



## **TEMPLE CITY COUNCIL**

**MUNICIPAL BUILDING**

**2 NORTH MAIN STREET**

**TEMPLE, TX**

**NOTICE OF MEETING**

**THURSDAY, APRIL 3, 2008**

**3:30 P.M.**

**3<sup>RD</sup> FLOOR CONFERENCE ROOM**

### **WORKSHOP AGENDA**

1. Receive an update on the operations of the Railroad & Heritage Museum.
2. Discuss the City's procurement process and procedures, including those relating to professional services and insurances requirements.
3. Discuss the City's current water conservation plan.
4. Discuss, as may be needed, Regular Meeting agenda items for the meeting posted for Thursday, April 3, 2008 as follows:

**5:00 P.M.**  
**CITY COUNCIL CHAMBERS – 2<sup>ND</sup> FLOOR**

**TEMPLE CITY COUNCIL**

**REGULAR MEETING AGENDA**

**I. CALL TO ORDER**

1. Invocation
2. Pledge of Allegiance

**II. PROCLAMATIONS & SPECIAL RECOGNITIONS**

3. Presentation of Proclamations:
  - (A) Sexual Assault Awareness Month April, 2008
  - (B) Child Abuse Awareness Month April, 2008
  - (C) Arbor Day April 25, 2008

**III. 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.

**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) March 20, 2008 Special Called Meeting and Regular Meeting

### **Contracts, Leases & Bids:**

- (B) [2008-5356-R](#): Consider adopting a resolution authorizing a FY 2008 annual purchase agreement with Design Lab, Inc. of Greenville, South Carolina for the design and printing of t-shirts in the estimated annual amount of \$25,000.
- (C) [2008-5357-R](#): Consider adopting a resolution authorizing a contract with Siemens Water Technologies of Sarasota, Florida for annual maintenance of the existing emergency vapor scrubbing unit at the conventional water treatment plant in the amount of \$29,542.
- (D) [2008-5358-R](#): Consider adopting a resolution authorizing an out of scope contract with CH2MHill/OMI of Englewood, Colorado for rehabilitation of an existing Belt Filter Press and Gravity Belt Thickener at the Doshier Wastewater Treatment Plant in the not to exceed amount of \$58,000.
- (E) [2008-5359-R](#): Consider adopting a resolution authorizing three separate contracts for tasks relating to the replacement of existing surge anticipators on main transmission lines at the Water Treatment Plant in the total amount of \$40,604.
- (F) [2008-5345-R](#): Consider adopting a resolution authorizing a construction contract with R.T. Schneider Construction Co., Ltd. for construction of drainage improvements near Sundance Drive in the City of Temple in the amount of \$400,031.
- (G) [2008-5360-R](#): Consider adopting a resolution authorizing a construction contract with Techline Sports Lighting of Austin off of the Buy Board for the design and construction of the athletic field lighting system for the proposed multi-use field in Lions Park in the amount of \$100,247 and declaring official intent to reimburse this expenditure made prior to the issuance of tax-exempt obligations for this project.

### **Ordinances - Second and Final Reading**

- (H) [2008-4211](#): SECOND READING - Z-FY-08-18: Consider adopting an ordinance authorizing an amendment to the Thoroughfare Plan for Heritage Place to change Yorktown Drive from a collector sized street to a modified residential sized street.
- (I) [2008-4213](#): SECOND READING – Z-FY-08-16: Consider adopting an ordinance amending Section 18, Non-conforming Uses, of the City of Temple Zoning Ordinance to allow structures to be conforming resulting from governmental acquisitions of right-of-way.

### **Misc:**

- (J) [2008-5361-R](#): Consider adopting a resolution appointing election judges and setting their compensation for the City's election to be held on May 10, 2008.
- (K) [2008-5362-R](#): Consider adopting a resolution authorizing budget amendments for fiscal year 2007-2008.

## **VII. REGULAR AGENDA**

### **ORDINANCES**

5. (A) [2008-4214](#): FIRST READING – PUBLIC HEARING - Z-FY-08-17-A: Consider adopting an ordinance authorizing an amendment to the FM 2271 Corridor Plan to reflect retail uses on approximately 10.13 acres of land commonly known as Outblocks 2765-A and B, City Addition, located on the east side of FM 2271, south of the FM 2271 and FM 2305 intersection.
- (B) [2008-4215](#): FIRST READING – PUBLIC HEARING - Z-FY-08-17-B: Consider adopting an ordinance authorizing a zoning change from Agricultural District to Planned Development (General Retail) District on approximately 10.131 acres of land, commonly known as Outblocks 2765-A and B, City Addition, located on the east side of FM 2271, just south of the FM 2271 and FM 2305 intersection.

### **RESOLUTIONS**

6. (A) [2008-4212](#): SECOND READING – Z-FY-08-13: Consider adopting an ordinance authorizing a zoning change from Planned Development (Single Family Two) District (13.0± acres) and Agricultural District (38.4± acres) to Single Family Three District on approximately 51.4+ acres of land commonly known as Outblocks 4027-B and 4027-C, City Addition, located on the south side of West Nugent Avenue, east of Abbey Ridge and west and southeast of the Eberhardt Road and West Nugent Avenue intersection.
- (B) [2008-5363-R](#): P-FY-08-19: Consider adopting a resolution approving the preliminary plat of Heritage Place Phases III -VI, a 317 single-family lot subdivision on 51.4± acres located along the south of Nugent Avenue across from Eberhardt Road and north of Bunker Hill Drive subject to developer requested exceptions to the Subdivision Ordinance regarding street pavement width and park land dedication fee.
7. (A) [2008-5364-R](#): Consider adopting a resolution authorizing a construction contract with Gary W. Purser Construction, Ltd. of Killeen for Outer Loop Phase 2 (SH36 to FM2305) and the Bioscience Park in the amount of \$7,371,684.34 and declaring official intent to reimburse this expenditure made prior to the issuance of tax-exempt obligations for the traffic signal at West Adams/FM 2305 in the amount of \$132,325.
- (B) [2008-5365-R](#): Consider adopting a resolution authorizing a contract amendment to the professional services agreement with Kasberg, Patrick & Associates, L.P. (KPA) of Temple for construction on-site representation required for Outer Loop Phase 2 (SH36 to FM2305) in the amount of \$120,000.
8. [2008-5366-R](#): Consider adopting a resolution authorizing the purchase of a 42.759 acre tract in West Temple and declare an official intent to reimburse this expenditure made prior to the issuance of tax-exempt obligations for this purchase.

*Executive Session* – The City Council will enter into executive session pursuant to Section 551.072 of the Texas Government Code to discuss the purchase, exchange, lease or sale of real property the public discussion of which may have a detrimental impact on negotiations.



## **BOARD APPOINTMENTS**

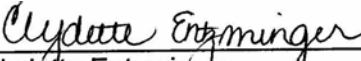
9. [2008-5367-R](#): Consider adopting a resolution appointing one member to the Building Board of Appeals.

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

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I hereby certify that a true and correct copy of this Notice of Meeting was posted in a public place at 12:10 PM, on March 28, 2008.

  
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 \_\_\_\_\_ 2008. \_\_\_\_\_



## COUNCIL AGENDA ITEM MEMORANDUM

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04/03/08  
Item #3(A)-(C)  
Regular Agenda  
Page 1 of 1

**DEPT./DIVISION SUBMISSION & REVIEW:**

William A. Jones, III, Mayor

**ITEM DESCRIPTION:** Presentation of Proclamations:

- |     |                                |                |
|-----|--------------------------------|----------------|
| (A) | Sexual Assault Awareness Month | April, 2008    |
| (B) | Child Abuse Awareness Month    | April, 2008    |
| (C) | Arbor Day                      | April 25, 2008 |

**STAFF RECOMMENDATION:** Present proclamations as presented in item description.

**ITEM SUMMARY:**

- (A) This proclamation was requested by, and will be received by, Suzanne Armour, the Interim Executive Director of Families In Crisis, Inc.
- (B) This proclamation was requested by Danny Daniel on behalf of Aware Central Texas (formerly Family Outreach). It will also be received by Mr. Daniel.
- (C) This proclamation was requested by the Parks & Leisure Services Department. It will be received by Val Roming.

**FISCAL IMPACT:** None.

**ATTACHMENTS:** None.



## COUNCIL AGENDA ITEM MEMORANDUM

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04/03/08  
Item #4(A)  
Consent Agenda  
Page 1 of 1

**DEPT./DIVISION SUBMISSION & REVIEW:**

Clydette Entzminger, City Secretary

**ITEM DESCRIPTION:** Approve Minutes:

(A) March 20, 2008 Special Called Meeting & Regular 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:**

[March 20, 2008 Special Called Meeting & Regular Meeting](#)

## TEMPLE CITY COUNCIL

**MARCH 20, 2008**

The City Council of the City of Temple, Texas conducted a Special Meeting on Thursday, March 20, 2008 at 3:00pm in the 3rd Floor Conference Room, Municipal Building, 2 North Main Street.

Present:

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

**1. Receive presentation and training regarding the Temple Save a Life Project - CPR Anytime.**

Drs. Robin and Pat Smith gave a presentation to the Council regarding the Temple Save a Life Project - CPR Anytime. The target of the program, which is an initiative of the Temple Public Safety Advisory Board, is to have 10% of the population of Temple trained in bystander CPR. The program was developed as another training tool, following the successful implementation of the Jump Start a Heart AED program.

Hands-on CPR training for the Council and Staff was also provided by Drs. Smith, assisted by Lupe Gonzales, the Regional Director of the American Heart Association, and Dr. Robert Greenberg, the City's Medical Director and physician at Scott & White Hospital.

**2. Discuss the City's Strategic Plan.**

Mayor Jones began the discussion with some history of the development of the City's Strategic Plan. He discussed the mission and the strategic priority areas identified by the Council two years ago. The Councilmembers discussed whether these areas were still relevant today.

David Blackburn, City Manager, stated the strategic priority areas have been helpful to him in determining priorities for work plans. He suggested the addition of one strategic priority area relating to redevelopment and reinvestment in the community. There has been a significant amount of effort, time and money spent on redevelopment and reinvestment over the past several years, such as water treatment plants, TMED, downtown, etc.

Councilmember Jeter asked how the City planned to make any significant efforts with the needed water and sewer infrastructure improvements.

Mr. Blackburn stated we need to develop realistic, sustainable maintenance and capital improvement programs because the needs are too great to address within the operating

budget. On the current five-year CIP, 80% of the projects relate to maintenance of existing lines and 20% are for new infrastructure.

Mayor Jones stated some of the strategic goals in the plan are things the City does every day. They are not strategic in nature but rather tactical. He felt these needed to be reviewed and either removed or revised.

Councilmember Jeter suggested the City Manager and his staff formulate the tactical approach to accomplish the four strategic priority areas. He felt the Council should set the goals and the staff establish the tactics.

Mayor Jones stated he would agree with that if the Council concurs that the four stated strategic priority areas support the City's vision and mission.

Mr. Blackburn stated he felt the Council should have some more discussion on the vision, mission and strategic priorities before he begins developing a plan. He suggested an outside facilitator be retained to lead this discussion so the staff and Council can fully participate in this discussion.

**3. Discuss, as may be needed, Regular Meeting agenda items for the meeting posted for Thursday, March 20, 2008.**

There was no discussion regarding this item.

The City Council of the City of Temple, Texas conducted a Regular Meeting on Thursday, March 20, 2008 at 5:00 PM in the Council Chambers, Municipal Building, 2nd Floor, 2 North Main Street.

**Present:**

Councilmember Marty Janczak  
Councilmember Tony Jeter  
Mayor Pro Tem Patsy E. Luna  
Councilmember Russell Schneider  
Mayor William A. Jones, III

**I. CALL TO ORDER**

**1. Invocation**

Reverend Charles Maze, Mt. Zion Baptist Church, voiced the Invocation.

**2. Pledge of Allegiance**

Drs. Robin and Pat Smith led the Pledge of Allegiance.

**II. PROCLAMATIONS & SPECIAL RECOGNITIONS**

**3. Recognition of sponsors and volunteers for various Parks & Leisure Services events.**

Ken Cicora, Parks and Leisure Services Director, recognized various individuals involved with several Parks and Leisure Services Events, including the Czech Feszt.

**III. PUBLIC APPEARANCES**

**4. Receive comments from Nancie Etzel regarding a) lack of accessibility in and around the City of Temple for persons using wheelchairs and scooters due to lack of curb ramps; and b) lack of mapping of new neighborhoods in Temple.**

Ms. Etzel stated she is a newcomer to the City of Temple, living in the Windmill Farms Subdivision. There are several new residential and commercial communities that are not mapped, leaving citizens not knowing where their representative districts or businesses are located. She recommended the maps be updated more frequently.

Ms. Etzel's second issue is accessibility in and around Temple. An example is access to the streets adjacent to the Post Office on Main Street. She gave several other examples in the downtown area where access is limited. Ms. Etzel recommended the City of Temple apply for grants from the Texas Department of Transportation or other organizations to assist with installing curb ramps and accessibility measures.

**IV. PUBLIC COMMENTS**

There were no public comments.

**V. REPORTS FROM ADVISORY BOARDS AND STAFF**

**5. Receive a report from Pat Smith, Chair of the Temple Public Safety Advisory Board, regarding the Temple Save a Life Project - CPR Anytime.**

Dr. Pat Smith, Chair of the Temple Public Safety Advisory Board, presented this report to the City Council. She stated this project compliments the Jump Start a Heart AED project previously sponsored by the Board. The goal is to have 10% of Temple citizens learn the CPR bystander program.

Dr. Robin Smith, President of the Temple CPR Task Force, also addressed the Council. He reiterated the goals of the Task Force for this program. He introduced some of the Task Force members present at the meeting. Dr. Smith also announced the plans for 'Temple Saves A Life Day' on May 10th at the Temple Mall, as well as several other activities being planned by the Task Force to promote this project. Dr. Smith recognized the sponsors involved with CPR Anytime.

**VI. CONSENT AGENDA**

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

(A) March 6, 2008 Special Called Meeting and Regular Meeting

(B) 2008-5341-R: Consider adopting a resolution authorizing the purchase of eight (8) mobile digital video systems for new police vehicles from WatchGuard Video of Plano in the amount of \$39,288.00

(C) 2008-5342-R: Consider adopting a resolution authorizing the purchase of two (2) utility tractors and a shredder off of the BuyBoard from Coufal Prater Equipment, Ltd. of Temple in the amount of \$59,975.25.

(D) 2008-5343-R: Consider adopting a resolution authorizing a professional services agreement with Clark & FullerWalker, Wiederhold & Associates, PLLC.L.C. Killeen of Temple for engineering services including design, surveying, and construction administration , on-site representation, and easement acquisition services required for the 2008 East Adams Avenue Sanitary Sewer Rehabilitation Projectthe SH 317 Waterline Relocation Project from FM 2305 to the southern city limits as part of TxDOT'sTX Dot's SH 317 road improvements project in an amount not to exceed \$35,967.6413,540.

(E) 2008-5344-R: Consider adopting a resolution authorizing a construction contract with Smetana & Associates Construction Company of Temple in the amount of \$746,482.30 for construction of the 2005 Sanitary Sewer System Improvements Project (Ave L, 19th, Ave P to Ave M, and Antelope & Deer Trail).

(F) 2008-5345-R: Consider adopting a resolution authorizing a construction contract with R.T. Schneider Construction Co., Ltd. in the amount of \$400,031.00 for construction of drainage improvements near Sundance Drive in the City of Temple.

(G) 2008-5346-R: Consider adopting a resolution authorizing a utility cost sharing agreement with Carothers Homes for Stonegate Phase II Subdivision in the amount of \$10,586.00.

(H) 2008-5347-R: Consider adopting a resolution authorizing a painting contract with JNA Painting Company, Inc. of Baltimore, Maryland in the amount of \$83,500.00 to paint the Wilson Recreation Center and the front fascia of the Mayborn Convention Center, rejecting all bids to paint the Temple 4-C Head Start building, and declaring an official intent to reimburse this expenditure made prior to the issuance of tax-exempt obligations for this project.

(I) 2008-4205: SECOND READING - Z-FY-08-12: Consider adopting an ordinance authorizing a Conditional Use Permit to allow the sale of alcoholic beverages

for on-premise consumption in a bar at the Continental Inn, located at 3300 North General Bruce Drive, on land commonly known as Outblock 570-B, City Addition.

(J) 2008-4206: **SECOND READING** - Consider adopting an ordinance establishing the prima facie speed limit on the SH 36/LP 363 frontage road within the City limits.

(K) 2008-4207: **SECOND READING** - Consider adopting an ordinance repealing ordinance 92-2133, which established the Parks and Recreation Advisory Board, allowing this board to be combined with the Convention Center & Tourism Advisory Board.

(L) 1. 2008-4208: **SECOND READING** - Z-FY-08-15-A: Consider adopting an ordinance authorizing an amendment to the West Temple Comprehensive Plan to reflect commercial uses on approximately 4.611 acres of land commonly known as Outblocks 4041-A and B, City Addition, located northwest of Saulsbury Park and east of Betsy Ross Drive.

2. 2008-4209: **SECOND READING** - Z-FY-08-15-B: Consider adopting an ordinance authorizing a zoning change from Agricultural District to Commercial District to approximately 4.61 acres of land commonly known as Outblocks 4041-A and B, City Addition, located northwest of Saulsbury Park and east of Betsy Ross Drive.

(M) 2008-5348-R: Consider adopting a resolution authorizing the purchase of property located at 401 North 3rd Street for the purpose of constructing a new Municipal Court and Utility Business Office Facility in amount of \$660,000 plus incidental closing costs. Executive Session - The City Council may enter into executive session pursuant to Section 551.072 of the Texas Government Code to discuss the purchase, exchange, lease or sale of real property.

(N) 2008-5349-R: Consider adopting a resolution creating a Parks and Leisure Services Advisory Board.

(O) 2008-5350-R: Consider adopting a resolution authorizing budget amendments for fiscal year 2007-2008.

Motion by Mayor Pro Tem Patsy E. Luna to adopt resolution approving Consent Agenda, with exception of items (F) and (H), seconded by Councilmember Marty Janczak.

Motion passed unanimously.

(F) 2008-5345-R: Consider adopting a resolution authorizing a construction contract with R.T. Schneider Construction Co., Ltd. in the amount of \$400,031.00 for construction



**of drainage improvements near Sundance Drive in the City of Temple.**

Motion by Mayor Pro Tem Patsy E. Luna to table item 6(F), seconded by Councilmember Tony Jeter.

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

**(H) 2008-5347-R: Consider adopting a resolution authorizing a painting contract with JNA Painting Company, Inc. of Baltimore, Maryland in the amount of \$83,500.00 to paint the Wilson Recreation Center and the front fascia of the Mayborn Convention Center, rejecting all bids to paint the Temple 4-C Head Start building, and declaring an official intent to reimburse this expenditure made prior to the issuance of tax-exempt obligations for this project.**

Councilmember Jeter asked if there was anything unique about this project that would preclude local contractors from bidding.

Belinda Mattke, Purchasing Director, stated she felt the lack of bidders was related to the City's bonding and insurance requirements, which are required by state law, as well as the total dollar amount of the project.

Motion by Councilmember Russell Schneider to adopt resolution approving item 6 (H), seconded by Councilmember Marty Janczak.

Motion passed unanimously.

**VII. REGULAR AGENDA**

**ORDINANCES**

- 7. 2008-4210: (A) FIRST & FINAL READING - PUBLIC HEARING - Consider adopting an ordinance authorizing the issuance of \$16,210,000\* City of Temple, Texas Combination Tax and Revenue Certificates of Obligation, Series 2008; authorizing the levy of an ad valorem tax and the pledge of certain revenues in support of the certificates; a paying agent/registrar agreement, and other agreements related to approving sale and issuance of the certificates; and authorizing other matters related to the issuance of the certificates, to be considered on an emergency basis.**

Traci Barnard, Director of Finance, presented this item to the Council. She stated the actual issuance is for \$16,010,000. These bond proceeds will be used to fund public infrastructure improvements in the Reinvestment Zone. Mrs. Barnard presented the specific projects to be funded.

Mr. Dan Wegmiller, First Southwest Company, the City's financial advisor, reviewed the details of the transaction. He began with a review of historical General Obligation interest rates for a ten year period, noting the changes in today's markets. Mr. Wegmiller stated he recommended the private placement of these bonds because of the interest by local banks. The interest rates reflect the market but this private placement allowed the City's credit quality to be assessed. Six banks received the bid package and three of those submitted bids, with Bank of America submitting the low bid of 4.08% with a one-year par call provision. This private placement saved the City approximately \$200,000 in issuance costs.

Carol Pumbo, McCall, Parkhurst & Horton, the City's bond counsel, reviewed the components of the proposed ordinance authorizing the sale of these bonds to Bank of America at the interest rate of 4.08%. The debt service on the bonds will be paid with tax increment funds but the ordinance does commit a tax rate sufficient to pay the debt service if tax increments funds are not available. The bond sale will close on April 18, 2008 and the funds will be available at that time.

Mayor Jones declared the public hearing open with regard to agenda item 7(A) and asked if anyone wished to address this item. There being no comments, Mayor Jones closed the public hearing.

Motion by Mayor Pro Tem Patsy E. Luna to adopt ordinance on first and final reading, seconded by Councilmember Marty Janczak.

Motion passed unanimously.

**2008-5351-R: (B) Consider adopting a resolution authorizing a construction contract with Dixon Paving, Inc. for construction activities required to build the Wendland Road Improvements between northwest H.K. Dodgen Loop and the future outer loop in an amount not to exceed \$3,413,406.90.**

Bruce Butscher, Director of Public Works, presented this item to the City Council. He noted this is the first project to be funded with the bonds just sold. Mr. Butscher recommended the contract be awarded to Dixon Paving, Inc. for Wendland Road improvements as outlined.

Motion by Councilmember Marty Janczak to adopt resolution, seconded by Mayor Pro Tem Patsy E. Luna.

Motion passed unanimously.

- 8. 2008-4211: FIRST READING - PUBLIC HEARING - Z-FY-08-18: Consider adopting an ordinance authorizing an amendment to the Thoroughfare**

**Plan for Heritage Place to change Yorktown Drive from a collector sized street to a modified residential sized street.**

Tim Dolan, Director of Planning, presented this case to the City Council. He showed the location of the proposed amendment to the Thoroughfare Plan for Heritage Place which would reclassify Yorktown Drive from a collector sized street to a modified residential sized street. Mr. Dolan also showed the proposed connection of Yorktown to Nugent.

Both the Planning & Zoning Commission and Staff recommended approval of the proposed amendment, subject to the elimination of direct connection of Yorktown between Industrial and Airport via Eberhardt and the 200 foot offset for future extension of Yorktown to Nugent and for traffic calming.

9. **2008-4212: FIRST READING - PUBLIC HEARING - Z-FY-08-13: Consider adopting an ordinance authorizing a zoning change from Planned Development (Single Family Two) District (13.0± acres) and Agricultural District (38.4± acres) to Single Family Three District on approximately 51.4+ acres of land commonly known as Outblocks 4027-B and 4027-C, City Addition, located on the south side of West Nugent Avenue, east of Abbey Ridge and west and southeast of the Eberhardt Road and West Nugent Avenue intersection.**

Mr. Dolan continued with the presentation of this rezoning request, related to the Thoroughfare Plan amendment discussed in the previous item. This is a request for SF-3 zoning. Mr. Dolan reviewed the permitted and prohibited uses in this zoning district. He showed adjoining developments of the Heritage Place Addition, as well as the surrounding zoning. No future plan use amendments are necessary for this rezoning.

Councilmember Janczak asked when the current Thoroughfare Plan was authored.

Mr. Dolan replied it was approved about 20 years ago.

Councilmember Janczak asked what the daily traffic count is estimated to be when the subdivision is built out.

Mr. Dolan replied they estimate 1500 to 2000 trips per day. The road will safely accommodate that amount of traffic.

Mayor Jones declared the public hearing open with regard to agenda items 8 and 9 and asked if anyone wished to address these items.

Christina McNeill, 2701 Valley Forge, stated she is concerned about being able to get any type of emergency vehicles into Northwest Hills, which is about 10 City blocks long by 5 City blocks wide. The traffic is very heavy morning and evening. Regarding item 8, she stated if Yorktown is a residential street she is

concerned that additional driveways will be allowed. It was designed to allow only one driveway and she expressed her concern with the safety of the people traveling in this neighborhood.

John Kiella, 11122 Whiterock Drive, addressed the Council as the developer's representative and asked for favorable consideration by the Council. He stated they have attempted to accommodate those in the neighborhood and not have a cut-through. The offset will provide safe passage through the neighborhood. Driveways are already allowed on collectors under the current Subdivison Ordinance.

Mr. Dolan concurred that the current Yorktown Drive is built to residential standards, not collector.

Councilmember Jeter asked Lonzo Wallace, Fire Chief, if emergency vehicles can get into this area.

Chief Wallace stated staff has reviewed the proposal and he has not been made aware of any issues. Access to this area is provided from both stations 5 and 6.

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

Motion by Councilmember Tony Jeter to adopt ordinance presented in item 8, with second reading set for April 3, 2008, seconded by Councilmember Marty Janczak.

Motion passed unanimously.

Motion by Mayor Pro Tem Patsy E. Luna to adopt ordinance presented in item 9, with second reading set for April 3, 2008, seconded by Councilmember Tony Jeter.

Motion passed unanimously.

**10. 2008-4213: FIRST READING - PUBLIC HEARING - Z-FY-08-16: Consider adopting an ordinance amending Section 18, Non-conforming Uses, of the City of Temple Zoning Ordinance to allow structures to be conforming resulting from governmental acquisitions of right-of-way.**

Brian Mabry, Senior Planner, presented this case to the City Council. This is a proposed amendment to the text of the Zoning Ordinance. He identified the problem with the existing language that might occur when right of way is acquired and a structure becomes a non-conforming use. Under current regulations a structure could not be rebuilt or renovated. Mr. Mabry proposed some modified language that would allow non-conforming structures due to

governmental acquisition of right of way to be automatically deemed conforming. Both the Planning & Zoning Commission and Staff recommended approval of the proposed amendment to Section 18 of the Zoning Ordinance relating to non-conforming uses, with right of way being expanded to real property because it a broader category.

Mayor Jones declared the public hearing open with regard to agenda item 10 and asked if anyone wished to address this item. There being no comments, Mayor Jones closed the public hearing.

Motion by Councilmember Marty Janczak to adopt ordinance, with second reading set for April 3, 2008, seconded by Mayor Pro Tem Patsy E. Luna.

Motion passed unanimously.

## **RESOLUTIONS**

- 11. 2008-5352-R: Consider adopting a resolution naming the City park land between Avenue D (north), 34th Street (east), Curtis B. Elliott Drive (south) and 32nd Street (west) as 'Doctors Park.'**

Ken Cicora, Director of Parks and Leisure Services, presented this item to the City Council. Last year the Parks and Leisure Services staff met with the Bell County Medical Alliance to discuss the possibility of dedicating a park or part of a park to doctors serving in our community. Mr. Cicora showed the location of the 3-acre site at Wilson Park that has been identified for this purpose. In addition to donating trees, the Medical Alliance will help fulfill the mission of the master plan for this park. The Parks Board voted unanimously to approve this item. Mr. Cicora added the proposed name, Doctors Park, meets the guidelines set forth in the City policy regarding naming of parks facilities.

Zoe Rascoe, past president of the Bell County Medical Alliance, expressed her appreciation to the City for considering this project as a way to honor our retiring physicians.

Dr. Speights addressed the City Council representing the Medical Society. He stated this is a worthwhile endeavor and he is excited about the project.

Motion by Councilmember Marty Janczak to adopt resolution, seconded by Mayor Pro Tem Patsy E. Luna.

Motion passed unanimously.

## **BOARD APPOINTMENTS**

- 12. 2008-5353-R: Consider adopting a resolution appointing one regular member to the North Central Temple Neighborhood Code Enforcement Board.**

It was recommended that Don Johnson be appointed as a regular member on the North Central Temple Neighborhood Code Enforcement Board.

Motion by Councilmember Tony Jeter to adopt resolution as recommended, seconded by Mayor Pro Tem Patsy E. Luna.

Motion passed unanimously.

- 13. 2008-5354-R: Consider adopting a resolution appointing two members to the Parks and Leisure Services Advisory Board to fill expired terms through March 1, 2011.**

It was recommended that Charles Stout and Paul Erchinger be reappointed to the Parks and Leisure Services Advisory Board.

Motion by Mayor Pro Tem Patsy E. Luna to adopt resolution as recommended, seconded by Councilmember Marty Janczak.

Motion passed unanimously.

- 14. 2008-5355-R: Consider adopting a resolution appointing one member to the Tree Board to fill an expired term through March 1, 2011**

It was recommended that Allan Talley be appointed to the Tree Board as the Planning & Zoning Commission representative.

Motion by Councilmember Marty Janczak to adopt resolution as recommended, seconded by Councilmember Russell Schneider.

Motion passed unanimously.

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William A. Jones, III, Mayor

ATTEST:

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Clydette Entzminger

City Secretary



## COUNCIL AGENDA ITEM MEMORANDUM

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04/03/08  
Item #4(B)  
Consent Agenda  
Page 1 of 2

### **DEPT./DIVISION SUBMISSION & REVIEW:**

Belinda Mattke, Director of Purchasing

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a FY 2008 annual purchase agreement with Design Lab, Inc. of Greenville, South Carolina for the design and printing of t-shirts in the estimated annual amount of \$25,000.

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

**ITEM SUMMARY:** On August 28, 2007, the City received seven (7) bids for the design and printing of t-shirts, of which only one bid complied with the bid requirements. On October 4, 2007, Council authorized a contract with Screenprint Plus, the only vendor that complied with the bid requirements, for the design of purchase of t-shirts in FY 2008.

Although favorable references were received for Screenprint Plus, staff encountered numerous service issues with Screenprint Plus during the first few months of the contract. Accordingly, staff terminated the contract with Screenprint Plus on February 21, 2008, and initiated a new bid for this service.

On March 11, 2008, three bids were received for the design and printing of t-shirts as shown on the attached bid tabulation worksheet. One bid did not comply with the bid requirements of bidding on every line item and submitting a sample of their work.

The bid was stated to be awarded to the company providing the “best value” to the City. This means that factors other than price can be used in evaluation of the bids, including quality of service, reputation of the bidder and his services, and the bidder’s design capabilities.

A committee of four City staff representing the high volume users of the contract evaluated the two bids that complied with the bid requirements and is recommending award of the contract to Design Lab, Inc. of Greenville, South Carolina. Based on a cost evaluation of the most ordered type of shirts, Design Lab had a better value. In addition, the committee felt that Design Lab’s sample submittal was superior from a quality and design perspective. Since the City has not done business with Design Lab in the past, references were consulted and responses were received indicating that Design Lab will be a responsible vendor.



The recommended contracts will expire on September 30, 2008, with the option of four (4) additional one-year renewals, if so agreed to by both parties.

**FISCAL IMPACT:** Budgeted amount: sufficient funds in various account\*  
Estimated annual expenditure: \$25,000

\* These shirts will be ordered on an as-needed basis and departments will make sure sufficient funds are available for their purchases. The majority of the shirts are used by the Recreation department in their athletic events, and others are used by various City departments as uniform shirts.

**ATTACHMENTS:**

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

Tabulation of Bids Received  
on March 11, 2008 at 2:30 p.m.  
T-Shirt Design and Printing

	Bidders		
	Incentive Mall Indianapolis, IN	Design Lab, Inc. Greenville, SC	Print It Belton, TX
Description			
SS T-Shirt - 1 color - White YS-XL	\$2.50	\$2.38	Not Compliant
SS T-Shirt - 1 color - White XXL	\$3.50	\$3.11	
SS T-Shirt - 1 color - White XXXL	\$3.50	\$3.81	
SS T-Shirt - 2 color - White YS-XL	\$2.75	\$2.51	
SS T-Shirt - 2 color - White XXL	\$3.75	\$3.22	
SS T-Shirt - 2 color - White XXXL	\$3.75	\$3.92	
SS T-Shirt - 3 color - White YS-XL	\$2.95	\$2.76	
SS T-Shirt - 3 color - White XXL	\$3.95	\$3.47	
SS T-Shirt - 3 color - White XXXL	\$3.95	\$4.00	
SS T-Shirt - 4 color - White YS-XL	\$3.15	\$3.01	
SS T-Shirt - 4 color - White XXL	\$4.15	\$3.72	
SS T-Shirt - 4 color - White XXXL	\$4.15	\$4.03	
SS T-Shirt - 1 color - Light YS-XL	\$2.75	\$2.75	
SS T-Shirt - 1 color - Light XXL	\$3.75	\$3.50	
SS T-Shirt - 1 color - Light XXXL	\$3.75	\$4.30	
SS T-Shirt - 2 color - Light YS-XL	\$3.00	\$2.92	
SS T-Shirt - 2 color - Light XXL	\$4.00	\$3.70	
SS T-Shirt - 2 color - Light XXXL	\$4.00	\$4.40	
SS T-Shirt - 3 color - Light YS-XL	\$3.20	\$3.10	
SS T-Shirt - 3 color - Light XXL	\$4.20	\$3.79	
SS T-Shirt - 3 color - Light XXXL	\$4.20	\$4.39	
SS T-Shirt - 4 color - Light YS-XL	\$3.40	\$3.35	
SS T-Shirt - 4 color - Light XXL	\$4.40	\$4.04	
SS T-Shirt - 4 color - Light XXXL	\$4.40	\$4.44	
SS T-Shirt - 1 color - Dark YS-XL	\$3.00	\$3.19	
SS T-Shirt - 1 color - Dark XXL	\$4.00	\$4.04	
SS T-Shirt - 1 color - Dark XXXL	\$4.00	\$4.64	
SS T-Shirt - 2 color - Dark YS-XL	\$3.25	\$3.32	
SS T-Shirt - 2 color - Dark XXL	\$4.25	\$4.16	
SS T-Shirt - 2 color - Dark XXXL	\$4.25	\$4.66	
SS T-Shirt - 3 color - Dark YS-XL	\$3.45	\$3.44	
SS T-Shirt - 3 color - Dark XXL	\$4.45	\$4.29	
SS T-Shirt - 3 color - Dark XXXL	\$4.45	\$4.69	
SS T-Shirt - 4 color - Dark YS-XL	\$3.65	\$3.59	
SS T-Shirt - 4 color - Dark XXL	\$4.65	\$4.38	

	Bidders		
	Incentive Mall Indianapolis, IN	Design Lab, Inc. Greenville, SC	Print It Belton, TX
SS T-Shirt - 4 color - Dark XXXL	\$4.65	\$4.72	
LS T-Shirt - 1 color - White YS-XL	\$4.25	\$4.37	
LS T-Shirt - 1 color - White XXL	\$5.25	\$5.21	
LS T-Shirt - 1 color - White XXXL	\$5.25	\$6.16	
LS T-Shirt - 2 color - White YS-XL	\$4.50	\$4.59	
LS T-Shirt - 2 color - White XXL	\$5.50	\$5.48	
LS T-Shirt - 2 color - White XXXL	\$5.50	\$6.18	
LS T-Shirt - 3 color - White YS-XL	\$4.70	\$4.67	
LS T-Shirt - 3 color - White XXL	\$5.70	\$5.58	
LS T-Shirt - 3 color - White XXXL	\$5.70	\$6.21	
LS T-Shirt - 4 color - White YS-XL	\$4.90	\$4.90	
LS T-Shirt - 4 color - White XXL	\$5.90	\$5.81	
LS T-Shirt - 4 color - White XXXL	\$5.90	\$6.24	
LS T-Shirt - 1 color - Light YS-XL	\$4.75	\$4.62	
LS T-Shirt - 1 color - Light XXL	\$5.75	\$5.59	
LS T-Shirt - 1 color - Light XXXL	\$5.75	\$6.49	
LS T-Shirt - 2 color - Light YS-XL	\$5.00	\$4.87	
LS T-Shirt - 2 color - Light XXL	\$6.00	\$5.79	
LS T-Shirt - 2 color - Light XXXL	\$6.00	\$6.54	
LS T-Shirt - 3 color - Light YS-XL	\$5.20	\$5.02	
LS T-Shirt - 3 color - Light XXL	\$6.20	\$5.99	
LS T-Shirt - 3 color - Light XXXL	\$6.20	\$6.61	
LS T-Shirt - 4 color - Light YS-XL	\$5.40	\$5.22	
LS T-Shirt - 4 color - Light XXL	\$6.40	\$6.24	
LS T-Shirt - 4 color - Light XXXL	\$6.40	\$6.70	
LS T-Shirt - 1 color - Dark YS-XL	\$5.00	\$4.96	
LS T-Shirt - 1 color - Dark XXL	\$6.00	\$5.93	
LS T-Shirt - 1 color - Dark XXXL	\$6.00	\$6.84	
LS T-Shirt - 2 color - Dark YS-XL	\$5.25	\$5.13	
LS T-Shirt - 2 color - Dark XXL	\$6.25	\$6.13	
LS T-Shirt - 2 color - Dark XXXL	\$6.25	\$6.90	
LS T-Shirt - 3 color - Dark YS-XL	\$5.45	\$5.32	
LS T-Shirt - 3 color - Dark XXL	\$6.45	\$6.33	
LS T-Shirt - 3 color - Dark XXXL	\$6.45	\$6.95	
LS T-Shirt - 4 color - Dark YS-XL	\$5.65	\$5.53	
LS T-Shirt - 4 color - Dark XXL	\$6.65	\$6.54	
LS T-Shirt - 4 color - Dark XXXL	\$6.65	\$6.99	
SS Pocket T-Shirt - 1 color - White YS-XL	\$3.75	\$3.90	
SS Pocket T-Shirt - 1 color - White XXL	\$4.75	\$4.95	

	Bidders		
	Incentive Mall Indianapolis, IN	Design Lab, Inc. Greenville, SC	Print It Belton, TX
SS Pocket T-Shirt - 1 color - White XXXL	\$4.75	\$5.58	
SS Pocket T-Shirt - 2 color - White YS-XL	\$4.00	\$3.93	
SS Pocket T-Shirt - 2 color - White XXL	\$5.00	\$5.15	
SS Pocket T-Shirt - 2 color - White XXXL	\$5.00	\$5.62	
SS Pocket T-Shirt - 3 color - White YS-XL	\$4.20	\$4.01	
SS Pocket T-Shirt - 3 color - White XXL	\$5.20	\$5.27	
SS Pocket T-Shirt - 3 color - White XXXL	\$5.20	\$5.68	
SS Pocket T-Shirt - 4 color - White YS-XL	\$4.40	\$4.07	
SS Pocket T-Shirt - 4 color - White XXL	\$5.40	\$5.35	
SS Pocket T-Shirt - 4 color - White XXXL	\$5.40	\$5.73	
SS Pocket T-Shirt - 1 color - Light YS-XL	\$4.25	\$4.36	
SS Pocket T-Shirt - 1 color - Light XXL	\$5.25	\$5.53	
SS Pocket T-Shirt - 1 color - Light XXXL	\$5.25	\$6.08	
SS Pocket T-Shirt - 2 color - Light YS-XL	\$4.50	\$4.41	
SS Pocket T-Shirt - 2 color - Light XXL	\$5.50	\$5.70	
SS Pocket T-Shirt - 2 color - Light XXXL	\$5.50	\$6.14	
SS Pocket T-Shirt - 3 color - Light YS-XL	\$4.70	\$4.50	
SS Pocket T-Shirt - 3 color - Light XXL	\$5.70	\$5.79	
SS Pocket T-Shirt - 3 color - Light XXXL	\$5.70	\$6.20	
SS Pocket T-Shirt - 4 color - Light YS-XL	\$4.90	\$4.58	
SS Pocket T-Shirt - 4 color - Light XXL	\$5.90	\$5.82	
SS Pocket T-Shirt - 4 color - Light XXXL	\$5.90	\$6.25	
SS Pocket T-Shirt - 1 color - Dark YS-XL	\$4.50	\$4.48	
SS Pocket T-Shirt - 1 color - Dark XXL	\$5.50	\$5.52	
SS Pocket T-Shirt - 1 color - Dark XXXL	\$5.50	\$5.81	
SS Pocket T-Shirt - 2 color - Dark YS-XL	\$4.75	\$4.54	
SS Pocket T-Shirt - 2 color - Dark XXL	\$5.75	\$5.55	
SS Pocket T-Shirt - 2 color - Dark XXXL	\$5.75	\$5.85	
SS Pocket T-Shirt - 3 color - Dark YS-XL	\$4.95	\$4.62	
SS Pocket T-Shirt - 3 color - Dark XXL	\$5.95	\$5.65	
SS Pocket T-Shirt - 3 color - Dark XXXL	\$5.95	\$5.91	
SS Pocket T-Shirt - 4 color - Dark YS-XL	\$5.15	\$4.75	
SS Pocket T-Shirt - 4 color - Dark XXL	\$6.15	\$5.82	
SS Pocket T-Shirt - 4 color - Dark XXXL	\$6.15	\$5.99	
100% Cotton SS - 1 color - Light YS-XL	\$2.50	\$2.80	
100% Cotton SS - 1 color - Light XXL	\$3.50	\$3.61	
100% Cotton SS - 1 color - Light XXXL	\$3.50	\$4.50	
100% Cotton SS - 2 color - Light YS-XL	\$2.75	\$2.87	
100% Cotton SS - 2 color - Light XXL	\$3.75	\$3.67	
100% Cotton SS - 2 color - Light XXXL	\$3.75	\$4.53	

