



City of Killeen

Agenda

City Council

Tuesday, January 14, 2020

5:00 PM

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

Call to Order and Roll Call

___ Jose Segarra, Mayor	___ Jim Kilpatrick
___ Shirley Fleming	___ Butch Menking
___ Steve Harris	___ Debbie Nash-King
___ Gregory Johnson	___ Juan Rivera

Invocation

Pledge of Allegiance

Approval of Agenda

Citizens Petitions

Comments should be limited to three minutes.

1. [CP-20-002](#) Leo Gukeisen - Correct Statement Regarding Impact Fees

Citizen Comments

This section allows members of the public to address the Council regarding any item(s), other than a public hearing item, on the agenda for Council's consideration. Each person shall sign up in advance, may speak only one time, and such address shall be limited to three (3) minutes. The Presiding Officer may allow a one (1) minute extension, if requested at the end of the original three (3) minute period. No other extensions will be allowed.

Consent Agenda

2. [MN-20-001](#) Consider Minutes of Regular City Council Meeting of December 10, 2019.
Attachments: [Minutes](#)
3. [MN-20-002](#) Consider Minutes of Regular City Council Meeting of December 17, 2019.
Attachments: [Minutes](#)
4. [RS-20-001](#) Consider a memorandum/resolution amending the acceptance of the Victims of Crime Act (VOCA) Crisis Assistance Program grant through the Office of the Governor, Criminal Justice Division.

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

5. [RS-20-002](#) Consider a memorandum/resolution appointing citizens to Animal Advisory Committee, Community Development Advisory Committee, Killeen Volunteers, Inc., and Planning and Zoning Commission.

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

6. [RS-20-003](#) Consider a memorandum/resolution appointing a Council Member to Killeen Temple Metropolitan Planning Organization and appointing the City Manager to the Killeen Temple Metropolitan Planning Organization Technical Advisory Committee.

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

Ordinances

7. [PH-19-049](#) Consider an ordinance requested by Quintero Engineering, L.L.C. on behalf of Leslie Shelley (Case #Z19-26) to rezone approximately 4.153 acres, being out of the W. H. Cole Survey, Abstract No. 200, from "CD" (Cemetery District) to "CD" (Cemetery District) with a Conditional Use Permit (CUP) for "SF-2" (Single-Family Residential District) and from "A" (Agricultural District) to "SF-2" (Single -Family Residential District). The property is locally known as 211 Viola Drive, Killeen, Texas. (Tabled from December 10, 2019 Regular City Council Meeting)

Attachments: [Staff Report](#)
[Maps](#)
[Minutes](#)
[Ordinance](#)
[Considerations](#)
[Presentation](#)

Public Hearings

8. [PH-20-001](#) HOLD a public hearing and consider an ordinance requested by Terry Tilghman of Integrated Power Company, on behalf of Yong Mullins (Case #Z19-28), to rezone approximately 3.807 acres, being out of the R. A. McGee Survey, Abstract No. 561, from "A" (Agricultural District) to "A" (Agricultural District) with a Conditional Use Permit (C.U.P.) for storage of construction equipment. The property is addressed as 259 Cloud Lane, Killeen, Texas.

Attachments: [Staff Report](#)

[Maps](#)

[Minutes](#)

[Ordinance](#)

[Letter of Intent](#)

[Location Map](#)

[Considerations](#)

[Presentation](#)

9. [PH-20-002](#) HOLD a public hearing and consider an ordinance requested by Dusty Inc. c/o Rick Morris (Case #Z19-29) to rezone part of Lot 3, Block 1, Morris Subdivision Phase One, from "B-3" (Local Business District) to "R-2" (Two Family Residential District) for duplex development. The property is addressed as 1011 Anna Lee Drive, Killeen, Texas.

Attachments: [Staff Report](#)

[Maps](#)

[Minutes](#)

[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 January 10, 2020.

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.

- *MLK March, January 20, 2020, 9:00 a.m., Downtown Killeen*
- *MLK Program, January 20, 2020, 11:00 a.m., Greater Peace Missionary Baptist Church*
- *Black History Month Program, February 7, 2020, 6:30 p.m., Greater Peace Missionary Baptist Church*
- *Freedom Fund/Scholarship Banquet, March 20, 2020, 7:00 p.m., Killeen Civic & Conference Center*
- *Juneteenth Pageant, June 19, 2020, 6:30 p.m., Texas A&M University - Central Texas*
- *Juneteenth Service & Picnic, June 20, 2020, 10:00 a.m., Killeen Community Center*

Dedicated Service -- Every Day, for Everyone!



City of Killeen

Legislation Details

File #: CP-20-002 **Version:** 1 **Name:** Leo Gukeisen - Correct Statement Regarding Impact Fees
Type: Citizen Petition **Status:** Citizens Petitions
File created: 1/8/2020 **In control:** City Council
On agenda: 1/14/2020 **Final action:**
Title: Leo Gukeisen - Correct Statement Regarding Impact Fees
Sponsors: City Manager Department
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
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City of Killeen

Legislation Details

File #: MN-20-001 **Version:** 1 **Name:** Minutes of December 10, 2019
Type: Minutes **Status:** Minutes
File created: 11/8/2019 **In control:** City Council
On agenda: 1/14/2020 **Final action:**
Title: Consider Minutes of Regular City Council Meeting of December 10, 2019.
Sponsors: City Secretary
Indexes:
Code sections:
Attachments: [Minutes](#)

Date	Ver.	Action By	Action	Result
1/7/2020	1	City Council Workshop		

City of Killeen
Regular City Council Meeting
Killeen City Hall
December 10, 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 City Manager Kent Cagle, Interim City Attorney Traci Briggs, City Secretary Lucy Aldrich, and Sergeant-at-Arms Cole.

Pastor Willie Douglas 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 Nash-King. The motion carried unanimously.

Citizens Comments

No citizens signed up to speak.

Consent Agenda

MN-19-029 Consider Minutes of Regular City Council Meeting of November 12, 2019.

MN-19-030 Consider Minutes of Regular City Council Meeting of November 19, 2019.

RS-19-118 Consider a memorandum/resolution approving the investment report for the quarter ended September 30, 2019.

RS-19-119 Consider a memorandum/resolution adopting the proposed Low Income Housing Tax Credit Policy and Application.

RS-19-120 Consider a memorandum/resolution approving an amendment to the Professional Services Agreement with Garver, LLC, for the design, evaluation, contract administration, and construction phase services for the security surveillance project on Robert Gray Army Airfield.

PH-19-043A Consider a memorandum/resolution approving the acceptance and disposition of a Homeland Security Grant to purchase hand-held radios for the Fire Department's Hazardous Materials Team.

PH-19-043B Consider a memorandum/resolution approving the purchase of twelve (12) XL-200P Hand Held Radios for the Killeen Fire Department's Hazardous Materials Team.

PH-19-043C Consider a memorandum/resolution approving the acceptance and disposition of a Homeland Security Grant for the purchase of self-contained breathing apparatus cylinders for the Fire Department's Hazardous Materials Team.

Motion was made by Councilmember Menking to approve consent agenda items. Motion was seconded by Councilmember Rivera. Motion carried unanimously.

Public Hearings

PH-19-043D HOLD a public hearing and consider an ordinance amending the FY 2020 Annual Budget of the City of Killeen to increase revenue and expenditure accounts in the General Fund.

The City Secretary read the caption of the ordinance.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS, AMENDING THE FY 2020 ANNUAL BUDGET OF THE CITY OF KILLEEN TO INCREASE REVENUE AND EXPENDITURE ACCOUNTS IN THE GENERAL FUND; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING A SAVINGS CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

Staff Comments: Jon Locke, Executive Director of Finance.

This budget amendment corresponds with the two grants that were approved by City Council this evening (PH-19-043A and PH-19-043C). Both grants were awarded to the Fire Department from the Office of the Governor Homeland Security. One of the two grants is to replace hand held radios and an increase to revenues and expenses in the amount of \$50,277 is being recommended. The second of the two grants is to replace breathing apparatus cylinders and an increase to revenues and expenses in the amount of \$20,109 is being recommended. Staff recommends that City Council approve the ordinance amending the FY 2020 Annual Budget.

Mayor Segarra opened the public hearing.

With no one appearing, the public hearing was closed.

Motion was made by Councilmember Nash-King to approve PH-19-043D. Motion was seconded by Councilmember Fleming. Motion carried unanimously.

Adjournment

With no further business, upon motion being made by Councilmember Rivera, seconded by Mayor Pro Tem Kilpatrick, and unanimously approved, the meeting was adjourned at 5:08 p.m.



City of Killeen

Legislation Details

File #: MN-20-002 **Version:** 1 **Name:** Minutes of December 17, 2019
Type: Minutes **Status:** Minutes
File created: 12/12/2019 **In control:** City Council
On agenda: 1/14/2020 **Final action:**
Title: Consider Minutes of Regular City Council Meeting of December 17, 2019.
Sponsors: City Secretary
Indexes:
Code sections:
Attachments: [Minutes](#)

Date	Ver.	Action By	Action	Result
1/7/2020	1	City Council Workshop		

City of Killeen
Regular City Council Meeting
Killeen City Hall
December 17, 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 City Manager Kent Cagle, Interim City Attorney Traci Briggs, City Secretary Lucy Aldrich, and Sergeant-at-Arms Gillman.

Mr. Williams gave the invocation; and Mayor Segarra 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 Nash-King. The motion carried unanimously.

Presentations

PR-19-004 Presentation - Bell County Child Safety Check
Bell County Tax Assessor-Collector Shay Luedeke presented a check to the City of Killeen in the amount of \$161,651.45, collected by the county on vehicle registrations to be used for school crossings or health services.

Citizens Comments

Ms. Holly Teel - spoke on Agenda Item OR-19-028
Mr. Leo Gukeisen - spoke on Agenda Item OR-19-028
Mr. Johnny Frederick - spoke on Agenda Item OR-19-028
Mr. Gary Purser - spoke on Agenda Item OR-19-028

Consent Agenda

RS-19-121 Consider a memorandum/resolution approving an operating authority to Limo Company Transportation, LLC.

Motion was made by Mayor Pro Tem Kilpatrick to approve consent agenda items. Motion was seconded by Councilmember Fleming. Motion carried unanimously.

Mayor Segarra requested a change to the order of the agenda items, moving Agenda Item PH-19-044 before Agenda Item OR-19-028.

Public Hearings

PH-19-044 **HOLD** a public hearing and consider a memorandum/resolution approving the addition of an honorary street designation of "Bishop Nate Holcomb Mem. Blvd." to Cunningham Road signs.

Staff Comments: Tony McIlwain, Interim Executive Director of Planning. Christian House of Prayer has requested to add the honorary street name of "Bishop Nate Holcomb Mem. Blvd" to road signs along Cunningham Road. The Public Works-Streets Division estimates that the total project will cost approximately \$3,869. The applicant will be responsible for the costs associated with the installation of the new city street signs. Sign(s) replacement will be implemented upon receipt of payment for the costs associated with the installation of the new street signs. Staff recommends that the City Council approve the addition of the honorary street name of "Bishop Nate Holcomb Mem. Blvd." to the sixteen (16) existing road signs along Cunningham Road.

Mayor Segarra invited the applicant to address City Council.

Mr. Joseph Solomon spoke in support of the request.

Mayor Segarra opened the public hearing.

With no one appearing, the public hearing was closed.

Motion was made by Councilmember Nash-King to approve PH-19-044. Motion was seconded by Councilmember Fleming. Motion carried unanimously.

Ordinances

OR-19-028 Consider an ordinance amending the Code of Ordinances by adding Chapter 33, Impact Fees establishing roadway, water and wastewater impact fees.

The City Secretary read the caption of the ordinance.
AN ORDINANCE ADDING CHAPTER 33, IMPACT FEES; PROVIDING FOR COLLECTION OF ROADWAY, WATER AND WASTEWATER IMPACT FEES; PROVIDING FOR OFFSETS AND CREDITS AGAINST IMPACT FEE CHARGES; PROVIDING A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR A PENALTY; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

Staff Comments: Danielle Singh, Executive Director of Public Works Ms. Singh reviewed the required process allowing for the collection of impact fees. She further identified that all of the steps had been completed, including identifying service areas, creating a capital improvements advisory committee, receiving the committee's recommendations regarding projects that could apply to future impact fees, and holding the required public hearings. City staff recommends that City Council adopt the ordinance implementing water, wastewater, and roadway impact fees as recommended by the Capital Improvement Advisory Committee.

Motion was made by Councilmember Fleming to approve OR-19-028. Motion was seconded by Councilmember Johnson. Motion failed 3 to 4 with Councilmember Menking, Mayor Pro Tem Kilpatrick, Councilmember Rivera and Councilmember Nash-King being in opposition.

Public Hearings

PH-19-044 Agenda Item was presented and voted on before Agenda Item OR-19-028.

PH-19-045 **HOLD** a public hearing and consider an ordinance requested by Killeen Engineering & Surveying, Ltd. on behalf of JOF Developers, Inc. (**Case #FLUM 19-12**) to amend the Comprehensive Plan's Future Land Use Map (FLUM) from a 'Suburban Commercial' designation to a 'General Residential' designation for approximately 2.90 acres out of the James Cook Survey, Abstract No. 161. The property is located on the west right-of-way of Clear Creek Road, approximately 350 ft. north of the proposed Golden Gate Drive, Killeen, Texas.

The City Secretary read the caption of the ordinance.

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN'S FUTURE LAND USE MAP FROM 'SUBURBAN COMMERCIAL' TO 'GENERAL RESIDENTIAL' FOR 2.90 ACRES LOCATED ON THE WEST RIGHT-OF-WAY OF CLEAR CREEK ROAD, APPROXIMATELY 350 FT. NORTH OF THE PROPOSED GOLDEN GATE DRIVE, KILLEEN, TEXAS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

Staff Comments: Tony McIlwain, Interim Executive Director of Planning. The applicant is requesting an amendment to the Comprehensive Plan's Future Land Use Map (FLUM) to develop the land with general residential characteristics. Staff recommends that the city council disapprove the applicant's request to amend the Comprehensive Plan's Future Land Use Map (FLUM) to a 'General Residential'. The Planning and Zoning Commission recommended disapproval of the applicant's request by a vote of 5 to 1, with Commissioner Holly opposed to the motion.

Mayor Segarra invited the applicant to address City Council.

The applicant did not attend the meeting.

Mayor Segarra opened the public hearing.

With no one appearing, the public hearing was closed.

Motion was made by Mayor Pro Tem Kilpatrick to disapprove PH-19-045. Motion was seconded by Councilmember Rivera. Motion carried unanimously.

PH-19-046 **HOLD** a public hearing and consider an ordinance requested by Quintero Engineering, L.L.C. on behalf of Mesa Verde Developers, L.P. and Tara Campbell (**Case #Z19-16**) to rezone approximately 24.9 acres, out the W. L. Harris Survey, Abstract No. 1155, from "B-3" (Local Business District) and "A" (Agricultural District) to "R-1" (Single-Family Residential District). The property is located south of the Renick Ranch Subdivision, Killeen, Texas.

The City Secretary read the caption of the ordinance.
AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF KILLEEN BY CHANGING THE ZONING OF 24.9 ACRES, OUT THE W. L. HARRIS SURVEY, ABSTRACT NO. 1155, FROM "B-3" (LOCAL BUSINESS DISTRICT) AND "A" (AGRICULTURAL) TO "R-1" (SINGLE-FAMILY RESIDENTIAL DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

Staff Comments: Tony McIlwain, Interim Executive Director of Planning. The applicant's request is consistent with the FLUM. Staff notified twenty-nine (29) surrounding property owners that own land within 400' of the subject site regarding this request. Staff received a response from Phyllis Ferguson, the owner of 2002 W. Stan Schlueter Loop (neither for nor against the request). Staff recommends that the City Council approve the applicant's "R-1" zoning request. The Planning and Zoning Commission recommended approval of the applicant's "R-1" zoning request by a vote of 4 to 1 with Commissioner Gukeisen opposed to the motion. Commissioner Alvarez recused himself from the vote.

Mayor Segarra invited the applicant to address City Council.

Mr. Quintero spoke in support of the request.

Mayor Segarra opened the public hearing.

With no one appearing, the public hearing was closed.

Motion was made by Councilmember Fleming to approve PH-19-046. Motion was seconded by Councilmember Nash-King. Motion carried 6 to 1 with Councilmember Harris in opposition.

PH-19-047 HOLD a public hearing and consider an ordinance requested by Allen Cloud on behalf of the Killeen Church of Christ (Case #Z19-24) to rezone approximately 5.8 acres, being part of Lot 1, Block 1, Church of Christ Addition, from "R-1" (Single-Family Residential District) to "B-5" (Business District). The property is addressed as 400 N. W.S. Young Drive, Killeen, Texas.

The City Secretary read the caption of the ordinance.
AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF KILLEEN BY CHANGING THE ZONING OF 5.80 ACRES, BEING PART OF LOT 1, BLOCK 1, CHURCH OF CHRIST ADDITION, FROM "R-1" (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO "B-5" (BUSINESS DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

Staff Comments: Tony McIlwain, Interim Executive Director of Planning. Staff notified seventeen (17) surrounding property owners within a four hundred feet (400') notification boundary. Staff has received no responses from surrounding property owners. Staff recommends that the City Council approve the applicant's "B-5" zoning request. The Planning and Zoning Commission

recommended approval of the applicant's "B-5" zoning request by a vote of 5 to 0. Commissioner Alvarez recused himself from the vote.

Mayor Segarra invited the applicant to address City Council.

Mr. Cloud spoke in support of the request.

Mayor Segarra opened the public hearing.

With no one appearing, the public hearing was closed.

Motion was made by Councilmember Rivera to approve PH-19-047. Motion was seconded by Councilmember Fleming. Motion carried unanimously.

PH-19-048 HOLD a public hearing and consider an ordinance requested by Mitchell & Associates, Inc. on behalf of Herring Legacy Estates, L.L.C. (**Case #Z19-25**) to rezone approximately 75.9 acres, being out of the W. E. Hall Survey, Abstract No. 1116, from "A-R1" (Agricultural Single-Family Residential District) and "A" (Agricultural District) to "SR-1" (Suburban Residential Single-Family Residential District). The property is located on the north right-of-way of Chaparral Road, west of Heritage Oaks Phase Two, Killeen, Texas.

The City Secretary read the caption of the ordinance.

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF KILLEEN BY CHANGING THE ZONING OF APPROXIMATELY 75.9 ACRES, BEING OUT OF THE W. E. HALL SURVEY, ABSTRACT NO. 1116 FROM "A-R1" (AGRICULTURAL SINGLE-FAMILY RESIDENTIAL DISTRICT) AND "A" (AGRICULTURAL DISTRICT) TO "SR-1" (SUBURBAN RESIDENTIAL SINGLE-FAMILY RESIDENTIAL DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

Staff Comments: Tony McIlwain, Interim Executive Director of Planning. The applicant's request is consistent with the FLUM. Staff notified eight (8) surrounding property owners within 400' of the subject site regarding this request. As of the date of this staff report, no responses have been received. Staff recommends that the City Council approve the applicant's "SR-1" zoning request. The Planning and Zoning Commission recommended approval of the applicant's "SR-1" zoning request by a vote of 5 to 1, with Commissioner Gukeisen opposed to the motion.

Mayor Segarra invited the applicant to address City Council.

Mr. Renau from Mitchell & Associates spoke in support of the request.

Mayor Segarra opened the public hearing.

With no one appearing, the public hearing was closed.

Motion was made by Councilmember Fleming to approve PH-19-048. Motion was seconded by Councilmember Nash-King. Motion carried 6 to 1 with Councilmember Harris in opposition.

PH-19-049 HOLD a public hearing and consider an ordinance requested by Quintero Engineering, L.L.C. on behalf of Leslie Shelley (Case #Z19-26) to rezone approximately 4.153 acres, being out of the W. H. Cole Survey, Abstract No. 200, from "CD" (Cemetery District) to "CD" (Cemetery District) with a Conditional Use Permit (CUP) for "SF-2" (Single-Family Residential District) and from "A" (Agricultural District) to "SF-2" (Single -Family Residential District). The property is locally known as 211 Viola Drive, Killeen, Texas.

The City Secretary read the caption of the ordinance.

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF KILLEEN BY CHANGING THE ZONING OF APPROXIMATELY 4.153 ACRES, BEING OUT OF THE W. H. COLE SURVEY, ABSTRACT NO. 200 FROM "CD" (CEMETERY DISTRICT) TO "CD" (CEMETERY DISTRICT) WITH A CONDITIONAL USE PERMIT (CUP) FOR "SF-2" (SINGLE-FAMILY RESIDENTIAL DISTRICT) AND FROM "A" (AGRICULTURAL DISTRICT) TO "SF-2" (SINGLE -FAMILY RESIDENTIAL DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

Staff Comments: Tony McIlwain, Interim Executive Director of Planning. The applicant's request is consistent with the FLUM. Staff notified ninety-one (91) surrounding property owners that own land within 400' of the subject site regarding this request. As of the date of this staff report, no responses have been received. Staff recommends that the City Council approve "CD" to "CD" with a CUP for the more restrictive "R-1" minimum lot size and residential setbacks and for a rezone from "A" to "R-1". The Planning and Zoning Commission recommended approval of the applicant's zoning request (based on staff's "R-1" recommendation) by a vote of 3 to 2 with Commissioners O'Brien and Payton opposed to the motion. Commissioner Alvarez recused himself from the vote.

Mayor Segarra invited the applicant to address City Council.

Mr. Quintero updated City Council letting them know that the applicant has reconsidered the request and would like to change the initial request to the recommendation of staff and the Planning and Zoning Commission.

Mayor Segarra opened the public hearing.

With no one appearing, the public hearing was closed.

Motion was made by Councilmember Fleming to table PH-19-049 and bring back to City Council on January 7, 2020. Motion was seconded by Councilmember Nash-King. Motion carried unanimously.

Adjournment

With no further business, upon motion being made by Mayor Pro Tem Kilpatrick, seconded by Councilmember Nash-King, and unanimously approved, the meeting was adjourned at 6:23 p.m.



City of Killeen

Legislation Details

File #: RS-20-001 **Version:** 1 **Name:** VOCA Grant 2020
Type: Resolution **Status:** Resolutions
File created: 12/11/2019 **In control:** City Council
On agenda: 1/14/2020 **Final action:**
Title: Consider a memorandum/resolution amending the acceptance of the Victims of Crime Act (VOCA) Crisis Assistance Program grant through the Office of the Governor, Criminal Justice Division.
Sponsors: Police Department
Indexes: Victim Assistance Grant
Code sections:
Attachments: [Staff Report](#)
[Grant Application](#)
[Presentation](#)

Date	Ver.	Action By	Action	Result
1/7/2020	1	City Council Workshop		



STAFF REPORT

DATE: January 7, 2020
TO: Kent Cagle, City Manager
FROM: Charles F. Kimble, Chief of Police
SUBJECT: FY 2020 Crisis Assistance Program Grant Application

BACKGROUND AND FINDINGS:

This proposal was previously approved by the Killeen City Council on July 9, 2019 (19--067R). The grantor required specific language to be written in the resolution approved by the governing body. The original resolution did not have the language in the specific format required by the grantor. This is a resubmission of the two-year grant that has been awarded to the City of Killeen with the correct language and updated financial documentation.

