



**MEETING OF THE  
TEMPLE CITY COUNCIL**

**MUNICIPAL BUILDING**

**2 NORTH MAIN STREET**

**3<sup>rd</sup> FLOOR - CONFERENCE ROOM**

**THURSDAY, JUNE 2, 2011**

**3:30 P.M.**

**WORKSHOP AGENDA**

1. Discuss, as may be needed, Regular Meeting agenda items for the meeting posted for Thursday, June 2, 2011.
2. Discuss basic planning and zoning principles and issues.

5:00 P.M.

**MUNICIPAL BUILDING**

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

**TEMPLE, TX**

**REGULAR MEETING AGENDA**

**I. CALL TO ORDER**

1. Invocation
2. Pledge of Allegiance

**II. PROCLAMATIONS & SPECIAL RECOGNITIONS**

3. (A) Recognition of [Sam Weed](#), Superintendent of Fleet Services, for attaining life time membership in the American Public Works Association.
- (B) [National Scleroderma Month](#) [June 2011](#)

**III. PUBLIC HEARINGS**

4. PUBLIC HEARING – Presentation of the proposed Community Development Block Grant ([CDBG](#)) [2011-2012 Annual Action Plan and Budget](#), including the funding recommendations for public service agencies from the Community Services Advisory Board.

**IV. 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.

**V. 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.

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

## **Contracts, Leases & Bid**

- (A) [2011-6309-R](#): Consider adopting a resolution authorizing submission of an application for funding through the Texas Comptroller of Public Accounts, State Energy Conservation Office (SECO), Emerging Clean Energy Technologies for the Alternative Fuels Initiative Grant Program in the amount of \$51,050, with \$10,210 cost-shared by the City, to convert six vehicles and install a propane autogas fueling station.

## **Ordinances – Second and Final Reading**

- (B) 1. [2011-4445](#): SECOND READING – Consider adopting an ordinance designating a tract located at 3601 Eberhardt Road as City of Temple Tax Abatement Reinvestment Zone Number Twenty-One for commercial/industrial tax abatement.
2. [2011-6310-R](#): Consider adopting a resolution authorizing a tax abatement agreement with LJT Texas, LLC, for a tract of land located at 3601 Eberhardt Road.
- (C) 1. [2011-4446](#): SECOND READING – Consider adopting an ordinance designating a tract located at 3000 Pegasus Drive as City of Temple Tax Abatement Reinvestment Zone Number Twenty-Two for commercial/industrial tax abatement.
2. [2011-6311-R](#): Consider adopting a resolution authorizing a tax abatement agreement with Pactiv Corporation, for a tract of land located at 3000 Pegasus Drive.

## **Misc.**

- (D) [2011-6312-R](#): Consider adopting a resolution rescheduling public hearings to consider the petition received for the Lawson Voluntary Annexation, a 3+/- acre tract of land located on the east side of State Highway 36, north of Moffat Road, part of Outblock 10790-A, more commonly known as 10740 West State Highway 36.
- (E) [2011-6313-R](#): Consider adopting a resolution authorizing budget amendments for fiscal year 2010-2011.

## **VI. REGULAR AGENDA**

### **ORDINANCES**

6. [2011-4447](#): FIRST READING – PUBLIC HEARING - Consider adopting an ordinance approving a negotiated resolution between the Steering Committee of Cities Served by Oncor and Oncor Electric Delivery Company regarding the company's application to increase electric rates in all cities exercising original jurisdiction.

7. [2011-4448](#): FIRST READING – PUBLIC HEARING - Z-FY-11-26: Consider adopting an ordinance amending Planned Development Ordinance No. 2010-4382, to allow construction of duplexes on a 6.76 ± acre tract of land being part of the Maximo Moreno Survey, Abstract No. 14, City of Temple, Bell County Texas, located at 1000 South Knob Street.
8. [2011-4449](#): FIRST READING – PUBLIC HEARING – A-FY-10-02: Consider adopting an Ordinance abandoning the 0.433-acre unnamed county road, located along the north edge of Coughran Subdivision, between the east right-of-way of South Pea Ridge Road and the north right-of-way of West Adams Avenue, and retaining a 15-foot wide utility easement along the north line of the abandoned road.

## **RESOLUTIONS**

9. [2011-6314-R](#): P-FY-11-26: Consider adopting a resolution authorizing the Final Plat of Biggs Subdivision, a 2.32± acre, three-lot nonresidential subdivision located on the north side of Whitehall Road, west of FM 317, in Temple's northern ETJ with developer's requested exception to Section 8.2.7.E of the Unified Development Code requiring fire hydrants to comply with the City's Fire Code.
10. [2011-6315-R](#): Consider adopting a resolution establishing a schedule for the City's redistricting efforts, creating a citizen advisory committee on redistricting, and adopting criteria for the City's redistricting efforts.

## **BOARD APPOINTMENTS**

11. [2011-6316-R](#): Consider adopting a resolution appointing members to the following City boards and commissions:
  - (A) Airport Advisory Board – one member to fill an unexpired term of the Temple Economic Development representative through September 1, 2013
  - (B) Animal Services Advisory Board – one member to fill a standing Councilmember position
  - (C) Hill Country Transit District Board – one member to fill a Councilmember position
  - (D) Killeen-Temple Metropolitan Planning Organization – one member to fill a position on the KTMOPO Policy Board
  - (E) Temple Economic Development Corporation – one member to fill a standing Councilmember position and one member to fill an at-large position through September 1, 2012
  - (F) Temple Public Safety Advisory Board – one member to fill an unexpired term through September 1, 2012.

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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 3:15 PM, on May 27, 2011.



Clydette Entzminger  
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

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06/02/11

Item #4

Regular Agenda

Page 1 of 3

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

Traci Barnard, Director of Finance

**ITEM DESCRIPTION:** PUBLIC HEARING – Presentation of the proposed Community Development Block Grant (CDBG) 2011-2012 Annual Action Plan and Budget, including the funding recommendations for public service agencies from the Community Services Advisory Board.

**STAFF RECOMMENDATION:** Receive presentations as indicated in item description and conduct public hearing. No action is required.

### **ITEM SUMMARY:**

#### **2011-2012 Annual Action Plan and Budget**

For more than 30 years, the Community Development Block Grant (CDBG) program has been assisting metropolitan cities and urban counties across this country to fund their community and economic development activities. Approximately 1,000 entitlement communities participate in the program nationwide, including the City of Temple. The City is one of 77 entitlement communities located in the State of Texas. For Fiscal Year 2011-2012, HUD allocated CDBG funds to entitlement communities in Texas, as follows:

#### **FY 2011-2012 CDBG in Texas**

<b>CDBG</b>	<b>Amount</b>
State Total	\$165,341,195
Minimum	197,103
Maximum	27,341,979
Average	2,147,288
<b>Temple</b>	<b>\$466,832</b>

#### **Other Recent CDBG Grant Amounts**

2007-2008	\$524,136
2008-2009	\$503,239
2009-2010	\$515,508
2010-2011	\$559,603

The Community Development Block Grant Program provides annual grants on a formula basis to develop viable urban communities by providing decent housing, and a suitable living environment, and by expanding economic opportunities, principally for low-and moderate-income persons. The City of Temple anticipates receiving \$466,832 as this year's funding, which will be the second year of the 5-Year Consolidated Plan (2010-2015). Entitlement communities develop their own programs and funding priorities. Maximum feasible priority must be given to activities that benefit low-and moderate-income persons.

The proposed allocation of funds is as follows:

Public Services	\$65,356
Infrastructure Improvements	\$118,111
Park Improvements	\$90,000
Demolition	\$100,000
General Administration	\$93,365
<b>Total</b>	<b>\$466,832</b>

#### **Public Services - \$65,356**

The Community Services Advisory Board (CSAB) spent many hours over several meetings sifting through the 6 requests (See Attachment) totaling \$114,055 while debating the merits of each agency and the needs of the community. It is recommended the City Council allocate \$65,356 to 3 agencies as follows:

1. Bell County Human Services (Temple HELP Center) \$25,356
2. Families in Crisis, Inc. \$25,000
3. Hill County Community Action Association (Meals on Wheels) \$15,000

#### **Infrastructure Improvements - \$118,111**

The project will be located along South 1<sup>st</sup> Street within the boundaries of Ave. F on the north and Ave. M on the south. The project will include design and installation of sidewalks, not to exceed 8 feet in width, and any necessary ADA ramps, curbs and gutters. Landscaping will be installed where permissible due to absence of pavement. This project will increase safety, and provide accessibility of a suitable living environment to this low income neighborhood. This is proposed to be a multi-year project with this being the second year of funding. It is recommended that \$118,111 be allocated from 2011-2012 CDBG funds.

#### **Park Improvements - \$90,000**

The current wood floor at the Clarence Martin Gym will be replaced. It is recommended that \$90,000 be allocated from 2011-2012 CDBG funds.

**Demolition - \$100,000**

Demolition of vacant and dilapidated structures will be conducted to address blighted conditions on a spot basis in locations to be determined based on code violations. This is a continuation of a project focus from previous years. It is recommended that \$100,000 be allocated from 2011-2012 CDBG funds.

**Administration - \$93,365**

It is recommended that \$93,365 be allocated for the City's administration of the CDBG Program, including contracted services.

This presentation and public hearing for the proposed 2011-2012 Annual Action Plan and Budget will be followed by a 30-day public comment period. A final public hearing and action on the 2011-2012 Annual Action Plan will occur at the July 7, 2011 Council Meeting.

**FISCAL IMPACT:** The final allocation amount for FY 2011-2012 is still pending with HUD. The estimated allocation amount of \$466,832 in FY 2011-2012 CDBG funds are to be allocated as recommended.

**ATTACHMENTS:**

[2011-2012 Annual Action Plan](#)

[2011-2012 CSAB Public Service Agency Funding Recommendations](#)

[2011-2012 CSAB meeting minutes](#)



# Second Program Year Action Plan

The CPMP Annual Action Plan includes the [SF 424](#) and Narrative Responses to Action Plan questions that CDBG, HOME, HOPWA, and ESG grantees must respond to each year in order to be compliant with the Consolidated Planning Regulations. The Executive Summary narratives are optional.

## Narrative Responses

### GENERAL

#### Executive Summary

The Executive Summary is required. Include the objectives and outcomes identified in the plan and an evaluation of past performance.

Program Year 2 Action Plan Executive Summary:

The *Annual Action Plan* reflects the City's funding priorities and identifies the projects proposed to receive Federal funds under the CDBG program. The Annual Action Plan describes priority projects for neighborhood revitalization, public Improvements as well as public service activities. The City of Temple will receive \$466,832 for its 2011 CDBG allocation. The City will not be utilizing program income generated from prior years' grant activities and unused funds from prior years due to none being available.

11-12 CDBG Funding	Program Income Received	Prior Funding Reallocation	Total
\$466,832	\$0	\$0	\$466,832

These funds enhance the City's housing and community development programs, supporting safe, well-planned residential and business districts. CDBG financed projects respond to the most urgent needs of limited income residents. Over 70% of the funding allocated to CDBG activities benefit low to moderate income persons. Maximum benefit is derived from each dollar spent.

For more than 30 years, the Community Development Block Grant (CDBG) program has been assisting metropolitan cities and urban counties across this country to fund their community and economic development activities. Approximately 1,000 entitlement communities participate in the program nationwide, including the City of Temple. The City is one of 77 entitlement communities located in the State of Texas. For Fiscal Year 2011-2012, HUD has allocated CDBG funds to entitlement communities in Texas, as follows:

#### **FY 2011-2012 CDBG IN TEXAS**

<b>CDBG</b>	<b><u>Amount</u></b>
State Total	\$165,341,195
Minimum	\$197,103
Maximum	\$27,341,979
Average	\$2,147,288
<b>Temple</b>	<b>\$466,832</b>

#### **Recent Temple CDBG Grant Amounts**

2007-2008	\$524,136
2008-2009	\$503,239
2009-2010	\$515,508
2010-2011	\$559,603

#### **OBJECTIVES AND OUTCOMES FOR PROGRAM YEAR 2009**

The City plans to undertake numerous activities during the program year that will meet all of HUD's objectives to contribute towards a suitable living environment, provide decent housing, and create economic opportunities. These activities will generate outcomes that fall into one of three categories:

**Availability/Accessibility:** This category applies to activities that make services, infrastructure, public services, public facilities, housing; or shelter available or accessible to low- and moderate-income people, including persons with disabilities.

**Affordability:** This category applies to activities that provide affordability in a variety of ways in the lives of low- and moderate-income people: It can include the creation or maintenance of affordable housing, basic infrastructure hook-ups, or services such as transportation or day care.

**Sustainability: Promoting Livable or Viable Communities.** This category applies to projects where the activity or activities are aimed at improving communities or neighborhoods, helping make them livable or viable by providing benefit to persons of low- and moderate-income or by removing or eliminating slums or blighted areas, through multiple activities or services that sustain communities or neighborhoods.

<b>Objective: Suitable Living Environment</b>			
<b>Grant</b>	<b>Project</b>	<b>Outcome</b>	<b>Specific Objectives</b>
CDBG	Infrastructure Improvements	Availability/Accessibility	Improve the quality of public improvements
CDBG	Park Improvements	Availability/Accessibility	Improve the quality of public improvements
CDBG	Temple HELP Center: Child Care	Availability/Accessibility	Improve Services for low income persons
CDBG	Hill Country Community Action Association, Inc	Availability/Accessibility	Improve Services for low income persons
CDBG	Families in Crisis	Availability/Accessibility	Improve Services for low income persons
CDBG	Demolition	Availability/Accessibility	Improve the quality of public improvements
<b>Objective: Provide Decent Housing</b>			
<b>Grant</b>	<b>Project</b>	<b>Outcome</b>	<b>Specific</b>
CDBG	No CDBG funds are allocated for this objective		
<b>Objective: Economic Opportunity</b>			
<b>Grant</b>	<b>Project</b>	<b>Outcome</b>	<b>Specific Objectives</b>
CDBG	No CDBG funds are allocated for this objective		

The Community Development Block Grant Program provides annual grants on a formula basis to develop viable urban communities by providing decent housing, and a suitable living environment, and by expanding economic opportunities, principally for low- and moderate-income persons. This will be the second year of the 5-Year Consolidated Plan (2010-2014). Entitlement communities develop their own programs and funding priorities. Maximum feasible priority must be given to activities that benefit low and moderate income persons.