	Bidders		
	Incentive Mall Indianapolis, IN	Design Lab, Inc. Greenville, SC	Print It Belton, TX
100% Cotton SS - 3 color - Light YS-XL	\$2.95	\$2.94	
100% Cotton SS - 3 color - Light XXL	\$3.95	\$3.74	
100% Cotton SS - 3 color - Light XXXL	\$3.95	\$4.56	
100% Cotton SS - 4 color - Light YS-XL	\$3.15	\$2.99	
100% Cotton SS - 4 color - Light XXL	\$4.15	\$3.80	
100% Cotton SS - 4 color - Light XXXL	\$4.15	\$4.60	
100% Cotton SS - 1 color - Dark YS-XL	\$3.00	\$3.45	
100% Cotton SS - 1 color - Dark XXL	\$4.00	\$4.39	
100% Cotton SS - 1 color - Dark XXXL	\$4.00	\$4.83	
100% Cotton SS - 2 color - Dark YS-XL	\$3.25	\$3.48	
100% Cotton SS - 2 color - Dark XXL	\$4.25	\$4.43	
100% Cotton SS - 2 color - Dark XXXL	\$4.25	\$4.86	
100% Cotton SS - 3 color - Dark YS-XL	\$3.45	\$3.50	
100% Cotton SS - 3 color - Dark XXL	\$4.45	\$4.48	
100% Cotton SS - 3 color - Dark XXXL	\$4.45	\$4.89	
100% Cotton SS - 4 color - Dark YS-XL	\$3.65	\$3.75	
100% Cotton SS - 4 color - Dark XXL	\$4.65	\$4.73	
100% Cotton SS - 4 color - Dark XXXL	\$4.65	\$4.95	
100% Cotton SS w/pocket- 1 color - Light YS-XL	\$4.25	\$4.49	
100% Cotton SS w/pocket- 1 color - Light XXL	\$5.25	\$5.49	
100% Cotton SS w/pocket - 1 color - Light XXXL	\$5.25	\$5.83	
100% Cotton SS w/pocket - 2 color - Light YS-XL	\$4.50	\$4.52	
100% Cotton SS w/pocket - 2 color - Light XXL	\$5.50	\$5.54	
100% Cotton SS w/pocket - 2 color - Light XXXL	\$5.50	\$5.86	
100% Cotton SS w/pocket - 3 color - Light YS-XL	\$4.70	\$4.56	
100% Cotton SS w/pocket - 3 color - Light XXL	\$5.70	\$5.58	
100% Cotton SS w/pocket - 3 color - Light XXXL	\$5.70	\$5.91	
100% Cotton SS w/pocket - 4 color - Light YS-XL	\$4.90	\$4.61	
100% Cotton SS w/pocket - 4 color - Light XXL	\$5.90	\$5.61	
100% Cotton SS w/pocket - 4 color - Light XXXL	\$5.90	\$5.95	
100% Cotton SS w/pocket - 1 color - Dark YS-XL	\$4.50	\$4.93	
100% Cotton SS w/pocket - 1 color - Dark XXL	\$5.50	\$6.01	
100% Cotton SS w/pocket - 1 color - Dark XXXL	\$5.50	\$6.82	
100% Cotton SS w/pocket - 2 color - Dark YS-XL	\$4.75	\$4.99	
100% Cotton SS w/pocket - 2 color - Dark XXL	\$5.75	\$6.05	
100% Cotton SS w/pocket- 2 color - Dark XXXL	\$5.75	\$6.85	
100% Cotton SS w/pocket- 3 color - Dark YS-XL	\$4.95	\$5.04	
100% Cotton SS w/pocket- 3 color - Dark XXL	\$5.95	\$6.09	
100% Cotton SS w/pocket- 3 color - Dark XXXL	\$5.95	\$6.91	
100% Cotton SS w/pocket- 4 color - Dark YS-XL	\$5.15	\$5.09	

	Bidders		
	Incentive Mall Indianapolis, IN	Design Lab, Inc. Greenville, SC	Print It Belton, TX
100% Cotton SS w/pocket- 4 color - Dark XXL	\$6.15	\$6.13	
100% Cotton SS w/pocket- 4 color - Dark XXXL	\$6.15	\$6.95	
SS T-Shirt - 5 color front & 1 color back - Dark YS-XL	\$4.00	\$4.14	
SS T-Shirt - 5 color front & 1 color back - Dark XXL	\$5.00	\$4.93	
SS T-Shirt - 5 color front & 1 color back - Dark XXXL	\$5.00	\$5.28	
SS T-Shirt - 5 color front & 1 color back - Light YS-XL	\$4.50	\$3.90	
SS T-Shirt - 5 color front & 1 color back - Light XXL	\$5.50	\$4.59	
SS T-Shirt - 5 color front & 1 color back - Light XXXL	\$5.50	\$4.99	
LS T-Shirt - 5 color front & 1 color back - Dark YS-XL	\$5.25	\$6.10	
LS T-Shirt - 5 color front & 1 color back - Dark XXL	\$6.25	\$7.10	
LS T-Shirt - 5 color front & 1 color back - Dark XXXL	\$6.25	\$7.65	
8" Numbers (per each)	\$1.00	\$1.25	
2" Letters (per letter)	\$1.00	\$0.75	
Sleeve/Chest Print 1-Color	\$0.25	\$0.35	
Sleeve/Chest Print 2-Color	\$0.50	\$0.60	
Sleeve/Chest Print 3-Color	\$0.70	\$0.85	
Sleeve/Chest Print 4-Color	\$0.90	\$1.10	
Delivery	Yes	Yes	
CIQ Form	Yes	Yes	
Credit Check Authorization	Yes	Yes	
Exceptions?	None	Yes	

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

*Belinda Mattke*

*11-Mar-08*

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 PURCHASE AGREEMENT FOR THE DESIGN  
AND PRINTING OF T-SHIRTS WITH DESIGN LAB, INC., OF GREENVILLE,  
SOUTH CAROLINA, IN THE ESTIMATED ANNUAL AMOUNT OF \$25,000;  
AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on March 11, 2008, the City received 3 bids for the design and printing of t-shirts;

**Whereas**, the Staff recommends authorizing an annual purchase agreement with Design Lab, Inc., of Greenville, South Carolina, for an estimated annual expenditure of \$25,000;

**Whereas**, there are sufficient funds in the various departmental accounts for the purchases – the t-shirts are ordered on an as-needed basis by each department; 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 Design Lab, Inc., of Greenville, South Carolina, for an estimated annual expenditure of \$25,000, for the purchase, design, and printing of t-shirts for recreational and municipal activities.

**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 this purchase.

**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 3<sup>rd</sup> day of **April**, 2008.

THE CITY OF TEMPLE, TEXAS

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WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

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Clydette Entzminger  
City Secretary

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Jonathan Graham  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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04/03/08  
Item #4(C)  
Consent Agenda  
Page 1 of 2

### **DEPT./DIVISION SUBMISSION & REVIEW:**

Bruce A. Butscher, P.E., Director of Public Works  
Nicole Torralva, P.E., Assistant Director of Public Works / Operations

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a contract with Siemens Water Technologies of Sarasota, Florida for annual maintenance of the existing emergency vapor scrubbing unit at the conventional water treatment plant in the amount of \$29,542.

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

**ITEM SUMMARY:** Within the last few months, water treatment plant personnel have met with service technicians from Siemens Water Technologies to assess the current state of the existing emergency vapor scrubbing unit at the water plant. This unit was installed in 2004 at the chemical building located at the conventional water treatment plant and houses a caustic agent which is kept at the facility and is piped into the building to contain a potential chemical chlorine spill. Over the past four years, the system has operated as designed, releasing caustic agents into the building when needed during small scale chemical releases.

At the time the unit was installed in 2004, WTP personnel were instructed in the proper use and maintenance of the equipment in the case of large scale chemical releases. Instructions provided to staff included maintenance and cleaning of the unit after each large scale event. To date, no large scale events have occurred; however it is time for regular cleaning of the units.

Over time and with the sporadic small release of chlorine and caustic at the site, WTP personnel asked Siemens to revisit the installation earlier this year to accurately assess functionality of the system. This visit revealed serious safety concerns at the facility. At the time of installation, no training or instruction was provided to staff regarding small scale events. Over the past four years, we now know that the majority of releases occurring at the site are small scale. There is no way to definitively determine the magnitude of each release and the response of the existing system.



At this time, Public Works staff recommends a full acid wash cleaning of the unit to address safety concerns and to meet current TCEQ requirements related to emergency vapor scrubbing units. If a large scale event were to occur without properly maintaining the units, the effectiveness of a future event and safety of WTP personnel and surrounding properties could not be ascertained. Siemens Water Technologies is the only company certified to work on the existing unit installed at the water treatment plant. A sole source letter is attached to this item.

**FISCAL IMPACT:** Funding for the maintenance of the existing emergency vapor scrubbing unit at the conventional water treatment plant was not included in the FY 2008 operating budget. Therefore, a budget adjustment is presented for Council's approval appropriating \$29,542 from Water Contingency account 520-5200-535-6532 to account 520-5100-535-2338 for completion of this work.

**ATTACHMENTS:**

[Proposal](#)  
[Sole Source Letter](#)  
[Budget Amendment](#)  
[Resolution](#)

# SIEMENS

20-16

Mr. W. Hickman Maintenance Supervisor  
4820 Parkside Drive,  
Temple Texas, 76501  
Ph: 254-913-1298 or 254-939-2161  
Fax: 254-933-7726  
Email: [whickman@ci.temple.tx.us](mailto:whickman@ci.temple.tx.us)

February 21, 2008

**RE: City of Temple, Texas - RJ-2000 EVSS Acid Wash Proposal**

Dear Mr. Hickman:

Siemens would like to provide a proposal for acid wash service for your RJ2000 EVSS. Based on our service and installation records, it appears this scrubber has not been acid washed since 2004.

**Services to be provided:**

- Acid wash and rinse system to dispose of 14" solids.
- Supply 14 drums hydrochloric acid for acid washing service.
- Remove and dispose of 2,400 gallons spent caustic.
- Remove and dispose of 1,100 gallons spent acid brine.
- Replace site tube and ball valve
- Refill scrubber with 20% grade Rayon Caustic (2100 gals)
- Re-gasket the top access ports as needed.
- Replace fan belts.
- Restart system and test run.
- Inspection of scrubber nozzle operation.
- Inspection of Recirculation Pump operation.

The cost for the above acid wash service on your RJ Scrubber System is \$29,542.00. This quote will be in effect for 60 days from the date of this proposal.

**Note 1:** Siemens Water Technologies will supply the acid required to complete the acid wash.

**Note 2:** After completion of the acid wash and start up, should the scrubber need additional repairs, we will provide a proposal for your approval.

The attached terms and conditions are considered part of this proposal and are binding.

It is our pleasure to provide our services to the city of Temple. Nothing is more important to us than assuring that our emergency scrubber systems are working properly and ready to provide reliable protection against chlorine gas leaks. Please feel free to call me at 512-581-2097 if you have any questions.

Sincerely,

**Siemens Water Technologies**

*Joe Robertson*

Joe Robertson  
Technical Sales Representative

Siemens Water Technologies will process your order when we receive acceptance of this proposal by signing below and returning all pages with your purchase order number.

Accepted by:

This \_\_\_\_ day of \_\_\_\_\_ 2008

By: \_\_\_\_\_

Title: \_\_\_\_\_

PO#: \_\_\_\_\_

# SIEMENS

Mr. W. Hickman Maintenance Supervisor  
4820 Parkside Drive  
Temple, Texas 76501  
Ph: 254-913-1298 or 254-939-2161  
Fax: 254-933-7726  
Email: [whickman@ci.temple.tx.us](mailto:whickman@ci.temple.tx.us)

March 3, 2008

## RE: SOLE SOURCE EMERGENCY VAPOR SCRUBBER SERVICE

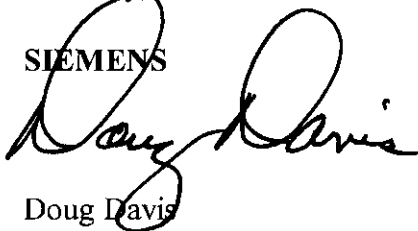
Dear Mr. Hickman:

Siemens Water Technologies is the sole source provider of service contracts on our line of emergency vapor scrubber systems. This includes the RJ-150™ and RJ-2000™ wet scrubber lines manufactured exclusively at our San Diego, CA facility.

Should you have any questions or require additional information please feel free to contact me at 1-800-345-3982.

Sincerely,

SIEMENS



Doug Davis  
Director of FSOC Sales

FY **2008****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	
520-5100-535-23-38		Maintenance Contract	\$ 29,542			
520-5200-535-65-32		Water Contingency			\$ 29,542	
<b>TOTAL.....</b>			\$ 29,542		\$ 29,542	

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

To appropriate funds for the maintenance of the scrubber at the Water Treatment Plant. The scrubber is used to contain any type of chemical spill (chlorine) at the Conventional Water Treatment Plant.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒ Yes☐ No

DATE OF COUNCIL MEETING

4/3/2008

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 CONTRACT WITH SIEMENS WATER TECHNOLOGIES OF SARASOTA, FLORIDA, FOR ANNUAL MAINTENANCE OF THE EXISTING EMERGENCY VAPOR SCRUBBING UNIT AT THE CONVENTIONAL WATER TREATMENT PLANT IN THE AMOUNT OF \$29,542; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas,** Water Treatment Plant personnel have recently met with service technicians from Siemens Water Technologies to assess the current state of the existing emergency vapor scrubbing unit at the Water Treatment Plant;

**Whereas,** over the past 4 years, the system has operated as designed, releasing caustic agents into the building when needed during small scale chemical releases; however, it is now timely for a cleaning of the unit to occur;

**Whereas,** Siemens Water Technologies is the only company certified to work on the existing unit and is therefore a sole source provider for this service;

**Whereas,** funds are available for this project but an amendment to the FY2007-2008 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 contract with Siemens Water Technologies, after approval as to form by the City Attorney, for annual maintenance of the existing emergency vapor scrubbing unit at the conventional Water Treatment Plant, for a cost not to exceed \$29,542.

**Part 2:** The City Council approves an amendment to the FY2007-2008 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 **3<sup>rd</sup>** day of **April**, 2008.

THE CITY OF TEMPLE, TEXAS

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WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

---

Clydette Entzminger  
City Secretary

---

Jonathan Graham  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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04/03/08  
Item #4(D)  
Consent Agenda  
Page 1 of 2

### **DEPT./DIVISION SUBMISSION & REVIEW:**

Bruce A. Butscher, P.E., Director of Public Works  
Nicole Torralva, P.E., Assistant Director of Public Works / Operations

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing an out of scope contract with CH2MHill/OMI of Englewood, Colorado for rehabilitation of an existing Belt Filter Press and Gravity Belt Thickener at the Doshier Wastewater Treatment Plant in the not to exceed amount of \$58,000.

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

**ITEM SUMMARY:** Major upgrades of the Doshier Wastewater Treatment Plant were completed in 1994. Since that time, only minor maintenance has occurred at the facility. The plant utilizes an existing Ashbrook Klampress Belt Filter Press and Aquabelt Gravity Belt Thickener to process sludge on site prior to final disposal. Over the past 15 years, these units have performed remarkably well and are now in need of rehabilitation.

CH2MHill/OMI (contract operators of the Doshier WWTP facility) have worked with Ashbrook Simon-Hartley (manufacturers of the units) to secure the attached quotes for rehabilitation of the existing units. CH2MHill/OMI has prepared the attached proposal to the City of Temple to complete the turnkey project over the next several months. Specific information for tasks to be performed related to rehabilitation of the units are described in detail in the attached documentation.

Per the existing operational contract with OMI, Article 2.8.1 (Financing) states that when requested by the City, OMI shall finance capital improvement projects relating to Doshier WWTP that have been requested or authorized by the City, subject to mutually agreeable terms and conditions of repayment. Additionally, Article 2.9 (Incidental Services) states that OMI shall perform other services that are incidental to the performance by OMI of the services required as directed by the City at OMI's cost plus not more than 15%. Public Works staff recommends that this work be performed utilizing the services of CH2MHill through the attached out of scope contract proposal.



**FISCAL IMPACT:** Funding in the amount of \$100,000 is appropriated in account 561-5500-535-6933, Project # 100169 for the Rehabilitation of the Belt Filter Press and Gravity Belt Thickener Project from the 2006 Utility Revenue Bond Issue. This contract includes all professional and construction fees associated with the project.

**ATTACHMENTS:**

[OMI Proposal](#)  
[Ashbrook Proposal](#)  
[Resolution](#)



**CH2MHILL**  
OMI

CH2M HILL OMI  
9193 S. Jamaica Street  
Suite 400  
Englewood, CO 80112  
P.O. Box 6607  
Englewood, CO 80155  
Tel 303.740.0019  
Fax 303.740.7061

2/15/2008

Mrs. Nicole Torralva, P.E.  
City of Temple  
3210 East Ave H, Bldg A  
Temple, Texas 76501

Subject: Out-of-Scope Letter Proposal

Dear Mrs. Torralva,

CH2M HILL OMI is pleased to present you pricing for rehab of the Ashbrook Klampress and Aquabelt for your review.

What is being proposed:

**Klampress**

- (2) New upper and lower spray shower brushes
- (44) New spray shower nozzle assemblies. Assemblies include spray nozzles, gaskets and retaining rings
- (2) Upper and lower spray shower valve gaskets
- (1) Lot of new bearing housing splashguard assemblies
- (4) Replace worn hydraulic tensioning and steering cylinders with new fiberglass cylinders. New hydraulic cylinders shall have fiberglass outer casing, laminated phenolic heads, stainless steel tie rods and 316 stainless steel piston rods.
- (1) New emergency trip cord switch.
- (1) Drive unit fan cover.
- (1) Lot of new rubber seals on washboxes, gravity section and wedge section sludge restrainers
- (1) New feed chute neoprene flap.
- (2) Replace worn doctor blades at discharge end of machine.
- (1) Lot of new poly grid wear bars on the upper and lower grid weldments.
- (1) New upper filter belt.
- (1) New lower filter belt.
- (2) New upper and lower 316 stainless wash box assemblies with adjustable panels

**Aquabelt**

- (1) New spray shower brush.
- (22) New spray shower nozzle assemblies. Nozzle assemblies include spray nozzles, gaskets, and retaining rings.
- (1) New spray shower valve gasket.
- (1) Lot of new bearing housing splashguard assemblies.

**Aquabelt:** continued

- (4) Replace worn hydraulic tensioning and steering cylinders with new fiberglass cylinders. New hydraulic cylinders shall have fiberglass outer casing, laminated phenolic heads, stainless steel tie rods and 316 stainless steel piston rods.
- (1) New emergency trip cord switch.
- (1) New SEW Eurodrive unit assembly.
- (1) New filter belt.
- (1) Lot of new rubber seals on the washboxes and gravity section sludge restrainers.
- (1) Lot of new poly grid wear bars for gravity section drainage grids.
- (1) New 316 stainless steel wash box assembly with adjustable panels.

Purchased Parts: *All parts will be purchased from Ashbrook Simon Hartley due to them being the only provider of parts for these units. Attached is the vendor certification statement.*

When it is being provided: *All work to be completed by contract year end (September 30, 2008).*

Price of services: *According to article 2.9 Incidental Services, OMI shall perform other services required that are incidental to the performance by OMI of the services required by this Article as directed by City. Such services will be invoiced to City at OMI's cost plus not more than fifteen percent.*

Estimate of costs: *\$58,000*  
(Not to Exceed)

Payment terms: *According to Article 5.2 Other Payments, All other compensation to OMI is due on receipt of OMI's invoice and payable within thirty days.*

All other terms and conditions of the Agreement dated September 30<sup>th</sup>, 2004 between OMI and the City of Temple remains in full force and effect.

If these terms are agreeable to you, please sign both copies of this letter. We will return one fully executed original for your files.

CH2M HILL OMI appreciates the opportunity to provide these additional services to the City of Temple.

Sincerely,

*Christopher S. Parker*  
CH2M HILL OMI Project Manager

Both parties indicate their approval of the above described services by their signature below.

Authorized OMI:

Authorized Client Name:

\_\_\_\_\_  
*Roger B. Quayle*  
*Senior Vice President*

Date: \_\_\_\_\_

\_\_\_\_\_  
*Client Contact*

*Client Name*

Date: \_\_\_\_\_

February 12, 2008



**WATER AND WASTEWATER TREATMENT SOLUTIONS**

OMI  
Temple W.W.T.P.  
2515 East Avenue H.  
Temple, TX 76503

11600 East Hardy  
Houston, TX 77093  
(800)362-9041

Attention: Chris Parker

Reference: Site Reconditioning for Belt Filter Press/Gravity Belt Thickener  
(1) Klampress Type 85 Size 3 (2.0 meter) – Ashbrook Quote # 9384  
(1) Aquabelt Type 85 Size 3 (2.0 meter) - Ashbrook Quote #9383

Dear Mr. Parker,

Ashbrook has carefully prepared the above referenced proposals specifically designed for Temple Wastewater treatment Plant – Temple, Texas. Our proposals include installation and upgrades of the customers existing Ashbrook Klampress and Aquabelt. All of the above can be accomplished through the use of modifying your existing Klampress/Aquabelt with Original Equipment Manufacturer (O.E.M) parts from Ashbrook. Ashbrook Simon-Hartley Operation L.P. is the Original Equipment Manufacturer of the Klampress and Aquabelt and is the sole source authorized provider for all O.E.M. parts.

Ashbrook continues to bring “today’s technology” to equipment for earlier model belt filter presses and gravity belt thickeners. The sensitive nature of Ashbrook’s technology makes the patents propriory pieces of equipment in today’s industry; therefore, competitors cannot manufacture nor install equipment associated with this project. Constant research and development allows Ashbrook to bring the latest developments which include patented items such as chicanes, wedge adjustments and roller bearing housings. And no other manufacturer is certified to ISO 9001 quality standards.

In addition to the above Ashbrook wishes to offer the following information.

- Ashbrook strives to provide our customers with the latest technology that can be adapted to earlier model belt filter presses and gravity belt thickeners.
- Ashbrook has developed fiberglass hydraulic cylinders that are non-corrosive. These cylinders are designed to meet the pressure requirement of the belt press and can be used in corrosive environments.
- Labor to perform the site work will be by qualified trained Ashbrook technicians who are experienced in the disassembly and re-assembly of the Klampress and Aquabelt. To ensure proper operation of the Klampress and Aquabelt only qualified technicians should work on the machine.

- By using the O.E.M. you will be assured all equipment will be of the up most quality and workmanship as when originally installed. Your equipment has faithfully performed for over 15 years which proves the high standard that is required in your operation.

Thank you for this opportunity, and if you have any questions, please do not hesitate to call me at 281-985-4405.

Sincerely,

A handwritten signature in black ink, appearing to read "Larry Packard", with a large, stylized loop at the end.

Larry Packard  
Retrofit/Rebuild Manager  
Ashbrook Simon-Hartley

RESOLUTION NO. 2008-5358-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONTRACT WITH CH2M HILL/OMI OF ENGLEWOOD, COLORADO, FOR REHABILITATION OF AN EXISTING BELT FILTER PRESS AND GRAVITY BELT THICKENER AT THE DOSHIER FARM WASTEWATER TREATMENT PLANT IN AN AMOUNT NOT TO EXCEED \$58,000; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, the Doshier Wastewater Treatment Plant utilizes an existing Ashbrook Klampress Belt Filter Press and Aquabelt Gravity Belt Thickener to process sludge on site prior to final disposal – the unit has performed remarkably well for the past 15 years but is now in need of rehabilitation;

**Whereas**, CH2M Hill/OMI, the contract operators at the Doshier Farm Wastewater Treatment Plant, have worked with Ashbrook Simon-Hartley (manufacturers of the unit) to secure quotes for this rehabilitation project;

**Whereas**, the Staff recommends approval of an out of scope contract with OMI for an amount not to exceed \$58,000;

**Whereas**, funds are available for this project in Account No. 561-5500-535-6933, Project # 100169; 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 contract with CH2M Hill/OMI of Englewood, Colorado, after approval as to form by the City Attorney, for rehabilitation of an existing Belt Filter Press and Gravity Belt Thickener at the Doshier Farm Wastewater Treatment Plant, for a cost not to exceed \$58,000.

**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 **3<sup>rd</sup>** day of **April**, 2008.

THE CITY OF TEMPLE, TEXAS

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WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

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Clydette Entzminger  
City Secretary

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Jonathan Graham  
City Attorney





## COUNCIL AGENDA ITEM MEMORANDUM

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04/03/08  
Item #4(E)  
Consent Agenda  
Page 1 of 2

**DEPT./DIVISION SUBMISSION & REVIEW:**

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

Nicole Torralva, P.E., Assistant Director of Public Works / Operations

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing three separate contracts for tasks relating to the replacement of existing surge anticipators on main transmission lines at the Water Treatment Plant in the total amount of \$40,604.

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

**ITEM SUMMARY:** In this years Water Treatment Plant operational budget account, a project entitled Replacement of Surge Anticipator, Valve and Electrical Controls has been identified. This project will replace existing surge anticipators on two main lines leaving the high service pump station (an 18" line and a 30" line). These two main lines leaving the plant carry two thirds of the total supply to the City and are critical to the system. The surge anticipators protect the high service station and the two potable water clearwells from being hit with a large force back to the plant in case of water movement within the system.

In order to complete this project in a conventional manner (with a contractor completing all portions of the work), we estimate that costs would be over \$100,000. In order to work within the established budget of \$40,000, WTP personnel have split the project up into three tasks as follows:

- |        |  |
|--------|--|
| Task 1 | City to purchase anticipator parts direct from supplier (sole source supplier to provide specialized parts to exactly replace existing anticipator units, sole source letter attached) |
| Task 2 | City to purchase piping, vales, and appurtenances required for anticipator installation (three quotes solicited, one quote obtained)   |
| Task 3 | Contractor to install City purchased equipment (three quotes solicited, two quotes obtained)   |

An informal quote sheet has been prepared and is attached showing all proposals received for each task of the work. The specific quotes for each low bidder are as follows:

Task 1	EI2	\$24,877.00
Task 2	ACT	\$ 5,926.50
Task 3	TTG Utilities	\$ 9,800.00

Public Works recommends that each task be awarded to the low bidder (Task 1 (Sole Source EI2)), Task 2 (ACT), and Task 3 (TTG Utilities) in the total project amount of \$40,603.50.

**FISCAL IMPACT:** Funding in the amount of \$40,000 is designated in account 520-5100-535-6310, project# 100302 for this project in the FY 2008 Water Treatment Plant's operating budget. A budget amendment in the amount of \$604, is presented reallocating funds to cover the additional amount needed from account 520-5100-535-6310, project # 100116.

**ATTACHMENTS:**

[Informal Quote Sheet for Anticipator Valves \(Task 1\)](#)

[Informal Quote Sheet for Parts needed for Anticipator Valves \(Task 2\)](#)

[Informal Quote Sheet for Labor for installation of Anticipator Valves \(Task 3\)](#)

[Sole Source Letter](#)

[Budget Adjustment](#)

[Resolution](#)

## ***Informal Quote Summary Sheet***

**Description: Parts for Surge Anticipator - Replacement for 8" Electronic Surge Anticipator Valve and Replacement of 10" Electronic Surge Anticipator Valve**

<b>Vendor Name</b>	<b>Contact Name</b>	<b>Business Location</b>	<b>Phone Number</b>	<b>Date</b>	<b>Quote</b>
Environmental Improvements, Inc	Curtis Cathey	Buda, TX	512-295-3733	01/18/08	\$24,877.00
ACT	David Skopik	Temple, TX	254-742-0888	01/24/08	no bid They do not have valves
H.D. Water Works	Dwayne Lantz	Belton, TX	254-939-8998	01/24/08	no bid

**NOTE: If purchase is over \$1,000, you must submit vendor's written quotes and this summary sheet with requisition. If purchase is over \$3000, you must also complete a HUB Contact Information Sheet and submit with requisition.**

## ***Informal Quote Summary Sheet***

**Description: Parts for Electronic Surge Anticipator; 10" lug butterfly valve, 10" flange butterfly valve, 6" lug butterfly valve and all parts that are needed to install**

<b>Vendor Name</b>	<b>Contact Name</b>	<b>Business Location</b>	<b>Phone Number</b>	<b>Date</b>	<b>Quote</b>
ACT	David Skopik	Temple, TX	254-742-0888	01/24/08	\$5,926.50
Environmental Improvements, Inc	Curtis Cathey	Buda, TX	512-295-3733	01/18/08	no bid
H.D. WaterWorks	Dwayne Lantz	Belton, TX	254-939-8998	01/24/08	no bid

**NOTE: If purchase is over \$1,000, you must submit vendor's written quotes and this summary sheet with requisition. If purchase is over \$3000, you must also complete a HUB Contact Information Sheet and submit with requisition.**

## ***Informal Quote Summary Sheet***

**Description:**Labor for installing Electronic Surge Anticipators

<b>Vendor Name</b>	<b>Contact Name</b>	<b>Business Location</b>	<b>Phone Number</b>	<b>Date</b>	<b>Quote</b>
TTG Utilities, LP	Dennis Taggart	Gatesville, TX	254-248-1151	03/07/08	\$9,800.00
Matous Construction	Mike Psencik	Belton, TX	254-80-1400	03/07/08	\$16,000.00
Bell Construction	Barbara Roberts	Belton, TX	254-939-3509	03/07/08	no bid

**NOTE:** If purchase is over \$1,000, you must submit vendor's written quotes and this summary sheet with requisition. If purchase is over \$3000, you must also complete a HUB Contact Information Sheet and submit with requisition.



**GA Industries Inc.**

9025 MARSHALL ROAD :: CRANBERRY TOWNSHIP, PA 16066 :: USA  
Phone: (724) 776-1020 Fax: (724) 776-1254  
[www.gaindustries.com](http://www.gaindustries.com)

January 7, 2008

RE: Exclusive Sales Representative

To Whom It May Concern:

This letter is to confirm that Environmental Improvements, Inc. is our sole authorized representative for the entire state of Texas for GA valves and parts.

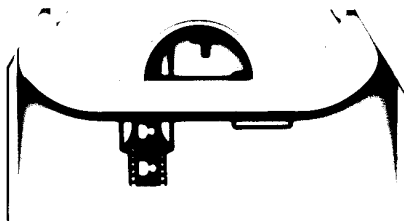
Environmental Improvements, Inc.  
235 Trademark Drive  
Buda, TX 78610  
Phone: 512-295-3733  
Fax: 512-295-4028

Regards,

GA INDUSTRIES, INC.

*Don Bartell*

Don Bartell



FY **2008****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	
520-5100-535-63-10	100302	Building & Grounds	\$ 604			
520-5100-535-63-10	100116	Building & Grounds			604	
<b>TOTAL.....</b>			\$ 604		\$ 604	

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

\$40,000 was budgeted in the FY 2008 Water Treatment Plant's operational budget for the surge anticipator project. Total costs for project is \$40,604 leaving a shortfall of \$604. The additional funds needed are available in perimeter fencing project.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☐

Yes

☒

No

DATE OF COUNCIL MEETING

4/3/2008

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 3 SEPARATE CONTRACTS FOR TASKS RELATING TO THE REPLACEMENT OF EXISTING SURGE ANTICIPATORS ON MAIN TRANSMISSION LINES AT THE WATER TREATMENT PLANT IN AN AMOUNT NOT TO EXCEED \$40,604; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas,** the existing surge anticipators on two main lines leaving the high service pump station (an 18-inch line and a 30-inch line) at the Water Treatment Plant need to be replaced;

**Whereas,** Staff recommends approving 3 separate contracts for this project which requires 3 tasks so the project can be accomplished within the established budget of \$40,000;

**Whereas,** funds are available for these projects but an amendment to the FY2007-2008 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 the following contracts, after approval as to form by the City Attorney, for tasks relating to the replacement of existing surge anticipators on main transmission lines at the Water Treatment Plant for a cost not to exceed the total of \$40,604:

- (a) Environmental Improvements, Inc., of Buda, Texas – replacement of 8-inch electronic surge anticipator valve and replacement of 10-inch electronic surge anticipator valve, \$24,877.00;
- (b) ACT of Temple, Texas – parts for electronic surge anticipator; 10- inch lug butterfly valve, 6-inch lug butterfly valve and all parts that are needed to install, \$5,926.50; and
- (c) TTG Utilities, LP, of Gatesville, Texas – labor for installing electronic surge anticipators, \$9,800.00.

**Part 2:** The City Council approves an amendment to the FY2007-2008 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 **3<sup>rd</sup>** day of **April**, 2008.

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

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04/03/08  
Item #4(F)  
Consent Agenda  
Page 1 of 1

### **DEPT./DIVISION SUBMISSION & REVIEW:**

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

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a construction contract with R.T. Schneider Construction Co., Ltd. for construction of drainage improvements near Sundance Drive in the City of Temple in the amount of \$400,031.

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

**ITEM SUMMARY:** City staff and property owners have been reviewing storm water drainage concerns in the area of Sundance and Crescent View Subdivisions. On February 2, 2006, Council authorized a professional services agreement with Kasberg, Patrick & Associates, L.P. to design storm water structures to reduce the risk of flooding within the Sundance right of way.

After a lengthy right of way acquisition process to obtain the rights to construct the necessary improvements, the City of Temple is now prepared to authorize the construction of approximately 2,100 linear feet of storm water conveyance channel, 700 linear feet of subsurface storm water conveyance conduit, and a reinforced concrete box culvert across the channel at Sundance Drive.

The duration of this project is scheduled to be 180 calendar days. Three bids were received for this project as shown in the bid tabulation. Staff recommends award of the contract to the low bidder, R.T. Schneider Construction Co., Ltd. of Belton in the amount of \$400,031.00.

**FISCAL IMPACT:** Funding in the amount of \$452,292.55 is available in account 361-2900-534-6816, project # 100127 to fund this construction contract. This project is funded from the 2006 Certificate of Obligation bonds issued in October 2006 as part of the FY 2007 CIP program.

### **ATTACHMENTS:**

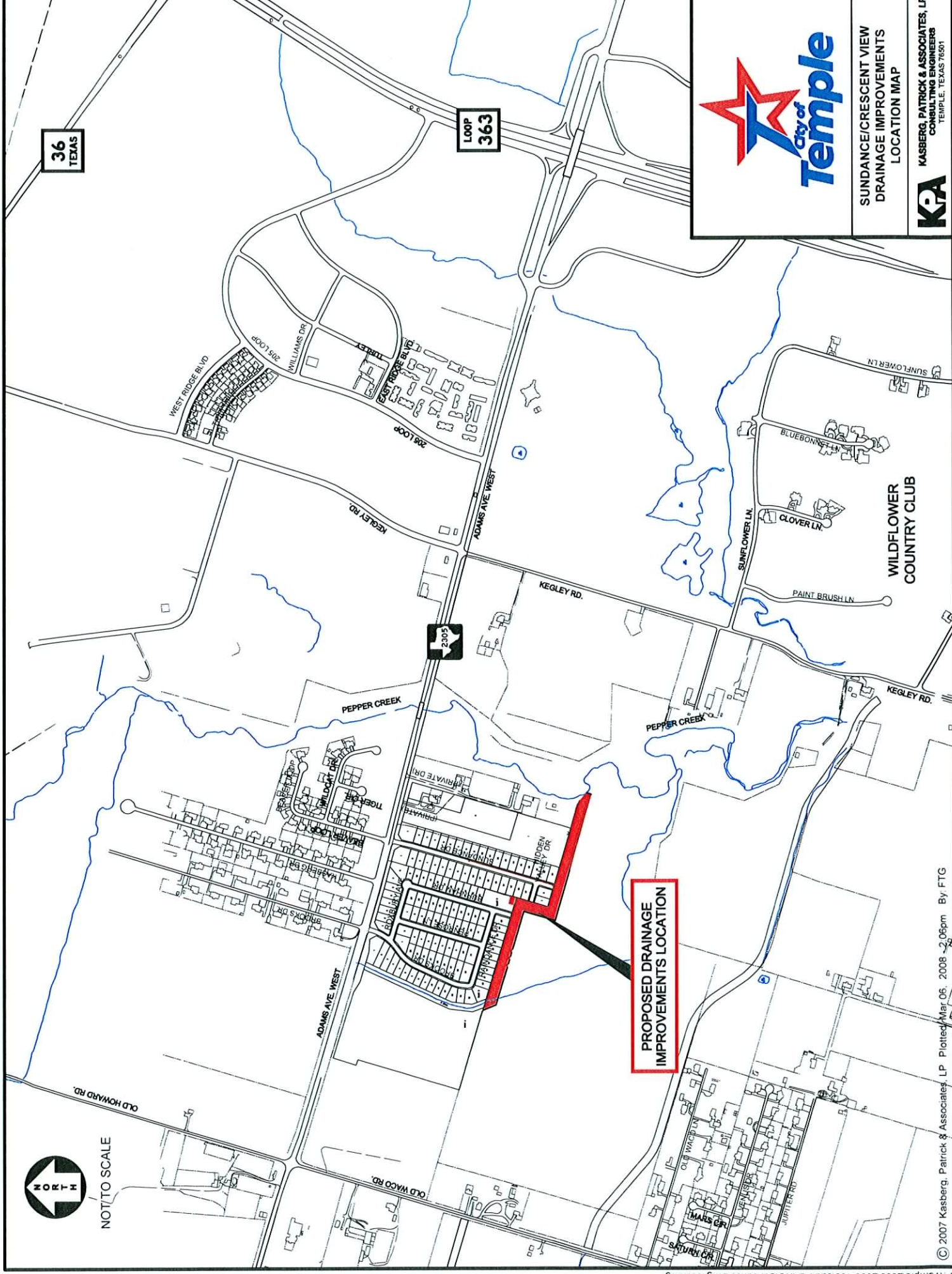
[Map showing project location](#)  
[Letter of Recommendation](#)  
[Resolution](#)



SUNDANCE/CRESCENT VIEW  
DRAINAGE IMPROVEMENTS  
LOCATION MAP



KASBERG, PATRICK & ASSOCIATES, L.P.  
CONSULTING ENGINEERS  
TEMPLE, TEXAS 76781

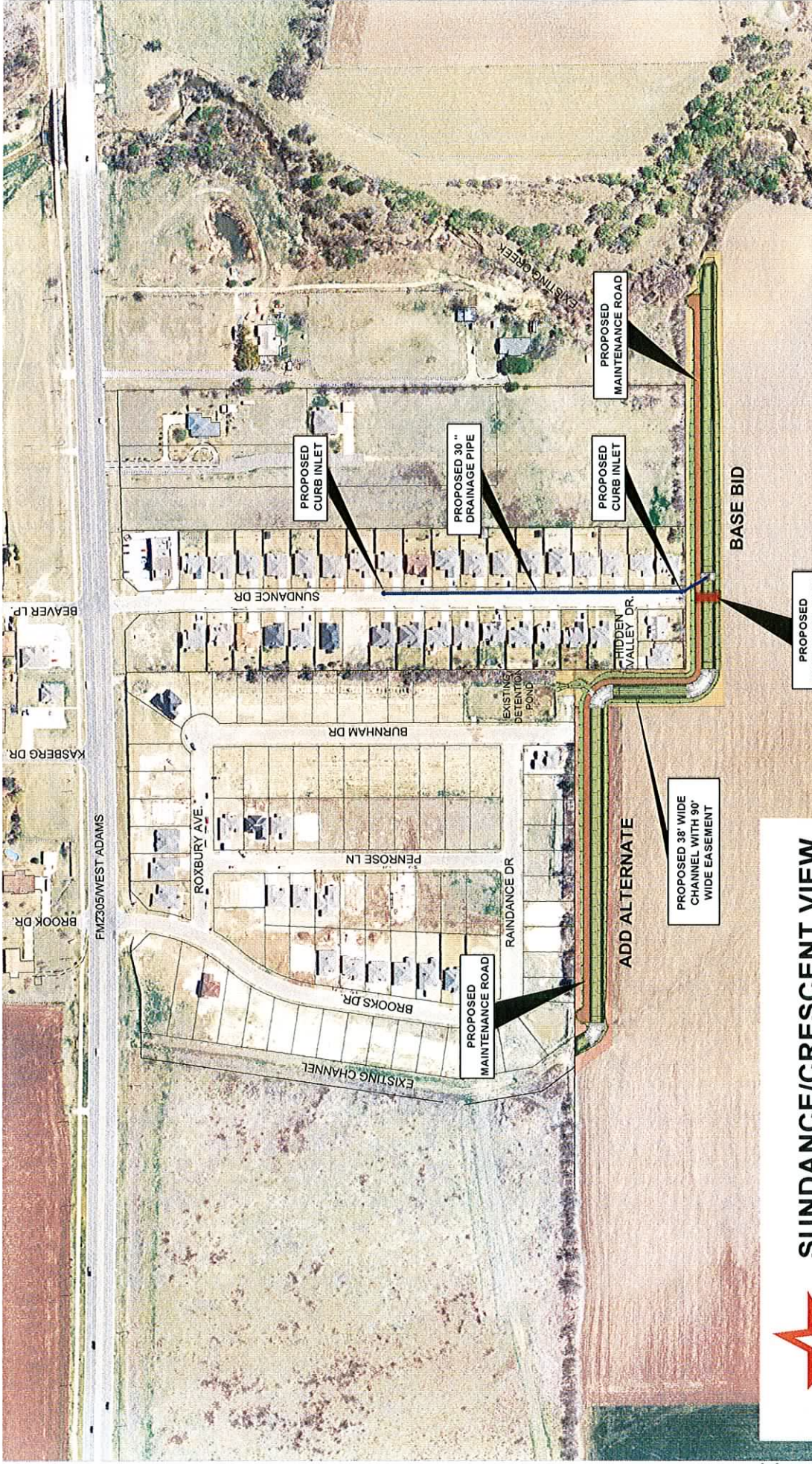


PROPOSED DRAINAGE  
IMPROVEMENTS LOCATION



NOT TO SCALE





**KPA**  
 KASBERG, PATRICK & ASSOCIATES, LP  
 CIVIL ENGINEERS  
 1000 WEST 17TH STREET  
 TEMPLE, TEXAS 76781



**City of  
Temple**

**SUNDANCE/CRESCENT VIEW  
DRAINAGE IMPROVEMENTS  
PROJECT LAYOUT**

Printed Mar 08, 2008 1:12pm By: PTC





# 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.

March 10, 2008

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

Assistant City Engineer

3210 E. Avenue H

Building A

Temple, Texas 76501

Re: City of Temple

Sundance / Crescent View Drainage Improvements

Dear Mr. Rodriguez:

On February 19, 2008, the City of Temple received competitive bids from three contractors for the Sundance / Crescent View Drainage Improvements. A Bid Tabulation is provided for your reference.

