



TEMPLE CITY COUNCIL

MUNICIPAL BUILDING

2 NORTH MAIN STREET

TEMPLE, TX

NOTICE OF MEETING

THURSDAY, SEPTEMBER 6, 2007

3:30 P.M.

3RD FLOOR CONFERENCE ROOM

WORKSHOP AGENDA

1. Receive presentation regarding the City's updated web site and government television channel, Channel 10.
2. Receive briefing on process and procedures relating to annual contracts for the purchase of goods and services.
3. Discuss the proposed ordinance changes relating to non residential metal buildings.
4. Discuss appointing members to the following City boards and commissions:
 - (A) Airport Advisory Board – five members to fill expiring terms through September 1, 2010
 - (B) Animal Services Advisory Board – two members to fill expiring terms through September 1, 2010 and appoint Chair for the period of September 1, 2007 through August 31, 2008
 - (C) Civil Service Commission - one member to fill expiring term through September 1, 2010
 - (D) Community Services Advisory Board – three members to fill expiring terms through September 1, 2010
 - (E) Comprehensive Plan Advisory Committee – one member representing Temple College to fill an unexpired term
 - (F) Convention Center and Tourism Advisory Board – three members to fill expiring terms through September 1, 2010

- (G) Library Board – three members to fill expiring terms through September 1, 2010 and one member to fill an unexpired term through September 1, 2009
- (H) Parks and Recreation Board – one member to fill an unexpired term through March 1, 2009
- (I) Planning & Zoning Commission – three members to fill expiring terms through September 1, 2010
- (J) Reinvestment Zone No. 1 Board of Directors – five members to fill expiring terms through September 1, 2009
- (K) Temple Economic Development Commission – four members to fill expiring terms through September 1, 2010
- (L) Temple Public Safety Advisory Board – six members to fill expiring terms through September 1, 2010 and two members to fill unexpired terms, one through September 1, 2008 and one through September 1, 2009
- (M) Transit Advisory Committee – three members to fill expiring terms through September 1, 2010 and one member to fill an unexpired term through September 1, 2008

5. Discuss, as may be needed, Regular Meeting agenda items for the meeting posted for Thursday, September 6, 2007 as follows:

5:00 P.M.
CITY COUNCIL CHAMBERS – 2ND FLOOR

TEMPLE CITY COUNCIL

REGULAR MEETING AGENDA

I. CALL TO ORDER

1. Invocation
2. Pledge of Allegiance

II. PUBLIC COMMENTS

Citizens who desire to address the Council on any matter may sign up to do so prior to this meeting. Public comments will be received during this portion of the meeting. Please limit comments to 3 minutes. No discussion or final action will be taken by the City Council.

III. PROCLAMATIONS & SPECIAL RECOGNITIONS

3. Recognize [2007 Summer Reading Program Sponsors](#)

IV. CONSENT AGENDA

All items listed under this section, Consent Agenda, are considered to be routine by the City Council and may be enacted by one motion. If discussion is desired by the Council, any item may be removed from the Consent Agenda at the request of any Councilmember and will be considered separately.

4. Consider adopting a resolution approving the Consent Agenda items and the appropriate resolutions for each of the following:

Minutes:

- (A) [August 10, 2007 Special Called Meeting](#)
- (B) [August 16, 2007 Special Called Meeting](#)
- (C) [August 16, 2007 Regular Called Meeting](#)
- (D) [August 23, 2007 Special Called Meeting](#)

Contracts, Leases & Bids:

- (E) [2007-5152-R](#): Consider adopting a resolution authorizing an Interlocal Cooperation Contract with the Texas Department of Public Safety (DPS) for the purchase of alcohol and drug testing supplies by the Temple Police Department.
- (F) [2007-5153-R](#): Consider adopting a resolution authorizing a construction contract with TTG Utilities, Inc. for construction services required to build street, drainage, and utility improvements at Avenue E from MLK Blvd. to the Union Pacific Railroad in the amount of \$589,046.50.
- (G) [2007-5154-R](#): Consider adopting a resolution authorizing an agreement with Rich and Associates, Inc. of Southfield, Michigan to perform a parking supply/demand analysis and site alternatives analysis for the Temple downtown area for an amount not to exceed \$62,510.
- (H)
 1. [2007-5155-R](#): Consider adopting a resolution authorizing a developer participation agreement with Kiella Development to reimburse the developer for half of the cost of constructing sidewalks on both sides of Westfield Boulevard and Stonehollow Drive at the request of City, in the amount of \$36,794.25.
 2. [2007-5156-R](#): Consider adopting a resolution authorizing a developer participation agreement with First Omega Partners, LTD to reimburse the developer for the cost of constructing sidewalks on South 5th Street for the Wyndham Hill, Phase I subdivision in the amount of \$27,129.08.
- (I) [2007-5157-R](#): Consider adopting a resolution authorizing the purchase of various replacement parts for the Water Treatment Plant Membrane Facility from Pall System Services of Cortland, NY, as a sole source provider, in the estimated amount of \$55,208.52.
- (J) [2007-5158-R](#): Consider adopting a resolution authorizing a professional services agreement with Kleinfelder Central, Inc. of Waco to provide construction materials testing for all infrastructural projects, both City-initiated and subdivision-related, for FY 07-08 in the estimated annual amount of \$60,000.
- (K) [2007-5159-R](#): Consider adopting a resolution authorizing an annual purchase agreement with Naztec, Inc. of Sugarland for traffic signal equipment and supplies for FY 07-08 in the estimated amount of \$26,121.
- (L) [2007-5160-R](#): Consider adopting a resolution authorizing an annual purchase agreement with Rexel Summers Electric of Temple for electrical supplies for FY 07-08 in the estimated annual amount of \$25,000.
- (M) [2007-5161-R](#): Consider adopting a resolution authorizing an annual purchase agreement with Lengefeld Lumber Company, LLC of Temple for building materials for FY 2007-08 in the estimated annual amount of \$25,000.
- (N) [2007-5162-R](#): Consider adopting a resolution authorizing a three year contract with Siemens Water Technologies Corp. of Sarasota, Florida for the service/supplier of chlorine dioxide/sodium chlorite in the estimated annual amount of \$112,247.

- (O) [2007-5163-R](#): Consider adopting a resolution authorizing an annual contract with Smith Pump Company, Inc. of Waco for electric motor and pump repair services needed at the Water Treatment Plant for FY 07-08 in the estimated annual amount of \$60,000.
- (P) [2007-5164-R](#): Consider adopting a resolution authorizing an annual contract with Alpha Constructors, Inc. of Temple for concrete repair and construction services for FY 07-08 in the estimated amount of \$40,737.50.
- (Q) [2007-5165-R](#): Consider adopting a resolution authorizing an annual contract with Able Body Labor of Clear Water, Florida for temporary employment services for FY 07-08 in the estimated annual amount of \$25,000.
- (R) [2007-5166-R](#): Consider adopting a resolution authorizing an annual contract with T. Morales Company of Florence for electrical services for all City facilities on an as-needed basis for FY 07-08 in the estimated amount of \$43,000.
- (S) [2007-5167-R](#): Consider adopting a resolution authorizing a one-year renewal to the annual purchase agreements with Ingram Library Services of Laverne, TN, and Baker and Taylor of Reno, NV, for the purchase of library books, library bindings, DVDs, videos and compact discs for FY 07-08 in the estimated amount of \$85,000.
- (T) [2007-5168-R](#): Consider adopting a resolution authorizing a one-year renewal to the annual purchase agreements with Carquest Auto Parts of Temple and Austin Distributing & Manufacturing of Amarillo for the purchase of auto repair parts for FY 07-08 in the estimated amount of \$50,000.
- (U) [2007-5169-R](#): Consider adopting a resolution authorizing a one-year renewal to the existing purchase agreement with Franklin Minerals of Belton for aggregate base for FY 07-08 in the estimated amount of \$40,000.
- (V) [2007-5170-R](#): Consider adopting a resolution authorizing a one-year renewal to the existing purchase agreement with Hopkins Oil Company of Mart for oils and lubricants for FY07-08 in the estimated amount of \$65,000.
- (W) [2007-5171-R](#): Consider adopting a resolution authorizing a one-year renewal to the annual purchase agreements with various companies for the purchase of Water Treatment Chemicals for FY 07-08 in the estimated amount of \$157,531.
- (X) [2007-5172-R](#): Consider adopting a resolution authorizing a one-year renewal to the annual contract with S&M Vacuum & Waste, LTD of Killeen for the hauling and disposal of sludge in the estimated annual amount of \$45,000.
- (Y) [2007-5173-R](#): Consider adopting a resolution authorizing a one-year renewal to the annual contract with Duke's Root Control, Inc. of Syracuse, New York, for sewer line chemical root control for FY 07-08 in the estimated annual amount of \$65,000.

- (Z) [2007-5174-R](#): Consider adopting a resolution authorizing a one-year renewal to the contract with the Temple Daily Telegram of Temple for the graphics design, printing and mailing of the Play-by-Play brochures for the Parks and Leisure Services Department for FY 07-08 in the estimated amount of \$46,000.
- (AA) [2007-5175-R](#): Consider adopting a resolution authorizing a one-year renewal to the contract with Temple Heat & Air of Temple for HVAC repair and preventative maintenance services for FY 07-08 in an estimated amount of \$60,000.
- (BB) [2007-5176-R](#): Consider adopting a resolution authorizing a one-year renewal to the annual contract with MailMax Direct of Waco for the printing, folding, stuffing, and mailing of water bills and the folding, stuffing, and mailing of accounts receivable statements for FY 07-08 in the estimated annual amount of \$170,000.
- (CC) [2007-5177-R](#): Consider adopting a resolution authorizing a one-year renewal to the annual contracts for bacteriological sample testing for FY 07-08 in the estimated amount of \$31,700 with the following companies:
1. Coliform sample testing with Waco Regional Water Quality Lab of Waco at \$13.00/sample.
 2. Cryptosporidia sample testing to EMSL Analytical, Inc. of Houston at \$525/sample
- (DD) [2007-5178-R](#): Consider adopting a resolution authorizing one-year renewals to the contracts for the following services:
1. W. Howard Wright Real Estate for broker's opinions - \$65 per unit;
 2. Centraland Title Company for title work services – title letters \$100 each; runsheets \$125 each; and
 3. Central Texas Appraisal Company and Kokel-Oberrender-Wood on a rotating basis for appraisals – prices varies.
- (EE) [2007-5179-R](#): Consider adopting a resolution authorizing the an amendment to a lease contract with the Health and Human Services Commission (HHSC), formerly the Texas Department of Human Services, for 19,617 sq. ft. in the Public Services Annex, 102 East Central Avenue.

Ordinances – Second & Final Reading:

- (FF) [2007-4162](#): SECOND READING – Consider adopting an ordinance establishing school crosswalks and setting speed limits within school zones to conform to school schedules.
- (GG) [2007-4163](#): SECOND READING – Z-FY-07-50: Consider adopting an ordinance amending the City of Temple Zoning Ordinance Section 7-625 regarding HUD-Code Manufactured Home Design Standards and adding Section 7-626 for existing land lease communities.
- (HH) [2007-4164](#): SECOND READING – Z-FY-07-51: Consider adopting an ordinance amending the City of Temple Zoning Ordinance Sections 7-103, 8-902, 10-101, and 21-101 regarding accessory dwelling units in a non-residential zoning district and associated design standards.

Misc:

- (II) [2007-5180-R](#): Consider adopting a resolution rejecting all bids received for the construction of a roller hockey court concrete slab in Wilson Community Park.
- (JJ) [2007-5181-R](#): Consider adopting a resolution authorizing budget amendments for fiscal year 2006-2007.

V. REGULAR AGENDA

ORDINANCES

- 5. [2007-4166](#): FIRST READING – PUBLIC HEARING - Z-FY-07-52: Consider adopting an ordinance authorizing a zoning change from a portion of the General Retail District and Office One District to the Single Family Three District on approximately 20.011 acres of land commonly known as Outblock 6010-A, City Addition, located at the northeast corner of South 31st Street and FM 93.
- 6. (A) [2007-4167](#): FIRST READING – PUBLIC HEARING - Z-FY-07-54(A): Consider adopting an ordinance authorizing an amendment to the West Temple Comprehensive Plan from Moderate Density Residential Use to Office Use on approximately 12.79 acres of land commonly known as Outblock 2564-A, City Addition, located on the west side of South Kegley Road, south of Wildflower Lane.

(B) [2007-4168](#): FIRST READING – PUBLIC HEARING - Z-FY-07-54(B): Consider adopting an ordinance authorizing a zoning change from Agricultural District to Office One District on approximately 12.79 acres of land commonly known as Outblock 2564-A, City Addition, located on the west side of South Kegley Road, south of Wildflower Lane.
- 7. [2007-4169](#): FIRST READING – PUBLIC HEARING - Z-FY-07-55: Consider adopting an ordinance authorizing a zoning change from Agricultural District to Light Industrial District on approximately six (6.0) acres of land commonly referred to as Outblock 1164-G, City Addition, located on the south side of Moore's Mill Road, east of Brewster Road.
- 8. (A) [2007-4170](#): FIRST READING – PUBLIC HEARING - Z-FY-07-56(A): Consider adopting an ordinance authorizing a zoning change from Agricultural District to Light Industrial District on approximately 10.08 acres of land commonly known as Outblock 4204-A, City Addition, located on the east side of Wendland Road, north of Wilsonart Drive and south of Moore's Mill Road.

(B) [2007-4171](#): FIRST READING – PUBLIC HEARING - Z-FY-07-56(B): Consider adopting an ordinance authorizing a zoning change from Agricultural District to Light Industrial District on approximately 10.05 acres of land commonly known as Outblock 4203-A, City Addition, located on the east side of Wendland Road, north of Wilsonart Drive and south of Moore's Mill Road.
- 9. [2007-4172](#): FIRST READING – PUBLIC HEARING – Consider adopting an ordinance amending the Tax Increment Financing Reinvestment Zone No. 1 Financing Plan for FY 2007 to fund engineering services related to projects in the North Rail Park in the amount of \$266,000.

RESOLUTIONS

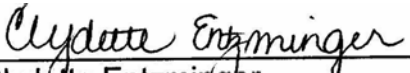
10. **2007-5132-R:** P-FY-07-44: Consider adopting a resolution authorizing the final plat of Hills of Westwood Phase III, Section 3, a 1.508 acre, 10 lot, 2 block residential replat of Common Area "F", Block 5, Lots 21 & 22, Block 5 and Lots 3,4,17& 18, Block 8, Hills of Westwood Phase III, located south of Tarver Drive; and abandonment of the existing 0.585 acre utility and drainage easement previously platted on Common Area "F", Block 5, Hills of Westwood Phase III.

BOARD APPOINTMENTS

11. **2007-5133-R:** Consider adopting resolutions appointing members to the following City boards and commissions:
- (A) Airport Advisory Board – five members to fill expiring terms through September 1, 2010
 - (B) Animal Services Advisory Board – two members to fill expiring terms through September 1, 2010 and appoint Chair for the period of September 1, 2007 through August 31, 2008
 - (C) Civil Service Commission - one member to fill expiring term through September 1, 2010
 - (D) Community Services Advisory Board – three members to fill expiring terms through September 1, 2010
 - (E) Comprehensive Plan Advisory Committee – one member representing Temple College to fill an unexpired term
 - (F) Convention Center and Tourism Advisory Board – three members to fill expiring terms through September 1, 2010
 - (G) Library Board – three members to fill expiring terms through September 1, 2010 and one member to fill an unexpired term through September 1, 2009
 - (H) Parks and Recreation Board – one member to fill an unexpired term through March 1, 2009
 - (I) Planning & Zoning Commission – three members to fill expiring terms through September 1, 2010
 - (J) Reinvestment Zone No. 1 Board of Directors – five members to fill expiring terms through September 1, 2009
 - (K) Temple Economic Development Commission – four members to fill expiring terms through September 1, 2010
 - (L) Temple Public Safety Advisory Board – six members to fill expiring terms through September 1, 2010 and two members to fill unexpired terms, one through September 1, 2008 and one through September 1, 2009
 - (M) Transit Advisory Committee – three members to fill expiring terms through September 1, 2010 and one member to fill an unexpired term through September 1, 2008

The City Council reserves the right to discuss any items in executive (closed) session whenever permitted by the Texas Open Meetings Act.

I hereby certify that a true and correct copy of this Notice of Meeting was posted in a public place at 11:00 AM, on August 31, 2007.


Clydette Entzminger
City Secretary

I certify that this Notice of Meeting Agenda was removed by me from the outside bulletin board in front of the City Municipal Building on _____ day of _____ 2007. _____



COUNCIL AGENDA ITEM MEMORANDUM

09/06/07
Item #3
Regular Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

William A. Jones, III, Mayor

ITEM DESCRIPTION: Presentation of Proclamation:

Recognize 2007 Summer Reading Program Sponsors

STAFF RECOMMENDATION: Present proclamation as presented in item description.

ITEM SUMMARY:

This proclamation will recognize the 2007 Summer Reading Program sponsors at the Temple Public Library. Each sponsor will be invited to attend and each one will receive a copy of the proclamation.

FISCAL IMPACT: N/A

ATTACHMENTS:

None



COUNCIL AGENDA ITEM MEMORANDUM

09/06/07
Item #4(A)-(D)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Clydette Entzminger, City Secretary

ITEM DESCRIPTION: Approve Minutes:

- (A) August 10, 2007 Special Called Meeting
- (B) August 16, 2007 Special Called Meeting
- (C) August 16, 2007 Regular Called Meeting
- (D) August 23, 2007 Special Called Meeting

STAFF RECOMMENDATION: Approve minutes as presented in item description.

ITEM SUMMARY: Copies of minutes are enclosed for Council review.

FISCAL IMPACT: N/A

ATTACHMENTS:

August 10, 2007 Special Called Meeting
August 16, 2007 Special Called Meeting
August 16, 2007 Regular Called Meeting
August 23, 2007 Special Called Meeting

SPECIAL MEETING OF THE TEMPLE CITY COUNCIL

AUGUST 10, 2007

The City Council of the City of Temple, Texas conducted a Special Meeting on Friday, August 10, 2007 at 5:00 P.M. in the Council Chambers, Municipal Building, 2nd Floor, 2 North Main Street.

Present:

Mayor Pro Tem Martha Tyroch
Councilmember Russell Schneider
Mayor William A. Jones, III

Absent:

Councilmember Tony Jeter
Councilmember Patsy Luna

I. CALL TO ORDER

1. Invocation

Councilmember Russell Schneider voiced the Invocation.

2. Pledge of Allegiance

Avis Page led the Pledge of Allegiance.

Avis Page, 109 East Young, thanked the City for placing sand bags on her property during a previous rain event and for installing speed bumps on her street.

II. BUDGET ITEMS

3. PUBLIC HEARING - Conduct the first of two public hearings to receive comments on the proposed tax rate of \$0.5681 per \$100 valuation for fiscal year 2008 (2007 tax year), and announce meeting to adopt the proposed tax rate on August 23, 2007.

David Blackburn, City Manager, provided a brief overview of the proposed FY 2007-2008 budget. He reviewed the remaining dates on the calendar and his approach to the development of the budget and the budget process. The program and service area priorities were also discussed, with an explanation of the ECI adjustment which is being recommended at 3.8%. This will require some financial adjustments to the filed budget to allow the ECI to be funded. Mr. Blackburn also showed a chart of the total of all funds, \$102,807,774.

Traci Barnard, Director of Finance, discussed the proposed tax rate of \$0.5681, which

is 2.99% greater than the effective tax rate and about one-half cent less than last year. She also provided historical information regarding the City's tax rate over the past ten years and a benchmark of property tax rates for Temple's peer cities. The assessed value of taxable property was also presented, which shows an increase of 8.84%. Mrs. Barnard concluded her presentation with an explanation of how the proposed tax rate would affect a property owner in Temple.

Mayor Jones declared the public hearing open with regard to Agenda item 3 and asked if anyone wished to address this item.

Marvin Hurd, 14 West Welton, stated he has reviewed the budget with the Director of Finance and it is balanced. He stated he would like to see the drainage program being developed help to get all of the drainage channels in the City cleaned out. Mr. Hurd also addressed the unrestricted funds in the budget and the new personnel that are being proposed. He asked the Council to try to reduce the amount of overtime in the budget by better planning of work. Mr. Hurd also expressed his support of the upcoming Parks bond issue and the proposed capital improvement projects that will address the City's infrastructure needs.

Christina McNeil, 2701 Valley Forge, asked about the large amount of contingency in both the General Fund and Water and Wastewater Fund.

Mrs. Barnard stated the General Fund contingency contains \$70,000 for judgements and claims against the City, \$250,000 for the Fire/EMS study and \$850,000 for compensation related increases. The contingency in the Water and Wastewater Fund is allocated for the master plan underway. The City Council must authorize all expenditures from the contingency funds.

There being no further comments, Mayor Jones closed the public hearing. He stated there will be another public hearing on the proposed tax increase at the August 16, 2007 regular City Council meeting, 5:00 p.m. The final public hearing and date for adoption of the tax rate is August 23, 2007 special City Council meeting.

4. Discuss the proposed FY 2007-2008 City of Temple budget, Capital Improvement Plan and related issuance of bonds.

Mr. Blackburn discussed the proposed General Obligation Bond issue as it relates to the Parks issue. During a recent work session, Ken Cicora presented the projects proposed for inclusion in this issue. The Council expressed some concern with locating the new aquatic facility in Lions Park where there have been many problems with the soil in this area. Since that meeting, the staff has been working on a revised proposal.

Mr. Cicora stated they have separated the indoor swimming facility from the outdoor pool and are suggesting South Temple Park as the site for the family aquatic center. However, the soil will need to be analyzed in this area so the proposal is not site-specific at this time. The facility is the same as proposed at Lions Park, with the addition of a toddler pool. Mr. Cicora stated he would like to expand the parking and

landscape the park along with the addition of the aquatic center to make this a true amenity.

The indoor aquatic center is proposed to be moved to Sammons Park, near the Senior Center in the location of the old driving range. This facility is the same as was originally proposed at Lions Park. Mr. Cicora added they would like to includes some funds in this project to do some work on the golf course while work is being done there.

Two additional projects were recommended for inclusion in the Parks bond issue, a family changing room at the Summit Recreation Center and the rebuilding of the hike and bike trail at Miller Park.

Mr. Blackburn noted that he received some feedback about the desireability of separating the adult and family aquatic centers. Regarding the proposed improvements at the golf course, it will be more economical to make these if a contractor has already been mobilized to that site.

Mayor Jones asked if the adult aquatic center will be a year-round facility.

Mr. Cicora replied yes, that is the intent. Although the primary market is adults, lifeguarding and swimming lessons could be programmed at this facility, as well as other recreational programs.

Mrs. Barnard stated this approximate \$10M bond issue for Parks projects will result in slightly over one-cent tax increase, assuming the tax base grows at a rate of 4% for the next few years, if approved by the voters. The Fire bond issue will be approximately the same size and will have the same one-cent tax impact if approved.

Mr. Blackburn stated the election will have to be called at the August 23rd special Council meeting. The Council will have another opportunity to discuss the proposed projects at a work session on August 16th, at which time several ballot options will be presented for the Council to discuss.

Mr. Blackburn also addressed the overtime issue that was mentioned previously. He provided the Council with some handouts showing all overtime by department and a four-year history. The overtime budget for FY 2007-2008 is approximately \$1M, which is down slightly from last year. Some factors affecting overtime in the current year related to the spring snow storm and a large number of retirements.

William A. Jones, III, Mayor

ATTEST:

Clydette Entzminger
City Secretary

SPECIAL CALLED MEETING

TEMPLE CITY COUNCIL

AUGUST 16, 2007

The Temple City Council conducted a Special Called Meeting on Thursday, August 16, 2007 at 3:30 p.m. in the Third Floor Conference Room, Municipal Building, 2 North Main Street, Temple, TX.

City Council & Staff Present:

Mayor William A. Jones, III
Mayor Pro Tem Martha Tyroch
Councilmember Patsy E. Luna
Councilmember Russell Schneider

David Blackburn, City Manager
Jonathan Graham, City Attorney
Traci Barnard, Director of Finance
Clydette Entzminger, City Secretary

Absent:

Councilmember Tony Jeter

The agenda for this meeting was posted on the bulletin board at the Municipal Building on August 10, 2007 at 11:05 am in compliance with the Open Meetings Law.

The following is a summary of the proceedings of this meeting. It is not intended to be a verbatim translation.

Mayor Jones called the Special Called Meeting of the Temple City Council to order at 3:30 p.m. in the Third Floor Conference Room, Municipal Building.

1. Discuss the proposed letter of intent and development agreement with the owners of a 23.48 acre tract in Arrowhead Point in the City's ETJ adjacent to Lake Belton. (Item 4 (L) on regular agenda)

Jonathan Graham, City Attorney, stated this item relates to a development project proposed in the City's ETJ. The developer will make a presentation during the work session and an action item is on the consent agenda for tonight's regular meeting. This project is for the development of 260 high-end condominium units on a 23-acre site, with an estimated investment of over \$100M. The proposal is for the developer to build a connection to the City's wastewater system when we extend it into this area in the near future. The improvements would be constructed by the developer up front and dedicated to the City, with the developer recovering up to 50% of his costs, approximately \$150,000, from rebates of permit fees, plat fees, zoning fees, tap fees and water and wastewater charges for a period of ten years from the date of execution of the development agreement. These conditions would be addressed in the letter of intent, to be followed by execution of a development agreement. The developer will also agree to petition for voluntary annexation into the City when this become feasible for the City.

Mr. Jack Jones, representing Mr. Wexler, owner of Texas Custom Homes, presented the proposed La Bellezza Del Lago project. He stated this is the last tract of land on the left side of FM 2305 before you reach Temple Lake Park. There is a nice view of the lake from the south and west sides of the property. The development will include lots of green space and be constructed with a Tuscan design. The property will be developed in phases, with the first phase containing 67 units.

Construction will be ready to begin in about 60-90 days.

Mr. Victor Turley, engineer for the developer, stated he started by working on a spray field sewer for this development. Since the City is expanding the wastewater system in this area, and constructing a large lift station, he proposed a development agreement with the City to allow the developer to connect to the City's system and recoup some of his up-front costs over time. Mr. Turley noted the water pressure and volume in this area are not adequate and will need to be improved and looped, as well as constructing a ground storage tank, as part of this project.

David Blackburn, City Manager, stated he supports this project as it provides an opportunity to provide services in this area that the City will likely serve in the future. He felt this would encourage other development in the area.

2. Discuss the Proposed FY 2007-2008 City of Temple budget, Capital Improvement Plan and related issuance of bonds.

Mr. Blackburn reviewed the budget calendar and the program and service area priorities. He stated he is recommending a 3.8% ECI adjustment and he explained how the shortfall in funds has been made up from overtime adjustments and remaining funds from the compensation study. He provided the Council a handout showing both anticipated and eligible retirements. Mrs. Barnard noted there have been 17 retirements this year and only 6 last year. Some of the retirements this year were initiated by the change in the insurance policy.

Next, Mr. Blackburn presented the proposed Parks bond projects, focusing on the family aquatic center proposed to be located in the South Temple Community Park and the indoor aquatic center to be located in Sammon's Park. He showed how the projects could be combined into a single proposition or how the Summit Fitness and Recreation Center expansion could be presented as a separate proposition. He stated the City Council will need to determine the number of propositions to appear on the ballot, as well as the total dollar amount of the bonds.

Councilmember Schneider suggested the two projects at Sammons Park be combined. He added he would like to see the Summit expansion as a separate proposition on the ballot because he felt the improvements should be funded from user fees, not the taxpayers.

Mayor Pro Tem Tyroch stated she would like for all of the projects to be combined in a single proposition. The Summit has great needs and it does not compete with the other facilities in the City.

3. Discuss, as may be needed, Regular Meeting agenda items for the meeting posted for Thursday, August 16, 2007.

(T) Mrs. Barnard made a brief presentation regarding the Third Quarter Financials. She stated at 75% of the year, revenues are at 85%. A 7.2% increase is being projected for sales tax. In the Water and Wastewater Fund, revenues are at 78% at July 31st. Consumption is 19% less than the previous year.

Regarding item 10, board appointments, Mayor Jones suggested the Council table these until the September 6th meeting due to the absence of Councilmember Jeter. There are also some positions that still need to be filled.

(G) Councilmember Schneider stated he is concerned with using the City's maintenance funds to do the excavation at the site and install the base for the pad under the concrete. Due to the poor soils in that area he felt there could be a better location for the court. If the concrete slab cracks or fails, he questioned who would be responsible, the City or the contractor.

Ken Cicora, Parks and Leisure Services Director, stated the court is being constructed with CDBG funds so it can only be constructed in certain areas of town. There is a need for this type of facility.

Mayor Pro Tem Tyroch expressed her concern with the safety issues in the long term. She wanted to utilize engineered plans.

Mr. Cicora stated the tennis courts in this location are fine and the roller hockey court is being constructed to engineered plans.

Monty Clark, Beach and Clark Engineers, stated the soils move a great deal in this location and there is evidence of this in the Wilson Recreation Center. It is a good design but will have to be poured in a single pour. The court can be built to specifications but he also expressed his concern with multiple contractors.

Mayor Pro Tem Tyroch stated she is not against this project but she is concerned with the location.

Mayor Jones asked if there was any other location in East Temple that would be suitable for this court.

Mr. Blackburn stated the issues regarding this item are with the funding approach, leveraging in-house cost with other funds, and the location. Staff will work to resolve these issues.

There being no further business, Mayor Jones adjourned the Special Called Meeting at 5:00 pm.

William A. Jones, III, Mayor

ATTEST:

Clydette Entzminger
City Secretary

REGULAR MEETING OF THE TEMPLE CITY COUNCIL

AUGUST 16, 2007

The City Council of the City of Temple, Texas conducted a Regular Meeting on Thursday, August 16, 2007 at 5:00 PM in the Council Chambers, Municipal Building, 2nd Floor, 2 North Main Street.

Present:

Mayor Pro Tem Martha Tyroch
Councilmember Patsy E. Luna
Councilmember Russell Schneider
Mayor William A. Jones, III

Absent:

Councilmember Tony Jeter

I. CALL TO ORDER

1. Invocation

Bishop John Tolbert, Eagles Wings Ministeries, voiced the Invocation.

2. Pledge of Allegiance

Audrey Stebenne, Commander of VFW Post 1820, led the Pledge of Allegiance.

II. PUBLIC COMMENTS

There were no Public Comments.

Mayor Jones introduced Julie Hetzel, German Exchange Student staying with Jonathan and Jennifer Graham, and presented her with two City of Temple lapel pins.

III. BUDGET ITEMS

3. PUBLIC HEARING - Conduct the second of two public hearings to receive comments on the proposed tax rate of 56.81 cents per \$100 valuation for fiscal year 2008 (2007 tax year), and announce meeting to adopt the proposed tax rate on August 23, 2007.

David Blackburn, City Manager, gave a brief presentation regarding this item to the City Council. He showed the remaining dates on the budget and budget process calendar. The purpose of this item is to conduct the second of two public hearings on the proposed tax rate of \$0.5681 per \$100 valuation for the 2008 tax year.

Mayor Jones declared the public hearing to be open and asked if anyone wished to address this item. There being no comments, Mayor Jones closed the public hearing. He announced the final public hearing and adoption of the proposed tax rate is scheduled for August 23, 2007.

IV. CONSENT AGENDA

- 4. Consider adopting a resolution approving the Consent Agenda items and the appropriate resolutions for each of the following:**

(A) August 2, 2007 Special Called Meeting

(B) August 2, 2007 Regular Meeting

(C) 2007-5116-R: Consider adopting a resolution authorizing the purchase of a tractor with a batwing mower from Landmark Equipment Company through the Houston-Galveston of Governments Cooperative Purchasing Program (H-GAC) in the amount of \$44,095.66

(D) 2007-5117-R: Consider adopting a resolution authorizing a one-year renewal to the contract with Perry Office Plus for the purchase of office supplies by the entities of the Central Texas Purchasing Cooperative in the estimated annual amount of \$450,000, with Temple's estimated annual expenditure to be \$95,000.

(E) 2007-5118-R: Consider adopting a resolution authorizing a contract with McLane Advanced Technologies for the purchase and installation of an Airport surveillance/security system at the Draughon-Miller Central Texas Regional Airport in the amount of \$74,864.

(F) 2007-5119-R: Consider adopting a resolution authorizing a contract renewal for professional auctioneer services with Eddy Lange and Associates, Auctioneers of Heidenheimer for conducting the City auctions.

(G) 2007-5120-R: Consider adopting a resolution authorizing a construction contract with TTG Utilities, LP of Gatesville for constructing a roller hockey court concrete slab in Wilson Community Park in the amount of \$83,000 and rejecting all initial bids received for this project on June 12, 2007.

(H) 2007-5121-R: Consider adopting a resolution authorizing a utility cost sharing agreement with Sears & Associates for Hidden Villages subdivision in the amount of \$54,685.

(I) 1. 2007-5122-R: Consider adopting a resolution authorizing a construction contract with Shelton & Shelton, LP, for construction activities required for the extension of West Temple wastewater utilities from S.H. 36 north to Industrial

Blvd., in an amount not to exceed \$483,643.69 and declare an official intent to reimburse this expenditure prior to the issuance of tax-exempt obligations for this project.

2. 2007-5123-R: Consider adopting a resolution authorizing a professional services contract with Kasberg, Patrick & Associates, LP, (KPA), for daily on-site representation activities required for the extension of West Temple wastewater utilities from S.H. 36 north to Industrial Blvd., in an amount not to exceed \$37,300 and declare an official intent to reimburse this expenditure prior to the issuance of tax-exempt obligations for this project.

(J) 2007-5124-R: Consider adopting a resolution authorizing Change Order #1 in the deduct amount of \$1,540 to the Loop 363 Utility Relocation Phase 3 construction contract with Bell Contractors, Inc., deleting of a portion of the project to be realigned and extended under Phase 2 of the work, and to add full width milling of Avenue Z from 57th Street to Jaycee Park as a part of the asphalt replacement for the project.

(K) 2007-5125-R: Consider adopting a resolution authorizing Change Order #1 in the amount of \$170,805.40 to the Loop 363 Utility Relocation Phase 2 construction contract with Bell Contractors, Inc., for items related to changes due to TxDOT modifications, design issues, and field adjustments as required.

(L) 2007-5126-R: Consider adopting a resolution authorizing the execution of a letter of intent and a development agreement with the owners of a 23.48 acre tract in Arrowhead Point in the City's ETJ adjacent to Lake Belton.

(N) 2007-4157: (1) SECOND READING - Z-FY-07-43: Consider adopting an ordinance authorizing the amendment to the West Temple Comprehensive Plan from Office and Residential uses to Community Facilities (Schools) uses on 31.108± out of portions of land commonly known as Outblocks 1094A-A and 1094-A and C, City Addition, located on the north side of West Adams Avenue, between Hilliard Road and Brooks Drive.

2007-4158 (2) SECOND READING - Z-FY-07-44: Consider adopting an ordinance authorizing a zoning change from Single Family One (SF-1), Office One (O-1), General Retail (GR) and Multiple Family One (MF-1) Districts to Single Family One (SF-1) District on approximately 31.108 acres of land out of land commonly known as Outblocks 1094A-A, 1094-A and 1094-C, City Addition, located north of West Adams Avenue, between Hilliard Road and Brooks Drive.

(O) 2007-4159: SECOND READING - Z-FY-07-45: Consider adopting an ordinance authorizing a zoning change from the Two Family (2F) District to the Neighborhood Service (NS) District on the North 50 Feet of Lot 2, Block A, Bentley Bellview Addition, located at 801 and 803 South 33rd Street.

(P) 2007-4160: (1) SECOND READING - Z-FY-07-47: Consider adopting an ordinance authorizing an amendment to the Future Land Use Plan Map to reflect a change from Medium Density Residential to Neighborhood and Community Retail uses on Lot 20, Block 1, Tal-Coe Place Addition, located at 1118 South 29th Street.

2007-4161: (2) SECOND READING - Z-FY-07-48: Consider adopting an ordinance authorizing a zoning change from Two Famil (2F) District to Neighborhood Service (NS) District on Lot 20, Block 1, Tal-Coe Place Addition located at 1118 South 29th Street.

(Q) 2007-5127-R: Consider adopting a resolution granting a street use license for a 2.4 foot encroachment of an existing house in a 7.5 foot wide utility easement along the north property line at 205 Burnham Drive, on Lot 18, Block 1, Crescent View Phase One.

(R) 2007-5128-R: Consider adopting a resolution dedicating a tract of City owned land adjacent to West Ridge Park as City park land.

(S) 2007-5129-R: Consider adopting a resolution authorizing the adoption of the Regional Hazard Mitigation Plan created by the Central Texas Council of Governments (CTCOG).

(T) 2007-5130-R: Consider adopting a resolution approving third quarter financial results for Fiscal Year 2007.

(U) 2007-5131-R: Consider adopting a resolution authorizing budget amendments for fiscal year 2006-2007.

Motion by Mayor Pro Tem Martha Tyroch to adopt resolution approving Consent Agenda, seconded by Councilmember Patsy E. Luna.

Motion passed unanimously.

(G) 2007-5120-R: Consider adopting a resolution authorizing a construction contract with TTG Utilities, LP of Gatesville for constructing a roller hockey court concrete slab in Wilson Community Park in the amount of \$83,000 and rejecting all initial bids received for this project on June 12, 2007.

Councilmember Schneider stated he would like staff to look further into this project before Council takes action.

Motion by Councilmember Russell Schneider to table item 4(G), seconded by Mayor Pro Tem Martha Tyroch.

Motion passed unanimously.

(L) 2007-5126-R: Consider adopting a resolution authorizing the execution of a letter of intent and a development agreement with the owners of a 23.48 acre tract in Arrowhead Point in the City's ETJ adjacent to Lake Belton.

Jonathan Graham, City Attorney, stated he has been working with the developer of a proposed high end condominium development in Temple's ETJ, off of FM 2305 near Temple Lake Park. Mr. Graham reviewed the terms of the letter of intent and the development agreement, both of which are authorized in the resolution. The developer has agreed to voluntary annexation by the City when we are able to do so. The water system improvements being proposed in the development agreement would accommodate future growth in this area.

Motion by Mayor Pro Tem Martha Tyroch to adopt resolution presented in item 4(L), seconded by Councilmember Patsy E. Luna.

Motion passed unanimously.

(T) 2007-5130-R: Consider adopting a resolution approving third quarter financial results for Fiscal Year 2007.

Traci Barnard, Director of Finance, provided a brief overview of the Third Quarter Financial Report. General Fund revenues are at 85% with 75% of the year complete. Sales taxes are projected at end the year at 7.23% over budget. She showed a comparison of Temple sales tax to other cities in our region and the state. General Fund balance additions at year end are estimated at \$1,825,167. Mrs. Barnard provided an outlook to September 30, 2007 regarding sales tax, fuel prices, separation pay and overtime. Regarding the Water and Wastewater Fund, revenues are at 70%, about 10% down from last year. Mrs. Barnard concluded with a review of the Capital Improvement Plan projects by funding source and the City's investments.

Motion by Councilmember Patsy E. Luna to adopt resolution in item 4(T), seconded by Councilmember Russell Schneider.

Motion passed unanimously.

V. REGULAR AGENDA

ORDINANCES

5. 2007-4162: FIRST READING - PUBLIC HEARING - Consider adopting an

ordinance establishing school crosswalks and setting speed limits within school zones to conform to school schedules.

Bruce Butscher, Director of Public Works, presented this item to the City Council. This is a housekeeping item to establish the school zones to conform with upcoming school schedules. Mr. Butscher noted the changes to the existing ordinance.

Mayor Jones declared the public hearing to be open with regard to Agenda Item 5 and asked if anyone wished to address this item. There being no comments, Mayor Jones closed the public hearing.

Motion by Mayor Pro Tem Martha Tyroch to adopt ordinance on first reading, with second reading set for September 6, 2007, seconded by Councilmember Patsy E. Luna.

Motion passed unanimously.

6. 2007-4163: FIRST READING - PUBLIC HEARING - Z-FY-07-50: Consider adopting an ordinance amending the City of Temple Zoning Ordinance Section 7-625 regarding HUD-Code Manufactured Home Design Standards and adding Section 7-626 for existing land lease communities.

Tim Dolan, Director of Planning, presented this item to the City Council. He stated Staff has had some difficulties in administering the existing ordinance regulating HUD-Code Manufactured housing standards because it does not consider existing land lease communities, or mobile home parks. This proposed ordinance would allow for a single wide or double wide home to be placed in a land lease community subject to certain standards which address age of the homes, roof dimensions, and optional use of storage buildings. There are no changes proposed to perimeter screening, siding, foundation and skirting.

Mayor Jones declared the public hearing to be open with regard to Agenda Item 6 and asked if anyone wished to address this item. There being no comments, Mayor Jones closed the public hearing.

Motion by Councilmember Patsy E. Luna to adopt ordinance on first reading, with second reading set for September 6, 2007, seconded by Councilmember Russell Schneider.

Motion passed unanimously.

7. 2007-4164: FIRST READING - PUBLIC HEARING - Z-FY-07-51: Consider adopting an ordinance amending the City of Temple Zoning Ordinance Sections 7-103, 8-902, 10-101, and 21-101 regarding accessory dwelling units in a non-residential zoning district and associated design standards.

Aaron Adel, Special Projects Planner, presented this item to the City Council. The City's current ordinance does not allow accessory dwellings attached to non residential uses. The catalyst for this change was a recent building permit application. Several neighboring cities allow this accessory use. The primary intent is to allow only one dwelling unit that is occupied by an employee of the business on site. The ordinance also specifically addresses the Central Area District and places certain requirements in this district. Mrs. Adel discussed these requirements as well as those for parking associated with accessory dwelling units.

Mayor Jones declared the public hearing to be open with regard to Agenda Item 7 and asked if anyone wished to address this item. There being no comments, Mayor Jones closed the public hearing.

Motion by Mayor Pro Tem Martha Tyroch to adopt ordinance on first reading, with second reading set for September 6, 2007, seconded by Councilmember Patsy E. Luna.

Motion passed unanimously.

8. 2007-4165: FIRST READING - PUBLIC HEARING - Z-FY-07-53: Consider adopting an ordinance amending the City of Temple Zoning Ordinance Section 13 regarding Fence and Wall Regulations, Display for Sale, Open Storage; adding Metal Building Regulations to the title; and creating Section 13-200, Regulations for Residential Accessory Metal Buildings.

Tim Dolan, Director of Planning, presented this item to the City Council. He stated this item will be presented to the Planning and Zoning Commission for a public hearing on August 20, 2007. Mr. Dolan presented some of the highlights of the proposed ordinance, which relate to residential accessory metal buildings only. A white paper summarizing these proposed regulations has been circulated to some stakeholders in the community for their input.

Mayor Jones asked for clarification that the primary building could not be constructed of metal.

Mayor Jones declared the public hearing to be open with regard to Agenda Item 8 and asked if anyone wished to address this item.

Troy Glasson, Temple Area Builders Association, stated he is a member of one of the stakeholder groups. If the public hearing will be left open until this item returns to the City Council, Mr. Glasson stated he would like to reserve his comments until the next public hearing.

There being no further comments, Mayor Jones suspended the public hearing.

Motion by Councilmember Patsy E. Luna to table ordinance in item 8 on first reading, seconded by Councilmember Russell Schneider.

Motion passed unanimously.

RESOLUTIONS

9. **2007-5132-R: P-FY-07-44: Consider adopting a resolution authorizing the final plat of Hills of Westwood Phase III, Section 3, a 1.508 acre, 10 lot, 2 block residential replat of Common Area "F", Block 5, Lots 21 & 22, Block 5 and Lots 3,4,17& 18, Block 8, Hills of Westwood Phase III, located south of Tarver Drive; and abandonment of the existing 0.585 acre utility and drainage easement previously platted on Common Area "F", Block 5, Hills of Westwood Phase III.**

Tammy Lyerly, Planner, presented this item to the City Council. She showed the location of this property on an aerial map. Ms. Lyerly also showed the replat and indicated the changes that are proposed, which include converting a single lot into four residential lots. The utility easement is proposed to be abandoned to allow this change. A 15' wide utility easement is being added to the lots in the north portion of the plat. Park requirements have already been satisfied by prior platting of the property.

