

Annexation Service Plan VA#19-01

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1. EXECUTIVE SUMMARY

General Information:

The City of Killeen has been petitioned for voluntary annexation of this subject property consisting of one tract of land measuring 76.459 acres located west of 5601 Clear Creek Road, Killeen, Texas. The property is vacant and contiguous to current municipal city limits along the northern and eastern boundaries. Fort Hood is to the west, 109 acres of federally owned property to the south, the property addressed as 5601 Clear Creek Road to the east, and the Estancia West subdivision is to the north. In accordance with Local Government Code 43.065, this annexation service plan describes how municipal services may be provided to the subject area. A fiscal impact analysis is included.

After public hearings on May 7, 2019 and May 21, 2019, the Killeen City Council may approve or disapprove this voluntary annexation petition at its June 11, 2019 meeting or some later date.

Services Impacts:

Police Services:

- Anticipates this project would add approximately 800 residential calls for service; an increase of .5 percent of the total calls for service. Additional service calls for the school would add approximately six (6) seconds to the average response time for priority one and priority two calls.

Fire & EMS Services:

- An additional 103 EMS responses and 59 fire responses are expected to this area;
- Estimated response time to the annexed property would be 5 minutes for in-house unit and 10 minutes (from another station).

Public Works Services:

- Existing 16" water transmission main and two 8" sewer mains can adequately serve the entire property are available.

Parks & Recreations Services:

- The City's deficit of parks acreage per capita would increase if annexation and associated potential new development occurs. Additional impacts may also be felt in leisure and recreational, programs, services and facilities.

Operation & Maintenance of Other Publicly Owned Facility. Building or Service:

- This potential annexation will increase Killeen's population by approximately 738 people, impacting the library's facilities and potentially affecting accreditation
- Future residents of the annexed area will own pets. Animal Services anticipates an increase in demands for service as a result of the new development associated with the annexation.

Fiscal Impact Analysis:

A fiscal impact analysis concludes that estimated revenue would exceed estimated expenses if the property is annexed and developed as single family residential as projected. Highlight assumptions and factors used for the fiscal analysis include:

- 257 homes @ equal buildout rate over four years (64.25 homes per year)
- One elementary school in 2022
- Average permit value of \$164,232
- 3% annual property values increase
- 14% allowance for DV Exemption
- No rate changes
- Current cost of providing a service used to estimate the cost of providing the service to subject area
- Expenses adjusted annually for inflation

	Fiscal Year					
	2020	2021	2022	2023	2024	2025
Revenues						
General Fund	\$ 99,630	\$ 203,384	\$ 312,765	\$ 425,335	\$ 434,354	\$ 443,646
General Fund - One time revenue	24,736	24,736	50,736	24,736	-	-
Water & Sewer	52,598	105,195	162,293	214,890	214,890	214,890
Solid Waste	15,251	30,501	53,204	68,454	68,454	68,454
Drainage	4,626	9,252	16,555	21,181	21,181	21,181
Street Maintenance	1,311	2,621	4,550	5,861	5,861	5,861
Total Revenues	<u>\$ 198,152</u>	<u>\$ 375,690</u>	<u>\$ 600,103</u>	<u>\$ 760,457</u>	<u>\$ 744,740</u>	<u>\$ 754,033</u>
Cumulative Revenues	<u>\$ 198,152</u>	<u>\$ 573,841</u>	<u>\$ 1,173,944</u>	<u>\$ 1,934,401</u>	<u>\$ 2,679,142</u>	<u>\$ 3,433,175</u>
Expenses						
General Fund	\$ 95,063	\$ 195,775	\$ 295,406	\$ 398,266	\$ 406,617	\$ 416,768
Water & Sewer	19,841	40,188	60,935	82,002	83,015	84,141
Solid Waste	4,424	5,864	16,214	17,828	18,023	18,260
Drainage	3,020	6,154	9,356	12,590	12,819	13,098
Street Maintenance	1,311	2,621	4,550	5,861	5,861	5,861
Total Expenses	<u>\$ 123,659</u>	<u>\$ 250,602</u>	<u>\$ 386,461</u>	<u>\$ 516,547</u>	<u>\$ 526,336</u>	<u>\$ 538,128</u>
Cumulative Expenses	<u>\$ 123,659</u>	<u>\$ 374,261</u>	<u>\$ 760,722</u>	<u>\$ 1,277,269</u>	<u>\$ 1,803,605</u>	<u>\$ 2,341,733</u>
Difference						
General Fund	\$ 29,304	\$ 32,346	\$ 68,095	\$ 51,805	\$ 27,737	\$ 26,878
Water & Sewer	32,757	65,007	101,358	132,889	131,875	130,750
Solid Waste	10,826	24,637	36,990	50,626	50,431	50,194
Drainage	1,606	3,098	7,199	8,591	8,362	8,083
Street Maintenance	-	-	-	-	-	-
Total Difference	<u>\$ 74,493</u>	<u>\$ 125,088</u>	<u>\$ 213,642</u>	<u>\$ 243,911</u>	<u>\$ 218,404</u>	<u>\$ 215,904</u>
Cumulative Difference	<u>\$ 74,493</u>	<u>\$ 199,581</u>	<u>\$ 413,222</u>	<u>\$ 657,133</u>	<u>\$ 875,537</u>	<u>\$ 1,091,442</u>