The bids received were for the Base Bid – generally consisting of approximately 1,300 linear feet of channel construction and approximately 700 linear feet of storm sewer installation; Add Alternate A – generally consisting of approximately 800 linear feet of channel construction; Add Alternate B – generally consisting of the construction of 3-5'x3' reinforced concrete box culverts across the channel at Sundance Drive. The attached Bid Tabulation shows R.T. Schneider Construction Co., Ltd. as the low bidder with a total bid of \$400,031.00. Our final opinion of probable construction cost for this project was \$437,182.50.

	Bid Amount
Base Bid	\$ 294,363.50
Add Alternate A – Crescent View Channel	\$ 66,485.00
Add Alternate B – Box Culvert	\$ 39,182.50

These bids allow for award of the following options:

Option 1	Base Bid Only	=	\$	294,363.50
Option 2	Base Bid + Add Alternate A	=	\$	360,848.50
Option 3	Base Bid + Add Alternate B	=	\$	333,573.00
Option 4	Base Bid + Add Alternate A + Add Alternate B	=	\$	400,031.00

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

March 10, 2008

Page Two

We recommend that the project contract be awarded to R.T. Schneider Construction Co., Ltd. for Option 3 (Base Bid + Add Alternate B) in the amount of \$ 333,573.00. Should sufficient funds be available, we recommend the City consider award of Option 4 (Base Bid + Add Alternate A + Add Alternate B) in the amount of \$ 400,031.00. R.T. Schneider Construction Co., Ltd. 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 blue ink, appearing to read "John A. Simcik". The signature is stylized with a large initial "J" and a cursive "S".

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

JAS/crc

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

# BID TABULATION

2006-103-40

CITY OF TEMPLE  
SUNDANCE / CRESCENT VIEW  
DRAINAGE IMPROVEMENTS  
February 19, 2008: 10 AM  
3210 E Avenue H, Building C, Temple, TX 76501

BASE BID			BIDDER INFORMATION					
			R.T. Schneider Construction Co, Ltd PO Box 876 Belton, TX 76513		TTG Utilities, Ltd PO Box 299 Gatesville, TX 76528		Austin Engineering Co., Inc. 3317 Ranch Road 620 North Austin, TX 78734	
Item No.	Estimated Quantity	Unit	Bid Data Description		Unit Price	Extended Amount	Unit Price	Extended Amount
1	100 %	LS	Mobilization, Bonds and Insurance, not-to-exceed 5 % of the Base Bid Amount		\$ 9,600.00	\$ 9,600.00	\$ 25,000.00	\$ 25,000.00
2	2,000.0	STA	Labor, Equipment, Tools and Supervision to Complete Preparation of Right-of-way		8.00	16,000.00	15.00	30,000.00
3	100 %	LS	Furnish Traffic Control Plan Sealed by an Engineer Licensed in the State of Texas		550.00	550.00	650.00	650.00
4	100 %	LS	Implement Traffic Control Plan		800.00	800.00	3,650.00	3,650.00
5	100 %	LS	Implement & Administer Stormwater Pollution Prevention Plan, Including Submission to & Receiving Permits from TCEQ		3,960.00	3,960.00	1,650.00	1,650.00
6	100 %	LS	Provide Project Record Drawings (As Buils)		3,000.00	3,000.00	3,000.00	3,000.00
7	100 %	LS	Provide DVD of right-of-way pre-construction and post construction site conditions for the total project		250.00	250.00	750.00	750.00
8	100	LF	Furnish, Install, Maintain and Remove Rock Berm as required in the Stormwater Pollution Prevention Plan		10.00	1,000.00	40.00	4,000.00
9	18,400	LS	Unclassified Channel Excavation		3.80	69,920.00	10.00	184,000.00
10	470	SY	Furnish and Place 12-Inch Diameter Rock Riprap		12.75	5,992.50	40.00	18,800.00
11	160	SY	Furnish and Place 8-Inch Diameter Rock Riprap		12.75	2,040.00	35.00	5,600.00
12	135	CY	Furnish and Install 3,000 PSI Concrete Riprap		200.00	27,000.00	390.00	52,650.00
13	17	SY	Construction of 10-Foot Wide Concrete Valley Gutter, Per Construction Plans		40.00	680.00	92.00	1,564.00
14	2,265	SY	Construction of 15-Foot Wide Flexbase Access Drive		5.00	11,325.00	5.75	13,023.75
15	1	EA	Furnish & Install 20'x51/2' Reverse Curb Inlet		6,720.00	6,720.00	7,500.00	7,500.00
16	1	EA	Furnish & Install 10'x51/2' Reverse Curb Inlet		5,145.00	5,145.00	4,700.00	4,700.00
17	265	LF	Furnish & Install 30" Diameter, Class IV RCP, Including Bedding and Backfill		91.00	24,115.00	62.00	16,430.00
18	460	LF	Furnish & Install 30" Diameter, Class III RCP, Including Bedding and Backfill		70.15	32,269.00	61.00	28,060.00
19	1,500	LF	Sawcut Existing Asphalt		1.65	2,475.00	1.50	2,250.00
20	300	SY	Furnish & Install 12-Inch Crushed Limestone Base Material		12.00	3,600.00	21.00	6,300.00
21	300	SY	Furnish & Install 1.5-Inch Type 'D' HMAc, Including Prime and Tack Coat		18.00	5,400.00	31.00	9,300.00
22	2,700	LF	Furnish & Install 5-Strand Barbed Wire Fence, As Shown on Sheets G-10 and G-11 of the Plans		5.00	13,500.00	7.90	21,330.00
23	2	EA	Furnish & Install Standard 16' Fence Gate		1,680.00	3,360.00	615.00	1,230.00
							2,000.00	4,000.00

\*\* Total amount has been corrected.



**BID TABULATION**

CITY OF TEMPLE  
**SUNDANCE / CRESCENT VIEW**  
**DRAINAGE IMPROVEMENTS**  
 February 19, 2008; 10 AM  
 3210 E Avenue H, Building C, Temple, TX 76501

		BIDDER INFORMATION				
		R. T. Schneider Construction Co, Ltd PO Box 876 Belton, TX 76513	TTG Utilities, Ltd PO Box 299 Gatesville, TX 76528	Austin Engineering Co., Inc. 3317 Ranch Road 620 North Austin, TX 78734		
24	3 EA	Furnish & Install Fence Corner Brace Post, As Shown on Sheet G-11 of the Plans	790.00	2,370.00	250.00	750.00
25	7 EA	Connection to Existing Fence With Intermediate Brace Post, As Shown on Sheet G-11 of the Plans	790.00	5,530.00	50.00	350.00
26	7 EA	Adjust Existing Wastewater Services, As Necessary	975.00	6,825.00	1,200.00	7,000.00
27	6 EA	Adjust Existing Water Services, As Necessary	242.00	1,452.00	1,200.00	900.00
28	780 SY	Place Bermuda or St. Augustine Sod	5.00	3,900.00	5.25	4,095.00
29	13,000 SY	Hydromulch, Including Watering, Fertilizing and Mowing to Establish Growth	1.10	14,300.00	2.20	28,600.00
30	1 EA	Furnish & Install Stabilized Construction Entrance	1,200.00	1,200.00	2,800.00	2,800.00
31	5 EA	Adjust Existing Water Services, As Necessary	242.00	1,210.00	1,200.00	6,000.00
32	7 EA	Adjust Existing 4" Wastewater Services, As Necessary	975.00	6,825.00	1,200.00	8,400.00
33	10 CY	Backfill Side Lot Flumes in ROW with Unclassified Excavation	15.00	150.00	200.00	2,000.00
34	100 LF	Construction of Standard 6-Inch Concrete Curb and Gutter, Including Doweling Into Existing Adjacent Curb	10.00	1,000.00	30.00	3,000.00
35	30 SY	Remove and Dispose of Existing Concrete Curb and Flume	30.00	900.00	55.00	1,650.00
TOTAL BASE BID AMOUNT (Items 1 - 35)			\$ 294,363.50	\$ 520,332.75	**	\$ 583,790.00

ADD ALTERNATE A - CRESCENT VIEW CHANNEL									
Item No.	Estimated Quantity	Unit	Bid Data Description	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount
A-1	750	LF	Provide Labor, Equipment, Tools and Supervision to Complete Preparation of Right-of-way	8.00	\$ 6,000.00	5.00	\$ 3,750.00	50.00	\$ 37,500.00
A-2	100%	LS	Provide Project Record Drawings (As Buils)	1,500.00	1,500.00	750.00	750.00	500.00	500.00
A-3	100%	LS	Provide DVD of right-of-way pre-construction and post construction site conditions for the total project	250.00	250.00	750.00	750.00	1,000.00	1,000.00
A-4	6,100	CY	Unclassified Channel Excavation	3.80	23,180.00	10.00	61,000.00	10.00	61,000.00
A-5	60	SY	Furnish and Place 12-inch Diameter Rock Riprap	12.75	765.00	40.00	2,400.00	100.00	6,000.00
A-6	40	CY	Furnish & Install 3,000 PSI Concrete Riprap	200.00	8,000.00	390.00	15,600.00	150.00	6,000.00
A-7	1,200	SY	Construction of 15-Foot Wide Flexbase Access Drive	5.00	6,000.00	5.65	6,780.00	6.00	7,200.00
A-8	1,700	LF	Furnish & Install 5-Strand Barbed Wire Fence, As Shown on Sheets G-10 and G-11 of the Plans	5.00	8,500.00	7.90	13,430.00	6.00	10,200.00
A-9	3	EA	Furnish & Install Fence Corner Brace Post, As Shown on Sheet G-11 of the Plans	790.00	2,370.00	675.00	2,025.00	250.00	750.00
A-10	1	EA	Connect to Existing Fence With Fence Corner Brace Post, As Shown on Sheet G-11 of the Plans	790.00	790.00	675.00	675.00	50.00	50.00
A-11	8,300	SY	Hydromulch, Including Watering, Fertilizing and Mowing to Establish Growth	1.10	9,130.00	2.50	20,750.00	2.00	16,600.00
TOTAL ADD ALTERNATE A BID AMOUNT (Items A-1 - A-11)				\$	66,485.00	\$	127,910.00	**	\$ 146,800.00

\*\* Total amount has been corrected.



# BID TABULATION

2006-103-40

CITY OF TEMPLE  
SUNDANCE / CRESCENT VIEW  
DRAINAGE IMPROVEMENT  
February 19, 2008: 10 AM  
3210 E Avenue H, Building C, Temple, TX 76501

ADD ALTERNATE B - BOX CULVERT				BIDDER INFORMATION			
Item No.	Estimated Quantity	Unit	Bid Data Description	Unit Price	Extended Amount	Unit Price	Extended Amount
B-1	40	LF	Furnish & Install 3-5'x3' RCBS	\$ 504.00	\$ 20,160.00	\$ 515.00	\$ 20,600.00
B-2	2	LF	Construction of Headwall and Wingwalls for 3-5'x3' RCBS	2,730.00	5,460.00	7,250.00	14,500.00
B-3	50	LF	Construction of 15-Foot Wide Flexbase Access Drive	10.00	500.00	5.65	282.50
B-4	1	EA	Furnish & Install Standard 16' Fence Gate	1,680.00	1,680.00	615.00	615.00
B-5	30	SY	Furnish and Place 12-Inch Diameter Rock Riprap	12.75	382.50	40.00	1,200.00
B-6	20	CY	Furnish & Install 3,000 PSI Concrete Riprap	200.00	4,000.00	390.00	7,800.00
B-7	100	LF	Furnish & Install TxDOT Standard Guardrail	70.00	7,000.00	60.00	6,000.00
TOTAL ADD ALTERNATE B BID AMOUNT (Items B-1 - B-7)					\$ 39,182.50		\$ 50,997.50

SUMMARY							
BASE BID (Items 1 - 35)				\$	294,363.50	\$	520,332.75
ADD ALTERNATE A (Items A-1 - A-11)				\$	66,485.00	\$	127,910.00
ADD ALTERNATE B (Items B-1 - B-7)				\$	39,182.50	\$	50,997.50
TOTAL BID AMOUNT (BASE BID + ADD ALTERNATE A + ADD ALTERNATE B)				\$	400,031.00	\$	699,240.25

Did Bidder Acknowledge Addenda No. 1?	YES	YES	YES
Did Bidder provide Bid Security?	YES	YES	YES

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

John A. Simcik, PE, CFM  
Kasberg, Patrick & Associates, LP

Date



RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONSTRUCTION CONTRACT WITH R.T. SCHNEIDER CONSTRUCTION COMPANY, LTD., OF BELTON, TEXAS, FOR CONSTRUCTION OF DRAINAGE IMPROVEMENTS NEAR SUNDANCE DRIVE, IN AN AMOUNT NOT TO EXCEED \$400,031.00; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on February 19, 2008, the City received 3 bids for construction of drainage improvements near Sundance Drive;

**Whereas**, the Staff recommends accepting the bid (\$400,031.00) received from R.T. Schneider Construction Company, Ltd., of Belton, Texas;

**Whereas**, funds are available for this project in Account No. 361-2900-534-6816, Project No. 100127; 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 \$400,031.00, with R.T. Schneider Construction Company, Ltd., of Belton, Texas, after approval as to form by the City Attorney, for construction of drainage improvements near Sundance Drive.

**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 3<sup>rd</sup> day of **April**, 2008.

THE CITY OF TEMPLE, TEXAS

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WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

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Clydette Entzminger  
City Secretary

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Jonathan Graham  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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04/03/08  
Item #4(G)  
Consent Agenda  
Page 1 of 2

### **DEPT. /DIVISION SUBMISSION & REVIEW:**

Ken Cicora, Parks and Leisure Services Director

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a construction contract with Techline Sports Lighting of Austin off of the Buy Board for the design and construction of the athletic field lighting system for the proposed multi-use field in Lions Park in the amount of \$100,247 and declaring official intent to reimburse this expenditure made prior to the issuance of tax-exempt obligations for this project.

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

**ITEM SUMMARY:** One of the projects identified in the successful Parks bond package last fall was the construction of a multi-use athletic field and parking area in Lions Park in the amount of \$400,000. This particular agenda item is for the lighting system that will be installed at this facility so practice and games can utilize this facility after dark. Practice areas that are lighted are in short supply within our parks system and this project will allow us to serve more citizens that need to practice their sports once the sun sets, especially during the winter months. Construction of the field and parking facility is scheduled to begin this fall but in order to prevent any price escalation for the lighting system we intend to award the contract for the lighting system now and delay installation until needed.

This lighting system will be similar to the system that was installed at Freedom Park in June 2004 utilizing a 4 pole design with 70' mounting height and providing 23 footcandles lighting levels. Techline Sports Lighting installed the Freedom Park system and the lighting system for the baseball fields in Ferguson Park. All three of these lighting systems have performed extremely well and the Parks and Leisure Services Department is satisfied with the workmanship and quality of the products. The Lions Park system will also include installing conduit and a transformer pad to Oncon specifications so power can be extended to the site.

We will be utilizing the Buy Board for this purchase which meets all competitive bid requirements. There are no local sports lighting vendors that can engineer, supply the materials, and install the lighting system.

**FISCAL IMPACT:** This item declares an official intent to reimburse the construction cost from the 2008 General Obligation bonds to be issued in the summer of 2008. The General Obligation bond issue was approved by the voters on November 6, 2007. Total project cost for the Lions Soccer fields is \$400,000, which will be funded in 362-3500-552-6844, project # 100362, and includes lighting, 2 fields and parking.

**ATTACHMENTS:**

[Resolution](#)

**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH TECHLINE SPORTS LIGHTING OF AUSTIN, TEXAS, OFF THE BUY-BOARD FOR THE DESIGN AND CONSTRUCTION OF THE ATHLETIC FIELD LIGHTING SYSTEM FOR THE PROPOSED MULTI-USE FIELD IN LIONS PARK, IN AN AMOUNT NOT TO EXCEED \$100,247.00; DECLARING OFFICIAL INTENT TO REIMBURSE CERTAIN EXPENDITURES MADE PRIOR TO THE ISSUANCE OF TAX-EXEMPT OBLIGATIONS FOR THIS PROJECT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, one of the projects identified in the successful Parks bond package last fall was the construction of a multi-use athletic field and parking area in Lions Park;

**Whereas**, construction of the field and parking facility is scheduled to begin this fall but in order to prevent any price escalation for the lighting system the Staff recommends awarding a contract now for the lighting system and delaying installation until needed;

**Whereas**, the Staff recommends entering into a construction contract with Techline Sports Lighting of Austin, Texas, off the Buy Board for \$100,247 – utilizing the Buy Board for this project meets all competitive bid requirements and there are no local sports lighting vendors who can engineer, supply the materials, and install the lighting system;

**Whereas**, the City of Temple anticipates the issuance of one or more series of obligations, the interest on which will be excludable from gross income under Section 103 of the Internal Revenue Code of 1986, as amended, in order to finance all or a portion of this project;

**Whereas**, certain expenditures relating to the Project will be paid prior to the issuance of the Obligations;

**Whereas**, the City hereby certifies that such expenditures have not been made prior to the date of passage of this Resolution;

**Whereas**, upon issuance of the Obligations, the City desires to reimburse these prior expenditures with proceeds of the Obligations;

**Whereas**, Section 1.150-2 of the Treasury Regulations provides that an expenditure on the Project may not be reimbursed from Obligation proceeds unless, along with other

requirements, the City declares official intent to reimburse the expenditure prior to the date that the expenditure to be reimbursed was paid; 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 \$100,247.00, between the City of Temple, Texas, and Techline Sports Lighting of Austin, Texas, after approval as to form by the City Attorney, for the design and construction of the athletic field lighting system for the proposed multi-use field in Lions Park.

**Part 2:** The City Council approves an amendment to the FY2007-2008 budget, substantially in the form of the copy attached as Exhibit A, for this purpose.

**Part 3:** The findings, determinations and certifications contained in the preamble hereof are incorporated herein for all purposes.

**Part 4:** This Resolution is a declaration of official intent under Section 1.150.2 of the Treasury Regulations by the City that it reasonably expects to reimburse the expenditures described in Part 5 with proceeds of debt to be incurred by the City, such debt to be issued on or before eighteen (18) months after the date of (i) the date the first expenditure is paid; or (ii) the date on which the property is placed in service, but in no event three years after the first expenditure is paid.

**Part 5:** The following is a general functional description of the Project for which the expenditures to be reimbursed are paid and a statement of the maximum principal amount of debt expected to be issued for the purpose of paying the costs of the Project.

<b><u>Project Description</u></b>	<b><u>Debt To Be Issued</u></b>
Design and construction of the athletic field lighting system for the proposed multi-use field in Lions Park	\$100,247.00

**Part 6:** The expenditures described in Part 5 is a capital expenditure under general Federal income tax principles or a cost of issuance.

**Part 7:** Except for the proceeds of the Obligations, no funds are, or are reasonably expected to be reserved, allocated on a long-term basis, or otherwise set aside by the City or by any member of the same controlled group to pay for the expenditures described in Part 5.

**Part 8:** 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 on this the **3<sup>rd</sup>** day of **April**, 2008.

THE CITY OF TEMPLE, TEXAS

---

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

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Clydette Entzminger  
City Secretary

---

Jonathan Graham  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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04/03/08  
Item #4(H)  
Consent Agenda  
Page 1 of 1

### **DEPT. /DIVISION SUBMISSION & REVIEW:**

Tim Dolan, AICP, Planning Director

**ITEM DESCRIPTION:** SECOND READING - Z-FY-08-18: Consider adopting an ordinance authorizing an amendment to the Thoroughfare Plan for Heritage Place to change Yorktown Drive from a collector sized street to a modified residential sized street.

**P&Z COMMISSION RECOMMENDATION:** The Planning and Zoning Commission voted 9/0 to recommend approval of to amend the Thoroughfare Plan for Yorktown Drive to go from a collector sized street to a modified residential sized street.

**STAFF RECOMMENDATION:** Adopt ordinance as presented in item description, on second and final reading. Staff requests the Commission recommend approval Z-FY-08-18 for amending the Thoroughfare Plan to remove the status of the collector sized road from Yorktown Drive.

**ITEM SUMMARY:** Please refer to the Staff Report and draft minutes of case Z-FY-08-18, from the Planning and Zoning meeting, March 3, 2008.

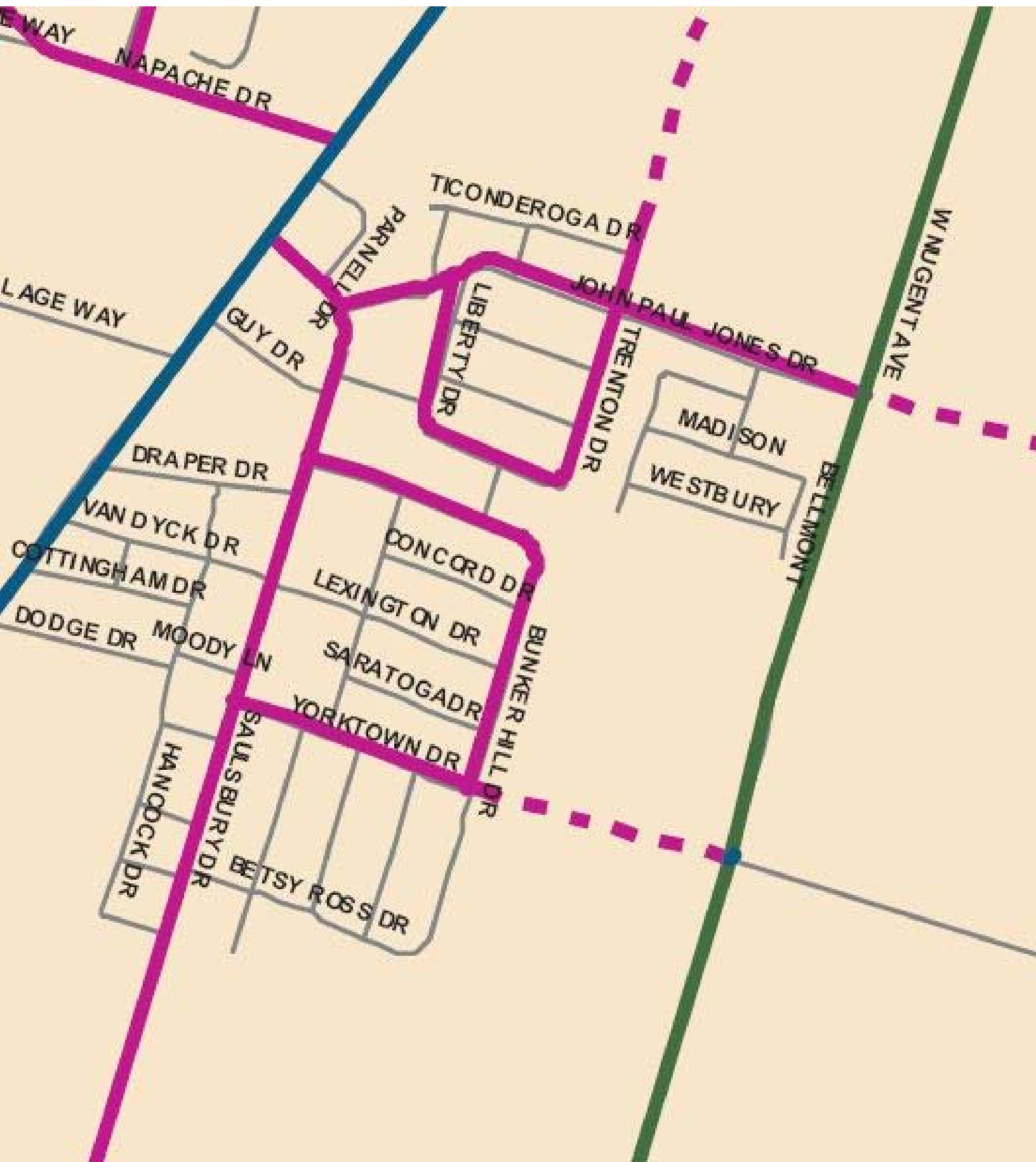
The applicant requests the Commission to recommend amending the Thoroughfare Plan for Yorktown Drive from a collector sized road (55' right-of-way with 36' pavement width) to residential sized road in keeping with the established roadway width of 50' right-of-way and 28' pavement width. Yorktown Drive was built as part of the Northwest Hills Extension. While the Plan, adopted in 1989, and amended after that time, shows the road as a collector sized road, it functions as a residential street. The road is built with a 50' right-of-way and 28' pavement width. Road connections are made from Nugent Drive to this area.

**FISCAL IMPACT:** None

### **ATTACHMENTS:**

Thoroughfare Plan Map  
P&Z Staff Report (Z-FY-08-18)  
P&Z Minutes (03/03/08)  
Ordinance







## PLANNING AND ZONING COMMISSION AGENDA ITEM

---

03/03/08  
Item 4  
Page 1 of 1

**APPLICANT:** Kiella Homebuilders

**ITEM DESCRIPTION:**

Z-FY-08-18: Heritage Place Thoroughfare Plan Amendment request for Yorktown Drive to go from a collector sized street to a modified residential sized street.

**ITEM SUMMARY:**

The applicant requests the Commission to recommend amending the Thoroughfare Plan for Yorktown Drive from a collector sized road (55' right-of-way with 36' pavement width) to residential sized road in keeping with the established roadway width of 50' right-of-way and 28' pavement width. Please see the attached applicant's request.

Yorktown Drive was built as part of the Northwest Hills Extension. While the Plan, adopted in 1989, and amended after that time, shows the road as a collector sized road, it functions as a residential street. The road is built with a 50' right-of-way and 28' pavement width. Road connections are made from Nugent Drive to this area.

Staff requests the Commission to recognize an existing situation. If the road and the single family homes were planned, Staff would have recommended the planned collector sized road meet the wider right-of-way and pavement width.

**STAFF RECOMMENDATION:**

Staff requests the Commission recommend approval Z-FY-08-18 for amending the Thoroughfare Plan to remove the status of the collector sized road from Yorktown Drive.

**FISCAL IMPACT:** Not Applicable

**ATTACHMENTS:**

Applicant's Request  
Thoroughfare Plan Section

**EXCERPTS FROM THE  
PLANNING & ZONING COMMISSION MEETING  
MONDAY, MARCH 3, 2008**

**ACTION ITEMS**

Chair Luck asked if Item 3, Z-FY-08-13, Item 4, Z-FY-08-18, and Item 5, P-FY-08-19 could be presented together and then have separate motions and votes on each item. Mr. Dolan replied that that would be acceptable. Chair Luck continued with the meeting.

3. Z-FY-08-13 Hold a public hearing and consider a zone change from Planned Development (Single Family Two) District (13.0± acres) and Agricultural District (38.4± acres) to Single Family Three District on approximately 51.4+ acres of land commonly known as Outblocks 4027-B and 4027-C, City Addition, located on the south side of West Nugent Avenue, east of Abbey Ridge and west and southeast of the Eberhardt Road and West Nugent Avenue intersection. (Applicant: Kiella Homebuilders/Short-Term Lending)
4. Z-FY-08-18 Heritage Place Thoroughfare Plan Amendment request for Yorktown Drive to go from a collector street to a residential street. (Applicant: Kiella Homebuilders)
5. P-FY-08-19 Consider a recommendation to approve the preliminary plat of Heritage Place Phases III, IV, V & VI, a 317 lot subdivision on 51.41 acres located along the south side of Nugent Avenue across from Eberhardt Road and north of Bunker Hill Drive. Recommended zoning is SF-3. (Applicant: Kiella Homebuilders)

Mr. Dolan, Planning Director, began with Z-FY-08-13, a request to zone 51.4 acres as SF-3. He displayed the Future Land Use map, an aerial of the property and surrounding area, a utility map, and the Staff recommendation. Mr. Dolan presented the items as outlined in the Planning and Zoning Commission Agenda Background. He said this area is planned for a single family subdivision. Access will come from the existing roads of Belmont, Westbury, Yorktown and Nugent. Mr. Dolan briefly went over the Thoroughfare Plan, adequacy of public facilities, SF-3 Development Regulations, the purpose of an SF-3 zoning, allowed and prohibited uses, and minimum lot area and setback requirements. Thirty-seven notices were mailed to surrounding property owners. One notice was returned in favor of the request and three were returned in opposition to the request. Mr. Dolan said staff recommends approval of Z-FY-08-13

because the request conforms to the Future Land Use Plan, recommended amendment to the Thoroughfare Plan and the Adequacy of Public Facilities.

Mr. Dolan continued with Z-FY-08-18, a developer request to amend the Thoroughfare Plan for Yorktown Drive to a residential sized road from the designated collector sized road, and presented the item as outlined in the Planning and Zoning Agenda Background. He said Staff recommends approval of the request for Yorktown Drive to go from a collector sized street to a modified residential sized street.

Mr. Dolan concluded his presentations with item P-FY-08-19, a preliminary plat showing 317 lots to be developed in four phases. Phase three has two points of ingress and egress from Nugent Avenue and ties on to Yorktown. Mr. Dolan said questions have been brought up by some of the public about the road connection to Yorktown Drive. He said there is a 200 foot offset for Yorktown Drive to be able to come into the subdivision and as it comes through to Nugent Drive. There are two exception requests with this plat to consider. 1) Request an exception to the Subdivision Ordinance Section 33.93, pavement width from 31 foot width from back of curb to 28 foot width from back of curb, and 2) Request an exception to the Subdivision Ordinance Section 33.102 - park land dedication and to try to use common areas for park land and linear trail.

Chair Luck opened the public hearing asking anyone wishing to speak in favor of Item 3, Z-FY-08-13 to address the Commission.

Mr. John Kiella, 11122 White Rock Dr., addressed the Commission. He said he was there to represent the builder and land owner for this item and spoke in favor of the request. Mr. Kiella said with the 317 lots proposed for this phase and adding them to the existing Phase I & II, brings the total of lots to 458.

Commissioner Kjelland asked if the hike and bike trail was part of Phase I. Mr. Kiella said they are going to phase it in, however, the first thing will be the cleaning of the creek line to get it to where it can be used as a passive trail and then add the elements as development progresses.

Commissioner Talley asked Mr. Kiella to explain the private park. Mr. Kiella said he is still in negotiation with the City as to what is the best way for the City. Rather the City wants this to be a HOA (Home Owners Association), which the subdivision has now, that would maintain the trail or if the City wants it to be city owned so that in the future it can connect to a hike and bike trail.

Chair Luck asked if anyone wishing to speak in opposition to Item 3, Z-FY-08-13 to address the Commission.

Mr. Charles Viktorin, 914 Yorktown, addressed the Commission. He said he was not necessarily speaking against the zone change. Mr. Viktorin explained that his family lives on the corner of Yorktown and the concern is that the neighborhood would have cut through traffic coming from the Loop and Industrial Drive reaching Airport Dr. He said his request to the developer is, is there a way to open up a second access on Nugent and that would force people to go through John Paul Jones without have to open up Yorktown.

Chair Luck asked if there is a way that can be calculated regarding the traffic flow in the amount new traffic anticipated. Mr. Dolan said the single family trips per lot vary anywhere from 8 to 10 per day. That counts as driving to school, driving to the grocery store, and coming home, which essentially double the trips. Mr. Dolan asked the Commission to consider a 200 foot off-set so if traffic comes forward it has to slow to be able to make the maneuver.

Chair Luck closed the public hearing.

Motion to recommend approval of Z-FY-08-13 by Commissioner Talley; seconded by Commissioner Pilkington.

Motion passed (8/0).

There was discussion on Item 4, Z-FY-08-18. Commissioner Kjelland suggested speed bumps. Mr. Dolan said he was not sure speed bumps were warranted if there is a 200 foot off-set because a car would have to slow down to make that turn anyway. Commissioner Talley asked what the distance is between Yorktown and Saulsbury. Mr. Dolan said there is less than ½ mile which meets the Comprehensive Plan recommended distances between collector roads and arterial roads.

Motion to approve Z-FY-08-18, to amend the Thoroughfare Plan, by Commissioner Pilkington; seconded by Commissioner Talley.

Motion passed (8/0).

Chair Luck asked a question regarding the hike and bike trail. Mr. Dolan turned the meeting over to Ms. Kim Mettenbrink, Parks Planner, to answer those questions. Ms. Mettenbrink stated that tonight was the first time she has seen the park plan, so Parks would have to review that plan before they could approve a final plat and Parks would need to condition the approval of the preliminary plat on that being worked out with the Parks

Department. Ms. Mettenbrink said she was unaware of a request for this to be a public park only a private park and that is something that would need to be worked out as well due to maintenance. She said the park fees paid by the developer can only go toward development of a park; not toward maintenance. The City will either acquire land from the developer, the developer will dedicate land, or they pay fees to development only.

Motion to recommend approval of P-FY-08-19 subject to granting an exception to the Subdivision Ordinance Section 33.93, pavement width from 31 foot width from back of curb to 28 foot width from back of curb, and granting an exception to the Subdivision Ordinance Section 33.102 – park land dedication and to try to use common areas for park land and linear trail; seconded by Commissioner Kjelland.

Motion passed (8/0).

ORDINANCE NO. \_\_\_\_\_

[ZONING NO. Z-FY-08-18]

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING AN AMENDMENT TO THE THOROUGHFARE PLAN FOR HERITAGE PLACE TO CHANGE YORKTOWN DRIVE FROM A COLLECTOR STREET TO A RESIDENTIAL SIZED STREET; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETING CLAUSE.

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**Whereas**, on March 3, 2008, the Planning and Zoning Commission unanimously recommended an amendment to the Thoroughfare Plan for Heritage Place to change Yorktown Drive from a collector street to a residential sized street;

**Whereas**, with the analysis of current traffic conditions, future traffic projections, and the intentions of the Thoroughfare Plan for Heritage Place, the Staff recommends this action; and

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

**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 the Thoroughfare Plan for Heritage Place to change Yorktown Drive from a collector street to a residential sized street, more fully shown on Exhibit A, attached hereto and made a part hereof for all purposes.

**Part 2:** 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 3:** 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 4:** 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 **20<sup>th</sup>** day of **March**, 2008.

PASSED AND APPROVED on Second Reading and Public Hearing on the **3<sup>rd</sup>** day of **April**, 2008.

THE CITY OF TEMPLE, TEXAS

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WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

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Clydette Entzminger  
City Secretary

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Jonathan Graham  
City Attorney





## COUNCIL AGENDA ITEM MEMORANDUM

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04/03/08  
Item #4(I)  
Consent Agenda  
Page 1 of 2

### **DEPT./DIVISION SUBMISSION & REVIEW:**

Tim Dolan, Planning Director

**ITEM DESCRIPTION:** SECOND READING – Z-FY-08-16: Consider adopting an ordinance amending Section 18, Non-conforming Uses, of the City of Temple Zoning Ordinance to allow structures to be conforming resulting from governmental acquisitions of right-of-way.

**STAFF AND P&Z COMMISSION RECOMMENDATION:** Adopt ordinance on second and final reading. The Planning and Zoning Commission voted 8/0 (Commissioner Pope was absent) in accordance with the staff recommendation to amend Section 18 of the Zoning Ordinance adding a new subsection 18-105 that reads:

Where a lot, tract, or parcel is occupied by a lawful structure, and where the acquisition of right-of-way by a City, county, state, or federal agency causes such structure to become nonconforming regarding any requirement of this Ordinance, such structure shall be deemed a conforming structure. Such designation shall apply only to nonconformity resulting directly from the acquisition of right-of-way. In the event that such structure is to be expanded or is partially or totally destroyed by natural or accidental causes, the structure may be expanded or rebuilt upon approval of a building permit.

