in:

N. BUYBOARD Administrative Fee (\$400 per purchase order)

O. TOTAL PURCHASE PRICE INCLUDING BUYBOARD FEE

\$ 28,288.00

**PRODUCT PRICING SUMMARY BUYBOARD CONTRACT #521-16**

Vehicles and Heavy Duty Trucks

VENDOR--Silsbee Ford, 1211 Hwy 96 N., Silsbee TX 77656

End User: CITY OF KILLEEN

Prepared by: RICHARD HYDER

Contact: GRANT ROACH 254.501.7798

Phone: (409) 300-1385

Email: [GROACH@KILLEENTEXAS.GOV](mailto:GROACH@KILLEENTEXAS.GOV)Email: [rhyder.cowboyfleet@gmail.com](mailto:rhyder.cowboyfleet@gmail.com)

Product Description: 2019 FORD F150

Date: February 27, 2019

A. Bid Series: 113

A. Base Price: \$ 19,670.00

## B. Published Options [Itemize each below]

Code	Options	Bid Price	Code	Options	Bid Price
F1C	F150 REGULAR CAB 4X2 6.5' BED	\$ 1,195.00			
99B	3.3L V6 GAS	\$ -		#00431	
YZ	EXTERIOR WHITE	\$ -			
AG	INTERIOR VINYL 40/20/40	\$ -			
	REAR VIEW CAMERA	\$ -			
85A	POWER EQUIPMENT GROUP	\$ 912.00			
50S	CRUISE	\$ 212.00			
94S	WARNING STROBES AMBER	\$ 635.00			
67T	TRAILER BRAKE CONTROLLER	\$ 259.00			
Total of B. Published Options:					\$ 3,213.00

## C. Unpublished Options [Itemize each below, not to exceed 25%]

\$= 1.7 %

Options	Bid Price	Options	Bid Price
SPRAY IN BEDLINER	\$ 395.00		
ORDER TO DELIVERY 60-90 DAYS			
Total of C. Unpublished Options:			\$ 395.00

D. Pre-delivery Inspection:

\$ -

E. Texas State Inspection:

\$ -

F. Manufacturer Destination/Delivery:

\$ -

G. Floor Plan Interest (for in-stock and/or equipped vehicles):

\$ -

H. Lot Insurance (for in-stock and/or equipped vehicles):

\$ -

I. Contract Price Adjustment:

J. Additional Delivery Charge: 254 miles

\$ 381.00

K. Subtotal:

\$ 23,659.00

L. Quantity Ordered 1 x K =

\$ 23,659.00

M. Trade in:

N. BUYBOARD Administrative Fee (\$400 per purchase order)

\$ 400.00

O. TOTAL PURCHASE PRICE INCLUDING BUYBOARD FEE

\$ 24,059.00

**PRODUCT PRICING SUMMARY BUYBOARD CONTRACT #521-16**

Vehicles and Heavy Duty Trucks

VENDOR--Silsbee Ford, 1211 Hwy 96 N., Silsbee TX 77656

End User: CITY OF KILLEEN

Prepared by: RICHARD HYDER

Contact: GRANT ROACH 254.501.7798

Phone: (409) 300-1385

Email: GROACH@KILLEENTEXAS.GOV

Email: rhyder.cowboyfleet@gmail.com

Product Description: 2019 FORD F150

Date: May 6, 2019

A. Bid Series: 113

A. Base Price: \$ 19,670.00

## B. Published Options [Itemize each below]

Code	Options	Bid Price	Code	Options	Bid Price
W1E	F150 CREWCAB 4X4 6.5' BED	\$ 10,605.00			
99S	5.0L V8 GAS	\$ -	#00595		
YZ	EXTERIOR WHITE	\$ -	#00037		
AG	INTERIOR VINYL 40/20/40	\$ -	#00583		
	REAR VIEW CAMERA	\$ -	#00594		
85A	POWER EQUIPMENT GROUP	\$ 912.00			
50S	CRUISE	\$ 212.00			
94S	WARNING STROBES AMBER	\$ 635.00			
53A	TRAILER TOWING PKG	\$ 560.00			
18B	PLATFORM RUNNING BOARDS	\$ 235.00			

Total of B. Published Options: \$ 13,159.00

## C. Unpublished Options [Itemize each below, not to exceed 25%]

\$= 1.2 %

Options	Bid Price	Options	Bid Price
SPRAY IN BEDLINER	\$ 395.00		
ORDER TO DELIVERY 60-90 DAYS			

Total of C. Unpublished Options: \$ 395.00

D. Pre-delivery Inspection:

\$ -

E. Texas State Inspection:

\$ -

F. Manufacturer Destination/Delivery:

\$ -

G. Floor Plan Interest (for in-stock and/or equipped vehicles):

\$ -

H. Lot Insurance (for in-stock and/or equipped vehicles):

\$ -

I. Contract Price Adjustment:

J. Additional Delivery Charge: 254 miles

\$ 381.00

K. Subtotal:

\$ 33,605.00

L. Quantity Ordered 4 x K =

\$ 134,420.00

M. Trade in:

N. BUYBOARD Administrative Fee (\$400 per purchase order)

O. TOTAL PURCHASE PRICE INCLUDING BUYBOARD FEE

\$ 134,420.00

ADDENDUM TO CONTRACT FOR GOODS OR SERVICES

This addendum supplements that certain Truck Purchases, dated 4/18/19, made by and between the City of Killeen and Silsbee Ford.

1. **Verification by Vendor.** Vendor hereby verifies that it does not boycott Israel and will not boycott Israel during the term of this contract. Boycotting Israel is defined in Texas Government Code section 808.001 to mean refusing to deal with, terminating business activities with, or taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes.

2. **Incorporation.** The provisions of this Addendum shall be incorporated into and are hereby made an essential part of the contract.

3. **Full Force and Effect.** Except as expressly modified herein, all other terms and provisions set for in the contract shall remain in full force and effect and shall not otherwise be affected by this Addendum.

The City and Vendor have duly executed this Addendum as of this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

City of Killeen

Vendor

\_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

\_\_\_\_\_

Silsbee Ford

By: Richard Hyder 



---

**ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):**

Deere & Company  
2000 John Deere Run  
Cary, NC 27513  
FED ID: 36-2382580; DUNS#: 60-7690989

---

**ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:**

United Ag & Turf  
2308 Barnhardt Road  
Temple, TX 76501  
254-773-9916  
TempleJD@unitedagt.com

---

**Quote Summary****Prepared For:**

City Of Killeen Fleet Services  
Frank Tydlacka  
2003 Little Nolan Rd  
Killeen, TX 76542  
Business: 254-501-7789  
Mobile: 254-251-8601  
ftydlacka@killeentexas.gov

**Delivering Dealer:**

**United Ag & Turf**  
Kenneth Oliver  
2308 Barnhardt Road  
Temple, TX 76501  
Phone: 254-773-9916  
kennetholiver@unitedagt.com

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<b>Quote ID:</b>	19820067
<b>Created On:</b>	11 June 2019
<b>Last Modified On:</b>	11 June 2019
<b>Expiration Date:</b>	10 July 2019

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Equipment Summary	Suggested List	Selling Price	Qty	Extended
JOHN DEERE 5075E Utility Tractor	\$ 31,669.88	\$ 27,245.26 X	1 =	\$ 27,245.26

**Contract:** Sourcewell Ag Tractors 021815-DAC (PG 1P CG 70)

**Price Effective Date:** June 11, 2019

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<b>Equipment Total</b>	<b>\$ 27,245.26</b>
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\* Includes Fees and Non-contract items

**Quote Summary**

Equipment Total	\$ 27,245.26
Trade In	
SubTotal	<b>\$ 27,245.26</b>
Est. Service Agreement Tax	\$ 0.00
Total	\$ 27,245.26
Down Payment	(0.00)
Rental Applied	(0.00)
<b>Balance Due</b>	<b>\$ 27,245.26</b>

---

Salesperson : X \_\_\_\_\_

Accepted By : X \_\_\_\_\_

Confidential

ADDENDUM TO CONTRACT FOR GOODS OR SERVICES

This addendum supplements that certain Tractor Purchases, dated 4/18/19, made by and between the City of Killeen and United Ag & Turf.

1. **Verification by Vendor.** Vendor hereby verifies that it does not boycott Israel and will not boycott Israel during the term of this contract. Boycotting Israel is defined in Texas Government Code section 808.001 to mean refusing to deal with, terminating business activities with, or taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes.
2. **Incorporation.** The provisions of this Addendum shall be incorporated into and are hereby made an essential part of the contract.
3. **Full Force and Effect.** Except as expressly modified herein, all other terms and provisions set for in the contract shall remain in full force and effect and shall not otherwise be affected by this Addendum.

The City and Vendor have duly executed this Addendum as of this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

City of Killeen

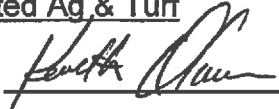
Vendor

\_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

United Ag & Turf

By:  \_\_\_\_\_

Store Manager





**Vermeer®**  
**Texas-Louisiana**

Frank Tydlacka  
Director of Fleet Services  
City of Killeen  
05/23/19  
Buy Board Contract #515-16

We are pleased to build a quote for the following equipment:

***VACTRON LP573XDT***

- 24 HP Kohler Diesel
  - 580 CFM Vacuum Pump
  - 500 Gallon Debris Tank with Hydraulic Tilt
  - 4000 PSI - High Pressure Water System
  - (2) 100 Gallon Water Tanks
  - Reverse Pressure to off-load liquids and dislodge debris in hose
  - 33' x 3" Suction Hose and Suction Tool
  - Hydraulically operated full open and locking rear door
  - Hurco Spin Doctor SD800 Boom
- Valvestar G5 Head, Complete with 4 section valve wrench and Head storage cover. (Valvestar G5 includes control box With GPS, USB RF transmitter, IMS basic software, IMS VE Module, IMS mobile and one user license, Requires a wireless Computer)

Buy Board Price	\$76,533.00
Freight and Prep	\$2,950.00
Total	\$79,483.00

All machine quotes are good for 45 days and will take 8 weeks for delivery.

Thank you for the chance to earn your business

Terry Hall  
Vermeer Texas Louisiana  
Cell # 512/983-4210

**Corporate Office**

3025 N State Hwy 161 Irving, Texas 75062 972.255.3500

Irving TX • San Antonio TX • Houston TX • Round Rock TX • Lubbock TX • Kilgore TX  
Waco TX • Alamo TX • Corpus Christi TX • Amarillo TX • Humble TX • Denham Springs LA

ADDENDUM TO CONTRACT FOR GOODS OR SERVICES

This addendum supplements that certain Equipment Purchases, dated 4/18/19, made by and between the City of Killeen and Vermeer.

1. **Verification by Vendor.** Vendor hereby verifies that it does not boycott Israel and will not boycott Israel during the term of this contract. Boycotting Israel is defined in Texas Government Code section 808.001 to mean refusing to deal with, terminating business activities with, or taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes.
2. **Incorporation.** The provisions of this Addendum shall be incorporated into and are hereby made an essential part of the contract.
3. **Full Force and Effect.** Except as expressly modified herein, all other terms and provisions set for in the contract shall remain in full force and effect and shall not otherwise be affected by this Addendum.

The City and Vendor have duly executed this Addendum as of this 13 day of MARCH, 2019.

City of Killeen

Vendor

By: \_\_\_\_\_

Title: \_\_\_\_\_

VERMEER TEXAS LOUISIANA

By: Jimmy D. Hawn

SALES REP

# 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.

Caldwell Country Chevrolet  
Caldwell, TX United States

Certificate Number:  
2019-497740

Date Filed:  
05/30/2019

Date Acknowledged:

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

City of Killeen

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

BuyBoard #521-16  
Vehicle Purchases

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary
	Way, Stephen	Caldwell, TX United States	X	
	Hildebrand, Jon	Caldwell, TX United States		X
	Knapp, Averyt	Caldwell, TX United States		X

5 Check only if there is NO Interested Party. ☐

## 6 UNSWORN DECLARATION

My name is Averyt Knapp, and my date of birth is 6-9-54.

My address is PO Box 27 Caldwell TX 77836 USA.  
(street) (city) (state) (zip code) (country)

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Burleson County, State of Texas, on the 30 day of May, 2019.  
(month) (year)

A Knapp  
Signature of authorized agent of contracting business entity  
(Declarant)

# CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

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

## OFFICE USE ONLY CERTIFICATION OF FILING

Certificate Number:  
2019-502719

Date Filed:  
06/11/2019

Date Acknowledged:

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

Grande Truck Center.  
San Antonio, TX United States

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

City of Killeen

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

521-16  
Equipment Purchases

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 UNSWORN DECLARATION

My name is Keith Shoffstall, and my date of birth is 10/9/1953.

My address is 13522 Pueblo Springs Dr., San Antonio, TX, 78232.  
(street) (city) (state) (zip code) (country)

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Bexar County, State of Texas, on the 11<sup>th</sup> day of June, 2019.  
(month) (year)

Keith Shoffstall  
Signature of authorized agent of contracting business entity  
(Declarant)

# 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.

Rockdale Country Ford  
Rockdale, TX United States

Certificate Number:  
2019-496412

Date Filed:  
05/28/2019

Date Acknowledged:

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

City of Killeen

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

070-A1, Buy Board #521-16  
Vehicles

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary
	Way, Stephen	Caldwell, TX United States	X	
	Hildebrand, Jon	Caldwell, TX United States		X
	Knapp, Averyt	Caldwell, TX United States		X

5 Check only if there is NO Interested Party. ☐


## 6 UNSWORN DECLARATION

My name is Averyt Knapp, and my date of birth is 6-9-54.

My address is PO Box 27 (street), Caldwell (city), TX (state), 77836 (zip code), USA (country).

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Burleson County, State of Texas, on the 28 day of May, 20 19.  
(month) (year)


  
Signature of authorized agent of contracting business entity  
(Declarant)

Statutory Declaration Regarding  
Exemption from Filing Form 1295  
for  
Rush Truck Centers of Texas, LP

I, Michael S. Lyons, Assistant Secretary of Rushtex, Inc., a Delaware corporation and the sole general partner of Rush Truck Centers of Texas, LP, a Texas limited partnership, do hereby declare that:

1. Rush Truck Centers of Texas, LP is a wholly owned subsidiary of Rush Enterprises, Inc.
2. Rush Enterprises, Inc. is a public company traded on NASDAQ under the symbols RUSHA and RUSHB.
3. As a result of changes to Form 1295 made effective on January 1, 2018, a Form 1295 is not required for "a contract with a publicly traded business entity, *including a wholly owned subsidiary of the business entity*. (Emphasis added.) See Texas Government Code § 2252.908(c)(4). (A copy of the statute is attached for reference.)
4. Pursuant to the foregoing, Rush Truck Centers of Texas, LP, as a wholly owned subsidiary of a public company, is not required to submit a Form 1295.

Acknowledged



Michael S. Lyons  
Assistant Secretary

State of Texas        )

)

County of Comal    )

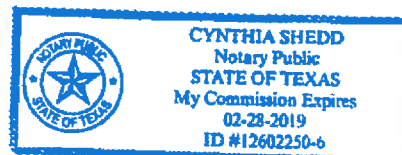
PERSONALLY appeared before me Michael S. Lyons who executed and attested the execution of this document.

SWORN TO BEFORE ME this 12<sup>th</sup> day of January 2018.



Notary Public for The State of Texas

My Commission Expires: 2/28/2019



TEXAS ETHICS COMMISSION  
GOVERNMENT CODE  
TITLE 10. GENERAL GOVERNMENT  
SUBTITLE F. STATE AND LOCAL CONTRACTS AND FUND MANAGEMENT  
CHAPTER 2252. CONTRACTS WITH GOVERNMENTAL ENTITY  
SUBCHAPTER Z. MISCELLANEOUS PROVISIONS

**Sec. 2252.908. DISCLOSURE OF INTERESTED PARTIES.**

(a) In this section:

(1) "Business entity" means any entity recognized by law through which business is conducted, including a sole proprietorship, partnership, or corporation.

(2) "Governmental entity" means a municipality, county, public school district, or special-purpose district or authority.

(3) "Interested party" means a person who has a controlling interest in a business entity with whom a governmental entity or state agency contracts or who actively participates in facilitating the contract or negotiating the terms of the contract, including a broker, intermediary, adviser, or attorney for the business entity.

(4) "State agency" means a board, commission, office, department, or other agency in the executive, judicial, or legislative branch of state government. The term includes an institution of higher education as defined by Section 61.003, Education Code.

(b) This section applies only to a contract of a governmental entity or state agency that:

(1) requires an action or vote by the governing body of the entity or agency before the contract may be signed; or

(2) has a value of at least \$1 million.

(c) Notwithstanding Subsection (b), this section does not apply to:

(1) a sponsored research contract of an institution of higher education;

(2) an interagency contract of a state agency or an institution of higher education;

(3) a contract related to health and human services if:

(A) the value of the contract cannot be determined at the time the contract is executed; and

(B) any qualified vendor is eligible for the contract;

(4) a contract with a publicly traded business entity, including a wholly owned subsidiary of the business entity;

(5) a contract with an electric utility, as that term is defined by Section 31.002, Utilities Code; or

(6) a contract with a gas utility, as that term is defined by Section 121.001, Utilities Code.

(d) A governmental entity or state agency may not enter into a contract described by Subsection (b) with a business entity unless the business entity, in accordance with this section and rules adopted under this section, submits a disclosure of interested parties to the governmental entity or state agency at the time the business entity submits the signed contract to the governmental entity or state agency.

(e) The disclosure of interested parties must be submitted on a form prescribed by the Texas Ethics Commission that includes:

(1) a list of each interested party for the contract of which the contracting business entity is aware; and

(2) a written, unsworn declaration subscribed by the authorized agent of the contracting business entity as true under penalty of perjury that is in substantially the following form:

"My name is \_\_\_\_\_, my  
date of birth is \_\_\_\_\_, and my address is

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
(Street) (City) (State) (Zip Code)

\_\_\_\_\_. I declare under penalty of  
(Country)

perjury that the foregoing is true and correct.

Executed in \_\_\_\_\_ County, State of \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_,

\_\_\_\_\_.  
(Month) (Year)

\_\_\_\_\_  
Declarant".

(f) Not later than the 30th day after the date the governmental entity or state agency receives a disclosure of interested parties required under this section, the governmental entity or state agency shall submit a copy of the disclosure to the Texas Ethics Commission.

(g) The Texas Ethics Commission shall adopt rules necessary to implement this section, prescribe the disclosure of interested parties form, and post a copy of the form on the commission's Internet website.

Added by Acts 2015, 84th Leg., R.S., Ch. 1024 (H.B. 1295), Sec. 3, eff. September 1, 2015.

Amended by:

Acts 2017, 85th Leg., R.S., Ch. 526 (S.B. 255), Sec. 5, eff. September 1, 2017.

# 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.  
Silsbee Ford Inc.  
Silsbee, TX United States

Certificate Number:  
2019-497581

Date Filed:  
05/29/2019

Date Acknowledged:

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

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.  
BuyBoard #521-16  
Vehicles

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary
	Donalson, Drew	Silsbee, TX United States	X	

5 Check only if there is NO Interested Party. ☐

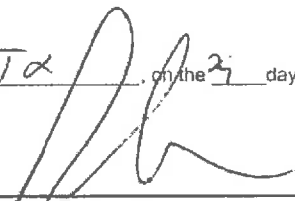
## 6 UNSWORN DECLARATION

My name is Richard Hydar, and my date of birth is 5/13/83

My address is 3005 Bear Trails (street), Orange (city), Tx (state), 77652 (zip code), us (country)

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Hardin County, State of Tx, on the 29 day of May, 2019.  
(month) (year)

  
\_\_\_\_\_  
Signature of authorized agent of contracting business entity  
(Declarant)



# 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.

United Ag and Turf LLC  
Temple, TX United States

Certificate Number:  
2019-496592

Date Filed:  
05/28/2019

Date Acknowledged:

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

City of Killeen

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

021815-DAC  
Agricultural Tractor

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.



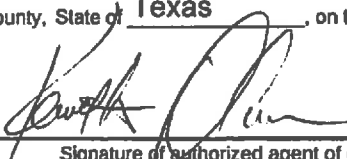
### 6 UNSWORN DECLARATION

My name is Kenneth Oliver, and my date of birth is 08/22/1964.

My address is 2308 Barnhardt Road, Temple, TX, 76579, Bell.  
(street) (city) (state) (zip code) (country)

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Bell County, State of Texas, on the 28 day of May, 2019.  
(month) (year)

  
Signature of authorized agent of contracting business entity  
(Declarant)

# 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.**

Vermeer Texas - Louisiana  
Round Rock, TX United States

Certificate Number:  
2019-463012

Date Filed:  
03/13/2019

Date Acknowledged:

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

City of Killeen

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

19-02  
Vactron LP573SDT with exerciser

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 UNSWORN DECLARATION

My name is Teri Kuiper, and my date of birth is 4-8-70.

My address is 1845 Louis Henna Blvd, Round Rock, TX, 78664, USA.  
(street) (city) (state) (zip code) (country)

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Williamson County, State of TEXAS, on the 13 day of 03, 2019.  
(month) (year)



Signature of authorized agent of contracting business entity  
(Declarant)



# PROCUREMENT OF FLEET REPLACEMENT VEHICLES

RS-19-051

June 18, 2019

# Background

2

- Fleet Services manages 1,000 pieces of rolling stock.
  - ▣ Includes maintaining the annual fleet replacement schedule.
- Multiple criteria are used to establish the fleet replacement schedule.
  - ▣ Available funding, vehicle age, maintenance costs, etc.
- Annual fleet replacement budget:
  - ▣ FY 2017 - \$752,155
  - ▣ FY 2018 - \$4,444,596
  - ▣ FY 2019 - \$4,613,300

# Procurement Information

3

- ❑ Total of 51 pieces of fleet are being purchased at a cost of \$1,579,985.
  - ▣ Public Safety – 27 pieces of fleet (\$718,770)
  - ▣ Public Works – 11 pieces of fleet (\$371,641)
  - ▣ Recreation – 3 pieces of fleet (\$85,375)
  - ▣ Support Services – 10 pieces of fleet (\$404,199)
- ❑ The fleet being purchased are on the approved fleet replacement schedule.
- ❑ The fleet purchases are budgeted and in compliance with the Local Government Code, and the City's Purchasing Policy.

# Alternatives

4

- Option 1: Defer replacement.
- Option 2: Replace the fleet.

# Recommendation

5

Staff recommends that City Council approve the procurement of the fleet, and that the City Manager or designee be authorized to execute any change orders as permitted by state and local law.



# City of Killeen

## Legislation Details

<b>File #:</b>	RS-19-052	<b>Version:</b>	1	<b>Name:</b>	Award of Cisco SmartNet Services Support and Maintenance
<b>Type:</b>	Resolution	<b>Status:</b>			Resolutions
<b>File created:</b>	6/3/2019	<b>In control:</b>			City Council Workshop
<b>On agenda:</b>	6/18/2019	<b>Final action:</b>			
<b>Title:</b>	Consider a memorandum/resolution authorizing the procurement of Cisco SmartNet Services Support and Maintenance.				
<b>Sponsors:</b>	Information Technology Department				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	<a href="#">Staff Report</a>				
	<a href="#">Quotes</a>				
	<a href="#">Certificate of Interested Parties</a>				
	<a href="#">Presentation</a>				

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------





## STAFF REPORT

**DATE:** June 18, 2019

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

**FROM:** Willie Resto, Executive Director of Information Technology

**SUBJECT:** Authorize the Award of Cisco SmartNet Services Support and Maintenance

### **BACKGROUND AND FINDINGS:**

The City of Killeen's network is comprised of switches, routers, and security appliances used to provide reliable and secure network connectivity. The City also owns a Call Manager VoIP system for providing telephony service. Cisco equipment was purchased to create this infrastructure that meets current and future City needs. The initial purchase of equipment provided a 12-month period of SmartNet support, this request is for a continuation of the support for the next 12 months. SmartNet service provides escalated assistance, emergency support, and software installs/updates for all Cisco systems and devices. Information Technology requested 12-month pricing plans from multiple Cisco resellers to attain the best pricing available. This purchase is through the Texas DIR purchase program, a cooperative that satisfies the City's bidding requirements pursuant to Texas Local Government Code section 271.102. Information Technology received three quotes from reliable vendors and Netsync Network Solutions provided the best value.

### **THE ALTERNATIVES CONSIDERED:**

1. Purchase Cisco SmartNet Services support and maintenance.
2. Do not purchase Cisco SmartNet Services support and maintenance.

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

Cisco SmartNet's service is designed to maintain the most effective and reliable network. Without the SmartNet support, the City would pay 100% of replacement costs for any of the Cisco hardware devices that fail and forgo assistance. Additionally, costs for any security patches, upgrades, or changes in software or firmware would also be the responsibility of the City. Option one is the recommended option.

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

The three vendors contacted are all preferred Cisco product resellers on the Texas Directory of Information Resources (DIR) TSO 4167 contract. This purchase request is within the parameters set forth in the State and City purchasing policies.

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

Funding for this project is available in the Computer/Software Maintenance account 627-2705-419-4243 in the amount of \$75,178.72. A projected 5% increase in costs was included in the FY2020 proposed budget.

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

This is an annual recurring expenditure.

**Is this expenditure budgeted?**

Yes

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

N/A

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

Yes

**RECOMMENDATION:**

Staff recommends that the City Council authorize the purchase of Cisco SmartNet support and maintenance from Netsync Network Solutions using the Texas Department of Information Resources (DIR) TSO 4167 contract, and that the City Manager or designee be expressly authorized to execute any and all change orders within the amounts set by state and local law.

**DEPARTMENTAL CLEARANCES:**

Finance

Legal

**ATTACHED SUPPORTING DOCUMENTS:**

Quotes

Certificate of Interested Parties



DIR-TSO-4167

**SMARTnet Team**

[servicecontracts@netsyncnetwork.com](mailto:servicecontracts@netsyncnetwork.com)

Quote Summary		
Quote #	Tab	Customer Price
211420778	Quote Details	\$ 75,178.72
Total		\$ 75,178.72

Tax not included

Pam Taylor

210.428.7332

[ptaylor@netsyncnetwork.com](mailto:ptaylor@netsyncnetwork.com)

Amanda Barney

469.407.5041

[abarney@netsyncnetwork.com](mailto:abarney@netsyncnetwork.com)

Brooke Sabo

832.963.1796

[bsabo@netsyncnetwork.com](mailto:bsabo@netsyncnetwork.com)

Larissa Perez

469.460.3216

[lperez2@netsyncnetwork.com](mailto:lperez2@netsyncnetwork.com)



658 Alliance Parkway | Hewitt, Texas 76643 | (P) 888.902.5563 | (F) 254.299.1396 | www.tfeconnect.com

Quote # 91510

Cassandra Counts, Sales Oracle

Cassandra.Counts@TFEconnect.com | 254-741-2462

To: City of Killeen

Date: May 20, 2019

Attn: Robert Sharp

RE: SMARTnet Renewal 2019

- Please Reference Quote Number on Correspondence -

Qty	SMARTnet Part #	Contract #	Serial or PAK #	Covered Item Part #	Begin Date	End Date	Price Each	Extended
<b>DIR-TSO-4167</b>								
<b><u>SNT</u></b>								
1	CON-SNT-A15SDK9	New	FTX173810FJ	ASA5515-SSD120-K9	20-Jul-19	19-Jul-20	\$ 868.50	\$ 868.50
1	CON-SNT-A15SDK9	New	FTX1740109D	ASA5515-SSD120-K9	20-Jul-19	19-Jul-20	\$ 868.50	\$ 868.50
1	CON-SNT-BE6KSTBD	New	FCH1816V2BQ	BE6K-ST-BDL-K9=	20-Jul-19	19-Jul-20	\$ 309.60	\$ 309.60
1	CON-SNT-BE6KSTBD	New	FCH1817V2R5	BE6K-ST-BDL-K9=	20-Jul-19	19-Jul-20	\$ 309.60	\$ 309.60
1	CON-SNT-WSC388PE	New	FOC1824U050	WS-C3850-48P-E	20-Jul-19	19-Jul-20	\$ 1,253.21	\$ 1,253.21
1	CON-SNT-CTSSX10	New	FTT183401A7	CTS-SX10-K9	20-Jul-19	19-Jul-20	\$ 316.80	\$ 316.80
1	CON-SNT-WSC365QE	New	FDO1921E4ZJ	WS-C3650-48PQ-E	23-Aug-19	22-Aug-20	\$ 1,093.50	\$ 1,093.50
1	CON-SNT-WSC365QE	New	FDO1929E2ZU	WS-C3650-48PQ-E	20-Jul-19	19-Jul-20	\$ 1,093.50	\$ 1,093.50
1	CON-SNT-WSC365QE	New	FDO1929E2ZX	WS-C3650-48PQ-E	20-Jul-19	19-Jul-20	\$ 1,093.50	\$ 1,093.50
1	CON-SNT-WSC365QE	New	FDO1927E1FE	WS-C3650-48PQ-E	20-Jul-19	19-Jul-20	\$ 1,093.50	\$ 1,093.50
1	CON-SNT-WSC365QE	New	FDO1929E2ZW	WS-C3650-48PQ-E	20-Jul-19	19-Jul-20	\$ 1,093.50	\$ 1,093.50
1	CON-SNT-WSC365QE	New	FDO1929P2BZ	WS-C3650-48PQ-E	20-Jul-19	19-Jul-20	\$ 1,093.50	\$ 1,093.50
1	CON-SNT-WSC365QE	New	FDO1927E1BU	WS-C3650-48PQ-E	20-Jul-19	19-Jul-20	\$ 1,093.50	\$ 1,093.50
1	CON-SNT-WSC365QE	New	FDO1929E31M	WS-C3650-48PQ-E	20-Jul-19	19-Jul-20	\$ 1,093.50	\$ 1,093.50
1	CON-SNT-WSC365TE	New	FDO2129Q057	WS-C3650-24TD-E	9-Oct-19	8-Oct-20	\$ 560.32	\$ 560.32
1	CON-SNT-CP8851K9	201566384	FCH2216DA85	CP-8851-K9=	22-Jun-19	21-Jun-20	\$ 18.00	\$ 18.00
<b><u>SNTP</u></b>								
1	CON-SNTP-6807S2TB	New	SMC191600CB	C6807-XL-S2T-BUN	20-Jul-19	19-Jul-20	\$ 6,946.20	\$ 6,946.20
1	CON-SNTP-C4507R+E	New	FXS1921Q4JL	WS-C4507R+E	20-Jul-19	19-Jul-20	\$ 4,512.34	\$ 4,512.34
1	CON-SNTP-C4507R+E	New	FXS1918Q2BZ	WS-C4507R+E	20-Jul-19	19-Jul-20	\$ 4,512.34	\$ 4,512.34
<b><u>ECMU</u></b>								
13	CON-ECMU-LICMBASA	New	N/A	LIC-CUCM-10X-BAS-A		1 Year	\$ 20.70	\$ 269.10
792	CON-ECMU-LIC0ENHA	New	N/A	LIC-CUCM-10X-ENH-A		1 Year	\$ 33.30	\$ 26,373.60
6	CON-ECMU-LICMEHPA	New	N/A	LIC-UCM-10X-ENHP-A		1 Year	\$ 47.70	\$ 286.20
42	CON-ECMU-LIC0ESSA	New	N/A	LIC-CUCM-10X-ESS-A		1 Year	\$ 6.30	\$ 264.60
2	CON-ECMU-UWL10XS0	New	N/A	UWL-10X-STD		1 Year	\$ 50.40	\$ 100.80
1	CON-ECMU-UCMUCLTP	New	N/A	UCM-10X-TP-UCL		1 Year	\$ 70.20	\$ 70.20
550	CON-ECMU-UNITCN05	New	N/A	UNITYCN10-STD-USR		1 Year	\$ 13.50	\$ 7,425.00
58	CON-ECMU-CCX10ESL	New	N/A	CCX-10-E-1SL=		1 Year	\$ 201.60	\$ 11,692.80
29	CON-ECMU-LIC0ENHA	New	N/A	LIC-CUCM-10X-ENH-A		1 Year	\$ 33.30	\$ 965.70
3	CON-ECMU-LICEXPRMS	New	CEH1N7BMSJ6	LIC-EXP-RMS=	11-Sep-19	10-Sep-20	\$ 215.10	\$ 645.30
<b>Total:</b>							<b>\$ 77,316.71</b>	

TFE will register and maintain an accurate list of all equipment serial numbers, purchase dates, Cisco SMARTnet Total Care Service begin and end dates, end of support dates, and end of life dates. This list will be provided to the customer as requested. TFE will process each RMA request for customer, when requested. This will include opening a Cisco TAC case, requesting the RMA, having the replacement shipped directly to customer, and providing shipping information to customer for defective equipment return. This does not include configuring or installation of the replacement item.

# Insight - Cisco SMARTnet Quote

Customer Name: CITY OF KILLEEN

Quote Date: 30-May-2019



1-Year Quote Summary			
CO-TERM: 19-JUL-2020			
QUOTE	SERVICE LEVEL	REFERENCE CONTRACT	CLIENT PRICE
351426166	CON-ECMU-1	201888614	\$ 49,260.72
	CON-SNT-1	201888614	\$ 12,684.35
	CON-SNTP-1	201888614	\$ 15,550.10
CLIENT COST SUBTOTAL			\$ 77,495.17

Budgetary Quote Summary			
CO-TERM: 19-JUL-2021			
QUOTE	SERVICE LEVEL	REFERENCE CONTRACT	CLIENT PRICE
321427554	CON-ECMU-1	201888614	\$ 41,742.77
	CON-SNT-1	201888614	\$ 12,413.66
	CON-SNTP-1	201888614	\$ 14,086.31
CLIENT COST SUBTOTAL			\$ 68,242.74

Budgetary Quote Summary			
CO-TERM: 19-JUL-2022			
QUOTE	SERVICE LEVEL	REFERENCE CONTRACT	CLIENT PRICE
361427529	CON-AMPAP-1	New	\$ 25,222.17
	CON-AMPEP-1	New	\$ 68,094.99
	CON-ECMU-1	201888614	\$ 61,758.87
	CON-ISV1-1	201888614	\$ 10,135.63
	CON-SNT-1	201888614	\$ 60,547.90
	CON-SNTP-1	201888614	\$ 17,256.84
	CON-SW-1	201888614	\$ 458.76
CLIENT COST SUBTOTAL			\$ 243,475.16

Account Executive: Christine Ricker

SMARTnet Sales Specialist: Cynthia Yturalde

QS: KB

**Please Note : This is a quote estimate. Insight can process a final pricing proposal at client's request. Please allow 3 weeks to receive the final proposal. Insight cannot accept a PO against the draft proposal.**

TERMS OF SALE. THIS QUOTE IS SUBJECT TO INSIGHTS TERMS AND CONDITIONS OF SALE SET FORTH ONLINE AT [http://www.insight.com/en\\_US/help/terms-of-sale-products.html](http://www.insight.com/en_US/help/terms-of-sale-products.html) (Terms of Sale - Products), AS WELL AS THE TERMS SET FORTH IN THIS QUOTE. Cisco SMARTnet services are third-party branded services (SMARTnet Services). SMARTnet Services are not performed by Insight and therefore classified by Insight as Product and subject to Insights Terms of Sale Products. In the event of a conflict between the Terms of Sale - Products and any terms of sale on Ciscos website, Insights Terms of Sale Products shall govern the purchase of SMARTnet Services herein.

SERVICE DESCRIPTIONS. The SMARTnet Services being purchased under this quote are further described under Technical Support Services in the Service Descriptions found on Ciscos website at [www.cisco.com/go/servicedescriptions/](http://www.cisco.com/go/servicedescriptions/). Such Service Description is incorporated into and made part of this Agreement. SMARTnet Services are subject to the availability limitations and other terms and conditions set forth in the Service Descriptions.

TERMS OF USE. Clients use of SMARTnet Services is further subject to the following documents, and other applicable documents as required by Cisco, set forth in Ciscos Service Descriptions: (a) End User Obligations; (b) Glossary of Terms; (c) Severity and Escalation Guidelines; and (d) List of Services Not Covered.

This quote is subject to Insight's Terms of Sale - Products set forth online at:

[http://www.insight.com/en\\_US/help/terms-of-sale-products.html](http://www.insight.com/en_US/help/terms-of-sale-products.html)



## ADDENDUM TO CONTRACT FOR GOODS OR SERVICES

This addendum supplements that certain Smart Net Quote # 211420778 (Name of Contract), dated 5/15/19, made by and between the City of Killeen ("City") and Netsync Network Solutions ("Vendor" or whatever matches the contract).

1. **Verification by Vendor.** Vendor hereby verifies that it does not boycott Israel and will not boycott Israel during the term of this contract. Boycotting Israel is defined in Texas Government Code section 808.001 to mean refusing to deal with, terminating business activities with, or taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes.
2. **Incorporation.** The provisions of this Addendum shall be incorporated into and are hereby made an essential part of the contract.
3. **Full Force and Effect.** Except as expressly modified herein, all other terms and provisions set for in the contract shall remain in full force and effect and shall not otherwise be affected by this Addendum.

The City and Vendor have duly executed this Addendum as of this  
3rd day of June, 2019.

City of Killeen

Vendor

[Signature]

By: \_\_\_\_\_

Title: \_\_\_\_\_

Netsync Network Solutions

By: [Signature]

Karl Houston  
Executive Director, Strategic Services

# CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

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

## OFFICE USE ONLY CERTIFICATION OF FILING

Certificate Number:  
2019-499160

Date Filed:  
06/03/2019

Date Acknowledged:

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

Netsync Network Solutions  
Houston, TX United States

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

City of Killeen

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

Quote # 211420778  
Smart Net Renewal

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.**



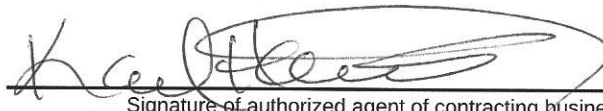
**6 UNSWORN DECLARATION**

My name is Karl Houston, and my date of birth is 5/12/60.

My address is 2304 Tarpley Road, Suite 114, Carrollton, TX, 75006, US.  
(street) (city) (state) (zip code) (country)

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Dallas County, State of Texas, on the 3 day of June, 20 19.  
(month) (year)



Signature of authorized agent of contracting business entity  
(Declarant)



CISCO SMARTNET

RS-19-052

June 18, 2019



# Background

2

- ❑ SmartNet is a maintenance Contract for Cisco Network Equipment – Network Switches and Routers
- ❑ Hardware support and replacement
- ❑ Tiered support from Cisco engineers
- ❑ Software upgrades and upgrade tools
- ❑ Security alerts, proactive diagnostics, real time alerts and patch management

# Alternatives

3

- ❑ Allow SmartNet warranty to lapse
  - ▣ Doing so we will run a greater risk of having no equipment replacement or support services
- ❑ Contract with NetSync Network Solutions or with one of the other two submissions (cost is included in FY19 budget)

# Recommendation

4

- Staff recommends authorizing the City Manager to execute the SmartNet agreement with NetSync Network Solutions for \$75,179



# City of Killeen

## Legislation Details

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**File #:** RS-19-053      **Version:** 1      **Name:** MOU with Bell County Public Health District  
**Type:** Resolution      **Status:** Resolutions  
**File created:** 5/15/2019      **In control:** City Council Workshop  
**On agenda:** 6/18/2019      **Final action:**  
**Title:** Consider a memorandum/resolution authorizing a Memorandum of Understanding with the Bell County Public Health District for a shower trailer for emergency events.  
**Sponsors:** Fire Department  
**Indexes:** Emergency Management  
**Code sections:**  
**Attachments:** [Staff Report](#)  
[Memorandum of Understanding](#)  
[Insurance](#)  
[Presentation](#)

Date	Ver.	Action By	Action	Result
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## STAFF REPORT

**DATE:** June 18, 2019  
**TO:** Ronald L. Olson, City Manager  
**VIA:** Brian Brank, Fire Chief  
**FROM:** Peter Perez, Emergency Management Coordinator  
**SUBJECT:** MOU with Bell County Public Health District

### **BACKGROUND AND FINDINGS:**

In 2012 Bell County Public Health District purchased two (2) portable 32-foot shower trailers, each with eight (8) shower stalls and one (1) American Disability Act (ADA) shower stall.

One of these shower trailers is stored by the City of Killeen Office of Homeland Security & Emergency Management.

This trailer is only to be used to augment emergency shelter operations. During an emergency shelter operation this asset would help to shower those in the shelter. Current City facilities do not have enough shower space, so this would augment our capability.

This is a 10 year MOU with an option to renew each year in the 10-year cycle.

### **THE ALTERNATIVES CONSIDERED:**

Not approve the MOU

Modify the MOU

Approve the MOU as written

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

City Staff recommend that City Council approve the MOU as written. This will enable the asset to be utilized in the City of Killeen for emergency sheltering operations or training purposes.

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

MOU conforms to City Policy.

### **FINANCIAL IMPACT:**

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

Current fiscal year has no financial impacts.

In future years, first minor echelon repair may be required.

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

Recurring, depending on wear and tear.

**Is this expenditure budgeted?**

Yes

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

N/A

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

Yes

**RECOMMENDATION:**

City Staff recommend that City Council approve the MOU and authorize the City Manager, or his designee, be authorized to execute the MOU with Bell County Public Health District.

**DEPARTMENTAL CLEARANCES:**

Fire, Finance, Legal

**ATTACHED SUPPORTING DOCUMENTS:**

Memorandum of Understanding  
Insurance

**MEMORANDUM OF UNDERSTANDING BETWEEN  
THE BELL COUNTY PUBLIC HEALTH DISTRICT AND THE CITY OF KILLEEN  
OFFICE OF HOMELAND SECURITY & EMERGENCY MANAGEMENT**

The Bell County Public Health District (hereinafter referred to as "BCPHD"), and the City of Killeen Office of Homeland Security & Emergency Management (hereinafter referred to as "Killeen OHSEM") mutually desire to set forth responsibilities of each entity for the use, care, and maintenance of a 32-foot shower trailer.

**WHEREAS**, the Texas Government Code, Chapter 791, the "Interlocal Cooperation Act," authorizes local government entities to enter into interlocal contracts for governmental purposes; and

**WHEREAS**, the Bell County Public Health District is the owner of a 2012 32-foot shower trailer, with VIN #4C9TW3228CM081301, and Texas License Plate 920152, and desires to grant use of the shower trailer to Killeen OHSEM for emergency situations, related trainings, and shelter augmentation in exchange for the housing and upkeep of the trailer;

Now, **THEREFORE** the Parties mutually agree:

1. City of Killeen agrees to:
  - a. house the shower trailer at a manned or secured City facility;
  - b. provide upkeep for the shower trailer.
2. BCPHD agrees to:
  - a. insure the shower trailer and maintain annual registration on the shower trailer;
  - b. provide a copy of the certificate of insurance, evidencing the insurance coverage on the shower trailer, to the Killeen OHSEM within 10 days of any change in policy, including policy renewals, policy amounts, or policy terms;
  - c. provide the Killeen OHSEM with current registration stickers, and a copy of the registration receipt for the trailer annually.
3. All governmental functions not expressly delegated within this MOU are retained by the respective entities.
4. This MOU may be amended at any time, provided, however, that any amendment must be in writing and agreed to by the governing body of the Parties. No officer or employee of the parties has authority to waive or otherwise modify the limitations in this MOU, without the express action of the governing body.
5. This MOU and all activities hereunder are solely for the benefit of the parties and not for the benefit of any third parties.
6. This MOU and all activities under this agreement are undertaken solely as an exercise of the policy power of the parties, exercised for the health, safety, and welfare of the public generally, and not for the benefit of any particular person or persons. The parties do not have and may not be deemed to have any duty to any particular person or persons.
7. Nothing in this MOU waives any governmental, official, or other immunity or defense of any parties or their officers, employees, representatives, and agents as a result of the execution of this Agreement and the performance thereof.

8. One party may not be responsible to and may not be civilly liable to another party for any act or omission under this MOU. Each party waives all claims against the other party for compensation for any loss, damage, personal injury, or death occurring as a consequence of performance of this MOU.
9. Each party which performs services or furnishes aid under this MOU must do so with funds available from current revenues of the party.
10. The parties agree that activities under this MOU are "governmental functions and services" and that the parties are "local governments" as that term is defined in the Interlocal Cooperation Act.
11. If any provision contained in this MOU is held invalid for any reason, the invalidity does not affect other provisions of the agreement that can be given effect without the invalid provision, and to this end, the provisions of this Interlocal Agreement are severable.
12. This MOU has been authorized by the governing body of each party, and each signatory guarantees and warrants that the signatory has full authority to execute this MOU and to legally bind the respective party.
13. The Term of this Agreement is 10 years from the date of the last party's signature.
14. This MOU supersedes all previous MOUs regarding this asset.
15. This Agreement can be terminated by either party with 30 days' written notice.

**City of Killeen**

\_\_\_\_\_  
Ronald L. Olson  
City Manager

Executed: \_\_\_\_\_

Effective: \_\_\_\_\_

**Bell County Public Health District**

\_\_\_\_\_  
Amanda Robison-Chadwell  
Director

  
Cathy Brem  
Public Health Emergency Preparedness Division Director

**Approved as to Form:**

\_\_\_\_\_  
City Attorney Office

  
Peter C. Perez  
Emergency Management Coordinator



**THIS IS A GOVERNMENT VEHICLE AND IS  
EXEMPT FROM THE MOTOR VEHICLE SAFETY  
RESPONSIBILITY ACT**

**CERTIFICATE OF COVERAGE  
AUTOMOBILE LIABILITY  
Bell County Public Health District**

This certificate is issued for information only. Bell County Public Health District is covered through the TML Intergovernmental Risk Pool (800) 537-6655 for Automobile Liability Coverage in an amount that equals or exceeds the minimum amounts required for non-government vehicles under the Motor Vehicle Safety Responsibility Act.

Entity ID: 1919

Effective Date: 10/01/2018

To Date: 10/01/2019

L215-A

07/25/02

L102-1: 12-28-11  
R001710  
ADOCERT

Texas Municipal League Intergovernmental Risk Pool  
Automobile Schedule  
As of 10-01-18

Page 2  
6-06-18  
14:40:13

Entity ID : 1919  
Entity Name : Bell County Public Health District  
Contract type / ID : LIAB / 20 10-01-18 to 10-01-19

ID	Year	Make	Model	Type	VIN	Class	Department	Secondary ID	APD Code	Ded. Code	Auto Cat.	Med Pay UM/UM	Emer. Use	Leased	Ter.
35	2008	Unknown	Forest R Trailer		7991	68499	Health	7X14	ACV	250 -A					51
36	2010	Ford	F150 1/2T	Pickup	2003	01499	Environmental	Hea	ACV	250 -A		25,000			51
37	2011	Ford	Taurus	Private Passenger	9552	3A	Health	2505	ACV	250 -A		25,000			51
38	2011	T.R.I.V.	Unknown	Trailer-Communicatio	7027	68499	Health	2517	ACV	250 -A					51
39	2011	T.R.I.V.	Trailer-Communicatio		7033	68499	Health	2524	ACV	250 -A					51
40	2012	Unknown	Comforts Trailer-Shower		1300	68499	Health	2531	ACV	250 -A					51
41	2012	Unknown	Comforts Trailer-Shower		1301	68499	Health	2532	ACV	250 -A					51
42	2015	Taurus	Private Passenger		0678	3A	Health		ACV	250 -A		25,000			51
43	2015	Taurus	Private Passenger		8917	3A	Health		ACV	250 -A		25,000			51
44	2015	F150 Super Cab	Pickup		1610	01499	Health		ACV	250 -A		25,000			51
45	2016	F150 Super Cab	Pickup		8247	01499	Health	2593	ACV	250 -A		25,000			51
46	2017	Transit Connect	Van		6292	6581	Health	2610	ACV	250 -A		25,000			51
47	2017	F150 Super Cab	Pickup		2529	01499	Health	2611	ACV	250 -A		25,000			51
48	2017	Escape	Truck-Sport Utility		3800	01499	Health	2612	ACV	250 -A		25,000			51
49	2018	F150 Super Cab	Pickup		7572	01499	Health		ACV	250 -A		25,000			51

Grand Total: 26 Items  
Grand Totals for Coverages



## MOU WITH BELL COUNTY PUBLIC HEALTH DISTRICT

RS-19-053

June 18, 2019

# Background

2

- ❑ In 2012, Bell County Public Health District purchased 2 shower trailers via a State Health Preparedness Grant
- ❑ These shower trailers can only be used to augment or train for disaster emergency sheltering
- ❑ The Killeen Office of Homeland Security & Emergency Management (OHS&EM) coordinates disaster emergency shelter operations at City facilities
- ❑ The MOU is specific to the management for 1 of these trailers
- ❑ 10 year MOU – option to renew each year in cycle



3

Current shower trailer

# Benefits of MOU

4

- Benefits of a Memorandum of Understanding (MOU)
  - ▣ Identifies each party's responsibilities & expectations
  - ▣ Requirements for insurance & registration
  - ▣ Identifies ownership of trailer
  - ▣ Augments the City of Killeen disaster emergency shelter capability

# Alternatives

5

- ☐ Not adopt the MOU
- ☐ Modify the MOU
- ☐ Adopt the MOU as written

# Recommendation

6

- Staff recommends that City Council adopt the memorandum of understanding with Bell County Public Health District, as written, and authorize the City Manager, or designee, to execute the same.





# City of Killeen

## Legislation Details

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**File #:** RS-19-054    **Version:** 1    **Name:** GT Distributors, Inc.  
**Type:** Resolution    **Status:** Resolutions  
**File created:** 6/3/2019    **In control:** City Council Workshop  
**On agenda:** 6/18/2019    **Final action:**  
**Title:** Consider a memorandum/resolution authorizing the expenditure of city funds in excess of \$50,000 for police equipment and ammunition from GT Distributors, Inc.  
**Sponsors:** Police Department  
**Indexes:**  
**Code sections:**  
**Attachments:** [Staff Report](#)  
[Certificate of Interested Parties](#)  
[Presentation](#)

Date	Ver.	Action By	Action	Result
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## STAFF REPORT

**DATE:** June 18, 2019

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

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

**SUBJECT:** Purchase of police equipment and ammunition in excess of \$50,000

### **BACKGROUND AND FINDINGS:**

The Killeen Police Department purchases police duty gear, body armor and ammunition from GT Distributors, Inc. All ammunition is purchased under TXMAS contract 680-A1. Duty gear and body armor are purchased under TASB BuyBoard contract #524-17. The City of Killeen is a member of both purchasing cooperatives.

Current fiscal year expenditures are \$18,701 for ammunition and \$6,908 for duty gear. Projected expenses include an additional \$20,500 for ammunition, \$2,000 for duty gear, and approximately \$18,600 for soft body armor. The total projected purchases from GT Distributors, Inc. for the current fiscal year will be approximately \$66,709.

In addition to being members of competitive purchasing cooperatives, GT Distributors, Inc. is the only authorized law enforcement vendor in Texas for Vista Outdoors, Inc., the parent company for Federal Premium and Speer Ammunition.

### **THE ALTERNATIVES CONSIDERED:**

Delay equipment purchases until fiscal year 19-20

Authorize the purchases as proposed.

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

Staff recommends authorizing the purchase of duty gear, body armor and ammunition. Failure to do so will adversely affect the department's ability to train and properly equip officers.

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

This purchase conforms to City policy and applicable laws.

### **FINANCIAL IMPACT:**

Current fiscal year expenditures to GT Distributors, Inc. total \$25,609. The total projected purchases from GT Distributors, Inc. for the fiscal year will be approximately \$66,709. The Police Department has identified budgeted funds to cover the expense.

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

Police firearms training is a perennial activity, as is equipping officers with new and replacement gear and armor. The department budgets funds for these expenses annually.

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

Recurring

**Is this expenditure budgeted?**

Yes

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

N/A

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

Yes. Related accounts: 010-6050-441.41-20; 010-6050-441.41-63

**RECOMMENDATION:**

Staff recommends that the City Manager or his designee be authorized to execute the described purchase of police duty gear, body armor and ammunition from GT Distributors, Inc. through purchasing cooperatives TXMAS and TASB BuyBoard, an expense that will exceed \$50,000 in city funds to one vendor for the current fiscal year.

**DEPARTMENTAL CLEARANCES:**

Purchasing  
Finance  
Legal

**ATTACHED SUPPORTING DOCUMENTS:**

Certificate of Interested Parties

# CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

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

## OFFICE USE ONLY CERTIFICATION OF FILING

Certificate Number:  
2019-496597

Date Filed:  
05/28/2019

Date Acknowledged:

**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

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

**3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.**  
524-17  
LAW ENFORCEMENT 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 UNSWORN DECLARATION

My name is CLINT WELCH, and my date of birth is 12/08/1974.

My address is 2545 BROCKTON DR., STE. 100, AUSTIN, TX, 78758, USA.  
(street) (city) (state) (zip code) (country)

I declare under penalty of perjury that the foregoing is true and correct.

Executed in TRAVIS County, State of TEXAS, on the 28th day of MAY, 2019.  
(month) (year)

Signature of authorized agent of contracting business entity  
(Declarant)



# POLICE DUTY GEAR AND AMMUNITION

RS-19-054

June 18, 2019

# Police Duty Gear and Ammunition

2

- ❑ The Police Department purchases duty gear, body armor and ammunition from GT Distributors, Inc.
- ❑ GT Distributors is the only authorized LE distributor in Texas for Vista Outdoors, the parent company of Federal Premium and Speer Ammunition. Ammunition is purchased under TXMAS contract.
- ❑ Duty gear and body armor is purchased under TASB Buyboard contract.

# Funding

3

- ❑ Current Fiscal Year expenses:
  - ❑ Ammunition: \$18,701
  - ❑ Duty Gear: \$6,908
- ❑ Projected Expenses:
  - ❑ Ammunition: \$20,500
  - ❑ Duty Gear: \$2,000
  - ❑ Body Armor: \$18,600
- ❑ Total projected expenses for the current fiscal year are projected to be approximately \$66,709. The Police Department has budgeted funds available for this purchase.

# Alternatives

4

- ❑ Delay purchases until FY 19-20.
  - ▣ Doing so will adversely affect the department's ability to train and properly equip officers.
- ❑ Approve the purchases as proposed.



# Recommendation

5

- Staff recommends that the City Manager or his designee be authorized to execute the described purchase of police duty gear, body armor and ammunition from GT Distributors, Inc. through purchasing cooperatives TXMAS and TASB BuyBoard, an expense that will exceed \$50,000 in city funds to one vendor for the current fiscal year.



# City of Killeen

## Legislation Details

<b>File #:</b>	RS-19-055	<b>Version:</b>	1	<b>Name:</b>	Temporary Agency Contract
<b>Type:</b>	Resolution	<b>Status:</b>		<b>Status:</b>	Resolutions
<b>File created:</b>	6/3/2019	<b>In control:</b>		<b>In control:</b>	City Council Workshop
<b>On agenda:</b>	6/18/2019	<b>Final action:</b>		<b>Final action:</b>	
<b>Title:</b>	Consider a memorandum/resolution entering into an agreement with Infojini Temporary Employment Agency for temporary and contract personnel services.				
<b>Sponsors:</b>	Human Resources Department				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	<a href="#">Staff Report</a> <a href="#">Agreement</a> <a href="#">Presentation</a>				

Date	Ver.	Action By	Action	Result
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## STAFF REPORT

**DATE:** June 18, 2019

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

**FROM:** Eva Bark, Executive Director of Human Resources

**SUBJECT:** Temporary Employment Agency Contract

### **BACKGROUND AND FINDINGS:**

Occasionally, the City has a need to employ temporary skilled and unskilled workers to fulfill its mission of providing municipal services and facilities that meet the vital health, safety and general welfare needs of residents and sustain and improve their quality of life. To ensure appropriate staffing levels necessary to maintain City business operations and standards, the City uses temporary and contract personnel on an as-needed basis.