2. FISCAL IMPACT ANALYSIS METHODOLOGY

The fiscal impact model uses the current cost of providing a service to estimate the cost of providing the service to the subject area. The following is included in the fiscal impact analysis:

1. Expenditures:

- a. Cost of municipal services to be provided.
- b. Annual operation and maintenance costs.
- c. Capital improvement costs.

2. Revenues:

- a. Property taxes for the proposed development (based on current tax rate).
- b. User fees for business-type services.
- c. Other revenues (e.g. other local taxes, permit fees, etc.).

Common Assumption Across All Funds

The fiscal impact model is based certain underlying assumptions including:

- Total buildout: 257 residential lots, with the phased buildout of the proposed annexation happening equally over a four-year period (i.e. 64.25 lots per year).
- One elementary school is estimated to be completed in FY 2022.
- Revenues calculated based on current rates. There are no rate increases assumed throughout the analyzed period.
- Expenses are adjusted annually by the estimated rate of inflation. The inflation rates used for each fiscal period include: FY21 – 2.2%, FY22 – 2.3%, FY23 – 2.0%, FY24 – 2.1%, FY25 – 2.5% (FY21-FY22 inflation from the International Monetary Fund U.S. Inflation Forecast; FY23-FY25 inflation estimated using regression analysis).

Fund Specific Assumptions

1. General Fund

Revenues:

Property tax – calculated using the 2018 average home permit value of \$164,232. Estimated property tax revenue is adjusted for the disabled veteran exemption. The disabled veteran exemption is 14% of residential assessed property valuation. Property tax valuations are estimated to increase by 3.03 percent each year. This represents the five-year average increase in the City's property valuation.

Sales tax – calculated using an estimated household annual income of \$49,886. The household annual income was determined using the 28% Rule that states a household should spend a maximum of 28% of gross monthly income for mortgage related costs (Mortgage cost calculated based on a \$164,232 home). A consumer expenditures study conducted by the Bureau of Labor Statistics reported that the average household expends 81.5% of their gross income. Of that amount, 28.4% is taxable.

Franchise taxes (outside entities) – residential units make up a total of 68% of total properties in the City. This percentage was applied to the FY19 franchise tax budget to determine the amount of revenue per residential property.

Franchise taxes (City enterprises) – the City charges a 9% franchise fee to enterprise funds for use of right-of-ways and easements.

Emergency medical services – revenue calculated by using the projected increase in population to estimate the number of calls for service.

Recreation – revenue calculated based on the projected increase in population. Revenue per capita was determined by using the FY19 Recreation (Community Services) revenue budget.

Permits – one-time revenue was calculated based on the estimated number of residential units and the elementary school in the proposed annexation.

Expenses:

Police Department – the projected population was used to estimate the increase in the number of calls for service. The FY19 Police Department expense budget, less fuel and vehicle maintenance costs, was allocated based on the percent increase in estimated calls. Fuel and vehicle maintenance costs were calculated using the additional area of the proposed annexation to be patrolled.

Fire Department – the projected population was used to estimate the increase in the number of calls for service. The cost of responding to each type of service call was determined. FTEs per capita were used to calculate certain costs not related to calls for service.

Recreation – the acres of community parks per 1,000 residents is currently 1.7460. The cost to maintain the current level of service was determined by the projected increase in population.

Library – the library must maintain a collection of 1 library item per capita. The projected population was used to determine the number of materials that would need to be purchased.