**ITEM SUMMARY:** Please refer to the Staff Report and draft minutes of case Z-FY-08-16, from the Planning and Zoning meeting, March 3, 2008. Right-of-way acquisition that goes along with the widening of roads may have negative effects on property owners. Some structures may become nonconforming when an adjacent road is widened, making the setback along the street shallower than the Zoning Ordinance permits. Such nonconforming structures may not be enlarged or rebuilt after fire or bad weather under the City's existing regulations. The purpose of this proposed Zoning Ordinance text amendment is to provide conforming structure status to properties that are made nonconforming by governmental acquisition of right-of-way (ROW). Conforming status would allow enlargement and rebuilding of the structure.

The following table provides commentary on recommended text amendment.

Text Amendment	Commentary
"Where a lot, tract, or parcel is occupied by a lawful structure,..."	The structure has to be conforming before the ROW acquisition
"...and where the acquisition of right-of-way by a City, county, state, or federal agency causes such structure to become nonconforming regarding any requirement of this Ordinance,..."	Zoning Ordinance requirements that would most likely be affected by ROW acquisition are setbacks and parking
"...such structure shall be deemed a conforming structure."	The structure will automatically be considered conforming for purposes of expansion or rebuilding
"Such designation shall apply only to nonconformity resulting directly from the acquisition of right-of-way."	If the structure became nonconforming due to a change in setback requirements for a zoning district, then this provision would not apply
"In the event that such structure is to be expanded or is partially or totally destroyed by natural or accidental causes, the structure may be expanded or rebuilt upon approval of a building permit."	The structure is treated like any other expansion or rebuilding project – a building permit is required.

**FISCAL IMPACT:** None

**ATTACHMENTS:**

P&Z Staff Report (Z-FY-08-16)  
P&Z Minutes (March 3, 2006)  
Ordinance



# PLANNING AND ZONING COMMISSION AGENDA ITEM

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03/03/8  
Item 7  
Page 1 of 1

**APPLICANT / DEVELOPMENT:** City of Temple

**CASE MANAGER:** Brian Mabry, AICP, Senior Planner

**ITEM DESCRIPTION:** Z-FY-08-16      Hold a public hearing to consider amending Section 18 (Non-conforming Uses) of the City of Temple Zoning Ordinance to allow uses and structures to be conforming resulting from governmental acquisition of right-of-way.

**BACKGROUND:** Right-of-way acquisition that goes along with the widening of roads may have negative effects on property owners. Some structures may become nonconforming when an adjacent road is widened, making the setback along the street shallower than the Zoning Ordinance permits.

Staff would like the Commission to recommend that the City Council amend the Nonconforming Uses section of the Zoning Ordinance to grant conforming status on a structure that would otherwise become nonconforming due to governmental acquisition of right-of-way. Such acquisition is constantly occurring along several thoroughfares in the City.

The effect of granting conforming status to a structure that would otherwise be deemed nonconforming is that a nonconforming structure may not be expanded nor may it be rebuilt if destroyed by fire, bad weather or some other similar means. However, a conforming structure may be expanded or rebuilt. The Cities of Georgetown and Denton, Texas already have such language in their Unified Development Codes.

**STAFF RECOMMENDATION:** Staff recommends amending Section 18 of the Zoning Ordinance by adding a new subsection 18-104 that reads:

Where a lot, tract, or parcel is occupied by a lawful structure, and where the acquisition of right-of-way by a City, county, state, or federal agency causes such structure to become nonconforming regarding any requirement of this Ordinance, such structure shall be deemed a conforming structure. Such designation shall apply only to nonconformity resulting directly from the acquisition of right-of-way. In the event that such structure is to be expanded or is partially or totally destroyed by natural or accidental causes, the structure may be rebuilt upon approval of a building permit.

**FISCAL IMPACT:** Not Applicable

**ATTACHMENTS:**

None

**EXCERPTS FROM THE**  
**PLANNING & ZONING COMMISSION MEETING**  
**MONDAY, MARCH 3, 2008**

7. Z-FY-08-16 Hold a public hearing to consider amending Section 12-100 (Signs) and Section 18-100 (Non-conforming Uses) of the City of Temple Zoning Ordinance to allow uses and structures to be conforming resulting from governmental acquisition right-of-way. (Applicant: Staff)

Mr. Brian Mabry, Senior Planner, presented this item. He said as discussed in the work session, the Commissioner's will only be reviewing Section 18-100 (Non-conforming Uses). Mr. Mabry presented this item as outlined in the Planning and Zoning Agenda background. Staff recommends amending Section 18 of the Zoning Ordinance by adding a new sub-section 18-104 that reads as written in the Staff Recommendation of the agenda item.

Commissioner Pilkington asked if this amendment had something to do with billboards. Mr. Mabry stated that this could apply to structures which would include houses, signs, including billboards, and to businesses.

Chair Luck asked who incurs the cost of signs that are in the right-of-way. Ms. Trudi Dill, Deputy City Attorney, addressed the Commission and explained the costs and acquisitions of right-of-ways.

Chair Luck opened the public hearing ask anyone wishing to speak in favor or in opposition to the zone change request to address the Commission. Seeing no one Chair Luck closed the public hearing.

Motion to recommend approval of Z-FY-08-16, amend Section 18-100 of the City of Temple Zoning Ordinance by Commissioner Carothers; seconded by Commissioner Kjelland.

Motion passed (8/0).

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 18, "NONCONFORMING USES AND STRUCTURES," TO ALLOW STRUCTURES TO BE CONFORMING RESULTING FROM GOVERNMENTAL ACQUISITIONS OF RIGHT-OF-WAY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**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 18, entitled, "Nonconforming Uses and Structures," adding a new subsection 18-105, to read as follows:

**18-105** Where a lot, tract, or parcel is occupied by a lawful structure, and where the acquisition of real property by a City, county, state, or federal agency causes such structure to become nonconforming regarding any requirement of this Ordinance, such structure shall be deemed a conforming structure. Such designation shall apply only to nonconformity resulting directly from the acquisition of real property. Expansion or rebuilding of the structure shall require a building permit and shall not increase the degree of nonconformity resulting from real property acquisition. The structure may only be rebuilt in its original footprint if the structure is partially or totally destroyed by natural or accidental causes.

**Part 2:** 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 3:** 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 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 **20<sup>th</sup>** day of **March**, 2008.

PASSED AND APPROVED on Second Reading on the **3<sup>rd</sup>** day of **April**, 2008.

THE CITY OF TEMPLE, TEXAS

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WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

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Clydette Entzminger  
City Secretary

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Jonathan Graham  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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04/03/08  
Item #4(J)  
Consent Agenda  
Page 1 of 2

### **DEPT./DIVISION SUBMISSION & REVIEW:**

Clydette Entzminger, City Secretary

**ITEM DESCRIPTION:** Consider adopting a resolution appointing election judges and setting their compensation for the City's election to be held on May 10, 2008.

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

**ITEM SUMMARY:** This proposed resolution recommends the appointment of election judges and sets their compensation for the City's general election to be held on Saturday, May 10, 2008.

On February 21, 2008, the City Council ordered a General Election for the election of the District 2 and District 3 Councilmembers and the Mayor at-large for three year terms. A Special Election was also ordered for May 10, 2008 to submit to the voters a single proposition seeking approval for the issuance of \$13,995,000 in General Obligation Bonds for the following public safety projects:

New Central Station	\$7,174,840
New FS #8/Training Ctr/EOC	4,775,160
Engine 8 with air packs	565,000
Replace Engine 1	540,000
Replace Engine 4	540,000
Issuance Costs	400,000
	-----
Total proposed GO Bond	\$13,995,000

Since a common proposition, the GO bond issue, will appear on the ballot in each District, even unopposed candidates must be placed on the May 10, 2008 ballot. TISD is the only other entity in the City of Temple conducting an election on May 10<sup>th</sup> so we will conduct this election jointly, using common polling places and election judges. TISD will execute a joint election with the City to establish the duties of each party. TISD will pay for their pro rata share of all election expenses incurred.

Please see the attached resolution for election judges being recommended for appointment at each of the four election day polling places and for the Early Voting Ballot Board. The compensation for election judges and clerks is recommended to be set at \$8.00 per hour in accordance with provisions in §32.091 of the Election Code. The election judge or clerk who delivers the precinct election records, keys to ballot boxes or other election equipment, and unused election supplies after an election is entitled to compensation for that service in an amount not to exceed \$25.

The election judge and members of the early voting ballot board are entitled to the same compensation as presiding election judges, in accordance with provisions in §87.005 of the Election Code, however, the minimum compensation to each member of the early voting ballot board is recommended to be \$50.

**FISCAL IMPACT:** Funds in the amount of \$6993 remain in account 110-1400-511-25-17, Election Expense, for the 2008 General Election. Since this election is being conducted jointly with TISD, the school district will reimburse the City their pro rata share of all election expenses incurred by the City for conducting this election.

**ATTACHMENTS:**

Resolution - to be provide prior to meeting





## COUNCIL AGENDA ITEM MEMORANDUM

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04/03/08  
Item #4(K)  
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 2007-2008.

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

**ITEM SUMMARY:** This item is to recommend various budget amendments, based on the adopted FY 2007-2008 budget. The amendments will involve transfers of funds between contingency accounts, department and fund levels.

**FISCAL IMPACT:** The total amount of budget amendments is \$88,245.

**ATTACHMENTS:**

Budget amendments  
Resolution

**CITY OF TEMPLE**  
**BUDGET AMENDMENTS FOR FY 2008 BUDGET**  
**April 3, 2008**

			<b>APPROPRIATIONS</b>	
<b>ACCOUNT #</b>	<b>PROJECT #</b>	<b>DESCRIPTION</b>	<b>Debit</b>	<b>Credit</b>
<b>110-2000-521-2516</b>		Judgments & Damages (Police Dept.)	\$ 803	
<b>110-1500-515-6531</b>		<b>Contingency - Judgments &amp; Damages</b>		<b>\$ 803</b>
Attorney fees for lawsuit filed against City -- Steven Taylor v. City of Temple				
<b>110-4000-555-2110</b>		Office Supplies (Library)	\$ 200	
<b>110-4000-555-2225</b>		Books & Periodicals	\$ 1,065	
<b>110-4000-555-2510</b>		Contributions/Prizes	\$ 1,275	
<b>110-4000-555-2522</b>		Microfilm/Audio Visual	\$ 55	
<b>110-4000-555-2623</b>		Other Contracted Services	\$ 300	
<b>110-0000-461-0841</b>		Donations/Gifts		\$ 2,895
Expend donated funds as designated. Most were donated for Summer Reading, some for book purchases.				
<b>351-3600-560-6523</b>	360002	Airport T-Hangers (CIP - Airport)	\$ 6,802	
<b>351-3600-560-6341</b>	100376	Airport Improvements	\$ 77,745	
<b>351-3600-580-7211</b>		Bond Interest		\$ 75
<b>351-3600-570-7312</b>		Bond Issuance Costs		\$ 3,630
<b>351-0000-315-1116</b>		<b>Reserved for future expenditures</b>		<b>\$ 80,842</b>
To appropriate interest earnings and remaining bond proceeds from the 2005 taxable revenue bonds issued to build the AMCOM hangar. Currently, there is \$68,198 available in the T-Hangar account to complete the road. An additional \$6,802 is needed so that \$75,000 is available for the completion of the road for AMCOM. An additional \$77,745 of interest earnings is available to fund additional improvements to the airport.				
<b>TOTAL AMENDMENTS</b>			<b>\$ 88,245</b>	<b>\$ 88,245</b>
<b>GENERAL FUND</b>				
Beginning <b>Contingency</b> Balance			\$ -	
Added to Contingency Sweep Account			\$ -	
Carry forward from Prior Year			\$ -	
Taken From Contingency			\$ -	
Net Balance of Contingency Account			\$ -	
Beginning <b>Judgments &amp; Damages</b> Contingency			\$ 70,000	
Added to Contingency Judgments & Damages from Council Contingency			\$ -	
Taken From Judgments & Damages			\$ (35,005)	
Net Balance of Judgments & Damages Contingency Account			\$ 34,995	
Beginning <b>Master Plan Implementation</b> Contingency			\$ 250,000	
Added to Master Plan Implementation Contingency			\$ -	
Taken From Master Plan Implementation Contingency			\$ (176,334)	
Net Balance of Master Plan Implementation Contingency Account			\$ 73,666	
Beginning <b>Compensation Plan</b> Contingency			\$ 150,000	
Added to Compensation Plan Contingency			\$ -	
Taken From Compensation Plan Contingency			\$ -	
Net Balance of Compensation Plan Contingency Account			\$ 150,000	
<b>Net Balance Council Contingency</b>			<b>\$ 258,661</b>	

**CITY OF TEMPLE**  
**BUDGET AMENDMENTS FOR FY 2008 BUDGET**  
**April 3, 2008**

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
		Beginning Balance <b>Budget Sweep</b> Contingency	\$	-
		Added to Budget Sweep Contingency	\$	-
		Taken From Budget Sweep	\$	-
		Net Balance of Budget Sweep Contingency Account	\$	-
		<b>WATER &amp; SEWER FUND</b>		
		Beginning <b>Contingency</b> Balance	\$	904,672
		Added to Contingency Sweep Account	\$	-
		Taken From Contingency	\$	(133,584)
		Net Balance of Contingency Account	\$	771,088
		Beginning <b>Compensation Plan</b> Contingency	\$	30,000
		Added to Compensation Plan Contingency	\$	-
		Taken From Compensation Plan Contingency	\$	-
		Net Balance of Compensation Plan Contingency Account	\$	30,000
		Beginning <b>Approach Mains</b> Contingency	\$	500,000
		Added to Approach Mains Contingency	\$	-
		Taken From Approach Mains Contingency	\$	(141,419)
		Net Balance of Approach Mains Contingency Account	\$	358,581
		<b>Net Balance Water &amp; Sewer Fund Contingency</b>	<b>\$</b>	<b>1,159,669</b>
		<b>HOTEL/MOTEL TAX FUND</b>		
		Beginning <b>Contingency</b> Balance	\$	20,126
		Added to Contingency Sweep Account	\$	-
		Taken From Contingency	\$	-
		Net Balance of Contingency Account	\$	20,126
		Beginning <b>Compensation Plan</b> Contingency	\$	8,000
		Added to Compensation Plan Contingency	\$	-
		Taken From Compensation Plan Contingency	\$	-
		Net Balance of Compensation Plan Contingency Account	\$	8,000
		<b>Net Balance Hotel/Motel Tax Fund Contingency</b>	<b>\$</b>	<b>28,126</b>
		<b>DRAINAGE FUND</b>		
		Beginning <b>Contingency</b> Balance	\$	1,495
		Added to Contingency Sweep Account	\$	-
		Taken From Contingency	\$	-
		Net Balance of Contingency Account	\$	1,495
		Beginning <b>Compensation Plan</b> Contingency	\$	2,000
		Added to Compensation Plan Contingency	\$	-
		Taken From Compensation Plan Contingency	\$	-
		Net Balance of Compensation Plan Contingency Account	\$	2,000
		<b>Net Balance Drainage Fund Contingency</b>	<b>\$</b>	<b>3,495</b>
		<b>FED/STATE GRANT FUND</b>		
		Beginning <b>Contingency</b> Balance	\$	-
		Carry forward from Prior Year	\$	86,477
		Added to Contingency Sweep Account	\$	-
		Taken From Contingency	\$	(51,365)
		Net Balance of Contingency Account	<b>\$</b>	<b>35,112</b>

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE,  
TEXAS, APPROVING BUDGET AMENDMENTS TO THE 2007-2008  
CITY BUDGET; AND PROVIDING AN OPEN MEETINGS CLAUSE.**

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**Whereas**, on the 23<sup>rd</sup> day of August, 2007, the City Council approved a budget for the 2007-2008 fiscal year; and

**Whereas**, the City Council deems it in the public interest to make certain amendments to the 2007-2008 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 2007-2008 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 3<sup>rd</sup> day of **April**, 2008.

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

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04/07/08  
Item #5(A)  
Regular Agenda  
Page 1 of 2

### **DEPT./DIVISION SUBMISSION & REVIEW:**

Tim Dolan, Planning Director

**ITEM DESCRIPTION:** FIRST READING – PUBLIC HEARING - Z-FY-08-17-A Consider adopting an ordinance authorizing an amendment to the FM 2271 Corridor Plan to reflect retail uses on approximately 10.13 acres of land commonly known as Outblocks 2765-A and B, City Addition, located on the east side of FM 2271, south of the FM 2271 and FM 2305 intersection.

**P&Z COMMISSION RECOMMENDATION:** The Planning and Zoning Commission voted 8/0 to recommend approval of the amendment to the FM 2271 Corridor Plan at its meeting on March 25, 2008. Commissioner Norman was absent.

**STAFF RECOMMENDATION:** Staff recommends approval of the amendment request to the FM 2271 Corridor Plan from Low Density Residential to Retail for the following reasons:

1. The request complies with the Future Land Use Plan of the 2271 Corridor Plan;
2. The request complies with the Thoroughfare Plan; and
3. Adequate public facilities will serve the site.

**ITEM SUMMARY:** Please refer to the Staff Report and draft minutes of case Z-FY-08-17A, from the Planning and Zoning meeting, March 25, 2008. The FM 2271 Corridor Plan was adopted in December 1998. It extends to about a quarter mile on both sides of FM 2271 from the City limits line to the north down to Miler Springs Park and Live Oak Ridge Park to the south. Its purpose is to establish architectural guidelines that will create a look of single-story, masonry buildings for nonresidential uses.

The Commission did not raise any issues requiring additional staff attention.

Twenty three notices of the P&Z public hearing were sent out. As of Wednesday, March 26 at 3 PM, 14 notices were returned in favor of and 2 notices were returned in opposition to the request. The newspaper printed notice of the P\*Z public hearing on March 15, 2008 in accordance with state law and local ordinance.

**FISCAL IMPACT:** NA

**ATTACHMENTS:**

Future Land Use Map  
P&Z Staff Report (Z-FY-08-17A)  
P&Z Minutes (March 25, 2008)  
Ordinance



Z-FY-08-17-A

OB# 2765-A, 2765-B & 2765-C

10.131 Acres

**CLUP**

**Agricultural**

- AGRICULTURE

**Residential**

- LOW DENSITY (UE)
- MOD DENSITY (SF1, SF2, SF3, MH, 2F)
- MED DENSITY (MH, 2F, TH, MF1)
- HIGH DENSITY (MF2)

**Commercial**

- OFFICE (O1, O2)
- RETAIL (NS, GR)
- COMMERCIAL (C, CA)

**Mixed Use**

- MIXED USE (MU)

**Industrial**

- INDUSTRIAL (LI, HI)
- Warehouse/Distribution
- Manufacturing/Distribution
- Bio-Science/Technology
- Corporate Campus & Office
- Aviation Industrial Dvmt
- Fwy Com/Tech/Indust
- Intermodal

**Community Facilities**

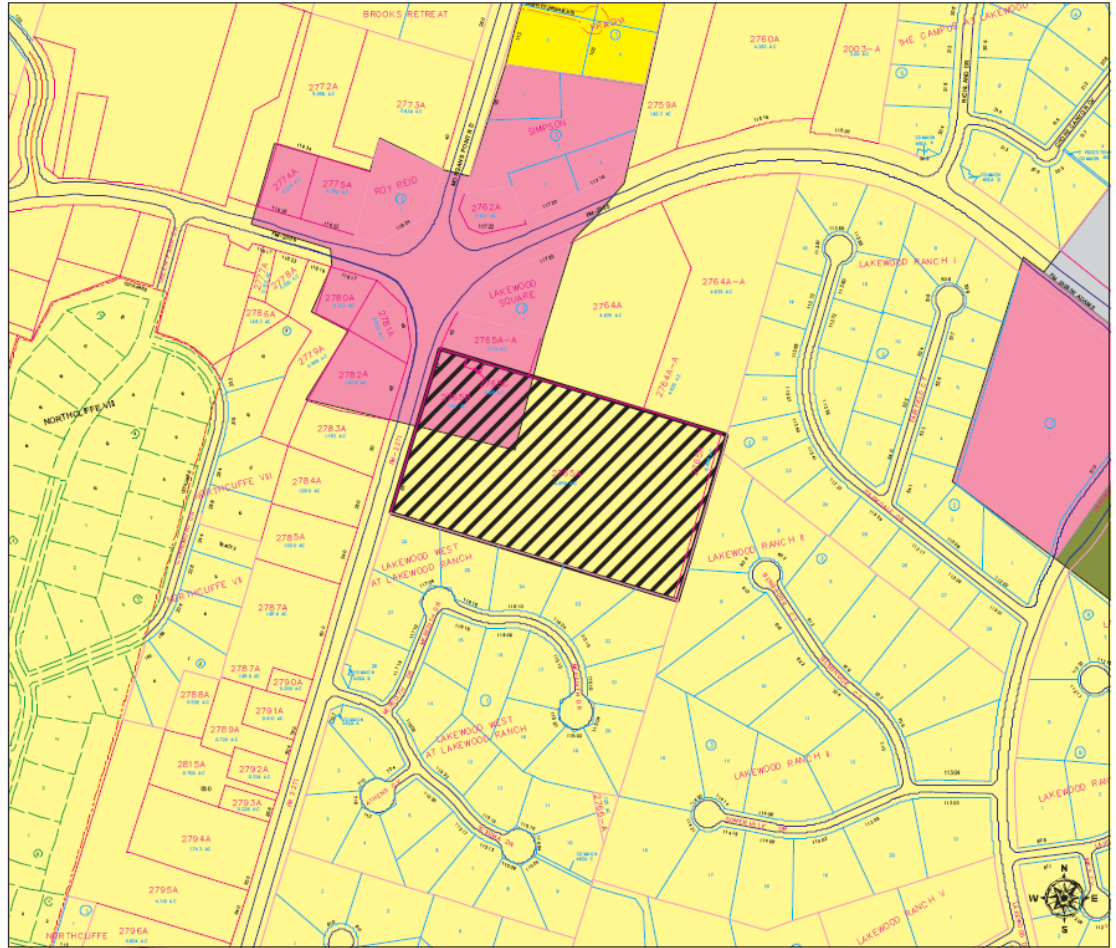
- COMMUNITY FACILITY
- CF-E (EDUCATIONAL)
- CF-G (GENERAL)
- CF-R (RESIDENTIAL)
- CF-M (MEDICAL)

**Park Land**

- PROPOSED FLOATING PARK
- PARKS

**Downtown**

- DOWNTOWN



A to PD(GR)

1 inch equals 400 feet

J Stone 02.29.08



# PLANNING AND ZONING COMMISSION AGENDA ITEM

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03/25/08  
Item #3  
Page 1 of 2

**APPLICANT / DEVELOPMENT:** AC Boston

**CASE MANAGER:** Brian Mabry, AICP, Senior Planner

**ITEM DESCRIPTION:** Z-FY-08-17-A Hold a public hearing to consider an amendment to the FM 2271 Corridor Plan to reflect retail uses on approximately 10.13 acres of land commonly known as Outblocks 2765-A and B, City Addition, located on the east side of FM 2271, south of the FM 2271 and FM 2305 intersection. (Applicant: Staff)

**BACKGROUND:** The FM 2271 Corridor Plan was adopted in December 1998. It extends to about a quarter mile on both sides of FM 2271 from the City limits line to the north down to Miler Springs Park and Live Oak Ridge Park to the south. Its purpose is to establish architectural guidelines that will create a look of single-story, masonry buildings for nonresidential uses.

## Future Land Use Plan

The FM 2271 Corridor Plan recommends retail uses around the intersection of FM 2271 and FM 2305. That Retail designation covers the front 300 feet of the northwest corner of the property. The applicant is requesting to expand the Retail designation to cover the entire property. The requested Retail future land use category accommodates the NS, Neighborhood Services and the GR, General Retail zoning districts. Increasing growth in west Temple justifies the amendment and the amendment request complies with the Future Land Use Plan.

## Thoroughfare Plan

FM 2271 is designated as a local street on the Thoroughfare Plan; however it functions more as a collector or minor arterial which is an appropriate classification for a mixed use development to front. The amendment request complies with the Thoroughfare Plan.

## Adequacy of Public Facilities

The contract to build an 8" sewer line along the north property line was awarded to a contractor in early March of 2008. The Public Works department estimates that the project will be complete in January 2009. An eight-inch public water line along the east side of FM 2271 serves the property. Adequate public facilities will serve the property in one year and the applicant anticipates development once the sewer line is complete.

## Public Notice

Twenty three notices of the P&Z meeting were sent out. As of Monday, March 17 at 5 PM, no notices were returned in favor of and no notices were returned in opposition to the request. The newspaper printed notice of the public hearing on March 15, 2008 in accordance with state law and local ordinance.

**Double Sided**



**STAFF RECOMMENDATION:** Staff recommends approval of the future land use map amendment request from Low Density Residential to Retail for the following reasons:

1. The request complies with the Future Land Use Plan of the 2271 Corridor Plan;
2. The request complies with the Thoroughfare Plan; and
3. Adequate public facilities will serve the site.

**FISCAL IMPACT:** Not Applicable

**ATTACHMENTS:**

Land Use Map

**EXCERPTS FROM THE  
PLANNING & ZONING COMMISSION MEETING**

**TUESDAY, MARCH 25, 2008**

**ACTION ITEMS**

Chair Luck asked if Item 3, Z-FY-08-17A and Item 4, Z-FY-08-17B, could be presented together and then have separate motions and votes on each item. Mr. Dolan replied that that would be acceptable. Chair Luck continued with the meeting.

3. Z-FY-08-17A Hold a public hearing to consider an amendment to the FM 2271 Corridor Plan to reflect retail uses on approximately 10.1± acres of land commonly known as Outblocks 2765-A and B, City Addition, located on the east side of FM 2271, south of the FM 2271 and FM 2305 intersection. (Applicant: Staff)
4. Z-FY-08-17B Hold a public hearing to consider a zone change from Agricultural District to Planned Development (General Retail) District on approximately 10.1± acres of land, commonly known as Outblocks 2765-A and B, City Addition, located on the east side of FM 2271, just south of the FM 2271 and FM 2305 intersection. (Applicant: A.C. Boston)

Mr. Brian Mabry, Senior Planner, presented both items. He began with item Z-FY-08-17A, an amendment to the FM 2271 Corridor Plan to reflect retail uses. He said the FM 2271 Corridor Plan was adopted in December of 1998 with the intent to establish architectural guidelines that would create an attractive look of single story masonry buildings for non-residential uses in certain parts of the corridor. Mr. Mabry added that the plan also recommends that all non-residential uses be processed as Planned Developments when they come before the Commission for zoning approval. He said the applicant, Mr. A.C. Boston, could not attend the meeting due to a prior conflict. Mr. Mabry discussed the FM 2271 Corridor Plan in relation to the Future Land Use Plan, the Thoroughfare Plan, and adequacy of public facilities. He said the request for the amendment is in compliance; therefore Staff recommends approval of the requested amendment to the FM 2271 Corridor Plan.

Mr. Mabry continued with Z-FY-08-17B, a zone change from Agricultural District to Planned Development (General Retail) District. He said the proposed project is a mixed use development that would have a restaurant, offices retail use, and the applicant plans to build a single family dwelling for himself which is on the development plan that each of

the Commissioners has. Mr. Mabry displayed the zoning map, land use map, utility map, an aerial of the property and pictures of the surrounding uses, a development plan, and the notification radius map. He discussed the Future Land Use Plan, the Thoroughfare Plan, adequacy of public facilities, and development regulations. Mr. Mabry said twenty-three notices were mailed to surrounding property owners within 200 feet of the proposed zone change property. Fourteen were returned in favor of the zone change request and two were returned in opposition to the zone change request. Mr. Mabry said that Staff recommends approval of the zone change request.

Chair Luck opened the public hearing for item Z-FY-08-17A, an amendment to the FM 2271 Corridor Plan, asking anyone wishing to speak in favor or against the request to address the Commission. Seeing no one, Chair Luck closed the public hearing.

Motion to recommend approval of Z-FY-08-17A, the Future Land Use Map amendment request from low density residential to retail uses, by Commissioner Martin; seconded by Commissioner Kjelland.

Motion passed (8/0).

Chair Luck opened the public hearing for item Z-FY-08-17B, a zone change from Agricultural District to Planned Development (General Retail) District, asking anyone wishing to speak in favor or against the zone change to address the Commission. Seeing no one Chair Luck closed the public hearing.

Motion to recommend approval of Z-FY-08-17B, a zone change from Agricultural District to Planned Development (General Retail) District by Commissioner Carothers; seconded by Commissioner Pilkington.

Motion passed (8/0).

ORDINANCE NO. \_\_\_\_\_

[ZONING NO. Z-FY-08-17-A]

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING AN AMENDMENT TO THE FM 2271 CORRIDOR PLAN TO REFLECT RETAIL USE ON APPROXIMATELY 10.131 ACRES OF LAND, COMMONLY KNOWN AS OUTBLOCKS 2765-A AND B, CITY ADDITION, LOCATED ON THE EAST SIDE OF FM 2271, JUST SOUTH OF THE FM 2271 AND FM 2305 INTERSECTION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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

**Part 1:** The City Council approves an amendment to the FM 2271 Corridor Plan to reflect retail uses on approximately 10.131 acres of land, commonly known as Outblocks 2765-A and B, City Addition, located on the east side of FM 2271, just south of the FM 2271 and FM 2305 intersection in the City of Temple, Texas, 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 Plan of the FM 2271 Corridor Plan 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 3<sup>rd</sup> day of April, 2008.

PASSED AND APPROVED on Second Reading on the 17<sup>th</sup> day of April, 2008.

THE CITY OF TEMPLE, TEXAS

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WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

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Clydette Entzminger  
City Secretary

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Jonathan Graham  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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04/03/08  
Item #5(B)  
Regular Agenda  
Page 1 of 2

### **DEPT./DIVISION SUBMISSION & REVIEW:**

Tim Dolan, Director of Planning

**ITEM DESCRIPTION:** FIRST READING – PUBLIC HEARING - Z-FY-08-17-B: Consider adopting an ordinance authorizing a zoning change from Agricultural District to Planned Development (General Retail) District on approximately 10.131 acres of land, commonly known as Outblocks 2765-A and B, City Addition, located on the east side of FM 2271, just south of the FM 2271 and FM 2305 intersection.

**P&Z COMMISSION RECOMMENDATION:** The Planning and Zoning Commission voted 8/0 to recommend approval of the requested zone change at its meeting on March 25, 2008. Commissioner Norman was absent.

**STAFF RECOMMENDATION:** Staff recommends approval of the:

1. Zone change from A, Agricultural District to PD-GR, Planned Development General Retail District
2. Binding development plan

For the following reasons:

1. The request complies with the requested amendment to the Future Land Use Plan of the 2271 Corridor Plan;
2. The request complies with the Thoroughfare Plan; and
3. Adequate public and private facilities will serve the site.

**ITEM SUMMARY:** Please refer to the Staff Report and draft minutes of case Z-FY-08-17B, from the Planning and Zoning meeting, March 25, 2008. This application tracks with a requested amendment to the FM 2271 Corridor Plan, Z-FY-08-17A. The purpose of the zone change request is to establish a mixed use development including a restaurant, offices, retail establishment and single-family dwelling.

In accordance with Planned Development submittal requirements, the applicant has submitted a binding development plan showing building locations and heights, general parking areas and access points. Notable features of the development plan include:

- Preserved trees (elm, oak and pecan) along the south and east lot lines of the property to screen neighboring subdivisions
- No nonresidential building exceeding 25 feet in height
- Sign not to exceed 8 feet in height
- Greater front, side and rear setbacks than normally required
- Statement that recommended guidelines in the FM 2271 Corridor Plan will be followed
- A pre-determined set of uses for the property, including: Restaurant, office, single-family dwelling, and General Retail or Neighborhood Service district uses

The Commission did not raise any issues requiring additional staff attention.

Twenty three notices of the P&Z public hearing were sent out. As of Wednesday, March 26 at 3 PM, 14 notices were returned in favor of and 2 notices were returned in opposition to the request. The newspaper printed notice of the P&Z public hearing on March 15, 2008 in accordance with state law and local ordinance.

**FISCAL IMPACT:** NA

**ATTACHMENTS:**

Zoning Map  
Land Use Map  
Utility Map  
Aerial  
Development Plan  
Notification Map  
P&Z Staff Report (Z-FY-08-17B)  
P&Z Minutes (03/25/08)  
Ordinance







Z-FY-08-17-A

OB# 2765-A & 2765-B

10.131 Acres

**CLUP**

**Agricultural**

AGRICULTURE

**Residential**

LOW DENSITY (UE)  
MOD DENSITY (SF1, SF2, SF3, MH, 2F)  
MED DENSITY (MH, 2F, TH, MF1)  
HIGH DENSITY (MF2)

**Commercial**

OFFICE (O1, O2)  
RETAIL (NS, GR)  
COMMERCIAL (C, CA)

**Mixed Use**

MIXEDUSE (MU)

**Industrial**

INDUSTRIAL (LI, HI)  
Warehouse/Distribution  
Manufacturing/Distribution  
Bio-Science/Technology  
Corporate Campus & Office  
Aviation Industrial Dvmt  
Fwy Com/Tech/Indust  
Intermodal

**Community Facilities**

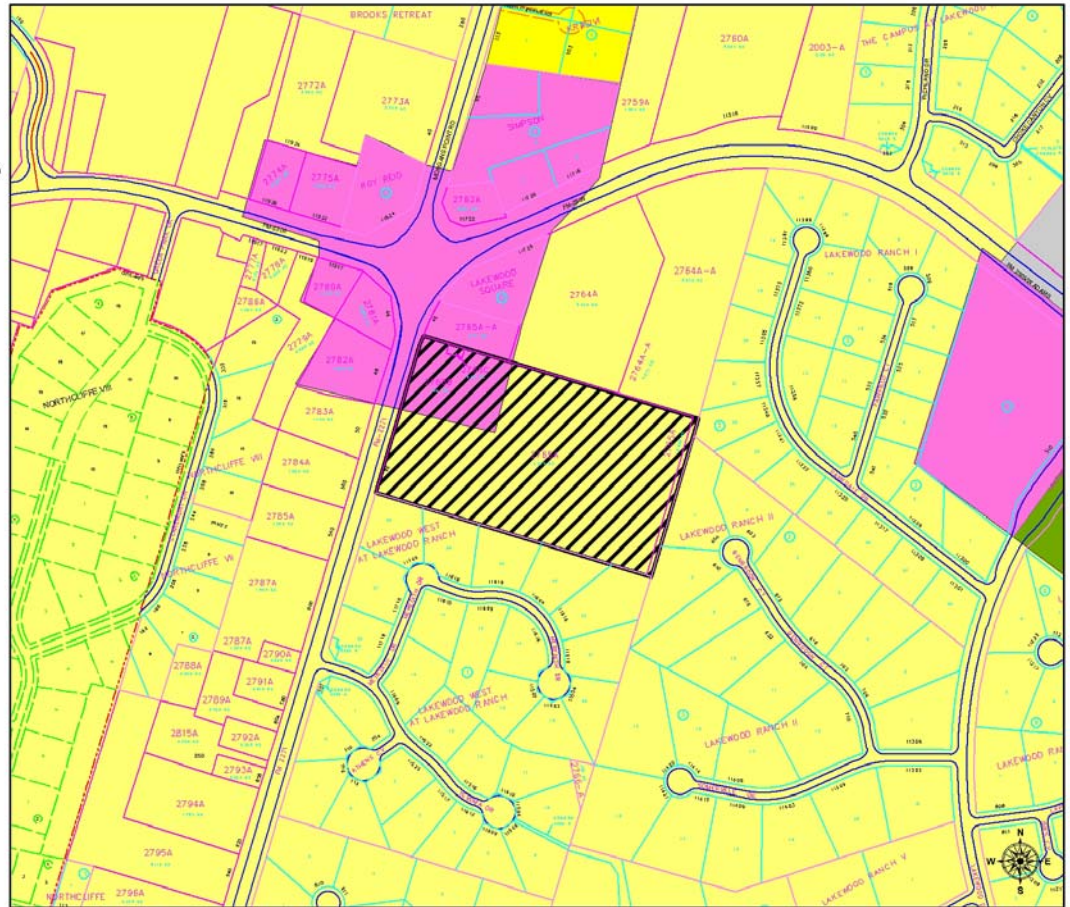
COMMUNITYFACILITY  
CF-E (EDUCATIONAL)  
CF-G (GENERAL)  
CF-R (RESIDENTIAL)  
CF-M (MEDICAL)

**Park Land**

PROPOSED FLOATING PARK  
PARKS

**Downtown**

DOWNTOWN



A to PD(GR)

1 inch equals 400 feet

J Stone 02.29.08







**Z-FY-08-17-A**

**OB# 2765-A & 2765-B**

**10.131 Acres**

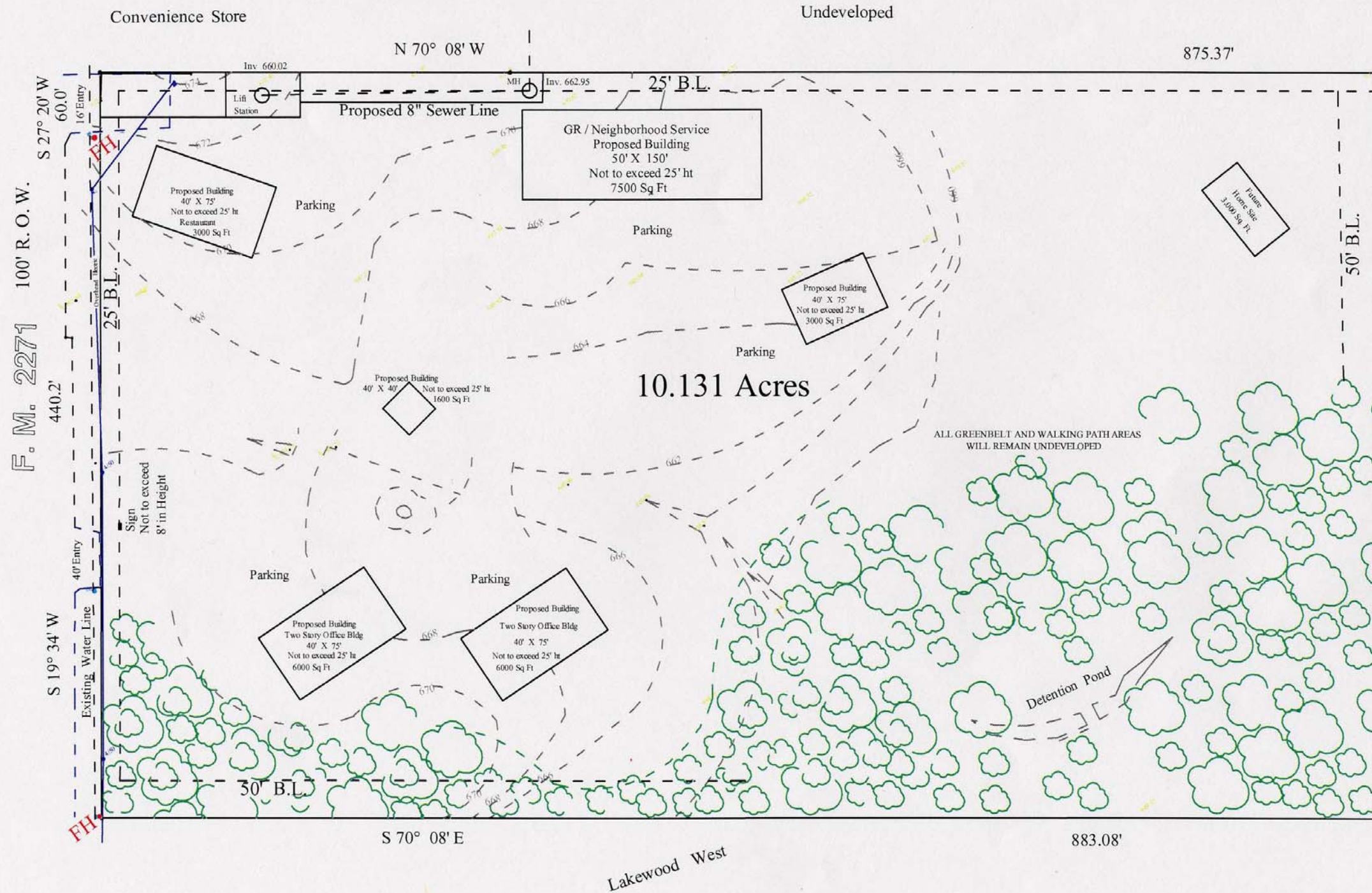






Z-FY-08-17 -B

OB# 2765-A & 2765-B Development Plan 10.131 Acres



AS PROVIDED BY OR EXCEEDING  
ZONING ORDINANCE # 98-2589

LANDSCAPING SHALL MEET OR EXCEED

ALL REFUSE CONTAINERS WILL BE SCREENED  
REQUIRED PARKING AND LOADING SPACES  
SHALL MEET OR EXCEED

OWNER INTENDS TO FOLLOW RECOMMENDED  
ARCHITECTURAL GUIDELINES IN THE  
FM 2271 CORRIDOR PLAN

10.131 Acres

GEORGE W. LINDSEY SURVEY

ABSTRACT NO. 513

IN THE CITY OF TEMPLE  
BELL COUNTY, TEXAS

Outblocks # 2765A & 2765B

Address 85 FM 2271

OWNERS: A. C. Boston, and wife Nancy Boston

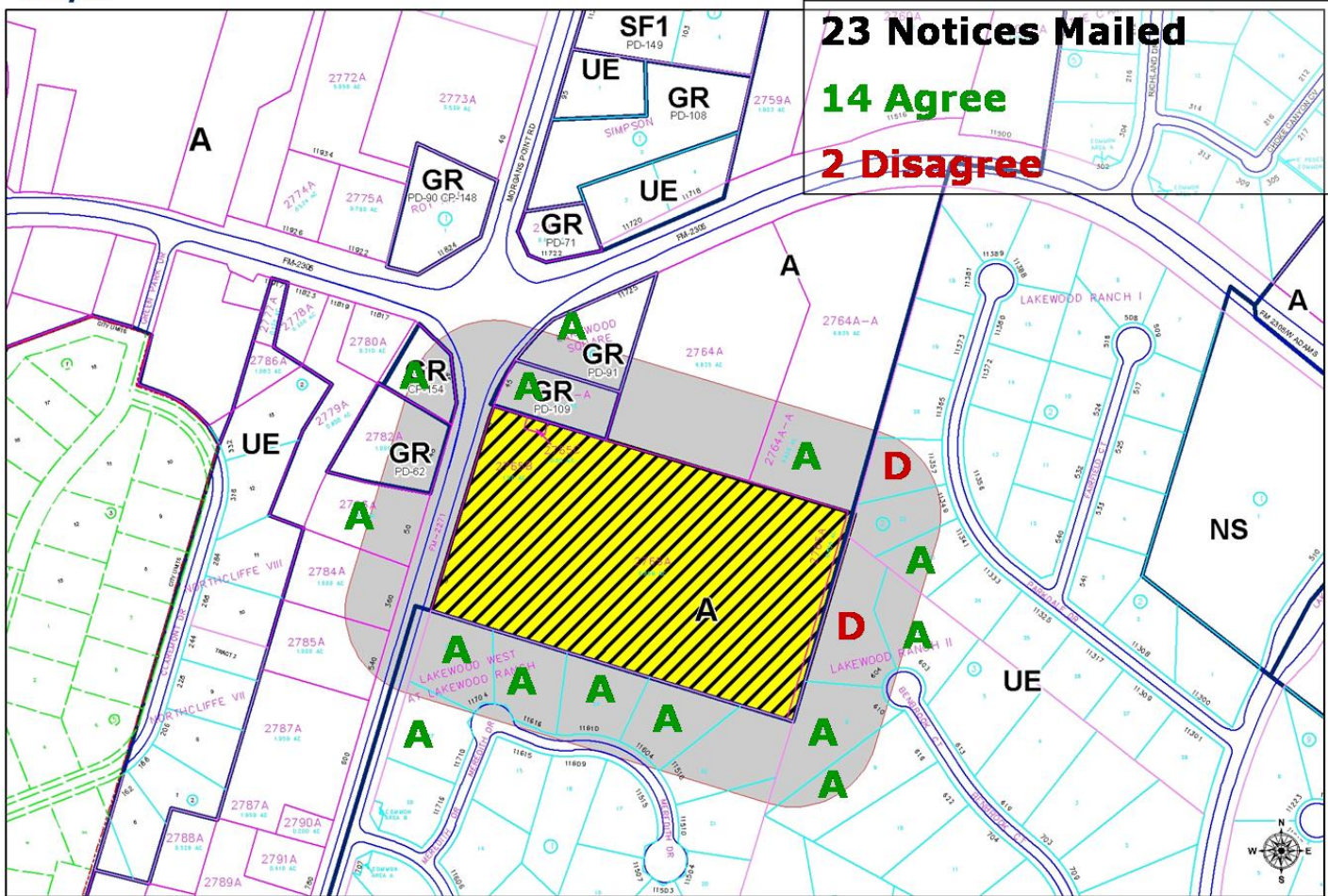




Z-FY-08-17-B

OB# 2765-A & 2765-B

10.131 Acres



ZFY0817 200' Buffer

A to PD(GR)

1 inch equals 300 feet  
J Stone 02.29.08



# PLANNING AND ZONING COMMISSION AGENDA ITEM

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03/25/08  
Item #4  
Page 1 of 4

**APPLICANT / DEVELOPMENT:** AC Boston

**CASE MANAGER:** Brian Mabry, AICP, Senior Planner

**ITEM DESCRIPTION:** Z-FY-08-17 Hold a public hearing to consider a zone change from Agricultural District to Planned Development (General Retail) District on approximately 10.131 acres of land, commonly known as Outblocks 2765-A and B, City Addition, located on the east side of FM 2271, just south of the FM 2271 and FM 2305 intersection.