Victor Turley, Turley and Associates, replied to a question from the City Council regarding the drainage. He stated the drainage is likely to be handled underground, through the drainage easement between the homes in the replat. It will not impair any building sites.

Councilmember Schneider stated the drainage area will take the street water also. We need to know for certain whether the drainage will be handled under ground or above ground before the plat is approved.

Mr. Turley agreed to extend the time period for approval of the plat by the City Council to allow him to adequately address the drainage.

Motion by Councilmember Russell Schneider to table resolution in item 9, seconded by Mayor Pro Tem Martha Tyroch.

Motion passed unanimously.

BOARD APPOINTMENTS

10. **2007-5133-R: Consider adopting resolutions appointing members to the following City boards and commissions:**

(A) Airport Advisory Board - five members to fill expiring terms through September 1, 2010

(B) Animal Services Advisory Board - two members to fill expiring terms through September 1, 2010 and appoint Chair for the period of September 1, 2007 through August 31, 2008

(C) Civil Service Commission - one member to fill expiring term through September 1, 2010

(D) Community Services Advisory Board - three members to fill expiring terms through September 1, 2010

(E) Comprehensive Plan Advisory Committee - one member representing Temple College to fill an unexpired term

(F) Convention Center and Tourism Advisory Board - three members to fill expiring terms through September 1, 2010

(G) Library Board - three members to fill expiring terms through September 1, 2010 and one member to fill an unexpired term through September 1, 2009

(H) Parks and Recreation Board - one member to fill an unexpired term through March 1, 2009

(I) Planning & Zoning Commission - three members to fill expiring terms through September 1, 2010

(J) Reinvestment Zone No. 1 Board of Directors - five members to fill expiring terms through September 1, 2009

(K) Temple Economic Development Commission - four members to fill expiring terms through September 1, 2010

(L) Temple Public Safety Advisory Board - six members to fill expiring terms through September 1, 2010 and two members to fill unexpired terms, one through September 1, 2008 and one through September 1, 2009

(M) Transit Advisory Committee - three members to fill expiring terms through September 1, 2010 and one member to fill an unexpired term through September 1, 2008

Motion by Councilmember Patsy E. Luna to table item 10, seconded by Councilmember Russell Schneider.

Motion passed unanimously.

William A. Jones, III, Mayor

ATTEST:

Clydette Entzminger
City Secretary

SPECIAL MEETING OF THE TEMPLE CITY COUNCIL

AUGUST 23, 2007

The City Council of the City of Temple, Texas conducted a Special Meeting on Thursday, August 23, 2007 at 5:00 P.M. in the Council Chambers, Municipal Building, 2nd Floor, 2 North Main Street.

Present:

Councilmember Tony Jeter
Mayor Pro Tem Martha Tyroch
Councilmember Patsy Luna
Councilmember Russell Schneider
Mayor William A. Jones, III

I. Call to Order

1. Invocation

Mayor Jones voiced the Invocation.

2. Pledge of Allegiance

Betty Elliott led the Pledge of Allegiance.

II. BUDGET/TAX RATE ITEMS

- 4. 2007-4166: FIRST & FINAL READING - PUBLIC HEARING - Consider adopting an ordinance approving the tax roll and authorizing calculation of the amount of tax that can be determined for all real and personal property in the City for the tax year 2007, to be considered on an emergency basis**
- 3. 2007-5144-R: PUBLIC HEARING - Conduct a public hearing and consider a resolution adopting the City's budget for fiscal year beginning October 1, 2007 and ending September 30, 2008, including the Operating Budget for 2007-2008, the City's compensation plans, and a Fiscal & Investment Policies.**
- 5. 2007-4167: FIRST & FINAL READING - PUBLIC HEARING - Consider adopting an ordinance levying taxes and setting a tax rate for the City for the tax year 2007, making the appropriation for the regular operation of the City, to be considered on an emergency basis.**
- 6. 2007-5145-R: Consider adopting a resolution authorizing the adoption of the 2007-2017 Capital Improvement Plan.**

David Blackburn, City Manager, stated he and Traci Barnard, Director of Finance, will present items 3-6 which all relate to the adoption of the City's budget, tax rate and tax roll

for the upcoming year.

Mrs. Barnard provided an overview of the broad objectives of the Fiscal and Budgetary Statement and the Investment Policies. There are no changes proposed in either this year.

Regarding Item 4, the tax roll, Mrs. Banard stated the total taxable value is \$2,978,161,009. She discussed the composition of the market value.

Item 5 addresses the proposed tax rate of \$0.5681 per \$100 valuation, which is 2.99% greater than the effective tax rate. Mrs. Barnard explained the impact of this rate on a homeowner in Temple with no change in appraised value and for the average increase. She provided the breakdown of the proposed tax rate between maintenance and operations, debt service and the frozen taxes, and the comparison of Temple's proposed property tax rate with surrounding cities.

Mr. Blackburn provided a brief overview of the Capital improvement Program, which totals just under \$45M. It is a multi year program, historic in scope and impact on residents. He discussed projects to be funded with Certificates of Obligation, Utility Revenue Bond Funding and General Obligation bonds.

Mayor Jones declared the public hearing open with regard to agenda item 3 and asked if anyone wished to address this item. There being no comments, Mayor Jones closed the public hearing.

Motion by Mayor Pro Tem Martha Tyroch to adopt resolution presented in agenda item 3, seconded by Councilmember Patsy Luna.

Motion passed unanimously.

Mayor Jones declared the public hearing open with regard to agenda item 4 and asked if anyone wished to address this item. There being no comments, Mayor Jones closed the public hearing.

Motion by Mayor Pro Tem Martha Tyroch to adopt ordinance presented in agenda item 4, on first and final reading, seconded by Councilmember Patsy Luna.

Motion passed unanimously.

Mayor Jones declared the public hearing open with regard to agenda item 5 and asked if anyone wished to address this item. There being no comments, Mayor Jones closed the public hearing.

Motion by Councilmember Patsy Luna that property taxes be increased by the adoption of a tax rate of 56.81 cents per \$100 valuation, seconded by Mayor Pro Tem Martha Tyroch.

Motion passed unanimously.

Motion by Councilmember Patsy Luna that the ordinance setting the 2007-2008 tax rate for the City of Temple be adopted, seconded by Councilmember Tony Jeter.

Motion passed unanimously.

Motion by Mayor Pro Tem Martha Tyroch to adopt resolution presented in agenda item 6, seconded by Councilmember Russell Schneider.

Motion passed unanimously.

- 7. 2007-5146-R: Consider adopting a resolution funding the rates for medical/prescription insurance and dental insurance for employees and under age 65 retirees and the biweekly transfer of the City's and employees' and retirees' contributions to the trust for the payment of benefits purchased by the City of Temple Employee Benefit Trust.**

Amy House, Human Resources Director, gave a brief overview of this item to the City Council. She stated the creation of the City of Temple Employee Benefits Trust was authorized by the City Council at its July 19, 2007 meeting. On August 2nd, the trustees, which are the City Councilmembers, agreed to purchase insurance contracts from Scott & White Health Plan and Met Life for medical and prescription insurance and dental insurance for employees and under age 65 retirees. This item will authorize the funding for the cost of those benefits and allow for the bi-weekly transfer of contributions made by the City and by employees and retirees to the trust.

Motion by Councilmember Tony Jeter to adopt resolution, seconded by Councilmember Patsy Luna.

Motion passed unanimously.

- 8. 2007-5147-R: Consider adopting a resolution amending the current utility system fees to be effective October 1, 2007 by:**

(A) Increasing the current water rate monthly minimum service charge based on meter size and increasing the volumetric rate;

(B) Increasing the current wastewater rate monthly minimum service charge.

Traci Barnard, Director of Finance, presented this item to the City Council. She explained the primary focus of the cost of service and rate design model. Mrs. Barnard also presented the proposed rates for both base and volumetric rates for water and wastewater. She showed the impact on an average customer and the comparison of Temple's monthly water and wastewater charges with other cities in the region.

Motion by Mayor Pro Tem Martha Tyroch to adopt resolution, seconded by Councilmember Patsy Luna.

Motion passed unanimously.

9. 2007-5148-R: Consider adopting a resolution authorizing the City Manager to enter into an agreement with the Temple Economic Development Corporation for economic development services.

David Blackburn, City Manager, stated tonight's action on the budget authorized additional funding for economic development. This item was placed on the agenda for consideration of a contract with TEDC. We have been working with TEDC leadership on various issues contained in the proposed contract. There are still some issues being worked through and he recommended the item be tabled at this time.

Motion by Councilmember Tony Jeter to table resolution presented in agenda item 9, seconded by Councilmember Patsy Luna.

Motion passed unanimously.

Mayor Jones asked Mr. Wade if he would like to make his comments now regarding the utility system fee increases, even though that item has already been approved by the Council.

Mr. L. C. (Lesley) Wade, Jr., stated he has lived in Temple 79 years and every year the water rates increase. He has a sprinkler system and it is not right to have to pay for the minimum even if the sprinkler system is not used. The Water Department needs to start economizing, Mr. Wade stated.

III. ELECTION ITEMS

10. (A) 2007-5149-R: Consider adopting a resolution calling a bond election for November 6, 2007

(B) 2007-5150-R: Consider adopting a resolution authorizing a joint election agreement with Bell County for the November 6, 2007 bond election.

(C) 2007-5151-R: Consider adopting a resolution authorizing the use of the ES&S AutoMARK Voter Assist Terminal V.1.0; ES&S Model 100 Optical Scan Voting System Version 5.500; or Model 650 Optical Scan Voting System V.1.2.0.0, to be leased from Bell County for the November 6, 2007 bond election and all future elections called by the City of Temple.

David Blackburn, City Manager, presented this item to the City Council. He displayed

the list of proposed GO bond projects for parks improvements. Two resolutions have been presented to Council for consideration. Mr. Blackburn suggested the Council first consider the format of the proposition, whether there should be one or two propositions, and following that vote, consider and vote on calling the election.

Councilmember Jeter stated he was originally not comfortable with the City competing with private enterprise with a fitness facility and a golf course. However, both the Summit Recreation Center and Sammons Golf Course are providing great programs and services that are not being provided by the private businesses. He felt the community should decide whether the Summit should be expanded. Councilmember Jeter stated the Summit should not be presented as a separate proposition on the ballot, but that there should be a single proposition, as was recommended by the Parks Board.

Mayor Jones explained the Council has the ability to consider one single proposition, totalling \$9.75M, or two propositions, one for \$1,650,000 for the Summit expansion and one for \$8,100,000 to include all the remaining parks improvement projects.

Mrs. Barnard explained that issuance costs are included in the total \$9.75M total but have been allocated between the two propositions if that is what the Council approves.

Councilmember Schneider agreed with Councilmember Jeter that both the Summit and Sammons Golf Course are great programs but both should charge rates to be able to stand on their own. The voters will still decide whether they want to approve these projects. He felt the Summit expansion shouldn't be on the ballot at all because it is not used by all taxpayers so they shouldn't fund this expense.

Councilmember Jeter stated this same rationale can be applied to all these projects which are used by particular segments of the community.

Motion by Councilmember Tony Jeter to adopt the ballot language set forth in Resolution B for a combined, single proposition, seconded by Mayor Pro Tem Martha Tyroch.

Councilmember Russell Schneider and Mayor William A. Jones, III voted nay. The other Councilmembers voted aye. The motion passed.

Mr. Graham explained the Council can consider the resolution calling the election and the resolutions presented in items (B) and (C) with a single motion if they desire. He added the proposition language in the resolution, which will appear on the ballot, is very general in nature.

Mr. Greg Salinas, McCall, Parkhurst & Horton, the City's bond counsel, stated the language is broad to give the Council the discretion to allocate funds within the projects. Multiple propositions would bind the Council to particular projects if

approved by the voters. The single proposition approved by the Council will maintain flexibility and discretion to fund the projects, with the intent to try to do all of them. Since you have no binding bids you cannot commit to doing specific projects.

Mayor Jones stated we used preliminary engineering estimates to determine costs for the bond issue. We will only do what we tell the voters.

Mr. Graham explained this bond issue is only asking permission from the voters for the City to borrow money for specific purposes. The expenditures associated with each project will still come to Council for authorization.

Motion by Councilmember Patsy Luna to adopt resolution presented in agenda item (A), with a single ballot proposition, and resolutions presented in agenda items (B) and (C), seconded by Mayor Pro Tem Martha Tyroch.

Councilmember Russell Schneider voted nay. The other Councilmembers voted aye. The motion passed.

William A. Jones, III, Mayor

ATTEST:

Clydette Entzminger
City Secretary



COUNCIL AGENDA ITEM MEMORANDUM

09/06/07
Item #4(E)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Gary O. Smith, Police Department

ITEM DESCRIPTION: Consider adopting a resolution authorizing an Interlocal Cooperation Contract with the Texas Department of Public Safety (DPS) for the purchase of alcohol and drug testing supplies by the Temple Police Department.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: This Interlocal Agreement will allow the Temple Police Department to purchase certain forms, manuals, and supplies to use in breath testing and submitting blood samples for laboratory tests for the presence of alcohol and other drugs. The contract establishes uniform procedures, paperwork and supplies used for this purpose throughout the state.

This contract will expire August 31, 2009.

FISCAL IMPACT: These items are budgeted and routinely purchased through the Police Department's annual budget, account 110-2000-521-2116, in the annual estimated amount of \$210.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE,
TEXAS, AUTHORIZING AN INTERLOCAL AGREEMENT WITH THE
TEXAS DEPARTMENT OF PUBLIC SAFETY FOR PURCHASING
SUPPLIES AND MATERIALS FOR USE IN THE BREATH TESTING
PROGRAM AND LABORATORY ALCOHOL AND DRUG TESTING
PROGRAM; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the existing interlocal agreement between the City of Temple and the Texas Department of Public Safety for purchasing supplies and materials for use in the breath testing program and the laboratory alcohol and drug testing program has expired;

Whereas, the Staff recommends authorizing an interlocal agreement for an additional two-year period;

Whereas, these items are budgeted and routinely purchased through the Police Department's annual budget, Account No. 110-2000-521-2116, in the annual estimated amount of \$210; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: The City Council authorizes the City Manager, or his designee, to execute an interlocal agreement with the Texas Department of Public Safety, after approval as to form by the City Attorney, for purchasing supplies and materials for use in the breath testing program and laboratory alcohol and drug testing program.

Part 2: It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the **6th** day of September, 2007.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

Clydetta Entzminger
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

09/06/07
Item #4(F)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Bruce A. Butscher, P.E., Director of Public Works

ITEM DESCRIPTION: Consider adopting a resolution authorizing a construction contract with TTG Utilities, Inc. for construction services required to build street, drainage, and utility improvements at Avenue E from MLK Blvd. to the Union Pacific Railroad in the amount of \$589,046.50.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Primarily, this project will replace the existing culvert crossing of the concrete lined channel at Avenue E and the railroad to facilitate residential, commercial, City services, and emergency access. Additionally, Avenue E from MLK Blvd. east to the railroad will be reconstructed with a new pavement section, curb and gutter, drainage improvements, and utility adjustments. The City has received a commitment from the Temple Economic Development Corporation to fund \$100,000 on behalf of Jupe Feeds, Inc. for a portion of these improvements.

On June 16, 2005, the City Council adopted a resolution authorizing Kasberg, Patrick, & Associates, L.L.P. to provide engineering services for water line replacements at Avenue E to include the Knob Creek Addition, Avenue F, and 10th Street. The project was delayed, and reconstruction of Avenue E now presents the opportunity to replace the water mains under Avenue E prior to the new pavement being placed, as well as standardizing undersized water mains and providing fire protection within the residential community and commercial development in this area.

On February 1, 2007, the City Council passed and approved a resolution authorizing Kasberg, Patrick, & Associates, L.L.P. to provide engineering services for street and drainage improvements for Ave E in the amount of \$41,900.

FISCAL IMPACT: A budget adjustment is presented for Council's approval appropriating \$589,047 to fund the construction contract with TTG Utilities, Inc. This budget amendment appropriates funding in the Drainage Fund in the amount of \$244,179 to account 292-2900-534-6312, project # 100253, for the drainage portion of the project. The funding for the drainage portion comes from Drainage Fund Balance, Drainage Fund operating funds, and remaining drainage bond proceeds from a 1999 bond issue issued for drainage improvements.

This budget adjustment also appropriates funding in the Water & Sewer Fund in the amount of \$178,568 to account 520-5200-535-6357, project 100253, for the waterline replacement at Avenue E to include the Knob Creek Addition, Avenue F and 10th Street. The funding for the waterline replacement comes from Water & Sewer Designated for Capital Projects – Miscellaneous Projects in the amount of \$116,882 and from funds available in the Water & Sewer Fund's bond principle account in the amount of \$61,686.

In addition, the budget adjustment appropriates funding in the Capital Projects Fund in the amount of \$166,300 to account 351-3400-531-6512, project 100253, for the street reconstruction of Avenue E. The funding for the street improvements comes from a commitment from TEDC in the amount of \$100,000 to defray the cost of road improvements which will be received by the City upon completion of the project. The remaining \$66,300 will come from the General Fund's Designated for Capital Projects-Unallocated.

ATTACHMENTS:

[Engineer's Letter of Recommendation](#)
[Map showing project location](#)
[Budget Adjustment](#)
[Resolution](#)



KASBERG, PATRICK & ASSOCIATES, LP
CONSULTING ENGINEERS

One South Main
Temple, Texas 76501

(254) 773-3731

Fax (254) 773-6667

mail@kpaengineers.com

RICK N. KASBERG, P.E.
R. DAVID PATRICK, P.E., C.F.M.
THOMAS D. VALLE, P.E.

August 24, 2007

Mr. Salvador Rodriguez, P.E., C.F.M.
Assistant City Engineer
3210 E. Avenue H
Building A
Temple, Texas 76501

Re: City of Temple
Avenue E

Dear Mr. Rodriguez:

On August 23, 2007, the City of Temple received competitive bids from four contractors for the Avenue E Improvements. A Bid Tabulation is provided for your reference.

The bids received were for Part A – Culvert Improvements generally consisting of 4-8'x5' Reinforced Concrete Box Culverts; Part B – Waterline Improvements generally consisting of installing a new 6" waterline and transferring of services; Part C – Street Improvements generally consisting of rehabilitation of Avenue E from Martin Luther King to 12th Street and replacing existing storm sewer. The attached Bid Tabulation shows TTG Utilities, LP. as the low bidder with a total bid of \$589,046.50. Our final opinion of probable construction cost for this project was \$604,755.00.

	Bid Amount
Part A - Culvert	\$ 259,973.45
Part B - Water	\$ 162,773.05
Part C - Street	\$ 166,300.00

These bids allow for award of the following options:

Option 1	Part A Only (Culvert) =	\$ 259,973.45
Option 2	Part A + Part B (Water) =	\$ 422,746.50
Option 3	Part A + Part B + Part C (Street) =	\$ 589,046.50

Mr. Salvador Rodriguez, P.E., C.F.M.

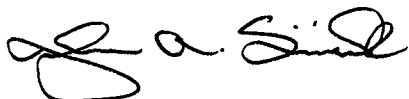
August 24, 2007

Page Two

We recommend that the project contract be awarded to TTG Utilities, LP for Option 1 (Part A Only) in the amount of \$ 259,973.45. Should sufficient funds be available, we recommend the City consider award of Option 3 (Part A + Part B + Part C) in the amount of \$ 589,046.50. TTG Utilities, LP has successfully completed similar projects for the City in the past and we believe they are qualified for this project.

Please call if you should have any further questions.

Sincerely,

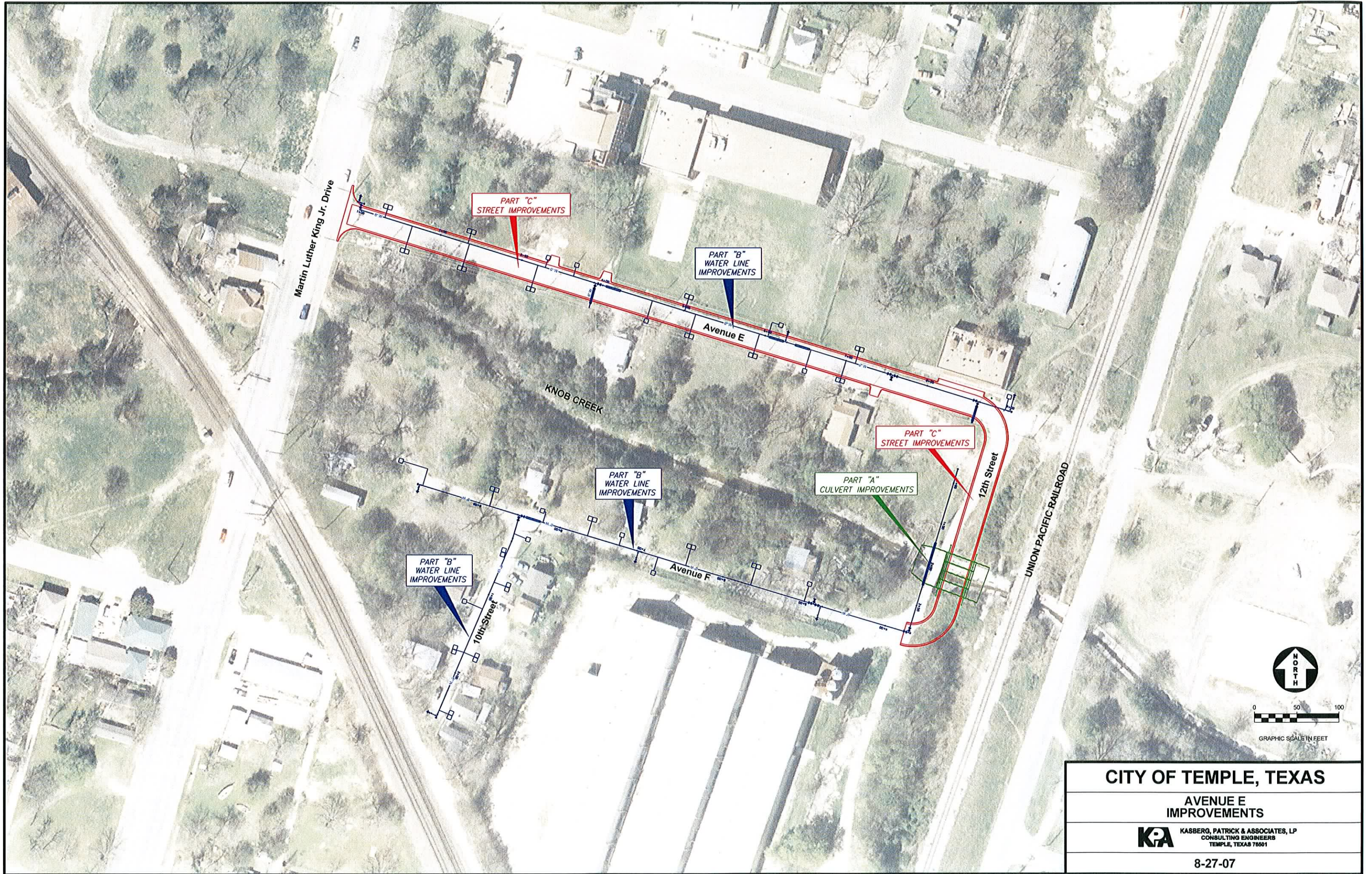
A handwritten signature in black ink, appearing to read "John A. Simcik". The signature is fluid and cursive, with the first name "John" being more prominent and the last name "Simcik" following in a similar style.

John A. Simcik, P.E., C.F.M.

JAS/crc

xc: Mr. Michael Newman, P.E., C.F.M., City of Temple

P:\Temple\2007\2007-107\CAD\CIVIL 3D SHEETS\EXHIBIT.dwg



CITY OF TEMPLE, TEXAS

AVENUE E
IMPROVEMENTS



KASBERG, PATRICK & ASSOCIATES, LP
CONSULTING ENGINEERS
TEMPLE, TEXAS 76501

8-27-07

FY 2007**BUDGET ADJUSTMENT FORM**

Use this form to make adjustments to your budget. All adjustments must balance within a Department.
Adjustments should be rounded to the nearest \$1.

		+		-	
ACCOUNT NUMBER	PROJECT #	ACCOUNT DESCRIPTION	INCREASE	DECREASE	
292-2900-534-63-12	100253	Drainage Systems	\$ 244,179		
292-2900-534-23-17		Repair & Maintenance-Drainage Systems		\$ 85,000	
292-0000-490-25-82		Transfer in - Bond Fund 353	38,100		
292-0000-358-11-10		Unreserved Fund Balance-Drainage Fund		121,079	
353-9100-591-81-92		Transfer out - Drainage Fund	38,100		
353-0000-315-11-16		Reserved for future expenditures		38,100	
		To fund the Drainage portion of the			
		Ave E project			
520-5200-535-63-57	100253	Water line Replacements	178,568		
520-0000-372-09-45		Designated Capital Projects-Various Projects		116,882	
520-5700-580-71-10		Bond Principal		61,686	
		To fund the Waterline Replacement portion			
		of the Ave E project			
351-3400-531-65-12	100253	Street Improvements	166,300		
351-0000-461-08-65		Miscellaneous Reimbursements	100,000		
351-0000-490-25-82		Transfer in - General Fund	66,300		
110-0000-352-13-45		Designated Capital Projects-Unallocated		66,300	
110-9100-591-81-51		Transfer out - Capital Projects Fund	66,300		
		To fund the Street Improvement portion of			
		the Ave E project			
		DO NOT POST			
TOTAL.....			\$ 897,847	\$ 489,047	

EXPLANATION OF ADJUSTMENT REQUEST- Include justification for increases AND reason why funds in decreased account are available.

To appropriate funds to award a construction contract with TTG Utilities, Inc. for the construction of street, waterline and drainage improvements at Avenue E from MLK Blvd. to the Union Pacific Railroad in the amount of \$589,046.50. Funding for this project comes from a variety of sources. The drainage improvements in the amount of \$244,179 are funded from the Drainage operating budget (\$85,000), Unreserved Drainage Fund Balance (\$121,079), and remaining drainage bond proceeds (\$38,100). The waterline improvements in the amount of \$178,568 are funded from the Water & Sewer Fund's Retained Earnings-Designated for Capital Projects-Misc Projects (\$116,882), and the Water & Sewer Fund operating budget (\$61,686). The street improvements in the amount of \$166,300 are funded with a contribution from TEDC (\$100,000) and the General Fund's Designated for Capital Projects-Unallocated (\$66,300).

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒ X

Yes

☐ No

DATE OF COUNCIL MEETING

9/6/2007

WITH AGENDA ITEM?

☒ X

Yes

☐ No

Department Head/Division Director

Date

☐ Approved
☐ Disapproved

Finance

Date

☐ Approved
☐ Disapproved

City Manager

Date

☐ Approved
☐ Disapproved

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONSTRUCTION CONTRACT WITH TTG UTILITIES, LP, FOR CONSTRUCTION SERVICES REQUIRED TO BUILD STREET, DRAINAGE, AND UTILITY IMPROVEMENTS AT AVENUE E FROM MLK BOULEVARD TO THE UNION PACIFIC RAILROAD IN THE AMOUNT OF \$589,046.50; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on August 23, 2007, the City received 4 bids for construction services required to build street, drainage, and utility improvements at Avenue E from MLK Boulevard to the Union Pacific Railroad;

Whereas, the Staff recommends accepting the bid (\$586,046.50) received from TTG Utilities, LP, of Gatesville, Texas;

Whereas, funds are available for this project but an amendment to the FY2006-07 budget needs to be approved to transfer the funds to the appropriate expenditure account; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: The City Council authorizes the City Manager, or his designee, to execute a construction contract, not to exceed \$589,046.50, with TTG Utilities, LP, of Gatesville, Texas, after approval as to form by the City Attorney, for construction services required to build street, drainage, and utility improvements at Avenue E from MLK Boulevard to the Union Pacific Railroad.

Part 2: The City Council approves an amendment to the FY2006-07 budget, substantially in the form of the copy attached as Exhibit A, for this project.

Part 3: It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the 6th day of **September**, 2007.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

Clydette Entzminger
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

09/06/07
Item #4(G)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Kim Foutz, Assistant City Manager

ITEM DESCRIPTION: Consider adopting a resolution authorizing an agreement with Rich and Associates, Inc. of Southfield, Michigan to perform a parking supply/demand analysis and site alternatives analysis for the Temple downtown area for an amount not to exceed \$62,510.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Over the past few years, the City has purchased and developed various tracts of land for development of parking in the downtown area. Currently there are approximately 1190 public and 750 private off-street parking spaces. In addition, there are approximately 380 on-street parking spaces available. Due to recent redevelopments, especially restaurants and bars which are high demand parking users, the City has received feedback from the Temple Downtown Development Association and other merchants/owners that there is insufficient convenient off street parking.

A parking study was conducted in March 2001 by Freese and Nichols, Inc. Please see the attached for conclusions and recommendations of that report. Freese and Nichols was contacted by staff, however the company no longer provides parking consulting services. The report recommended that the city "conduct a detailed parking analysis for current and projected parking use and prepare a city-wide parking plan." The report also evaluated adding a third floor to the library parking structure. Recommendations were very general in nature, and did not include development site analysis, cost evaluation, pro forma, design analysis, parking projections, parking demand generators or financing tools.

In close cooperation with the TDDA, the City issued an RFP for a parking supply/demand analysis and site alternatives analysis. In July and August, a committee comprised of TDDA representatives and staff interviewed 3 firms interested in conducting the study. Rich and Associates Inc. of Southfield, Michigan was selected. Rich has extensive experience working with Texas cities including over 250 municipal consulting projects over the past 15 years.

The scope of services includes:

- Field research & data collection: parking space inventory, land use review, utilization analysis, surveys & interviews
- Parking demand projections

- Preliminary Report
- Parking operations & management analysis
- Benchmark and best practices
- Existing parking improvements analysis
- New parking analysis
- New parking facilities site analysis
- Design analysis
- Construction cost analysis
- Pro forma analysis
- Final report

Deliverables include a summary of survey results, draft report, report and drawings on potential to reconfigure existing parking areas, program for new parking, site alternatives and analysis, cost estimate for capital costs and operating costs, pro forma, and final report.

Public input for this project includes: a kick-off meeting with TDDA; three public meetings held at project kick-off, preliminary report, and final report stages; surveys of business owners and downtown employees; stakeholder interviews (TDDA, property owners, merchants/tenants, and downtown developers); and citizen surveys.

The timeline for completion is 10 weeks from issuance of the notice to proceed.

FISCAL IMPACT: A budget amendment is attached for Council's approval appropriating \$62,510 from the General Fund's Designated for Capital Projects – Unallocated Fund Balance, account 110-0000-352-1345, to account 351-1100-513-2616, Professional Services, to fund the agreement with Rich and Associates for the parking supply/demand analysis and site alternatives analysis for the Temple downtown area.

ATTACHMENTS:

Budget Adjustment
Executive Summary – Freese and Nichols 2001 report – “Downtown Parking Study and Structural Assessment of Library Parking Garage”
Resolution

FY 2007**BUDGET ADJUSTMENT FORM**

Use this form to make adjustments to your budget. All adjustments must balance within a Department.

Adjustments should be rounded to the nearest \$1.

+

-

ACCOUNT NUMBER	PROJECT #	ACCOUNT DESCRIPTION	INCREASE		DECREASE	
351-1100-513-26-16		Professional Services	\$ 62,510			
351-0000-490-25-82		Transfer in - General Fund	62,510			
110-9100-591-81-51		Transfer out-Capital Projects Fund	62,510			
110-0000-352-13-45		Des Capital Projects-Unallocated			62,510	
		DO NOT POST				
TOTAL.....			\$ 187,530		\$ 62,510	

EXPLANATION OF ADJUSTMENT REQUEST- Include justification for increases AND reason why funds in decreased account are available.

This budget amendment appropriates \$62,510 needed for the agreement with Rich and Associates for a parking supply/demand analysis and site alternatives for the Temple downtown area. The total of these services are not to exceed \$62,510. These funds are available in Designated Capital Projects - Unallocated.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒ Yes☐ No

DATE OF COUNCIL MEETING

9/6/2007

WITH AGENDA ITEM?

☒ Yes☐ No_____
Department Head/Division Director_____
Date
☐ Approved
☐ Disapproved

Finance_____
Date
☐ Approved
☐ Disapproved

City Manager_____
Date
☐ Approved
☐ Disapproved

Background Information-
Freese & Nichols Report Findings – March 2001
‘Downtown Parking Study &
Structural Assessment of Library Parking Garage’

Executive Summary – Conclusions

1. There is insufficient parking in the Downtown growth area to meet the City’s vision over the next ten years.
2. Additional parking will be required to promote and service the development of the Downtown area.
3. Much of the available parking is located in areas that are inconvenient to parkers (more than one block from the desired destination).
4. A detailed review of parking needs to support current needs and future development needs will be required and a detailed parking plan prepared.
5. Assessment of the needs of potential residential customers will be required.
6. A review of current reserved parking on City lots will be required with potential reallocation of the reserved parking areas.
7. There are options available to improve the availability of parking for businesses and the public by building new parking lots and promoting the use of remote parking.
8. Fee parking may be an option to generate revenue and regulate parking in prime areas and in on-street parking areas.
9. Lighting in streets and parking lots is an issue that can be easily addressed, providing safer parking for the public.
10. A potential short term parking problem exists associated with the construction of the new Downtown Plaza.

Executive Summary – Recommendations

1. Conduct a detailed parking analysis for current and projected parking use and prepared a citywide parking plan.
2. Provide businesses with dedicated parking spaces in off-street parking facilities.
3. Maximize the number of parking spaces in the design of a new Downtown Plaza.
4. Add a third level of parking to the Temple Library parking garage.
5. Review the allocation of parking in the Temple Library garage and in the municipal parking lot.
6. Build a two level parking garage on Fourth Street with the option of adding two more levels.
7. Conduct a detailed study of lighting in on-street and off-street parking areas.
8. Improve street and parking lot lighting particularly in remote areas.
9. Install parking meters in on-street parking locations to discourage long term on-street parking and generate revenue.
10. Create some fee paying parking lots in premium areas to encourage the use of free parking in more remote areas and generate revenue.
11. Pilot a shuttle service from remote lots to places of business during the construction of the Downtown Plaza and implement on a permanent basis if successful.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING AN AGREEMENT WITH RICH AND ASSOCIATES, INC., OF SOUTHFIELD, MICHIGAN, TO PERFORM A PARKING SUPPLY/DEMAND ANALYSIS AND SITE ALTERNATIVES ANALYSIS FOR THE TEMPLE DOWNTOWN AREA FOR AN AMOUNT NOT TO EXCEED \$62,510; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, due to recent redevelopments, especially restaurants and bars which are high demand parking users, the City has received feedback from the Temple Downtown Development Association and other merchants and owners that there is insufficient convenient off street parking in downtown Temple;

Whereas, in close cooperation with the Temple Downtown Development Association, the City issued an RFP for a parking supply/demand analysis and site alternative analysis – a committee comprised of TDDA representatives and Staff interviewed 3 firms interested in conducting the study;

Whereas, the committee recommended accepting the proposal (\$62,510) from Rich and Associates, Inc., of Southfield, Michigan, as having the most extensive experience working with Texas cities including over 250 municipal consulting projects over the past 15 years;

Whereas, funds are available for this reimbursement but an amendment to the FY2006-07 budget needs to be approved to transfer the funds to the appropriate expenditure account; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: The City Council authorizes the City Manager, or his designee, to execute an agreement with Rich and Associates, Inc., of Southfield, Michigan, after approval as to form by the City Attorney, to perform a parking supply/demand analysis and site alternatives analysis for the Temple downtown area for an amount not to exceed \$62,510.

Part 2: The City Council approves an amendment to the FY2006-07 budget, substantially in the form of the copy attached as Exhibit A, for this project.

Part 3: It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the **6th** day of **September**, 2007.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

Clydette Entzminger
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

09/06/07
Item #4(H)-(1)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Jonathan Graham, City Attorney
Michael Newman, City Engineer

ITEM DESCRIPTION: Consider adopting a resolution authorizing a developer participation agreement with Kiella Development to reimburse the developer for half of the cost of constructing sidewalks on both sides of Westfield Boulevard and Stonehollow Drive at the request of City, in the amount of \$36,794.25.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: In Phase III of the Westfield Development, the developer constructed sidewalks on both sides of Westfield Boulevard and Stonehollow Drive at the request of then-Director of Planning, Jim Walker, with the understanding that the City would reimburse the developer for half of the cost. The City's Subdivision Ordinance requires the developer to put in a sidewalk only on one side of collector streets.

The developer has submitted documentation of 2,725.5 linear feet of sidewalk on each side of Westfield Boulevard and Stonehollow Drive at a cost of \$13.50/linear foot. The City Engineer has reviewed these costs and concurs that the amounts are less than the City has paid for sidewalks on its own projects. The total reimbursement to the developer under the developer participation agreement would \$36,794.25, if approved by the City Council.

FISCAL IMPACT: A budget adjustment is presented for Council's approval appropriating \$36,795 to account 351-3400-531-6315, project 340002, from the General Fund's Designated Capital Projects-Unallocated account, 110-0000-352-1345, to fund this developer participation agreement with Kiella Development to reimburse for half of the costs of constructing sidewalks on both sides of Westfield Boulevard and Stonehollow Drive at the request of the City.

ATTACHMENTS:

[Breakdown of costs](#)
[Budget Adjustment](#)
[Resolution](#)



**WESTFIELD DEVELOPMENT
PHASE III**

**SIDEWALKS COST SHARE
BREAKDOWN**

Below is a breakdown of the sidewalks within Phase III. Per the "*** note" on pages 6 through 12 of 32 of the construction plans, it is stated that both the Developer/Builder and City of Temple are responsible for constructing sidewalks on one side of Westfield Boulevard and Stonehollow Drive.

These sidewalks total 5,451 L.F. at a cost of \$13.50/L.F. An Estimate and Map are attached herewith.

Breakdown for each party is as follows:

Developer/Builder – one side 2,725.5 L.F. @ \$13.50/L.F. = \$36,794.25
City of Temple - one side 2,725.5 L.F. @ \$13.50/L.F. = \$36,794.25

Please forward payment to: Kiella Development
P.O. Box 1344
Temple, Texas 76503

RECEIVED
MAY 02 2007
City of Temple Engineering Dept.

**WESTFIELD DEVELOPMENT
PHASE III**

**SIDEWALKS COST SHARE
ESTIMATE**

Westfield Boulevard – East Side		328.50
		7.89
	(C16)	776.41
	(C3)	110.73
		716.37
	(C2)	46.08
- West Side (Common Area)		15.01
	(C70)	62.55
	(C71)	59.14
	(C72)	57.62
	(C73)	59.30
	(C4)	99.66
	(C5)	27.20
		48.96
		657.21
Stonehollow Drive – North Side		112.22
	(C1)	190.68
		1,095.89
- South Side		28.21
	(C17)	209.72
		670.63
	(Prairie Lark Drive R.O.W.)	50.00
		104.01
		<u>270.57</u>
		5,804.56 L.F.
Deduct Drive Approaches – Apartments	(30.00)	
Apartments	(80.00)	
School	(42.00)	
School	(42.00)	
School	(42.00)	
Prairie Lark Drive	(42.00)	
Westfield Boulevard	<u>(75.50)</u>	
Total		5,451.06 L.F.

SHORT-TERM LENDING GP, INC.
DOCUMENT NO. 2006-00057134
VOLUME 6284, PAGE 691
6.976 ACRES

JOHNNY LEE HILLIARD, DON WAYNE HILLIARD
AND ARTIE LEE HILLIARD, JR.
VOLUME 2780, PAGE 720
REMAINDER SOUTH 52-1/2 ACRES

PRELIMINARY/FINAL for:
WESTFIELD DEVELOPMENT
PHASE IV

FY 2007**BUDGET ADJUSTMENT FORM**

Use this form to make adjustments to your budget. All adjustments must balance within a Department.

Adjustments should be rounded to the nearest \$1.

			+		-	
ACCOUNT NUMBER	PROJECT #	ACCOUNT DESCRIPTION	INCREASE		DECREASE	
351-3400-531-63-15	340002	Sidewalks	\$ 36,795			
351-0000-490-25-82		Transfer in - General Fund	36,795			
110-9100-591-81-51		Transfer out-Capital Projects Fund	36,795			
110-0000-352-13-45		Des Cap Projects-Unallocated			36,795	
		<i>Do not post</i>				
TOTAL.....			\$ 110,385		\$ 36,795	

EXPLANATION OF ADJUSTMENT REQUEST- Include justification for increases AND reason why funds in decreased account are available.

To fund the developer participation agreement with Kiella Development for half of the cost of constructing sidewalks on both sides of Westfield Boulevard and Stonehollow Drive at the request of the City.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒

Yes

☐

No

DATE OF COUNCIL MEETING

9/6/2007

WITH AGENDA ITEM?

☒

Yes

☐

No

Department Head/Division Director_____
Date☐

Approved

☐

Disapproved

Finance_____
Date☐

Approved

☐

Disapproved

City Manager_____
Date☐

Approved

☐

Disapproved

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A DEVELOPER PARTICIPATION AGREEMENT WITH KIELLA DEVELOPMENT TO REIMBURSE THE DEVELOPER FOR HALF OF THE COST OF CONSTRUCTING SIDEWALKS ON BOTH SIDES OF WESTFIELD BOULEVARD AND STONEHOLLOW DRIVE AT THE REQUEST OF THE CITY IN THE AMOUNT OF \$36,794.25; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, in Phase III of the Westfield Development, the developer constructed sidewalks on both sides of Westfield Boulevard and Stonehollow Drive at the request of a former City Director of Planning with the understanding that the City would reimburse the developer for half of the cost – the City’s Subdivision Ordinance requires the developer to put in a sidewalk only on one side of collector streets;

Whereas, the developer has submitted documentation of 2,725.5 linear feet of sidewalk on each side of Westfield Boulevard and Stonehollow Drive at a cost of \$13.50 per linear foot, and the City Engineer has reviewed these costs and recommends the reimbursement for half of the costs of the sidewalks;

Whereas, funds are available for this reimbursement but an amendment to the FY2006-07 budget needs to be approved to transfer the funds to the appropriate expenditure account; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: The City Council authorizes the City Manager, or his designee, to execute a developer participation agreement with Kiella Development, after approval as to form by the City Attorney, to reimburse the developer for half of the cost of constructing sidewalks on both sides of Westfield Boulevard and Stonehollow Drive in the amount of \$36,794.25.

Part 2: The City Council approves an amendment to the FY2006-07 budget, substantially in the form of the copy attached as Exhibit A, for this purpose.

Part 3: It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the **6th** day of **September**, 2007.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

Clydette Entzminger
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

09/06/07
Item #4(H)-(2)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Traci L. Barnard, Director of Finance

ITEM DESCRIPTION: Consider adopting a resolution authorizing a developer participation agreement with First Omega Partners, LTD to reimburse the developer for the cost of constructing sidewalks on South 5th Street for the Wyndham Hill, Phase I subdivision in the amount of \$27,129.08.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: In Phase I of the Wyndham Hill Development, the developer constructed 1,400 LF of 6 feet public sidewalk on South 5th Street. The City's Subdivision Ordinance requires the developer to put in a sidewalk and that the City will reimburse the developer since the sidewalks were installed along a major arterial as identified in the future land use/thoroughfare plan.

The developer has submitted documentation of 1,400 linear feet of sidewalk along 5th at a cost of \$19.38/linear foot. The City Engineer has reviewed these costs and concurs that the amounts less than the City has paid for sidewalks on its own projects. The total reimbursement to the developer under the developer participation agreement would \$27,129.08, if approved by the City Council.

FISCAL IMPACT: On March 15, 2007, Council approved a budget adjustment in the amount of \$21,703 for a partial reimbursement to First Omega Partners, LTD. This partial reimbursement did not include the builder's overhead and profit. After further consideration and discussions with the builder, we have decided to reimburse the builder's overhead and profit. A budget adjustment is presented for Council's approval appropriating the additional \$5,426 to account 351-3400-531-6315, project 340001, from the General Fund's Designated Capital Projects-Unallocated account, 110-0000-352-1345, to fund the remaining amount of this developer participation agreement with First Omega Partners, LTD. for the 1,400 LF of 6 feet public sidewalk on South 5th Street.