The Victim Assistance Office of the Killeen Police Department applied for and has been awarded a two-year grant from the Office of the Governor, Criminal Justice Division, for the purpose of funding the continuation of the police department's Crisis Assistance Program to be administered through Victim's Assistance Office. This grant will provide funding for continued professional counseling services to victims of violent crimes, emergency financial assistance for transportation (e.g., bus tickets), temporary immediate shelter services for safety (motel expenses), and emergency safety related repairs to a home structure. Funding from this award will also fund a clerk position for Victim Assistance for two years at no cost to the City of Killeen. This grant covers all salary, benefits, training and office supply expenses for the clerk position. The clerk applicant will be notified in writing that this is a grant funded position. This continuation grant enhances victim services.

THE ALTERNATIVES CONSIDERED:

1. Decline the grant and discontinue the counseling services to the victims of crime.
2. Accept the grant to continue and enhance the current Crisis Assistance Program (victim counseling, clerk, supplies)

Which alternative is recommended? Why?

Staff recommends option 1: Accept the grant and continue to enhance the current Crisis Assistance Program.

CONFORMITY TO CITY POLICY:

Conforms to City policy.

FINANCIAL IMPACT:

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

There is no added fiscal impact to the City of Killeen. The clerk position was funded in the FY 2020 budget.

The application requested \$92,824.83 in grant funds with the City of Killeen matching \$23,035.24, consisting of a cash match of (Victim Crime Liaison's salary) and in-kind match of \$172.80 (volunteer hours). Grant matching expenditures will be met by in-kind work and salary through the Crime Victims Assistance office.

The length of the award is from October 1, 2019 to September 30, 2021. There are no additional matching funds required. Because of accounting restrictions in the E-grant system the initial end date for the grant will be reflected as June 30 2021, in the application. An extension will be filed for the remainder of the grant period upon acceptance of the grant.

Is this a one-time or recurring expenditure?

One-time expenditure for FY2020 and one-time in FY2021

Is this expenditure budgeted?

Yes, account number 207-6000-441.5020

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 City Council authorize the City Manager to accept the 2020 VOCA grant award for the Killeen Crisis Assistance Program; the City Manager to sign the application, reject, alter or terminate the grant; to commit to the required matching funds, in the form of in-kind contributions, and to permit the Killeen Police Department to allocate and administer the duties required by the grant, under the oversight of the City's Finance Department. In the event of loss or misuse of grant funds, the City agrees to return all funds to the Criminal Justice Division of the Office of the Governor.

Required Language for Grant:

- Project Name: Crisis Assistance Program
- Commitment from the City to provide all matching funds: Matching funds for this grant are in the form of salary and benefits and in-kind matching.
- Authorized Official for the City of Killeen: Kent Cagle, City Manager.

- The City assures that in the event of loss or misuse of grant funds, the City will return all funds to the Criminal Justice Division (CJD)

DEPARTMENTAL CLEARANCES:

Finance
Human Resources
Legal

ATTACHED SUPPORTING DOCUMENTS:

Grant Application

Agency Name: Killeen, City of **Grant/App:** 3597602 **Start Date:** 10/1/2019
Project Title: Crisis Assistance Program **Status:** Pending OOG Review **End Date:** 9/30/2020 **Fund Source:** VA-Victims of Crime Act Formula Grant Program
Current Grant Manager: Verenis Amezcua **Current Program Manager:** Scott Kelly **Liquidation Date:**
Original Award: \$0.00
Current Budget: \$104,382.04 **Current Award:** \$0.00 **CFDA:** 16.575 **OOG Solicitation:** VA18 PY20 General Direct Services [Announcement](#)

[Eligibility](#) [Profile](#) [Narrative](#) [Activities](#) [Measures](#) [Budget](#) [Documents](#) [Victim.Services](#) [Conditions.of.Funding](#) [Summary](#) [Upload.Files](#) [My.Mail](#) [My.Home](#)
[Details](#) [Source.of.Match](#) [Budget.Summary](#)

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General Information and Instructions

[View Introduction](#)

[View Instructions](#)

Select and Enter Budget Line Item Details

Budget Category	OOG Funds	Cash Match	In Kind Match	GPI	Total Project
Personnel	\$61,582.04	\$25,922.71	\$172.80	\$0.00	\$87,677.55
Contractual and Professional Services	\$10,000.00	\$0.00	\$0.00	\$0.00	\$10,000.00
Travel and Training	\$9,300.00	\$0.00	\$0.00	\$0.00	\$9,300.00
Equipment	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Supplies and Direct Operating Expenses	\$23,500.00	\$0.00	\$0.00	\$0.00	\$23,500.00
Indirect Costs	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

Budget Summary Totals

OOG Funds:	Cash Match:	In Kind Match:	GPI:	Total Project:
\$104,382.04	\$25,922.71	\$172.80	\$0.00	\$130,477.55

Export Your Budget Detail Item(s)

[Export To Excel](#)

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Agency Name: Killeen, City of
 Grant/App: 3597602 Start Date: 10/1/2019 End Date: 9/30/2020

Project Title: Crisis Assistance Program
 Status: Pending OOG Review

Budget Details Information
Budget Information by Budget Line Item:

CATEGORY	SUB CATEGORY	DESCRIPTION	OOG	CASH MATCH	IN-KIND MATCH	GPI	TOTAL	UNIT/%
Personnel	Clerk	TITLE: Victims Assistance Clerk/ EMPLOYEE NAME: Vacant/ JOB DESCRIPTION: Assisting the Crime Victim Liaison with case management, direct interaction with victims, and the application of victim-centered and trauma-informed victim services/ TOTAL SALARY: \$61,582.04	\$61,582.04	\$25,922.71 <i>CVL salary</i>	\$0.00	\$0.00	\$87,504.75	100
Supplies and Direct Operating Expenses	Desktop System and Accessories (\$5,000 or less per unit)	Desktop with associated software for use by the new Victims Assistance Clerk.	\$1,750.00	\$0.00	\$0.00	\$0.00	\$1,750.00	0
Travel and Training	In-State Registration Fees, Training, and/or Travel	EVET @3 each year: \$2,700; Crimes Against Women 1st year: \$1,505; Crimes Against Children 1st year: \$1,545; Texas Victims Assistance training 1st year: \$800; Lethality training @2: \$300	\$6,850.00	\$0.00	\$0.00	\$0.00	\$6,850.00	0
Personnel	Intern, Mentor, Service Provider, Student Worker, and/or Support Staff	Trained volunteer staff that will assist the crime victim liaison with administering immediate crisis services, protective order assistance, transportation, court accompaniment, and referrals to appropriate agencies. 10 volunteer hours at the rate of \$17.28 per hour.	\$0.00	\$0.00	\$172.80 <i>Volunteers</i>	\$0.00	\$172.80	1
Supplies and Direct Operating Expenses	Laptop System and Accessories (\$5,000 or less per unit)	Laptop with software. This would be utilized by the new Victims Assistance Clerk while out in the field, away from the office.	\$2,000.00	\$0.00	\$0.00	\$0.00	\$2,000.00	0
Contractual and Professional Services	Non-Substance Abuse-Related Case Management, Forensic Interviews, Counseling, Outpatient, and/or Treatment Services	Professional counseling provided to primary victims, secondary victims and immediate family members. Sessions per person billed at \$80.00 per session. Potential providers of service include, but are not limited to Shakinah Marion; Counseling Solutions. All are licensed professional counselors. The ideal vendor list would include as many LPCs that are willing to commit to the program, allowing for a greater opportunity of services to be provided. Agency will contract individual counselors.	\$10,000.00	\$0.00	\$0.00	\$0.00	\$10,000.00	0
Supplies and Direct Operating Expenses	Office Supplies (e.g., paper, postage, calculator)	Paper, pens, folders, postage, business cards and brochures, staples, adhesive tape, printer ink cartridges, pencils, notebooks, binders, highlighters, correction tape, labels, binder clips, markers, scissors, sheet protectors, stapler, paper clips, envelopes, legal pads, staple remover, dividers, organizer, desk pad, business card holder, tape, letter opener, desk tray	\$2,450.00	\$0.00	\$0.00	\$0.00	\$2,450.00	0

Travel and Training	Out-of-State Registration Fees, Training, and/or Travel	National Organization for Victim Assistance (NOVA) @ 2: \$2,450: The venue for this conference changes year to year. Referencing this year July 22-25, 2019 Phoenix, AZ. Costs include airfare, room and board, and per Diem. This conference will offer great networking, resources and services at the national level that can be incorporated into the state and local level, and an opportunity to explore best practices for victims assistance.	\$2,450.00	\$0.00	\$0.00	\$0.00	\$2,450.00	0
Supplies and Direct Operating Expenses	Printer, Fax, Scanner and/or Camera (\$5,000 or less per unit)	Portable printer. This would be used by the new Victims Assistance Clerk while out in the field.	\$600.00	\$0.00	\$0.00	\$0.00	\$600.00	0
Supplies and Direct Operating Expenses	Printer, Fax, Scanner and/or Camera (\$5,000 or less per unit)	Printer. The current printer that is being used in the Crime Victim Liaison office is on the blink. This printer will replace that one when it is no longer operable.	\$700.00	\$0.00	\$0.00	\$0.00	\$700.00	0
Supplies and Direct Operating Expenses	Project Supplies (e.g., binocular, battery, flexicuff, drug testing kit)	Emergency Services: access to emergency assistance with transportation, food, clothing, and lodging; access to emergency assistance with home repairs to ensure that victims can establish and maintain safety in their residences; immediate access to financial assistance with emergency medical care, such as the purchase of prescriptions and medical devices. Allocation of funds based on the needs of the victims.	\$16,000.00	\$0.00	\$0.00	\$0.00	\$16,000.00	0

You are logged in as **User Name:** KPDCVL505

[Print This Page](#)

Agency Name: Killeen, City of
Grant/App: 3597602 **Start Date:** 10/1/2019 **End Date:** 9/30/2020

Project Title: Crisis Assistance Program
Status: Pending OOG Review

Resolution from Governing Body

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

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

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

Contract Compliance

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

Yes
 No

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

Contract compliance will be monitored at least once per quarter by the project manager, command staff in the Criminal Investigation Division, the finance director, and the assistance director of finance for the city of Killeen. The project manager will draft documents/forms such as a contract, a confidential client list, a database detailing services and number of sessions provided to qualifying individuals; and a quarterly report to be submitted/reviewed by staff reference in this summary. Any deficiencies revealed during the monitoring will be documented in memorandum form, reported to the appropriate monitoring staff and addressed. Consequences for any deficiencies can include delay of payment, termination of contract, or other actions as deemed appropriate by monitoring staff. A copy of the proposed City of Killeen Management Policy and memorandum detailing specific monitoring protocol is included with this application. Files will be maintained in project manager's office.

Lobbying

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

Yes
 No
 N/A

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

Yes
 No
 N/A

Fiscal Year

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

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

10/1/2018

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

9/30/2019

Sources of Financial Support

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

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

6623765

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

437394

Single Audit

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

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

 Yes No

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

Enter the date of your last annual single audit:

9/30/2017

Equal Employment Opportunity Plan**Compliance - AMENDED**

Review the information below to determine which section of the federal [EEOP Certification Form](#) applies to your organization. The EEOP certification information must be submitted to the Office of Civil Rights, Office of Justice Programs through their on-line [EEOP Reporting Tool](#). For more information and guidance on how to complete and submit the federal EEOP certification information, please visit the US Department of Justice, Office of Justice Programs website at <https://ojp.gov/about/ocr/eeop.htm>.

Type I Entity

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

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

Requirements

- The applicant is exempt from the EEOP requirements required to prepare an EEOP because it is a Type I Entity as defined above, pursuant to 28 CFR 42, subpart E;
- the applicant will comply with applicable federal civil rights laws that prohibit discrimination in employment and in the delivery of services; and
- the applicant must complete **Section A** of the EEOP Certification Form and send it to the Office for Civil Rights (OCR) to claim the exemption from developing an EEOP.

Type II Entity

Defined as an applicant that meets the following criteria:

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

Requirements

- The applicant agency is required to formulate an EEOP in accordance with 28 CFR 42.301, subpart E;
- the EEOP is required to be formulated and signed into effect within the past two years by the proper authority;
- the EEOP is available for review by the public and employees or for review or audit by officials of OOG, OOG's designee, or the Office of Civil Rights, Office of Justice Programs, U.S. Department of Justice, as required by relevant laws and regulations;
- the applicant will comply with applicable federal civil rights laws that prohibit discrimination in employment and in the delivery of services;
- the applicant must complete **Section B** of the EEOP Certification Form and send it to the Office for Civil Rights (OCR) to claim the exemption from submitting an EEOP to OCR; and
- the EEOP is required to be on file with the applicant agency.

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

Eva Bark, Human Resources Director 101 N. College Killeen, TX 76543

Type III Entity

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

Requirements

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

Certification

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

- Type I Entity
 Type II Entity
 Type III Entity

Debarment

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

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

Select the appropriate response:

- I Certify
 Unable to Certify

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

FFATA Certification**Certification of Recipient Highly Compensated Officers**

The Federal Funding Accountability and Transparency Act (FFATA) requires Prime Recipients (CJD) to report the names and total compensation of each of the five most highly compensated officers (a.k.a. positions) of each sub recipient organization for the most recently completed fiscal year preceding the year in which the grant is awarded if the subrecipient answers **YES** to the **FIRST** statement but **NO** to the **SECOND** statement listed below.

In the sub recipient's preceding completed fiscal year, did the sub recipient receive: (1) 80 percent or more of its annual gross revenue from Federal contracts (and subcontracts), loans, grants (and subgrants) and cooperative agreements; AND (2) \$25,000,000 or more in annual gross revenue from Federal contracts (and subcontracts), loans, grants (and subgrants) and cooperative agreements?

- Yes
 No

Does the public have access to information about the compensation of the senior executives through periodic reports filed under Section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or Section 6104 of the Internal Revenue Code of 1986?

- Yes
 No

If you answered **YES** to the **FIRST** statement and **NO** to the **SECOND** statement, please provide the name and total compensation amount of each of the five most highly compensated officers (a.k.a. positions) within your agency for the current calendar year. If you answered **NO** to the first statement you are **NOT** required to provide the name and compensation amounts. NOTE: "Total compensation" means the complete pay package of each of the sub recipient's compensated officers, including all forms of money, benefits, services, and in-kind payments (see SEC Regulations: 17 CCR 229.402).

Position 1 - Name:

Position 1 - Total Compensation (\$):

0

Position 2 - Name:

Position 2 - Total Compensation (\$):

0

Position 3 - Name:

Position 3 - Total Compensation (\$):

0

Position 4 - Name:

Position 4 - Total Compensation (\$):

0

Position 5 - Name:

Position 5 - Total Compensation (\$):

0

You are logged in as **User Name:** KPDCVL505

General Information and Instructions

Agency Type

Implementing Agency Type - Government

Which designation best describes your agency (select only one):

- Corrections
- Courts
- Juvenile justice
- Law enforcement
- Prosecutor
- Other – describe below

If Other is selected describe below:

[Redacted text area]

Purpose of Award

Check all that apply:

- Continue an OOG-funded victim project funded in a previous year
- Expand or enhance an existing project not funded by OOG in the previous year
- Start up a new victim services project
- Start up a new Native American victim services project
- Expand or enhance an existing Native American project

Type of Crime Funding Distribution

Identify the percent of funding dedicated to each type of victimization. The percentages provided below should not include matching funds. Cumulative total for all types of victimization must equal 100%.

Type of Crime	Percent of Funds Dedicated to Crime <i>Enter whole percentages only</i>	Funds Dedicated to Crime <i>Current Award x Percent Entered</i>
Child Physical Abuse	0	\$0.00
Child Sexual Abuse	5	\$5,219.10
Domestic and Family Violence	50	\$52,191.02
Child Sexual Assault	0	\$0.00
Adult Sexual Assault	10	\$10,438.20
DUI/DWI Crashes	5	\$5,219.10
Assault	10	\$10,438.20
Adults Molested As Children	0	\$0.00
Elder Abuse	0	\$0.00
Robbery	10	\$10,438.20
Survivors of Homicide	10	\$10,438.20
Adult Human Trafficking	0	\$0.00
Child Human Trafficking	0	\$0.00
Other Violent Crimes	0	\$0.00
Description:		
Other Non-Violent Crimes	0	\$0.00

Description:

SUM of %'s
Sum of % MUST = 100% 100

SUM of Funds
Sum of Funds MUST = OOG Current Budget \$104,382.04

Use of Funds

Does this project provide **DIRECT SERVICES** to victims:

- Yes
 No

Information and Referral

- Information about the criminal justice process
 Information about victim rights, how to obtain notifications, etc.
 Referral to other victim service programs
 Referral to other services, supports, and resources (includes legal, medical, faith-based organizations, address-confidentiality programs, etc.)

Personal Advocacy/Accompaniment

- Victim advocacy/accompaniment to emergency medical care
 Victim advocacy/accompaniment to medical forensic exam
 Law enforcement interview advocacy/accompaniment
 Individual advocacy (e.g., assistance in applying for public benefits, return of personal property or effects)
 Performance of medical or nonmedical forensic exam or interview, or medical evidence collection
 Immigration assistance (e.g., special visas, continued presence application, and other immigration relief)
 Intervention with employer, creditor, landlord, or academic institution
 Child and/or dependent care assistance (includes coordination of services)
 Transportation assistance (includes coordination of services)
 Interpreter services

Emotional Support or Safety Services

- Crisis Intervention (in-person, includes safety planning, etc.)
 Hotline/crisis line counseling
 On-scene crisis response (e.g., community crisis response)
 Individual counseling
 Support groups (facilitated or peer)
 Other therapy (traditional, cultural, or alternative healing; art, writing, or play therapy; etc.)
 Emergency financial assistance (includes emergency loans and petty cash, payment for items such as food and/or clothing, changing windows and/or locks, taxis, prophylactic and nonprophylactic meds, durable medical equipment, etc.)

Shelter/Housing Services

- Emergency shelter or safe house
 Transitional housing
 Relocation assistance (includes assistance with obtaining housing)

Criminal/Civil Justice System Assistance

- Notification of criminal justice events (case status, arrest, court proceedings, case disposition, release, etc.)
 Victim impact statement assistance
 Assistance with restitution (includes assistance in requesting and when collection efforts are not successful)
 Civil legal assistance in obtaining protection or restraining order
 Civil legal assistance with family law issues (e.g., custody, visitation, or support)
 Other emergency justice-related assistance
 Immigration assistance (e.g., special visas, continued presence application, and other immigration relief)
 Prosecution interview advocacy/accompaniment (includes accompaniment with prosecuting attorney and victim/witness)
 Law enforcement interview advocacy/accompaniment

Types of Victimization

Check the types of victimization that best describe the victims the grant-funded project will serve. "Other" refers to a type that is not associated with any of the types provided in the list. Check all that apply:

Type of Victimization

- Adult physical assault (includes aggravated and simple assault)
- Adult sexual assault
- Adults sexually abused/assaulted as children
- Arson
- Bullying (verbal, cyber, or physical)
- Burglary
- Child physical abuse or neglect
- Child pornography
- Child sexual abuse/assault
- Domestic and/or family violence
- DUI/DWI incidents
- Elder abuse or neglect
- Hate crime: racial/religious/gender/sexual orientation/other

If Hate Crime is TRUE provide explanation:

- Human trafficking: labor
- Human trafficking: sex
- Identity theft/fraud/financial crime
- Kidnapping (noncustodial)
- Kidnapping (custodial)
- Mass violence (domestic/international)
- Other vehicular victimization (e.g., hit and run)
- Robbery
- Stalking/harassment
- Survivors of homicide victims
- Teen dating victimization
- Terrorism (domestic/international)
- Other

If Other is TRUE provide explanation:

Any offense, personal or property, that is associated with family violence: criminal trespass, criminal mischief, etc.

Budget and Staffing

Answer the questions below based on your current fiscal year. Report the total budget available to the victim services program by source of funding. Do not report the entire agency budget, unless the entire budget is devoted to victim services program.

Annual funding amounts allocated to all victimization programs and/or services for the current fiscal year:

Identify by source the amount of funds allocated to the victimization program/services budget for your agency. DO NOT COUNT FUNDS IN MORE THAN ONE CATEGORY. OTHER FEDERAL includes all federal funding except the award amount for this grant.

OOG Current Budget:	\$104,382.04
Other State Funds:	\$0.00
Other Local Funds:	\$0.00
Other Federal Funds:	\$0.00
Other Non-Federal Funds:	\$0.00
Total Victimization Program Budget:	\$104,382.04

Total number of paid staff for all grantee victimization program and/or services:

COUNT each staff member once. Both full and part time staff should be counted as one staff member. DO NOT prorate based on FTE.

Total number of staff:	2
------------------------	---

Number of staff hours funded through THIS grant award (plus match) for grantee's victimization programs and/or services:

Total COUNT of hours to work by all staff supporting the work of this award, including match.

Total number of hours:	3600
------------------------	------

Number of volunteer staff supporting the work of this award (plus match) for grantee's victimization programs and/or services:

COUNT each volunteer staff once. DO NOT prorate based on FTE.

Total number of volunteer staff:	5
----------------------------------	---

Number of volunteer hours supporting the work of this award (plus match) for grantee's victimization programs:

Total COUNT of hours to work by all volunteers supporting the work of the award, including match.

Total hours to work by all volunteers:	300
--	-----

Explain how your organization uses volunteers to support its victimization programs or if your organization does not use volunteers explain any circumstances that prohibit the use of volunteers.