The City issued a Request for Proposals (RFP) from qualified firms with demonstrated competence and experience in providing temporary and contract personnel services in the following areas of employment:

1. Clerical/Administrative staff (Data entry, filing, receptionist, bookkeeping, secretarial)
2. Professional staff (e.g. Executives, Accounting, HR)
3. Services staff (e.g. General labor, warehouse, maintenance)
4. Skilled Trade staff (e.g. HVAC, plumbers, electrical)

Five (5) proposals were received in response to the solicitation. Proposals were reviewed by a committee composed of personnel from Human Resources, Legal and Community Development, and scored based on criteria including cost, experience, qualifications, reputation, capability, resources, corporate history and stability. After review, reference checks, and further questioning with the top three firms, Human Resources recommends awarding a contract to Infojini Temporary Employment Agency.

The proposed contract would be in effect for an initial term of two (2) years with option to renew three (3) one (1) year periods for a total of five (5) years by giving notice at least sixty (60) days before the end of the initial or any subsequent term and with the mutual agreement and consent of both Contractor and City. The hourly rate includes all out-of-pocket expenses attributable to the performance of the services, i.e. fringe benefits, background check costs, all travel, vendor markup, and other applicable surcharges & expenses.

S.no	Job Categories	Hourly Bill Rates (Range)
1.	Clerical/Administrative staff (e.g. Secretarial, data entry)	\$12.34 - \$20.90
2.	Professional staff (e.g. Executives, accounting, HR)	\$14.03 - \$18.64
3.	Services staff (e.g. General labor, warehouse)	\$12.74 - \$17.79

4.	Skilled Trade staff (e.g. HVAC, plumbers, electrical)	\$12.61 - \$21.05
----	---	-------------------

All temporary staffing requests will be initiated through the Human Resources department for an urgent need, a planned need (vacation replacements or staffing for project periods), or to fill a full time opening (to keep the work in operation during the interim to find the right individual to fill a position). These requests must be approved by the Executive Director of Human Resources or HR designee and department's Executive Director, and will be for a pre-determined period of time. If the department anticipates the need for temp staff beyond the initial approval, the request must be resubmitted through HR and re-authorized by the department's Executive Director. Human Resources will provide oversight of the contract for temporary and contract personnel, to include monitoring expenditures, paying invoices and periodic review/audit to ensure contract compliance.

#### **THE ALTERNATIVES CONSIDERED:**

1. Council may choose to not contract with a temporary employment agency.
2. Council may choose to contract with one of the other top three finalist temporary employment agencies.
3. Council may choose to contract with Infojini Temporary Employment Agency.

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

Staff recommends that the Council approve the contract with Infojini Temporary Employment Agency, so that the City may fulfill its mission by providing municipal services and facilities that meet the vital health, safety and general welfare needs of residents and sustain and improve their quality of life.

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

This action conforms to city policy.

#### **FINANCIAL IMPACT:**

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

Costs associated with the use of temporary or contract personnel will be funded by cost savings available in the respected departments' budget. Combined expenditures could exceed \$50,000 per year, depending on the number of temporary employees employed within the year.

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

This is a recurring expenditure.

##### **Is this expenditure budgeted?**

Costs associated with the use of temporary or contract personnel will be funded by cost savings available in the respected department's budget.

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

Yes

**RECOMMENDATION:**

Staff recommends that the City Council authorize the City Manager or designee to execute a contract with Infojini Temporary Employment Agency for temporary employment services, and further that the City Manager or designee is authorized to execute any change order in compliance with city policy and state law.

**DEPARTMENTAL CLEARANCES:**

Purchasing  
Finance  
City Attorney

**ATTACHED SUPPORTING DOCUMENTS:**

Agreement



## STAFFING SERVICE AGREEMENT – CONTINGENT HIRE SERVICES

Infojini Inc

INFOJINI INC. – IT Staffing and Solutions

This service agreement ("Agreement") is between Infojini Inc. (Hereinafter "Infojini") with address at 10015 Old Columbia Road, Suite B215, Columbia, MD 21046 and City of Killeen (Hereinafter "Client") with address at 101 N. College Street, Killeen, Texas 76541.

1. Infojini agrees to provide personnel eligible to work at CLIENT's request who shall provide services under CLIENT's sole management and supervision. INFOJINI shall provide the services as follows:
  - a. Recruit, screen, interview, and assign its employees ("Contract Employees") to perform the type of work described by CLIENT.
  - b. For purposes of this agreement, Contract Employee is any person named in Purchase/Work Order from CLIENT to Infojini during the term of this Agreement and must be an employee of Infojini for the term of his or her contracted services to CLIENT;
  - c. Pay Contract Employees' wages and provide them with the benefits that INFOJINI offers to them;
  - d. Pay, withhold, and transmit payroll taxes; provide unemployment insurance and workers' compensation benefits; and handle unemployment and workers' compensation claims involving Contract Employees. Infojini will have all legal liabilities and meet all legal and government regulation requirements as required of the employer of the Contract Employee(s);
  - e. Comply with all federal, state, and local employment laws and regulations, as applicable.
2. CLIENT agrees to provide Contract Employees with a safe, suitable, workplace and equipment; provide all legally-mandated meal and rest breaks; and comply with all applicable federal, state, and local employment laws including appropriate workplace-specific safety and health training that adequately address potential hazards at CLIENT'S worksite.
3. The term of this agreement shall be two (2) years. Infojini and Client may renew the contract for up to three (3) additional one-year terms by giving notice at least sixty (60) days before the end of the initial or any subsequent term. Infojini agrees that CLIENT may terminate Contract Employee(s) at any time, without prior notice.
4. Infojini Inc. will generate a Purchase/Work Order upon CLIENT's request indicating the Billing Rate for each Contract Employee. CLIENT agrees to be invoiced monthly for services rendered by Infojini. Payment in full for services rendered for the prior month's services is due within thirty Days (NET 30 days) from invoice date. A copy of the approved time sheets will be sent for all invoices.
5. Price: Infojini agrees to provide staffing services for the positions at the prices set forth in the Fee Proposal table below. The hourly rate includes all out-of-pocket expenses attributable to the performance of the services, i.e. fringe benefits, background check costs, all travel, vendor markup, and other applicable surcharges & expenses.

S.no	Job Categories	Hourly Bill Rates (Range)
1.	Clerical/Administrative staff (Data entry, filing, receptionist, bookkeeping, secretarial)	\$12.34 - \$20.90
2.	Professional staff (e.g. Executives, Accounting, Human Resources)	\$14.03 - \$18.64

3.	Services staff (e.g. General labor, warehouse, maintenance)	\$12.74 – \$17.79
4.	Skilled Trade staff (e.g. HVAC, plumbers, electrical)	\$12.61 - \$21.05

6. Infojini is engaged in supplying contract labor personnel as requested by CLIENT, to work under CLIENT's sole direction, control and supervision. Therefore, CLIENT understands that Infojini is not responsible for project management or product liability.
7. This Agreement is effective for all personnel hereafter provided to CLIENT. This Agreement constitutes the entire agreement between the parties, supersedes all previous agreements or representations, and may not be modified except in a writing signed by a duly authorized representative of CLIENT and Infojini, or by an addendum as to rates as set forth above.
8. To the extent permitted by applicable law, Infojini will complete a ten (10) year criminal background investigation for all state felony convictions and state misdemeanor convictions in every county where the employee has resided or worked within the U.S. to include sex offender registries.
9. Infojini agrees that all work product of any Contract Employee completed while contracted to work for CLIENT shall be the sole and exclusive property of CLIENT.
10. CLIENT agrees that the signing of a completed timecard by the designated CLIENT representative is acceptance by CLIENT of all hours worked as represented on the timecard. The designated CLIENT representative for each specific Contract Employee shall be named in the Purchase/Work Order. CLIENT further acknowledges that Infojini compensates all Contract Employees on an hourly basis, and that Infojini only pays Contract Employees upon their remittance of a completed timecard signed by CLIENT. In consideration thereof, CLIENT agrees to pay in full all Infojini invoices that are accompanied by a copy of the corresponding CLIENT-signed timecard(s).
11. This Agreement is the result of a Request for Proposals (RFP) issued by Client and the response submitted by Infojini. All terms of the RFP and the proposal submitted by Infojini, including any supplemental responses, are incorporated into this agreement by reference as though attached.
12. This Agreement and services rendered with regard to the Agreement shall be deemed to have been entered into and performed at CLIENT's location and all questions concerning the validity, interpretation, or performance of any of its terms or provisions, or any rights or obligations of the parties hereto, shall be governed by and resolved in accordance with the laws of the State of Texas. Venue for any dispute shall lie in the courts having jurisdiction for Bell County, Texas.
13. Infojini shall indemnify, defend and hold CLIENT harmless from all claims, losses and liabilities, including reasonable attorney's fees, to the extent caused by Infojini's breach of this agreement; its failure to discharge its duties and responsibilities set forth in this agreement; or the negligence, gross negligence, or willful misconduct of Infojini or its officers, employees or authorized agents in the discharge of the duties and responsibilities set forth in this agreement. For purposes of this paragraph, CLIENT shall mean the City of Killeen, its elected officials, officers, employees and authorized agents.



14. Neither party may transfer or assign its responsibilities and duties without the written consent of the other party.
15. Both parties may receive information that is proprietary or confidential to the other party. Both parties agree to hold such information in strict confidence and not to disclose such information to third parties or to use such information for any purpose whatsoever, other than performing under this agreement or as required by law, including but not limited to the Texas Public Information Act.
16. Any notice or other communication will be deemed to be properly given when sent by United States mail to the address shown above.

IN WITNESS WHEREOF, each party to this Agreement has caused it to be executed as of the date set forth below.


**CLIENT**

Signature:

Name and Title:

Date:

**Infojini Inc.**

Signature: 

Name and Title: Sandeep Harjani, Director

Date: 05/23/2019



# RFP #19-14 TEMPORARY AGENCY SERVICES

RS-19-055

June 18, 2019

# Background

2

- ❑ The City currently does not contract City-wide with a temporary agency.
- ❑ At times, the City has a need to employ temporary skilled and unskilled workers to fulfill its mission.
- ❑ Establishes a formal and streamline process.

# Proposal Process

3

- ❑ Proposals solicited to find best temporary hiring agency.
- ❑ Five (5) proposals received February 13.
- ❑ Review committee composed of personnel from Human Resources, Legal, and Community Development.
- ❑ Scored based on criteria including cost, experience, qualifications, reputation, capability, resources, corporate history, and stability.

# Proposal Process

4

- ❑ Narrowed the list to three finalist.
- ❑ Contract term for the award shall be a two (2) year with the option to renew three (3), one (1) year periods for a total of five (5) years.
- ❑ The fiscal impact will be based upon the department's request for temporary help and the department's allocated budget.

# Alternatives Considered

5

- ❑ Reject proposal and not enter into a contract with a temporary agency.
- ❑ Reject proposal with Infojini Temporary Agency and contract with one of the other two finalists temporary agencies.
- ❑ Award proposal to Infojini Temporary Agency.

# Recommendation

6

- Staff recommends City Council award proposal #19-14 Temporary Agency to Infojini and authorize the City Manager or designee to execute the contract and any and all change orders as permitted by state and local law.



# City of Killeen

## Legislation Details

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**File #:** RS-19-056    **Version:** 1    **Name:** Rosewood Ext Change Orders 1 & 2  
**Type:** Resolution    **Status:** Resolutions  
**File created:** 5/31/2019    **In control:** City Council Workshop  
**On agenda:** 6/18/2019    **Final action:**  
**Title:** Consider a memorandum/resolution authorizing the execution of Change Order No. 1 & 2 to James Construction Group, LLC for the Rosewood Drive Extension - Heritage Oaks Hike & Bike Trail.  
**Sponsors:** Public Works Department, Engineering  
**Indexes:**  
**Code sections:**  
**Attachments:** [Staff Report](#)  
[Change Order No. 1](#)  
[Change Order No. 1 Worksheet](#)  
[Change Order No. 2](#)  
[Change Order No. 2 Worksheet](#)  
[Certificate of Interested Parties](#)  
[Presentation](#)

Date	Ver.	Action By	Action	Result
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## STAFF REPORT

**DATE:** June 18, 2019

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

**FROM:** Danielle Singh, Executive Director of Public Works

**SUBJECT:** AUTHORIZE THE EXECUTION OF CHANGE ORDER NO. 1 & 2 TO JAMES CONSTRUCTION GROUP, LLC FOR THE ROSEWOOD DRIVE EXTENSION - HERITAGE OAKS HIKE & BIKE TRAIL PROJECT

### **BACKGROUND AND FINDINGS:**

On February 27, 2018 (CCMR 18-013R), City Council awarded a construction contract to James Group Construction, LLC in the amount of \$7,826,151.27 for the Rosewood Drive Extension - Heritage Oaks Hike & Bike Trail project. The Rosewood Drive Extension - Heritage Oaks Hike & Bike Trail project consists of the federally funded widening of Rosewood Drive, and the locally funded Heritage Oaks Hike & Bike Trail, Segments 3A & 4. Change Order No. 1 represents field changes due to unforeseen site conditions and additions to the scope for the project in the amount of \$237,259.19 as reflected in the Bid Items Worksheet attached. Change Order No. 2 represents field changes due to unforeseen site conditions and additions to the scope for the project in the amount of \$236,170.53 as reflected in the Bid Items Worksheet attached.

### **THE ALTERNATIVES CONSIDERED:**

- (1) Do not approve the change orders.
- (2) Approve a portion of the change orders.
- (3) Approve the change orders as presented.

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

City Staff recommends approval of Change Order No. 1 and Change Order No. 2 in order to continue progress on the Rosewood Drive Extension - Heritage Oaks Hike and Bike Trail Project.

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

This item conforms to state and local policies.

### **FINANCIAL IMPACT:**

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

The fiscal impact of Change Order No. 1 is a net increase of \$237,259.19 in the current fiscal year.

The fiscal impact of Change Order No. 2 is a net increase of \$236,170.53 in the current fiscal year.

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

This is a one-time increase to the project.

**Is this expenditure budgeted?**

Yes

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

N/A

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

Yes, funds are available in Government Capital Project Contingency, account 349-3435-432.69-05 in the amount of \$473,429.72 (CO #1 & CO #2 totals). Funds will be transferred to the Government Capital Project Construction, account 349-3435-432.69-03 to be allocated to the project.

**RECOMMENDATION:**

City staff recommends that the City Council authorize the City Manager or designee to execute Change Order No. 1 and 2 with James Construction Group, LLC, increasing the contract in the amount of \$473,429.72, resulting in a total contract amount of \$8,299,580.99.

**DEPARTMENTAL CLEARANCES:**

Public Works  
Finance  
Legal

**ATTACHED SUPPORTING DOCUMENTS:**

Change Order No. 1  
Change Order No. 1 Worksheet  
Change Order No. 2  
Change Order No. 2 Worksheet  
Certificate of Interested Parties

## CHANGE ORDER

No. 1OWNER: CITY OF KILLEENCONTRACTOR: James Construction Group, LLCContract: CSJ 0909-36- 152 ETCRPIC: Donald Wetzel, P.M.Project: Rosewood Dr. Ext. – Heritage Oaks H.B.T.OWNER's Contract No. 314-005OWNER's Bid No. 18-04ENGINEER: Mitchell and AssociatesENGINEER's Contract No. N/A

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

Description: See attached Bid Items Worksheet.Reason for Change Order: Field changes due to unforeseen site conditions; additions to scope.Attachments: Bid Items worksheet.

CHANGE IN CONTRACT PRICE:
Original Contract Price \$ <u>7,826,151.27</u>
Net Increase (Decrease) from previous Change Orders No. <u>0</u> to <u>0</u> : \$ <u>0.00</u>
Contract Price prior to this Change Order: \$ <u>7,826,151.27</u>
Net increase (decrease) of this Change Order: \$ <u>237,259.19</u>
Contract Price with all approved Change Orders: \$ <u>8,063,410.46</u>

CHANGE IN CONTRACT TIMES:
Original Contract Times: Substantial Completion: <u>774</u> Ready for final payment: <u>804</u> (days or dates)
Net change from previous Change Orders No. <u>0</u> to No. <u>0</u> : Substantial Completion: <u>0</u> Ready for final payment: <u>0</u> (days)
Contract Times prior to this Change Order: Substantial Completion: <u>0</u> Ready for final payment: <u>0</u> (days or dates)
Net increase (decrease) this Change Order: Substantial Completion: <u>0</u> Ready for final payment: <u>0</u> (days)
Contract Times with all approved Change Orders: Substantial Completion: <u>774</u> Ready for final payment: <u>804</u> (days or dates)

**RECOMMENDED:**By: \_\_\_\_\_  
ENGINEER (Authorized Signature)

Date: \_\_\_\_\_

**CONCURRENCE:**By: \_\_\_\_\_  
TxDOT (Authorized Signature)

Date: \_\_\_\_\_

**ACCEPTED:**By:  Rick Lewis  
CONTRACTOR (Authorized Signature) DivisionDate: 4/10/19 MBE**APPROVED:**By: \_\_\_\_\_  
OWNER (Authorized Signature)

Date: \_\_\_\_\_

## **CHANGE ORDER**

### **INSTRUCTIONS**

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#### **A. GENERAL INFORMATION**

This document was developed to provide a uniform format for handling contract changes that affect Contract Price or Contract Times. Changes that have been initiated by a Work Change Directive must be incorporated into a subsequent Change Order if they affect Price or Times.

Changes that affect Contract Price or Contract Times should be promptly covered by a Change Order. The practice of accumulating Change Orders to reduce the administrative burden may lead to unnecessary disputes.

If Milestones have been listed in the Agreement, any effect of a Change Order thereon should be addressed.

For supplemental instructions and minor changes not involving a change in the Contract Price or Contract Times, a Field Order should be used.

#### **B. COMPLETING THE CHANGE ORDER FORM**

Engineer normally initiates the form, including a description of the changes involved and attachments based upon documents and proposals submitted by Contractor, or requests from Owner, or both.

Once Engineer has completed and signed the form, all copies should be sent to Owner or Contractor for approval, depending on whether the Change Order is a true order to the Contractor or the formalization of a negotiated agreement for a previously performed change. After approval by one contracting party, all copies should be sent to the other party for approval. Engineer should make distribution of executed copies after approval by both parties.

If a change only applies to price or to times, cross out the part of the tabulation that does not apply.

BID ITEMS WORKSHEET - ROSEWOOD DR. EXT. - HERITAGE OAKS HIKE & BIKE TRAIL																					
						CO #1															
						HOHBT Seg 4 CSJ 090936152				Rosewood Dr CSJ 090936156				HOHBT Seg 3A CSJ 090936160							
Line No.	Item	Desc Code	Item Description	UOM	Bid Qty	CO Price	Prev. Qty.	Prop. C/O Qty.	Revised Qty.	Subtotal	Prev. Qty.	Prop. C/O Qty.	Revised Qty.	Subtotal	Prev. Qty.	Prop. C/O Qty.	Revised Qty.	Subtotal	Change Order Qty	Total Revised Qty.	Proposed Change Order Amount
3	0110	6002	EXCAVATION (CHANNEL)	CY	1920	\$12.50	1,920.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	266.63	266.63	3,332.88	266.63	2186.63	\$ 3,332.88
19	0400	6001	STRUCTURAL EXCAVATION	CY	456	\$148.14	165.00	79.00	244.00	11,703.16	291.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	79.00	535.00	\$ 11,703.16
20	0402	6001	TRENCH EXCAVATION PROTECTION	LF	613	\$11.41	191.00	69.00	260.00	787.05	422.00	957.00	1,379.00	10,916.11	0.00	0.00	0.00	0.00	1026.00	1639.00	\$ 11,703.16
32	0432	6033	RIPRAP (STONE) (PROTECTION)(18")	CY	735.3	\$70.00	717.80	492.20	1,210.00	34,454.00	17.50	0.00	17.50	0.00	0.00	85.40	85.40	5,978.00	577.60	1312.90	\$ 40,432.00
39	0464	6003	RC PIPE (CL III) (18")	LF	609	\$55.00	167.00	(40.00)	127.00	(2,200.00)	442.00	0.00	442.00	0.00	0.00	0.00	0.00	0.00	-40.00	569.00	\$ (2,200.00)
40	0464	6005	RC PIPE (CL III) (24")	LF	2,162	\$60.00	1,119.00	20.00	1,139.00	1,200.00	956.00	(87.00)	869.00	(5,220.00)	0.00	0.00	0.00	0.00	-67.00	2095.00	\$ (4,020.00)
41	0464	6007	RC PIPE (CL III) (30")	LF	183	\$80.00	183.00	0.00	183.00	0.00	0.00	160.00	160.00	12,800.00	0.00	0.00	0.00	0.00	160.00	343.00	\$ 12,800.00
42	0464	6008	RC PIPE (CL III) (36")	LF	229	\$110.00	167.00	61.00	228.00	6,710.00	0.00	0.00	0.00	0.00	62.00	0.00	0.00	0.00	61.00	290.00	\$ 6,710.00
44	0465	6006	JCTBOX (COMPL)(PJB)(4FT X 4FT)	EA	4	\$2,986.83	0.00	0.00	0.00	0.00	4.00	1.00	5.00	2,986.83	0.00	0.00	0.00	0.00	1.00	5.00	\$ 2,986.83
47	0467	6358	SET (TY II)(18")(RCP)(4:1)(C)	EA	2	\$600.00	2.00	(1.00)	1.00	(600.00)	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	-1.00	1.00	\$ (600.00)
63	531	6005	CURB RAMPS (TY 2)	EA	8	\$1,900.00	1.00	0.00	1.00	0.00	1.00	0.00	1.00	0.00	6.00	(4.00)	2.00	(7,600.00)	-4.00	4.00	\$ (7,600.00)
65	0618	6023	CONDT (PVC) (SCH 40) (2")	LF	7832	\$16.00	7,189.00	(7,189.00)	0.00	(115,024.00)	0.00	300.00	300.00	4,800.00	643.00	(643.00)	0.00	(10,288.00)	-7532.00	300.00	\$ (120,512.00)
70	644	6056	IN SM RD SUP & AM TY TWT (1) UA (P)	EA	18	\$360.00	0.00	0.00	0.00	0.00	8.00	0.00	8.00	0.00	10.00	(8.00)	2.00	(2,880.00)	-8.00	10.00	\$ (2,880.00)
73	666	6047	REFL PAV MRK (TY I)(24")(W)(SLD)(090 MIL)	LF	514	\$7.70	0.00	0.00	0.00	0.00	184.00	0.00	184.00	0.00	330.00	(220.00)	110.00	(1,694.00)	-220.00	294.00	\$ (1,694.00)
77	666	6098	REFL PAV MRK (TY I) 18"(YLD TRI) (090 MIL)	EA	186	\$27.00	0.00	0.00	0.00	0.00	42.00	0.00	42.00	0.00	144.00	(96.00)	48.00	(2,592.00)	-96.00	90.00	\$ (2,592.00)
86	5000	****	ADJUST SANITARY SEWER MANHOLE	EA	7	\$1,600.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	7.00	1.00	8.00	1,600.00	1.00	8.00	\$ 1,600.00
87	5000	****	COK 10' CURB INLETS	EA	11	\$3,000.00	3.00	(2.00)	1.00	(6,000.00)	8.00	0.00	8.00	0.00	0.00	0.00	0.00	0.00	-2.00	9.00	\$ (6,000.00)
96	0464	6009	RC PIPE (CL III)(42")	LF	0	\$254.88	0.00	48.00	48.00	12,234.17	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	48.00	48.00	\$ 12,234.17
97	0465	6009	JCTBOX (COMPL)(PJB)(5FTX5FT)	EA	0	\$7,076.66	0.00	1.00	1.00	7,076.66	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.00	1.00	\$ 7,076.66
98	0467	6463	SET (TYII)(42")(RCP)(4:1)(C)	EA	0	\$4,999.83	0.00	1.00	1.00	4,999.83	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.00	1.00	\$ 4,999.83
99	0618	6016	CONDT (PVC) (SCH 40) (1")	LF	0	\$15.45	0.00	3,238.00	3,238.00	50,031.91	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	3238.00	3238.00	\$ 50,031.91
100	0618	6021	CONDT (PVC) (SCH 40) (1 1/2")	LF	0	\$16.01	0.00	3,951.00	3,951.00	63,269.54	0.00	0.00	0.00	0.00	0.00	643.00	643.00	10,296.71	4594.00	4594.00	\$ 73,566.25
101	5000	5001	COK 15' CURB INLETS	EA	0	\$9,483.79	0.00	1.00	1.00	9,483.79	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.00	1.00	\$ 9,483.79
102	5000	5002	COK 20' CURB INLETS	EA	0	\$10,221.09	0.00	1.00	1.00	10,221.09	0.00	1.00	1.00	10,221.09	0.00	0.00	0.00	0.00	2.00	2.00	\$ 20,442.19
103	5000	5003	COK 25' CURB INLETS	EA	0	\$15,893.43	0.00	0.00	0.00	0.00	0.00	1.00	1.00	15,893.43	0.00	0.00	0.00	0.00	1.00	1.00	\$ 15,893.43
104	7016	6063	SAN SEWER MANHOLE (48 IN)(EXTRA DEPTH)	EA	0	\$9,173.33	0.00	0.00	0.00	0.00	0.00	2.00	2.00	18,346.65	0.00	0.00	0.00	0.00	2.00	2.00	\$ 18,346.65
105	7017	6016	SAN SEWER (6IN)(PVC)(SDR 26)	LF	0	\$71.90	0.00	0.00	0.00	0.00	0.00	957.00	957.00	68,810.12	0.00	0.00	0.00	0.00	957.00	957.00	\$ 68,810.12
106	7017	6098	CONNECTION TO EXIST MANHOLE (SAN SWR)	EA	0	\$2,364.92	0.00	0.00	0.00	0.00	0.00	2.00	2.00	4,729.83	0.00	0.00	0.00	0.00	2.00	2.00	\$ 4,729.83
107	5000	5004	BURNING BRSH	LS	0	\$7,500.00	0.00	0.00	0.00	0.00	0.00	1.00	1.00	7,500.00	0.00	0.00	0.00	0.00	1.00	1.00	\$ 7,500.00
109	420	6074	CLASS C COLLAR	EA	0	\$974.34	0.00	1.00	1.00	974.34	0.00		1.00	0.00	0.00	0.00	0.00	0.00	1.00	1.00	\$ 974.34
										89,321.54				151,784.06				(3,846.41)			
															TOTAL					\$ 237,259.19	

# CHANGE ORDER

No. 2OWNER: CITY OF KILLEENCONTRACTOR: James Construction Group, LLCContract: CSJ 0909-36- 152 ETCRPIC: Donald Wetzel, P.M.Project: Rosewood Dr. Ext. – Heritage Oaks H.B.T.OWNER's Contract No. 314-005OWNER's Bid No. 18-04ENGINEER: Mitchell and AssociatesENGINEER's Contract No. N/A

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

Description: See attached Bid Items Worksheet.Reason for Change Order: Field changes due to unforeseen site conditions; additions to scope.Attachments: Bid Items worksheet.

CHANGE IN CONTRACT PRICE:
Original Contract Price \$ <u>7,826,151.27</u>
Net Increase (Decrease) from previous Change Orders No. <u>1</u> to <u>1</u> : \$ <u>237,259.19</u>
Contract Price prior to this Change Order: \$ <u>8,063,410.46</u>
Net increase (decrease) of this Change Order: \$ <u>236,170.53</u>
Contract Price with all approved Change Orders: \$ <u>8,299,580.99</u>

CHANGE IN CONTRACT TIMES:
Original Contract Times: Substantial Completion: <u>774</u> Ready for final payment: <u>804</u> (days or dates)
Net change from previous Change Orders No. <u>0</u> to No. <u>1</u> : Substantial Completion: <u>0</u> Ready for final payment: <u>0</u> (days)
Contract Times prior to this Change Order: Substantial Completion: <u>0</u> Ready for final payment: <u>0</u> (days or dates)
Net increase (decrease) this Change Order: Substantial Completion: <u>0</u> Ready for final payment: <u>0</u> (days)
Contract Times with all approved Change Orders: Substantial Completion: <u>774</u> Ready for final payment: <u>804</u> (days or dates)

**RECOMMENDED:**By: \_\_\_\_\_  
ENGINEER (Authorized Signature)

Date: \_\_\_\_\_

**CONCURRENCE:**By: \_\_\_\_\_  
TxDOT (Authorized Signature)

Date: \_\_\_\_\_

**ACCEPTED:**By: [Signature]  
CONTRACTOR (Authorized Signature)Date: 4/3/19**APPROVED:**By: \_\_\_\_\_  
OWNER (Authorized Signature)

Date: \_\_\_\_\_

5/31/19  
13

BID ITEMS WORKSHEET - ROSEWOOD DR. EXT. - HERITAGE OAKS HIKE & BIKE TRAIL																						
							CO #2															
							HOHBT Seg 4				Rosewood Dr				HOHBT Seg 3A							
							CSJ 090936152				CSJ 090936156				CSJ 090936160							
Line No.	Item	Desc Code	Item Description	UOM	Bid Qty	CO Price	Prev. Qty.	Prop. C/O Qty.	Revised Qty.	Subtotal	Prev. Qty.	Prop. C/O Qty.	Revised Qty.	Subtotal	Prev. Qty.	Prop. C/O Qty.	Revised Qty.	Subtotal	Change Order Qty	Total Revised Qty.	Proposed Change Order Amount	
3	0110	6002	EXCAVATION (CHANNEL)	CY	1920	\$12.50	1,920.00	510.00	2,430.00	6,375.00	0.00	0.00	0.00	0.00	266.63	0.00	266.63	0.00	510.00	2696.63	\$ 6,375.00	
7	0160	6003	FURNISH AND PLACE TOPSOIL (4")	SY	34,720	\$3.00	18,532.00	9,356.00	27,888.00	28,068.00	12577	0.00	12,577.00	0.00	3611.00	4944.00	8555.00	14,832.00	14300.00	49020.00	\$ 42,900.00	
22	0420	6004	DRILL SHAFT (36 IN)	LF	621	\$160.00	0.00	0.00	0.00	0.00	621.00	(72.40)	548.60	(11,584.00)	0.00	0.00	0.00	0.00	-72.40	548.60	\$ (11,584.00)	
26	0422	6005	CEM STABIL BKFL	CY	110	\$120.00	0.00	0.00	0.00	0.00	110.00	50.00	160.00	6,000.00	0.00	0.00	0.00	0.00	50.00	160.00	\$ 6,000.00	
30	0432	6002	RIPRAP (CONC) (5")	CY	366.5	\$530.00	358.40	11.00	369.40	5,830.00	0.00	0.00	0.00	0.00	8.10	0.00	8.10	0.00	11.00	377.50	\$ 5,830.00	
31	0432	6008	RIPRAP (CONC) (CLB RR8 & RR9)	CY	40	\$450.00	0.00	0.00	0.00	0.00	40.00	11.35	51.35	5,107.50	0.00	0.00	0.00	0.00	11.35	51.35	\$ 5,107.50	
32	0432	6033	RIPRAP (STONE) (PROTECTION) (18")	CY	735.3	\$120.70	1,210.00	470.00	1,680.00	56,727.58	17.50	0.00	17.50	0.00	85.40	0.00	85.40	0.00	470.00	1782.90	\$ 56,727.58	
35	0450	6036	RAIL (C411)	LF	2355	\$160.00	362.00	0.00	362.00	0.00	1,993.00	540.00	2,533.00	86,400.00	0.00	0.00	0.00	0.00	540.00	2895.00	\$ 86,400.00	
36	0450	6047	RAIL (HANDRAIL) (TY A)	LF	881	\$110.00	489.00	98.00	587.00	10,780.00	0.00	0.00	0.00	0.00	392.00	0.00	392.00	0.00	98.00	979.00	\$ 10,780.00	
40	0464	6005	RC PIPE (CL III) (24")	LF	2,162	\$60.00	1,139.00	35.00	1,174.00	2,100.00	869.00	0.00	869.00	0.00	0.00	0.00	0.00	0.00	35.00	2043.00	\$ 2,100.00	
41	0464	6007	RC PIPE (CL III) (30")	LF	183	\$80.00	183.00	52.00	235.00	4,160.00	160.00	0.00	160.00	0.00	0.00	0.00	0.00	0.00	52.00	395.00	\$ 4,160.00	
48	0467	6390	SET (TY II)(24")(RCP)(4:1)Ⓢ	EA	3	\$900.00	0.00	2.00	2.00	1,800.00	3.00	0.00	3.00	0.00	0.00	0.00	0.00	0.00	2.00	5.00	\$ 1,800.00	
61	0531	6002	CONC SIDEWALKS (5")	SY	20881	\$38.00	11,457.00	12.00	11,469.00	456.00	4,067.00	0.00	4,067.00	0.00	5,357.00	0.00	5357.00	0.00	12.00	20893.00	\$ 456.00	
88	6000	****	16' LIGHT POLES KIM # PRA16-4188	EA	67	\$900.00	61.00	1.00	62.00	900.00	0.00	0.00	0.00	0.00	6.00	0.00	6.00	0.00	1.00	68.00	\$ 900.00	
89	6000	****	LIGHT FIXTURES KIM #1A-CC17A-3-E35-60L-4K-240-BL-NFO	EA	67	\$1,500.00	61.00	1.00	62.00	1,500.00	0.00	0.00	0.00	0.00	6.00	0.00	6.00	0.00	1.00	68.00	\$ 1,500.00	
110	9000	001	CONC REMOVAL (10 x 10 BOX) (FOUND WING)	LS	1	\$4,582.23	0.00	0.00	0.00	0.00	0.00	1.00	1.00	4,582.23	0.00	0.00	0.00	0.00	1.00	1.00	\$ 4,582.23	
111	0104	6015	REMOVING CONC (SIDEWALKS) And Replace Per Plan sheet	SY	0	\$313.55	0.00	27.00	27.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	27.00	27.00	\$ 8,465.86	
112	9000	002	Additional Mobilization	LS	1	\$1,404.83	0.00	0.00	0.00	0.00	0.00	1.00	1.00	1,404.83	0.00	0.00	0.00	0.00	1.00	1.00	\$ 1,404.83	
113	9000	003	Bond Increase	LS	1	\$2,265.52	0.00	0.00	0.00	0.00	0.00	1.00	1.00	2,265.52	0.00	0.00	0.00	0.00	1.00	1.00	\$ 2,265.52	
										118,696.58				90,505.73				14,832.00				
															TOTAL						\$ 236,170.53	

# 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.

James Construction Group  
Belton, TX United States

Certificate Number:  
2019-475017

Date Filed:  
04/10/2019

Date Acknowledged:

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

City of Killeen

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

090936152 ETC  
Change Order 1

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

5 Check only if there is NO Interested Party.

☐

### 6 UNSWORN DECLARATION

My name is Richard Lewis, and my date of birth is 3/7/69.

My address is 950 RIDGE OAK DRIVE (street), BELTON (city), TX (state), 76513 (zip code), US (country).

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Bell County, State of Texas, on the 10 day of April, 20 19.  
(month) (year)



Signature of authorized agent of contracting business entity  
(Declarant)



# CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

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

## OFFICE USE ONLY CERTIFICATION OF FILING

Certificate Number:  
2019-485612

Date Filed:  
05/02/2019

Date Acknowledged:

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

James Construction Group  
Belton, TX United States

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

City Of Killeen

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

090936152 ETC  
Change Order 2

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

5 Check only if there is NO Interested Party. ☐

**6 UNSWORN DECLARATION**

My name is Richard Lewis, and my date of birth is 3-7-69

My address is 5880 W US190 Hwy (street), Belton (city), TX (state), 76513 (zip code), USA (country)

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Bell County, State of Texas, on the 3 day of June, 20 19  
(month) (year)



Signature of authorized agent of contracting business entity  
(Declarant)



# ROSEWOOD DRIVE CHANGE ORDERS

RS-19-056

June 18, 2019

# Background and Conclusion

2

- ❑ City Council awarded a construction contract to James Group Construction, LLC in the amount of \$7,826,151.27 for the Rosewood Drive Extension – Heritage Oaks Hike & Bike Trail project.
- ❑ Change Orders 1 and 2 are the result of field conditions and additional scope of work to complete the project.
- ❑ Funding is available in the current fiscal year in the Government Capital Project Contingency Account in the amount of \$473,430 for these changes.

# Alternatives

3

- Do not approve Change Order 1 and 2.
- Approve portions of Change Orders 1 and 2.
- Approve Change Orders 1 and 2 as presented.

# Recommendation

4

- Staff recommends that the City Council authorize the City Manager or designee to execute Change Order 1 and 2 with James Construction Group, LLC, increasing the contract in the amount of \$473,430 resulting in a total contract amount of \$8,299,581.



# City of Killeen

## Legislation Details

<b>File #:</b>	OR-19-009A	<b>Version:</b>	1	<b>Name:</b>	Fire Department Reclassification
<b>Type:</b>	Ordinance	<b>Status:</b>		<b>Status:</b>	Ordinances
<b>File created:</b>	3/25/2019	<b>In control:</b>		<b>In control:</b>	City Council Workshop
<b>On agenda:</b>	6/18/2019	<b>Final action:</b>		<b>Final action:</b>	
<b>Title:</b>	Consider an ordinance creating the classification of Assistant Chief of Fire and amend the number of authorized civil service positions for the Killeen Fire Department.				
<b>Sponsors:</b>	Human Resources Department, Fire Department				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	<a href="#">Staff Report</a> <a href="#">Ordinance</a> <a href="#">Presentation</a>				

Date	Ver.	Action By	Action	Result
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## STAFF REPORT

**DATE:** June 18, 2019

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

**FROM:** Eva Bark, Executive Director of Human Resources

**SUBJECT:** Ordinance To Create the Classification of Assistant Chief of Fire and Amend the Number of Authorized Civil Service Positions for the Killeen Fire Department

### **BACKGROUND AND FINDINGS:**

The Texas Local Government Code (TLGC), Chapter 143, represents an effort to present, in a coherent and practical format, the laws and civil service procedures for Texas police and fire departments. The civil service system was established in the City of Killeen in an election duly called and lawfully conducted on August 13, 1977. The rules and regulations of TLGC Chapter 143 apply to all classified police and fire officers.

One of the provisions of TLGC, Chapter 143, is that the municipality's governing body establishes the civil service classifications by ordinance. This ordinance, as adopted by the governing body, further prescribes the number of positions in each classification [TLGC 143.021(a)].

TLGC 143.014 provides the department head of a civil service department may make an appointment to the position immediately below that of the department head if the position is approved by the municipality's governing body. The fire department currently has a rank of Fire Deputy Chief, and each of those positions is a position filled by a promotional exam, not appointment by the Fire Chief. The proposed classification would be one position and would be above the current Fire Deputy Chief classification.

Appointment of an Assistant Chief of Fire ensures public safety fire industry best practices by defining responsible authority within the Killeen Fire Department. This position is administrative and, in the absence of the Fire Chief, maintains definitive authority and span of control over all fire department activities. Duties will include all interdepartmental communications, policies, standard operating procedures, standard operating guidelines, rules compliance, and direction to all fire department divisions as ordered by the Fire Chief.

Reclassifying one of the currently authorized positions in the Fire Deputy Chief rank to Assistant Chief by appointment will minimize fiscal impact to the allocated fire department budget. The salary of a Fire Deputy Chief's position will offset the Assistant Chief's salary. Internal efficiencies negate any further funding to the Fire Department budget.

The Human Resources Department is requesting changes to the current fire staffing by eliminating one (1) Fire Deputy Chief and by adding one (1) Assistant Chief of Fire.

<b>Current Strength of Force for KFD</b>		<b>Revised Strength of Force for KFD</b>	
Fire and Rescue Officer	183	Fire and Rescue Officer	183
Fire Captain	36	Fire Captain	36
Battalion Chief	6	Battalion Chief	6
Deputy Chief of Fire	4	Deputy Chief of Fire	3
Assistant Chief of Fire	0	Assistant Chief of Fire	1

### **THE ALTERNATIVES CONSIDERED:**

- 1) Not modify the organizational structure of the fire department leaving a void in continuity of authority.
- 2) Eliminate one (1) Deputy Chief of Fire and reclassify the position to (1) Assistant Chief of Fire.

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

Staff recommends the second alternative. This action would ensure continuity of authority/responsibility within the Fire Department and best practices within the Fire Industry. This proposal was also presented to the Killeen Firefighters and Police Officers Civil Service Commission. On March 18, 2019, the Commission recommended approval.

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

This action is uniformed to city policy.

### **FINANCIAL IMPACT:**

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

Internal efficiencies allow reallocation of funds during current and future budgets.

Promotion pay differential is \$2,423 in FY 2019; \$6,752 in FY 2020; and \$7,171 in FY 2021.

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

Recurring

#### **Is this expenditure budgeted?**

Yes

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

N/A

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

Yes

### **RECOMMENDATION:**

Staff recommends the adoption of the proposed ordinance to eliminate one (1) Fire Deputy Chief, full-time position and add one (1) Assistant Chief of Fire, full-time position, to be appointed by the Fire Chief.



**DEPARTMENTAL CLEARANCES:**

City Attorney Office

Finance

**ATTACHED SUPPORTING DOCUMENTS:**

Ordinance

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF KILLEEN, TEXAS, TO CREATE THE CLASSIFICATION OF ASSISTANT CHIEF OF FIRE AND TO AUTHORIZE THE NUMBER OF FIRE DEPARTMENT CIVIL SERVICE EMPLOYEES TO COMPLY WITH THE PROVISIONS OF TEXAS LOCAL GOVERNMENT CODE §143.021; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.**

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

**SECTION I.** That the City Council establishes the classification of Assistant Chief of Fire in the Killeen Fire Department. The City Council further authorizes that the following civil service classifications of employees in the Fire Department of the City of Killeen shall be amended for the purpose of covering such employees under the provisions of Texas Local Government Code 143.021(a) as required by statute. These classifications and no others shall exist with the number shown indicating the number of positions in each classification:

<b><u>CLASSIFICATION</u></b>	<b><u>NUMBER IN EACH CLASSIFICATION</u></b>			
	<b><u>FY 16-17 (amended January, 2017)</u></b>		<b><u>FY 18-19 (amended June, 2019)</u></b>	
	<b><u>(Base Authorization)</u></b>	<b><u>(Over hire)</u></b>	<b><u>(Base Authorization)</u></b>	<b><u>(Over hire)</u></b>
Fire and Rescue Officer	<b>183</b>	<b>7</b>	<b>183</b>	<b>7</b>
Fire Captain	36	0	36	0
Battalion Chief	6	0	6	0
Deputy Fire Chief	4	0	3	0
Assistant Chief of Fire	0	0	1	0

This change to amend the authorized number of Deputy Fire Chiefs reflects an elimination to the number of the base authorizations of Deputy Fire Chiefs positions by one (1) authorized position, and the addition to the authorized number of Assistant Chief of Fire position by one (1) authorized position. In approving the classification of Assistant Chief of Fire, the City Council further authorizes the Fire Chief to appoint a person as Assistant Chief of Fire in accordance with the provisions of the Texas Local Government Code.

**SECTION II.** That all other ordinances or parts of ordinances that are in conflict with the provisions of this ordinance are repealed to the extent of such conflict.

**SECTION III.** That should any part of this ordinance be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remaining parts of this ordinance.

**SECTION IV.** That this ordinance shall be effective July 05, 2019, and 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 25<sup>th</sup> day of June, 2019, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A., Government Code, 551.001 *et seq.*

**APPROVED**

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Jose L. Segarra, MAYOR

**ATTEST:**

---

Lucy C. Aldrich, CITY SECRETARY

**APPROVED AS TO FORM:**

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Kathryn H. Davis, CITY ATTORNEY



CREATE CLASSIFICATION, AMEND THE NUMBER OF AUTHORIZED POSITIONS, AND CREATE A NEW PAY RANK FOR THE FIRE DEPARTMENT PAY

OR-19-009

June 18, 2019

# Background

2

- Civil Service system was established on August 13, 1977.
- City Council must approve Civil Service authorizations and classifications by ordinance.
- Killeen Fire Department (FD) Civil Service current staffing is as follows:
  - 183 Fire Rescue Officers
  - 36 Fire Captains
  - 6 Battalion Chiefs
  - 4 Deputy Chiefs

# Discussion

3

- ❑ Reclassify one Deputy Chief position to Assistant Chief of Fire by appointment in accordance with Local Government Code 143.014.
- ❑ Appointment of an Assistant Chief of Fire ensures public safety fire industry best practices by defining responsible authority within the Killeen Fire Department.
- ❑ Monitors and implements policies and standard operating procedures, standard operating guidelines, rules compliance, and direction to all fire department divisions.

# Discussion

4

- ❑ Approved by the Killeen Civil Service Commission on March 18, 2019.
- ❑ Reclassification cost will be \$2,423 and funds are budgeted in the FY 19 Fire Department budget.
- ❑ This action will also create a new pay rank in the Fire Department pay plan and it will not impact the total authorizations of the Fire Department.

# Fire Department Strength of Force

5

Current Strength of Force for KFD		Revised Strength of Force for KFD	
Fire and Rescue Officer	183	Fire and Rescue Officer	183
Fire Captain	36	Fire Captain	36
Battalion Chief	6	Battalion Chief	6
Deputy Chief of Fire	4	Deputy Chief of Fire	3
Assistant Chief of Fire	0	Assistant Chief of Fire	1



# Alternatives

6

- ❑ Not modify the organizational structure of the fire department and pay rank leaving a void in stability of authority.
- ❑ Remove one (1) Deputy Chief of Fire and reclassify authorization by changing the position to (1) Assistant Chief of Fire by appointment and by adding a pay rank to the FD pay plan.

# Staff Recommendation

7

- ☐ Staff recommends that City Council approve the ordinance creating the classification of Assistant Chief of Fire;
- ☐ Amend the number of authorized Civil Service positions for the FD by removing one (1) Deputy Chief of Fire and reclassify the authorization by changing the position to (1) Assistant Chief of Fire, by appointment, and;
- ☐ Approve the new pay rank of Assistant Chief of Fire.



# City of Killeen

## Legislation Details

<b>File #:</b>	OR-19-009B	<b>Version:</b>	1	<b>Name:</b>	Amend Fire Department Pay Plan
<b>Type:</b>	Ordinance	<b>Status:</b>		<b>Status:</b>	Ordinances
<b>File created:</b>	4/1/2019	<b>In control:</b>		<b>In control:</b>	City Council Workshop
<b>On agenda:</b>	6/18/2019	<b>Final action:</b>		<b>Final action:</b>	
<b>Title:</b>	Consider an ordinance amending the Fire Department pay plan to add classification of Assistant Chief of Fire.				
<b>Sponsors:</b>	Human Resources Department, Fire Department				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	<a href="#">Staff Report</a> <a href="#">Proposed Pay Plan</a> <a href="#">Ordinance</a> <a href="#">Presentation</a>				

Date	Ver.	Action By	Action	Result
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## STAFF REPORT

**DATE:** June 18, 2019

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

**FROM:** Eva Bark, Executive Director of Human Resources

**SUBJECT:** Ordinance To Amend the Fire Department Pay Plan

### **BACKGROUND AND FINDINGS:**

On August 13, 1977, the voters of Killeen adopted the civil service law for the police and fire departments of the City of Killeen. State law required that the City Council, upon the recommendation of the Civil Service Commission, adopt a pay plan for each rank. The pay plans set forth the positions known as rank. Ordinance No 77-58 established the City's first classification plan for the police and fire departments.

The Fire Chief has requested that the City Council approve his appointment of an Assistant Chief of Fire to ensure public safety fire industry best practices by defining responsible authority within the Killeen Fire Department. This action creates a new pay rank of Assistant Chief of Fire and it does not create any new authorizations within the existing staffing. The intent is to provide administrative support and, in the absence of the Fire Chief, maintains definitive authority and span of control over all fire department activities. Duties will include all interdepartmental communications, policies, standard operating procedures, standard operating guidelines, rules compliance, and direction to all fire department divisions as ordered by the Fire Chief.

### **THE ALTERNATIVES CONSIDERED:**

- 1) Not to approve a new pay rank of Assistant Chief of Fire for the Fire Department pay plan.
- 2) To approve a new pay rank of Assistant Chief of Fire for the Fire Department pay plan.

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

Staff recommends the second alternative. This action would ensure continuity of authority/responsibility within the Fire Department and best practices within the Fire Industry. This proposal was also presented to the Killeen Firefighters and Police Officers Civil Service Commission. On March 18, 2019, the Commission recommended approval.

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

This action is uniformed to city policy.

### **FINANCIAL IMPACT:**

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

The pay plan changes will have no fiscal impact.

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

N/A

**Is this expenditure budgeted?**

N/A

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

N/A

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

N/A

**RECOMMENDATION:**

Staff recommends that the City Council approve the ordinance to authorize the change to the Fire Department pay plan to reflect the creation of the Assistant Chief of Fire classification.

**DEPARTMENTAL CLEARANCES:**

City Attorney Office

Finance

**ATTACHED SUPPORTING DOCUMENTS:**

Proposed Pay Plan

Ordinance





# City of Killeen Fire / EMS Pay Plan

Effective: October 1, 2018

Fire/EMS Incentive Pay		Monthly		Fire/EMS Assignment Pay					Monthly			
EMT/Basic <b>or</b>		\$100		Training Officer					\$200			
EMT/Intermediate <b>or</b>		\$120		Arson Investigator					\$100			
EMT/Paramedic		\$300		Emergency Management Coordinator					\$200			
<b>AND</b>				Emergency Medical Services (EMS) Coordinator					\$200			
Firefighter/Intermediate <b>or</b>		\$60		Bilingual Certification(Level I) or,					\$50			
Firefighter/Advanced <b>or</b>		\$120		Bilingual Certification(Level II)					\$75			
Firefighter Master		\$175		(can only receive Level I or II for each language certified/authorized)								
<b>AND</b>				SWAT					\$75			
Apparatus Technician <b>and</b>		\$50		EMS Driver					\$25.00/day			
HAZMAT		\$100		Paramedic Attendant					\$50.00/day			
ARFF		\$100										
Hiring Incentive:												
<b>Individuals with a only a TCFP structural fire certification are offered the incentive in two stages:</b>												
Stage one:	\$500 paid on the first regular payday after TCFP certified Firefighter is hired by the department and begins the duties of a Probationary Fire Rescue Officer.											
Stage two:	\$500 paid when the Fire Department affirms that the Probationary Fire Rescue Officer has successfully completed the first year of service with the department; payment of this incentive will be made during the last pay period of the first year of service.											
<b>OR</b>												
<b>Individuals with only a TDSHS paramedic license or certification are offered the incentive in two stages:</b>												
Stage one:	\$1,000 paid on the first regular payday after TDSHS certified or licensed Paramedic duties of a Probationary Fire and Rescue Officer with the Killeen Fire Department.											
Stage two:	\$1,000 paid when the Fire Department affirms that the Probationary Fire Rescue Officer has successfully completed the first year service with the department; payment of this incentive will be made prior to the last pay period of the first year of service.											
<b>An alternative incentive pay is offered for individuals with a TCFP structural fire certification which includes a TDSHS emergency medical technician certification (EMT)-basic or intermediate, in two stages:</b>												
Stage one:	\$1000 paid on the first regular pay day after the certified Firefighter/Emergency Medical Technician is hired by the department and begins the firefighter/EMT duties of a Probationary Fire & Rescue Officer with the Killeen Fire Department.											
Stage two:	\$1,000 paid when the Fire Department affirms that the Probationary Fire Rescue Officer has successfully completed the first year service with the department; payment of this incentive will be made prior to the last pay period of the first year of service.											
<b>Structural fire certification and a TDSHS paramedic license/certification in two stages:</b>												
Stage one:	\$2000 paid on the first regular payday after the TCFP certified Firefighter is hired by the department and begins the duties of a Probationary Fire Rescue Officer.											
Stage two:	\$1,000 paid when the Fire Department affirms that the Probationary Fire Rescue Officer has successfully completed the first year of service with the department; payment of this incentive will be made during the last pay period of the first year of service.											

**ORDINANCE NO. \_\_\_\_\_**

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

**WHEREAS**, the Killeen Fire Department, pursuant to an election of the voters in 1977, operates under the civil service laws provided in Texas Local Government Code chapter 143; and

**WHEREAS**, since 1994 the Killeen Fire Department has operated with a dual career ladder system;

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

**SECTION I.** That the City Council authorizes the amendment of the fire pay plan establishing the salary of employees in the fire rescue officer positions and those in classifications authorized under the provisions of Texas Local Government Code 143.041 as required by that statute.

**SECTION II.** That all other ordinances or parts of ordinances that are in conflict with the provisions of this ordinance are repealed to the extent of such conflict.

**SECTION III.** That should any part of this ordinance be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remaining parts of this ordinance.

**SECTION IV.** That this ordinance shall be effective immediately 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 25th day of June, 2019, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A., Government Code, §551.001 *et seq.*

**APPROVED:**

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Jose L. Segarra, MAYOR

**ATTEST:**

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Lucy Aldrich, CITY SECRETARY

**APPROVED AS TO FORM:**

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Kathryn H. Davis, CITY ATTORNEY



CREATE CLASSIFICATION, AMEND THE NUMBER OF AUTHORIZED POSITIONS, AND CREATE A NEW PAY RANK FOR THE FIRE DEPARTMENT PAY

OR-19-009

June 18, 2019

# Background

2

- Civil Service system was established on August 13, 1977.
- City Council must approve Civil Service authorizations and classifications by ordinance.
- Killeen Fire Department (FD) Civil Service current staffing is as follows:
  - 183 Fire Rescue Officers
  - 36 Fire Captains
  - 6 Battalion Chiefs
  - 4 Deputy Chiefs

# Discussion

3

- ❑ Reclassify one Deputy Chief position to Assistant Chief of Fire by appointment in accordance with Local Government Code 143.014.
- ❑ Appointment of an Assistant Chief of Fire ensures public safety fire industry best practices by defining responsible authority within the Killeen Fire Department.
- ❑ Monitors and implements policies and standard operating procedures, standard operating guidelines, rules compliance, and direction to all fire department divisions.

# Discussion

4

- ❑ Approved by the Killeen Civil Service Commission on March 18, 2019.
- ❑ Reclassification cost will be \$2,423 and funds are budgeted in the FY 19 Fire Department budget.
- ❑ This action will also create a new pay rank in the Fire Department pay plan and it will not impact the total authorizations of the Fire Department.

# Fire Department Strength of Force

5

Current Strength of Force for KFD		Revised Strength of Force for KFD	
Fire and Rescue Officer	183	Fire and Rescue Officer	183
Fire Captain	36	Fire Captain	36
Battalion Chief	6	Battalion Chief	6
Deputy Chief of Fire	4	Deputy Chief of Fire	3
Assistant Chief of Fire	0	Assistant Chief of Fire	1

# Alternatives

6

- ❑ Not modify the organizational structure of the fire department and pay rank leaving a void in stability of authority.
- ❑ Remove one (1) Deputy Chief of Fire and reclassify authorization by changing the position to (1) Assistant Chief of Fire by appointment and by adding a pay rank to the FD pay plan.

# Staff Recommendation

7

- ☐ Staff recommends that City Council approve the ordinance creating the classification of Assistant Chief of Fire;
- ☐ Amend the number of authorized Civil Service positions for the FD by removing one (1) Deputy Chief of Fire and reclassify the authorization by changing the position to (1) Assistant Chief of Fire, by appointment, and;
- ☐ Approve the new pay rank of Assistant Chief of Fire.





# City of Killeen

## Legislation Details

<b>File #:</b>	OR-19-013	<b>Version:</b>	1	<b>Name:</b>	Drainage Rate Model
<b>Type:</b>	Ordinance	<b>Status:</b>		<b>Status:</b>	Ordinances
<b>File created:</b>	6/3/2019	<b>In control:</b>		<b>In control:</b>	City Council Workshop
<b>On agenda:</b>	6/18/2019	<b>Final action:</b>		<b>Final action:</b>	
<b>Title:</b>	Consider an ordinance amending Chapter 32, Article 1 Municipal Drainage Utility System by providing for a rate model based on impervious cover.				
<b>Sponsors:</b>	Public Works Department				
<b>Indexes:</b>					
<b>Code sections:</b>	Sec. 32-10. - Billing and payment; penalties, Sec. 32-7. - Categories of developed use, Sec. 32-8. - Findings related to calculation of the drainage, Sec. 32-9. - Calculation of drainage fees				
<b>Attachments:</b>	<a href="#">Staff Report</a> <a href="#">Ordinance</a> <a href="#">Sample Rate Comparisons</a> <a href="#">Presentation</a>				

Date	Ver.	Action By	Action	Result
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## STAFF REPORT

**DATE:** June 18, 2019

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

**FROM:** Danielle Singh, Executive Director of Public Works

**SUBJECT:** Consider an ordinance amending Chapter 32, Article 1, Municipal Drainage Utility System, by providing for a rate model based on impervious cover.