ATTACHMENTS:

[Budget Adjustment](#)
[Resolution](#)

FY 2007

BUDGET ADJUSTMENT FORM

Use this form to make adjustments to your budget. All adjustments must balance within a Department.

Adjustments should be rounded to the nearest \$1.

+

•

ACCOUNT NUMBER	PROJECT #	ACCOUNT DESCRIPTION	INCREASE		DECREASE	
351-3400-531-63-15	340001	Sidewalks	\$ 5,426			
351-0000-490-25-82		Transfer in - General Fund	5,426			
110-9100-591-81-51		Transfer out-Capital Projects Fund	5,426			
110-0000-352-13-45		Des Cap Projects-Unallocated			5,426	
TOTAL.....			\$ 16,278		\$ 5,426	

EXPLANATION OF ADJUSTMENT REQUEST- Include justification for increases AND reason why funds in decreased account are available.

To fund the additional amount needed for the developer participation agreement with First Omega Partners, LTD to reimburse the developer for the cost of constructing sidewalks on South 5th Street for the Wyndam Hills, Phase I subdivision. The total amount of the agreement is \$27,129. On 03/15/07, Council approved a budget adjustment in the amount of \$21,703 to fund the initial payment to First Omega Partners, LTD. An additional \$5,426 is needed to fully fund the developer participation agreement.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒ Yes

☐ No

DATE OF COUNCIL MEETING

9/6/2007

WITH AGENDA ITEM?

☒ Yes☐ No

Department Head/Division Director

Date _____

	Approved
	Disapproved

Finance

Date _____

	Approved
	Disapproved

City Manager

Date _____

	Approved
	Disapproved

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A DEVELOPER PARTICIPATION AGREEMENT WITH FIRST OMEGA PARTNERS, LTD, TO REIMBURSE THE DEVELOPER FOR THE COST OF CONSTRUCTING SIDEWALKS ON SOUTH 5TH STREET FOR THE WYNDHAM HILL, PHASE I SUBDIVISION IN THE AMOUNT OF \$27,129.08; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, in Phase I of the Wyndham Hill Development, the developer constructed 1,400 linear feet of 6 feet public sidewalk on South 5th Street – the City's subdivision ordinance requires the developer to put in a sidewalk and provides that the City will reimburse the developer since the sidewalks were installed along a major arterial as identified in the future land use/thoroughfare plan;

Whereas, the developer has submitted documentation of 1,400 linear feet of sidewalk along South 5th Street at a cost of \$19.38 per linear foot, and the City Engineer has reviewed these costs and recommends the reimbursement for the sidewalks;

Whereas, funds are available for this reimbursement but an amendment to the FY2006-07 budget needs to be approved to transfer the funds to the appropriate expenditure account; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: The City Council authorizes the City Manager, or his designee, to execute a developer participation agreement with First Omega Partners, LTD, after approval as to form by the City Attorney, to reimburse the developer for the cost of constructing sidewalks on South 5th Street for the Wyndham Hill, Phase I subdivision in the amount of \$27,129.08.

Part 2: The City Council approves an amendment to the FY2006-07 budget, substantially in the form of the copy attached as Exhibit A, for this purpose.

Part 3: It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the 6th day of **September**, 2007.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

Clydette Entzminger
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

09/06/07
Item #4(I)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Bruce Butscher, Director of Public Works

ITEM DESCRIPTION: Consider adopting a resolution authorizing the purchase of various replacement parts for the Water Treatment Plant Membrane Facility from Pall System Services of Cortland, NY, as a sole source provider, in the estimated amount of \$55,208.52.

STAFF RECOMMENDATION: Adopt resolution as presented in item description

ITEM SUMMARY: The City of Temple Water Treatment Plant staff seeks Council's approval to purchase various replacement parts for the Water Treatment Membrane Facility.

The new micro-membrane filtration water plant was put into service in January 2004. The plant was built using unique parts that are not readily available locally. In addition, most of the parts have a 6-8 month lead time to acquire. Accordingly, critical spare parts need to be retained to ensure uninterrupted operation of the plant. Some of these parts are needed immediately to replace defective parts, while others will be held as spare replacement parts.

On February 1, 2007, Council authorized the purchase of air-operated actuator valves, miscellaneous electrical parts and SCADA cards. The remaining parts to be purchased are deemed as single source, according to Section 252.022 of the Local Government Code for captive replacement parts or components for equipment.

FISCAL IMPACT: Funding in the amount of \$345,000 has been appropriated for the replacement of component parts at the Water Treatment Plant Membrane Facility from the 2006 Utility Revenue Bond Issue in account #561-5100-535-6914, Project #100081. There is a balance of \$129,942.87 remaining after previous purchases.

ATTACHMENTS:

[Pall Parts List](#)
[Pall Single Source Letter](#)
[Resolution](#)

Spare parts for Membrane and Conventional Plant

Quantity	Part # / MM #	Parts Name	Cost (ea)	Total Cost
10	221493 / 15478	SMC Electronic Pnumetic Positloner INDI 7857-03IN-X4	\$1,810.64	\$18,106.40
0	2206977 / 10942	Modicon 140 ACI 030 00 Analog in 8 channel	\$2,250.00	\$0.00
0	2206978 / 10943	Modicon 140 ACO 030 00 Analog out 8 channel	\$3,170.00	\$0.00
8	2201709 / 10740	ROSEMONT Pressure Transmitter 24 volt 0-800 PSI	\$954.36	\$7,634.88
8	2208791 / 10743	Rosemont Pressure Transmitter 24 volt 0-150 PSI	\$983.28	\$7,866.24
30	239-1597 /	MK 2005 SPEED CONTROL UN	\$63.30	\$1,899.00
5	MM# 13881	MANIFOLD VALVE 10 STATION 2005, AL	\$2,506.00	\$12,530.00
1	MM#13668	MANFOLD VALVE W/22 STATION VLV 2005 A, AL	\$5,672.00	\$5,672.00
				\$0.00
				\$0.00
				\$0.00
			Sum	\$53,708.52
			Freight	\$1,500.00
			Complete Cost	\$55,208.52

PALL ADVANCED SEPARATIONS SYSTEMS**Pall Technology Services Group**

839 NYS Route 13
Cortland, NY 13045
Phone: 607-753-6041
Fax: 607-756-1862

August 24, 2007

City of Temple
Water Treatment Plant, 7296 CHARTER OAK LOOP
Temple, TX 76504

Contact: Scott Edwards
E-Mail Address: "Scott Edwards" sedwards@ci.temple.tx.us

Shop Order No: 31 / Z4494
Equipment Part No.: 4UFD40004-140, Pall Microza Water System
PASS WBS # 01.00001

Dear Scott,

The spare parts for Membrane and Conventional Plant listed below are sole sourced through Pall Corporation for City of Temple.

Part # / MM #	Parts Name
221493 / 15478	SMC Electronic Pneumatic Positioner INDI 7857-03IN-X4
2201709 / 10740	ROSEMONT Pressure Transmitter 24 volt 0-800 PSI
2208791 / 10743	Rosemont Pressure Transmitter 24 volt 0-150 PSI
239-1597 /	MK 2005 SPEED CONTROL UN
MM# 13881	MANIFOLD VALVE 10 STATION 2005, AL
MM#13668	MANFOLD VALVE W/22 STATION VLV 2005 A, AL

We look forward to providing these items for City of Temple.

Sincerely,

Ann Reynolds
Market Sales Manager
Technology Services
Phone: 607-753-0424, ext 7338
Cell: 607-423-1761
Fax: 607-756-1862
E-mail: Ann_Reynolds@Pall.com

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF VARIOUS REPLACEMENT PARTS FOR THE WATER TREATMENT PLANT MEMBRANE FACILITY FROM PALL SYSTEM SERVICES OF CORTLAND, NY, AS A SOLE SOURCE PROVIDER, IN THE AMOUNT OF \$55,208.52; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the Water Treatment Plant Membrane Facility is in need of having certain defective parts replaced immediately, and the plant was built with unique parts that are not readily available locally;

Whereas, the Staff recommends purchasing various parts from Pall System Services of Cortland, NY, as a sole course provider, in the amount of \$55,208.52;

Whereas, funds are available in the 2006 Utility Revenue Bond Issue in Account No. 561-5100-535-6914; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: The City Council authorizes the purchase of various replacement parts for the Water Treatment Plant Membrane Facility, for a cost not to exceed \$55,208.52, from Pall System Services of Cortland, NY, as a sole source provider, and authorizes the City Manager, or his designee, to execute any documents, after approval as to form by the City Attorney, that may be necessary for this purchase.

Part 2: It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the 6th day of **September**, 2007.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

Clydette Entzminger
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

09/06/07
Item #4(J)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Michael Newman, City Engineer
Belinda Mattke, Director of Purchasing

ITEM DESCRIPTION: Consider adopting a resolution authorizing a professional services agreement with Kleinfelder Central, Inc. of Waco to provide construction materials testing for all infrastructural projects, both City-initiated and subdivision-related, for FY 07-08 in the estimated annual amount of \$60,000.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: In August of this year, the City solicited Statements of Qualifications from companies desiring to provide construction materials testing services. Proposals were received from Kleinfelder Central, Inc., Raba-Kistner Consultants and Fugro Consultants. Kleinfelder Central, Inc. was selected by a review committee comprised of staff from the Public Works Division, as being the most qualified firm to provide these services. Kleinfelder Central, Inc. has provided these services to the City for several years, and Staff has been pleased with their work.

The contract covers the period of October 1, 2007 through September 30, 2008, and will allow for four additional one-year renewals on all City-initiated and subdivision related infrastructural projects. This testing includes, but is not limited to, density of subgrade, base and hot mixed asphaltic concrete (HMAC) for roadway construction, gradation of subgrade and base material as well as HMAC, California Bearing Ratios (CBR), concrete strength and density and bedding of trench excavation for utility installations. This testing is essential to assure quality construction and compliance with City specifications and standards.

FISCAL IMPACT: Budgeted amount: \$40,000 in 110-3900-533-2513 for subdivision testing
Estimated expenditure: \$60,000*

*Project specific testing is budgeted within each project's budget.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS,
AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH
KLEINFELDER CENTRAL, INC., OF WACO, TEXAS, TO PROVIDE
CONSTRUCTION MATERIALS TESTING FOR ALL INFRASTRUCTURAL
PROJECTS, BOTH CITY-INITIATED AND SUBDIVISION-RELATED FOR
FISCAL YEAR 2007-2008; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, in August, 2007, the City received Statements of Qualifications from 3 companies for construction materials testing for all infrastructural projects, both City-initiated and subdivision-related;

Whereas, the Staff recommends accepting the proposal received by Kleinfelder Central, Inc., of Waco, Texas, for this service;

Whereas, funds are budgeted in Account No. 110-3900-553-2513 for subdivision testing, and specific project testing is budgeted within each project's budget – the estimated annual expenditure is \$60,000; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: The City Council authorizes the City Manager, or his designee, to execute a professional services agreement with Kleinfelder Central, Inc., of Waco, Texas, after approval as to form by the City Attorney, for construction materials testing for all infrastructural projects, both City-initiated and subdivision-related, for Fiscal Year 2007-08 (estimated expenditure of \$60,000).

Part 2: It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the 6th day of **September**, 2007.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

Clydette Entzminger
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

09/06/07
Item #4(K)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Bruce Butscher, Director of Public Works
Kenny Henderson, Director of Street Services
Belinda Mattke, Director of Purchasing

ITEM DESCRIPTION: Consider adopting a resolution authorizing an annual purchase agreement with Naztec, Inc. of Sugarland for traffic signal equipment and supplies for FY 07-08 in the estimated amount of \$26,121.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: On August 21, 2007, the City received two (2) bids for traffic signal equipment and supplies. The bids are shown on the attached tabulation sheet.

The low bidder was Naztec, Inc. of Sugarland. The City has done business with Naztec, Inc in the past and finds them to be a responsible bidder.

The proposed purchase agreement is for a one (1) year period commencing on October 1, 2007, with the option to extend the agreement for four (4) additional one-year periods, if so agreed to by the City and Naztec.

FISCAL IMPACT: Budgeted amount: \$26,121 in account 110-2800-532-2334
Estimated annual expenditure: \$26,121.

*These items will be ordered on an as-needed basis.

ATTACHMENTS:

[Bid Tabulations](#)
[Resolution](#)

Tabulation of Bids Received
on August 21, 2007 at 3:00 p.m.
Traffic Signal Equipment and Supplies

	Bidders	
	Texas Highway Products Round Rock	Naztec Sugarland
Description		
Section 1 - Signal Cabinets with Controllers	No Bid	\$36,780.00
Section 2 - Singal Cabinets w/o Controllers	No Bid	\$26,800.00
Section 3 - Miscellaneous Components	No Bid	\$2,106.00
Section 4 - Conflict Monitor w/o Red Light Inhibitor	No Bid	\$2,970.00
Section 5 - Conflict Monitor w Red Light Inhibitor	No Bid	\$13,970.00
Section 6 - Video Detection Equipment	\$13,420.00	\$14,920.00
Section 7 - Signal Heads, Brackets, Lenses and Accessories	No Bid	\$33,094.72
Section 8 - Batteries	No Bid	\$1,174.50
Section 9 - Solar School Flashing Beacon	No Bid	\$6,989.30
Local Preference	No	No
Delivry within 45 days?	Yes	No
Exceptions?	No	Yes
Credit Check Authorization	Yes	Yes
CIQ Form	Yes	Yes

I hereby certify that this is a correct and true tabulation of all bids received.

Belinda Mattke

Belinda Mattke, Director of Purchasing

21-Aug-07

Date

Did not bid on all item within
section as required

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING AN ANNUAL PURCHASE AGREEMENT WITH NAZTEC, INC., OF SUGARLAND, TEXAS, FOR TRAFFIC SIGNAL EQUIPMENT AND SUPPLIES FOR FY2007-08 IN THE ESTIMATED AMOUNT OF \$26,121; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on August 21, 2007, the City received 2 bids for traffic signal equipment and supplies;

Whereas, the Staff recommends accepting the bid from Naztec, Inc., of Sugar Land, Texas;

Whereas, the materials will be purchased on an "as needed" basis, and funds are available for these purchases in Account No. 110-2800-532-2334 (estimated annual expenditure is \$26,121); and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: The City Council authorizes an annual purchase agreement with Naztec, Inc., of Sugar Land, Texas, for the purchase of traffic signal equipment and supplies for FY2007-08, in accordance with the Staff recommendations on the bid tabulation sheet, attached as Exhibit A, for an estimated annual expenditure of \$26,121.

Part 2: The City Council authorizes the City Manager, or his designee, to execute any documents which may be necessary for these purchases, subject to approval as to form by the City Attorney.

Part 3: It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the 6th day of **September**, 2007.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

Clydette Entzminger
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

09/06/07
Item #4(L)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Belinda Mattke, Director of Purchasing

ITEM DESCRIPTION: Consider adopting a resolution authorizing an annual purchase agreement with Rexel Summers Electric of Temple for electrical supplies for FY 07-08 in the estimated annual amount of \$25,000.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: On August 7, 2007, the City received two (2) bids for electrical supplies. The bids are shown on the attached tabulation sheet.

The low bidder was Rexel Summers Electric of Temple. Several items were listed for the bidder to provide unit pricing and following the listed items was a place for the bidders to give the City a percentage above their cost for any item not listed. Rexel Summers Electric provided us unit costs on the listed items and a cost plus bid of 15% on the materials that were not listed.

The City has done business with Rexel Summers Electric in the past and finds them to be a responsible vendor.

The recommended contract is for a period of one (1) year commencing on October 1, 2007, with the option of four (4) additional one-year renewals, if agreeable to the City and Rexel Summers Electric.

FISCAL IMPACT: Budgeted amount: Sufficient amounts in various accounts*
Estimated expenditure: \$25,000.

*These items will be ordered on an as-needed basis and departments will make sure sufficient funds are available for their purchases.

ATTACHMENTS:

[Bid Tabulation](#)
[Resolution](#)

**Tabulation of Bids Received
on August 7, 2007 at 2:30 p.m.
Electrical Supplies**

Description	Qty	Bidders			
		Rexel Summers Electric Temple		Mustang Lighting Garland	
		Unit Price	Total Price	Unit Price	Total Price
200 Amp SD Main Panel (30 Circuits)	1	\$285.05	\$285.05	\$355.00	\$355.00
200 Amp SD Breakers	10	\$7.32	\$73.20	\$15.75	\$157.50
50 Amp SD Breakers	3	\$16.75	\$50.25	\$35.69	\$107.07
Wire #3 AWT	400	\$0.978	\$391.20	\$0.82	\$410.00
Steel Switch Box	15	\$1.03	\$15.45	\$1.25	\$18.75
Steel Receptacle Box	15	\$1.03	\$15.45	\$1.25	\$18.75
Indoor Fluor. Light Fixture 2' x 4'	8	\$48.63	\$389.04	\$46.97	\$375.76
20 AMP Receptacle Self Grounding	12	\$1.15	\$13.80	\$1.65	\$19.80
Single Pole Switch; 20 amp; 277V	12	\$1.38	\$16.56	\$3.25	\$39.00
Single Pole Switch; 15 amp; 120V	12	\$0.60	\$7.20	\$2.25	\$27.00
Metal Clad Cable; Type MC; 12-2 w/g	2	\$106.875	\$213.75	\$0.90	\$224.44
1/2" EMT Conduit	500	\$0.22	\$110.00	\$0.05	\$25.00
1/2" Rain Tight Coupling	6	\$0.44	\$2.64	\$0.40	\$2.40
1/2" Rain Tight Connectors	6	\$0.28	\$1.68	\$0.35	\$2.10
#12 THHn THWN Copper Wire	5	\$61.500	\$307.50	\$25.00	\$335.40
20 AMP G.F.C.I. Receptacles	12	\$11.37	\$136.44	\$1.56	\$18.72
Deep Wall Boxes w/Ears	12	\$1.40	\$16.80	\$1.30	\$15.60
Wire Nuts; Orange; 500/Box	1	\$18.00	\$18.00	\$45.00	\$45.00
Wire Nuts; Yellow; 100/Box	1	\$7.40	\$7.40	\$9.77	\$9.77
Wire Nuts; Red; 100/Box	1	\$9.90	\$9.90	\$0.15	\$4.50
TOTAL BID FOR LINE ITEMS		\$2,081.31		\$2,211.56	
Cost + Percentage on other supplies		15%		None Provided	
Local Preference		Yes		No	
CIQ Form		Yes		Yes	
Exceptions		None		None	

I hereby certify that this is a correct and true tabulation of all bids received.

Note: Highlighted bid is recommended

for Council approval.

Belinda Mattke

8/7/2007

Belinda Mattke, Director of Purchasing

Date

Bid Rejected - Did not provide a cost plus percentage

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS,
AUTHORIZING AN ANNUAL PURCHASE AGREEMENT WITH REXEL
SUMMERS ELECTRIC OF TEMPLE, TEXAS, FOR ELECTRICAL SUPPLIES
FOR FY2007-08 IN THE ESTIMATED AMOUNT OF \$25,000; AND
PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on August 27, 2007, the City received 2 bids for electrical supplies for FY2007-08;

Whereas, the Staff recommends accepting the bid from Rexel Summers Electric of Temple, Texas;

Whereas, the supplies will be purchased on an "as needed" basis, and funds are available for these purchases in various Department accounts (estimated annual expenditure is \$25,000); and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: The City Council authorizes an annual purchase agreement with Rexel Summers Electric of Temple, Texas, for the purchase of electric supplies for FY2007-08, in accordance with the Staff recommendations on the bid tabulation sheet, attached as Exhibit A, for an estimated annual expenditure of \$25,000.

Part 2: The City Council authorizes the City Manager, or his designee, to execute any documents which may be necessary for these purchases, subject to approval as to form by the City Attorney.

Part 3: It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the **6th** day of **September**, 2007.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

Clydette Entzminger
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

09/06/07
Item #4(M)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Belinda Mattke, Director of Purchasing

ITEM DESCRIPTION: Consider adopting a resolution authorizing an annual purchase agreement with Lengefeld Lumber Company, LLC of Temple for building materials for FY 2007-08 in the estimated annual amount of \$25,000.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: On July 31, 2007, the City received one (1) bid for building materials from Lengefeld Lumber Company of Temple. The bid is shown on the attached bid tabulation sheet.

Several items were listed for the bidders to provide unit pricing, and following the listed items was a place for the bidders to give the City a percentage above their cost for any item not listed. Lengefeld Lumber Company provided us unit costs on the listed items and a cost plus bid of 12% on the materials that were not listed.

As shown on the attached bid tabulation, for the listed items, prices increased a net 9.1% over the contracted prices for FY 2006-07.

The City has done business with Lengefeld in the past and finds them to be a responsible vendor.

The recommended contract is for a period of one (1) year commencing on October 1, 2007, with the option of four (4) additional one-year renewals, if agreeable to the City and Lengefeld's.

FISCAL IMPACT: Budgeted amount: Sufficient amounts in various accounts*
Estimated expenditure: \$25,000.

*These items will be ordered on an as-needed basis and departments will make sure sufficient funds are available for their purchases.

ATTACHMENTS:

[Bid Tabulation](#)
[Resolution](#)

**Tabulation of Bids Received
on July 31, 2007 at 2:30 p.m.
Building Materials**

		Bidders		Memo-2006-07 Contracted Prices	
		Lengefeld Lumber Temple			
Description	Qty	Unit Price	Total Price	Unit Price	Total Price
Sheetrock 4x8x1/2	25	\$ 5.43	\$ 135.75	\$ 8.29	\$ 207.25
Sheetrock 4x8x1/4	50	\$ 7.32	\$ 366.00	\$ 9.73	\$ 486.50
Joint Compound	20	\$ 6.39	\$ 127.80	\$ 6.42	\$ 128.40
Float Tape (250')	2	\$ 1.54	\$ 3.08	\$ 1.54	\$ 3.08
8" Common Nails (50#)	2	\$ 20.88	\$ 41.76	\$ 20.88	\$ 41.76
6" Common Nails (50#)	2	\$ 22.13	\$ 44.26	\$ 23.37	\$ 46.74
Drywall Screws 1-1/4" (29#)	4	\$ 35.83	\$ 143.32	\$ 31.65	\$ 126.60
2x4x8 #2 YP	85	\$ 2.50	\$ 212.50	\$ 2.29	\$ 194.65
2x4x8 Treated	30	\$ 2.89	\$ 86.70	\$ 2.89	\$ 86.70
2x4x10 #2 YP	140	\$ 2.41	\$ 337.40	\$ 2.56	\$ 358.40
2x4x12 #2 YP	10	\$ 2.86	\$ 28.60	\$ 3.05	\$ 30.50
2x4x16 #2 YP	15	\$ 4.60	\$ 69.00	\$ 4.88	\$ 73.20
2x4x16 Treated	15	\$ 5.35	\$ 80.25	\$ 4.98	\$ 74.70
1x8x8 C Grade YP	20	\$ 7.42	\$ 148.40	\$ 7.86	\$ 157.20
1x6x8 C Grade YP	20	\$ 5.88	\$ 117.60	\$ 5.59	\$ 111.80
Liquid Nails	60	\$ 1.92	\$ 115.20	\$ 1.92	\$ 115.20
All Weather Silicone Caulking	12	\$ 1.88	\$ 22.56	\$ 1.52	\$ 18.24
80# Concrete Mix	500	\$ 2.89	\$ 1,445.00	\$ 2.67	\$ 1,335.00
Portland Cement (94# bags)	100	\$ 7.98	\$ 798.00	\$ 7.45	\$ 745.00
80# Biodegradable Bags fo Concrete Mix for Riprap/Retaining Walls	5,000	\$ 2.98	\$ 14,900.00	\$ 2.69	\$ 13,450.00
Roof Sealer/Sealant (1 gal)	12	\$ 5.18	\$ 62.16	\$ 3.77	\$ 45.24
Door Stops (Flex)	10	\$ 0.26	\$ 2.60	\$ 0.26	\$ 2.60
Door Stops (Kick down)	20	\$ 2.26	\$ 45.20	\$ 2.25	\$ 45.00
Commercial Duty Door Closers	12	\$ 57.95	\$ 695.40	\$ 38.95	\$ 467.40
TOTAL BID FOR LINE ITEMS		\$	20,028.54	\$	18,351.16
Cost + Percentage			12%		12%
Local Preference			Yes		
CIQ Form			Yes		
Exceptions			None		

I hereby certify that this is a correct and true tabulation of all bids received.

Belinda Matthe

7/31/2007

Belinda Matthe, Director of Purchasing

Date

**Note: Highlighted bid is recommended
for Council approval.**

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS,
AUTHORIZING AN ANNUAL PURCHASE AGREEMENT WITH LENGEFELD
LUMBER COMPANY, LLC, OF TEMPLE, TEXAS, FOR BUILDING
MATERIALS FOR FY2007-08 IN THE ESTIMATED AMOUNT OF \$25,000;
AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on August 27, 2007, the City received 1 bid for building materials for FY2007-08;

Whereas, the Staff recommends accepting the bid from Lengefeld Lumber Company, LLC,
of Temple, Texas;

Whereas, the materials will be purchased on an "as needed" basis, and funds are available
for these purchases in various Department accounts (estimated annual expenditure is \$25,000); and

Whereas, the City Council has considered the matter and deems it in the public interest to
authorize this action.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE,
TEXAS, THAT:**

Part 1: The City Council authorizes an annual purchase agreement with Lengefeld Lumber
Company, LLC, of Temple, Texas, for the purchase of building materials for FY2007-08, in
accordance with the Staff recommendations on the bid tabulation sheet, attached as Exhibit A, for an
estimated annual expenditure of \$25,000.

Part 2: The City Council authorizes the City Manager, or his designee, to execute any
documents which may be necessary for these purchases, subject to approval as to form by the City
Attorney.

Part 3: It is hereby officially found and determined that the meeting at which this Resolution
is passed was open to the public as required and that public notice of the time, place, and purpose of
said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the 6th day of **September**, 2007.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

Clydette Entzminger
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

09/06/07
Item #4(N)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Bruce Butscher, Director of Public Works
Johnny Reisner, Water Treatment Plant Manager
Belinda Mattke, Director of Purchasing

ITEM DESCRIPTION: Consider adopting a resolution authorizing a three year contract with Siemens Water Technologies Corp. of Sarasota, Florida for the service/supplier of chlorine dioxide/sodium chlorite in the estimated annual amount of \$112,247.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: On August 8, 2007, the City received one (1) proposal for the service/supplier of chlorine dioxide/sodium chlorite at the Water Treatment Plants. Chlorine Dioxide/Sodium Chlorite is used as a pre-oxidant for the taste and odor, iron, manganese and trihalomethanes in the potable drinking water treatment process. The contract requires that the contractor own, supply, install, and maintain all applicable chemical feed systems at the conventional and membrane plants.

Siemens Water Technologies Corp. is the current supplier/service provider. Staff is pleased with the service that Siemens has provided to the City.

The proposed contract is for a period of three (3) years with two (2) additional one-year renewals.

Staff recommends award to Siemens Water Technologies Corp in the amount of \$.57 per pound.

FISCAL IMPACT: Budgeted amount: \$112,247 in account 520-5100-535-2118
Estimated expenditure: \$112,247

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A THREE YEAR CONTRACT WITH SIEMENS WATER TECHNOLOGIES CORP. OF SARASOTA, FLORIDA, FOR THE SERVICE/SUPPLIER OF CHLORINE DIOXIDE/SODIUM CHLORITE IN THE ESTIMATED ANNUAL AMOUNT OF \$112,247; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on August 8, 2007, the City received 1 proposal for the service and supply of chlorine dioxide/sodium chlorite for the Water Treatment Plant for FY2007-08;

Whereas, the Staff recommends accepting the proposal from Siemens Water Technologies Corp. of Sarasota, Florida, for \$.57 per pound (estimated expenditure is \$112,247);

Whereas, funds are budgeted in Account No. 520-5100-535-2118, for this purchase; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: The City Council authorizes a three year contract with Siemens Water Technologies Corp. of Sarasota, Florida, for the service/supplier of chlorine dioxide/sodium chlorite for the Water Treatment Plant for FY2007-08 (estimated annual expenditure is \$112,247) at \$.57 per pound.

Part 2: The City Council authorizes the City Manager, or his designee, to execute any documents which may be necessary for these purchases, subject to approval as to form by the City Attorney.

Part 3: It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the 6th day of **September**, 2007.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

Clydette Entzminger
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

09/06/07
Item #4(O)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Bruce Butscher, Director of Public Works
Johnny Reisner, Water Treatment Plant Manager
Belinda Mattke, Director of Purchasing

ITEM DESCRIPTION: Consider adopting a resolution authorizing an annual contract with Smith Pump Company, Inc. of Waco for electric motor and pump repair services needed at the Water Treatment Plant for FY 07-08 in the estimated annual amount of \$60,000.

STAFF RECOMMENDATION: Adopt resolution as presented in the item description.

ITEM SUMMARY: On August 7, 2007, the City received one (1) bid for electric motor and pump repair services on as as-needed basis for the Water Treatment Plant. The bid is shown on the attached tabulation sheet.

Smith Pump currently holds the contract for electric motor and pump repair services. Staff has been pleased with the services provided by Smith Pump Company, and recommends Council award the annual contract to them.

The proposed contract is for a one (1) year period commencing on October 1, 2007, and is renewable for four (4) additional one-year periods, if agreed to by the City and Smith Pump Company.

FISCAL IMPACT: Budgeted amount: \$60,000 in account 520-5100-535-2331
Estimated expenditure: 60,000.

ATTACHMENTS:

[Bid Tabulation](#)
[Resolution](#)

Tabulation of Bids Received
on August 7, 2007 at 3:00 p.m.
Electric Motor and Pump Repair Service

	Bidders
	Smith Pump Waco
Description	149,200.00
Motor Repair - Material (Cost plus %) \$0-\$100.99	20%
Motor Repair - Material (Cost plus %) \$101-\$500.99	20%
Motor Repair - Material (Cost plus %) \$501-\$1000.99	20%
Motor Repair - Material (Cost plus %) \$1001-\$5000.99	20%
Motor Repair - Material (Cost plus %) \$5001-and up	20%
Motor Repair - Labor Shop (Straight Time)	\$55.00
Motor Repair - Labor Shop (Overtime)	\$82.50
Motor Repair - Labor Field (Straight Time)	\$60.00
Motor Repair - Labor Field (Overtime)	\$90.00
Motor Repair - Truck Mileage	\$0.75
Motor Repair - Truck and Trailer Mileage	\$1.70
Motor Repair - Semi-Truck Mileage	\$5.60
Pump Repair - Material (Cost plus %) \$0-\$100.99	20%
Pump Repair - Material (Cost plus %) \$101-\$500.99	20%
Pump Repair - Material (Cost plus %) \$501-\$1000.99	20%
Pump Repair - Material (Cost plus %) \$1001-\$5000.99	20%
Pump Repair - Material (Cost plus %) \$5001-and up	20%
Pump Repair - Labor Shop (Straight Time)	\$55.00
Pump Repair - Labor Shop (Overtime)	\$82.50
Pump Repair - Labor Field (Straight Time)	\$60.00
Pump Repair - Labor Field (Overtime)	\$90.00
Pump Repair - Truck Mileage	\$0.75
Pump Repair - Truck and Trailer Mileage	\$1.70
Pump Repair - Semi-Truck Mileage	\$5.60
CIQ Form	Yes
Exceptions	None

* Charge for pumps larger than 25' in length.

I hereby certify that this is a correct and true tabulation of all bids received.

Belinda Mattke

7-Aug-07

Belinda Mattke, Director of Purchasing

Date

Note: Highlighted bid is recommended

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING AN ANNUAL CONTRACT FOR ELECTRIC MOTOR AND PUMP REPAIR SERVICES NEEDED AT THE WATER TREATMENT PLANT FOR FY2007-08 WITH SMITH PUMP COMPANY, INC., OF WACO, TEXAS, IN THE ESTIMATED ANNUAL AMOUNT OF \$60,000; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on August 7, 2007, the City received 1 bid for electric motor and pump repair services on an as-needed basis for the Water Treatment Plant;

Whereas, the Staff recommends accepting the bid from Smith Pump Company, of Waco, Texas, for an estimated annual expenditure of \$60,000;

Whereas, funds are budgeted in Account No. 520-5100-535-2331, for these services; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: The City Council authorizes an annual contract for electric motor and pump repair services on an as-needed basis for the Water Treatment Plant for FY2007-08 with Smith Pump Company of Waco, Texas, in accordance with the Staff recommendations on the bid tabulation sheet, attached as Exhibit A, for an estimated annual expenditure of \$60,000.

Part 2: The City Council authorizes the City Manager, or his designee, to execute any documents which may be necessary for these services, subject to approval as to form by the City Attorney.

Part 3: It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the 6th day of **September**, 2007.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

Clydette Entzminger
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

09/06/07
Item #4(P)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Bruce Butscher, Director of Public Works
Kenny Henderson, Director of Street Services
Belinda Mattke, Director of Purchasing

ITEM DESCRIPTION: Consider adopting a resolution authorizing an annual contract with Alpha Constructors, Inc. of Temple for concrete repair and construction services for FY 07-08 in the estimated amount of \$40,737.50.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: On August 21, 2007, the City received three (3) bids for concrete repair and construction. The bids are shown on the attached bid tabulation sheet.

The low bidder was Alpha Constructors of Temple. The City has done business with Alpha Constructors in the past and finds them to be a responsible bidder.

The recommended contract is for a period of one (1) year commencing on October 1, 2007, with the option for four (4) one-year renewals, if so agreed to by the City and Alpha Constructors.

FISCAL IMPACT: Budgeted amount: \$16,000 in account 110-3400-531-2315
\$25,000 in account 520-5200-535-2315
Estimated expenditure: \$40,737.50

ATTACHMENTS:

[Bid Tabulation](#)
[Resolution](#)

Tabulation of Bids Received
on August 21, 2007 at 3:30 p.m.
Concrete Repair & Construction

		Bidders					
		Unity Contractor Services, Inc. Austin, Texas		Alpha Constructors, Inc. Temple, Texas		Myers Concrete Construction Wimberly, Texas	
Description	Est. Qty	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost
Repair/Replacement of Concrete Sidewalks (per SF)	1900	\$17.00	\$32,300.00	\$9.00	\$17,100.00	\$15.50	\$29,450.00
Repair/Replacement of Concrete Driveways and Driveway Approaches (per SF)	750	\$35.00	\$26,250.00	\$9.75	\$7,312.50	\$21.00	\$15,750.00
Repair/Replacement of Concrete Curb and Gutter (per LF)	50	\$45.00	\$2,250.00	\$30.00	\$1,500.00	\$70.00	\$3,500.00
Construction of New Concrete Sidewalk (per SF)	1500	\$15.00	\$22,500.00	\$5.25	\$7,875.00	\$8.70	\$13,050.00
Construction of New Curb and Gutter (per LF)	100	\$37.28	\$3,728.00	\$22.00	\$2,200.00	\$55.00	\$5,500.00
Construction of Handicap Access Curb Ramps at Intersections (EA)	5	\$600.00	\$3,000.00	\$950.00	\$4,750.00	\$1,850.00	\$9,250.00
TOTAL BID PRICE		\$90,028.00		\$40,737.50		\$76,500.00	
CIQ Form		Yes		Yes		Yes	
Bid Bond		5%		5%		5%	
Insurance Affidavit		Certificates		Yes		Yes	
Bond Affidavit		Yes		Yes		Yes	
Acknowledge Addendum		Yes		Yes		Yes	
Credit Check		Yes		Yes		Yes	

I hereby certify that this is a correct and true tabulation of all bids received.

Belinda Mattke

8/21/2007

Belinda Mattke, Director of Purchasing

Date

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING AN ANNUAL CONTRACT FOR CONCRETE REPAIR AND CONSTRUCTION SERVICES FOR FY2007-08 WITH ALPHA CONSTRUCTORS, INC., OF TEMPLE, TEXAS, IN THE ESTIMATED ANNUAL AMOUNT OF \$40,737.50; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on August 21, 2007, the City received 3 bids for concrete repair and construction;

Whereas, the Staff recommends accepting the bid from Alpha Constructors, Inc., of Temple, Texas, for an estimated annual expenditure of \$40,737.50;

Whereas, funds are budgeted in Account Nos. 520-5100-535-2315 and 110-3400-531-2315 for these services; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: The City Council authorizes an annual contract for concrete repair and construction services for FY2007-08 with Alpha Constructors, Inc., of Temple Texas, in accordance with the Staff recommendations on the bid tabulation sheet, attached as Exhibit A, for an estimated annual expenditure of \$40,737.50.

Part 2: The City Council authorizes the City Manager, or his designee, to execute any documents which may be necessary for these services, subject to approval as to form by the City Attorney.

Part 3: It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the 6th day of **September**, 2007.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

Clydette Entzminger
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

09/06/07
Item #4(Q)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Belinda Mattke, Director of Purchasing

ITEM DESCRIPTION: Consider adopting a resolution authorizing an annual contract with Able Body Labor of Clear Water, Florida for temporary employment services for FY 07-08 in the estimated annual amount of \$25,000.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: On August 14, 2007, the City received one (1) bid for temporary employment services. The bid is shown on the attached tabulation sheet.

The purpose of the bid was to establish a contract to provide all temporary employment services for the City. The City has not done business with Able Body Labor in the past. Therefore, references were checked and they were found to be responsible vendors. Although the bid was received from their regional office in Clear Water, Florida, they do have a local office where all staffing needs will be filled from.

The proposed contract is for a period of one (1) year commencing on October 1, 2007, with the option of four (4) additional one-year renewals, if so agreed to by the City and Able Body Labor.

FISCAL IMPACT: Budgeted amount: Money budgeted in several departments' accounts and services will be ordered as needed.

Estimated annual expenditure: \$25,000

ATTACHMENTS:

[Bid Tabulation](#)
[Resolution](#)

Tabulation of Bids Received
on August 14, 2007 at 2:30 p.m.
Temporary Employment Services

	BIDDERS
	Able Body Labor Clear Water, FL
Description	
Clerical	\$10.85
Light Industrial	\$10.40
Heavy Industrial	\$11.20
Exceptions	None
CIQ Form	Yes
Vendor Questionnaire	Yes
Insurance Affidavit	None
Credit Check Authorization	Yes
References	None

I hereby certify that this is a correct and true tabulation of all bids received.

Belinda Mattke

14-Aug-07

Belinda Mattke, Director of Purchasing

Date

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING AN ANNUAL CONTRACT FOR TEMPORARY EMPLOYMENT SERVICES FOR FY2007-08 WITH ABLE BODY LABOR OF CLEAR WATER, FLORIDA, IN THE ESTIMATED ANNUAL AMOUNT OF \$25,000; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on August 14, 2007, the City received 1 bid for temporary employment services for FY2007-08;

Whereas, the Staff recommends accepting the bid from Able Body Labor of Clear Water, Florida, for an estimated annual expenditure of \$25,000;

Whereas, funds are budgeted in several departments' accounts and services will be ordered on an as-needed basis; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: The City Council authorizes an annual contract for temporary employment services for FY2007-08 with Able Body Labor of Clear Water, Florida, in accordance with the Staff recommendations on the bid tabulation sheet, attached as Exhibit A, for an estimated annual expenditure of \$25,000.

Part 2: The City Council authorizes the City Manager, or his designee, to execute any documents which may be necessary for these services, subject to approval as to form by the City Attorney.

Part 3: It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the **6th** day of **September**, 2007.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

Clydette Entzminger
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

09/06/07
Item #4(R)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Belinda Mattke, Director of Purchasing

ITEM DESCRIPTION: Consider adopting a resolution authorizing an annual contract with T. Morales Company of Florence for electrical services for all City facilities on an as-needed basis for FY 07-08 in the estimated amount of \$43,000.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: On August 7, 2007, the City received two (2) bids for electrical services for all City facilities. The bids are shown on the attached tabulation sheet.

The bid was stated to be awarded to the company providing the “best value” to the City. This means that other factors can be considered in the evaluation of the bids in addition to price, including quality of service, references, reputation of the bidder, and the extent to which the bidder’s services meet the City’s needs.

A committee was formed comprised of employees from Purchasing, Water Treatment Plant and Facility Maintenance to review and evaluate the bids based on the award criteria outlined in the bid. Based on the committee’s evaluation of the two (2) bids, staff recommends award of the annual contract to T. Morales based on price and quality of service. T. Morales met all the required specifications of the bid. T-Morales currently holds the contract for electrical services for the City and staff is pleased with the performance they provide.

The recommended contract is for a period of one (1) year commencing on October 1, 2007, with the option of four (4) additional one-year renewals, if agreeable to the City and T. Morales.

FISCAL IMPACT: Budgeted amount: **General Electrical Repair** - \$15,000.00 Money budgeted in several departments’ accounts and service will be ordered as needed.

High Voltage/Telemetry Services - \$28,000.00 in 520-5100-535-2338

Estimated expenditure: \$43,000.

ATTACHMENTS:

[Bid Tabulation](#)
[Resolution](#)

Tabulation of Bids Received
on August 7, 2007 at 2:00 p.m.
Electrical Services

	Bidders	
	T. Morales Company Florence, Texas	KST Electric, LTD Manor
Description		
Section 1- General Electrical Services		
Material (Cost plus %)	15%	15%
Rental Equipment (Cost plus %)	15%	15%
Labor Licensed Master Electrician (Straight time)	\$52.00	\$65.00
Labor Licensed Master Electrician (Overtime)	\$78.00	\$97.00
Labor Licensed Journeyman (Straight time)	\$50.00	\$65.00
Labor Licensed Journeyman (Overtime)	\$75.00	\$97.00
Labor Apprentice (Straight time)	\$29.00	\$35.00
Labor Apprentice (Overtime)	\$43.00	\$52.00
Section 2- High-Voltage Electrical Services		
Material (Cost plus %)	15%	15%
Rental Equipment (Cost plus %)	15%	15%
Labor Licensed Master Electrician (Straight time)	\$52.00	\$65.00
Labor Licensed Master Electrician (Overtime)	\$78.00	\$97.00
Labor Licensed Journeyman (Straight time)	\$50.00	\$65.00
Labor Licensed Journeyman (Overtime)	\$75.00	\$97.00
Labor Apprentice (Straight time)	\$29.00	\$35.00
Labor Apprentice (Overtime)	\$43.00	\$52.00
Section 3- Telemetry Services		
Material (Cost plus %)	15%	15%
Rental Equipment (Cost plus %)	15%	15%
Labor Licensed Master Electrician (Straight time)	\$65.00	\$65.00
Labor Licensed Master Electrician (Overtime)	\$95.00	\$97.00
Labor Licensed Journeyman (Straight time)	\$55.00	\$65.00
Labor Licensed Journeyman (Overtime)	\$82.00	\$97.00
Labor Apprentice (Straight time)	\$35.00	\$35.00
Labor Apprentice (Overtime)	\$52.00	\$52.00
Bid Bond	5%	5%
Bond Affidavit	Yes	Yes
Insurance Affidavit	Yes	Yes
Credit Check Authorization Form	Yes	Yes
CIQ Form	Yes	Yes
Exceptions	Yes	Yes

I hereby certify that this is a correct and true tabulation of all bids received.

Belinda Mattke

7-Aug-07

Belinda Mattke, Director of Purchasing

Date

*Note: Highlighted bid is recommended for
Council approval*

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING AN ANNUAL CONTRACT WITH T. MORALES COMPANY OF FLORENCE, TEXAS, FOR ELECTRICAL SERVICES FOR ALL CITY FACILITIES ON AN AS-NEEDED BASIS FOR FY2007-08, IN THE ESTIMATED AMOUNT OF \$43,000; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on August 7, 2007, the City received 2 bids for electrical services for all City facilities on an as-needed basis for FY2007-08;

Whereas, the Staff recommends accepting the bid from T. Morales Company of Florence, Texas, for an estimated annual expenditure of \$43,000;

Whereas, funds are budgeted in several different departments' account and services will be ordered as needed; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: The City Council authorizes an annual contract for electrical services for all City facilities on an as-needed basis for FY2007-08 with T. Morales Company of Florence, Texas, in accordance with the Staff recommendations on the bid tabulation sheet, attached as Exhibit A, for an estimated annual expenditure of \$43,000.