The Crisis Assistance Program incorporates volunteers into program services to assist with case management, victim contact, application of victim services, including immediate

Snapshot Description: Application - Preliminary Review Responses Submitted by Applicant
Created: 4/15/2019 12:24:18 PM

Agency Name: Killeen, City of
Grant/App: 3597602 **Start Date:** 10/1/2019 **End Date:** 9/30/2020

Project Title: Crisis Assistance Program
Status: Pending OOG Review

Eligibility Information

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

Application Eligibility Certify:
Created on:2/20/2019 7:19:23 PM By:Lisa Hatfield

Profile Information

Applicant Agency Name: Killeen, City of
Project Title: Crisis Assistance Program
Division or Unit to Administer the Project: Killeen Police Department-Victim Services Unit
Address Line 1: 101 N College
Address Line 2: PO Box 1329
City/State/Zip: Killeen Texas 76541-5298
Start Date: 10/1/2019
End Date: 9/30/2020

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

Grant Officials:

Authorized Official

Name: Ronald Olson
Email: rolson@killeentexas.gov
Address 1: 101 N. College Street
Address 1:
City: Killeen, Texas 76541
Phone: 254-501-7700 Other Phone:
Fax: 254-634-8399
Title: Mr.
Salutation: Mr.
Position: City Manager

Project Director

Name: Judith Tangalin
Email: jtangalin@killeentexas.gov
Address 1: 5111 Colorado
Address 1:
City: Killeen, Texas 76542
Phone: 254-501-7743 Other Phone:
Fax:
Title: Ms.
Salutation: Ms.
Position: Controller

Financial Official

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

Grant Writer

Name: Lisa Hatfield
Email: lhatfield@killeentexas.gov
Address 1: 3304 Community Blvd

Address 1:**City:** Killeen, Texas 76542**Phone:** 254-501-7698 Other Phone: 254-768-1276**Fax:** 254-501-8832**Title:** Ms.**Salutation:** Ms.**Position:** Crime Victim Liaison**Grant Vendor Information****Organization Type:** Unit of Local Government (City, Town, or Village)**Organization Option:** applying to provide direct services to victims only**Applicant Agency's State Payee Identification Number (e.g., Federal Employer's Identification (FEI) Number or Vendor ID):** 17460015047006**Data Universal Numbering System (DUNS):** 068980739**Narrative Information**

Introduction

The purpose of this program is to provide services and assistance directly to victims of crime to speed their recovery and aid them through the criminal justice process. Services may include the following:

- responding to the emotional and physical needs of crime victims;
- assisting victims in stabilizing their lives after a victimization;
- assisting victims to understand and participate in the criminal justice system; and
- providing victims with safety and security.

Program-Specific Questions

Culturally Competent Victim Restoration

Victim service providers must have the ability to blend cultural knowledge and sensitivity with victim restoration skills for a more effective and culturally appropriate recovery process. Cultural competency occurs when: (1) cultural knowledge, awareness and sensitivity are integrated into action and policy; (2) the service is relevant to the needs of the community and provided by trained staff, board members, and management; and (3) an advocate or organization recognizes each client is different with different needs, feelings, ideas and barriers.

Provide information in this section regarding how your organization is culturally competent when providing services to victims.

The City of Killeen has an extremely culturally diverse demographic population. This is due to the City's proximate location to Ft. Hood and the varied cultures and ethnic backgrounds associated with the military. Crime victims in the City of Killeen are not limited to one culture or ethnicity, nor is there one specific group that is targeted more frequently. Therefore, crime victim services must be prepared to apply services to as many different cultures as possible. To adequately and fairly serve the variety of cultures, staff and volunteers from different ethnic and cultural backgrounds will be sought and all staff and volunteers will be required to successfully complete a training program in cultural diversity that is designed to educate and train them in appropriate crisis assistance for victims and families of different ethnic and cultural backgrounds. Paid victim services staff and volunteers, including interns, will be required to successfully complete at least 3 hours of culturally competency training annually. This training can involve online training, including webinars, as well as live training offered through conferences, such as Crimes Against Women Conference, Texas Victim Services Association, and Every Victim Every Time Conference. Quarterly meetings will be conducted with the Crisis Assistance Program staff in an effort to acknowledge and address any cases involving cultural competence and to evaluate the services provided in those cases. These meetings will be conducted at the direction of the crime victim liaison and may involve guest speakers that can provide additional education regarding cultural competence as well as practical exercises designed to enhance cultural competence.

Culturally Specific and Underserved Populations

Following are relevant definitions needed to answer this question. - Underserved populations means populations who face barriers in accessing and using victim services, and includes populations underserved because of geographic location, religion, sexual orientation, gender identity, underserved racial and ethnic populations, populations underserved because of special needs (such as language barriers, disabilities, alienage status, or age), and any other population determined to be underserved by the Attorney General or by the Secretary of Health and Human Services, as appropriate. - Culturally specific means the program is primarily directed toward racial and ethnic minority groups (as defined in section 1707(g) of the Public Health Service Act (42 U.S.C. 300u-6(g))). - Racial and ethnic minority group means American Indians (including Alaska Natives, Eskimos, and Aleuts); Asian Americans; Native Hawaiians and other Pacific Islanders; Blacks; and Hispanics. - Hispanic means individuals whose origin is Mexican, Puerto Rican, Cuban, Central or South American, or any other Spanish-speaking country.

Does your program have a primary focus on serving a culturally specific population? (The organization must do more than merely provide services to an underserved population or culturally specific group; rather, the organization's primary focus must be on providing culturally competent services designed to meet the specific needs of the target population in order to justify a **YES** response in the section below.)

 Yes No

If you answered '**YES**' above, you must explain in the box below how your organization's program is specifically designed to focus on and meet the needs of culturally specific populations. If this item does not apply enter '**N/A**'.

N/A

Vehicle Purchases

VOCA applicants seeking grant funds for the purchase of a vehicle must describe below: 1) What are the current program transportation needs that will be addressed with vehicle purchases under this project; 2) What evidence exists to support the need for transportation funding that is specific to the program site; 3) What current transportation services exist at each specific program site and how will these current services be enhanced; 4) What transportation services will be provided; and 5) How the grantee will ensure the safe transportation of victims/survivors to and from the program site. If this application does not seek funds for the purchase of a vehicle, enter 'N/A'.

N/A

Victim Referral Process

Describe how victims are referred to your agency. For local units of government, please also explain your protocols for victim intake and referral.

There are multiple methods in which victim referrals are made to the Crisis Assistance Program/Victim Services Unit at the Killeen Police Department. The methods include requests for immediate response by police personnel to meet with victims at crime scenes, officer/detective referrals, referrals by various local social service agencies, referrals by medical facilities, referrals by local prosecutor's offices, referrals by other local law enforcement agencies, self-referrals and victims' response to notification letters. Self-referrals can occur by telephone, e-mail, instant messaging, and unscheduled in-person contact by victims at the police department. Information regarding available services is posted on the Killeen Police Department Facebook page and the Killeen Police Department website, as well as other social media accounts held by local social service agencies and private social media accounts.

Certifications

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

Forensic Medical Examination Payments

Health care facilities shall conduct a forensic medical examination of a victim of an alleged sexual assault if the victim arrived at the facility within 96 hours after the assault occurred and the victim consents to the examination. The victim is not required to participate in the investigation or prosecution of an offense as a condition of receiving a forensic medical examination, nor pay for the forensic examination or the evidence collection kit. The evidence collection portion of the exam is to be paid by law enforcement per state law. Crime Victim Compensation funds may be used to pay for the medical portion of the exam unless the victim of sexual assault is required to seek reimbursement for the examination from their insurance carrier. If a health care facility does not provide diagnosis or treatment services for sexual assault victims, the facility is required to refer the victim to a facility that provides those services.

Confidentiality and Privacy

Applicant agrees to maintain the confidentiality of client-counselor information and research data, as required by state and federal law. Personally identifying information or individual information collected in connection with services requested, utilized, or denied may not be disclosed; or, reveal individual client information without informed, written, reasonably time-limited consent of the person about whom information is sought. If release of information is compelled by statutory or court mandate, reasonable attempts to provide notice to victims affected by the disclosure of information will be made and steps necessary to protect the privacy and safety of the persons affected by the release of information will be taken.

Activities that Compromise Victim Safety and Recovery

Applicant agrees to not engage in activities that jeopardize victim safety, deter or prevent physical or emotional healing for victims, or allow offenders to escape responsibility for their actions.

Polygraph Testing Prohibition

A peace officer or attorney representing the state may not require an adult or child victim of an alleged sex offense to submit to a polygraph examination or other truth telling device as a condition for proceeding with the investigation of such an offense. In addition, the refusal of a victim to submit to a polygraph or other truth telling examination will not prevent the investigation, charging, or prosecution of an alleged sex offense or on the basis of the results of a polygraph examination.

Protection Orders

Victims applying for a protective order or their attorney may not bear the costs associated with the filing of an order of protections.

Offender Firearm Prohibition

The applicant certifies that its judicial administrative policies and practices include notification to domestic violence offenders of the requirements delineated in section 18 USC § 992(g)(8) and (g)(9).

Criminal Charges

In connection with the prosecution of any misdemeanor or felony domestic violence offense, the victim may not bear the costs associated with the filing of criminal charges against a domestic violence offender, issuance or service of a warrant, or witness subpoena.

Uniform Crime Reports

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

Criminal History Reporting

Entities receiving funds from CJD must be located in a county that has an average of 90% or above on both adult and juvenile dispositions entered into the computerized criminal history database maintained by the Texas Department of Public Safety (DPS) as directed in the Texas Code of Criminal Procedure, Chapter 60. The disposition completeness percentage is defined as the percentage of arrest charges a county reports to DPS for which a disposition has been subsequently reported and entered into the computerized criminal history system.

Immigration Legal Services

CJD prioritizes funding of projects that provide a full spectrum of counseling, crisis services, and other direct victim services. CJD will not fund projects that focus primarily on immigration legal services and do not provide a significant level of other types of victim services.

Discrimination

Applicant agrees not to discriminate against victims because they disagree with the State's prosecution of the criminal case.

Records

Applicant agrees to maintain daily time and attendance records specifying the time devoted to allowable victim services.

Volunteers

If awarded VOCA funds, applicant agrees to use volunteers to support either the project or other agency-wide services/activities, unless CJD determines that a compelling reason exists to waive this requirement.

Civil Rights Liaison

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

Enter the Name of the Civil Rights Liaison:

Jerris Penrod Mapes

Enter the Address for the Civil Rights Liaison:

Killeen Police Department, 3304 Community Blvd, Killeen, Texas 76542

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

254-501-8811

Overall Certification

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

I certify to all of the application content & requirements.

Project Abstract :

The Crisis Assistance Program will continue to promote the rights of victims of crime and provide victims with immediate access to specific services. These services will include on-scene crisis intervention and support; access to immediate counseling services; access to emergency assistance with transportation, food, clothing, and lodging; access to emergency assistance with home repairs to ensure that victims can establish and maintain safety in their residences; immediate access to financial assistance with emergency medical care, such as the purchase of medical devices; and connection to appropriate resources within the community. This project will also promote the continuing education and training of paid and volunteer staff with regard to the most current victim services available in the State of Texas. This project will also include the expansion of the crisis assistance program by hiring one additional staff member with grant funding to ensure that victims receive the most efficient acknowledgement and access to the above-stated services.

Problem Statement :

Due to the high volume of violent incidents within the City of Killeen, Texas, and only one paid staff member dedicated to providing victim services, there is a tremendous need for victim-related services that address the unique needs of each individual case and an additional paid staff member to assist with providing victim-related services. Services provided through this project would include immediate access to crisis intervention and support, access to emergency financial assistance related to medical, transportation, food, clothing, and safety needs of victims, and immediate access to counseling. Although victims of violent crime are eligible to apply for financial assistance through the Crime Victim Compensation program administered by the Texas Office of the Attorney General, not all victims are eligible to receive benefits and the length of time required to complete the application process, eligibility review, and determination of appropriate benefits may hinder victims ability to immediately access to appropriate medical care, such as the purchase of medical devices, and emergency dental care. Victim may also experience delay in receiving trauma-informed counseling. An additional need to be addressed within the project the limited access that victims may encounter because there is only one paid staff member responsible for applying services and supervising intern/volunteer staff. There are very limited financial resources available within the City of Killeen that would allow paid staff and volunteers to enhance and expand their knowledge in the victim services field, while ensuring that most current practices and policies regarding victim services are actively in place. Funding from this grant would allow all of these issues to be appropriately addressed.

Supporting Data :

In 2018, Killeen Police officers generated more than 14,000 offense reports. More than 2900 reports detailed criminal offenses involving acts of violence that required further investigation, arrest, and/or the application of victim services. More specifically, citizens of Killeen reported approximately 900 felony offenses involving violence and 2000 misdemeanor offenses involving violence. This includes 7 homicides, approximately 320 sexually based offenses, and approximately 500 aggravated assaults. An average of 8 incidents of violence were reported each day in the City of Killeen in 2018. This number does not include general calls for service involving violence that did not result in a criminal offense report.

Project Approach & Activities:

The project will involve applying victim-centered and trauma-informed services. The project activities will include initial and continued training of paid staff and volunteers; the immediate response of victim services staff to victims of violent crime; the application of specific victim services, including immediate crisis intervention/support, eligible emergency financial assistance; and immediate access to counseling services. Access to immediate counseling services would involve activities that are included in the existing program. Notification of the availability of counseling will be provided to victims at the time of initial contact with program staff and through social media marketing. The program will expand its services by offering emergency financial assistance to include costs of medical devices needed on an emergency basis; food, transportation, clothing; and making a victim's residence safe. The program will also expand with the addition of a paid staff position, a victim services clerk, whose only duties will involve assisting the crime victim liaison with case management, direct interaction with victims, and the application of victim-centered and trauma-informed victim services.

Capacity & Capabilities:

This project will administered by paid staff, volunteer staff, and participating counseling professionals, with supervision by administrative and command staff of the Killeen Police Department and the City of Killeen. At this time, the Killeen Police Department employs a crime victim liaison with regard to the application of victim services. The current crime victim liaison has more than 23 years of experience in applying victim services in a prosecution setting as well as applying victim services in a law enforcement setting. There is no other paid staff member within the City of Killeen Police Department or the City of Killeen dedicated to victim services. This

project will allow greater capacity and capability of connecting with victims of crime and it will allow victims that were once excluded from receiving certain services to access those services with little to no waiting period and very few restrictions. The addition of a paid staff member, the victim services clerk, will ensure that the program continues to function efficiently and in a timely manner in an effort to connect with as many victims as possible. By recruiting local counseling service providers, including, but not limited to licensed professional counselors, licensed medical/clinical social workers, psychiatrists, psychologists, and trauma counselors, to participate in the program, the project will ensure that all victims will have access to crisis counseling/therapeutic sessions in a timely manner with no cost to the victim. The training and continuing education that the crisis assistance program staff will receive as a result of this funding will ensure that victims are provided with the most current and efficient services in a timely manner. The project will promote the continued collaboration with local victim service-related organizations, agencies, and programs such as Aware Central Texas-Family Violence Unit, the Sexual Assault Response Team at Baylor Scott and White Hospital, and Common Thread, a project of BCFS Health and Human Services. These collaborations will continue in an effort to provide a continuum of care for victims of family violence, sexual assault, and human trafficking.

Performance Management :

The success of this project will be measured or determined by the number of individuals served and by tracking the progress of these individuals as they navigate the criminal justice system and the recovery process. The crime victim liaison and victim services staff will collect and compile statistical data to track the success of the program and to determine if any modifications to the program are required to achieve the objectives. This statistical data will include, but is not limited to, the amount of time required by staff to assist the individual as well as the number of appointments and the frequency of the appointments required to apply the full scope of services. It is the goal to serve at least 300 victims and/or individuals in crisis in a timely manner, to connect those individuals with services and resources in an effort to address the need for immediate access to crisis intervention and crisis counseling. The crisis assistance program will involve paid staff and volunteers responding at the time of the reporting of the criminal/traumatic incident or initiating contact with individuals within 7 days of the criminal/traumatic incident in an effort to provide more timely services in an attempt to achieve the objective of providing immediate access to applicable services and resources as well as reducing or eliminating an individual's exposure to trauma and/or violence.

Target Group :

The group of individuals that will benefit from this program are victims of violent crime, their family members, secondary victims, and at-risk witnesses. This will include residents of the City of Killeen as well as any individuals that reside outside of Killeen, but were victimized within the city limits of Killeen. Specifically, the majority of the population that this program will accommodate will be females between the ages of 25-50, and their children, who have been victims of family violence and who do not have immediate access to financial resources, safe shelter, and professional counseling due to lack of financial means.

Evidence-Based Practices:

The project approach and activities of the Crisis Assistance Program are modeled after evidence based programs. Victim-centered services that include trauma-informed care is supported by research and evaluation completed by Office of Victims of Crime (Vision 21, Transforming Victim Services, May 2013 and Victims of Crime: Indicators of Success Office of Crime Victims Advocacy Victims of Crime Program March 2012). In 2015, an article published in the Women's Health Journal, references research that indicates that trauma-informed care is essential in the successful treatment and healing of survivors from even a medical perspective (From Treatment to Healing:The Promise of Trauma-Informed Care-Edward Machtinger, MD; Yvette Cuca. PhD.; Naina Khanna, BS; Carol Dawson Rose, RN, PhD; Leigh Kimberg, MD). Due to this evidence-based research, the practice of victim-centered, trauma-informed care has been in place at the City of Killeen Police Department Crisis Assistance Program for many years and had been well-received by survivors and their family members. Victim-centered and trauma informed services promotes cooperation and collaboration between Killeen Police Department and victims of crime, while recognizing the importance of the victim's own expertise and ability to make sound decisions concerning their recovery and healing.

Project Activities Information

Introduction

This section contains questions about your project. It is very important for applicants to review their funding announcement for guidance on how to fill out this section. Unless otherwise specified, answers should be about the EXPECTED activities to occur during the project period.

Program Evaluation and Assessment Activity

Special Instructions for Projects Selecting the Program Evaluation and Assessment Activity

Programs selecting "Program Evaluation and Assessment" as a project activity must indicate within the Detailed Project Activity Section whether the proposed evaluation is a **Tier-One** or **Tier-Two** evaluation. For Tier-One evaluations, describe the best practice/model to be used in a fidelity and performance evaluation, the goal(s) of the evaluation, and why it is needed. For Tier-Two evaluations, describe why this new program model is needed and the goal(s) of the evaluation. See definitions below:

Tier-One Evaluations

Evaluations of programs that have been implemented and the evaluations will test the fidelity of the program based on proven models or best-practices. The evaluation will also review available program output and outcome information.

Tier-Two Evaluations

Evaluations directed at measuring the effectiveness of proposed new program models or significant changes in present program models. The goal of tier-two evaluations is both to measure the program's effectiveness and to produce data and evidence necessary for others to replicate the program model and to develop best practices that can be use in supporting similar efforts.

Selected Project Activities:

ACTIVITY	PERCENTAGE:	DESCRIPTION
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Crisis Services	80.00	Crisis Services will include immediate crisis response, crisis support, medical accompaniment and transportation, emergency financial assistance with eligible expenses such as medical equipment, and repair of residences in an effort to ensure safety of victims; coordination of long term safe shelter, assistance with crime victim compensation applications; court accompaniment; protective order assistance; and referrals to appropriate local agencies for continued assistance and any other eligible activity that will aid in the recovery process.
Professional Therapy and Counseling	20.00	Counseling services, traditional and non-traditional, with participating vendors to include, but not limited to licensed professional counselors; licensed clinical social workers; psychiatrists, psychologists; licensed marriage and family therapists. These services are to be provided to victims and their families at no cost to the victim.

CJD Purpose Areas

PERCENT DEDICATED	PURPOSE AREA	PURPOSE AREA DESCRIPTION
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Measures Information

Objective Output Measures

OUTPUT MEASURE	TARGET LEVEL
Number of counseling hours provided to survivors.	63
Number of survivors receiving counseling / therapy.	25
Number of survivors receiving crisis counseling.	325
Number of victims / survivors seeking services who were served.	325
Number of victims seeking services who were not served.	0

Objective Outcome Measures

OUTCOME MEASURE	TARGET LEVEL
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Custom Output Measures

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

Custom Outcome Measures

CUSTOM OUTCOME MEASURE	TARGET LEVEL
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Resolution from Governing Body

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

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

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

Contract Compliance

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

Yes

No

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

Contract compliance will be monitored at least once per quarter by the project manager, command staff in the Criminal Investigation Division, the finance director, and the assistance director of finance for the city of Killeen. The project manager will draft documents/forms such as a contract, a confidential client list, a database detailing services and number of sessions provided to qualifying individuals; and a quarterly report to be submitted/reviewed by staff reference in this summary. Any deficiencies revealed during the monitoring will be documented in memorandum form, reported to the appropriate monitoring staff and addressed. Consequences for any deficiencies can include delay of payment, termination of contract, or other actions as deemed appropriate by monitoring staff. A copy of the proposed City of Killeen Management Policy and memorandum detailing specific monitoring protocol is included with this application. Files will be maintained in project manager's office.

Lobbying

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

Yes

No

N/A

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

Yes

No

N/A

Fiscal Year

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

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

10/1/2018

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

9/30/2019

Sources of Financial Support

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

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

6623765

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

437394

Single Audit

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

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

Yes

No

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

Enter the date of your last annual single audit:
9/30/2017

Equal Employment Opportunity Plan

Compliance - AMENDED

Review the information below to determine which section of the federal [EEOP Certification Form](#) applies to your organization. The EEOP certification information must be submitted to the Office of Civil Rights, Office of Justice Programs through their on-line [EEOP Reporting Tool](#). For more information and guidance on how to complete and submit the federal EEOP certification information, please visit the US Department of Justice, Office of Justice Programs website at <https://ojp.gov/about/ocr/eeop.htm>.

Type I Entity

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

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

Requirements

- The applicant is exempt from the EEOP requirements required to prepare an EEOP because it is a Type I Entity as defined above, pursuant to 28 CFR 42, subpart E;
- the applicant will comply with applicable federal civil rights laws that prohibit discrimination in employment and in the delivery of services; and
- the applicant must complete **Section A** of the EEOP Certification Form and send it to the Office for Civil Rights (OCR) to claim the exemption from developing an EEOP.

Type II Entity

Defined as an applicant that meets the following criteria:

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

Requirements

- The applicant agency is required to formulate an EEOP in accordance with 28 CFR 42.301, subpart E;
- the EEOP is required to be formulated and signed into effect within the past two years by the proper authority;
- the EEOP is available for review by the public and employees or for review or audit by officials of OOG, OOG's designee, or the Office of Civil Rights, Office of Justice Programs, U.S. Department of Justice, as required by relevant laws and regulations;
- the applicant will comply with applicable federal civil rights laws that prohibit discrimination in employment and in the delivery of services;
- the applicant must complete **Section B** of the EEOP Certification Form and send it to the Office for Civil Rights (OCR) to claim the exemption from submitting an EEOP to OCR; and
- the EEOP is required to be on file with the applicant agency.

