



**SPECIAL CALLED MEETING OF THE  
TEMPLE CITY COUNCIL**

**MUNICIPAL BUILDING**

**COUNCIL CHAMBERS – 2<sup>ND</sup> FLOOR  
2 NORTH MAIN STREET**

**FRIDAY, JANUARY 7, 2011**

**8:00 A.M.**

**AGENDA**

**I. CALL TO ORDER**

1. Invocation
2. Pledge of Allegiance

**II. PUBLIC HEARINGS**

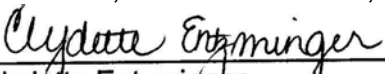
3. **PUBLIC HEARING** – Receive Municipal Service Plan and conduct a public hearing to receive comments on the possible annexation of approximately 3,394.9 acres located in the City's western extraterritorial jurisdiction including a portion of Lake Belton and surrounding property.

---

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

---

I hereby certify that a true and correct copy of this Notice of Meeting was posted in a public place at 11:05 AM, on December 30, 2010.

  
\_\_\_\_\_  
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 at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ 2011. \_\_\_\_\_



## COUNCIL AGENDA ITEM MEMORANDUM

---

01/07/11  
Item #3  
Regular Agenda  
Page 1 of 1

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

Brian Mabry, Planning Director

**ITEM DESCRIPTION:** PUBLIC HEARING – Receive Municipal Service Plan and conduct a public hearing to receive comments on the possible annexation of approximately 3,394.9 acres located in the City’s western extraterritorial jurisdiction including a portion of Lake Belton and surrounding property.

**STAFF RECOMMENDATION:** Receive staff presentation on the Municipal Service Plan, as required by State law, hold second public hearing and take no action at this time. The first reading of the ordinance authorizing the annexation is scheduled to occur at the February 2, 2011 City Council meeting

**ITEM SUMMARY:** On December 2, 2010, the City Council adopted a resolution directing City staff to create a Municipal Service Plan and public hearing schedule in anticipation of the annexation of the subject property. The property is located west of the existing City limits and contains approximately 3,394.9 acres. The property includes a portion of Lake Belton and surrounding property that the Army Corps of Engineers owns. If approved, the annexation would extend the City’s ETJ to the west so that it would become contiguous with the ETJ of the City of Killeen.

The annexation schedule calls for two public hearings on the proposed Municipal Service Plan — this being the second. The public hearing today is to receive a second set of public comments on the proposed annexation and proposed service plan from anyone that might wish to speak. There are no residents on the 3,394.9 acre property.