2. Street Maintenance Fund

Revenues:

Calculated using the projected number of residential units and one elementary school in the proposed annexation.

Expenses:

Calculated using the average cost to maintain streets, sidewalks, signage, and pavement marking.

3. Water and Sewer Fund

Revenues:

Water – calculated using the average residential rate of \$38.06, which assumes 10,000 gallons is used monthly. Elementary school revenue determined using a current elementary school.

Sewer – calculated using the average residential rate of \$30.16, which assumes 6,000 gallons is treated monthly. Elementary school revenue determined using a current elementary school.

Expenses:

Water and Sewer – calculated using operational costs per active accounts. The projected number of residential units and one elementary school in the proposed annexation were used to estimate costs. The rates the City pays for water and sewer treatment were increased by 1 cent per year.

4. Solid Waste Fund

Revenues:

Calculated using the projected number of residential lots and one elementary school.

Expenses:

Calculated using the current number of routes in FY20 and FY21. The proposed annexation area will make up an estimated 16% of a current route. In FY22, an additional route may be needed, and the proposed annexation area will make up 16% of the new route.

5. Drainage Fund

Revenues:

Calculated using the projected number of residential units and one elementary school in the proposed annexation.

Expenses:

Calculated using the projected residential units and one elementary school, and the full-time equivalents required to provide services to the proposed annexed area.

3. GENERAL FUND SERVICES

Police Protection

The Killeen Police Department (KPD) would provide protection and law enforcement services commencing on an effective date of annexation. These services are provided on a citywide basis. Service levels would be the same as that for comparable areas of the City. These Services include:

- normal patrols and responses;
- handling of complaints and incident reports;
- special units, such as traffic enforcement, criminal investigations, narcotics and gang suppression, and special weapons tactics team.

The proposed annexation of approximately 76 acres of land in the 5600 block of Clear Creek Road would comprise of approximately 257 lots and a school site. Estimating a population of about 738 upon full development, the department anticipates that there would be very minimal impact in the first few years, depending on how long the building process would take. Initially there would be very few patrol calls for service, criminal investigations, etc. During the building process, there would be a minor increase in patrols, a slight increased use of fuel, and possibly calls for property crime investigations.

Upon completion of the project, based on the calls for service during 2018, and the projected approximate population of 738, the department anticipates this project would add approximately 800 residential calls for service; an increase of .5 percent of the total calls for service. Based on an adjusted department budget (the budget less the separated fuel and vehicle maintenance, addressed below), the cost to maintain the current level of service for an increase of one-half of one percent would be approximately \$140,340.

The school site will also add to the calls for service; however, those calls for service vary depending on

the school (elementary or middle school). The schools in Killeen average approximately 69 calls per school. The department anticipates that the additional calls for service would add approximately six seconds to the average response time for all priority one and priority two calls for service. Fuel costs at full build out are estimated at \$2,468 and vehicle maintenance costs are estimated at \$2,058 per year at full build out.

Fire Protection

The Killeen Fire Department (KFD) will provide fire protection and prevention services in the annexation area, commencing on the effective date of the annexation. These services include:

- fire suppression and rescue;
- emergency medical services;
- hazardous materials mitigation and regulation;
- emergency prevention and public education services;
- construction plan review;
- inspections;
- emergency management planning;

These services are provided on a citywide basis and the Killeen Fire Department would provide fire protection and prevention services to the annexation area with the same level of service being provided to other comparable areas of the City.

The National Fire Protection Association (NFPA) creates and maintains private, copyrighted standards and codes for usage and adoption by local governments. Standards pertinent to the referenced annexations are as follows:

5.2.4.1: Initial Arriving Company:

“The fire department’s fire suppression resources shall be deployed to provide for arrival of an engine company within a 240-second travel time to 90 percent of the incidents as established in Chapter 4.”

5.2.4.2: Initial Full Alarm Assignment Capability:

“The fire department shall have the capability to deploy an initial full alarm assignment within a 480-second travel time to 90 percent of the incidents as established in Chapter 4.” For the year of 2018 the Killeen Fire Department responded to 18,686 EMS calls and 10,351 Fire calls. This equals a total of 29,037 Emergency calls within the response area of Killeen, with an average response time of 8 minutes and 40 seconds.

