

**City of Killeen**  
Regular City Council Meeting  
Killeen Utilities Collections Conference Room  
November 27, 2018 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 Ron Olson, City Attorney Kathryn Davis, City Secretary Lucy Aldrich, and Sergeant-at-Arms Gilman.

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

**Approval of Agenda**

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

**Minutes**

*Motion was made by Councilmember Menking to approve the minutes of the November 13, 2018 Regular City Council Meeting. Motion was seconded by Councilmember Rivera. Motion carried unanimously.*

**Resolutions**

**RS-18-103** Consider a memorandum/resolution amending an Interlocal Agreement with the Texas General Land Office for electricity services.

**Staff Comments:** Leslie Hinkle, Executive Director of Community Development.

Ms. Hinkle gave provided brief background information as it pertains to the Texas General Land Office (GLO) and the services they provide to the City. GLO is represented by Cavallo Energy Texas, LLC and provides marketing, wholesale and retail support for GLO (since 2009). Through active management, the City's electricity price has declined steadily since 2008. Natural gas supplies and renewable resources has created an opportunity to secure additional savings in lower electricity rates and, at this time, the City can leverage historically low energy prices with market dynamics by extending the contract with GLO and Cavallo to secure future savings. Staff recommends that City Council authorize the City Manager or his designee to execute an amendment that allows the Texas GLO with Cavallo to extend the City of Killeen's Interlocal Agreement up to 36 months, from July 1, 2023 to no later than June 30, 2026, at or below a target price of \$.03775/kWh if market conditions allow. Staff further recommends that City Council authorize the City Manager or his designee and Texas GLO with Cavallo to blend electricity prices from all current contract terms to begin realizing cost savings in the current fiscal year.

*Motion was made by Councilmember Rivera to approve RS-18-103. Motion was seconded by Councilmember Fleming. Motion carried unanimously.*

**RS-18-104** Consider a memorandum/resolution authorizing the award of Bid No. 19-07 for Uniform Services.

**Staff Comments:** Jon Locke, Executive Director of Finance

Mr. Locke gave a brief overview of the agenda item. Two vendors submitted proposals in response to the request for bids. The proposals were evaluated based on ten categories with Cintas being the lowest bidder and scoring as the best value. The contract being awarded under this bid will be for a term of three years with the option to renew for two additional one year periods. Staff recommends that City Council award Bid 19-07, Uniform Services, to Cintas for the City's uniform services through the U.S. Communities Cooperative Contract Program, and that the City Manager or designee be authorized to execute any change orders as permitted by state and local law.

*Motion was made by Councilmember Fleming to approve RS-18-104. Motion was seconded by Councilmember Rivera. Motion carried unanimously.*

**RS-18-105** Consider a memorandum/resolution authorizing the award of Bid No. 19-05, Downtown Streetscaping Phase II Project, for a construction contract to Barsh Company.  
**Staff Comments:** David Olson, Executive Director of Public Works.  
Mr. Olson gave a brief overview of the agenda item. Two vendors submitted proposals in response to the request for bids. Staff recommends that the City Council authorize the City Manager or designee to enter into an agreement with Barsh Company for a construction contract to construct the Downtown Streetscaping Phase II project in the amount of \$440,227.90, and that the City Manager or designee is expressly authorized to execute any and all changes within the amounts set by state and local law.

*Motion was made by Mayor Pro Tem Kilpatrick to approve RS-18-105. Motion was seconded by Councilmember Fleming. Motion carried 6 to 1 with Councilmember Johnson in opposition.*

### **Ordinances**

**OR-18-013** Consider an ordinance authorizing the update of Texas Municipal Retirement System service credits.

The City Secretary read the caption of the ordinance.

AN ORDINANCE AUTHORIZING AND ALLOWING, UNDER THE ACT GOVERNING THE TEXAS MUNICIPAL RETIREMENT SYSTEM, "UPDATED SERVICE CREDITS" IN SAID SYSTEM FOR SERVICE PERFORMED BY QUALIFYING MEMBERS OF SUCH SYSTEM WHO PRESENTLY ARE MEMBERS OF THE CITY OF KILLEEN; PROVIDING FOR INCREASED PRIOR AND CURRENT SERVICE ANNUITIES FOR RETIREES AND BENEFICIARIES OF DECEASED RETIREES OF THE CITY; AND ESTABLISHING AN EFFECTIVE DATE FOR SUCH ACTIONS.