### **BACKGROUND AND FINDINGS:**

The City of Killeen originally established the Municipal Drainage Utility System in October 2001. At that time, the drainage rates were based solely on classification of residential and non-residential zoning. The current drainage rate methodology was adopted in 2005. The current methodology is based on both zoning and parcel size. Drainage Rates have recently been successfully challenged in Texas courts where rates were not closely connected to the actual impact of each property on the drainage system.

### **THE ALTERNATIVES CONSIDERED:**

The alternatives considered were:

1. Use the current adopted drainage rate methodology as adopted in 2001 and amended in 2005.
2. Amend Chapter 32, Article 1, Municipal Drainage Utility System, of the official code of ordinances as written.

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

1. Staff recommends amending the ordinance as written. This alternative provides for an impervious surface based methodology to be adopted and uniformly applied to all drainage utility customers.

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

The proposed ordinance revisions conform to City policy.

### **FINANCIAL IMPACT:**

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

There are no expenditures required.

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

N/A

**Is this expenditure budgeted?**

N/A

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

N/A

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

N/A

**RECOMMENDATION:**

Staff recommends that the City Council approve the ordinance amending Chapter 32, Article 1, Municipal Drainage Utility System, by providing for a rate model based on impervious cover to be effective February 1, 2020, with the change in drainage fees to be reflected in the March 2020 water bill cycle.

**DEPARTMENTAL CLEARANCES:**

Public Works

Finance

City Attorney

**ATTACHED SUPPORTING DOCUMENTS:**

Ordinance

Sample Rate Comparisons

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KILLEEN, AMENDING CHAPTER 32, ARTICLE I, MUNICIPAL DRAINAGE UTILITY SYSTEM, OF THE OFFICIAL CODE OF ORDINANCES OF THE CITY OF KILLEEN, TEXAS, PROVIDING FOR CHANGES IN DRAINAGE FEES; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.**

**WHEREAS**, the City of Killeen has declared the application and enforcement of municipal drainage utility system regulations to be necessary for the preservation and improvement of water quality and the promotion of the public health, safety and general welfare of the community; and,

**WHEREAS**, the Texas Local Government Code, chapter 551 authorizes the City of Killeen to regulate, protect and control the pollution of streams, drains and watersheds under the City's jurisdiction; and,

**WHEREAS**, the TCEQ has established regulations under 30 Texas Administrative Code §205 requiring the City of Killeen to operate the City's municipal separate storm sewer system in accordance with TPDES General Permit No. TXR040000 (MS4 Permit); and,

**WHEREAS**, the City of Killeen adopted a Drainage Master Plan which encompasses evaluations of existing drainage system issues, a process for prioritizing drainage system capital improvement projects and a conceptual design for proposed projects; and,

**WHEREAS**, the City of Killeen contracted with Chang Patel & Yerby and NewGen to calculate the average amount of impervious cover per residential parcel within the city limits of Killeen and the corresponding rate model based on impervious cover; and,

**WHEREAS**, the Drainage Utility rate structure shall provide the necessary revenue to support proposed drainage system improvements and best management practices identified in the City's MS4 Permit; and,

**WHEREAS**, a financial analysis was performed to develop a fee structure that will generate the required program revenue to further implement the recommendations of the Drainage Master Plan and best management practices in the MS4 Permit in accordance with Local Government Code, Chapter 552; and,

**WHEREAS**, the City of Killeen finds that basing the drainage fee structure on impervious cover estimates and calculations is fair and reasonable and that the revised fee structure provides a reasonably equitable rate distribution between residential and non-residential benefited properties based on an Equivalent Residential Unit;

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

**SECTION I.** That Chapter 32, Article I, OF THE City of Killeen Code of Ordinances is hereby adopted to read as follows:

## ARTICLE I. - MUNICIPAL DRAINAGE UTILITY SYSTEM

\*\*\*

### Sec. 32-7. - Categories of developed use.

A drainage fee is imposed upon each developed lot and parcel with structural improvements within the city for drainage services and facilities provided by the city. For purposes of imposing the drainage fee, all benefited property shall mean an improved lot or tract to which drainage service is made available under this chapter categorized as "residential property" and "non-residential property:" Non-residential property includes any property that is not described as residential property in this Article.

~~A. "Residential property" shall mean any property platted or used for residential purposes that is within zoning district "A-R1" agricultural single-family residential district, district "R-1" single-family residential district, district "R1-A" single-family garden home, district "RM-1" residential modular home single-family district, district "RT-1" residential townhouse single-family district, district "R-2" two-family residential district, district "R-3," "R-3F," or "R-3A" multifamily residential districts, district "R-MP" mobile home and travel trailer park district, or district "R-MS" manufactured housing subdivision, under sec. 31, art. IV of the City of Killeen code of ordinances.~~

~~B. "Non-residential property" shall mean a developed lot or parcel used for something other than residential purposes that is not identified in sec. 32-7 A. For purposes of this ordinance, "non-residential property" shall include but not be limited to property that is within zoning district "B-1" professional business district, district "B-2" local retail district, district "B-3" local business district, district "B-4" business district, district "B-5" business district, district "B-C-1" general business and alcohol sales district, district "RC-1" restaurant and alcohol sales district, district "B-DC" business day care district, district "M-1" manufacturing district, or district "M-2" heavy manufacturing district, under sec. 31, art. IV of the City of Killeen code of ordinances, and any other non-residential zoning districts that may be added under sec. 31, art. IV of the City of Killeen code of ordinances.~~

### Sec. 32-8. - Findings related to calculation of the drainage.

The city council finds that it is reasonable and equitable to assume that each water ~~or~~ wastewater, or solid waste utility customer in the service area is a user of a drainage-benefited property pursuant to chapter 552, subchapter C, Texas Local Government Code, as amended. The city council further finds that drainage attributable to a detached single-family residential land use is relatively uniform, and that non-single-family residential properties, including land used for multi-family properties, mobile home parks, commercial and industrial properties, have higher runoff factors and higher pollutant contributions than single-family residential development.

### Sec. 32-9. - Calculation of drainage fees.

Every property owner and city service customer shall be responsible for paying the drainage fee for the benefited property. Such properties are charged monthly based on the amount of impervious area on a parcel of property.

Except as otherwise stated in this Article, the drainage fee is calculated using the following formula:

Equivalent Residential Unit (ERU) x drainage charge = Monthly Bill

ERU means a unit of measurement of impervious surface area determined as the average residential house structure or a garage, driveway and other impervious area within the parcel. The current ERU for the City of Killeen is based on 3,027 square feet of impervious cover. The ERU for any multi-family or nonresidential property shall not be less than 1.

The drainage charge is set at \$6.00 per month per ERU.

A. The following schedule shall be used to determine the applicable drainage fee:

(1) *Residential property*:-

- (a) ~~each~~ Each detached single-family residential property receiving utility service from the city shall be considered one ERU. ( $1 \text{ ERU} \times \$6.00 = \$6.00$  ~~drainage fee~~ per month)
- (b) ~~each~~ Each duplex residential property receiving utility service from the city shall be considered one ERU. ~~and pay a (drainage fee of \$9.89~~  $1 \text{ ERU} \times \$6.00 = \$6.00$  ~~drainage fee~~ per month)

1. The monthly drainage fee shall be calculated; ~~based on the number of dwelling units,~~ for the entire property and shall be paid by the property owner. The City shall place the monthly drainage fee on a master meter account billed to the owner or the owner's agent.

2. At its sole discretion, the city may prorate the monthly drainage fee among the separate meters in relation to the number of dwelling units served by the meters; provided the customer provides adequate assurance for payment, documentation of the number of dwelling units served by each meter, and documentation by all owners and/or tenants.

- (c) The number of ERUs for each multi-family residential property (three or more units) receiving utility service from the city shall be individually determined by dividing the actual impervious cover surface area of the property by 3,027 rounded up to the nearest whole number.

1. The monthly drainage fee shall be calculated for the entire property and shall be paid by the property owner. The City shall place the monthly drainage fee on a master meter account billed to the owner or the owner's agent.

2. At its sole discretion, the city may prorate the monthly drainage fee among the separate meters in relation to the number of dwelling units served by the meters; provided the customer provides adequate assurance for payment, documentation of the number of dwelling units served by each meter, and documentation by all owners and/or tenants.

- (d) Each mobile home park property receiving utility service from the city shall have one ERU per mobile home pad or trailer pad and shall pay \$6.00 per month per ERU.

1. The monthly drainage fee for the entire mobile home park shall be placed on a master meter within the property, or, at the city's sole discretion, may be billed separately to the property owner or the owner's agent.

2. For individually metered trailer pads, the city may, at its sole discretion, bill the drainage fee on the individually metered accounts; provided the customer provides adequate assurance for payment, documentation of the number of dwelling units served by each meter, and documentation by all owners and/or tenants.

(2) *Non-residential property:-*

(a) The number of ERUs for each non-residential property receiving utility service from the city shall be individually determined by dividing the actual impervious surface area of the property by 3,027 rounded up to the nearest whole number.~~a lot or parcel less than or equal to 10,000 square feet in total land area receiving utility service from the city shall pay a drainage fee of \$8.30 per month.~~

1. In the case of multiple meters on a single parcel, the drainage utility fee shall be calculated for the entire property and shall be paid by the property owner. The City shall place the drainage fee on a master meter account billed to the owner or the owner's agent.

2. (b) — a lot or parcel greater than 10,000 square feet in total land area, and less than or equal to 50,000 square feet in total land area receiving utility service from the city shall pay a drainage fee of \$17.51 per month. At its sole discretion, the city may prorate the drainage fee among the separate meters in relation to the area served by the meters provided the customer provides adequate assurance for payment, complete documentation of impervious area pro rata calculations, and documentation of concurrence by all owners and/or tenants.

~~(c) — a lot or parcel greater than 50,000 square feet in total land area, and less than or equal to 100,000 square feet in total land area receiving utility service from the city shall pay a drainage fee of \$26.28 per month.~~

~~(d) — a lot or parcel greater than 100,000 square feet in total land area, and less than or equal to 200,000 square feet in total land area receiving utility service from the city shall pay a drainage fee of \$52.56 per month.~~

~~(e) — a lot or parcel greater than 200,000 square feet in total land area, and less than or equal to 350,000 square feet in total land area receiving utility service from the city shall pay a drainage fee of \$96.36 per month.~~

~~(f) — a lot or parcel greater than 350,000 square feet in total land area, and less than or equal to 700,000 square feet in total land area receiving utility service from the city shall pay a drainage fee of \$140.16 per month.~~

~~(g) — a lot or parcel greater than 700,000 square feet in total land area, and less than or equal to 1,000,000 square feet in total land area receiving utility service from the city shall pay a drainage fee of \$192.72 per month.~~

~~(h) — a lot or parcel greater than 1,000,000 square feet in total land area receiving utility service from the city shall pay a drainage fee of \$306.59 per month.~~

B. The following shall be exempt from the provisions of any rules or ordinances adopted by the city pursuant to chapter 552, subchapter C, Texas Local Government Code, as amended:

- (1) property with proper construction and maintenance of a wholly sufficient and privately owned drainage system;
- (2) property held and maintained in its natural state, until such time that the property is developed and all of the public infrastructure constructed has been accepted by the city for maintenance; and

- (3) a subdivided lot, until ~~a structure has~~improvements have been built on the lot and a certificate of occupancy, certificate of completion, or final green tag has been issued by the city.

~~C.~~ Real property owned by the city and used for municipal purposes shall be exempt from the provisions of section 32-9 of this chapter.

~~DC.~~ The city council may review the foregoing schedule of fees at any time and may, by resolution, increase or decrease or otherwise alter the fee structure upon a determination that such increase or decrease is warranted.

~~ED.~~ The city council finds and determines that the drainage fees have been established in accordance with the provisions of the chapter 552, subchapter C, "Municipal Drainage Utility Systems" of the Texas Local Government Code, as amended.

#### Sec. 32-10. - Billing and payment; penalties.

##### A. *Billing and payment* .

\*\*\*

- (5) Drainage fees shall be billed with the city's water ~~and~~ wastewater, and solid waste billings and shall be identified separately on the bill as a drainage fee. Delinquent fee bills shall be mailed to the customer at the address at which the owner receives other city utility services, or if no other city utility services are rendered, to any known address of the owner.

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#### Sec. 32-11. – Stormwater Credit Program.

Non-residential properties may apply for and the city may grant to such users credit against that portion of their respective drainage fees attributable to the ERU based on their voluntary use of stormwater best management practices ("BMPs") to offset the impacts of their property on stormwater runoff (the "stormwater credit program" or "program"). Stormwater credits are based on stormwater BMPs that exceed the applicable requirements Chapter 26 and Chapter 32 Article IV of the Killeen Code of Ordinances, or an approved development agreement with the City. The stormwater credit is applied as a percent discount to regular monthly drainage fees and will be administered pursuant to the city's stormwater credit program. The City will develop and amend as necessary a stormwater credit program manual to assist in administration of this Article.

#### Sec. 32-12. – Administration of Stormwater credit program.

A. The director of public works will be responsible for the overall administration of the program including, but not limited to, the following:

- (1) Accepting, reviewing, and approving or disapproving applications;
- (2) Certifying the total amount of the BMP credit;
- (3) Amending the drainage account records to reflect changes in the BMP credit;
- (4) Receiving and reviewing annual self-inspection reports; and
- (5) Requesting independent inspections as appropriate to ensure proper maintenance.

B. Any property owner or city service customer aggrieved by a decision of the director of public works regarding (1) a determination as to whether a certain parcel of property is exempt from the drainage fee or (2) the application of the stormwater credit program to a certain parcel of property may appeal the determination of the director of public works to the ~~City Manager, or designee~~. The property owner



or city service customer shall file an appeal in writing with the director of public works within ten days from the date of the decision being appealed.

The written appeal filed by the property owner or city service customer shall identify the facts supporting (1) any claim that the property in question is exempt from the levy of a drainage charge or (2) any claim that the property in question is entitled to more stormwater credits than approved by the director of public works.

The burden of proof shall be on the appellant to demonstrate that the property is exempt from the drainage fee or the amount of the stormwater credit was not calculated according to the applicable schedule of stormwater credits or the guidelines established for determining stormwater credits.

#### Sec. 32-13. - Application for Stormwater credit.

All required attachments indicated in the forms or specified above must be included for the application to be considered complete. The director of public works will, following review of the complete application, determine the appropriate amount of the stormwater credit to which a property is entitled pursuant to the city's stormwater credit program and subject to this article. Such stormwater credit will be valid for a period of time, as set forth in section 32-14, below, subject to continuing compliance of the stormwater credit options on the property in question with the stormwater credit program.

#### Sec. 32-14. - Expiration of stormwater credit, renewal application and annual reporting.

A. *BMPs with annual renewal.* A stormwater credit approved by the director of public works pursuant to the city's stormwater credit program utilizing one of the following BMPs shall be valid for a period of one year from the date of approval, at which time the right to receive the stormwater credit will expire:

- (1) Voluntary community cleanup program (onsite or downstream); and
- (2) Parking lot sweeping.

For the continuation of the foregoing stormwater credits, a renewal application must be filed annually prior to the expiration of the then-current stormwater credit year approved by the director of public works. Annual self-reports and maintenance records together with any other documentation identified by the stormwater credit program will be required to be submitted with the renewal application annually prior to expiration to document program compliance for the preceding year. If the complete renewal application is not received by the city by the expiration date, the stormwater credit will automatically expire and the full amount of the drainage fees collected for the property will be charged.

Timely filing of the complete renewal application with the city will stay the expiration of the stormwater credit for the property in question until such time as the director of public works reviews and approves, or disapproves, the renewal application. The director of public works may increase, decrease, or terminate the amount of the stormwater credit a particular property is eligible to receive pursuant to the city's stormwater credit program based upon the director of public works' review and evaluation of the renewal application, the annual self-report, and any and all other information then available. Failure to provide any required information in support of the renewal application shall result in the denial of the stormwater credit for the property.

B. *BMPs of continuous duration.* A stormwater credit approved by the director of public works pursuant to the city's stormwater credit program for one of the following BMPs shall be valid from the date of approval and for so long as the BMPs are inspected, properly maintained, and remain compliant with the applicable program requirements:

- (1) 5% for Voluntary community cleanup program (onsite or downstream);

- (2) 5% for Parking lot sweeping program;
- (3) 10% for Rainwater Harvesting;
- (4) 10% for Bioretention/Rain Garden;
- (5) 10% for Riparian Preservation;
- (6) 20% for Dry Extended Detention Basin;
- (7) 40% for Retention Pond; and
- (8) 40% for Green Roofs.

Notwithstanding the continuous duration of the foregoing BMPs, the property owner or city service customer shall cause the BMPs to be inspected annually and maintained in accordance with the city's stormwater credit program.

#### Sec. 32-15. - Types of stormwater credit.

Non-residential properties may be eligible for stormwater credit against drainage fees up to a maximum total combined stormwater credit per property of 40 percent. Types of stormwater credit are available up to the maximum percentage identified for the following onsite stormwater credit options.

##### A. Maximum percentage of stormwater credit allowed per BMP.

- (1) 5% for Voluntary community cleanup program (onsite or downstream);
- (2) 5% for Parking lot sweeping program;
- (3) 10% for Rainwater Harvesting;
- (4) 10% for Riparian Preservation;
- (5) 10% for Bioretention/Rain Garden;
- (6) 20% for Multi-stage Detention;
- (7) 40% for Retention Pond; and
- (8) 40% for Green Roofs.

Each stormwater credit option listed above is given to encourage voluntary practices that will benefit the drainage utility.

\*\*\*\*\*

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

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

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

**SECTION V.** That this ordinance shall be effective as of February 1, 2020.

**PASSED AND APPROVED** at a regular meeting of the City Council of the City of Killeen, Texas, this \_\_\_\_ day of \_\_\_\_\_, 2019, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A., Government Code, §551.001 *et seq.*

**APPROVED**

\_\_\_\_\_  
JOSE L. SEGARRA, MAYOR

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
| LUCY C. ALDRICH, CITY SECRETARY

\_\_\_\_\_  
Kathryn H. Davis, CITY ATTORNEY

ORD \_\_\_\_\_

Date: \_\_\_\_\_

## SAMPLE RATE COMPARISONS

Type	Zoning	MMC	Lot Impervious Area in Square Feet	ERU	Number of water meters on the Lot	Proposed Monthly Bill Per Meter	Existing Monthly Bill Per Meter	Net Difference	Use
Single Home	A, Single Family	\$6	3,027.00	1.00	1	\$ 6.00	\$ 6.00	\$0.00	Residential
Duplex	R-2	\$6	3,027.00	1.00	2	\$ 3.00	\$ 9.89	(\$6.89)	Residential
Apartment	R-3A	\$6	14,458.18	4.78	8	\$ 3.58	\$ 4.88	(\$1.30)	Residential
Commercial	B-1	\$6	1,750.00	0.58	1	\$ 3.47	\$ 8.30	(\$4.83)	Office
Commercial	B-5	\$6	5,384.00	1.78	1	\$ 10.67	\$ 17.51	(\$6.84)	Retail
Commercial	M1/B3/ RC1	\$6	29,836.00	9.86	7	\$ 8.45	\$ 17.51	(\$9.06)	Shopping Center
Commercial	NBD	\$6	6,342.00	2.10	1	\$ 12.57	\$ 17.51	(\$4.94)	Shopping Center
Commercial	B-5	\$6	75,980.00	25.10	1	\$ 150.60	\$ 26.28	\$124.32	Medical Clinic
Commercial	B-2	\$6	62.00	0.02	1	\$ 0.12	\$ 52.56	(\$52.44)	Government Building
Commercial	B-5	\$6	119,687	39.54	1	\$ 237.24	\$ 96.36	\$140.88	Gas Station
Commercial	B-4	\$6	108,142	35.73	1	\$ 214.35	\$ 140.16	\$74.19	Medical
Commercial	M1	\$6	126.00	0.04	1	\$ 0.25	\$ 140.16	(\$139.91)	Industrial
Commercial	B-5	\$6	690,938	228.26	1	\$ 1,369.55	\$ 192.72	\$1,176.83	Mini Storage
School	R-1	\$6	1,022,672.00	337.85	1	\$ 2,027.10	\$ 306.59	\$1,720.51	School



# DRAINAGE UTILITY ORDINANCE

OR-19-013

June 18, 2019

# Background

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- ❑ City Council established the drainage utility and the drainage utility fund on October 9, 2001. At that time the drainage rates were based only on classification of residential and non-residential use.
- ❑ The current drainage rates are based on both zoning and parcel size. This methodology was adopted by City Council on September 13, 2005.
- ❑ Recent court cases have supported drainage rates based on a more detailed methodology utilizing impervious cover.

# Background

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- The proposed ordinance changes the methodology of the drainage utility rate utilizing an Equivalent Residential Unit (ERU).
- The ERU is based on the current average amount of impervious surface located on a residential lot in Killeen (3,027 square feet).
- Residential fees would not change. Non-residential would be charged rates based on actual impact to the system.

# Drainage Utility Rate Formula

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- **Drainage Rate = \$6 x ERU**
  - ▣ Drainage charge per ERU = \$6.00
  - ▣  $\text{ERU} = \text{Impervious Cover Area in square feet} / 3,027$
- **Example: Commercial use with 208,362 sq ft impervious cover**
  - ▣  $\$6.00 \times (208,362 \text{ sq ft} / 3027 \text{ sq ft}) = \$413.01$
  - ▣ Change in rate:  $\$413.01 \text{ (Proposed)} - \$140.16 \text{ (Current)} = \$272.85$
  - ▣ Can be reduced by 40% with best management practice credit



# Drainage Utility Rate Implementation

5

- The implementation process will take approximately six months.
  - ▣ Develop standard operating procedures for new accounts, billing, appeals, etc.
  - ▣ Data transfer for +/-50,000 accounts.
  - ▣ Create coding module for billing system.
  - ▣ Ensure proper impervious surface areas have been assigned.
  - ▣ Allow citizens and businesses an opportunity to plan accordingly for the new fee.
- The revised fee would be effective February 1, 2020.
  - ▣ Collections would continue under the current fee structure in the interim.

# Alternatives

6

- ❑ Continue discussion on the topic.
- ❑ Continue collecting drainage fees under the current fee structure.
- ❑ Adopt the ordinance establishing a Drainage Utility Fee based on impervious cover.

# Recommendation

7

- City staff recommends that the City Council approve the ordinance amending Chapter 32, Drainage Utility which will change the methodology of the drainage utility rates based on the impervious surface of an Equivalent Residential Unit.



# City of Killeen

## Legislation Details

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**File #:** PH-19-017    **Version:** 1    **Name:** Public Hearing 1 of 2 2020 Action Plan 2018 Amendment

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

**File created:** 5/28/2019    **In control:** City Council Workshop

**On agenda:** 6/18/2019    **Final action:**

**Title:** HOLD a public hearing and consider an ordinance adopting the 2019-2020 Annual Action Plan; a substantial amendment to the 2018-19 Annual Action Plan; and authorizing an application for and allocation of Community Development Block Grant (CDBG) and Home Investment Partnerships (HOME) program funds. (1st of 2 Public Hearings)

**Sponsors:** Community Development Department

**Indexes:**

**Code sections:**

**Attachments:** [Staff Report](#)  
[CDAC Minutes](#)  
[Ordinance](#)  
[Presentation](#)

Date	Ver.	Action By	Action	Result
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## STAFF REPORT

**DATE:** June 18, 2019

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

**FROM:** Leslie Hinkle, Executive Director of Community Development

**SUBJECT:** FY2019-2020 Community Development Block Grant (CDBG) and Home Investments Partnerships (HOME) Program and proposed substantial amendment to the 2018-19 Annual Action Plan

### **BACKGROUND AND FINDINGS:**

The City of Killeen will receive \$944,218.00 from the U.S. Department of Housing and Urban Development (HUD) for FY 2019-2020 CDBG program activities. In addition, \$13,350.08 in funds from completed CDBG projects and prior and current year program income is available for use, providing a total of \$957,568.08 for FY 2019-2020 CDBG activities. The City will also receive \$410,861.00 from HUD for FY 2019-2020 Home Investment Partnerships (HOME) Program activities. \$49,821.73 in anticipated program income to the HOME program is available for use, providing a total of \$460,682.73 for FY 2019-2020 HOME activities.

Two community planning meetings were held February 6 and 21, 2019, resulting in identification and prioritization of housing and community needs. Annual CDBG and HOME program applications for funding were made available to the public on February 25, 2019, through the City's website on the Community Development page. Technical workshops were conducted on February 27, March 1, 6, 13, and 18, 2019. The workshops provided interested parties with information on eligible activities and how to complete and submit an application for either the CDBG or HOME program. Funding applications were submitted by the deadline date of March 29, 2019, and were presented to CDAC on May 1 and 2, 2019. The Community Development Advisory Committee (CDAC) meeting minutes with recommendations for funding the applications proposed to address identified community priorities are attached.

CDAC also considered a proposal from staff regarding a substantial program amendment to the FY2018-2019 Annual Action Plan to amend the use of CDBG funds for the Bob Gilmore Senior Center by amending the use from rehabilitation of the existing structure to construction of a new facility on the same property; and, amending the use of HOME funds from the First Time Homebuyer Assistance Program with Repairs to the First Time Homebuyer Assistance Program (purchase assistance only). As required by the City of Killeen Community Development Department Citizen Participation Plan, the City is required to amend an Annual Action Plan whenever it adds or deletes projects or substantially changes the purpose, scope, location or beneficiaries of an activity. The Bob Gilmore Senior Center activity was initially approved for rehabilitation of the existing building; however, a structural report concluded the building is not structurally feasible for rehabilitation; therefore, the use of the CDBG funds are substantially changed from the original approved use. The First Time Homebuyer Assistance Program with Repairs (rehab) was initially approved to include purchase assistance in the form of down payment and closing costs necessary to purchase and repairs (rehabilitation) necessary for the

assisted unit to meet HUD standards associated with a structurally sound, safe and decent unit. In accordance with regulatory requirements, the action must be divided into two separate activities going forward; therefore, the use scope of the HOME funded project is substantially changed from the originally approved use.

**THE ALTERNATIVES CONSIDERED:**

No alternatives were considered.

**Which alternative is recommended? Why?**

No alternative was considered as this funding, plan submissions and due dates are prescribed by federal regulation for continued receipt of the federal funding.

**CONFORMITY TO CITY POLICY:**

The action conforms to City policy through following adopted procedures with regard to development of annual action plans, project proposals and application process, technical assistance, and Community Development Advisory Committee review and recommendation of applications and proposals to address identified community needs for the Community Development federal grant programs.

**FINANCIAL IMPACT:**

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

The amount of expenditure in the current fiscal year is anticipated at \$783,695.05 from FY2018-19 CDBG funds for the Bob Gilmore Senior Center, \$100,000 from FY2018-19 HOME funds for the First Time Homebuyer Assistance Program (purchase assistance only), and FY2019-2020 CDBG funds in the amount of \$957,568.08 of and \$460,682.73 for the HOME program. Total combined expenditure of \$1,741,263.13 CDBG and \$560,682.73 HOME program funds for FY2019-2020. Future funding will not be affected.

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

One-time expenditure. This expenditure will occur during the FY2019-2020 fiscal year.

**Is this expenditure budgeted?**

Expenditure of FY 2019-2020 CDBG and HOME program funds will be budgeted under the Special Revenue Funds budget.

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

N/A

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

Yes

**RECOMMENDATION:**

Following the second public hearing on July 23, 2019, staff recommends approval of the attached ordinance adopting the 2019-2020 Community Development Annual Action Plan and Substantial Amendment to the FY2018-19 Annual Action Plan as indicated.

**DEPARTMENTAL CLEARANCES:**

Finance  
City Attorney

**ATTACHED SUPPORTING DOCUMENTS:**

CDAC Minutes  
Ordinance

**MINUTES**  
**COMMUNITY DEVELOPMENT ADVISORY COMMITTEE**  
**May 1, 2019**  
**Killeen Arts and Activities Center**  
**802 N. 2<sup>nd</sup> Street, Building E – 1<sup>st</sup> Floor – CD Training Room**  
**Killeen, TX 76541**  
**11:00 AM**

1. **PRESIDING:** Chair TaNeika Driver-Moultrie presided and called meeting to order at 11:06 AM.
2. **PRESENT:** Riakos Adams, Richard Banta, Kathy Bradley (arriving at 11:08), John Driver, Johnny Frederick, Ashley Whitworth. City staff present: Leslie Hinkle, Cinda Hayward, Traci Briggs, Celeste Sierra.  
**ABSENT:** Nick Guajardo, Andre Owens, Luvina Sabree.
3. **APPROVAL OF AGENDA:** Mr. Adams moved, seconded by Mr. Driver to approve meeting agenda. Motion carried unanimously.
4. **APPROVAL OF MINUTES:** Mr. Frederick moved, seconded by Mr. Adams to approve February 21, 2019 minutes as written. Motion carried unanimously.
5. **AGENDA ITEMS**
  - A. **Receive briefing 2<sup>nd</sup> quarter status reports of CDBG and HOME projects:** Ms. Hayward briefed committee on status reports and answered questions regarding Bob Gilmore Senior Center, CIS results, the Homebuyer Assistance Program and the Tenant Based Rental Assistance Program.
  - B. **Receive briefing on HUD annual entitlement funding for FY 2019-20 CDBG and HOME Programs:** Ms. Hinkle provided an awards summary on CDBG and HOME allocations. The City will receive \$944,218 in CDBG funds which is \$36,186 less or a 4% decrease from 2018 funding and \$410,861 in HOME funds which is \$27,817 less or a 7% decrease from 2018 funding.
  - C. **Discuss and consider reprogramming of CDBG and HOME funds for FY 2019-2020 proposed activities and projects:** Ms. Hinkle briefed committee on prior year CDBG funds available to fund other projects which include \$2,652.12 from the Stewart Neighborhood Sidewalk project and \$6,461.96 from CDBG Admin 2017-18 funds and \$4,236 in FY 18-19 CDBG program income for a total of \$13,350.08 in reprogrammable CDBG funds. No funding available to reprogram for the HOME program. Mr. Frederick moved, seconded by Mr. Adams to reprogram said funds to other eligible activities. Motion carried unanimously.
  - D. **Discuss and consider amending the FY 2018 Annual Action Plan and reprogramming of CDBG funds for the Bob Gilmore Senior Center:** Ms. Hinkle provided status of Bob Gilmore Senior Center project and advised that during inspections, the center was shown to be structurally unsound and therefore not able to be rehabilitated as originally planned. As is, the center is not safe nor is it economically feasible to rehabilitate (demolish then reconstruct). The decision was made to construct a new senior center at the community center site. \$209,248 of FY 16 funds and \$574,447.05 of FY 18 funds are required to be reprogrammed from a rehabilitation project to a new construction project to move the project forward. After a brief discussion by members, Mr. Adams moved, seconded by Mr. Driver to amend the FY 18 Annual Action Plan and reprogram funds allocated for the rehabilitation of to the new construction of the Bob Gilmore Senior Center. Motion carried unanimously.
  - E. **Discuss and consider amending the FY 2018 Annual Action Plan and reprogramming HOME funds for the First Time Homebuyer Assistance program:** Ms. Hayward briefed committee on HUD's directive for HAP components of down payment/closing cost assistance and rehabilitation of the homes to be funded as separate activities. To be in line with this directive, committee is asked to consider and approve the specific use of the FY 18 First Time Homebuyer Assistance project for down payment/closing cost assistance only. After brief discussion by members, Mr. Frederick moved, seconded by Mr. Adams to amend the use of FY 18 HAP funds on down payment/closing costs assistance only. Motion carried unanimously.



- F. **Receive briefing on FY 2019-20 CDBG/HOME Application for funding (AFF) process, application forms, budget, certifications/representations, official documents, and applications not eligible for consideration:** Ms. Hayward briefed committee on purpose of all application forms and required attachments necessary for requesting CDBG and HOME funds and asked committee to meet at a later date to review application process and make changes or require additional information on future applications for funding.

*After no further discussion, Chair Driver-Moultrie requested a motion for a recessing and returning to consider remaining agenda items. Mr. Adams moved, seconded by Ms. Whitworth to recess. Motion carried and meeting adjourned at 11:46 AM. Meeting was again called to order by Chair Driver-Moultrie at 12:40 PM to continue with remaining agenda items.*

- G: **Discuss and consider approval of CDBG and HOME program applications submitted for FY 2019-2020 proposed program of activities for recommendation to City Council:** Committee heard from the following organizations and representatives and City Staff requesting funds for public services, Administration of CDBG and HOME Programs and the CHDO FY 19 set aside. Hill Country Community Action Association, Inc.-Kimbra Hobbs and Sandra Mendoza (committee member John Driver recused himself prior to presentation by Hill Country Community Action); Heritage House of Central Texas-Cotina Quiney and Artina Coleman; Families in Crisis, Inc.-William Hall; Communities in Schools of Greater Central Texas, Inc. – Michael Dewees and Cinnamon Clay; Bring Everyone in the Zone-Maureen Jouett; Greater Killeen Free Clinic-Marlene DiLillo (committee member Johnny Frederick recused himself prior to presentation by Greater Killeen Free Clinic); City of Killeen Community Development-Celeste Sierra and Leslie Hinkle.

After hearing presentations and discussions by committee members, Mr. Adams moved, seconded by Ms. Whitworth, with motion passing unanimously, to fund the following public service projects in the amount of \$141,632.70 and forward recommendations to City Council:

**Hill Country Community Action Association, Inc.** for meal delivery driver salary and fringe for the Elderly Meals Program: \$9,770

**Heritage House of Central Texas** for client advocate salary for the Empowerment Program: \$5,000

**Communities in Schools of Greater Central Texas, Inc.** for case worker salary and fringe benefits for Connections Program at Maude Moore Wood Elementary School: \$21,000

**Families in Crisis, Inc.** for homeless shelter case manager salary and fringe: \$20,000

**Bring Everyone in the Zone, Inc.** for resource manager salary: \$12,862.70

**Greater Killeen Free Clinic, Inc.** for clinic administrative assistant salary and fringe benefits: \$23,000

**City of Killeen Community Development** for Elderly Transportation Program services: \$50,000

After discussion, Mr. Adams moved, seconded by Ms. Whitworth to fund the CDBG and HOME administration and the CHDO FY 19 set aside in the following amounts and to forward recommendations to City Council. Motion passed unanimously.

**CDBG Administration and Planning:** \$188,843.60

**HOME Administration and Planning:** \$ 46,068.27

**CHDO FY 19 required set aside:** \$ 61,629.15

6. ADJOURNMENT: Chair Driver-Moultrie asked for a motion to recess. Mr. Frederick moved, seconded by Mr. Adams to adjourn until May 2, 1:00 PM to continue discussion and consideration of approval of CDBG and HOME program applications submitted for FY 2019-2020 proposed program of activities for recommendation to City Council. Motion passed unanimously and meeting adjourned at 2:42 PM.

1. **PRESIDING:** Committee Chair TaNeika Driver-Moultrie presided and called meeting to order at 1:09 PM.
2. **PRESENT:** Riakos Adams, Richard Banta, Kathy Bradley, John Driver, Johnny Frederick, Ashley Whitworth. City staff present: Leslie Hinkle, Cinda Hayward, Traci Briggs, Celeste Sierra.  
**ABSENT:** Nick Guajardo, Andre Owens, Luvina Sabree.

5G **Discuss and consider approval of CDBG and HOME program applications submitted for FY 2019-2020 proposed program of activities for recommendation to City Council (cont'd):**

Committee heard from the following organizations and representatives and City Staff requesting funds for CDBG public facilities and improvements, code enforcement, clearance/demolition, historic preservation, housing and HOME program activities: Central Texas 4C, Inc. – Janell Frazier; Clements Boys and Girls Club – Daniel Hall; City of Killeen Community Services-Kerry Ann Frazier; City of Killeen Public Works-John Koester; Monarch Education-Billy Brown; City of Killeen Community Development-Ed Radeke; Bring Everyone in the Zone, Inc.-Maureen Jouett; Families in Crisis, Inc.-William Hall; City of Killeen Community Development-Cinda Hayward.

Chair Driver-Moultrie left the meeting at 3:29 PM and Vice-Chair Whitworth assumed duties as Chair. After hearing presentations and discussions by committee members, Mr. Adams moved, seconded by Mr. Driver, with motion passing unanimously, to fund the following CDBG public facilities and housing projects in the amount of \$627,091.78 and forward recommendations to City Council:

**Central Texas 4C, Inc.** for Head Start Expansion Phase II: \$100,000  
**Clements Boys and Girls Club** for North Killeen Bigham Unit Gymnasium and Teen Center: \$100,000  
**City of Killeen Community Services** for Bob Gilmore Senior Center Construction: \$152,091.78  
**City of Killeen Public Works** for Gilmer Street Reconstruction: \$175,000  
**Monarch Education** for land acquisition: \$00.00  
**City of Killeen Community Development** for Housing Rehab Program: \$100,000

After discussion Mr. Frederick moved, seconded by Mr. Adams, with motion passing unanimously, to fund the following HOME Program activities in the amount of \$352,985.31 and forward recommendations to City Council:

**Bring Everyone in the Zone Inc.** for Client Housing Assistance: \$23,200  
**Families in Crisis, Inc.** for Tenant Based Rental Assistance: \$100,000  
**City of Killeen Community Development** for Homebuyer Assistance Program Rehab: \$100,000  
**City of Killeen Community Development** for North Killeen Housing Redevelopment Program: \$129,785.31

Ms. Hayward reminded committee members on scheduled dates for City Council workshops and meetings where CDBG and HOME Program funding recommendations will be discussed.

6. **ADJOURNMENT:** Mr. Adams moved, seconded by Mr. Frederick to adjourn meeting. Meeting adjourned by Vice-Chair Whitworth at 3:53 PM.

## ORDINANCE \_\_\_\_\_

**AN ORDINANCE AUTHORIZING SUBMITTAL OF THE 2019-2020 ANNUAL ACTION PLAN; ADOPTING A SUBSTANTIAL AMENDMENT TO THE 2018-2019 ANNUAL ACTION PLAN; AUTHORIZING THE APPLICATION FOR AND ALLOCATION OF \$944,218.00 IN FY2019-2020 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS AND THE USE OF PRIOR AND CURRENT YEAR PROGRAM INCOME AND REPROGRAMMABLE FUNDS FOR A TOTAL EXPENDITURE OF \$957,568.08 OF CDBG FUNDS; AUTHORIZING AN APPLICATION FOR AND ALLOCATION OF \$410,861.00 IN HOME INVESTMENT PARTNERSHIP (HOME) PROGRAM FUNDS AND FY2019-2020 ANTICIPATED PROGRAM INCOME FUNDS FOR A TOTAL EXPENDITURE OF \$460,682.73 OF HOME FUNDS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the 2019-2020 Annual Action Plan has been developed and the 2018-2019 Annual Action Plan has undergone a substantial amendment in accordance with established priorities and objectives of the overall goals of the 2015-2019 Consolidated Strategic Plan; and

**WHEREAS**, two public hearings were conducted and held by the City Council to seek citizen participation in the development of the 2019-2020 Annual Action Plan describing the allocation of Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) Program funds and the reallocation of funds previously identified for a public facility improvement under CDBG and HOME funds allocated for acquisition assistance and rehabilitation for first time homebuyers; and

**WHEREAS**, the Community Development Advisory Committee (CDAC) has reported its recommendation on the use of CDBG and HOME Program funds for FY 2019-2020 for the use and reallocation of CDBG and HOME funds for FY2018-2019; and

**WHEREAS**, the City Council of the City of Killeen has invited and received further citizen comment on the allocation of \$944,218.00 in FY 2019-2020 CDBG funds and the reprogramming of \$9,114.08 of FY2017-2018 funds from completed projects and

\$4,236.00 of FY2018-19 program income; the allocation of \$410,861.00 in FY 2019-2020 HOME funds and the use of anticipated program income in the amount of \$49,821.73; likewise, a substantial amendment to the FY2018-2019 Annual Action Plan amending the use of \$783,695.05 of CDBG funds from rehabilitation to new construction for the Bob Gilmore Senior Center and a substantial amendment amending the use of \$100,000 of HOME funds for the First Time Homebuyer Assistance Program from purchase assistance with rehabilitation to acquisition (purchase) assistance only; and

**WHEREAS**, after due consideration of the community's needs within the City as provided by the U.S. Department of Housing and Urban Development and Community Planning Meetings, the City Council of the City of Killeen has determined to apply for and has agreed on the allocation of said funds;

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

**SECTION I.** That the City Council of the City of Killeen held public hearings in accordance with HUD regulations to hear and accept citizen comments, on the 2019-2020 Annual Action Plan and Substantial Amendment to the FY2018-2019 Annual Action Plan, for the required 30-day comment period, with the comment period beginning June 24 and ending July 23, 2019, describing proposed CDBG and HOME activities.

**SECTION II.** That the City Council of the City of Killeen hereby authorizes the City Manager to submit the Substantial Amendment to the 2018-2019 Annual Action Plan and the 2019-2020 Annual Action Plan; to execute an application for the amount of \$944,218.00 in CDBG funds and \$410,861.00 in HOME funds for FY 2019-20; approves the reprogramming of \$13,350.08 program income and prior years CDBG funds and \$49,821.73 in anticipated program income; and approves CDBG and HOME Program

expenditures during FY 2019-2020 in the following manner:

**SUBSTANTIAL AMENDMENT FY2018-2019**

**COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**  
**PUBLIC FACILITIES AND IMPROVEMENTS**

**City of Killeen Community Services:** Bob Gilmore Senior Center renovations (rehabilitation) to new construction of public facility \$ 783,695.05

**HOME INVESTMENT PARTNERSHIPS (HOME) PROGRAM**  
**HOUSING ACTIVITIES**

**City of Killeen Community Development:** First Time Homebuyer Assistance Program with Repairs (rehabilitation) to purchase assistance only \$ 100,000.00

**FY2019-2020 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

AGENCY	PROJECT DESCRIPTION & PROPOSED UNITS	REQUESTED AMOUNT	CDAC RECOMMENDATION
Bring Everyone in the Zone	Resource Manager partial salary	\$ 35,000.67	\$ 12,862.70
Communities in Schools of Greater Central Texas	Connections Program-Maud Moore Wood Elementary School (salary)	\$21,000.00	\$ 21,000.00
Families In Crisis, Inc.	Homeless Shelter Case Manager (salary)	\$ 32,926.28	\$ 20,000.00
Greater Killeen Free Clinic	2019 Salary Assistance (salary)	\$ 26,430.98	\$ 23,000.00
Heritage House of Central Texas	Empowerment Program (salary)	\$10,000.00	\$ 5,000.00
Hill Country Community Action Agency, Inc.	Killeen Elderly Meals Program (salary)	\$ 9,770.00	\$ 9,770.00
City of Killeen Community Development Department	Elderly Transportation Program (direct assistance to beneficiaries)	\$ 50,000.00	\$ 50,000.00
Central Texas 4C, Inc.	Head Start Expansion Phase II	\$ 140,700.00	\$ 100,000.00
Clements Boys and Girls Club	North Killeen Bigham Unit Gymnasium & Teen Center	\$ 523,000.00	\$ 100,000.00
Monarch Education	Monarch Prep @ KU (acquisition - vacant land)	\$ 326,700.00	0.00
City of Killeen Community Services	Bob Gilmore Senior Center - New Construction	\$ 900,000.00	\$ 152,091.78
City of Killeen Public Works Street Operations	Gilmer Street Reconstruction	\$ 357,629.50	\$ 175,000.00
City of Killeen Community Development Department	Housing Rehabilitation Program	\$ 100,000.00	\$ 100,000.00
City of Killeen Community Development Department	CDBG Administration 2019 -	\$ 188,843.60	\$ 188,843.60
Total All Requests		\$ 2,722,001.03	
<b>TOTAL CDBG FUNDS ALLOCATED</b>			<b>957,568.08</b>

## **FY 2019-2020 HOME INVESTMENT PARTNERSHIPS (HOME) PROGRAM**

AGENCY	PROJECT DESCRIPTION & PROPOSED UNITS	REQUESTED FUNDS	CDAC RECOMMENDATION
Bring Everyone in the Zone	Client Housing Assistance -Security Deposit Program -	\$ 23,200.00	\$ 23,200.00
Families In Crisis, In.c	2019 FIC-Housing Program - Tenant Based Rental Assistance Program	\$ 129,791.40	\$ 100,000.00
City of Killeen Community Development Department	Homebuyer Assistance Program (HAP) Rehabilitation	\$ 100,000.00	\$ 100,000.00
City of Killeen Community Development Department	North Killeen Housing Redevelopment Program	\$ 300,000.00	\$ 129,785.31
City of Killeen Community Development Department	HOME Program Administration 2019 - includes 10% of FY2018-19 program income of \$4,982.17	\$ 46,068.27	\$ 46,068.27
No Applicant Request Submitted	Community Housing Development Organization - 15% equired set aside	\$ 61,629.15	\$ 61,629.15
Total All Requests		\$ 660,688.82	
<b><u>TOTAL HOME FUNDS ALLOCATED:</u></b>			<b><u>\$ 460,682.73</u></b>

Further, all funds remaining in any project account at the completion of the project shall be transferred forward in the budget to like accounts or to be available for subsequent reprogramming to other eligible projects.

**SECTION III.** That if any section or part of any section or paragraph of this ordinance is 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 this ordinance shall be effective after its passage and approval.

**PASSED AND APPROVED** at a regular meeting of the City Council of the City of Killeen, Texas, this 23rd day of JULY, 2019 at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A. Government Code § 551.001 *et seq.*

**APPROVED**

\_\_\_\_\_  
Jose L. Segarra, MAYOR

**ATTEST:**

\_\_\_\_\_  
Lucy Aldrich, CITY SECRETARY

**APPROVED AS TO FORM AND LEGALITY:**

\_\_\_\_\_  
Kathryn H. Davis, CITY ATTORNEY

**DISTRIBUTION:** Community Development Department, Finance Department



FY20 CDBG & HOME FUNDING REQUESTS &  
FY19 SUBSTANTIAL AMENDMENT TO ANNUAL  
ACTION PLAN

PH-19-017

June 18, 2019



# Community Development Grant Programs

2

- ❑ **Community Development Block Grant (CDBG) program national objectives:**
  1. activities must benefit low to moderate income persons
  2. activities must eliminate slum and blight
  3. activities that respond to natural disasters
- ❑ **HOME program national objective:**

The development of affordable housing programs
- ❑ FY 19-20 CDBG & HOME program – Community Development Advisory Committee ( CDAC) proposed recommendations
- ❑ Substantial Amendment to FY 2018-19 Annual Action Plan- CDAC recommendations
- ❑ Public hearing schedule – June 25<sup>th</sup> and July 23<sup>rd</sup>
- ❑ Submission to HUD for approval – August 15, 2019

# Community Development Federal Grant Programs (CDBG& HOME) Funding FY 20

3

□ CDBG grant	\$ 944,218.00
□ Reprogrammed funds & program income	\$ 13,350.08
□ Total funding available	\$ 957,568.08

□ HOME grant	\$ 410,861.00
□ Reprogrammed funds & program income	\$ 49,821.73
□ Total funding available	\$ 460,682.73

# CDBG - public service funding requests = 15% of grant allowed

4

Agency	Project Description	Amount Requested	CDAC Recommendation
Bring Everyone in the Zone	Resource Program -partial salary assistance & operations	\$35,000.67	\$12,862.70
Heritage House of Central Texas	Empowerment Program-partial salary assistance	\$10,000.00	\$ 5,000.00
Communities in Schools of Greater Central Texas	Connections Program (Maud Moore Wood Elementary) – partial salary assistance	\$21,000.00	\$21,000.00
Families in Crisis	Homeless Shelter Case Manager – partial salary assistance	\$ 32,926.28	\$20,000.00

# CDBG— public service funding requests =15% of grant allowed

5

Agency	Project Description	Amount Requested	CDAC Recommendation
Hill Country Community Action Association	Killeen Elderly Meals Program- partial salary assistance for meal delivery driver	\$ 9,770.00	\$ 9,770.00
Greater Killeen Free Clinic	Clinical Program Assistance – partial salary assistance	\$ 26,430.98	\$ 23,000.00
City of Killeen-Community Development	Elderly Transportation Program- provides assistance with transportation to eligible (62+ age) riders	\$ 50,000.00	\$ 50,000.00
Totals=15% of grant amount allowed		\$185,127.93	\$141,632.70

# CDBG—housing, public facilities & improvements funding requests

6

Agency	Project Description	Amount Requested	CDAC Recommendation
Central Texas 4C, Inc.	Head Start Expansion Phase II- building for classrooms	\$140,700.00	\$100,000.00
Clements Boys and Girls Club	North Killeen Bigham Unit Gym and Teen Center-new construction	\$523,000.00	\$100,000.00
Monarch Education	Monarch Prep @ KU-acquisition of land for athletic programs	\$326,700.00	\$0.00
City of Killeen Community Services	Bob Gilmore Senior Center – new construction	\$900,000.00	\$152,091.78

# CDBG—housing, public facilities & improvements funding requests

7

Agency	Project Description	Amount Requested	CDAC Recommendation
City of Killeen – Public Works, Street Operations	Gilmer Street Reconstruction – partial cost of reconstruction of street	\$357,629.50	\$175,000.00
City of Killeen –Community Development	Housing Rehabilitation Program – anticipate 4 housing units to be completed, with lead based paint abatement on each unit	\$100,000.00	\$100,000.00
Totals =65% of grant amount allowed		\$2,348,029.50	\$627,091.78

# CDBG -administration funding request

8

Agency	Project Description	Amount Requested	CDAC Recommendation
City of Killeen –Community Development	CDBG administration	\$188,843.60	\$188,843.60
Totals =20% of grant amount allowed		\$188,843.60	\$188,843.60

# HOME Program - affordable housing program funding requests

9

Agency	Project Description	Amount Requested	CDAC Recommendation
Bring Everyone in the Zone	Client Housing Assistance-security deposits for veterans, their families & surviving spouses	\$ 23,200.00	\$ 23,200.00
Families in Crisis	Housing Program – monthly rental assistance for clients on Section 8 waiting list	\$129,791.40	\$100,000.00
City of Killeen – Community Development	Homebuyer Assistance Program – Rehabilitation – 6 units of housing to assist 1 <sup>st</sup> time homebuyers with needed building code related repairs	\$100,000.00	\$100,000.00



# HOME Program – affordable housing program funding requests

10

Agency	Project Description	Amount Requested	CDAC Recommendation
City of Killeen-Community Development	North Killeen Housing Redevelopment Program- construction or rehabilitation of housing units in the North Killeen Revitalization Program area	\$300,000.00	\$129,785.31
CHDO Set aside	Minimum 15%of grant must be set aside–no applications received	\$ 61,629.15	\$ 61,629.15
City of Killeen – Community Development	Program Administration=10% of grant & 10% of program income	\$ 46,068.27	\$ 46,068.27
Totals		\$660,688.82	\$460,682.73

# Substantial Amendment to FY19 Annual Action Plan CDBG & HOME Programs

11

- ❑ Current CDBG grant – Bob Gilmore Center \$ 783,695.05
- ❑ Substantial amendment for use of funds from rehabilitation to new construction for the Bob Gilmore Senior Center
  
- ❑ Current HOME grant- \$ 100,000.00
- ❑ Substantial amendment for use of funds from purchase assistance with rehabilitation to acquisition (purchase assistance only)

# Substantial Amendment to FY2018-19 Annual Action Plan – CDAC Recommendation

12

Agency	Project Description	Amount Requested	CDAC Recommendation
Killeen Community Services	CDBG – Bob Gilmore Senior Center – amend from rehabilitation to new construction.	\$783,695.05	\$783,695.05
Killeen Community Development	HOME – First Time Homebuyer Assistance with Repairs (rehabilitation) amend from purchase assistance with rehabilitation to acquisition (purchase assistance) only.	\$100,000.00	\$100,000.00

# Summary

13

- ❑ 30-day comment period begins June 24th and ends July 23rd
- ❑ Annual Action Plan and Substantial Amendment to HUD by August 15, 2019, for approval
- ❑ Funding released in October 2019



# City of Killeen

## Legislation Details

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**File #:** PH-19-018    **Version:** 1    **Name:** Library Internet Safety Policy  
**Type:** Resolution/Public Hearing    **Status:** Public Hearings  
**File created:** 6/5/2019    **In control:** City Council Workshop  
**On agenda:** 6/18/2019    **Final action:**  
**Title:** HOLD a public hearing and consider a resolution approving an Internet Safety Policy for the Library Services Division's public access computers.  
**Sponsors:** Community Development Department, Library  
**Indexes:**  
**Code sections:**  
**Attachments:** [Staff Report](#)  
[Policy](#)  
[Children's Internet Protection Act](#)  
[Funding Commitment Decision Letter](#)  
[Presentation](#)

Date	Ver.	Action By	Action	Result
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## STAFF REPORT

**DATE:** June 18, 2019

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

**FROM:** Leslie Hinkle, Executive Director of Community Development

**SUBJECT:** Internet Safety Policy Requirement for Federal Funding of Copper Mountain Branch Library's Network Connection

### **BACKGROUND AND FINDINGS:**

With assistance from the Information Technology Department, the Library Services Division applied for funding from the Federal Communication Commission's (FCC) Universal Service Program for Schools and Libraries, commonly known as the "E-rate" program in early 2019. The E-rate program helps public schools and libraries provide high-speed internet service to their users. The amount of funding each entity is eligible to receive is based on the percentage of students in the school district that are eligible for the free or reduced-price lunch program. For Killeen Independent School District and Killeen's public libraries, the amount is set at 80%. The E-rate program is administered by the FCC and requires a multi-step application process. Killeen applied for funding to the CenturyLink circuit that connects the Copper Mountain Branch Library to the City's network.

This funding gives the Copper Mountain Branch Library a discount of 80% on the current network circuit fees, estimated to be \$12,844. The cost to the City with this discount would be reduced to \$2,569 annually. A requirement for a public hearing related to approving an internet safety policy for minors is required from the program. This policy simply verifies that the City IT filters the public internet access and that library staff monitor the minor computer users to help them avoid websites that are obscene, contain sexual acts or child pornography, or are otherwise harmful to minors.

### **THE ALTERNATIVES CONSIDERED:**

The City Council may choose to approve or disapprove the Internet Safety Policy.

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

Approval of the Internet Safety Policy is recommended. Doing so will save the City \$10,275 over the next twelve months and make sure that the Library Services Division can file for annual extensions in successive years.

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

The request conforms to City policy.

**FINANCIAL IMPACT:**

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

No expenditures are associated with this request now or in future years.

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

N/A

**Is this expenditure budgeted?**

N/A

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

N/A

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

N/A

**RECOMMENDATION:**

Staff recommends that the City Council approve the Internet Safety Policy.

**DEPARTMENTAL CLEARANCES:**

This item has been cleared by the Community Development and Legal staff.

**ATTACHED SUPPORTING DOCUMENTS:**

Policy  
Children's Internet Protection Act  
Funding Commitment Decision Letter

# **Killeen City Library System**

## **Internet Safety Policy**

### **Introduction**

It is the policy of the Killeen City Library System to: (a) prevent user access over its computer network to, or transmission of, inappropriate material via Internet, electronic mail, or other forms of direct electronic communications; (b) prevent unauthorized access and other unlawful online activity; (c) prevent unauthorized online disclosure, use, or dissemination of personal identification information of minors; and (d) comply with the Children's Internet Protection Act [Pub. L. No. 106-554 and 47 USC 254(h)].