Enter the name of the person responsible for the EEOP and the address of the office where the EEOP is filed:
Eva Bark, Human Resources Director 101 N. College Killeen, TX 76543

Type III Entity

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

Requirements

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

Certification

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

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

Debarment

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

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

Select the appropriate response:

I Certify

Unable to Certify

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

FFATA Certification

Certification of Recipient Highly Compensated Officers

The Federal Funding Accountability and Transparency Act (FFATA) requires Prime Recipients (CJD) to report the names and total compensation of each of the five most highly compensated officers (a.k.a. positions) of each sub recipient organization for the most recently completed fiscal year preceding the year in which the grant is awarded if the subrecipient answers **YES** to the **FIRST** statement but **NO** to the **SECOND** statement listed below.

In the sub recipient's preceding completed fiscal year, did the sub recipient receive: (1) 80 percent or more of its annual gross revenue from Federal contracts (and subcontracts), loans, grants (and subgrants) and cooperative agreements; AND (2) \$25,000,000 or more in annual gross revenue from Federal contracts (and subcontracts), loans, grants (and subgrants) and cooperative agreements?

Yes

No

Does the public have access to information about the compensation of the senior executives through periodic reports filed under Section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or Section 6104 of the Internal Revenue Code of 1986?

Yes

No

If you answered **YES** to the **FIRST** statement and **NO** to the **SECOND** statement, please provide the name and total compensation amount of each of the five most highly compensated officers (a.k.a. positions) within your agency for the current calendar year. If you answered **NO** to the first statement you are **NOT** required to provide the name and compensation amounts. NOTE: "Total compensation" means the complete pay package of each of the sub recipient's compensated officers, including all forms of money, benefits, services, and in-kind payments (see SEC Regulations: 17 CCR 229.402).

Position 1 - Name:

Position 1 - Total Compensation (\$):

0

Position 2 - Name:

Position 2 - Total Compensation (\$):

0

Position 3 - Name:

Position 3 - Total Compensation (\$):

0

Position 4 - Name:

Position 4 - Total Compensation (\$):

0

Position 5 - Name:

Position 5 - Total Compensation (\$):

0

Victim Services Information

Agency Type

Implementing Agency Type - Government

Which designation best describes your agency

- Law enforcement

Purpose of Award

- Continue an OOG-funded victim project funded in a previous year

Type of Crime Funding Distribution

Identify the percent of funding dedicated to each type of victimization. The percentages provided below should not include matching funds. Cumulative total for all types of victimization must equal 100%.

Type of Crime	Percent of Funds Dedicated to Crime Enter whole percentages only	Funds Dedicated to Crime Current Award x Percent Entered
Child Physical Abuse	0	\$0.00
Child Sexual Abuse	5	\$5,219.10
Domestic and Family Violence	50	\$52,191.02
Child Sexual Assault	0	\$0.00
Adult Sexual Assault	10	\$10,438.20
DUI/DWI Crashes	5	\$5,219.10
DUI/DWI Crashes	5	\$5,219.10
Assault	10	\$10,438.20
Adults Molested As Children	0	\$0.00
Elder Abuse	0	\$0.00
Robbery	10	\$10,438.20
Survivors of Homicide	10	\$10,438.20
Adult Human Trafficking	0	\$0.00
Child Human Trafficking	0	\$0.00
Other Violent Crimes	0	\$0.00
Description:		
Other Non-Violent Crimes	0	\$0.00
Description:		
SUM of %'s Sum of % MUST = 100%	100	SUM of Funds Sum of Funds MUST = OOG Current Budget
		\$104,382.04

Use of Funds

Does this project provide DIRECT SERVICES to victims:

- Yes
 No

Information and Referral

- Information about the criminal justice process
- Information about victim rights, how to obtain notifications, etc.
- Referral to other services, supports, and resources (includes legal, medical, faith-based organizations, address-confidentiality programs, etc.)

Personal Advocacy/Accompaniment

- Intervention with employer, creditor, landlord, or academic institution
- Child and/or dependent care assistance (includes coordination of services)
- Transportation assistance (includes coordination of services)
- Interpreter services
- Victim advocacy/accompaniment to emergency medical care
- Victim advocacy/accompaniment to medical forensic exam
- Law enforcement interview advocacy/accompaniment
- Individual advocacy (e.g., assistance in applying for public benefits, return of personal property or effects)

Emotional Support or Safety Services

- Crisis Intervention (in-person, includes safety planning, etc.)
- On-scene crisis response (e.g., community crisis response)
- Individual counseling
- Other therapy (traditional, cultural, or alternative healing
- art, writing, or play therapy
- etc.)
- Emergency financial assistance (includes emergency loans and petty cash, payment for items such as food and/or clothing, changing windows and/or locks, taxis, prophylactic and nonprophylactic meds, durable medical equipment, etc.)

Shelter/Housing Services

- Relocation assistance (includes assistance with obtaining housing)

Criminal/Civil Justice System Assistance

- Notification of criminal justice events (case status, arrest, court proceedings, case disposition, release, etc.)
- Victim impact statement assistance

- Assistance with restitution (includes assistance in requesting and when collection efforts are not successful)
- Prosecution interview advocacy/accompaniment (includes accompaniment with prosecuting attorney and victim/witness)
- Law enforcement interview advocacy/accompaniment

Assistance in Filing Compensation Claims

- Assists potential recipients in seeking crime victim compensation benefits

All VOCA-funded direct service projects MUST assist victims with seeking crime victim compensation benefits. Please explain why your agency is not assisting victims with crime victim compensation benefits:

Types of Victimitizations

Check the types of victimization that best describe the victims the grant-funded project will serve. "Other" refers to a type that Is Not associated with any of the types provided in the list. Check all that apply:

Types of Victimitizations

- Adult physical assault (includes aggravated and simple assault)
- Adult sexual assault
- Adults sexually abused/assaulted as children
- Arson
- Bullying (verbal, cyber, or physical)
- Burglary
- Child physical abuse or neglect
- Child pornography
- Child physical abuse or neglect
- Domestic and/or family violence
- DUI/DWI incidents
- Elder abuse or neglect

- Human trafficking: labor

- Human trafficking: sex

- Identity theft/fraud/financial crime

- Kidnapping (noncustodial)

- Kidnapping (custodial)

- Other vehicular victimization (e.g., hit and run)

- Robbery

- Stalking/harassment

- Survivors of homicide victims

- Teen dating victimization

- Other

If Other is TRUE provide explanation:

Any offense, personal or property, that is associated with family violence: criminal trespass, criminal mischief, etc.

Budget and Staffing

Answer the questions below based on your current fiscal year. Report the total budget available to the victim services program by source of funding. Do not report the entire agency budget, unless the entire budget is devoted to victim services program.

Annual funding amounts allocated to all victimization programs and/or services for the current fiscal year:

Identify by source the amount of funds allocated to the victimization program/services budget for your agency. DO NOT COUNT FUNDS IN MORE THAN ONE CATEGORY. OTHER FEDERAL includes all federal funding except the award amount for this grant.

OOG Current Budget:
\$104,382.04

Other State Funds:
\$0.00

Other Local Funds:
\$0.00

Other Federal Funds:
\$0.00

Other Non-Federal Funds:
\$0.00

Total Victimization Program Budget:
\$104,382.04

Total number of paid staff for all grantee victimization program and/or services:
COUNT each staff member once. Both full and part time staff should be counted as one staff member. DO NOT prorate based on FTE.

Total number of staff:
2

Number of staff hours funded through THIS grant award (plus match) for grantee's victimization programs and/or services:
Total COUNT of hours to work by all staff supporting the work of this award, including match.

Total number of hours:
3600

Number of volunteer staff supporting the work of this award (plus match) for grantee's victimization programs and/or services:
COUNT each volunteer staff once. DO NOT prorate based on FTE.

Total number of volunteer staff:
5

Number of volunteer hours supporting the work of this award (plus match) for grantee's victimization programs:
Total COUNT of hours to work by all volunteers supporting the work of the award, including match

Total hours to work by all volunteers:
300

Explain how your organization uses volunteers to support its victimization programs or if your organization does not use volunteers explain any circumstances that prohibit the use of volunteers.

The Crisis Assistance Program incorporates volunteers into program services to assist with case management, victim contact, application of victim services, including immediate crisis support, and clerical duties. The Victim Services Unit of the Killeen Police Department collaborated with several local agencies with regard to the recruitment and training of volunteers each year to continue volunteer involvement in this program. The program does rely on grant funding to provide necessary training to volunteer staff.

Fiscal Capability Information

Section 1: Organizational Information

THIS SECTION APPLIES TO NONPROFIT CORPORATIONS ONLY

Enter the Year in which the Corporation was Founded:

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

Enter the Employer Identification Number Assigned by the IRS:

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

Section 2: Accounting System

THIS SECTION APPLIES TO NONPROFIT CORPORATIONS ONLY

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

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

Select the appropriate response:

Yes

No

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

Select the appropriate response:

Yes

No

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

Select the appropriate response:

Grant Summary

- Yes
- No

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

Enter your explanation:

Section 3: Financial Capability

THIS SECTION APPLIES TO NONPROFIT CORPORATIONS ONLY

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

Has the grant agency undergone an independent audit?

Select the appropriate response:

- Yes
- No

Does the organization prepare financial statements at least annually?

Select the appropriate response:

- Yes
- No

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

Select the appropriate response:

- Yes
- No

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

Enter your explanation:

Section 4: Budgetary Controls

THIS SECTION APPLIES TO NONPROFIT CORPORATIONS ONLY

Grant agencies should establish a system to track expenditures against budget and / or funded amounts. Are there budgetary controls in effect (e.g., comparison of budget with actual expenditures on a monthly basis) to include drawing down grant funds in excess of:

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

- Yes
- No

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

- Yes
- No

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

Enter your explanation:

Section 5: Internal Controls

THIS SECTION APPLIES TO NONPROFIT CORPORATIONS ONLY

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

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

Select the appropriate response:

- Yes
- No

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

Select the appropriate response:

- Yes
- No

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

Enter your explanation:

Budget Details Information

Budget Information by Budget Line Item:

CATEGORY	SUB CATEGORY	DESCRIPTION	OOG	CASH MATCH	IN-KIND MATCH	GPI	TOTAL	UNIT/%
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Personnel	Clerk	TITLE: Victims Assistance Clerk/ EMPLOYEE NAME: Vacant/ JOB DESCRIPTION: Assisting the Crime Victim Liaison with case management, direct interaction with victims, and the application of victim-centered and trauma-informed victim services/ TOTAL SALARY: \$61,582.04	\$61,582.04	\$25,922.71	\$0.00	\$0.00	\$87,504.75	100
Supplies and Direct Operating Expenses	Desktop System and Accessories (\$5,000 or less per unit)	Desktop with associated software for use by the new Victims Assistance Clerk.	\$1,750.00	\$0.00	\$0.00	\$0.00	\$1,750.00	0
Travel and Training	In-State Registration Fees, Training, and/or Travel	EVET @3 each year: \$2,700; Crimes Against Women 1st year: \$1,505; Crimes Against Children 1st year: \$1,545; Texas Victims Assistance training 1st year: \$800; Lethality training @2: \$300	\$6,850.00	\$0.00	\$0.00	\$0.00	\$6,850.00	0
Personnel	Intern, Mentor, Service Provider, Student Worker, and/or Support Staff	Trained volunteer staff that will assist the crime victim liaison with administering immediate crisis services, protective order assistance, transportation, court accompaniment, and referrals to appropriate agencies. 10 volunteer hours at the rate of \$17.28 per hour.	\$0.00	\$0.00	\$172.80	\$0.00	\$172.80	1
Supplies and Direct Operating Expenses	Laptop System and Accessories (\$5,000 or less per unit)	Laptop with software. This would be utilized by the new Victims Assistance Clerk while out in the field, away from the office.	\$2,000.00	\$0.00	\$0.00	\$0.00	\$2,000.00	0
Contractual and Professional Services	Non-Substance Abuse-Related Case Management, Forensic Interviews, Counseling, Outpatient, and/or Treatment Services	Professional counseling provided to primary victims, secondary victims and immediate family members. Sessions per person billed at \$80.00 per session. Potential providers of service include, but are not limited to Shakinah Marion; Counseling Solutions. All are licensed professional counselors. The ideal vendor list would include as many LPCs that are willing to commit to the program, allowing for a greater opportunity of services to be provided. Agency will contract individual counselors.	\$10,000.00	\$0.00	\$0.00	\$0.00	\$10,000.00	0
Supplies and Direct Operating Expenses	Office Supplies (e.g., paper, postage, calculator)	Paper, pens, folders, postage, business cards and brochures, staples, adhesive tape, printer ink cartridges, pencils, notebooks, binders, highlighters, correction tape, labels, binder clips, markers, scissors, sheet protectors, stapler, paper clips, envelopes, legal pads, staple remover, dividers, organizer, desk pad, business card holder, tape, letter opener, desk tray	\$2,450.00	\$0.00	\$0.00	\$0.00	\$2,450.00	0
Travel and Training	Out-of-State Registration Fees, Training, and/or Travel	National Organization for Victim Assistance (NOVA) @ 2: \$2,450; The venue for this conference changes year to year. Referencing this year July 22-25, 2019 Phoenix, AZ. Costs include airfare, room and board, and per Diem. This conference will offer great networking, resources and services at the national level that can be incorporated into the state and local level, and an opportunity to explore best practices for victims assistance.	\$2,450.00	\$0.00	\$0.00	\$0.00	\$2,450.00	0
Supplies and Direct Operating Expenses	Printer, Fax, Scanner and/or Camera (\$5,000 or less per unit)	Portable printer. This would be used by the new Victims Assistance Clerk while out in the field.	\$600.00	\$0.00	\$0.00	\$0.00	\$600.00	0
Supplies and Direct Operating Expenses	Printer, Fax, Scanner and/or Camera (\$5,000 or less per unit)	Printer. The current printer that is being used in the Crime Victim Liaison office is on the blink. This printer will replace that one when it is no longer operable.	\$700.00	\$0.00	\$0.00	\$0.00	\$700.00	0
Supplies and Direct Operating Expenses	Project Supplies (e.g., binocular, battery, flexicuff, drug testing kit)	Emergency Services: access to emergency assistance with transportation, food, clothing, and lodging; access to emergency assistance with home repairs to ensure that victims can establish and maintain safety in their residences; immediate access to financial assistance with emergency medical care, such as the purchase of prescriptions and medical devices. Allocation of funds based on the needs of the victims.	\$16,000.00	\$0.00	\$0.00	\$0.00	\$16,000.00	0

Source of Match Information

Detail Source of Match/GPI:

DESCRIPTION	MATCH TYPE	AMOUNT
Salary and benefits of Killeen Police Department Crime Victim Liaison	Cash Match	\$25,922.71
Trained volunteers	In Kind Match	\$172.80

Summary Source of Match/GPI:

Total Report	Cash Match	In Kind	GPI Federal Share	GPI State Share
\$26,095.51	\$25,922.71	\$172.80	\$0.00	\$0.00

Budget Summary Information**Budget Summary Information by Budget Category:**

CATEGORY	OOG	CASH MATCH	IN-KIND MATCH	GPI	TOTAL
Contractual and Professional Services	\$10,000.00	\$0.00	\$0.00	\$0.00	\$10,000.00
Personnel	\$61,582.04	\$25,922.71	\$172.80	\$0.00	\$87,677.55
Supplies and Direct Operating Expenses	\$23,500.00	\$0.00	\$0.00	\$0.00	\$23,500.00
Travel and Training	\$9,300.00	\$0.00	\$0.00	\$0.00	\$9,300.00

Budget Grand Total Information:

OOG	CASH MATCH	IN-KIND MATCH	GPI	TOTAL
\$104,382.04	\$25,922.71	\$172.80	\$0.00	\$130,477.55

Condition Of Fundings Information

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



VICTIMS OF CRIME ACT (VOCA) GRANT

RS-20-001

January 7, 2020

Victim Assistance Grant

- ❑ The Police Department applied for and has been offered a two-year Victims of Crime Act (VOCA) grant from the Office of the Governor, Criminal Justice Division to continue and enhance the current Crisis Assistance Program.
- ❑ The Victim Assistance grant proposal was presented and approved by city council on June 12, 2019. The grantor required specific language to be written in the resolution approved by the governing body. That language was not written the way the grantor wanted.
- ❑ Funding from this award will also provide for a clerk position for Victim Assistance for two years. The grant covers salary, benefits, training and office supply expenses for this position. The clerk applicant will be notified in writing that this is a grant funded position.

Funding

3

- The total grant awarded to the City of Killeen is \$92,824.83
- The required City match is \$23,035.24
 - ▣ Match will be covered by volunteer hours and the Crime Victim Liaison's salary (in-kind contributions)
- There is no expense to the City of Killeen
- This grant is fully funded for two years

Alternatives

4

- Decline the grant offer and discontinue the current Crisis Assistance Program (counseling)
- Accept the VOCA grant offer to continue and enhance the Crisis Assistance Program

Recommendation

- Staff recommends the City Council authorize the City Manager or his designee to accept the Office of the Governor, Criminal Justice Division's 2020 VOCA Grant award for the Killeen Crisis Assistance Program.



City of Killeen

Legislation Details

File #: RS-20-002 **Version:** 1 **Name:** Boards and Commissions Appointments
Type: Resolution **Status:** Resolutions
File created: 12/12/2019 **In control:** City Council
On agenda: 1/14/2020 **Final action:**
Title: Consider a memorandum/resolution appointing citizens to Animal Advisory Committee, Community Development Advisory Committee, Killeen Volunteers, Inc., and Planning and Zoning Commission.
Sponsors: City Secretary
Indexes:
Code sections:
Attachments: [Staff Report](#)
[Presentation](#)

Date	Ver.	Action By	Action	Result
1/7/2020	1	City Council Workshop		



STAFF REPORT

DATE: January 7, 2020

TO: Kent Cagle, City Manager

FROM: Traci Briggs, Interim City Attorney

SUBJECT: Boards and Commissions - Animal Advisory Committee, Community Development Advisory Committee, Killeen Volunteers, Inc., and Planning and Zoning Commission

BACKGROUND AND FINDINGS:

The City of Killeen makes annual appointments to boards, commissions, and committees in September of each year and throughout the year as vacancies occur. The City Council made annual appointments to various Boards & Commissions at its September 10 and September 24, 2019 regular meetings. Since then, several vacancies have occurred on several boards.

Ms. Tammy Roberts, Animal Services Manager submitted her resignation from the City of Killeen in July 2019 creating a vacancy for the animal services manager position on the Animal Advisory Committee. On October 28, 2019, Ms. Jessica Dunagan was hired to be the new animal services manager for the city. The committee is required to be composed of one licensed veterinarian, once city official, one person whose duties include the daily operation of an animal shelter, one representative from an animal welfare organization or humane society, seven citizen members, and two ex-officio members. Appointing Ms. Dunagan, Animal Services Manager fulfills the requirement of having one person on the committee whose duties include the daily operation of an animal shelter.

Animal Advisory Committee (All Council)

Current Member	Status	New Member	Comments
Tammy Roberts	Resigned	Jessica Dunagan	Animal Services Manager

Community Development Advisory Committee member Richard Banta submitted his notice of resignation on October 9, 2019. This resignation has created a vacancy for an unexpired term. The City Secretary's office has received applications from citizens expressing an interest to serve on the board.

Community Development Advisory Committee (All Council)

Current Member	Status	New Member	Comments
Richard Banta (unexpired 18-20)	Resigned	P. Juan Rivera	Citizen Rep

The following Killeen Volunteers, Inc. (KVI) members have resigned from their positions on the board: Citizen Representative Elizabeth Blackstone and Keep Killeen Beautiful Chair Bonita Henderson. The City Secretary's office has received applications from citizens expressing an interest to serve as a citizen representative on KVI.

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

Current Member	Status	New Member	Comments
Elizabeth Blackstone (unexpired 18-20)	Resigned	Raquel Watkins	Citizen Rep
Bonita Henderson (unexpired 18-20)	Resigned	n/a	Keep Killeen Beautiful Chair

Recently appointed Planning and Zoning member Rachel Brent submitted her notice of resignation on October 2, 2019 and on November 20, 2019, Chairman Daryl Peters submitted his resignation. These resignations have created vacancies for unexpired terms. The City Secretary's office has received applications from citizens expressing an interest to serve on the board.

Planning and Zoning Commission (All Council)

Current Member	Status	New Member	Comments
Rachel Brent (unexpired 19-22)	Resigned	Louie Minor	Position 5
Daryl Peters (unexpired 17-20)	Resigned	Michael Hodges	Position 8

THE ALTERNATIVES CONSIDERED:

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

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

CONFORMITY TO CITY POLICY:

Making these appointments conforms to city ordinances and policies.

FINANCIAL IMPACT:

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

There is no current or future expenditure with these appointments.

Is this a one-time or recurring expenditure?

N/A

Is this expenditure budgeted?

N/A

If not, where will the money come from?

N/A

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

N/A

RECOMMENDATION:

It is recommended that the City Council appoint new member individuals to fill the vacancies on Animal Advisory Committee, Community Development Advisory Committee, Killeen Volunteers, Inc., and Planning and Zoning Commission.

DEPARTMENTAL CLEARANCES:

City Attorney

ATTACHED SUPPORTING DOCUMENTS:

N/A



BOARDS AND COMMISSIONS CITIZEN ENGAGEMENT

RS-20-002

January 7, 2020

Boards & Commissions

2

- The City of Killeen has various citizen boards and commissions that serve in an advisory capacity
- Several board/commission members have resigned from their seats creating vacancies

Boards & Commissions

Animal Advisory Committee (All Council)

Current Member	Status	New Member	Comments
Tammy Roberts	Resigned	Jessica Dunagan	Animal Services Manager

Community Development Advisory Committee (All Council)

Current Member	Status	New Member	Comments
Richard Banta (unexp 18-20)	Resigned	P. Juan Rivera	Citizen Rep

Boards & Commissions

4

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

Current Member	Status	New Member	Comments
Elizabeth Blackstone (unexpired 18-20)	Resigned	Raquel Watkins	Citizen Rep
Bonita Henderson (unexpired 18-20)	Resigned	n/a	Keep Killeen Beautiful

Planning and Zoning Commission (All Council)

Current Member	Status	New Member	Comments
Rachel Brent (unexpired 19-22)	Resigned	Louie Minor	Position 5
Daryl Peters (unexpired 17-20)	Resigned	Michael Hodges	Position 8

Recommendation

5

City Council appoint new member individuals to fill the vacancies on Animal Advisory Committee, Community Development Advisory Committee, Killeen Volunteers, Inc., and Planning and Zoning Commission



City of Killeen

Legislation Details

File #: RS-20-003 **Version:** 1 **Name:** KTMPO Appointment/Technical Advisory Committee Appointment
Type: Resolution **Status:** Resolutions
File created: 12/30/2019 **In control:** City Council
On agenda: 1/14/2020 **Final action:**
Title: Consider a memorandum/resolution appointing a Council Member to Killeen Temple Metropolitan Planning Organization and appointing the City Manager to the Killeen Temple Metropolitan Planning Organization Technical Advisory Committee.
Sponsors: City Council, City Manager Department
Indexes:
Code sections:
Attachments: [Staff Report](#)
[Presentation](#)

Date	Ver.	Action By	Action	Result
1/7/2020	1	City Council	Workshop	



STAFF REPORT

DATE: January 7, 2020

TO: Kent Cagle, City Manager

FROM: Traci Briggs, Interim City Attorney

SUBJECT: **Appointing a Council Member to Killeen Temple Metropolitan Planning Organization and Appointing the City Manager to Killeen Temple Metropolitan Planning Organization Technical Advisory Committee**

BACKGROUND AND FINDINGS:

The Mayor and Council make annual appointments to the various boards, commissions, and committees that provide advisory services for the city and the region. The Mayor and Council are voting members of many of these; in some instances they represent the Council on the board as ex-officio members. Annual appointments were made on July 23, 2019, following the May 2019 election. Since then, Councilmember Johnson is in agreement to be replaced on the Killeen Temple Metropolitan Planning Organization (KTMPO).

