

# **North Killeen Revitalization Area (NKRA) Sewer Rehabilitation and Redevelopment Incentive Program**

## **Introduction**

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The purpose of the North Killeen Revitalization Area (NKRA) Sewer Rehabilitation and Redevelopment Incentive Program is to provide financial assistance for small sanitary sewer projects to replace or install sewer laterals, including, clean-outs, interceptors (grease traps), and back-flow prevention devices associated with redevelopment and local business retention within the North Killeen Revitalization Area. A private lateral is the pipe that carries sewage from a private building to the public sewer system. Property owners are responsible for maintaining their private sewer laterals, including, clean-outs, interceptors, and back-flow prevention devices as required. This program at a relatively low cost allows for the City to be able to assist in sewer improvements needed to promote enhanced infill housing, redevelopment, and retain local businesses in a key revitalization area in the city. The City of Killeen has created this program to encourage Property Owners, through the issuance of a 50% matching incentive in an amount up to \$20,000 to install, maintain, and repair private sewer improvements.

The City of Killeen has an interest in reducing the sewer pollution leaking into the ground water through cracked and aging sewer pipes and clean-outs. The City of Killeen owns and operates the public system that is within the right of way and easements, and the Property Owner is responsible for the part of the system that connects from their drain to the where the lateral connects to the public system.

## **Impacts**

This program is designed to assist Property Owners with the replacing of these leaky or damaged sewer laterals, clean-outs, grease interceptors, and back-flow prevention devices to address the pollution contributions from sewer discharges into city groundwater. Underground pipes can leak for a variety of reasons, such as age, soil movement, and settlement, corrosion, strikes from landscaping, and tree root infiltration. Underground pipes in North Killeen and especially the Greater Downtown area are particularly susceptible to corrosion due to age and historic use of clay pipes.

Defective sewer lateral clean-outs can allow rain and groundwater to make its way into the sewer system. This additional flow must be collected, pumped to the treatment plant, and treated. During the severe wet weather sewage treatment plants can receive increased stormwater due to the infiltration of ground water into private sewer lateral and from rainwater flowing into broken infiltration of ground water into private sewer lateral and from rainwater flowing into broken clean-outs. These high flows can also overtax the system and result in sanitary sewer overflows. In addition to reducing the cost associated with pumping and treating large volumes of storm water, repairing a private lateral will help protect property, public health, and quality of life in the City of Killeen.

## **Application Instructions**

Applicants should review the program guidelines, submit the Application with required documents, and follow the application process steps enclosed in this application packet.

**Prior to any work being initiated, the attached Application must be submitted with required supporting documents to the Development Services Department for review by staff at the City Hall Annex building (200 East Avenue D, 2nd floor). If you have any questions, please contact the Development Services Department at (254) 501-7645.**

**City of Killeen Development Services  
200 East Avenue D, 2<sup>nd</sup> Floor  
Killeen, TX 76540-1329  
Phone: (254) 501-7645**

# PROGRAM GUIDELINES

## Eligible Properties and Owners

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1. An Applicant must be a commercial property owner or be completing an infill development project within the North Killeen Revitalization Area as identified in the attached map (pg. 5).
2. No application will be accepted for any project from a property owner who is in arrears in the payment of property taxes, special assessments, or other liabilities due to the City;
3. **For Commercial Properties:** Property must have an active/current business status (a business in operation) **OR** The subject property must have an eligible business tenant(s) that will open for business once the building improvements are complete. All repairs must be completed with 180 days of application approval. If the property is to be occupied by a tenant, then the applicant must supply proof of a lease that identifies a two-year term. The City of Killeen will require restrictive covenants on the property for five years to ensure the newly renovated building remains occupied and rent does not increase for a minimum of five years from the execution of the incentive agreement.
4. **Infill Development Requirements:** All construction must be completed within 180 days of application approval.
5. Property owner must have insurance equal to or greater than the appraised value of the building based upon the Bell County Appraisal District's most recent tax assessment.
6. The applicant must submit a scope of work with at least three quotes from qualified vendors for completing the work, including two HUB contractors (if possible).
7. The total cost of the eligible incentive expense is determined by the total project cost. Incentive funds can only be used toward eligible expenses. The maximum incentive amount per application is \$20,000, which requires a total project cost of a minimum of \$40,000. Applicants may spend more than \$40,000; however, the maximum incentive will remain \$20,000.