The proposed allocation of funds is as follows:

Public Services	\$65,356
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General Administration	\$93,365
<b>Total</b>	<b>\$466,832</b>

### **Public Services - \$65,356**

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Bell County Human Service (Temple HELP Center)	\$25,356
Hill Country Community Action Association, Inc.	\$15,000
Families in Crisis, Inc.	\$25,000

### **Infrastructure Improvements - \$118,111**

The project will be located along South 1<sup>st</sup> Street within the boundaries of Ave. F on the north and Ave. M on the south. The project will include design and installation of sidewalks, not to exceed 8 feet in width, and any necessary ADA ramps, curbs and gutters. Landscaping will be installed where permissible due to absence of pavement. This project will increase safety, and provide accessibility of a suitable living environment to this low income neighborhood. This is proposed to be a multi year project with this being the second year of funding.

### **Park Improvements - \$90,000**

The current wood floor at the Clarence Martin Gym, 102 West Elm Ave. will be replaced. It is recommended that \$90,000 be allocated from 2011-2012 CDBG funds.

### **Demolition - \$100,000**

Demolition of vacant and dilapidated structures will be conducted to address blighted conditions on a spot basis in locations to be determined based on code violations. This is a continuation of a project focus from previous years.

### **Past Performance**

On an annual basis, HUD review's the performance of all entitlement recipients to determine whether each recipient is carrying out its CDBG assisted activities in a timely manner. If at sixty days prior to the end of the grantee's current program year, the amount of entitlement grant funds available to the recipient under grant agreements but undistributed by the U.S. Treasury is more than 1.5 times the entitlement grant amount for its current program year the grantee is considered to be noncompliant with HUD requirements.

When reviewed on August 2, 2010 the City of Temple's ratio of undisbursed Treasury funds was 1.05. The city was successful in achieving the goals set out in the Workout plan and subsequent Action Plans by becoming and remaining timely.

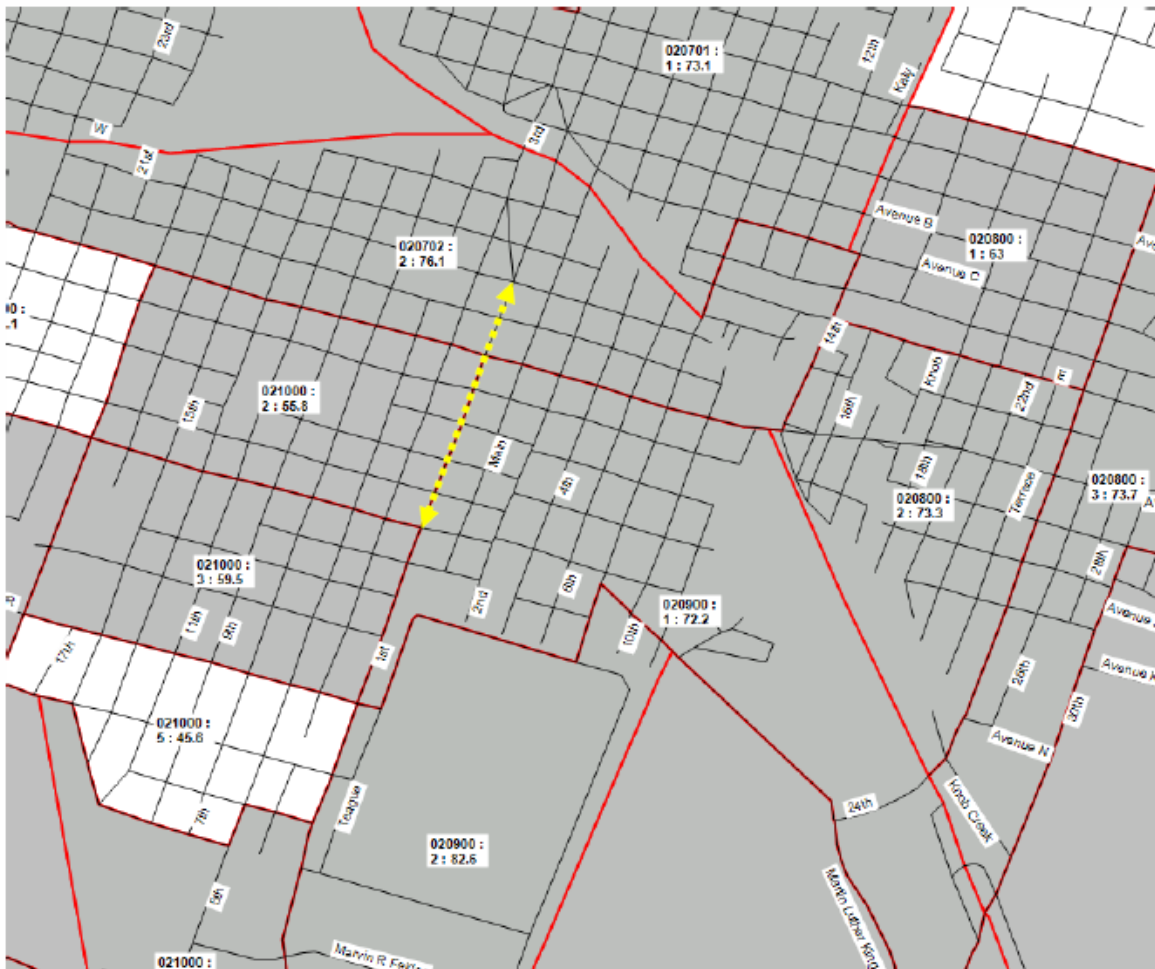


## General Questions

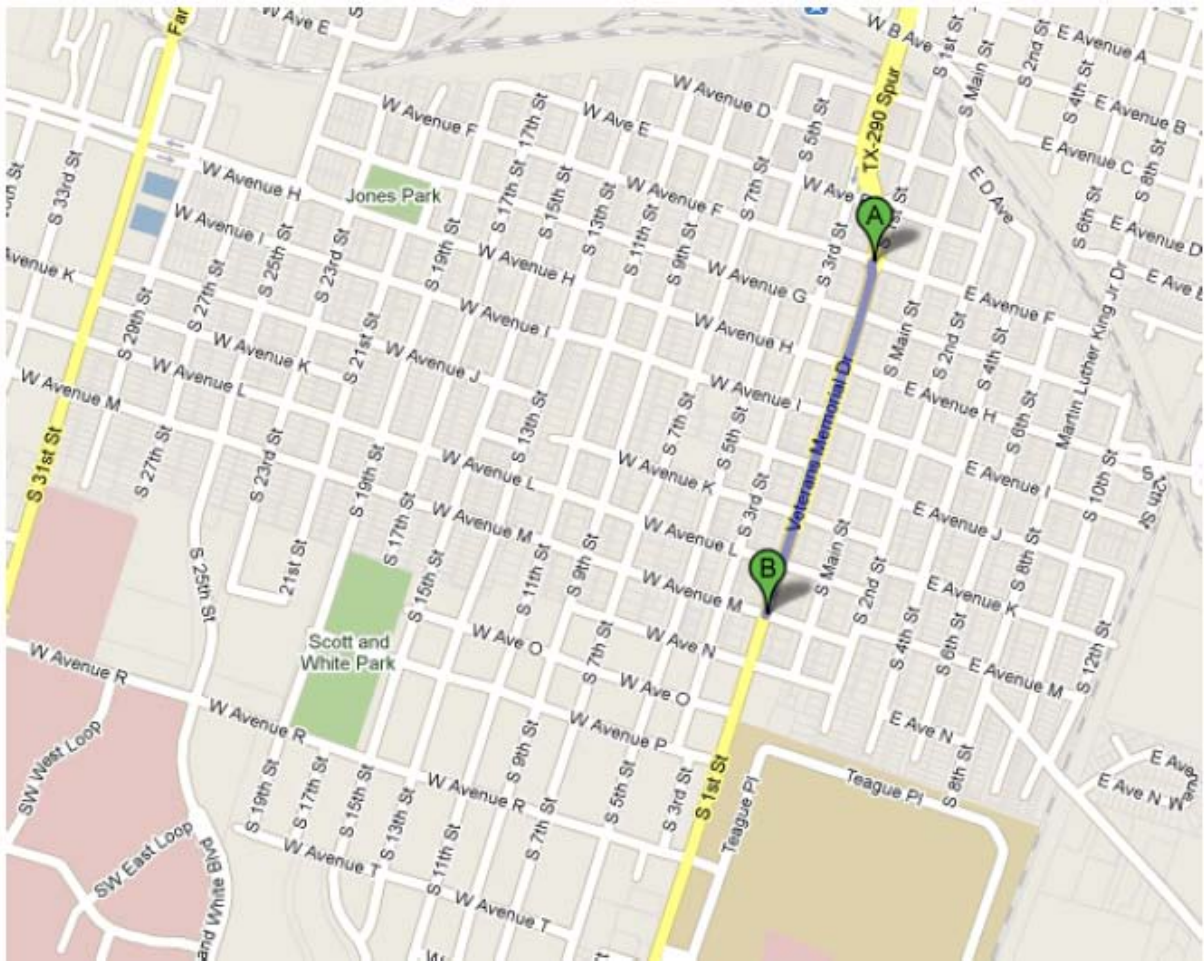
The activities proposed will be carried out in the following areas:

### Infrastructure Improvements: Sidewalks

The project will be located along South 1<sup>st</sup> Street within the boundaries of Ave. F on the north and Ave. M on the south. The project will include design and installation of sidewalks, not to exceed 8 feet in width, and any necessary ADA ramps, curbs and gutters. Landscaping will be installed where permissible due to absence of pavement. This project will increase safety, and provide accessibility of a suitable living environment to this low income neighborhood. This is proposed to be a multi year project with this being the second year of funding.



COUNTYNAME	PLACENAME	TRACT	BLKGRP	LOWMOD	LOWMODUNIV	LOWMODPCT	POP100
Bell County	Temple city	020702	1	665	957	69.5	1075
Bell County	Temple city	021000	2	554	993	55.8	929
Bell County	Temple city	021000	3	586	985	59.5	1007
Bell County	Temple city	021000	5	313	687	45.6	689
Bell County	Temple city	020900	2	123	149	82.6	662
Bell County	Temple city	020900	1	778	1077	72.2	1031
Total				3019	4848	62.3%	5393

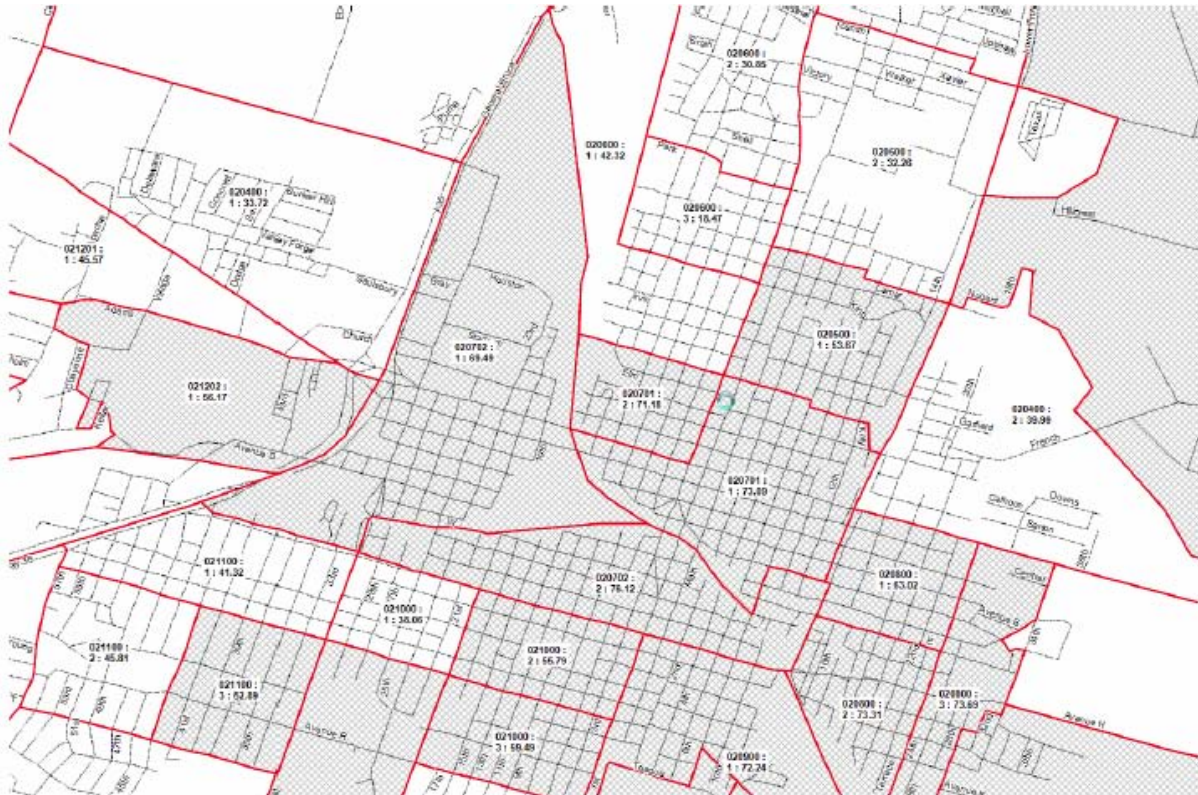


## Demolition

Demolition of vacant and dilapidated structures will be conducted to address blighted conditions on a spot basis in locations to be determined based on code violations. This is a continuation of a project focus from previous years.