The annexation area falls within the response area of Station 9 which is located at 5400 Bunny Trail and houses one EMS unit, one fire pumper, 1 medium duty rescue unit, and Battalion 2 EMS Command. With a response from an in-house unit, the estimated response time to the entry of the annexed property would be 5 minutes. Should the in-house unit be on another call, a secondary unit will be dispatched from another fire station with an average estimated arrival time of 10 minutes. Based upon historical data, we expect there to be an additional 103 EMS responses and 59 fire responses to this area. In addition to fire/rescue/EMS/Haz-Mat resources needed to service the annexation area, there are specialties such as Public Education, Plans Review, Inspections, Emergency Management.

Current response capabilities are under minimum recommended limits as evidenced by longer response times and higher expenses. With each additional annexation, we will continue to stretch these capabilities. Ideally, we would recommend at least 1 additional fire station with 1 EMS unit and 1 fire

pumper. However, understanding the current situation city wide, the Killeen Fire Department will be able to provide service to these annexed areas with the understanding of the estimated resource and financial impacts to the department.

Parks and Recreation Services & Facilities

Although there isn't a direct impact on parks currently, continued growth impacts ability to maintain parks and trails. There are five (5) four-person crews responsible for maintaining 254.8 acres of community parks, which makes the current level of service for community parks 1.8 acres per 1,000 residents. When compared to the recommended standard of 5.9 acres for every 1,000 residents, the City has a deficit of 450 acres. An annexation would increase the City's deficit of Community Park's acreage per capita. Additional impact may also be felt in athletic, aquatics center and senior center services.

Maintenance of Publicly Owned Facilities or Buildings

The City of Killeen is not aware of the existence of any publicly owned facilities or buildings now located in the area proposed for annexation. In the event any such publicly owned facilities or buildings do exist, the City of Killeen would maintain such areas to the same extent and degree that it maintains other publicly owned facilities or buildings in the City. Any such facilities developed in the future for public dedication to and maintenance by the City would be constructed to City standards and maintained by the developer/builder for the required warranty period. Subsequent to the warranty period, the City of Killeen would maintain such facilities to the same extent and degree that it maintains other publicly owned facilities or buildings in other areas of the City.

Land Use & Inspection Services

The City of Killeen Code of Ordinances mandates that all property annexed into the City be initially zoned Agricultural District (“A”). A building or premises in such a district may be used for stables, buildings in support of agriculture uses and single family residential structures and accessory uses on three acre tracts. The property owner reserves the right to petition for a change in zoning. Rezoning process would be conducted in strict compliance with notification and due process requirements of the Local Government Code and City of Killeen Code of Ordinances.

The City of Killeen’s Planning and Development Services Department would provide land use planning and inspection services (building, electrical, plumbing, code enforcement, etc.), at the same level available to other areas of the City with similar population density, land use and topography.

Other Services

The City of Killeen will provide other City Services to the annexation area, such as animal services, library, municipal court and general administration services at the same level of service now being provided to other areas of the City with similar population density, land use and topography.

Library Services – The City of Killeen is not aware of any additional public libraries planned in the annexation area. This annexation will increase Killeen's population by approximately 738 people, impacting the library's state accreditation. The addition of 738 literary items will need to occur to accommodate the increase in population. The library must maintain a minimum of 1 item per capita for our citizens. The library’s ability to provide materials and services will become increasingly hampered by the two small existing facilities. It should also be noted that the library does not have a presence in the southwest portion of the City, making it difficult to serve those citizens at an appropriate level.

City Limit signs to encompass the new boundaries of the City as a result of the annexation would be installed within ninety (90) days of the effective date of the annexation. The City's authority to abate nuisances (fireworks, etc.) within five thousand (5,000) feet of its boundary is extended to provide protection to the annexation area.

4. RATE-BASED SERVICES

Street Maintenance

The numbers of vehicle trips projected are 2,570 for full residential buildout, and an estimated 1040 trips (total in and out trips) for the elementary school at full enrollment. Highway 201 (Clear Creek is designed as an arterial and can accommodate this additional traffic.

The Street Operations Division of the Public Works Department would maintain public streets over which the City has jurisdiction. These services include:

- emergency pavement repair;
- ice and snow monitoring of major thoroughfares;
- repair maintenance of public streets on an as-needed basis;
- traffic control signals;
- right-of-way maintenance.