## Eligible Incentive Expenditures

1. Only expenses approved by the City are covered by this program. Expenses must directly and specifically relate to the repair, replacement, or installation of private sewer laterals, backflow prevention devices and/or grease interceptors for commercial kitchens (grease traps) . Any work completed before approval from the City will not be reimbursed.
2. Only work completed by a licensed and registered plumber will be considered for reimbursement.
3. Eligible expenses include cleaning, inspection, design, materials, equipment, and contractor labor required to bring the private lateral clean-outs, backflow prevention, or grease interceptors into compliance with City of Killeen standards. Above ground landscaping and paving directly related to sewer lateral work may also be eligible.
4. Ineligible expenses include general interior plumbing work.

## **Incentive Process**

Property owners first complete an incentive application. City staff reviews the application for funding eligibility. Once an application is determined complete and in compliance with the incentive program, City staff will schedule an on-site pre-construction meeting with the contractor. City staff will execute an incentive agreement that outlines the approved funding amount, total project costs, project timeline and scope of work.

## **Application Submission**

1. Applications can be submitted via email, in person, or postal services. Any incomplete applications will not be accepted. For an application to be complete it must contain the following:
  - 3 Quotes from licensed plumbers (two from HUB Contractors if available)
  - Completed Application Form
  - Completed NKRP Application
2. If the application is approved by the Executive Director of Development Services, an on-site pre-construction meeting will be scheduled with the selected contractor and the contractor must receive necessary permits to complete the scope of work.
3. Once approved the applicant will receive an award letter and the licensed plumber may complete work.

## **Project Timeline**

All permits must be obtained prior to the execution of an incentive agreement. Any work requiring a permit must be performed by a licensed and registered plumber and comply with the City of Killeen Code of Ordinances. Work must be completed within 180 days from execution of the award letter. The Executive Director has the authority to extend time limits for project completion based on extenuating circumstances. Grantees must request an extension in writing and if approved, an amendment to the incentive agreement will be executed.

## **Payment Process**

Incentive funds will be disbursed by the City of Killeen to the applicant on a matching basis for eligible project expenses. Applicants must submit paid invoices as proof of payment for the matching 50% of the project. Incentive funding will not be disbursed to the applicant until after all work is completed, inspected, and approved by the City of Killeen.

## Incentive Guidelines and Requirements

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- **City Permit and Approval.** The applicant is required to obtain all required City permits and City approvals prior to the commencement of any work.
- **Contact HUB Contractors.** Applicants must request a quote from at least two historically underutilized businesses in Bell County for projects that exceed \$3,000 in improvements.
- **No Prior Obligations.** Applicants must have all property (real and personal) taxes, utilities obligations and other obligations to the City paid in full at the time of application submittal.
- **Inspection.** The City of Killeen, including Building Inspections, Water and Sewer, and Code Enforcement, will inspect the project site for code compliance and will also inspect the work performed by the contractor, as required by State or local building codes and/or ordinances, at the completion of the project.
- **Incentive per Applicant.** No more than one incentive from this program may be awarded to the same property address or building unit within a 2-year period. Individual storefronts contained on one parcel will be considered eligible for funding if they have unique mailing addresses and entrances. Incentives are limited to one incentive per business.
- **Code Compliance.** The Applicant, by submission of this Application, represents the construction, described within the Application, shall be used in a building which is in compliance with all codes and ordinances.

### Approval Criteria

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Approval of applications shall be based on the funds available with the highest priority given to applications in Category 1, and then, in descending order, with applications in Category 4 having the lowest priority. Incentives will be awarded on a first-come, first-served basis with the following criteria prioritization applied when multiple applications have been submitted simultaneously.

**Category 1. Communal Laterals.** Commercial property that is currently utilizing a community lateral or shared private lateral will be prioritized.