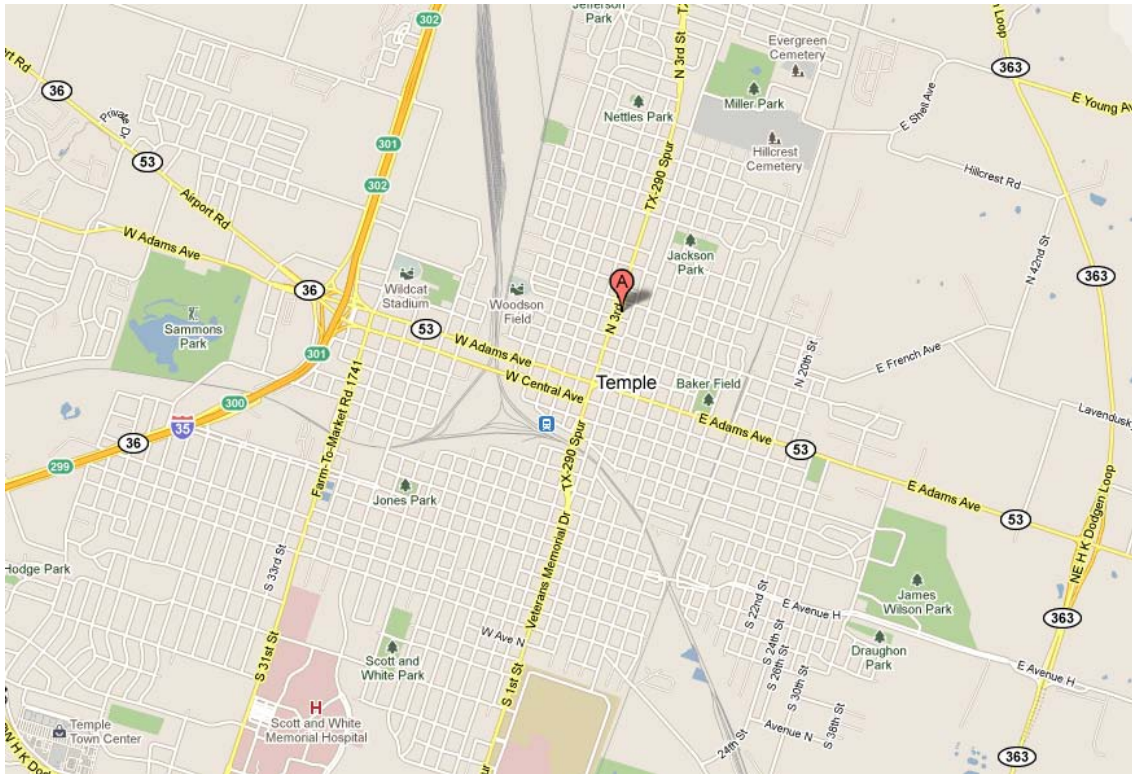
## Park Improvements

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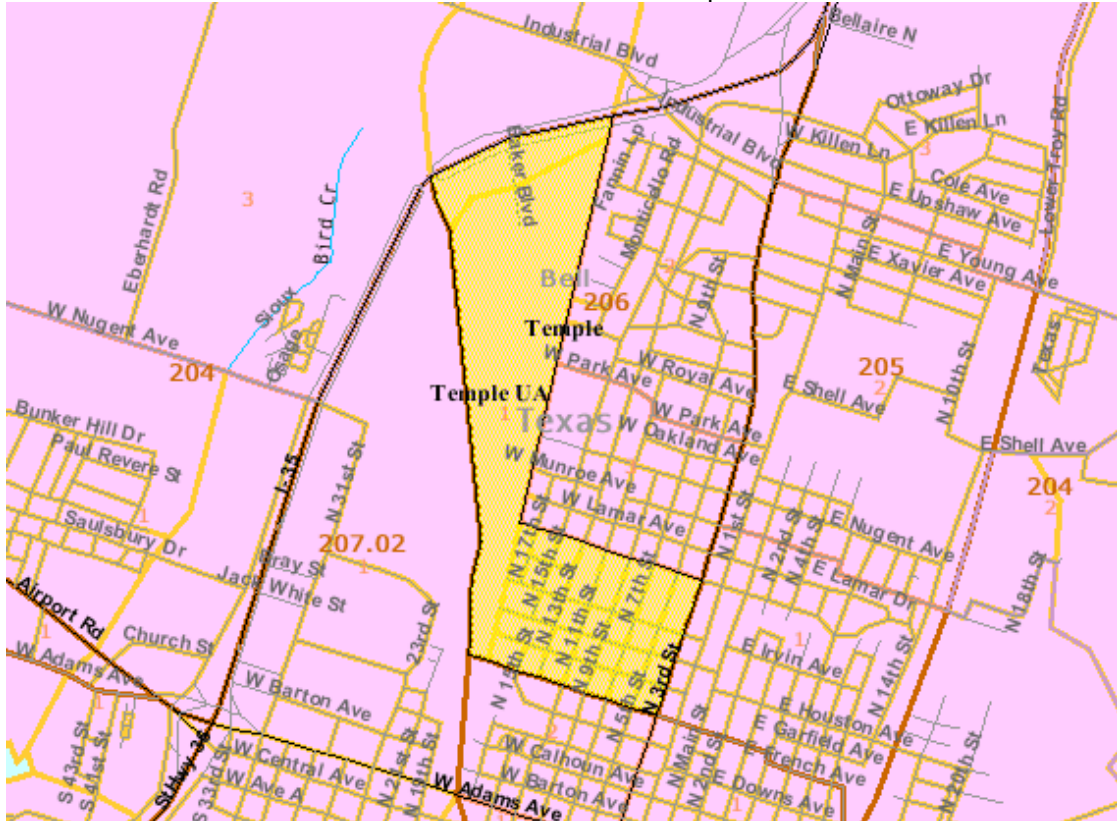


PLACENAME	TRACT	BLK/GRP	LOWMOD	LOWMODUNIV	LOWMODPCT	OLDLOWMOD	OLDLOWMODPCT	POP100
Temple city	020600	1	306	723	42.3	306	42.3	739
Temple city	020500	1	754	1406	63.7	734	53.7	1409
Temple city	020701	1	554	768	73.1	534	73.1	824
Temple city	020701	2	657	823	71.2	637	71.2	906
			2271	3809	0.596219			

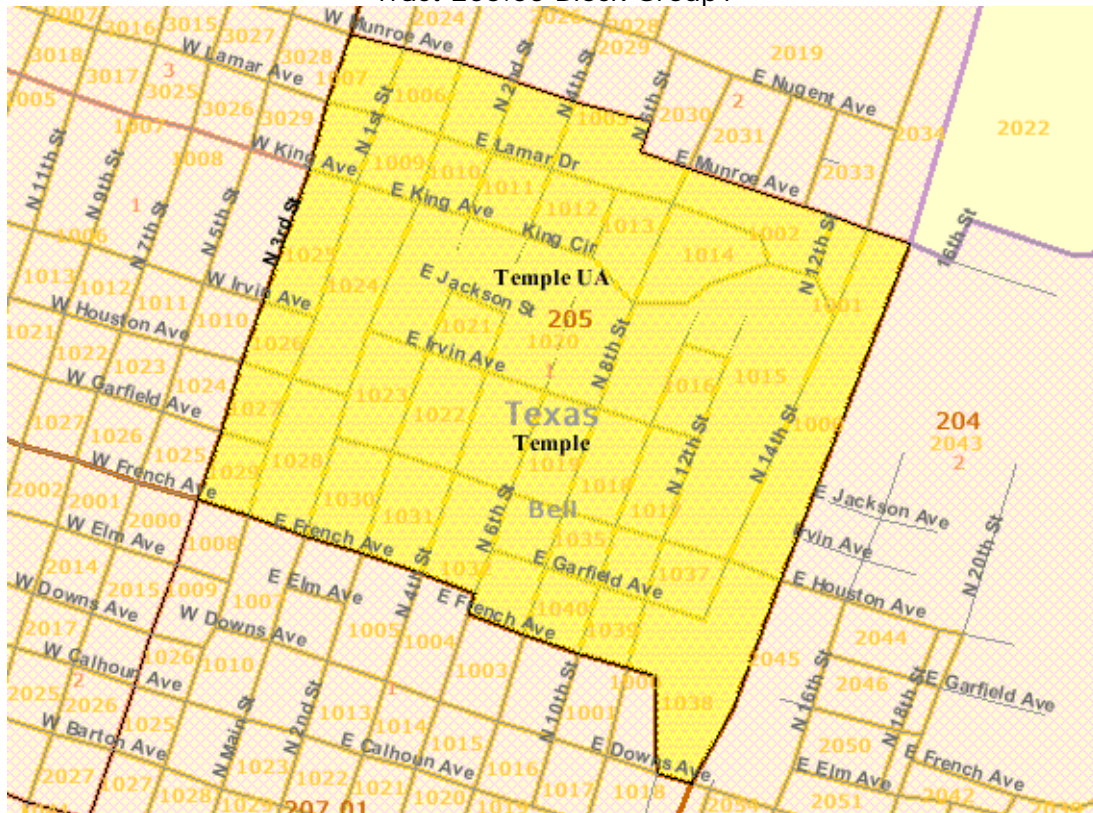




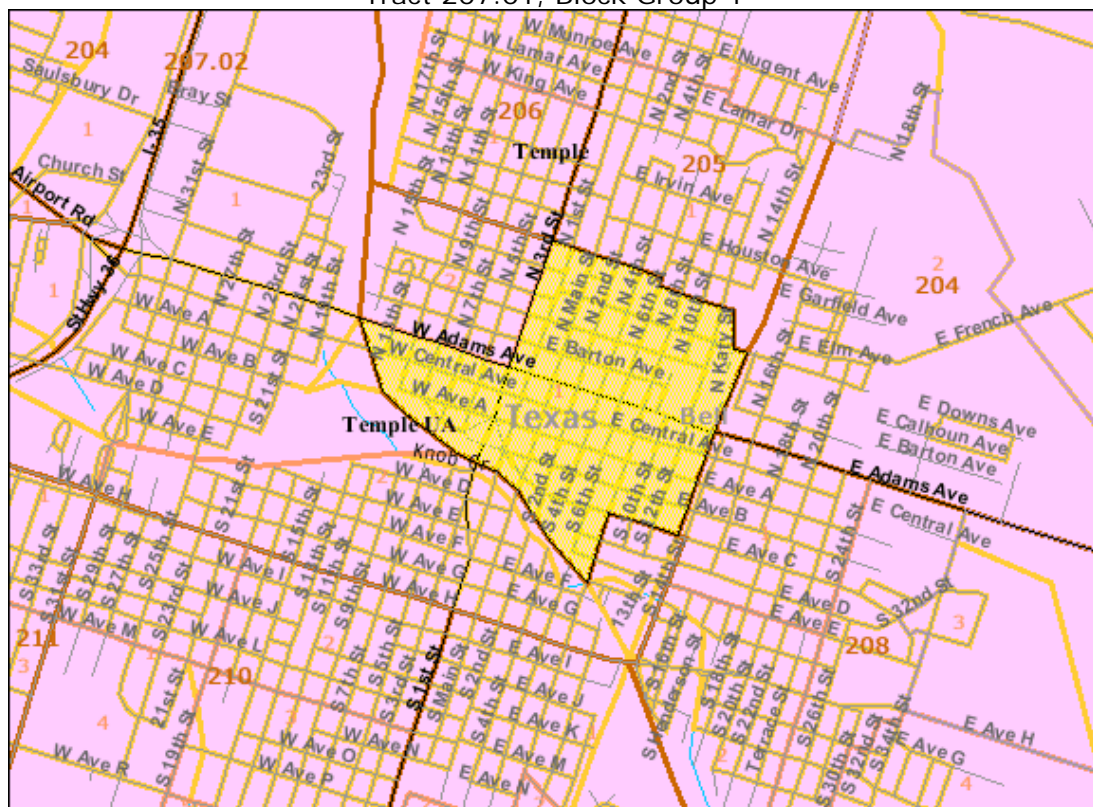
Tract 206.00 Block Group 1



Tract 205.00 Block Group1



Tract 207.01, Block Group 1







## Public Services

Each PSA has a unique description and benefit to the citizens of Temple. They are as follows:

The Temple HELP Center addresses local residents' immediate crisis by providing short term financial and non-financial services. By targeting avenues to address the immediate crisis and lowering dependency on public assistance, they are striving to assure that residents overcome social, economic and career barriers.

Hill County Community Action Association's (Meals on Wheels) Aging Services Program provides meals through congregate and home delivered meal programs to eligible elderly participants in the Temple area. Congregate meals are served each weekday by volunteers and paid center staff. Home delivered meals are delivered each weekday by paid meal delivery staff and volunteers. The Site Managers and In-Home Services Coordinator coordinate outreach efforts in the community to identify potential clients and assist clients in obtaining increased services when available.

Families in Crisis supports and empowers individuals affected by family violence and sexual assault through safe shelter and outreach while providing advocacy, education and resources to create a safe, supportive community. The agency provides information, referral and access to services to assist in safe management of their situation, aids in the recovery process, guides them in the criminal justice system, educates them to prevent re-victimization and provides safe shelter and support services to victims and at-risk populations

## Allocation of Funds Geographically

Will the exception of demolition, 100% of funds will be allocated in the Census block groups that are within low-income concentration areas. In Temple, the Census block groups are principally low-to-moderate income that happens to be in a contiguous area and are generally situated in the eastern half of the City—East of Interstate Highway 35. This area makes up approximately 30% of the City's population.

Some of the activities will be conducted to promote the preservation of housing throughout the contiguous low/moderate income area, and clearance activities. The City will also tightly concentrate its public improvement funds for greatest possible impact. A list of these block groups can be viewed in the Housing Market Analysis Section of this plan.

In addition to providing almost \$75,000 of matching funds for the Temple Housing Authority helping 30 homes be purchased, the City has also budgeted funding from the general fund for emergency rehab projects throughout the City. In the last two budget cycles the City has budgeted a combined total of more than \$43,000 for this program, of which more than \$20,000 has been expended and the remainder obligated. The City also supported applications for Housing Tax Credits for 3 low-income elderly rental projects. Country Lane Seniors was funded 12/31/05, and The Grand Reserve Seniors, was funded in 2006. Each of these rental projects contains 102 rental units made available to low to moderate income elderly tenants. Bridge loans in the amount of \$350,000 were provided through Temple Economic Development Corporation utilizing funds made available in part through the City's half cent sales tax. Country Lane Seniors was completed in program year 2006 and has a 100% occupancy rate. The Grand Reserve Seniors was completed date of June, 2008. Most recently, the City has supported a senior living facility which will

contain 92 rental units and is scheduled to begin this 2009 Program Year. A major step taken by the City during PY2006 to foster and maintain affordable housing was the approval of resolution number 2006-4640-R. This resolution designated census tracts 207.02, 207.01 and 209 as a revitalization area. Please see the attached resolution at the end of the narrative section of the Action Plan for a copy of the revitalization goals. The City passed and supports this resolution in hopes of continuing to provide a suitable living environment, provide decent housing and economic opportunity within the designated area.

To further housing in Temple the City will contribute \$10,337 for additional assistance for the THA in-house assistance program during the 2009 Program Year.