**BACKGROUND:** This application tracks with a requested amendment to the FM 2271 Corridor Plan, Z-FY-08-17A. The purpose of the zone change request is to establish a mixed use development including a restaurant, offices, retail establishment and single-family dwelling.

In accordance with Planned Development submittal requirements, the applicant has submitted a binding development plan showing building locations and heights, general parking areas and access points. Notable features of the development plan include:

- Preserved trees (elm, oak and pecan) along the south and east lot lines of the property to screen neighboring subdivisions
- No nonresidential building exceeding 25 feet in height
- Sign not to exceed 8 feet in height
- Greater front, side and rear setbacks than normally required
- Statement that recommended guidelines in the FM 2271 Corridor Plan will be followed
- A pre-determined set of uses for the property, including: Restaurant, office, single-family dwelling, and General Retail or Neighborhood Service district uses

The guidelines in the FM 2271 Corridor Plan are summarized as follows:

- Maximum building height of 25 feet
- Residential appearance, including pitched roofs, windows and foundation plantings
- Brick or masonry construction
- Parking areas screened from street view by continuous hedge along street

Other guidelines mentioned in the plan regarding tree planting are already addressed in the landscaping standards of the Zoning Ordinance. Some relatively new commercial buildings on FM 2271 show the plan's desired outcomes.



If the Planned Development zone change is approved, the site plans that will accompany any future building permit applications on the site will be checked for consistency with the binding development plan. Any significant deviation from the approved development plan (such as the addition of new buildings or the removal of the preserved trees) will require review from the Planning and Zoning Commission and City Council.

#### Surrounding Property and Uses

The following table shows the existing zoning and current land uses surrounding the subject property.

Direction	Zoning	Current Land Use
North	GR-PD	Convenience store & general retail
	A	Vacant
East	UE	Single-family dwelling
South	UE	Single-family dwelling
West	GR-PD	Plumbing Contractor
	GR-PD	Office
	GR-PD	Restaurant
	A	Single-Family dwelling

#### Future Land Use Plan

The zone change complies with the requested amendment to the Future Land Use Plan of the 2271 Corridor Plan.

### Thoroughfare Plan

FM 2271 is designated as a local street on the Thoroughfare Plan; however it functions more as a collector or minor arterial which is an appropriate classification for a mixed use development to front. The zone change complies with the Thoroughfare Plan.

### Adequacy of Public Facilities

The contract to build an 8" sewer line along the north property line was awarded to a contractor in early March of 2008. The Public Works department estimates that the project will be complete in January 2009. An eight-inch public water line along the east side of FM 2271 serves the property. Adequate public facilities will serve the property in one year and the applicant anticipates development once the sewer line is complete.

### Development Regulations

The purpose of the GR, General Retail district is intended to serve larger service areas than neighborhoods. This district should be located at the intersection of major arterials and should provide total on-site traffic maneuvering such that traffic entering and exiting the facility should have room to turn, queue for parking areas, and park within the confines of the retail facility. This is the standard retail district and allows most retail uses including retail sales, fuel sales, restaurants, grocery stores, or offices and residential uses except apartments.

The purpose of the PD, Planned Development overlay district is to accommodate unique development proposals with special design considerations.

Minimum lot area and setback requirements for the GR, General Retail district are as follows. Since the applicant is proposing a mixed use development, standards for both residential and nonresidential uses are provided. In addition, in case of conflict, the approved development plan supersedes any of the standards below.

<b>GR, General Retail (nonresidential uses)</b>	
<b>Min. Lot Area (sq. ft.)</b>	None
<b>Min. Lot Width (ft.)</b>	None
<b>Min. Lot Depth (ft.)</b>	None
<b>Max. Height (stories)</b>	3 stories
<b>Min. Yard (ft)</b>	
Front	30 from street centerline
Side	10 adjacent to residential district
Rear	10 adjacent to residential district

<b>GR, General Retail (single-family detached dwelling)</b>	
<b>Min. Lot Area (sq. ft.)</b>	5,000
<b>Min. Lot Width (ft.)</b>	50
<b>Min. Lot Depth (ft.)</b>	100
<b>Max. Height (stories)</b>	3 stories
<b>Min. Yard (ft)</b>	
Front	15
Side	10% lot width
Rear	10



### Public Notice

Twenty three notices of the P&Z meeting were sent out. As of Monday, March 17 at 5 PM, no notices were returned in favor of and no notices were returned in opposition to the request. The newspaper printed notice of the public hearing on March 15, 2008 in accordance with state law and local ordinance.

### **STAFF RECOMMENDATION:** Staff recommends approval of the:

1. Zone change from A, Agricultural District to PD-GR, Planned Development General Retail District
2. Binding development plan

For the following reasons:

1. The request complies with the requested amendment to the Future Land Use Plan of the 2271 Corridor Plan;
2. The request complies with the Thoroughfare Plan; and
3. Adequate public and private facilities will serve the site.

**FISCAL IMPACT:** Not Applicable

### **ATTACHMENTS:**

Zoning Map  
Land Use Map  
Utility Map  
Aerial  
Development Plan  
Notification Radius Map

**EXCERPTS FROM THE  
PLANNING & ZONING COMMISSION MEETING**

**TUESDAY, MARCH 25, 2008**

**ACTION ITEMS**

Chair Luck asked if Item 3, Z-FY-08-17A and Item 4, Z-FY-08-17B, could be presented together and then have separate motions and votes on each item. Mr. Dolan replied that that would be acceptable. Chair Luck continued with the meeting.

3. Z-FY-08-17A Hold a public hearing to consider an amendment to the FM 2271 Corridor Plan to reflect retail uses on approximately 10.1± acres of land commonly known as Outblocks 2765-A and B, City Addition, located on the east side of FM 2271, south of the FM 2271 and FM 2305 intersection. (Applicant: Staff)
4. Z-FY-08-17B Hold a public hearing to consider a zone change from Agricultural District to Planned Development (General Retail) District on approximately 10.1± acres of land, commonly known as Outblocks 2765-A and B, City Addition, located on the east side of FM 2271, just south of the FM 2271 and FM 2305 intersection. (Applicant: A.C. Boston)

Mr. Brian Mabry, Senior Planner, presented both items. He began with item Z-FY-08-17A, an amendment to the FM 2271 Corridor Plan to reflect retail uses. He said the FM 2271 Corridor Plan was adopted in December of 1998 with the intent to establish architectural guidelines that would create an attractive look of single story masonry buildings for non-residential uses in certain parts of the corridor. Mr. Mabry added that the plan also recommends that all non-residential uses be processed as Planned Developments when they come before the Commission for zoning approval. He said the applicant, Mr. A.C. Boston, could not attend the meeting due to a prior conflict. Mr. Mabry discussed the FM 2271 Corridor Plan in relation to the Future Land Use Plan, the Thoroughfare Plan, and adequacy of public facilities. He said the request for the amendment is in compliance; therefore Staff recommends approval of the requested amendment to the FM 2271 Corridor Plan.

Mr. Mabry continued with Z-FY-08-17B, a zone change from Agricultural District to Planned Development (General Retail) District. He said the proposed project is a mixed use development that would have a restaurant, offices retail use, and the applicant plans to build a single family dwelling for himself which is on the development plan that each of

the Commissioners has. Mr. Mabry displayed the zoning map, land use map, utility map, an aerial of the property and pictures of the surrounding uses, a development plan, and the notification radius map. He discussed the Future Land Use Plan, the Thoroughfare Plan, adequacy of public facilities, and development regulations. Mr. Mabry said twenty-three notices were mailed to surrounding property owners within 200 feet of the proposed zone change property. Fourteen were returned in favor of the zone change request and two were returned in opposition to the zone change request. Mr. Mabry said that Staff recommends approval of the zone change request.

Chair Luck opened the public hearing for item Z-FY-08-17A, an amendment to the FM 2271 Corridor Plan, asking anyone wishing to speak in favor or against the request to address the Commission. Seeing no one, Chair Luck closed the public hearing.

Motion to recommend approval of Z-FY-08-17A, the Future Land Use Map amendment request from low density residential to retail uses, by Commissioner Martin; seconded by Commissioner Kjelland.

Motion passed (8/0).

Chair Luck opened the public hearing for item Z-FY-08-17B, a zone change from Agricultural District to Planned Development (General Retail) District, asking anyone wishing to speak in favor or against the zone change to address the Commission. Seeing no one Chair Luck closed the public hearing.

Motion to recommend approval of Z-FY-08-17B, a zone change from Agricultural District to Planned Development (General Retail) District by Commissioner Carothers; seconded by Commissioner Pilkington.

Motion passed (8/0).

ORDINANCE NO. \_\_\_\_\_

[ZONING NO. Z-FY-08-17-B]

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING A ZONING CHANGE FROM AGRICULTURAL DISTRICT TO PLANNED DEVELOPMENT (GENERAL RETAIL) DISTRICT ON APPROXIMATELY 10.131 ACRES OF LAND, COMMONLY KNOWN AS OUTBLOCKS 2765-A AND B, CITY ADDITION, LOCATED ON THE EAST SIDE OF FM 2271, JUST SOUTH OF THE FM 2271 AND FM 2305 INTERSECTION, IN ACCORDANCE WITH SECTIONS 7-500 THROUGH 7-509 OF THE COMPREHENSIVE ZONING ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, the owner of the property consisting of approximately 10.131 acres of land, commonly known as Outblocks 2765-A and B, City Addition, located on the east side of FM 2271, just south of the FM 2271 and FM 2305 intersection, has requested that the property be rezoned from Agricultural District to Planned Development (General Retail) District; and

**Whereas**, the City Council, after notice and a public hearing, finds that it is in the public interest to authorize this action.

**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 to Planned Development (General Retail) District on approximately 10.131 acres of land, commonly known as Outblocks 2765-A and B, City Addition, located on the east side of FM 2271, just south of the FM 2271 and FM 2305 intersection in the City of Temple, Texas, more fully described in Exhibit A, attached hereto and made a part hereof for all purposes.

**Part 2:** In accordance with Sections 7-500 through 7-509 of the Comprehensive Zoning Ordinance of the City of Temple, Texas, Ordinance No. 91-2101, is amended by changing the zoning classification of the property described in Part 1 above, to Planned Development (General Retail) District, and shall comply with all applicable sections of the Code of Ordinances of the City of Temple, Texas, and all local, State and Federal laws and regulations as they may now read or hereafter be amended, including but not limited to the following conditions:

- (a) Except as shown on the site plan attached hereto as Exhibit B, the use and development standards of the property shall conform to the requirements of the General Retail District; and

- (b) Development of the property will be in accordance with the site plan, attached hereto as Exhibit B.

These conditions shall be expressed conditions of any building permit issued for construction on the property which may be enforced by the City of Temple by an action either at law or in equity, including the right to specifically enforce the requirements of the ordinance, and these requirements shall run with the land.

**Part 4:** The City Council directs the Director of Planning to make the necessary changes to the City Zoning Map accordingly.

**Part 5:** 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 6:** 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:** 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 3<sup>rd</sup> day of April, 2008.

PASSED AND APPROVED on Second Reading on the 17<sup>th</sup> day of April, 2008.

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

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04/03/08  
Item #6(A)  
Regular Agenda  
Page 1 of 2

### **DEPT. /DIVISION SUBMISSION & REVIEW:**

Tim Dolan, AICP, Planning Director

**ITEM DESCRIPTION:** SECOND READING – Z-FY-08-13: Consider adopting an ordinance authorizing a zoning change from Planned Development (Single Family Two) District (13.0± acres) and Agricultural District (38.4± acres) to Single Family Three District on approximately 51.4+ acres of land commonly known as Outblocks 4027-B and 4027-C, City Addition, located on the south side of West Nugent Avenue, east of Abbey Ridge and west and southeast of the Eberhardt Road and West Nugent Avenue intersection.

**P&Z COMMISSION RECOMMENDATION:** The Planning and Zoning Commission voted 9/0 to recommend approval of a zone change from Planned Development (Single Family Two) District (13.0± acres) and Agricultural District (38.4± acres) to Single Family Three District (SF-3).

**STAFF RECOMMENDATION:** Adopt ordinance on second and final reading. Staff recommends approval of the zoning request from Planned Development (Single Family Two) District (13.0± acres) and Agricultural District (38.4± acres) to Single Family Three District (SF-3) subject to the following recommendations:

1. The request complies with the Future Land Use Plan;
2. The request complies with proposed amendment to the Thoroughfare Plan; and
3. Adequate public facilities serve the site.

**ITEM SUMMARY:** Please refer to the Staff Report and draft minutes of case Z-FY-08-13, from the Planning and Zoning meeting, March 3, 2008. The applicant proposes to continue the single family development started in Heritage Village Phases I and II.

Concerns of the Planning and Zoning Commission are shown in the draft minutes. The Commission did not raise any issues requiring additional staff attention.

A total of 37 notices of the Planning and Zoning Commission hearing were sent out. As of Wednesday, March 12, 2008 at 11:00 AM, three notices were returned in favor of and one notice was returned in opposition to the request. The newspaper printed notice of the Planning and Zoning Commission public hearing on February 28, 2008 in accordance with state law and local ordinance.

**FISCAL IMPACT:** None

**ATTACHMENTS:**

Future Land Use Map  
Zoning Map  
Aerial  
P&Z Staff Report (Z-FY-08-13)  
P&Z Minutes (03/03/08)  
Ordinance



**Z-FY-08-13**

Proposed Heritage Place III

OB# 4027-B & 4027-C Approx 51.4 Acres

**CLUP**

**Agricultural**

AGRICULTURE

**Residential**

LOW DENSITY (UE)

MOD DENSITY (SF1, SF2, SF3, MH, 2F)

MED DENSITY (MH, 2F, TH, MF1)

HIGH DENSITY (MF2)

**Commercial**

OFFICE (O1, O2)

RETAIL (NS, GR)

COMMERCIAL (C, CA)

**Mixed Use**

MIXEDUSE (MU)

**Industrial**

INDUSTRIAL (LI, HI)

Warehouse/Distribution

Manufacturing/Distribution

Bio-Science/Technology

Corporate Capus & Office

Aviation Industrial Dvmt

Fwy Com/Tech/Indust

Intermodal

**Community Facilities**

COMMUNITYFACILITY

CF-E (EDUCATIONAL)

CF-G (GENERAL)

CF-R (RESIDENTIAL)

CF-M (MEDICAL)

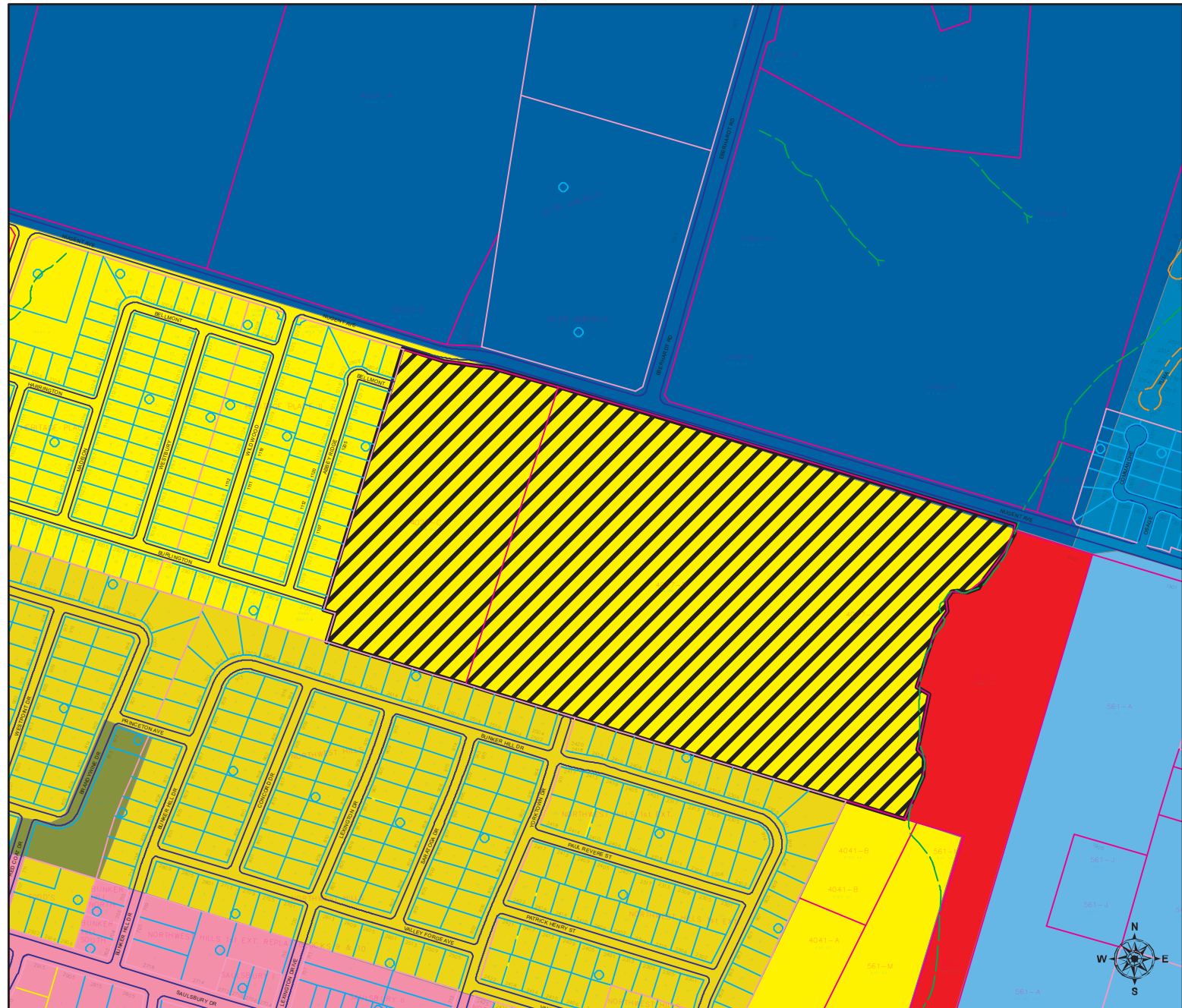
**Park Land**

PROPOSED FLOATING PARK

PARKS

**Downtown**

DOWNTOWN



SF2 (PD-121) & A to SF3

1 inch equals 500 feet

J Stone 1.31.07

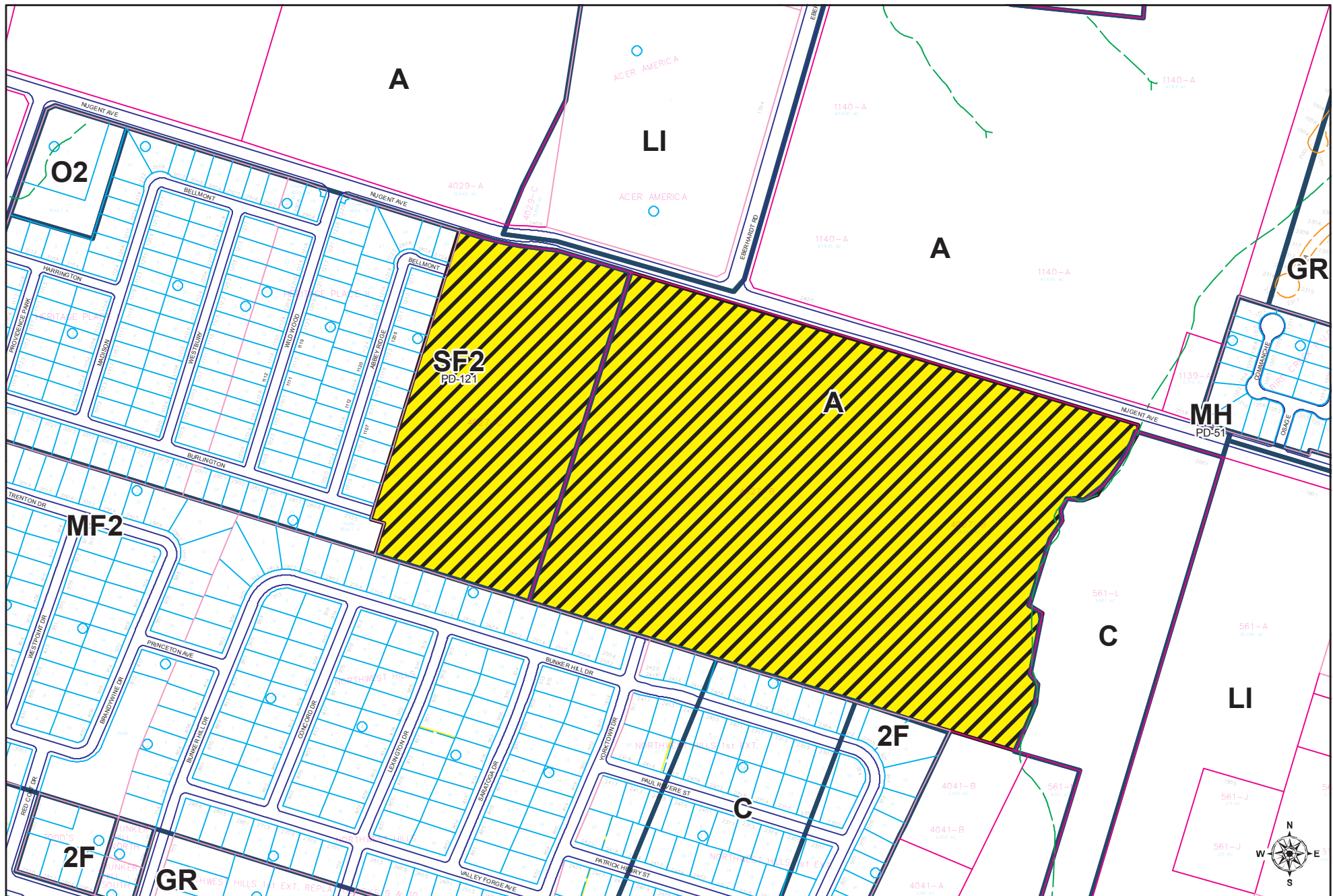




Z-FY-08-13

Proposed Heritage Place III

OB# 4027-B & 4027-C Approx 51.4 Acres



 Area of Proposed Zone Change

SF2 (PD-121) & A to SF3

1 inch equals 400 feet

J Stone 01.31.08







# PLANNING AND ZONING COMMISSION AGENDA ITEM

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03/03/08  
Item #3  
Page 1 of 2

**APPLICANT / DEVELOPMENT:** Kiella Homebuilders/Short-Term Lending

**CASE MANAGER:** Tim Dolan, AICP, Planning Director

**ITEM DESCRIPTION:**

Z-FY-08-13 Hold a public hearing and consider a zone change from Planned Development (Single Family Two) District (13.0± acres) and Agricultural District (38.4± acres) to Single Family Three District on approximately 51.4+ acres of land commonly known as Outblocks 4027-B and 4027-C, City Addition, located on the south side of West Nugent Avenue, east of Abbey Ridge and west and southeast of the Eberhardt Road and West Nugent Avenue intersection.

**BACKGROUND:**

The applicant(s) request the zoning as part of the continuation of the single-family residential development named Heritage Place. The proposed lots would meet or exceed the SF-3 Standards since the applicant plans to use a 20' front building line for all of lots. (Please see Item 5, Preliminary Plat.) A zoning request should be reviewed for compliance with the Comprehensive Plan.

**Surrounding Property and Uses**

The subject property is flanked on the south and the east developed or undeveloped single family land zoned PD-121-SF-2 (Heritage Place I) and zoned MF-2, C, and 2F (Northwest Hills). The property to the west is zoned Commercial (C). The property to the north across Nugent Avenue is zoned LI and developed as industrial uses.

**Future Land Use Plan**

The subject property conforms to the Future Land Use Plan, which shows the area as moderate density residential.

**Thoroughfare Plan**

The portion of Yorktown Drive shown in this area is planned as a collector sized road (55' right-of-way with 36' feet of pavement width), yet has been built to a residential sized road narrower than allowed. (Please see Item 4, which discusses the status of the collector-sized road.) Staff will recommend approval of removing the collector sized status for Yorktown Drive, and allow the proposed 28' pavement width for this request.

**Adequacy of Public Facilities**

Sufficient water and sewer exist for extensions to the requested area. (Please see Item 5, which discusses the preliminary plat for this area.)

### **SF-3 Development Regulations**

Purpose: The SF-3 District is planned for detached single family residences and related accessory structures on a minimum 4,000 square foot lot. The maximum building height is 2 ½ stories. It is designed to provide single family development at urban densities in locations well served by public utilities and roadways. This district should have adequate thoroughfare access and be relatively well connected with community and neighborhood facilities such as schools, parks, and shopping areas and transit services.

Allowed and prohibited uses: Accessory buildings, backyard compost regulations and home occupations are allowed by right. Uses for Community Development, Planned Community Development, public stadium, intermediate child care and Utility Services require a Conditional Use Permit (CUP). Transportation, automobile, retail, service and commercial uses are prohibited.

Minimum lot area and setback requirements:

Minimum SF-3 Standards	
Front Yard Setback	15'
Lot Width	100'
Lot Depth	40'

The applicant plans to use a 20' front building line for all of his lots. (Please see Item 5, Preliminary Plat.)

#### Public Notice

A total of 37 notices were sent out. As of February 28, 2008 at 5 PM, two notices were in opposition to the request. The newspaper printed notice of the public hearing on February 28, 2008 in accordance with state law and local ordinance.

#### **STAFF RECOMMENDATION:**

Staff requests the Commission recommend approval of Z-FY-08-13 subject to:

1. Conformance to the Future Land Use Plan for moderate residential uses;
2. Conformance to the requested Thoroughfare Plan Amendment (See Next Item, #4); and
3. Conformance to the Adequacy of Public Facilities for sufficient water and sewer.

**FISCAL IMPACT:** Not Applicable

#### **ATTACHMENTS:**

Zoning Map  
Land Use Map  
Aerial  
Applicant's Exhibits



**EXCERPTS FROM THE  
PLANNING & ZONING COMMISSION MEETING  
MONDAY, MARCH 3, 2008**

**ACTION ITEMS**

Chair Luck asked if Item 3, Z-FY-08-13, Item 4, Z-FY-08-18, and Item 5, P-FY-08-19 could be presented together and then have separate motions and votes on each item. Mr. Dolan replied that that would be acceptable. Chair Luck continued with the meeting.

3. Z-FY-08-13 Hold a public hearing and consider a zone change from Planned Development (Single Family Two) District (13.0± acres) and Agricultural District (38.4± acres) to Single Family Three District on approximately 51.4+ acres of land commonly known as Outblocks 4027-B and 4027-C, City Addition, located on the south side of West Nugent Avenue, east of Abbey Ridge and west and southeast of the Eberhardt Road and West Nugent Avenue intersection. (Applicant: Kiella Homebuilders/Short-Term Lending)
4. Z-FY-08-18 Heritage Place Thoroughfare Plan Amendment request for Yorktown Drive to go from a collector street to a residential street. (Applicant: Kiella Homebuilders)
5. P-FY-08-19 Consider a recommendation to approve the preliminary plat of Heritage Place Phases III, IV, V & VI, a 317 lot subdivision on 51.41 acres located along the south side of Nugent Avenue across from Eberhardt Road and north of Bunker Hill Drive. Recommended zoning is SF-3. (Applicant: Kiella Homebuilders)

Mr. Dolan, Planning Director, began with Z-FY-08-13, a request to zone 51.4 acres as SF-3. He displayed the Future Land Use map, an aerial of the property and surrounding area, a utility map, and the Staff recommendation. Mr. Dolan presented the items as outlined in the Planning and Zoning Commission Agenda Background. He said this area is planned for a single family subdivision. Access will come from the existing roads of Belmont, Westbury, Yorktown and Nugent. Mr. Dolan briefly went over the Thoroughfare Plan, adequacy of public facilities, SF-3 Development Regulations, the purpose of an SF-3 zoning, allowed and prohibited uses, and minimum lot area and setback requirements. Thirty-seven notices were mailed to surrounding property owners. One notice was returned in favor of the request and three were returned in opposition to the request. Mr. Dolan said staff recommends approval of Z-FY-08-13

because the request conforms to the Future Land Use Plan, recommended amendment to the Thoroughfare Plan and the Adequacy of Public Facilities.

Mr. Dolan continued with Z-FY-08-18, a developer request to amend the Thoroughfare Plan for Yorktown Drive to a residential sized road from the designated collector sized road, and presented the item as outlined in the Planning and Zoning Agenda Background. He said Staff recommends approval of the request for Yorktown Drive to go from a collector sized street to a modified residential sized street.

Mr. Dolan concluded his presentations with item P-FY-08-19, a preliminary plat showing 317 lots to be developed in four phases. Phase three has two points of ingress and egress from Nugent Avenue and ties on to Yorktown. Mr. Dolan said questions have been brought up by some of the public about the road connection to Yorktown Drive. He said there is a 200 foot offset for Yorktown Drive to be able to come into the subdivision and as it comes through to Nugent Drive. There are two exception requests with this plat to consider. 1) Request an exception to the Subdivision Ordinance Section 33.93, pavement width from 31 foot width from back of curb to 28 foot width from back of curb, and 2) Request an exception to the Subdivision Ordinance Section 33.102 - park land dedication and to try to use common areas for park land and linear trail.

Chair Luck opened the public hearing asking anyone wishing to speak in favor of Item 3, Z-FY-08-13 to address the Commission.

Mr. John Kiella, 11122 White Rock Dr., addressed the Commission. He said he was there to represent the builder and land owner for this item and spoke in favor of the request. Mr. Kiella said with the 317 lots proposed for this phase and adding them to the existing Phase I & II, brings the total of lots to 458.

Commissioner Kjelland asked if the hike and bike trail was part of Phase I. Mr. Kiella said they are going to phase it in, however, the first thing will be the cleaning of the creek line to get it to where it can be used as a passive trail and then add the elements as development progresses.

Commissioner Talley asked Mr. Kiella to explain the private park. Mr. Kiella said he is still in negotiation with the City as to what is the best way for the City. Rather the City wants this to be a HOA (Home Owners Association), which the subdivision has now, that would maintain the trail or if the City wants it to be city owned so that in the future it can connect to a hike and bike trail.

Chair Luck asked if anyone wishing to speak in opposition to Item 3, Z-FY-08-13 to address the Commission.

Mr. Charles Viktorin, 914 Yorktown, addressed the Commission. He said he was not necessarily speaking against the zone change. Mr. Viktorin explained that his family lives on the corner of Yorktown and the concern is that the neighborhood would have cut through traffic coming from the Loop and Industrial Drive reaching Airport Dr. He said his request to the developer is, is there a way to open up a second access on Nugent and that would force people to go through John Paul Jones without have to open up Yorktown.

Chair Luck asked if there is a way that can be calculated regarding the traffic flow in the amount new traffic anticipated. Mr. Dolan said the single family trips per lot vary anywhere from 8 to 10 per day. That counts as driving to school, driving to the grocery store, and coming home, which essentially double the trips. Mr. Dolan asked the Commission to consider a 200 foot off-set so if traffic comes forward it has to slow to be able to make the maneuver.

Chair Luck closed the public hearing.

Motion to recommend approval of Z-FY-08-13 by Commissioner Talley; seconded by Commissioner Pilkington.

Motion passed (8/0).

There was discussion on Item 4, Z-FY-08-18. Commissioner Kjelland suggested speed bumps. Mr. Dolan said he was not sure speed bumps were warranted if there is a 200 foot off-set because a car would have to slow down to make that turn anyway. Commissioner Talley asked what the distance is between Yorktown and Saulsbury. Mr. Dolan said there is less than ½ mile which meets the Comprehensive Plan recommended distances between collector roads and arterial roads.

Motion to approve Z-FY-08-18, to amend the Thoroughfare Plan, by Commissioner Pilkington; seconded by Commissioner Talley.

Motion passed (8/0).

Chair Luck asked a question regarding the hike and bike trail. Mr. Dolan turned the meeting over to Ms. Kim Mettenbrink, Parks Planner, to answer those questions. Ms. Mettenbrink stated that tonight was the first time she has seen the park plan, so Parks would have to review that plan before they could approve a final plat and Parks would need to condition the approval of the preliminary plat on that being worked out with the Parks

Department. Ms. Mettenbrink said she was unaware of a request for this to be a public park only a private park and that is something that would need to be worked out as well due to maintenance. She said the park fees paid by the developer can only go toward development of a park; not toward maintenance. The City will either acquire land from the developer, the developer will dedicate land, or they pay fees to development only.

Motion to recommend approval of P-FY-08-19 subject to granting an exception to the Subdivision Ordinance Section 33.93, pavement width from 31 foot width from back of curb to 28 foot width from back of curb, and granting an exception to the Subdivision Ordinance Section 33.102 – park land dedication and to try to use common areas for park land and linear trail; seconded by Commissioner Kjelland.

Motion passed (8/0).



ORDINANCE NO. \_\_\_\_\_

[ZONING NO. Z-FY-08-13]

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING A ZONING CHANGE FROM PLANNED DEVELOPMENT (SINGLE FAMILY TWO) DISTRICT (APPROXIMATELY 13 ACRES) AND AGRICULTURAL DISTRICT (APPROXIMATELY 38.4 ACRES) TO SINGLE FAMILY THREE DISTRICT ON APPROXIMATELY 51.4 ACRES OF LAND COMMONLY KNOWN AS OUTBLOCKS 4027-B AND 4027-C, CITY ADDITION, LOCATED ON THE SOUTH SIDE OF WEST NUGENT AVENUE, EAST OF ABBEY RIDGE AND WEST AND SOUTHEAST OF THE EBERHARDT ROAD AND WEST NUGENT AVENUE INTERSECTION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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

**Part 1:** The City Council approves a zoning change from Planned Development (Single Family Two) District (approximately 13 acres) and Agricultural District (approximately 38.4 acres) to Single Family Three District on approximately 51.4 acres of land commonly known as Outblocks 4027-B and 4027-C, City Addition, located on the south side of West Nugent Avenue, east of Abbey Ridge and west and southeast of the Eberhardt Road and West Nugent Avenue intersection, 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 **20<sup>th</sup>** day of **March**, 2008.

PASSED AND APPROVED on Second Reading on the **3<sup>rd</sup>** day of **April**, 2008.