Part 2: The City Council authorizes the City Manager, or his designee, to execute any documents which may be necessary for these services, subject to approval as to form by the City Attorney.

Part 3: It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the 6th day of **September**, 2007.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

Clydette Entzminger
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

09/06/07
Item #4(S)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Judy Duer, Library Director
Belinda Mattke, Director of Purchasing

ITEM DESCRIPTION: Consider adopting a resolution authorizing a one-year renewal to the annual purchase agreements with Ingram Library Services of Laverne, TN, and Baker and Taylor of Reno, NV, for the purchase of library books, library bindings, DVDs, videos and compact discs for FY 07-08 in the estimated amount of \$85,000.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: On September 7, 2003, the City Council authorized an annual purchase agreement with the following companies for the purchase of library materials:

- (1) General Trade Books: Baker and Taylor (primary) and Ingram Library Services (secondary)
- (2) Paperbacks: Ingram Library Services (primary) and Baker and Taylor (secondary)
- (3) Library Bindings: Baker and Taylor (primary)
- (4) Books on Tape: Ingram Library Services (primary) and Baker and Taylor (secondary)
- (5) Books on CD: Ingram Library Services (primary) and Baker and Taylor (secondary)
- (6) Videos: Baker and Taylor (primary) and Ingram Library Services (secondary)
- (7) DVD's: Baker and Taylor (primary) and Ingram Library Services (secondary)
- (8) Compact Discs: Baker and Taylor (primary) and Ingram Library Services (secondary)

The original bid allowed for four (4) one-year renewals to the purchase agreement. On September 16, 2004, September 15, 2005, and September 21, 2006, the City Council authorized one-year extensions to the annual purchase agreements. The current agreement will expire on September 30, 2007. In order to renew, the vendors must agree to hold their prices firm for an additional year, which they are willing to do.

The City has been pleased with the products provided by all vendors. Staff recommends Council authorize one-year extensions to the agreements. This is the last one-year renewal authorized under this contract.

FISCAL IMPACT: Proposed FY 07-08 budgeted amount: \$150,463 in accounts 110-4000-555-2225, 110-4000-555-2226 & 110-4000-555-2522. Estimated expenditure: \$ 85,000.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING ANNUAL PURCHASE AGREEMENTS WITH BAKER AND TAYLOR OF RENO, NV, AND WITH INGRAM LIBRARY SERVICES OF LAVERGNE, TN, FOR THE PURCHASE OF LIBRARY BOOKS, LIBRARY BINDINGS, DVDs, VIDEOS AND COMPACT DISCS FOR FISCAL YEAR 2007-08, IN THE ESTIMATED ANNUAL AMOUNT OF \$85,000; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on September 7, 2003, the City Council authorized annual purchase agreements for various library materials – on September 16, 2004, September 15, 2005, and September 21, 2006, the City Council authorized one-year extensions to the contracts;

Whereas, the Staff recommends an additional one-year extension, as allowed by the original bid, for the following: (1) General Trade Books: Baker and Taylor (primary) and Ingram Library Services (secondary); (2) Paperbacks: Ingram Library Services (primary) and Baker and Taylor (secondary); (3) Library Bindings: Baker and Taylor (primary); (4) Books on Tape: Ingram Library Services (primary) and Baker and Taylor (secondary); (5) Books on CD: Ingram Library Services (primary) and Baker and Taylor (secondary); (6) Videos: Baker and Taylor (primary) and Ingram Library Services (secondary); (7) DVD's: Baker and Taylor (primary) and Ingram Library Services (secondary); and (8) Compact Discs: Baker and Taylor (primary) and Ingram Library Services (secondary).

Whereas, the estimated annual expenditure for these materials is \$85,000, and funds are available in Account Nos. 110-4000-555-2225, 110-4000-555-2226, and 110-4000-555-2522; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

PART 1: The City Council approves annual purchase agreements with Baker and Taylor of Reno, NV, and Ingram Library Services of Lavergne, TN, for the purchase of library books, library bindings, DVDs, videos, and compact discs (estimated expenditure \$85,000) in accordance with the following: (1) General Trade Books: Baker and Taylor (primary) and Ingram Library Services (secondary); (2) Paperbacks: Ingram Library Services (primary) and Baker and Taylor (secondary); (3) Library Bindings: Baker and Taylor (primary); (4) Books on Tape: Ingram Library Services (primary) and Baker and

Taylor (secondary); (5) Books on CD: Ingram Library Services (primary) and Baker and Taylor (secondary); (6) Videos: Baker and Taylor (primary) and Ingram Library Services (secondary); (7) DVD's: Baker and Taylor (primary) and Ingram Library Services (secondary); and (8) Compact Discs: Baker and Taylor (primary) and Ingram Library Services (secondary).

PART 2: It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the 6th day of **September**, 2007.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

Clydette Entzminger
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

09/06/07
Item #4(T)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Bruce Butscher, Director of Public Works
Sam Weed, Fleet Superintendent
Belinda Mattke, Director of Purchasing

ITEM DESCRIPTION: Consider adopting a resolution authorizing a one-year renewal to the annual purchase agreements with Carquest Auto Parts of Temple and Austin Distributing & Manufacturing of Amarillo for the purchase of auto repair parts for FY 07-08 in the estimated amount of \$50,000.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: On September 15, 2005, the City Council authorized an annual purchase agreement with the following companies for the purchase of auto repair parts:

- (1) General Repair Parts: Carquest Auto Parts of Temple
- (2) Hydraulic Parts: Austin Distributing & Manufacturing of Amarillo

The original bid allowed for four (4) one-year renewals to the agreement. On September 21, 2006, Council authorized a one-year extension to the purchase agreements. This one-year extension will expire on September 30, 2007. In order to renew, the vendors must agree to hold their prices firm for an additional year, which they are willing to do again this year.

The City has been pleased with the products provided by both vendors. Accordingly, staff recommends Council authorize one-year extensions to the agreements. This will be the second one-year renewal, with two remaining under this contract.

FISCAL IMPACT: Each department with vehicles has money budgeted for repairs. These items will be ordered on an as-needed basis. Staff estimates that it will spend approximately \$50,000 over the next 12 months for automobile repair parts.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING ONE-YEAR RENEWALS TO THE PURCHASE AGREEMENTS FOR AUTOMOTIVE REPAIR PARTS FOR FY2007-08 WITH CARQUEST OF TEMPLE, TEXAS, AND AUSTIN DISTRIBUTING & MANUFACTURING OF AMARILLO, TEXAS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on September 15, 2005, the City Council authorized annual purchase agreements with Carquest of Temple, Texas, for general repair parts, and with Austin Distributing of Amarillo, Texas, for hydraulic parts -- on September 21, 2006, the City Council authorized a one-year extension to the contracts;

Whereas, the Staff recommends one-year extensions to the agreements;

Whereas, each department with vehicles has budgeted for repair parts, and these parts will be ordered on an "as needed" basis throughout the year – estimated expenditure is \$50,000; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: The City Council authorizes one-year renewals to the purchase agreements for automotive repair parts for FY2007-08 with Carquest of Temple, Texas, for general repair parts, and with Austin Distributing of Amarillo, Texas, for hydraulic parts, for an estimated total expenditure of \$50,000.

Part 2: The City Council authorizes the City Manager, or his designee, to execute any documents which may be necessary for these purchases, subject to approval as to form by the City Attorney.

Part 3: It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the 6th day of **September**, 2007.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

Clydetta Entzminger
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

09/06/07
Item #4(U)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Bruce Butscher, Director of Public Works
Kenny Henderson, Director of Street Services
Belinda Mattke, Director of Purchasing

ITEM DESCRIPTION: Consider adopting a resolution authorizing a one-year renewal to the existing purchase agreement with Franklin Minerals of Belton for aggregate base for FY 07-08 in the estimated amount of \$40,000.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: On October 5, 2006, the Council authorized a purchase agreement with Franklin Minerals for aggregate base for the Street and Water Departments at the following prices:

\$4.85 per ton for 25-ton loads delivered;
\$6.85 per ton for 13-ton loads delivered; and
\$2.60 per ton if City picks up at Franklin Minerals site.

The purchase agreement will expire on September 30, 2007. The original bid allowed for four (4) additional one-year extensions to the purchase agreements. In order to renew, the vendor must agree to hold their prices firm for an additional year, which they are willing to do.

Staff is pleased with the products provided by Franklin Minerals and recommends that Council award a one-year extension to the purchase agreement. This will be the first one-year renewal authorized under this contract, with three remaining.

FISCAL IMPACT: Funding budgeted in FY 07-08 for street and alley improvements is as follows:

\$85,000 in account 110-3400-531-2316

\$64,850 in accounts 520-5200-535-2316

The estimated expenditure for aggregate base that will be funded from the above listed accounts is \$40,000.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A ONE-YEAR RENEWAL TO THE ANNUAL PURCHASE AGREEMENT FOR THE PURCHASE OF AGGREGATE BASE FOR FISCAL YEAR 2007-08 WITH FRANKLIN MINERALS OF BELTON, TEXAS, IN THE ESTIMATED AMOUNT OF \$40,000; PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on October 6, 2006, the City Council approved an annual purchase agreement with Franklin Minerals of Belton, Texas, for aggregate base for the Street and Water Departments – the original bid allowed for 4 one-year renewals and the Staff recommends renewing the agreement for an additional one-year period;

Whereas, the materials will be purchased on an "as needed" basis throughout the year by the Street and Water Departments, and other departments if necessary, and funds are budgeted for this expenditure in the Street and Water Departments' budgets (annual estimated expenditure of \$40,000); and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: The City Council authorizes a one-year renewal to the annual purchase agreement with Franklin Minerals of Belton, Texas, for the purchase of aggregate base as follows: \$4.85 per ton for 25-ton loads delivered; \$6.85 per ton for 13-ton loads delivered; and \$2.60 per ton if picked up at site.

Part 2: The City Council authorizes the City Manager, or his designee, to execute any documents which may be necessary for these purchases, subject to approval as to form by the City Attorney.

Part 3: It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the 6th day of **September**, 2007.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

Clydette Entzminger
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

09/06/07
Item #4(V)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Bruce Butscher, Director of Public Works
Sam Weed, Fleet Superintendent
Belinda Mattke, Director of Purchasing

ITEM DESCRIPTION: Consider adopting a resolution authorizing a one-year renewal to the existing purchase agreement with Hopkins Oil Company of Mart for oils and lubricants for FY07-08 in the estimated amount of \$65,000.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: On September 21, 2006, the Council authorized a purchase agreement with Hopkins Oil Company for oils and lubricants. The purchase agreement will be expiring on September 30, 2007. The original bid allows for four (4) one-year renewals to the agreement. In order to renew, the vendor must agree to hold their prices firm for an additional year, which they are willing to do.

Hopkins Oil Company has provided the City with oils and lubricants for several years, and staff is pleased with the products they provide. Therefore, staff recommends Council authorize a one-year extension to the purchase agreement. This will be the first one-year renewal authorized under this contract, with three remaining.

FISCAL IMPACT: Proposed FY07-08 Budgeted Amount: \$ 0 (inventory purchase)
Estimated Expenditure: \$65,000

These items will be purchased as needed and charged to departmental expenditure accounts for vehicles and equipment that are serviced by Fleet Services.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A ONE-YEAR RENEWAL TO THE ANNUAL PURCHASE AGREEMENT FOR FY2007-08 FOR OILS AND LUBRICANTS WITH HOPKINS OIL COMPANY OF MART, TEXAS, FOR AN ESTIMATED EXPENDITURE OF \$65,000; PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on September 21, 2006, the City Council approved an annual purchase agreement with Hopkins Oil of Mart, Texas, for the purchase of oils and lubricants – the original bid allowed for 4 one-year renewals and the Staff recommends renewing the agreement for an additional one-year period;

Whereas, these items will be purchased as needed and charged to departmental expenditure accounts for vehicles and equipment that are serviced by Fleet Services with an estimated annual expenditure of \$65,000; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: The City Council authorizes a one-year renewal to the annual purchase agreement with Hopkins Oil Company of Mart, Texas, for the purchase of oils and lubricants for FY2007-08, with an estimated annual expenditure of \$65,000.

Part 2: The City Council authorizes the City Manager, or his designee, to execute any documents which may be necessary for these purchases, subject to approval as to form by the City Attorney.

Part 3: It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the 6th day of **September**, 2007.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

Clydette Entzminger
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

09/06/07
Item #4(W)
Consent Agenda
Page 1 of 3

DEPT./DIVISION SUBMISSION & REVIEW:

Bruce Butscher, Director of Public Works
Johnny Reisner, Water Treatment Plant Manager
Belinda Mattke, Director of Purchasing

ITEM DESCRIPTION: Consider adopting a resolution authorizing a one-year renewal to the annual purchase agreements with various companies for the purchase of Water Treatment Chemicals for FY 07-08 in the estimated amount of \$157,531.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY:

- A. **Blend of Liquid Aluminum Sulfate, Copper Sulfate and a Water Treatment Grade Polymer for Potable Water** to Chameleon Industries Inc. of Mesquite, TX, at \$.06/lb for an estimated annual amount of \$49,734.

On September 15, 2005, the Council authorized an annual purchase agreement with Chameleon Industries, Inc. of Mesquite, Texas. On September 21, 2006, Council authorized a one-year extension to the purchase agreement. This one-year extension will expire on September 30, 2007. The original bid allowed for four (4) additional one-year renewals. In order to renew, the vendor must agree to hold their prices firm for an additional year, which they are willing to do again this year.

Staff has been pleased with the products provided by Chameleon Industries Inc., and recommends Council authorize a one-year extension to the annual purchase agreement. This will be the second one-year renewal authorized under this contract, with two remaining.

- B. **Liquid Chlorine** to Altivia of Houston, TX, at \$523/ton for an estimated annual amount of \$58,434.

On September 15, 2005, the Council authorized an annual purchase agreement with Altivia Corporation of Houston, Texas. On September 21, 2006, Council authorized a one-year extension to the purchase agreement. This one-year extension will expire on September 30, 2007. The original bid allowed for four (4) additional one-year renewals. In order to renew, the vendor must agree to hold their prices firm for an additional year, which they are willing to do again this year.

Staff has been pleased with the products provided by Altivia, and recommends Council authorize a one-year extension to the annual purchase agreement. This will be the second one-year renewal authorized under this contract, with two remaining.

- C. **Liquid Ammonium Sulfate** to Bay Chemical and Supply Co. of Odem, TX, at \$5.04/mgd for an estimated annual amount of \$35,416.

On September 15, 2005, the Council authorized an annual purchase agreement with Bay Chemical and Supply Co. of Odem, Texas. On September 21, 2006, Council authorized a one-year extension to the purchase agreement. This one-year extension will expire on September 30, 2007. The original bid allowed for four (4) additional one-year renewals. In order to renew, the vendor must agree to hold their prices firm for an additional year, which they are willing to do again this year.

Staff has been pleased with the products provided by Bay Chemical and Supply Co., and recommends Council authorize a one-year extension to the annual purchase agreement. This will be the second one-year renewal authorized under this contract, with two remaining.

- D. **Citric Acid** to Bay Chemical & Supply Company of Odem, TX, at \$.62/lb for an estimated annual amount of \$13,947.

On September 16, 2004, the Council authorized an annual purchase agreement with Bay Chemical & Supply Company of Odem, Texas. On September 15, 2005, and September 21, 2006, Council authorized one-year extensions to the purchase agreement. The current one-year extension will expire on September 30, 2007. The original bid allowed for four (4) additional one-year renewals. In order to renew, the vendor must agree to hold their prices firm for an additional year, which they are willing to do again this year.

Staff has been pleased with the products provided by Bay Chemical & Supply, and recommends Council authorize a one-year extension to the annual purchase agreement. This will be the third one-year renewal authorized under this contract, with one remaining.

FISCAL IMPACT: Budgeted amount: \$157,531 in account 520-5100-535-2118
Estimated expenditure: \$ 157,531.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE,
TEXAS, AUTHORIZING A ONE-YEAR RENEWAL TO THE ANNUAL
PURCHASE AGREEMENTS WITH VARIOUS COMPANIES FOR THE
PURCHASE OF WATER TREATMENT CHEMICALS FOR FY2007-08 IN
THE ESTIMATED AMOUNT OF \$157,531; AND PROVIDING AN OPEN
MEETINGS CLAUSE.

Whereas, on September 15, 2005, and September 16, 2004, the City Council authorized annual purchase agreements with various companies for the purchase of chemicals for the Water Treatment Plant;

Whereas, the Staff recommends renewing the annual purchase agreements for an additional one-year;

Whereas, funds are available for these purchases in Account No. 520-5100-535-2118 – the estimated annual expenditure is \$157,531; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: The City Council authorizes annual purchase agreements for water treatment chemicals for FY2007-08, for an estimated annual expenditure of \$157,531, as follows:

- A. Blend of Liquid Aluminum Sulfate, Copper Sulfate and a Water Treatment Grade Polymer for Potable Water, Chameleon Industries, Inc., of Mesquite, TX, \$.06/lb;
- B. Liquid Chlorine, Altivia of Houston, TX, \$523/ton;
- C. Liquid Ammonium Sulfate, Bay Chemical and Supply Company of Odem, TX, \$5.04/mgd; and
- D. Citric Acid, Bay Chemical and Supply Company of Odem, TX, \$.62/lb.

Part 2: The City Council authorizes the City Manager, or his designee, to execute any documents, after approval as to form by the City Attorney, that may be necessary for these purchases.

Part 3: It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the 6th day of **September**, 2007.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

Clydette Entzminger
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

09/06/07
Item #4(X)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Bruce Butscher, Director of Public Works
Belinda Mattke, Director of Purchasing

ITEM DESCRIPTION: Consider adopting a resolution authorizing a one-year renewal to the annual contract with S&M Vacuum & Waste, LTD of Killeen for the hauling and disposal of sludge in the estimated annual amount of \$45,000.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: On September 7, 2006, the City Council authorized an annual contract with S&M Vacuum & Waste, LTD for the hauling and disposal of sludge at the following prices:

- \$.0275 per gallon for hauling and disposing of sludge from sewer manhole located at South Pea Ridge Road and Poison Oak Road;
- \$.0500 per gallon for hauling and disposing of sludge from sewer manhole located at 50th Street and Lavendusky; and
- \$.0299 per gallon for hauling and disposing of sludge from other locations.

The existing contract will expire on September 30, 2007. The original bid allowed for four (4) additional one-year extensions to the contract. In order to renew the contract, the vendor must agree to hold their prices firm for an additional year, which they are willing to do.

Staff is pleased with the services provided by S&M Vacuum & Waste, LTD and recommends Council authorize a one-year extension to the contract. This will be the first one-year renewal authorized under this contract, with three remaining.

FISCAL IMPACT: Budgeted amount: \$45,000 in account 520-5100-535-2616
Estimated expenditure: \$45,000

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS,
AUTHORIZING AN ANNUAL CONTRACT WITH S&M VACUUM AND WASTE,
LTD, OF KILLEEN, TEXAS, FOR THE HAULING AND DISPOSAL OF SLUDGE FOR
THE WATER TREATMENT PLANT IN AN ESTIMATED ANNUAL AMOUNT OF
\$45,000; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on September 7, 2006, the City Council approved an annual contract with S&M Vacuum and Waste, Ltd., of Killeen, Texas, for the hauling and disposal of sludge for the Water Treatment Plant – the bid allowed for 4 one-year renewals and the Staff recommends renewing the contract for an additional one year period;

Whereas, funds are budgeted for this service in Account No. 520-5100-535-2616 and the estimated annual expenditure is \$45,000; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: The City Council authorizes a one-year renewal to the annual contract with S&M Vacuum & Waste, Ltd., of Killeen, Texas, for the hauling and disposal of sludge, in the estimated amount of \$45,000.

Part 2: The City Council authorizes the City Manager, or his designee, to execute any documents which may be necessary for these purchases, subject to approval as to form by the City Attorney.

Part 3: It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the 6th day of **September**, 2007.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

Clydette Entzminger
City Secretary

APPROVED AS TO FORM:

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

09/06/07
Item #4(Y)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Bruce Butscher, Director of Public Works
Thomas Brown, Superintendent of Utility Distribution & Collection
Belinda Mattke, Director of Purchasing

ITEM DESCRIPTION: Consider adopting a resolution authorizing a one-year renewal to the annual contract with Duke's Root Control, Inc. of Syracuse, New York, for sewer line chemical root control for FY 07-08 in the estimated annual amount of \$65,000.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: On April 17, 2003, the City Council authorized an annual contract with Dukes Sales and Services for root control services. Duke's was the only bidder for this service in 2003. On May 20, 2004, September 15, 2005, and September 21, 2006, the City Council authorized one-year extensions to the contract.

The contract will be expiring on September 30, 2007. The original bid allowed for four (4) additional one-year extensions. In order to renew, the vendor must agree to hold their prices firm for an additional year, which they are willing to do. This will be the last one-year renewal authorized under this contract.

Staff is pleased with the services provided by Duke's Root Control and recommends Council authorize a one-year extension to the contract.

FISCAL IMPACT: Budgeted amount: \$65,000 in account 520-5400-535-2616
Estimated expenditure: \$65,000

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A ONE-YEAR RENEWAL TO THE CONTRACT FOR SEWER ROOT CONTROL SERVICES WITH DUKE'S SALES AND SERVICES, INC., OF SYRACUSE, NY, IN THE ESTIMATED ANNUAL AMOUNT OF \$65,000; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on April 17, 2003, the City Council authorized an annual contract for sewer line chemical root control services – on May 20, 2004, September 15, 2005, and September 21, 2007, the City Council authorized one-year extensions to the contract;

Whereas, the Staff is pleased with the services provided by Duke's Sales and Services, Inc., and wishes to renew the agreement for an additional year as allowed by the original bid;

Whereas, the estimated annual expenditure for this service is \$65,000, and funds are available in Account No. 520-5400-535-2616; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: The City Council authorizes a one-year renewal to the contract for sewer root control services with Duke's Sales and Services, Inc., for Fiscal Year 2007-08 for an estimated annual expenditure of \$65,000.

Part 2: The City Council authorizes the City Manager, or his designee, to execute any documents which may be necessary for this service, subject to approval as to form by the City Attorney.

Part 3: It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the 6th day of **September**, 2007.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

Clydette Entzminger
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

09/06/07
Item #4(Z)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Ken Cicora, Director of Parks and Leisure Services
Belinda Mattke, Director of Purchasing

ITEM DESCRIPTION: Consider adopting a resolution authorizing a one-year renewal to the contract with the Temple Daily Telegram of Temple for the graphics design, printing and mailing of the Play-by-Play brochures for the Parks and Leisure Services Department for FY 07-08 in the estimated amount of \$46,000.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: On November 16, 2004, the Council authorized a contract with Temple Daily Telegram for the graphics design and printing of the Play-by-Play brochures for the Parks and Leisure Services Department. The contract also includes having the printer mail the brochures at an estimated cost of 28.8 cents per brochure. The total cost of postage depends on the weight of the brochure and the number of brochures mailed.

On September 15, 2005, and September 21, 2006, the Council authorized one-year extensions to the contract. The original bid allowed for four (4) additional one-year renewals. In order to renew the contract, the vendor must agree to hold their prices firm for an additional year, which they are willing to do again this year.

Staff is pleased with the products and services provided by Temple Daily Telegram, and recommends Council authorize a one-year extension as allowed by the original bid. This will be the third one-year renewal authorized under this contract, with one remaining.

FISCAL IMPACT: Budgeted amount: \$34,000 in 110-3200-551-2511 (printing)
\$12,000 in 110-3200-551-2128 (postage)
Estimated expenditure: \$46,000

ATTACHMENTS:
[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A ONE-YEAR EXTENSION TO THE CONTRACT WITH THE TEMPLE DAILY TELEGRAM OF TEMPLE, TEXAS, FOR THE GRAPHICS DESIGN, PRINTING AND MAILING OF THE PLAY-BY-PLAY BROCHURES FOR THE PARKS AND LEISURE SERVICES DEPARTMENT FOR FISCAL YEAR 2007-08 IN THE ESTIMATED AMOUNT OF \$46,000; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on November 16, 2004, the City Council awarded a contract to the Temple Daily Telegram for the graphics design and printing of the Play-by-Play brochures for the Parks and Leisure Services Department – on September 15, 2005, and September 21, 2006, the City Council authorized one-year extensions to the contract;

Whereas, the staff has been pleased with the products and services provided by the Temple Daily Telegram, and recommends another one-year extension to the contract as allowed by the original bid;

Whereas, funds are available for the service in Account Nos. 110-3200-551-2511 and 110-3200-551-2128 – estimated annual expenditure is \$46,000; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: The City Council authorizes a one-year extension to the contract with the Temple Daily Telegram of Temple, Texas, for the graphics design, printing and mailing of the Play-by-Play brochures for the Parks and Leisure Services Department for Fiscal Year 2007-08 in the estimated amount of \$46,000.

Part 2: The City Council authorizes the City Manager, or his designee, to execute any documents which may be necessary for this service, after approval as to form by the City Attorney.

Part 3: It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the **6th** day of **September**, 2007.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

ATTEST:

Clydetta Entzminger
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

09/06/07
Item #4(AA)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Ken Cicora, Director of Parks and Leisure Services
Belinda Mattke, Director of Purchasing

ITEM DESCRIPTION: Consider adopting a resolution authorizing a one-year renewal to the contract with Temple Heat & Air of Temple for HVAC repair and preventative maintenance services for FY 07-08 in an estimated amount of \$60,000.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: On September 16, 2004, the City Council authorized an annual contract for HVAC repair and preventative maintenance to Temple Heat & Air. On September 15, 2005, and September 21, 2006, the Council authorized one-year extensions to the contract. The current contract will expire on September 30, 2007. The original bid allowed for four (4) additional one-year extensions. In order to renew the contract, the vendor must agree to hold their prices firm for an additional year, which they are willing to do again this year.

Staff is pleased with the services provide by Temple Heat & Air and recommends Council authorize an extension to their contract. This will be the third one-year renewal authorized under this contract, with one remaining.

FISCAL IMPACT: Budgeted amount: Money budgeted in several departments' accounts and services will be ordered as needed.

Estimated expenditure: \$ 60,000.00

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A ONE-YEAR EXTENSION TO THE CONTRACT WITH TEMPLE HEAT & AIR OF TEMPLE, TEXAS, FOR HVAC REPAIR AND PREVENTATIVE MAINTENANCE SERVICES FOR FISCAL YEAR 2007-08 IN THE ESTIMATED AMOUNT OF \$60,000; PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on September 16, 2004, the City Council awarded an annual contract for HVAC repair and preventative maintenance services to Temple Heat & Air of Temple, Texas – on September 15, 2005, and September 21, 2006, the City Council authorized one-year extensions to the contract;

Whereas, the Staff is pleased with the services provided by Temple Heat & Air and recommends a additional one-year extension to the contract, as provided by the original bid;

Whereas, funds are budgeted in several departments' accounts and services will be ordered as needed (estimated annual expenditure is \$60,000); and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: The City Council authorizes a one-year extension to the contract with Temple Heat & Air of Temple, Texas, for HVAC repair and preventative maintenance services for Fiscal Year 2007-08 (estimated expenditure of \$60,000).

Part 2: The City Council authorizes the City Manager, or his designee, to execute any documents which may be necessary for this service, subject to approval as to form by the City Attorney.

Part 3: It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the 7th day of **September**, 2007.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

Clydetta Entzminger
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

09/06/07
Item #4(BB)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Heather Mikulas, Utility Business Office Manager
Belinda Mattke, Director of Purchasing

ITEM DESCRIPTION: Consider adopting a resolution authorizing a one-year renewal to the annual contract with MailMax Direct of Waco for the printing, folding, stuffing, and mailing of water bills and the folding, stuffing, and mailing of accounts receivable statements for FY 07-08 in the estimated annual amount of \$170,000.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: On February 16, 2006, the City Council awarded a contract to MailMax Direct of Waco for the printing, folding, stuffing, and mailing of water bills and the folding, stuffing, and mailing of accounts receivable statements. On September 21, 2006, the Council authorized a one-year extension to the contract.

The current contract will expire on September 30, 2007. The original proposal allowed for four (4) additional one-year extensions to the contract. In order to renew the contract, the vendor must agree to hold their prices firm, with the exception of changes in the postage rate, for an additional year, which they are willing to do again this year.

Staff has been pleased with the services received from MailMax Direct and recommends Council authorize a one-year extension to the contract. This will be the first one-year renewal authorized under this contract, with three remaining.

FISCAL IMPACT: The printing and mailing cost is 42.1¢ per item. It is estimated that we will have 21,000 utility statements, 4,000 reminder notices and 750 accounts receivable statements per month for an annual amount of 309,000 items. The estimated annual amount to print, fold, stuff and mail the utility statements and reminder notices and to fold, stuff and mail the accounts receivable statements is \$140,000. Funds are budgeted in account 520-5800-535-2623 in the amount of \$170,000 in the FY 2008 adopted operating budget.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A ONE-YEAR RENEWAL TO THE CONTRACT WITH MAILMAX DIRECT FOR THE PRINTING, FOLDING, STUFFING AND MAILING OF WATER BILLS AND THE FOLDING, STUFFING AND MAILING OF ACCOUNTS RECEIVABLE STATEMENTS IN THE ESTIMATED ANNUAL AMOUNT OF \$170,000; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on February 16, 2006, the City Council approved a contract with MailMax Direct of Waco, Texas, for the printing, folding, stuffing, and mailing of water bills and the folding, stuffing and mailing of accounts receivable statements – on September 21, 2006, the City Council awarded a one-year extension to the contract;

Whereas, the Staff has been pleased with the services provided by MailMax Direct and recommends a one-year extension to the contract, as allowed by the original proposal;

Whereas, the estimated annual amount for the services is \$170,000, and funds are available in Account Nos. 520-5800-535-2623; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

PART 1: The City Council authorizes the City Manager, or his designee, to execute a one-year renewal to the contract with Mailmax Direct, after approval as to form by the City Attorney, for the printing, folding, stuffing, and mailing of water bills and the folding, stuffing and mailing of accounts receivable statements, for an amount not to exceed \$170,000.

PART 2: It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the 6th day of **September**, 2007.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

Clydette Entzminger
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

09/06/07
Item #4(CC)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Bruce Butscher, Director of Public Works
Johnny Reisner, Water Treatment Plant Manager
Belinda Mattke, Director of Purchasing

ITEM DESCRIPTION: Consider adopting a resolution authorizing a one-year renewal to the annual contracts for bacteriological sample testing for FY 07-08 in the estimated amount of \$31,700 with the following companies:

1. Coliform sample testing with Waco Regional Water Quality Lab of Waco at \$13.00/sample.
2. Cryptosporidia sample testing to EMSL Analytical, Inc. of Houston at \$525/sample

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: On September 15, 2005, the City Council authorized annual contracts for bacteriological sample testing to Waco Regional Water Quality Lab and EMSL Analytical, Inc. On September 21, 2006, the Council authorized one-year extensions to the contracts. These one-year extensions will expire on September 30, 2007. The original bid allowed for four (4) additional one-year extensions. In order to renew, the vendor must agree to hold their prices firm for an additional year, which they are willing to do again this year.

Staff is pleased with the services provided by both Waco Regional Water Quality Lab and EMSL Analytical and recommends Council authorize one-year extensions to the their contracts. This will be the second one-year renewal authorized under this contract, with two remaining.

FISCAL IMPACT: Budgeted amount: \$31,700 in account 520-5100-535-2616
Estimated expenditure: \$31,700

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A ONE-YEAR RENEWAL TO THE ANNUAL CONTRACTS FOR BACTERIOLOGICAL SAMPLE TESTING FOR FISCAL YEAR 2007-08 WITH WACO REGIONAL WATER QUALITY LAB OF WACO, TEXAS, AND EMSL ANALYTICAL OF HOUSTON, TEXAS; PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on September 15, 2005, the City Council authorized annual contracts for bacteriological sample testing with Waco Regional Quality Lab of Waco, Texas, and EMSL Analytical of Houston, Texas – on September 21, 2006, the City Council authorized a one-year extensions to both contracts

Whereas, the Staff is pleased with the services provided by these two companies and recommend a one-year renewal to the contracts;

Whereas, funds for these expenditures are budgeted in Account No. 520-5100-535-2616 – estimated annual expenditure is \$31,700; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: The City Council authorizes an annual contracts for bacteriological sample testing for FY2007-08 in the estimated amount of \$31,700 with the following companies;

- A. Coliform sample testing, Waco Regional Water Quality Lab of Waco, Texas, at \$13.00 a sample; and
- B. Cryptosporidia sample testing, EMSL Analytical of Houston, Texas, at \$525 a sample.

Part 2: The City Council authorizes the City Manager, or his designee, to execute any documents which may be necessary for these purchases, subject to approval as to form by the City Attorney.

Part 3: It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the 6th day of **September**, 2007.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

Clydette Entzminger
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

09/06/07
Item #4(DD)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Jonathan Graham, City Attorney
Belinda Mattke, Director of Purchasing

ITEM DESCRIPTION: Consider adopting a resolution authorizing one-year renewals to the contracts for the following services:

1. W. Howard Wright Real Estate for broker's opinions - \$65 per unit;
2. Centraland Title Company for title work services – title letters \$100 each; runsheets \$125 each; and
3. Central Texas Appraisal Company and Kokel-Oberrender-Wood on a rotating basis for appraisals – prices varies.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: On February 16, 2006, the Council awarded contracts to W. Howard Wright Real Estate for broker's opinions, Centraland Title Company for title services, and Central Texas Appraisal Company and Kokel-Oberrender-Wood on a rotating basis for appraisals. On September 21, 2006, the Council awarded one-year extensions to the contracts. These contracts expire on September 30, 2007. The original proposal allowed for four (4) one-year extensions to the contract. Staff has been pleased with the services provided by all vendors and recommends Council authorize one year extensions to their contracts. This will be the second one-year renewal authorized under this contract, with two remaining.

FISCAL IMPACT: Funds will be allocated in each project budget or expended from departmental budgets as the need arises for these services.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING ONE-YEAR RENEWALS TO THE CONTRACTS WITH W. HOWARD WRIGHT REAL ESTATE FOR BROKER'S OPINIONS;CENTRALAND TITLE COMPANY FOR TITLE WORK SERVICES; AND CENTRAL TEXAS APPRAISAL COMPANY AND KOKEL-OBERRENDER-WOOD ON A ROTATING BASIS FOR APPRAISALS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on February 16, 2006, the City Council awarded contracts to W. Howard Wright Real Estate for broker's opinions (\$65 per unit), Centraland Title Company for title services (title letters \$100 each; runsheets \$125 each), and Central Texas Appraisal Company and Kokel-Oberrender-Wood on a rotating basis for appraisals (prices vary);

Whereas, the original proposal allowed for four (1) year extensions to the contract – Staff has been pleased with the services provided by all vendors and recommends approval of a one-year extension;

Whereas, funds will be allocated in each project budget or expended from departmental budgets as the need arises for these services; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

PART 1: The City Council authorizes one-year renewals to the contracts, after approval as to form by the City Attorney, for the following services: (a) W. Howard Wright Real Estate for broker's opinions (\$65 per unit); (b) Centraland Title Company for title work services (title letters \$100 each; runsheets \$125 each); (c) Central Texas Appraisal Company and Kokel-Oberrender-Wood on a rotating basis for appraisals – prices vary).

PART 2: It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the 6th day of **September**, 2007.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

Clydette Entzminger
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

09/06/07
Item #4(EF)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Donna McClain, Right of Way Agent

ITEM DESCRIPTION: Consider adopting a resolution authorizing the an amendment to a lease contract with the Health and Human Services Commission (HHSC), formerly the Texas Department of Human Services, for 19,617 sq. ft. in the Public Services Annex, 102 East Central Avenue.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The current lease with the Health and Human Services Commission (HHSC) is for 19,617 sq. ft. at \$0.60 per sq. ft. monthly for a total of \$11,770.20 per month in the Public Services Annex (old Sears building), 102 East Central Avenue. The lease will expire on February 28, 2008. HHSC is requesting an extension of the lease at this time from March 1, 2008 through February 28, 2010. The lease extension would remain under the same terms and conditions as the current lease and includes a 90 day cancellation clause.

FISCAL IMPACT: The total anticipated HHSC annual rent amount is \$141,242.40 (\$7.20 per sq. ft. annually).

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE LEASE AGREEMENT BETWEEN THE CITY OF TEMPLE, TEXAS, AND THE HEALTH AND HUMAN SERVICES COMMISSION (HHSC) FOR LEASE OF SPACE IN THE PUBLIC SERVICES ANNEX LOCATED AT 102 EAST CENTRAL AVENUE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the current lease with the Health and Human Services Commission (formerly Texas Department of Human Services) for 19,617 sq. ft. at \$0.60 per sq. ft. in the Public Services Annex (old Sears building) will expire on February 28, 2008;

Whereas, HHSC is requesting an extension of the lease from March 1, 2008, through February 28, 2010 – the lease extension would remain under the same terms and conditions as the current lease; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: The City Council authorizes the City Manager, or his designee, to execute an amendment to the lease agreement between the City of Temple, Texas, and the Health and Human Services Commission, after approval as to form by the City Attorney, for lease of space in the Public Services Annex from March 1, 2008, through February 28, 2010.

Part 2: It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the **6th** day of **September**, 2007.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

Clydetta Entzminger
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

09/06/07
Item #4(FF)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Bruce Butscher, Director of Public Works

ITEM DESCRIPTION: SECOND READING – Consider adopting an ordinance establishing school crosswalks and setting speed limits within school zones to conform to school schedules.

STAFF RECOMMENDATION: Adopt ordinance presented in item description, on second and final reading.

ITEM SUMMARY: In 2003 the City adopted an ordinance establishing school crosswalks and setting speed limits within the school zones as agreed upon by the City, TISD and BISD. TISD has requested that the flasher controlled school zone on East Avenue H and South 24th Street be removed, and that those flashers be moved to the school zone at South 30th Street and East Avenue J. BISD has requested a school zone be added around the new Tarver Elementary School that is in the Temple City limits. The ordinance needs to be updated to accommodate these changes.

FISCAL IMPACT: N/A

ATTACHMENTS:

[List of school crossings](#)
[Ordinance](#)

SCHOOLS	CONES	FLAGS	FLASHING LIGHTS
Bethune Elementary 510 East Ave J A. Crossing Guard works "Crosswalk" on 8th Street and Ave J. B. School Zone is on East Ave. J and on 10th Street, (In front and on the West side of the school)	X	X	
Cater Elementary 4111 Lark Trail A. Crossing Guard works "Crosswalk" in school parking area. B. School Zone is on Lark Trail. (In front of the school)	X	X	
Emerson Elementary 1400 East Ave. B A. Crossing Guard works Ave. B and 24th Street. B. Crossing Guard works Ave. B and Adams C. Crossing Guard works Ave. H and 24th Street.	X	X	
Hector Garcia Elementary 2525 Lavendusky Drive A. No "Crosswalks" planned at this time. School Zone 50th & E. Adams Lights			X 6:30 to 8:15 14:45 to 15:30
Jefferson Elementary 400 West Walker A. Crossing Guards (2) work "Crosswalk" on 3rd and Walker. B. Crossing Guard works 3rd and Industrial (This is a controlled signal light) C. Flashing Lights on North 3rd Street and Walker (Lights are north and south of Walker on 3 rd Street)	X	X	X 6:30 to 8:15 14:45 to 15:30
Kennedy-Powell Elementary 3707 West Nugent A. Crossing Guard will work Nugent and Cearly Roads B. No lights.	X	X	
Meridith-Dunbar Elementary 1717 East Ave. J A. Crossing Guard works 30th Street and Ave. J. B. Flashing lights at S 30 th and Ave J	X	X	X 6:30 to 8:15 14:45 to 15:30

SCHOOLS	CONES	FLAGS	FLASHING LIGHTS
Raye-Allen Elementary 5015 South 5th Street A. Crossing Guards will work South 5th and Marlandwood Road. B. Crossing Guard to work RxR Crossing on South 5th Street C. Flashing Lights to be activated north of Marlandwood on 5th Street and south of school site on 5th Street.	X	X	X 6:30 to 8:15 14:45 to 15:30
Scott Elementary 2301 West Ave. P A. Crossing Guard works 45th Street and Ave M. B. School Zone is on Ave. P in front of the school.	X	X	
Thornton Elementary 2900 Pin Oak Drive A. Crossing Guard works on Pin Oak and East Street. B. School Zones on Pin Oak and Cottonwood.	X	X	
Western Hills Elementary 600 Arapaho A. Crossing Guard works Deer and Apache. B. Crossing Guard works Gila and Apache. C. Flashing Lights north of Deer on Apache and south of Gila on Apache.	X	X	X 6:30 to 8:15 14:45 to 15:30
Bonham Middle School 4600 Midway Drive A. Flashing Lights east of school and west of school on Midway.			X 7:00 to 8:30 15:00 to 16:30
Lamar Middle School 2120 North 1st Street A. School Zone is north at Virginia and 1st Street and south to Oakland Avenue. One way north from Oakland to Virginia B. Flashing lights north of Shell Avenue and south of Shell Avenue, on North 3 rd Street (Spur 290)			X 7:00 to 8:30 15:00 to 16:30
Travis Middle School 1500 South 19th Street A. Crossing Guards works at 19th Street and Ave M. B. Flashing Lights west of 19th Street on Ave. M and east of 19th on Ave. M. C. Flashing lights west of 19th Street on Ave. R and east of 19th Street on Ave. R.	X	X	X 7:00 to 8:30 15:00 to 16:30

SCHOOLS	CONES	FLAGS	FLASHING LIGHTS
Temple High School 415 North 31st Street A. School Zone from north of Barton on 31st to north of Houston Drive on 31st Street.			x 7:00am to 16:00pm
Temple High South Campus 1414 West Barton A. School Zone west on Barton to 31st Street and East on Barton to 27th Street.			

Belton School Zones (in Temple City Limits)

Lakewood Elementary 2305 Lake Road A. School Zone Flashing Lights			X 7:15 to 8:00 14:15 to 15:00
Tarver Middle School 8818 Tarver A. School signs.			
Joe M. Pirtle Elementary 714 South Pea Ridge A. 25 mph zone (school hours)			X 7:15 to 8:00 14:15 to 15:00

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, ESTABLISHING SCHOOL CROSSWALKS IN THE CITY OF TEMPLE; PROVIDING FOR REASONABLE AND PRUDENT PRIMA FACIE MAXIMUM SPEED LIMITS IN THE SCHOOL ZONES; DECLARING FINDINGS OF FACT; PROVIDING FOR A PENALTY FOR VIOLATIONS NOT TO EXCEED \$500 FOR EACH VIOLATION; PROVIDING AN EFFECTIVE DATE; PROVIDING A REPEALER; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City Staff and the Temple Independent School District worked together to establish recommended school crosswalk locations in the City of Temple and entered into an interlocal agreement in 1997 regarding the designation and equipping of school zones within the City;

Whereas, the Temple Independent School District and the City of Temple desire to update the crosswalk and school zone time schedule;

Whereas, an engineering and traffic investigation has been made to determine the reasonable and prudent prima facie maximum speed for motor vehicles within the school zones;

Whereas, it has been determined by these traffic and engineering investigations that the reasonable and safe prima facie maximum speed limit shall be 20 miles per hour; and

Whereas, the City Council has considered the matter and deems it in the public interest to approve the school crosswalks, including the speed limits within the school zones, for the benefit of the citizens for the promotion of the public welfare and safety.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: The City of Temple hereby establishes the school crosswalk locations, which are more fully described in Exhibit "A," attached hereto and made a part hereof for all purposes.

Part 2: The Director of Public Works is authorized to proceed with installation of flashing lights and school crossing painting and signage, as needed, for the locations described in Exhibit "A."

Part 3: The reasonable and prudent prima facie maximum speed limit for vehicular traffic within the school zones described in Exhibit "A," shall be established at 20 miles per hour on the days when school is in session.