Those activities that provide an area-wide benefit (Parks and Infrastructure) will be located in the most severely distressed locations in the City as referenced in the previous census data.

## **Managing the Process**

The City of Temple is the lead agency in the distribution and administration of programming funds. It will carry out its housing and community development plan through identified local agencies, lending institutions, local business and industry, City government, and local volunteer groups. This will be done to accomplish the tasks necessary to succeed in attaining the outlined goals and objectives. An identified strength is that the City strives to include citizens in the planning and decision-making process. Numbers of active community groups are becoming more aware of their responsibility to the community to participate in opportunities for change.

The gap in the service delivery system in the past has been communication between agencies. Temple continues to partner with other cities and public service agencies to promote communication. This has recently been augmented by an East and West Bell County Coalition working together for a continuum of care grant application from HUD. Through collective problem-solving and coordinated activities, benefits for clients are enhanced. A major gap identified at this time would be the lack of adequate funding to meet all the identified needs in the community. Agency personnel are becoming adept at grant writing in order to identify and receive all available resources.

The Bell County HELP Center and the Health and Human Services Network will continue to collaborate and coordinate activities and services provided within the community in order to derive the most benefit from the available resources.

## **Citizen Participation**

The City of Temple will make available to citizens, public agencies, and other interested parties information that includes the amount of assistance the City expects to receive and the range of activities that may be undertaken, including the estimated amount that will benefit persons of low and moderate income. The City will encourage citizen participation by all citizens of Temple and particularly persons of low and moderate income who are residents of the East Temple Revitalization



Area in which Community Development funds are being proposed. Notice of public hearings will be published approximately two weeks before the scheduled meeting in the Temple Daily Telegram and other publications as appropriate and notice sent by mail to a list of minority-related churches, public housing authority residents, and other organizations. Spanish translations will be provided as appropriate. Notices will include the availability of accommodations for those with disabilities.

A Community Forum will be conducted early in the budget process to receive citizen comments regarding both the CDBG budget and the City's budget. A minimum of one public hearing will be held in the City Council Chambers at the Municipal Building. That building is accessible to the handicapped. At least one informal hearing will be held in the evening in a neighborhood facility in a building that is accessible to the handicapped and is located in a minority concentration neighborhood. A Spanish interpreter will be available at that meeting as needed. The public will be informed through newspaper ads that the City will be receiving CDBG funds and input is desired from the public regarding budgeting of funds and the development of a Consolidated Plan.

The first public hearing will be to receive initial input regarding the development of the Consolidated Plan. Previous to the first public hearing the Proposed Use of Funds for the fiscal year will be published in the newspaper and a guide to eligible activities will be provided to those who request information. At least thirty (30) days before Council approval, a summary of the Consolidated Plan will be published in the local newspaper of general circulation. After adoption, copies of the Consolidated Plan, which includes the proposed CDGB budget, and the actual use of funds will be available in the Community Development office and at the public library.

The Community Development Department will be available to provide limited technical assistance, if requested, to group representatives of low-and-moderate income persons to help with developing proposals for the use of CDGB funds.

The City will allow thirty (30) days for citizens to comment on the Consolidated Plan. The City will provide a written response within fifteen (15) days, where practicable, to written complaints from citizens regarding the CDBG program. A summary of citizen comments or views and the reasons for accepting or rejecting the comments shall be attached to the final Consolidated Plan.

Substantial amendments to the CDBG program will be processed through the City Council and public hearing process as described above. A substantial amendment is described as a new project or greater than 25% change as measured by the yearly CDBG funding allocation. The City will allow thirty (30) days for citizens to comment on any amendments to the Consolidated Plan and/or CDBG budget and a summary of any comments or views accepted or not accepted shall be attached to the substantial amendment of the Consolidated Plan.

A public hearing will also be conducted as stated above in order to review program performance.

Reasonable and timely access to records will be provided for five (5) years.

## Citizen Comments

Public Hearings		
Date	Time	Location
April 6, 2011	3:30 p.m.	Temple City Hall Council Chambers
April 13, 2011	5:30 p.m.	Temple Public Library
April 20, 2011	5:30 p.m.	Wilson Park Recreation Center

During the above listed public hearings, no comments were made.

The City received no written response concerning the Action Plan at any of the 3 public hearings. All meetings regarding this plan were audio recorded, and all questions and comments raised during those meetings were addressed.

The City was emailed one comment was received on April 18<sup>th</sup> regarding recommended public services and a copy is attached to the end of this Action Plan.

The public comment period will be held from the June 2, 2011 council meeting until the final public hearing and adoption of the Action Plan on July 7, 2011.

## **Institutional Structure**

The City will carry out its housing and community development plan through identified local agencies, lending institutions, local business and industry, City government, and local volunteer groups. This will be done to accomplish the tasks necessary to succeed in attaining the outlined goals and objectives. An identified strength is that the City strives to include citizens in the planning and decision-making process. Numbers of active community groups are becoming more aware of their responsibility to the community to participate in opportunities for change.

The gap in the service delivery system in the past has been communication between agencies. Temple continues to partner with other cities and public service agencies to promote communication. This has recently been augmented by an East and West Bell County Coalition working together for a continuum of care grant application from HUD. Through collective problem-solving and coordinated activities, benefits for clients are enhanced. A major gap identified at this time would be the lack of adequate funding to meet all the identified needs in the community. Agency personnel are becoming adept at grant writing in order to identify and receive all available resources.

The City of Temple is allocating a portion of its funds to Public Service Agencies. In order to facilitate the process of selection and in order to be more fully connected to the wants and needs of the public, the City of Temple created a Community Service Advisory Board. This board is responsible for evaluating the applications received from the PSAs and giving recommendations. Board membership includes a broad spectrum of contributors, including TISD, Hospitals, the Temple Home Builders Association, and many other community based organizations and individuals. This aspect of the advisory board provides the City a primary link to the institutional structure of the community.

## **Monitoring**

The City of Temple uses several tools to monitor its progress with the CDBG program. Spreadsheets developed to maintain the 2005 Workout Plan are still in use though not required by HUD. These tools along with the annual CAPER assist the City in evaluating the performance and timeliness of the City's CDBG projects. Monthly meetings are held that review these materials which are updated daily and project forward for anticipated completion dates. During these monthly meetings, City's staff and consultants discuss and resolve any potential issues that could impair the City's ability to perform its tasks. In all of these meetings, potential funding opportunities for actions in accordance with the Consolidated Plan are suggested and discussed. These potential actions are then reviewed by three separate sources to determine that they meet the qualities required by HUD and are in line with the Consolidated Plan. These reviews are then compared for discrepancies and those that meet both qualifications are suggested to the board as options for the following year's Action Plan. In addition to self-monitoring, the local CPD Coordinator monitors each public service agency receiving HUD funds on an on-site quarterly basis, reviewing files for documentation of program requirements. Should any issues arise during these monitorings, actions are taken to resolve documentation error and if the issue is not able to be resolved, funding is reduced accordingly.

## Lead-based Paint

The City will continue to assume that all painted surfaces of structures built prior to 1978 are potentially lead-based paint and will handle using appropriate lead-based safety procedures. Whenever CDBG funds are used for construction or demolition purposes, the City of Temple provides the homeowner with a "Protect Your Family from Lead in Your Home," pamphlet and ask the homeowner to sign a "Notification of Lead-Based Paint" form to verify their receipt of the informative packet.

Temple Lead-Based Paint Strategies				
Strategy	Activity	Service Delivery	Target Population	Outcome Measure
Educate owners/ first-time homebuyers on hazards and safe handling of lead-based paint	Incorporate lead-based paint and hazard information during scheduled homeownership classes	Temple Housing Authority - (New Workforce Housing Only),  Realtors, and Lenders	Low/Moderate Income homeowners and first-time homebuyers	Depending on future and existing HOME program funds a total of 30 HBA/ADDI recipients will receive lead-based paint pamphlets
Reduce Lead-Based Paint Hazards – residential units	Implement lead-based paint hazard reduction activities to meet compliance of the Federal Lead Hazard Regulations for community development-assisted units	City of Temple, &  Temple Housing Authority - (New Workforce Housing Only)	Extremely low to moderate income renters, owner-occupied, or first-time homebuyer households	A total of 10 units will have lead-based paint hazards eliminated from the structure.

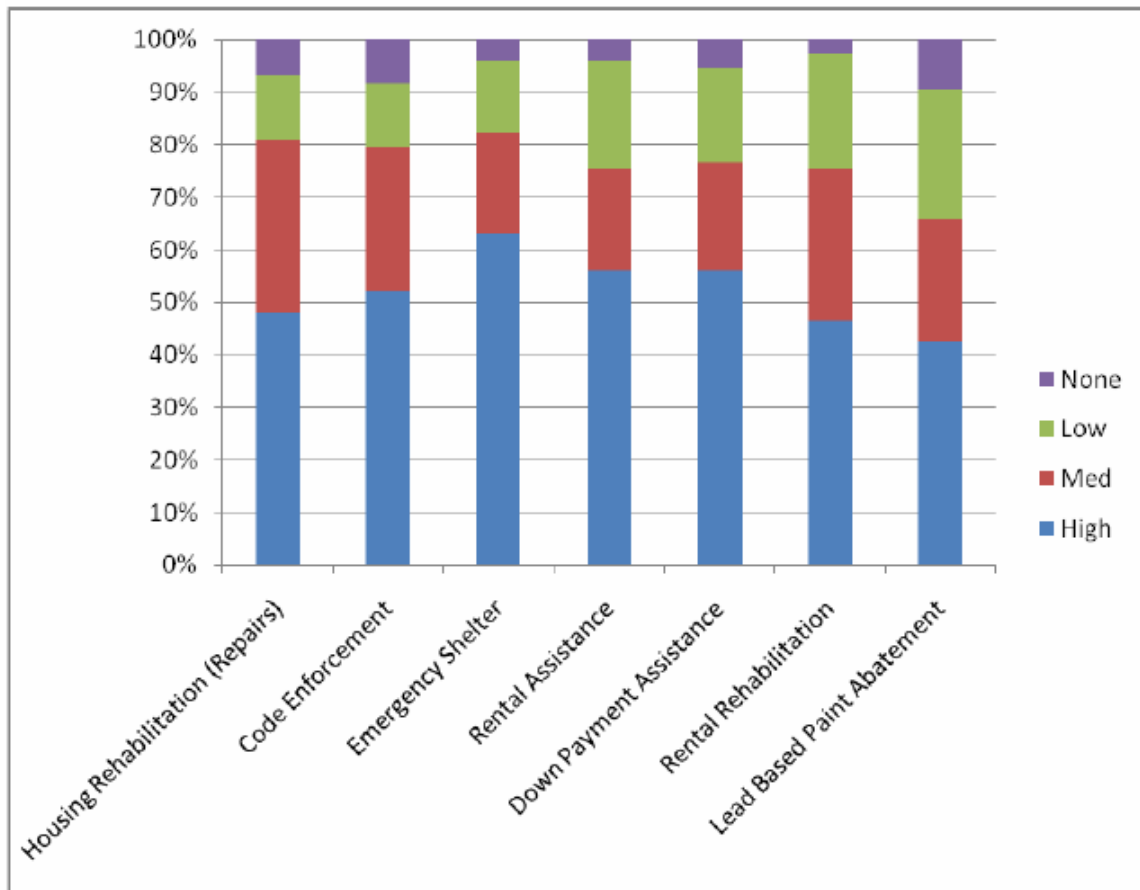
## HOUSING

### Specific Housing Objectives

\*

Through the long-range planning process a number of issues and concerns here expressed related to housing in the community. These discussions formed the basis of the following issue statements, along with analysis of existing conditions, review of current housing-related plans and policies, and examination of expected future growth trends. These statements bring focus to this plan regarding the community's values, expectations and priorities for addressing housing needs in Temple. Following the identification of the key issues is a set of community goals and objectives along with discussion of necessary implementation steps.

According to the citizen survey, the priority needs of housing in the City of Temple are as follows:



As seen on the CPMP Housing Needs Table, every level of owner and renter has housing needs. These needs are addressed in a variety of ways, but the City has decided to focus CDBG funds toward Housing Rehabilitation for the next five years.

The following sheets are available in more detail in the CPMP charts attached. These charts indicated the CDBG funds focused on the DH-1, DH-2, DH-3.