Public roads and streets in the annexation area would be included in the City's preventive maintenance program. Preventive maintenance projects are prioritized on a citywide basis and scheduled based on a variety of factors, including surface condition, age, traffic volume, functional classification, and available funding. The Streets Operations Division will also provide regulatory traffic signage. Engineering studies to determine if traffic control devices are warranted will be conducted as needed, in conjunction with growth and increased traffic volumes. Anticipated future development within the annexation area would generate the requirement to construct streets in compliance with the City of Killeen development standards and requirements published in the Killeen Code of Ordinances and Public Works Department practices, as may be amended. Street lighting would be installed by property developers as warranted. Upon development of the annexation area, street maintenance fees would be charged in accordance with City of Killeen Code of Ordinances Chapter 25.

Water and Wastewater

The annexed area is vacant; however, future development of the property will include a KISD school site and perhaps 257 residential lots, some of which may be two-family in nature. As the population density increases and land use patterns change, the City would provide water and sewer services comparable to other areas of the City.

An existing 16" water transmission main that can adequately serve the entire property is located in the west right-of-way of Clear Creek Road (S.H. 201) along the entire frontage of the property. The area under consideration is located in the Airport Pressure Plane which has an overflow elevation of 1,165'. The 2012 Water & Sewer Master Plan includes Project 16W during the 2019 – 2021 time period, which will rehabilitate and increase the pumping capacity of Pump Station No. 7 which supplies water to the

Airport Pressure Plane.

Existing 8” gravity sewer mains are located along the north and west property lines. These mains can adequately serve the entire property. The sewer will flow into Lift Station No. 26 which is adequately sized to handle the added sewer flow from this property. The 2012 Water & Sewer Master Plan has no new sewer related project scheduled for this area.

Water and wastewater utility availability addresses the accessibility to a sufficient supply of water and the capacity of the wastewater system to accept and treat wastewater. The extension of utilities to any area of the City is based on the Water and Wastewater Master Plan and the utility extension policy contained in Chapter 26, Article IV, Division 3, Section 26-111, of the Killeen Code of Ordinances as amended. Developers of property in the annexation area would be required to extend necessary utilities to support their development in accordance with the Killeen Code of Ordinances and Public Works Department practices, as may be amended.

The following is a summary of the City of Killeen Water and Wastewater Utility Service Extension Policy.

1. The intent and purpose of the water and wastewater extension policy is to provide equitable charges for water and sewer connections as a proportionate distribution of the cost of the water and sewer main extensions to serve property within the city.
2. If the existing city utility facilities are not within or adjacent to the development, the developer shall construct the necessary extension of water and sewer mains, force mains, and lift stations, including all valves, manholes, and piping necessary to serve any future development of abutting property.
3. The developer’s engineer shall prepare a proposed plan of service for the subdivision and property along the extension, which shall be reviewed by the plat review committee. These facilities shall be constructed in accordance with the Water and Wastewater Master Plan (as amended).
4. It is the general policy of the city that water and sewer mains should be large enough to serve all the lots platted and, should the city determine oversizing is necessary, the city may participate in those lines greater than 8” for water and greater than 10” for sewer.
5. All utilities shall be required to extend across the full width of the last lot platted on each street proposed within the development, in such an alignment that it can be extended to the next property in accordance with the master sewer and water plans for the city, provided such plan(s) exist.
6. Properties already served by water and sewer shall not be required to install additional facilities unless, the current lines are not of adequate capacity to serve the proposed development; in which case the applicant will be required to install adequate facilities.
7. Every lot of a plat shall have direct access to the water and sewer system. Utility service shall be from a water/sewer main located in an abutting right-of-way or through easements from the lot to a water/sewer main.
8. The City provides a “pro rata” program that in some instances allows a person to recover some

costs of extending a line from the point of availability to the person's property, thereby reducing the economic impact on the person constructing the line.

Under limited circumstances, the City of Killeen Executive Director of Public Works may allow the continued use of or the establishment of an on-site sewage facility in locations where sanitary sewer service is not readily available. Such on-site sewage facilities must be permitted by the Bell County Health Department. Generally, sewer service shall be considered available when City owned infrastructure is located at a distance not to exceed 1,000 feet that can accept gravity flow.

Solid Waste

Solid Waste services provided by the City of Killeen's Solid Waste Services Department would begin immediately upon annexation.

The solid waste collection and disposal services provided to the annexation area would be comparable to that in other areas of the City. The annexation area would be provided collection service at the same frequency as other areas of the City.