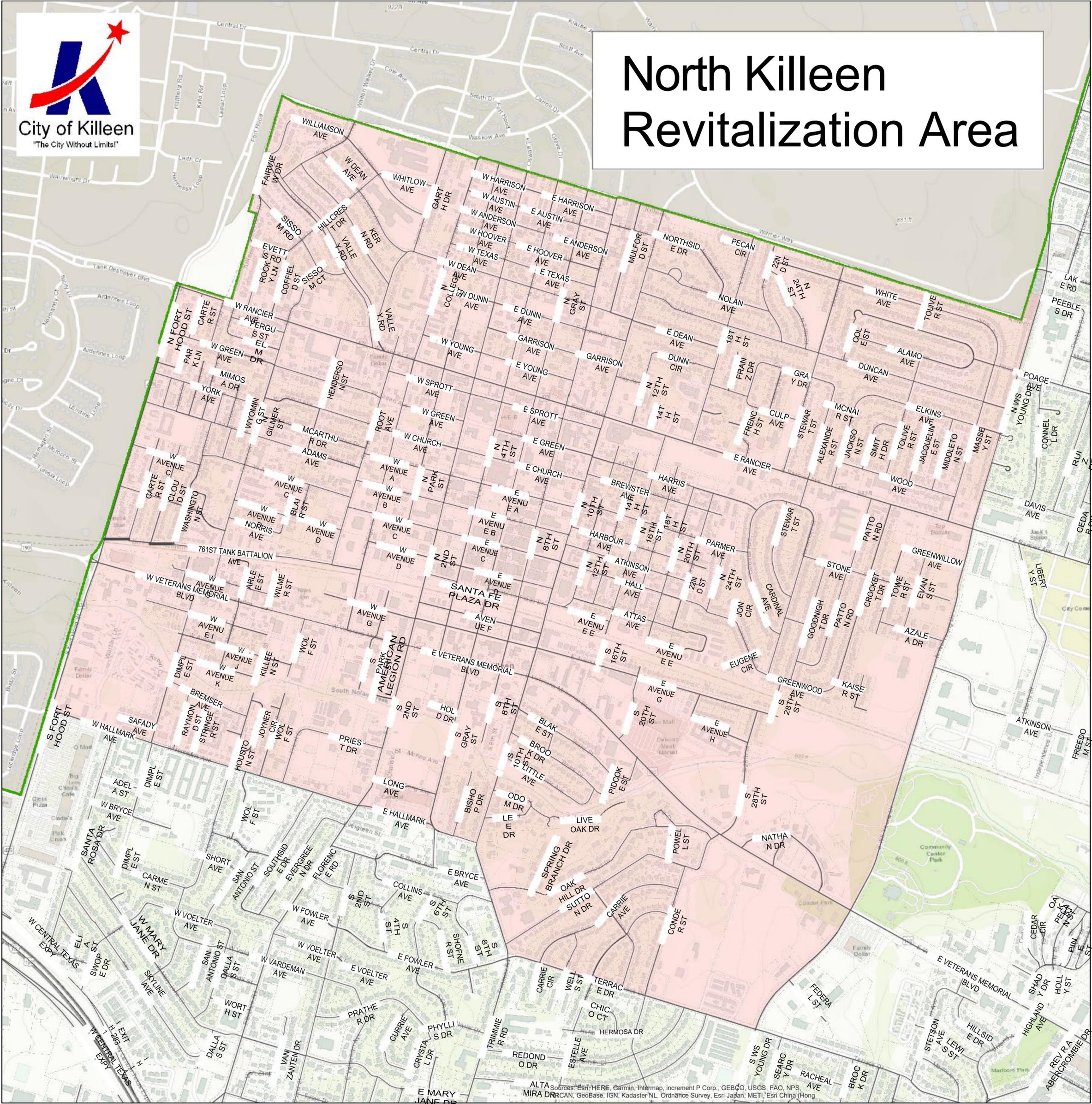
**Category 2. Historic Preservation Priority.** Projects within the Historic Overlay District will be prioritized due to the condition and age of the sewer laterals.

**Category 3. Infill Development.** Current vacant lots or buildings located within NKRP subject to commercial or residential development.

**Category 4. Previous Recipients.** Additional projects from businesses within NKRP that have already City Killeen Incentive.