**Staff Comments:** Eva Bark, Executive Director of Human Resources.

Updated service credits allow an employee's TMRS retirement benefits to reflect inflation and provides for increased prior and current service annuities for retirees and beneficiaries of deceased retirees of the City. If adopted, all employees covered under TMRS will have their retirement benefits recalculated based on a three-year average of their most recent salary. The FY 2019 budget assumes the 11.15% rate and associated costs. City staff recommends that the proposed ordinance updating the TMRS service credits be adopted with an effective date of January 1, 2019.

*Motion was made by Councilmember Rivera to approve OR-18-013. Motion was seconded by Councilmember Fleming. Motion carried unanimously.*

**OR-18-014** Consider an ordinance amending the number of authorized civil service positions for the Killeen Police Department.

The City Secretary read the caption of the ordinance.

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

**Staff Comments:** Eva Bark, Executive Director of Human Resources.

Ms. Bark gave a brief background of the civil service system and identified that during the FY 2019 budget process, City Council approved the reduction of two positions that were and had been vacant for some time. This action is administrative in nature bringing the decisions that were made when the FY 2019 budget was adopted into compliance with law. Staff recommends that the City Council approve the ordinance amending the number of authorized Civil Service Police positions for the Killeen Police Department as aligned in the FY 2019 budget.

*Motion was made by Mayor Pro Tem Kilpatrick to approve OR-18-014. Motion was seconded by Councilmember Menking. Motion carried unanimously.*

**OR-18-015** Consider an ordinance amending the Killeen Code of Ordinances Chapter 11, “Fire Prevention and Protection” by adopting the 2018 International Fire Code, as amended, and Appendix D, pertaining to Fire Apparatus Access Roads.

The City Secretary read the caption of the ordinance.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS, AMENDING VARIOUS SECTIONS OF CHAPTER 11 OF THE CODE OF ORDINANCES OF THE CITY OF KILLEEN; ADOPTING THE 2018 INTERNATIONAL FIRE CODE; ADOPTING APPENDIX D TO THE 2018 INTERNATIONAL FIRE CODE; PROVIDING FOR A REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

**Staff Comments:** Brian Brank, Fire Chief.

The 2018 International Fire Code is the most current version of fire and life safety standards/methods available. By keeping current with new fire codes the community is afforded the safest buildings in which to live and work. Currently, Killeen is enforcing the 2009 and portions of the 2015 International Fire Code. Adoption of the 2018 International Fire Code including Appendix D will update to the most current version. City staff recommends approval as submitted.

*Motion was made by Councilmember Menking to approve OR-18-015. Motion was seconded by Councilmember Rivera. Motion carried unanimously.*

- OR-18-016** Consider an ordinance amending various sections and fees in Chapter 8 of the Code of Ordinances and adopting the 2018 International Construction Codes, the 2017 National Electrical Code and local amendments.

The City Secretary read the caption of the ordinance.

AN ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTER 8 OF THE CODE OF ORDINANCES OF THE CITY OF KILLEEN, ADOPTING THE 2018 INTERNATIONAL CONSTRUCTION CODES; ADOPTING LOCAL AMENDMENTS TO THE 2018 INTERNATIONAL CONSTRUCTION CODES; ADOPTING THE 2017 NATIONAL ELECTRICAL CODE; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

**Staff Comments:** Earl Abbott, Building Official.

By updating and adopting current building construction codes, the community is afforded safer buildings in which to live and work. Designers and builders have access to newer construction materials and methods and property owners are afforded lower insurance rates due to improved ISO insurance ratings. New construction codes become available in three year cycles. Currently, Killeen is enforcing the 2015 International Construction Codes and 2014 National Electrical Codes which went into effect January 1, 2016. On October 11, 2018, the Building Inspections staff and the Killeen Construction Board invited members of the local homebuilder's association and the general public to participate in a public hearing to jointly review the changes between the existing and proposed new construction codes and to review minor local changes. The Killeen Construction Board of Appeals and City staff recommends that City Council adopt the 2018 International Construction Codes, the 2017 National Electrical Code, and proposed amendments to Chapter 8 of the Code of Ordinances.