Part 4: It shall be unlawful for any person to drive or operate a motor vehicle, bicycle, or other vehicle of any kind, whether or not motor powered, on that portion of the roadways described above under the conditions described herein, at a speed greater than is reasonable and prudent under the circumstances then existing, but any speed in excess of the

reasonable and prudent prima facie maximum speed limits as set forth in Part 3 hereof shall be prima facie evidence that such speed is not reasonable or prudent and that it is unlawful.

Part 5: All ordinances or parts of ordinances in conflict with the provisions of this ordinance are to the extent of such conflict hereby repealed.

Part 6: A person who violates a provision of this ordinance is guilty of a separate offense for each day or portion of a day which the offense is committed, continued, or permitted, and each offense is punishable by a fine not to exceed \$500.

Part 7: If any provision of this ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

Part 8: This ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

Part 9: It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on First Reading on the **16th** day of **August**, 2007.

PASSED AND APPROVED on Second Reading on the **6th** day of **September**, 2007.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

Clydette Entzminger
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

09/06/07
Item #4(GG)
Consent Agenda
Page 1 of 2

DEPT. /DIVISION SUBMISSION & REVIEW:

Tim Dolan, Planning Director

ITEM DESCRIPTION: SECOND READING – Z-FY-07-50: Consider adopting an ordinance amending the City of Temple Zoning Ordinance Section 7-625 regarding HUD-Code Manufactured Home Design Standards and adding Section 7-626 for existing land lease communities.

P & Z COMMISSION RECOMMENDATION: The Planning & Commission recommended approval to amend the City of Temple Zoning Ordinance Section 7-625 regarding HUD-Code Manufactured Home Design Standards using an expanded title and to add Section 7-626 for existing land lease communities.

STAFF RECOMMENDATION: Adopt ordinance as presented in item description, on second and final reading.

ITEM SUMMARY: Staff worked with several owners of land lease communities, sales persons, and representatives associated with manufactured homes. Staff made them aware of difficulties using the ordinance in association with building permits, and sought their ideas for possible ordinance amendments. The proposed ordinance reflects those ideas, making it easier to administer building permits.

Please refer to the Staff Report and draft minutes of case Z-Y-07-50 from the Planning and Zoning Commission meeting on August 6, 2007.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

[P&Z Staff Report](#)
[P&Z Minutes](#)
[Ordinance](#)



PLANNING AND ZONING COMMISSION AGENDA ITEM

08/06/07
Item #3
Page 1 of 1

APPLICANT / DEVELOPMENT: City of Temple

CASE MANAGER: Tim Dolan, AICP, Planning Director

ITEM DESCRIPTION:

Z-FY-07-50 Hold a public hearing to consider amending the City of Temple Zoning Ordinance Section 7-625 regarding HUD-Code Manufactured Home Design Standards and to add Section 7-626 for existing land lease communities. (Applicant: Staff-Tim Dolan)

STAFF RECOMMENDATION: Staff requests the Commission recommend approval of Zoning Ordinance Section 7-625 regarding HUD-Code Manufactured Home Design Standards using an expanded title and to add Section 7-626 for existing land lease communities.

BACKGROUND: Staff worked with several owners of land lease communities, sales persons, and representatives associated with manufactured homes. Staff made them aware of difficulties using the ordinance in association with building permits, and sought their ideas for possible ordinance amendments. The attached outline explains the suggestion additions highlighted in yellow and the suggested deletions highlighted in red for existing facilities. The outline uses the same format as approved.

Staff requests two things from the Commission:

1. Amend the Title of 7-625 to read 7-625 HUD Code Manufactured Home Design Standards for the Expansion or Creation of Land Lease Communities – keeping the existing regulations, and
2. Create a new section of 7-626 for Existing Land Lease Communities.

Public Notice

The newspaper printed notice of the public hearing on July 26, 2007 in accordance with state law and local ordinance

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

Proposed Outline

DRAFT

7-626. HUD-Code Manufactured Home Design Standards – Existing Land Lease Communities.

HUD-Code Manufactured Home Developments in existing Land Lease Communities shall be subject to the following standards:

1. Perimeter screening. Screening walls or landscaping shall enclose all HUD-Code Manufactured Developments and Land Lease Communities at the perimeter of the development, excluding drive approaches. Screening walls shall be consistent with Section 13-102. Landscape screening shall consist of not less than one shade tree per 40 feet of boundary, including street frontage, with continuous shrubs screening the space between trees.
2. Dimensions. HUD-Code Manufactured Homes shall be ~~“double-wide” units at least 24 feet in width~~ “single-wide” or a “double-wide” unit with no structure more than ten (10) years of age.
3. Transport Equipment. Running gear, tongues, axles and wheels shall be removed at the time of installation.
4. Roof. ~~The roof must be predominately double pitched and have a minimum rise of 3 inches for every 12 inches of vertical run (3:12 roof pitch).~~ The roof must be covered with material that is commonly used on site-built single-family dwellings within the city, including but not limited to wood, asphalt composition shingles, fiberglass, galvanized metal, or architectural metal panels, and excluding corrugated aluminum, corrugated fiberglass or corrugated metal. ~~The roof shall have a minimum eave projection and roof overhang of eight inches.~~
5. Siding. Exterior siding shall be of a material that is commonly used on site-built single-family dwellings within the city that does not have a high-gloss finish. It may include wood, cementation’s board, composition, clapboard, conventional vinyl or metal siding, brick, stucco or similar materials, but exclude smooth, ribbed or corrugated metal or plastic panels.
6. Foundation. All units must be installed on a permanent foundation in accordance with the Texas Department of Housing and Community Affairs (TDHCA) rules.
7. Skirting. The perimeter of the crawl space shall be skirted, with openings only for crawl space ventilation, access, and equipment operation. Skirting shall be constructed of brick, masonry, concrete, stucco, or the same material as the siding on the unit. ~~Shrubs shall be placed along at least 50 percent of the skirting around each unit.~~
8. Storage Building. A storage building shall be provided at each site and shall be installed on a concrete foundation prior to occupancy of the unit. The A storage building, if used, shall be installed on a concrete foundation, shall be placed in the rear or side yard, constructed of low maintenance materials, and if painted, shall match be compatible with the color of the unit manufactured house.

**EXCERPTS FROM THE
PLANNING & ZONING COMMISSION MEETING
MONDAY, AUGUST 6, 2007**

ACTION ITEMS

3. **Z-FY-07-50** Hold a public hearing to consider amending the City of Temple Zoning Ordinance Section 7-625 regarding the title for HUD-Code Manufactured Home Design Standards and to add Section 7-626 for existing land lease communities. (Applicant: Staff-Tim Dolan)

Mr. Tim Dolan, Planning Director, presented this item as outlined in the Planning and Zoning Commission agenda background. He said Staff requests two things from the Commission:

1. Amend the Title of 7-625 to read 7-625 HUD Code Manufactured Home Design Standards for the Expansion or Creation of Land Lease Communities – keeping the existing regulations, and
2. Create a new section of 7-626 for Existing Land Lease Communities.

Commissioner Kjelland asked Mr. Dolan to explain the storage building requirements. Mr. Dolan explained that the existing ordinance states a storage building “shall” be built. He went on to say that some of the older spaces in Temple do not physically have the room for a storage building. Mr. Dolan said the amendment to the ordinance will give the owner the option to have a storage building or not. He said if the owner chooses to place a storage building it will have to meet the same standards and regulations as the existing ordinance requires.

Chair Thomas opened the public hearing asking anyone wishing to speak in favor or in opposition to the request to address the Commission.

Mr. Mike Ringstaff, owner of A+ Homes on I-35, addressed the Commission. He said he would like to strongly urge the Commission to change and adopt the ruling as they are known to be now. Mr. Ringstaff said single unit manufactured homes are more affordable and are needed in the older manufactured home communities.

Mr. Larry Wright, 88 Cedar Trail Dr., Belton, Texas, addressed the Commission. He said he concurs with Mr. Ringstaff and asked approval from the Commission on this request.

Chair Thomas closed the public hearing.

Motion to recommend approval of Z-FY-07-50, by Commissioner Kjelland; seconded by Commissioner Kasberg.

Motion passed (6/0).

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AMENDING ORDINANCE NO. 91-2101, THE ZONING ORDINANCE OF THE CITY OF TEMPLE, TEXAS, AMENDING SECTION 7-625, "HUD-CODE MANUFACTURED HOME DESIGN STANDARDS," AND ADDING SECTION 7-626, TO DISTINGUISH STANDARDS FOR CREATION AND EXPANSION OF DEVELOPMENTS OR COMMUNITIES FROM STANDARDS FOR EXISTING SITES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: The City Council approves an amendment to Ordinance No. 91-2101, the Zoning Ordinance of the City of Temple, by amending Section 7-625, entitled, "HUD-Code Manufactured Home Design Standards," to read as follows:

7-625. HUD-Code Manufactured Home Design Standards--Expansion or Creation of Developments or Communities.

HUD-Code Manufactured Home Developments and Land Lease Communities shall be subject to the following standards:

1. *Perimeter screening.* Screening walls or landscaping shall enclose all HUD-Code Manufactured Developments and Land Lease Communities at the perimeter of the development, excluding drive approaches. Screening walls shall be consistent with Section 13-102. Landscape screening shall consist of not less than one shade tree per 40 feet of boundary, including street frontage, with continuous shrubs screening the space between trees.
2. *Dimensions.* HUD-Code Manufactured Homes shall be "double-wide" units at least 24 feet in width.
3. *Transport Equipment.* Running gear, tongues, axles and wheels shall be removed at the time of installation.
4. *Roof.* The roof must be predominately double pitched and have a minimum rise of 3 inches for every 12 inches of vertical run (3:12 roof pitch). The roof must be covered with material that is commonly used on site-built single-family dwellings within the city, including but not limited to wood, asphalt composition shingles, fiberglass, or architectural metal panels, and excluding corrugated aluminum, corrugated fiberglass

or corrugated metal. The roof shall have a minimum eave projection and roof overhang of **8** ~~eight~~ inches.

5. *Siding.* Exterior siding shall be of a material that is commonly used on site-built single-family dwellings within the city, that does not have a high-gloss finish. It may include wood, cementitious board, composition, clapboard, conventional vinyl or metal siding, brick, stucco or similar materials, but exclude smooth, ribbed or corrugated metal or plastic panels.

6. *Foundation.* All units not located in Land Lease Communities must be installed on a permanent foundation in accordance with the Texas Department of Housing and Community Affairs (TDHCA) rules.

7. *Skirting.* The perimeter of the crawl space shall be skirted, with openings only for crawl space ventilation, access, and equipment operation. Skirting shall be constructed of brick, masonry, concrete, stucco, or the same material as the siding on the unit. Shrubs shall be placed along at least 50 percent of the skirting around each unit.

8. *Storage Building.* A storage building shall be provided at each site and shall be installed on a concrete foundation prior to occupancy of the unit. The storage building shall be placed in the rear or side yard, constructed of low maintenance materials, and if painted, shall match the color of the unit.

Part 2: The City Council approves an amendment to Ordinance No. 91-2101, the Zoning Ordinance of the City of Temple, by adding a new Section 7-626, entitled, “HUD-Code Manufactured Home Design Standards – Existing Land Lease Communities,” to read as follows:

7-626. HUD-Code Manufactured Home Design Standards—Existing Sites

HUD-Code Manufactured Home Developments and Land Lease Communities established before September 7, 2007, shall be subject to the following standards:

1. *Perimeter screening.* Screening walls or landscaping shall enclose all HUD Code Manufactured Developments and Land Lease Communities at the perimeter of the development, excluding drive approaches. Screening walls shall be consistent with Section 13-102. Landscape screening shall consist of not less than one shade tree per 40 feet of boundary, including street frontage, with continuous shrubs screening the space between trees.

2. *Dimensions.* HUD-Code Manufactured Homes shall be single-wide or double-wide units with no structure more than 10 years of age when installed.

3. *Transport Equipment.* Running gear, tongues, axles and wheels shall be removed at the time of installation.

4. *Roof.* The roof of a single-wide or double-wide unit must be covered with material

that is commonly used on site-built single-family dwellings within the city, including but not limited to wood, asphalt composition shingles, fiberglass, galvanized metal, or architectural metal panels, and excluding corrugated aluminum, corrugated fiberglass or corrugated metal. The roof of a double-wide home must be predominately double pitched and have a minimum rise of 3 inches for every 12 inches of vertical run (3:12 roof pitch). The roof shall have a minimum eave projection and roof overhang of 8 inches.

5. *Siding.* Exterior siding shall be of a material that is commonly used on site-built single-family dwellings within the city that does not have a high-gloss finish. It may include wood, cementation's board, composition, clapboard, conventional vinyl or metal siding, brick, stucco or similar materials, but exclude smooth, ribbed or corrugated metal or plastic panels.

6. *Foundation.* All units must be installed on a permanent foundation in accordance with the Texas Department of Housing and Community Affairs (TDHCA) rules.

7. *Skirting.* The perimeter of the crawl space shall be skirted, with openings only for crawl space ventilation, access, and equipment operation. Skirting shall be constructed of brick, masonry, concrete, stucco, or the same material as the siding on the unit.

8. *Storage Building.* A storage building, if used, shall be installed with a concrete foundation, placed in the rear or side yard, constructed of low maintenance materials, and if painted, shall be compatible with the color of the manufactured house.

Part 3: If any provision of this ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

Part 4: Ordinance No. 91-2101, the Zoning Ordinance of the City of Temple, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

Part 5: This ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

Part 6: It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on First Reading and Public Hearing on the 16th day of August, 2007.

PASSED AND APPROVED on Second Reading and Public Hearing on the 6th day of September, 2007.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

Clydette Entzminger
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

09/06/07
Item #4(HH)
Consent Agenda
Page 1 of 3

DEPT./DIVISION SUBMISSION & REVIEW:

Tim Dolan, AICP, Planning Director

ITEM DESCRIPTION: SECOND READING – Z-FY-07-51: Consider adopting an ordinance amending the City of Temple Zoning Ordinance Sections 7-103, 8-902, 10-101, and 21-101 regarding accessory dwelling units in a non-residential zoning district and associated design standards.

P&Z COMMISSION RECOMMENDATION: The P&Z Commission voted 6/0 to recommend approval to amend this ordinance at its meeting on August 6, 2007.

STAFF RECOMMENDATION: Adopt ordinance as presented in item description, on second and final reading as follows:

Section 7-103 - Amend the Accessory and Incidental Uses table to allow “Accessory Dwelling Unit” by right in all non-residential districts.

Section 8-902 - Change the title of this section to “Accessory Building and Use Regulations” and amend the outline of this subsection to:

8-902 Accessory Building and Use Regulations”

1. Residential Accessory Buildings in Residential Districts

1. Front Yard
2. Side Yard
3. Rear Yard

2. Non-Residential Accessory Buildings in Non-Residential Districts

3. Accessory Dwelling Units in Non-Residential Districts

Accessory dwelling units must be located within the main structure. Detached accessory dwelling units are prohibited in non-residential districts.

1. Except in the CA district

- a. Only one accessory dwelling unit is allowed per lot.
- b. An accessory dwelling unit may not occupy more than 49% of the total floor area of the main structure.

- c. An accessory dwelling unit may only be occupied by an employee of the business or industry occupying the main structure and that employee's family.
- d. Parking is required for the accessory dwelling unit in accordance with Section 10-101.

2. In the CA district

- a. More than one accessory dwelling unit is allowed per lot.
- b. Accessory dwelling units may occupy more than 49% of the total floor area of the main structure.
- c. Parking is required for each accessory dwelling unit in accordance with Section 10-101.

Section 10-101 - Amend the Vehicle Parking Regulations table to require the following number of parking spaces for accessory dwelling units:

MU	<u>(d) Accessory Dwelling Unit - two (2) each dwelling unit</u>
O-1	<u>Two (2) each dwelling unit; two (2) each accessory dwelling unit</u>
O-2	<u>Two (2) each dwelling unit; two (2) each accessory dwelling unit</u>
NS	<u>Two (2) each dwelling unit; two (2) each accessory dwelling unit</u>
GR	<u>Two (2) each dwelling unit; two (2) each accessory dwelling unit</u>
CA	<u>One (1) each dwelling unit; one (1) each accessory dwelling unit</u>
C	<u>One (1) each dwelling unit; one (1) each accessory dwelling unit</u>
LI	<u>Dwellings are excluded Two (2) each accessory dwelling unit</u>
HI	<u>Dwellings are excluded Two (2) each accessory dwelling unit</u>

Section 21-101 - Add a definition for "Accessory Dwelling – A dwelling unit subordinate to and incidental to the primary use of the main building or to the primary use of the premises."

ITEM SUMMARY: While *primary* residential uses are permitted by right in most of Temple's non-residential zoning districts, the ordinance is silent on the topic of *accessory* residential uses in non-residential districts. The catalyst for this code amendment is a recent building permit application submitted by a physician with permanent residence in Paris, TX who is establishing a practice in Temple. The applicant proposes to remodel an existing office building on S. 45th and Ave J in the O-1 District to contain a doctor's office on one side and a small accessory dwelling unit on the other side. He plans will reside in the accessory dwelling unit on the days he sees patients in Temple.

Several cities including Killeen, Marble Falls, and Georgetown allow this type of use. The primary intent of the amendment is to allow one accessory dwelling unit in a non-residential structure with associated design standards. The owner or an employee of the business would occupy the unit.

The amendment will allow more than one accessory dwelling unit per lot in the CA District only where the units do not have to be occupied by an employee of the business on-premises.

FISCAL IMPACT: None

ATTACHMENTS:

[Zoning Ordinance Section 7-103, 8-902, 10-101, and 21-101 Suggested Revisions](#)

[P&Z Staff Report](#)

[P&Z Minutes](#)

[Ordinance](#)

[illegible]

SECTION 8
AREA REGULATIONS

...

8-902 ACCESSORY BUILDING AND ~~STRUCTURE~~ **USE REGULATIONS**

...

1. ~~RESIDENTIAL~~ ACCESSORY BUILDINGS IN RESIDENTIAL DISTRICTS

...

2. ~~NON-RESIDENTIAL~~ ACCESSORY BUILDINGS IN NON-RESIDENTIAL DISTRICTS

...

3. ACCESSORY DWELLING UNITS IN NON-RESIDENTIAL DISTRICTS

Accessory dwelling units must be located within the main structure. Detached accessory dwelling units are prohibited in non-residential districts.

1. Except in the CA district

- a. Only one accessory dwelling unit is allowed per lot.
- b. An accessory dwelling unit may not occupy more than 49% of the total floor area of the main structure.
- c. An accessory dwelling unit may only be occupied by an employee of the business occupying the main structure and that employee's family.
- d. Parking is required for the accessory dwelling unit in accordance with Section 10-101.

2. In the CA district

- a. More than one accessory dwelling unit is allowed per lot.
- b. Accessory dwelling units may occupy more than 49% of the total floor area of the main structure.
- c. Parking is required for each accessory dwelling unit in accordance with Section 10-101.

SECTION 10

VEHICLE PARKING REGULATIONS

10-100 Except as hereinafter provided, no building or structure or part thereof may be erected, altered or converted for any use permitted in the district in which it is located unless there ...

10-101 In the following zoning districts, the minimum off-street parking spaces for residential uses are:

DISTRICTS	NUMBER SPACES REQUIRED
A, Agricultural	Two (2) each dwelling unit
UE, Urban Estates	Two (2) each dwelling unit
SF-1, Single Family	Two (2) each dwelling unit
SF-2, Single Family	Two (2) each dwelling unit
SF-3, Single Family	Two (2) each dwelling unit
SFA, Single Family Attached	Two (2) each dwelling unit
SFA-2, Single Family Attached	Two (2) each dwelling unit
SFA-3, Single Family Attached	Two (2) each dwelling unit
2F, Two Family	Two (2) each dwelling unit
TH, Townhouse	Two (2) each dwelling unit
MH, Manufactured Home	Two (2) per each HUD-Code Manufactured Home plus one guest space per four (4) sites in land use communities located in the vicinity of the sites to be served.
MF-1, Multiple Family	(a) 1.75 spaces each dwelling unit with one bedroom. (b) Two (2) spaces each dwelling unit with two or more bedrooms. (c) One (1) space each dwelling unit designed for occupancy exclusively by elderly and/or low-income persons. (d) Two (2) each dwelling unit if less than three (3) units (e) .75 space each dwelling if units designed exclusively for handicapped residents.
MF-2, Multiple Family	Same as MF-1 above, except two (2) each dwelling unit if less than three (3) units
MF-3, Multiple Family	Same as MF-1 above, except two (2) each dwelling unit if less than three (3) units
MU, Mixed Use	(a) Single family dwelling attached—two (2) each dwelling unit (b) Two family, single family dwelling detached, and townhouse—one (1) each 900 square feet of living area (c) Multiple family dwelling—one (1) for first bedroom of unit and 0.5 for each additional bedroom. (d) Accessory Dwelling Unit – two (2) each dwelling unit
O-1, Office	Two (2) each dwelling unit; two (2) each accessory dwelling unit
O-2, Office	Two (2) each dwelling unit; two (2) each accessory dwelling unit
NS, Neighborhood Service	Two (2) each dwelling unit; two (2) each accessory dwelling unit
GR, General Retail	Two (2) each dwelling unit; two (2) each accessory dwelling unit
CA, Central Area	One (1) each dwelling unit; one (1) each accessory dwelling unit
C, Commercial	One (1) each dwelling unit; one (1) each accessory dwelling unit
LI, Light Industrial	Dwellings are excluded Two (2) each accessory dwelling unit
HI, Heavy Industrial	Dwellings are excluded Two (2) each accessory dwelling unit

SECTION 21

DEFINITIONS

...

21-101 Words in the present tense include the future, words in the singular number include the plural number and words in the plural number include the singular number; the word "building" includes the word "structure"; the word "lot" includes the words "plot" or "tract"; the word "shall" is mandatory and not discretionary.

...

ACCESSORY DWELLING - A dwelling unit subordinate to and incidental to the primary use of the main building or to the primary use of the lot.

...



PLANNING AND ZONING COMMISSION AGENDA ITEM

8/6/07
Item 4
Page 1 of 2

APPLICANT / DEVELOPMENT: City of Temple

CASE MANAGER: Aaron Adel, AICP – Special Projects Planner

ITEM DESCRIPTION: Z-FY-07-51 Hold a public hearing to consider amending the City of Temple Zoning Ordinance Sections 7-103, 8-902, 10-101, and 21-01 regarding accessory dwelling units in non-residential zoning district and associated design standards.

BACKGROUND: The City of Temple Zoning Ordinance currently makes no provision for accessory dwelling uses in non-residential districts. A building permit application was submitted recently requesting an accessory dwelling use within an office building. The applicant for the building permit is proposing one structure to contain a doctor's office and small accessory dwelling unit. This application has highlighted the City's lack of regulation in this regard and has been the catalyst for the suggested amendment to the Zoning Ordinance.

Several cities in Central Texas have provisions in their ordinance to allow accessory dwelling uses in non-residential districts. Among the cities allowing this type of use are Killeen, Marble Falls, and Georgetown. The primary intent of the suggested ordinance amendment is to provide a dwelling unit within a non-residential structure that can be occupied by the owner or other employee of the business such as a manager or caretaker.

Provisions are also included in the suggested ordinance amendment to allow accessory dwelling uses in the CA – Central Area District where:

1. The unit does not have to be occupied by an employee of the primary non-residential use, and
2. The dwelling can occupy an area equal to more than 50% of the building area occupied by the primary non-residential use. An example would be a loft apartment above a first-story storefront. This type of use configuration was suggested by the 1998 American Institute of Architects Regional/Urban Design Assistance Team (R/UDAT) study of Downtown Temple.

The suggested amendment to the Zoning Ordinance pertains to the following Sections:

Section 7-103 Amend the "Accessory and Incidental Uses" table to allow "Accessory Dwelling" by right in all non-residential districts.

Section 8-902 a. Change the title of this Section to "*Accessory Building and Use Regulations*"

b. Add text to the Non-Residential subsection stating: "*Accessory dwelling uses are permitted in non-residential districts when the dwelling unit is clearly incidental to the primary use of the premises. Accessory dwelling uses must be located in the main structure. Except in the CA district, accessory dwelling uses must be less than 50% of the total floor area of the main structure. Except in the CA district, the accessory dwelling unit must be occupied by a family having at least one member employed on-premises. Except in the CA district, only one accessory dwelling unit shall be*

permitted per lot or parcel Parking is required for the accessory dwelling unit in accordance with Section 10-101."

Section 10-101 Amend the table for LI and HI to require *"Two (2) parking spaces for each accessory dwelling unit."*

Section 21-101 Add a definition for *"Accessory Dwelling – A dwelling unit subordinate to and incidental to the primary use of the main building or to the primary use of the premises."*

Public Notice

The newspaper printed a Notice of Public Hearing on July 27, 2007 in accordance with state law and local ordinance

STAFF RECOMMENDATION: Approval.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

Zoning Ordinance Section 7-103 Suggested Revisions
Zoning Ordinance Section 8-902 Suggested Revisions
Zoning Ordinance Section 10-101 Suggested Revisions
Zoning Ordinance Section 21-101 Suggested Revisions

**EXCERPTS FROM THE
PLANNING & ZONING COMMISSION MEETING
MONDAY, AUGUST 6, 2007**

ACTION ITEMS

4. **Z-FY-07-51** Hold a public hearing to consider amending the City of Temple Zoning Ordinance Sections 7-103, 8-902, 10-101, and 21-01 regarding accessory dwelling units in non-residential zoning district and associated design standards. (Applicant: Staff-Aaron Adel)

Ms. Aaron Adel, Special Projects Planner, presented this item as outlined in the Planning and Zoning Commission agenda background. She said the existing ordinance allows a variety of primary residential uses in non-residential districts. Ms. Adel said the main catalyst for this item is a building permit application that was submitted to the Permit Department proposing one structure to contain a doctor's office and a small accessory dwelling unit. She said several cities in Central Texas allow accessory dwelling uses in non-residential districts; including Killeen, Marble Falls, and Georgetown.

There was discussion on allowing accessory dwelling uses in the Central Area District, and required parking for these structures.

Chair Thomas opened the public hearing asking anyone wishing to speak in favor or in opposition to the request to address the Commission. Seeing no one Chair Thomas closed the public hearing.

Motion to recommend approval of Z-FY-07-51 by Commissioner Hurd; seconded by Commissioner Pilkington.

Motion passed (6/0).

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AMENDING ORDINANCE NO. 91-2101, THE ZONING ORDINANCE OF THE CITY OF TEMPLE, TEXAS, AMENDING SECTION 7-103, 8-902, 10-101, AND 21-101, REGARDING ACCESSORY DWELLING UNITS IN A NON-RESIDENTIAL ZONING DISTRICT AND ASSOCIATED DESIGN STANDARDS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: The City Council approves an amendment to Ordinance No. 91-2101, the Zoning Ordinance of the City of Temple, by amending Section 7-103, entitled, “Accessory and Incidental Uses,” in accordance with the chart attached hereto as Exhibit “A.”

Part 2: The City Council approves an amendment to Ordinance No. 91-2101, the Zoning Ordinance of the City of Temple, amending Section 8-902, entitled, “Accessory Building and Structure Regulations,” to read as follows:

8-902 ACCESSORY BUILDING AND STRUCTURE- USE REGULATIONS

Area regulations for accessory buildings or accessory structures in residential and non-residential districts.

1. ~~RESIDENTIAL~~ ACCESSORY BUILDINGS IN RESIDENTIAL DISTRICTS

The following setback regulations for accessory buildings apply to the listed residential districts:

A	Agricultural	SFA-3	Single Family Attached
UE	Urban Estate	MH	Mobile Home
SF-1	Single Family	2-F	Two Family
SF-2	Single Family	TH	Townhouse
SF-3	Single Family	MF-1	Multiple Family
SFA	Single Family Attached	MF-2	Multiple Family
SFA-2	Single Family Attached	MF-3	Multiple Family

- FRONT YARD:** Attached accessory buildings are deemed a part of the main building and require the same yard space as the main building.

Detached accessory buildings or structures must be located in the area defined as the rear yard.

2. **SIDE YARD:** A side yard is required for any accessory building or structure located in a residential area of not less than three (3) feet from any side lot line, alley line or easement line, except that adjacent to a side street the side yard shall never be less than ten (10) feet. Where a one-hour fire wall is provided, no side yard need be provided on one side of a lot only for an accessory building located in the rear one-half (1/2) of the lot. (See Appendix Illustration 3)

3. REAR YARD

- a. A rear yard is required for any accessory building or structure of not less than three (3) feet measured from any lot line, alley line or easement line. In residential districts, the main building and all accessory buildings shall not cover more than fifty (50) percent of that portion of the lot lying to the rear of a line erected joining the midpoint of one side lot line with the midpoint of the opposite side lot line. Detached carports, garages or other detached accessory buildings located within the rear portion of the lot as heretofore described may not be located closer than ten (10) feet to the main building nor nearer than three (3) feet to any side lot line, except where a fire wall has been provided which meets the requirements of the building and fire codes of the City, in which case no rear yard for accessory buildings is required. (See Appendix Illustration 3)
- b. Where a garage or carport is designed and constructed to be entered from an alley or side street, such garage or carport must be set back from the side street or alley a minimum distance of fifteen (15) feet to facilitate access without interference to the use of the street or alley by other vehicles or persons.

2. **NON-RESIDENTIAL ACCESSORY BUILDINGS IN NON-RESIDENTIAL DISTRICTS**

Accessory structures in non-residential districts, except MU, shall be subject to the same front yard, side yard, and rear yard setback requirements as the main building (See Section 8-402, 8-502, and 8-600 through 8-604). Except for a carport or fence for a dwelling in MU, an accessory building or structure must be located in the area defined as the rear yard (See Appendix Illustration 3) and separation between the main building and any accessory building (minimum of twenty-five (25) feet) must meet the requirements of the City of Temple's Fire Code dependant upon the buildings' uses.

3. **ACCESSORY DWELLING UNITS IN NON-RESIDENTIAL DISTRICTS**

Accessory dwelling units must be located within the main structure. Detached accessory dwelling units are prohibited in non-residential districts.

1. Except in the CA district

- a. Only one accessory dwelling unit is allowed per lot.
- b. An accessory dwelling unit may not occupy more than 49% of the total floor area of the main structure.
- c. An accessory dwelling unit may only be occupied by an employee of the business occupying the main structure and that employee's family.
- d. Parking is required for the accessory dwelling unit in accordance with Section 10-101.

2. In the CA district

- a. More than one accessory dwelling unit is allowed per lot.
- b. Accessory dwelling units may occupy more than 49% of the total floor area of the main structure.
- c. Parking is required for each accessory dwelling unit in accordance with Section 10-101.

Part 3: The City Council approves an amendment to Ordinance No. 91-2101, the Zoning Ordinance of the City of Temple, amending Section 10-101, entitled, "Vehicle Parking Regulations," to read as follows:

SECTION 10
VEHICLE PARKING REGULATIONS

10-100 Except as hereinafter provided, no building or structure or part thereof may be erected, altered or converted for any use permitted in the district in which it is located unless there shall be provided on the lot or tract or on an immediately contiguous lot or tract, or on a lot or tract within one-hundred-fifty (150) feet of such building or structure, vehicle parking in the following ratio of vehicle spaces for the uses specified in the designated districts, except that an established use lawfully existing at the effective date of this ordinance need not provide vehicle parking as hereinafter set forth and that no existing vehicle parking in connection with said uses at the effective date of this ordinance may be reduced below the minimum number of spaces as hereinafter required.

10-101 In the following zoning districts, the minimum off-street parking spaces for residential uses are:

DISTRICTS	NUMBER SPACES REQUIRED
A, Agricultural	Two (2) each dwelling unit
UE, Urban Estates	Two (2) each dwelling unit

SF-1, Single Family	Two (2) each dwelling unit
SF-2, Single Family	Two (2) each dwelling unit
SF-3, Single Family	Two (2) each dwelling unit
SFA, Single Family Attached	Two (2) each dwelling unit
SFA-2, Single Family Attached	Two (2) each dwelling unit
SFA-3, Single Family Attached	Two (2) each dwelling unit
2F, Two Family	Two (2) each dwelling unit
TH, Townhouse	Two (2) each dwelling unit
MH, Manufactured Home	Two (2) per each HUD-Code Manufactured Home plus one guest space per four (4) sites in land use communities located in the vicinity of the sites to be served.
MF-1, Multiple Family	(a) 1.75 spaces each dwelling unit with one bedroom. (b) Two (2) spaces each dwelling unit with two or more bedrooms. (c) One (1) space each dwelling unit designed for occupancy exclusively by elderly and/or low-income persons. (d) Two (2) each dwelling unit if less than three (3) units (e) .75 space each dwelling if units designed exclusively for handicapped residents.
MF-2, Multiple Family	Same as MF-1 above, except two (2) each dwelling unit if less than three (3) units
MF-3, Multiple Family	Same as MF-1 above, except two (2) each dwelling unit if less than three (3) units
MU, Mixed Use	(a) Single family dwelling attached—two (2) each dwelling unit (b) Two family, single family dwelling detached, and townhouse—one (1) each 900 square feet of living area (c) Multiple family dwelling—one (1) for first bedroom of unit and 0.5 for each additional bedroom. (d) Accessory Dwelling Unit – two (2) each dwelling unit
O-1, Office	Two (2) each dwelling unit; two (2) each accessory dwelling unit
O-2, Office	Two (2) each dwelling unit; two (2) each accessory dwelling unit
NS, Neighborhood Service	Two (2) each dwelling unit; two (2) each accessory dwelling unit
GR, General Retail	Two (2) each dwelling unit; two (2) each accessory dwelling unit
CA, Central Area	One (1) each dwelling unit; one (1) each accessory dwelling unit
C, Commercial	One (1) each dwelling unit; one (1) each accessory dwelling unit
LI, Light Industrial	Dwellings are excluded Two (2) each accessory dwelling unit
HI, Heavy Industrial	Dwellings are excluded Two (2) each accessory dwelling unit

Part 4: The City Council approves an amendment to Ordinance No. 91-2101, the Zoning Ordinance of the City of Temple, amending Section 21-101, entitled, “Definitions,” adding a new definition for *Accessory Dwelling*, to read as follows:

ACCESSORY DWELLING – A dwelling unit subordinate to and incidental to the primary use of the main building or to the primary use of the premises.

Part 5: If any provision of this ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

Part 6: Ordinance No. 91-2101, the Zoning Ordinance of the City of Temple, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

Part 7: This ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

Part 8: It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on First Reading and Public Hearing on the **16th** day of **August**, 2007.

PASSED AND APPROVED on Second Reading and Public Hearing on the **6th** day of **September**, 2007.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

Clydette Entzminger
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

09/06/07
Item #4(II)
Consent Agenda
Page 1 of 2

DEPT. /DIVISION SUBMISSION & REVIEW:

Ken Cicora, Director of Parks and Leisure Services

ITEM DESCRIPTION: Consider adopting a resolution rejecting all bids received for the construction of a roller hockey court concrete slab in Wilson Community Park.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: On June 12, 2007, the City received bids for the construction of the roller hockey court for Wilson Park. The bids were not within the project budget. The City re-bid the project on July 24, 2007. As shown on the attached bid tabulation sheet, two bids we received for the project with TTG Utilities having the low bid.

On August 16, 2007, this item was on the City Council agenda for recommendation to accept the bid from TTG Utilities in the amount of \$83,000. In order to make the project work within the allocated budget, we recommended that the digging of the hole and installing of the base that was to go below the concrete slab be done by City staff. At the August 16th meeting, Council tabled this item and requested we meet further with the engineer to determine if this is best location for this project.

After discussions with the engineer, we believe that plans for the skate park in Wilson Park have been properly designed to work for that location. We are, however, recommending the City reject all bids and that the project not be built at Wilson Park because:

1. There seemed to be a consensus by City Council at the August 16 work session that, if the skate park was to be built, a private contractor should do all of the work, including digging the hole, installing and compacting the material and pouring the concrete slab. This would ensure the responsibility for the slab not cracking rests with the contractor. That cannot be accomplished within the project budget.
2. Although a design was developed that would work for Wilson Park, the ground is unstable and another location in Temple should be selected.

There is not another location, within the grant eligible area, that we would recommend for a skate park. There is, however, \$84,630 remaining in the project budget – which is funded through a CDBG block grant. With those funds, we will develop another project that will meet the criteria for an eligible project. As we did with the skate park project, prior to going out to bid, we will bring that project to City Council for approval.

FISCAL IMPACT:

None

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, REJECTING ALL BIDS RECEIVED ON JULY 24, 2007, FOR CONSTRUCTING A ROLLER HOCKEY COURT CONCRETE SLAB IN WILSON COMMUNITY PARK; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on July 24, 2007, the City received bids for construction of a roller hockey court concrete slab in Wilson Community Park;

Whereas, since that time it has been determined the project cannot be constructed within the available budget and also that the ground in Wilson Community Park is unstable and that another location should be selected; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: The City Council rejects all bids received by the City of Temple on July 24, 2007, for constructing a roller hockey court concrete slab in Wilson Community Park.

Part 2: It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the 6th day of **September**, 2007.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

Clydette Entzminger
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

09/06/07
Item #4(JJ)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Traci Barnard, Director of Finance

ITEM DESCRIPTION: Consider adopting a resolution authorizing budget amendments for fiscal year 2006-2007.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: This item is to recommend various budget amendments, based on the adopted FY 2006-2007 budget. The amendments will involve transfers of funds between contingency accounts, department and fund levels.

FISCAL IMPACT: The total amount of budget amendments is \$518,471.

ATTACHMENTS:

Budget amendments
Resolution

CITY OF TEMPLE
BUDGET AMENDMENTS FOR FY 2006-2007 BUDGET
September 6, 2007

			APPROPRIATIONS	
ACCOUNT #	PROJECT #	DESCRIPTION	Debit	Credit
110-1500-515-1150		Separation Pay (Special Services)	\$ 225,000	
110-0000-352-1345		Designated Capital Projects - Unallocated		\$ 225,000
Additional funds needed to cover separation pay through the end of the fiscal year for terminating/retiring General Fund employees.				
110-2000-521-2516		Judgments & Damages (Police)	\$ 263	
110-1500-515-6531		Contingency - Judgments & Damages		\$ 263
Attorney fees for lawsuit filed against City - - Steven Taylor v. City of Temple				
110-2000-521-6229	200003	OCU Seized Funds/State (Police)	\$ 19,577	
110-0000-313-0330		Reserved for Seized Funds		\$ 19,577
Federal Seized Funds are needed to purchase four (4) Voice Activated Radio Dispatched Alarm Systems				
110-2200-522-2514		Travel & Training (Fire)	\$ 1,251	
110-0000-442-1630		Fire Department Revenue		\$ 1,251
Recognize training funds from the Texas Commission on Law Enforcement Officer Standards & Education (TCLEOSE) in the Fire Department revenue account and appropriate the funds to the Fire Department Travel & Training expenditure account. TCLEOSE funding is designated for approved TCLEOSE training.				
110-2200-522-2513		Special Services (Fire)	\$ 2,460	
110-0000-442-1629		Fire Donations/Gifts		\$ 2,460
Recognize donation of funds to the Fire Donations/Gifts account and appropriate the funds to the expenditure account.				
110-3200-551-2112		Food Items/Supplies (Recreation)	\$ 7,000	
110-3200-551-2118		Chemicals/Compressed Gas	\$ 8,000	
110-3200-551-2513		Specials Services	\$ 22,000	
110-3200-551-2623		Other Contracted Services	\$ 10,000	
110-3200-551-2625		Advertising/Legals	\$ 15,000	
110-0000-445-1590		Special Events/Classes		\$ 22,000
110-0000-445-0485		Tennis Fees		\$ 17,000
110-0000-445-0492		Softball Fees		\$ 9,000
110-0000-445-0582		Swimming Pool Fees		\$ 14,000
We have had an increase in the expenditure line items of Other Contracted Services, Special Services, Advertising/Legals, Chemicals/Compressed Gas, and Food Items/Supplies due to growth in the tennis leagues, softball leagues, swimming classes and admission, and general recreation classes. All of the increased expenditures are offset by additional revenues.				
110-3500-552-2623		Other Contracted Services (Parks)	\$ 5,000	
110-0000-461-0865		Miscellaneous Reimbursements		\$ 5,000
To appropriate funds received from Keep Temple Beautiful to pay for the cost of hiring two supervisors for the City's Community Service Worker Program that is held on the weekends. These funds have already been received by the City.				

CITY OF TEMPLE
BUDGET AMENDMENTS FOR FY 2006-2007 BUDGET
September 6, 2007

			APPROPRIATIONS	
ACCOUNT #	PROJECT #	DESCRIPTION	Debit	Credit
110-3700-524-2516		Judgments & Damages (Construction Safety)	\$ 420	
110-1500-515-6531		Contingency - Judgments & Damages		\$ 420
Attorney fees for lawsuit filed against the City - - Centex Investments v. City of Temple				
292-2900-534-2616		Professional (Drainage)		\$ 202,500
292-0000-352-1345		Designated Capital Projects - Drainage Master Plan Update	\$ 202,500	
To designated funds available in the Drainage Fund for the Drainage Master Plan Update. These funds are available from the Westfield Drainage Improvements in the amount of \$172,500 along with \$30,000 of funds from the operating budget of the drainage systems maintenance account.				
TOTAL AMENDMENTS			\$ 518,471	\$ 518,471
GENERAL FUND				
Beginning Contingency Balance			\$	38,765
Added to Contingency Sweep Account			\$	-
Carry forward from Prior Year			\$	65,000
Taken From Contingency			\$	(69,467)
Net Balance of Contingency Account			\$	34,298
Beginning Judgments & Damages Contingency			\$	70,000
Added to Contingency Judgments & Damages from Council Contingency			\$	-
Taken From Judgments & Damages			\$	(53,802)
Net Balance of Judgments & Damages Contingency Account			\$	16,198
Beginning Compensation Plan Contingency			\$	650,000
Added to Compensation Plan Contingency			\$	-
Taken From Compensation Plan Contingency			\$	(650,000)
Net Balance of Compensation Plan Contingency Account			\$	-
Net Balance Council Contingency			\$	50,496
Beginning Balance Budget Sweep Contingency			\$	-
Added to Budget Sweep Contingency			\$	-
Taken From Budget Sweep			\$	-
Net Balance of Budget Sweep Contingency Account			\$	-
WATER & SEWER FUND				
Beginning Contingency Balance			\$	6,359
Added to Contingency Sweep Account			\$	-
Taken From Contingency			\$	(3,002)
Net Balance of Contingency Account			\$	3,357
Beginning Compensation Plan Contingency			\$	136,500
Added to Compensation Plan Contingency			\$	-
Taken From Compensation Plan Contingency			\$	(136,500)
Net Balance of Compensation Plan Contingency Account			\$	-
Net Balance Water & Sewer Fund Contingency			\$	3,357

CITY OF TEMPLE
BUDGET AMENDMENTS FOR FY 2006-2007 BUDGET
September 6, 2007

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
		HOTEL/MOTEL TAX FUND		
		Beginning Contingency Balance		\$ 34,905
		Added to Contingency Sweep Account		\$ -
		Taken From Contingency		\$ -
		Net Balance of Contingency Account		\$ 34,905
		Beginning Compensation Plan Contingency		\$ 20,000
		Added to Compensation Plan Contingency		\$ -
		Taken From Compensation Plan Contingency		\$ (16,000)
		Net Balance of Compensation Plan Contingency Account		\$ 4,000
		DRAINAGE FUND		
		Beginning Compensation Plan Contingency		\$ 11,500
		Added to Compensation Plan Contingency		\$ -
		Taken From Compensation Plan Contingency		\$ (7,200)
		Net Balance of Compensation Plan Contingency Account		\$ 4,300
		FED/STATE GRANT FUND		
		Beginning Contingency Balance		\$ -
		Carry forward from Prior Year		\$ 155,068
		Added to Contingency Sweep Account		\$ -
		Taken From Contingency		\$ (128,096)
		Net Balance of Contingency Account		\$ 26,972

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE,
TEXAS, APPROVING BUDGET AMENDMENTS TO THE 2006-2007
CITY BUDGET; AND PROVIDING AN OPEN MEETINGS CLAUSE.**

Whereas, on the 31st day of August, 2006, the City Council approved a budget for the 2006-2007 fiscal year; and

Whereas, the City Council deems it in the public interest to make certain amendments to the 2006-2007 City Budget.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: The City Council approves amending the 2006-2007 City Budget by adopting the budget amendments which are more fully described in Exhibit A, attached hereto and made a part hereof for all purposes.