### **Definitions**

Key terms are defined in the Children's Internet Protection Act as follows:

**TECHNOLOGY PROTECTION MEASURE.**--The term "technology protection measure" means a specific technology that blocks or filters Internet access to visual depictions that are:

- a) obscene, as that term is defined in section 1460 of title 18, United States Code;
- b) child pornography, as that term is defined in section 2256 of title 18, United States Code; or
- c) harmful to minors.

**HARMFUL TO MINORS.**--The term "harmful to minors" means any picture, image, graphic image file, or other visual depiction that:

- a) taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion;
- b) depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
- c) taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

**SEXUAL ACT; SEXUAL CONTACT.**--The terms "sexual act" and "sexual contact" have the meanings given such terms in section 2246 of title 18, United States Code.

### **Access to Inappropriate Material**

To the extent practical, technology protection measures (or "Internet filters") shall be used to block or filter Internet, or other forms of electronic communications, access to inappropriate information.

Specifically, as required by the Children's Internet Protection Act, blocking shall be applied to visual depictions of material deemed obscene or child pornography, or to any material deemed harmful to minors.



Subject to staff supervision, technology protection measures may be disabled for adults or, in the case of minors, minimized only for bona fide research or other lawful purposes.

### **Inappropriate Network Usage**

To the extent practical, steps shall be taken to promote the safety and security of users of the Killeen City Library System's online computer network when using electronic mail, chat rooms, instant messaging, and other forms of direct electronic communications.

Specifically, as required by the Children's Internet Protection Act, prevention of inappropriate network usage includes: (a) unauthorized access, including so-called 'hacking,' and other unlawful activities; and (b) unauthorized disclosure, use, and dissemination of personal identification information regarding minors.

### **Education, Supervision and Monitoring**

It shall be the responsibility of all members of the Killeen City Library System staff to educate, supervise and monitor appropriate usage of the online computer network and access to the Internet in accordance with this policy, the Children's Internet Protection Act, the Neighborhood Children's Internet Protection Act, and the Protecting Children in the 21<sup>st</sup> Century Act.

Procedures for disabling or otherwise modifying any technology protection measures shall be the responsibility of the City of Killeen Information Technology Department or their designated representatives.

### **Adoption**

This Internet Safety Policy was adopted by the City Council of the City of Killeen at a public meeting, following normal public notice, on June 25, 2019.



# **CIPA**

## **(Children's Internet Protection Act)**

**E-Rate Instruction Manual**

# CIPA (Children's Internet Protection Act)

## Overview:

Applicants must enforce a policy of Internet safety and certify compliance with the Children's Internet Protection Act (CIPA) to be eligible for discounts. CIPA was signed into law on December 21, 2000. To receive support for Category One Internet access and all Category Two services – internal connections, managed internal broadband services, and basic maintenance of internal connections, school and library authorities must certify that they are enforcing a policy of Internet safety that includes measures to block or filter Internet access for both minors and adults to certain visual depictions. The relevant authority with responsibility for administration of the eligible school or library (hereinafter known as the Administrative Authority) must certify the status of its compliance for the purpose of CIPA in order to receive Universal Service support.

In general, school and library authorities must certify either that they have complied with the requirements of CIPA, that they are undertaking actions, including any necessary procurement procedures, to comply with the requirements of CIPA, or that CIPA does not apply to them because they are receiving discounts for telecommunications services only.

## Requirements

CIPA requirements include the following three items:

### 1. Internet Safety Policy

Schools and libraries receiving Universal Service discounts are required to adopt and enforce an Internet safety policy that includes a technology protection measure that protects against access by adults and minors to visual depictions that are obscene, child pornography, or – with respect to use of computers with Internet access by minors – harmful to minors. "Minor" is defined as any individual who is under the age of 17.

# CIPA (Children's Internet Protection Act)

## Internet Safety Policy, continued

The Internet safety policy must address all of the following issues:

- Access by minors to inappropriate matter on the Internet and World Wide Web
- The safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications
- Unauthorized access including "hacking" and other unlawful activities by minors online
- Unauthorized disclosure, use, and dissemination of personal information regarding minors
- Measures designed to restrict minors' access to materials harmful to minors

*For schools, the policy must also include monitoring the online activities of minors.*

**Note:** As of July 1, 2012, as part of their CIPA certification, schools are also required to certify that their Internet safety policies have been updated to provide for educating minors about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms, cyberbullying awareness, and response.

## 2. Technology Protection Measure

A technology protection measure is a specific technology that blocks or filters Internet access.

The school or library must enforce the operation of the technology protection measure during the use of its computers with Internet access, although an administrator, supervisor, or other person authorized by the authority with responsibility for administration of the school or library may disable the technology protection measure during use by an adult to enable access for bona fide research or other lawful purpose. For example, a library that uses Internet filtering software can set up a process for disabling that software upon request of an adult user, through use of a sign-in page where an adult user can affirm that he or she intends to use the computer for bona fide research or other lawful purposes.

# CIPA (Children's Internet Protection Act)

## Technology Protection Measure, continued

CIPA uses the federal criminal definitions for obscenity and child pornography. The term "harmful to minors" is defined in the statute and in the E-rate rules as "any picture, image, graphic image file, or other visual depiction that – (i) taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; (ii) depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and (iii) taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors."

*Decisions about what matter is inappropriate for minors must be made by the local community. E-rate program rules specify that the library or other authority for making the determination shall make [a] determination regarding matter inappropriate for minors."*

### **3. Public Notice and Hearing or Meeting**

The authority with responsibility for administration of the school or library must provide reasonable public notice and hold at least one public hearing or meeting to address a proposed technology protection measure and Internet safety policy. For private schools, public notice means notice to their appropriate constituent group. Additional meetings are not necessary – even if the policy is amended – unless required by local or state rules or the policy itself.

## **Certification for Undertaking Actions**

Below is the appropriate certification that the Administrative Authority must make for "undertaking actions" from the Federal Communications Commission, FCC 01-120 Order, released on April 5, 2001:

"I certify that, as of the date of the start of discounted services, pursuant to the Children's Internet Protection Act, as codified at 47 U.S.C. Section 254(h) and (l), the recipient(s) of service represented in the Funding Request Number(s) on this FCC Form 486 is (are) undertaking such actions, including any necessary procurement procedures, to comply with the requirements of CIPA for the next funding year, but has (have) not completed all requirements of CIPA for this funding year."

April 27, 2019

# Funding Commitment Decision Letter

## Funding Year 2019

**Contact Information:**

Deanna Frazee  
KILLEEN PUBLIC LIBRARY  
205 EAST CHURCH AVENUE  
KILLEEN, TX 76541  
[dfrazee@killeentexas.gov](mailto:dfrazee@killeentexas.gov)

**FCC Form 471:** 191006770**BEN:** 141066**Wave:** 1**Application Nickname:** Killeen Lib 2019-C1

## Totals

<b>Total Committed</b>	<b>\$10,274.88</b>
------------------------	--------------------

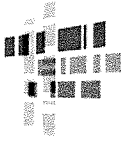
## What is in this letter?

Thank you for submitting your application for Funding Year 2019 Schools and Libraries Program (E-rate) funding. Attached to this letter, you will find the funding statuses for the FCC Form(s) 471, Services Ordered and Certification Form, that you submitted and referenced above.

The Universal Service Administrative Company (USAC) is providing this information to both the applicant(s) and the service provider(s) so that all parties are aware of the post-commitment changes related to their funding requests and can work together to complete the funding process for these requests.

## Next Steps

1. Work with your service provider(s) to determine if your bills will be discounted or if you will request reimbursement from USAC after paying the full cost for the services you receive.
2. Review the [Children's Internet Protection Act \(CIPA\)](#) requirements and file the [FCC Form 486](#) (Service Confirmation and CIPA Certification Form). **The deadline to submit this form is 120 days from the date of this letter or from the service start date (whichever is later).**



**BEN Name:** KILLEEN PUBLIC LIBRARY  
**BEN:** 141066

**FCC Form 471:** 191006770  
**Wave:** 1

### 3. Invoice USAC

- **If you (the applicant) are invoicing USAC:** You must pay your service provider(s) the full cost for the services you receive and file the [FCC Form 472](#), the Billed Entity Applicant Reimbursement (BEAR) Form, to invoice USAC for reimbursement of the discounted amount.
- **If your service provider(s) is invoicing USAC:** The service provider(s) must provide services, bill the applicant for the non-discounted share, and file the [FCC Form 474](#), the Service Provider Invoice (SPI) form, to invoice USAC for reimbursement for the discounted portion of costs. Every funding year, service providers must file an [FCC Form 473](#), the Service Provider Annual Certification Form, to be able to submit invoices and to receive disbursements.
- **To receive an invoice deadline extension, the applicant or service provider must request an extension on or before the last date to invoice. If you anticipate, for any reason, that invoices cannot be filed on time, USAC will grant a one-time, 120-day invoice deadline extension if timely requested.**

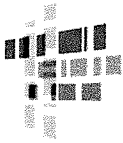
## How to Appeal or Request a Waiver of a Decision

You can appeal or request a waiver of a decision in this letter **within 60 calendar days** of the date of this letter. Failure to meet this deadline will result in an automatic dismissal of your appeal or waiver request.

**Note:** The Federal Communications Commission (FCC) will not accept appeals of USAC decisions that have not first been appealed to USAC. However, if you are seeking a waiver of E-rate program rules, you must submit your request to the FCC and not to USAC. USAC is not able to waive the E-rate program rules.

- **To submit your appeal to USAC,** visit the Appeals section in the [E-rate Productivity Center \(EPC\)](#) and provide the required information. USAC will reply to your appeal submissions to confirm receipt. Visit USAC's [website](#) for additional information on submitting an appeal to USAC, including step-by-step instructions.
- **To request a waiver of the FCC's rules,** please submit it to the FCC in proceeding number CC Docket No. 02-6 using the [Electronic Comment Filing System \(ECFS\)](#). Include your contact information, a statement that your filing is a waiver request, identifying information, the FCC rule(s) for which you are seeking a waiver, a full description of the relevant facts that you believe support your waiver request and any related relief, and any supporting documentation.

For appeals to USAC or to the FCC, be sure to keep a copy of your entire appeal, including any correspondence and documentation, and provide a copy to the affected service provider(s).



**BEN Name:** KILLEEN PUBLIC LIBRARY  
**BEN:** 141066

**FCC Form 471:** 191006770  
**Wave:** 1

## Obligation to Pay Non-Discount Portion

Applicants are required to pay the non-discount portion of the cost of the eligible products and/or services to their service providers. Service providers are required to bill applicants for the non-discount portion of costs for the eligible products and/or services. The FCC stated that requiring applicants to pay the non-discounted share of costs ensures efficiency and accountability in the program. If using the BEAR invoicing method, the applicant must pay the service provider in full (the non-discount plus discount portion) **before** seeking reimbursement from USAC. If using the SPI invoicing method, the service provider must first bill the applicant **before** invoicing USAC.

## Notice on Rules and Funds Availability

The applicants' receipt of funding commitments is contingent on their compliance with all statutory, regulatory, and procedural requirements of the Schools and Libraries Program and the FCC's rules. Applicants who have received funding commitments continue to be subject to audits and other reviews that USAC and/or the FCC may undertake to assure that committed funds are being used in accordance with such requirements. USAC may be required to reduce or cancel funding commitments that were not issued in accordance with such requirements, whether due to action or inaction of USAC, the applicant, or the service provider. USAC, and other appropriate authorities (including but not limited to the FCC), may pursue enforcement actions and other means of recourse to collect improperly disbursed funds.





**BEN Name:** KILLEEN PUBLIC LIBRARY  
**BEN:** 141066

**FCC Form 471:** 191006770  
**Wave:** 1

## Funding Commitment Decision Overview

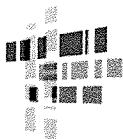
### Funding Year 2019

### Application Comments for FCC Form 471: #191006770

The applicant did not submit any RAL corrections.

### Funding Commitment Decision Overview

Funding Request Number (FRN)	Service Provider Name	Amount Requested	Amount Committed	Status
1999030495	CenturyLink Central Telephone Co. of Texas FKA Embarq	\$10,274.88	\$10,274.88	Funded



**BEN Name:** KILLEEN PUBLIC LIBRARY  
**BEN:** 141066

**FCC Form 471:** 191006770  
**Wave:** 1

<b>FRN</b> 1999030495	<b>Service Type</b> Data Transmission and/or Internet Access	<b>Status</b> Funded
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Dollars Committed			
Monthly Cost		One-time Cost	
Months of Service	12		
Total Eligible Recurring Charges	\$12,843.60	Total Eligible One Time Charges	\$0.00
Total Pre-discount Charges		\$12,843.60	
Discount Rate		80.00%	
Committed Amount		\$10,274.88	

Dates	
Service Start Date	7/1/2019
Contract Expiration Date	6/30/2020
Contract Award Date	3/7/2019
Service Delivery Deadline	6/30/2020
Expiration Date (All Extensions)	

Service Provider and Contract Information	
Service Provider	CenturyLink Central Telephone Co. of Texas FKA Embarq
SPIN (498ID)	143002445
Contract Number	
Account Number	
Establishing FCC Form 470	190000343

Consultant Information	
Consultant Name	
Consultant's Employer	E-Rate Central
CRN	16060891

Funding Commitment Decision Comments
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MR1: Approved as submitted.



# CITY LIBRARY SERVICES-- INTERNET SAFETY POLICY

PH-19-018

June 18, 2019

# Background

2

- ❑ Federal Communications Commission's E-rate program helps public schools & libraries provide high-speed internet access
- ❑ Killeen Library Services applied for 80% discount on the existing network circuit for Copper Mountain Branch Library
- ❑ Conditional approval given requires a public hearing and Council approval of Internet Safety Policy

# Internet Safety Policy

3

- Purpose of policy is to confirm that library conforms to federal Children's Internet Protection Act (CIPA)
- Requires library to have a filter to block material deemed to be "harmful to minors" (depicting, describing or representing sexual contact or lewd exhibition)

# Expenditures

4

- No expenditures are associated with this request
  - ▣ CenturyLink will apply 80% discount to City's bill
  - ▣ City currently pays \$12,844 annually for the circuit
  - ▣ City's cost will be reduced to \$2,569 annually
- The library can apply annually to renew discount

# Alternatives

5

- Do not hold public hearing and do not approve Internet Safety Policy
- Hold public hearing but do not approve Internet Safety Policy
- Hold public hearing and approve Internet Safety Policy

# Recommendation

6

- Staff recommends that City Council hold a public hearing and approve the proposed Internet Safety Policy as required by the FCC E-rate program.





# City of Killeen

## Legislation Details

<b>File #:</b>	PH-19-019A	<b>Version:</b>	1	<b>Name:</b>	FLUM 19-05
<b>Type:</b>	Ordinance/Public Hearing		<b>Status:</b>	Public Hearings	
<b>File created:</b>	6/3/2019		<b>In control:</b>	City Council Workshop	
<b>On agenda:</b>	6/18/2019		<b>Final action:</b>		
<b>Title:</b>	HOLD a public hearing and consider an ordinance submitted by Sycamore Strategies, L.L.C., on behalf of Reeces Creek Developers, Ltd. (FLUM#19-05), to amend the Comprehensive Plan's Future Land Use Map (FLUM) from 'General Commercial' ('GC') and 'General Residential' ('GR') designations to a 'Multi-Family Residential' ('MFR') designation for approximately 13.105 acres. The property is addressed as 4000 Robinett Road, Killeen, Texas.				
<b>Sponsors:</b>	Planning & Development Dept				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	<a href="#">Staff Report</a> <a href="#">Map</a> <a href="#">Minutes</a> <a href="#">Ordinance</a> <a href="#">Considerations</a> <a href="#">Presentation</a>				

Date	Ver.	Action By	Action	Result
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## STAFF REPORT

**DATE:** June 18, 2019

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

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

**SUBJECT:** Comprehensive Plan Future Land Use Map (FLUM) Amendment: 'General Commercial' and 'General Residential' to 'Multi-Family Residential'

### **BACKGROUND AND FINDINGS:**

Sycamore Strategies, L.L.C. on behalf of Reeces Creek Developers, Ltd. submits this request to amend the Comprehensive Plan's Future Land Use Map (FLUM) from 'General Commercial' ('GC') and 'General Residential' ('GR') designations to a 'Multi-Family Residential' ('MFR') designation for approximately 13.105 acres. The applicant intends to develop the property as part of a tax-credit project for a senior apartment complex. The property is addressed as 4000 Robinett Road, Killeen, Texas.

**Land Use Plan:** The property is designated as 'General Commercial' ('GC') on the Future Land Use Map (FLUM) of the Comprehensive Plan.

The 'General Commercial' ('GC') designation encourages the following development types:

- Wide range of commercial retail and service uses at varying scales and intensities
- Office (both large and/or multi-story buildings and small-scale office uses)
- Public/ institutional
- Parks and public spaces

The 'General Residential' ('GR') designation encourages the following development types:

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

If approved, the 'Multi-Family Residential' ('MFR') designation encourages the following development types:

- Multi-unit attached residential in concentrated developments (5 or more units per building), whether for rent (apartments) or ownership (condominiums)
- Parks and public spaces

The items below should be reviewed and addressed when a Future Land Use Map (FLUM) amendment is being considered:

- **Scope of Amendment:** Is the proposed map change limited to one or a few parcels, or would it affect a much larger area? ***The amendment request would affect approximately 13.105 acres, and is considered a small-scale amendment.***
- **Change in Circumstances:** What specific conditions (e.g., population size and/or characteristics, area character and building form, property/structure conditions, infrastructure or public services, market factors including need for more land in a particular designation, etc.) have changed sufficiently to render the current map designation(s) inappropriate or out-of-date? ***Staff is not aware of any specific conditions that render the current map inappropriate or out-of-date.***
- **Consistency with Other Plans:** In addition to the Comprehensive Plan, is the proposed map change consistent with the intent and policy direction of any applicable small area plans, utility or drainage plans, or other City plans? ***The proposed map change is consistent with other City planning efforts (Water and Wastewater Master Plan, Thoroughfare Plan, Parks Master Plan). A portion of this property is impacted by Robinett Creek, which is identified as being a FEMA regulatory Special Flood Hazard Area (SFHA). The property will need to be platted prior to further development. As a result, the current Drainage Design Manual (DDM), creek buffer zones (CBZ), and post construction (PC) requirements will apply to future development on this parcel.***
- **Adequate Information:** Do City staff, the Planning and Zoning Commission, and/or City Council have enough and appropriate information to move ahead with a decision (e.g., utility capacity, potential traffic impacts, other public service implications, resident/stakeholder concerns and input)? ***Staff has sufficient information regarding existing utility capacity and roadway level of service for this area. All development in this area will meet all applicable city requirements with regard to publically dedicated utility infrastructure and rights-of-way. The property owner and his agents are cautioned that unknown or unforeseen site conditions may require remedial action to provide safe and adequate water, sewer, or drainage service to the property. Further, City of Killeen development regulations require that capacity analyses related to development of the property are the sole responsibility of the owner. The owner or his agents, acting as the permit applicant for the subject property, shall coordinate connectivity to all publicly dedicated infrastructure with the Public Works Department.***
- **Stakeholder Input:** What points, concerns, and insights have been raised by area residents, property owners, business owners, or others? ***None.***

#### **THE ALTERNATIVES CONSIDERED:**

The City Council may approve or disapprove the applicant's request, or the Council may approve a different (i.e. more restrictive) Future Land Use Map designation.

**Which alternative is recommended?**

Staff recommends the Council approve the applicant's FLUM amendment request.

**Why?**

The City Council provided a resolution of support with funding of \$1,000 from the HOME program for this property at their regular meeting of February 12, 2019. The City Council is aware that a FLUM amendment is necessary for this property in order to construct the tax-credit project. The requested 'Multi-Family Residential' FLUM designation "bridges the gap" in terms of community character between the 'General Commercial' and 'General Residential' FLUM designations.

**CONFORMITY TO CITY POLICY:**

This FLUM amendment request conforms to the City's policy as detailed in the Comprehensive Plan.

**FINANCIAL IMPACT:****What is the amount of the expenditure in the current fiscal year?**

This is not applicable at this time.

**For future years?**

The proposed FLUM amendment does not involve the expenditure of city funds; however, subsequent development and dedication of public infrastructure will involve the expenditure of maintenance funds over the life cycle of future development.

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

This is not applicable at this time.

**Is this expenditure budgeted?**

This is not applicable at this time.

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

This is not applicable at this time.

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

This is not applicable at this time.

**RECOMMENDATION:**

The Planning and Zoning Commission recommended approval of the applicant's FLUM amendment request from the 'General Commercial' ('GC') and 'General Residential' ('GR') designations to a 'Multi-Family Residential' ('MFR') designation for the subject property. This was done by a vote of 5 to 0.

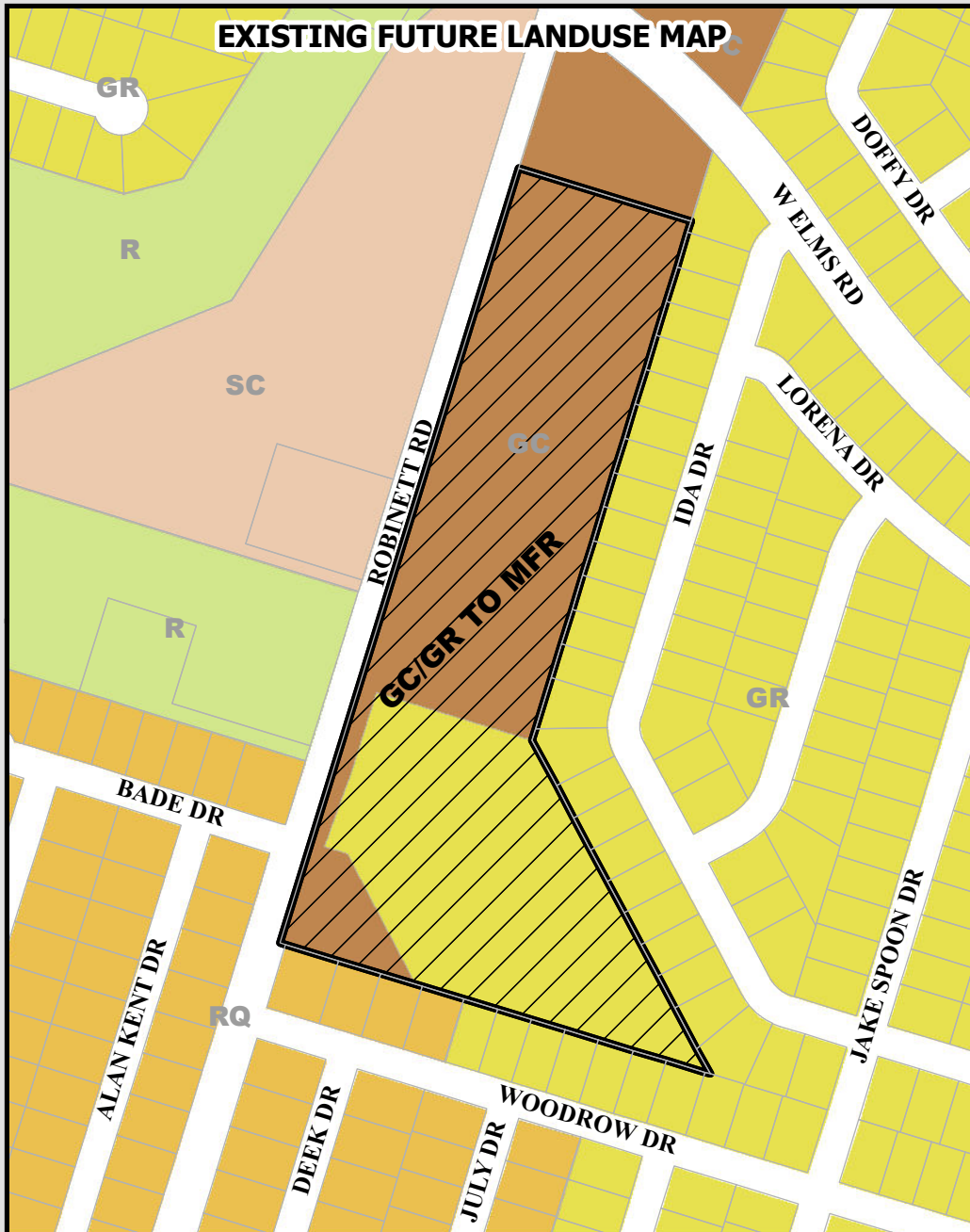
**DEPARTMENTAL CLEARANCES:**

This item has been reviewed by the Legal Department.

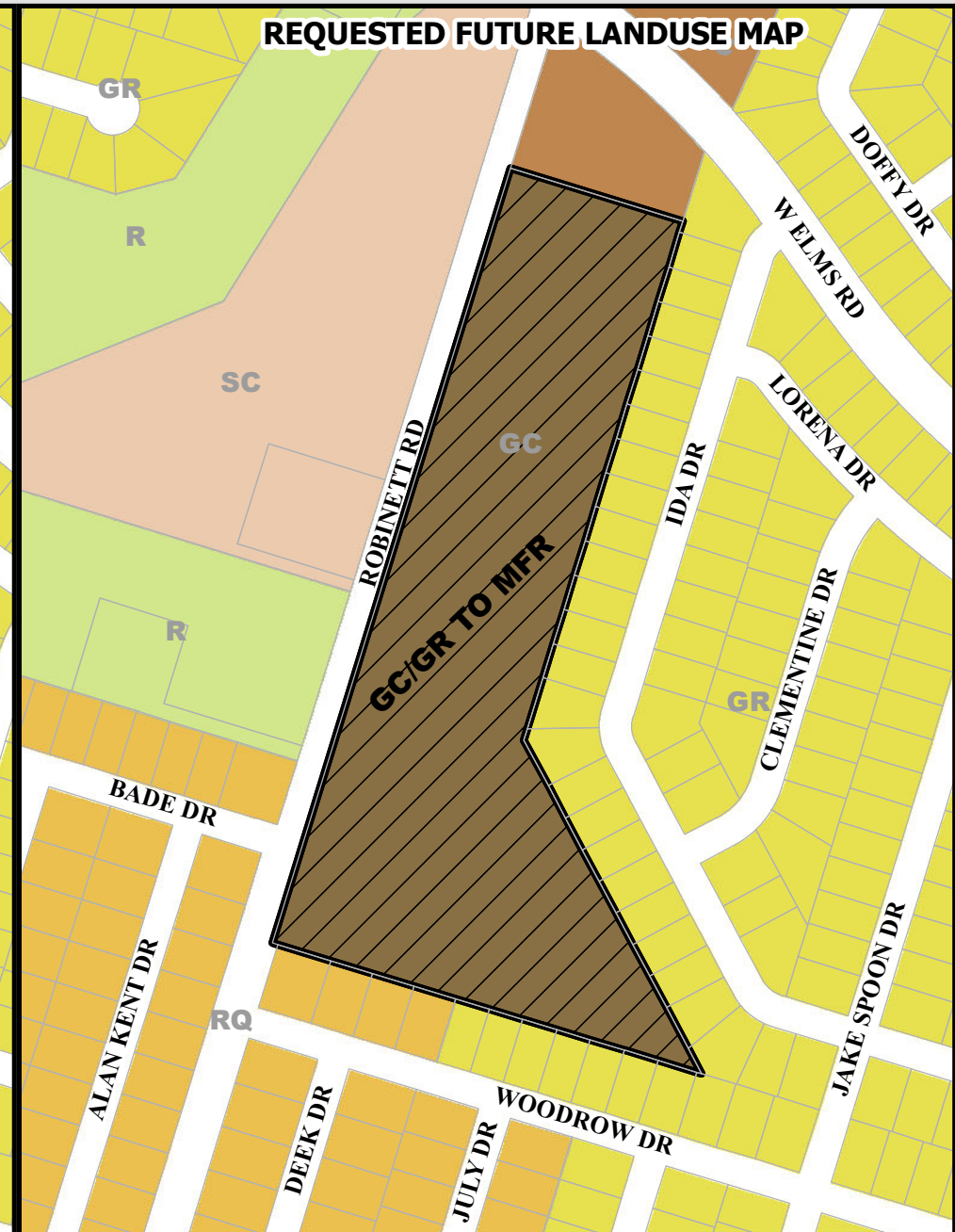
**ATTACHED SUPPORTING DOCUMENTS:**

Map  
Minutes  
Ordinance  
Considerations

# EXISTING FUTURE LANDUSE MAP



# REQUESTED FUTURE LANDUSE MAP



## FLUM Notification Plan

### Case: FLUM AMENDMENT 2019-05

Council District: 4

FROM: GC/GR TO MFR

1 inch = 333 feet

Subject Property Legal Description: A0686BC T ROBINETT, 34, ACRES 15.969



## Legend

- FLUM Case Location
- Killeen Parcel

## Future Land Use Legend

- |                                |                                     |                           |
|--------------------------------|-------------------------------------|---------------------------|
| Urban Center (U)               | Neighborhood Conservation (GC)      | Suburban Residential (SR) |
| Urban (U)                      | Residential Mix (R-MIX)             | Suburban Commercial (SC)  |
| University Village (UV)        | Four-Plex Residential (RQ)          | Business Park (BP)        |
| Planned Development (PD)       | General Residential (GR)            | Estate (E)                |
| Multi-Family Residential (MFR) | Residential-Commercial Mix (RC-MIX) | Parks-Recreation (P-R)    |
| Industrial (I)                 | General Commercial (GC)             | Rural (R)                 |

**MINUTES  
PLANNING AND ZONING COMMISSION MEETING  
JUNE 3, 2019**

**FLUM #19-05  
‘GC’ & ‘GR’ to ‘MFR’**

**A. HOLD** a public hearing and consider a request submitted by Sycamore Strategies, L.L.C. on behalf of Reeces Creek Developers, Ltd. to amend the Comprehensive Plan’s Future Land Use Map (FLUM) from a ‘General Commercial’ designation and a ‘General Residential’ designation to a ‘Multi-Family Residential’ designation for approximately 13.105 acres out of the T. Robinett Survey, Abstract No. 686. The property is addressed as 4000 Robinett Road, Killeen, Texas.

Commissioner Alvarez returned to the dais.

Vice Chairman Latham requested staff comments.

Assistant Director, Tony McIlwain, stated that the request is to amend the Future Land Use Map from ‘General Commercial’ to ‘Multi-Family Residential’.

Mr. McIlwain also stated that the ‘General Commercial’ (GC) designation encourages the following development types:

- Wide range of commercial retail and service uses at varying scales and intensities
- Office (both large and/or multi-story buildings and small-scale office uses)
- Public/ institutional
- Parks and public spaces

The ‘General Residential’ (GR) designation encourages the following development types:

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

If approved, the ‘Multi-Family Residential’ (MFR) designation encourages the following development types:

- Multi-unit attached residential in concentrated developments (5 or more units per building), whether for rent (apartments) or ownership (condominiums)
- Parks and public spaces

Mr. McIlwain also informed the Commission that the City Council provided a resolution of support with funding of \$1,000 from the HOME program for this property at their regular meeting of February 12, 2019. The City Council is aware that a FLUM amendment is necessary for this property in order to construct the tax-credit project. The requested ‘Multi-Family Residential’ FLUM designation “bridges the gap” in terms of community character between the ‘General Commercial’ and ‘General Residential’ FLUM designations.

Staff recommended approval of the applicant’s FLUM amendment request from ‘General Commercial’ (GC) and ‘General Residential’ (GR) designations to a ‘Multi-Family Residential’

(MFR) designation for the subject property.

Mr. Zachary Krochtengel, 2512 Park Row Avenue, Dallas, Texas, was present to represent this request.

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

Commissioner Alvarez motioned to recommend approval of the request. Commissioner Cooper seconded, and the motion passed by a vote of 5 to 0.

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



**ORDINANCE \_\_\_\_\_**

**AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN'S FUTURE LAND USE MAP FROM 'GENERAL COMMERCIAL' AND 'GENERAL RESIDENTIAL' TO 'MULTI-FAMILY RESIDENTIAL' FOR APPROXIMATELY 13.105 ACRES FOR PROPERTY LOCATED AT 4000 ROBINETT ROAD, KILLEEN, TEXAS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.**

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

**WHEREAS**, the Planning and Zoning Commission has received a request from Sycamore Strategies, L.L.C. on behalf of Reeces Creek Developers, Ltd. for a revision to the Future Land Use Map (FLUM) of the Comprehensive Plan, to change 'General Commercial' and 'General Residential' designations to a 'Multi-Family Residential' designation for 13.105 acres for the property located at 4000 Robinett Road, Killeen, Texas; said revision having been duly presented and recommended for approval of 'Multi-Family Residential' by the Planning and Zoning Commission of the City of Killeen on the 3rd day of June 2019, and due notice of the filing of said revision and the date of hearing thereon was given as required by law, and hearing on said request was set for 5:00 P.M., on the 25th day of June 2019, at the City Hall, City of Killeen;

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

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

**SECTION I:** That the future land use designation of approximately 13.105 acres for property located at 4000 Robinett Road, Killeen, Texas, be amended from 'General Commercial' and 'General Residential' to 'Multi-Family Residential'.

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

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

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

**PASSED AND APPROVED** at a regular meeting of the City Council of the City of Killeen, Texas, this 25th day of June 2019, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A., Government Code, §551.001 et seq.

**APPROVED:**

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

**ATTEST:**

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**Lucy C. Aldrich**  
**CITY SECRETARY**

**APPROVED AS TO FORM**

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**Kathryn H. Davis**  
**CITY ATTORNEY**

Case #: FLUM #19-05  
Ord#:19-\_\_\_\_

# CONSIDERATIONS

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

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

Is the request in accordance with the comprehensive plan?

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

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

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

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

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

Whether there have been substantially changed conditions in the neighborhood.

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

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

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

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

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

## **C. Conditions to Consider**

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



CASE #FLUM19-05 'GR' AND 'GC' TO 'MFR'

PH-19-019A

June 18, 2019

## CASE #: FLUM19-05 'GR' and 'GC' to 'MFR'

2

- Sycamore Strategies, L.L.C. on behalf of Reeces Creek Developers, Ltd. submits this request to amend the Comprehensive Plan's Future Land Use Map (FLUM) from 'General Commercial' (GC) and 'General Residential' ('GR') designations to 'Multi-Family Residential' ('MFR') for approximately 13.105 acres.
- The applicant intends to develop the property as part of a tax-credit project for a senior apartment complex. The property is addressed as 4000 Robinett Road, Killeen, Texas.



# **FLUM LOCATION MAP**

**Case: FLUM AMENDMENT 2019-04**

Council District: 4

**GENERAL COMMERCIAL/GENERAL RESIDENTIAL TO MULTI-FAMILY RESIDENTIAL**

Subject Property Legal Description: A0686BC T ROBINETT, 34, ACRES 15.969

## **FUTURE LANDUSE LOCATION MAP**



**FLUM LOCATION**



1 inch = 3,333 feet

## CASE #: FLUM19-05 'GR' and 'GC' to 'MFR'

4

The 'General Commercial' ('GC') designation encourages the following development types:

- ❑ Wide range of commercial retail and service uses at varying scales and intensities
- ❑ Office (both large and/or multi-story buildings and small-scale office uses)
- ❑ Public/ institutional
- ❑ Parks and public spaces

# CASE #: FLUM19-05 'GR' and 'GC' to 'MFR'

5

The 'General Residential' ('GR') designation encourages the following development types:

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

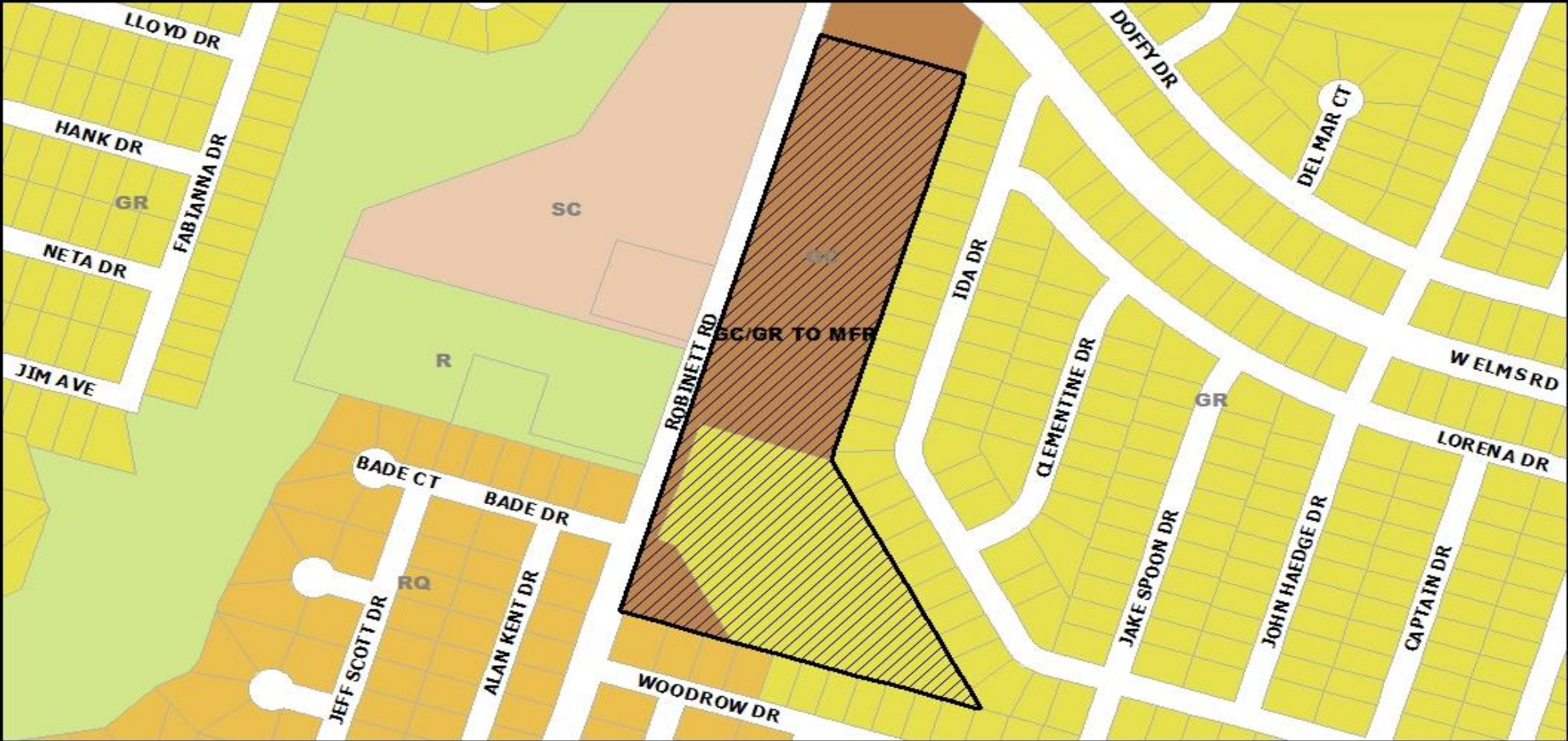


## CASE #: FLUM19-05 'GR' and 'GC' to 'MFR'

6

If approved, the 'Multi-Family Residential' designation encourages the following development types:

- ❑ Multi-unit attached residential in concentrated developments (5 or more units per building), whether for rent (apartments) or ownership (condominiums).
- ❑ Public/ institutional and Parks and public spaces.



# FLUM Notification Plan

## Case: FLUM AMENDMENT 2019-05

Council District: 4  
FROM: GC/GR TO MFR  
1 inch = 312 feet

Subject Property Legal Description: A0686BC T ROBINETT, 34, ACRES 15.969

## FUTURE LANDUSE MAP



1 inch = 312 feet



**EXISTING FUTURE LANDUSE MAP**



**REQUESTED FUTURE LANDUSE MAP**



**FLUM Notification Plan**

**Case: FLUM AMENDMENT 2019-05**

Council District: 4

FROM: GC/GR TO MFR

1 inch = 333 feet

Subject Property Legal Description: A0686BCT ROBINETT, 34, ACRES 15.969



**Legend**

FLUM Case Location  
 Killeen Parcel

**Future Land Use Legend**

	Urban Center (U)		Neighborhood Conservation (GC)		Suburban Residential (SR)
	Urban (U)		Residential Mix (R-MIX)		Suburban Commercial (SC)
	University Village (UV)		Four-Plex Residential (RQ)		Business Park (BP)
	Planned Development (PD)		General Residential (GR)		Estate (E)
	Multi-Family Residential (MFR)		Residential-Commercial Mix (RC-MIX)		Parks-Recreation (P-R)
	Industrial (I)		General Commercial (GC)		Rural (R)

## CASE #: FLUM19-05 'GR' and 'GC' to 'MFR'

9

- ❑ The City Council may: 1) approve the FLUM amendment request; 2) approve a more restrictive FLUM designation; or 3) disapprove the FLUM amendment request.
- ❑ Staff recommends that the City Council approve the applicant's FLUM amendment request as submitted.
- ❑ The Planning and Zoning Commission recommended approval of the applicant's FLUM amendment request by a vote of 5 to 0.



# City of Killeen

## Legislation Details

<b>File #:</b>	PH-19-019B	<b>Version:</b>	1	<b>Name:</b>	Zoning 19-11
<b>Type:</b>	Ordinance/Public Hearing		<b>Status:</b>	Public Hearings	
<b>File created:</b>	6/3/2019		<b>In control:</b>	City Council Workshop	
<b>On agenda:</b>	6/18/2019		<b>Final action:</b>		
<b>Title:</b>	HOLD a public hearing and consider an ordinance submitted by Sycamore Strategies L.L.C., on behalf of Reeces Creek Developers Ltd. (Case #Z19-11), to rezone 13.105 acres from “B-3” (Local Business District) to a Planned Unit Development (PUD) with “R-3A” (Multifamily Apartment Residential District) for a senior apartment complex. The property is locally known as 4000 Robinett Road, Killeen, Texas.				
<b>Sponsors:</b>	Planning & Development Dept				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	<a href="#">Staff Report</a>				
	<a href="#">Maps</a>				
	<a href="#">Minutes</a>				
	<a href="#">Feasibility Report</a>				
	<a href="#">Colored Rendering</a>				
	<a href="#">Ordinance</a>				
	<a href="#">Considerations</a>				
	<a href="#">Responses</a>				
	<a href="#">Presentation</a>				

Date	Ver.	Action By	Action	Result
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## STAFF REPORT

**DATE:** June 18, 2019

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

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

**SUBJECT:** Zoning Case #Z19-11 "B-3" (Local Business District) to Planned Unit Development (PUD) with "R-3A" (Multifamily Apartment Residential District)

### **Background and Findings**

Sycamore Strategies L.L.C., on behalf of Reeces Creek Developers Ltd., submits this request to rezone 13.105 acres from "B-3" (Local Business District) to Planned Unit Development (PUD) with "R-3A" (Multifamily Apartment Residential District) for a 104 unit senior apartment complex. The property is addressed as 4000 Robinett Road, Killeen, Texas.

The site feasibility report, attached as part of the staff memorandum, serves as the narrative describing the PUD request and contains detailed information about the proposed development. The 13.105 acres of land allow 228 residential units; however, the applicant's proposal reduces that amount by more than 50% of the allowable density to 104 units. In addition to the marked reduction in residential density, the site plan incorporates a large amount of open space south.

#### District Descriptions:

Sec. 31-256.1. - Use regulations - "R-3A."

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

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

Sec. 31-256.9. - Planned Unit Development (PUD) required.

- (a) A Planned Unit Development (PUD) as provided in Chapter 31, Article V, Division 8, Killeen Code of Ordinances shall be required for any request for an "R-3F" and/or "R-3A" district when the total acreage of the request alone, or when the total acreage of the request combined with all adjacent areas zoned "R-2", "R-3", "R-3F", and "R-3A", and/or areas within a two-thousand feet radius of any of the property seeking to be rezoned, consist of twenty-five (25) acres or more. The purpose for requiring a PUD is to provide the Planning and Zoning Commission and the City Council with the ability to determine the proposed development's impact on surrounding properties, existing infrastructure and open/recreational space and also to determine whether additional public improvements to serve denser multifamily development are necessary to promote the health, safety and welfare of the development's residents.
- (b) Properties are considered adjacent and subject to the computation of this section if they are continuously zoned for multifamily and/or two family residential use regardless of ownership, property lines, easements or rights-of-way.
- (c) The applicant shall provide any public infrastructure beyond the city's minimum development standards that is required to service the proposed development, including open/recreational space and oversized water, sewer and drainage facilities and greater street widths.
- (d) The applicant is responsible for determining whether or not a PUD is required. However, if the Director of Planning and Development Services determines at any time that a PUD is required and one was not submitted the applicant shall be informed in writing and they shall either modify their application to include the PUD or withdraw the application and have all associated application fee(s) returned.

A Planned Unit Development (PUD) is a land use design incorporating the concepts of density and common open space. Common open space shall include, but is not limited to, community amenities such as parks, gardens, pedestrian trails, recreation areas, and usable undisturbed, natural areas. The PUD designation serves as an "overlay zoning and development classification." In this capacity, the designation permits specific negotiated development regulations to be applied to the base land use zoning district(s) in which the property is located. When a parcel of land receives a PUD designation, the entire parcel must be assigned one or more standard zoning district classifications. However, the added PUD overlay classification enables the developer of the site to request that specific land use development regulations be applied to his development site. Such specific land use and development regulations shall not take effect until they are reviewed, public hearings held and approved by both the Planning and Zoning Commission and the City Council.

The PUD concept plan illustrates fourteen (14) distinct multifamily apartment buildings, a swimming pool, dog park, grilling areas and an amenities center. The dwelling unit summary consists of a total of 104 units, with 68 one-bedroom units, 36 two bedroom units and 174 vehicle parking spaces. The property will gain access to Robinett Road via two private drive

features, with no connectivity to the surrounding residential neighborhoods. Buildings 6-14, which are being proposed adjacent to the Lonesome Dove community, will be limited to one-story in height with a 15' rear yard setback.

### **Property Specifics**

Applicant / Property Owner: Sycamore Strategies L.L.C./ Reeces Creek Developers, Ltd.

Property Location: The property is addressed as 4000 Robinett Road, Killeen, Texas.

Legal Description: 13.105 acres out of the T. Robinett Survey, Abstract No. 686, Killeen, Texas.

Zoning/ Plat Case History:

- The property was rezoned from "A-R1" (Agricultural Single-Family Residential District) to "B-3" (Local Business District) on May 22, 2007, per Ordinance No. 07-044.
- The property is not platted.

Character of the Area: The surrounding residential community is a mixture of single family, duplex and fourplex development. The properties north and west of the site consist of commercial zoned properties.

Existing Land Use(s) on the Property: Vacant

Historic Properties: None

### **Community Infrastructure and Environmental Assessment**

Water, Sewer and Drainage Services:

Provider: City of Killeen

Within Service Area: Yes

Feasibility Study or Service Commitment: Water, sanitary sewer, and drainage utility services are available to the above subject tract located within the City of Killeen municipal utility service area. It will be necessary to extend public utility infrastructure to the property prior to the release of any lots for residential construction purposes.

Transportation:

Existing conditions: The tract has direct access to Robinett Road, which is classified as a minor arterial on the City's adopted Thoroughfare Plan.

Proposed Improvements: No additional right-of-way improvements are proposed at this time.

Proposed Traffic Generation: If approved, at full build-out, the PUD will include 104 multifamily units. These units will generate 692 daily trips, with 53 total generated trips during AM peak hour and 64 total generated trips during PM peak hour [*note-this data is sourced from the Institute of Transportation Engineer (ITE) Trip Generation Rates-9th Edition, provided through Spack Consulting*].

Environmental Assessment: A portion of the property lies within a FEMA regulatory Special Flood Hazard Area (SFHA), with no floodway designated in this SFHA.



Currently, sheet flow runoff exits this parcel into Robinett Creek and Robinett Road in a western direction. Runoff then flows into South Nolan Creek, which is listed on the TCEQ's 303(d) water quality list for impairment due to bacteria.

### **Land Use Analysis**

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

The 'General Commercial' ('GC') designation encourages the following development types:

- Wide range of commercial retail and service uses at varying scales and intensities
- Office (both large and/or multi-story buildings and small-scale office uses)
- Public/ institutional
- Parks and public spaces

The 'General Residential' ('GR') designation encourages the following development types:

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

Consistency: The PUD proposal is not consistent with the Comprehensive Plan's FLUM; however, the applicant has submitted a concurrent FLUM amendment request from 'General Commercial' ('GC') and 'General Residential' ('GR') to 'Multi-Family Residential' ('MFR').

### **Fort Hood Joint Land Use Study (JLUS) Analysis**

JLUS Plan: The property is not located in an "Encroachment Awareness Area" as identified within the JLUS.

Section 4.3 of the JLUS describes an "Encroachment Awareness Area" as intending "to serve the purpose of establishing the *current* area in which the partners in this study should maintain heightened vigilance with regard to potentially incompatible civilian land uses encroaching into critical areas that may experience the effects of military training, such as high noise levels."

Public Notification: Staff notified one hundred and forty-seven (147) surrounding property owners within 400 feet of this property regarding this request. Staff has received two (2) responses of opposition to the applicant's zoning request.

### **THE ALTERNATIVES CONSIDERED:**

The City Council may 1): approve the applicant's PUD zoning request as presented; 2) approve the PUD zoning request with additional conditions; or 3): disapprove the applicant's request.

**Which alternative is recommended?**

Staff is recommending the Council approve the applicant's zoning request.

**Why?**

The City Council provided a resolution of support with funding of \$1,000 from the HOME program for this property at their regular meeting of February 12, 2019. The City Council is aware that this property must be rezoned in order to construct the tax-credit project.

**CONFORMITY TO CITY POLICY:**

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

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

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

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

This is not applicable.

**Is this expenditure budgeted?**

This is not applicable.

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

This is not applicable.

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

This is not applicable.

**RECOMMENDATION:**

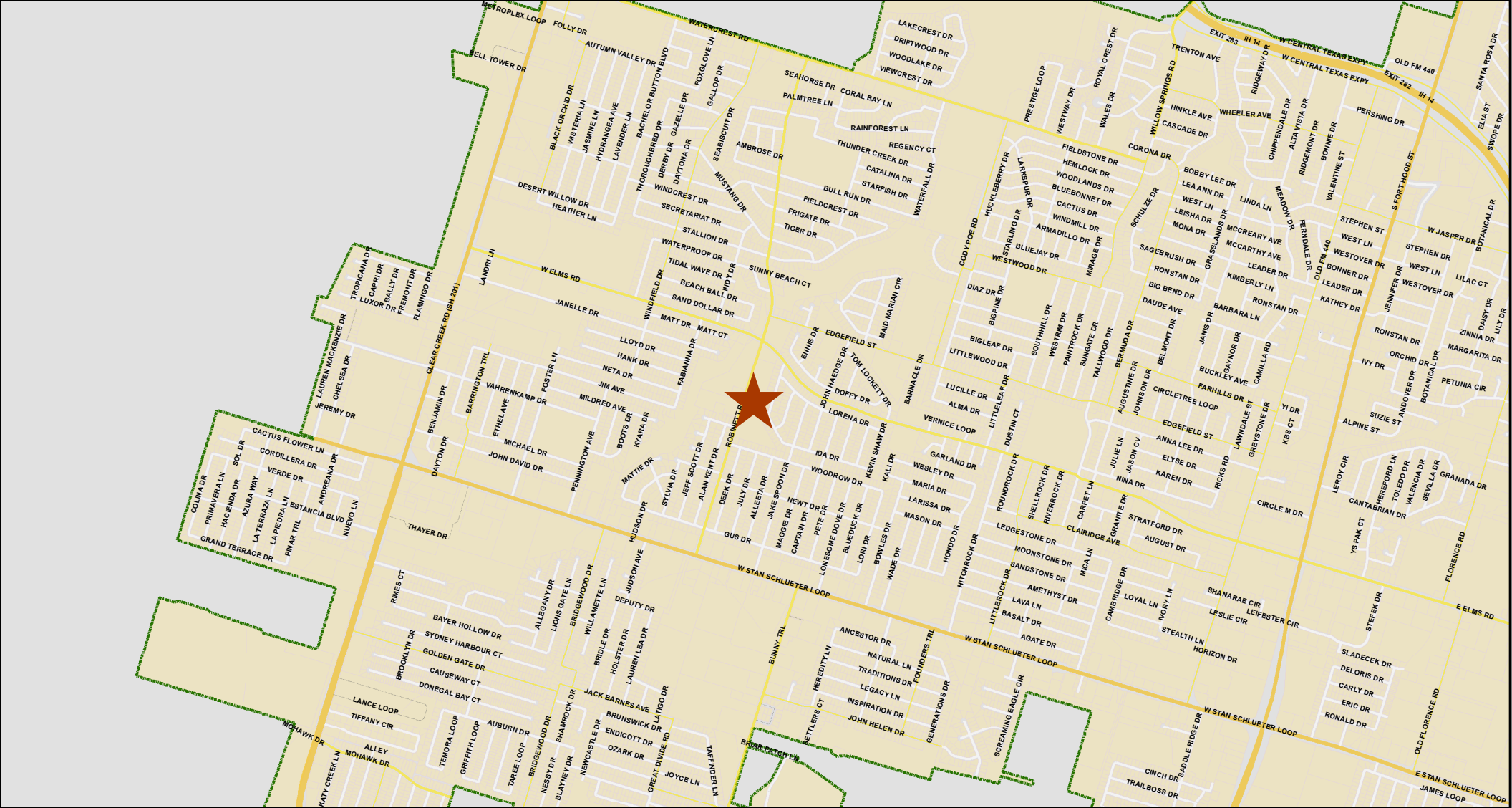
The Planning and Zoning Commission recommended approval of the applicant's zoning request by a vote of 5 to 0. Staff also recommends that an exception to the thirty-five (35) feet PUD height requirement be granted for proposed buildings 1, 2, 4 and 5 and that the required 25' rear yard setback be reduced to 15' for proposed buildings 6-14.

**DEPARTMENTAL CLEARANCES:**

This item has been reviewed by the Legal staff.