THE CITY OF TEMPLE, TEXAS

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WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

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Clydette Entzminger  
City Secretary

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Jonathan Graham  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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04/03/08  
Item #6(B)  
Regular Agenda  
Page 1 of 2

### **DEPT. /DIVISION SUBMISSION & REVIEW:**

Tim Dolan, AICP, Director of Planning

**ITEM DESCRIPTION:** P-FY-08-19: Consider adopting a resolution approving the preliminary plat of Heritage Place Phases III -VI, a 317 single-family lot subdivision on 51.4± acres located along the south of Nugent Avenue across from Eberhardt Road and north of Bunker Hill Drive subject to developer requested exceptions to the Subdivision Ordinance regarding street pavement width and park land dedication fee.

**PLANNING & ZONING COMMISSION AND STAFF RECOMMENDATION:** The Planning & Zoning Commission and Staff recommend approval of the preliminary plat with the following exceptions requested by the applicant:

1. Reduced pavement width of 24' with an exception to the required residential street pavement width of 30' (Subdivision Ordinance Section 33-93(k) Street Pavement Width); and
2. Park land dedication fee (Section 33-102(d)(2)) and allow the construction of a hike and bike trail, approximately 1.7± acres in area, and 1,110 linear feet and to be maintained by the Heritage HOA subject to before submittal of a final plat for any phase of the Preliminary Plat of Heritage Place Phases III, IV, V and VI, the developer will submit conceptual plans to the Parks & Leisure Department showing how the private park will be phased and upgraded with an additional recreational amenity demonstrating how the trail and private park and land meets the value of \$71,325.00, (the required park fee of \$225 per lot x 317 single-family lots).

**ITEM SUMMARY:** The existing phases of Heritage Place I & II contain identical street pavement widths which match the proposed phases. Staff did not identify the needed request then in 2005 as required by the Subdivision Ordinance. Please review the Planning & Zoning Commission Agenda Memo and minutes from the meeting, March 3, 2008. The Design Review Committee (DRC) considered the project administratively complete on February 11, 2008.

**ATTACHMENTS:**

Developer Requested Exceptions

Plat Map

Aerial

P&Z Staff Report

P&Z Minutes

Resolution



## **TURLEY ASSOCIATES, INC.**

301 NORTH THIRD STREET • TEMPLE, TEXAS 76501 • (254) 773-2400  
FAX • (254) 773-3998

### **HERITAGE PLACE City of Temple, Texas**

#### **Requested Exceptions**

The following exceptions are requested on the above mentioned project:

#### **Section 33-102. Requirements for park land dedication.**

#### **Section 33-10. Exceptions**

- (1) That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this chapter would have a substantial adverse impact on the applicant's reasonable use of this land.

***The subdivision will have Common Area D (1.763 acres) which will be developed as a park and Nature Trail to be maintained by the Heritage HOA with the potential for future trail extension through neighboring properties.***

- (2) That the granting of the exception will not be detrimental to the public health, safety or welfare, or injurious to other property in the area.

***The developer will improve 1.763 acres of land along Bird Creek, clear brush and undergrowth and construct a Natural Trail the full length of the park, approximately 1,110 ft.***

- (3) That the granting of the exception will not have the effect of preventing the orderly subdividing of other land in the area in accordance with the provisions of this chapter.

***The improvement of common Area D with a Hike and Bike Trail will meet or exceed the value of the park fees and will provide the opportunity to extend the trail through neighboring properties. The park shall be constructed proportionally as phasing occurs over the next 5 years.***

**Section 33-93. Streets.**

(k) *Pavement widths and rights-of-way:*

- (1) The minimum standards for street pavement width and right-of-way are as follows.

<i>Standard Category</i>	<i>Pavement width (feet)</i>	<i>Right-of-Way Width (feet)</i>
Local street	31	50
Rural local street	22	50
Collector street	36	55
Rural collector street	26	55

**Section 33-10. Exceptions.**

- (1) That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this chapter would have a substantial adverse impact on the applicant's reasonable use of this land.

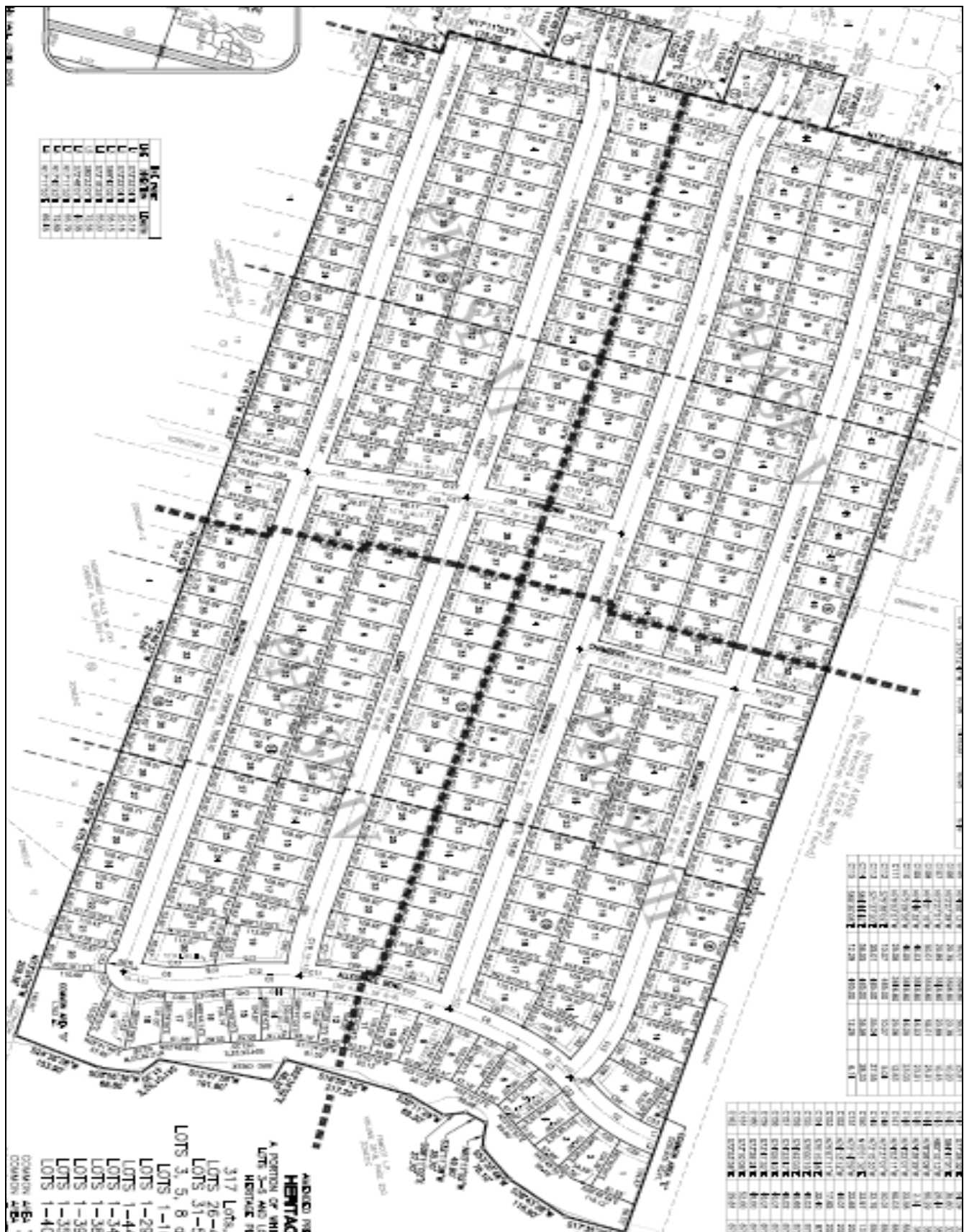
***The Heritage Place Preliminary Plat approval included 28' curb back to street design. For the Amended Preliminary Plat it is requested that we continue the current street design. It has worked well with the first two phases and has produced a Traffic Calming effect and has been a cost savings benefit for the entry level homebuyer.***

- (2) That the granting of the exception will not be detrimental to the public health, safety or welfare, or injurious to other property in the area.

***24' wide asphalt paving with mountable curb will not be detrimental, it will produce a calming on traffic and does not limit emergency or service vehicle access.***

- (3) That the granting of the exception will not have the effect of preventing the orderly subdividing of other land in the area in accordance with the provisions of this chapter.

***The land to the South is already subdivided as is two phases of Heritage Place to the West. Any development to the North has direct access to Nugent Avenue, an arterial street.***



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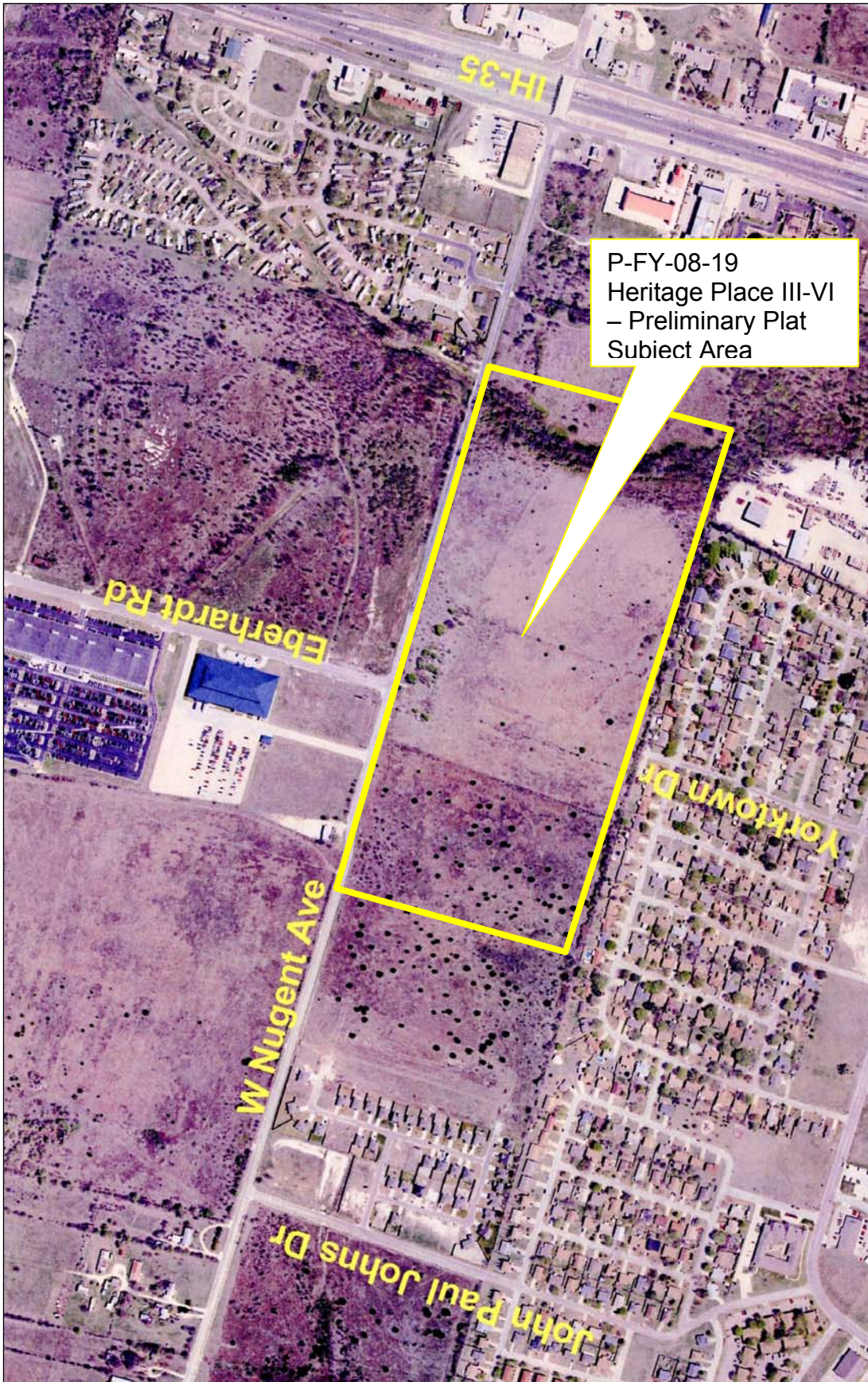
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ADDED BY  
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 A PORTION OF THE  
 LOTS 3-5 AND 11  
 HEREIN IN  
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 LOTS 31-5  
 LOTS 3, 5, 8 &  
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P-FY-08-19  
Heritage Place III-VI  
– Preliminary Plat  
Subject Area







## PLANNING AND ZONING COMMISSION AGENDA ITEM

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03/03/08  
Item# 5  
Page 1 of 2

**APPLICANT / DEVELOPMENT:** Kiella Homebuilders

**CASE MANAGER:** Tim Dolan, AICP, Planning Director

**ITEM DESCRIPTION:**

P-FY-08-19 Consider a recommendation to approve the preliminary plat of Heritage Place Phases III, IV, V & VI, a 317 single-family lot subdivision on 51.4± acres located along the south side of Nugent Avenue across from Eberhardt Road and north of Bunker Hill Drive. Zoned PD-SF-2 & AG. Requested zoning is SF-3.

**BACKGROUND:**

The Design Review Committee (DRC) considered the project administratively complete on February 11, 2008. The developer requests two exceptions to the Subdivision Ordinance: (See applicant's explanation – attached):

1. Section 33-93: Street Pavement Width: The developer requests an exception to the Ordinance from the required residential street pavement width of 30' to allow a 24' pavement width. Heritage Place Phases I and II contain this street width. This exception was not noted in the resolution for the final plats for Phases I and II.
  - a. The Planning Department agrees with the exception request since Phase I and II contained the same street widths and the Fire Department has not stated a concern with response time.
2. Section 33.102 - Park land Dedication or payment: The Developer requests an exception to the Ordinance for park land dedication and the payment in lieu of dedication to allow the construction of a hike and bike trail, approximately 1.7± acres in area, and 1,110 linear feet and to be maintained by the Heritage HOA. The planned improvements will meet or exceed the required \$71,325 for the 317 single family lots. The developer also requests to build it proportionately with the phasing over the next five years.
  - a. The Parks & Leisure Department states it is not anticipated that the proposed trail and the land along Bird Creek will not meet or exceed the park fees of \$71,325. The Department requests the developer to please show how the private park may be upgraded

with an additional recreational amenity or show how the trail and land may meet this value in an itemized budget. The Department also requests to please provide a conceptual drawing of the private park with the proposed development.

The City Council is the final plat authority since exceptions have been requested.

**STAFF RECOMMENDATION:**

Staff requests the Commission recommend approval of P-FY0-08-19 the preliminary plat of Heritage Place Phases III, IV, V and VI subject to:

1. The Commission recommending an exception to the Subdivision Ordinance Section 33-93: Street Pavement Width and allow 24' pavement width instead of the required residential street pavement width of 30';
2. The Commission recommending an exception to the Subdivision Ordinance Section 33.102 - Park land Dedication or payment and allow the construction of a hike and bike trail, approximately 1.7± acres in area, and 1,110 linear feet and to be maintained by the Heritage HOA subject to:
  - a. Before submittal of a final plat for any phase of the Preliminary Plat of Heritage Place Phases III, IV, V and VI, the developer will submit conceptual plans to the Parks & Leisure Department showing how the private park will be phased and upgraded with an additional recreational amenity demonstrating how the trail and private park and land meets the value of \$71,325.00., (park fee of \$225 per lot x 317 single-family lots).
3. Any additions and or alterations to the Engineering Plans as required by the Engineering Department.

**ATTACHMENTS:**

Developer Requested Exceptions  
Plat Map  
Aerial

**EXCERPTS FROM THE  
PLANNING & ZONING COMMISSION MEETING  
MONDAY, MARCH 3, 2008**

**ACTION ITEMS**

Chair Luck asked if Item 3, Z-FY-08-13, Item 4, Z-FY-08-18, and Item 5, P-FY-08-19 could be presented together and then have separate motions and votes on each item. Mr. Dolan replied that that would be acceptable. Chair Luck continued with the meeting.

3. Z-FY-08-13 Hold a public hearing and consider a zone change from Planned Development (Single Family Two) District (13.0± acres) and Agricultural District (38.4± acres) to Single Family Three District on approximately 51.4+ acres of land commonly known as Outblocks 4027-B and 4027-C, City Addition, located on the south side of West Nugent Avenue, east of Abbey Ridge and west and southeast of the Eberhardt Road and West Nugent Avenue intersection. (Applicant: Kiella Homebuilders/Short-Term Lending)
4. Z-FY-08-18 Heritage Place Thoroughfare Plan Amendment request for Yorktown Drive to go from a collector street to a residential street. (Applicant: Kiella Homebuilders)
5. P-FY-08-19 Consider a recommendation to approve the preliminary plat of Heritage Place Phases III, IV, V & VI, a 317 lot subdivision on 51.41 acres located along the south side of Nugent Avenue across from Eberhardt Road and north of Bunker Hill Drive. Recommended zoning is SF-3. (Applicant: Kiella Homebuilders)

Mr. Dolan, Planning Director, began with Z-FY-08-13, a request to zone 51.4 acres as SF-3. He displayed the Future Land Use map, an aerial of the property and surrounding area, a utility map, and the Staff recommendation. Mr. Dolan presented the items as outlined in the Planning and Zoning Commission Agenda Background. He said this area is planned for a single family subdivision. Access will come from the existing roads of Belmont, Westbury, Yorktown and Nugent. Mr. Dolan briefly went over the Thoroughfare Plan, adequacy of public facilities, SF-3 Development Regulations, the purpose of an SF-3 zoning, allowed and prohibited uses, and minimum lot area and setback requirements. Thirty-seven notices were mailed to surrounding property owners. One notice was returned in favor of the request and three were returned in opposition to the request. Mr. Dolan said staff recommends approval of Z-FY-08-13

because the request conforms to the Future Land Use Plan, recommended amendment to the Thoroughfare Plan and the Adequacy of Public Facilities.

Mr. Dolan continued with Z-FY-08-18, a developer request to amend the Thoroughfare Plan for Yorktown Drive to a residential sized road from the designated collector sized road, and presented the item as outlined in the Planning and Zoning Agenda Background. He said Staff recommends approval of the request for Yorktown Drive to go from a collector sized street to a modified residential sized street.

Mr. Dolan concluded his presentations with item P-FY-08-19, a preliminary plat showing 317 lots to be developed in four phases. Phase three has two points of ingress and egress from Nugent Avenue and ties on to Yorktown. Mr. Dolan said questions have been brought up by some of the public about the road connection to Yorktown Drive. He said there is a 200 foot offset for Yorktown Drive to be able to come into the subdivision and as it comes through to Nugent Drive. There are two exception requests with this plat to consider. 1) Request an exception to the Subdivision Ordinance Section 33.93, pavement width from 31 foot width from back of curb to 28 foot width from back of curb, and 2) Request an exception to the Subdivision Ordinance Section 33.102 - park land dedication and to try to use common areas for park land and linear trail.

Chair Luck opened the public hearing asking anyone wishing to speak in favor of Item 3, Z-FY-08-13 to address the Commission.

Mr. John Kiella, 11122 White Rock Dr., addressed the Commission. He said he was there to represent the builder and land owner for this item and spoke in favor of the request. Mr. Kiella said with the 317 lots proposed for this phase and adding them to the existing Phase I & II, brings the total of lots to 458.

Commissioner Kjelland asked if the hike and bike trail was part of Phase I. Mr. Kiella said they are going to phase it in, however, the first thing will be the cleaning of the creek line to get it to where it can be used as a passive trail and then add the elements as development progresses.

Commissioner Talley asked Mr. Kiella to explain the private park. Mr. Kiella said he is still in negotiation with the City as to what is the best way for the City. Rather the City wants this to be a HOA (Home Owners Association), which the subdivision has now, that would maintain the trail or if the City wants it to be city owned so that in the future it can connect to a hike and bike trail.

Chair Luck asked if anyone wishing to speak in opposition to Item 3, Z-FY-08-13 to address the Commission.

Mr. Charles Viktorin, 914 Yorktown, addressed the Commission. He said he was not necessarily speaking against the zone change. Mr. Viktorin explained that his family lives on the corner of Yorktown and the concern is that the neighborhood would have cut through traffic coming from the Loop and Industrial Drive reaching Airport Dr. He said his request to the developer is, is there a way to open up a second access on Nugent and that would force people to go through John Paul Jones without have to open up Yorktown.

Chair Luck asked if there is a way that can be calculated regarding the traffic flow in the amount new traffic anticipated. Mr. Dolan said the single family trips per lot vary anywhere from 8 to 10 per day. That counts as driving to school, driving to the grocery store, and coming home, which essentially double the trips. Mr. Dolan asked the Commission to consider a 200 foot off-set so if traffic comes forward it has to slow to be able to make the maneuver.

Chair Luck closed the public hearing.

Motion to recommend approval of Z-FY-08-13 by Commissioner Talley; seconded by Commissioner Pilkington.

Motion passed (8/0).

There was discussion on Item 4, Z-FY-08-18. Commissioner Kjelland suggested speed bumps. Mr. Dolan said he was not sure speed bumps were warranted if there is a 200 foot off-set because a car would have to slow down to make that turn anyway. Commissioner Talley asked what the distance is between Yorktown and Saulsbury. Mr. Dolan said there is less than ½ mile which meets the Comprehensive Plan recommended distances between collector roads and arterial roads.

Motion to approve Z-FY-08-18, to amend the Thoroughfare Plan, by Commissioner Pilkington; seconded by Commissioner Talley.

Motion passed (8/0).

Chair Luck asked a question regarding the hike and bike trail. Mr. Dolan turned the meeting over to Ms. Kim Mettenbrink, Parks Planner, to answer those questions. Ms. Mettenbrink stated that tonight was the first time she has seen the park plan, so Parks would have to review that plan before they could approve a final plat and Parks would need to condition the approval of the preliminary plat on that being worked out with the Parks

Department. Ms. Mettenbrink said she was unaware of a request for this to be a public park only a private park and that is something that would need to be worked out as well due to maintenance. She said the park fees paid by the developer can only go toward development of a park; not toward maintenance. The City will either acquire land from the developer, the developer will dedicate land, or they pay fees to development only.

Motion to recommend approval of P-FY-08-19 subject to granting an exception to the Subdivision Ordinance Section 33.93, pavement width from 31 foot width from back of curb to 28 foot width from back of curb, and granting an exception to the Subdivision Ordinance Section 33.102 – park land dedication and to try to use common areas for park land and linear trail; seconded by Commissioner Kjelland.

Motion passed (8/0).

Chair Luck said Z-FY-08-15A and Z-FY-08-15B would be presented together with separate motions and votes.

6. Z-FY-08-15A Hold a public hearing to consider an amendment to the West Temple Comprehensive Plan to reflect commercial uses on approximately 4.611 acres of land commonly known as Outblocks 4041-A and B, City Addition, located northwest of Saulsbury Park and east of Betsy Ross Drive. (Applicant: Rodney Deyoe)

Z-FY-08-15B Hold a public hearing to consider a zone change from Agricultural district to Commercial District to approximately 4.61 acres of land commonly known as Outblocks 4041-A and B, City Addition, located northwest of Saulsbury Park and east of Betsy Ross Drive. (Applicant: Rodney Deyoe)

Mr. Brian Mabry, Senior Planner, presented both items Z-FY-08-15A & B. He began with Item 6A. He said the West Temple Plan was adopted in 1999 and serves the west side of Temple the border being I-35 and further west from there. Mr. Mabry displayed the Future Land Use map that shows Moderate and Medium Density Residential future land use categories for the subject property and complies with the Future Land Use Plan. He said there is a private road approximately 20 feet in width that has served the property since 1976; however, a commercial development should front on an arterial road. Mr. Mabry said the West Temple Plan amendment request does not comply with the Thoroughfare Plan. He said adequate public and private facilities serve the property. Mr. Mabry said Staff recommends approval of the amendment to the West Temple comprehensive Plan.

Mr. Mabry continued with Z-FY-08-15B the zone change for the property. He said currently the property is an empty industrial yard which is permitted by a conditional use permit in the General Retail District and by right in the Commercial and Industrial Districts. Mr. Mabry said the proposed use for the property is for warehouse and office use and the applicant has claimed that the property will remain close to its present condition for the foreseeable future and that existing building on the property would be used for warehousing and office space however some outdoor storage would occur on the property. He said the applicant is also aware that screening with a wall fence, landscaping or a combination of these elements would be required along the property line that abuts some Two Family residences. Mr. Mabry showed an aerial of the property and surrounding area. He also displayed the Zoning map, Future Land Use map, Utility map, and notification radius map. Mr. Mabry said that one notice was mailed to surrounding property owners within 200 feet. The notice mailed out was returned in favor of the zone change request. Staff recommends approval of the zone change request from Agricultural to Commercial for the reason listed in the agenda.

Chair Luck opened the public hearing asking anyone wishing to speak in favor or in opposition to Z-FY-08-15A, amendment to the West Temple Comprehensive Plan, to address the Commission.

Mr. Rodney Deyoe, 3000 S. 31<sup>st</sup> St., representing the property owner, spoke in favor of the request. He said the intent is to improve the property and that can only be done by rezoning the land to comply with the Zoning Ordinance regulations. Mr. Deyoe said there may be a closer water line that can be utilized other than what is shown on the utility map.

Chair Luck closed the public hearing.

Motion to recommend approval of Z-FY-08-15A, amendment to the West Temple Comprehensive Plan and note the actual Staff recommendations on page 2 of Item 6A, by Commissioner Kjelland; seconded by Commissioner Secrest.

Motion passed (8/0).

Chair Luck opened the public hearing asking anyone wishing to speak in favor or in opposition to Z-FY-08-15B, zone change from Agricultural to Commercial, to address the Commission. Seeing no one, Chair Luck closed the public hearing.

Motion to recommend approval of the zone change, Z-FY-08-15B, by Commissioner Martin; seconded by Commissioner Pilkington

Motion passed (8/0)

7. Z-FY-08-16 Hold a public hearing to consider amending Section 12-100 (Signs) and Section 18-100 (Non-conforming Uses) of the City of Temple Zoning Ordinance to allow uses and structures to be conforming resulting from governmental acquisition right-of-way. (Applicant: Staff)

Mr. Brian Mabry, Senior Planner, presented this item. He said as discussed in the work session, the Commissioner's will only be reviewing Section 18-100 (Non-conforming Uses). Mr. Mabry presented this item as outlined in the Planning and Zoning Agenda background. Staff recommends amending Section 18 of the Zoning Ordinance by adding a new sub-section 18-104 that reads as written in the Staff Recommendation of the agenda item.

Commissioner Pilkington asked if this amendment had something to do with billboards. Mr. Mabry stated that this could apply to structures which would include houses, signs, including billboards, and to businesses.

Chair Luck asked who incurs the cost of signs that are in the right-of-way. Ms. Trudi Dill, Deputy City Attorney, addressed the Commission and explained the costs and acquisitions of right-of-ways.

Chair Luck opened the public hearing ask anyone wishing to speak in favor or in opposition to the zone change request to address the Commission. Seeing no one Chair Luck closed the public hearing.

Motion to recommend approval of Z-FY-08-16, amend Section 18-100 of the City of Temple Zoning Ordinance by Commissioner Carothers; seconded by Commissioner Kjelland.

Motion passed (8/0).

Commissioner Talley excused himself from the meeting at 6:41 pm.

8. Action to recommend to City Council, a vacant member position to the Tree Board. The term would be for 3 years, beginning March 1, 2008.

Mr. Tim Dolan, Planning Director, opened up this item for discussion. He said the Commission needed to nominate someone from the Planning and Zoning Board to serve on the Tree Board. He said this would go before the City Council on March 20, 2008.

Motion to recommend Commissioner Talley for the Tree Board starting March 1, 2008, by Commissioner Kjelland; seconded by Commissioner Martin.



Motion passed (7/0).

**RESOLUTION NO. \_\_\_\_\_**

[ ZONING NO. P-FY-08-19]

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING THE PRELIMINARY PLAT OF HERITAGE PLACE PHASES III – VI, A 317 SINGLE-FAMILY LOT SUBDIVISION ON APPROXIMATELY 51.4 ACRES LOCATED ALONG THE SOUTH SIDE OF NUGENT AVENUE ACROSS FROM EBERHARDT ROAD AND NORTH OF BUNKER HILL DRIVE, WITH EXCEPTIONS TO THE SUBDIVISION ORDINANCE REGARDING STREET PAVEMENT WIDTH AND PARK LAND DEDICATION FEE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on March 3, 2008, the Planning and Zoning Commission approved the preliminary plat of Heritage Place Phases III – VI, a 317 single-family lot subdivision on approximately 51.4 acres located along the south side of Nugent Avenue across from Eberhardt Road and north of Bunker Hill Drive, with exceptions to the Subdivision Ordinance regarding street pavement width and park land dedication fee; and

**Whereas**, the City Council has considered the matter and deems it in the public interest to approve the preliminary plat of Heritage Place Phases III - VI.

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

**Part 1:** The City Council approves the preliminary plat of Heritage Place Phases III – VI, a 317 single-family lot subdivision on approximately 51.4 acres located along the south side of Nugent Avenue across from Eberhardt Road and north of Bunker Hill Drive, more fully shown on the Plat which is on file in the City's Planning Department, incorporated herein and referred to by reference, and including the following exceptions to the Subdivision Ordinance: (a) street pavement width [*Section 33-93(k) (1&2)*] to allow 24-foot pavement width with 2-foot mountable curbs from the required 30-foot pavement width with 6-inch raised curbs; and (b) park land dedication [*Section 33-102 (d)(2)*] to include the construction of a linear park with trail within 1.763 acres along Bird Creek to be dedicated to the City of Temple with improvements to be equal to the park land dedication fee of \$225 per lot. All trail and park improvements shall be installed to City standards before the recordation of final plat for Phase VI. Additionally, a private pocket park was approved within Phase II to allow improvements based on per lot fees for the initial phases of this development.

**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 **3<sup>rd</sup>** day of **April**, 2008.

THE CITY OF TEMPLE, TEXAS

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WILLIAM A. JONES, III, MAYOR

ATTEST:

APPROVED AS TO FORM:

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Clydette Entzminger  
City Secretary

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Jonathan Graham  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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04/03/08  
Item #7(A)  
Regular Agenda  
Page 1 of 2

**DEPT./DIVISION SUBMISSION & REVIEW:**

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

Michael C. Newman, P.E., CFM, Public Works Assistant Director, City Engineer

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a construction contract with Gary W. Purser Construction, Ltd. of Killeen for Outer Loop Phase 2 (SH36 to FM2305) and the Bioscience Park in the amount of \$7,371,684.34 and declaring official intent to reimburse this expenditure made prior to the issuance of tax-exempt obligations for the traffic signal at West Adams/FM 2305 in the amount of \$132,325.

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

**ITEM SUMMARY:** The proposed Outer Loop Phase 2 generally follows Hilliard Road from SH 36 (Airport Road) to FM 2305 (West Adams Road). This roadway improvement project comprises approximately 8,000 linear feet and provides improved traffic mobility in West Temple growth areas. The alignment is consistent with City of Temple Thoroughfare Plan and the roadway is identified as a major arterial. In addition, this construction contract includes a semi-circular street and utilities in support of the Bioscience Park (it is itemized in Parts B and C below).

Outer Loop Phase 1 (Old Howard Road from Industrial Boulevard to SH 36) is complete. Outer Loop Phase 2 (SH 36 to FM2305) and the Bioscience Park construction are expected to be completed in Fall 2009.

Kasberg, Patrick & Associates (KPA) is the engineering firm that prepared the plans and bid the projects. KPA has reviewed and certified the bids as being correct and true. Certified bids are attached. The construction bid documents were comprised of several distinct items of work and are summarized with bid amounts as follows:

Part A: Outer Loop Ph.2	\$ 5,544,188.14
Part B: ½ Roadway B + Utilities	825,078.00
Part C: ½ Roadway B	286,860.00
Part D: Sidewalks	351,105.00
Part E: Irrigation System	96,028.00
Part F: Tree Planting	39,995.00
Part G: Entrance Architectural Feature	96,105.50
Part H: Traffic Signal at West Adams/FM2305	132,324.70
Recommended construction contract amount	<u>\$ 7,371,684.34</u>

The Reinvestment Zone board has previously made recommendation to the financial plan sufficient to budget Parts A through G (please see fiscal impact statement below for details). Part H (traffic signal at West Adams/FM 2305) is funded with the proposed 2008 Certificates of Obligation bond issue and is not part of the Zone funding. Total construction costs for the sum of these parts is in the amount of \$7,371,684.34. While there is not a formal recommendation to city council to award this contract, the Reinvestment Zone board did discuss that projects whose bids are within previously board recommended and city council approved financial plans should be considered as board recommended for city council approval of construction contract award.

The project specifications require the project be completed within 420 days of notice to proceed; construction is anticipated to begin May 2008 and completed in Fall 2009.

**FISCAL IMPACT:** Funding in the amount of \$ 5,530,044 is available in the Reinvestment Zone No. 1 Financing Plan for construction of Outer Loop Phase 2 portion of the contract in accounts 795-9500-531-6773 (\$1,547,757), 795-9600-531-6773 (\$1,782,287) and 795-9700-531-6773 (\$2,200,000), project 100150. Parts A, D, E, F, and G of the construction contract total \$6,127,421.64 and are all components of the Outer Loop Phase 2. A budget adjustment is presented for Council's approval reallocating \$600,000 from the Bioscience Park account # 795-9700-531-6827, project # 100259 to fund the construction contract related to the Outer Loop Phase 2. The Bioscience Park and the Outer Loop Phase 2 project are all part of the Western Bio-Science & Medical Zone in the Zone's Financing Plan.

Funding in the amount of \$1,200,000 is available to fund the construction contract related to the Bioscience Park in account 795-9700-531-6827, project # 100259 after the approval of the above referenced budget adjustment. Parts B and C of the construction contract total \$1,111,938 and are both components of the Bioscience Park.

Funding in the amount of \$132,325 is available in the proposed 2008 Certificate of Obligation bond issue, account 361-2800-532-6810, project #100150 for the construction of the traffic signal at West Adams/FM 2305 which is Part H of the construction contract. Initially, funding for the traffic signal will come from funding available in the 2006 Certificate of Obligation bond issue with the intent to reimburse from the proposed 2008 Certificate of Obligation bond issue.