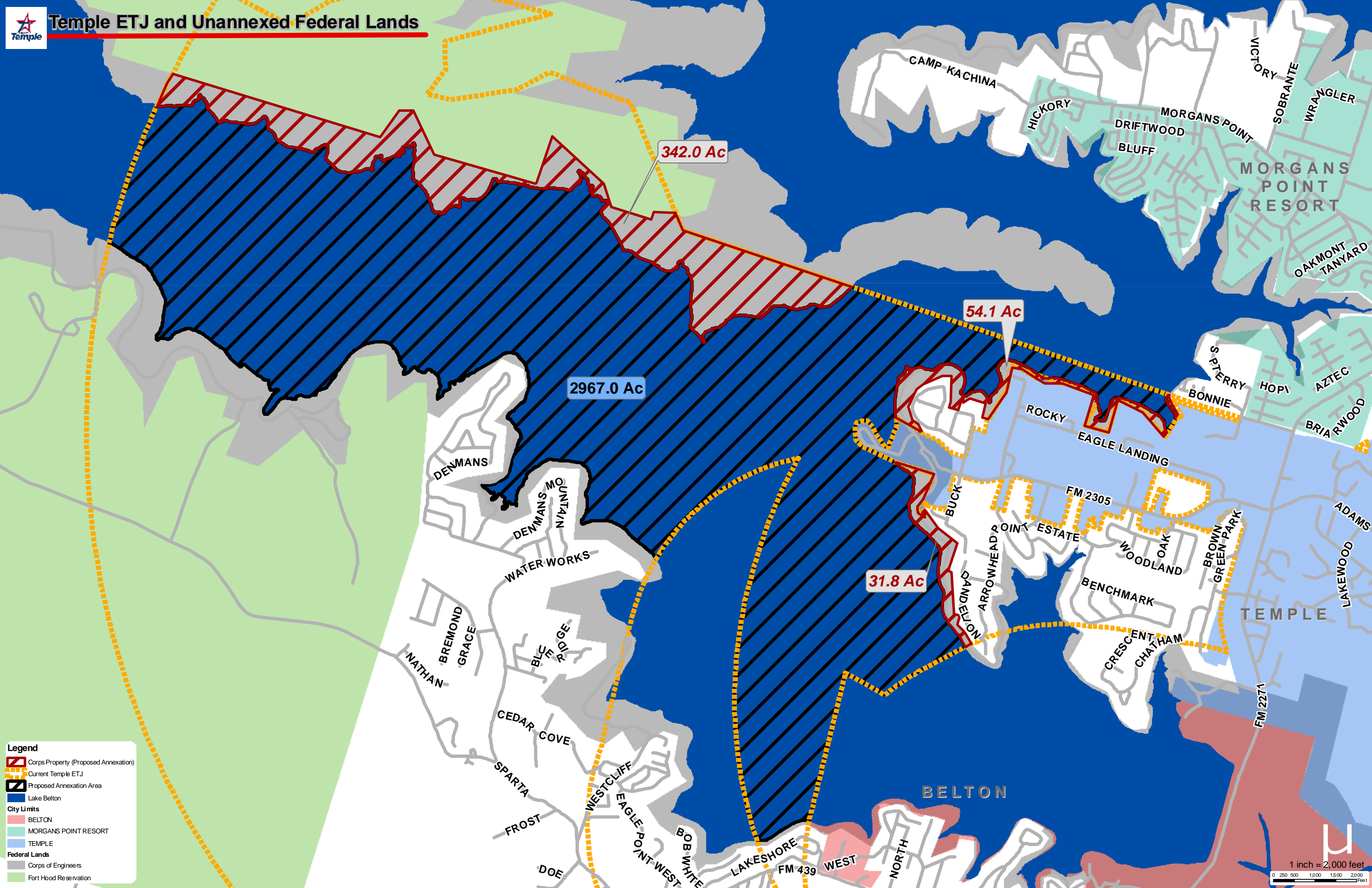
**FISCAL IMPACT:** Police and fire services to the proposed annexation area will be provided in accordance with existing service and interlocal agreements between the US Army Corps of Engineers, Texas Parks & Wildlife, Ft. Hood, Bell County, Temple Police Department, and Temple Fire and Rescue Interlocal agreements between these entities are already in place for the area and the City has no intention of replacing or modifying the existing service agreements for the provision of public safety services to the area The Municipal Service Plan does not contain any proposal to extend water or wastewater services or any other new physical facilities to serve this property.

### **ATTACHMENTS:**

[Annexation Area Map](#)  
[Municipal Service Plan](#)



# Temple ETJ and Unannexed Federal Lands



**Legend**

- Corps Property (Proposed Annexation)
- Current Temple ETJ
- Proposed Annexation Area
- Lake Belton
- City Limits**
- BELTON
- MORGANS POINT RESORT
- TEMPLE
- Federal Lands**
- Corps of Engineers
- Fort Hood Reservation

1 inch = 2,000 feet

# **CITY OF TEMPLE ANNEXATION SERVICE PLAN**

For approximately 3,394.9 acres situated in Bell County, Texas, located west of the current City limits in the City's western extraterritorial jurisdiction (ETJ) including a portion of Lake Belton and surrounding property and being depicted on Exhibit "B" of the Annexation Ordinance (2011-XXXX).

## **SERVICES TO BE PROVIDED ON THE EFFECTIVE DATE OF ANNEXATION**

### **1. POLICE PROTECTION**

The City will continue to provide police protection to the newly-annexed area in accordance with existing service and interlocal agreements between the US Army Corps of Engineers, Texas Parks & Wildlife, Ft. Hood and Bell County. The nearest Temple Police station is located at Fire Station 7 on West Adams Avenue.

### **2. FIRE PROTECTION AND EMERGENCY MEDICAL SERVICE**

The City will continue to provide fire protection from Fire Station 8 and emergency medical service to the newly-annexed area in accordance with existing service and interlocal agreements between the US Army Corps of Engineers, Texas Parks & Wildlife, Ft. Hood and Bell County.

### **3. SOLID WASTE COLLECTION**

Upon payment of any required deposits and the agreement to pay lawful service fees and charges, solid waste collection will be provided to citizens in the newly-annexed area to the extent that the City has access to the area to be serviced. Private contractors currently providing sanitation collecting services on Federally-owned land in the area may continue to do so. If land is sold to a private entity, then the City will become the solid waste collection provider.