# North Killeen Revitalization Area



ALTA sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, MIRA DRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong

**North Killeen Revitalization Area (NKRA) Sewer Rehabilitation and Redevelopment Incentive Program**

**APPLICANT INFORMATION**

Building Owner: \_\_\_\_\_ Date: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 Building Address (if different than above): \_\_\_\_\_  
 Contact Name(s): \_\_\_\_\_ Email: \_\_\_\_\_  
 Contact Phone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_

**BUILDING INFORMATION**

Physical Address: \_\_\_\_\_  
 Property Legal Description: \_\_\_\_\_  
 Year of Construction: \_\_\_\_\_ Number of Stories: \_\_\_\_\_  
 Building Space Type (check one):  Commercial, Retail, Restaurant  Multi Family  Infill Development  
 Occupancy Type (circle one): Owner Occupied Renter Occupied Vacant  
 If Renter Occupied, Current Rental Price: \_\_\_\_\_

Building Insurance Information	9a. Insurance Agent Name:	9b. Agent Telephone Number:
	9c. Policy Number:	9d. Policy Effective Date:

**Details of Planned Improvements:** (attach additional paper if necessary)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**ATTACH THE FOLLOWING REQUIRED DOCUMENTS (Estimate Analysis Form)**

Contractor Quotes/Bids (attach a minimum of three original proposals unless the work is self-contracted).

- (1) Contractor's Name \_\_\_\_\_ Cost Estimate \$ \_\_\_\_\_  
 (2) Contractor's Name \_\_\_\_\_ Cost Estimate \$ \_\_\_\_\_  
 (3) Contractor's Name \_\_\_\_\_ Cost Estimate \$ \_\_\_\_\_

*Quotes/bids submitted by an applicant must be current and dated no earlier than sixty (60) days prior to the Application request. Quotes/bids shall be submitted on the contractor's or project architect's letterhead and shall contain the contractors name, address, and telephone number.*

**Total Cost of Proposed Project:** \$ \_\_\_\_\_  
**Total Incentive Amount Requested:** \$ \_\_\_\_\_

**Signature page follows.**

## **North Killeen Revitalization Area (NKRA) Sewer Rehabilitation and Redevelopment Incentive Program**

I have met with the Development Services Department, and I fully understand the North Killeen Revitalization Area (NKRA) Sewer Rehabilitation and Redevelopment Incentive Program procedures and details established by the City of Killeen. I intend to use this Incentive program for the aforementioned renovation projects to forward the efforts of the North Killeen revitalization program.

I affirm and understand that:

- a) The information submitted herein is true and accurate to the best of my knowledge.
- b) I have read and understand the City of Killeen's North Killeen Revitalization Area (NKRA) Sewer Rehabilitation and Redevelopment Incentive Program and agree to be bound by and abide by these conditions.
- c) I understand that receipt of an Incentive Funding Commitment Letter from the City of Killeen does not constitute application or approval for a City of Killeen permit.
- d) I understand that construction of proposed improvements cannot begin until receiving a funding commitment letter and permit from the City of Killeen.
- e) I understand that any changes made to the approved improvements without the approval of the Director will be cause for the City of Killeen to withdraw its funding commitment.
- f) I understand that the owner will be obligated to maintain the building improvements, assisted through this program for a period of five (5) years from the date of project completion.
- g) I understand that if approved for the North Killeen Revitalization Area (NKRA) Sewer Rehabilitation and Redevelopment Incentive Program for a commercial property that restrictive covenants will be placed on the property for a time of five (5) years.
- h) I understand that if approved for the North Killeen Revitalization Area (NKRA) Sewer Rehabilitation and Redevelopment Incentive Program, that if the building is tenant occupied that rent cannot be increased for a period of five (5) years of receiving the incentive.
- i) The Owner hereby agrees, as the North Killeen Revitalization Area (NKRA) Sewer Rehabilitation and Redevelopment Incentive Program Applicant and property owner ("Owner"), that if the Incentive proposal is awarded to a Commercial Property, a demand for repayment shall be made and a lien securing the interest of the City of Killeen funds will be placed on the real property requiring repayment of the City funds invested unless: 1) an active and legal commercial business is occupying and operating from the project site address within six (6) months of the date of the reimbursement payment from the City to the Owner; and 2) an active legal commercial business is operating on the project site for a period of five (5) years. In the event of lapses in active commercial activity at the project site due to business failure, lease termination or similar or unforeseen causes during this period, the time period shall be tolled and the owner shall take all measures reasonably necessary including, without limitation, advertising and actively seeking new tenants, to ensure that a replacement legal commercial business commences operation on the project site as soon as possible following cessation of the same. Upon business recommencement, the time period will again begin to lapse.