**ATTACHED SUPPORTING DOCUMENTS:**

Maps  
Minutes  
Feasibility Report  
Colored Rendering  
Ordinance  
Considerations  
Responses



**Zoning Location Map**  
**Case: Z2019-11**

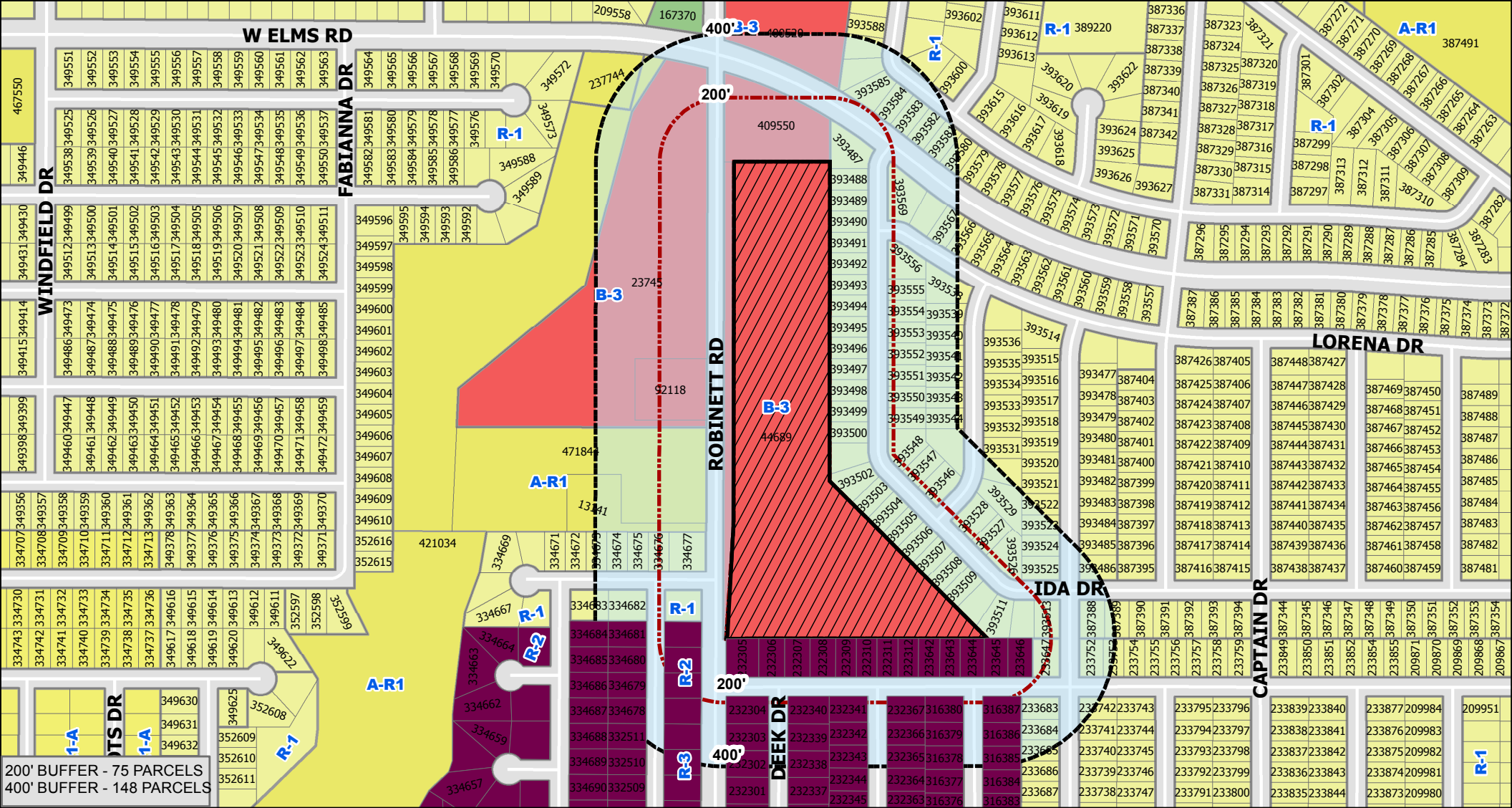
Council District: 4  
FROM: B-3 TO R-3A  
1 inch = 2,500 feet  
Subject Property Legal Description: A0686BC T ROBINETT, 34, ACRES 15.969

**LOCATION MAP**



**Zoning Case Location**





## Zoning Notification Plan

### Case: Z2019-11

Council District: 4

FROM: B-3 TO R-3A

1 inch = 431 feet

Subject Property Legal Description: A0686BC T ROBINETT, 34, ACRES 15.969

## ZONING CHANGE MAP

### Legend

- ZONING CASE LOCATION
- NOTIFICATION AREA
- Z19-11 200'





**MINUTES  
PLANNING AND ZONING COMMISSION MEETING  
JUNE 3, 2019**

**CASE #Z19-11  
“B-3” to P.U.D. w“R-3A”**

**B. HOLD** a public hearing and consider a request submitted by Sycamore Strategies, L.L.C. on behalf of Reeces Creek Developers, Ltd. to rezone 13.105 acres out of the T. Robinett Survey, Abstract No. 686, from “B-3” (Local Business District) to a Planned Unit Development (PUD) with “R-3A” (Multifamily Apartment Residential District) for a senior apartment complex. The property is addressed as 4000 Robinett Road, Killeen, Texas.

Vice Chairman Latham requested staff comments.

Assistant Director, Tony McIlwain, stated that the PUD concept plan illustrates fourteen (14) distinct multifamily apartment buildings, a swimming pool, dog park, grilling areas and an amenities center. The dwelling unit summary consists of a total of 104 units, with 68 one-bedroom units, 36 two bedroom units and 174 vehicle parking spaces. The property will gain access to Robinette Road via two private drive features, with no connectivity to the surrounding residential neighborhoods. Buildings 6-14, which are being proposed adjacent to the Lonesome Dove community, will be limited to one-story in height.

Staff notified one hundred and forty-seven (147) surrounding property owners within 400 feet of this property regarding this request. Two responses in opposition were received from Domnyck Muran and Kirk Hansen.

Mr. McIlwain stated that there was a deviation that was requested; there is a need for the rear yard setback to be adjusted from 25 feet to 15 feet along the Lonesome Dove Subdivision. The purpose of the adjustment is due to the applicant meeting the new standards for right-of-way width for Robinett Road.

Based on the City Council’s resolution of support, staff recommended approval of the applicant’s PUD zoning request. The site feasibility report, attached as part of the staff memorandum, serves as the narrative for the PUD request and contains robust information about the proposed development. The 13.105 acres of land allows 228 residential units; the applicant’s proposal reduces that amount by more than 50% of the allowable density to 104 units. In addition to the marked reduction in residential density, the site plan is compact, while incorporating a large amount of open space south of the SFHA. Staff also recommends that an exception to the thirty-five (35) feet PUD height requirement be granted for proposed buildings 1, 2, 4 and 5. It shall be noted that the underlying “R-3A” zoning district contains a provision that allows for an additional one (1) foot to every applicable setback distance as provided under Code section 31-256.3 for each two (2) feet of additional building or structure height over thirty-five (35) feet.

Mr. Zachary Krochtengel, 2512 Park Row Avenue, Dallas, Texas, was present to represent this request.

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

Commissioner Alvarez motioned to recommend approval of the request. Commissioner Cooper seconded, and the motion passed by a vote of 5 to 0.

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



# Mitchell & Associates, Inc.

Engineering & Surveying

---

## Site Feasibility Report

For Construction of

### **VILLAS AT ROBINETT**

*A Seniors Community*

Being a 13.105 acre tract of land along Robinette Road,  
south of Elms Road, in Killeen, Bell County, Texas



Project No.: 19-014-D-C

February 20, 2019



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## APPENDIX

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## **I. EXECUTIVE SUMMARY**

This Site Feasibility Report has been prepared for Marque Real Estate Consultants' proposed Villas at Robinett, a Texas Department of Housing and Community Affairs (TDHCA) eligible project. This report presents the finding of preliminary investigation for a 13.105 acre tract of land along Robinette Road, south of Elms Road, in Killeen, Bell County, Texas (hereinafter referred to as "Subject Property"), locally know as 4000 Robinett Road. The project schematic, as provided by other, highlights a 104 unit Seniors Community with Amenities (hereinafter referred to as "Community").

The Subject Property is an undeveloped tract of land along the east frontage of Robinett Road. The site exhibits overall mild topography, covered by a mixture of native grasses, bisected by a single drainage way, known as Robinett Creek, crossing east to west at the southern third of the tract. The Subject property is bordered to the north by an undeveloped commercial tract, to the east by an existing single-family subdivision, to the south by an existing multi-family subdivision, and to the west, across Robinett Road, underdeveloped agricultural-residential and a mixed use residential subdivision. Robinett Road is classified as a minor arterial with two lanes each way and sidewalks on both sides of the right-of-way. No existing points of ingress/egress are in place to the Subject Property. The FEMA Flood Plain Map indicates the area around the bisecting drainage way as a special hazard flood zone for 100-year storm events.

Public utilities are available to service the Subject Property, although no known service connections exist to the tract. A water main runs the length of the property along Robinett. A wastewater main runs within drainage the way that bisects the tract.

The Subject Property is currently unplatted and will require a plat to be completed in accordance to the City of Killeen Subdivision regulations before permits will be issued for construction. The tract will be subject to a ROW taking request during the plat process. The anticipated request is 14.5-ft along Robinett. A topographical survey and geotechnical investigation will be necessary for the completion of the civil engineering design.

Zoning of the Subject Property is B-3 and the Future Land Use Map designates majority of the tract for General Commercial with a small remainder as General Residential. A rezone request will be required to change the property to R-3A. Due to the density of surrounding multi-family zoning a Planned Unit Development is mandated by ordinance.

The purpose of the Site Feasibility Report is to identify the engineering and regulatory requirements associated with the development of the Community on the Subject Property, along with the estimation of probable site construction costs. The report is derived from multiple sources including: site investigation, local knowledge, past projects, discussions with City of Killeen staff, and record documents. The data compilation and analysis is intended to provide a basis for an informed decision by the involved parties. While full care has been given to the sourcing and preparation of this information, this is not a guaranty of all possible regulatory burdens or cost that would be incurred to bring this project to completion. All persons who have a property interest in this report hereby acknowledge that the Department man publish the full report on the Department's website, release the report in response to a request for public information and make other use of the report as authorized by law.

## II. GENERAL PROJECT PARAMETERS

### A. Site Information

- i. Project Name: Villas at Robinett
- ii. Subject Property Size: ± 13.105 acre

### B. Project Scope

- i. A seniors community with a total of 104 units distributed across multiple buildings, reference **Exhibit 1** and **Exhibit 2**.

### C. Project Location

- i. Project Address: 4300 Robinett Road, Killeen, TX 76542
- ii. Project Location: The site is located on the east side of Robinett Road, approximately 700 feet south of the intersection with West Elms Road in Killeen, Bell County, Texas, reference **Exhibit 3**.

### D. Bell County Appraisal District (CAD) Information

- i. Bell CAD Property ID Number(s)
  - a. 44689
- ii. Bell CAD 2019 Tax Rates
  - a. See **Exhibit 4** for detailed information

Taxing Authority	2018 Tax Rate
Bell County	0.421200
Central Texas College	0.138600
Bell County Road	0.029900
Killeen ISD	1.260000
City of Killeen	0.749800
Clearwater U.W.C.D.	0.003830
Bell County WCID #6	0.030000
Total Tax Rate	2.633330

### E. Easements

- i. Per the Category 1A Boundary Survey prepared by Mitchell & Associates, Inc. dated February 1, 2019, reference **Exhibit 5**, there are two easements encumbering the Subject Property
  - a. 20.0-ft Utility Easement recorded in Volume 4051, Page 66  
Running generally along the existing drainage way.
  - b. 15.0-ft Utility Easement recoded in Instrument Number 2007-0008105  
Running from the approximate center of the aforementioned easement to the adjoining single family residential development to the east.
- ii. A full title search is recommended to locate any additional encumbrances.

**F. Site Access**

- i. No defined points of access exist along the Robinett Road frontage.
- ii. Access points will be coordinated with the City of Killeen during the platting process by definition of non-access easements or during the construction plan review process.
- iii. Access spacing in the City of Killeen is referenced to the Texas Department of Transportation Access Manual.

**G. Existing Utilities**

- i. The review of record information, a Category 1A Boundary Survey prepared by Mitchell & Associates, Inc. dated February 1, 2019, site investigation, and adjoining developments were used to categorize the available domestic services for the Subject Property. Coordination with Texas811 should be commenced before full construction plans are initiated.
- ii. Domestic Water Service
  - a. Water Provider: City of Killeen
  - b. Existing Lines: A single 20-in water main in the east ROW of Robinett Road.
  - c. Connection: A 6-in or 8-in main will be required to loop through the Community. Individual service connection will be feed from the looped main
- iii. Domestic Sanitary Sewer Service
  - a. Sanitary Sewer Service Provider: City of Killeen
  - b. Existing Lines: A single 12-in sanitary main parallels the south bank of the drainage way. Multiple manholes are present along the line.
  - c. Connection: A 6-in main will be required from the Community to discharge into one of the existing manholes. Individual services will be connected to the main.

**H. Local Representation**

- i. The City of Killeen operates under the care of a Mayor and City Council.
  - a. 3 At Large Members
  - b. 4 District Representative
  - c. The Subject Property is in District 4, represented by Steve Harris whose current term ends in May of 2019.

### **III. Governmental Matters of Review and Approval**

#### **A. Property Plat Procedure**

- i. The Subject Property is currently defined by a meets and bounds description as recorded with the current deed. The City of Killeen requires that a tract be platted before any permits are issued for development. Hence, a plat application submittal to the Planning Department will be required. The platting process is dictated in Chapter 26 of the Killeen Code of Ordinances. The Planning and Zoning Commission has final authority to approve plat application and operate on an approximate one month cycle, reference **Exhibit 6** for the 2019 Schedule. Recent experience indicates that the process can take two months from initial application submittal to plat recordation.
- ii. Right-of-Way and Thoroughfare Standards
  - a. Per the Thoroughfare Plan, reference **Exhibit 15**, Robinett Road is classified as a Minor Arterial. No other proposed road projections appear to impact the Subject Tract.
  - b. Minor Arterials are dictated to have a 110-ft ROW width. It is estimated that the Robinett Road ROW is currently 81-ft wide. Current interpretation of the Ordinance by City Staff requires the dedication of one-half the deficient width by each adjoining side during platting. For the Subject Property this will be a loss of approximately 14.5-ft along the full length of the frontage; totaling a total loss of 21,515 square feet (0.49 acre).
- iii. Creek Buffer Zone
  - a. Per Killeen Code of Ordinance Section 32-55, the presence of FEMA regulated watercourse within the Subject Property will require the delineation off Creek Buffer Zone (CBZ) along the bisecting drainage way.
  - b. Creek Buffer Zone is designated as 25-ft from the top of bank. A full topographic survey will be required to determine the proper extents of the CBZ.
  - c. Development activities within the CBZ will be severely limited.

#### **B. Zoning**

- i. The Subject Property is currently zoned B-3, Local Business District.
- ii. The Community will require the zoning of R-3A, Multifamily Apartment Residential District.
  - a. Due to the density of surrounding existing multifamily zoned properties a Planned Unit Development overlay zoning will be required to achieve the necessary base R-3A.
  - b. Planned Unit Developments applications are presented to the Planning and Zoning Commission and City Council. Zoning cases operate on an approximate two month cycle, reference **Exhibit 6** for the 2019 Schedule. Recent experience has found it not uncommon for the action item to be delayed by each body if there is any public opposition. The process can take two to four months from initial zoning application submittal to approval.
  - c. Zoning can be pursued concurrently or separately from the plat procedure.

- iii. To facilitate the zoning change request a Future Land Use Map (FLUM) Amendment will be required to change the Subject Property from Estate to Multi-Family Residential.
  - a. FLUM Amendments and Zoning change requests typically run concurrently.

#### C. Plan Review

- i. The City of Killeen Permit Department processes large multifamily projects on a single track basis, i.e. full construction documents (Architectural, Civil, MEP, Structural) are submitted as a package and review concurrently, reference **Exhibit 7** for Permitting Flow Chart.
- ii. Plan review time is currently averaging eight to ten weeks, including corrections. This time is greatly influenced by the design team's familiarity with the City of Killeen's requirements and the response time of the individual consultants to submit comment responses.

#### D. Adopted Codes and Regulations

- i. The City of Killeen has adopted the codes listed below with select amendments.

Code	Publisher
Building and Construction Regulations (Ordinance Ch 8)	CoK
International Building Code 2018 (amended)	ICC
International Electrical Code, 2018 (amended)	ICC
International Energy Code, 2018 (amended)	ICC
International Fire Code, 2018 (amended)	ICC
International Mechanical Code, 2018 (amended)	ICC
International Plumbing Code, 2018 (amended)	ICC

- ii. Fire Marshall Requirements (City of Killeen Code of Ordinances Chapter 11, Article V)
  - a. Fire Hydrant Locations: No part of a residential structure is allowed to be further than 500 feet from a fire hydrant when measured as a hose would be laid.
  - b. Fire Apparatus Access Roads: No part of a residential structure that supports more than two dwelling units can be greater than 150 feet from a public street or privately maintained fire lane. Private fire lanes shall be not less than 20 feet wide or a vertical clearance of 14 feet. The surface of the fire lane must be asphalt or concrete. Gated communities will be required to install a Knock Box at all entrances.

#### E. Fees

- i. Platting and Zoning Fees
  - a. Plat Application fee for the Subject Property is estimated to be \$425.00.
  - b. Recoding fee for the approved plat is estimated to be \$58.00.
  - c. Zoning Application fee for the Subject Property is estimated to be \$300.00.
  - d. Future Land Use Map Amendment Application fee for the Subject Property is estimated to be \$100.00.

- ii. Permit Fees
  - a. Permit fees for the community will be dependent on final site configuration, reference **Exhibit 8** for current City of Killeen Permit Fee Schedule.
- iii. Land Disturbance Fee
  - a. Land Disturbance Permit for the Community is estimated to be \$120.00
- iv. Tap Fees
  - a. Tap Fees for the Community will be dependent on meter sizes used.
- v. Impact Fees
  - a. The City of Killeen does not currently levy Impact Fees for development. The topic appears to be in continual consideration by City Council and is subject to change.

#### **IV. Engineering Design Services**

##### **A. Boundary and Topographic Survey**

- i. A Category 1A Boundary Survey prepared by Mitchell & Associates, Inc. dated February 1, 2019, reference **Exhibit 5**, defines the boundary of the Subject Property.
- ii. A full topographical survey of the Subject Property will be required to facilitate the development of Community construction documents.

##### **B. Preliminary Site Planning**

- i. The site rendering by Mucasey & Associates, Architects dated February 3, 2019, reference **Exhibit 1**, and the preliminary Site Plan by Mitchell & Associates, Inc. dated February 19, 2019, reference **Exhibit 2**, illustrate the anticipated overall layout of the Community.
- ii. The final layout is subject to change due to unforeseen site conditions, any conditions imposed in the PUD process, and/or design restraints with final utility and drainage design.

##### **C. Erosion Control and Storm Water Quality**

- i. Construction Phase: Temporary erosion and sediment control measure will be required to mitigate any possible illicit from construction actions. The City of Killeen stormwater system is permitted as a Texas Commission of Environmental Quality (TCEQ) Municipal Separate Storm Sewer System (MS4). Thus, the city implements controls on developments to maintain their discharge parameters to state waterways. The size of the disturbed area for this Community will require the creation and implementation of a Storm Water Pollution Prevention Plan (SWP3).
- ii. Permanent Water Quality Measures: Upon completion, and for the remainder of the life of the Community, appropriate Best Management Practice (BMP) measures shall be installed and maintained. BMPs are intended to provide long term water quality improvements to the stormwater discharged from the site. During the site design phase the designer will select the most efficient and economical measure, or composite of measures, to meet the minimum requirements.

##### **D. Federal Emergency Management Agency Floodplain Review**

- i. The Subject Property is covered by Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) number 48027C0260E, showing an effective date of September, 26, 2008, reference **Exhibit 9** and **Exhibit 10**. Review of the map indicates the majority of the site to be unshaded, indicating Zone X, and the area paralleling the bisecting drainage way being shaded and indicating Zone AE. Areas classified as unshaded Zone X have been determined to be outside of the 0.2% annual chance (500-yr storm event) floodplain. Areas classified as Zone AE are within the 1% annual chance (100-yr storm event) floodplain and have been studied adequately to publish Base Flood Elevations (BFE). The BFEs for the subject are shown on the FIRM panel and can be used for setting the finished floor elevations (FFE) of the Community structures. A Floodplain Development Permit Application will be required to be submitted with the permit documents, reference **Exhibit 14**.



**E. Public Utility Availability**

- i. The City of Killeen appears to have ample capacity for this infill development.
- ii. Per the site investigation, available record information, and general knowledge the following existing utilities are available to the Subject Property:
  - a. Water Main:

20-in water main is located in the east ROW of Robinett Road
  - b. Sanitary Sewer Main:

12-in gravity sanitary sewer main paralleling the drainage way
  - c. Storm Sewer  
Curb inlets along Robinett Road with underlying culvert for conveyance
- iii. Final connection points will be dependent on the service layout of the Community. Current estimates for connections and extension:
  - a. Water: Loop a 6-in or 8-in water main, with appropriate easement dedication, through the Community with a connection to the 20-in main at each end.
  - b. Sanitary Sewer: Create a single 6-in, with appropriate easement dedication, through the Community connecting to an existing manhole on the 12-in line.
  - c. Storm Sewer: The City of Killeen has provisions for connection to existing public storm sewer. At this time, no connection is anticipated but final site conditions will dictate.
- iv. All proposed infrastructure that is intended to be dedicated to the public will be required to be designed and built to City of Killeen standards. Submittal can be included and approved with the site development permit and should not impact review timeline.

**F. Private Utilities**

- i. Private and 'Dry' Utilities are outside of the design scope of the Civil Engineer. These providers provide in-house project design service. The design team should act in full cooperation to facilitate these connections.
- ii. Electricity:
  - a. Power distribution for the Subject Property is provided by Oncor Eclectic Delivery. The appropriate point of contact can be found on the City of Killeen Contact List, reference **Exhibit 11**. We recommend a "Will Serve" letter be requested from Oncor to confirm availability.
- iii. Natural Gas:
  - a. Natural gas service for the Subject Property is provided by Atmos Energy Corporation. The appropriate point of contact can be found on the City of Killeen Contact List, reference **Exhibit 11**. We recommend a "Will Serve" letter be requested from Atmos to confirm availability.

iv. Telephone:

- a. Telephone service for the Subject Property is provided by Century Link. The appropriate point of contact can be found on the City of Killeen Contact List, reference **Exhibit 11**. We recommend a “Will Serve” letter be requested from Century Link to confirm availability.

v. Broadband

- a. Broadband service for the Subject Property is provided by Charter Communications (dba Spectrum). The appropriate point of contact can be found on the City of Killeen Contact List, reference **Exhibit 11**. We recommend a “Will Serve” letter be requested from Spectrum to confirm availability.

**G. Geotechnical Investigation and Report**

- i. Underlying soil conditions can have a major impact on site development costs. A geotechnical engineer shall be engaged to perform testing based on the conceptual layout. Their report should include an analysis of the site conditions and make design recommendation for building foundations and pavement sections.

**H. Site Work Cost**

- i. The estimation of development costs from conceptual data is an incomplete science. Competitive bidding will provide the best data for making an informed decision of total site cost.
- ii. An estimate of site work cost has been tabulated on the appropriate Cost Breakdown sheets, reference **Exhibit 12 and Exhibit 13**.
- iii. The unit cost for the Construction Activities was derived from the TXDOT low bid running average, as published monthly, and local knowledge.

**Exhibit 1:** Architect's Proposed Concept Site Plan

Project Summary

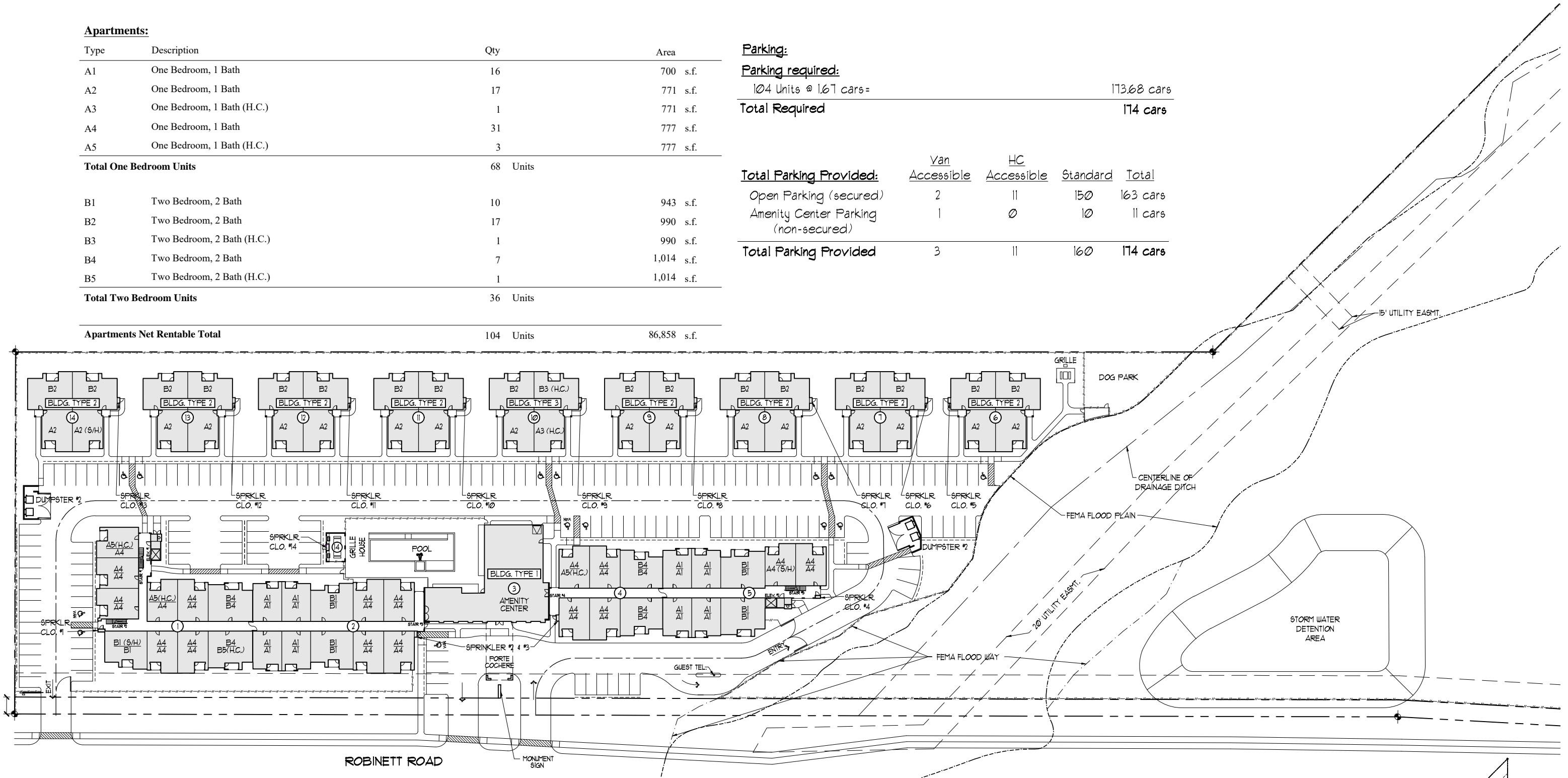
Apartments:

Type	Description	Qty	Area
A1	One Bedroom, 1 Bath	16	700 s.f.
A2	One Bedroom, 1 Bath	17	771 s.f.
A3	One Bedroom, 1 Bath (H.C.)	1	771 s.f.
A4	One Bedroom, 1 Bath	31	777 s.f.
A5	One Bedroom, 1 Bath (H.C.)	3	777 s.f.
Total One Bedroom Units		68 Units	
B1	Two Bedroom, 2 Bath	10	943 s.f.
B2	Two Bedroom, 2 Bath	17	990 s.f.
B3	Two Bedroom, 2 Bath (H.C.)	1	990 s.f.
B4	Two Bedroom, 2 Bath	7	1,014 s.f.
B5	Two Bedroom, 2 Bath (H.C.)	1	1,014 s.f.
Total Two Bedroom Units		36 Units	
Apartments Net Rentable Total		104 Units	86,858 s.f.

Parking:

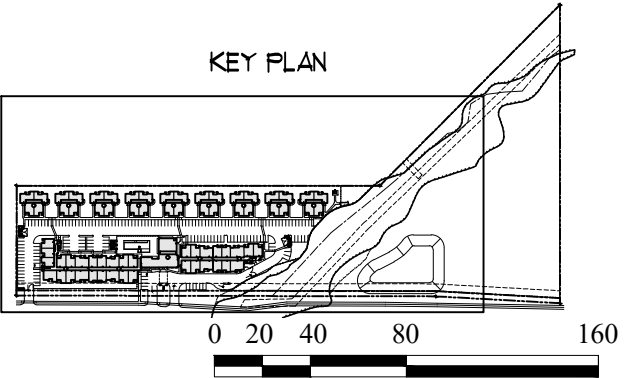
Parking required:	104 Units @ 167 cars =	173.68 cars
Total Required		174 cars

Total Parking Provided:	Van Accessible	HC Accessible	Standard	Total
Open Parking (secured)	2	11	150	163 cars
Amenity Center Parking (non-secured)	1	0	10	11 cars
Total Parking Provided	3	11	160	174 cars



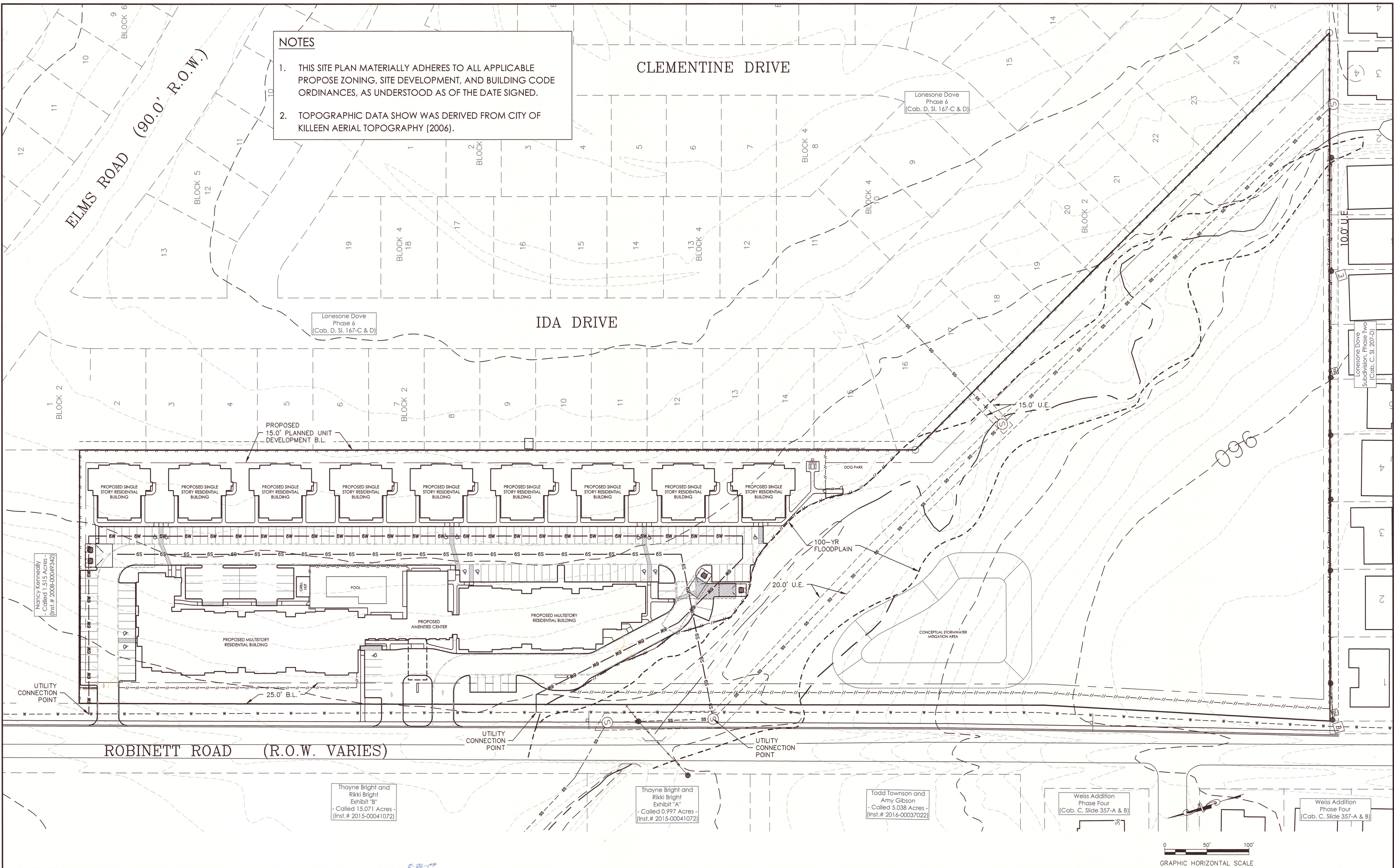
SITE PLAN

Villas At Robinett  
Mucasey & Associates, Architects



## **Exhibit 2: Engineer's Proposed Concept Site Plan**





- NOTES
1. THIS SITE PLAN MATERIALLY ADHERES TO ALL APPLICABLE PROPOSE ZONING, SITE DEVELOPMENT, AND BUILDING CODE ORDINANCES, AS UNDERSTOOD AS OF THE DATE SIGNED.
  2. TOPOGRAPHIC DATA SHOW WAS DERIVED FROM CITY OF KILLEEN AERIAL TOPOGRAPHY (2006).

2	02/26/19	NOTE ADJUSTMENTS	AR		
1	02/21/19	ADD UTILITY MAINS	AR		
No.	DATE	REMARKS	BY		
REVISIONS					



VILLAS AT ROBINETT  
ROBINETT  
KILLEEN, BELL COUNTY, TEXAS

SHEET TITLE: **CONCEPTUAL SITE PLAN**

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

DATE: February 2019	AREA: 13.105 Ac.	REF.: *****
SCALE: AS SHOWN	LOTS: 1	DWG# 19-014-D-C
DWN BY: AR	BLK: 1	SHEET C1

\\CS-W2K12R2\Cad\Drawings\CIVIL (COMMERCIAL)\2019\19-014-D-C (Villas At Robinett - Feasibility Study)\DWG\19-014-D-C - Design - Linework.dwg



### **Exhibit 3: Location Map**



# Villas at Robinett

Killeen, Bell County, Texas



Google Earth

© 2018 Google



# Villas at Robinett

Killeen, Bell County, Texas





## **Exhibit 4: Bell County Appraisal District Property Details**

## Property Search Results &gt; 44689 REECES CREEK DEVELOPERS LTD for Year 2018

## Property

## Account

Property ID: 44689 Legal Description: A0686BC T ROBINETT, 34, ACRES 15.969  
 Geographic ID: 0572550000 Agent Code:  
 Type: Real  
 Property Use Code:  
 Property Use Description:

## Location

Address: ROBINETT RD  
KILLEEN, TX Mapsco:  
 Neighborhood: Killeen Map ID: 28A15 A17  
 Neighborhood CD: 30

## Owner

Name: REECES CREEK DEVELOPERS LTD Owner ID: 566044  
 Mailing Address: C/O BLUFFVIEW REAL ESTATE % Ownership: 100.000000000000%  
 PO BOX 1183  
 KILLEEN, TX 76540  
 Exemptions:

## Values

(+) Improvement Homesite Value:	+	\$0	
(+) Improvement Non-Homesite Value:	+	\$0	
(+) Land Homesite Value:	+	\$0	
(+) Land Non-Homesite Value:	+	\$319,937	Ag / Timber Use Value
(+) Agricultural Market Value:	+	\$0	\$0
(+) Timber Market Value:	+	\$0	\$0
-----			
(=) Market Value:	=	\$319,937	
(-) Ag or Timber Use Value Reduction:	-	\$0	
-----			
(=) Appraised Value:	=	\$319,937	
(-) HS Cap:	-	\$0	
-----			
(=) Assessed Value:	=	\$319,937	

## Taxing Jurisdiction

Owner: REECES CREEK DEVELOPERS LTD  
 % Ownership: 100.000000000000%  
 Total Value: \$319,937

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
CAD	TAX APPRAISAL DISTRICT, BELL COUNTY	0.000000	\$319,937	\$319,937	\$0.00
CB	BELL COUNTY	0.421200	\$319,937	\$319,937	\$1,347.58
JCTC	CENTRAL TEXAS COLLEGE	0.138600	\$319,937	\$319,937	\$443.43
RRD	BELL COUNTY ROAD	0.029900	\$319,937	\$319,937	\$95.66
SKIL	KILLEEN ISD	1.260000	\$319,937	\$319,937	\$4,031.20

TKI	CITY OF KILLEEN	0.749800	\$319,937	\$319,937	\$2,398.88
WCLW	CLEARWATER U.W.C.D.	0.003830	\$319,937	\$319,937	\$12.25
WWC6	BELL COUNTY WCID #6	0.030000	\$319,937	\$319,937	\$95.98
Total Tax Rate:		2.633330			
				Taxes w/Current Exempons:	\$8,424.98
				Taxes w/o Exempons:	\$8,425.00

## Improvement / Building

No improvements exist for this property.

## Land

#	Type	Description	Acres	Sq.	Eff Front	Eff Depth	Market Value	Prod. Value
1	DLCP	DRY LAND CROPLAND	15.9690	695609.64	0.00	0.00	\$319,937	\$0

## Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2019	N/A	N/A	N/A	N/A	N/A	N/A
2018	\$0	\$319,937	0	319,937	\$0	\$319,937
2017	\$0	\$319,937	0	319,937	\$0	\$319,937
2016	\$0	\$239,535	0	239,535	\$0	\$239,535
2015	\$0	\$239,535	0	239,535	\$0	\$239,535
2014	\$0	\$239,535	0	239,535	\$0	\$239,535
2013	\$0	\$159,690	0	159,690	\$0	\$159,690
2012	\$0	\$159,690	0	159,690	\$0	\$159,690
2011	\$0	\$150,860	0	150,860	\$0	\$150,860
2010	\$0	\$150,860	0	150,860	\$0	\$150,860
2009	\$0	\$159,690	0	159,690	\$0	\$159,690
2008	\$0	\$174,840	0	174,840	\$0	\$174,840
2007	\$0	\$174,773	0	174,773	\$0	\$174,773
2006	\$47,160	\$337,331	0	384,491	\$0	\$384,491
2005	\$38,923	\$3,500	0	42,423	\$0	\$42,423

## Deed History - (Last 3 Deed Transactions)

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Deed Number
1	3/9/2006	1	WARRANTY DEED	LOCKETT, CYNTHIA L & STANLEY J HAEDGE	REECES CREEK DEVELOPERS LTD	5997	41	
2	4/12/2005	23	MULTIPLE DEEDS	HAEDGE LIVING TRUST	LOCKETT, CYNTHIA L & STANLEY J HAEDGE	5669	683	
3	5/28/2001	1	WARRANTY DEED	HAEDGE, JOHN	HAEDGE LIVING TRUST	4345	311	

## Tax Due

Property Tax Information as of 02/18/2019

Amount Due if Paid on: 

Year	Taxing Jurisdiction	Taxable Value	Base Tax	Base Taxes Paid	Base Tax Due	Discount / Penalty	Attorney Fees	Amount Due

						& Interest		
2018	BELL COUNTY	\$319,937	\$1347.58	\$1307.15	\$0.00	\$0.00	\$0.00	\$0.00
2018	CENTRAL TEXAS COLLEGE	\$319,937	\$443.43	\$443.43	\$0.00	\$0.00	\$0.00	\$0.00
2018	BELL COUNTY ROAD	\$319,937	\$95.66	\$92.79	\$0.00	\$0.00	\$0.00	\$0.00
2018	KILLEEN ISD	\$319,937	\$4031.20	\$3910.26	\$0.00	\$0.00	\$0.00	\$0.00
2018	CITY OF KILLEEN	\$319,937	\$2398.88	\$2398.88	\$0.00	\$0.00	\$0.00	\$0.00
2018	CLEARWATER U.W.C.D.	\$319,937	\$12.25	\$11.88	\$0.00	\$0.00	\$0.00	\$0.00
2018	BELL COUNTY WCID #6	\$319,937	\$95.98	\$95.98	\$0.00	\$0.00	\$0.00	\$0.00
	<b>2018 TOTAL:</b>		<b>\$8424.98</b>	<b>\$8260.37</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
2017	BELL COUNTY	\$319,937	\$1347.58	\$1307.16	\$0.00	\$0.00	\$0.00	\$0.00
2017	CENTRAL TEXAS COLLEGE	\$319,937	\$447.59	\$447.59	\$0.00	\$0.00	\$0.00	\$0.00
2017	BELL COUNTY ROAD	\$319,937	\$95.66	\$92.79	\$0.00	\$0.00	\$0.00	\$0.00
2017	KILLEEN ISD	\$319,937	\$3551.30	\$3444.76	\$0.00	\$0.00	\$0.00	\$0.00
2017	CITY OF KILLEEN	\$319,937	\$2398.89	\$2398.89	\$0.00	\$0.00	\$0.00	\$0.00
2017	CLEARWATER U.W.C.D.	\$319,937	\$12.32	\$11.95	\$0.00	\$0.00	\$0.00	\$0.00
2017	BELL COUNTY WCID #6	\$319,937	\$95.98	\$95.98	\$0.00	\$0.00	\$0.00	\$0.00
	<b>2017 TOTAL:</b>		<b>\$7949.32</b>	<b>\$7799.12</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
2016	BELL COUNTY	\$239,535	\$1008.93	\$1008.93	\$0.00	\$0.00	\$0.00	\$0.00
2016	CENTRAL TEXAS COLLEGE	\$239,535	\$327.20	\$327.20	\$0.00	\$0.00	\$0.00	\$0.00
2016	BELL COUNTY ROAD	\$239,535	\$71.62	\$71.62	\$0.00	\$0.00	\$0.00	\$0.00
2016	KILLEEN ISD	\$239,535	\$2697.16	\$2697.16	\$0.00	\$0.00	\$0.00	\$0.00
2016	CITY OF KILLEEN	\$239,535	\$1796.03	\$1796.03	\$0.00	\$0.00	\$0.00	\$0.00
2016	CLEARWATER U.W.C.D.	\$239,535	\$9.39	\$9.39	\$0.00	\$0.00	\$0.00	\$0.00
2016	BELL COUNTY WCID #6	\$239,535	\$71.86	\$71.86	\$0.00	\$0.00	\$0.00	\$0.00
	<b>2016 TOTAL:</b>		<b>\$5982.19</b>	<b>\$5982.19</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
2015	BELL COUNTY	\$239,535	\$1008.93	\$978.66	\$0.00	\$0.00	\$0.00	\$0.00
2015	CENTRAL TEXAS COLLEGE	\$239,535	\$327.20	\$327.20	\$0.00	\$0.00	\$0.00	\$0.00
2015	BELL COUNTY ROAD	\$239,535	\$71.62	\$69.47	\$0.00	\$0.00	\$0.00	\$0.00
2015	KILLEEN ISD	\$239,535	\$2701.95	\$2620.90	\$0.00	\$0.00	\$0.00	\$0.00
2015	CITY OF KILLEEN	\$239,535	\$1796.03	\$1742.15	\$0.00	\$0.00	\$0.00	\$0.00
2015	CLEARWATER U.W.C.D.	\$239,535	\$9.46	\$9.18	\$0.00	\$0.00	\$0.00	\$0.00
	<b>2015 TOTAL:</b>		<b>\$5915.19</b>	<b>\$5747.56</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
2014	BELL COUNTY	\$239,535	\$1008.93	\$1008.93	\$0.00	\$0.00	\$0.00	\$0.00
2014	CENTRAL TEXAS COLLEGE	\$239,535	\$327.20	\$327.20	\$0.00	\$0.00	\$0.00	\$0.00
2014	BELL COUNTY ROAD	\$239,535	\$71.62	\$71.62	\$0.00	\$0.00	\$0.00	\$0.00
2014	KILLEEN ISD	\$239,535	\$2701.95	\$2701.95	\$0.00	\$0.00	\$0.00	\$0.00
2014	CITY OF KILLEEN	\$239,535	\$1796.03	\$1796.03	\$0.00	\$0.00	\$0.00	\$0.00
2014	CLEARWATER U.W.C.D.	\$239,535	\$9.58	\$9.58	\$0.00	\$0.00	\$0.00	\$0.00
	<b>2014 TOTAL:</b>		<b>\$5915.31</b>	<b>\$5915.31</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
2013	BELL COUNTY	\$159,690	\$672.61	\$652.43	\$0.00	\$0.00	\$0.00	\$0.00
2013	CENTRAL TEXAS COLLEGE	\$159,690	\$218.78	\$218.78	\$0.00	\$0.00	\$0.00	\$0.00
2013	BELL COUNTY ROAD	\$159,690	\$47.75	\$46.32	\$0.00	\$0.00	\$0.00	\$0.00
2013	KILLEEN ISD	\$159,690	\$1801.31	\$1747.27	\$0.00	\$0.00	\$0.00	\$0.00
2013	CITY OF KILLEEN	\$159,690	\$1186.18	\$1150.59	\$0.00	\$0.00	\$0.00	\$0.00
2013	CLEARWATER U.W.C.D.	\$159,690	\$6.39	\$6.20	\$0.00	\$0.00	\$0.00	\$0.00
	<b>2013 TOTAL:</b>		<b>\$3933.02</b>	<b>\$3821.59</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
2012	BELL COUNTY	\$159,690	\$672.62	\$652.45	\$0.00	\$0.00	\$0.00	\$0.00
2012	CENTRAL TEXAS COLLEGE	\$159,690	\$223.57	\$223.57	\$0.00	\$0.00	\$0.00	\$0.00
2012	BELL COUNTY ROAD	\$159,690	\$47.75	\$46.32	\$0.00	\$0.00	\$0.00	\$0.00
2012	KILLEEN ISD	\$159,690	\$1806.10	\$1751.92	\$0.00	\$0.00	\$0.00	\$0.00
2012	CITY OF KILLEEN	\$159,690	\$1186.18	\$1150.60	\$0.00	\$0.00	\$0.00	\$0.00
2012	CLEARWATER U.W.C.D.	\$159,690	\$6.39	\$6.20	\$0.00	\$0.00	\$0.00	\$0.00

	<b>2012 TOTAL:</b>		<b>\$3942.61</b>	<b>\$3831.06</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
2011	BELL COUNTY	\$150,860	\$617.92	\$611.74	\$0.00	\$0.00	\$0.00	\$0.00
2011	CENTRAL TEXAS COLLEGE	\$150,860	\$212.56	\$212.56	\$0.00	\$0.00	\$0.00	\$0.00
2011	BELL COUNTY ROAD	\$150,860	\$45.11	\$44.66	\$0.00	\$0.00	\$0.00	\$0.00
2011	KILLEEN ISD	\$150,860	\$1721.60	\$1704.38	\$0.00	\$0.00	\$0.00	\$0.00
2011	CITY OF KILLEEN	\$150,860	\$1120.59	\$1109.38	\$0.00	\$0.00	\$0.00	\$0.00
2011	CLEARWATER U.W.C.D.	\$150,860	\$6.03	\$5.97	\$0.00	\$0.00	\$0.00	\$0.00
	<b>2011 TOTAL:</b>		<b>\$3723.81</b>	<b>\$3688.69</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
2010	BELL COUNTY	\$150,860	\$576.29	\$559.00	\$0.00	\$0.00	\$0.00	\$0.00
2010	CENTRAL TEXAS COLLEGE	\$150,860	\$212.56	\$212.56	\$0.00	\$0.00	\$0.00	\$0.00
2010	BELL COUNTY ROAD	\$150,860	\$45.11	\$43.76	\$0.00	\$0.00	\$0.00	\$0.00
2010	KILLEEN ISD	\$150,860	\$1721.60	\$1669.95	\$0.00	\$0.00	\$0.00	\$0.00
2010	CITY OF KILLEEN	\$150,860	\$1120.58	\$1086.97	\$0.00	\$0.00	\$0.00	\$0.00
2010	CLEARWATER U.W.C.D.	\$150,860	\$6.03	\$5.85	\$0.00	\$0.00	\$0.00	\$0.00
	<b>2010 TOTAL:</b>		<b>\$3682.17</b>	<b>\$3578.09</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
2009	BELL COUNTY	\$159,690	\$600.27	\$582.26	\$0.00	\$0.00	\$0.00	\$0.00
2009	CENTRAL TEXAS COLLEGE	\$159,690	\$225.00	\$225.00	\$0.00	\$0.00	\$0.00	\$0.00
2009	BELL COUNTY ROAD	\$159,690	\$47.11	\$45.70	\$0.00	\$0.00	\$0.00	\$0.00
2009	KILLEEN ISD	\$159,690	\$1822.37	\$1767.70	\$0.00	\$0.00	\$0.00	\$0.00
2009	CITY OF KILLEEN	\$159,690	\$1109.84	\$1076.55	\$0.00	\$0.00	\$0.00	\$0.00
2009	CLEARWATER U.W.C.D.	\$159,690	\$6.39	\$6.20	\$0.00	\$0.00	\$0.00	\$0.00
	<b>2009 TOTAL:</b>		<b>\$3810.98</b>	<b>\$3703.41</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
2008	BELL COUNTY	\$174,840	\$660.72	\$640.90	\$0.00	\$0.00	\$0.00	\$0.00
2008	CENTRAL TEXAS COLLEGE	\$174,840	\$246.52	\$246.52	\$0.00	\$0.00	\$0.00	\$0.00
2008	BELL COUNTY ROAD	\$174,840	\$51.58	\$50.03	\$0.00	\$0.00	\$0.00	\$0.00
2008	KILLEEN ISD	\$174,840	\$1995.25	\$1935.39	\$0.00	\$0.00	\$0.00	\$0.00
2008	CITY OF KILLEEN	\$174,840	\$1215.14	\$1178.68	\$0.00	\$0.00	\$0.00	\$0.00
2008	CLEARWATER U.W.C.D.	\$174,840	\$6.99	\$6.78	\$0.00	\$0.00	\$0.00	\$0.00
	<b>2008 TOTAL:</b>		<b>\$4176.20</b>	<b>\$4058.30</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
2007	BELL COUNTY	\$174,773	\$663.26	\$643.37	\$0.00	\$0.00	\$0.00	\$0.00
2007	CENTRAL TEXAS COLLEGE	\$174,773	\$248.18	\$248.18	\$0.00	\$0.00	\$0.00	\$0.00
2007	BELL COUNTY ROAD	\$174,773	\$51.56	\$50.01	\$0.00	\$0.00	\$0.00	\$0.00
2007	KILLEEN ISD	\$174,773	\$1994.49	\$1934.65	\$0.00	\$0.00	\$0.00	\$0.00
2007	CITY OF KILLEEN	\$174,773	\$1214.67	\$1178.23	\$0.00	\$0.00	\$0.00	\$0.00
2007	CLEARWATER U.W.C.D.	\$174,773	\$6.99	\$6.78	\$0.00	\$0.00	\$0.00	\$0.00
	<b>2007 TOTAL:</b>		<b>\$4179.15</b>	<b>\$4061.22</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
2006	BELL COUNTY	\$0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2006	BELL COUNTY	\$384,491	\$1466.83	\$1466.83	\$0.00	\$0.00	\$0.00	\$0.00
2006	CENTRAL TEXAS COLLEGE	\$384,491	\$545.98	\$545.98	\$0.00	\$0.00	\$0.00	\$0.00
2006	CENTRAL TEXAS COLLEGE	\$0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2006	BELL COUNTY ROAD	\$384,491	\$113.42	\$113.42	\$0.00	\$0.00	\$0.00	\$0.00
2006	BELL COUNTY ROAD	\$0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2006	KILLEEN ISD	\$0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2006	KILLEEN ISD	\$384,491	\$5456.31	\$5456.31	\$0.00	\$0.00	\$0.00	\$0.00
2006	CITY OF KILLEEN	\$384,491	\$2672.22	\$2672.22	\$0.00	\$0.00	\$0.00	\$0.00
2006	CITY OF KILLEEN	\$0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2006	CLEARWATER U.W.C.D.	\$0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2006	CLEARWATER U.W.C.D.	\$384,491	\$15.38	\$15.38	\$0.00	\$0.00	\$0.00	\$0.00
	<b>2006 TOTAL:</b>		<b>\$10270.14</b>	<b>\$10270.14</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
2005	BELL COUNTY	\$84,910	\$330.66	\$330.66	\$0.00	\$0.00	\$0.00	\$0.00
2005	CENTRAL TEXAS COLLEGE	\$84,910	\$139.33	\$139.33	\$0.00	\$0.00	\$0.00	\$0.00
2005	BELL COUNTY ROAD	\$84,910	\$28.15	\$28.15	\$0.00	\$0.00	\$0.00	\$0.00
2005	KILLEEN ISD	\$84,910	\$1487.08	\$1487.08	\$0.00	\$0.00	\$0.00	\$0.00

2005	CITY OF KILLEEN	\$84,910	\$663.24	\$663.24	\$0.00	\$0.00	\$0.00	\$0.00
2005	CLEARWATER U.W.C.D.	\$84,910	\$4.20	\$4.20	\$0.00	\$0.00	\$0.00	\$0.00
<b>2005 TOTAL:</b>			<b>\$2652.66</b>	<b>\$2652.66</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
2004	BELL COUNTY	\$85,165	\$337.06	\$337.06	\$0.00	\$0.00	\$0.00	\$0.00
2004	CENTRAL TEXAS COLLEGE	\$85,165	\$149.47	\$149.47	\$0.00	\$0.00	\$0.00	\$0.00
2004	BELL COUNTY ROAD	\$85,165	\$30.00	\$30.00	\$0.00	\$0.00	\$0.00	\$0.00
2004	KILLEEN ISD	\$85,165	\$1584.45	\$1584.45	\$0.00	\$0.00	\$0.00	\$0.00
2004	CITY OF KILLEEN	\$85,165	\$706.67	\$706.67	\$0.00	\$0.00	\$0.00	\$0.00
2004	CLEARWATER U.W.C.D.	\$85,165	\$4.88	\$4.88	\$0.00	\$0.00	\$0.00	\$0.00
<b>2004 TOTAL:</b>			<b>\$2812.53</b>	<b>\$2812.53</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
2003	BELL COUNTY	\$81,971	\$347.17	\$347.17	\$0.00	\$0.00	\$0.00	\$0.00
2003	CENTRAL TEXAS COLLEGE	\$81,971	\$152.81	\$152.81	\$0.00	\$0.00	\$0.00	\$0.00
2003	BELL COUNTY ROAD	\$81,971	\$30.98	\$30.98	\$0.00	\$0.00	\$0.00	\$0.00
2003	KILLEEN ISD	\$81,971	\$1619.61	\$1619.61	\$0.00	\$0.00	\$0.00	\$0.00
2003	CITY OF KILLEEN	\$81,971	\$724.18	\$724.18	\$0.00	\$0.00	\$0.00	\$0.00
2003	CLEARWATER U.W.C.D.	\$81,971	\$5.08	\$5.08	\$0.00	\$0.00	\$0.00	\$0.00
<b>2003 TOTAL:</b>			<b>\$2879.83</b>	<b>\$2879.83</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
2002	BELL COUNTY	\$81,971	\$368.04	\$368.04	\$0.00	\$0.00	\$0.00	\$0.00
2002	CENTRAL TEXAS COLLEGE	\$81,971	\$161.28	\$161.28	\$0.00	\$0.00	\$0.00	\$0.00
2002	BELL COUNTY ROAD	\$81,971	\$31.16	\$31.16	\$0.00	\$0.00	\$0.00	\$0.00
2002	KILLEEN ISD	\$81,971	\$1664.49	\$1664.49	\$0.00	\$0.00	\$0.00	\$0.00
2002	CITY OF KILLEEN	\$81,971	\$743.51	\$743.51	\$0.00	\$0.00	\$0.00	\$0.00
2002	CLEARWATER U.W.C.D.	\$81,971	\$5.69	\$5.69	\$0.00	\$0.00	\$0.00	\$0.00
<b>2002 TOTAL:</b>			<b>\$2974.17</b>	<b>\$2974.17</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>REECES CREEK DEVELOPERS LTD TOTAL:</b>			<b>\$83224.26</b>	<b>\$82036.24</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
2005	BELL COUNTY	\$25,753	\$88.84	\$86.17	\$0.00	\$0.00	\$0.00	\$0.00
2005	CENTRAL TEXAS COLLEGE	\$27,423	\$40.04	\$40.04	\$0.00	\$0.00	\$0.00	\$0.00
2005	BELL COUNTY ROAD	\$25,753	\$7.60	\$7.37	\$0.00	\$0.00	\$0.00	\$0.00
2005	KILLEEN ISD	\$17,423	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2005	CITY OF KILLEEN	\$22,423	\$155.84	\$151.17	\$0.00	\$0.00	\$0.00	\$0.00
2005	CLEARWATER U.W.C.D.	\$37,423	\$1.65	\$1.60	\$0.00	\$0.00	\$0.00	\$0.00
<b>2005 TOTAL:</b>			<b>\$293.97</b>	<b>\$286.35</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
2004	BELL COUNTY	\$26,798	\$88.84	\$86.17	\$0.00	\$0.00	\$0.00	\$0.00
2004	CENTRAL TEXAS COLLEGE	\$28,468	\$41.85	\$41.85	\$0.00	\$0.00	\$0.00	\$0.00
2004	BELL COUNTY ROAD	\$26,798	\$7.91	\$7.67	\$0.00	\$0.00	\$0.00	\$0.00
2004	KILLEEN ISD	\$18,468	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2004	CITY OF KILLEEN	\$23,468	\$163.11	\$158.22	\$0.00	\$0.00	\$0.00	\$0.00
2004	CLEARWATER U.W.C.D.	\$38,468	\$1.85	\$1.79	\$0.00	\$0.00	\$0.00	\$0.00
<b>2004 TOTAL:</b>			<b>\$303.56</b>	<b>\$295.70</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
2003	BELL COUNTY	\$26,798	\$89.80	\$87.11	\$0.00	\$0.00	\$0.00	\$0.00
2003	CENTRAL TEXAS COLLEGE	\$28,468	\$41.99	\$41.99	\$0.00	\$0.00	\$0.00	\$0.00
2003	BELL COUNTY ROAD	\$26,798	\$8.01	\$7.77	\$0.00	\$0.00	\$0.00	\$0.00
2003	KILLEEN ISD	\$18,468	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2003	CITY OF KILLEEN	\$23,468	\$164.04	\$159.12	\$0.00	\$0.00	\$0.00	\$0.00
2003	CLEARWATER U.W.C.D.	\$38,468	\$1.88	\$1.82	\$0.00	\$0.00	\$0.00	\$0.00
<b>2003 TOTAL:</b>			<b>\$305.72</b>	<b>\$297.81</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
2002	BELL COUNTY	\$26,798	\$90.20	\$87.49	\$0.00	\$0.00	\$0.00	\$0.00
2002	CENTRAL TEXAS COLLEGE	\$28,468	\$41.99	\$41.99	\$0.00	\$0.00	\$0.00	\$0.00
2002	BELL COUNTY ROAD	\$26,798	\$7.64	\$7.41	\$0.00	\$0.00	\$0.00	\$0.00
2002	KILLEEN ISD	\$18,468	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2002	CITY OF KILLEEN	\$23,468	\$159.58	\$154.80	\$0.00	\$0.00	\$0.00	\$0.00
2002	CLEARWATER U.W.C.D.	\$38,468	\$2.00	\$1.94	\$0.00	\$0.00	\$0.00	\$0.00
<b>2002 TOTAL:</b>			<b>\$301.41</b>	<b>\$293.63</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

2001	BELL COUNTY	\$26,798	\$90.20	\$87.49	\$0.00	\$0.00	\$0.00	\$0.00
2001	CENTRAL TEXAS COLLEGE	\$28,468	\$42.27	\$42.27	\$0.00	\$0.00	\$0.00	\$0.00
2001	BELL COUNTY ROAD	\$26,798	\$7.64	\$7.41	\$0.00	\$0.00	\$0.00	\$0.00
2001	KILLEEN ISD	\$18,468	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2001	CITY OF KILLEEN	\$23,468	\$159.58	\$154.79	\$0.00	\$0.00	\$0.00	\$0.00
2001	CLEARWATER U.W.C.D.	\$38,468	\$2.27	\$2.20	\$0.00	\$0.00	\$0.00	\$0.00
<b>2001 TOTAL:</b>			<b>\$301.96</b>	<b>\$294.16</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
2000	BELL COUNTY	\$26,798	\$90.20	\$87.50	\$0.00	\$0.00	\$0.00	\$0.00
2000	CENTRAL TEXAS COLLEGE	\$28,468	\$42.27	\$42.27	\$0.00	\$0.00	\$0.00	\$0.00
2000	BELL COUNTY ROAD	\$26,798	\$7.64	\$7.41	\$0.00	\$0.00	\$0.00	\$0.00
2000	KILLEEN ISD	\$18,468	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2000	CITY OF KILLEEN	\$23,468	\$159.58	\$154.79	\$0.00	\$0.00	\$0.00	\$0.00
2000	CLEARWATER U.W.C.D.	\$38,468	\$2.27	\$2.20	\$0.00	\$0.00	\$0.00	\$0.00
<b>2000 TOTAL:</b>			<b>\$301.96</b>	<b>\$294.17</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>HAEDGE LIVING TRUST TOTAL:</b>			<b>\$1514.61</b>	<b>\$1475.47</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>LOCKETT, CYNTHIA L &amp; STANLEY J HAEDGE TOTAL:</b>			<b>\$293.97</b>	<b>\$286.35</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>GRAND TOTAL (ALL OWNERS):</b>			<b>\$85032.84</b>	<b>\$83798.06</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

NOTE: Penalty & Interest accrues every month on the unpaid tax and is added to the balance. Attorney fees may also increase your tax liability if not paid by July 1. If you plan to submit payment on a future date, make sure you enter the date and RECALCULATE to obtain the correct total amount due.

