



City of Killeen

Legislation Text

File #: PH-23-019, Version: 1

HOLD a public hearing and consider an ordinance approving a written service agreement and the annexation of approximately 221.272 acres of land lying contiguous to the existing city limits, generally located on the west side of Bunny Trail, north of the Goodnight Ranch subdivision, south of Haynes Elementary School, and east of Dr. Joseph A. Fowler Elementary School, Killeen, Texas.

DATE: April 4, 2023

TO: Kent Cagle, City Manager

FROM: Edwin Revell, Exec. Dir. of Planning & Dev. Services

SUBJECT: Consider an ordinance approving a written service agreement and the annexation of approximately 221.272 acres of land lying contiguous to the existing city limits, generally located on the west side of Bunny Trail, north of the Goodnight Ranch subdivision, south of Haynes Elementary School, and east of Dr. Joseph A. Fowler Elementary School, Killeen, Texas.

BACKGROUND AND FINDINGS:

Annexation Process:

Sec. 43.0672 of the Texas Local Government Code: The City Council must enter into a written agreement with the owners of land in the area for the provision of services in the area. The agreement must include a list of each service the municipality will provide on the effective date of the annexation, and a schedule that includes the period within which the municipality will provide each service that is not provided on the effective date of the annexation. The City is not required to provide services that are not included in the agreement. [Note: there is no statutory time period in which to complete this action.]

Sec. 43.0673 of the Texas Local Government Code: Before a municipality may adopt an ordinance annexing an area under this subchapter, the City Council must conduct one public hearing. Notice of the public hearing must be published in the newspaper on or after the 20th day, but before the 10th day before the date of the public hearing; and posted on the City's website on or after the 20th day but before the 10th day before the date of the hearing, and must remain posted until the date of the hearing.

Notice of the Public Hearing was published in the Killeen Daily Herald on March 26, 2023, and posted on the City's website on March 22, 2023.

Sec. 43.905 of the Texas Local Government Code: The City must provide written notice of the proposed annexation to the Killeen Independent School District during the notification period. The notice to the School District must contain a description of the area within the District proposed for annexation; any financial impact on the district resulting from the annexation, including any changes in utility costs; and any proposal the City

has to abate, reduce, or limit any financial impact on the district.

Written notice to the Killeen Independent School District was provided in accordance with these requirements on March 22, 2023.

Sec. 43.9051 of the Texas Local Government Code: The City must provide written notice of the proposed annexation to each public entity that provides services to the area proposed for annexation during the notification period. "Public entity" includes Bell County, fire protection service providers, volunteer fire departments, emergency medical services providers, or special districts.

Written notice was provided to Bell County on March 22, 2023, in accordance with this requirement.

THE ALTERNATIVES CONSIDERED:

The City Council has two (2) alternatives:

- ☐ Disapprove the written service agreement and annexation ordinance; or
- ☐ Approve the written service agreement and annexation ordinance.

Which alternative is recommended? Why?

Staff recommends approval of the written service agreement and the annexation ordinance as presented.

CONFORMITY TO CITY POLICY:

The request for voluntary annexation conforms with City policy and State law.

FINANCIAL IMPACT:

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

There are no expenditures expected in the current fiscal year.

Is this a one-time or recurring expenditure?

Municipal expenditures would be a recurring cost.

Is this expenditure budgeted?

It is not budgeted within the current fiscal year.

If not, where will the money come from?

Future expenditures will come from the General Fund, Water & Sewer, Solid Waste, Drainage, and Street Maintenance funding sources as necessary.

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

This is not applicable.

RECOMMENDATION:

Staff recommends approval of the annexation ordinance and written service agreement as presented.

DEPARTMENTAL CLEARANCES:

This item has been reviewed by Development Services and Legal

ATTACHED SUPPORTING DOCUMENTS:

Maps
Ordinance
Written Service Agreement