Part 2: It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the 6th day of **September**, 2007.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

Clydette Entzminger
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

09/06/07
Item #5
Regular Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Tim Dolan, AICP, Planning Director

ITEM DESCRIPTION: FIRST READING – PUBLIC HEARING - Z-FY-07-52: Consider adopting an ordinance authorizing a zoning change from a portion of the General Retail District and Office One District to the Single Family Three District on approximately 20.011 acres of land commonly known as Outblock 6010-A, City Addition, located at the northeast corner of South 31st Street and FM 93.

P&Z COMMISSION RECOMMENDATION: The Planning & Zoning Commission recommended approval of the zoning request for Z-FY-07-52 with a vote of 9/0.

STAFF RECOMMENDATION: Conduct public hearing and adopt ordinance as presented in item description, on first reading, and schedule second reading and final adoption for September 20, 2007.

ITEM SUMMARY: This zoning change from General Retail District and Office One District to Single Family Three District on approximately 20.011 acres of land commonly known as Outblock 6010-A, City Addition, located at the northeast corner of South 31st Street and FM 93, is recommended for approval since:

1. The request complies with the requested amendment to the future land use map of the West Temple Land Use Plan Map;
2. The request complies with the Thoroughfare Plan; and
3. The request complies with Adequacy of Public Facilities.

Please refer for background to the Agenda Memo, dated 08/20/06 for the Planning & Zoning Commission.

FISCAL IMPACT: N/A

ATTACHMENTS:

Aerial
Land Use Map
Zoning Map
Plat Map Exhibit
PZ Staff Report
PZ Excerpts
Ordinance





Z-FY-07-52

20.01 Acres

Outblock 6010-A

AGRICULTURAL

● Agricultural
(A)

RESIDENTIAL

● Low Density
(0-2 DU/ACRE)
(UE)

● Moderate Density
(2-6 DU/ACRE)
(SF-1, SF-2, SF-3, MH, 2-F)

● Medium Density
(6-12 DU/ACRE)
(MH, 2-F, TH, MF-1)

● High Density
(12-25 DU/ACRE)
(MF-2)

COMMERCIAL

● Neighborhood and
Community Retail
(NS, GR)

● Office
(O-1, O-2)

● Regional Commercial
(C, CA)

MIXED USE

● Mixed Use Areas

INDUSTRIAL

● Light and Heavy
Industrial
(LI, HI)

**COMMUNITY
FACILITIES**

● CF-E (Schools)
● CF-G (General)
● CF-M (Medical)
● CF-R (Religious)

● PARKS

THOROUGHFARE

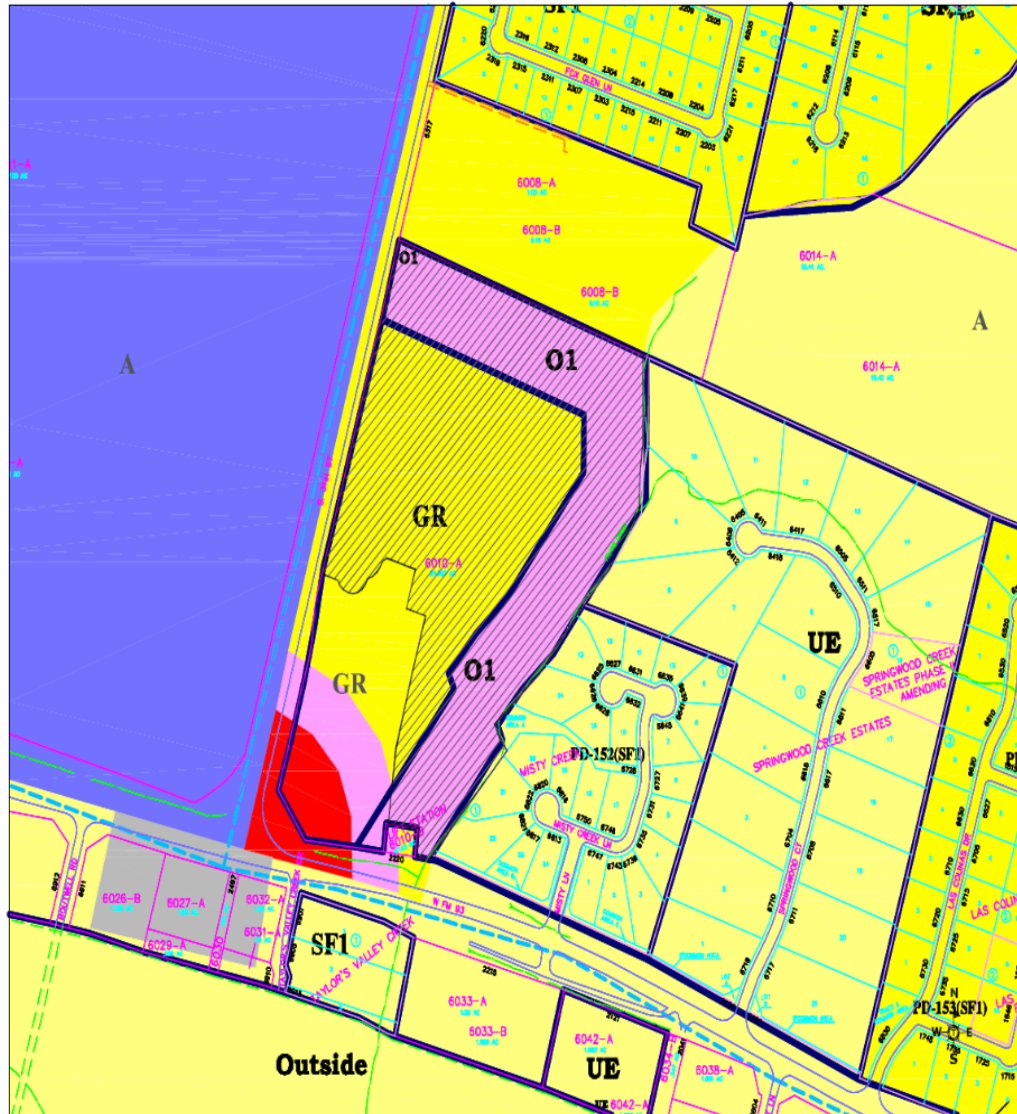
● Collector

● Minor Arterial

● Major Arterial

● Freeway

 **Proposed
Rezone**



01 & GR to SF3

J Stone/GIS Mapping
07-31-07

Scale: 1"=400'




Z-FY-07-52

20.01 Acres

Outblock 6010-A



 **Area of Proposed Zone Change**

 **200' Radius**

O1 & GR to SF3

**J. Stone/GIS Mapping
07-31-07
Scale: 1"=400'**

BE DESIGNED IN ACCORDANCE WITH THE CITY OF
AND DESIGN MANUAL.

SURVEY S. GRID NORTH, AND 83, BASED ON CITY
4. C.O.T. #1004, 1003132.9 NORTH, 201742.95
30.96' COMBINED CORRECTION FACTOR = 0.999847.

SERVED, VIA A PRIVATE ACCESS DATE. ACCESS
MENT APPROVED KNOCKBOX WITH KEYS, EMERGENCY
-BE STRIPPED TO FACILITATE ONE-WAY TRAFFIC, AND
-FOOD TRASH SERVICES.

TANGENT TABLE

160.70'	S89.0445°E
71.17'	N06.6414°E
100.00'	S83.1346°E
45.06'	S06.4614°W
76.65'	S83.1931°E
188.44'	N49.0909°E
35.33'	S73.1145°E
38.17'	N29.9910°E
76.83'	N43.1011°E
17.53'	N29.9910°E
87.53'	N02.2407°E
65.52'	N06.4034°E

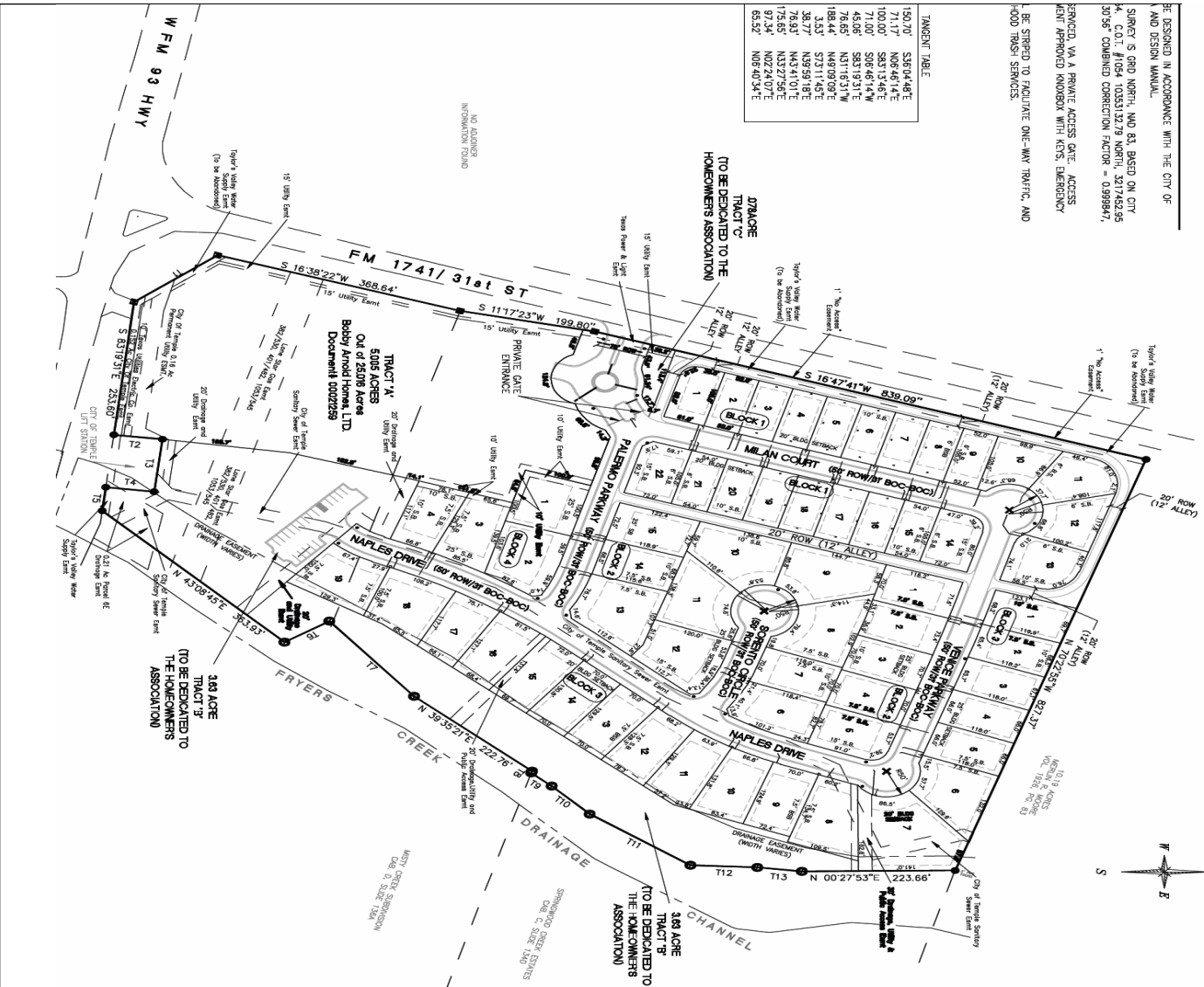
TRACT 'C'
TO BE DEDICATED TO THE
HOMEOWNERS ASSOCIATION

TRACT 'B'
TO BE DEDICATED TO
THE HOMEOWNERS
ASSOCIATION

TRACT 'A'
TO BE DEDICATED TO
THE HOMEOWNERS
ASSOCIATION

TRACT 'X'
5.008 ACRES
Out of 25.008 Acres
Bobby Arnold Farms, LTD.
Document 0002289

NO ADJACENT
INFORMATION FOUND





PLANNING AND ZONING COMMISSION AGENDA ITEM

08/20/07
Item 3
Page 1 of 2

APPLICANT / DEVELOPMENT: Bobby Arnold c/o Beach & Clark Engineering

CASE MANAGER: Tim Dolan, AICP, Planning Director

ITEM DESCRIPTION:

Public Hearing - Z-FY-07-52: Consider a zone change from a portion of General Retail District and Office One District to Single Family Three District on approximately 20.011 acres of land commonly known as Outblock 6010-A, City Addition, located at the northeast corner of South 31st Street and FM 93. (Applicant: Bobby Arnold c/o Beach & Clark Engineering)

BACKGROUND:

The applicant requests the Commission to consider amending the Zoning Map from both GR and O-1 to SF-3, for a planned single family subdivision, which will have a single point of ingress from 31st Street. (See Item 9)

Surrounding Property and Uses

The property to the north is undeveloped and is zoned Agriculture. The property to the east is developed as a single family subdivision and zoned SF-1. The property to the south across SH 93 is developed as a single family subdivision and zoned SF-1. The property south of the subject tract is undeveloped and zoned GR. The property to the west is undeveloped and zoned Agriculture.

A zoning request must be reviewed for compliance with the Comprehensive Plan.

Future Land Use Plan & Future Trends

The West Temple Land Use Plan Future Land Use Plan shows this area as single family and planned for Office Uses. The request complies with the Future Land Use Plan.

Thoroughfare Plan

Both 31st Street and SH 93 flank the subject area and are shown as Arterial Roads. The request complies with the Thoroughfare Plan.

Adequacy of Public Facilities

Water and sanitary sewer serve the site. A six-inch (6.0") water line serves the site from both 31st Street and SH 93, and a 24" and 33" sewer line serve the site. The request complies with Adequacy of Public Facilities.

Development Regulations for the SF-3 District

The purpose statement of a Zoning District normally provides guidance for where in the City and under what circumstances the district should be applied. The purpose statement for the SF-3, Single-Family Three Zoning District allows urban density residential for areas well served by utilities and roadways.

The SF-3 Zoning District has the following residential dimensional requirements.

Single-Family Three (SF-3)	
Min. Lot Area (sq. ft.)	4,000
Min. Lot Width (ft.)	40
Min. Lot Depth (ft.)	100
Max. Height (stories)	2 ½
Min. Yard (ft)	
Front	15
Interior Side	05
Street Side	10
Rear	10

STAFF RECOMMENDATION:

Staff requests the Commission recommend approval of Z-FY-07-52 because:

1. The request complies with the requested amendment to the future land use map of the West Temple Land Use Plan Map;
2. The request complies with the Thoroughfare Plan; and
3. The request complies with Adequacy of Public Facilities.

Public Notice

Ten notices were mailed. As of August 16, 2007, at 5:00 P.M., no notices were returned. The notices were mailed and the newspaper printed notice of the public hearing on August 7, 2007 in accordance with state law and local ordinance.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

Land Use Map
Zoning Map
Aerial
Application

EXCERPTS FROM THE
PLANNING & ZONING COMMISSION MEETING
MONDAY, AUGUST 20, 2007

ACTION ITEMS

3. **Z-FY-07-52** Hold a public hearing to consider a zone change from a portion of General Retail District and Office One District to Single Family Three district on approximately 20.011 acres of land commonly known as Outblock 6010-A, City Addition, located at the northeast corner of South 31st Street and FM 93. (Applicant: Bobby Arnold)

Mr. Tim Dolan, Planning Director, presented this item as outlined in the Planning and Zoning Commission agenda background. He said for the record the remaining 5.08 acres is already zoned General Retail and will be unaffected by the zone change request above. Mr. Dolan discussed the Future Land Use Plan and future trends, the Thoroughfare Plan, Adequacy of Public Facilities to the subject property, development regulations for the SF-3 District. Staff recommended approval. Ten notices were mailed to surrounding property owners within 200 feet. No notices were returned in favor or in opposition to the request.

Chair Thomas opened the public hearing asking anyone wishing to speak in favor or in opposition to the request to address the Commission. Seeing no one, Chair Thomas closed the public hearing.

Motion to recommend approval of Z-FY-07-52, by Commissioner Kjelland; seconded by Commissioner Hurd.

Motion passed (9/0).

Chair Thomas changed the order of the agenda by moving item 8, P-FY-07-43 before item 4 to coincide with the above zone change, Z-FY-07-52.

ORDINANCE NO. _____

(ZONING NO. Z-FY-07-52)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING A ZONING CHANGE FROM A PORTION OF THE GENERAL RETAIL DISTRICT (GR) AND OFFICE ONE DISTRICT (O-1) TO THE SINGLE FAMILY THREE DISTRICT (SF3) ON APPROXIMATELY 20.011 ACRES OF LAND COMMONLY KNOWN AS OUTBLOCK 6010-A, CITY ADDITION, LOCATED AT THE NORTHEAST CORNER OF SOUTH 31ST STREET AND FM 93; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: The City Council approves a zoning change from the General Retail District (GR) and the Office One District (O-1) to the Single Family Three District (SF3) on approximately 20.011 acres of land commonly known as Outblock 6010-A, City Addition, located at the northeast corner of South 31st Street and FM 93, more fully described in Exhibit A, attached hereto and made a part hereof for all purposes.

Part 2: The City Council directs the Director of Planning to make the necessary changes to the City Zoning Map accordingly.

Part 3: It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such phrase, clause, sentence, paragraph or section.

Part 4: This ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

Part 5: It is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on First Reading and Public Hearing on the 6th day of September, 2007.

PASSED AND APPROVED on Second Reading on the **20th** day of **September**, 2007.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

Clydette Entzminger
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

09/06/07
Item #6(A)
Regular Agenda
Page 1 of 1

DEPT. /DIVISION SUBMISSION & REVIEW:

Aaron Adel, AICP, Special Projects Planner

ITEM DESCRIPTION: FIRST READING – PUBLIC HEARING - Z-FY-07-54(A): Consider adopting an ordinance authorizing an amendment to the West Temple Comprehensive Plan from Moderate Density Residential Use to Office Use on approximately 12.79 acres of land commonly known as Outblock 2564-A, City Addition, located on the west side of South Kegley Road, south of Wildflower Lane.

P&Z COMMISSION RECOMMENDATION: The Planning and Zoning Commission voted 7/0 to recommend approval August 20, 2007, on Staff's request because the future Office use is compatible with the planned future use of the adjacent property and compatible with the minor arterial classification of Kegley Road.

STAFF RECOMMENDATION: Conduct public hearing and adopt ordinance as presented in item description, on first reading, and schedule second reading and final adoption for September 20, 2007.

ITEM SUMMARY: The West Temple Comprehensive Plan shows Moderate Density Residential uses planned for the area surrounding the subject site with the exception of property adjacent to the north that the City reclassified for future Office use in October 2006. The applicant is seeking O-1 zoning for this property. The Thoroughfare Plan designates Kegley Road as a minor arterial. The pavement width of Kegley Road is 25 feet with 40 feet of right-of-way. This does not meet arterial standards of 49 feet of pavement with 70 feet of right-of-way.

Please refer to the Staff Report and minutes attached. This proposal is associated with zone change case Z-FY-07-54(b), a zone change from the A-Agriculture District to the O-1 Office District.

FISCAL IMPACT: None

ATTACHMENTS:

[Land Use Map](#)

[P&Z Staff Report \(Z-FY-07-54\(a\)\)](#)

[P&Z Minutes \(August 20, 2007\)](#)

[Ordinance](#)



Z-FY-07-54

12.79 Acres

Outblock 2564-A

AGRICULTURAL

Agricultural
(A)

RESIDENTIAL

Low Density
(0-2 DU/ACRE)
(UE)

Moderate Density
(2-6 DU/ACRE)
(SF-1, SF-2, SF-3, MH, 2-F)

Medium Density
(6-12 DU/ACRE)
(MH, 2-F, TH, MF-1)

High Density
(12-25 DU/ACRE)
(MF-2)

Office
(O-1, O-2)

Regional Commercial
(C, CA)

Mixed Use
(MU)

Mixed Use Areas

INDUSTRIAL

Light and Heavy
Industrial
(LI, HI)

COMMUNITY FACILITIES

CF-E (Schools)

CF-G (General)

CF-M (Medical)

CF-R (Religious)

PARKS

THOROUGHFARE

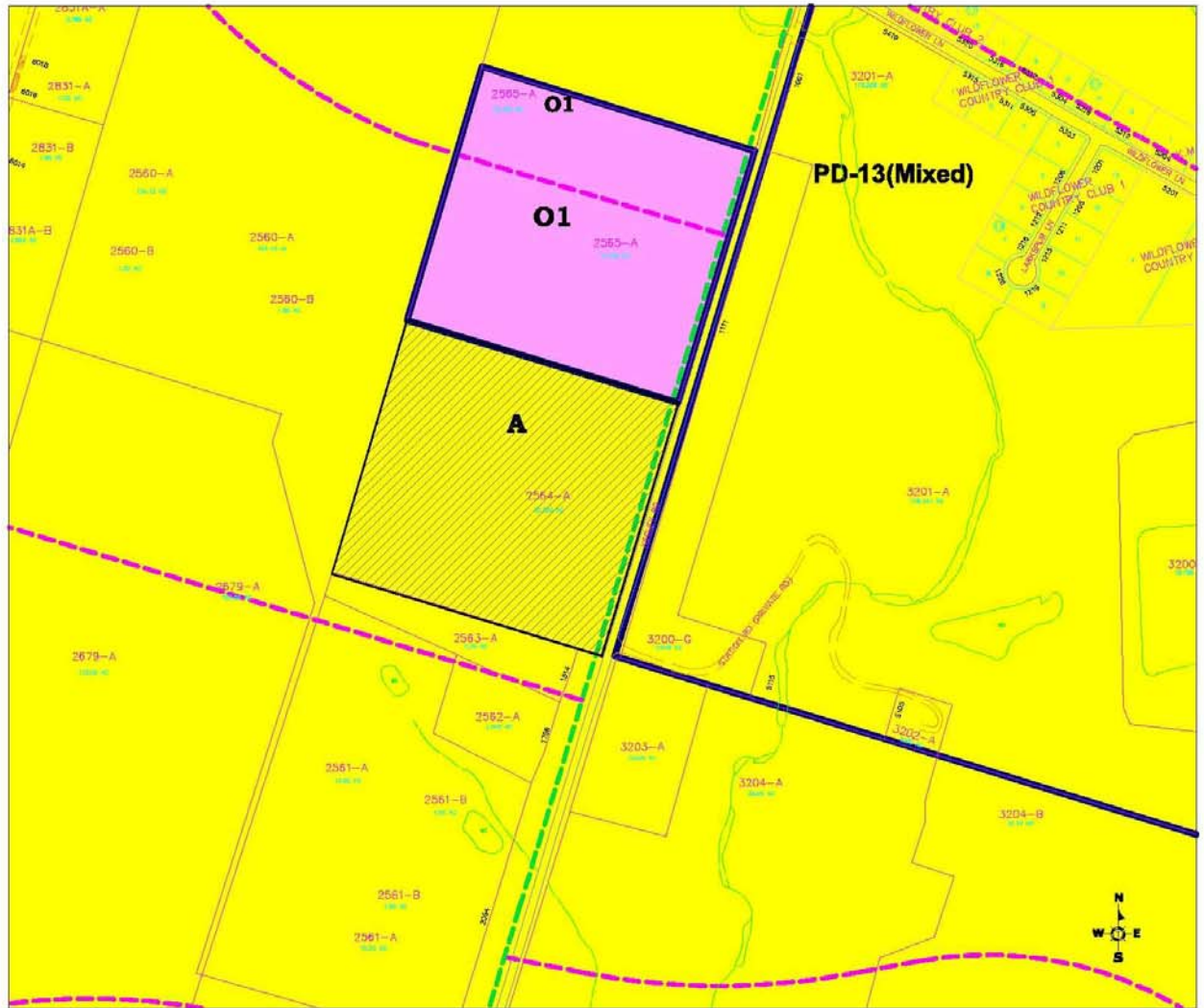
Collector

Minor Arterial

Major Arterial

Freeway

**Proposed
Rezone**



A to O

**J Stone/GIS Mapping
07-31-07
Scale: 1"=400'**



PLANNING AND ZONING COMMISSION AGENDA ITEM

08/20/07
Item 5a
Page 1 of 1

APPLICANT: Scott Motsinger/Milton Trojan

CASE MANAGER: Aaron Adel, AICP – Special Projects Planner

ITEM DESCRIPTION: Z-FY-07-54 (a) Hold a public hearing and consider an amendment to the West Temple Comprehensive Plan on approximately 12.79 acres of land commonly known as Outblock 2564-A, City Addition, located on the west side of South Kegley Road, south of Wildflower Lane. (Applicant: Scott Motsinger agent for Milton Trojan)

BACKGROUND: The West Temple Comprehensive Plan, prepared in 1999, shows only Moderate Density Residential uses planned for the area surrounding the subject site, with the exception of property adjacent to the north that the City reclassified as future Office use in October 2006. The Office future land use category provides for land zoned O-1 and O-2. The applicant is seeking O-1 zoning for this property. If the City Council approves the requested amendment, future zoning of the land could be either O-1 or O-2 without requiring further amendment. Typical uses allowed in the O-2 district include:

- | | | |
|-----------------------------|----------------------------|-----------------------|
| ▪ Single family residential | ▪ Child care facility | ▪ Bank |
| ▪ Apartments | ▪ Assisted living facility | ▪ Professional Office |
| ▪ Hotel/Motel | ▪ School | ▪ Restaurant/Drive-In |

The Thoroughfare Plan designates Kegley RD as a minor arterial which, “Serves major movements of traffic between different areas of the city with facing commercial development. Residential property generally does not have direct access but is served from side streets.” The pavement is currently 25 feet wide with 40 feet of right-of-way.

While the *classification* of Kegley Road as a minor arterial makes it appropriate for future office uses, the present-day construction of Kegley Road does not meet arterial standards which require a minimum pavement width of 49 feet with 70 feet of right-of-way.

Needed improvements to Kegley Road were voiced by citizens in 1999 when the West Temple plan was created. At that time, the K-TUTS Metropolitan Transportation Plan (MTP) included a project to widen Kegley Road to 5 lanes from 2305 to I-35. The long-range component of the 2030 MTP still lists this project with an estimated cost of \$8.8 million and no certain construction date.

The newspaper printed notice of the public hearing on August 10, 2007 in accordance with state law and local ordinance

STAFF RECOMMENDATION: Staff recommends approval of this amendment because the future Office use is compatible with the planned future use of the adjacent property and compatible with the minor arterial classification of Kegley Road.

FISCAL IMPACT: Not Applicable

ATTACHMENTS: Future Land Use and Thoroughfare Plan Map

**EXCERPTS FROM THE
PLANNING & ZONING COMMISSION MEETING
MONDAY, AUGUST 20, 2007**

ACTION ITEMS

- 5(a) Z-FY-07-54** Hold a public hearing and consider an amendment to the West Temple Comprehensive Plan on approximately 12.79 acres of land commonly known as Outblock 2564-A, City Addition, located on the west side of South Kegley Road, south of Wildflower Lane, (Applicant: Scott Motsinger agent for Milton Trojan)
- (b) Z-FY-07-54** Hold a public hearing and consider a zone change from Agricultural District to Office One District on approximately 12.79 acres of land commonly known as Outblock 2564-A, City Addition, located on the west side of South Kegley Road, south of Wildflower Lane. (Applicant: Scott Motsinger agent for Milton Trojan)

Ms. Aaron Adel, Special Projects Planner, presented both items consecutively as outlined in the Planning and Zoning Commission agenda backgrounds. She said after her presentation of both items, Vice-Chair Luck would open the public hearings for both items followed by a separate vote on each item. Ms. Adel displayed the Future Land Use and Thoroughfare Plan map, an aerial of the property, the zoning and utility map, and the notification radius map. Eight notices were mailed to surrounding property owners. No notices were returned in favor or in opposition to either item. Staff recommends approval of the amendment to the Zoning Ordinance and the zone change request.

Vice-Chair Luck opened the public hearing asking anyone wishing to speak in favor or in opposition to Z-FY-07-54(a) or Z-FY-07-54(b) to address the Commission.

Ms. Debbie Hunt, representing her parents who own the property adjacent to the south edge of the subject property. Her concern was with the 0-1 zoning could allow townhouses. Ms. Hunt said their opposition is not to the office buildings but to the townhouses so close to her parents' residence. She also had easement concerns.

Mr. Dell Martin, 4914 Wendy Oaks, addressed the Commission. He didn't have any concerns about the rezoning but did have concerns about when the street would be reconstructed. Ms. Adel said a schedule for improvements has not been created as to date.

Mr. Scott Motsinger, 18 N. 3rd Street, addressed the Commission. He said the owner of this tract owns the tract adjacent to the north that was previously rezoned to 0-1 and wants to keep the zoning consistent. The owner is not certain at this time what he would like to develop on this tract; either offices or upscale garden type townhouses.

Vice-Chair Luck closed the public hearing.

Motion to recommend approval for Z-FY-07-54(a) an amendment to the West Temple Comprehensive Plan by Commissioner Hurd; seconded by Commissioner Carothers.

Motion passed (8/0). Chair Thomas abstained.

Motion to recommend approval for Z-FY-07-54(b) a zone change from Agricultural District to Office One District by Commissioner Kjelland; seconded by Commissioner Hurd.

Motion passed (8/0). Chair Thomas abstained.

Vice-Chair Luck turned the meeting over to Chair Thomas. Mr. Dolan requested the Commission simultaneously consider the next three items. Z-FY-07-55, Z-FY-07-56(a), and Z-FY-07-56(b); call a separate public hearing for each zoning case with a separate motion, second and vote for each individual case. Chair Thomas read all three zone change requests.

ORDINANCE NO. _____

(ZONING NO. Z-FY-07-54-A)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING AN AMENDMENT TO THE WEST TEMPLE COMPREHENSIVE PLAN FROM MODERATE DENSITY RESIDENTIAL USE TO OFFICE USE ON APPROXIMATELY 12.79 ACRES OF LAND COMMONLY KNOWN AS OUTBLOCK 2564-A, CITY ADDITION, LOCATED ON THE WEST SIDE OF SOUTH KEGLEY ROAD, SOUTH OF WILDFLOWER LANE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: The City Council authorizes an amendment to the West Temple Comprehensive Plan from Moderate Density Residential Use to Office Use on approximately 12.79 acres of land commonly known as Outblock 2564-A, City Addition, located on the west side of South Kegley Road, south of Wildflower Lane, more fully described in Exhibit A, attached hereto and made a part hereof for all purposes.

Part 2: The City Council directs the Director of Planning to make the necessary changes to the Future Land Use Map accordingly.

Part 3: It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such phrase, clause, sentence, paragraph or section.

Part 4: This ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

Part 5: It is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on First Reading and Public Hearing on the 6th day of **September**, 2007.

PASSED AND APPROVED on Second Reading on the 20th day of **September**, 2007.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

Clydette Entzminger
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

09/06/07
Item #6(B)
Regular Agenda
Page 1 of 2

DEPT. /DIVISION SUBMISSION & REVIEW:

Tim Dolan, AICP, Planning Director

ITEM DESCRIPTION: FIRST READING – PUBLIC HEARING - Z-FY-07-54 (B): Consider adopting an ordinance authorizing a zoning change from Agricultural District to Office One District on approximately 12.79 acres of land commonly known as Outblock 2564-A, City Addition, located on the west side of South Kegley Road, south of Wildflower Lane.

P&Z COMMISSION RECOMMENDATION: The Planning and Zoning Commission voted 7/0 to recommend approval of the Staff request of a zone change from A-Agriculture District to O-1 Office One District at its meeting on August 20, 2007 because:

1. The parcel location conforms to the description of the O-1 District.
2. The O-1 District is compatible with surrounding zoning districts (A and PD-Mixed).
3. Thoroughfare and infrastructure concerns can be addressed at the platting stage.

STAFF RECOMMENDATION: Conduct public hearing and adopt ordinance as presented in item description, on first reading, and schedule second reading and final adoption for September 20, 2007.

ITEM SUMMARY: The applicant, Scott Motsinger, agent for Milton Trojan, is requesting a zone change from A to O-1. The property is currently cultivated with corn. The proposed future use of the property is an office park. In October 2006, the P&Z Commission and City Council approved a similar rezoning case for the 12-acre tract adjacent to the north side of this property. That case had the same owner/applicant and was for a zone change from A to O-1 for future development as an office park.

Surrounding Property and Uses:

Direction	Zoning District	Current Use
North	O-1	Cultivated
South	A	Single Family Residence
East	PD (Mixed)	Wildflower Country Club
West	A	Cultivated

The purpose of the O-1 district is to allow low-rise garden-type office development to serve nearby neighborhoods. This district should be located convenient to residential areas & complimentary in character to the neighborhood served. The district is a transitional zone where permitted uses are major traffic generators. Typical allowed uses include: Single family and duplex residential, fire stations, childcare facilities, churches, schools, banks, professional offices, and dance studios.

A primary concern for this application relates to the adequacy of Kegley Road to accommodate an office development. The K-TUTS Metropolitan Transportation Plan includes a long-range project to widen Kegley Road to five lanes sometime before 2030 with no certain construction date. The City of Temple collected traffic counts along this portion of Kegley Road in May 2007. The traffic volume amounted to 4,966 average daily trips. It will be a requirement at the platting stage for the developer to construct half-street paving to accommodate the increased traffic movements generated by future office development.

There is no sanitary sewer directly serving this site. At present, water infrastructure is not sufficient for the proposed use. At the time of platting, the developer will need to construct an 8" water line to accommodate an office park. It will be also be a requirement at the platting stage for the developer to construct wastewater infrastructure.

Staff mailed out eight notices to owners of property within 200' of the subject site. One notice was returned in opposition to the request.

Please refer to the Staff Report and draft minutes of case Z-FY-07-54(b), from the Planning and Zoning meeting, August 20, 2007.

FISCAL IMPACT: None

ATTACHMENTS:

[Public Notice Response](#)
[Zoning Map](#)
[Arial Map](#)
[Utility Map](#)
[Notice Map](#)
[Zone Change Application](#)
[P&Z Staff Report \(Z-FY-07-54\(b\)\)](#)
[P&Z Minutes \(August 20, 2007\)](#)
[Ordinance](#)

RESPONSE TO PROPOSED ZONING CHANGE

CITY OF TEMPLE

RECEIVED

AUG 20 2007

City of Temple
Planning & Development

Hayworth, Betty Jean
2054 S Kegley Rd
Temple TX 765027434

Zoning Application Number: Z-FY-07-54

The proposed zone change is the area shown in hatched marking on the attached map. Because you own property within 200 feet of the requested change, your opinions are welcomed. Please use this form to indicate whether you are in favor of the possible rezoning of the property described on the attached notice, and provide any additional comments you may have.

I recommend () *approval* ☒ *denial* of this request.

Comments:

x Betty Hayworth
SIGNATURE

Please mail or hand-deliver this comment form to the address shown below, no later than AUGUST 20, 2007.

City of Temple
Planning Department
Room 201
Municipal Building
Temple, Texas 76501

Number of Notices Mailed: 8

Date Mailed: AUGUST 10, 2007



Z-FY-07-54



Area of Proposed Zone Change

J. Stone/GIS Mapping
07-31-07
Scale: 1"=400'

**CITY OF TEMPLE
ZONE CHANGE APPLICATION**

Scott Motsinger	18 North Third Street Temple, Texas	76501	254.773.4901
(APPLICANT)	(ADDRESS)	(ZIP CODE)	(PHONE NUMBER)
Milton Trojan	16798 State Hwy 6, Hico, TX	76457	254.796-4912
(OWNER OF PROPERTY)	(ADDRESS)	(ZIP CODE)	(PHONE NUMBER)

E-MAIL ADDRESS: smotsinger@aldrich-thomas.com FAX NUMBER: 254.771.1483

ADDRESS OF PROPERTY: 12.79 Acres on Kegley Road LOT: BLOCK: ADDITION:

OUTBLOCK (if not platted): 2565-A 2564-A Legal Description: See Attached Exhibit "A"

PRESENT ZONING: Agricultural REQUESTED ZONING: Office

PRESENT USE OF PROPERTY:

Farming

PROPOSED USES FOR THE PROPERTY: Office Park

IF ZONE CHANGE IS GRANTED, WHEN WOULD PROPOSED USE BEGIN?

I understand that approval of this request by the Planning and Zoning Commission and City Council does not in itself constitute a waiver of conformance with the Code of Ordinances.

The applicant understands that any staff assistance in applying for rezoning is based on a clear, detailed explanation indicated above of what specific activities are intended to take place on the rezoned property or properties and that such staff assistance does not in any manner indicate or guarantee any specific action or approval of such request.

ZONING FEE SCHEDULE \$150.00 plus \$3.00 per acre or portion over one acre

The fee for processing this application is to cover the cost of public notice and necessary adjacent property owner notification. Fee is not refundable, except that a 25% refund will be made if an application is withdrawn in writing, received by the Planning Department prior to notification for the City Council public hearing.

<u>Milton W. Trojan</u> OWNER Signature	<u>7/27/07</u> DATE	or	<u> </u> AGENT Signature	<u> </u> DATE
--	------------------------	----	--------------------------------	---------------------

*If application is made by Agent, he must furnish, with the application, a letter from the property owner designating that he may act as Agent in this rezoning action.

FOR OFFICE USE ONLY:

Date: 30 July 07

✓ Completed Application	✓ Field Notes	N/A Fee	Received By: <u>Mary</u>
Case #: <u>2-FY-07-54</u>	Zoning Map Page: <u>1-20</u>	Project Manager: <u>Gara</u>	
Comp. Plan Affected: <u>West Temple Comp Plan</u>			
In Compliance with Comp. Plan: Yes Yes <u>X</u> No		Tentative P&Z Date: <u>20 August 07</u>	



PLANNING AND ZONING COMMISSION AGENDA ITEM

08/20/07
Item 5(b)
Page 1 of 2

APPLICANT: Scott Motsinger/Milton Trojan

CASE MANAGER: Aaron Adel, AICP – Special Projects Planner

ITEM DESCRIPTION: Z-FY-07-54 (b) Hold a public hearing and consider a zone change from Agricultural District to Office One District on approximately 12.79 acres of land commonly known as Outblock 2564-A, City Addition, located on the west side of South Kegley Road, south of Wildflower Lane. (Applicant: Scott Motsinger agent for Milton Trojan)

BACKGROUND: The applicant is requesting a zone change from A to O-1. The property is currently cultivated with corn. The proposed future use of the property is an office park. In October 2006, the P&Z Commission and City Council approved a similar rezoning case for the 12-acre tract adjacent to the north side of this property. That case had the same owner/applicant and was for a zone change from A to O-1 for future development as an office park.

Surrounding Property and Uses – Conformance with the West Temple Comprehensive Plan is a prerequisite to this zone change and was determined in the previous agenda item for Case # Z-FY-07-54(a).

Direction	Zoning District	Current Use
North	O-1	Cultivated
South	A	Single Family Residence
East	PD (Mixed)	Wildflower Country Club
West	A	Cultivated

Thoroughfare Plan – The primary concern for this application relates to the adequacy of Kegley Road to accommodate an office development. As mentioned in the Staff Report for Z-FY-07-54(a), the pavement width of Kegley Road is 25 feet with 40 feet of right-of-way. The Subdivision Ordinance requires a minimum of 49 feet of pavement width and 70 feet of right-of-way. The K-TUTS Metropolitan Transportation Plan includes a long-range project to widen Kegley RD to five lanes sometime before 2030 with no certain construction date.

The City of Temple collected traffic counts along this portion of Kegley Road in May 2007. The traffic volume amounted to 4,966 average daily trips. A windshield survey on 8-13-07 at 11:00 a.m. observed a 5-minute count of 30 vehicles. Many of the vehicles observed were cargo trucks or pickup trucks pulling trailers. There were also several construction trucks traveling south on Kegley RD and turning east into Wildflower LN.

It will be a requirement at the platting stage for the developer to construct half-street paving to accommodate the increased traffic movements generated by future office development.

Adequacy of Public Facilities – There is no sanitary sewer directly serving this site. There is a 24” sanitary sewer interceptor line across Kegley from this location. A 1.5” water line runs adjacent to the property. At present, water infrastructure is not sufficient for the proposed use. At the time of platting, the developer will need to construct an 8” water line to accommodate an office park. It will be also be a requirement at the platting stage for the developer to construct wastewater infrastructure to accommodate future office development.

Development Regulations

The purpose of the O-1 district is to allow low-rise garden-type office development to serve nearby neighborhoods. The maximum building height of is stories. This district should be located convenient to residential areas & complimentary in character to the neighborhood served. The district is designed to be a transitional zone where permitted uses are not intended to be major traffic generators.

Typical allowed uses include: Single family and duplex residential, fire stations, child care facilities, churches, schools, banks, professional offices, and dance studios.

Minimum lot area and setback requirements are as follow:

O-1, Office One District	Area Requirement
Minimum Lot Area	--
Minimum Lot Width	--
Minimum Lot Depth	--

O-1, Office One District	Area Requirement
Minimum Front Yard Setback	25'
Minimum Side Yard Setback	5'
Minimum Rear Yard Setback	10'

Public Notice

Staff mailed out eight notices to owners of property within 200’ of the subject site. As of August 16th at 12 PM, no notices were returned in favor of or in opposition to the request. The newspaper printed notice of the public hearing on August 10, 2007 in accordance with state law and local ordinance

STAFF RECOMMENDATION: Staff recommends approval of the zone change for the following reasons:

1. The parcel location conforms to the description of the O-1 District.
2. The O-1 District is compatible with surrounding zoning districts (A and PD-Mixed).
3. Thoroughfare and infrastructure concerns can be addressed at the platting stage.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

Zoning Map
Aerial
Utility Map
Notification Radius Map
Application

**EXCERPTS FROM THE
PLANNING & ZONING COMMISSION MEETING
MONDAY, AUGUST 20, 2007**

ACTION ITEMS

- 5(a) Z-FY-07-54** Hold a public hearing and consider an amendment to the West Temple Comprehensive Plan on approximately 12.79 acres of land commonly known as Outblock 2564-A, City Addition, located on the west side of South Kegley Road, south of Wildflower Lane, (Applicant: Scott Motsinger agent for Milton Trojan)
- (b) Z-FY-07-54** Hold a public hearing and consider a zone change from Agricultural District to Office One District on approximately 12.79 acres of land commonly known as Outblock 2564-A, City Addition, located on the west side of South Kegley Road, south of Wildflower Lane. (Applicant: Scott Motsinger agent for Milton Trojan)

Ms. Aaron Adel, Special Projects Planner, presented both items consecutively as outlined in the Planning and Zoning Commission agenda backgrounds. She said after her presentation of both items, Vice-Chair Luck would open the public hearings for both items followed by a separate vote on each item. Ms. Adel displayed the Future Land Use and Thoroughfare Plan map, an aerial of the property, the zoning and utility map, and the notification radius map. Eight notices were mailed to surrounding property owners. No notices were returned in favor or in opposition to either item. Staff recommends approval of the amendment to the Zoning Ordinance and the zone change request.

Vice-Chair Luck opened the public hearing asking anyone wishing to speak in favor or in opposition to Z-FY-07-54(a) or Z-FY-07-54(b) to address the Commission.

Ms. Debbie Hunt, representing her parents who own the property adjacent to the south edge of the subject property. Her concern was with the 0-1 zoning could allow townhouses. Ms. Hunt said their opposition is not to the office buildings but to the townhouses so close to her parents' residence. She also had easement concerns.

Mr. Dell Martin, 4914 Wendy Oaks, addressed the Commission. He didn't have any concerns about the rezoning but did have concerns about when the street would be reconstructed. Ms. Adel said a schedule for improvements has not been created as to date.

Mr. Scott Motsinger, 18 N. 3rd Street, addressed the Commission. He said the owner of this tract owns the tract adjacent to the north that was previously rezoned to 0-1 and wants to keep the zoning consistent. The owner is not certain at this time what he would like to develop on this tract; either offices or upscale garden type townhouses.

