

City of Killeen
Regular City Council Meeting
Killeen City Hall
June 23, 2020 at 5:00 p.m.

Presiding: Mayor Jose Segarra

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

Also attending were City Manager Kent Cagle, City Attorney Traci Briggs, City Secretary Lucy Aldrich, and Sergeant-at-Arms Cole.

Councilmember Harris gave the invocation; and Mayor Pro Tem Kilpatrick led everyone in the Pledge of Allegiance.

Approval of Agenda

Motion was made by Mayor Pro Tem Kilpatrick to approve the agenda moving Agenda Items DS-20-047 and DS-20-048 to the end of the agenda following Agenda Item OR-20-013 . Motion was seconded by Councilmember Fleming. The motion carried unanimously.

Presentations

PR-20-005 COVID-19 Community Task Force Presentation
Ms. Angenet Wilkerson, a representative from the Bell County COVID-19 Community Task Force identified the members of the task force and their goal, which is to ensure there are no racial disparities associated with the number of cases and fatalities found among densely populated, predominately black communities within the Bell County area.

Citizens Petitions

CP-20-005 Jonathan Hildner - No Knock Warrants
Mr. Hldner spoke against the use of no knock warrants in the City.

CP-20-006 Jumeeka Reed - Eliminating No Knock Warrants
Ms. Reed spoke against the use of no knock warrants in the City.

CP-20-007 Mary Gadson - No Knock Warrants
Ms. Gadson spoke against the use of no knock warrants in the City.

CP-20-008 Ken Wilkerson - No Knock Warrants
Mr. Wilkerson spoke against the use of no knock warrants in the City.

Citizen Comments

No citizens signed up to speak on agenda items.

Discussion Items

- DS-20-045** Discuss and Consider Future City Council Meetings
Mayor Pro Tem Kilpatrick made a motion of direction to continue holding the council meetings every other week through the month of July. The motion of direction was seconded by Councilmember Rivera. Following further discussions, it was decided to vote on conducting two July meetings, one on July 7 and a second one on July 21. The motion to conduct meetings on July 7 and July 21 carried 6 to 1 with Councilmember Johnson in opposition.
- DS-20-046** City Manager Updates (COVID 19 Update)
Staff Comments: Kent Cagle, City Manager
Mr. Cagle gave a current update on COVID 19 and its impact to the city.

THE NEXT TWO AGENDA ITEMS WERE MOVED TO FOLLOW THE LAST AGENDA ITEM (OR-20-013)

- DS-20-047** Discuss the Potential Purchase, Sale, Lease or Value of Real Property
- DS-20-048** Receive a briefing from the City Attorney regarding Pending or Contemplated Litigation

Councilmember Requests for Future Agenda Items

- RQ-20-005** Future Agenda Item Requests:
Animal Shelter and Other Advisory Committees Who Are Designated to Report Directly to the City Council

Councilmember Harris made a motion of direction for the City Manager to bring back a briefing that identifies which committees appointed by City Council should be reporting recurring updates to City Council. The motion of direction was seconded by Mayor Pro Tem Kilpatrick. The motion carried unanimously.

Minutes

Motion was made by Councilmember Menking to approve the minutes of the June 9, 2020 Regular City Council Meeting. Motion was seconded by Councilmember Rivera. Motion carried unanimously.

Resolutions

- RS-20-056** Consider a memorandum/resolution to recommend to the Employee Benefits Trust the selection of employee medical and dental insurance benefits effective October 1, 2020.
Staff Comments: Kate McDaniel, Assistant Director of Human Resources
The City currently has 927 employees participating in the City's medical plans and 1,157 employees participating in dental plans. The current providers for these coverages are United Healthcare and Lincoln respectively. Due to the current

benefit marketplace and the City's recent experience with high benefit utilization, the City sought renewal information for the coming fiscal year versus requesting bids from multiple vendors. The City will continue to contribute to employee medical and dental plan premiums. However, FY2021 will have varying medical contribution plans to better absorb increases for employees. Ms. McDaniel noted that following the posting of City Council packets, staff was notified of a change to the Medical Plan 1: HDHP. The supporting documents in the packet indicated the HDHP would not have any plan changes, however, due to IRS regulations, the HDHP current individual deductible cost would increase \$100.00 and the family deductible cost would increase \$200.00. An additional change to what was published in City Council packets includes the specialist co-pay for Plan 2 which will be changing from \$35 to \$75 not \$35 to \$50. No employee will have an increase of more than \$17 per month for their medical premiums, no matter which plan is selected. The City will increase its monthly contribution towards the medical HSA for Plan 1 from \$86.46 to \$112.75 and the dental premiums from \$22.98 to \$24.70. All other ancillary products will renew without an increase to premiums unless age dictates an increase. City staff recommends that the City Council recommend to the Employee Benefits Trust to renew with United Healthcare for the employee medical plans with a premium increase of 9.6% and with Lincoln for employee dental plans with a premium increase of 7.5% for benefits effective October 1, 2020.