**Property Owner Name:** \_\_\_\_\_

\_\_\_\_\_  
**Property Owners Signature** **Date**

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\_\_\_\_\_  
**Downtown Revitalization Director Approval** **Date**

\_\_\_\_\_  
**Development Services Director Approval** **Date**



# North Killeen Revitalization Program

## APPLICATION INFORMATION:

Name(s) of Property Owner: \_\_\_\_\_

Current Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ - \_\_\_\_\_

Primary Phone: (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_ Cell Phone: (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

Email: \_\_\_\_\_

Name of Contractor/Developer/Applicant: \_\_\_\_\_  
(If different than Property Owner)

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ - \_\_\_\_\_

Primary Phone: (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_ Cell Phone: (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

Email: \_\_\_\_\_

Address/Location of property to be rezoned: \_\_\_\_\_

## PROJECT INFORMATION

### TABLE 1:

### PROJECT ADDRESS

Please list the address and legal descriptions of the project.

<i>PROJECT ADDRESS</i>	<i>ZIP CODE</i>	<i>LEGAL DESCRIPTION</i>	<i>LOT NO.</i>	<i>BLOCK NO.</i>

### TABLE 2:

### PROPERTY OWNERSHIP

List **all** other properties the applicant/owner/developer owns in the City of Killeen.

*(Continue on a separate sheet and attach if necessary)*

<i>ADDRESS</i>	<i>ZIP CODE</i>	<i>LEGAL DESCRIPTION</i>	<i>LOT NO.</i>	<i>BLOCK NO.</i>



# North Killeen Revitalization Program

## APPOINTMENT OF AGENT

As owner of the subject property, I hereby appoint the person designated below to act for me, as my agent in this request.

Name of Agent: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ - \_\_\_\_\_

Home Phone: (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_ Business Phone: (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

I acknowledge and affirm that I will be legally bound by the words and acts of my agent, and by my signature below, I fully authorize my agent to:

**be the point of contact between myself and the City; make legally binding representations of fact and commitments of every kind on my behalf; incentive legally binding waivers of rights and releases of liabilities of every kind on my behalf; to consent to legally binding modifications, conditions, and exceptions on my behalf; and, to execute documents on my behalf which are legally binding on me. This authorization only applies to this specific reimbursement incentive program.**

**I understand that the City will deal only with a fully authorized agent.** At any time, it should appear that my agent has less than full authority to act, then the application may be suspended and I will have to personally participate in the disposition of the application. I understand that all communications related to this application are part of an official proceeding of City government and, that the City will rely upon statements made by my agent. Therefore, **I agree to hold harmless and indemnify the City of Killeen, its officers, agents, employees, and third parties who act in reliance upon my agent's words and actions from all damages, attorney fees, interest and costs arising from this matter.** If my property is owned by a corporation, partnership, venture, or other legal entity, then I certify that I have legal authority to make this binding appointment on behalf of the entity, and every reference herein to 'I', 'my', or 'me' is a reference to the entity.

Signature of Agent: \_\_\_\_\_ Title: \_\_\_\_\_

Printed/Typed Name of Agent: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Property Owner: \_\_\_\_\_ Title: \_\_\_\_\_

Printed/Typed Name of Property Owner: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Property Owner: \_\_\_\_\_ Title: \_\_\_\_\_

Printed/Typed Name of Property Owner: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Property Owner: \_\_\_\_\_ Title: \_\_\_\_\_

Printed/Typed Name of Property Owner: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Property Owner: \_\_\_\_\_ Title: \_\_\_\_\_

\*Application must be signed by the individual applicant, by each partner of a partnership, or by an officer of a corporation or association.