*Motion was made by Councilmember Fleming to approve OR-18-016. Motion was seconded by Councilmember Rivera. Motion carried 6 to 1 with Councilmember Johnson in opposition.*

### **Public Hearings**

- PH-18-035** **HOLD** a public hearing to provide citizens the opportunity to comment, and City Council to discuss and consider the Interlocal Agreement and application of the Edward Byrne Memorial Justice Assistance Grant (JAG) for FY 2018.

**Staff Comments:** Charles Kimble, Police Chief

The program award is allocated through an Interlocal Agreement between Bell County, City of Killeen, and the City of Temple: JAG funding for Fiscal Year 2018 will be \$82,370 with the City of Killeen receiving \$41,596. Funds will be used for equipment to outfit a Mobil Field Force designed to provide rapid, organized and disciplined response to civil disorder, crowd control or other major incidents. Staff recommends that City Council approve the submission of the 2018 Edward Byrne Memorial Justice Assistance Grant through the Killeen Police Department on behalf of all parties involved; the City Manager to sign the Interlocal Agreement; and to permit the Killeen Police Department to allocate and administer the duties required by the grant.

Mayor Segarra opened the public hearing.

With no one appearing, the public hearing was closed.

*Motion was made by Councilmember Rivera to approve PH-18-035. Motion was seconded by Councilmember Fleming. Motion carried unanimously.*

**PH-18-036A** Consider a memorandum/resolution authorizing the procurement of fleet replacement vehicles and equipment.

**Staff Comments:** Jon Locke, Executive Director of Finance

The criteria used to establish a vehicle replacement schedule is based upon available funding, units per category, age, mileage/hours, repair costs, and department/division feedback. The existing vehicles identified to be replaced are on average 15 years of age and have an average of 160,000 miles. There is a total of 40 pieces of fleet being procured that span over two budget cycles FY 2018 and FY 2019. Funds are available in the FY 2019 budget for the respective fleet replacement. The FY 2018 will require a budget amendment that follows this action item. Staff recommends that City Council approve the procurement of the fleet as stated above and that the City Manager or designee be authorized to execute any change orders as permitted by state and local law.

*Motion was made by Mayor Pro Tem Kilpatrick to approve PH-18-036A. Motion was seconded by Councilmember Menking. Motion carried unanimously.*

**PH-18-036B** **HOLD** a public hearing and consider an ordinance amending the FY 2019 Annual Budget and Plan of Municipal Services of the City of Killeen by increasing revenue and expenditure accounts for the purchase of fleet.

The City Secretary read the caption of the ordinance.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS, AMENDING THE FY 2019 ANNUAL BUDGET AND PLAN OF MUNICIPAL SERVICES OF THE CITY OF KILLEEN BY INCREASING REVENUE AND EXPENDITURE ACCOUNTS FOR THE PURCHASE OF FLEET; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING A SAVING CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

**Staff comments:** Jon Locke, Executive Director of Finance.

The annual fleet replacement budget for FY 2018 was \$4,444,596. Not all of the vehicles approved to be replaced in the FY 2018 schedule were replaced during the fiscal year. The budgets for these vehicles and equipment must be carried forward into FY 2019. Fleet Services is prepared to procure 18 pieces of fleet that were approved as part of the FY 2018 fleet replacement schedule. The total cost of the fleet is \$1,293,309. Staff recommends that City Council approve the ordinance amending the FY 2019 Annual Budget and Plan of Municipal Services.

Mayor Segarra opened the public hearing.

With no one appearing, the public hearing was closed.

*Motion was made by Mayor Pro Tem Kilpatrick to approve PH-18-036B. Motion was seconded by Councilmember Menking. Motion carried unanimously.*

**Adjournment**

With no further business, upon motion being made by Councilmember Menking, seconded by Councilmember Harris, and unanimously approved, the meeting was adjourned at 6:08 p.m.

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Jose Segarra, Mayor

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Lucy C. Aldrich, City Secretary