Specific Obj. #	Outcome/Objective Specific Annual Objectives	Sources of Funds	Performance Indicators	Year	Expected Number	Actual Number	Percent Completed	
DH-1 Availability/Accessibility of Decent Housing								
DH-1 (1)	Increase the accessibility of the decent housing in the City of Temple, by performing rehabilitation to single-unit residential homes.	CDBG	Homes Rehabilitated	2010	4		0%	
		Source of Funds #2		2011	0		0%	
				2012	4		0%	
		Source of Funds #3		2013	4		0%	
				2014	4		0%	
		MULTI-YEAR GOAL			16	0	0%	
		Source of Funds #1	Performance Indicator #2	2010			0%	
		Source of Funds #2		2011			0%	
				2012			0%	
		Source of Funds #3		2013			0%	
	2014					0%		
	Increase the accessibility of the decent housing in the City of Temple, by performing rehabilitation to single-unit residential homes.	MULTI-YEAR GOAL				0	0%	
		Source of Funds #1	Performance Indicator #3	2010			0%	
		Source of Funds #2		2011			0%	
				2012			0%	
		Source of Funds #3		2013			0%	
				2014			0%	
		MULTI-YEAR GOAL				0	0%	

Specific Obj. #	Outcome/Objective Specific Annual Objectives	Sources of Funds	Performance Indicators	Year	Expected Number	Actual Number	Percent Completed	
DH-2 Affordability of Decent Housing								
DH-2 (1)	No CDBG funds are expected to be used for Housing Affordability	NA	NA	2010	0		0%	
		Source of Funds #2		2011	0		0%	
				2012	0		0%	
		Source of Funds #3		2013	0		0%	
				2014	0		0%	
		MULTI-YEAR GOAL			0	0	0%	
		Source of Funds #1	Performance Indicator #2	2010			0%	
		Source of Funds #2		2011			0%	
				2012			0%	
		Source of Funds #3		2013			0%	
	2014					0%		
	Specific Annual Objective	MULTI-YEAR GOAL				0	0%	
		Source of Funds #1	Performance Indicator #3	2010			0%	
		Source of Funds #2		2011			0%	
				2012			0%	
		Source of Funds #3		2013			0%	
				2014			0%	
		MULTI-YEAR GOAL				0	0%	

Specific Obj. #	Outcome/Objective	Sources of Funds	Performance Indicators	Year	Expected Number	Actual Number	Percent Completed	
	Specific Annual Objectives							
DH-2 Affordability of Decent Housing								
DH-2 (1)	No CDBG funds are expected to be used for Housing Affordability	NA	NA	2010	0		0%	
				2011	0		0%	
		Source of Funds #2		2012	0		0%	
				2013	0		0%	
		Source of Funds #3		2014	0		0%	
			MULTI-YEAR GOAL			0	0	0%
		Source of Funds #1	Performance Indicator #2	2010			0%	
				2011			0%	
		Source of Funds #2		2012			0%	
				2013			0%	
	Source of Funds #3	2014				0%		
		MULTI-YEAR GOAL				0	0%	
	Specific Annual Objective	Source of Funds #1	Performance Indicator #3	2010			0%	
				2011			0%	
		Source of Funds #2		2012			0%	
				2013			0%	
		Source of Funds #3		2014			0%	
			MULTI-YEAR GOAL				0	0%

Specific Obj. #	Outcome/Objective Specific Annual Objectives	Sources of Funds	Performance Indicators	Year	Expected Number	Actual Number	Percent Completed
<b>DH-3 Sustainability of Decent Housing</b>							
<b>DH-3 (1)</b>	No CDBG funds are expected to be used for Housing Sustainability	NA	NA	2010	0		0%
				2011	0		0%
		Source of Funds #2		2012	0		0%
				2013	0		0%
		Source of Funds #3		2014	0		0%
		<b>MULTI-YEAR GOAL</b>			<b>0</b>	<b>0</b>	<b>0%</b>
		Source of Funds #1	Performance Indicator #2	2010			0%
				2011			0%
		Source of Funds #2		2012			0%
				2013			0%
	Specific Annual Objective	Source of Funds #3		2014			0%
		<b>MULTI-YEAR GOAL</b>				<b>0</b>	<b>0%</b>
		Source of Funds #1	Performance Indicator #3	2010			0%
				2011			0%
		Source of Funds #2		2012			0%
				2013			0%
		Source of Funds #3		2014			0%
		<b>MULTI-YEAR GOAL</b>				<b>0</b>	<b>0%</b>

## Needs of Public Housing

### Public Housing Resident Initiatives

#### Temple Housing Authority's Mission and Operation Overview

- ▶ THA has a total of 969 units, all in excellent condition

The Temple Housing Authority's mission is to provide and professionally manage an adequate supply of safe, affordable housing of reasonable quality for low-income persons while administering programs that offer opportunities for residents to advance in society; and be a leader and work in partnership with other agencies to enhance the quality of life for all persons of low-income in the city.

The Temple Housing Authority has 270 units of assisted housing, 326 units of public housing, and 374 units of locally-owned housing, for a total of 970 units. All units are in excellent condition.

The Temple Housing Authority owns Raintree, Adams Bend and Chateau apartment complexes. Raintree Apartments has 184 units, of which 35% are rented to low-and-very low-income families. Adams Bend Apartments has 136 units. Thirty-five percent of Adams Bend units must be rented to low-income residents until August 2024. The remainder is market driven. Chateau has 22 units that are rented to low-income renters, those with incomes less than 80% of the Area's Median Family Income (AMFI).

The Temple Housing Authority has 326 units of public housing. All residents must have incomes less than 80% AMFI. All units are in excellent condition as the result of continued improvements under the Capital Fund Program. Jonathan Moore Homes, a 76-unit public housing complex, and Crestview Apartments, a 50-unit public housing complex, will have the bathrooms rehabilitated in the single story buildings, exterior lighting installed and new roofs installed in 2011 and 2012. Autumn Leaves and Ratliff Homes, elderly public housing complexes, will have ceiling fans and exterior lighting installed in 2011. Willow Brook, a 25-unit public housing

complex, will have exterior lighting installed in 2011. Frances Graham Hall, a 100-unit public housing complex, is scheduled to have the chiller water lines replaced in 2011

There are no activities covered by the Consolidated Plan that are being coordinated or jointly funded by the Public Housing Capital Fund Grant program.

**Public Housing Management Assessment Program, Strategies & Activities**

- ▶ THA interacts with more than 60 agencies each year to obtain services for residents that are not available from the Housing Authority.
- ▶ The Housing Authority has been awarded HOME grants from TDHCA totaling \$3,085,306 for Homebuyer Assistance to assist 407 families.

The Housing Authority will continue with the strong effective management program that has resulted in exceptionally high Public Housing Management Assessment Program (PHMAP) scores. The Housing Authority has attained a score of 100 for five-consecutive years, 1994 – 1998, and High Performer status from 1999 – 2007 on the new Public Housing Assessment System.

The Housing Authority has a strategy in place for improving the management and operation of its public housing and improving the living environment of its residents which is addressed in the following synopsis:

1. Maintain professionalism by selection and training of qualified employees to extend courteous and respectful service to its residents and all persons coming in contact with the organization.
2. Gauge the needs for additional housing; maintain adequate reserve funds and the ability to obtain grants and subsidies necessary for development of additional housing.
3. Assure a safe environment with thorough screening of all applicants, take strong action against crime and disturbances, maintain good cooperative relationships with law enforcement agencies and comply with environmental laws to provide a healthy environment.
4. Maintain affordable rents as defined by Texas statutes.
5. Meet HUD Housing Quality Standards through modernization programs that complement the community and provide clean functional units.
6. Assist residents in obtaining jobs and education while providing positive experiences for the youth.
7. Provide quality child-care and educational curriculum for children from low-income families.
8. Take the lead in community affairs that pertain to housing for low-income persons and other matters that affect the environment in which the Temple Housing Authority operates.



## **Barriers to Affordable Housing**

The City has identified that the greatest barrier to affordable housing is the income mismatch of its citizens. While the city continues to grow its economy many citizens cannot afford the rising costs associated with homeownership.

The City has identified that the correlation between education and income has had a profound effect on the ability of its citizens to progress to homeowners.

To address these needs, the City actively supports the Temple Housing Authority who also sees that need and encourages its residents to increase their level of education. According to its latest THA annual report, 77 residents of the THA are attending college and 39 are seeking their GEDs.

The City is actively monitoring its housing market through procedures identified in its Comprehensive Plan.

No CDBG funds will be spent this year to address these barriers, but as mentioned above, the City addresses these needs with its own funds and leverages those dollars with other agencies within the City.

## **HOMELESS**

### **Specific Homeless Prevention Elements**

As housing costs continue to rise and continue to have the greatest impact on low-income families, homelessness will also continue to rise. According to the affordability analysis, no family of extremely-low income is able to afford a home valued at even \$60,000, much less the median household price of \$96,100. This traps the extremely-low income households into renting a unit as opposed to owning a home. These households are not able to control increases in rent from contract to contract, which sometimes results in the increase of homelessness.

Supportive services such as employment training, childcare program and transportation assistance can often times prevent families from becoming homeless, so the City of Temple will continue to financially commit to public service improvement programs in order to assist in the community's effort to prevent homelessness as able. The City of Temple's Community Service Advisory Board has reviewed requests from the public service provider organizations in the area and has made recommendations and will continue to make recommendations regarding the allocation of CDBG funds based on their analysis of public service needs, including supportive services for the homeless.

## COMMUNITY DEVELOPMENT

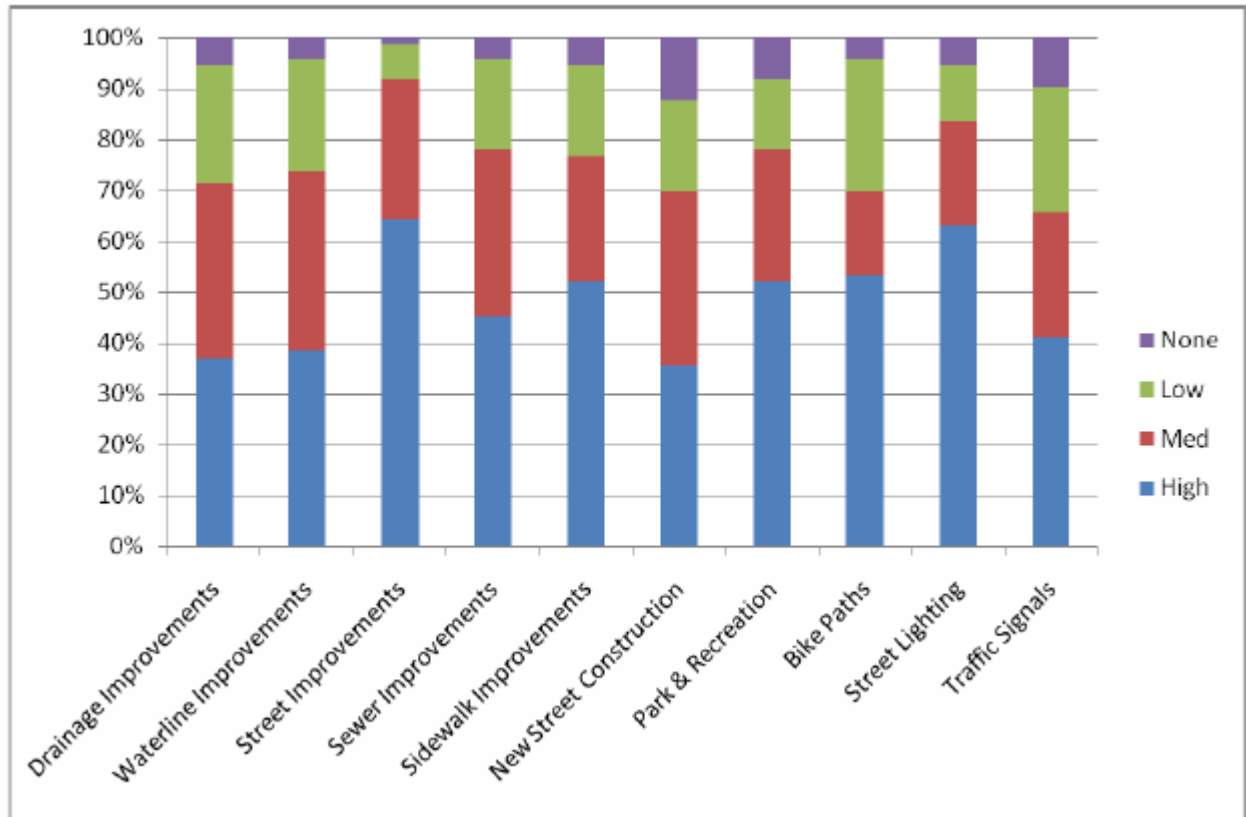
### Community Development

The City of Temple has developed the following community development goals in order to meet the goals of Federal community development programs that promote the provision of decent housing, a suitable living environment, and expanded economic opportunities for all persons:

- ▶ Continue to provide support and technical assistance for collaboration efforts by local non-profit and for-profit organizations
- ▶ Continue to seek funding and/or promote other organizations to seek funding from State and Federal programs to assist with fulfilling unmet community needs.
- ▶ Implement public improvement activities to ensure adequate drainage, streets, sidewalks, parks, and water and sewer systems in low-to-moderate income areas.
- ▶ Utilize public services funds efficiently for priority needs identified through a process of continuous assessment of community resources and gaps in service.
- ▶ Continue efforts to compete for and obtain funding to develop affordable housing for all types of households
- ▶ Implement public outreach programs to inform Temple residents of alternative self-help programs to obtain funds to address their personal housing issue.
- ▶ Seek funding from non-local sources to further address public facility and economic development issues.

While the City has identified every Community Development activity as High Priority, the city has determined that due to the limitation of funds available it will focus on specific needs that have been previously successful and benefit the most people with the most amount of funding.

As shown below, the community sees that streets, lighting, and parks rank highest in need.



During the previous 6 years, the City has completed several projects relating to the street and sidewalk needs and has heard nothing but positive feedback from the community. In providing safety and accessibility to both common needs facilities and employment opportunities, the City finds there is great value and return on investment by focusing CDBG dollars towards these goals.

The City has also completed several park projects during the previous 6 years that were also met with praise from the community as well as providing to a large area of effect. These services come at a highly useful time during the tough economic climate allowing low income citizens access to entertainment and recreation that is nearby and low/no-cost. For these reasons the City intends to continue investing CDBG funds towards this activity.

Public service agencies make up a significant variety of community development needs. The City will use the maximum funding percentage allowed by HUD toward these services. Due to the diverse nature of funding opportunities, the City created the Community Services Advisory Board to make recommendations each year as every more and more agencies ask for the limited funds. Due to the need and variety of request, the CSBA is also comprised of a diverse makeup of citizens and community leaders in order to ensure its objectives match the community's needs.

The City will fund the following activities for the 2011-12 Program year:

**Public Services - \$65,356**

The Community Services Advisory Board (CSAB) spent many hours over several meetings sifting through the 6 requests (See Attachment) totaling \$114,055 while debating the merits of each agency and the needs of the community.

Bell County Human Service (Temple HELP Center)	\$25,356
Hill Country Community Action Association, Inc.	\$15,000
Families in Crisis, Inc.	\$25,000

#### **Infrastructure Improvements- \$118,111**

The project will be located along South 1<sup>st</sup> Street within the boundaries of Ave. F on the north and Ave. M on the south. The project will include design and installation of sidewalks, not to exceed 8 feet in width, and any necessary ADA ramps, curbs and gutters. Landscaping will be installed where permissible due to absence of pavement. This project will increase safety, and provide accessibility of a suitable living environment to this low income neighborhood. This is proposed to be a multi year project with this being the second year of funding.

#### **Park Improvements - \$90,000**

The current wood floor at the Clarence Martin Gym, 102 West Elm Ave. will be replaced. It is recommended that \$90,000 be allocated from 2011-2012 CDBG funds.

#### **Demolition - \$100,000**

Demolition of vacant and dilapidated structures will be conducted to address blighted conditions on a spot basis in locations to be determined based on code violations. This is a continuation of a project focus from previous years.

### **Antipoverty Strategy**

All CDBG activities are designed to meet the needs of households that are below 80% of median income. Most fall below 50% of median income, and are households whose incomes are below the poverty line. All activities are designed to meet the goals of helping to reduce the number of households with income below the poverty line. Some activities have more of a direct impact and others a more indirect impact. All public service activities have an impact on the poverty level of the household served, which if not immediate, should be positive within the next generation by changing the way the clients interact within and without their family structure. The activities encourage and actively support educational opportunities for those served.