Vice-Chair Luck closed the public hearing.

Motion to recommend approval for Z-FY-07-54(a) an amendment to the West Temple Comprehensive Plan by Commissioner Hurd; seconded by Commissioner Carothers.

Motion passed (8/0). Chair Thomas abstained.

Motion to recommend approval for Z-FY-07-54(b) a zone change from Agricultural District to Office One District by Commissioner Kjelland; seconded by Commissioner Hurd.

Motion passed (8/0). Chair Thomas abstained.

Vice-Chair Luck turned the meeting over to Chair Thomas. Mr. Dolan requested the Commission simultaneously consider the next three items. Z-FY-07-55, Z-FY-07-56(a), and Z-FY-07-56(b); call a separate public hearing for each zoning case with a separate motion, second and vote for each individual case. Chair Thomas read all three zone change requests.

ORDINANCE NO. _____

(ZONING NO. Z-FY-07-54-B)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING A ZONING CHANGE FROM AGRICULTURAL DISTRICT (A) TO OFFICE ONE DISTRICT (O-1) ON APPROXIMATELY 12.79 ACRES OF LAND COMMONLY KNOWN AS OUTBLOCK 2564-A, CITY ADDITION, LOCATED ON THE WEST SIDE OF SOUTH KEGLEY ROAD, SOUTH OF WILDFLOWER LANE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: The City Council approves a zoning change from Agricultural District (A) to Office One District (O-1) on approximately 12.79 acres of land commonly known as Outblock 2564-A, City Addition, located on the west side of South Kegley Road, south of Wildflower Lane, more fully described in Exhibit A, attached hereto and made a part hereof for all purposes.

Part 2: The City Council directs the Director of Planning to make the necessary changes to the City Zoning Map accordingly.

Part 3: It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such phrase, clause, sentence, paragraph or section.

Part 4: This ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

Part 5: It is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on First Reading and Public Hearing on the 6th day of September, 2007.

PASSED AND APPROVED on Second Reading on the **20th** day of **September**, 2007.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

Clydette Entzminger
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

09/06/07
Item #7
Regular Agenda
Page 1 of 1

DEPT. /DIVISION SUBMISSION & REVIEW:

Tim Dolan, AICP, Planning Director

ITEM DESCRIPTION: FIRST READING – PUBLIC HEARING - Z-FY-07-55: Consider adopting an ordinance authorizing a zoning change from Agricultural District to Light Industrial District on approximately six (6.0) acres of land commonly referred to as Outblock 1164-G, City Addition, located on the south side of Moore's Mill Road, east of Brewster Road.

P&Z COMMISSION RECOMMENDATION: The Planning & Zoning Commission recommended 9/0 the approval of the Limited Industrial District (LI) request since it complies with the Future Land Use Plan, Thoroughfare Plan, the Adequacy of Public Facilities and the Development Regulations.

STAFF RECOMMENDATION: Conduct public hearing and adopt ordinance as presented in item description, on first reading, and schedule second reading and final adoption for September 20, 2007.

ITEM SUMMARY: The subject area is part of a series of zoning cases for City owned properties to change the zoning district from Agriculture (A) to Light Industrial (LI). Staff recommends the Council consider cases Z-FY-07-55, Z-FY-07-56(A) and Z-FY-07-56(B) at the same time.

Please refer to the Staff Report and draft minutes of case Z-FY-07-55 from the Planning and Zoning Commission meeting on August 20, 2007.

FISCAL IMPACT: None.

ATTACHMENTS:

[Land Use Map](#)
[Zoning Map](#)
[P&Z Staff Report](#)
[P&Z Minutes](#)
[Ordinance](#)



Z-FY-07-55

6.00 Acres

Outblock 1164-G

AGRICULTURAL

● Agricultural
(A)

RESIDENTIAL

● Low Density
(0-2 DU/ACRE)
(UE)

● Moderate Density
(2-6 DU/ACRE)
(SF-1, SF-2, SF-3, MH, 2-F)

● Medium Density
(6-12 DU/ACRE)
(MH, 2-F, TH, MF-1)

● High Density
(12-25 DU/ACRE)
(MF-2)

COMMERCIAL

● Neighborhood and
Community Retail
(NS, GR)

● Office
(O-1, O-2)

● Regional Commercial
(C, CA)

MIXED USE

● Mixed Use Areas

INDUSTRIAL

● Light and Heavy
Industrial
(LI, HI)

**COMMUNITY
FACILITIES**

● CF-E (Schools)
● CF-G (General)
● CF-M (Medical)
● CF-R (Religious)

● PARKS

THOROUGHFARE

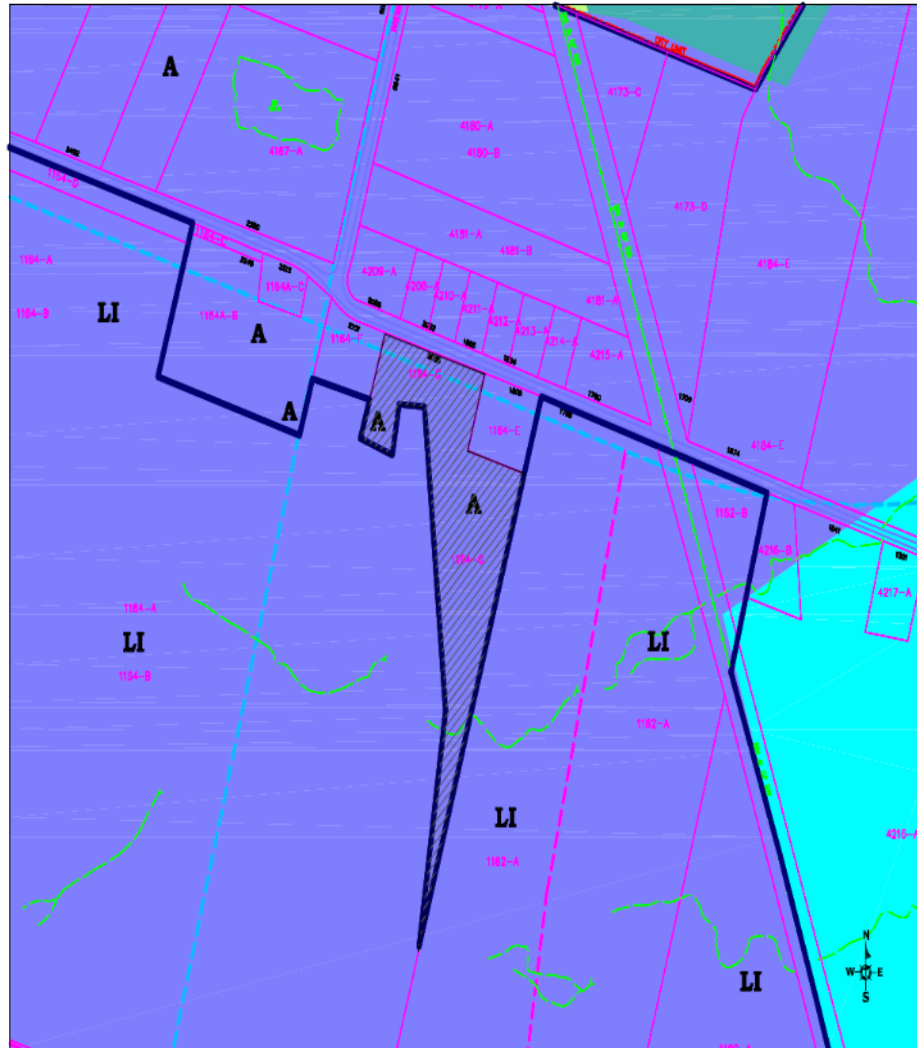
● Collector

● Minor Arterial

● Major Arterial

● Freeway

 **Proposed
Rezone**



A to LI

J Stone/GIS Mapping

08.06.07

Scale: 1"=400'

J. Stone/GIS Mapping
08.06.07
Scale: 1"=400'



PLANNING AND ZONING COMMISSION AGENDA ITEM

08/20/07
Item 6
Page 1 of 2

APPLICANT / DEVELOPMENT: City of Temple c/o Temple Economic Development Corporation

CASE MANAGER: Tim Dolan, AICP, Planning Director

ITEM DESCRIPTION:

Public Hearing - Z-FY-07-55: Consider a zone change from Agricultural District to Light Industrial District on approximately six (6.0) acres of land commonly referred to as Outblock 1164-G, City Addition, located on the south side of Moore's Mill Road, east of Brewster Road. (Applicant: Temple Economic Development Corporation)

BACKGROUND:

The subject area is part of a series of zoning cases for City owned properties to change the zoning district from Agriculture (A) to Light Industrial (LI). Staff recommends the Commission simultaneously consider Items 6, 7A & 7B simultaneously by calling a separate public hearing for each zoning case with a separate motion, second and vote for each individual zoning case.

Surrounding Property and Uses

The subject area is surrounded by properties that are zoned Agriculture (A) and Light Industrial (LI) and undeveloped, with single family houses on the north side of Moore's Mill Road.

Future Land Use Plan

The subject area complies with the Future Land Use Plan as an Industrial Use.

Thoroughfare Plan

The subject area complies with the Thoroughfare Plan, with access to Moore's Mill Road and it will also be part of a larger tract to the south and west with planned Arterial Roadways.

Adequacy of Public Facilities

This area will be served by water and sewer as part of the CIP and RZ projects.

Development Regulations

The purpose of the Light Industrial District serves a transition from other commercial or retail areas to industrial uses. The LI area should be isolated from planned areas of residential development.

The land uses allowed are manufacturing and assembly, subject to performance standards of odor, noise, glare, smoke, air contaminants, vibration, and open storage.

The maximum lot coverage for LI is 55% for a main building, and maximum lot coverage of 65% for a main building and all accessory buildings. The front setback requirements are thirty feet (30.0') from the centerline of a road, no side or rear yard setback for industrial uses, and a ten foot (10.0') setback from properties adjacent to a residential district.

Public Notice

A total of seven notices were sent out. As of August 16, 2007 at 5:00 P.M., none were returned. The letters were mailed and the newspaper printed the public hearing on August 8th, in accordance with state law and local ordinance

STAFF RECOMMENDATION:

Staff recommends approval of Z-FY-07-55 subject area to:

1. The Future Land Use Plan Map showing the area as Industrial
2. The Thoroughfare Plan showing Industrial as a Minor Arterial Roadway, and
3. The Adequacy of Public Facilities shows the area as part of the CIP and RZ areas for water and wastewater improvements.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

Zoning Map
Land Use Map
Application

**EXCERPTS FROM THE
PLANNING & ZONING COMMISSION MEETING
MONDAY, AUGUST 20, 2007**

ACTION ITEMS

- 6. Z-FY-07-55** Hold a public hearing to consider a zone change from Agricultural District to Light Industrial District on approximately six (6) acres of land commonly referred to as Outblock 1164-G, City Addition, located on the south side of Moore's Mill Road, east of Brewster Road. (Applicant: Temple Economic Development Corporation)

Mr. Tim Dolan, Planning Director, presented this case as depicted in the agenda background. He said Staff recommends approval as stated in the Staff Recommendation. Mr. Dolan said seven notices were mailed to surrounding property owners. No responses were received back in favor or in opposition to this zone change.

Chair Thomas opened the public hearing asking anyone wishing to speak in favor or in opposition to the request to address the Commission. Seeing no one, Chair Thomas closed the public hearing.

Motion to recommend approval of Z-FY-07-55, by Commissioner Kjelland; seconded by Commissioner Kasberg.

Motion passed (9/0).

- 7(a) Z-FY-07-56** Hold a public hearing to consider a zone change from Agricultural District to Light Industrial District on approximately 10.08 acres of land commonly known as Outblock 4204-A, City Addition, located on the east side of Wendland Road, north of Wilsonart Drive and south of Moore's Mill Road. (Applicant: Temple Economic Development Corporation)

Mr. Tim Dolan, Planning Director, presented this case as depicted in the agenda background. He said Staff recommends approval as stated in the Staff Recommendation. Mr. Dolan said three notices were mailed to surrounding property owners. No responses were received back in favor or in opposition to this zone change.

Chair Thomas opened the public hearing asking anyone wishing to speak in favor or in opposition to the request to address the Commission. Seeing no one, Chair Thomas closed the public hearing.

Motion to recommend approval of Z-FY-07-56(a) by Commissioner Pilkington; seconded by Commissioner Hurd.

Motion passed (9/0).

- (b) Z-FY-07-56** Hold a public hearing to consider a zone change from Agricultural District to Light Industrial District on approximately 10.05 acres of land commonly known as Outblock 4203-A, City Addition, located on the east side of Wendland Road, north of Wilsonart Drive and south of Moore's Mill Road. (Applicant: Temple Economic Development Corporation)

Mr. Tim Dolan, Planning Director, presented this case as depicted in the agenda background. He said Staff recommends approval as stated in the Staff Recommendation. Mr. Dolan said three notices were mailed to surrounding property owners. No responses were received back in favor or in opposition to this zone change.

Chair Thomas opened the public hearing asking anyone wishing to speak in favor or in opposition to the request to address the Commission. Seeing no one, Chair Thomas closed the public hearing.

Motion to recommend approval of Z-FY-07-56(a) by Commissioner Carothers; seconded by Commissioner Kjelland.

Motion passed (9/0).

ORDINANCE NO. _____

(ZONING NO. Z-FY-07-55)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING A ZONING CHANGE FROM AGRICULTURAL DISTRICT (A) TO LIGHT INDUSTRIAL DISTRICT (LI) ON APPROXIMATELY 6 ACRES OF LAND COMMONLY REFERRED TO AS OUTBLOCK 1164-G, CITY ADDITION, LOCATED ON THE SOUTH SIDE OF MOORE'S MILLS ROAD, EAST OF BREWSTER ROAD; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: The City Council approves a zoning change from Agricultural District (A) to Light Industrial District (LI) on approximately 6 acres of land commonly referred to as Outblock 1164-G, City Addition, located on the south side of Moore's Mill Road, east of Brewster Road, more fully described in Exhibit A, attached hereto and made a part hereof for all purposes.

Part 2: The City Council directs the Director of Planning to make the necessary changes to the City Zoning Map accordingly.

Part 3: It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such phrase, clause, sentence, paragraph or section.

Part 4: This ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

Part 5: It is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on First Reading and Public Hearing on the 6th day of September, 2007.

PASSED AND APPROVED on Second Reading on the **20th** day of **September**, 2007.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

Clydette Entzminger
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

09/06/07
Item #8(A)
Regular Agenda
Page 1 of 1

DEPT. /DIVISION SUBMISSION & REVIEW:

Tim Dolan, AICP, Planning Director

ITEM DESCRIPTION: FIRST READING – PUBLIC HEARING - Z-FY-07-56(A): Consider adopting an ordinance authorizing a zoning change from Agricultural District to Light Industrial District on approximately 10.08 acres of land commonly known as Outblock 4204-A, City Addition, located on the east side of Wendland Road, north of Wilsonart Drive and south of Moore's Mill Road.

P&Z COMMISSION RECOMMENDATION: The Planning & Zoning Commission recommended approval of the Limited Industrial District (LI) request since it complies with the Future Land Use Plan, Thoroughfare Plan, the Adequacy of Public Facilities and the Development Regulations with a vote of 9/0.

STAFF RECOMMENDATION: Conduct public hearing and adopt ordinance as presented in item description, on first reading, and schedule second reading and final adoption for September 20, 2007.

ITEM SUMMARY: The subject area is part of a series of zoning cases for City owned properties to change the zoning district from Agriculture (A) to Light Industrial (LI). Staff recommends the Council consider cases Z-FY-07-55, Z-FY-07-56(A) and Z-FY-07-56(B) at the same time.

Please refer to the Staff Report and draft minutes of case Z-FY-07-56A from the Planning and Zoning Commission meeting on August 20, 2007.

FISCAL IMPACT: None

ATTACHMENTS:

[Land Use Map](#)
[Zoning Map](#)
[P&Z Staff Report](#)
[P&Z Minutes](#)
[Ordinance](#)



Z-FY-07-56A

10.08 Acres

Outblock 4204-A

AGRICULTURAL

● Agricultural
(A)

RESIDENTIAL

● Low Density
(0-2 DU/ACRE)
(UE)

● Moderate Density
(2-5 DU/ACRE)
(SF-1, SF-2, SF-3, MH, 2-F)

● Medium Density
(6-12 DU/ACRE)
(MH, 2-F, TH, MF-1)

● High Density
(12-25 DU/ACRE)
(MF-2)

COMMERCIAL

● Neighborhood and
Community Retail
(NS, GR)

● Office
(O-1, O-2)

● Regional Commercial
(C, CA)

MIXED USE

● Mixed Use Areas

INDUSTRIAL

● Light and Heavy
Industrial
(LI, HI)

**COMMUNITY
FACILITIES**

● CF-E (Schools)

● CF-G (General)

● CF-M (Medical)

● CF-R (Religious)

● PARKS

THOROUGHFARE

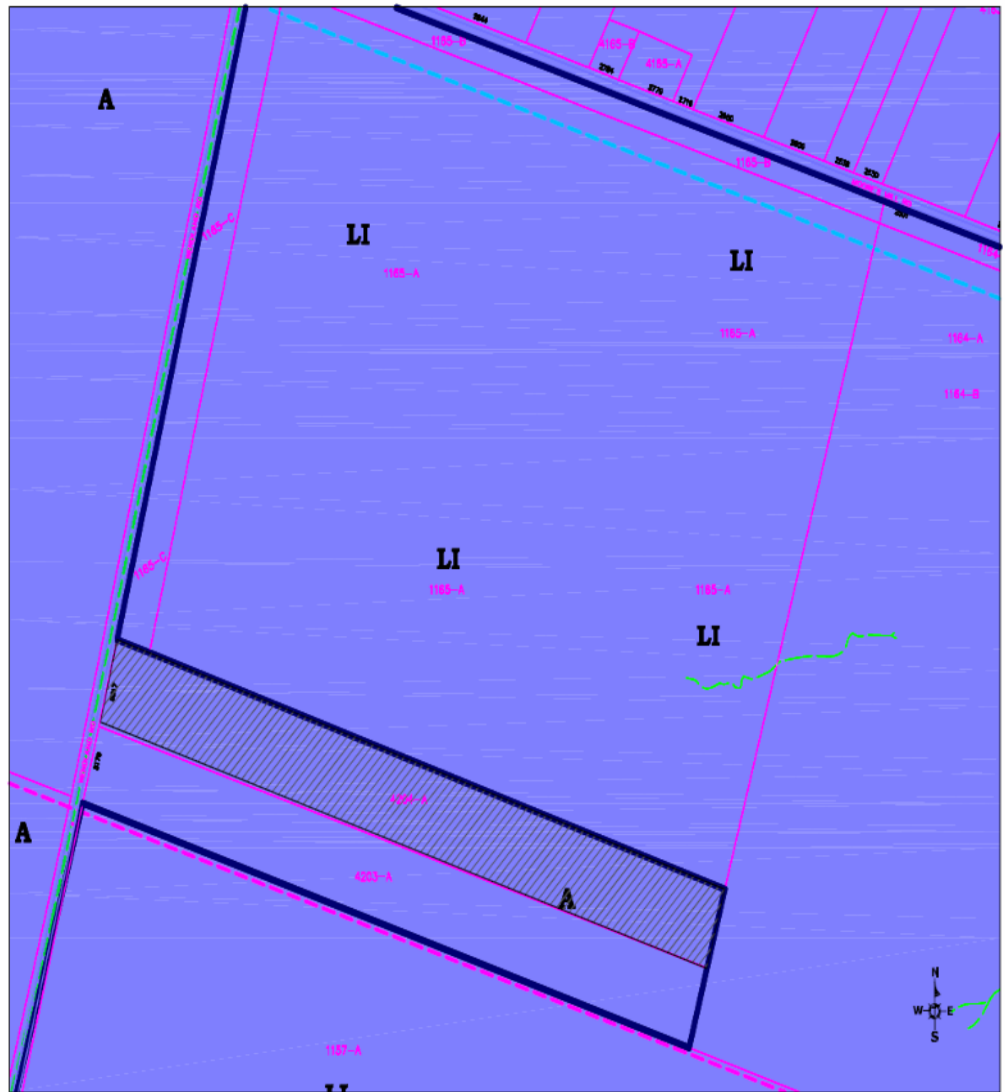
● Collector

● Minor Arterial

● Major Arterial

● Freeway

 **Proposed
Rezone**



A to LI

J Stone/GIS Mapping

08.06.07

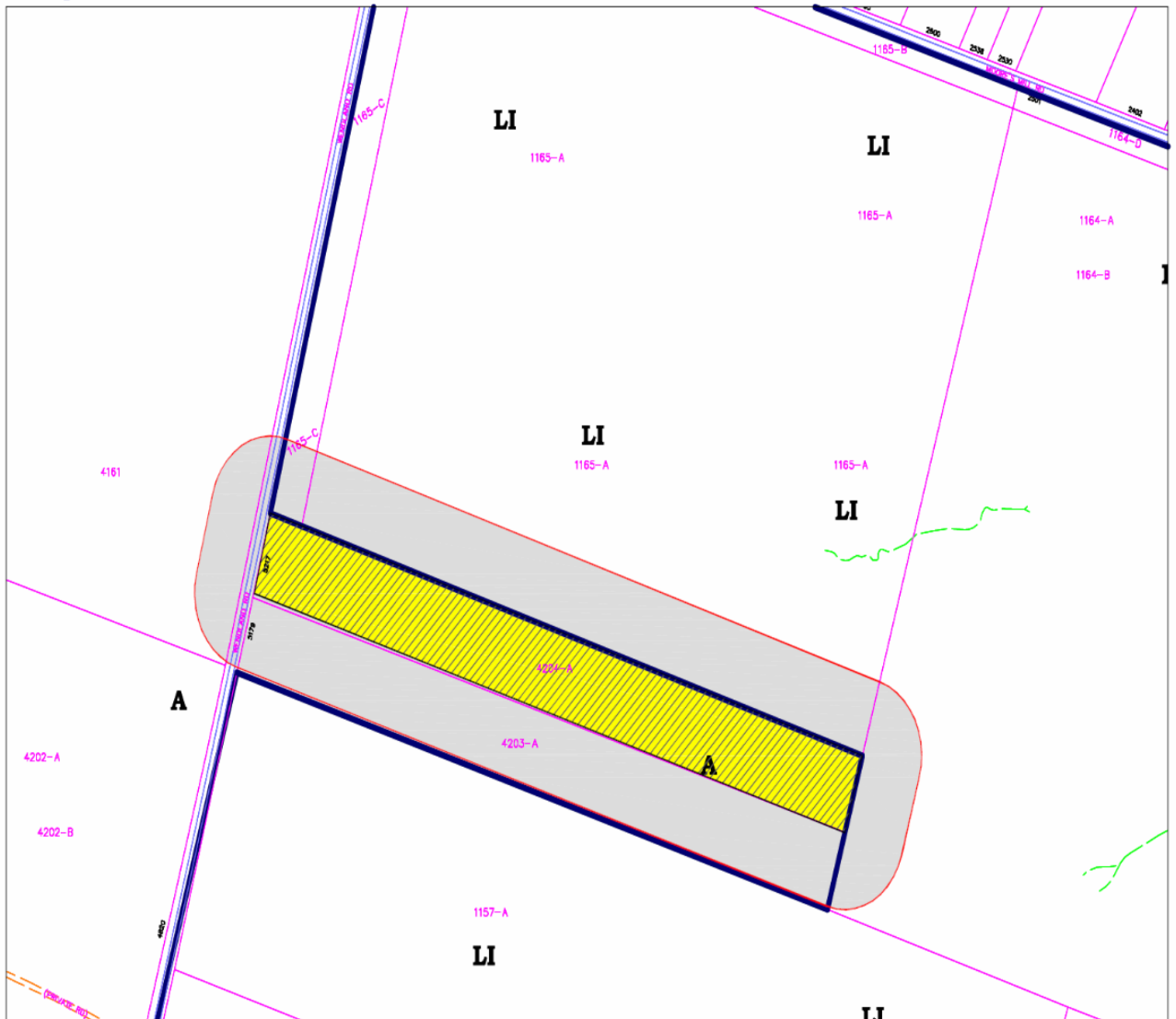
Scale: 1"=400'




Z-FY-07-56A

10.08 Acres

Outblock 4204-A



 **Area of Proposed
Zone Change**

 **200' Radius**

A to LI

**J. Stone/GIS Mapping
08.06.07
Scale: 1"=400'**



PLANNING AND ZONING COMMISSION AGENDA ITEM

08/20/07
Item 7A
Page 1 of 2

APPLICANT / DEVELOPMENT: City of Temple c/o Temple Economic Development Corporation

CASE MANAGER: Tim Dolan, AICP, Planning Director

ITEM DESCRIPTION:

Public Hearing - Z-FY-07-56-A: Consider a zone change from Agricultural District to Light Industrial District on approximately 10.08 acres of land commonly known as Outblock 4204-A, City Addition, located on the east side of Wendland Road, north of Wilsonart Drive and south of Moore's Mill Road.
(Applicant: Temple Economic Development Corporation)

BACKGROUND:

The subject area is part of a series of zoning cases for City owned properties to change the zoning district from Agriculture (A) to Light Industrial (LI). Staff recommends the Commission consider Items 6, 7A & 7B simultaneously by calling a separate public hearing for each zoning case with a separate motion, second and vote for each individual zoning case.

Surrounding Property and Uses

The subject area is surrounded by properties that are zoned Agriculture (A) and Light Industrial (LI) and undeveloped, with single family houses on the north side of Moore's Mill Road.

Future Land Use Plan

The subject area complies with the Future Land Use Plan as an Industrial Use.

Thoroughfare Plan

The subject area complies with the Thoroughfare Plan, with access to Wendland Road and Dodgen Loop, both Minor Arterial Roadways.

Adequacy of Public Facilities

This area will be served by water and sewer as part of the CIP and RZ projects.

Development Regulations

The purpose of the Light Industrial District serves a transition from other commercial or retail areas to industrial uses. The LI area should be isolated from planned areas of residential development.

The land uses allowed are manufacturing and assembly, subject to performance standards of odor, noise, glare, smoke, air contaminants, vibration, and open storage.

The maximum lot coverage for LI is 55% for a main building, and maximum lot coverage of 65% for a main building and all accessory buildings. The front setback requirements are thirty feet (30.0') from the centerline of a road, no side or rear yard setback for industrial uses, and a ten foot (10.0') setback from properties adjacent to a residential district.

Public Notice

A total of three notices were sent out. As of August 16, 2007 at 5:00 P.M., none were returned. The letters were mailed and the newspaper printed the public hearing on August 8th, in accordance with state law and local ordinance

STAFF RECOMMENDATION:

Staff recommends approval of Z-FY-07-56-A subject area to:

1. The Future Land Use Plan Map showing the area as Industrial
2. The Thoroughfare Plan showing Industrial as a Minor Arterial Roadway, and
3. The Adequacy of Public Facilities shows the area as part of the CIP and RZ areas for water and wastewater improvements.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

Zoning Map
Land Use Map
Application

**EXCERPTS FROM THE
PLANNING & ZONING COMMISSION MEETING
MONDAY, AUGUST 20, 2007**

ACTION ITEMS

- 6. Z-FY-07-55** Hold a public hearing to consider a zone change from Agricultural District to Light Industrial District on approximately six (6) acres of land commonly referred to as Outblock 1164-G, City Addition, located on the south side of Moore's Mill Road, east of Brewster Road. (Applicant: Temple Economic Development Corporation)

Mr. Tim Dolan, Planning Director, presented this case as depicted in the agenda background. He said Staff recommends approval as stated in the Staff Recommendation. Mr. Dolan said seven notices were mailed to surrounding property owners. No responses were received back in favor or in opposition to this zone change.

Chair Thomas opened the public hearing asking anyone wishing to speak in favor or in opposition to the request to address the Commission. Seeing no one, Chair Thomas closed the public hearing.

Motion to recommend approval of Z-FY-07-55, by Commissioner Kjelland; seconded by Commissioner Kasberg.

Motion passed (9/0).

- 7(a) Z-FY-07-56** Hold a public hearing to consider a zone change from Agricultural District to Light Industrial District on approximately 10.08 acres of land commonly known as Outblock 4204-A, City Addition, located on the east side of Wendland Road, north of Wilsonart Drive and south of Moore's Mill Road. (Applicant: Temple Economic Development Corporation)

Mr. Tim Dolan, Planning Director, presented this case as depicted in the agenda background. He said Staff recommends approval as stated in the Staff Recommendation. Mr. Dolan said three notices were mailed to surrounding property owners. No responses were received back in favor or in opposition to this zone change.

Chair Thomas opened the public hearing asking anyone wishing to speak in favor or in opposition to the request to address the Commission. Seeing no one, Chair Thomas closed the public hearing.

Motion to recommend approval of Z-FY-07-56(a) by Commissioner Pilkington; seconded by Commissioner Hurd.

Motion passed (9/0).

- (b) Z-FY-07-56** Hold a public hearing to consider a zone change from Agricultural District to Light Industrial District on approximately 10.05 acres of land commonly known as Outblock 4203-A, City Addition, located on the east side of Wendland Road, north of Wilsonart Drive and south of Moore's Mill Road. (Applicant: Temple Economic Development Corporation)

Mr. Tim Dolan, Planning Director, presented this case as depicted in the agenda background. He said Staff recommends approval as stated in the Staff Recommendation. Mr. Dolan said three notices were mailed to surrounding property owners. No responses were received back in favor or in opposition to this zone change.

Chair Thomas opened the public hearing asking anyone wishing to speak in favor or in opposition to the request to address the Commission. Seeing no one, Chair Thomas closed the public hearing.

Motion to recommend approval of Z-FY-07-56(a) by Commissioner Carothers; seconded by Commissioner Kjelland.

Motion passed (9/0).

ORDINANCE NO. _____

(ZONING NO. Z-FY-07-56-A)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING A ZONING CHANGE FROM AGRICULTURAL DISTRICT (A) TO LIGHT INDUSTRIAL DISTRICT (LI) ON APPROXIMATELY 10.08 ACRES OF LAND COMMONLY KNOWN AS OUTBLOCK 4204-A, CITY ADDITION, LOCATED ON THE EAST SIDE OF WENDLAND ROAD, NORTH OF WILSONART DRIVE AND SOUTH OF MOORE'S MILL ROAD; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: The City Council approves a zoning change from Agricultural District (A) to Light Industrial District (LI) on approximately 10.08 acres of land commonly known as Outblock 4204-A, City Addition, located on the east side of Wendland Road, north of Wilsonart Drive and south of Moore's Mill Road, more fully described in Exhibit A, attached hereto and made a part hereof for all purposes.

Part 2: The City Council directs the Director of Planning to make the necessary changes to the City Zoning Map accordingly.

Part 3: It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such phrase, clause, sentence, paragraph or section.

Part 4: This ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

Part 5: It is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on First Reading and Public Hearing on the **6th** day of **September**, 2007.

PASSED AND APPROVED on Second Reading on the **20th** day of **September**, 2007.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

Clydette Entzminger
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

09/06/07
Item #8(B)
Regular Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Tim Dolan, AICP, Planning Director

ITEM DESCRIPTION: FIRST READING – PUBLIC HEARING - Z-FY-07-56(B): Consider adopting an ordinance authorizing a zoning change from Agricultural District to Light Industrial District on approximately 10.05 acres of land commonly known as Outblock 4203-A, City Addition, located on the east side of Wendland Road, north of Wilsonart Drive and south of Moore's Mill Road.

P&Z COMMISSION RECOMMENDATION: The Planning & Zoning Commission recommended approval of the Limited Industrial District (LI) request since it complies with the Future Land Use Plan, Thoroughfare Plan, the Adequacy of Public Facilities and the Development Regulations with a 9/0 vote.

STAFF RECOMMENDATION: Conduct public hearing and adopt ordinance as presented in item description, on first reading, and schedule second reading and final adoption for September 20, 2007.

ITEM SUMMARY: The subject area is part of a series of zoning cases for City owned properties to change the zoning district from Agriculture (A) to Light Industrial (LI). Staff recommends the Council consider cases Z-FY-07-55, Z-FY-07-56(A) and Z-FY-07-56(B) at the same time.

Please refer to the Staff Report and draft minutes of case Z-FY-07-56B from the Planning and Zoning Commission meeting on August 20, 2007.

FISCAL IMPACT: None

ATTACHMENTS:

[Land Use Map](#)
[Zoning Map](#)
[P&Z Staff Report](#)
[P&Z Minutes](#)
[Ordinance](#)



Z-FY-07-56B

10.05 Acres

Outblock 4203-A

AGRICULTURAL

● Agricultural
(A)

RESIDENTIAL

● Low Density
(0-2 DU/ACRE)
(LE)

● Moderate Density
(2-6 DU/ACRE)
(SF-1, SF-2, SF-3, MH, 2-F)

● Medium Density
(5-12 DU/ACRE)
(WH, 2-F, TH, MH-1)

● High Density
(12-25 DU/ACRE)
(HF-2)

COMMERCIAL

● Neighborhood and
Community Retail
(NS, GR)

● Office
(O-1, O-2)

● Regional Commercial
(C, CA)

MIXED USE

● Mixed Use Areas

INDUSTRIAL

● Light and Heavy
Industrial
(LI, HI)

**COMMUNITY
FACILITIES**

● CF-E (Schools)

● CF-G (General)

● CF-M (Medical)

● CF-R (Religious)

● PARKS

THOROUGHFARE

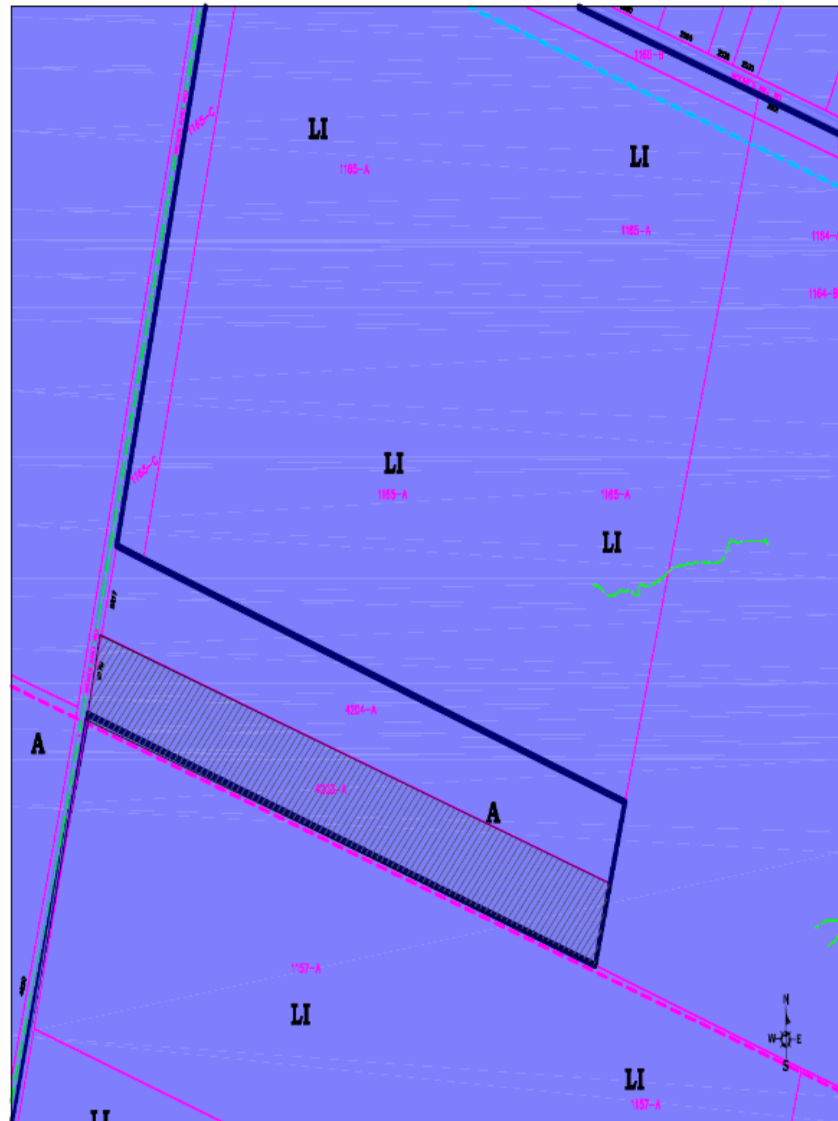
● Collector

● Minor Arterial

● Major Arterial

● Freeway

 **Proposed
Rezone**



A to LI

J Stone/GIS Mapping

08.06.07

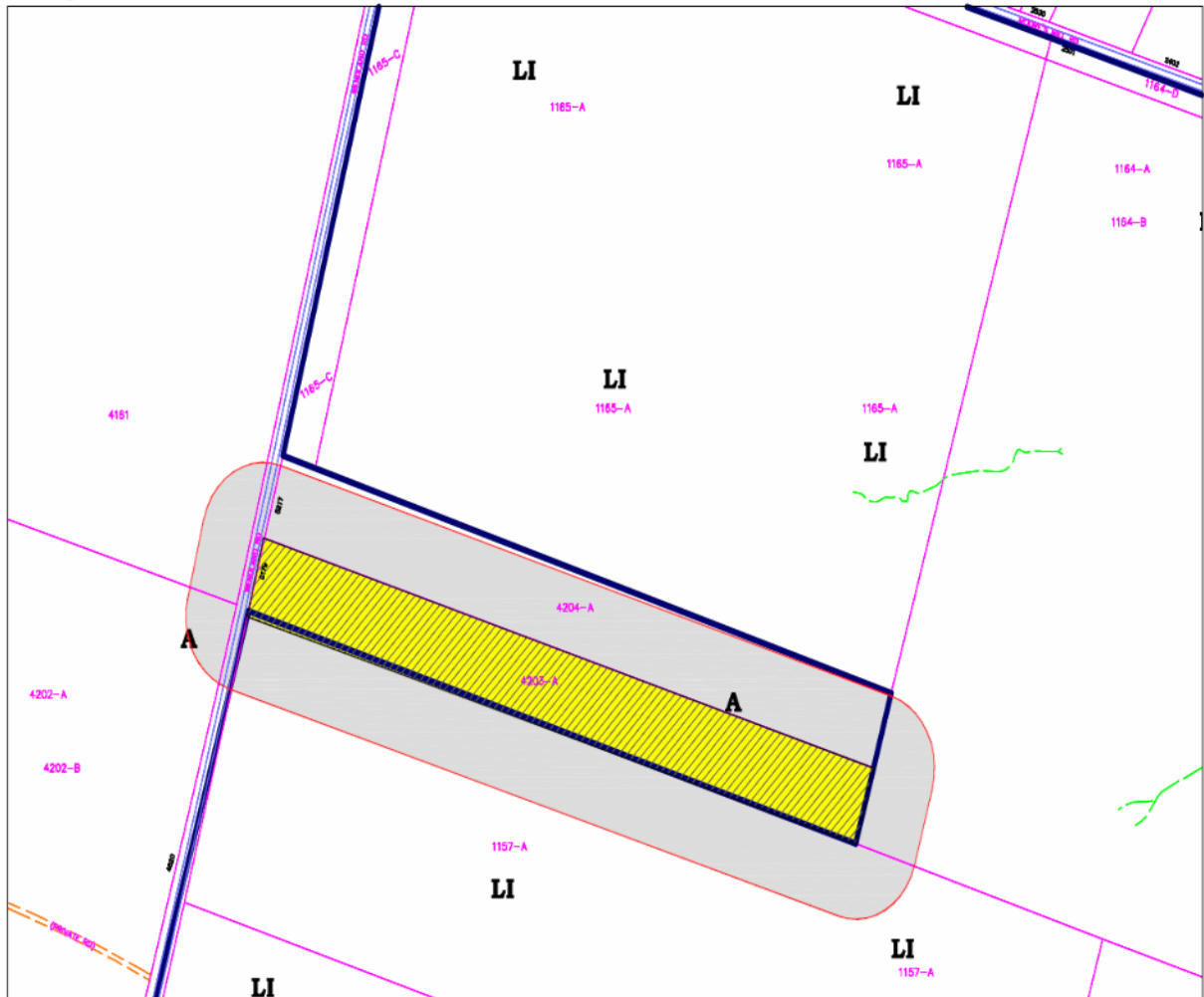
Scale: 1"=400'




Z-FY-07-56B

10.05 Acres

Outblock 4203-A



 **Area of Proposed Zone Change**

 **200' Radius**

A to LI

**J. Stone/GIS Mapping
08.06.07
Scale: 1"=400'**



PLANNING AND ZONING COMMISSION AGENDA ITEM

08/20/07
Item 7B
Page 1 of 2

APPLICANT / DEVELOPMENT: City of Temple c/o Temple Economic Development Corporation

CASE MANAGER: Tim Dolan, AICP, Planning Director

ITEM DESCRIPTION:

Public Hearing - Z-FY-07-56-B: Consider a zone change from Agricultural District to Light Industrial District on approximately 10.05 acres of land commonly known as Outblock 4203-A, City Addition, located on the east side of Wendland Road, north of Wilsonart Drive and south of Moore's Mill Road.
(Applicant: Temple Economic Development Corporation)

BACKGROUND:

The subject area is part of a series of zoning cases for City owned properties to change the zoning district from Agriculture (A) to Light Industrial (LI). Staff recommends the Commission consider Items 6, 7A & 7B simultaneously by calling a separate public hearing for each zoning case with a separate motion, second and vote for each individual zoning case.

Surrounding Property and Uses

The subject area is surrounded by properties that are zoned Agriculture (A) and Light Industrial (LI) and undeveloped, with single family houses on the north side of Moore's Mill Road.

Future Land Use Plan

The subject area complies with the Future Land Use Plan as an Industrial Use.

Thoroughfare Plan

The subject area complies with the Thoroughfare Plan, with access to Wendland Road and Dodgen Loop, both Minor Arterial Roadways.

Adequacy of Public Facilities

This area will be served by water and sewer as part of the CIP and RZ projects.

Development Regulations

The purpose of the Light Industrial District serves a transition from other commercial or retail areas to industrial uses. The LI area should be isolated from planned areas of residential development.

The land uses allowed are manufacturing and assembly, subject to performance standards of odor, noise, glare, smoke, air contaminants, vibration, and open storage.

The maximum lot coverage for LI is 55% for a main building, and maximum lot coverage of 65% for a main building and all accessory buildings. The front setback requirements are thirty feet (30.0') from the centerline of a road, no side or rear yard setback for industrial uses, and a ten foot (10.0') setback from properties adjacent to a residential district.

Public Notice

A total of three notices were sent out. As of August 16, 2007 at 5:00 P.M., none were returned. The letters were mailed and the newspaper printed the public hearing on August 8th, in accordance with state law and local ordinance

STAFF RECOMMENDATION:

Staff recommends approval of Z-FY-07-56-B subject area to:

1. The Future Land Use Plan Map showing the area as Industrial
2. The Thoroughfare Plan showing Industrial as a Minor Arterial Roadway, and
3. The Adequacy of Public Facilities shows the area as part of the CIP and RZ areas for water and wastewater improvements.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

Land Use Map
Zoning Map

**EXCERPTS FROM THE
PLANNING & ZONING COMMISSION MEETING
MONDAY, AUGUST 20, 2007**

ACTION ITEMS

- 6. Z-FY-07-55** Hold a public hearing to consider a zone change from Agricultural District to Light Industrial District on approximately six (6) acres of land commonly referred to as Outblock 1164-G, City Addition, located on the south side of Moore's Mill Road, east of Brewster Road. (Applicant: Temple Economic Development Corporation)

Mr. Tim Dolan, Planning Director, presented this case as depicted in the agenda background. He said Staff recommends approval as stated in the Staff Recommendation. Mr. Dolan said seven notices were mailed to surrounding property owners. No responses were received back in favor or in opposition to this zone change.

Chair Thomas opened the public hearing asking anyone wishing to speak in favor or in opposition to the request to address the Commission. Seeing no one, Chair Thomas closed the public hearing.

Motion to recommend approval of Z-FY-07-55, by Commissioner Kjelland; seconded by Commissioner Kasberg.

Motion passed (9/0).