Services shall be provided in accordance with the City of Killeen Code of Ordinances, Chapter 24, for residential and commercial customers:

- garbage collection – in accordance with City of Killeen “pay-as-you-throw” guidelines and Chapter 24 of the Killeen Code of Ordinances;
- recycling – access to City of Killeen Recycling Center;
- yard waste and brush collection;
- special collection services;
- commercial service is provided on subscription basis from the City.

Drainage Utility

Drainage Utility services provided by the City of Killeen's Public Works Department would begin immediately upon annexation of developed parcels and platting of undeveloped parcels. Services would be comparable to those provided to other areas of the City. Service frequency would be comparable as well.

The undeveloped parcel contains a tributary to Clear Creek which is identified on the USGS map and by the National Wetlands Mapper bisecting the western half of the annexation area. Development within the annexation area will require the filing of a plat. This development action will require compliance with all city codes, ordinances and manuals in place at the time of plat submission.

Drainage Utility services shall be provided in accordance with the City of Killeen Code of Ordinances, Chapter 32, for drainage utility customers:

Drainage Maintenance – in accordance with City of Killeen's Drainage Master Plan and Chapters 8 and 32 of the Killeen Code of Ordinances;

Inspection and Permit Reviews – in accordance with City of Killeen's Drainage Design Manual (DDM), Infrastructure Design and Development Standards Manual (IDDSM) and Chapters 26, 31, and 32 of the Killeen Code of Ordinances;

Public Education and Outreach – in accordance with the City of Killeen’s Municipal Separate Storm Sewer (MS4) Permit;

Emergency Response – in accordance with City of Killeen’s Drainage Master Plan and Chapter 32 of the Killeen Code of Ordinances; and

Right-of-way (R-O-W) Maintenance to include Street Sweeping within public rights-of-way – in accordance with Chapter 8 of the Killeen Code of Ordinances and the City of Killeen’s MS4.

5. STRATEGIC DECISIONS REGARDING CAPITAL IMPROVEMENTS, AVAILABILITY AND LEVELS OF SERVICE

The City Council of the City of Killeen finds and determines it to be unnecessary to immediately acquire or construct any Capital Improvements to provide the same type, kind and level of service which is presently being administered to other areas of the City with the same or similar topography, land use and population density. However, the annexation area has been included in the City of Killeen Water and Wastewater Master Plan and Transportation Thoroughfare Plan and will be included with all other areas of the City for future planning for any new or expanded facilities, functions, and services to be funded by future capital improvements programs. The priorities assigned by these plans are driven by a desire to maintain an equitable level of service to all areas of the City with the same population density, land use and topography characteristics.

Nothing in this plan shall require the City to provide a uniform level of municipal services to each area of the City, including annexed areas, if different characteristics of topography, land use, and population density are sufficiently distinct to justify a different level of service.

Topography – The Water and Wastewater Master Plan provides a timeline detailing the process for engineering and construction of water and wastewater collection and transportation facilities. The basis for the Rate Based Service Components portion of the Annexation Service plan is the Water Wastewater Master Plan and the afore-mentioned City of Killeen utility extension policy.

Land Use – The subject corridor is urban in nature, characterized by professional, retail, industrial, and commercial development and clusters of lot/block residential development. The land surrounding the area under consideration is characterized by residential development to the north and military aviation development to the southwest. Presently, the land use in the subject area is characterized as a rural with no development. Changes in development shall be in accordance with the City’s Future Land Use Map and Thoroughfare Plan. Developers of the property within the annexed area shall be responsible for their proportionate share of public facilities and roadways.

Population Density – The area under consideration is vacant. Therefore, the timeline and construction of any future Capital improvements (if necessary) shall be identified and prioritized by the City Council as part of a master planning process.

6. EFFECTIVE TERM

This Plan shall be in effect for a ten year period commencing on the effective date of the annexation. The Service Plan represents the concept the City of Killeen will use to initially deliver services. It is subject to modification and its change and renewal shall be at the option of the City. Such option may be

exercised by the adoption of an ordinance by the City Council which refers to this Plan and specifically renews this Plan for a stated period of time. The City reserves the right guaranteed to it by Section 43.056 (k) Local Government Code, to amend this Plan if the City Council determines that changed conditions or subsequent occurrences or any other legally sufficient circumstances exist under the Local Government Code, or other Texas laws to make this Plan unworkable, obsolete or unlawful.