Motion was made by Councilmember Rivera to approve RS-20-056. Motion was seconded by Councilmember Menking. Motion carried 4 to 3 with Councilmember Johnson, Councilmember Fleming and Councilmember Nash-King in opposition.

Mayor Segarra recessed the meeting at 6:08 p.m. in order to conduct the Employee Benefits Trust meeting.

Mayor Segarra opened the Regular City Council meeting at 6:16 p.m. to continue with the remaining agenda items.

- RS-20-057** Consider a memorandum/resolution authorizing Professional Services Agreements with Kimley-Horn and Associates, Inc. in the amount of \$69,750 for the design of the Clear Creek Road and Bunny Trail Intersection Signalization and W. Elms Road and Tallwood Drive Intersection Signalization Projects.
- Staff Comments:** Danielle Singh, Executive Director of Public Works
The 5-Year Capital Improvement Program included two traffic signal projects in FY2020; SH-201/Clear Creek Road and Bunny Trail, and W. Elms Road and Tallwood Drive. Traffic studies indicate that signals are warranted at both of these intersections. Kimley-Horn and Associates, Inc. have been selected for design services based on experience and expertise. Funds are available in the FY2020 budget for both design and construction. City staff recommends that City Council authorize the City Manager or his designee to enter into professional service agreements with Kimley-Horn and Associates, Inc. in the total amount of \$69,750 for the design and construction administration services of the Clear Creek Road

and Bunny Trail intersection signalization and the W. Elms Road and Tallwood Drive intersection signalization projects and to execute any and all changes within the amounts set by the State and local law.

Motion was made by Councilmember Johnson to approve RS-20-057. Motion was seconded by Councilmember Nash-King. Motion carried 5 to 2 with Mayor Pro Tem Kilpatrick and Councilmember Fleming in opposition.

RS-20-058 Consider a memorandum/resolution authorizing the purchase of Cisco Unified Communications Manager and Flex Support Plan in an amount not to exceed \$126,535.

Staff Comments: Willie Resto, Executive Director of Information Technology
The City purchased its current phone system, Cisco Call Manager, in 2004, and performed the last software upgrade in 2015. The current system is nearing its end of life and will no longer be supported for security patches and upgrades or hardware replacements. The Cisco Enterprise Flex agreement provides support for hardware and software for the call manager for three years. The cost of the hardware equipment upgrade is \$95,797.95 and is a one-time expense. The Flex Plan will cost \$92,210.25, over a three-year period (\$30,736.75 each year). The cost per fiscal year will be: FY20 - \$126,534.70; FY21 - \$30,736.75; and FY22 - \$30,736.75. Staff recommends that the City Council authorize the City Manager to execute the Statement of Work for the purchase of Cisco Unified Communications Manager and the Software as a Service Agreement for the purchase of a Flex Support Plan from Netsync Network Solutions, and that the City Manager or designee be expressly authorized to execute any and all change orders within the amounts set by State and local law.

Motion was made by Councilmember Johnson to approve RS-20-058. Motion was seconded by Councilmember Nash-King. Motion carried unanimously.

RS-20-059 Consider a memorandum/resolution accepting the FY20 Coronavirus Emergency Supplemental Grant from the Department of Justice.

Staff Comments: Peter Perez, Emergency Management Coordinator
The Department of Justice (DOJ) has issued the Coronavirus Emergency Supplemental Funding (CESF) Grant in response to the Coronavirus-19 pandemic. Funds can be used for preventing, preparing for, and responding to the pandemic. The City of Killeen was 1 of 120 municipalities in Texas that received a direct allocation award. The total grant amount is \$230,937 with no matching funds. The grant project budget includes police overtime, police social distance system, police P-100 masks & filters, Emergency Operations Center social distance system and traffic digital message boards. City staff recommends that City Council accept the grant and authorize the City Manager, or designee, to execute the necessary grant documents and all amendments within amounts set by the DOJ, State and local law.

Motion was made by Councilmember Nash-King to approve RS-20-059. Motion was seconded by Councilmember Fleming. Motion carried 6 to 1 with Councilmember Fleming in opposition.

RS-20-060 Consider a memorandum/resolution to renew the agreement with Belt Harris Pechacek, LLLP to provide auditing services for the fiscal year ending September 30, 2020.

Staff Comments: Jon Locke, Executive Director of Finance

The City Charter and the Financial Governance Policy requires City Council to designate a Certified Public Accountant to perform the City's annual audit. The City must change auditors no later than every five years. City Council awarded the auditing services agreement to Belt Harris Pechacek, LLLP on August 8, 2017, the initial agreement was for the audit of fiscal years 2017 and 2018, with the option to renew for three additional fiscal years. The estimated audit cost for FY20 is \$143,140. The audit committee met on June 4, 2020 and voted to recommend to City Council the appointment of Belt Harris Pechacek, LLLP for the FY 2020 audit. City staff and the audit committee recommend that the City Council renew the agreement with Belt Harris Pechacek, LLLP to provide auditing services for the fiscal year ending September 30, 2020.