- 7(a) Z-FY-07-56** Hold a public hearing to consider a zone change from Agricultural District to Light Industrial District on approximately 10.08 acres of land commonly known as Outblock 4204-A, City Addition, located on the east side of Wendland Road, north of Wilsonart Drive and south of Moore's Mill Road. (Applicant: Temple Economic Development Corporation)

Mr. Tim Dolan, Planning Director, presented this case as depicted in the agenda background. He said Staff recommends approval as stated in the Staff Recommendation. Mr. Dolan said three notices were mailed to surrounding property owners. No responses were received back in favor or in opposition to this zone change.

Chair Thomas opened the public hearing asking anyone wishing to speak in favor or in opposition to the request to address the Commission. Seeing no one, Chair Thomas closed the public hearing.

Motion to recommend approval of Z-FY-07-56(a) by Commissioner Pilkington; seconded by Commissioner Hurd.

Motion passed (9/0).

- (b) Z-FY-07-56** Hold a public hearing to consider a zone change from Agricultural District to Light Industrial District on approximately 10.05 acres of land commonly known as Outblock 4203-A, City Addition, located on the east side of Wendland Road, north of Wilsonart Drive and south of Moore's Mill Road. (Applicant: Temple Economic Development Corporation)

Mr. Tim Dolan, Planning Director, presented this case as depicted in the agenda background. He said Staff recommends approval as stated in the Staff Recommendation. Mr. Dolan said three notices were mailed to surrounding property owners. No responses were received back in favor or in opposition to this zone change.

Chair Thomas opened the public hearing asking anyone wishing to speak in favor or in opposition to the request to address the Commission. Seeing no one, Chair Thomas closed the public hearing.

Motion to recommend approval of Z-FY-07-56(a) by Commissioner Carothers; seconded by Commissioner Kjelland.

Motion passed (9/0).

ORDINANCE NO. _____

(ZONING NO. Z-FY-07-56-B)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING A ZONING CHANGE FROM AGRICULTURAL DISTRICT (A) TO LIGHT INDUSTRIAL DISTRICT (LI) ON APPROXIMATELY 10.05 ACRES OF LAND COMMONLY KNOWN AS OUTBLOCK 4203-A, CITY ADDITION, LOCATED ON THE EAST SIDE OF WENDLAND ROAD, NORTH OF WILSONART DRIVE AND SOUTH OF MOORE'S MILL ROAD; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: The City Council approves a zoning change from Agricultural District (A) to Light Industrial District (LI) on approximately 10.05 acres of land commonly known as Outblock 4203-A, City Addition, located on the east side of Wendland Road, north of Wilsonart Drive and south of Moore's Mill Road, more fully described in Exhibit A, attached hereto and made a part hereof for all purposes.

Part 2: The City Council directs the Director of Planning to make the necessary changes to the City Zoning Map accordingly.

Part 3: It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such phrase, clause, sentence, paragraph or section.

Part 4: This ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

Part 5: It is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on First Reading and Public Hearing on the **6th** day of **September**, 2007.

PASSED AND APPROVED on Second Reading on the **20th** day of **September**, 2007.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

Clydette Entzminger
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

09/06/07
Item #9
Regular Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Traci L. Barnard, Director of Finance

ITEM DESCRIPTION: FIRST READING – PUBLIC HEARING – Consider adopting an ordinance amending the Tax Increment Financing Reinvestment Zone No. 1 Financing Plan for FY 2007 to fund engineering services related to projects in the North Rail Park in the amount of \$266,000.

STAFF RECOMMENDATION: Conduct public hearing and adopt ordinance as presented in item description, on first reading, and schedule second reading and final adoption for September 20, 2007.

ITEM SUMMARY: The Tax Increment Financing (TIF) RZ #1 has acquired several tracts of land in the North Zone in order to construct a detention pond, rail spur improvements, rail park construction and other infrastructure improvements. This amendment appropriates additional funds for design services for Wendland Road improvements and a storm water detention pond that will serve the drainage basin for the Rail Park.

FISCAL IMPACT: A budget amendment is presented for Council's approval increasing interest income by \$164,996 and eliminating the allowance on property tax revenue of \$101,004. The total amount currently in the Financing Plan for Elm Creek Detention Pond is \$100,000; therefore the Financing plan only requires an amendment of \$266,000 to fund the two design contracts for \$366,000.

ATTACHMENTS:

[Financing Plan](#)
[Summary Financing Plan with Detail Project Plan](#)
[Proposed Amendment to Finance Plan](#)
[Budget Amendment](#)
[Ordinance](#)

		Y/E 9/30/07	Y/E 9/30/08	Y/E 9/30/09	Y/E 9/30/10	Y/E 9/30/11	Y/E 9/30/12	Y/E 9/30/13	Y/E 9/30/14	Y/E 9/30/15	Y/E 9/30/16	Y/E 9/30/17	Y/E 9/30/18	Y/E 9/30/19	Y/E 9/30/20	Y/E 9/30/21	Y/E 9/30/22
DESCRIPTION		Year 25 (t)	Year 26	Year 27	Year 28	Year 29	Year 30	Year 31	Year 32	Year 33	Year 34	Year 35	Year 36	Year 37	Year 38	Year 39	Year 40
1	Appraised Value	\$ 130,843,229	\$ 131,319,652	\$ 132,632,848	\$ 133,959,177	\$ 135,298,769	\$ 136,651,756	\$ 138,018,274	\$ 139,398,457	\$ 140,792,441	\$ 142,200,366	\$ 143,622,369	\$ 145,058,593	\$ 146,509,179	\$ 147,974,271	\$ 149,454,013	\$ 150,948,554
5	FUND BALANCE, Begin	\$ 12,400,571	\$ 1,077,108	\$ 1,382,873	\$ 2,267,853	\$ 2,623,589	\$ 2,512,448	\$ 1,884,091	\$ 1,563,323	\$ 3,172,073	\$ 4,813,879	\$ 6,497,034	\$ 8,209,697	\$ 9,960,636	\$ 11,733,503	\$ 13,542,461	\$ 15,376,562
SOURCES OF CASH:																	
10	Tax Revenues	3,366,807	3,504,856	3,616,853	3,744,715	3,817,237	3,855,121	3,893,383	3,932,029	3,971,061	4,010,483	4,050,299	4,090,514	4,131,131	4,172,154	4,213,587	4,255,434
15	Allowance for Uncoll. Taxes	-	(105,146)	(108,506)	(112,341)	(114,517)	(115,655)	(116,801)	(117,961)	(119,132)	(120,314)	(121,509)	(122,715)	(123,934)	(125,165)	(126,408)	(127,663)
20	Interest Income-Bonds	164,996	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
25	Interest Income-Other	300,000	440,000	40,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000	40,000	40,000	30,000	10,000
30	Other-Bond Proceeds	-	9,100,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-
35	Grant Funds	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
40	TOTAL SOURCES	3,831,803	12,939,710	3,548,347	3,682,374	3,752,720	3,789,466	3,826,582	3,864,068	3,901,929	3,940,169	3,978,790	4,017,799	4,047,197	4,086,989	4,117,179	4,137,771
USES OF CASH:																	
Operating Expenses																	
50	Prof Svcs/Proj Mgmt	125,740	88,434	90,202	92,007	93,847	95,724	97,638	99,591	101,583	103,615	105,687	107,801	109,957	112,156	114,399	116,687
51	Legal/Audit	1,100	1,100	1,100	1,100	1,100	1,200	1,200	1,200	1,200	1,200	1,300	1,300	1,300	1,300	1,300	1,400
55	Zone Mtc	75,000	75,000	75,000	75,000	75,000	75,000	75,000	75,000	75,000	75,000	75,000	75,000	75,000	75,000	75,000	75,000
60	TEDC	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
65	TISD-Joint Use facilities	498,816	21,981	22,201	22,423	22,647	22,873	23,102	23,333	23,567	23,802	24,040	24,281	24,523	24,769	25,016	25,267
90	Subtotal-Operating Expenses	800,656	286,515	288,503	290,530	292,594	294,797	296,940	299,124	301,350	303,617	306,027	308,382	310,780	313,225	315,715	318,354
Projects (2)																	
199	North Zone (3)	3,594,348	2,340,000	40,000	790,000	-	-	800,000	-	-	-	-	-	-	-	-	-
299	Western Aviation Zone (3)	877,499	2,600,000	-	300,000	1,225,150	2,175,850	1,100,000	-	-	-	-	-	-	-	-	-
399	Western Bio-Science & Medical Zone (3)	6,201,150	3,865,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-
400	Southeast Industrial Park Zone (3)	185,000	1,200,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-
405	General Roadway Improvements	318,050	200,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-
410	Major Gateway Entrances	-	-	400,000	-	400,000	-	-	-	-	-	-	-	-	-	-	-
415	Downtown Improvements	7,197	13,612	185,779	192,113	195,747	197,691	199,655	201,639	203,643	205,667	207,710	209,775	211,860	213,966	216,093	218,241
420	Loop 363 Improvements	2,300,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
430	Reserve for Acer facility	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
500	Zone Projects - Public Improvements	-	275,100	-	-	-	-	-	-	-	-	-	-	-	-	-	17,349,468
600	Subtotal-Projects	13,483,244	10,493,712	625,779	1,282,113	1,820,897	2,373,541	2,099,655	201,639	203,643	205,667	207,710	209,775	211,860	213,966	216,093	17,567,709
Debt Service																	
625	2003 Bond Issue	870,166	867,935	866,385	868,545	868,420	867,035	869,055	869,855	868,930	866,530	867,440	866,753	869,240	869,640	868,070	870,070
626	2007 Bond Issue	-	984,583	881,500	884,250	880,750	881,250	880,500	883,500	885,000	880,000	883,750	880,750	881,250	880,000	882,000	882,000
630	Paying Agent Services	1,200	1,200	1,200	1,200	1,200	1,200	1,200	1,200	1,200	1,200	1,200	1,200	1,200	1,200	1,200	1,200
635	Subtotal-Debt Service	871,366	1,853,718	1,749,085	1,753,995	1,750,370	1,749,485	1,750,755	1,754,555	1,755,130	1,747,730	1,752,390	1,748,703	1,751,690	1,750,840	1,751,270	1,753,270
650	TOTAL USES	15,155,266	12,633,945	2,663,367	3,326,638	3,863,861	4,417,823	4,147,350	2,255,318	2,260,123	2,257,014	2,266,127	2,266,860	2,274,330	2,278,031	2,283,078	19,639,333
660	FUND BALANCE, End	1,077,108	1,382,873	2,267,853	2,623,589	2,512,448	1,884,091	1,563,323	3,172,073	4,813,879	6,497,034	8,209,697	9,960,636	11,733,503	13,542,461	15,376,562	(125,000.00)
670	Required Debt Reserve	(968,000)	(968,000)	(968,000)	(968,000)	(968,000)	(968,000)	(968,000)	(968,000)	(968,000)	(968,000)	(968,000)	(968,000)	(968,000)	(968,000)	(968,000)	-
700	AVAILABLE FUND BALANCE	\$ 109,108	\$ 414,873	\$ 1,299,853	\$ 1,655,589	\$ 1,544,448	\$ 916,091	\$ 595,323	\$ 2,204,073	\$ 3,845,879	\$ 5,529,034	\$ 7,241,697	\$ 8,992,636	\$ 10,765,503	\$ 12,574,461	\$ 14,408,562	\$ (125,000)
800	FUND BALANCE, Begin	12,400,571	1,077,108	1,382,873	2,267,853	2,623,589	2,512,448	1,884,091	1,563,323	3,172,073	4,813,879	6,497,034	8,209,697	9,960,636	11,733,503	13,542,461	15,376,562
805	Revenue over/(under)/expense	(11,323,463)	305,765	884,980	355,736	(111,141)	(628,357)	(320,768)	1,608,750	1,641,806	1,683,155	1,712,663	1,750,940	1,772,867	1,808,958	1,834,101	(15,501,562)
810	FUND BALANCE, End	\$ 1,077,108	\$ 1,382,873	\$ 2,267,853	\$ 2,623,589	\$ 2,512,448	\$ 1,884,091	\$ 1,563,323	\$ 3,172,073	\$ 4,813,879	\$ 6,497,034	\$ 8,209,697	\$ 9,960,636	\$ 11,733,503	\$ 13,542,461	\$ 15,376,562	\$ (125,000)

SUMMARY FINANCING PLAN									
	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
5 Beginning Available Fund Balance, Oct 1	\$ 11,624,571	\$ 109,108	\$ 414,873	1,299,853	1,655,589	1,544,448	916,091	595,323	2,204,073
40 Revenues, net	3,831,803	12,939,710	3,548,348	3,682,374	3,752,720	3,789,466	3,826,582	3,864,068	3,901,929
45 Less Required Debt Reserve (increase after FY2006)	(192,000)	-	-	-	-	-	-	-	-
49 Net Available for Appropriation	15,264,374	13,048,818	3,963,221	4,982,227	5,408,309	5,333,914	4,742,673	4,459,391	6,106,002
50 General Administrative Expenditures	126,840	89,534	91,303	93,107	94,947	96,924	98,838	100,791	102,783
55 Zone Maintenance	75,000	75,000	75,000	75,000	75,000	75,000	75,000	75,000	75,000
60 Contractual Payments (TEDC)	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
65 TISD - Joint Use Facilities	498,816	21,981	22,201	22,423	22,647	22,873	23,102	23,333	23,567
70 Debt Service - 2003 Issue	871,366	869,135	867,585	869,745	869,620	868,235	870,255	871,055	870,130
71 Debt Service - Proposed 2007 Issue	-	984,583	881,500	884,250	880,750	881,250	880,500	883,500	885,000
75 Total Operating & Committed Expenditures	1,672,022	2,140,233	2,037,589	2,044,525	2,042,964	2,044,282	2,047,695	2,053,679	2,056,480
99 Net Available for Projects	\$ 13,592,352	\$ 10,908,585	\$ 1,925,632	\$ 2,937,702	\$ 3,365,345	\$ 3,289,632	\$ 2,694,978	\$ 2,405,712	\$ 4,049,522

PROJECT PLAN									
	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
NORTH ZONE (including Enterprise Park):									
100 Railroad Spur Improvements	3,026,348	2,200,000	-	-	-	-	-	-	-
105 Elm Creek Detention Pond	104,500	-	-	750,000	-	-	-	-	-
110 Railroad Improvements Engineering Analysis	2,000	-	-	-	-	-	-	-	-
115 Railroad Repairs/Maintenance based on Analysis	200,000	140,000	40,000	40,000	-	-	-	-	-
120 Enterprise Park Water Tank	-	-	-	-	-	-	800,000	-	-
125 Wendland Road Improvements	261,500	-	-	-	-	-	-	-	-
199 Total North Zone (including Enterprise Park)	3,594,348	2,340,000	40,000	790,000	-	-	800,000	-	-
WESTERN AVIATION ZONE:									
200 Detention Pond #2 including W 1-A	12,559	-	-	-	-	-	-	-	-
205 Old Howard Road from Ind Blvd to SH36	-	-	-	-	-	-	-	-	-
210 Old Howard Road Gateway Entrance Project	520,000	-	-	-	-	-	-	-	-
215 WWI--Waste Water Ext SH36 to Ind Blvd	33,000	632,000	-	-	-	-	-	-	-
220 R I-B, W I-B--Industrial Blvd Extension	54,940	1,054,425	-	-	-	-	-	-	-
221 Airport Park Infrastructure Construction	157,000	913,575	-	-	-	-	-	-	-
225 Airport Study	100,000	-	-	-	-	-	-	-	-
230 Airport Trail Roadway-Ind Blvd to Pepper Crk (RIII)	-	-	-	-	115,500	654,500	-	-	-
235 Airport Trail Utilities (W-V, W II, W III)	-	-	-	-	109,650	621,350	-	-	-
240 Old Howard North (R II)	-	-	-	300,000	1,000,000	700,000	-	-	-
245 Airport Trail Roadway-Pepper Crk to Mouser (R V)	-	-	-	-	-	200,000	1,100,000	-	-
299 Total Western Aviation Zone	877,499	2,600,000	-	300,000	1,225,150	2,175,850	1,100,000	-	-
WESTERN BIO-SCIENCE & MEDICAL ZONE:									
300 Greenbelt Development along Pepper Creek	658,000	1,440,000	-	-	-	-	-	-	-
305 Outer Loop Phase 2	3,383,650	-	-	-	-	-	-	-	-
306 Bio-Science Park Phase 1	284,500	1,800,000	-	-	-	-	-	-	-
310 Bio-Science Institute	1,875,000	625,000	-	-	-	-	-	-	-
399 Total Western Bio-Science & Medical Zone	6,201,150	3,865,000	-	-	-	-	-	-	-
OTHER PROJECTS:									
400 Southeast Ind Park (Lorraine Drive)	185,000	1,200,000	-	-	-	-	-	-	-
405 Roadway Maintenance/Improvements	318,050	200,000	-	-	-	-	-	-	-
410 Gateway Entrance Projects (after Old Howard)	-	-	400,000	-	400,000	-	-	-	-
415 Downtown Improvements	7,197	13,612	185,779	192,113	195,747	197,691	199,655	201,639	203,643
420 Loop 363 Improvements (TxDOT commitment)	2,300,000	-	-	-	-	-	-	-	-
430 Reserve for Acer facility	-	-	-	-	-	-	-	-	-
499 Total Other Projects	2,810,247	1,413,612	585,779	192,113	595,747	197,691	199,655	201,639	203,643
500 Undesignated Funding for Public Improvements	-	275,100	-	-	-	-	-	-	-
600 Total Planned Project Expenditures	13,483,244	10,493,712	625,779	1,282,113	1,820,897	2,373,541	2,099,655	201,639	203,643
700 Planned Available Fund Balance at Year End	\$ 109,108	\$ 414,873	\$ 1,299,853	\$ 1,655,589	\$ 1,544,448	\$ 916,091	\$ 595,323	\$ 2,204,073	\$ 3,845,879

LEGEND:
Proposed Change to Project Plan
Amounts in RED reflect values that have been committed either by contract or formal commitment.

City of Temple, Texas
Reinvestment Zone No. 1
Proposed Amendment to Financing/Project Plan
August 22, 2007

Proposed Design Contracts:

Elm Creek Detention Pond	\$ 104,500
Wendland Road Improvements	261,500
Funding Needs	<u>\$ 366,000</u>

Available:

<u>Line</u>		
105	Elm Creek Detention Pond	<u>100,000</u>

Additional Funding Needed	<u>\$ 266,000</u>
----------------------------------	--------------------------

Financing Plan Amendment: (Detailed Project Plan)

		<u>+/-</u>	<u>FY 2007</u>
Source of Funds:			
<u>Line</u>			
40	Property Tax Allowance	+	\$ 101,004
40	Interest Revenue	+	164,996
			<u>\$ 266,000</u>

Use of Funds:

105	Elm Creek Detention Pond	+	\$ 4,500
125	Wendland Road Improvements	+	261,500
420	Loop 363 Improvements (TxDOT)		
			<u>\$ 266,000</u>

Net	\$	<u>-</u>
------------	-----------	-----------------

+ = Increase

- = Decrease

8/31/2007

C:\Documents and Settings\lstele\Local Settings\Temporary Internet Files\OLK1C5\Proposed Amendment to FP 8-22-07a.xls

Prepared by City of Temple Finance Dept. - tlb

FY 2007

BUDGET ADJUSTMENT FORM

Use this form to make adjustments to your budget. All adjustments must balance within a Department.
Adjustments should be rounded to the nearest \$1.

+

—

[illegible]

EXPLANATION OF ADJUSTMENT REQUEST- Include justification for increases AND reason why funds in decreased account are available.

To appropriate funds for engineering services for the design of Wendland Road in the amount of \$261,500. No funds are currently appropriated for this project. This budget amendment also subsidizes funding for engineering services for the design of the Elm Creek Detention Pond in the amount of \$4,500. There is currently \$100,000 available in account 795-9500-531-6830 for the Elm Creek Detention Pond design. The total amount needed for the Elm Creek Detention Pond is \$104,500. This budget amendment requires an amendment to the Zone's financing plan which requires two readings by Council, first reading scheduled for 09/06/07 and second reading scheduled for 09/20/07.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

x

Yes

1

No

DATE OF COUNCIL MEETING

9/20/2007

WITH AGENDA ITEM?

X

☐ Yes

11

☐ No

Department Head/Division Director

Date _____

7

Approved

--	--

Disapproved

Finance

Date _____

10

Approved

--	--

Disapproved

City Manager

Date _____

11

Approved

Disapproved

ORDINANCE NO. _____

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AMENDING THE TAX INCREMENT FINANCING REINVESTMENT ZONE #1 FINANCING PLAN FOR FY 2007 IN THE AMOUNT OF \$266,000 TO FUND ENGINEERING SERVICES RELATED TO PROJECTS IN THE NORTH RAIL PARK; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; DECLARING FINDINGS OF FACT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City Council (the "Council") of the City of Temple, Texas, (the "City") created Reinvestment Zone Number One, City of Temple, Texas (the "Zone") by Ordinance No. 1457 adopted on September 16, 1982;

Whereas, the Council adopted a Project Plan and Reinvestment Zone Financing Plan for the Zone by Ordinance No. 1525 adopted on December 22, 1983, and thereafter amended such plans by Ordinance No. 1664 adopted on June 20, 1985, Ordinance No. 1719 adopted on November 21, 1985, Ordinance No. 1888 adopted on December 21, 1987, Ordinance No. 1945 adopted on October 20, 1988; Ordinance No. 1961 adopted on December 1, 1988; Ordinance No. 2039 adopted on April 19, 1990; Ordinance No. 91-2119 adopted on December 5, 1991; Ordinance No. 92-2138 adopted on April 7, 1992; Ordinance No. 94-2260 adopted on March 3, 1994; Ordinance No. 95-2351 adopted on June 15, 1995; Ordinance No. 98-2542 adopted on February 5, 1998; Ordinance No. 98-2582 adopted on November 19, 1998; Ordinance No. 99-2619 adopted on March 18, 1999; Ordinance No. 99-2629 adopted on May 6, 1999; Ordinance No. 99-2631 adopted on May 20, 1999; Ordinance No. 99-2647 adopted on August 19, 1999; Ordinance No. 99-2678 adopted on December 16, 1999; Ordinance No. 2000-2682 adopted on January 6, 2000; Ordinance No. 2000-2729 adopted on October 19, 2000; Ordinance No. 2001-2772 adopted on June 7, 2001; Ordinance No. 2001-2782 adopted on July 19, 2001; Ordinance No. 2001-2793 adopted on September 20, 2001; Ordinance No. 2001-2807 on November 15, 2001; Ordinance No. 2001-2813 on December 20, 2001; Ordinance No. 2002-2833 on March 21, 2002; Ordinance No. 2002-2838 on April 18, 2002; Ordinance No. 2002-3847 on June 20, 2002; Ordinance No. 2002-3848 on June 20, 2002; Ordinance No. 2002-3868 on October 17, 2002; Ordinance No. 2003- 3888 on February 20, 2003; Ordinance No. 2003-3894 on April 17, 2003; Ordinance No 2003-3926 on September 18, 2003; Ordinance No. 2004-3695 on July 1, 2004; Ordinance No. 2004-3975 on August 19, 2004; Ordinance No. 2004-3981 on September 16, 2004; Ordinance No. 2005-4001 on May 5, 2005; Ordinance No. 2005-4038 on September 15, 2005; Ordinance No. 2006-4051 on January 5, 2006; Ordinance No. 2006-4076 on the 18th day of May, 2006; Ordinance No. 2006-4118; Ordinance No. 2007-4141 on the 19th day of April, 2007; and Ordinance No. 2007-4155 on July 19, 2007;

Whereas, the Board of Directors of the Zone has adopted an additional amendment to the Reinvestment Zone Financing Plan for the Zone and forwarded such amendment to the Council for appropriate action;

Whereas, the Council finds it necessary to amend the Reinvestment Zone Financing Plan for the Zone to include financial information as hereinafter set forth; and

Whereas, the Council finds that such amendment to the Reinvestment Zone Financing Plan is feasible and conforms to the Comprehensive Plan of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS THAT:

Part 1: Findings. The statements contained in the preamble of this ordinance are true and correct and are adopted as findings of fact hereby.

Part 2: Reinvestment Zone Financing Plan. The amendment to the Tax Increment Financing Reinvestment Zone No. One Financing Plan, heretofore adopted by the Board of Directors of the Zone and referred to in the preamble of this ordinance, is hereby approved and adopted, as set forth in the Amendment to Reinvestment Zone Number One, City of Temple, Texas, attached hereto as Exhibit A. This expenditure requires an amendment to the 2006-2007 budget, a copy of which is attached as Exhibit B.

Part 3: Plans Effective. The Financing Plan for the Zone heretofore in effect shall remain in full force and effect according to the terms and provisions thereof, except as specifically amended hereby.

Part 4: Copies to Taxing Units. The City Secretary shall provide a copy of the amendment to the Reinvestment Zone Financing Plan to each taxing unit that taxes real property located in the Zone.

Part 5: Severability. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such invalid phrase, clause, sentence, paragraph or section.

Part 6: Effective Date. This ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

Part 7: Open Meetings. It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meeting Act.

PASSED AND APPROVED on First Reading on the 6th day of **September**, 2007.

PASSED AND APPROVED on Second and Final Reading on the 20th day of **September**, 2007.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

Clydette Entzminger
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

09/06/07
Item #10
Regular Agenda
Page 1 of 2

DEPT. /DIVISION SUBMISSION & REVIEW:

Tim Dolan, Planning Director

ITEM DESCRIPTION: P-FY-07-44: Consider adopting a resolution authorizing the final plat of Hills of Westwood Phase III, Section 3, a 1.508 acre, 10 lot, 2 block residential replat of Common Area "F", Block 5, Lots 21 & 22, Block 5 and Lots 3,4,17& 18, Block 8, Hills of Westwood Phase III, located south of Tarver Drive; and abandonment of the existing 0.585 acre utility and drainage easement previously platted on Common Area "F", Block 5, Hills of Westwood Phase III.

P& Z COMMISSION RECOMMENDATION: At its August 6, 2007, Planning and Zoning Commission meeting, the Commission voted 7/0 to recommend approval of the final plat of Hills of Westwood Phase III, Section 3, subject to City Council's approval of the developer's requested abandonment of the existing 0.585 acre utility and drainage easement as described in the item description.

STAFF RECOMMENDATION: Adopt resolution approving the final plat of Hills of Westwood Phase III, Section 3, subject to the developer's requested utility and drainage easement abandonment as presented in the item description.

ITEM SUMMARY: Due to drainage concerns, this plat was tabled at the City Council meeting on August 16, 2007. Since then, both Planning and Engineering Staff have met with the project engineer to discuss storm water drainage. The final plat of Hills of Westwood Phase III, Section 3 proposes four additional residential lots in the area originally platted in 2006, as Common Area "F" in Hills of Westwood Phase III. Common Area "F" is a 0.585 acre utility and drainage easement which requires abandonment by the City Council. The replat proposes a new series of utility and drainage easements.

Drainage will be underground between Lots 3, 4, 17& 18, Block 8 and Lots 21 & 22, Block 5 though curb inlets in Branchwood Way and Neuberry Cliffe. The developer will install an underground storm drainage system intercepting up to a 10-year storm event, consistent with the City of Temple Drainage and Construction Manual regulations. Anything in excess of a 10-year storm event will flow overland. All lots adjacent to the drainage system will be required to have a finished floor elevation, one (1) foot above the inundation level. Drainage will be to grade to the south and east with a discharge point on Hills of Westwood, Phase III, and Section 3 across the developer's property

1703.58 feet (more than a quarter mile) to Old Waco Road. Staff secured a 0.585 acre off-site drainage easement to the east as a “placeholder” until Mr. Kiella develops his land to Old Waco Road.

Please refer to the Staff Report and draft minutes of case P-FY-07-44, from the Planning and Zoning Commission meeting, August 6, 2007. The final plat of Hills of Westwood Phase III, Section 3, is a residential replat of Hills of Westwood Phase III. A public hearing was held at the August 6, 2007 meeting to satisfy state law and Subdivision Ordinance Section 33-39, requiring public hearings for residential replats.

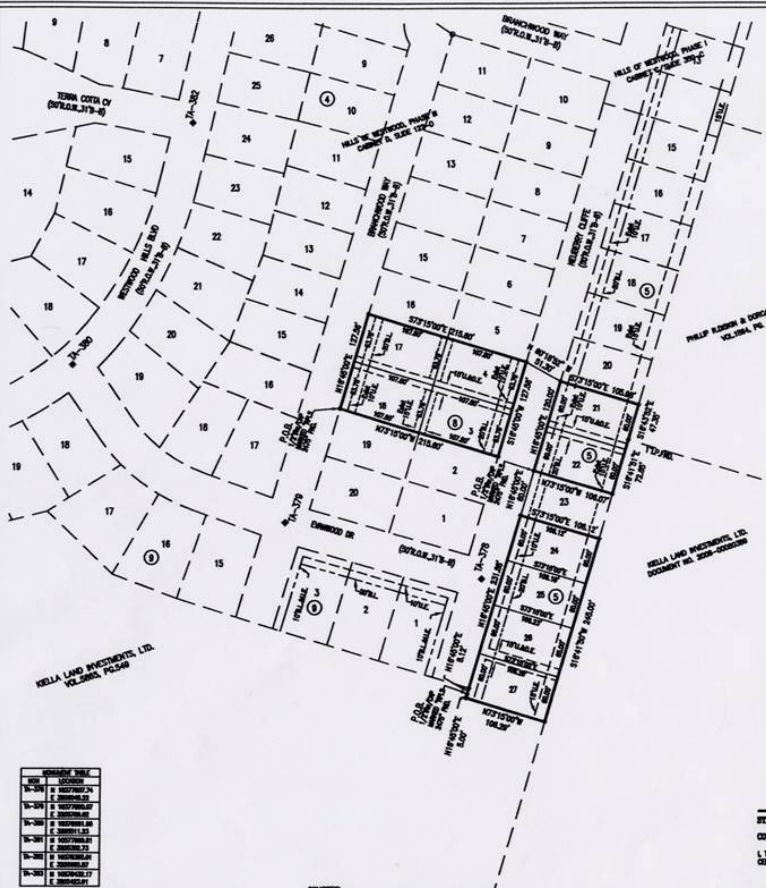
This plat was reviewed by the Design Review Committee (DRC) on July 10, 2007, and was considered administratively complete on July 31, 2007.

Park requirements have been satisfied by a previous agreement for improvements to Von Rosenberg Park. The developer assures staff that previously approved playground structures will be constructed for Von Rosenberg Park in January or February of 2008.

FISCAL IMPACT: None

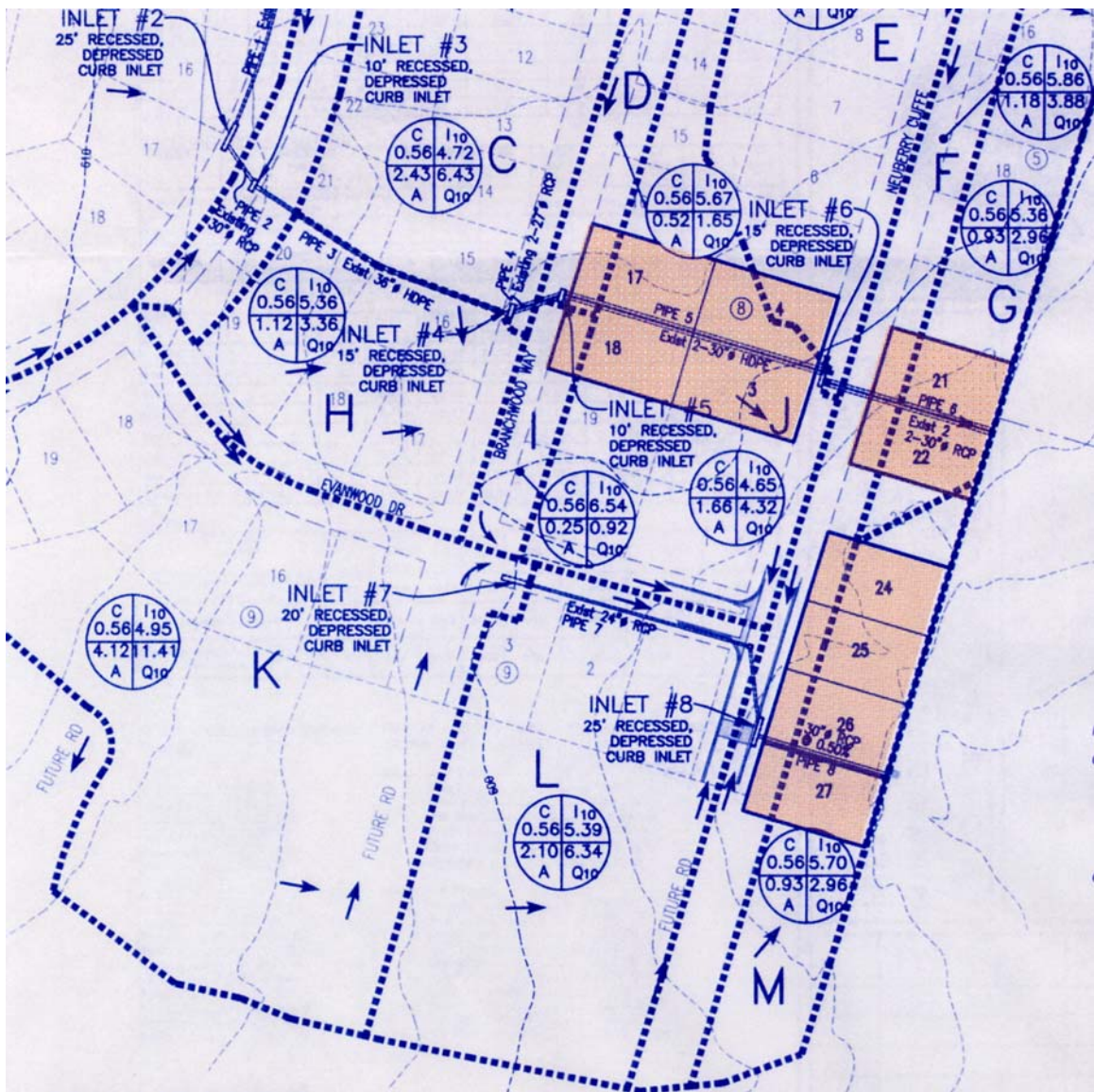
ATTACHMENTS:

[Plat](#)
[Drainage Exhibits](#)
[Resolution](#)



FINAL PLAT of:
HILLS OF WESTWOOD,
Phase III, Section 3
A REPLAT OF COMMON AREA "T", BLOCK 5 (0.585 ACRES),
LOTS 21-22, BLOCK 5 (0.292 ACRES),
AND LOTS 3,4,17&18, BLOCK 8 (0.631 ACRES)
HILLS OF WESTWOOD, PHASE III
10 LOTS, 2 BLOCKS
1.508 ACRES
OUT OF AND A PART OF THE BALDWIN ROBERTSON LEAGUE SURVEY, ABSTRACT #17
A SUBDIVISION IN THE CITY OF TEMPLE
BELL COUNTY, TEXAS

THAT SURRENDERED MARCH 5, 2006
1.508 ACRES MORE FULLY DESCRIBED BY METES & BOUNDS BY SEPARATE
FIELD NOTES PREPARED AND ATTACHED TO RECORDS INSTRUMENT



DRAINAGE LEGEND

A	C
X.XX	0.XX
X.XX	XX.X
I ₁₀	Q ₁₀

DRAINAGE AREA INFORMATION

C - Runoff Coefficient
A - Area (acres)
I - Storm Intensity, 10-year storm (inches/hour)
Q - Area Peak Discharge, 10 year storm (ft³/second)



DIRECTION OF POST-DEVELOPMENT
RUNOFF FLOW



PRE-EXISTING DRAINAGE AREAS



POST DEVELOPMENT DRAINAGE AREAS

2' CONTOURS (City of Temple Stockhouse Data)

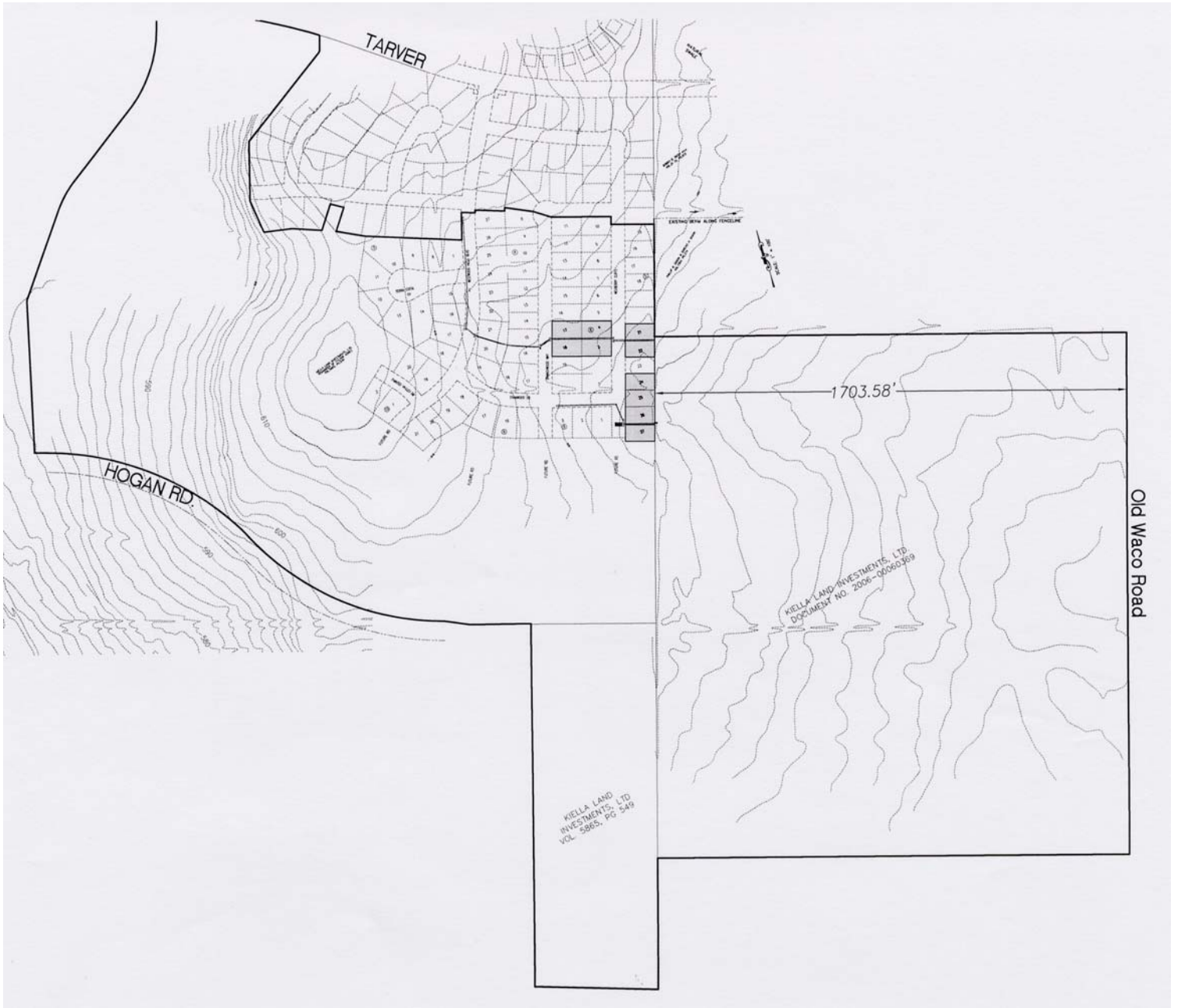
PIPE # 6-(2) 30" RCP
(FLOWRATE FOR 1 BARREL)

Given Input Data:

Shape
Solving for
Diameter
Depth
Slope
Manning's n

Computed Results:

Flowrate
Area
Wetted Area
Wetted Perimeter
Perimeter
Velocity
Hydraulic Radius
Percent Full
Full flow Flowrate
Full flow velocity



RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING THE FINAL PLAT OF HILLS OF WESTWOOD PHASE III, SECTION 3, A 1.508 ACRE, 10 LOT, 2 BLOCK RESIDENTIAL REPLAT OF COMMON AREA "F," BLOCK 5, LOTS 21 AND 22, BLOCK 5 AND LOTS 3, 4, 17 AND 18, BLOCK 8, HILLS OF WESTWOOD PHASE III, LOCATED SOUTH OF TARVER DRIVE; ABANDONING THE EXISTING 0.585 ACRE UTILITY AND DRAINAGE EASEMENT PREVIOUSLY PLATTED ON COMMON AREA "F," BLOCK 5, HILLS OF WESTWOOD PHASE III; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on August 6, 2007, the Planning and Zoning Commission approved the final plat of Hills of Westwood Phase III, Section 3, a 1.508 acre, 10 lot, 2 block residential replat of Common Area "F," Block 5, Lots 21 and 22, Block 5 and Lots 3, 4, 17 and 18, Block 8, Hills of Westwood Phase III, located south of Tarver Road;

Whereas, the Planning and Zoning Commission also approved abandoning the existing 0.585 acre utility and drainage easement previously platted on Common Area "F," Block 5, Hills of Westwood Phase III;

Whereas, there was no citizen opposition expressed at the August 6, 2007, Planning and Zoning Commission meeting; and

Whereas, the City Council has considered the matter and deems it in the public interest to approve the final plat of Hills of Westwood Phase III, Section 3

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: The City Council approves the final plat of Hills of Westwood Phase III, Section 3, a 1.508 acre, 10 lot, 2 block residential replat of Common Area "F," Block 5, Lots 21 and 22, Block 5 and Lots 3, 4, 17 and 18, Block 8, Hills of Westwood Phase III, located south of Tarver Road; and approves abandoning the existing 0.585 acre utility and drainage easement previously platted on Common Area "F," Block 5, Hills of Westwood Phase III, more fully shown on the Plat which is on file in the City's Planning Department, incorporated herein and referred to by reference.

Part 2: It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the **6th** day of **September**, 2007.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, MAYOR

ATTEST:

APPROVED AS TO FORM:

Clydette Entzminger
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

09/06/07
Item #11
Regular Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

William A. Jones, III, Mayor

ITEM DESCRIPTION: Consider adopting resolutions appointing members to the following City boards and commissions:

- (A) Airport Advisory Board – five members to fill expiring terms through September 1, 2010
- (B) Animal Services Advisory Board – two members to fill expiring terms through September 1, 2010 and appoint Chair for the period of September 1, 2007 through August 31, 2008
- (C) Civil Service Commission - one member to fill expiring term through September 1, 2010
- (D) Community Services Advisory Board – three members to fill expiring terms through September 1, 2010
- (E) Comprehensive Plan Advisory Committee – one member representing Temple College to fill an unexpired term
- (F) Convention Center and Tourism Advisory Board – three members to fill expiring terms through September 1, 2010
- (G) Library Board – three members to fill expiring terms through September 1, 2010 and one member to fill an unexpired term through September 1, 2009
- (H) Parks and Recreation Board – one member to fill an unexpired term through March 1, 2009
- (I) Planning & Zoning Commission – three members to fill expiring terms through September 1, 2010
- (J) Reinvestment Zone No. 1 Board of Directors – five members to fill expiring terms through September 1, 2009
- (K) Temple Economic Development Commission – four members to fill expiring terms through September 1, 2010
- (L) Temple Public Safety Advisory Board – six members to fill expiring terms through September 1, 2010 and two members to fill unexpired terms, one through September 1, 2008 and one through September 1, 2009
- (M) Transit Advisory Committee – three members to fill expiring terms through September 1, 2010 and one member to fill an unexpired term through September 1, 2008

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The City Council adopted a resolution in June, 2003, establishing policies governing the appointment and training of citizens to City boards. In accordance with that resolution, appointments to the above stated boards are to be made at the second regular meeting in August, with an effective date of September 1, 2007.

Please see the attached board summary forms, which list current board members, purpose, membership requirements, term and meeting time/place for the boards. Also attached is a summary listing of all applications received for board appointments. We will present any other Staff recommendations for appointments to you prior to the meeting.

FISCAL IMPACT: N/A

ATTACHMENTS:

Board Application Summary w/
Board Summary Forms – hard copy