**Questions? Please Call One Of Our Offices: Belton (254)939-5841 Killeen (254)634-9752 Temple (254)771-1108**

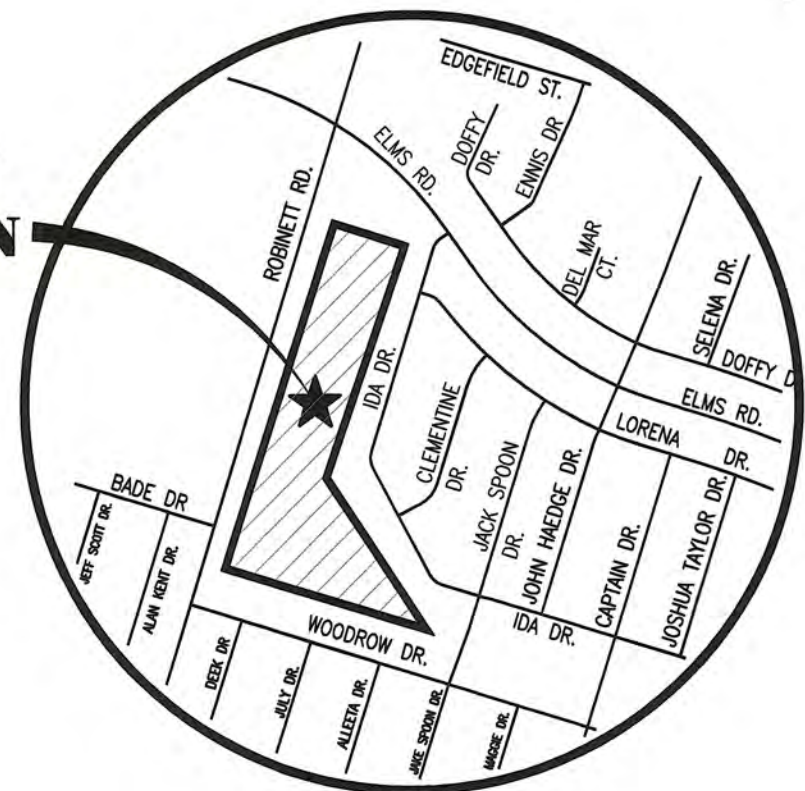


## **Exhibit 5: Category 1A Boundary Survey**



DRAWN BY: FJP  
REF: GPS  
FIELD CREW: J.S.  
FIELD BOOK: 1912/46  
DWC NO.: 19-008-D-V  
DIGITAL FILE: S:\Category 1A Surveys\19-008-D-V (Villas at Robinett, 16 Ac)\dwg\19-008-D-V Villas at Robinett ALTA (Cat 1A).dwg  
TAX I.D. NO. 44689  
REQUESTED BY: JAMES RICKENBACHER

PROJECT LOCATION



VICINITY MAP  
SCALE: N.T.S.

SYMBOL & ABBREVIATION LEGEND

- S = SANITARY SEWER MANHOLE
- OHE — = OVERHEAD ELECTRIC LINE
- X — X — = WIRE FENCE
- — □ — = WOOD FENCE
- = SIGN
- TEL = TELEPHONE PEDISTAL
- E = ELECTRIC JUNCTION BOX
- = CHAIN-LINK FENCE

Thayne Bright and  
Ricki Bright  
Exhibit "B"  
- Called 15.071 Acres -  
(Inst. # 2015-00041072)

Thayne Bright and  
Ricki Bright  
Exhibit "A"  
- Called 0.997 Acres -  
(Inst. # 2015-00041072)

Todd Tawnson and  
Amy Gibson  
- Called 5.038 Acres -  
(Inst. # 2016-00037022)

AMY L. GIBSON  
CALLED 0.866 AC.  
(INSTRUMENT NO. 2013 38074)

Weiss Addition  
Phase Four  
(Cab. C, Slide 357-A & B)

Weiss Addition  
Phase Four  
(Cab. C, Slide 357-A & B)

Nancy Kennedy  
Called 1.515 Acres -  
(Inst. # 2008-00049342)

FIELD NOTES  
P.O.B.  
(ADJ. DEED S72°52'38"E-299.49')  
S72°52'21"E-299.55'

Reeces Creek Developer, Ltd.  
Part of  
- Called 146.00 Acres -  
(Volume 5997, Page 41)

13.105 ACRES

Reeces Creek Developer, Ltd.  
Part of  
- Called 146.00 Acres -  
(Volume 5997, Page 41)

Lonesome Dove  
Subdivision, Phase Two  
(Cab. C, Sl. 207-D)

N73°01'02"W-814.20'  
(ADJ. PLAT N72°58'57"W)

S28°07'48"E-696.55'  
(ADJ. PLAT S28°08'50"W-696.65')

S16°59'05"W-990.98'  
(ADJ. PLAT S16°58'58"W)

SCALE: 0 50 100 (IN FEET)  
1 inch=100ft.



MITCHELL & ASSOCIATES, INC.  
ENGINEERING & SURVEYING  
102 N. COLLEGE ST., KILLEEN, TEXAS (254) 634-5541  
T. B. P. L. S. FIRM REGISTRATION NO. 100204-00

B.C.D.R.- Bell County Deed Records.  
O.P.R.- Official Public Records of Real Property of Bell County, Texas.

CATAGORY 1A CONDITION II LAND TITLE SURVEY

BEING 13.105 ACRES OUT OF THE  
THOMAS ROBINETTE SURVEY, ABSTRACT NO. 686  
KILLEEN, BELL COUNTY, TEXAS

NOTES:

- (1) BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM, CENTRAL ZONE, NAD 83 (CORS 96), AS DETERMINED BY LEICA TEXAS SMARTNET GPS OBSERVATIONS. ALL DISTANCES ARE SURFACE DISTANCE. COMBINED SCALE FACTOR=1.0001168.
- (2) SURVEY PREPARED WITHOUT THE BENEFIT OF TITLE COMMITMENT.

FIELD NOTES for a 13.105 acre tract of land in Bell County, Texas, being part of the Thomas Robinett Survey, Abstract No. 686, and the land herein described being part of a called 146.00 acre tract conveyed to Reeces Creek Developers, Ltd., of record in Volume 5997, Page 41, Official Public Records of Real Property, Bell County, Texas (O.P.R.R.P.B.C.T.), and being more particularly described as follows:

BEGINNING at a 1/2" iron rod with cap stamped "M&A" found on the east right-of-way line of Robinett Road (R.O.W. varies) at the southwest corner of a called 1.515 acre tract conveyed to Nancy Kennedy, of record in Document #2008-49342, O.P.R.R.P.B.C.T., for the southwest corner of this tract;

THENCE S. 72° 52' 21" E., 299.55 feet, with the south line of said 1.515 acre tract, to a 1/2" iron rod found on the west line of Block 2, Lonesome Dove, Phase 6, an addition to the City of Killeen, Texas, of record in Cabinet D, Slide 167-C&D, Plat Records of Bell County, Texas (P.R.B.C.T.), being the southeast corner of said 1.515 acre tract, for the northeast corner of this tract;

THENCE S. 16° 59' 05" W., 990.98 feet, with the west line of said Block 2, to a 1/2" iron rod with cap stamped "M&A" found at an angle corner of said Block 2, for an angle corner of this tract;

THENCE S. 28° 07' 48" E., 696.55 feet, with the southwest line of said Block 2, to a 1/2" iron rod with cap stamped "M&A" found at an angle corner of said Block 2, being on the north line of Block 4, Lonesome Dove Subdivision, Phase Two, an addition to the City of Killeen, Texas, of record in Cabinet C, Slide 207-C&D, P.R.B.C.T., for the southeast corner of this tract;

THENCE N. 73° 01' 02" W., 814.20 feet, with the north line of said Block 4, to a 3/8" iron rod with cap stamped "M&ASSOC KILLEEN" found on the east right-of-way line of said Robinett Road and the northwest corner of said Block 4, for the southwest corner of this tract;

THENCE in a northerly direction with the east right-of-way line of said Robinett Road, the following two (2) calls:  
1. N. 20° 09' 13" E., 338.95 feet, to a 1/2" iron rod with cap stamped "M&A" set for an angle corner of this tract;  
2. N. 17° 06' 15" E., 1144.87 feet, to the POINT OF BEGINNING containing 13.105 acre of land

MITCHELL & ASSOC., INC. does not make or warrant any flood zone designation.

This sketch represents a survey made on the ground. During the performance of this survey persons working under my supervision observed conditions along the boundaries and to best of my knowledge they are as shown.

I hereby state that to best of my professional knowledge and belief that this plat and the survey on which it is based meets the requirements for land surveys in the State of Texas.

This the 1st day of February, 2019.

REX D. HAAS R.P.L.S. 4378





## **Exhibit 6: City of Killeen 2019 Planning Schedule**

Planning And Zoning Commission  
2019 Schedule

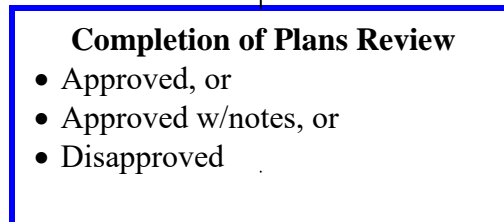
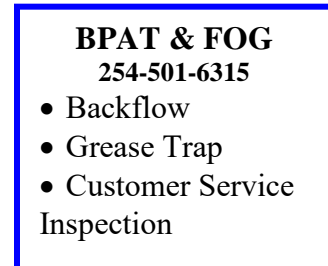
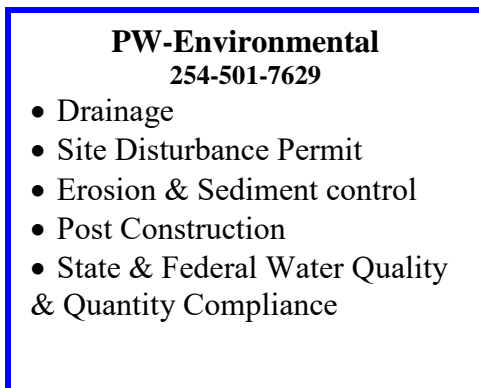
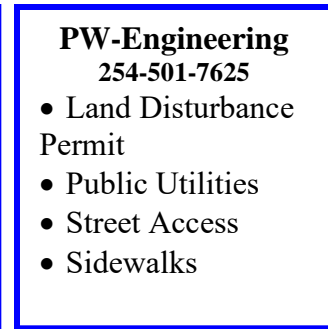
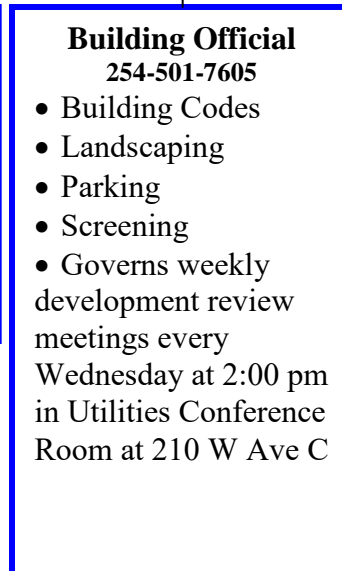
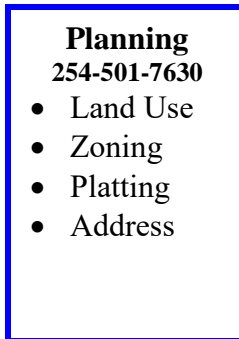
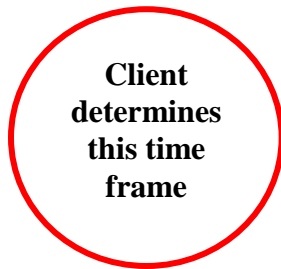
Applicant Deadline	Staff Review	Develp Review	PO/SPO Notice	Plat Correct Submiss	Correct Valid	Mail P&Z Packet	Post Agenda	Public Notice cc & RRS	P&Z Meeting	Legistar	CC Workshop	CC Meeting
<i>Friday 11:00 AM</i>	<i>Monday 9:00 A.M.</i>	<i>Thursday 9:00 A.M.</i>	<i>Wednesday</i>	<i>Friday 11:00 A.M.</i>	<i>Monday 9:00 A.M.</i>	<i>Wednesday</i>	<i>Thursday</i>	<i>Sunday</i>	<i>Monday 4:00 P.M.</i>	<i>Tuesday</i>	<i>Tuesday</i>	<i>Tuesday</i>
7-Dec	17-Dec	20-Dec	<b>26-Dec</b>	28-Dec	31-Dec	2-Jan	3-Jan	13-Jan	7-Jan	8-Jan	15-Jan	29-Jan
4-Jan	14-Jan	17-Jan	23-Jan	25-Jan	28-Jan	30-Jan	31-Jan	10-Feb	4-Feb	5-Feb	19-Feb	26-Feb
1-Feb	11-Feb	14-Feb	20-Feb	22-Feb	25-Feb	27-Feb	28-Feb	10-Mar	4-Mar	5-Mar	19-Mar	26-Mar
15-Feb	25-Feb	28-Feb	6-Mar	8-Mar	11-Mar	13-Mar	14-Mar	24-Mar	18-Mar	19-Mar	2-Apr	9-Apr
1-Mar	11-Mar	14-Mar	20-Mar	22-Mar	25-Mar	27-Mar	28-Mar	7-Apr	1-Apr	2-Apr	16-Apr	23-Apr
15-Mar	25-Mar	28-Mar	3-Apr	5-Apr	8-Apr	10-Apr	11-Apr	28-Apr	15-Apr	16-Apr	7-May	14-May
5-Apr	15-Apr	18-Apr	24-Apr	26-Apr	29-Apr	1-May	2-May	12-May	6-May	7-May	21-May	28-May
<b>18-Apr</b>	29-Apr	2-May	8-May	10-May	13-May	15-May	16-May	26-May	20-May	21-May	4-Jun	11-Jun
3-May	13-May	16-May	22-May	24-May	<b>27-May</b>	29-May	30-May	9-Jun	3-Jun	4-Jun	18-Jun	25-Jun
17-May	<b>28-May</b>	30-May	5-Jun	7-Jun	10-Jun	12-Jun	13-Jun	23-Jun	17-Jun	18-Jun	2-Jul	9-Jul
31-May	10-Jun	13-Jun	19-Jun	21-Jun	24-Jun	26-Jun	27-Jun	7-Jul	1-Jul	2-Jul	16-Jul	23-Jul
14-Jun	24-Jun	27-Jun	3-Jul	5-Jul	8-Jul	10-Jul	11-Jul	28-Jul	15-Jul	16-Jul	6-Aug	13-Aug
5-Jul	15-Jul	18-Jul	24-Jul	26-Jul	29-Jul	31-Jul	1-Aug	11-Aug	5-Aug	6-Aug	20-Aug	27-Aug
19-Jul	29-Jul	1-Aug	7-Aug	9-Aug	12-Aug	14-Aug	15-Aug	25-Aug	19-Aug	20-Aug	3-Sep	10-Sep
16-Aug	26-Aug	29-Aug	4-Sep	6-Sep	9-Sep	11-Sep	12-Sep	22-Sep	16-Sep	17-Sep	1-Oct	8-Oct
6-Sep	16-Sep	19-Sep	25-Sep	27-Sep	30-Sep	2-Oct	3-Oct	6-Oct	7-Oct	8-Oct	15-Oct	22-Oct
20-Sep	30-Sep	3-Oct	9-Oct	11-Oct	<b>15-Oct</b>	16-Oct	17-Oct	27-Oct	21-Oct	22-Oct	5-Nov	12-Nov
4-Oct	<b>15-Oct</b>	17-Oct	23-Oct	25-Oct	28-Oct	30-Oct	31-Oct	10-Nov	4-Nov	5-Nov	19-Nov	<b>26-Nov</b>
18-Oct	28-Oct	31-Oct	6-Nov	8-Nov	<b>12-Nov</b>	13-Nov	14-Nov	24-Nov	18-Nov	19-Nov	3-Dec	10-Dec
1-Nov	<b>12-Nov</b>	14-Nov	20-Nov	22-Nov	25-Nov	27-Nov	<b>27-Nov</b>	8-Dec	2-Dec	3-Dec	17-Dec	<b>24-Dec</b>
15-Nov	25-Nov	<b>27-Nov</b>	4-Dec	6-Dec	9-Dec	11-Dec	12-Dec	29-Dec	16-Dec	17-Dec	7-Jan	14-Jan
6-Dec	16-Dec	19-Dec	<b>23-Dec</b>	27-Dec	30-Dec	31-Dec	2-Jan	12-Jan	6-Jan	7-Jan	21-Jan	28-Jan
3-Jan	13-Jan	16-Jan	22-Jan	24-Jan	27-Jan	29-Jan	30-Jan	9-Feb	3-Feb	4-Feb	18-Feb	25-Feb
31-Jan	10-Feb	13-Feb	19-Feb	21-Feb	24-Feb	26-Feb	27-Feb	8-Mar	2-Mar	3-Mar	17-Mar	24-Mar

## **Exhibit 7: Permitting Flow Chart**

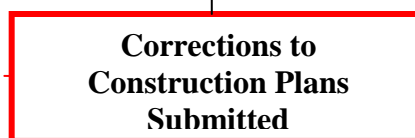
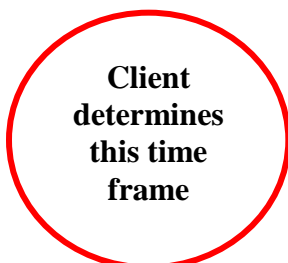
## BASIC COMMERCIAL PERMITTING FLOW CHART

### The Client's Commitment (red)

### The City's Commitment (blue)



10 working days \*  
(Wed to Wed Cycle)



5 working days  
(Wed to Wed Cycle)



## **Exhibit 8: City of Killeen Fee Schedule**

**ORDINANCE NO. 15-043**

**CHAPTER 8 BUILDING AND CONSTRUCTION REGULATIONS**

\* \* \*

**ARTICLE II. ADMINISTRATION**

**DIVISION 1. PERMIT FEES**

**Sec. 8-11. Fees.**

(a) *New single-family residential construction.* All fees for new single-family residential construction shall be calculated at a rate of eleven and a half cents (\$0.115) per square foot based on the total square footage under roof. This fee includes permits for the structure, electrical, mechanical, plumbing, flatwork, certificate of occupancy, and plans review. This fee does not include permits for fences, storage buildings, accessory structures, lawn irrigation, whole house water softener units, or swimming pools.

(b) *Multifamily, commercial, etc., construction.* All fees are based on total square footage. The fee for new construction for duplexes, townhouses, multifamily, all commercial (except shell buildings, warehouses and parking garages), and all additions to square footage under roof, (includes storage buildings, patio covers, modular/portable buildings and carports) shall be as follows:

<i>Building Area Square Feet</i>	<i>Building</i>	<i>Electrical</i>	<i>Mechanical<sup>(1)</sup></i>	<i>Plumbing <sup>(2)</sup></i>	<i>Plans</i>
500 or less	\$ 35.00	\$ 35.00	\$ 35.00	\$35.00	\$ 35.00
501--1,000	70.00	40.00	40.00	40.00	60.00
1,001--1,500	100.00	40.00	40.00	40.00	85.00
1,501--2,000	130.00	50.00	40.00	50.00	110.00
2,001--2,500	160.00	60.00	40.00	60.00	140.00
2,501--3,000	190.00	70.00	40.00	70.00	160.00
3,001--3,500	220.00	80.00	45.00	80.00	185.00
3,501--4,000	250.00	90.00	50.00	90.00	210.00
4,001--4,500	280.00	100.00	55.00	100.00	235.00
4,501--5,000	310.00	110.00	60.00	110.00	260.00
5,001--5,500	340.00	120.00	65.00	120.00	285.00
5,501--6,000	370.00	130.00	70.00	130.00	310.00
6,001--6,500	400.00	140.00	70.00	140.00	335.00
6,501--7,000	430.00	150.00	80.00	150.00	360.00
7,001--7,500	460.00	160.00	85.00	160.00	385.00
7,501--8,000	490.00	170.00	90.00	170.00	410.00



8,001--8,500	520.00	180.00	95.00	180.00	435.00
8,501--9,000	550.00	190.00	100.00	190.00	460.00
9,001--9,500	580.00	200.00	105.00	200.00	485.00
9,501--10,000	610.00	210.00	110.00	210.00	510.00
10,001--15,000	915.00	315.00	165.00	315.00	765.00
15,001--20,000	1215.00	415.00	215.00	415.00	1015.00
20,001--25,000	1515.00	515.00	265.00	515.00	1265.00
25,001--30,000	1815.00	615.00	315.00	615.00	1515.00
30,001--35,000	2115.00	715.00	365.00	715.00	1765.00
35,001--40,000	2415.00	815.00	415.00	815.00	2015.00
40,001--45,000	2715.00	915.00	465.00	915.00	2265.00
45,001--50,000	3015.00	1015.00	515.00	1015.00	2515.00

The fee for structures over 50,000 square feet is determined by combining fees to equal the square footage.

For duplexes add:

- \$30.00 for building.
- \$30.00 for electrical.
- \$30.00 for mechanical.
- \$30.00 for plumbing.
- \$30.00 for gas piping

For apartments, hotels, townhouses and motels add:

- \$30.00 per unit for building.
- \$30.00 per unit for electrical.
- \$30.00 per unit for mechanical.
- \$30.00 per unit for plumbing.
- \$30.00 per unit for fire sprinkler.
- \$30.00 per unit for gas piping

*Note:*

- (1) Mechanical--Air conditioning, heating, ventilation, exhaust and refrigeration systems.
- (2) Plumbing--All connections to a water or sewerage system. Fire sprinkler and gas pipe systems are to be permitted separately. The plumbing fee column shall be used for new fire sprinkler and gas piping systems.

(c) *Shell buildings, etc.* The fees for shell buildings without interior finish, warehouses and parking garages shall be as follows:

<i>Building Area Square Feet</i>	<i>Building</i>	<i>Electrical</i>	<i>Mechanical<sup>(1)</sup></i>	<i>Plumbing<sup>(2)</sup></i>	<i>Plans</i>
500 or less	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00
501--1,000	60.00	40.00	40.00	40.00	50.00
1,001--1,500	85.00	40.00	40.00	40.00	70.00

1,501--2,000	110.00	40.00	40.00	40.00	90.00
2,001--2,500	135.00	50.00	40.00	50.00	110.00
2,501--3,000	160.00	55.00	40.00	55.00	130.00
3,001--3,500	185.00	60.00	40.00	60.00	150.00
3,501--4,000	210.00	70.00	40.00	70.00	170.00
4,001--4,500	235.00	80.00	40.00	80.00	190.00
4,501--5,000	260.00	85.00	40.00	85.00	210.00
5,001--5,500	285.00	90.00	40.00	90.00	230.00
5,501--6,000	310.00	100.00	40.00	100.00	250.00
6,001--6,500	335.00	105.00	45.00	105.00	270.00
6,501--7,000	360.00	115.00	50.00	115.00	290.00
7,001--7,500	385.00	120.00	50.00	120.00	310.00
7,501--8,000	410.00	120.00	50.00	120.00	330.00
8,001--8,500	435.00	130.00	55.00	130.00	350.00
8,501--9,000	460.00	140.00	55.00	140.00	370.00
9,001--9,500	485.00	160.00	55.00	160.00	390.00
9,501--10,000	510.00	170.00	60.00	170.00	410.00
10,001--15,000	765.00	240.00	90.00	240.00	615.00
15,001--20,000	1015.00	315.00	115.00	315.00	815.00
20,001--25,000	1265.00	390.00	140.00	390.00	1015.00
25,001--30,000	1515.00	465.00	165.00	465.00	1215.00
30,001--35,000	1765.00	540.00	190.00	540.00	1415.00
35,001--40,000	2015.00	615.00	215.00	615.00	1615.00
40,001--45,000	2265.00	690.00	240.00	690.00	1815.00
45,001--50,000	2515.00	765.00	265.00	765.00	2015.00

The fee for structures over 50,000 square feet is determined by combining fees to equal the square footage.

*Note:*

- (1) Mechanical--Air conditioning, heating, ventilation, exhaust and refrigeration systems.
- (2) Plumbing--All connections to a water or sewerage system. Fire sprinkler and gas pipe systems are to be permitted separately. The plumbing fee column shall be used for new fire sprinkler and gas piping systems.

(d) *Finishing, repairs, maintenance, other.* The fee for remodeling, alterations, repairs, finish-out of shell buildings, and other construction, including swimming pools, fences, flatwork (concrete/asphalt), signs, gas tanks/pumps, lawn irrigation, whole house water softeners, etc., shall be as follows:

<i>Dollar Valuation<sup>(3)</sup></i>	<i>Building</i>	<i>Electrical</i>	<i>Mechanical<sup>(1)</sup></i>	<i>Plumbing<sup>(2)</sup></i>	<i>Plans</i>
\$0--3000.00	35.00	35.00	35.00	35.00	35.00

3000.01--4000.00	43.00	35.00	35.00	35.00	35.00
4000.01--5000.00	54.00	43.00	43.00	43.00	35.00
5000.01--6000.00	65.00	52.00	52.00	52.00	35.00
6000.01--7000.00	76.00	61.00	61.00	61.00	38.00
7000.01--8000.00	87.00	69.00	69.00	69.00	44.00
8000.01--9000.00	98.00	78.00	78.00	78.00	49.00
9000.01--10,000.00	109.00	87.00	87.00	87.00	55.00
10,000.01--11,000.00	119.00	95.00	95.00	95.00	60.00
11,000.01--12,000.00	130.00	104.00	104.00	104.00	65.00
12,000.01--13,000.00	141.00	113.00	113.00	113.00	71.00
13,000.01--14,000.00	152.00	122.00	122.00	122.00	76.00
14,000.01--15,000.00	163.00	130.00	130.00	130.00	82.00
15,000.01--50,000.00	163.00	130.00	130.00	130.00	82.00
Plus per \$1000.00 over \$15,000.00	6.00	5.00	5.00	5.00	4.00
50,000.01--100,000.00	373.00	305.00	305.00	305.00	187.00
Plus per \$1000.00 Over \$50,000.00	5.00	4.00	4.00	4.00	3.00
100,000.01--500,000.00	623.00	505.00	505.00	505.00	312.00
Plus per \$1000.00 Over \$100,000.00	4.00	3.00	3.00	3.00	2.00
500,000.01--up	2223.00	1705.00	1705.00	1705.00	1112.00
Plus per \$1000.00 Over \$500,000.00	1.00	1.00	1.00	1.00	1.00

*Note:*

- (1) Mechanical--Air conditioning, heating, ventilation, exhaust and refrigeration systems.
- (2) Plumbing--All connections to a water or sewerage system. Fire sprinkler and gas pipe systems are to be permitted separately. The plumbing fee column shall be used for new fire sprinkler and gas piping systems.
- (3) Permit fees are calculated individually by permit type. All plan review fees must be paid at time of application.

(e) *Miscellaneous.* The following miscellaneous fees shall be charged:

- (1) Demolition/move structure, per structure \$50.00
- (2) Failed inspection penalty (any kind),  
per inspection \$50.00
- (3) Food dealer's permit, per year \$50.00
- (4) Mobile food service permit, per unit \$5.00
- (5) Temporary final utility service, per service  
(electric, water, or gas) \$35.00
- (6) Temporary electric service pole, per pole \$35.00
- (7) Mobile home park license, per year
  - a. 1-20 units \$175.00

b. 21-50 units	\$275.00
c. 51-120 units	\$450.00
d. 121-200 units	\$690.00
e. 201-300 units	\$1,000.00
f. 301 units and above	\$1,300.00
(8) Construction registration, per year:	\$80.00
(9) Appeals:	
a. Construction board of appeals, per request	\$275.00
b. Zoning board of adjustments and appeals, per request	\$275.00
(10) Certificate of occupancy	
a. New Certificate of Occupancy	\$90.00
b. Partial or temporary Certificate of Occupancy (each)	\$90.00
c. Lost or replacement (reprint) Certificate of Occupancy	\$5.00
(11) Curb cut permit	\$23.00
(12) Street cut permit	\$56.00
(13) Flood plain permit	\$50.00
(14) Landscape permit/R-3 and R-3F (with only one structure on one lot)	\$35.00
(15) Landscape permit/commercial and R-3A	\$50.00
(16) Residential off-premise real estate sign - first sign - \$25.00 per calendar year; each sign tag thereafter in the same calendar year	\$1.00
(17) Commercial kitchen hood permit (each):	
Type I Hood (grease and smoke)	\$75.00
Type II Hood (smoke and/or steam)	\$35.00
(18) Partial inspection	\$35.00 each
(19) After hours inspections	\$200.00 for first two hours and \$100.00 for each additional hour or fraction thereof. The minimum \$200.00 fee must be paid in advance of the inspection.

(f) *Fee adjustment.* Owner of an expired permit may make written request within 30 days after date of expiration to the building official to reinstate said permit and shall be charged a fee of one-half the amount required for a new permit for such work, provided no changes have been made in the original plans and specifications for such work.

(g) *Penalty.* Where construction is commenced before a permit is obtained, the permit fees shall be doubled.

(h) *Occupy without a certificate of occupancy.* It shall be an offense for any registered general contractor, whether commercial or residential, to allow an owner or tenant of property to occupy a new or remodeled building or space before the contractor obtains a certificate of occupancy. Upon conviction, a person violating this section shall be fined in an amount not less than two hundred fifty dollars (\$250) nor more than two thousand dollars (\$2000). For the

second or subsequent conviction within a twelve month period, such person shall be fined not less than five hundred dollars (\$500) nor more than two thousand dollars (\$2000). Each day a violation continues shall constitute a separate and distinct offense and shall be punishable as such.

(i) *Fees waived.* Projects for city owned facilities requiring permits shall be exempt from permit fees. However, contractors shall be responsible for contractor registration, construction trailers and/or other temporary construction structures, failed inspection penalties, or other penalties and fees.

**SECTION IV.** That Chapter 8, Article III, Section 8-62 is hereby amended to read as follows:

## **CHAPTER 8 BUILDING AND CONSTRUCTION REGULATIONS**

\* \* \*

### **ARTICLE III. CONSTRUCTION CONTRACTORS**

#### **Sec. 8-62. Fees.**

Fees for registrations shall be paid at time of application. Fees shall be in accordance with the fee schedule established in this chapter, paid per calendar year, renewable each January first.

**SECTION V.** That Chapter 30, Article VI, Division 1, Section 30-106, Section 30-136 and Section 30-151 of the Code of Ordinances of the City of Killeen is hereby amended to read as amended to read as follows:

## **Exhibit 9: FEMA FIRM Panel**



## NOTES TO USERS

This map is for use in administering the National Flood Insurance Program. It does not necessarily identify all areas subject to flooding, particularly from local drainage sources of small size. The community map repository should be consulted for possible updated or additional flood hazard information.

To obtain more detailed information in areas where **Base Flood Elevations (BFEs)** and/or **floodways** have been determined, users are encouraged to consult the Flood Profiles and Floodway Data and/or Summary of Stillwater Elevations tables contained within the Flood Insurance Study (FIS) report that accompanies this FIRM. Users should be aware that BFEs shown on the FIRM represent rounded whole-foot elevations. These BFEs are intended for flood insurance rating purposes only and should not be used as the sole source of flood elevation information. Accordingly, flood elevation data presented in the FIS report should be utilized in conjunction with the FIRM for purposes of construction and/or floodplain management.

**Coastal Base Flood Elevations** shown on this map apply only landward of 0.0' North American Vertical Datum of 1988 (NAVD 88). Users of this FIRM should be aware that coastal flood elevations are also provided in the Summary of Stillwater Elevations table in the Flood Insurance Study report for this jurisdiction. Elevations shown in the Summary of Stillwater Elevations table should be used for construction and/or floodplain management purposes when they are higher than the elevations shown on this FIRM.

Boundaries of the **floodways** were computed at cross sections and interpolated between cross sections. The floodways were based on hydraulic considerations with regard to requirements of the National Flood Insurance Program. Floodway widths and other pertinent floodway data are provided in the Flood Insurance Study report for this jurisdiction.

Certain areas not in Special Flood Hazard Areas may be protected by **flood control structures**. Refer to Section 2.4 "Flood Protection Measures" of the Flood Insurance Study report for information on flood control structures for this jurisdiction.

The projection used in the preparation of this map was Texas State Plane central zone (FIPSZONE 4203). The horizontal datum was NAD83, GRS1980 spheroid. Differences in datum, spheroid, projection or State Plane zones used in the production of FIRMs for adjacent jurisdictions may result in slight positional differences in map features across jurisdiction boundaries. These differences do not affect the accuracy of the FIRM.

Flood elevations on this map are referenced to the North American Vertical Datum of 1988. These flood elevations must be compared to structure and ground elevations referenced to the same vertical datum. For information regarding conversion between the National Geodetic Vertical Datum of 1929 and the North American Vertical Datum of 1988, visit the National Geodetic Survey website at <http://www.ngs.noaa.gov/> or contact the National Geodetic Survey at the following address:

NGS Information Services  
NOAA, NIMS12  
National Geodetic Survey  
SSMC-3, #9202  
1315 East-West Highway  
Silver Spring, MD 20910-3282

To obtain current elevation, description, and/or location information for **bench marks** shown on this map, please contact the Information Services Branch of the National Geodetic Survey at (301) 713-3242, or visit its website at <http://www.ngs.noaa.gov/>.

**Base map** information shown on this FIRM was provided in digital format by the CTCOG. This information was verified with USDA NAIP aerial photography dated 2004.

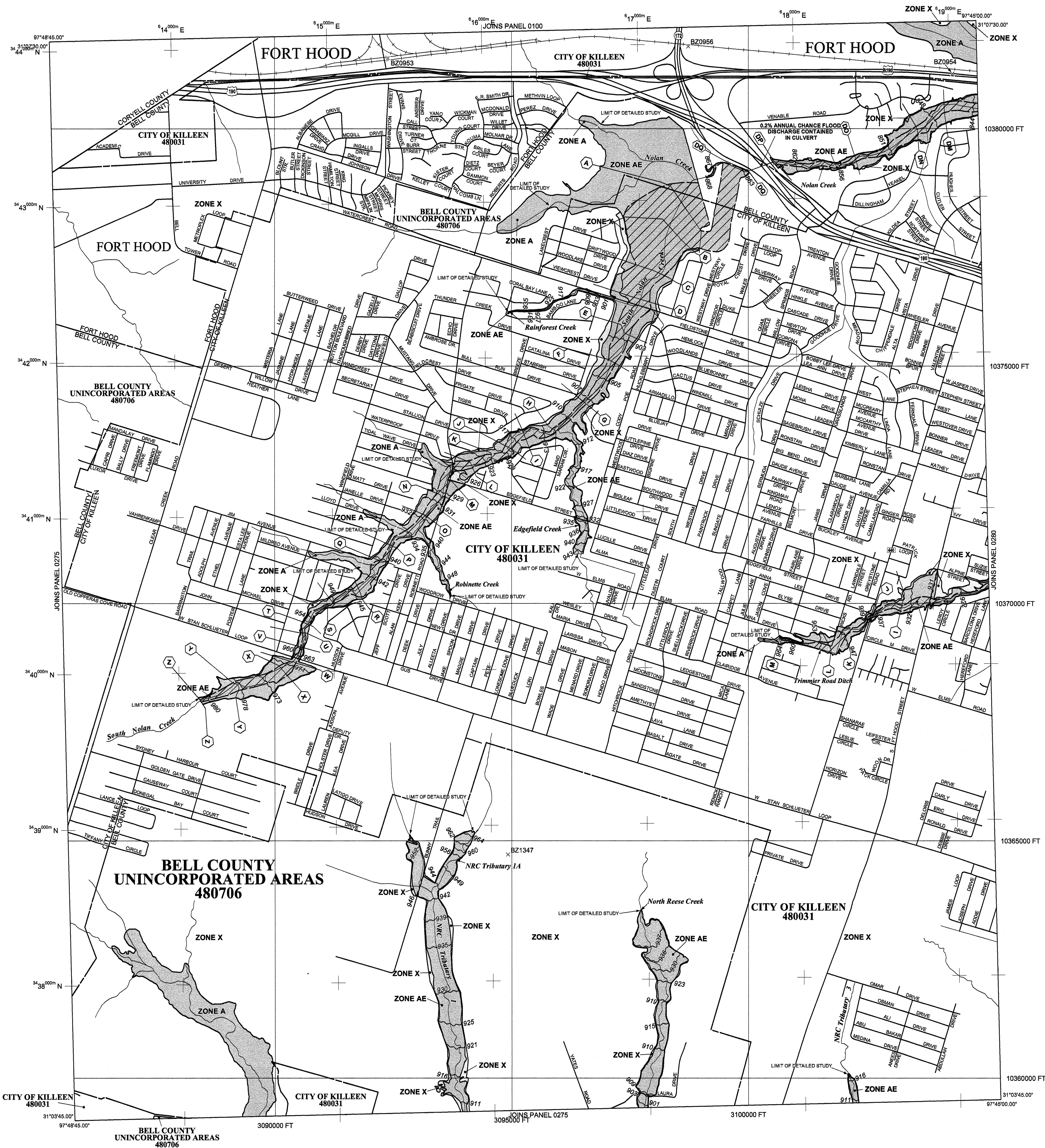
This map reflects more detailed and up-to-date **stream channel configurations** than those shown on the previous FIRM for this jurisdiction. The floodplains and floodways that were transferred from the previous FIRM may have been adjusted to conform to these new stream channel configurations. As a result, the Flood Profiles and Floodway Data tables in the Flood Insurance Study report (which contains authoritative hydraulic data) may reflect stream channel distances that differ from what is shown on this map.

**Corporate limits** shown on this map are based on the best data available at the time of publication. Because changes due to annexations or de-annexations may have occurred after this map was published, map users should contact appropriate community officials to verify current corporate limit locations.

Please refer to the separately printed **Map Index** for an overview map of the county showing the layout of map panels; community map repository addresses; and a Listing of Communities table containing National Flood Insurance Program dates for each community as well as a listing of the panels on which each community is located.

Contact the **FEMA Map Service Center** at 1-800-358-9616 for information on available products associated with this FIRM. Available products may include previously issued Letters of Map Change, a Flood Insurance Study report, and/or digital versions of this map. The FEMA Map Service Center may also be reached by Fax at 1-800-358-9620 and its website at <http://www.msc.fema.gov/>.

If you have **questions about this map** or questions concerning the National Flood Insurance Program in general, please call 1-877-FEMA MAP (1-877-336-2627) or visit the FEMA website at <http://www.fema.gov/>.



## LEGEND

**SPECIAL FLOOD HAZARD AREAS (SFHAS) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD**

The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zones A, AE, AH, AO, AR, A99, V and VE. The Base Flood Elevation is the water-surface elevation of the 1% annual chance flood.

**ZONE A** No Base Flood Elevations determined.  
**ZONE AE** Base Flood Elevations determined.  
**ZONE AH** Flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevations determined.  
**ZONE AO** Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined.  
**ZONE AR** Special Flood Hazard Area formerly protected from the 1% annual chance flood by a flood control system that was subsequently determined. Zone AR indicates that the former flood control system is being restored to provide protection from the 1% annual chance or greater flood.  
**ZONE A99** Area to be protected from 1% annual chance flood by a Federal flood protection system under construction; no Base Flood Elevations determined.  
**ZONE V** Coastal flood zone with velocity hazard (wave action); no Base Flood Elevations determined.  
**ZONE VE** Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.

**FLOODWAY AREAS IN ZONE AE**

The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.

**OTHER FLOOD AREAS**

**ZONE X** Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.

**OTHER AREAS**

**ZONE X** Areas determined to be outside the 0.2% annual chance floodplain.  
**ZONE D** Areas in which flood hazards are undetermined, but possible.

**COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS**

**OTHERWISE PROTECTED AREAS (OPAs)**

CBRS areas and OPAs are normally located within or adjacent to Special Flood Hazard Areas.

Floodplain boundary  
Floodway boundary  
Zone D boundary  
CBRS and OPA boundary  
Boundary dividing Special Flood Hazard Areas of different Base Flood Elevations, flood depths or flood velocities.

**513**  
(EL 987)  
Base Flood Elevation line and value; elevation in feet\*  
Base Flood Elevation value where uniform within zone; elevation in feet\*

\* Referenced to the North American Vertical Datum of 1988 (NAVD 88)

**A** Cross section line

**23** Transsect line

97°07'30", 32°22'30"  
42°15'00"N  
Geographic coordinates referenced to the North American Datum of 1983 (NAD 83)

1000-meter Universal Transverse Mercator grid, zone 14

5000-foot grid : Texas State Plane coordinate system, central zone (FIPSZONE 4203), Lambert Conformal Conic

DX5510  
Bench mark (see explanation in Notes to Users section of this FIRM panel)

M1.5  
River Mile

**MAP REPOSITORIES**

Refer to Map Repositories list on Map Index

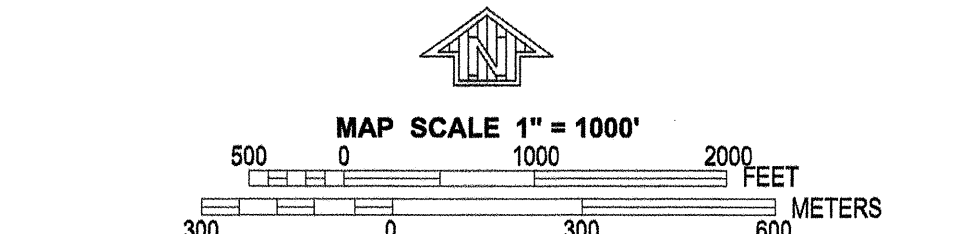
**EFFECTIVE DATE OF COUNTYWIDE FLOOD INSURANCE RATE MAP**

September 26, 2008

**EFFECTIVE DATE(S) OF REVISION(S) TO THIS PANEL**

For community map revision history prior to countywide mapping, refer to the Community Map History table located in the Flood Insurance Study report for this jurisdiction.

To determine if flood insurance is available in this community, contact your insurance agent or call the National Flood Insurance Program at 1-800-638-6620.



**NATIONAL FLOOD INSURANCE PROGRAM**

**PANEL 0260E**

**FIRM**

**FLOOD INSURANCE RATE MAP**

**BELL COUNTY, TEXAS**

**AND INCORPORATED AREAS**

**PANEL 260 OF 725**  
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

**CONTAINS:**

COMMUNITY	NUMBER	PANEL SUFFIX
BELL COUNTY	480706	0260
KILLEEN, CITY OF	480031	0260

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.

**MAP NUMBER**  
**48027C0260E**

**EFFECTIVE DATE**  
**SEPTEMBER 26, 2008**

**Federal Emergency Management Agency**



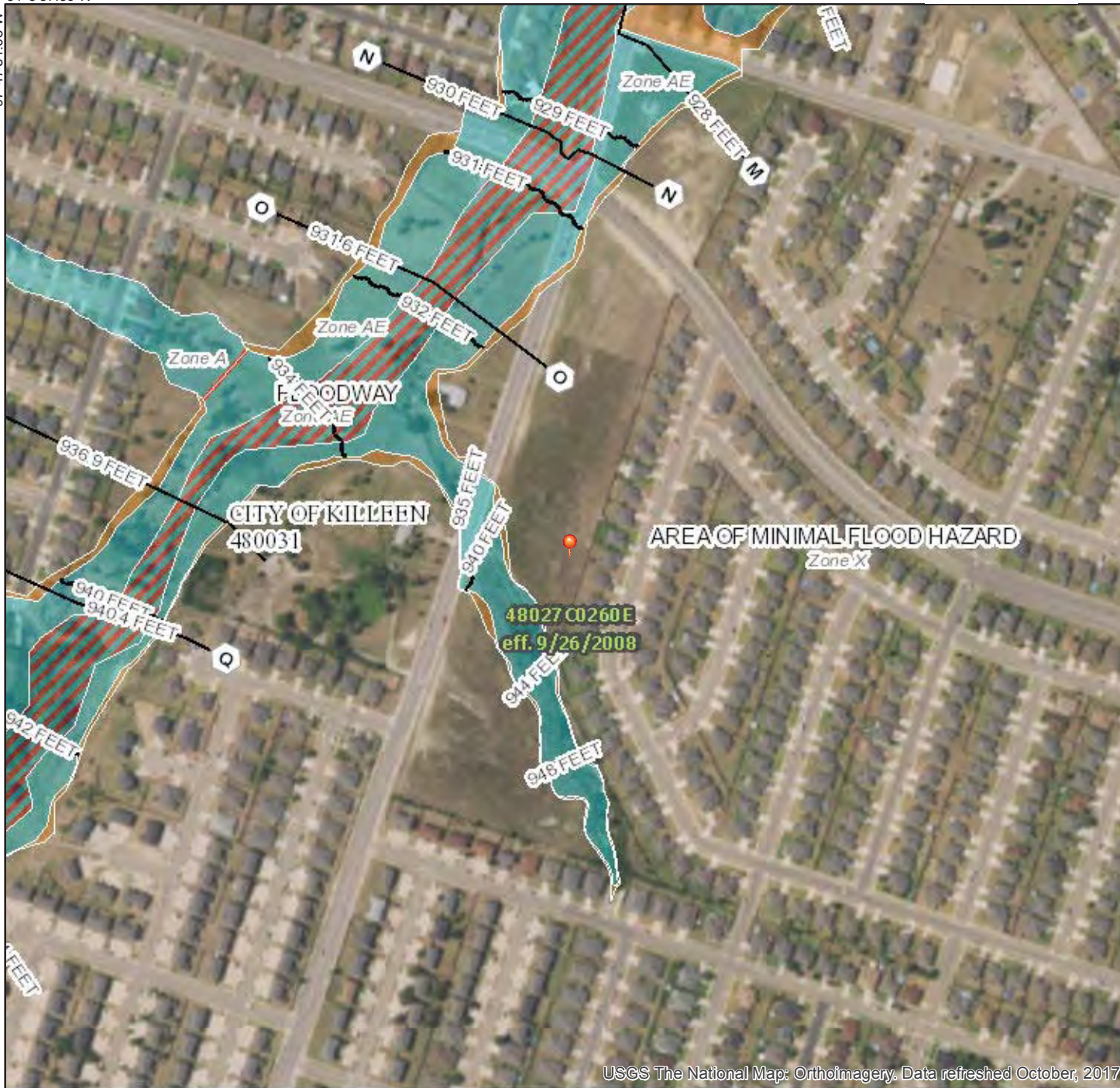
## **Exhibit 10: FEMA FIRMETTE**



# National Flood Hazard Layer FIRMette



31°5'57.59"N



USGS The National Map: Orthoimagery. Data refreshed October, 2017. 1:6,000 31°5'26.78"N

## Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
		Area of Undetermined Flood Hazard Zone D
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
		17.5 Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped



The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 2/18/2019 at 11:45:01 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

## **Exhibit 11: City of Killeen Contact List**



## CONTACT LIST

### **City of Killeen Contacts:**

#### **Planning & Development Services**

Tony McIlwain, AICP, CFM; City Planner  
(254) 501-7633  
[tmcilwain@killeentexas.gov](mailto:tmcilwain@killeentexas.gov)

Wallis Meshier, CNU-A; Senior Planner  
(254) 501-7641  
[wmeshier@killeentexas.gov](mailto:wmeshier@killeentexas.gov)

Maria Lopez; Planning Assistant  
(254) 501-7631  
[mlopez@killeentexas.gov](mailto:mlopez@killeentexas.gov)

#### **Engineering & Public Works**

Allen Nash, P.E., CFM;  
Water & Sewer Project Engineer  
(254) 501-7645  
[anash@killeentexas.gov](mailto:anash@killeentexas.gov)

Kristina Ramirez, P.E., CFM;  
Director of Environmental Services  
(254) 501-7629  
[kramirez@killeentexas.gov](mailto:kramirez@killeentexas.gov)

Amy E. Burlarley-Hyland, P.E.; City Engineer  
(254) 616-3179  
[abhyland@killeentexas.gov](mailto:abhyland@killeentexas.gov)

#### **Fire Marshall**

James Chism, Fire Marshall  
(254) 501-6584  
[jchism@killeentexas.gov](mailto:jchism@killeentexas.gov)

### **Utility Providers:**

#### **Oncor Electric Delivery**

Greg Wade, New Construction Manager  
(254) 554-2263  
[Greg.Wade@oncor.com](mailto:Greg.Wade@oncor.com)

#### **Atmos Energy Corporation – Mid-Tex Division**

Shawn Kelley, Project Manager  
(254) 953-1602  
[Shawn.Kelley@atmosenergy.com](mailto:Shawn.Kelley@atmosenergy.com)

#### **Century Link**

Janice Strickland, Network Engineer  
(254) 690-9370  
[Janice.Strickland@CenturyLink.com](mailto:Janice.Strickland@CenturyLink.com)

#### **Time Warner Cable**

Johnny Tindle, Construction Manager  
(254) 644-8145  
[Johnny.Tindle@twcable.com](mailto:Johnny.Tindle@twcable.com)

### **External Contacts:**

#### **Bell County Engineer's Office**

Bryan Neaves, P.E., CFM; County Engineer  
(254) 933-5275  
[Road.Bridge@bellcounty.texas.gov](mailto:Road.Bridge@bellcounty.texas.gov)

Stephen Eubanks, Engineering Technician  
(254) 933-5275  
[Stephen.Eubanks@bellcounty.texas.gov](mailto:Stephen.Eubanks@bellcounty.texas.gov)

Duane R. Herrera, CFM; Engineering Technician  
(254) 933-5948  
[Duane.Herrera@bellcounty.texas.gov](mailto:Duane.Herrera@bellcounty.texas.gov)

#### **Bell County Public Health District**

Michael Jahns, Environmental Health Director  
(254) 526-3197  
[mjahns@bellcountyhealth.org](mailto:mjahns@bellcountyhealth.org)

Vickie Lesiker, Administrative Assistant  
(254) 526-3197  
[vlesiker@bellcountyhealth.org](mailto:vlesiker@bellcountyhealth.org)

#### **TxDOT - Waco District**

Solomon Thomas, P.E.; Area Engineer  
(254) 939-3778  
[Solomon.Thomas@txdot.gov](mailto:Solomon.Thomas@txdot.gov)

Billy Tweedle, P.E.; Utilities Permit Coordinator  
(254) 939-6224  
[Billy.Tweedle@txdot.gov](mailto:Billy.Tweedle@txdot.gov)

#### **West Bell County Water Supply Corporation**

Bob Whitson, General Manager  
(254) 634-1727  
[westbellwater@hotmail.com](mailto:westbellwater@hotmail.com)

#### **Clearwater Underground Water Conservation Dist.**

Dirk Aaron, General Manager  
(254) 933-0120  
[daaron@cuwcd.org](mailto:daaron@cuwcd.org)

#### **Bell County WCID #6**

Glenn Grandy  
(254) 290-0222  
[wcid6@yahoo.com](mailto:wcid6@yahoo.com)

## **Exhibit 12: Estimated Site Work Cost Sheet**



## Site Work Cost Breakdown

*This form must be submitted with the Development Cost Schedule as justification of Site Work costs.*

**Column A:** The Site Work activity reflected here must match the Site Work activity reflected in the Development Cost Schedule.

**Columns B and C:** In determining actual construction cost, two different methods may be used:

The construction costs may be broken into labor (Column B) and materials (Column C) for the activity; **OR**

The use of unit price (Column B) and the number of units (Column C) data for the activity.

**Column D:** To arrive at total construction costs in Column D:

If based on labor and materials, add Column B and Column C together to arrive at total construction costs.

If based on unit price measures, Column B is multiplied by Column C to arrive at total construction costs.

**Column E:** Any proposed activity involving the acquisition of real property, easements, rights-of-way, etc., must have the projected costs of this acquisition for the activity.

**Column F:** Engineering/architectural costs must be broken out by the Site Work activity.

**Column G:** Figures for Column G, Total Activity Cost, are obtained by adding together Columns D, E, and F to get the total costs.