### **4. MAINTENANCE OF WATER AND WASTEWATER FACILITIES**

Any and all water or wastewater facilities owned or maintained by the City at the time of the proposed annexation shall continue to be maintained by the City. Any and all water or wastewater facilities which may be acquired subsequent to the annexation of the proposed area shall be maintained by the City, to the extent of its ownership, to the same degree that it maintains water or wastewater facilities in other areas of the City with the same or similar topography, land use and population density. Any and all water or wastewater facilities outside the extent of the ownership of the City, and owned by other water or wastewater providers shall continue to be allowed to provide those services to the newly-annexed area.

### **5. MAINTENANCE OF ROADS, STREETS, ALLEYWAYS AND STREET LIGHTING**

The City Council is not aware of the existence of City-owned or maintained public roads, streets or alleyways in the area proposed for annexation. Any and all public roads, streets or alleyways which may be acquired subsequent to the proposed annexation of the area shall

be maintained by the City, to the extent of its ownership, to the same degree that it maintains public roads, streets or alleyways in other areas of the City with the same or similar topography, land use and population density. Any and all lighting of roads, streets and alleyways which may be positioned in a right-of-way, roadway or utility company easement shall be maintained by the applicable utility company servicing the City, pursuant to the rules, regulations and fees of such utility.

6. MAINTENANCE OF PUBLIC PARKS, PLAYGROUNDS AND SWIMMING POOLS

The City Council is not aware of the existence of City-owned or maintained public parks, playgrounds or swimming pools now located in the area proposed for annexation. Any and all public parks, playgrounds and swimming pools which may be acquired subsequent to the proposed annexation of the area shall be maintained by the City, to the extent of its ownership, to the same degree that it maintains parks, playgrounds and swimming pools in other areas of the City with the same or similar topography, land use and population density.

7. MAINTENANCE OF CITY-OWNED FACILITY, BUILDING OR MUNICIPAL SERVICE

The City Council is not aware of the existence of any City-owned or maintained facility, building or other municipal service now located in the area proposed for annexation. In the event any such City-owned or maintained facility, building or municipal service does exist and is a public facility, the City will maintain the facility, building or service to the same degree that it maintains City -owned or maintained facilities, buildings or municipal services in other areas of the City with the same or similar topography, land use and population density.

8. CONSTRUCTION SAFETY

The City will provide building inspection services upon City approval of building permits in the newly-annexed area at the same or similar level of service now being provided to other areas of the City with the same or similar topography, land use and population density.

9. CODE ENFORCEMENT

The City will provide code enforcement services to the newly-annexed area at the same or similar level of service now being provided to other areas of the City with the same or similar topography, land use and population density.

CAPITAL IMPROVEMENTS

1. POLICE PROTECTION, FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES

The City Council finds and determines it to be unnecessary to acquire or construct any capital improvements for the purposes of providing police protection, fire protection, or emergency medical services. The City Council finds and determines that it has at the present time adequate facilities to provide the same type, kind and level of protection and service which is presently being administered to other areas already incorporated in the City with the same or similar topography, land use and population density.

2. ROADS AND STREETS

The City will undertake to provide the same degree of road and street lighting as is provided in areas of similar topography, land use and population density within the present corporate limits of the City. Maintenance of properly dedicated roads and streets will be consistent with the maintenance provided by the City to other roads and streets in areas of the City with similar topography, land use and development of the annexed property. Developers will be required, pursuant to the ordinances of the City to provide internal and peripheral streets and to construct those streets in accordance with the specifications required by the City for the properly dedicated street. City participation in capital expenditures will be in accordance with City policies.

3. WATER AND WASTEWATER FACILITIES

The area is currently adequately served by a rural water supply corporation and septic tanks. Extension of water lines internally within the area proposed to be annexed will be the responsibility of developers of property or individual property owners, conforming to the City's policies.

4. CAPITAL IMPROVEMENTS

Notwithstanding any other provision of this service plan, a landowner within the newly annexed area will not be required to fund capital improvements as necessary for municipal services in a manner inconsistent with Chapter 395 of the Local Government Code, unless otherwise agreed to by the landowner.

---

**SPECIFIC FINDINGS**

The City Council finds and determines that this proposed Service Plan will not provide any fewer services, and it will not provide a lower level of service in the area proposed to be annexed than were in existence in the proposed area at the time immediately preceding the annexation process. Because of the differing characteristics of topography, land utilization and population density, the service levels which may ultimately be provided in the newly-annexed area may differ somewhat from services provided in other areas of the City. These differences are specifically dictated because of differing characteristics of the property and the City will undertake to perform consistent with this contract so as to provide the newly-annexed area with the same type, kind and quality of service presently enjoyed by the citizens of the City who reside in areas of the same or similar topography, land use and population density.

APPROVED ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011.

City of Temple, Texas

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Secretary