



# City of Killeen

## Legislation Text

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File #: RS-19-038, Version: 1

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Consider a memorandum/resolution refusing or granting a voluntary annexation petition for approximately 83.01 acres of land lying contiguous to the existing city limits and being adjacent to 7501 Chaparral Road, Killeen, Texas.

**DATE:** April 2, 2019

**TO:** Ronald L. Olson, City Manager

**FROM:** Ray Shanaa, Executive Director of Planning & Dev. Svcs.

**SUBJECT:** Consider a voluntary annexation petition for approximately 83.01 acres of land lying contiguous to the existing city limits and being adjacent to 7501 Chaparral Road, Killeen, Texas.

### **BACKGROUND AND FINDINGS:**

On March 21, 2019, the Planning and Development Services Department received a voluntary petition for annexation from WBW Land Investments Limited Partnership. The subject area is comprised of two tracts of land with one tract measuring 10.26 acres, being located west of 7501 Chaparral Road and the second tract measuring 72.75 acres, being located east of 7501 Chaparral Road, Killeen, Texas. The property is vacant, contiguous to current municipal city limits and is therefore exempt from a three year annexation plan. The owner is making the request to have the property annexed into the corporate limits of Killeen. In accordance with that, the staff has prepared a tentative 90-day annexation schedule (below) and will ask the City Council to provide a motion of direction to the City Manager.

### **Annexation Schedule**

**April 9<sup>th</sup>:** After the 5<sup>th</sup> day, but on or before the 30<sup>th</sup> day, after the date the petition is filed, the governing body shall hear the petition and the arguments for and against the annexation and shall grant or refuse the petition as the governing body considers appropriate. Therefore, the Council must grant or refuse the petition by April 20, 2019. If Council decides to grant the petition, Council shall direct the City Manager to prepare a service plan providing for the extension of full municipal services to the area by any method used to give services in any other area of city and conduct public hearings. [LGC 43.065]

**April 21<sup>st</sup> and May 5<sup>th</sup>:** At least 10 days and no more than 20 days in advance of each public hearing, publish notice in newspaper, post on website and send notice to school district. [LGC 43.063(c) & 43.905]

**May 7<sup>th</sup> and May 21<sup>st</sup>:** Conduct 2 public hearings between 20 and 40 days before annexation ordinance is adopted (note: this will require two special City Council meeting dates). [LGC 43.063 (a)]

**June 11<sup>th</sup>:** Adopt annexation ordinance and approve service plan. [LGC 43.064]  
(Can be no sooner than 20 days after 2<sup>nd</sup> public hearing.)

**THE ALTERNATIVES CONSIDERED:**

In accordance with LGC sections 43.028(d) and 43.065, the City Council has two alternatives:

- refuse the voluntary petition; or
- grant the voluntary petition and direct the City Manager to prepare a service plan that provides for the extension of full municipal services to the area to be annexed.

**Which alternative is recommended? Why?**

Staff recommends that the City Council hear the petition and the arguments for and against the annexation and decide whether to refuse or grant the petition. Council is advised that granting the petition would continue the annexation schedule as outlined above.

**CONFORMITY TO CITY POLICY:**

The request for voluntary annexation conforms with state law.

**FINANCIAL IMPACT:**

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

If directed to prepare a service plan, staff will assess the potential fiscal impacts of annexation and present that information to the Council.

**Is this a one-time or recurring expenditure?**

Expenditures related to the extension of municipal services would be a recurring cost.

**Is this expenditure budgeted?**

It is not budgeted at this time.

**If not, where will the money come from?**

If the property is annexed, it will be necessary for the money to come from future budget sources. Ad valorem tax and fees will be collected from annexed territory.

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

N/A.

**RECOMMENDATION:**

Staff recommends that the City Council hear the petition and the arguments for and against the voluntary annexation and decide whether to refuse or grant the petition.

**DEPARTMENTAL CLEARANCES:**

City Attorney

**ATTACHED SUPPORTING DOCUMENTS:**

Annexation Petition  
Annexation Exhibit