State welfare reform legislation mandated the implementation of a work first delivery model, based on the expectation that Texans support themselves and their families. Both state and federal reform legislation emphasize personal responsibility; time limited cash benefits, and the goal of work instead of welfare. In 1996, Congress enacted the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA). Under this legislation AFDC (Aid to Families with Dependent Children),

JOBS (work related training) and the Emergency Assistance Program were combined into one block grant entitled Temporary Assistance to Needy Families (TANF).

PRWORA promotes self-sufficiency and independence by expanding work opportunities for welfare recipients' while holding individuals to a high standard of personal responsibility for the support of their children. House Bill (HB) 1863, enacted by the 74th Texas Legislation and signed into law by Governor George W. Bush in June 1995, dramatically changed the welfare system in Texas, making work an immediate priority for low-income families receiving TANF.

Texas received federal authority to implement Achieving Change for Texans (ACT) its waiver-based welfare reform initiative. Under ACT, adults are limited to 12, 24, 36 months of cash assistance, and nonexempt clients must work or participate in approved activities that can enable them to become self-sufficient. ACT embodies the same principles as the federal welfare law by enforcing the importance of working, emphasizing the temporary nature of public assistance, and the belief that parents are responsible for the care and well being of their families. This includes coordination regarding the City's goals, programs, and policies for producing and preserving affordable housing as set forth in the 5-year Consolidated Plan housing strategy.

The City will continue to work closely with, and consult with, other public and private agencies, especially working with the Health and Human Services Network, to coordinate programs and services in an effort to reduce the number of households with incomes below the poverty line. This includes coordinating the City's goals, programs, and policies for producing and preserving affordable housing as set forth in the housing strategy.

The survey responses identified Education as a key element in helping to develop economically independent citizens. Therefore, education becomes a key strategy for an Anti-poverty program. Providing the tools to learn marketable job skills is encompassed in the types of training programs available, from secondary education programs to on-the-job training programs, such as School-To-Work Programs. This training must provide a level of skill that demands full-time employment with associated benefits rather than part-time employment with no health benefits. The City is working with Temple College on appropriate outreach efforts to ensure our citizens have the education and job skills to gain and keep meaningful employment.

Affordable Day Care for workers' children and availability of appropriate Transportation play a key role in becoming a conscientious, dependable employee; or in being able to continue their education in preparation for joining the work force.

The Small Business Development Center is providing opportunities for Small Business training and development. It encourages such development within the target community in which low-income households reside. This will help not only the entrepreneur but will increase the number of jobs available within the community.

Each group of potential employers will have people who need to be provided with appropriate *job search skills* in attempting to obtain and retain work. These skills vary for age as well as socioeconomic level, along with the type of employment being sought; and they need to be addressed accordingly, together with identifying potential barriers that might be faced by the applicants.

The *Community* itself, through its families, churches and community organizations, should be encouraged to develop programs which promote healthy values which lead to pride in oneself and in the community in which we reside and helps in the development of goals and ambition for a promising future. Combining local community initiatives with available Federal and State programs can aid in the reduction of the number of households with income below the poverty line. The City of Temple coordinates its housing programs with other agencies to avoid duplication, and assesses service gaps. Active coordination with area agencies is helping to promote individual independence and responsibility, and assists in reducing the number of households with incomes below the poverty line.

## **Housing Opportunities for People with AIDS**

The City of Temple does not receive HOPWA funding.

## **Specific HOPWA Objectives**

The City of Temple does not receive HOPWA funding.

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**From:** Judy S.Morales [<mailto:Judy.Morales@co.bell.tx.us>]  
**Sent:** Monday, April 18, 2011 12:36 PM  
**To:** Lois Whitley  
**Subject:** CDBG- Public Services recommendations for 2011-2012

Re: Temple CDBG- Public Service 2011-2012 Program recommendations:

I would like to recommend that areas of need to be included in the 2011-12 CDBG Program be focused on stimulating the economy by offering self sufficiency support programs.

Due to the downturn in economy the need to assist customers improve their work skills, find employment or offer support services to new or existing businesses for job creation or retention of jobs is critical in maintaining and stimulating our economy

Recommended areas of need are the following:

- 1) Child Care- specifically for parents who are starting a new job or they are going to school to learn a work skill. Affordable child care is a must if parents are to be able to move out of poverty and become productive citizens. High cost of child care is a big barrier that keeps parents from moving forward,
- 2) Education, workforce preparation and support services that leads to self sufficiency. This may include transportation assistance, such as gas vouchers or HOP bus tickets or paying for customers to earn their GED or provide work appropriate attire, i.e. work boots or uniforms
- 3) Define a provision that will provide assistance to profit-motivated businesses to carry out economic development and/or job creation/retention, specifically in East Temple. This may be coordinated through the Temple College Business Training Incubator, Chamber of Commerce or Temple Economic Development Corporation.

Thank You for this opportunity to have input in the proposed CDBG 2011-2012 plan.

Sincerely,  
Judy Morales, Director

*Judy Morales*

Bell County Human Services  
Director/Department Head  
(254) 770-6842 Temple  
(254) 519-3360 Killeen  
(254) 770-6837 Fax  
[judy.morales@co.bell.tx.us](mailto:judy.morales@co.bell.tx.us)

**2011-2012 CSAB PUBLIC SERVICE AGENCIES  
FUNDING RECOMMENDATIONS**

<b>PSA Applicant</b>	<b>Reason for Request</b>	<b>Requested Amount</b>	<b>Recommended Amount</b>
Bell County Human Services / Temple HELP Center	Transition from Welfare to Work Issues: Child care Workforce Preparation	\$15,000 \$10,000	\$15,356 \$10,000
Families in Crisis	Transition from Welfare to Work Issues: Skills Training (Salaries & Wages, fringe benefits)	\$20,000	\$25,000
Family Promise of East Bell County, Inc.	Transition from Welfare to Work Issues: Transportation, Skills Training (Salaries & Wages, fringe benefits)	\$28,650	\$0
Hill Country Community Action Associations, Inc. / Temple Nutrition Program	Elderly: Self-sufficiency programs (Salaries & wages/fringe benefits)	\$15,000	\$15,000
Temple Independent School District	Youth: Work force preparation, Mentoring High-School Diploma Program	\$13,965	\$0
Aware Central Texas	Youth: Self-sufficiency, Mentoring (Salaries & wages/fringe benefits)	\$11,440	\$0
	<b>Total</b>	<b>\$114,055</b>	<b>\$65,356</b>



**COMMUNITY SERVICES ADVISORY BOARD**  
**Community Development Block Grant**  
**Public Service Agency Funding**

April 21, 2011  
3:00 P. M.

**COMMUNITY SERVICES ADVISORY BOARD MEMBERS PRESENT**

Chair Lamar Collins	Jody Donaldson
Melissa Bragg	Nancy Etzel
Patsy Cofer	Ashleigh Pettijohn
Florencio Olivares	Dee Blackwell

**BOARD MEMBERS ABSENT**

Rev. Roscoe Harrison

**STAFF PRESENT**

Lois Whitley, City of Temple

**GUESTS PRESENT**

None

The agenda for this meeting was posted on the bulletin board at the Municipal Building, April 15, 2011, at 9:10 a.m. in compliance with the Open Meetings Law.

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

**1. Call to Order**

Chair Collins called the Community Services Advisory Board to order at 3:09 p. m.

**2. Elect Chair and Vice-Chair**

Chair Collins opened the floor for discussion and nominations for new Chair and Vice-Chair.

Nancie Etzel nominated Melissa Bragg for Chair and the nomination was seconded by Florencio Olivares.

Chair Collins nominated Jody Donaldson for Vice-Chair and the nomination was seconded by Melissa Bragg.

There being no other nominations, Chair Collins called for a vote and both nominations carried by a unanimous vote.

Mr. Collins surrendered the floor to Chair Bragg

**3. Receive Comments from the Public**

Chair Bragg noted that no guests from the public were in attendance.

**4. Receive Public Service Agencies (PSA) Applications for Community Development Block Grant (CDBG) 2011 Program Year**

Chair Bragg confirmed that each board member had received a PSA applicant packet binder and opened the floor for discussion.

Ms. Blackwell noted that Family Promise had submitted a request for funding and asked if they were still eligible.

There was open discussion about the Family Promise application, eligibility, suspension of service and reallocation of any unused funds. All members agreed that since the agency status is inactive their application was not eligible for funding at this time.

Chair Bragg asked if we knew yet how much money was available to fund PSAs.

Ms. Whitley stated that HUD had still not released the amounts to be awarded this year but that we have received notice that we should expect 16.5% less that was awarded last year. That equates to approximately \$65,000 for service agencies this year.

Ms. Blackwell asked if they would hold the interviews before the funding amount is confirmed.

Ms. Whitley confirmed that the interviews could be held and that we should receive confirmation from HUD before the CSAB funding recommendations would need to be made.

Chair Bragg made the new members aware that it is recommended that the funding amount to each agency be a minimum of \$10,000 due the costs associated with administering the program.

Ms. Blackwell asked if it had to be a new program.

Ms. Whitley stated that it could be a continuation of a previously funded activity.

Ms. Blackwell noted that Hill Country is requesting funding again.

Mr. Collins asked how many clients TISD had served.

Ms. Whitley stated that TISD had enrolled 16 clients in the 1<sup>st</sup> quarter.

Mr. Collins stated that, as he stated in the funding discussions last year, that comes to over \$1,000 per person and he has a problem with that.

Vice-Chair Donaldson said that he sees the \$40 per hour employee the same as last year.

Ms. Etzel stated that you can get the same diploma service from the Temple Literacy Council.

Ms. Whitley noted that the HELP Center was requesting funding for 2 separate activities; Child Care and Work Force Preparation.

Chair Bragg asked if the Board has the option of funding only one of the activities.

Ms. Whitley confirmed that was correct.

Ms. Blackwell noted that there were not as many new agencies requesting funds this year.

There was open discussion concerning the request last year from Aware Central Texas and why they were not recommended for funding.

Mr. Collins asked about Families in Crisis and its comparison to Family Promise.

Ms. Whitley stated that Families in Crisis provides emergency assistance to persons that are victims to family violence and Family Promise provides assistance to homeless families.

Chair Bragg asked if all the funding to Families in Crisis must be spent at the Temple shelter.

Ms. Whitley confirmed that was correct.

Ms. Etzel asked if there was any duplication of services between Families in Crisis and the HELP Center.

Chair Bragg stated that Families in Crisis provides assistance to an immediate emergency while the HELP Center funding has all been for Child Care for employment & education opportunities and that there was no duplication of services.

There was open discussion of the services provided by Families in Crisis.

No further discussion was raised.

## **6. Schedule Upcoming Board Meetings**

Ms. Whitley provided a copy of the 2011 Annual Action Plan timeline and noted that the City staff needed the Board recommendations by May 24<sup>th</sup> in order to include with the action plan presentation to Council on June 2<sup>nd</sup>.

Chair Bragg asked if they had to interview all agencies that applied for funding.

Ms. Whitley stated that they were not required to interview each agency but, historically, the Board has interviewed all agencies.

Chair Bragg asked if members wanted to interview all applicants. All members confirmed that they should interview all applicants.

Chair Bragg opened the floor for suggestions for dates of upcoming meeting.

Ms. Etzel felt that they should schedule a time for discussion after the interviews but before the final meeting to determine the funding recommendation.

There was open discussion concerning how many meetings were needed and the dates available to everyone.

It was decided that a meeting be scheduled for April 28<sup>th</sup> at 2:00 and allow 30 minutes time to discuss the applications and hold the interviews from 2:30 to 5:00.

Ms. Etzel suggested that they have an additional meeting after the interview meeting to discuss the agencies and some priority for funding recommendations.

Chair Bragg stated that her concern with that is that she sees each agency separately based on the service they provide and does not think it is fair to prioritize. She feels that they need to be sure & review each agency based on the service provided and that all the agencies are deserving.

Ms. Etzel agreed to that and clarified that she just wanted to make sure they had sufficient meeting time for discussion before the final recommendations and was suggesting an additional meeting.

There was an open discussion of the number of meetings that were needed and how long those meetings needed to be. All agreed that they would need to know the amount of funding available before making a decision on funding recommendations. All members agreed to meet on April 28<sup>th</sup> for the agency interviews and make a decision then as to how many additional meetings will be needed. All agreed to tentatively schedule a meeting for May 12<sup>th</sup> from 3 to 5 for discussion and make the funding recommendations if the total funding allocation is confirmed and discuss their meeting options if funding is not yet confirmed.

Chair Bragg requested that all members review the applications and to keep in mind that the applications for some of the agencies may look like they have a lot of money from their national foundations but that the particular activity proposed may not benefit from the foundation or other national funding.

Ms. Whitley confirmed the meeting date and time and stated that she would schedule the agency interviews, allowing 20 minutes for each agency presentation and questions from the board members and send the interview schedule to each member as soon as possible.

## **7. Adjournment**

Chair Bragg opened the floor for any other items of business to discuss.

There being no further discussion, Chair Bragg adjourned the meeting at 3:52 p.m.

**Respectfully submitted,**

**Lois Whitley**

**April 21, 2011 - 3:00 pm**

[illegible]



## NOTICE OF MEETING

**COMMUNITY SERVICES ADVISORY BOARD  
TEMPLE MUNICIPAL BUILDING, 1st FLOOR  
STAFF CONFERENCE ROOM  
2 NORTH MAIN ST.**

**April 21, 2011  
3:00 P.M.**

## AGENDA

- \_\_\_\_\_ 1. Call to Order
- \_\_\_\_\_ 2. Elect Chair and Vice-Chair
- \_\_\_\_\_ 3. Receive Comments from the public
- \_\_\_\_\_ 4. Receive Public Service Agencies (PSA) Applications for  
Community Development Block Grant (CDBG) 2011 Program Year
- \_\_\_\_\_ 5. Schedule Upcoming Board Meetings
- \_\_\_\_\_ 6. Adjournment

I hereby certify that a true and correct copy of this Notice of Meeting was posted in a public place at 9:10 a.m., April 15, 2011.

*Clydette Entzminger*  
Clydette Entzminger  
City Secretary

**SPECIAL ACCOMMODATIONS:** Persons with disabilities who have special communication or accommodation needs and desire to attend the meeting should notify the City Secretary's Office by mail or telephone 48 hours prior to the meeting date.