**ATTACHMENTS:**

[Bid tabs](#)  
[Map](#)  
[KPA Recommendation Letter](#)  
[Budget Adjustment](#)  
[Resolution](#)



BID TABULATION  
TEMPLE REINVESTMENT ZONE

OUTER LOOP PHASE II

March 24, 2008; 11:00 AM  
3210 E Ave H, Bldg C, Temple, TX 76501

2008-1111-40  
Outer Loop Ph II

				BIDDER INFORMATION									
				Gary W. Purser Construction, Ltd. 2901 E Stan Schleuter Loop Killeen, Texas 76542		Dixon Paving, Inc. P.O. Box 864 Belton, Texas 76513		James Construction Group, LLC 5880 W. Hwy 190, Sute 100 Belton, Texas 76513		McLean Construction, Ltd. P.O. Box 10759 Killeen, TX 76547		TTG Utilities, LP P.O. Box 299 Gatesville, TX 76528	
Item No.	Estimated Quantity	Unit	Bid Data Description	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount
PART A													
A-1	100%	LS	Mobilization, Bonds & Insurance, not-to-exceed 5% of the Base Bid Amount	\$ 60,000.00	\$ 60,000.00	\$ 140,000.00	\$ 140,000.00	\$ 190,000.00	\$ 190,000.00	\$ 306,243.00	\$ 306,243.00	\$ 205,000.00	\$ 205,000.00
A-2	43.2	AC	Labor, Equipment, Tools & Supervision to Complete Preparation of Right-of-way	470.00	20,304.00	1,800.00	77,760.00	1,100.00	47,520.00	3,234.00	139,708.80	500.00	21,600.00
A-3	100%	LS	Submit Trench Safety Plan prepared & signed by a P.E., in Conformance with State Law & OSHA	1,500.00	1,500.00	1,000.00	1,000.00	1,000.00	1,000.00	900.00	900.00	1,100.00	1,100.00
A-4	15,300	LF	Implement & Follow Trench Safety Plan (Pipe)	0.50	7,650.00	0.75	11,475.00	0.40	6,120.00	0.40	6,120.00	1.50	22,950.00
A-5	8,000	SF	Implement & Follow Trench Safety Plan (Manholes & Structures)	0.40	3,200.00	0.50	4,000.00	0.10	800.00	0.40	3,200.00	0.75	6,000.00
A-6	100%	LS	Furnish Traffic Control Plan Sealed by an Engineer Licensed in the State of Texas	1,200.00	1,200.00	12,000.00	12,000.00	2,000.00	2,000.00	1,516.00	1,516.00	2,400.00	2,400.00
A-7	100%	LS	Implementing Traffic Control Plan	18,431.00	18,431.00	44,000.00	44,000.00	11,400.00	11,400.00	18,200.00	18,200.00	16,500.00	16,500.00
A-8	100%	LS	Implement & Administer Stormwater Pollution Prevention Plan, Including Submission to & Receiving Permits from TCEQ	3,160.00	3,160.00	7,800.00	7,800.00	2,000.00	2,000.00	3,781.00	3,781.00	1,100.00	1,100.00
A-9	100%	LS	Provide Project Record Drawings (As Builts)	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00
A-10	100%	LS	Provide DVD of right-of-way pre-construction & post construction site conditions for the project	480.00	480.00	500.00	500.00	200.00	200.00	685.00	685.00	860.00	860.00
A-11	200	LF	Furnish, Install, Maintain & Remove Rock Berm as required in the Stormwater Pollution Prevention Plan	25.00	5,000.00	10.00	2,000.00	32.00	6,400.00	16.90	3,380.00	25.00	5,000.00
A-12	8,060	LF	Furnish, Install, Maintain & Remove Silt Fence as required in the Stormwater Pollution Prevention Plan	1.90	15,314.00	1.60	12,896.00	3.50	28,210.00	1.40	11,284.00	2.00	16,120.00
A-13	30	EA	Furnish, Install, Maintain & Remove Curb Inlet Protection as required in the Stormwater Pollution Prevention Plan	80.00	2,400.00	75.00	2,250.00	180.00	5,400.00	157.00	4,710.00	105.00	3,150.00
A-14	6	EA	Furnish, Install, Maintain & Remove Backside Curb Inlet Protection for Double Sided Inlets as required in the Stormwater Pollution Prevention Plan	100.00	600.00	75.00	450.00	200.00	1,200.00	157.00	942.00	125.00	750.00
A-15	4,700	LF	Remove & Dispose of Existing Barbed Wire Fence	2.00	9,400.00	0.50	2,350.00	0.50	2,350.00	0.80	3,760.00	1.15	5,405.00
A-16	1,600	LF	Furnish & Install 5-Str& Barbed Wire Fence	8.50	13,600.00	4.00	6,400.00	7.75	12,400.00	3.90	6,240.00	8.85	14,160.00
A-17	11	EA	Furnish & Install New Fence Corner Brace Posts	575.00	6,325.00	400.00	4,400.00	375.00	4,125.00	334.00	3,674.00	430.00	4,730.00
A-18	1	EA	Furnish & Install Stabilized Construction Entrance	1,200.00	1,200.00	1,200.00	1,200.00	1,800.00	1,800.00	1,164.00	1,164.00	1,800.00	1,800.00
A-19	15	LF	Furnish & Install 2-inch Diameter Water Line with Class 1 Embedment, including Thrust Restraint	30.00	450.00	20.00	300.00	63.00	945.00	18.10	271.50	13.00	195.00
A-20	152	LF	Furnish & Install 4-inch Diameter Water Line with Class 1 Embedment, including Thrust Restraint	13.00	1,976.00	21.00	3,192.00	16.00	2,432.00	19.10	2,903.20	12.00	1,824.00
A-21	1,750	LF	Furnish & Install 6-inch Diameter Water Line with Class 1 Embedment, including Thrust Restraint	14.25	24,937.50	25.00	43,750.00	16.00	28,000.00	24.70	43,225.00	14.00	24,500.00
A-22	276	LF	Furnish & Install 8-inch Diameter Water Line with Class 1 Embedment, including Thrust Restraint	17.50	4,830.00	23.00	6,348.00	23.00	6,348.00	21.90	6,044.40	16.00	4,416.00
A-23	4,275	LF	Furnish & Install 12-inch Diameter Water Line with Class 1 Embedment, including Thrust Restraint	23.50	100,462.50	31.00	132,525.00	32.00	136,800.00	30.40	129,960.00	26.00	111,150.00
A-24	1,024	LF	Furnish & Install 18-inch Diameter Ductile Iron Water Line with Class 1 Embedment, including Thrust Restraint	61.50	62,976.00	64.00	65,536.00	65.00	66,560.00	63.00	64,512.00	51.00	52,224.00
A-25	46	LF	Furnish & Install 10-Inch Steel Encasement Pipe by Open Cut	45.00	2,070.00	52.00	2,392.00	33.00	1,518.00	49.00	2,254.00	71.00	3,266.00
A-26	198	LF	Furnish & Install 12-Inch Steel Encasement Pipe by Open Cut	48.00	9,504.00	53.00	10,494.00	35.00	6,930.00	51.00	10,098.00	83.00	16,434.00
A-27	164	LF	Furnish & Install 16-Inch Steel Encasement Pipe by Open Cut	64.50	10,578.00	65.00	10,660.00	52.00	8,528.00	63.50	10,414.00	87.00	14,268.00
A-28	52	LF	Furnish & Install 20-Inch Steel Encasement Pipe by Open Cut	74.00	3,848.00	76.00	3,952.00	75.00	3,900.00	74.00	3,848.00	96.00	4,992.00
A-29	155	LF	Furnish & Install 28-Inch Steel Encasement Pipe by Open Cut	120.00	18,600.00	100.00	15,500.00	120.00	18,600.00	98.00	15,190.00	140.00	21,700.00
A-30	6	EA	Furnish & Install 4" Gate Valve	490.00	2,940.00	600.00	3,600.00	490.00	2,940.00	589.00	3,534.00	570.00	3,420.00
A-31	3	EA	Furnish & Install 6" Gate Valve	625.00	1,875.00	700.00	2,100.00	630.00	1,890.00	665.00	1,995.00	660.00	1,980.00
A-32	4	EA	Furnish & Install 8" Gate Valve	880.00	3,520.00	1,000.00	4,000.00	970.00	3,880.00	901.00	3,604.00	890.00	3,560.00
A-33	2	EA	Furnish & Install 12" Gate Valve	1,450.00	2,900.00	1,500.00	3,000.00	1,700.00	3,400.00	1,407.00	2,814.00	1,600.00	3,200.00
A-34	5	EA	Furnish & Install 4" Plug	80.00	400.00	150.00	750.00	65.00	325.00	131.00	655.00	170.00	850.00
A-35	5	EA	Furnish & Install 6" Plug	90.00	450.00	160.00	800.00	80.00	400.00	144.00	720.00	200.00	1,000.00
A-36	5	EA	Furnish & Install 8" Plug	90.00	450.00	170.00	850.00	92.00	460.00	155.00	775.00	170.00	850.00
A-37	1	EA	Furnish & Install 6"x4" Tee	270.00	270.00	350.00	350.00	190.00	190.00	305.00	305.00	370.00	370.00
A-38	3	EA	Furnish & Install 6" Tee	350.00	1,050.00	350.00	1,050.00	210.00	630.00	319.00	957.00	370.00	1,110.00
A-39	2	EA	Furnish & Install 8" Tee	490.00	980.00	400.00	800.00	280.00	560.00	353.00	706.00	470.00	940.00
A-40	1	EA	Furnish & Install 8"x4" Tee	410.00	410.00	400.00	400.00	250.00	250.00	343.00	343.00	430.00	430.00
A-41	1	EA	Furnish & Install 12"x4" Tee	750.00	750.00	500.00	500.00	390.00	390.00	459.00	459.00	630.00	630.00
A-42	2	EA	Furnish & Install 18"x6" Tee	1,350.00	2,700.00	2,000.00	4,000.00	1,300.00	2,600.00	1,861.00	3,722.00	1,500.00	3,000.00
A-43	1	EA	Furnish & Install 18"x8" Tee	2,525.00	2,525.00	2,000.00	2,000.00	1,500.00	1,500.00	1,849.00	1,849.00	2,200.00	2,200.00
A-44	1	EA	Furnish & Install 18"x12" Tee	3,150.00	3,150.00	2,700.00	2,700.00	1,700.00	1,700.00	2,518.00	2,518.00	2,900.00	2,900.00
A-45	1	EA	Furnish & Install 6"x2" Reducer	150.00	150.00	200.00	200.00	95.00	95.00	156.00	156.00	260.00	260.00
A-46	3	EA	Furnish & Install 6"x4" Reducer	199.50	598.50	200.00	600.00	93.00	279.00	171.00	513.00	280.00	840.00
A-47	1	EA	Furnish & Install 6"x6" Cross	425.00	425.00	500.00	500.00	270.00	270.00	404.00	404.00	450.00	450.00
A-48	1	EA	Furnish & Install 12"x8" Cross	925.00	925.00	600.00	600.00	560.00	560.00	554.00	554.00	740.00	740.00
A-49	1	EA	Furnish & Install 12" - 11 ¼" Bend	450.00	450.00	400.00	400.00	300.00	300.00	317.00	317.00	510.00	510.00
A-50	6	EA	Furnish & Install 12" - 45o Bend	525.00	3,150.00	400.00	2,400.00	310.00	1,860.00	322.00	1,932.00	550.00	3,300.00
A-51	1	EA	Furnish & Install 18" - 22½" Bend	1,710.00	1,710.00	1,000.00	1,000.00	950.00	950.00	921.00	921.00	1,100.00	1,100.00
A-52	1	EA	Furnish & Install 18" - 45o Bend	1,810.00	1,810.00	1,200.00	1,200.00	990.00	990.00	1,169.00	1,169.00	1,300.00	1,300.00
A-53	1	EA	Furnish & Install 18" - 90o Bend	2,150.00	2,150.00	1,400.00	1,400.00	1,200.00	1,200.00	1,170.00	1,170.00	1,500.00	1,500.00
A-54	100%	LS	Furnish All Materials, Equipment, Tools & Labor Necessary for Pressure Testing Water Pipe, Including Any Necessary Repairs	1,800.00	1,800.00	2,100.00	2,100.00	4,100.00	4,100.00	1,982.00	1,982.00	3,300.00	3,300.00
A-55	13	EA	Furnish & Install Standard Fire Hydrant Installation	2,825.00	36,725.00	3,000.00	39,000.00	3,300.00	42,900.00	2,935.00	38,155.00	3,100.00	40,300.00
A-56	815	LF	Remove & Dispose of Existing 2" Waterline	9.00	7,335.00	16.00	13,040.00	3.00	2,445.00	15.60	12,714.00	3.30	2,689.50

- \* Unit price has been corrected.
- \*\* Extended amount has been corrected.
- \*\*\* Total amount has been corrected.



TEMPLE REINVESTMENT ZONE

OUTER LOOP PHASE II

March 24, 2008; 11:00 AM  
3210 E Ave H, Bldg C, Temple, TX 76501

Outer Loop Ph II

			BIDDER INFORMATION										
			Gary W. Purser Construction, Ltd. 2901 E Stan Schleuter Loop Killeen, Texas 76542		Dixon Paving, Inc. P.O. Box 864 Belton, Texas 76513		James Construction Group, LLC 5880 W. Hwy 190, Sute 100 Belton, Texas 76513		McLean Construction, Ltd. P.O. Box 10759 Killeen, TX 76547		TTG Utilities, LP P.O. Box 299 Gatesville, TX 76528		
Item No.	Estimated Quantity	Unit	Bid Data Description	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount
PART A (cont.)													
A-57	455	LF	Remove & Dispose of Existing 4" Waterline	\$ 9.00	\$ 4,095.00	\$ 16.00	\$ 7,280.00	\$ 3.00	\$ 1,365.00	\$ 15.60	\$ 7,098.00	\$ 4.10	\$ 1,865.50
A-58	1	EA	Connect to Existing 2" Waterline	350.00	350.00	800.00	800.00	550.00	550.00	617.00	617.00	240.00	240.00
A-59	1	EA	Connect to Existing 4" Waterline	625.00	625.00	800.00	800.00	530.00	530.00	771.00	771.00	290.00	290.00
A-60	2	EA	Connect 18" DIP Waterline to Existing 18" RCCP Waterline	8,200.00	16,400.00	4,500.00	9,000.00	5,100.00	10,200.00	4,381.00	8,762.00	8,800.00	17,600.00
A-61	2	EA	Remove Existing 4" Gate Valves & Offer to Owner for Salvage	200.00	400.00	200.00	400.00	500.00	1,000.00	97.00	194.00	90.00	180.00
A-62	1,800	LF	Furnish & Install 6" PVC French Drain, Including Embedment, Backfill, & Geotextile Fabric Wrap, As Shown in Detail on Sheet S19	12.50	22,500.00	16.50	29,700.00	10.00	18,000.00	15.70	28,260.00	14.00	25,200.00
A-63	6	EA	Furnish & Install 6" Plug For French Drain System	60.00	360.00	100.00	600.00	150.00	900.00	81.00	486.00	330.00	1,980.00
A-64	12	EA	Furnish & Install 10'x3' Curb Inlet	3,585.00	43,020.00	2,800.00	33,600.00	4,000.00	48,000.00	3,093.00	37,116.00	3,995.00	47,940.00
A-65	3	EA	Furnish & Install 10'x3' Double Sided Curb Inlet	3,995.00	11,985.00	3,200.00	9,600.00	4,000.00	12,000.00	4,389.00	13,167.00	3,600.00	10,800.00
A-66	1	EA	Furnish & Install 10'x8" Curb Inlet	5,480.00	5,480.00	5,600.00	5,600.00	9,000.00	9,000.00	5,766.00	5,766.00	7,160.00	7,160.00
A-67	9	EA	Furnish & Install 15'x3' Curb Inlet	4,775.00	42,975.00	3,800.00	34,200.00	5,500.00	49,500.00	4,570.00	41,130.00	4,900.00	44,100.00
A-68	2	EA	Furnish & Install 15'x3' Double Sided Curb Inlet	4,995.00	9,990.00	4,200.00	8,400.00	6,000.00	12,000.00	5,153.00	10,306.00	4,600.00	9,200.00
A-69	3	EA	Furnish & Install 15'x8" Curb Inlet	6,998.00	20,994.00	6,800.00	20,400.00	12,000.00	36,000.00	7,194.00	21,582.00	6,100.00	18,300.00
A-70	1	EA	Furnish & Install 15'x10" Double Sided Curb Inlet	7,550.00	7,550.00	7,800.00	7,800.00	13,000.00	13,000.00	8,869.00	8,869.00	7,300.00	7,300.00
A-71	1	EA	Connect to Existing 18" RCP	800.00	800.00	500.00	500.00	300.00	300.00	493.00	493.00	700.00	700.00
A-72	1	EA	Connect to Existing 24" RCP	1,000.00	1,000.00	600.00	600.00	300.00	300.00	589.00	589.00	700.00	700.00
A-73	2	EA	Remove & Dispose of Existing Concrete Inlet	1,250.00	2,500.00	1,200.00	2,400.00	300.00	600.00	544.00	1,088.00	720.00	1,440.00
A-74	1	EA	Remove & Dispose of Existing Concrete Area Inlet	1,250.00	1,250.00	800.00	800.00	600.00	600.00	544.00	544.00	570.00	570.00
A-75	139	LF	Remove & Dispose of Existing 18" RCP	15.00	2,085.00	15.00	2,085.00	6.00	834.00	10.00	1,390.00	10.00	1,390.00
A-76	1	EA	Construction of 6'x6' Area Inlet with 4' Concrete Apron	6,125.00	6,125.00	3,800.00	3,800.00	6,500.00	6,500.00	10,312.00	10,312.00	4,500.00	4,500.00
A-77	2	EA	Construction of 4'x4' Junction Box	4,400.00	8,800.00	2,100.00	4,200.00	3,000.00	6,000.00	2,291.00	4,582.00	5,150.00	10,300.00
A-78	1	EA	Construction of 10'x10' Junction Box	6,850.00	6,850.00	6,800.00	6,800.00	8,000.00	8,000.00	10,676.00	10,676.00	9,500.00	9,500.00
A-79	2,146	LF	Furnish & Install 18" Class III RCP Including Bedding & Backfill	27.00	57,942.00	34.00	72,964.00	25.00	53,650.00	33.80	72,534.80	32.00	68,672.00
A-80	324	LF	Furnish & Install 18" Class IV RCP Including Bedding & Backfill	28.00	9,072.00	37.00	11,988.00	28.00	9,072.00	36.90	11,955.60	34.00	11,016.00
A-81	215	LF	Furnish & Install 2-18" Class V RCP Including Bedding & Backfill	53.50	11,502.50	78.00	16,770.00	44.00	9,460.00	76.00	16,340.00	65.00	13,975.00
A-82	2,630	LF	Furnish & Install 24" Class III RCP Including Bedding & Backfill	41.00	107,830.00	50.00	131,500.00	35.00	92,050.00	49.60	130,448.00	44.00	115,720.00
A-83	643	LF	Furnish & Install 2-24" Class III RCP Including Bedding & Backfill	68.50	44,045.50	96.00	61,728.00	65.00	41,795.00	95.70	61,535.10	80.00	51,440.00
A-84	86	LF	Furnish & Install 2-24" Class IV RCP Including Bedding & Backfill	81.00	6,966.00	86.00	7,396.00	75.00	6,450.00	83.90	7,215.40	84.00	7,224.00
A-85	666	LF	Furnish & Install 3'x2' RCB Including Bedding & Backfill	140.00	93,240.00	114.00	75,924.00	85.00	56,610.00	120.00	79,920.00	120.00	79,920.00
A-86	99	LF	Furnish & Install 4'x2' RCB Including Bedding & Backfill	180.00	17,820.00	158.00	15,642.00	125.00	12,375.00	142.00	14,058.00	175.00	17,325.00
A-87	281	LF	Furnish & Install 2-4'x2' RCB Including Bedding & Backfill	375.00	105,375.00	308.00	86,548.00	230.00	64,630.00	350.00	98,350.00	295.00	82,895.00
A-88	150	LF	Furnish & Install 3-5'x3' RCB Including Bedding & Backfill	580.00	87,000.00	834.00	125,100.00	500.00	75,000.00	733.00	109,950.00	685.00	102,750.00
A-89	394	LF	Furnish & Install 5-8'x4' RCB Including Bedding & Backfill	1,374.00	541,356.00	1,764.00	695,016.00	1,800.00	709,200.00	1,799.00	708,806.00	1,560.00	614,640.00
A-90	211	LF	Furnish & Install 6-10'x8' RCB Including Bedding & Backfill	2,498.34	527,149.74	2,986.00	630,046.00	3,000.00	633,000.00	3,295.00	695,245.00	2,510.00	529,610.00
A-91	1	EA	Construction of Headwalls & Wingwalls for 3'x2' RCB	6,540.00	6,540.00	1,000.00	1,000.00	3,500.00	3,500.00	2,822.00	2,822.00	3,550.00	3,550.00
A-92	2	EA	Construction of Headwalls & Wingwalls for 4'x2' RCB	* 6,088.00	12,176.00	1,200.00	2,400.00	4,000.00	8,000.00	5,122.00	10,244.00	3,850.00	7,700.00
A-93	1	EA	Construction of Headwalls & Wingwalls for 2-4'x2' RCB	9,520.00	9,520.00	2,100.00	2,100.00	4,500.00	4,500.00	7,105.00	7,105.00	4,500.00	4,500.00
A-94	2	EA	Construction of Headwalls & Wingwalls for 5-8'x4' RCB	14,950.00	29,900.00	21,000.00	42,000.00	12,000.00	24,000.00	17,424.00	34,848.00	25,650.00	51,300.00
A-95	2	EA	Construction of Headwalls & Wingwalls for 3-5'x3' RCB	7,890.00	15,780.00	6,200.00	12,400.00	6,000.00	12,000.00	7,374.00	14,748.00	7,500.00	15,000.00
A-96	2	EA	Construction of Headwalls & Wingwalls for 6-10'x8' RCB	21,250.00	42,500.00	40,500.00	81,000.00	25,000.00	50,000.00	32,552.00	65,104.00	29,750.00	59,500.00
A-97	0	EA	THIS ITEM HAS BEEN DELETED		-		-		-		-		-
A-98	1	EA	Furnish & Install 18" RCP 45o Bend	800.00	800.00	400.00	400.00	120.00	120.00	376.00	376.00	410.00	410.00
A-99	2	EA	Furnish & Install 24" RCP 45o Bend	850.00	1,700.00	600.00	1,200.00	150.00	300.00	533.00	1,066.00	480.00	960.00
A-100	2	EA	Furnish & Install Sloped End Treatment For 2-18" RCPs	1,100.00	2,200.00	1,600.00	3,200.00	1,500.00	3,000.00	2,182.00	4,364.00	1,150.00	2,300.00
A-101	2,900	SY	Furnish & Install 8" Diameter Rock Riprap	8.50	24,650.00	12.00	34,800.00	12.00	34,800.00	13.95	40,455.00	32.00	92,800.00
A-102	8,200	CY	Unclassified Channel Excavation	4.50	36,900.00	3.00	24,600.00	5.00	41,000.00	3.80	31,160.00	6.30	51,660.00
A-103	3,100	CY	Place & Compact Unclassified Fill (Channel)	2.75	8,525.00	3.00	9,300.00	2.00	6,200.00	2.20	6,820.00	5.40	16,740.00
A-104	61,500	CY	For Unclassified Roadway Excavation	2.90	178,350.00	2.50	153,750.00	3.00	184,500.00	3.30	202,950.00	3.70	227,550.00
A-105	60,000	CY	Place & Compact Unclassified Fill (Roadway)	1.50	90,000.00	2.50	150,000.00	2.00	120,000.00	1.00	60,000.00	3.90	234,000.00
A-106	25,000	CY	Place & Compact Select Fill (Roadway)	10.50	262,500.00	9.00	225,000.00	7.00	175,000.00	11.50	287,500.00	10.00	250,000.00
A-107	750	SY	Furnish & Place 8" Crushed Limestone Base Material For Driveways	5.80	4,350.00	6.00	4,500.00	14.00	10,500.00	7.00	5,250.00	6.60	4,950.00
A-108	23,000	SY	Furnish & Place 11 1/2" Crushed Limestone Base Material	6.90	158,700.00	6.80	156,400.00	7.00	161,000.00	7.40	17		

- \* Unit price has been corrected.
- \*\* Extended amount has been corrected.
- \*\*\* Total amount has been corrected.



BID TABULATION  
TEMPLE REINVESTMENT ZONE

OUTER LOOP PHASE II

March 24, 2008; 11:00 AM  
3210 E Ave H, Bldg C, Temple, TX 76501

				BIDDER INFORMATION									
				Gary W. Purser Construction, Ltd. 2901 E Stan Schleuter Loop Killeen, Texas 76542		Dixon Paving, Inc. P.O. Box 864 Belton, Texas 76513		James Construction Group, LLC 5880 W. Hwy 190, Sute 100 Belton, Texas 76513		McLean Construction, Ltd. P.O. Box 10759 Killeen, TX 76547		TTG Utilities, LP P.O. Box 299 Gatesville, TX 76528	
Item No.	Estimated Quantity	Unit	Bid Data Description	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount
PART A (cont.)													
A-120	27	LF	Remove & Dispose of Existing 24" CMP Culvert	\$ 12.00	\$ 324.00	\$ 10.00	\$ 270.00	\$ 12.00	\$ 324.00	\$ 10.00	\$ 270.00	\$ 11.00	\$ 297.00
A-121	80	LF	Remove & Dispose of Existing 42" CMP Culvert	12.00	960.00	10.00	800.00	15.00	1,200.00	5.00	400.00	18.00	1,440.00
A-122	62	LF	Remove & Dispose of Existing 48" RCP Culvert	15.00	930.00	15.00	930.00	15.00	930.00	5.00	310.00	23.00	1,426.00
A-123	25	LF	Remove & Dispose of Existing 24" RCP Culvert	15.00	375.00	10.00	250.00	13.00	325.00	5.00	125.00	12.00	300.00
A-124	640	LF	For Sawcutting Existing Asphalt	1.50	960.00	2.00	1,280.00	2.00	1,280.00	2.00	1,280.00	1.90	1,216.00
A-125	9,500	SY	For Removal & Disposal of Existing Asphalt Roadway (Hilliard Road)	5.00	47,500.00	0.65	6,175.00	1.00	9,500.00	0.50	4,750.00	1.30	12,350.00
A-126	100%	LS	Furnish & Install All Traffic Signage According to Striping & Signage Plan	34,500.00	34,500.00	33,000.00	33,000.00	23,000.00	23,000.00	24,402.00	24,402.00	20,550.00	20,550.00
A-127	3,840	LF	Furnish & Install 4" Width Single White Dashed Striping, TxDOT Type I Material	0.41	1,574.40	0.42	1,612.80	0.48	1,843.20	0.50	1,920.00	0.55	2,112.00
A-128	1,800	LF	Furnish & Install 4" Width Single White Solid Striping, TxDOT Type I Material	0.45	810.00	0.42	756.00	0.48	864.00	0.50	900.00	0.55	990.00
A-129	200	LF	Furnish & Install 4" Width Double Yellow Solid Striping, TxDOT Type I Material	1.00	200.00	1.00	200.00	1.00	200.00	1.10	220.00	1.15	230.00
A-130	775	LF	Furnish & Install 4" Width Yellow Gore Striping, TxDOT Type I Material	0.60	465.00	0.50	387.50	0.85	658.75	0.90	697.50	0.95	736.25
A-131	46	LF	Furnish & Install 24" Wide Stop Bar, TxDOT Type I Material	6.75	310.50	6.00	276.00	15.00	690.00	17.00	782.00	17.00	782.00
A-132	56	LF	Furnish & Install Crosswalk Striping, TxDOT Type I Material	15.00	840.00	14.00	784.00	15.00	840.00	17.00	952.00	17.00	952.00
A-133	40	EA	Furnish & Install White Pavement Markings (Arrows & Text)	130.00	5,200.00	120.00	4,800.00	200.00	8,000.00	222.00	8,880.00	230.00	9,200.00
A-134	7,000	SY	Furnish & Install Curlex Type I Erosion Control Matting	1.25	8,750.00	1.50	10,500.00	2.00	14,000.00	1.50	10,500.00	1.85	12,950.00
A-135	3,600	SY	For Sodding, Including 6" Topsoil, Watering, Fertilizing, & Mowing to Establish Growth	8.75	31,500.00	3.00	10,800.00	2.85	10,260.00	4.20	15,120.00	4.00	14,400.00
A-136	128,000	SY	For Hydromulching, Including 6" Topsoil, Watering, Fertilizing, & Mowing to Establish Growth	0.80	102,400.00	0.40	51,200.00	1.25	160,000.00	1.20	153,600.00	0.50	64,000.00
A-137	7,800	LF	Furnish & Install 2" PVC Sch. 40 Conduit	6.80	53,040.00	6.00	46,800.00	7.00	54,600.00	5.20	40,560.00	7.50	58,500.00
A-138	950	LF	Furnish & Install 2" PVC Sch. 80 Conduit	10.50	9,975.00	6.00	5,700.00	10.00	9,500.00	6.50	6,175.00	11.50	10,925.00
A-139	22	EA	Furnish & Install Pullbox	700.00	15,400.00	650.00	14,300.00	700.00	15,400.00	641.00	14,102.00	800.00	17,600.00
A-140	100	LF	Furnish & Install 26-Inch Steel Encasement Pipe by Open Cut	112.50	11,250.00	110.00	11,000.00	120.00	12,000.00	104.00	10,400.00	80.00	8,000.00
A-141	3,200	LF	Clean Existing Channel, Including, But Not Limited To Tree Trimming/Removal, Brush/Debris Removal, Mowing, Grading, Etc.	5.00	16,000.00	6.00	19,200.00	5.00	16,000.00	10.10	32,320.00	6.30	20,160.00
A-142	900	LF	For Grading ROW to Drain to Double Sided Inlets as Shown on Sheets S-02, S-05 & S-06	3.50	3,150.00	3.00	2,700.00	1.50	1,350.00	3.00	2,700.00	5.80	5,220.00
A-143	550	LF	Remove & Dispose of Existing Concrete Curb & Gutter	5.75	3,162.50	4.00	2,200.00	3.50	1,925.00	1.00	550.00	4.21	2,315.50
A-144	100%	LS	Construction of Temporary Access with 335 SY of 8" Crushed Limestone Base Material, 3" of Type "B" HMAC	6,995.00	6,995.00	5,600.00	5,600.00	2,500.00	2,500.00	6,872.00	6,872.00	9,200.00	9,200.00
A-145	100%	LS	Remove & Dispose of Temporary Access Described in Item A-142 After Completion of Phase II Construction	1,820.00	1,820.00	1,200.00	1,200.00	1,000.00	1,000.00	2,223.00	2,223.00	2,900.00	2,900.00
A-146	100%	LS	Furnish & Install All Temporary Striping as Shown on Sheets CS05-CS-08 of the Plans, TxDOT Type II Material	3,425.00	3,425.00	1,200.00	1,200.00	1,900.00	1,900.00	2,112.00	2,112.00	2,200.00	2,200.00
A-147	100%	LS	For Implementing All Temporary Traffic Control Required to Complete All Phased Construction as Shown on Sheets CS01-CS-08 of the Plans & Construction of All Utility Crossings (Storm Swr, Water, Wastewater, Etc.)	12,940.00	12,940.00	1,800.00	1,800.00	18,000.00	18,000.00	1,011.00	1,011.00	5,700.00	5,700.00
A-148	1	EA	For Relocating / Reconstructing Existing Brick Mailboxes, Including Maintaining Mail Access Throughout Construction	2,520.00	2,520.00	1,200.00	1,200.00	600.00	600.00	809.00	809.00	450.00	450.00
A-149	7	EA	For Relocating / Reconstructing Existing Metal / Wood Mailboxes, Including Maintaining Mail Access Throughout Construction	200.00	1,400.00	600.00	4,200.00	150.00	1,050.00	152.00	1,064.00	190.00	1,330.00
A-150	200	SY	Construction of Concrete Driveways (Nos. 2, 8, & 9) As Shown on Sheets R18-R19 of the Plans & Per City of Temple Concrete Drive Approach Detail	48.20	9,640.00	36.00	7,200.00	45.00	9,000.00	35.40	7,080.00	48.00	9,600.00
A-151	1	EA	For Removing Existing Curb Inlet top & Sealing Off Top of Inlet Box	2,875.00	2,875.00	1,800.00	1,800.00	600.00	600.00	505.00	505.00	290.00	290.00
A-152	200	LF	For Grading ROW to Drain to & from 3-5'x3' RCBs as Shown on Sheets S10-S11 of the Plans	10.00	2,000.00	10.00	2,000.00	2.00	400.00	5.60	1,120.00	6.00	1,200.00
A-153	100%	LS	For Removing Thermosplastic Gore Striping & Restoring Pavement Surface Using Microsurfacing Technique, as Shown on Sheet G22 of the Plans	7,850.00	7,850.00	4,200.00	4,200.00	3,500.00	3,500.00	6,670.00	6,670.00	10,300.00	10,300.00
A-154	1	EA	Connect 12" PVC Waterline to Existing 24" RCCP Waterline	10,266.00	10,266.00	6,800.00	6,800.00	6,000.00	6,000.00	6,720.00	6,720.00	5,500.00	5,500.00
A-155	100%	LS	Furnish & Install Flush Assembly	10,825.00	10,825.00	4,600.00	4,600.00	2,000.00	2,000.00	4,470.00	4,470.00	6,800.00	6,800.00
A-156	100%	LS	Furnish & Install Sampling Stations for Microbiological Testing in Accordance with AWWA C-651	7,550.00	7,550.00	4,200.00	4,200.00	1,200.00	1,200.00	3,908.00	3,908.00	1,900.00	1,900.00
TOTAL BID AMOUNT PART A (ITEMS A-1 - A-156)				***	\$ 5,544,188.14		\$ 5,901,662.30		\$ 5,875,025.95		\$ 6,373,460.30		\$ 6,256,908.25

\* Unit price has been corrected.  
\*\* Extended amount has been corrected.  
\*\*\* Total amount has been corrected.



BID TABULATION  
TEMPLE REINVESTMENT ZONE

OUTER LOOP PHASE II

March 24, 2008; 11:00 AM  
3210 E Ave H, Bldg C, Temple, TX 76501

2005-111-40  
Outer Loop Ph II

				BIDDER INFORMATION									
				Gary W. Purser Construction, Ltd. 2901 E Stan Schleuter Loop Killeen, Texas 76542		Dixon Paving, Inc. P.O. Box 864 Belton, Texas 76513		James Construction Group, LLC 5880 W. Hwy 190, Sute 100 Belton, Texas 76513		McLean Construction, Ltd. P.O. Box 10759 Killeen, TX 76547		TTG Utilities, LP P.O. Box 299 Gatesville, TX 76528	
Item No.	Estimated Quantity	Unit	Bid Data Description	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount
PART B													
B-1	9	AC	Provide Labor, Equipment, Tools & Supervision to Complete Preparation of ROW	\$ 500.00	\$ 4,500.00	\$ 1,800.00	\$ 16,200.00	\$ 1,000.00	\$ 9,000.00	\$ 2,015.00	\$ 18,135.00	\$ 515.00	\$ 4,635.00
B-2	2,570	LF	Furnish, Install, Maintain & Remove Silt Fence as required in the Stormwater Pollution Prevention Plan	1.75	4,497.50	1.60	4,112.00	4.00	10,280.00	1.40	3,598.00	2.00	5,140.00
B-3	6	EA	Furnish, Install, Maintain & Remove Curb Inlet Protection as required in the Stormwater Pollution Prevention Plan	50.00	300.00	50.00	300.00	200.00	1,200.00	56.00	336.00	115.00	690.00
B-4	4	EA	Furnish, Install, Maintain & Remove Backside Curb Inlet Protection for Double Sided Inlets as required in the Stormwater Pollution Prevention Plan	50.00	200.00	75.00	300.00	200.00	800.00	118.00	472.00	125.00	500.00
B-5	7,300	LF	Implement & Follow Trench Safety Plan (Pipe)	0.50	3,650.00	0.40	2,920.00	1.00	7,300.00	0.40	2,920.00	1.50	10,950.00
B-6	11,600	SF	Implement & Follow Trench Safety Plan (Manholes & Structures)	0.60	6,960.00	0.40	4,640.00	0.10	1,160.00	0.40	4,640.00	0.75	8,700.00
B-7	340	LF	Furnish & Install 6-inch Diameter Water Line with Class 1 Embedment, including Thrust Restraint	12.85	4,369.00	27.00	9,180.00	20.00	6,800.00	26.60	9,044.00	14.00	4,760.00
B-8	2,340	LF	Furnish & Install 8-inch Diameter Water Line with Class 1 Embedment, including Thrust Restraint	14.25	33,345.00	18.50	43,290.00	23.00	53,820.00	17.90	41,886.00	16.00	37,440.00
B-9	204	LF	Furnish & Install 12-Inch Steel Encasement Pipe by Open Cut	48.00	9,792.00	46.00	9,384.00	38.00	7,752.00	45.40	9,261.60	79.00	16,116.00
B-10	4	EA	Furnish & Install 6" Gate Valve	650.00	2,600.00	800.00	3,200.00	630.00	2,520.00	687.00	2,748.00	650.00	2,600.00
B-11	6	EA	Furnish & Install 6" Plug	100.00	600.00	200.00	1,200.00	80.00	480.00	143.00	858.00	240.00	1,440.00
B-12	2	EA	Furnish & Install 6" Tee	350.00	700.00	400.00	800.00	210.00	420.00	307.00	614.00	380.00	760.00
B-13	4	EA	Furnish & Install 8"x6" Tee	385.00	1,540.00	400.00	1,600.00	260.00	1,040.00	366.00	1,464.00	440.00	1,760.00
B-14	5	EA	Furnish & Install Standard Fire Hydrant Installation	2,830.00	14,150.00	3,000.00	15,000.00	3,300.00	16,500.00	2,810.00	14,050.00	3,600.00	18,000.00
B-15	100%	LS	For Furnishing All Materials, Equipment, Tools & Labor Necessary for Pressure Testing Water Pipe, Including Any Necessary Repairs	3,200.00	3,200.00	1,600.00	1,600.00	1,400.00	1,400.00	1,448.00	1,448.00	3,300.00	3,300.00
B-16	3,578	LF	Provide & Install 8-Inch SDR 26 Wastewater Pipe	18.50	66,193.00	28.50	101,973.00	25.00	89,450.00	28.00	100,184.00	19.00	67,982.00
B-17	15	EA	Provide & Install 4-foot Diameter Standard Eccentric Wastewater Manhole Including Air Testing for Each, & Necessary Repairs	2,450.00	36,750.00	2,600.00	39,000.00	2,800.00	42,000.00	2,506.00	37,590.00	3,100.00	46,500.00
B-18	2	EA	Provide & Install 4-foot Diameter Eccentric Wastewater Manhole With Drop Connection Including Air Testing for Each, & Necessary Repairs	4,650.00	9,300.00	3,200.00	6,400.00	4,200.00	8,400.00	3,129.00	6,258.00	3,400.00	6,800.00
B-19	37	LF	Furnish & Install Concrete Backfill	45.00	1,665.00	45.00	1,665.00	45.00	1,665.00	44.00	1,628.00	45.00	1,665.00
B-20	275	LF	Furnish & Install 16-Inch Steel Encasement Pipe by Open Cut	64.50	17,737.50	58.00	15,950.00	52.00	14,300.00	57.00	15,675.00	80.00	22,000.00
B-21	1	EA	Furnish & Install 10"x3' Curb Inlet	3,585.00	3,585.00	2,800.00	2,800.00	4,000.00	4,000.00	3,093.00	3,093.00	2,700.00	2,700.00
B-22	2	EA	Furnish & Install 10"x3' Double Sided Curb Inlet	4,200.00	8,400.00	3,200.00	6,400.00	5,000.00	10,000.00	4,389.00	8,778.00	3,600.00	7,200.00
B-23	1	EA	Furnish & Install 10"x3.5' Double Sided Curb Inlet	4,250.00	4,250.00	3,400.00	3,400.00	5,500.00	5,500.00	5,768.00	5,768.00	3,600.00	3,600.00
B-24	1	EA	Furnish & Install 15"x3' Curb Inlet	4,775.00	4,775.00	3,800.00	3,800.00	6,000.00	6,000.00	4,570.00	4,570.00	4,400.00	4,400.00
B-25	1	EA	Furnish & Install 15"x4' Double Sided Curb Inlet	5,120.00	5,120.00	4,200.00	4,200.00	6,500.00	6,500.00	6,589.00	6,589.00	5,700.00	5,700.00
B-26	1	EA	Construction of 20'x10' Junction Box with 3-Sided Area Inlet Top with 4' Concrete Apron	11,480.00	11,480.00	11,000.00	11,000.00	15,000.00	15,000.00	19,359.00	19,359.00	13,500.00	13,500.00
B-27	1	EA	Construction of 8'x4' Junction Box	4,875.00	4,875.00	7,600.00	7,600.00	4,500.00	4,500.00	8,800.00	8,800.00	5,900.00	5,900.00
B-28	62	LF	Furnish & Install 18" Class IV RCP Including Bedding & Backfill	34.50	2,139.00	38.00	2,356.00	30.00	1,860.00	37.00	2,294.00	35.00	2,170.00
B-29	128	LF	Furnish & Install 24" Class III RCP Including Bedding & Backfill	41.00	5,248.00	52.00	6,656.00	40.00	5,120.00	50.00	6,400.00	45.00	5,760.00
B-30	89	LF	Furnish & Install 30" Class III RCP Including Bedding & Backfill	51.50	4,583.50	64.00	5,696.00	55.00	4,895.00	62.00	5,518.00	59.00	5,251.00
B-31	253	LF	Furnish & Install 3'x2' RCB Including Bedding & Backfill	140.00	35,420.00	110.00	27,830.00	85.00	21,505.00	116.00	29,348.00	120.00	30,360.00
B-32	70	LF	Furnish & Install 4'x2' RCB Including Bedding & Backfill	180.00	12,600.00	136.00	9,520.00	120.00	8,400.00	139.00	9,730.00	180.00	12,600.00
B-33	432	LF	Furnish & Install 3-4'x2' RCBs Including Bedding & Backfill	445.00	192,240.00	164.00	70,848.00	400.00	172,800.00	413.00	178,416.00	300.00	129,600.00
B-34	1	EA	Construction of Headwalls & Wingwalls for 4'x2' RCB, Including Energy Dissipators	4,280.00	4,280.00	2,800.00	2,800.00	3,000.00	3,000.00	3,394.00	3,394.00	3,600.00	3,600.00
B-35	1	EA	Construction of Headwalls & Wingwalls for 3-4'x2' RCBs, Including Energy Dissipators	6,450.00	6,450.00	6,400.00	6,400.00	5,500.00	5,500.00	10,183.00	10,183.00	4,200.00	4,200.00
B-36	520	SY	Furnish & Install 6" Thick Concrete Riprap	40.00	20,800.00	34.00	17,680.00	60.00	31,200.00	44.50	23,140.00	45.00	23,400.00
B-37	560	SY	Furnish & Install 8" Diameter Rock Riprap	12.00	6,720.00	12.00	6,720.00	25.00	14,000.00	16.20	9,072.00	25.00	14,000.00
B-38	3,040	CY	Unclassified Channel Excavation	5.50	16,720.00	3.00	9,120.00	5.00	15,200.00	4.00	12,160.00	6.30	19,152.00
B-39	6,600	CY	Unclassified Roadway Excavation	2.90	19,140.00	2.50	16,500.00	3.00	19,800.00	3.60	23,760.00	3.70	24,420.00
B-40	7,400	CY	Place & Compact Unclassified Fill (Roadway)	2.00	14,800.00	2.50	18,500.00	3.00	22,200.00	1.00	7,400.00	3.90	28,860.00
B-41	650	CY	Place & Compact Select Fill (Roadway)	12.50	8,125.00	14.00	9,100.00	7.00	4,550.00	12.00	7,800.00	10.00	6,500.00
B-42	5,600	SY	Furnish & Place 12" Crushed Limestone Base Material	7.20	40,320.00	7.00	39,200.00	8.00	44,800.00	7.70	43,120.00	8.00	44,800.00
B-43	4,100	SY	Furnish & Place 4 1/2-Inch HMAC Type 'B' Pavement with Prime & Tack Coat	16.50	67,650.00	16.70	68,470.00	15.50	63,550.00	17.30	70,930.00	18.60	76,260.00
B-44	4,100	SY	For Furnishing & Placing 2-Inch HMAC Type 'C' Pavement with Prime & Tack Coat	7.15	29,315.00	7.30	29,930.00	7.00	28,700.00	7.50	30,750.00	8.05	33,005.00
B-45	1,290	LF	Furnish & Install 4" Width Double Yellow Solid Striping, TxDOT Type I Material	0.95	1,225.50	1.00	1,290.00	0.48	619.20	0.50	645.00	0.55	709.50
B-46	20	SY	Furnish & Install 4'-0" Wide Concrete Valley Gutter	36.00	720.00	27.00	540.00	55.00	1,100.00	31.30	626.00	68.00	1,360.00
B-47	2,400	SY	Furnish & Install Curlex Type I Erosion Control Matting	1.50	3,600.00	1.50	3,600.00	2.00	4,800.00	1.50	3,600.00	1.80	4,320.00
B-48	37,000	SY	For Hydromulching, Including 6" Topsoil, Watering, Fertilizing, & Mowing to Establish Growth	0.80	29,600.00	0.40	14,800.00	1.00	37,000.00	0.80	29,600.00	0.60	22,200.00
B-49	100%	LS	Mobilization, Bonds & Insurance, not-to-exceed 5% of the Base Bid Amount	12,500.00	12,500.00	16,000.00	16,000.00	20,000.00	20,000.00	24,247.00	24,247.00	4,900.00	4,900.00
B-50	2,600	LF	For Construction of 24-Inch Wide Concrete Curb & Gutter	8.50	22,100.00	8.10	21,060.00	11.00	28,600.00	8.20	21,320.00	10.01	26,026.00
B-51	100%	LS	Furnish & Install Flush Assembly	2,038.00	2,038.00	600.00	600.00	1,600.00	1,600.00	583.00	583.00	6,800.00	6,800.00
B-52	100%	LS	Furnish & Install Sampling Stations for Microbiological Testing in Accordance with AWWA C-651	2,210.00	2,210.00	600.00	600.00	1,200.00	1,200.00	583.00	583.00	1,900.00	1,900.00
TOTAL BID AMOUNT PART B (ITEMS B-1 - B-52)					\$ 825,078.00		\$ 723,730.00		\$ 889,786.20		\$ 884,385.60		\$ 836,891.50