In 2013, a Technical Advisory Committee was formed by KTMPO to review technical issues and develop preferred technical alternatives for Policy Board action. The City Manager was appointed to serve as a voting member on the Committee. In order to ensure the City of Killeen continues to have a vote, Council action is required to appoint City Manager Kent Cagle to replace former City Manager Ronald L. Olson.

THE ALTERNATIVES CONSIDERED:

No other alternatives were considered.

CONFORMITY TO CITY POLICY:

Making these appointments conforms to relevant city ordinances and policies.

FINANCIAL IMPACT:

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

There is no current or future expenditure with these appointments.

Is this a one-time or recurring expenditure?

N/A

Is this expenditure budgeted?

N/A

If not, where will the money come from?

N/A

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

N/A

RECOMMENDATION:

Recommendation is to appoint Mayor Pro Tem Kilpatrick to replace Councilmember Johnson on KTMPO and to appoint Kent Cagle to replace Ronald L. Olson on KTMPO's Technical Advisory Committee.

DEPARTMENTAL CLEARANCES:

City Attorney

ATTACHED SUPPORTING DOCUMENTS:

N/A



APPOINTMENT TO KTMPO
AND KTMPO TECHNICAL
ADVISORY COMMITTEE

RS-20-003

January 7, 2020

Background – KTMPO

2

- ❑ Mayor and Council make annual appointments to various boards and commissions that provide advisory services for the city
- ❑ Mayor and Council are voting members of many of these boards
- ❑ Annual appointments were made on July 23, 2019
- ❑ Councilmember Johnson has agreed to be replaced on Killeen Temple Metropolitan Planning Organization (KTMPO)

Background – Technical Advisory Committee

- Technical Advisory Committee was formed by KTMO in 2013
- The City Manager was appointed to serve as a voting member on the Committee
- City Council action is required to appoint City Manager Kent Cagle

Recommendation

4

- Appoint Mayor Pro Tem Kilpatrick to replace Councilmember Johnson on KTMPO
- Appoint City Manager Kent Cagle to KTMPO Technical Advisory Committee



City of Killeen

Legislation Details

File #: PH-19-049 **Version:** 1 **Name:** Zoning 19-26
Type: Ordinance/Public Hearing **Status:** Public Hearings
File created: 11/22/2019 **In control:** City Council
On agenda: 1/14/2020 **Final action:**
Title: Consider an ordinance requested by Quintero Engineering, L.L.C. on behalf of Leslie Shelley (Case #Z19-26) to rezone approximately 4.153 acres, being out of the W. H. Cole Survey, Abstract No. 200, from "CD" (Cemetery District) to "CD" (Cemetery District) with a Conditional Use Permit (CUP) for "SF-2" (Single-Family Residential District) and from "A" (Agricultural District) to "SF-2" (Single -Family Residential District). The property is locally known as 211 Viola Drive, Killeen, Texas. (Tabled from December 10, 2019 Regular City Council Meeting)
Sponsors: Planning & Development Dept
Indexes:
Code sections:
Attachments: [Staff Report](#)
[Maps](#)
[Minutes](#)
[Ordinance](#)
[Considerations](#)
[Presentation](#)

Date	Ver.	Action By	Action	Result
1/7/2020	1	City Council Workshop		
12/17/2019	1	City Council		
12/10/2019	1	City Council Workshop		



STAFF REPORT

DATE: December 10, 2019

TO: Kent Cagle, City Manager

FROM: Tony McIlwain, Interim Exec. Dir. of Planning and Dev. Services

SUBJECT: ZONING CASE #Z19-26: "CD" (Cemetery District) to "CD" (Cemetery District) with a Conditional Use Permit (CUP) for "SF-2" (Single-Family Residential District) and from "A" (Agricultural District) to "SF-2" (Single -Family Residential District)

Background and Findings:

This request is submitted on behalf of Leslie Shelley to rezone approximately 4.153 acres, out of the W. H. Cole Survey, Abstract No. 200, from "CD" (Cemetery District) to "CD" (Cemetery District) with a Conditional Use Permit (CUP) for "SF-2" (Single-Family Residential District) and from "A" (Agricultural District) to "SF-2" (Single -Family Residential District). The property is locally known as 211 Viola Drive, Killeen, Texas.

Conditional Use Permit

The City Council by an affirmative majority vote may by ordinance grant a Conditional Use Permit as provided in section 31-456 of the Code of Ordinances for any residential or business land use for a specific parcel in the overlay district and may impose appropriate conditions and safeguards to assure that these land uses are compatible with and appropriate for locations adjacent to the Veterans Cemetery. Conditional Use Permits granted shall be considered permanent provided the property owner remains in continuous compliance with any conditions or safeguards imposed.

"SF-2" Single-Family Residential District Description

A building or premises in a district "SF-2" single-family residential district shall be used only for the following purposes:

- (1) Single-family dwellings meeting the criteria of the garden home district, with a minimum floor area of one thousand one hundred (1,100) square feet.
- (2) All uses allowed in section 31-183(1-13(b)) ("R-1" Single-Family Residential district), including those defined as home occupation uses.

Property Specifics:

Applicant / Property Owner: Leslie Shelley

Property Location: The property is locally known as 211 Viola Drive, Killeen, Texas.

Legal Description: Approximately 4.153 acres, out of the W. H. Cole Survey, Abstract No. 200

Zoning/ Plat Case History:

- The property was rezoned to "CD" (Cemetery District) due to the establishment of the "CD" (Cemetery District) zoning on 9 May, 2006.
- The subject property is previously not platted and part of the W. H. Cole Survey, Abstract No. 200.

Character of the Area:

Existing Land Use(s) on the Property: The property is currently a single family agricultural parcel located within the Splawn Ranch subdivision. The surrounding community is made up of single-family residential dwelling units.

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 located within the City of Killeen municipal utility service area and available to the subject tract. However, it will be necessary to extend public utility infrastructure to each lot, prior to the release of the lot(s) for residential construction purposes.

Transportation:

Existing Conditions: The property is situated between Viola, Zayden, Fred Patrick, and Cullen Drives with approximately 1,700' of combined frontage. Viola, Zayden, Fred Patrick, and Cullen Drives have been constructed as 60 ft. rights-of-way and are classified as local streets on the City's adopted Thoroughfare Plan.

Proposed Improvements: Development of this property will require the construction and acceptance of public rights-of-way.

Projected Traffic Generation: A single-family home will generate roughly 10 vehicle trips per day. This project, as proposed, is expected to yield approximately 36 single-family lots and generate 343 total daily trips, with 27 A.M. peak hour trips and 36 P.M. peak hour [note-this data is sourced from the Institute of Transportation Engineer (ITE) Trip Generation Rates-10th Edition, provided through Spack Consulting].

Environmental Assessment:

At the time of development, the current Drainage Design Manual (DDM) and Infrastructure Design and Development Standards Manual (IDDSM) 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.

Land Use Analysis:

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

Plan Recommendation: 'General Residential' (GR) designation encourages detached residential dwellings, attached housing types subject to compatibility and open space standards, planned developments, potentially with a mix of housing types and varying densities, subject to compatibility and open space standards, public and institutional uses, and parks and public spaces.

Consistency: The applicant's zoning request is consistent with the Comprehensive Plan.

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 ninety-one (91) surrounding property owners that own land within 400' of the subject site regarding this request. As of the date of this staff report, no responses have been received.

THE ALTERNATIVES CONSIDERED:

The City Council may:

- disapprove the applicant's zoning request;
- approve the applicant's zoning request; or
- approve a more restrictive zoning district than requested by the applicant.

Which alternative is recommended? Staff recommends that the City Council approve a more restrictive Conditional Use Permit (CUP) with "R-1" (Single-Family Residential District) zoning for residential use with the minimum area regulations as detailed in 31-188 of the Code of Ordinances; staff also recommends approval of the "A" (Agricultural District) zoning transitioning to "R-1" as well.

Why? Staff is of the determination that the proposed "SF-2" zoning would be incompatible with the surrounding residential community; the surrounding residential lots have been developed on 70 foot wide lots, which are greater than 9,000 square feet in area. The proposed "SF-2" single-family residential district zoning would allow smaller 5,000 square foot residential lots with a width of 50' and a depth of 100'.

CONFORMITY TO CITY POLICY:

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

FINANCIAL IMPACT:

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

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

Is this expenditure budgeted?

This is not applicable.

If not, where will the money come from?

This is not applicable.

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

This is not applicable.

RECOMMENDATION:

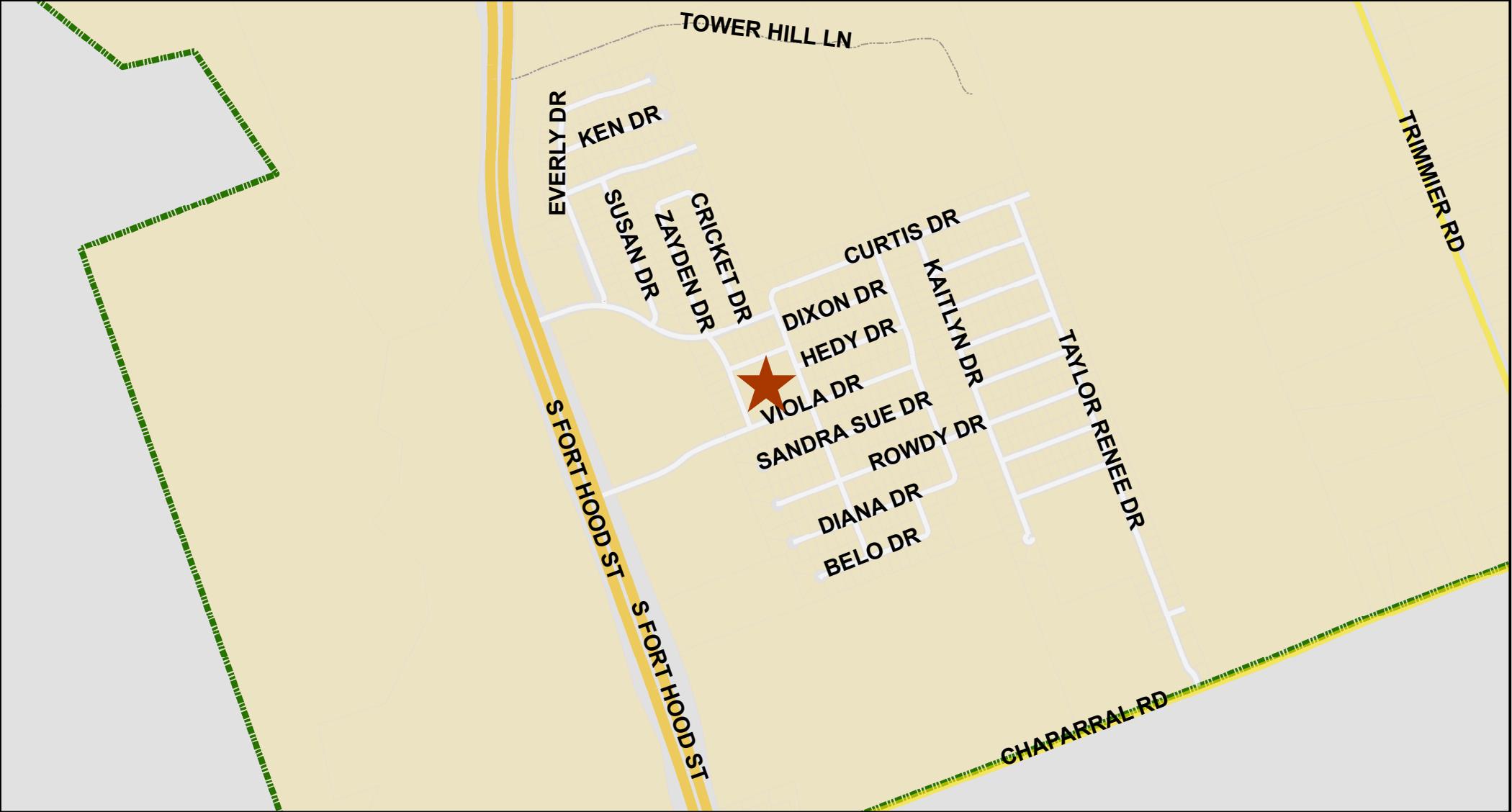
The Planning and Zoning Commission recommended approval of the applicant's request to rezone the subject property from "CD" (Cemetery District) to "CD" (Cemetery District) with a Conditional Use Permit (CUP) for "R-1" (Single-Family Residential District) and from "A" (Agricultural District) to "R-1" (Single -Family Residential District) by a vote of 3 to 2, with Commissioners Payton and O'Brien in opposition to the motion. Commissioner Alvarez recused himself from the vote and filed the required affidavit disclosing a conflict of interest.

DEPARTMENTAL CLEARANCES:

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

ATTACHED SUPPORTING DOCUMENTS:

- Maps
- Minutes
- Ordinance
- Considerations



Zoning Location Map

Case: Z2019-26

Council District: 3

FROM: CD TO CD W/ CUP SF-2 & A TO SF-2

1 inch = 1,042 feet

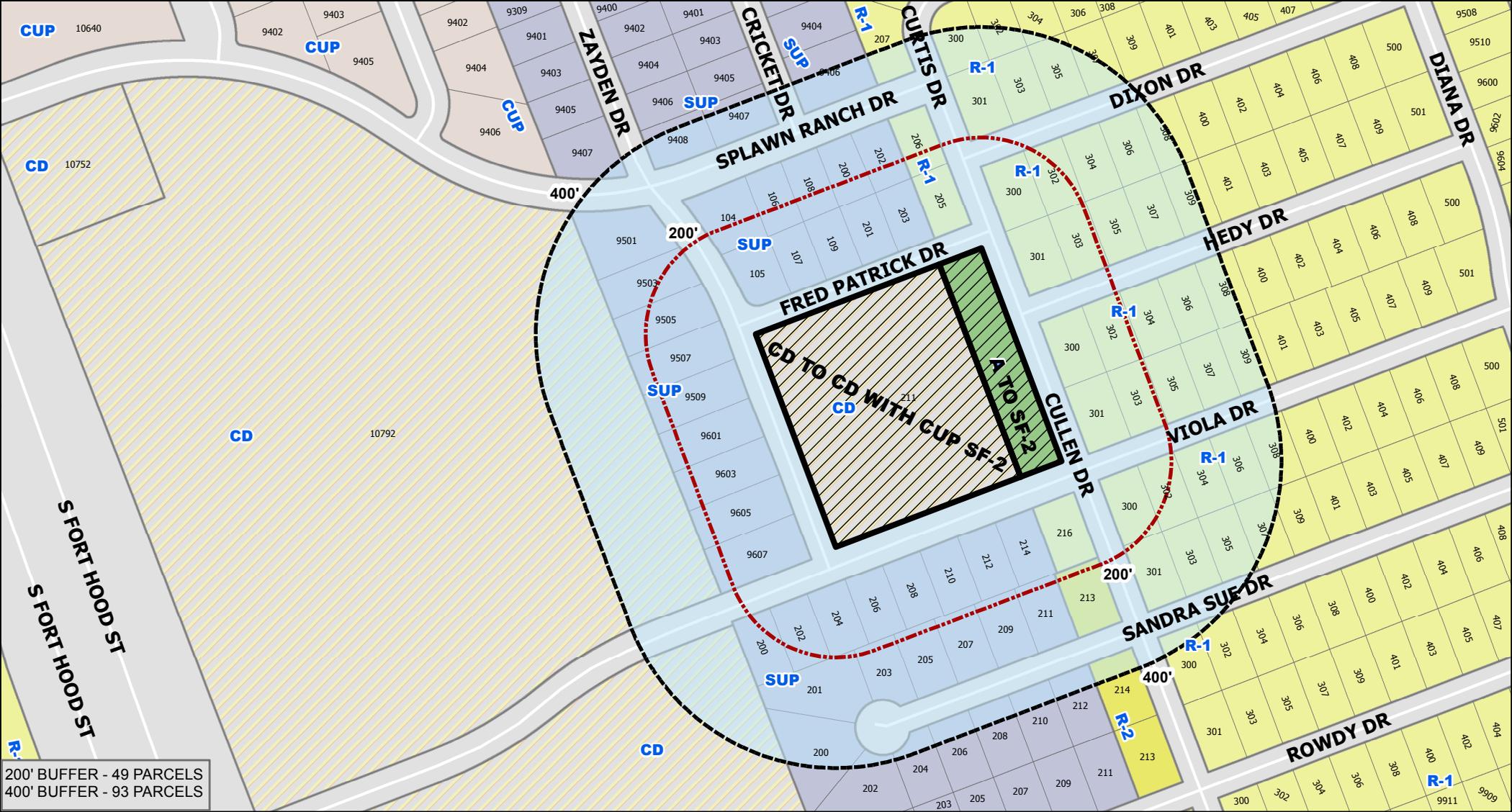
Subject Property Legal Description: A0200BC W H COLE, 12, ACRES 4.153

LOCATION MAP



Zoning Case Location





ZONING CHANGE MAP

Legend

-  ZONING CASE LOCATION
-  19_26_200
-  NOTIFICATION AREA



**MINUTES
PLANNING AND ZONING COMMISSION MEETING
DECEMBER 2, 2019**

**CASE #Z19-26
“CD” to “CD” w/CUP for “SF-2” AND “A” to “SF-2”**

HOLD a public hearing and consider a request submitted by Quintero Engineering, L.L.C on behalf of Leslie Shelley to rezone approximately 4.153 acres, being out of the W. H. Cole Survey, Abstract No. 200 from “CD” (Cemetery District) to “CD” (Cemetery District) with a Conditional Use Permit (CUP) for “SF-2” (Single-Family Residential District) and from “A” (Agricultural District) to “SF-2” (Single -Family Residential District). The property is locally known as 211 Viola Drive, Killeen, Texas.

Commissioner Alvarez stepped away from the dais due to a potential conflict of interest.

Vice Chairman Latham requested staff comments.

Jerry Millard, Senior Planner, stated that this request was submitted to rezone property from “CD” (Cemetery District) to “CD” (Cemetery District) with a Conditional Use Permit (CUP) for “SF-2” (Single-Family Residential District) and from “A” (Agricultural District) to “SF-2” (Single -Family Residential District). The property is locally known as 211 Viola Drive, Killeen, Texas.

Mr. Pedro Quintero, Quintero Engineering, L.L.C., 1501 W. Stan Schlueter Loop, Killeen, 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 Ploeckelmann motioned to recommend approval for “CD” (Cemetery District) with a Conditional Use Permit (CUP) for “R-1” (Single-Family Residential District) and approval of Agricultural to “R-1” (Single-Family Residential District). Commissioner Gukeisen seconded, and the motion passed by a vote of 3 to 2. Commissioners O’Brien and Payton voted in opposition.

Vice Chairman Latham stated that the request will be forwarded to City Council with a recommendation for approval.

Commissioner Alvarez returned to the dais.

ORDINANCE _____

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF KILLEEN BY CHANGING THE ZONING OF APPROXIMATELY 4.153 ACRES, BEING OUT OF THE W. H. COLE SURVEY, ABSTRACT NO. 200 FROM “CD” (CEMETERY DISTRICT) TO “CD” (CEMETERY DISTRICT) WITH A CONDITIONAL USE PERMIT (CUP) FOR “SF-2” (SINGLE-FAMILY RESIDENTIAL DISTRICT) AND FROM “A” (AGRICULTURAL DISTRICT) TO “SF-2” (SINGLE - FAMILY RESIDENTIAL DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Quintero Engineering, L.L.C., on behalf of Leslie Shelley 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 4.153 acres, out of the W. H. Cole Survey, Abstract No. 200 from “CD” (Cemetery District) to “CD” (Cemetery District) with a Conditional Use Permit (CUP) for “SF-2” (Single-Family Residential District) and from “A” (Agricultural District) to “SF-2” (Single -Family Residential District), said request having been duly recommended for approval of “CD” (Cemetery District) with a Conditional Use Permit (CUP) for “R-1” (Single-Family Residential District) and from “A” (Agricultural District) to “R-1” zoning by the Planning and Zoning Commission of the City of Killeen on the 2nd day of December 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 17th day of December 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 4.153 acres, out of the W. H. Cole Survey, Abstract No. 200 be changed from “CD” (Cemetery District) to “CD” (Cemetery District) with a Conditional Use Permit (CUP) for “R-1” (Single-Family Residential District) and from “A” (Agricultural District) to “R-1” (Single-Family Residential District), for the property addressed as 211 Viola Drive, Killeen, Texas.

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

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

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

PASSED AND APPROVED at a regular meeting of the City Council of the City of Killeen, Texas, this 17th day of December 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

Traci S. Briggs, INTERIM CITY ATTORNEY
Ord. #19-___

CONSIDERATIONS

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

A. General Factors to Consider:

Is the request in accordance with the comprehensive plan?

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

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

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

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

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

Whether there have been substantially changed conditions in the neighborhood.

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

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

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

B. Conditional Use Permit (if applicable)

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

C. Conditions to Consider

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



ZONING CASE #Z19-26: “CD” TO “CD” WITH A
CUP FOR “SF-2” AND FROM “A” TO “SF-2”

PH-19-049

December 10, 2019

ZONING Case #Z19-26: “CD” to “CD” with a CUP for “SF-2” and from “A” to “SF-2”

2

- ❑ Quintero Engineering, L.L.C. on behalf of Leslie Shelley (**Case #Z19-26**), has submitted this request to rezone approximately 4.153 acres, from “CD” (Cemetery District) to “CD” (Cemetery District) with a Conditional Use Permit (CUP) for “SF-2” (Single-Family Residential District) and from “A” (Agricultural District) to “SF-2” (Single -Family Residential District).
- ❑ The property is locally known as 211 Viola Drive, Killeen, Texas.