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 \_\_\_\_\_ 2011.  
Name/Title \_\_\_\_\_

**COMMUNITY SERVICES ADVISORY BOARD**  
**Community Development Block Grant**  
**Public Service Agency Funding**

April 28, 2011  
2:00 P. M.

**COMMUNITY SERVICES ADVISORY BOARD MEMBERS PRESENT**

Chair Melissa Bragg	Vice-Chair Jody Donaldson
Rev. Roscoe Harrison	Nancie Etzel
Dee Blackwell	Ashleigh Pettijohn
Patsy Cofer	Florencio Olivares

**BOARD MEMBERS ABSENT**

None

**STAFF PRESENT**

Lois Whitley, City of Temple

**GUESTS PRESENT**

See Attached Attendance List

The agenda for this meeting was posted on the bulletin board at the Municipal Building, April 25, 2011, at 2:00 p.m. in compliance with the Open Meetings Law.

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

**1. Call to Order**

Chair Bragg called the Community Services Advisory Board to order at 2:08 p. m.

**2. Receive Comments from the Public**

Chair Bragg noted that no guests from the public were in attendance at this time.

**3. Interview Public Service Agencies (PSA) Applicants for Community Development Block Grant (CDBG) 2011 Program Year.**

Chair Bragg asked if the members had questions or items for discussion before the first applicant is interviewed.

Vice-Chair Donaldson asked about the item on the application checklist that states that the agency will provide either a new service or a quantifiable increase in the level of service that has been funded in the past year. Does this mean that any service must be new or more than last year?

Ms. Whitley stated that a quantifiable increase in the federal regulation refers to an increase in the service as compared to the level of service by any particular activity funded through other sources in the past year. CDBG funds can be used for continuation of a previously funded activity at any funding level.

Vice-Chair Donaldson asked for clarification of the cost per individual served and the cost per family served.

After review and discussion it was determined that the cost per individual is based on the total agency expenses and the cost per family is based on the CDBG funds only.

There was open discussion about the FIC application; facilities, staffing, incoming calls, pay raise, board members and services provided.

Chair Bragg asked if there were any items for discussion about Aware Central Texas (ACT), the second scheduled agency.

Ms. Blackwell asked if they worked with child abuse victims or for prevention of child abuse.

Ms. Whitley stated that ACT received referrals from different sources including Child Protective Services in cases of suspected child abuse and provides intervention to prevent abuse.

Ref. Harrison is a volunteer instructor for ACT.

There was open discussion about the percentage of salary that was requested and the estimated number of clients to be served.

Chair Bragg noted that Family Promise had suspended service of their program and it would not be considered for funding this program year. That leaves the HELP Center, Hill Country Community Action Assoc. and the Temple ISD. She asked Mr. Collins if he had some concerns about the TISD program

Mr. Collins confirmed that they had funded \$18,000 last year to assist only 14 people and he feels that is too much buck for the bang, especially with the Program Specialist making \$40 per hour.

There was open discussion about the TISD application: number of clients served, amount funded last year, no follow up with volunteer inquiries, GED assistance as part of the program, Temple Literacy Council and services provided.

Chair Bragg asked if there were items of discussion on the HCCAA or the HELP Center.

Mr. Donaldson asked how everyone felt about the HELP Center's request for workforce preparation funds including helping people obtain their GED.

Chair Bragg noted that her concerns with all the agencies is making sure that they are not funding activities that are impossible to track or too costly. They should be something that they should be able to fund and after 12 months know exactly where they spent the money and what was accomplished.



There was open discussion of HELP Center's application for childcare and workforce preparation and number of clients to be served by each activity; activity requirements; service provided; client eligibility; and disbursement of funds to clients.

Chair Bragg asked that everyone go to the application for the first agency to be interviewed, Families in Crisis.

## **FAMILIES IN CRISIS**

William K. Hall, Director of Operations, and Suzanne Armour, Director of Programs for Families in Crisis (FIC) were first to be interviewed. FIC is a non-profit organization that supports and empowers individuals affected by family violence and sexual assault and provides safe shelter and outreach services. They are asking for \$20,000 to fund two Crisis Intervention Specialists at their Temple shelter. The Temple shelter was opened in August of 2007 and has a capacity of 15 individuals. Last year they housed 100 clients, answered 855 hot line calls for domestic violence and provided 3,034 shelter nights, all Temple clients. The CDBG funding also is critical because when they go to other funding sources to request funding because they are able to show the support of the City of Temple for this project and how much it is needed.

Ms. Blackwell asked if Temple residents stayed in the Temple facility.

Mr. Hall stated that if the client had ties to Temple such as family, schools, church, etc. they stayed in Temple. If the client had no ties they might be sent to the Killeen facility. Some clients with no ties to Temple prefer to go to the Killen shelter to get more distance away for their abuser.

Vice-Chair Donaldson asked why both facilities had 4 Crisis Intervention Specialists on staff when the Temple facility served only 14% of the clients as the Killeen facility.

Mr. Hall stated that they are required to be there 24/7 and that requires 4 people at each facility regardless of how many people are contacted. They have to cover the hot line for domestic abuse calls around the clock and be available at all hours for client intake and assistance.

Chair Bragg asked if they could not fund the full amount requested, what he could make do with.

Mr. Hall asked for at least as much as last year. He is aware that everything is being cut this year and that he is being hit with cuts also such United Way, federal grants, etc.

Chair Bragg asked about the salary increase that was budgeted and if that was his decision.

Mr. Hall stated that it was a Board decision and that it was only a 3% cost of living raise. There had not been any raise in salary for the last two years and a lot of the positions needed an increase. The Crisis Intervention Specialists were still at \$7.25 and had been raised to \$8.50 to try to avoid turnover or employee burn-out. Employees at minimum wage were struggling and would end up with family crisis' of their own without a raise.

Chair Bragg asked how hard it was to train these individuals.

Mr. Hall stated that the training starts at the Killeen facility, they take a lot of classes, then move to the Temple shelter. Classes include Philosophy of Domestic Violence, how to answer hot line calls, sexual

assault response team training for on-site response and learn all the different resources that are available. The Crisis Intervention Specialist are the first contact and at night are the only ones at the facility. The operation has to stay open 24 hours a day. These individuals man the phones, hand out items to clients as needed, handle crisis as they come in and handle the intake process. They are the first person a client has contact with, either on the phone or when they come in to the shelter and are very critical to the client. They look after all the needs of the client; transportation, medical attention, food, clothing etc. Their job is to insure that the clients receive everything they need from the time they get to the shelter, throughout the day and the night. They are the night staff for the shelter, answering phones and providing security.

Vice-Chair Donaldson asked if they were hiring a Director of Development as stated in the budget.

Mr. Hall stated that the position would not be filled this year.

Chair Bragg noted that when the previous Executive Director left the program several years ago, the job responsibilities were split between Mr. Hall & Ms. Armour, which was a big savings for the agency.

Ms. Blackwell asked if all the funds requested were to be used in Temple.

Mr. Hall confirmed that they were for the Temple shelter only.

There was open discussion about the need for the Temple shelter and Mr. Hall discussed examples of recent occurrences and the assistance that was provided.

There being no other questions, Chair Bragg thanked Mr. Hall & Ms. Armour for their time and closed the interview.

There was open discussion about the salary increase and the overall agency budget and amounts awarded to the program in the previous year.

## **AWARE CENTRAL TEXAS (ACT)**

Susan Jackson, Executive Director of Aware Central Texas, was the next applicant to be interviewed.

Ms. Jackson stated that Aware Central Texas has the mission of preventing child abuse, neglect and family violence. They are frequently asked how they are different from other agencies. They provide encouragement, nurturing, and education to at-risk families, children and adults. What they really do is provide educational classes and build relationships with people that are at-risk. They understand that the science of abuse & neglect & family violence is cyclical and it passes from generation to generation. We do have excellent services in our community that provide intervention services and we desperately need those, but there are a lot of families and children that fall through the cracks. ACT tries to be very pro-active and seek out these families. They look for families that are undergoing some type of stress and they take referrals of any kind. They will lay out the menu of the services ACT offers and help families identify what will benefit them the most as well as collaborating with other agencies in the community for whatever the specific need might be. It is a relationship agency that thinks pro-active rather than re-active.

This year they are asking for funding to help assist Temple families that are referred to their agency from a number of different sources. They regularly get calls from the hospital and Child Protective Services (CPS). Their ultimate goal is to get referrals before it falls into CPS territory and before the situation reaches the

crisis stage. They will take a referral from anyone with no exclusions for age, race, religion. There is no focus on any particular population. Their average length of service provided is about from 3 to 6 months, however, anywhere from 10 to 15% of those families have been with them for the past 3 years. It's a long standing positive relationship. 40% of people come back to the class because of the positive support. Generally they start these classes because someone requires them to attend, either CPS or some other entity, and they view it as an ordeal to get through. However, after attending the classes, they are encouraged and uplifted.

Specifically, they are requesting 30% of the salary for their Family Services Director, Zada Jones-Collins who has been with the agency 3 years and has not had a raise in pay. She is not there for the great pay, she is there because she believes in what they are doing. They calculated the requested amount based on last years clients served. Last year they served 124 family units and of those, 48 were in Temple and all were low-moderate income. She hopes they will consider funding ACT to assist these Temple families.

Chair Bragg asked how much United Way funding the agency received this year.

Ms. Jackson stated that they are getting \$2,000 from United Way Greater Fort Hood. but they do not apply for United Way funding from Central Texas.

Ms. Bragg asked why.

Ms. Jackson was hesitant to give a reason but stated that they have some philosophical differences with Central Texas United Way and no longer choose to participate in that opportunity.

Ms. Blackwell asked if that is why they lost funding for the anti-victimization children classes.

Ms. Jackson stated that the those classes were originally funded by the State of Texas, Office of the Governor, and they lost funding for that particular grant, so that funding is no longer available. There is a real need for those classes and they are working on ways to continue to provide those classes. They provide an opportunity for children to disclose any situation of abuse or neglect. They are working with TISD so they can be a bigger presence in their classes.

Ms. Blackwell asked which of their services was used the most.

Ms. Jackson stated that the one-on-one positive peer influence provided by the Volunteer Coaches that provide help with everyday life skills. They offer education without judging or analyzing their lives.

Ms. Blackwell asked if they worked with the abuser in an abuse situation.

Ms. Jackson stated that they are very interested in working with the abuser because they do understand that abuse is a cycle, but their focus now is on the victim.

Ms. Etzel asked what the VOICE program was.

Ms. Jackson said that stands for Victims of Injustice can Excel and is their gender specific education and peer support classes for victims of family violence and anyone that referred to their agency is encouraged to attend. They currently have classes at the housing project in Killen and at the Belton Police Department. They are working on getting a class in Temple because they have folks in Temple that are driving to Belton. They have found that victims of violence, usually female, are more relaxed and feel less threatened and that's

why the classes are gender specific. They work closely with an attorney by the name of Ann Jackson who is the primary family violence prosecutor and helps them connect to people who need their services.

Ms Etzel requested an example of a client with good results from their service.

Ms. Jackson told of a young lady that was newly married and when she became pregnant, her husband turned abusive and this last December he severely beat her and she barely escaped with her life with the help of the police. CPS referred the wife to ACT and she attended parenting classes, anger management and faithfully attends VOICE and she has a restraining against her abuser. With the support of her family, she is back to school to become a nurse and is moving forward with her life.

Rev. Harrison noted that this agency cannot intervene, that they have to be invited. That the agency is intended to prevent child abuse with trained volunteers. He is an instructor in the program to help with the training of the volunteer coaches that go into the homes. He talks to them about the cultural and ethnic diversity of Bell County to give them a historical perspective. They have people from the police departments to talk to them about domestic violence and that most of the clients are in the western Bell County area.

Ms. Whitley asked Ms. Jackson to confirm if the number of clients to be served with the \$11,000 in funding is 115. Ms. Jackson said she would need to confirm that number and get back to her. Ms. Whitley said she would forward the information to the members.

There being no further questions, Chair Bragg thanked her for her time and closed the interview.

There was open discussion about the history of the agency and the different programs that it provides; the activity funded by CDBG; the services provided by the Family Services Director and the Education Director; and the number of clients they expect to serve if funding is awarded.

Chair Bragg stated that she would like a little more information on the direct services that would be provided with the funding requested.

Ms. Whitley stated that she would confirm the number of clients to be served with the proposed funding and request a recap of the direct services of the Family Services Director and forward that information to the members.

Vice-Chair Donaldson asked Mr. Collins if he was now a member of the board for ACT.

Mr. Collins stated that he is now a member of the Board of Directors of ACT but has been dealing more with the finances because the organization has some fiscal concerns. But he does not have much information on the day-to day operation of the agency. He added that when he joined the board the agency was almost shut down the month that he joined the board and they are now trying to find out if they can keep the agency going.

Ms. Etzel stated that Ms. Jackson was very upbeat and positive about the agency but as a whole was not able to give specific information about the agency.

Ms. Pettijohn confirmed that the issue was the same with United Way and was a huge deal and probably needed further discussion.

All members agreed to discuss the matter further at the next meeting.

Vice-Chair Donaldson noted that in the December, 2011 minutes they talked about a committee to develop a formal contingency to close the agency in case conditions necessitate.

All members agreed that this would be a big issue in further consideration for funding.

## **HILL COUNTRY COMMUNITY ACTION ASSOCIATION (HCCAA) – (Meals on Wheels)**

Ms. Lewann Turner, Aging & Community Services Director, HCCAA, was the next applicant to be interviewed.

HCCAA operates the Senior Nutrition Program (Meals on Wheels) program in Temple and are requesting funding from CDBG of \$15,000. The funds will be used for salary and fringe for 2 employees to prepare and deliver meals to the homebound seniors and persons with disabilities. They serve seniors age 60 and older and any person qualified with DHS as disabled. They are estimating to deliver 42,500 meals to 280 clients in the Temple area from their kitchen here in downtown Temple. They provide re-therm meals, which are already prepared and heated at the kitchen to provide a hot meal to clients Monday thru Friday. Hill County has been operating senior centers and delivering meals for about 30 years. They have seen ups and downs in funding available and with the economy the way it is now they are in a very tight financial situation with cuts everywhere. They have been working with their Board to strategize on how to handle the deficit situation and how to make changes to prevent future deficits. They have already cut staff in the central office and with increased prices and cuts in United Way funding, the CDBG funding is very important to be able to continue delivering these meals

Chair Bragg asked if it is correct to say that for seniors that are receiving these meals, if they were not bringing these meals they may not have a meal. Also, if it were not for the meal deliveries, the seniors would have no daily contact.