**\*\*This form must be completed by a Third-Party engineer licensed to practice in the State of Texas. His or her signature and registration seal must be on the form.\*\***

**For Site Work costs that exceed \$15,000 per Unit and are included in Eligible Basis, a CPA letter allocating which portions of those site costs should be included in Eligible Basis and which ones may be ineligible must be submitted behind this tab.**

A.	B.	C.	D.	E.	F.	G.
Activity	Labor or Unit Price	Materials or # of Units	Total Construction Costs	Acquisition Costs	Engineering / Architectural Costs	Total Activity Costs
Demolition	\$ -	\$ -	\$ -			\$ -
Asbestos Abatement (Demolition Only)	\$ -	\$ -	\$ -			\$ -
Detention	\$ 32,500.00	\$ 17,500.00	\$ 50,000.00			\$ 50,000
Rough grading	\$ 84,500.00	\$ 45,500.00	\$ 130,000.00			\$ 130,000
Fine grading	\$ 66,500.00	\$ 28,500.00	\$ 95,000.00			\$ 95,000
On-site concrete	\$ 17,200.00	\$ 68,800.00	\$ 86,000.00			\$ 86,000
On-site electrical	\$ 15,000.00	\$ 35,000.00	\$ 50,000.00			\$ 50,000
On-site paving	\$ 45,000.00	\$ 180,000.00	\$ 225,000.00			\$ 225,000
On-site utilities	\$ 55,000.00	\$ 220,000.00	\$ 275,000.00			\$ 275,000
Decorative masonry	\$ -	\$ -	\$ -			\$ -
Bumper stops, striping & signs	\$ 1,800.00	\$ 10,200.00	\$ 12,000.00			\$ 12,000
<b>Total</b>						<b>\$ 923,000</b>

Signature of Registered Engineer

Mike W. Kriegel

Printed Name

Date

If a revised form is submitted, date of submission:



**Exhibit 13: Estimated Site Offsite Work Cost Sheet**



## Off-Site Cost Breakdown

This form must be submitted with the Development Cost Schedule if the development has offsite costs, whether those costs are included in the budget as a line item, embedded in the acquisition costs, or referenced in utility provider letters. Therefore, the total costs listed on this worksheet may or may not exactly correspond with those off-site costs indicated on the Development Costs Schedule. However, all costs listed here should be able to be justified in another place in the application.

**Column A:** The offsite activity reflected here should correspond to the offsite activity reflected in the Development Cost Schedule or other supporting documentation.

**Columns B and C:** In determining actual construction cost, two different methods may be used:

**Column D:** To arrive at total construction costs in Column D:

**Column E:** Any proposed activity involving the acquisition of real property, easements, rights-of-way, etc., must have the projected costs of this acquisition for the activity.

**Column F:** Engineering/architectural costs must be broken out by the offsite work activity.

**Column G:** Figures for Column G, Total Activity Cost, are obtained by adding together Columns D, E, and F to get the total costs.

**\*\*ALL contingency must be included in the Contingency line item on the Development Cost Schedule and NOT on this form\*\***

**\*\*This form must be completed by a professional engineer licensed to practice in the State of Texas. His or her signature and registration seal must be on the form.\*\***

A.	B.	C.	D.	E.	F.	G.
Activity	Labor or Unit Price	Materials or # of Units	Total Construction Costs	Acquisition Costs	Engineering / Architectural Costs	Total Activity Costs
Off-site concrete			\$ -			\$ -
Storm drains & devices			\$ -			\$ -
Water & fire hydrants			\$ -			\$ -
Off-site utilities			\$ -			\$ -
Sewer lateral(s)			\$ -			\$ -
Off-site paving			\$ -			\$ -
Off-site electrical			\$ -			\$ -
Total						\$ -

Signature of Registered Engineer  
responsible for Budget Justification

Mike W. Kriegel

Printed Name

2-21-19

Date

If a revised form is submitted, date of submission



## **Exhibit 14: City of Killeen Application Documents**





## CITY OF KILLEEN - PLAT APPLICATION

### Requirements for all plat submittals:

*All plat application materials must be submitted by 11:00 a.m. on the intake deadline.*

- ☐ Completed plat application (must be signed original)
  - Must be signed by the property owner, or in the case of a corporation or partnership, documentation must be provided authorizing a single party to sign on behalf of the corporation or partnership
- ☐ Application fee (cash or check, only; checks made payable to City of Killeen)
  - 1 to 10 acres: \$300.00 + \$25.00 per lot
  - 11 to 50 acres: \$400.00 + \$25.00 per lot
  - 51 acres or more: \$500.00 + \$25.00 per lot
- ☐ Plat drawings - hard copies (scaled drawings no smaller than 1" = 100')
  - Three (3) 24 in. x 36 in. (must be folded, not rolled)
  - Two (2) 11 in. x 17 in.
- ☐ Warranty deed (showing current ownership of the property)
- ☐ Field notes (signed original, must be sealed by surveyor)
- ☐ Copy of deed restrictions (existing or proposed, if applicable)
- ☐ Signature block on plat for Bell County Appraisal District
- ☐ Digital copies of all submittal documents
  - Electronic copies in .pdf format of all submittal documents
  - Must be provided on a disc (CD or DVD) or USB flash drive
  - File names should include the name of the plat, and the name of each application document (i.e. "Jones Addition\_Field Notes")

### Additional engineering requirements for certain plats:

- ☐ Water and sewer system layout (prepared in accordance with the City's Infrastructure Design and Development Standards Manual)
- ☐ Drainage analysis (prepared in accordance with the City's Drainage Design Manual)
- ☐ TxDOT preliminary access/drainage letter (for plats with frontage on a TxDOT road)
- ☐ Storm Water Management Site Plan (SWMSP)
- ☐ As-built drawings of existing structures
- ☐ Documents for off-site affected areas (waiver of liability, easements, and/or construction agreements)
- ☐ Letters from utility providers (for areas located outside City of Killeen's CCN)

### Additional requirements for plats in the ETJ:

- ☐ Signature line for Bell County Judge
- ☐ Letter from Bell County Health Department

### Additional requirements prior to recordation:

- ☐ Two (2) mylar copies of plat (must have original signatures; all signatures must be notarized)
- ☐ Mylars must be signed by the Bell County Tax Appraisal District prior to recordation
- ☐ Recording fee (check only, made payable to Bell County Clerk's Office)
  - \$25.00 per mylar page
  - \$11.00 per dedication / field note page + \$4.00 for each additional page
- ☐ Dedication instrument (signed original, must be notarized)
- ☐ Field notes (signed original, must be sealed by surveyor)
- ☐ CAD files of plat and utility layouts
  - Electronic copies of the plat file and any proposed utility layouts in .dwg format

*For additional plat requirements, please reference Killeen Code of Ordinances,  
Chapter 26 - Subdivisions and Other Property Developments.*

Applicant: _____	Case #: _____
Intake Date: _____	Received by: _____
Amount Paid: \$ _____	Cash/MO#/Check #: _____ Receipt #: _____



## CITY OF KILLEEN - PLAT APPLICATION

☐ 0 - 10 acres

\$300.00 + \$25.00 per lot

☐ > 10 - 50 acres

\$400.00 + \$25.00 per lot

☐ > 50 acres

\$500.00 + \$25.00 per lot

**Plat Name:** \_\_\_\_\_

**Type:**    ☐ Preliminary    ☐ Final    ☐ Replat    ☐ Minor    ☐ Amended

**Name(s) of Property Owner(s):** \_\_\_\_\_

**Address:** \_\_\_\_\_

**City:** \_\_\_\_\_ **State:** \_\_\_\_\_ **Zip:** \_\_\_\_\_

**Primary Phone:** (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_ **Cell Phone:** (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

**Email:** \_\_\_\_\_

**Type of Ownership:**    ☐ Sole Ownership    ☐ Partnership    ☐ Corporation    ☐ Other

**Recorded Copy of Warranty Deed:**    Is a copy of the appropriate deed(s) attached?    YES    NO

**Name of Developer:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**City:** \_\_\_\_\_ **State:** \_\_\_\_\_ **Zip:** \_\_\_\_\_

**Name of Engineer/Surveyor:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**City:** \_\_\_\_\_ **State:** \_\_\_\_\_ **Zip:** \_\_\_\_\_

**Primary Phone:** (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_ **Cell Phone:** (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

**Email:** \_\_\_\_\_

**Is the Property:**    ☐ Within City Limits    ☐ Within the ETJ (5.0 miles)

**Proposed Land Use:** \_\_\_\_\_

**Total Acreage:** \_\_\_\_\_ **Number of Lots:** \_\_\_\_\_ **Current Zoning:** \_\_\_\_\_ **Proposed Zoning:** \_\_\_\_\_

**Is there a simultaneous rezoning of any part of this property?**    YES    NO

**Address/ Location of property to be platted:** \_\_\_\_\_

**Legal Description:** \_\_\_\_\_

**Replats and Amendments:** During the preceding five (5) years, was the platted property limited by an interim or permanent zoning classification to residential use for not more than two residential units per lot? **Yes/No** During the preceding five (5) years, was any lot in the preceding plat limited by deed restrictions to residential use for not more than two residential units per lot? **Yes/No** Attach a copy of applicable deed restrictions **or** a (notarized) letter from the applicant stating that no deed restrictions apply.

**What is the reason for the replat / amendment?** \_\_\_\_\_

Owner(s) must initial:

\_\_\_\_\_ I hereby certify that all fees/charges owed by me/us to the City concerning any prior plats and/or subdivisions have been paid in full as of the date of this application.

\_\_\_\_\_ I understand that attendance at the Development Review Committee meeting is mandatory. My failure to attend or my agent's failure to attend will result in rescheduling the meeting of the Development Review Committee and delay processing of the application.

\_\_\_\_\_ I understand that I must obtain approval from the Planning and Zoning Commission (except in the case of minor plats) prior to the plat being recorded with the Clerk of Bell County.



## APPOINTMENT OF AGENT

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

Name of Agent: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ - \_\_\_\_\_

Home Phone: (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_ Business Phone: (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

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

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

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

Signature of Agent: \_\_\_\_\_ Title: \_\_\_\_\_

Printed/Typed Name of Agent: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Property Owner: \_\_\_\_\_ Title: \_\_\_\_\_

Printed/Typed Name of Property Owner: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Property Owner: \_\_\_\_\_ Title: \_\_\_\_\_

Printed/Typed Name of Property Owner: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Property Owner: \_\_\_\_\_ Title: \_\_\_\_\_

Printed/Typed Name of Property Owner: \_\_\_\_\_ Date: \_\_\_\_\_

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

*Application Revised: September 28, 2017*



## CONTACT LIST

### **City of Killeen Contacts:**

#### **Planning & Development Services**

Tony McIlwain, AICP, CFM; City Planner  
(254) 501-7633  
[tmcilwain@killeentexas.gov](mailto:tmcilwain@killeentexas.gov)

Wallis Meshier, CNU-A; Senior Planner  
(254) 501-7641  
[wmeshier@killeentexas.gov](mailto:wmeshier@killeentexas.gov)

Maria Lopez; Planning Assistant  
(254) 501-7631  
[mlopez@killeentexas.gov](mailto:mlopez@killeentexas.gov)

#### **Engineering & Public Works**

Allen Nash, P.E., CFM;  
Water & Sewer Project Engineer  
(254) 501-7645  
[anash@killeentexas.gov](mailto:anash@killeentexas.gov)

Kristina Ramirez, P.E., CFM;  
Director of Environmental Services  
(254) 501-7629  
[kramirez@killeentexas.gov](mailto:kramirez@killeentexas.gov)

Amy E. Burlarley-Hyland, P.E.; City Engineer  
(254) 616-3179  
[abhyland@killeentexas.gov](mailto:abhyland@killeentexas.gov)

#### **Fire Marshall**

James Chism, Fire Marshall  
(254) 501-6584  
[jchism@killeentexas.gov](mailto:jchism@killeentexas.gov)

### **Utility Providers:**

#### **Oncor Electric Delivery**

Greg Wade, New Construction Manager  
(254) 554-2263  
[Greg.Wade@oncor.com](mailto:Greg.Wade@oncor.com)

#### **Atmos Energy Corporation – Mid-Tex Division**

Shawn Kelley, Project Manager  
(254) 953-1602  
[Shawn.Kelley@atmosenergy.com](mailto:Shawn.Kelley@atmosenergy.com)

#### **Century Link**

Janice Strickland, Network Engineer  
(254) 690-9370  
[Janice.Strickland@CenturyLink.com](mailto:Janice.Strickland@CenturyLink.com)

#### **Time Warner Cable**

Johnny Tindle, Construction Manager  
(254) 644-8145  
[Johnny.Tindle@twcable.com](mailto:Johnny.Tindle@twcable.com)

### **External Contacts:**

#### **Bell County Engineer's Office**

Bryan Neaves, P.E., CFM; County Engineer  
(254) 933-5275  
[Road.Bridge@bellcounty.texas.gov](mailto:Road.Bridge@bellcounty.texas.gov)

Stephen Eubanks, Engineering Technician  
(254) 933-5275  
[Stephen.Eubanks@bellcounty.texas.gov](mailto:Stephen.Eubanks@bellcounty.texas.gov)

Duane R. Herrera, CFM; Engineering Technician  
(254) 933-5948  
[Duane.Herrera@bellcounty.texas.gov](mailto:Duane.Herrera@bellcounty.texas.gov)

#### **Bell County Public Health District**

Michael Jahns, Environmental Health Director  
(254) 526-3197  
[mjahns@bellcountyhealth.org](mailto:mjahns@bellcountyhealth.org)

Vickie Lesiker, Administrative Assistant  
(254) 526-3197  
[vlesiker@bellcountyhealth.org](mailto:vlesiker@bellcountyhealth.org)

#### **TxDOT - Waco District**

Solomon Thomas, P.E.; Area Engineer  
(254) 939-3778  
[Solomon.Thomas@txdot.gov](mailto:Solomon.Thomas@txdot.gov)

Billy Tweedle, P.E.; Utilities Permit Coordinator  
(254) 939-6224  
[Billy.Tweedle@txdot.gov](mailto:Billy.Tweedle@txdot.gov)

#### **West Bell County Water Supply Corporation**

Bob Whitson, General Manager  
(254) 634-1727  
[westbellwater@hotmail.com](mailto:westbellwater@hotmail.com)

#### **Clearwater Underground Water Conservation Dist.**

Dirk Aaron, General Manager  
(254) 933-0120  
[daaron@cuwcd.org](mailto:daaron@cuwcd.org)

#### **Bell County WCID #6**

Glenn Grandy  
(254) 290-0222  
[wcid6@yahoo.com](mailto:wcid6@yahoo.com)



## CITY OF KILLEEN - ZONING CHANGE APPLICATION

### Requirements for all zoning change application submittals:

*All zoning change application materials must be submitted by 11:00 a.m. on the intake deadline.*

- ☐ Completed zoning change application (original, signed)
  - Must be signed by the property owner, or in the case of a corporation or partnership, documentation must be provided authorizing a single party to sign on behalf of the corporation or partnership
- ☐ Application fee (cash or check, only; checks made payable to City of Killeen)
  - Zoning change application: \$300.00
  - Conditional Use Permit Application: \$500.00
- ☐ Description of property location (in one of the following forms)
  - Property address
  - Property survey
  - Legal description (subdivision name with lot and block)
  - Metes and bounds description
- ☐ Warranty deed (showing current ownership of the property)
- ☐ Letter of request signed by property owner or applicant, including the following information:
  - Reason for the request
  - Proposed use of the property
  - Whether or how the proposed change will impact the surrounding properties
  - Whether the request is consistent with the Future Land Use Map (FLUM)  
*(If the request is not consistent with the FLUM, the zoning change application must be accompanied by a FLUM amendment application.)*
- ☐ Digital copies of all submittal documents
  - Electronic copies in .pdf format of all submittal documents
  - Must be provided on a disc (CD or DVD) or USB flash drive
  - File names should include the name of the plat, and the name of each application document (i.e. "Jones Addition\_Field Notes")

*For additional zoning change requirements, please reference  
Killeen Code of Ordinances, Chapter 31 - Zoning.*

Applicant: _____		Case #: _____
Intake Date: _____	Received by: _____	
Amount Paid: \$ _____	Cash/MO#/Check #: _____	Receipt #: _____



## CITY OF KILLEEN - ZONING CHANGE APPLICATION

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

**Name(s) of Property Owner:** \_\_\_\_\_

Current Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ - \_\_\_\_\_

Primary Phone: (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_ Cell Phone: (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

Email: \_\_\_\_\_

**Name of Applicant:** \_\_\_\_\_  
(If different than Property Owner)

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ - \_\_\_\_\_

Primary Phone: (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_ Cell Phone: (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

Email: \_\_\_\_\_

Address/Location of property to be rezoned: \_\_\_\_\_

Legal Description: \_\_\_\_\_

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

*\* If no, a FLUM amendment application must be submitted.*

Is there a simultaneous plat application for this property?    ☐ YES    ☐ NO

Total Acreage: \_\_\_\_\_ Number of Lots: \_\_\_\_\_

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

Present Zoning: \_\_\_\_\_ Present Use: \_\_\_\_\_

Proposed Zoning: \_\_\_\_\_ Proposed Use: \_\_\_\_\_

Conditional Use Permit for: \_\_\_\_\_

This property was conveyed to owner by deed dated \_\_\_\_\_ and recorded in Volume \_\_\_\_\_,  
Page \_\_\_\_\_, Instrument Number \_\_\_\_\_ of the Bell County Deed Records. (Attached)

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

☐ Yes (fee not required)      ☐ No (submit required fee)



## APPOINTMENT OF AGENT

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

Name of Agent: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ - \_\_\_\_\_

Home Phone: (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_ Business Phone: (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

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

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

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

Signature of Agent: \_\_\_\_\_ Title: \_\_\_\_\_

Printed/Typed Name of Agent: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Property Owner: \_\_\_\_\_ Title: \_\_\_\_\_

Printed/Typed Name of Property Owner: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Property Owner: \_\_\_\_\_ Title: \_\_\_\_\_

Printed/Typed Name of Property Owner: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Property Owner: \_\_\_\_\_ Title: \_\_\_\_\_

Printed/Typed Name of Property Owner: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Property Owner: \_\_\_\_\_ Title: \_\_\_\_\_

Printed/Typed Name of Property Owner: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Property Owner: \_\_\_\_\_ Title: \_\_\_\_\_

Printed/Typed Name of Property Owner: \_\_\_\_\_ Date: \_\_\_\_\_

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

*Application Revised: September 28, 2017*



## CITY OF KILLEEN - FLUM AMENDMENT APPLICATION

### Requirements for all FLUM amendment application submittals:

*All FLUM amendment application materials must be submitted by 11:00 a.m. on the intake deadline.*

- ☐ Completed FLUM amendment application (original, signed)
  - Must be signed by the property owner, or in the case of a corporation or partnership, documentation must be provided authorizing a single party to sign on behalf of the corporation or partnership
- ☐ Application fee (cash or check, only; checks made payable to City of Killeen)
  - FLUM Amendment Application: \$100.00
- ☐ Description of property location (in one of the following forms)
  - Property address
  - Property survey
  - Legal description (subdivision name with lot and block)
  - Metes and bounds description
- ☐ Warranty deed (showing current ownership of the property)
- ☐ Letter of request signed by property owner or applicant, including the following information:
  - Reason for the request
  - Proposed use of the property
  - Whether or how the proposed change will impact the surrounding properties
- ☐ Digital copies of all submittal documents
  - Electronic copies in .pdf format of all submittal documents
  - Must be provided on a disc (CD or DVD) or USB flash drive
  - File names should include the name of the plat, and the name of each application document (i.e. "Jones Addition\_Field Notes")

*For a copy of the current FLUM, please visit  
<http://gisweb.killeentexas.gov/pdf/ComprehensivePlan/ComprehensivePlan.pdf>*

Applicant: _____		Case #: _____
Intake Date: _____	Received by: _____	
Amount Paid: \$ _____	Cash/MO#/Check #: _____	Receipt #: _____





## CITY OF KILLEEN- FLUM AMENDMENT APPLICATION

**Name(s) of Property Owner:** \_\_\_\_\_

Current Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ - \_\_\_\_\_

Primary Phone: (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_ Cell Phone: (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

Email: \_\_\_\_\_

**Name of Applicant:** \_\_\_\_\_

(If different than Property Owner)

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Primary Phone: (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_ Cell Phone: (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

Email: \_\_\_\_\_

Address/Location of property proposed for FLUM amendment: \_\_\_\_\_

Legal Description: \_\_\_\_\_

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

Present FLUM Designation: \_\_\_\_\_ Present Use: \_\_\_\_\_

Proposed FLUM Designation: \_\_\_\_\_ Proposed Use: \_\_\_\_\_

This property was conveyed to owner by deed dated \_\_\_\_\_ and recorded in Volume \_\_\_\_\_,  
Page \_\_\_\_\_, Instrument Number \_\_\_\_\_ of the Bell County Deed Records.  
(Attached)



## APPOINTMENT OF AGENT

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

Name of Agent: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ - \_\_\_\_\_

Home Phone: (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_ Business Phone: (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

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

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

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

Signature of Agent: \_\_\_\_\_ Title: \_\_\_\_\_

Printed/Typed Name of Agent: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Property Owner: \_\_\_\_\_ Title: \_\_\_\_\_

Printed/Typed Name of Property Owner: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Property Owner: \_\_\_\_\_ Title: \_\_\_\_\_

Printed/Typed Name of Property Owner: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Property Owner: \_\_\_\_\_ Title: \_\_\_\_\_

Printed/Typed Name of Property Owner: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Property Owner: \_\_\_\_\_ Title: \_\_\_\_\_

Printed/Typed Name of Property Owner: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Property Owner: \_\_\_\_\_ Title: \_\_\_\_\_

Printed/Typed Name of Property Owner: \_\_\_\_\_ Date: \_\_\_\_\_

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

*Application Revised: September 28, 2017*



## CITY OF KILLEEN - Land Disturbance & Site Disturbance Permit Application

Application Date \_\_\_\_\_

☐ LDP ☐ SDP

Project Title: \_\_\_\_\_

Name(s) of Property Owner(s): \_\_\_\_\_

Address: \_\_\_\_\_ Email: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ - \_\_\_\_\_

Home Phone: (\_\_\_\_) \_\_\_\_\_ Business Phone: (\_\_\_\_) \_\_\_\_\_ Cell Phone: \_\_\_\_\_

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

---

Full Legal Name of Applicant: \_\_\_\_\_

Address: \_\_\_\_\_ Email: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ - \_\_\_\_\_

Name of Engineer/Surveyor/Certified Professional: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ - \_\_\_\_\_

Home Phone: (\_\_\_\_) \_\_\_\_\_ Business Phone: (\_\_\_\_) \_\_\_\_\_ Cell Phone: \_\_\_\_\_

---

Project Information - To Be Completed By The Applicant:

Project Name / Title: \_\_\_\_\_

Project Address: \_\_\_\_\_

Total area to be considered for development (acres): \_\_\_\_\_

Total area of Land Disturbing Activities (acres): \_\_\_\_\_

---

**Right of Entry Certification for Inspection:** "I hereby grant authorization to the City of Killeen and/or other designated representatives the right to access this site at all times for the purpose of site inspections during the period of land disturbing activities and to perform inspections of the property following the completion of the land disturbing activity."

---

Printed Name	Signature	Date
Owner		

---

Preparer/Designer Certification: "I hereby certify to the best of my knowledge and belief that the measures in this plan are designed to control erosion, retain sediment on the site, and manage storm water in a manner that is in compliance with all federal, state and local requirements."

---

Printed Name	Signature	Date
Owner		

Certified Professional Registration Data: \_\_\_\_\_

**Project Title:** \_\_\_\_\_

Land Disturbance & Site Disturbance Permit Application Fees (Chapter 2 Administration, Section 2-150 Fees, City of Killeen Code of Ordinances).

		<b>LDP</b>	<b>SDP</b>	
One (1) to ten (10) acres	-	\$120.00	\$160.00	(One hundred sixty dollars)
Ten (10) to fifty (50) acres	-	\$140.00	\$180.00	(One hundred eighty dollars)
Fifty (50) acres and above	-	\$180.00	\$200.00	(Two hundred dollars)

---

*Information below this line is for the City of Killeen use only.*

---

Date Permit Application Received: \_\_\_\_\_

Date Staff Review Began: \_\_\_\_\_

**Required Items Needed Prior to Acceptance for Review:**

LDP   SDP

- ☐ ☐ Deed defining ownership and description of property
- ☐ ☐ Documentation demonstrating owner empowerment to sign application
- ☐ ☐ Fee received \_\_\_\_\_
- ☐ ☐ Notice of Intent (NOI) or executed TPDES CGP Site Notice
- ☐ ☐ Storm Water Pollution Prevention Plan and Erosion and Sediment Control Plan

**Required if Applicable:**

- ☐ N/A Storm Water Management Site Plan
- ☐ ☐ Permit application is signed by the property owner and documentation authorizing signature empowerment is attached.
- ☐ ☐ Additional required components (if land disturbance occurs before legal subdivision of property; i.e., site inventory; drainage analysis per City's Drainage Design Manual)
- ☐ ☐ Revised Engineer sealed Drainage Plan

---

**Land Disturbance & Site Disturbance Permit Disposition:**

- ☐ Land / Site Disturbance Permit issued; Permit Number: \_\_\_\_\_
- ☐ Land / Site Disturbance Permit not issued
- ☐ Application corrections required (comments attached)

---

Public Works Department Representative

Date

**Project Title:** \_\_\_\_\_

**APPOINTMENT OF AGENT**

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

Name of Agent: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Email: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ - \_\_\_\_\_

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

be the point of contact between myself and the City; make legally binding representations of fact and commitments of every kind on my behalf; grant legally binding waivers of rights and releases of liabilities of every kind on my behalf; consent to legally binding modification, conditions, and exceptions on my behalf; and, to execute documents on my behalf which are legally binding to me.

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

Signature of Agent \_\_\_\_\_ Title \_\_\_\_\_

Printed / Typed Name of Agent \_\_\_\_\_

Signature of Property Owner \_\_\_\_\_ Title \_\_\_\_\_

Printed/ Typed Name of Property Owner \_\_\_\_\_

Signature of Property Owner \_\_\_\_\_ Title \_\_\_\_\_

Printed/ Typed Name of Property Owner \_\_\_\_\_

Signature of Property Owner \_\_\_\_\_ Title \_\_\_\_\_

Printed/ Typed Name of Property Owner \_\_\_\_\_

\* Applications must be signed by the individual applicant, each partner of a partnership, or by an authorized officer of a corporation or association

# FLOODPLAIN DEVELOPMENT PERMIT

A development permit shall be required to ensure compliance with the provision of this chapter. No development shall occur without first obtaining a floodplain development permit.

PROPERTY ADDRESS:

LEGAL DESCRIPTION OF PROPERTY

LOT:                      BLOCK:                      SUBDIVISION:

PROPERTY OWNER:

APPLICANT:

PROPERTY OWNER'S MAILING ADDRESS:

PHONE NUMBER:

ANSWER THE QUESTIONS BELOW AND ATTACH REQUESTED INFORMATION TO THIS FORM (additional information may be required to evaluate this application)

YES

NO

N/A

1. Submit 2 sets site plans drawn to scale showing the following:

(a) Project address, legal description, lot dimensions, existing and/or proposed structures and drainage features, and any proposed retaining walls or landscape alterations.

(b) Indicate the proposed lowest finish floor elevation (in relation to mean sea level) of all new structures.

c. Illustrate floodplain and/or floodway boundaries, base flood contours elevations. Label panel number and date.

2. Will the proposed project cause any water course of natural drainage will be altered as a result of proposed development?

3. Will the proposed project cause danger to life and property due to flooding or erosion damage?

4. Is there danger that materials may be swept onto other lands to the injury of others?

5. Will there be safe access to the property in times of flood for ordinary and emergency vehicles?

ANSWER THE QUESTIONS BELOW AND ATTACH REQUESTED INFORMATION TO THIS FORM	YES	NO	N/A
6. Will this development increase the costs of providing governmental services during and after flood conditions, including maintenance and repair of streets and bridges, public facilities such as sewer, gas, electrical and water systems?			
7. Will all building utilities (water, sewer, gas, electric, etc.), be placed in compliance with the City's flood prevention ordinances?			
8. Are there any proposed channel maintenance access?			
9. Are there any proposed easement or dedications?			
10. Are alternate locations available that are not subject to flooding or erosion damaged for proposed use?			
11. FEMA Elevation Certificate Submissions: (a) Construction documents (when submitted for permit application). (b) Building under construction (prior foundation / slab inspection). (c) Finished Construction (prior final and/ or certificate of occupancy)			
12. Applicant has read and is familiar with Chapter 12, "Flood Damage Prevention," of the Killeen Code of Ordinances.			
<b>COMMENTS:</b>			
APPLICANT'S SIGNATURE	DATE	DESIGN ENGINEER AND NUMBER	DATE
BUILDING INSPECTOR	DATE Approved Yes or No	BUILDING OFFICIAL	DATE Approved Yes or No

Note: Technical review of permits for sound engineering practices may be performed by the city engineer or by an appointed Texas Registered professional engineer.

### **Exhibit 15: Links to City of Killeen Regulatory Documents**



# CITY OF KILLEEN

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## REGULATION AND ORDINANCE LINKS

City of Killeen

<https://www.killeentexas.gov/>

Code of Ordinances

[https://library.municode.com/tx/killeen/codes/code\\_of\\_ordinances](https://library.municode.com/tx/killeen/codes/code_of_ordinances)

Zoning Ordinance

[https://library.municode.com/tx/killeen/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH31ZO](https://library.municode.com/tx/killeen/codes/code_of_ordinances?nodeId=PTIICOOR_CH31ZO)

Subdivision Ordinance

[https://library.municode.com/tx/killeen/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH26SUOTPRDE](https://library.municode.com/tx/killeen/codes/code_of_ordinances?nodeId=PTIICOOR_CH26SUOTPRDE)

Thoroughfare Plan

<http://www.killeentexas.gov/DocumentCenter/View/535/City-of-Killeen-Thoroughfare-Plan-PDF>

Public GIS Maps

<https://gisweb.killeentexas.gov/gis/home/>

Zoning Map

<http://gisweb.killeentexas.gov/ZoningMap/>

Future Land Use Map

<http://gis2.killeentexas.gov/pdf/ComprehensivePlan/ComprehensivePlan.pdf>





## ORDINANCE \_\_\_\_\_

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF KILLEEN BY CHANGING THE ZONING OF APPROXIMATELY 13.105 ACRES OF LAND, BEING PART OF 4000 ROBINETT ROAD, FROM “B-3” (LOCAL BUSINESS DISTRICT) TO PLANNED UNIT DEVELOPMENT (P.U.D.) WITH “R-3A” (MULTIFAMILY APARTMENT RESIDENTIAL DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Sycamore Strategies, L.L.C. on behalf of Reeces Creek Developers, Ltd., has presented to the City of Killeen, a request for amendment of the zoning ordinance of the City of Killeen by changing the classification of approximately 13.105 acres, being part of 4000 Robinett Road, Killeen, Texas, from “B-3” (Local Business District) to Planned Unit Development (P.U.D.) with “R-3A” (Multifamily Apartment Residential District), said request having been duly recommended for approval by the Planning and Zoning Commission of the City of Killeen, with a reduction of the rear yard setback from 25’ to 15’ for buildings 6-14, on the 3rd day of June 2019, and due notice of the filing of said request and the date of hearing thereon was given as required by law, and hearing on said request was set for 5:00 P.M., on the 25th day of June 2019, at the City Hall, City of Killeen;

**WHEREAS**, the City Council at said hearing duly considered said request, the action of the Planning and Zoning Commission and the evidence in support thereof, and the City Council being of the majority opinion that the applicant’s zoning request should be approved as recommended by the Planning and Zoning Commission;

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

**SECTION I.** That the zoning classification of 13.105 acres, being part of 4000 Robinett Road, Killeen, Texas, be changed from “B-3” (Local Business District) to Planned Unit Development (P.U.D.) with “R-3A” (Multifamily Apartment Residential District) with a reduction of the rear yard setback from 25’ to 15’ for buildings 6-14.

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

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

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

**PASSED AND APPROVED** at a regular meeting of the City Council of the City of Killeen, Texas, this 25th day of June 2019, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A., Government Code, §551.001 et seq.

**APPROVED:**

---

**Jose L. Segarra, MAYOR**

**ATTEST:**

---

**Lucy C. Aldrich, CITY SECRETARY**

**APPROVED AS TO FORM**

---

**Kathryn H. Davis, City Attorney**

Case #19-11

Ord. #19-\_\_\_\_

# CONSIDERATIONS

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

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

Is the request in accordance with the comprehensive plan?

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

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

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

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

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

Whether there have been substantially changed conditions in the neighborhood.

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

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

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

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

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

## **C. Conditions to Consider**

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

YOUR NAME: <u>Domnyck Moran</u>	PHONE NUMBER: <u>254 258 2675</u>
CURRENT ADDRESS: <u>3604 IOA Dr</u>	
ADDRESS OF PROPERTY OWNED:	
COMMENTS:	
<u>I am opposed to this request</u>	<b>RECEIVED</b>
	<u>JUN 03 2019</u>
	<b>PLANNING</b>
SIGNATURE: <u>[Signature]</u>	REQUEST: "B-3" to "R-3A" SPO #Z19-11/ <u>020</u>

YOUR NAME: <u>KIRK S. Hansen</u>	PHONE NUMBER: <u>951-385-6563</u>
CURRENT ADDRESS: <u>3809 IDA Dr. Killeen Texas 76549</u>	
ADDRESS OF PROPERTY OWNED: <u>3809 IDA Dr. Killeen Texas 76549</u>	
COMMENTS:	
<u>WE DO NOT WANT ANY MULTIFAMILY APARTMENTS</u>	
<u>Behind my (our) property we like the fact that there</u>	
<u>is nothing there we enjoy watching the sunset</u>	
<u>from our Deck &amp; dining area.</u>	
<u>We also feel that our property value will be affected</u>	
<u>there will be too much noise &amp; more traffic or even</u>	
<u>vandalism.</u>	
SIGNATURE: <u>Kirk Hansen</u>	REQUEST: "B-3" to "R-3A" SPO #Z19-11/ <u>005</u>

**RECEIVED**

**MAY 30 2019**

**PLANNING**



ZONING CASE #Z19-11: “B-3” TO P.U.D. WITH “R-3A”

PH-19-019B

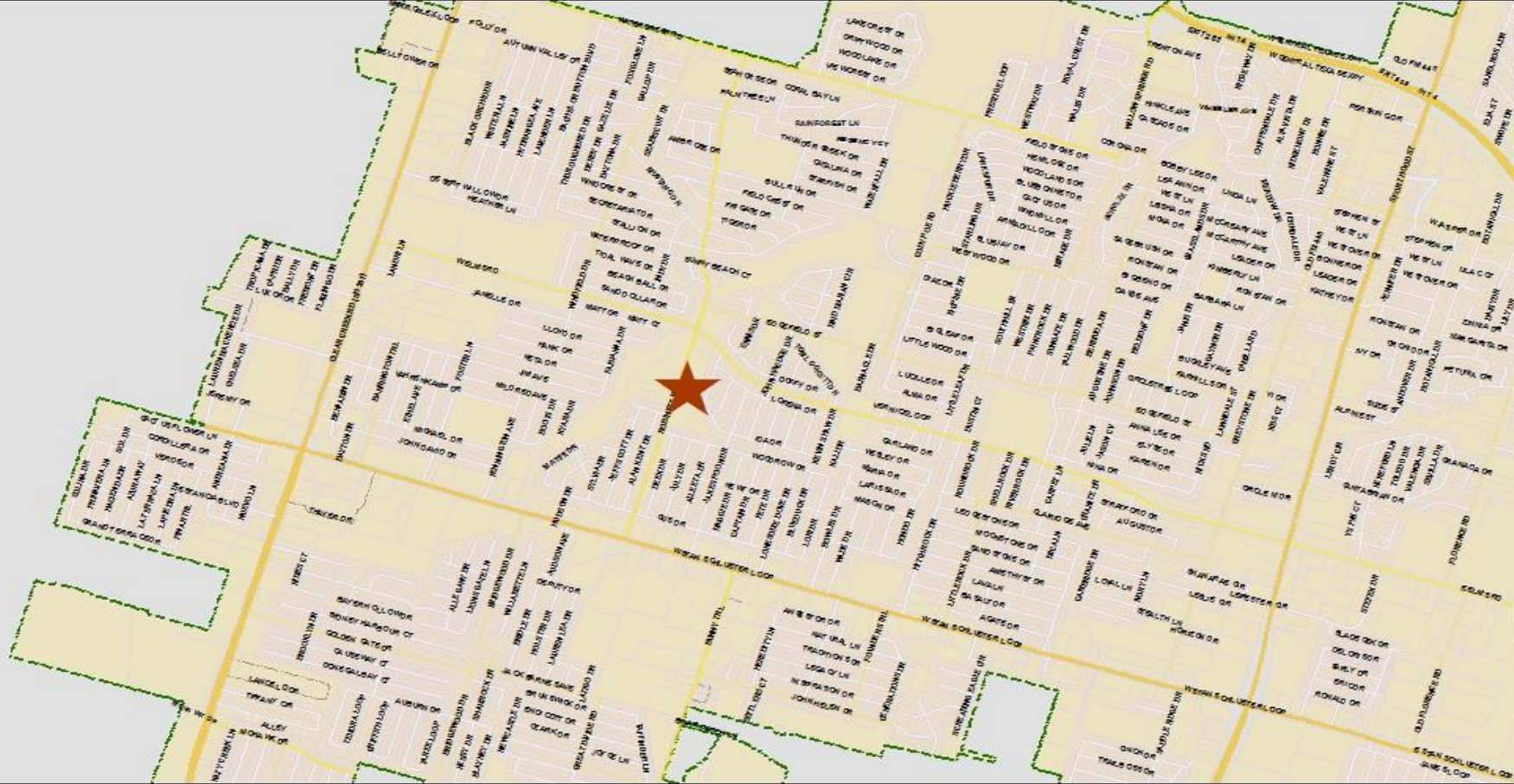
June 18, 2019

# Case # Z19-11: “B-3” to PUD with “R-3A”

2

- Sycamore Strategies L.L.C. (**Case #Z19-11**) has requested to rezone approximately 13.105 acres from “B-3” (Local Business District) to PUD with “R-3A” (Multifamily Apartment Residential District) use for an age restricted apartment community, Villas at Robinett.
- The property is addressed as 4000 Robinett Road, Killeen, Texas.





# **Zoning Location Map** **Case: Z2019-11**

Council District: 4  
FROM: B-3 TO R-3A  
1 inch = 2,500 feet

Subject Property Legal Description: A0686BC T ROBINETT, 34, ACRES 15.969

## **LOCATION MAP**



**Zoning Case Location**



# Case # Z19-11: “B-3” to PUD with “R-3A”

4

- The PUD concept plan illustrates fourteen (14) distinct multifamily apartment buildings, a swimming pool, dog park, grilling areas and an amenities center.
- The dwelling unit summary consists of a total of 104 units, with 68 one-bedroom units, 36 two bedroom units and 174 vehicle parking spaces.

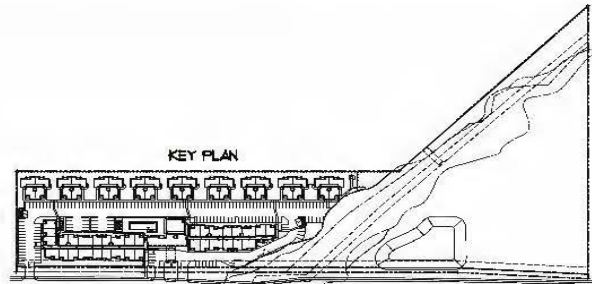


H.C. INDICATES MOBILITY IMPAIRED UNIT  
 S/H INDICATES SIGHT/HEARING IMPAIRED UNIT  
 PROPOSED IMPROVEMENTS ARE IN ZONE 'X' (AREA OF MINIMAL FLOOD DAMAGE).  
 PROPERTY AREA: 13.105 ACRES  
 NO FLOOD MITIGATION IS NEEDED FOR THIS PROPERTY. DETENTION IS PROVIDED BY ON-SITE DETENTION POND.  
 BUILDING TYPE 1a-1e IS ONE STRUCTURE SEPARATED INTO 5 DISTINCT BUILDINGS BY 2-HR. AREA SEPARATION WALLS. A COMPLIANT ACCESSIBLE ROUTE CONNECTS ALL UNITS & AMENITIES INSIDE.

## SITE PLAN

*Villas At Robinett*

Mucasey & Associates, Architects



0 20 40 80 160



## Project Summary

### Apartments:

Type	Description	Qty	Area
A1	One Bedroom, 1 Bath	16	700 s.f.
A2	One Bedroom, 1 Bath	17	771 s.f.
A3	One Bedroom, 1 Bath (H.C.)	1	771 s.f.
A4	One Bedroom, 1 Bath	31	777 s.f.
A5	One Bedroom, 1 Bath (H.C.)	3	777 s.f.
<b>Total One Bedroom Units</b>		<b>68 Units</b>	
B1	Two Bedroom, 2 Bath	10	943 s.f.
B2	Two Bedroom, 2 Bath	17	990 s.f.
B3	Two Bedroom, 2 Bath (H.C.)	1	990 s.f.
B4	Two Bedroom, 2 Bath	7	1,014 s.f.
B5	Two Bedroom, 2 Bath (H.C.)	1	1,014 s.f.
<b>Total Two Bedroom Units</b>		<b>36 Units</b>	
<b>Apartments Net Rentable Total</b>		<b>104 Units</b>	<b>86,858 s.f.</b>

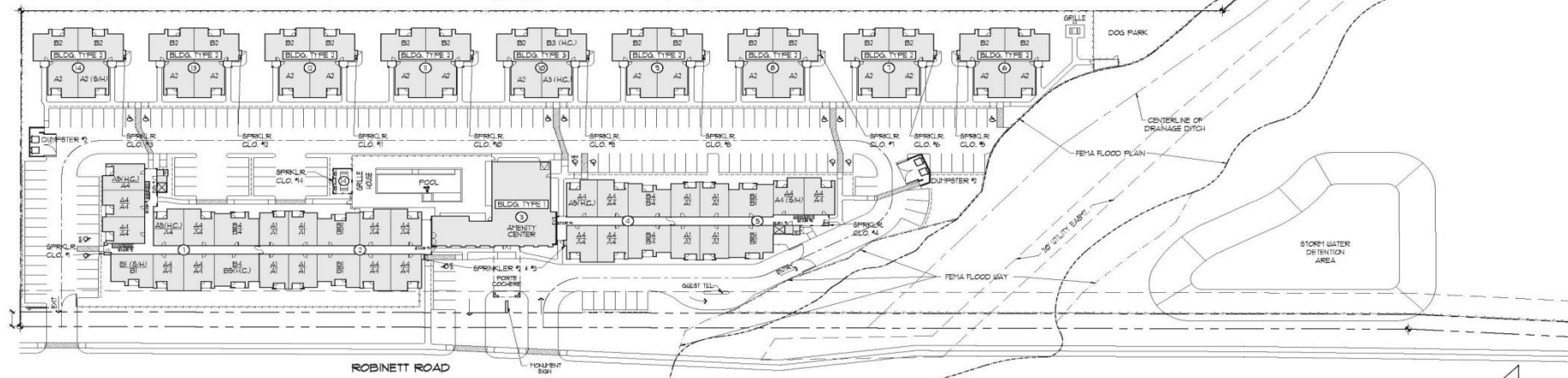
### Parking:

#### Parking required:

104 Units @ 1.67 cars =	173.68 cars
<b>Total Required</b>	<b>174 cars</b>

#### Total Parking Provided:

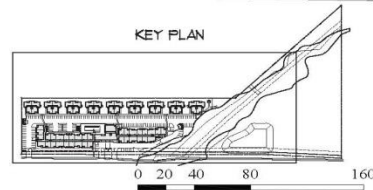
	Van Accessible	HC Accessible	Standard	Total
Open Parking (secured)	2	11	150	163 cars
Amenity Center Parking (non-secured)	1	0	10	11 cars
<b>Total Parking Provided</b>	<b>3</b>	<b>11</b>	<b>160</b>	<b>174 cars</b>



## SITE PLAN

Villas At Robinett

Mucasey & Associates, Architects





# Case # Z19-11: “B-3” to PUD with “R-3A”

8

- The property is designated as ‘General Commercial’ (‘GC’) and ‘General Residential’ (‘GR’) on the City’s Future Land Use Map (FLUM).
- The ‘General Commercial’ designation encourages a wide range of commercial, retail and service uses, at varying scales and intensities depending on the site.
- The ‘General Residential’ designation encourages detached encourages a mix of single-family types, public and institutional uses, parks and public spaces.

# Case # Z19-11: “B-3” to PUD with “R-3A”

9

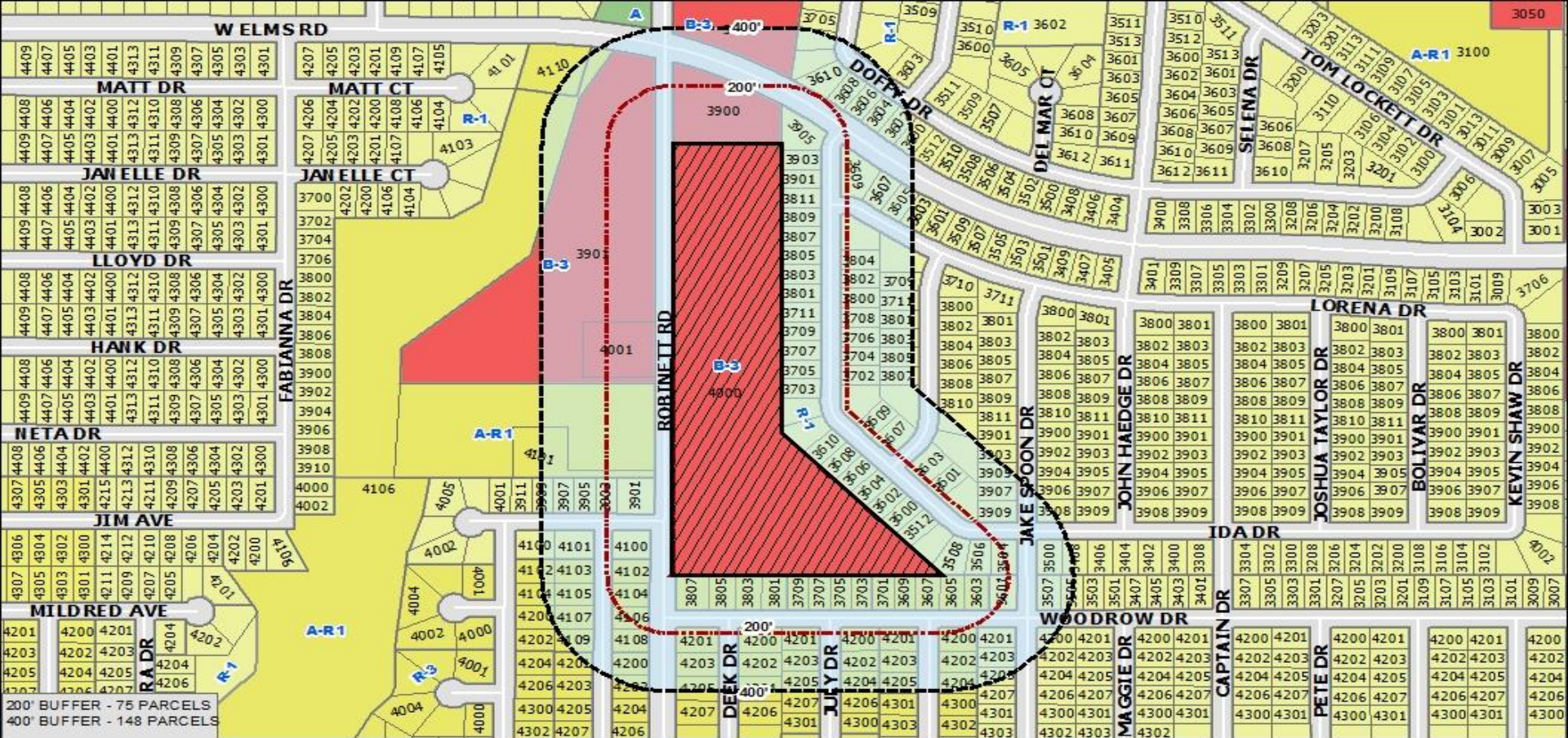
- The property is not located in an “Encroachment Awareness Area” as identified within the Fort Hood Joint Land Use Study (JLUS).
- Section 4.3 of the JLUS describes an “Encroachment Awareness Area” as intending “to serve the purpose of establishing the *current* area in which the partners in this study should maintain heightened vigilance with regard to potentially incompatible civilian land uses encroaching into critical areas that may experience the effects of military training, such as high noise levels.”

# Case # Z19-11: “B-3” to PUD with “R-3A”

10

- Staff notified one hundred and forty-seven (147) surrounding property owners within a four hundred feet (400') notification boundary.
- Staff received two (2) responses of opposition from surrounding property owners.



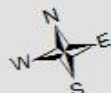
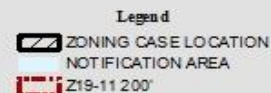


## Zoning Notification Plan Case: Z2019-11

Council District: 4  
FROM: B-3 TO R-3A  
1 inch = 436 feet

Subject Property Legal Description: A0686BC T ROBINETT, 34, ACRES 15.969

## ZONING CHANGE MAP



# Case # Z19-11: “B-3” to PUD with “R-3A”

12

- The applicant is requesting a 10’ reduction in the required 25’ rear yard setback for buildings 6-14 and, in exchange, will limit those structures to one story in height.
- The 13.105 acres of land allows 228 residential units; the applicant’s proposal reduces that amount by more than 50% of the allowable density to 104 units.
- The applicant is not requesting any other customized PUD standards.

# Case # Z19-11: “B-3” to PUD with “R-3A”

13

- The City Council may: 1) approve the zoning request; 2) approve the zoning request with additional PUD conditions; or 3) disapprove the applicant's zoning request.
- Staff recommends that the City Council approve the applicant's PUD zoning request as submitted.
- The Planning and Zoning Commission recommended approval of the applicant's PUD request by a vote of 5 to 0.



# City of Killeen

## Legislation Details

<b>File #:</b>	PH-19-020A	<b>Version:</b>	1	<b>Name:</b>	FLUM 19-06
<b>Type:</b>	Ordinance/Public Hearing		<b>Status:</b>	Public Hearings	
<b>File created:</b>	6/3/2019		<b>In control:</b>	City Council Workshop	
<b>On agenda:</b>	6/18/2019		<b>Final action:</b>		
<b>Title:</b>	HOLD a public hearing and consider an ordinance submitted by Skyline Development, on behalf of Mary Barr (FLUM#19-06), to amend the Comprehensive Plan's Future Land Use Map (FLUM) from an 'Estate' (E) designation to a 'Multi-Family Residential' (MFR) designation for approximately 12 acres. The property is located east of 60th Street and north of Bills Road, Killeen, Texas.				
<b>Sponsors:</b>	Planning & Development Dept				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	<a href="#">Staff Report</a> <a href="#">Map</a> <a href="#">Minutes</a> <a href="#">Ordinance</a> <a href="#">Considerations</a> <a href="#">Presentation</a>				

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------





## STAFF REPORT

**DATE:** June 18, 2019

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

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

**SUBJECT:** Comprehensive Plan Future Land Use Map (FLUM) Amendment: 'Estate' to 'Multi-Family Residential'

### **BACKGROUND AND FINDINGS:**

Skyline Development, on behalf of Mary Barr (**FLUM#19-06**), submits this request to amend the Comprehensive Plan's Future Land Use Map (FLUM) from an 'Estate' (E) designation to a 'Multi-Family Residential' (MFR) designation for approximately 12 acres. The applicant intends to develop the property as part of a tax-credit project for a senior apartment complex. The property is located in the immediate vicinity of 60<sup>th</sup> Street and Bills Road, Killeen, Texas.

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

The 'Estate' (E) designation encourages the following development types:

- Detached residential dwellings
- Public/ institutional
- Parks and public spaces

'Estate' (E) characteristics:

Transition between Suburban and Rural character areas, with further progression along the character spectrum toward environments where the landscape is visually dominant over structures.

Still in Suburban portion of character spectrum, but with larger lots (typically 1 acre minimum), especially where required by public health regulations to allow for both individual water wells and on-site septic systems on properties where centralized water and/or wastewater service is not available or feasible.

If approved, the 'Multi-Family Residential' (MFR) designation encourages the following development types:

- Multi-unit attached residential in concentrated developments (5 or more units per building), whether for rent (apartments) or ownership (condominiums)
- Parks and public spaces

The items below should be reviewed and addressed when a Future Land Use Map (FLUM) amendment is being considered:

- **Scope of Amendment:** Is the proposed map change limited to one or a few parcels, or would it affect a much larger area? ***The amendment request would affect approximately 12 acres, and is considered a small-scale amendment.***
- **Change in Circumstances:** What specific conditions (e.g., population size and/or characteristics, area character and building form, property/structure conditions, infrastructure or public services, market factors including need for more land in a particular designation, etc.) have changed sufficiently to render the current map designation(s) inappropriate or out-of-date? ***Staff is not aware of any specific conditions that render the current map inappropriate or out-of-date.***
- **Consistency with Other Plans:** In addition to the Comprehensive Plan, is the proposed map change consistent with the intent and policy direction of any applicable small area plans, utility or drainage plans, or other City plans? ***The proposed map change is not consistent with other City planning efforts (Water and Wastewater Master Plan, Thoroughfare Plan, Parks Master Plan). Portions of the zoning request lie within a FEMA regulatory Special Flood Hazard Area (SFHA) that includes a floodway designation. Currently, sheet flow runoff exits this parcel in a point discharge into Caprice Ditch and in a southern direction. Runoff then flows into South Nolan Creek which is listed on the TCEQ's 303(d) water quality list for impairment due to bacteria. It shall be noted that there are no scheduled CIP projects related to the widening of 60th Street. The road, which is classified as a collector, is not sufficiently sized to handle the vehicular traffic anticipated by a future multi-family residential development; without significant improvements, further degradation of the level-of-service (L-O-S) standard for this roadway will occur.***
- **Adequate Information:** Do City staff, the Planning and Zoning Commission, and/or City Council have enough and appropriate information to move ahead with a decision (e.g., utility capacity, potential traffic impacts, other public service implications, resident/stakeholder concerns and input)? ***Staff has sufficient information regarding existing utility capacity and roadway level of service for this area. All development in this area will need to meet all City rough proportionality aspects with regard to publically dedicated utility infrastructure and public right-of-way. At the time of development, the current drainage design manual (DDM) and infrastructure design and development standards will be applicable to this site. The property owner and his agents are cautioned that unknown or unforeseen site conditions may require remedial action to provide safe and adequate water, sewer, or drainage service to the property. Further, City of Killeen development regulations require that capacity analyses related to development of the property are the sole responsibility of the owner. The owner or his agents, acting as the permit applicant for the subject property, shall coordinate connectivity to all publicly dedicated infrastructure with the Public Works Department.***

- **Stakeholder Input:** What points, concerns, and insights have been raised by area residents, property owners, business owners, or others? *None.*

### **THE ALTERNATIVES CONSIDERED:**

The City Council may approve or disapprove the applicant's request, or the Council may approve a different (i.e. more restrictive) Future Land Use Map designation.

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

Staff recommends the Council approve the applicant's FLUM amendment request.

### **Why?**

The City Council provided a resolution of support with funding of \$1,000 from the HOME program for this property at their regular meeting of February 12, 2019. The City Council is aware that a FLUM amendment is necessary for this property in order to construct the tax-credit project.

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

This FLUM amendment request conforms to the City's policies as detailed in the Comprehensive Plan.

### **FINANCIAL IMPACT:**

#### **What is the amount of the expenditure in the current fiscal year?**

This is not applicable at this time.

#### **For future years?**

The proposed FLUM amendment does not involve the expenditure of city funds; however, subsequent development and dedication of public infrastructure will involve the expenditure of maintenance funds over the life cycle of future development.

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

This is not applicable at this time.

#### **Is this expenditure budgeted?**

This is not applicable at this time.

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

This is not applicable at this time.