Zoning Location Map

Case: Z2019-26

Council District: 3
FROM: CD TO CD W/ CJP SF-2 & A TO SF-2
1 inch = 1,042 feet

Subject Property Legal Description: A0200BC W H COLE, 12, ACRES 4.153

LOCATION MAP



Zoning Case Location



ZONING Case #Z19-26: “CD” to “CD” with a CUP for “SF-2” and from “A” to “SF-2”

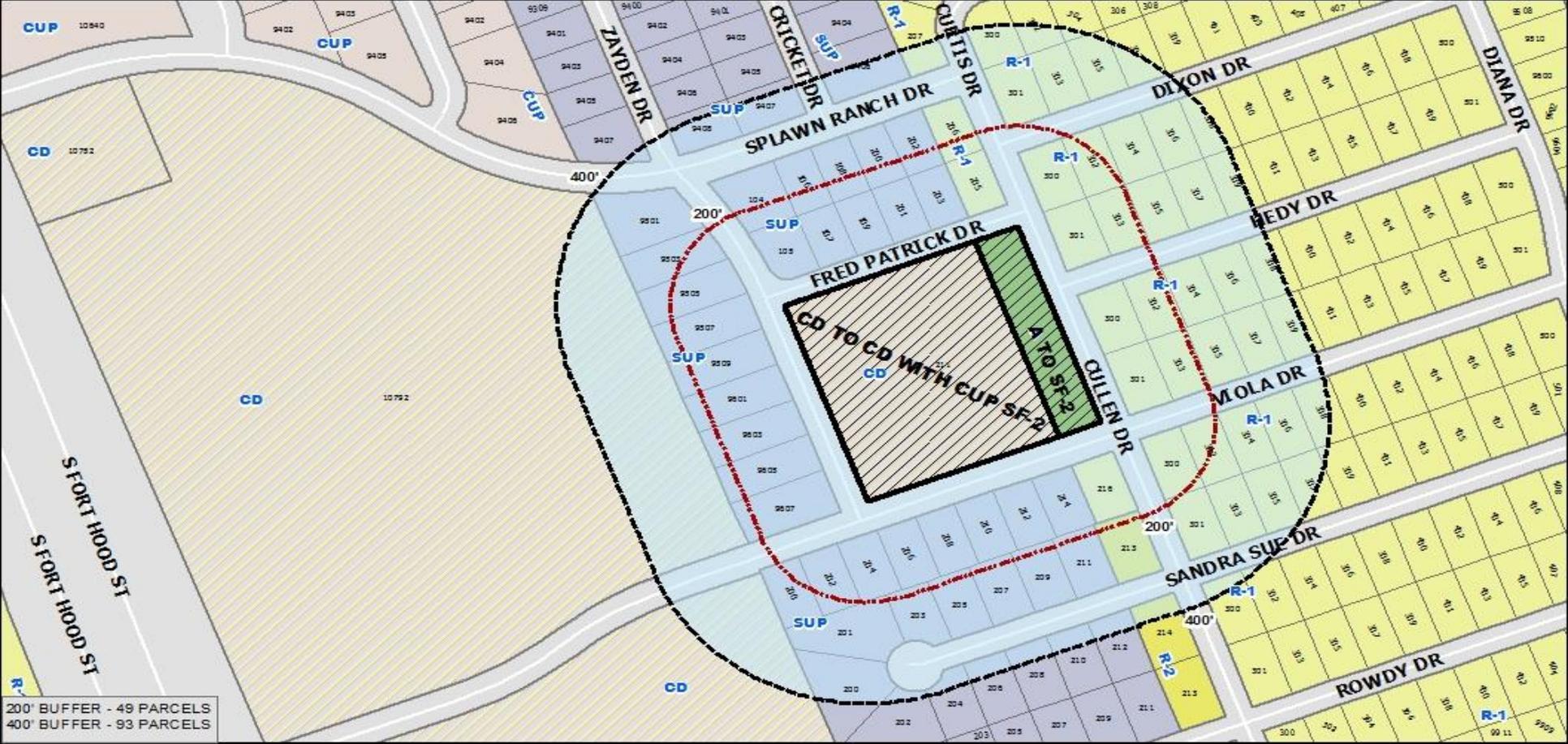
4

- ❑ The property is designated as ‘General Residential’ (‘GR’) on the City’s Future Land Use Map (FLUM).
- ❑ The ‘General Residential’ (‘GR’) designation encourages a mix of single-family types, public and institutional uses, parks and public spaces.
- ❑ The applicant’s request is consistent with the FLUM.

ZONING Case #Z19-26: “CD” to “CD” with a CUP for “SF-2” and from “A” to “SF-2”

5

- ❑ Staff notified ninety-one (91) surrounding property owners that own land within 400’ of the subject site regarding this request.
- ❑ As of the date of this staff report, no responses have been received.



200' BUFFER - 49 PARCELS
 400' BUFFER - 93 PARCELS

Zoning Notification Plan

Case: Z2019-26

Council District: 3
 FROM: CD TO CD W/ CUP SF-2 & A TO SF-2
 1 inch = 250 feet
 Subject Property Legal Description: A0200BC W H COLE, 12, ACRES 4.153

ZONING CHANGE MAP

Legend

-  ZONING CASE LOCATION
-  19_26_200
-  NOTIFICATION AREA



Alternatives

7

- ❑ The City Council has three (3) alternatives. The City Council may:
 - Disapprove the applicant's zoning request;
 - Approve the applicant's zoning request; or
 - Approve a more restrictive zoning designation.

Recommendations

- ❑ Staff recommends that the City Council approve “CD” to “CD” with a CUP for the more restrictive “R-1” minimum lot size and residential setbacks and for a rezone from “A” to “R-1”.
- ❑ The Planning and Zoning Commission recommended approval of the applicant’s zoning request (based on staff’s “R-1” recommendation) by a vote of 3 to 2 with Commissioners O’Brien and Payton opposed to the motion. Commissioner Alvarez recused himself from the vote.



City of Killeen

Legislation Details

File #: PH-20-001 **Version:** 1 **Name:** Zoning 19-28
Type: Ordinance/Public Hearing **Status:** Public Hearings
File created: 12/10/2019 **In control:** City Council
On agenda: 1/14/2020 **Final action:**
Title: HOLD a public hearing and consider an ordinance requested by Terry Tilghman of Integrated Power Company, on behalf of Yong Mullins (Case #Z19-28), to rezone approximately 3.807 acres, being out of the R. A. McGee Survey, Abstract No. 561, from "A" (Agricultural District) to "A" (Agricultural District) with a Conditional Use Permit (C.U.P.) for storage of construction equipment. The property is addressed as 259 Cloud Lane, Killeen, Texas.
Sponsors: Planning & Development Dept
Indexes:
Code sections:
Attachments: [Staff Report](#)
[Maps](#)
[Minutes](#)
[Ordinance](#)
[Letter of Intent](#)
[Location Map](#)
[Considerations](#)
[Presentation](#)

Date	Ver.	Action By	Action	Result
1/7/2020	1	City Council Workshop		



STAFF REPORT

DATE: January 7, 2019

TO: Kent Cagle, City Manager

FROM: Tony McIlwain, Interim Exec. Dir. of Planning and Dev. Services

SUBJECT: ZONING CASE #Z19-28: "A" (Agricultural District) to "A" (Agricultural District) with a Conditional Use Permit (C.U.P.)

Background and Findings:

This request has been submitted by Terry Tilghman of Integrated Power Company, on behalf of Yong Mullins, to rezone approximately 3.807 acres out of the R. A. McGee Survey, Abstract No. 561, from "A" (Agricultural District) to "A" (Agricultural District) with a Conditional Use Permit (C.U.P.). The property is addressed as 259 Cloud Lane, Killeen, Texas. The applicant, Integrated Power Company, is currently using the property as a laydown and receiving yard for a short period of time while constructing a utility transmission line south of town. This property is being used to store construction materials including steel transmission line poles, wooden poles, reels of wire, and other miscellaneous transmission line parts. The applicant will be housing equipment onsite (for example: loaders, bucket trucks, forklifts, dumpsters, semis, pickups, job site trailers, onsite office container and storage connexes). When staff became aware that this property was already being used for construction staging and materials storage, staff advised the applicant to submit a request for a C.U.P. for the City Council's consideration.

"A" Agricultural District

A building or premises in a district "A" agricultural district shall be used only for the following purposes:

- (1) Stables, commercial or private.
- (2) Agricultural uses to include animal production, crop production, horticulture, and support housing.
- (3) Home occupations as permitted in district "R-1" single-family residential district.
- (4) Agricultural single-family residential in accordance with division 3 of this article.
- (5) Accessory buildings customarily incident to the uses in this section.

Section 31-456 of the Killeen Code of Ordinances establishes the criteria for Conditional Use Permit (C.U.P.) approval.

Conditions of approval: Regardless of whether such conditions have been recommended by the Planning and Zoning Commission, the City Council may establish such conditions of approval as are reasonably necessary to insure compatibility with surrounding uses and to preserve the public health, safety and welfare. Such conditions may include, without limitation, a limited term or duration of the permit; requirements for special yards, lot sizes, open spaces, buffers,

fences, walls or screening; requirements for the installation and maintenance of landscaping or erosion control measures; requirements for street improvements, regulation of vehicular ingress or egress and traffic circulation, regulation of signs; regulation of hours or other characteristics of operation; establishment of development schedules for performance or completion; and such other reasonable conditions as the City Council may deem necessary to preserve the health, safety, and welfare of the applicant and the public.

Property Specifics:

Applicant / Property Owner: Terry Tilghman, Integrated Power Company, on behalf of Yong Mullins

Property Location: 259 Cloud Lane, Killeen, Texas.

Legal Description: Approximately 3.807 acres out of the R. A. McGee Survey, Abstract No. 561

Zoning/ Plat Case History:

- There is no recent zoning history for the property since its original zoning of "A" at the time of annexation on November 25th, 2008.
- The subject property is not previously platted.

Character of the Area:

Existing Land Use(s) on the Property: The property is an agriculturally used parcel with a single-family residential structure on the premise. The surrounding community is made up of a mix of light commercial uses, additional agriculturally used lots, and vacant undeveloped land.

Historic Properties: None

Community Infrastructure and Environmental Assessment:

Water, Sewer and Drainage Services

Provider: West Bell County Water Supply Corporation

Within Service Area: Yes

Feasibility Study or Service Commitment: Water, sanitary sewer and drainage utility services are not located within the City of Killeen municipal utility service area and are not available to the subject tract. Water service will be provided by the West Bell County Water Supply Corporation. Septic systems are located on this parcel.

Transportation:

Existing Conditions: The property is bordered by S. H. 195 to the east and Cloud Lane to the south. S. H. 195 has been constructed as a 120 foot right-of-way and is classified as a principal arterial street on the City's adopted Thoroughfare Plan. Cloud Lane is classified as a 60 foot local street on the City's adopted Thoroughfare Plan. Access to this parcel is from Cloud Lane.

Proposed Improvements: None

Projected Traffic Generation: The projected traffic generation is undetermined for this request.

Environmental Assessment:

There are no known environmental constraints for these lots. The lots are not within any FEMA regulatory Special Flood Hazard Area (SFHA) and there are no known wetlands on or adjacent to the parcel.

Land Use Analysis:

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

Plan Recommendation: 'Rural' (R) designation encourages residential homesteads, planned development to accommodate conservation and cluster residential designs, agricultural uses, agriculture-focused commercial retail, public and institutional uses, parks and public spaces, and natural and protected floodplain areas.

Consistency: The applicant's intended use is not consistent with the Comprehensive Plan; however Conditional Use Permits are allowed within any zoning district and due to the temporary nature and scope of this request, staff does not recommend any amendments to the FLUM.

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 seven (7) surrounding property owners within 400' of the subject site regarding this request. Staff has received no responses to this submission.

THE ALTERNATIVES CONSIDERED:

The City Council may:

- disapprove the applicant's C.U.P. request;
- approve the C.U.P. request with additional conditions; or
- approve the applicant's C.U.P. request with the recommended conditions.

Which alternative is recommended? Staff is recommending that the City Council approve the applicant's Conditional Use Permit (C.U.P.) with the following recommended conditions:

- the applicant shall return the property to the condition that it was prior to the proposed use;
- a storm water prevention program shall be in effect for the duration of the proposed use;

- no permanent development of pad sites or structures will take place on the site that would require the issuance and approval of permits; and
- the C.U.P. is limited to a duration of 12 months.

Why? The applicant's request is for this C.U.P. is limited in duration and scope and restricted to the duration of the property lease agreement.

CONFORMITY TO CITY POLICY:

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

FINANCIAL IMPACT:

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

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

Is this a one-time or recurring expenditure?

This is not applicable.

Is this expenditure budgeted?

This is not applicable.

If not, where will the money come from?

This is not applicable.

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

This is not applicable.

RECOMMENDATION:

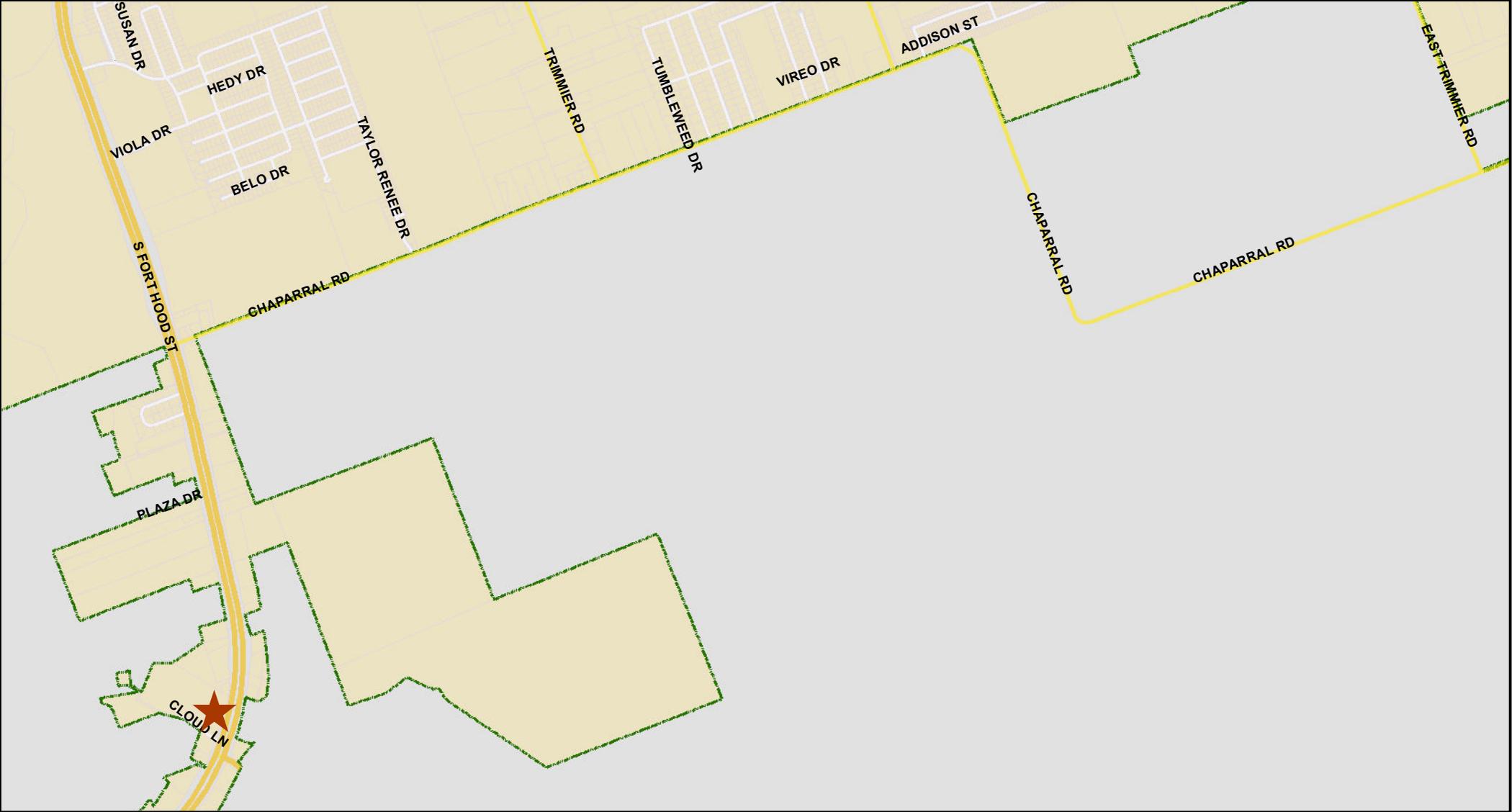
The Planning and Zoning Commission recommended approval of the applicant's request to rezone the subject property from "A" (Agricultural District) to "A" (Agricultural District) with a Conditional Use Permit (C.U.P.) with the afore-referenced conditions by a vote of 5 to 0.

DEPARTMENTAL CLEARANCES:

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

ATTACHED SUPPORTING DOCUMENTS:

Maps
Ordinance
Letter of Intent
Location map
Considerations



Zoning Location Map

Case: Z2019-28

Council District: 4

FROM: A TO A W/ CUP

1 inch = 2,083 feet

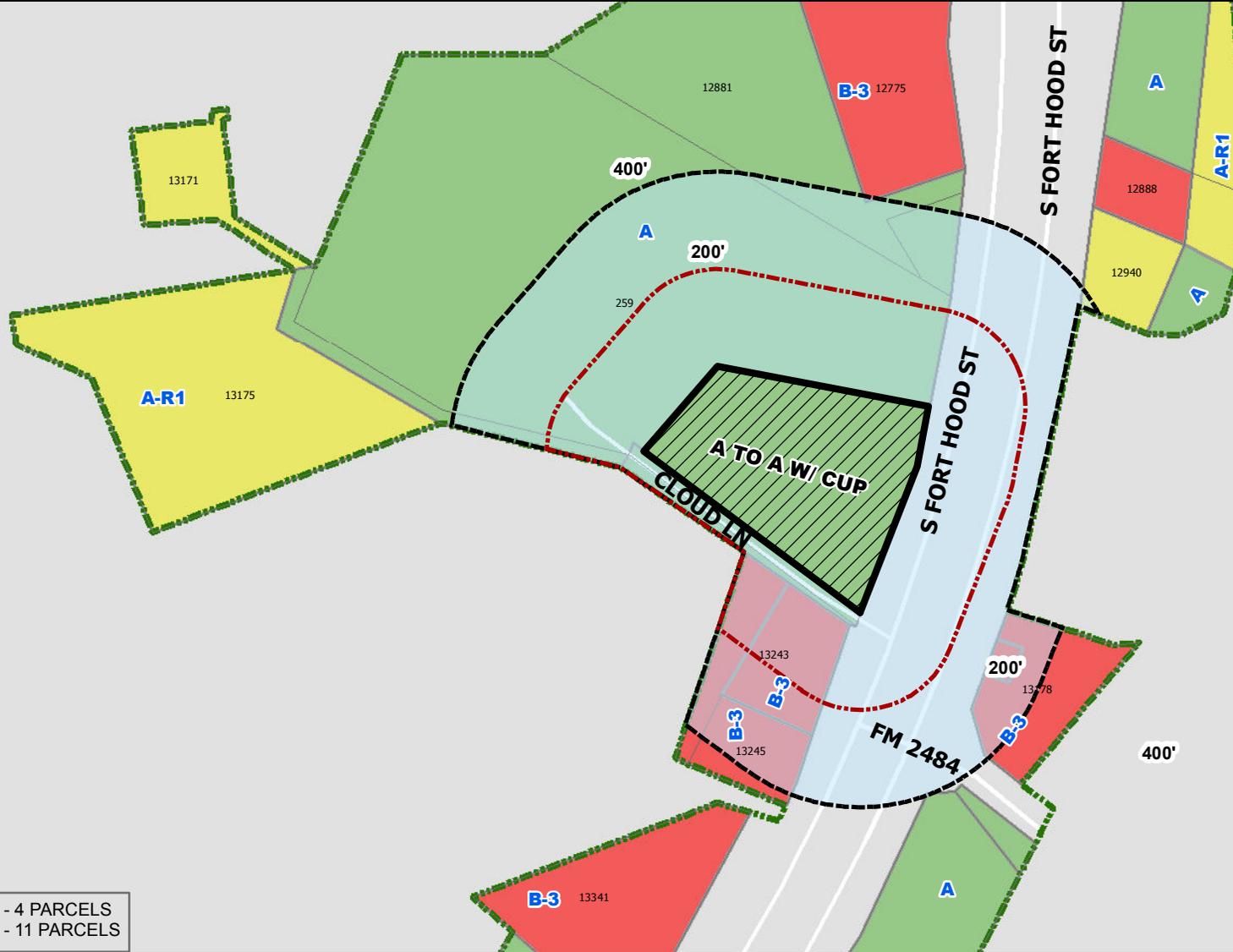
Subject Property Legal Description: 3.807 ACRES OF A0561BC R A MCGEE, 7-2, ACRES 19.004

LOCATION MAP



Zoning Case Location





200' BUFFER - 4 PARCELS
 400' BUFFER - 11 PARCELS

Zoning Notification Plan

Case: Z2019-28

Council District: 4

FROM: A TO A W/ CUP

1 inch = 333 feet

Subject Property Legal Description: 3.807 ACRES OF A0561BC R A MCGEE, 7-2, ACRES 19.004

ZONING CHANGE MAP

Legend

-  ZONING CASE LOCATION
-  Z19_28_200
-  NOTIFICATION AREA



**MINUTES
PLANNING AND ZONING COMMISSION MEETING
DECEMBER 16, 2019**

**CASE #Z19-28
“A” to “A” w/CUP**

HOLD a public hearing and consider a request submitted by Terry Tilghman of Integrated Power Company on behalf of Yong Mullins, (**Case #Z19-28**) to rezone approximately 3.807 acres, being out of the R. A. McGee Survey, Abstract No. 561, from “A” (Agricultural District) to “A” (Agricultural District) with a Conditional Use Permit (CUP) for storage of construction equipment. The property is addressed as 259 Cloud Lane, Killeen, Texas.

Vice Chairman Latham requested staff comments.

Jerry Millard, Senior Planner stated that this request was submitted by Terry Tilghman of Integrated Power Company, on behalf of Yong Mullins, to rezone approximately 3.807 acres out of the R. A. McGee Survey, Abstract No. 561, from “A” (Agricultural District) to “A” (Agricultural District) with a Conditional Use Permit (C.U.P.). The property is addressed as 259 Cloud Lane, Killeen, Texas. The property will be used to store construction materials including steel transmission line poles, wooden poles, reels of wire, and other miscellaneous transmission line parts. The applicant will be housing their equipment onsite.