BID TABULATION  
TEMPLE REINVESTMENT ZONE

OUTER LOOP PHASE II

March 24, 2008; 11:00 AM  
3210 E Ave H, Bldg C, Temple, TX 76501

2005-11-10  
Outer Loop Ph II

				BIDDER INFORMATION									
				Gary W. Purser Construction, Ltd. 2901 E Stan Schleuter Loop Killeen, Texas 76542		Dixon Paving, Inc. P.O. Box 864 Belton, Texas 76513		James Construction Group, LLC 5880 W. Hwy 190, Sute 100 Belton, Texas 76513		McLean Construction, Ltd. P.O. Box 10759 Killeen, TX 76547		TTG Utilities, LP P.O. Box 299 Gatesville, TX 76528	
Item No.	Estimated Quantity	Unit	Bid Data Description	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount
PART C													
C-1	5	EA	Furnish, Install, Maintain & Remove Curb Inlet Protection as required in the Stormwater Pollution Prevention Plan	\$ 80.00	\$ 400.00	\$ 50.00	\$ 250.00	\$ 200.00	\$ 1,000.00	\$ 134.00	\$ 670.00	\$ 110.00	\$ 550.00
C-2	3	EA	Furnish, Install, Maintain & Remove Backside Curb Inlet Protection for Double Sided Inlets as required in the Stormwater Pollution Prevention Plan	100.00	300.00	75.00	225.00	200.00	600.00	157.00	471.00	110.00	330.00
C-3	7,300	LF	Implement & Follow Trench Safety Plan (Pipe)	0.50	3,650.00	0.40	2,920.00	0.60	4,380.00	0.40	2,920.00	1.50	10,950.00
C-4	950	SF	Implement & Follow Trench Safety Plan (Manholes & Structures)	1.00	950.00	0.40	380.00	0.10	95.00	0.40	380.00	0.75	712.50
C-5	1	EA	Furnish & Install 10'x 3' Curb Inlet	3,820.00	3,820.00	2,800.00	2,800.00	4,500.00	4,500.00	3,093.00	3,093.00	2,700.00	2,700.00
C-6	2	EA	Furnish & Install 10'x 3' Double Sided Curb Inlet	3,410.00	6,820.00	3,200.00	6,400.00	4,500.00	9,000.00	4,389.00	8,778.00	5,100.00	10,200.00
C-7	1	EA	Furnish & Install 15'x 3' Curb Inlet	4,626.00	4,626.00	3,800.00	3,800.00	5,500.00	5,500.00	4,570.00	4,570.00	4,400.00	4,400.00
C-8	1	EA	Furnish & Install 15'x 4' Double Sided Curb Inlet	4,850.00	4,850.00	4,200.00	4,200.00	7,000.00	7,000.00	6,702.00	6,702.00	5,700.00	5,700.00
C-9	62	LF	Furnish & Install 18" Class IV RCP Including Bedding & Backfill	35.00	** 2,170.00	38.00	2,356.00	35.00	2,170.00	37.20	2,306.40	35.00	2,170.00
C-10	468	LF	Furnish & Install 24" Class III RCP Including Bedding & Backfill	36.00	16,848.00	50.00	23,400.00	40.00	18,720.00	49.70	23,259.60	45.00	21,060.00
C-11	266	LF	Furnish & Install 30" Class III RCP Including Bedding & Backfill	48.00	12,768.00	62.00	16,492.00	45.00	11,970.00	38.10	10,134.60	59.00	15,694.00
C-12	132	LF	Furnish & Install 3'x 2' RCB Including Bedding & Backfill	140.00	18,480.00	120.00	15,840.00	85.00	11,220.00	119.00	15,708.00	122.00	16,104.00
C-13	2,550	LF	For Construction of 24-Inch Wide Concrete Curb & Gutter	8.25	21,037.50	8.10	20,655.00	11.00	28,050.00	8.20	20,910.00	10.00	25,500.00
C-14	10,000	CY	For Unclassified Roadway Excavation	2.90	29,000.00	2.50	25,000.00	3.00	30,000.00	3.50	35,000.00	3.70	37,000.00
C-15	240	CY	For Placing & Compacting Unclassified Fill (Roadway)	1.50	360.00	4.00	960.00	5.00	1,200.00	1.00	240.00	3.90	936.00
C-16	5,200	SY	Furnish & Place 12" Crushed Limestone Base Material	7.20	37,440.00	7.00	36,400.00	8.00	41,600.00	7.70	40,040.00	8.00	41,600.00
C-17	3,800	SY	Furnish & Place 45/8-Inch HMAc Type 'B' Pavement with Prime & Tack Coat	16.50	62,700.00	16.75	63,650.00	15.50	58,900.00	17.30	65,740.00	18.60	70,680.00
C-18	3,800	SY	Furnish & Place 2-Inch HMAc Type 'C' Pavement with Prime & Tack Coat	7.15	27,170.00	7.30	27,740.00	7.00	26,600.00	7.50	28,500.00	8.05	30,590.00
C-19	1,300	LF	Furnish & Install 4" Width Double Yellow Solid Striping, TxDOT Type I Material	0.95	1,235.00	1.00	1,300.00	0.48	624.00	0.50	650.00	0.55	715.00
C-20	100%	LS	Mobilization, Bonds & Insurance, not-to-exceed 5% of the Base Bid Amount	11,033.00	11,033.00	8,000.00	8,000.00	5,000.00	5,000.00	12,532.00	12,532.00	4,200.00	4,200.00
C-21	2,570	LF	Construction of 24-Inch Wide Concrete Curb & Gutter	8.25	21,202.50	8.10	20,817.00	11.00	28,270.00	0.01	25.70	10.01	25,725.70
TOTAL BID AMOUNT PART C (ITEMS C-1 - C-21)				***	\$ 286,860.00		\$ 283,585.00		\$ 296,399.00		\$ 282,630.30		\$ 327,517.20

PART D													
D-1	11,400	LF	Construction of 8' Wide Sidewalk	\$ 28.00	\$ 319,200.00	\$ 27.00	\$ 307,800.00	\$ 22.00	\$ 250,800.00	\$ 18.90	\$ 215,460.00	\$ 30.00	\$ 342,000.00
D-2	16	EA	Construction of Handicap Ramps	1,280.00	20,480.00	650.00	10,400.00	1,200.00	19,200.00	1,213.00	19,408.00	620.00	9,920.00
D-3	100%	LS	Mobilization, Bonds & Insurance not-to-exceed 5% of the Base Bid Amount	11,425.00	11,425.00	8,000.00	8,000.00	5,000.00	5,000.00	12,166.00	12,166.00	1,250.00	1,250.00
TOTAL BID AMOUNT PART D (ITEMS D-1 - D-3)					\$ 351,105.00		\$ 326,200.00		\$ 275,000.00		\$ 247,034.00		\$ 353,170.00

PART E													
E-1	100%	LS	Furnish Irrigation Plan Designed by a Licensed Irrigator & Installing the Items in the Irrigation Plan	\$ 91,878.00	\$ 91,878.00	\$ 82,000.00	\$ 82,000.00	\$ 100,000.00	\$ 100,000.00	\$ 79,623.00	\$ 79,623.00	\$ 109,235.00	\$ 109,235.00
E-2	100%	LS	Mobilization, Bonds & Insurance not-to-exceed 5% of the Base Bid	4,150.00	4,150.00	2,400.00	2,400.00	1,500.00	1,500.00	4,128.00	4,128.00	750.00	750.00
TOTAL BID AMOUNT PART E (ITEMS E-1 - E-2)					\$ 96,028.00		\$ 84,400.00		\$ 101,500.00		\$ 83,751.00		\$ 109,985.00

PART F													
F-1	46	EA	Furnish & Plant Live Oak Trees, Including Watering & Fertilizing to Sustain Growth	\$ 415.00	\$ 19,090.00	\$ 400.00	\$ 18,400.00	\$ 325.00	\$ 14,950.00	\$ 361.00	\$ 16,606.00	\$ 370.00	\$ 17,020.00
F-2	48	EA	Furnish & Plant Red Oak Trees, Including Water & Fertilizing to Sustain Growth	415.00	19,920.00	400.00	19,200.00	325.00	15,600.00	361.00	17,328.00	370.00	17,760.00
F-3	100%	LS	Mobilization, Bonds & Insurance no-to-exceed 5% of the Base Bid	985.00	985.00	1,600.00	1,600.00	1,000.00	1,000.00	1,689.00	1,689.00	500.00	500.00
TOTAL BID AMOUNT PART F (ITEMS F-1 - F-3)					\$ 39,995.00		\$ 39,200.00		\$ 31,550.00		\$ 35,623.00		\$ 35,280.00

PART G													
G-1	100%	LS	Construction of Concrete Foundation for Architectural Wall	\$* 9,525.00	\$ 9,525.00	\$ 12,000.00	\$ 12,000.00	\$ 20,000.00	\$ 20,000.00	\$ 7,315.00	\$ 7,315.00	\$ 14,290.00	\$ 14,290.00
G-2	100%	LS	Construction of Architectural Wall	28,125.00	28,125.00	22,000.00	22,000.00	25,000.00	25,000.00	28,329.00	28,329.00	20,750.00	20,750.00
G-3	100%	LS	Furnish & Install Electrical Service and Lighting	9,342.00	9,342.00	8,000.00	8,000.00	8,700.00	8,700.00	8,737.00	8,737.00	8,500.00	8,500.00
G-4	100%	LS	Furnish & Install All Landscaping As Shown on Sheet EF4 of the Plans	9,444.00	9,444.00	9,600.00	9,600.00	7,100.00	7,100.00	7,914.00	7,914.00	8,100.00	8,100.00
G-5	100%	LS	Furnish Irrigation Plan Designed by Licensed Irrigator & Installing the Items in the Irrigation Plan	5,999.50	5,999.50	7,600.00	7,600.00	2,100.00	2,100.00	8,270.00	8,270.00	2,400.00	2,400.00
G-6	100%	LS	Furnish & Install All Signs & Logos Associated With Project	14,850.00	14,850.00	8,000.00	8,000.00	2,000.00	2,000.00	8,918.00	8,918.00	2,100.00	2,100.00
G-7	100%	LS	Site Preparation, Including But Not Limited to Removal of Existing Vegetation from Project Site, Grading Necessary to Meet the Requirements of Grading Plan, etc.	3,500.00	3,500.00	2,800.00	2,800.00	3,500.00	3,500.00	1,829.00	1,829.00	2,000.00	2,000.00
G-8	1,200	SY	Furnish & Install Common Bermuda Sod, Including 6" Topsoil, Watering, Fertilizing & Mowing to Sustain Growth	7.25	8,700.00	4.00	4,800.00	2.85	3,420.00	4.50	5,400.00	5.40	6,480.00
G-9	560	SY	Hydromulching, Including 6" Topsoil, Watering, Fertilizing & Mowing to Sustain Growth	2.00	1,120.00	* 2.40	1,344.00	4.00	2,240.00	1.00	560.00	1.00	560.00
G-10	200	LF	Furnish & Install Steel Landscape Edging	2.50	500.00	4.00	800.00	2.00	400.00	2.20	440.00	2.30	460.00
G-11	100%	LS	Mobilization, Bonds & Insurance, not-to-exceed 5% of the Base Bid Amount	5,000.00	5,000.00	2,400.00	2,400.00	1,000.00	1,000.00	3,969.00	3,969.00	900.00	900.00
TOTAL BID AMOUNT PART G (ITEMS G-1 - G-11)				***	\$ 96,105.50	***	\$ 79,344.00		\$ 75,460.00		\$ 81,681.00		\$ 66,540.00

- \* Unit price has been corrected.
- \*\* Extended amount has been corrected.
- \*\*\* Total amount has been corrected.



BID TABULATION  
TEMPLE REINVESTMENT ZONE

2008-11-10  
Outer Loop Ph II

OUTER LOOP PHASE II

March 24, 2008; 11:00 AM  
3210 E Ave H, Bldg C, Temple, TX 76501


				BIDDER INFORMATION									
				Gary W. Purser Construction, Ltd. 2901 E Stan Schleuter Loop Killeen, Texas 76542		Dixon Paving, Inc. P.O. Box 864 Belton, Texas 76513		James Construction Group, LLC 5880 W. Hwy 190, Sute 100 Belton, Texas 76513		McLean Construction, Ltd. P.O. Box 10759 Killeen, TX 76547		TTG Utilities, LP P.O. Box 299 Gatesville, TX 76528	
Item No.	Estimated Quantity	Unit	Bid Data Description	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount
PART H													
H-1	100%	LS	Furnish & Install Traffic Signal as Shown on Sheets TS-1 - TS-29 of the Plans	\$ 126,335.70	\$ 126,335.70	\$ 136,000.00	\$ 136,000.00	\$ 136,000.00	\$ 136,000.00	\$ 127,330.00	\$ 127,330.00	\$ 143,000.00	\$ 143,000.00
H-2	100%	LS	Mobilization, Bonds & Insurance not-to-exceed 5% of the Base Bid	5,989.00	5,989.00	4,200.00	4,200.00	4,500.00	4,500.00	13,360.00	13,360.00	12,100.00	12,100.00
TOTAL BID AMOUNT PART H (ITEMS H-1 - H-2)					\$ 132,324.70		\$ 140,200.00		\$ 140,500.00		\$ 140,690.00		\$ 155,100.00

BID SUMMARY

BIDDER INFORMATION					
PART A (ITEMS A-1 - A-156)	\$ 5,544,188.14	\$ 5,901,662.30	\$ 5,875,025.95	\$ 6,373,460.30	\$ 6,256,908.25
PART B (ITEMS B-1 - B-52)	\$ 825,078.00	\$ 723,730.00	\$ 889,786.20	\$ 884,385.60	\$ 836,891.50
PART C (ITEMS C-1 - C-21)	\$ 286,860.00	\$ 283,585.00	\$ 296,399.00	\$ 282,630.30	\$ 327,517.20
PART D (ITEMS D-1 - D-3)	\$ 351,105.00	\$ 326,200.00	\$ 275,000.00	\$ 247,034.00	\$ 353,170.00
PART E (ITEMS E-1 - E-2)	\$ 96,028.00	\$ 84,400.00	\$ 101,500.00	\$ 83,751.00	\$ 109,985.00
PART F (ITEMS F-1 - F-3)	\$ 39,995.00	\$ 39,200.00	\$ 31,550.00	\$ 35,623.00	\$ 35,280.00
PART G (ITEMS G-1 - G-11)	\$ 96,105.50	\$ 79,344.00	\$ 75,460.00	\$ 81,681.00	\$ 66,540.00
PART H (ITEMS H-1 - H-2)	\$ 132,324.70	\$ 140,200.00	\$ 140,500.00	\$ 140,690.00	\$ 155,100.00
TOTAL BID AMOUNT (PART A + PART B + PART C + PART D + PART E + PART F + PART G + PART H)	\$ 7,371,684.34	\$ 7,578,321.30	\$ 7,685,221.15	\$ 8,129,255.20	\$ 8,141,391.95

Did Bidder Acknowledge Addenda No. 1?	YES	YES	YES	YES	YES
Did Bidder Acknowledge Addenda No. 2?	YES	YES	YES	YES	YES
Did Bidder provide Bid Security?	YES	YES	YES	YES	YES

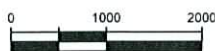
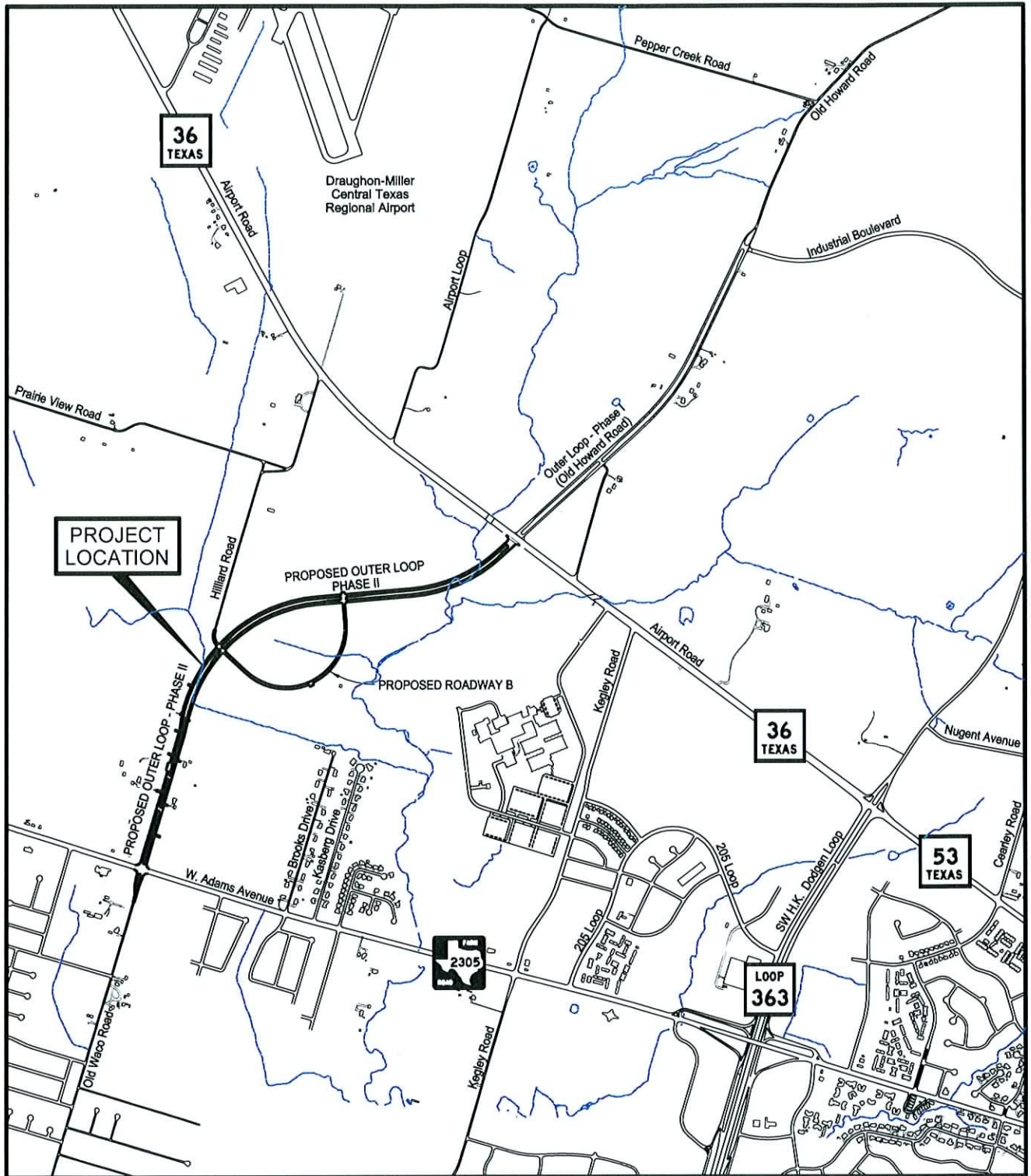
I hereby certify that this is a correct and true tabulation of all bids received

  
John A. Simcik, PE, CFM  
Kasberg, Patrick & Associates, LP

3/24/08  
Date



\* Unit price has been corrected.  
\*\* Extended amount has been corrected.  
\*\*\* Total amount has been corrected.



SCALE IN FEET



OUTER LOOP  
PHASE II  
LOCATION MAP



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





# 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.

March 25, 2008

Mr. Michael Newman, P.E., C.F.M.

City of Temple

3210 East Avenue H, Building A

Temple, Texas 76501

Re: City of Temple Reinvestment Zone #1  
Outer Loop Phase II

Dear Mr. Newman:

On March 24, 2008, the City of Temple received competitive bids from five contractors for the Outer Loop Phase II Improvements. A Bid Tabulation is provided for your reference.

The bids received were for Part A – Outer Loop Phase II; Part B – Half of Roadway B plus all Roadway B water and wastewater; Part C – Half of Roadway B; Part D – Sidewalk; Part E – Irrigation installation in median of Outer Loop; Part F – Tree installation in median of Outer Loop; Part G – Entrance Feature; Part H – Traffic Signal Installation. The attached Bid Tabulation shows Gary W. Purser Construction, Ltd. as the low bidder with a total bid of \$7,371,684.34. Our final opinion of probable construction cost for this project was \$7,750,000.00.

	<b>Bid Amount</b>
<b>Part A – Outer Loop Phase II</b>	<b>\$ 5,544,188.14</b>
<b>Part B – ½ Roadway B + Util.</b>	<b>\$ 825,078.00</b>
<b>Part C – ½ Roadway B</b>	<b>\$ 286,860.00</b>
<b>Part D – Sidewalk</b>	<b>\$ 351,105.00</b>
<b>Part E – Irrigation</b>	<b>\$ 96,028.00</b>
<b>Part F – Trees</b>	<b>\$ 39,995.00</b>
<b>Part G – Entrance Feature</b>	<b>\$ 96,105.50</b>
<b>Part H – Traffic Signal</b>	<b>\$ 132,324.70</b>

Mr. Michael Newman, P.E., C.F.M.

March 25, 2008

Page Two

We recommend that the project contract be awarded to Gary W. Purser Construction, Ltd. for all parts (Parts A-H) in the amount of \$7,371,684.34. We have contacted several references and, based on the information gathered from the references, we believe Gary W. Purser Construction, Ltd. is qualified for this project.

Please call if you should have any further questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "John A. Simcik". The signature is fluid and cursive, with the first name "John" and last name "Simcik" clearly distinguishable.

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

JAS/jas

xc: 2005-111-30

FY **2008****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
795-9700-531-67-73	100150	Outer Loop Phase II	\$ 600,000	
795-9700-531-68-27	100259	Bioscience Park		600,000
<b>TOTAL.....</b>			<b>\$ 600,000</b>	<b>\$ 600,000</b>

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

Funding in the amount of \$600,000 is available from the construction budget of the Bioscience Park to fund the additional amount needed for the Outer Loop Phase 2 project. \$1,800,000 was funded in the 2008 Combo Tax & Revenue bonds issued in March 2008 for the Zone. The construction bid for the Bioscience Park is \$1,111,938. Reallocating \$600,000 to fund the Outer Loop Phase 2 leaves \$1,200,000 available for the Bioscience Park construction. The Bioscience Park and the Outer Loop Phase 2 project are all part of the Western Bio-Science & Medical Zone in the Zone's Financing Plan.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒

Yes

☐

No

DATE OF COUNCIL MEETING

4/3/2008

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 THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH GARY W. PURSER CONSTRUCTION, LTD., OF KILLEEN, TEXAS, FOR OUTER LOOP 2 (SH36 TO FM2305) AND THE BIOSCIENCE PARK, IN THE AMOUNT OF \$7,371,684.34; DECLARING OFFICIAL INTENT TO REIMBURSE CERTAIN EXPENDITURES MADE PRIOR TO THE ISSUANCE OF TAX-EXEMPT OBLIGATIONS FOR THE TRAFFIC SIGNAL AT WEST ADAMS/FM 2305 IN THE AMOUNT OF \$132,325; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on March 24, 2008, the City received 5 bids for the Outer Loop Phase II improvements;

**Whereas**, the Staff recommends accepting the bid (\$7,371,684.34) received from Gary W. Purser Construction, Ltd., of Killeen, Texas, for this project;

**Whereas**, funds are available for the Outer Loop Phase 2 and Bioscience Park construction in the Reinvestment Zone No. 1 Financing Plan in Account Nos. 795-9500-531-6773, 795-9600-531-6773, and 795-9700-531-6773 – funding is available in the proposed 2008 Certificates of Obligation bond issue, Account No. 361-2800-532-6810, Project # 100150 for the construction of the traffic signal at West Adams/FM 2305;

**Whereas**, the City of Temple anticipates the issuance of one or more series of obligations, the interest on which will be excludable from gross income under Section 103 of the Internal Revenue Code of 1986, as amended, in order to finance all or a portion of this project;

**Whereas**, certain expenditures relating to the Project will be paid prior to the issuance of the Obligations;

**Whereas**, the City hereby certifies that such expenditures have not been made prior to the date of passage of this Resolution;

**Whereas**, upon issuance of the Obligations, the City desires to reimburse these prior expenditures with proceeds of the Obligations;

**Whereas**, Section 1.150-2 of the Treasury Regulations provides that an expenditure on the Project may not be reimbursed from Obligation proceeds unless, along with other

requirements, the City declares official intent to reimburse the expenditure prior to the date that the expenditure to be reimbursed was paid; 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 \$7,371,684.34, between the City of Temple, Texas, and Gary W. Purser Construction, Ltd., of Killeen, Texas, after approval as to form by the City Attorney, for the Outer Loop Phase 2 (SH36 to FM2305) and the Bioscience Park.

**Part 2:** The City Council approves an amendment to the FY2007-2008 budget, substantially in the form of the copy attached as Exhibit A, for this purpose.

**Part 3:** The findings, determinations and certifications contained in the preamble hereof are incorporated herein for all purposes.

**Part 4:** This Resolution is a declaration of official intent under Section 1.150.2 of the Treasury Regulations by the City that it reasonably expects to reimburse the expenditures described in Part 5 with proceeds of debt to be incurred by the City, such debt to be issued on or before eighteen (18) months after the date of (i) the date the first expenditure is paid; or (ii) the date on which the property is placed in service, but in no event three years after the first expenditure is paid.

**Part 5:** The following is a general functional description of the Project for which the expenditures to be reimbursed are paid and a statement of the maximum principal amount of debt expected to be issued for the purpose of paying the costs of the Project.

**Project Description**

**Debt To Be Issued**

Traffic signal at West Adams/  
FM 2305

\$132,325

**Part 6:** The expenditures described in Part 5 is a capital expenditure under general Federal income tax principles or a cost of issuance.

**Part 7:** Except for the proceeds of the Obligations, no funds are, or are reasonably expected to be reserved, allocated on a long-term basis, or otherwise set aside by the City or by any member of the same controlled group to pay for the expenditures described in Part 5.

**Part 8:** 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 on this the **3<sup>rd</sup>** day of **April**, 2008.

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

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04/03/08  
Item #7(B)  
Regular Agenda  
Page 1 of 2

### **DEPT./DIVISION SUBMISSION & REVIEW:**

Bruce A. Butscher, P.E., Director of Public Works  
Michael C. Newman, P.E., CFM, Public Works Assistant Director, City Engineer

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a contract amendment to the professional services agreement with Kasberg, Patrick & Associates, L.P. (KPA) of Temple for construction on-site representation required for Outer Loop Phase 2 (SH36 to FM2305) in the amount of \$120,000.

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

**ITEM SUMMARY:** The proposed Outer Loop Phase 2 generally follows Hilliard Road from SH 36 (Airport Road) to FM 2305 (West Adams Road). This roadway improvement project comprises approximately 8,000 linear feet and provides improved traffic mobility in West Temple growth areas. The alignment is consistent with City of Temple Thoroughfare Plan and the roadway is identified as a major arterial.

Outer Loop Phase 1 (Old Howard Road from Industrial Boulevard to SH 36) is complete. Outer Loop Phase 2 (SH 36 to FM2305) construction is expected to be completed in Spring 2009.

On March 30, 2005, City Council authorized professional services contract agreement with KPA in the amount of \$510,500. This professional services contract included rights-of-way and easement, site investigation, design, bid, construction administration and construction staking phases. Since that time, it has been Public Work's practice to also include construction on-site representation services with the engineering design firm in order to improve communication between designer and contractor during construction. Amending the existing contract to include construction on-site representation has been postponed until the project was closer to actual construction.

Per attachments, KPA's contract amendment includes the following:

On-Site Representation

\$ 120,000

**FISCAL IMPACT:** Funding in the amount of \$120,000 is available in the Reinvestment Zone No. 1 (RZ1) financing plan for on-site representation during construction of the Outer Loop Phase 2 in account 795-9600-531-6773, project # 100150.

**ATTACHMENTS:**

[KPA Proposals](#)  
[Map](#)  
[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.  
THOMAS D. VALLE, P.E.

September 5, 2006

Mr. Bruce Butscher, P.E.  
Director of Public Works  
3210 E. Avenue H  
Building A  
Temple, Texas 76501

Re: City of Temple  
Outer Loop Phase II  
On-Site Representation Services

Dear Mr. Butscher:

This letter is in response to your request for us to provide daily on-site representation during the construction of the Outer Loop from FM 2305 to Hwy 36.

As we discussed the time required for daily on-site representation on this project will vary from as much as a full work day to as little as an hour or two depending on the nature of construction activities occurring on a particular day (ie: mobilization, site preparation, subgrade preparation, placement of base material and asphalt, grass planting or clean up).

Based on the construction schedule of fifteen (15) months we estimate that an average of six (6) hours a day for on-site representation will be required. In order for us to provide the services required our not to exceed lump sum amount of \$120,000 will be applicable.

We appreciate the opportunity to propose for this work.

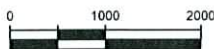
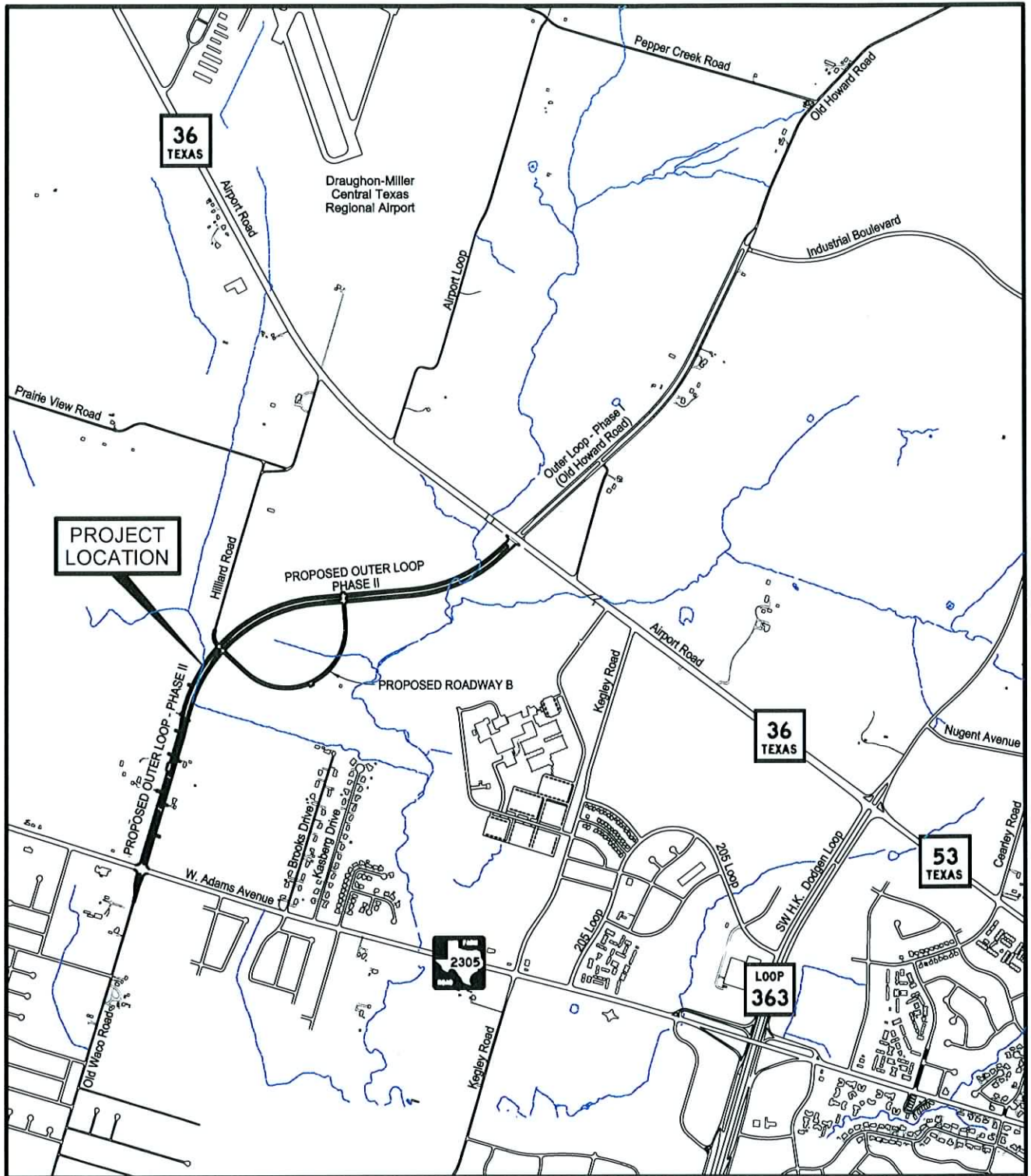
Sincerely,

A handwritten signature in dark ink, appearing to read 'Rick N. Kasberg', written over the printed name.

Rick N. Kasberg, P.E.

RNK/crc





SCALE IN FEET



OUTER LOOP  
PHASE II  
LOCATION MAP



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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING AN AMENDMENT TO THE CONTRACT AGREEMENT FOR PROFESSIONAL SERVICES WITH KASBERG, PATRICK & ASSOCIATES, LP, FOR THE OUTER LOOP PHASE 2 (SH36 TO FM2305) TO ADD CONSTRUCTION ADMINISTRATION REPRESENTATION, FOR AN AMOUNT NOT TO EXCEED \$120,000; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on March 30, 2005, the City Council authorized a Contract Agreement for Professional Services with Kasberg, Patrick & Associates, LP, for engineering services for the Outer Loop Phase 2;

**Whereas**, the Staff recommends amending the agreement to add construction on-site representation in the amount of \$120,000;

**Whereas**, funds are available for this project in the Reinvestment Zone No. 1 financing plan in Account No. 795-9600-531-6773, Project 100150; 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 amendment to the Contract Agreement for Professional Services between the City of Temple and Kasberg, Patrick & Associates, LP, after approval as to form by the City Attorney, to add on-site representation required for the Outer Loop Phase 2 (SH36 to FM2305) in an amount not to exceed \$120,000.

**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 3<sup>rd</sup> day of **April**, 2008.

THE CITY OF TEMPLE, TEXAS

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WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

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Clydette Entzminger  
City Secretary

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Jonathan Graham  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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04/03/08  
Item #8  
Regular Agenda  
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### **DEPT./DIVISION SUBMISSION & REVIEW:**

David Blackburn, City Manager  
Jonathan Graham, City Attorney

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing the purchase of a 42.759 acre tract in West Temple and declare an official intent to reimburse this expenditure made prior to the issuance of tax-exempt obligations for this purchase.

*Executive Session* – The City Council will enter into executive session pursuant to Section 551.072 of the Texas Government Code to discuss the purchase, exchange, lease or sale of real property the public discussion of which may have a detrimental impact on negotiations.

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

**ITEM SUMMARY:** We will discuss in executive session a proposal for the City to acquire a 42.759 acre tract in west Temple, and ask the City Council to consider adopting a resolution authorizing the purchase of the tract. The site is located on a major arterial street and is suitable both for expansion of an existing economic development project by the City, a future community recreational park, or some element of both. We will provide detailed information in our executive session briefing, because the public discussion of the location of the property and the terms of the proposed transaction would have a detrimental impact on discussions.

**FISCAL IMPACT:** Fiscal impact to be discussed during executive session.

### **ATTACHMENTS:**

None



## COUNCIL AGENDA ITEM MEMORANDUM

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04/03/08  
Item #9  
Regular Agenda  
Page 1 of 1

**DEPT./DIVISION SUBMISSION & REVIEW:**

William A. Jones, III, Mayor

**ITEM DESCRIPTION:** Consider adopting a resolution appointing one member to the Building Board of Appeals.

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

**ITEM SUMMARY:** The term of Kevin Deavers, on the Building Board of Appeals, expired March 1, 2008.

Please see the attached board summary form, which lists current board members, purpose, membership requirements, term and meeting time/place for this board.

Mr. Deavers is eligible for reappointment to this board and has indicated his desire to serve another term.

**FISCAL IMPACT:** None

**ATTACHMENTS:**

[Board Summary Form](#)

# BUILDING BOARD OF APPEALS

TERM EXPIRATION: MARCH - 4 YEAR TERMS

APPOINTED BY: MAYOR/COUNCIL

MEMBER	DATE APPOINTED	EXPIRATION YEAR	ADDRESS	PHONE NUMBER
Ralph Hernandez (master plumber)	02/05	2009	210 N. 21 <sup>st</sup> Street Temple, TX 76504	778-1413 W 534-5135 C
Ben Mauldin (master plumber) <a href="mailto:benmauldin@aol.com">benmauldin@aol.com</a>	06/06	2009	402 E. Loop 121 Belton, TX 76513	721-8330 C 939-5886 F
Jack Cox (general contractor)	03/06	2010	15328 N. FM 487 Thorndale, TX 76577	512-446-3588 H
Bill Smetana (at large)	04/02	2010	P.O. Box 794 Temple, Texas 76503	939-1891 W 217-3240 M
Justin Scott (general contractor) <a href="mailto:justin@trinityhomes.biz">justin@trinityhomes.biz</a>	12/06	2010	Trinity Homes 511 Lake Road Belton, TX 76513	939-9595 W 913-1361 M
Michael W. Marrs (architect)	03/04	2012	2027 South 61 <sup>st</sup> St., #100 Temple, TX 76504	778-0877 W 791-2027 H
Kristy Andrews (engineer) <a href="mailto:Kristine.Andrews@cse-texas.com">Kristine.Andrews@cse-texas.com</a>	11/02	2012	Comprehensive Engineering 319 S. 1 <sup>st</sup> Street Temple, TX 76504	742-2050 W ext. 101 742-2055 F
Keith Deaver Temple Heat & Air (air conditioning)	03/04	2008	P O Box 1725 Temple, Texas 76503	771-1012 W
Phillip Snyder (builder/at large) <a href="mailto:psnyderconst@aol.com">psnyderconst@aol.com</a>	02/08	2012	P O Box 3067 Temple, TX 76505	773-5546 W 541-5536 C

Created September 4, 1980 by Ordinance #1295; amended 5/03/90 by Ordinance #2041, amended 8/20/98 by Ordinance #98-2569.

**Purpose:** The board shall submit recommendations to the Council for improvements and revisions to the Standard Building Code, Mechanical Code, One and Two Family Dwelling Code, Plumbing Code, Gas Code and Fire Prevention Code as it deems necessary and proper in the light of the development of new materials, methods or techniques.

**Membership:** 9 members to include the following:  
 2 architects or engineers  
 2 master plumbers  
 2 from building industry, including general contractor, engineer or other  
 1 from mechanical or air conditioning trade  
 2 at large

**Term:** 4 years

**Meeting Time/Place:** Called basis; within 10 days after notice of appeal has been filed. Meetings conducted in Council Chambers, Municipal Building.

**City Staff:** Director of Planning & Development