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

This is not applicable at this time.

**RECOMMENDATION:**

The Planning and Zoning Commission recommended approval of the applicant's FLUM amendment request from an 'Estate' (E) designation to a 'Multi-Family Residential' (MFR) designation for the subject property. This was done by a vote of 5 to 0.

**DEPARTMENTAL CLEARANCES:**

This item has been reviewed by the Legal Department.

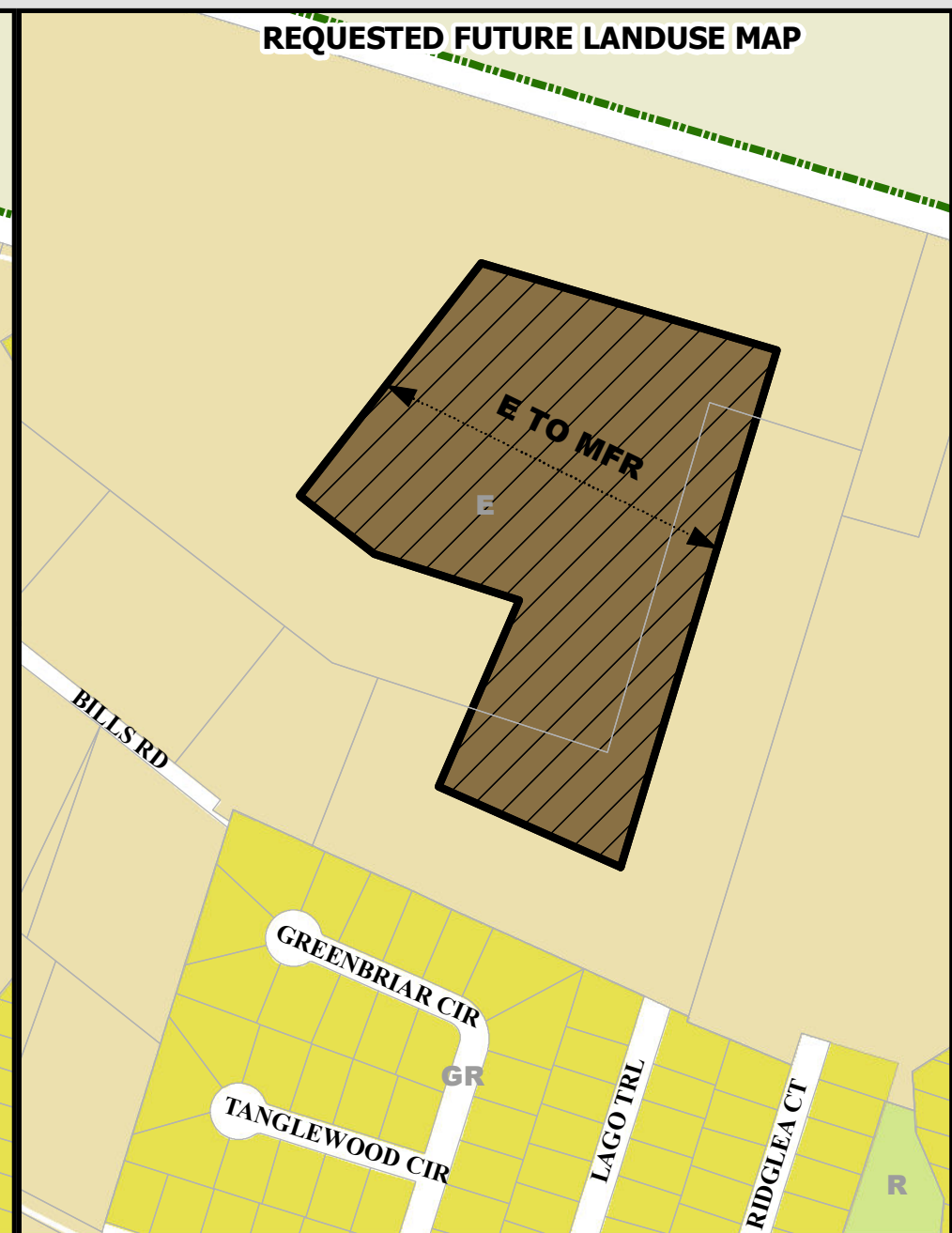
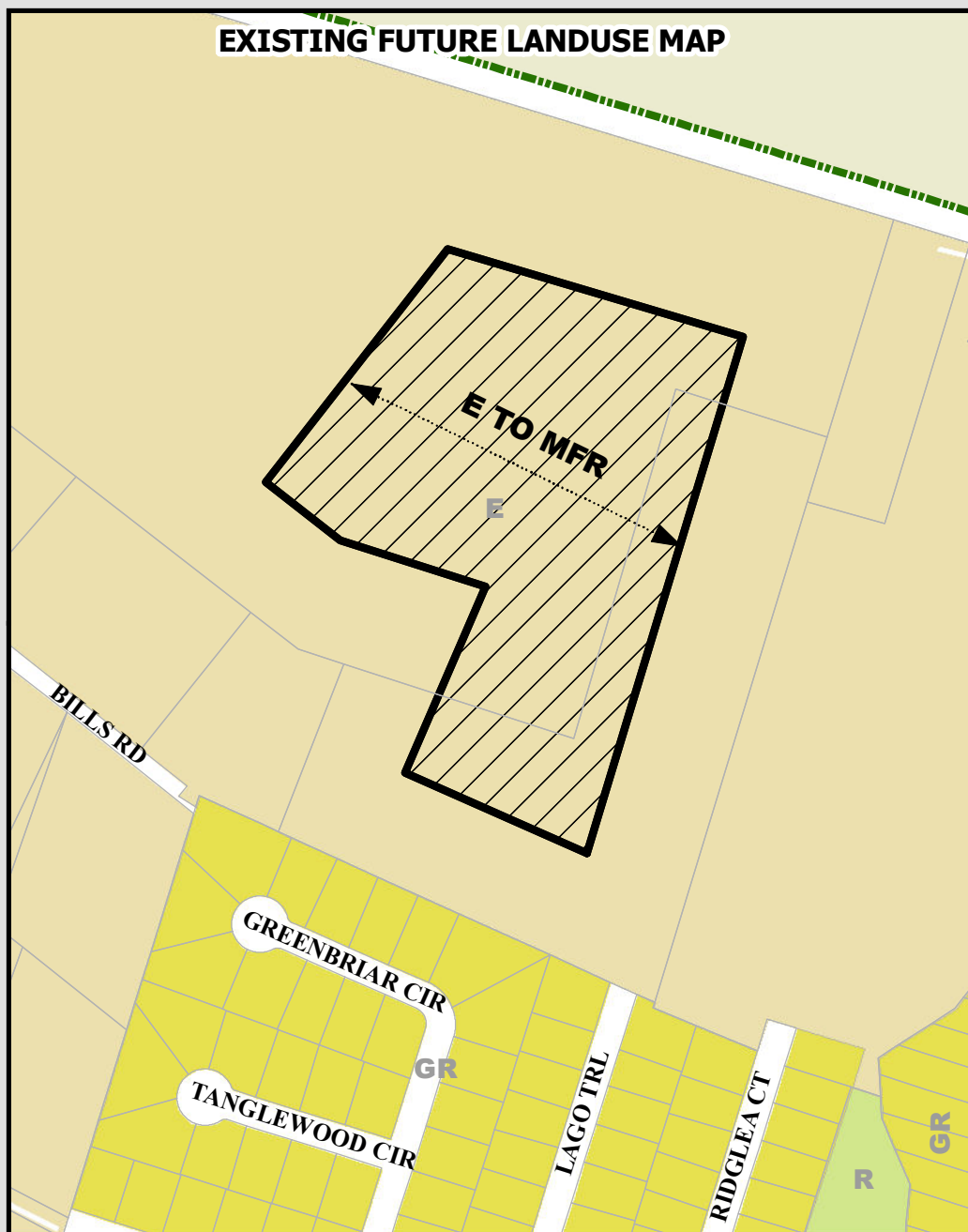
**ATTACHED SUPPORTING DOCUMENTS:**

Map  
Minutes  
Ordinance  
Considerations



# EXISTING FUTURE LANDUSE MAP

# REQUESTED FUTURE LANDUSE MAP



## FLUM Notification Plan

### Case: FLUM AMENDMENT 2019-06

Council District: 1

FROM: E TO MFR

1 inch = 333 feet

Subject Property Legal Description: A0913BC J S WILDER, 780-22



## Legend

- Killen City Limits
- Bell County Area
- FLUM Case Location

## Future Land Use Legend

- |                                |                                     |                           |
|--------------------------------|-------------------------------------|---------------------------|
| Urban Center (U)               | Neighborhood Conservation (GC)      | Suburban Residential (SR) |
| Urban (U)                      | Residential Mix (R-MIX)             | Suburban Commercial (SC)  |
| University Village (UV)        | Four-Plex Residential (RQ)          | Business Park (BP)        |
| Planned Development (PD)       | General Residential (GR)            | Estate (E)                |
| Multi-Family Residential (MFR) | Residential-Commercial Mix (RC-MIX) | Parks-Recreation (P-R)    |
| Industrial (I)                 | General Commercial (GC)             | Rural (R)                 |

**MINUTES  
PLANNING AND ZONING COMMISSION MEETING  
JUNE 3, 2019**

**FLUM #19-06  
'E' to 'MFR'**

**A. HOLD** a public hearing and consider a request submitted by Skyline Development on behalf of Mary Barr to amend the Comprehensive Plan's Future Land Use Map (FLUM) from an 'Estate' designation to a 'Multi-Family Residential' designation for approximately 12 acres out of the J. S. Wilder Survey, Abstract No. 913. The property is located east of 60<sup>th</sup> Street and north of Bills Road, Killeen, Texas.

Vice Chairman Latham requested staff comments.

Assistant Director, Tony McIlwain, stated that the request is to amend the Future Land Use Map from 'Estate' to 'Multi-Family Residential' for approximately 12 acres. The applicant intends to develop the property as part of a tax-credit project for a senior apartment complex.

Mr. McIlwain also informed the Commission that the City Council provided a resolution of support with funding of \$1,000 from the HOME program for this property at their regular meeting of February 12, 2019. The City Council is aware that a FLUM amendment is necessary for this property in order to construct the tax-credit project.

Staff recommended approval of the applicant's FLUM amendment request from an 'Estate' (E) designation to a 'Multi-Family Residential' (MFR) designation for the subject property.

Mr. Zachary Krochtengel, 2512 Park Row Avenue, Dallas, Texas, was present to represent this request.

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

Commissioner Cooper motioned to recommend approval of the request. Commissioner Alvarez seconded, and the motion passed by a vote of 5 to 0.

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

**ORDINANCE \_\_\_\_\_**

**AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN'S FUTURE LAND USE MAP FROM 'ESTATE' TO 'MULTI-FAMILY RESIDENTIAL' FOR APPROXIMATELY 12 ACRES FOR PROPERTY LOCATED EAST OF 60<sup>TH</sup> STREET AND NORTH OF BILLS ROAD, KILLEEN, TEXAS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.**

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

**WHEREAS**, the Planning and Zoning Commission has received a request from Skyline Development on behalf of Mary Barr, for a revision to the Future Land Use Map (FLUM) of the Comprehensive Plan, to change an 'Estate' designation to a 'Multi-Family Residential' designation for approximately 12 acres for the property located east of 60<sup>th</sup> Street and north of Bills Road, Killeen, Texas; said revision having been duly presented and recommended for approval of 'Multi-Family Residential' by the Planning and Zoning Commission of the City of Killeen on the 3rd day of June 2019, and due notice of the filing of said revision and the date of hearing thereon was given as required by law, and hearing on said request was set for 5:00 P.M., on the 25th day of June 2019, at the City Hall, City of Killeen;

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

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

**SECTION I:** That the future land use designation of approximately 12 acres for property located east of 60<sup>th</sup> Street and north of Bills Road, Killeen, Texas, be amended from an 'Estate' designation to a 'Multi-Family Residential' designation.

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

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

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

**PASSED AND APPROVED** at a regular meeting of the City Council of the City of Killeen, Texas, this 25th day of June 2019, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A., Government Code, §551.001 et seq.

**APPROVED:**

---

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

**ATTEST:**

---

**Lucy C. Aldrich**  
**CITY SECRETARY**

**APPROVED AS TO FORM**

---

**Kathryn H. Davis**  
**CITY ATTORNEY**

Case #: FLUM #19-06  
Ord#:19-\_\_\_\_

# CONSIDERATIONS

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

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

Is the request in accordance with the comprehensive plan?

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

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

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

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

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

Whether there have been substantially changed conditions in the neighborhood.

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

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

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

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

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

## **C. Conditions to Consider**

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



CASE #FLUM19-06 'E' TO 'MFR'

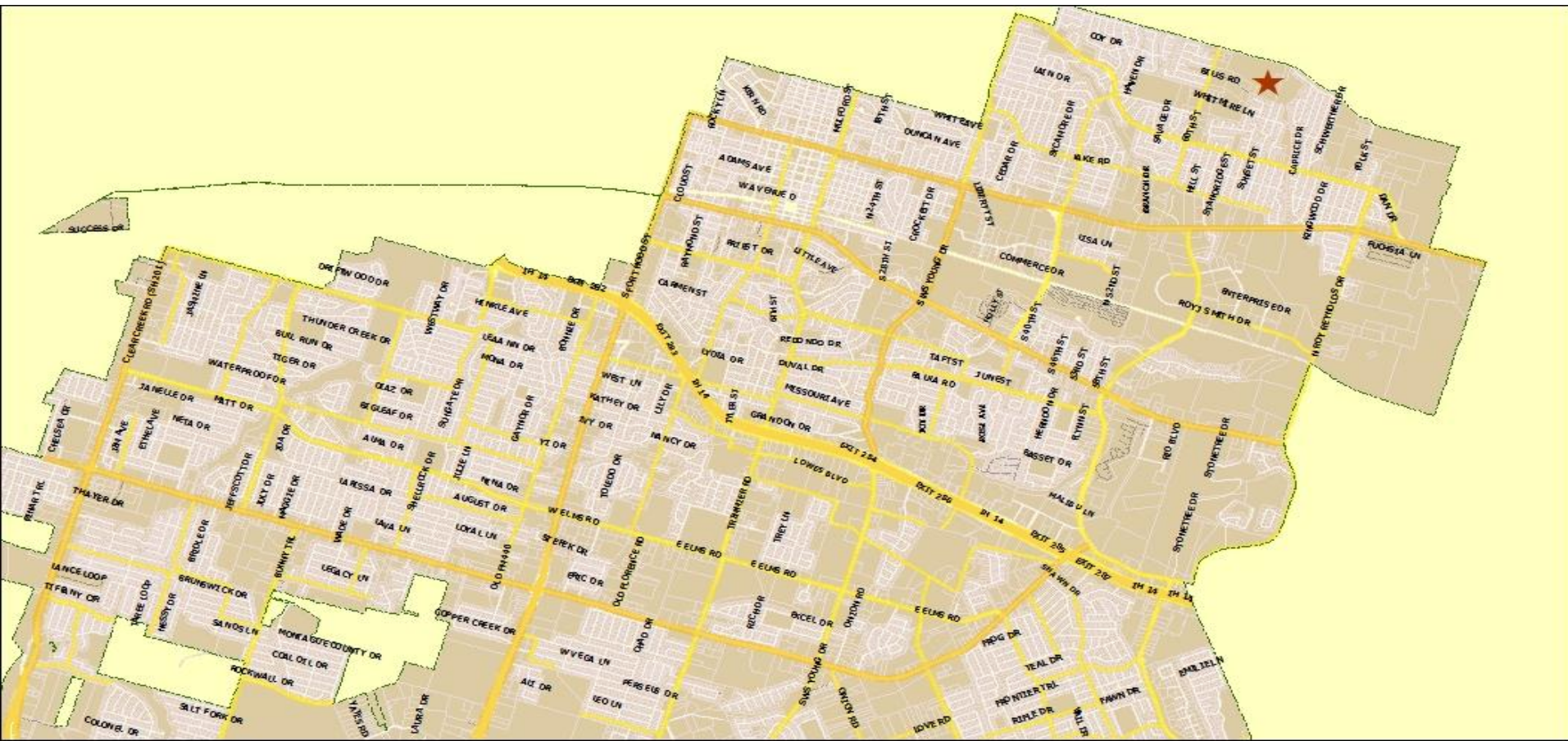
PH-19-020A

June 18, 2019

## CASE #: FLUM19-06 'E' to 'MFR'

2

- Skyline Development, on behalf of Mary Barr, submits this request to amend the Comprehensive Plan's Future Land Use Map (FLUM) from 'Estate' ('E') to 'Multi-Family Residential' ('MFR') for approximately 12 acres.
- The applicant intends to develop the property as part of a tax-credit project for a senior apartment complex. The property is located east of 60<sup>th</sup> Street and north of Bills Road, Killeen, Texas.



## FLUM LOCATION MAP

Case: FLUM AMENDMENT 2019-06

Council District: 1

ESTATE TO MULTI-FAMILY RESIDENTIAL

Subject Property Legal Description: A0913BC J S WILDER, 780-22

## FUTURE LANDUSE LOCATION MAP



**FLUM LOCATION**



1 inch = 5,000 feet



## CASE #: FLUM19-06 'E' to 'MFR'

4

The 'Estate' designation encourages the following development types:

- ❑ Detached residential dwellings;
- ❑ Public/ institutional; and
- ❑ Parks and public spaces.

Transition between 'Suburban' and 'Rural' character areas, but with larger lots (typically 1 acre minimum), where the landscape is visually dominant over structures.

## CASE #: FLUM19-06 'E' to 'MFR'

5

If approved, the 'Multi-Family Residential' designation encourages the following development types:

- ❑ Multi-unit attached residential in concentrated developments (5 or more units per building), whether for rent (apartments) or ownership (condominiums).
- ❑ Public/ institutional and Parks and public spaces.



**FLUM Notification Plan**

**Case: FLUM AMENDMENT 2019-06**

Council District: 1

FROM: ESTATE TO MFR

1 inch = 407 feet

Subject Property Legal Description: A0913BC J S WILDER, 780-22

**FUTURE LANDUSE MAP**

**Legend**



Killen City Limits



FLUM CASE

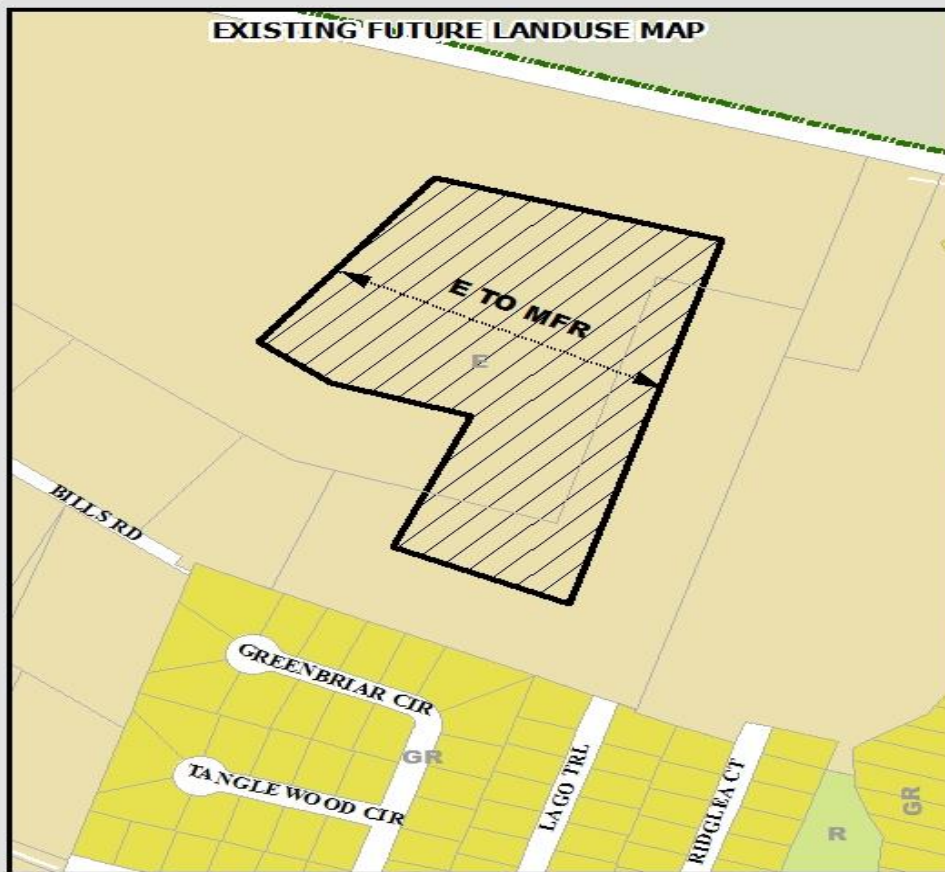


Bell County Area

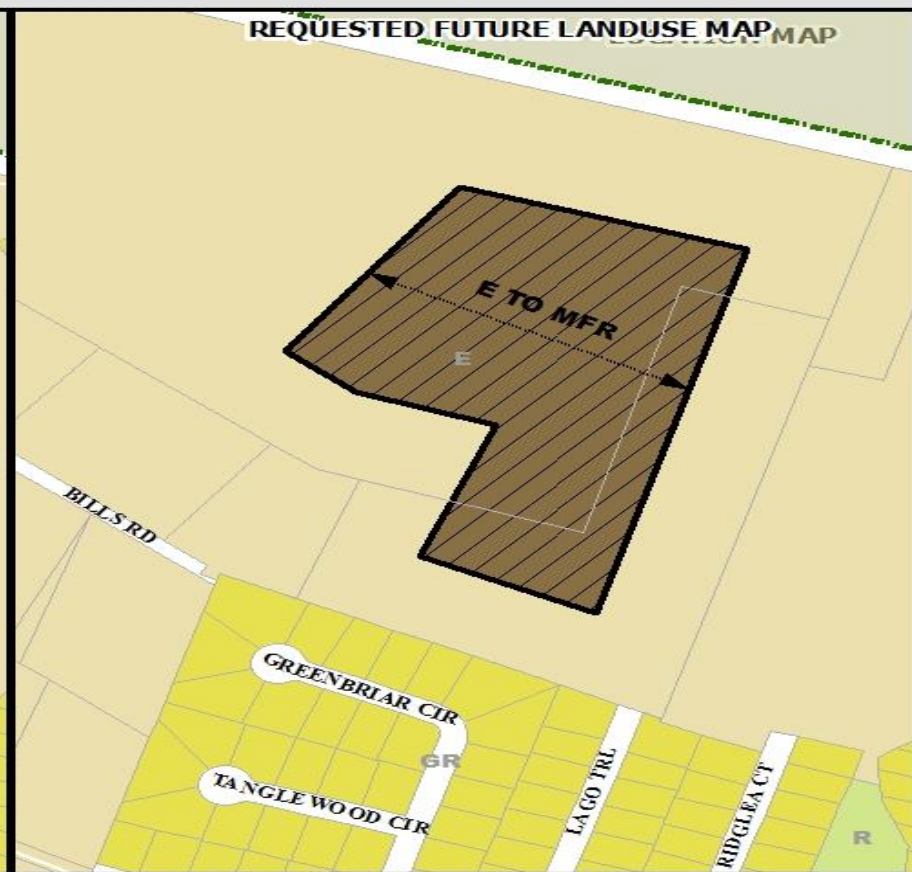


1 inch = 407 feet

# EXISTING FUTURE LANDUSE MAP



# REQUESTED FUTURE LANDUSE MAP



## FLUM Notification Plan

### Case: FLUM AMENDMENT 2019-06

Council District: 1

FROM: E TO MFR

1 inch = 333 feet

Subject Property Legal Description: A0913BCJ S WILDER, 780-22



## Legend

- Killen City Limits
- Bell County Area
- FLUM Case Location

## Future Land Use Legend

- |                                     |                           |
|-------------------------------------|---------------------------|
| Neighborhood Conservation (NC)      | Suburban Residential (SR) |
| Residential Mix (R-MIX)             | Suburban Commercial (SC)  |
| Four-Plex Residential (RQ)          | Business Park (BP)        |
| General Residential (GR)            | Estate (E)                |
| Residential-Commercial Mix (RC-MIX) | Parks-Recreation (P-R)    |
| General Commercial (GC)             | Rural (R)                 |
| Urban Center (U)                    |                           |
| Urban (U)                           |                           |
| University Village (UV)             |                           |
| Planned Development (PD)            |                           |
| Multi-Family Residential (MFR)      |                           |
| Industrial (I)                      |                           |

## CASE #: FLUM19-06 'E' to 'MFR'

8

- ❑ The City Council may: 1) approve the FLUM amendment request; 2) approve a more restrictive FLUM designation; or 3) disapprove the FLUM amendment request.
- ❑ Staff recommends that the City Council approve the applicant's FLUM amendment request as submitted.
- ❑ The Planning and Zoning Commission recommended approval of the applicant's FLUM amendment request by a vote of 5 to 0.



# City of Killeen

## Legislation Details

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**File #:** PH-19-020B    **Version:** 1    **Name:** Zoning 19-12  
**Type:** Ordinance/Public Hearing    **Status:** Public Hearings  
**File created:** 6/3/2019    **In control:** City Council Workshop  
**On agenda:** 6/18/2019    **Final action:**  
**Title:** HOLD a public hearing and consider an ordinance submitted by Skyline Development, on behalf of Mary Barr (Case #Z19-12), to rezone approximately 12 acres from "R-1" (Single-Family Residential District) to "R-3A" (Multifamily Apartment Residential District) for a senior apartment complex. The property is located east of 60th Street and north of Bills Road, Killeen, Texas.  
**Sponsors:** Planning & Development Dept  
**Indexes:**  
**Code sections:**  
**Attachments:** [Staff Report](#)  
[Maps](#)  
[Minutes](#)  
[Colored Rendering](#)  
[Ordinance](#)  
[Considerations](#)  
[Responses](#)  
[Presentation](#)

Date	Ver.	Action By	Action	Result
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## STAFF REPORT

**DATE:** June 18, 2019

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

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

**SUBJECT:** Zoning Case: #Z19-12 "R-1" (Single-Family Residential District) to "R-3A" (Multifamily Apartment Residential District)

### **Background and Findings**

Skyline Development, on behalf of Mary Barr, submits this request to rezone approximately 12 acres from "R-1" (Single-Family Residential District) to "R-3A" (Multifamily Apartment Residential District) for a 104 unit senior apartment complex. The property is locally east of 60th Street and north of Bills Road, Killeen, Texas.

#### District Descriptions:

Sec. 31-256.1. - Use regulations - "R-3A."

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

### **Property Specifics**

Applicant / Property Owner: Skyline Development/ Mary Barr

Property Location: The property is locally east of 60th Street and north of Bills Road, Killeen, Texas.

Legal Description: 12 acres out of the J. S. Wilder Survey, Abstract No. 913, Killeen, Texas.

#### Zoning/ Plat Case History:

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

Character of the Area: The surrounding residential community is a mixture of single family residential development. The proposed multi-family zoning request is not consistent with the surrounding residential community.

Existing Land Use(s) on the Property: Vacant

Historic Properties: None

### **Community Infrastructure and Environmental Assessment**

Water, Sewer and Drainage Services:

Provider: City of Killeen

Within Service Area: Yes

Feasibility Study or Service Commitment: Water, sanitary sewer, and drainage utility services are available in the greater vicinity to the above subject tract located within the City of Killeen municipal utility service area. It will be necessary for the developer to extend the necessary and appropriately-sized public utility infrastructure to the property prior to the release of any lots for residential construction purposes.

Transportation:

Existing conditions: The proposed development will need access constructed to it. The private road, Bills Road, is not sufficiently sized to accommodate the vehicular traffic for the proposed project. Lago Trail, is an additional roadway connectivity point for the project; it is expected that a private drive will connect through to the proposed Blackwell Acres subdivision.

Proposed Improvements: Roadways will to be constructed to provide access to this proposed development and roadway tie-ins are proposed into Bills Road and Lago Trail. In addition, Bills Road, a private street, will need to be upgraded to accommodate the expected traffic volume for the proposed project. As currently constructed, both Bills Road and 60th Street are inadequate and undersized for the proposed traffic for this project.

Proposed Traffic Generation: If approved, at full build-out, the PUD will include 104 multifamily units. These units will generate 692 daily trips, with 53 total generated trips during AM peak hour and 64 total generated trips during PM peak hour [*note-this data is sourced from the Institute of Transportation Engineer (ITE) Trip Generation Rates-9th Edition, provided through Spack Consulting*].

Environmental Assessment: Portions of the zoning request lie within a FEMA regulatory Special Flood Hazard Area (SFHA) that includes a floodway designation. Currently sheet flow runoff exits this parcel in a point discharge into Caprice Ditch, and in a southern direction. Runoff then flows into South Nolan Creek, which is listed on the TCEQ's 303(d) water quality list for impairment due to bacteria.



## **Land Use Analysis**

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

'Estate' (E) characteristics:

The 'Estate' (E) designation encourages the following development types:

- Detached residential dwellings
- Public/ institutional
- Parks and public spaces

The 'Estate' designation is a transition between suburban and rural character areas, with further progression along the character spectrum toward environments where the landscape is visually dominant over structures.

Still in suburban portion of character spectrum, but with larger lots (typically 1 acre minimum), especially where required by public health regulations to allow for both individual water wells and on-site septic systems on properties where centralized water and/or wastewater service is not available or feasible.

One-acre lots are usually adequate in wooded areas to achieve visual screening of homes (from streets and adjacent dwellings). Three- to 5-acre lots may be needed to achieve and maintain Estate character in areas with more open land.

Consistency: The zoning request is not consistent with the Comprehensive Plan's FLUM; however, the applicant has submitted a concurrent FLUM amendment request from 'Estate' to 'Multi-Family Residential' ('MFR').

## **Fort Hood Joint Land Use Study (JLUS) Analysis**

JLUS Plan: The property is located in an "Encroachment Awareness Area" as identified within the JLUS.

Section 4.3 of the JLUS describes an "Encroachment Awareness Area" as intending "to serve the purpose of establishing the *current* area in which the partners in this study should maintain heightened vigilance with regard to potentially incompatible civilian land uses encroaching into critical areas that may experience the effects of military training, such as high noise levels."

Public Notification: Staff notified twenty-five (25) surrounding property owners within 400 feet of this property regarding this request. Staff has received three (3) responses in opposition to the applicant's zoning request.

## **THE ALTERNATIVES CONSIDERED:**

The City Council may 1): approve or disapprove the applicant's zoning request as presented; or 2) approve a more restrictive zoning district.

**Which alternative is recommended?**

Staff is recommending the Council approve the applicant's zoning request.

**Why?**

The City Council provided a resolution of support with funding of \$1,000 from the HOME program for this property at their regular meeting of February 12, 2019. The City Council is aware that a zoning change is necessary for this property in order to construct the tax-credit project.

**CONFORMITY TO CITY POLICY:**

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

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

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

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

This is not applicable.

**Is this expenditure budgeted?**

This is not applicable.

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

This is not applicable.

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

This is not applicable.

**RECOMMENDATION:**

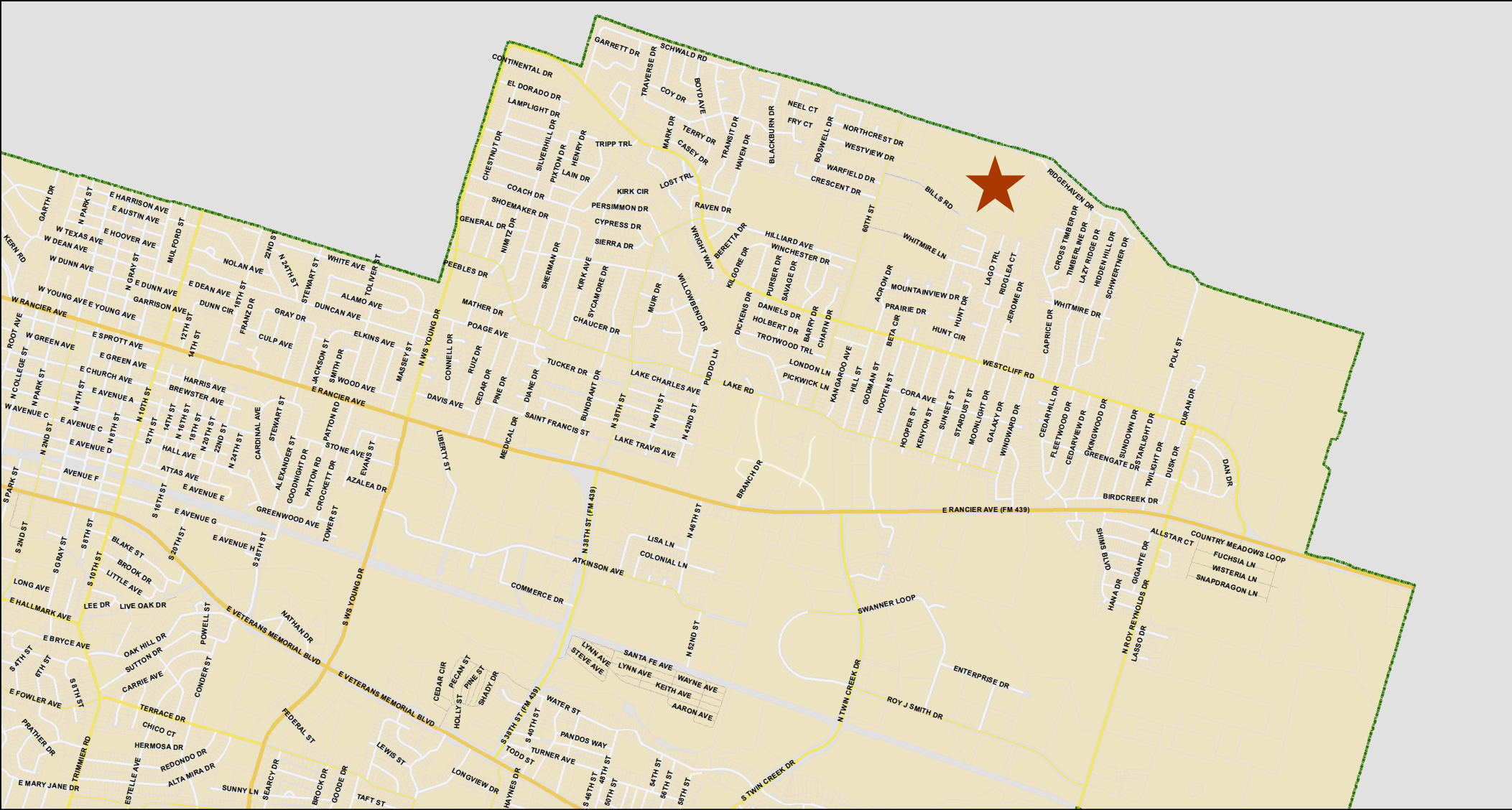
The Planning and Zoning Commission recommended approval of the applicant's zoning request by a vote of 5 to 0.

**DEPARTMENTAL CLEARANCES:**

This item has been reviewed by the Legal staff.

**ATTACHED SUPPORTING DOCUMENTS:**

Maps  
Minutes  
Colored Rendering  
Ordinance  
Considerations  
Responses



## Zoning Location Map

**Case: Z2019-12**

Council District: 1

FROM: R-1 TO R-3A

1 inch = 2,500 feet

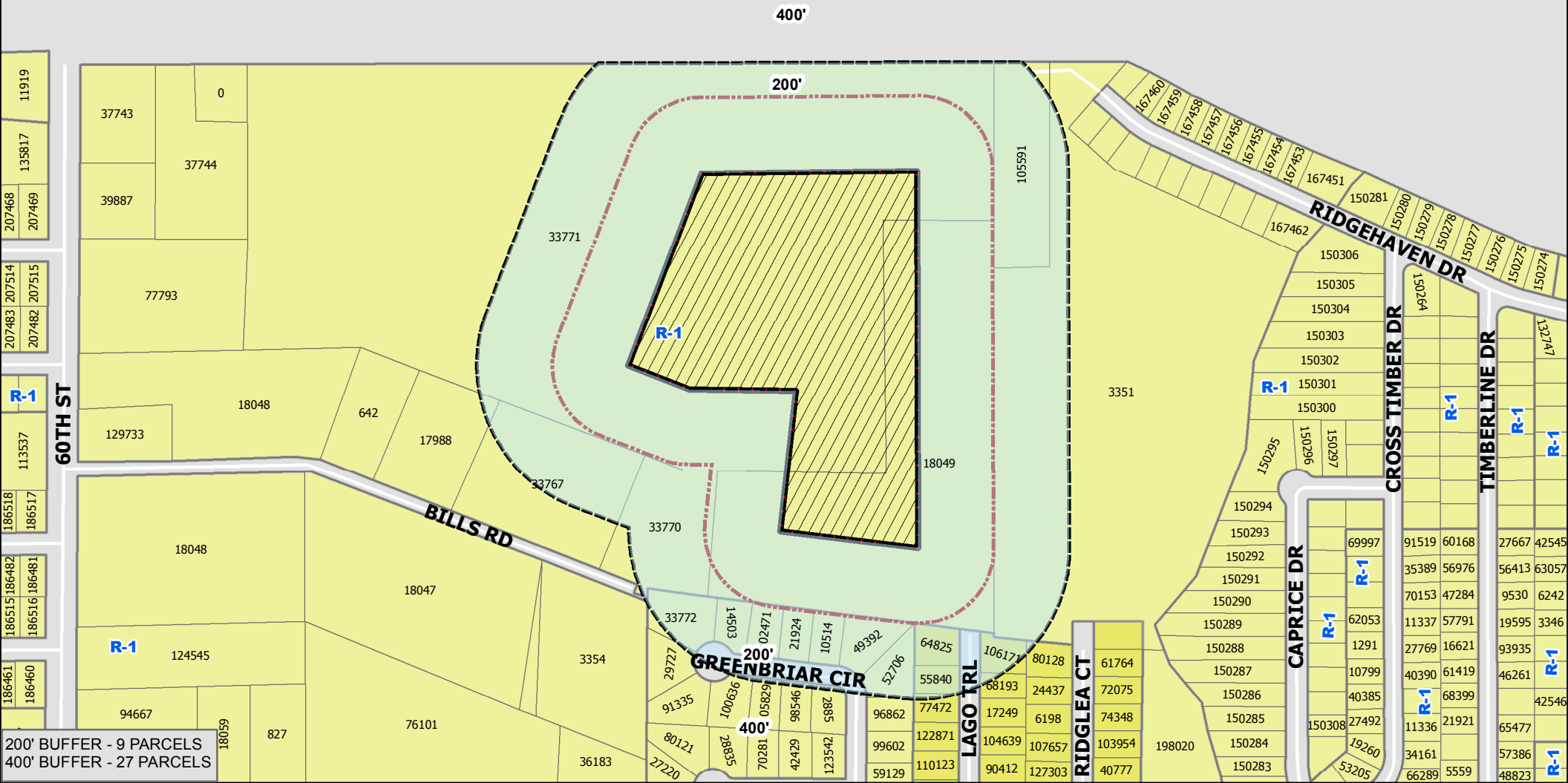
Subject Property Legal Description: A0913BC J S WILDER, 24, 780-28

## LOCATION MAP



**Zoning Case Location**





## Zoning Notification Plan

### Case: Z2019-12

Council District: 1

FROM: R-1 TO R-3A

1 inch = 378 feet

Subject Property Legal Description: A0913BC J S WILDER, 24, 780-28

## ZONING CHANGE MAP

### Legend

- NOTIFICATION AREA
- Z19-11 200'



**MINUTES  
PLANNING AND ZONING COMMISSION MEETING  
JUNE 3, 2019**

**CASE #Z19-12  
“R-1” to “R-3A”**

**B. HOLD** a public hearing and consider a request submitted by Skyline Development on behalf of Mary Barr to rezone approximately 12 acres out of the J. S. Wilder Survey, Abstract No. 913, from “R-1” (Single-family Residential District) to “R-3A” (Multifamily Apartment Residential District). The property is located east of 60<sup>th</sup> Street and north of Bills Road, Killeen, Texas.

Vice Chairman Latham requested staff comments.

Assistant Director, Tony McIlwain, stated that this request is the second component of the request. The zoning request is for approximately 12 acres and the applicant is requesting to rezone to “R-3A” (Multifamily Apartment Residential District).

Staff notified twenty-five (25) surrounding property owners within 400 feet of this property regarding this request. Three responses in opposition were received from Mike King, Michael Sigler and Martha Samson.

Mr. McIlwain stated that based on the City Council’s resolution of support, staff recommended approval of the applicant’s zoning request.

Mr. Zachary Krochtengel, 2512 Park Row Avenue, Dallas, Texas, was present to represent this request.

Vice Chairman Latham opened the public hearing.

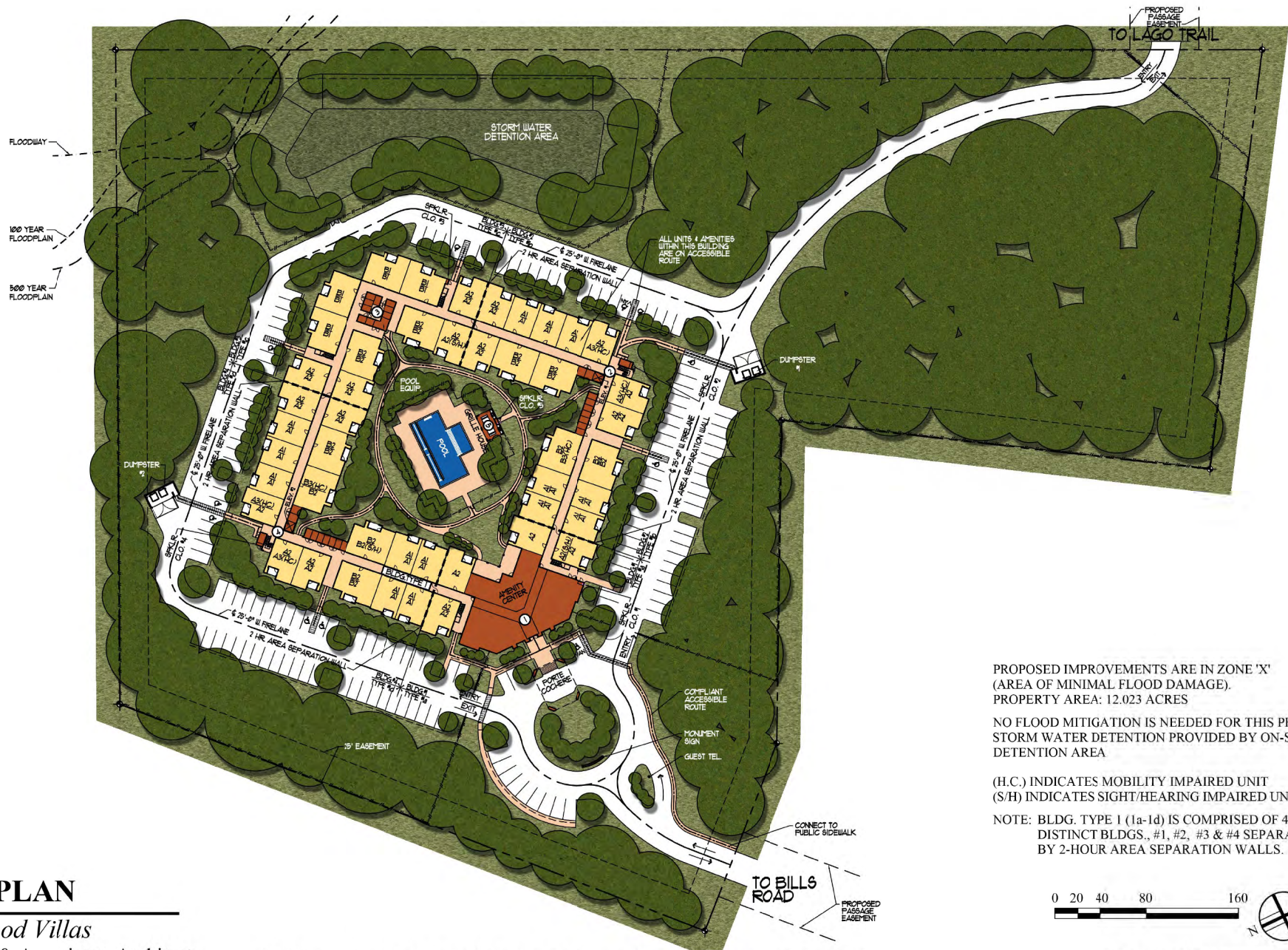
Mr. Ronald Shelton, 3202 N. 60<sup>th</sup> Street, Killeen, Texas. Mr. Shelton wanted to know if Bills Road was going to be built out. Mr. McIlwain stated that would be something that would be addressed during the platting process.

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

Commissioner Cooper motioned to recommend approval of the request. Commissioner Holly seconded, and the motion passed by a vote of 5 to 0.

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





## SITE PLAN

*Edgewood Villas*

Mucasey & Associates, Architects

TDHCA Disclosure: In accordance with the rules of the Texas Department of Housing and Community Affairs, aspects of this development may be subject to change, including but not limited to, changes in the amenities ultimately selected and provided.

PROPOSED IMPROVEMENTS ARE IN ZONE 'X'  
(AREA OF MINIMAL FLOOD DAMAGE).  
PROPERTY AREA: 12.023 ACRES

NO FLOOD MITIGATION IS NEEDED FOR THIS PROPERTY  
STORM WATER DETENTION PROVIDED BY ON-SITE  
DETENTION AREA

(H.C.) INDICATES MOBILITY IMPAIRED UNIT  
(S/H) INDICATES SIGHT/HEARING IMPAIRED UNIT

NOTE: BLDG. TYPE 1 (1a-1d) IS COMPRISED OF 4  
DISTINCT BLDGS., #1, #2, #3 & #4 SEPARATED  
BY 2-HOUR AREA SEPARATION WALLS.

## **ORDINANCE \_\_\_\_\_**

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF KILLEEN BY CHANGING THE ZONING OF APPROXIMATELY 12 ACRES OF LAND, BEING LOCATED EAST OF 60<sup>TH</sup> STREET AND NORTH OF BILLS ROAD, FROM “R-1” (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO “R-3A” (MULTIFAMILY APARTMENT RESIDENTIAL DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Skyline Development, on behalf of Mary Barr, has presented to the City of Killeen, a request for amendment of the zoning ordinance of the City of Killeen by changing the classification of approximately 12 acres, being located east of 60<sup>th</sup> Street and north of Bills Road, Killeen, Texas, from “R-1” (Single-Family Residential District) to “R-3A” (Multifamily Apartment Residential District), said request having been duly recommended for approval by the Planning and Zoning Commission of the City of Killeen on the 3rd day of June 2019, and due notice of the filing of said request and the date of hearing thereon was given as required by law, and hearing on said request was set for 5:00 P.M., on the 25th day of June 2019, at the City Hall, City of Killeen;

**WHEREAS**, the City Council at said hearing duly considered said request, the action of the Planning and Zoning Commission and the evidence in support thereof, and the City Council being of the majority opinion that the applicant’s zoning request should be approved as recommended by the Planning and Zoning Commission;

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

**SECTION I.** That the zoning classification of approximately 12 acres be changed from “R-1” (Single-Family Residential District) to “R-3A” (Multifamily



Apartment Residential District) for property located east of 60<sup>th</sup> Street and north of Bills Road, Killeen, Texas.

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

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

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

**PASSED AND APPROVED** at a regular meeting of the City Council of the City of Killeen, Texas, this 25th day of June 2019, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A., Government Code, §551.001 et seq.

**APPROVED:**

---

**Jose L. Segarra, MAYOR**

**ATTEST:**

---

**Lucy C. Aldrich, CITY SECRETARY**

**APPROVED AS TO FORM**

---

**Kathryn H. Davis, City Attorney**

Case #19-12

Ord. #19-\_\_\_\_

# CONSIDERATIONS

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

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

Is the request in accordance with the comprehensive plan?

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

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

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

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

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

Whether there have been substantially changed conditions in the neighborhood.

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

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

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

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

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

## **C. Conditions to Consider**

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

YOUR NAME: <u>Domnyck Moran</u>	PHONE NUMBER: <u>254 258 2675</u>
CURRENT ADDRESS: <u>3604 IOA Dr</u>	
ADDRESS OF PROPERTY OWNED:	
COMMENTS:	
<u>I am opposed to this request</u>	<b>RECEIVED</b>
	<u>JUN 03 2019</u>
	<b>PLANNING</b>
SIGNATURE: <u>[Signature]</u>	REQUEST: "B-3" to "R-3A" SPO #Z19-11/ <u>020</u>

YOUR NAME: <u>KIRK S. Hansen</u>	PHONE NUMBER: <u>951-385-6563</u>
CURRENT ADDRESS: <u>3809 IDA Dr. Killeen Texas 76549</u>	
ADDRESS OF PROPERTY OWNED: <u>3809 IDA Dr. Killeen Texas 76549</u>	
COMMENTS:	
<u>WE DO NOT WANT ANY MULTIFAMILY APARTMENTS</u> <u>behind my(our) property we like the fact that there</u> <u>is nothing there we enjoy watching the sunset</u> <u>from our deck &amp; dining area.</u> <u>we also feel that our property value will be affected</u> <u>there will be too much noise &amp; more traffic or even</u> <u>vandalism.</u>	
SIGNATURE: <u>Kirk Hansen</u>	REQUEST: "B-3" to "R-3A" SPO #Z19-11/ <u>005</u>

**RECEIVED**

**MAY 30 2019**

**PLANNING**



## ZONING CASE #Z19-12: “R-1” TO “R-3A”

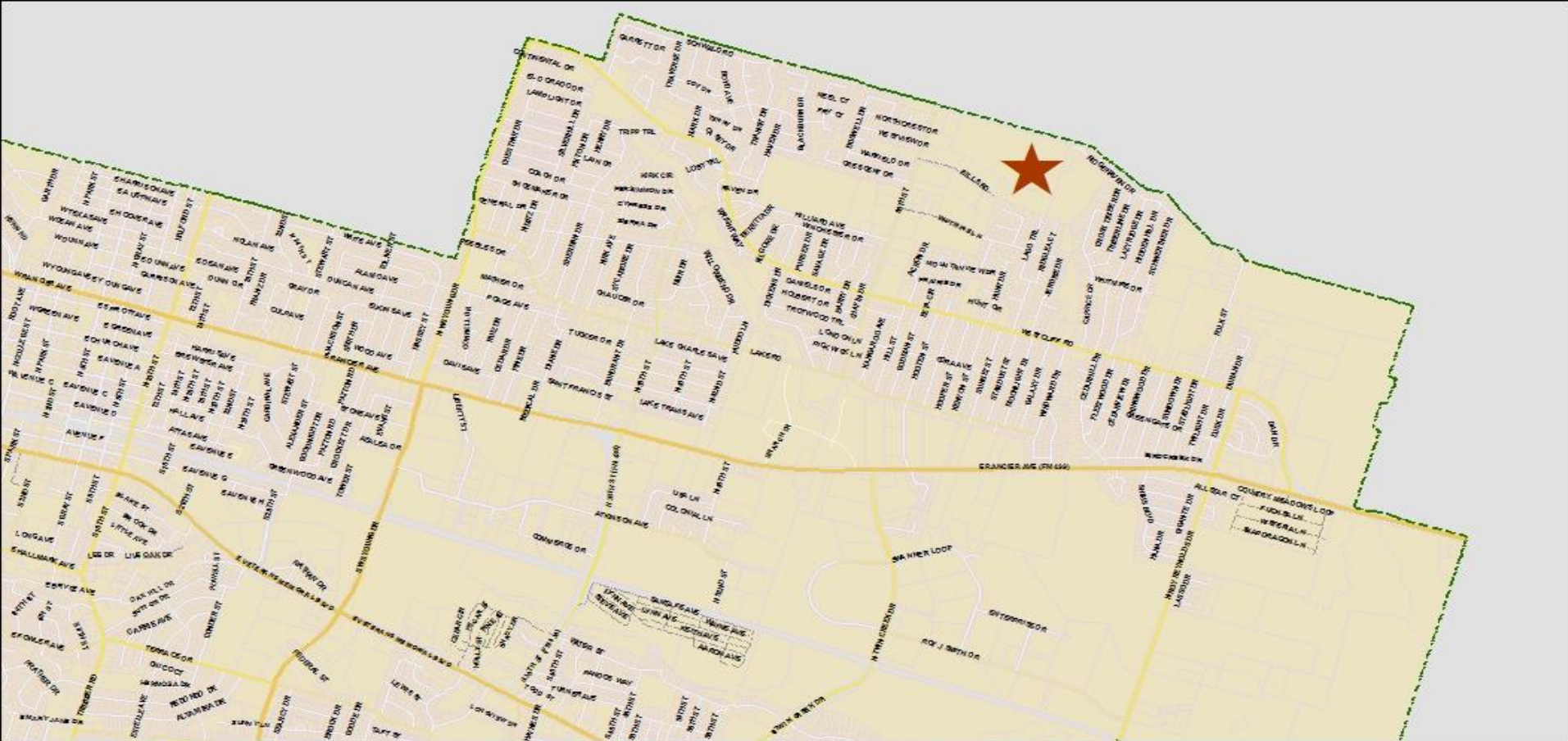
PH-19-020B

June 18, 2019

# Case # Z19-12: “R-1” to “R-3A”

2

- Skyline Development (**Case #Z19-12**) has requested to rezone approximately 12 acres from “R-1” (Single-Family Residential District) to “R-3A” (Multifamily Apartment Residential District) use.
- The property is located east of 60<sup>th</sup> Street and north of Bills Road, Killeen, Texas.



## Zoning Location Map

### Case: Z2019-12

Council District: 1

FROM: R-1 TO R-3A

1 inch = 2,500 feet

Subject Property Legal Description: A0913BC J S WILDER, 24, 780-28

## LOCATION MAP



Zoning Case Location





200' BUFFER - 9 PARCELS  
400' BUFFER - 27 PARCELS

Subject Property Legal Description: A0913BC J S WILDER, 24, 780-28

# Case # Z19-12: “R-1” to “R-3A”

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- The project proposal is for an age-restricted multifamily development to be known as Edgewood Villas.
- The applicant has submitted a colored rendering illustrating several buildings clustered around common open space, a grill and pool.





TDHCA Disclosure: In accordance with the rules of the Texas Department of Housing and Community Affairs, aspects of this development may be subject to change, including but not limited to, changes in the amenities ultimately selected and provided.

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- ❑ The property is designated as ‘Estate’ (‘E’) on the City’s Future Land Use Map (FLUM).
- ❑ The ‘Estate’ designation encourages detached residential dwellings, public and institutional uses, parks and public spaces.
- ❑ The ‘Estate’ designation is a transition between suburban and rural character areas, with further progression along the character spectrum toward environments where the landscape is visually dominant over structures.

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- The property is located in an “Encroachment Awareness Area” as identified within the Fort Hood Joint Land Use Study (JLUS).
- Section 4.3 of the JLUS describes an “Encroachment Awareness Area” as intending “to serve the purpose of establishing the *current* area in which the partners in this study should maintain heightened vigilance with regard to potentially incompatible civilian land uses encroaching into critical areas that may experience the effects of military training, such as high noise levels.”

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- ❑ The property proposes to take access from Bills Road, which is a private street and Lago Trail, a local street.
- ❑ Bills Road is not sufficiently sized to accommodate the traffic expected from the development.
- ❑ 60<sup>th</sup> Street is expected to see a degradation in level of service (L-O-S) standard.

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- Staff notified twenty-five (25) surrounding property owners within a four hundred feet (400') notification boundary.
- Staff received four (4) responses of opposition from surrounding property owners.





# Case # Z19-12: “R-1” to “R-3A”

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- ❑ The City Council may: 1) approve the zoning request; 2) approve a more restrictive zoning district; or 3) disapprove the zoning request.
- ❑ The City Council provided a resolution of support with funding of \$1,000 from the HOME program for this property at the regular meeting of February 12, 2019.
- ❑ Based on that, staff recommends that the City Council approve the applicant’s “R-3A” zoning request.
- ❑ The Planning and Zoning Commission recommended approval of the applicant’s “R-3A” request by a vote of 5 to 0.