Mr. Millard stated that the applicant’s intended use is not consistent with the Comprehensive Plan; however Conditional Use Permits are allowed within any zoning district and due to the temporary nature and scope of this request, staff does not recommend any amendments to the FLUM.

Staff recommended approval of the applicant’s C.U.P. request with the following conditions:

- The applicant shall return the property to the condition that it was prior to the proposed use;
- A storm water prevention program shall be in effect for the duration proposed use;
- No permanent development of pad sites or structures will take place on the site that would require the issuance and approval of permits; and
- The C.U.P. is limited to a duration of 12 months.

Mr. Terry Tilghman, Integrated Power Company, 202 N Dewey Street, North Platte, Nebraska, 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 Holly motioned to recommend approval of the request with conditions recommended by staff. Commissioner Ploeckelmann 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 for approval.

ORDINANCE _____

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF KILLEEN BY CHANGING THE ZONING OF APPROXIMATELY 3.807 ACRES, BEING OUT OF THE R. A. MCGEE SURVEY, ABSTRACT NO. 561, FROM “A” (AGRICULTURAL DISTRICT) TO “A” (AGRICULTURAL DISTRICT) WITH A CONDITIONAL USE PERMIT (C.U.P.); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Terry Tilghman of Integrated Power Company on behalf of Yong Mullins has presented to the City of Killeen, a request for amendment of the zoning ordinance of the City of Killeen by changing the classification of approximately 3.807 acres, being out of the R. A. McGee Survey, Abstract No. 561, from “A” (Agricultural District) to “A” (Agricultural District) with a Conditional Use Permit (C.U.P.), for the property addressed as 259 Cloud Lane, Killeen, Texas, said request having been duly recommended for approval by the Planning and Zoning Commission of the City of Killeen on the 16th day of December 2019, with the following conditions:

- the applicant shall return the property to the condition that it was prior to the proposed use;
- a storm water prevention program shall be in effect for the duration of the proposed use;
- no permanent development of pad sites or structures will take place on the site that would require the issuance and approval of permits; and
- the C.U.P. is limited to a duration of 12 months;

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 14th day of January 2020, at the Killeen City Hall, Killeen, Texas;

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 with those conditions 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 3.807 acres, being out of the R. A. McGee Survey, Abstract No. 561, be changed from "A" (Agricultural District) to "A" (Agricultural District) with a Conditional Use Permit (C.U.P.), for the property addressed as 259 Cloud Lane, 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 14th day of January 2020, 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

Traci Briggs, Interim City Attorney
Case #19-28
Ord. #19-___



November 15, 2019

City of Killeen
Planning & Development Services Department
200 East Avenue D, Suite 6
Killeen, TX 76541

RE: Conditional Use Permit
Letter of Request

To Whom it May Concern:

Integrated Power Company would like to submit a request for a conditional use permit in order to correctly lease the South East corner of 259 Cloud Lane, Killeen, TX as a laydown yard. IPC proposes to use the property as a laydown/receiving yard for a short period of time while constructing a transmission line South of town.

This property will be used to store construction materials including steel transmission line poles, wooden poles, reels of wire, and other miscellaneous transmission line parts. We will be housing our equipment onsite for example; loaders, bucket trucks, forklifts, dumpsters, semis, pickups, job site trailers, onsite office container and storage connexes.

In order to positively impact surrounding properties, Integrated Power Company has hired a subcontractor to handle all erosion control and right of way restoration during the lease. A storm water prevention program will be in effect and an inspection will be done prior to IPC moving off site. The land will be restored to its previous condition once we are done with the lease.

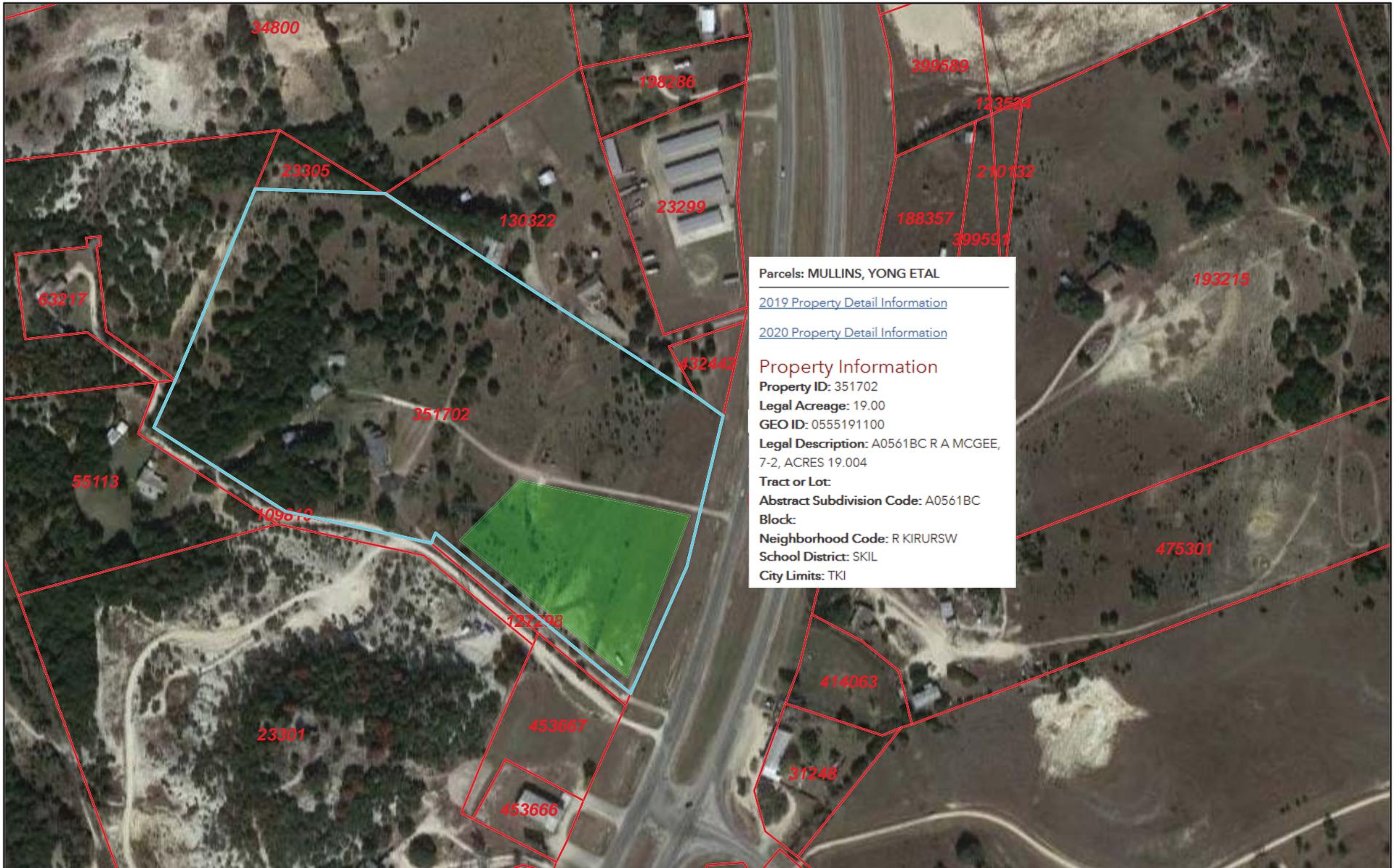
Please do not hesitate to call with any other questions or concerns.

Sincerely,

A handwritten signature in blue ink that reads "Kathryn Hisel".

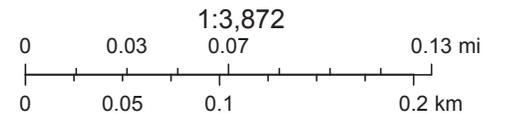
Kathryn Hisel, CFO
Integrated Power Co.
kw

Bell CAD Web Map

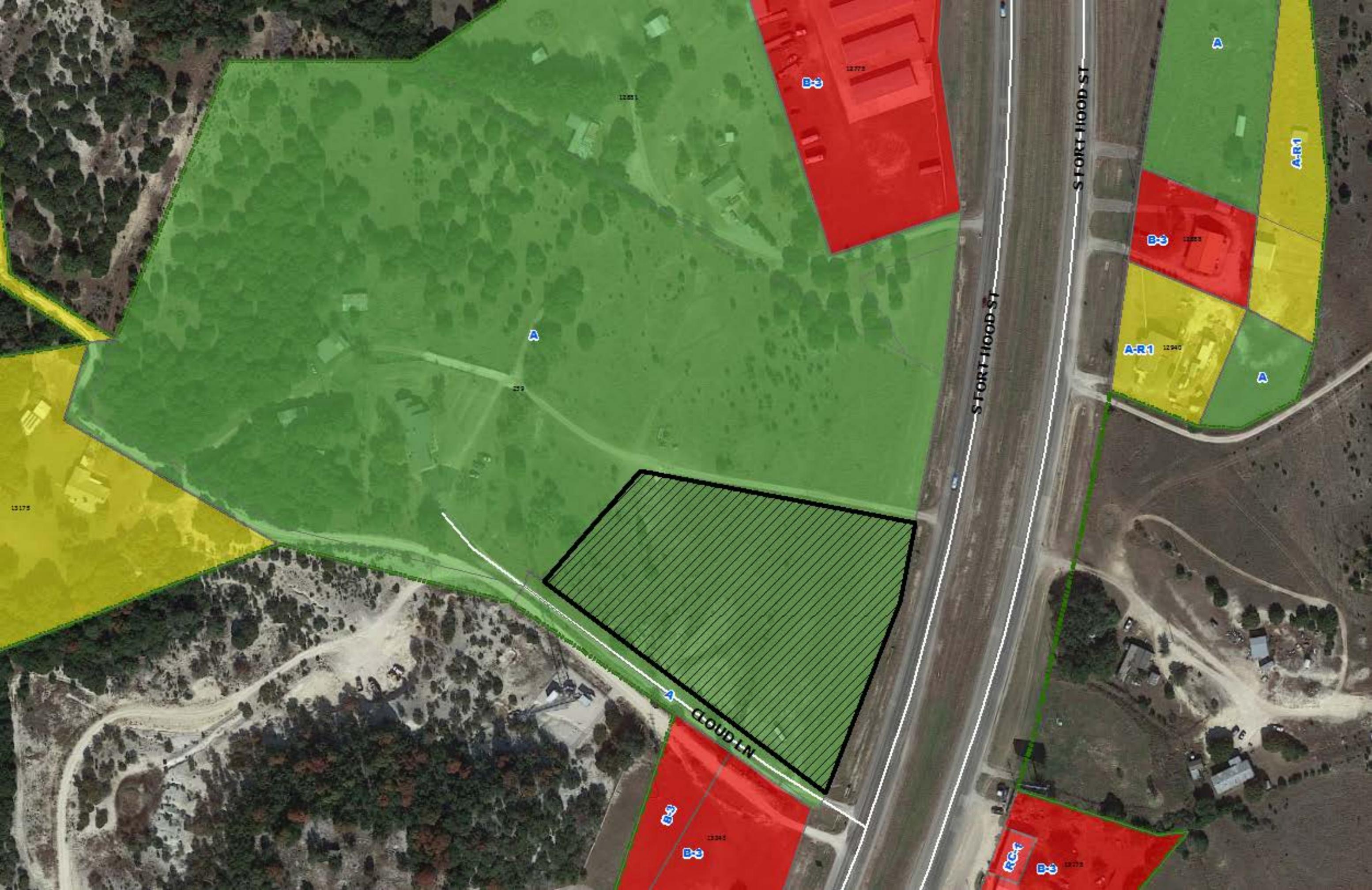


11/6/2019 12:48:28 PM

 Parcels



© OpenStreetMap (and) contributors, CC-BY-SA



S FORT HOOD ST

S FORT HOOD ST

CLOUD LN

A

B-3

B-3

B-3

A

A-R1

B-3

A-R1

A

RC-1

B-3

12251

12772

123

12253

12940

12345

12772

13175

CONSIDERATIONS

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

A. General Factors to Consider:

Is the request in accordance with the comprehensive plan?

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

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

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

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

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

Whether there have been substantially changed conditions in the neighborhood.

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

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

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

B. Conditional Use Permit (if applicable)

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

C. Conditions to Consider

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



ZONING CASE #Z19-28: "A" TO "A" W/CUP

PH-20-001

January 7, 2019

Case #Z19-28: “A” to “A” w/CUP

2

- Terry Tilghman of Integrated Power Company on behalf of Yong Mullins (**Case #Z19-28**), submits this request to rezone approximately 3.807 acres from “A” (Agricultural District) to “A” (Agricultural District) with a Conditional Use Permit (CUP) for storage of construction equipment.
- The property is addressed as 259 Cloud Lane, Killeen, Texas.



Zoning Location Map
Case: Z2019-28

Council District: 4
FROM: A TO A W/ CJP
1 inch = 2,083 feet

Subject Property Legal Description: 3.807 ACRES OF A0561BC R A MCGEE, 7-2, ACRES 19.004

LOCATION MAP



Zoning Case Location



Case #Z19-28: “A” to “A” w/CUP

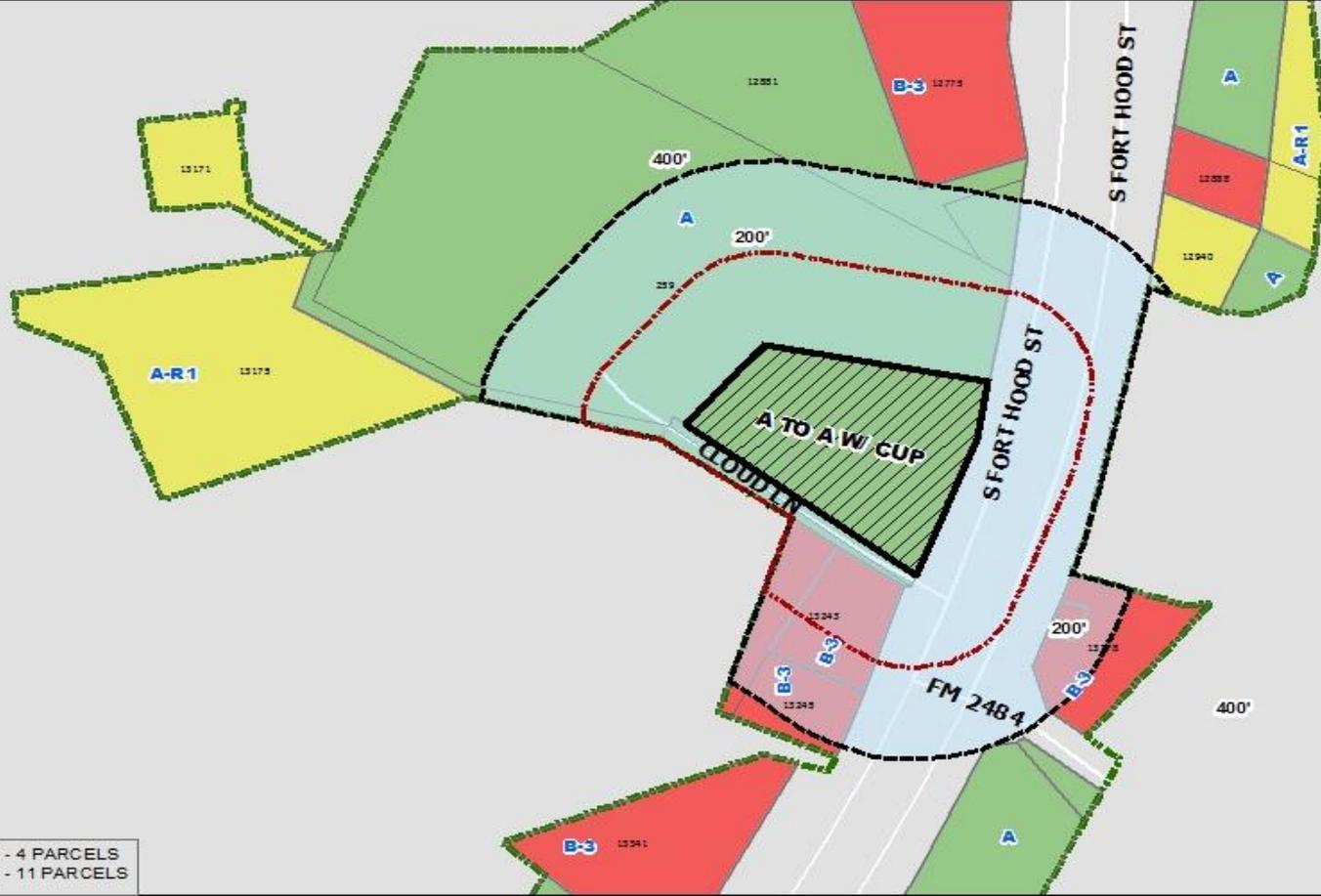
4

- ❑ The property is designated as ‘Rural’ (‘R’) on the City’s Future Land Use Map (FLUM).
- ❑ The ‘Rural’ (R) designation encourages residential homesteads, conservation and cluster residential designs, agricultural uses, agriculture-focused commercial retail, public and institutional uses, parks and public spaces, and natural and protected floodplain areas.
- ❑ The applicant’s CUP request does not trigger the need for a FLUM amendment.

Case #Z19-28: “A” to “A” w/CUP

5

- ❑ Staff notified seven (7) surrounding property owners within 400’ of the subject site regarding this request.
- ❑ No responses have been received.



200' BUFFER - 4 PARCELS
 400' BUFFER - 11 PARCELS

Zoning Notification Plan
Case: Z2019-28

Council District: 4
 FROM: A TO A W/ CUP
 1 inch = 333 feet
 Subject Property Legal Description: 3.807 ACRES OF A0561BC R A MCGEE, 7-2, ACRES 19.004

ZONING CHANGE MAP

Legend

-  ZONING CASE LOCATION
-  Z19_28_200
-  NOTIFICATION AREA



Alternatives

7

- ❑ The City Council has three (3) alternatives. The City Council may:
 - Disapprove the applicant's CUP request;
 - Approve the CUP request with additional conditions; or
 - Approve the applicant's CUP request.

Recommendations

- Staff recommends that the City Council approve the applicant's CUP request with the following conditions:
 - the applicant shall return the property to the condition that it was prior to the proposed use;
 - a storm water prevention program shall be in effect for the duration of the proposed use;
 - no permanent development of pad sites or structures will take place on the site that would require the issuance and approval of permits; and
 - the C.U.P. is limited to a duration of 12 months.
- The Planning and Zoning Commission recommended approval of the applicant's CUP request (with staff conditions) by a vote of 5 to 0.



City of Killeen

Legislation Details

File #: PH-20-002 **Version:** 1 **Name:** Zoning 19-29
Type: Ordinance/Public Hearing **Status:** Public Hearings
File created: 12/10/2019 **In control:** City Council
On agenda: 1/14/2020 **Final action:**
Title: HOLD a public hearing and consider an ordinance requested by Dusty Inc. c/o Rick Morris (Case #Z19-29) to rezone part of Lot 3, Block 1, Morris Subdivision Phase One, from "B-3" (Local Business District) to "R-2" (Two Family Residential District) for duplex development. The property is addressed as 1011 Anna Lee Drive, Killeen, Texas.
Sponsors: Planning & Development Dept
Indexes:
Code sections:
Attachments: [Staff Report](#)
[Maps](#)
[Minutes](#)
[Ordinance](#)
[Considerations](#)
[Responses](#)
[Presentation](#)

Date	Ver.	Action By	Action	Result
1/7/2020	1	City Council Workshop		



STAFF REPORT

DATE: January 7, 2020

TO: Kent Cagle, City Manager

FROM: Tony McIlwain, Int. Exec. Dir. of Planning and Development Services

SUBJECT: ZONING CASE #Z19-29: "B-3" (Local Business District) to "R-2"
(Two Family Residential District)

Background and Findings:

This request, submitted by Dusty Inc. c/o Rick Morris, is to rezone part of Lot 3, Block 1, Morris Subdivision Phase One, from "B-3" (Local Business District) to "R-2" (Two Family Residential District). The property is addressed as 1011 Anna Lee Drive, Killeen, Texas.

"R-2" Two Family Residential District Description

A building or premise in a district "R-2" Two-family Residential District shall be used only for the following purposes:

- (1) Any use permitted in district "R-1" (Single-family Residential District)
- (2) Two-Family dwellings.

Property Specifics:

Applicant / Property Owner: Dusty, Inc.

Property Location: 1011 Anna Lee Drive, Killeen, Texas

Legal Description: Lot 3, Block 1, Morris Subdivision Phase One

Zoning/ Plat Case History:

- The property was rezoned from "R-1" (Single-Family Residential District) to "B-3" (Local Business District) on June 8, 1976, per ordinance #76-28.
- The subject property is part of the Morris Subdivision, which was filed for record on February 3, 1976, in Plat Book 1366, Page 772, Deed Records of Bell County, Texas.

Character of the Area:

Existing Land Use(s) on the Property: The property is currently vacant. The current block is comprised of single family residential development (north and west) and there is a Chevron's service station immediately east of the subject site. The block to the south is zoned "RM-1" (Residential Modular Home Single-Family District), "R-3" (Multifamily Residential District) and "B-3" (Local Business District). The "R-3" and "B-3" parcels are undeveloped.

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: There are 8" water and sewer lines located south of the property, within the Anna Lee Dive right-of-way. This is the closest connection point to city sewer. It will be necessary to extend public utility infrastructure to each lot, prior to the release of the lot(s) for residential construction purposes.

Transportation:

Existing Conditions: The property has approximately 243' of frontage along Anna Lee Drive, which is classified as a local street on the City's adopted Thoroughfare Plan. Anna Lee Drive is 60' wide.

Proposed Improvements: Development of this property will require discrete driveway curb cuts onto Anna Lee Drive.

Projected Traffic Generation: The property is expected to develop as four lots containing eight (8) duplex units. The project is expected to yield approximately 76 total daily trips, with 6 A.M. peak hour trips and 8 P.M. peak hour [note-this data is sourced from the Institute of Transportation Engineer (ITE) Trip Generation Rates-10th Edition, provided through Spack Consulting].

Environmental Assessment:

The property does not lie within a FEMA regulatory Special Flood Hazard Area (SFHA). At the time of development the current Drainage Design Manual (DDM) and Infrastructure Design and Development Standards Manual (IDDSM) will be applicable to this site. The property owner and his agents are cautioned that unknown or unforeseen site conditions may require remedial action to provide safe and adequate water, sewer, or drainage service to the property. Further, City of Killeen development regulations require that capacity analyses related to development of the property are the sole responsibility of the owner. The owner or his agents, acting as the permit applicant for the subject property, shall coordinate tie-in to all publicly dedicated infrastructures with the Public Works Department.