Motion was made by Councilmember Menking to approve RS-20-060. Motion was seconded by Councilmember Nash-King. Motion carried unanimously.

Ordinances

OR-20-012 Consider an ordinance authorizing the issuance of City of Killeen, Texas, Limited Tax Note, Series 2020 for Fire Department equipment.

The City Secretary read the caption of the ordinance.

ORDINANCE AUTHORIZING THE ISSUANCE OF CITY OF KILLEEN, TEXAS LIMITED TAX NOTE, SERIES 2020; PRESCRIBING THE FORM OF THE NOTE; LEVYING AN AD VALOREM TAX TO PAY THE NOTE; AWARDING THE SALE THEREOF; AND ENACTING OTHER PROVISIONS RELATING THERETO.

Staff Comments: Jon Locke, Executive Director of Finance

City Council discussed the issuance of limited tax notes during their June 9, 2020 Regular City Council meeting. This ordinance is for the issuance of a limited tax note to purchase fire replacement vehicles and associated equipment. The Fire Department has 15 large vehicles and 8 of these vehicles are past their scheduled replacement date. The tax note will purchase 5 of the 8 vehicles that are behind schedule. The Texas Government Code, Chapter 1431, and the City's Financial Governance Policy authorize the issuance of tax notes. Banks received a term sheet with details of the \$4.9 million purchase of fire equipment. Seven (7) bids were submitted. Upon review of the bids, JP Morgan Chase has been identified as the winning bid providing the best rate at 1.27%. The tax note will be paid over seven years at approximately \$735,000 annually. The payments will be made from the accumulated fund balance in the Debt Service Fund. There is no change to the tax rate from issuance of this tax note. City staff recommends that City Council approve the ordinance authorizing the issuance of Limited Tax Note, Series 2020.

Motion was made by Councilmember Nash-King to approve OR-20-012. Motion was seconded by Councilmember Rivera. Motion carried unanimously.

- OR-20-013** Consider an ordinance approving a written service agreement and the annexation of approximately 5.811 acres of land lying contiguous to the existing city limits along the north right-of-way of Chaparral Road, and approximately 310' east of the Heritage Oaks subdivision, Killeen, Texas.

The City Secretary read the caption of the ordinance.

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF KILLEEN, BELL COUNTY, TEXAS, TO INCLUDE A 5.811 ACRES TRACT OF LAND LYING ADJACENT TO THE PRESENT CITY LIMITS AND MORE ACCURATELY DESCRIBED HEREIN; DECLARING SAID LAND TO BE A PART OF SAID CITY; DECLARING SAID LAND AND ITS INHABITANTS AND ANY FUTURE INHABITANTS OF SAID LAND TO BE ENTITLED TO ALL THE RIGHTS AND PRIVILEGES OF OTHER LANDS AND CITIZENS OF THE CITY AND TO BE BOUND BY THE ACTS AND ORDINANCES OF THE CITY; EXTENDING DISTRICT BOUNDARIES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

Staff Comments: Tony McIlwain, Executive Director of Planning

During the April 28, 2020, City Council meeting, the City Council directed the City Manager to negotiate and execute a written service agreement for the provisions of municipal services in the area identified in the voluntary annexation petition received from Gary Purser, Jr. This area is 5.811 acres of land lying contiguous to the existing city limits, along the north right-of-way of Chaparral Road, approximately 310' east of Heritage Oaks Subdivision. In accordance with Local Government Code 43.0672, the agreement has been executed and includes: a list of each service the city will provide on the effective date of the annexation; and a schedule that includes the period within which the city will provide each service that is not provided on the effective date of the annexation. Additionally, all public notice requirements have been met. City staff recommends that the City Council approve the written service agreement and the annexation ordinance.

Motion was made by Councilmember Johnson to approve OR-20-013. Motion was seconded by Councilmember Menking. Motion carried 6 to 1 with Councilmember Fleming in opposition.

- DS-20-047** Discuss the Potential Purchase, Sale, Lease or Value of Real Property
DS-20-048 City Attorney Briefing on Pending or Anticipated Litigation

DS-20-047 and DS-20-048 are Executive Session items and will be discussed in a closed meeting.

At 7:35 p.m., Mayor Segarra called for City Council to recess the meeting to Executive Session.

At 8:22 p.m., Mayor Segarra reconvened the City Council meeting.

Adjournment

With no further business, upon motion being made by Councilmember Rivera, seconded by Councilmember Harris, and unanimously approved, the meeting was adjourned at 8:22 p.m.