Land Use Analysis:

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

Comprehensive Plan Recommendation: The 'General Residential' ('GR') designation encourages the following development types:

- Detached residential dwellings the 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

'General Residential' ('GR') characteristics:

- Encompasses most existing residential areas within Killeen (and the 6,000 square foot minimum lot size in the predominant R-1 zoning district results in less open space and separation between dwellings compared to Suburban residential areas).
- Auto-oriented character (especially where driveways and front-loading garages dominate the front yard and building facades of homes), which can be offset by "anti-monotony" architectural standards, landscaping, and limitations on "cookie cutter" subdivision layouts characterized by straight streets and uniform lot sizes and arrangement.
- Neighborhood-scale commercial uses are expected to emerge over time and should be encouraged on sites and in locations within (or near the edge of) GR areas that are best suited to accommodate such uses while ensuring compatibility with nearby residential uses.

Consistency: The applicant's zoning request is consistent with the Comprehensive Plan's FLUM.

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 fifty-seven (57) surrounding property owners that own land within 400' of the subject site regarding this request. As of the date of this staff report, four responses have been received in regard to this submission. Three responses were received in support of this proposal from Mr. Jim Wright, the owner of 2908 Graystone Drive and 1002 Edgefield Street, and from Robert and Bonnie Herrings of 1104 Anna Lee Drive. One response was received in opposition of the proposed change by Mr. Joshua Hurst of 1014 Edgefield Street, with no specific reason for opposition mentioned. During the course of the Planning and Zoning Commission meeting, Mr. Charles McVey and Mr. Moshe Schrauth, both of 2906 Lawndale Street, spoke in opposition of the zoning proposal. Both gentlemen cited a rise in crime and property values potentially decreasing as their primary points in opposition.

THE ALTERNATIVES CONSIDERED:

The City Council may:

- Recommend disapproval of the applicant's "R-2" zoning request;
- Recommend approval of a more restrictive zoning district than requested by the applicant; or
- Recommend approval of the applicant's "R-2" zoning request.

Which alternative is recommended? Staff is recommending approval of the applicant's "R-2" zoning request.

Why? The applicant's "R-2" zoning request is consistent with the Comprehensive Plan's FLUM and is more restrictive than the observed "R-3" and "B-3" zoning within the surrounding neighborhood. The duplex development is a compatible land use type to buffer the existing single-family homes located west of the Chevron service station.

CONFORMITY TO CITY POLICY:

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

FINANCIAL IMPACT:

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

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

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 Planning and Legal staff.

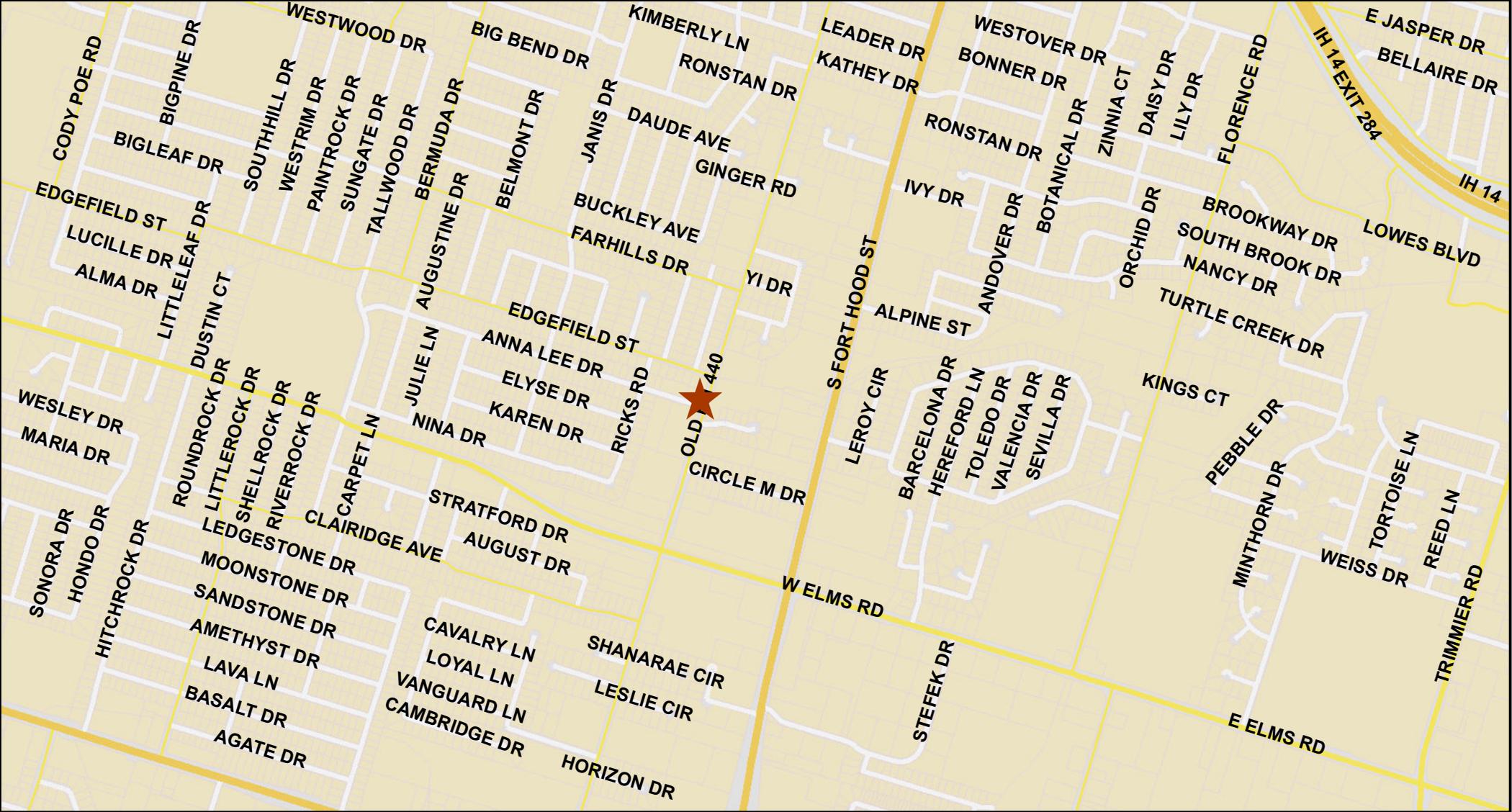
ATTACHED SUPPORTING DOCUMENTS:

Maps

Ordinance

Considerations

Responses

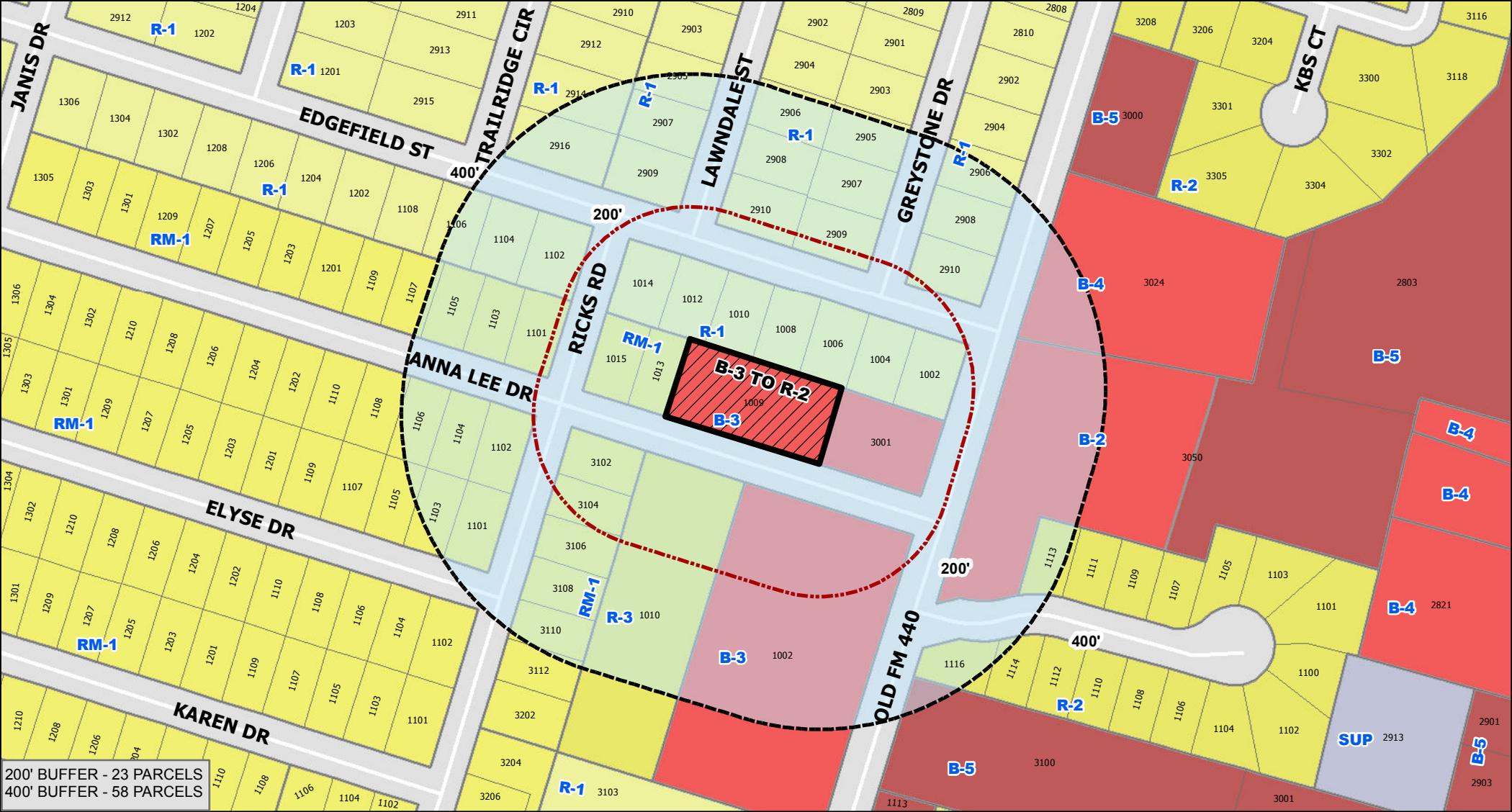


Zoning Location Map
Case: Z2019-29
 Council District: 4
 FROM: B-3 TO R-2
 1 inch = 1,250 feet
 Subject Property Legal Description: MORRIS SUBDIVISION PHASE ONE, BLOCK 001, LOT 0003

LOCATION MAP

 **Zoning Case Location**





200' BUFFER - 23 PARCELS
 400' BUFFER - 58 PARCELS

Zoning Notification Plan
Case: Z2019-29

Council District: 4
 FROM: B-3 TO R-2
 1 inch = 208 feet
 Subject Property Legal Description: MORRIS SUBDIVISION PHASE ONE, BLOCK 001, LOT 0003

ZONING CHANGE MAP

- Legend**
-  ZONING CASE LOCATION
 -  Z19_29_200
 -  NOTIFICATION AREA



**MINUTES
PLANNING AND ZONING COMMISSION MEETING
DECEMBER 16, 2019**

**CASE #Z19-29
“B-3” to “R-2”**

HOLD a public hearing and consider a request submitted by Mitchell & Associates, Inc. on behalf of Dusty Inc., C/O Rick Morris (**Case #Z19-29**) to rezone part of Lot 3, Block 1, Morris Subdivision Phase One, from “B-3” (Local Business District) to “R-2” (Two-family Residential District). The property is addressed as 1011 Anna Lee Drive, Killeen, Texas.

Vice Chairman Latham requested staff comments.

Jerry Millard, Senior Planner stated that this request was submitted by Mitchell & Associates, Inc. on behalf of Dusty Inc. c/o Rick Morris. The applicant is requesting to rezone 1011 Anna Lee from “B-3” (Local Business District) to “R-2” (Two Family Residential District) and the intent is duplex development.

Staff notified fifty-seven (57) surrounding property owners that own land within 400’ of the subject site regarding this request. Three responses have been received in support of the request. Staff recommended approval of the applicant’s “R-2” (Two Family Residential District) zoning request.

Mr. Ace Reneau, 102 N. College Street, Killeen, Texas, was present to represent this request.

Vice Chairman Latham opened the public hearing.

Mr. Charles McVey and Mr. Moshe Schrauth of 2906 Lawndale Street, Killeen, Texas, were present to speak against the request. Some of their concerns were the increase in crime and decrease in property value.

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

Commissioner Holly 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 for approval.

ORDINANCE _____

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF KILLEEN BY CHANGING THE ZONING OF PART OF LOT 3, BLOCK 1, MORRIS SUBDIVISION PHASE ONE, FROM “B-3” (LOCAL BUSINESS DISTRICT) TO “R-2” (TWO-FAMILY RESIDENTIAL DISTRICT); PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Dusty Inc. c/o Rick Morris has presented to the City of Killeen, a request for amendment of the zoning ordinance of the City of Killeen by changing the classification of part of Lot 3, Block 1, Morris Subdivision Phase One, from “B-3” (Local Business District) to “R-2” (Two-Family Residential District), for the property addressed as 1011 Anna Lee Drive, Killeen, Texas, said request having been duly recommended for approval by the Planning and Zoning Commission of the City of Killeen on the 16th day of December 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 14th day of January 2020, at the Killeen City Hall, Killeen, Texas;

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;

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

SECTION I. That the zoning classification of part of Lot 3, Block 1, Morris Subdivision Phase One, be changed from “B-3” (Local Business District) to “R-2” (Two-

Family Residential District), for the property addressed as 1011 Anna Lee Drive, Killeen, Texas.

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

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

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

PASSED AND APPROVED at a regular meeting of the City Council of the City of Killeen, Texas, this 14th day of January 2020, 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

Traci Briggs, Interim City Attorney
Case #19-29
Ord. #19-____

CONSIDERATIONS

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

A. General Factors to Consider:

Is the request in accordance with the comprehensive plan?

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

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

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

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

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

Whether there have been substantially changed conditions in the neighborhood.

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

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

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

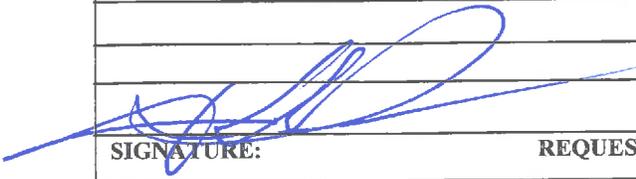
B. Conditional Use Permit (if applicable)

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

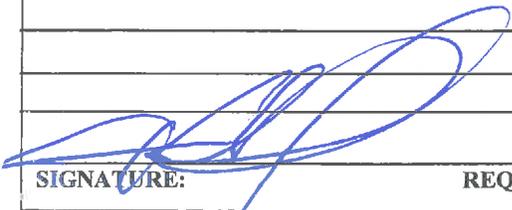
C. Conditions to Consider

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

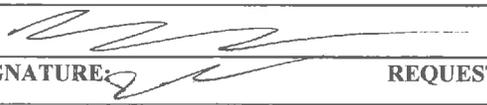
----- CUT HERE -----

YOUR NAME: <i>Jim Wright</i>	PHONE NUMBER: <i>526-5111</i>
CURRENT ADDRESS:	
ADDRESS OF PROPERTY OWNED: <i>2908 Graystone</i>	
COMMENTS:	
<i>No objections!</i>	RECEIVED
	DEC 11 2019
	PLANNING
SIGNATURE: 	
REQUEST: "B-3" to "R-2"	SPO #Z19-29/ <i>02</i>

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

YOUR NAME: <i>Jim Wright</i>	PHONE NUMBER: <i>526-5111</i>
CURRENT ADDRESS:	
ADDRESS OF PROPERTY OWNED: <i>1002 Edgefield</i>	
COMMENTS:	
<i>No objections!</i>	RECEIVED
	DEC 11 2019
	PLANNING
SIGNATURE: 	
REQUEST: "B-3" to "R-2"	SPO #Z19-29/ <i>26</i>

YOUR NAME: <i>Bonnie + Robert Helms</i>	PHONE NUMBER: <i>254-2901104</i>
CURRENT ADDRESS: <i>3408 Freedom Lane, Coppertown Cove, TX 76532</i>	
ADDRESS OF PROPERTY OWNED: <i>1104 ANNA LEE, Killeen TX 76542</i>	
COMMENTS:	
<i>We have no problem with this request</i>	RECEIVED
	DEC 16 2019
	PLANNING
SIGNATURE: 	
REQUEST: "B-3" to "R-2"	SPO #Z19-29/ <i>47</i>

CUT HERE	
YOUR NAME: <u>HURST Joshua</u>	PHONE NUMBER: <u>270 605-9223</u>
CURRENT ADDRESS: <u>238 Azalea Dr Oak Grove Ky 42262</u>	
ADDRESS OF PROPERTY OWNED: <u>1014 Edgefield St Killeen Tx 76549</u>	
COMMENTS:	
<u>I do not wish to have duplexes on my block.</u>	
<u>This letter was received by me on 12-12-19</u>	
RECEIVED	
DEC 17 2019	
PLANNING	
SIGNATURE: 	REQUEST: "B-3" to "R-2" SPO #Z19-29/ <u>OB</u>



ZONING CASE #Z19-29: “B-3” TO “R-2”

PH-20-002

January 7, 2019

Case #Z19-29: “B-3” to “R-2”

2

- ❑ Dusty Inc. c/o Rick Morris submits this request (**Case #Z19-25**), to rezone part of Lot 3, Block 1, Morris Subdivision Phase One, from “B-3” (Local Business District) to “R-2” (Two Family Residential District).
- ❑ The property is locally addressed as 1011 Anna Lee Drive, Killeen, Texas.

Case #Z19-29: “B-3” to “R-2”

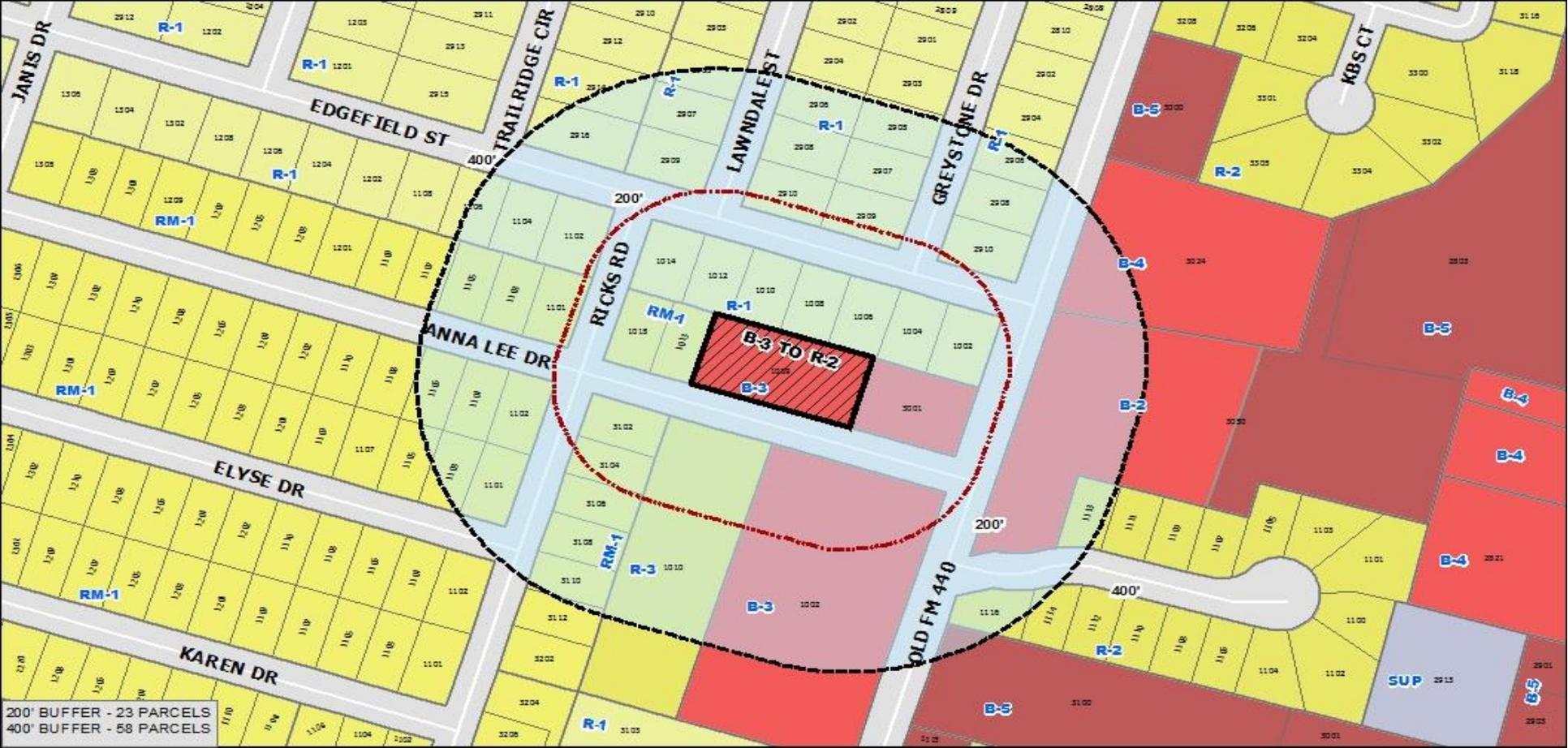
4

- ❑ The property is designated as ‘General Residential’ (‘GR’) on the City’s Future Land Use Map (FLUM).
- ❑ The ‘General Residential’ (‘GR’) designation encourages a mix of single-family types, attached housing types, planned developments, public and institutional uses, parks and public spaces.
- ❑ The applicant’s request is consistent with the FLUM.

Case #Z19-29: “B-3” to “R-2”

5

- ❑ Staff notified fifty-seven (57) surrounding property owners within 400’ of the subject site regarding this request.
- ❑ Staff received three responses in support. Two individuals spoke in opposition to the applicant’s zoning request during the Planning & Zoning Commission meeting.



Zoning Notification Plan
Case: Z2019-29

Council District: 4
 FROM: B-3 TO R-2
 1 inch = 208 feet
 Subject Property Legal Description: MORRIS SUBDIVISION PHASE ONE, BLOCK 001, LOT 0003

ZONING CHANGE MAP

- Legend**
-  ZONING CASE LOCATION
 -  Z19_29_200
 -  NOTIFICATION AREA



Alternatives

7

- ❑ The City Council has three (3) alternatives. The City Council may:
 - Disapprove the applicant's zoning request;
 - Approve a more restrictive zoning designation; or
 - Approve the applicant's zoning request.

Recommendations

- ❑ Staff recommends that the City Council approve the applicant's "R-2" zoning request.
- ❑ The Planning and Zoning Commission recommended approval of the applicant's "R-2" zoning request by a vote of 5 to 0.