Ms. Turner confirmed that before they send a representative, they do training with them so that they now that if they go to deliver at that client's home and there is no answer, they don't just leave and not worry about it. They call the office, who calls the home and then the emergency contact on file. If they can't reach the emergency contact, they call the police who goes to check on the client. There have been several times where the resident had fallen and was in need of emergency assistance. For some of their clients, this home-delivered meal is the only contact the client will have all day. They have saved lives with this service. They have wonderful volunteers. They could not serve the number of clients that they serve without the efforts of the volunteers.

Ms. Cofer asked if they had a lot of church groups volunteer their time.

Ms. Turner said that there were not a lot of church groups currently volunteering to help with their program. She is working with Patsy McCurdy, Site Manager, to meet with the church groups to encourage volunteers. The costs of fuel and other auto expense is the biggest problem they have with obtaining volunteers drivers.

Ms. Etzel asked if the meals were still in foil containers that could not be microwaved.

Ms. Turner stated that the meals are in a plastic container that can be re-heated in a microwave.

Ms. Etzel added that she has been on a home delivered meal program and it is a lot more than just a meal, its human contact and knowing that someone was going to be checking on you.

Ms. Turner stated that she is learning that there are not many community action agencies in Texas that do the nutrition program because they are not financially able to sustain the program. They cannot require that clients pay for the service. They can request a donation but most clients cannot afford to donate anything. A lot of programs have been discontinued.

Ms. Cofer stated that she volunteers for the Belton program and that it is sustained by the volunteers and that is the only thing that keeps the program working so well.

There being no further questions, Chair Bragg thanked her for her time and closed the interview.

Ms. Etzel asked for more discussion of the situation with ACT & United Way.

Ms. Pettijohn stated that during a funding interview, Ms. Jackson could not explain what the agency does. One of the United Way board members was insistent in trying to find out what the money was going to because the application was a mess. That led to a heated discussion and Ms. Jackson finally walked out of the interview and the agency was not funded that year.

Chair Bragg stated that she heard from another source that there were questions about what they do, what the money goes for and that is something they will definitely need to consider.

Ms. Blackwell said that she likes the idea of the program being available to everyone with no discrimination, but that accountability is vital.

There was an open discussion about ACT and the services they provide.

## **TEMPLE INDEPENDENT SCHOOL DISTRICT**

Dr. J. J. Villarreal, Asst. Superintendent of Curriculum, and Carl Pleasant, Principal, Wheatley, were the next applicants to be interviewed. Dr. Robin Battershell, Superintendent, joined the meeting later.

Dr. Villarreal stated that they are requesting funds to continue to serve the adult age 22+ years of age and facilitate a high school diploma. With this program they have 2 teachers that work with students academically through a curriculum that the district purchased called A Plus. The A Plus curriculum has modules for each academic core subject required for graduation by the Texas Education Agency. Students are allowed to accelerate using that curriculum based on their mastery of tests after each module. Students are also required to take the state exit exam, TAKS, in order to receive their high school diploma. In this grant they are requesting funds to assist 24 clients and the request includes some funds for some supplies in terms of folders and materials needed so students can have the necessary graduation information in terms of learning about college and what that can do for them in their life along with keeping track of all the accomplishments they gain through the program. He asked Mr. Pleasant to talk about how they have taken

last years approved grant, which was greatly appreciated, and to show how the program has progressed over the past year.

Mr. Pleasant had hand-outs for each member that reviewed the 2010-2011 CDBG program. He reviewed the hand-out and stated that the importance of getting a high school diploma has grown. There was a time where GED was it, but citizens are finding out that for advancement these days, a high-school diploma is important. He reviewed the TISD mission statement and vision statement and a re-cap the Adult Project Diploma and the results achieved so far this year. He believes that one message this program is providing is that the City of Temple and the school district are working together to help our community.

Ms. Etzel asked about page 3 of the hand-out that shows the requirement of high school transcript. She asked how someone could have transcripts if they didn't complete the 8<sup>th</sup> grade and would that prevent someone from eligibility for the program

Mr. Pleasant stated the transcript would be zero. Some of their students attended high school but did not earn a single credit and the transcript is zero and that does not exclude a student from the program. He continued to review the re-cap of the CDBG program and emphasized that the ultimate goal is graduation. They have counselors that come weekly to visit with students; they have had the different armed forces to com and visit with students; they have provided TAKS camps, math tutoring, Saturday classes and extended hours to work around the student's schedule. He noted that the last page shows the student status and progress and shows the beginning credits, credits earned and results of the TAKS status of each student. He noted how most of the students have children and jobs and work hard to earn these credits.

Vice-Chair Donaldson asked how many credit sit takes to graduate.

Mr. Pleasant stated that it is 22 credits. For them to earn a credit, the teacher fills out the credit slip, he signs it and sends it to the high school and it is put on that transcript with a copy for the student. What's unique about this curriculum is that students work on A Plus to see where they are. These students are very enthusiastic about this program

Dr. Villarreal added that even beyond academic instruction, this program provides education on current technology to gain the information they need. It's not just about 22 credits for graduating but also learning to function within a 21<sup>st</sup> century environment.

Chair Bragg asked how many of the estimated 14 clients for the grant last year have finished their diploma.

Mr. Pleasant stated that none have received their diploma. The students start at all different levels of beginning credits and will require different terms to obtain a diploma. Their goal is to continue the program to provide the opportunity for all to graduate.

Mr. Pleasant discussed the problems that the students face with jobs, children, child care, health care and the family obligations.

Chair Bragg asked if these 16 students currently enrolled were previous TISD students that dropped out.

Mr. Pleasant stated that they all live in Temple and probably 90% were former students of TISD.

Dr. Villarreal talked about one of the currently enrolled students that had taken the TAKS test for the first and passed all sections of the test. The tests, especially Math and Science, are extremely challenging, and to be out of school and part of the program since October; be able to complete as many credits as this student did and to pass all of the TAKS was a great accomplishment. He had recorded a short question and answer session with this student and asked to play it for the board.

Chair Bragg had a question first about the scheduling of the 2 teachers requested in the budget.

Mr. Pleasant said that he actually had 2 teachers that alternate for 8 hours a week.

Ms. Cofer asked if both teachers worked 8 hours a week.

Ms. Pleasant said that they work alternate days and each teacher works 4 hours per week.

Chair Bragg asked if they did not receive the CDBG funding where would the funding for this program come from.

Mr. Pleasant said that he was not sure where it would come from and that CDBG funding is critical for this program to continue.

Dr. Villarreal added that the state does not provide any funds for this age group.

Ms. Etzel asked about the reference to GED in the budget and asked if the funds were being used for only students to obtain a high school diploma.

Dr. Villarreal confirmed that their focus is on a high school diploma but that if a student elected to they could take the GED test at any time. He confirmed that any of the students currently enrolled could elect to take the GED test.

Ms. Blackwell asked if the entire amount for last year has been the sole operating budget for the program.

Mr. Pleasant confirmed that was true.

Dr. Villarreal showed the recording of the students currently enrolled in the program.

Chair Bragg asked if there was a limit on how many students they could accept in the program and if students that are currently enrolled are wanting to continue if the program is funded this next year, will they be counted under the new grant also.

Ms. Whitley confirmed that each client can be counted once during the term of the grant and that any students still enrolled in the program would be counted as clients served under the new grant.

Mr. Pleasant said that they have the computer access to serve between 20-22 students.

Ms. Blackwell asked if they are screening their clients to ensure they will really stick with it and finish the program.



Dr. Villarreal said that the follow-up for this age group can be a challenge but they do their best to determine that each student is dedicated to finish.

Mr. Pleasant spoke more about encouraging the students, working around their schedule and staying with them for the long term.

Ms. Etzel asked if the hours available are only 4-6.

Mr. Pleasant confirmed that those are the set hours for classroom work. They have had Saturday classes and work with the student to enable them to come to class.

Chair Bragg noted that funding available has been reduced and asked if the amount of funding last year would be sufficient to continue the program.

Dr. Villarreal said that the challenge is to provide teachers that are qualified to teach these adult students and as the student population increases so does that challenge. If the board is not able to award the total amount requested.. They feel like they need at least the amount awarded last year.

Mr. Collins asked for clarification on the total hours worked each week by the teachers and how that affects the total amount requested.

There was open discussion of the correct adjustment and Ms. Whitley said that she would work with Mr. Pleasant to get the budget revised and forward the information to members.

Vice-Chair Donaldson also noted that the request is for funding for 34 weeks and asked if the program does not continue during the summer.

Mr. Pleasant stated that since the request was submitted they have realized that if the funding is sufficient they can continue the program through the summer until the end of the grant period which is Sept. 30<sup>th</sup>.

Vice-Chair Donaldson noted that in looking at the total amount requested for the teachers, does it concern Mr. Pleasant that the amount requested for administration of nearly \$11,00 and only \$6,000 for the people that actually work with the adult students. The administration is twice what is actually being spent to work with the students.

Mr. Pleasant stated that no he is not concerned by that because he know what is involved in that administration and counseling, TAKS coordinating and the hours that are required for administration.

Vice-Chair Donaldson noted that two-thirds will go to administration and only one-third will actually go to the ones doing the work with the students and does Mr. Pleasant really feel that is fine.

Mr. Pleasant repeated that he is comfortable with that because he has seen how many hours are required and without that support the program could not exist.

Ms. Pettijohn confirmed that it is a fact that administrators in education generally make double what a teacher makes but they generally have more education and experience.

Chair Bragg added that their concern is the limited funding available and making the dollars go a little farther and that if the administration salary were \$30 an hour instead of \$40 that would make funding the program more possible.

Dr. Villarreal stated that they presented a grant based on the requirements of the grant and it is up to TISD to maximize the efficiency of those dollars.

Vice-Chair Donaldson pointed out that it is tough because TISD is competing with other agencies and they have heard from agencies today that have administration costs of 4.3 % or 15%, and TISD is talking about administration costs of 66%, so it makes it tough to make funding decisions.

Ms. Cofer added that the other agencies are helping a much larger number of people than TISD and that is a big consideration as well as the administration ratio.

Mr. Collins asked if there is a suggested timeframe when they think that students will graduate.

Dr. Villarreal stated that in an accelerated program their goal is 2 years. You give them 2 years of being here every day and taking care of business every day; let them coach you, monitor you, provide guidance and counseling and the goal is 2 years, depending on what the levels of credits are; assuming that it is at less than 5. That's the general rule. This program is different because these students start at all different credit levels.

There was open discussion of the re-cap of the credit levels, student motivation and support.

Ms. Blackwell asked if the students do all the work in the classroom or work at home.

Mr. Pleasant stated that probably 95% of the work is done in the classroom but students do take their notebook home for extra work.

Ms. Etzel added that the program is good because students can work at their own pace and that physical notes are not absolutely necessary because of the computer support. This would be good for students with disabilities to adjust the program to fit their situation and it avoids issues with competition or comparison to other students in the classroom.

Dr. Battershell stated that the other important factor in the results of this first year program is the number of children of each student. When they presented this program a year ago, they presented that we are looking at changing cultures and there are 44 children represented here that are not in that classroom that have learned a lot.

There being no further questions, Chair Bragg thanked them for their time and closed the interview.

## **HELP CENTER:**

Judy Morales, Executive Director, and Esther Roque, Office/Case Manager, Bell County Human Services Temple HELP Center, were the next applicants interviewed.

Chair Bragg stated that it would be helpful in the presentation if they would let them know if they are talking about the child care money or the workforce preparation/GED education money.

Ms. Morales stated that the HELP Center was originally a part of MHMR because they wanted to provide some out reach program to minority and low income groups and they had federal funds for that purpose. When those federal funds went away the HELP Center became a department of Bell County. They provide information referral and emergency financial assistance and other community based programs; try to find any assistance gaps there might be, advocacy and looking at the needs in the community and how to fill that need without duplication of services. They apply and receive different funding and the last couple of years it has been extra difficult. They receive United Way funds, apply for TXU and Reliant funding. They apply for federal funds but have not received anything yet. They also work closely with Hill Country Community Action. They collaborate to provide services whenever possible to make the dollars go further. There are two areas that they have identified as needed. There is a lot of new requirements & restriction on the Food Stamp program and Welfare so a lot of people that were in this system will be transitioned out and most are not able to prepare for that. What they are finding are a lot of people that have worked all their lives are out of work and need assistance for basic living and employment, or education for employment. Childcare has been identified as one of the biggest barriers for education or employment. They partner with The Workforce Commission (TWC) and last year were able to help 25 children so the parents could go back to school or go to work

Mr. Collins asked for clarification of the back to school and asked what type of school she referred to.

Ms. Morales stated that some clients need to be retrained for a new job or new skills to start all over again.

Ms. Roque stated that generally it is through TWC and is vocational training of some sort or the LVN/RN program.

Chair Bragg asked what funding for child care entailed.

Ms. Roque said that the client goes to the Texas Workforce commission and applies through the CCS program. Sometimes TWC has closed enrollment and if someone is trying to start school and they can't get daycare so they can't go to school. In that situation TWC refers the client to the HELP Center and they use CDBG funds to enroll the child in a child care program that is certified as part of the CCS program with TWC. The HELP Center then uses vouchers to reimburse TWC. They act as a local pass-thru agency for TWC and the funds are used as non-federal match funds. These funds are utilized as a 2 to 1 match which enhances the funding base and allows more families to be assisted and allows the customer to be able to begin employment and/or educational skills training program without losing the opportunity.

Ms. Morales addressed the workforce preparation portion of their request. She stated that unemployment is at an all-time high. They get a lot of referrals from Workforce, VA, Centex or just people off the street trying to find work. She discussed their application process and methods to identify how best to help the client through their program or other sources. They often help with the \$90 cost of the GED test, uniforms, shots, boots or cost of vocational training. They look at the client's big picture to determine the best way to help the client become self sufficient.

Ms. Roque added that before they pay for the GED they require the client to take an on-line test to make sure they are ready for the GED test. If they are not ready, they require the client to go to GED prep classes that can be done on-line or at Temple College free of charges.

Ms. Blackwell asked if there is a list of qualified items that they will pay for.

Ms. Morales said that it depends on the situation. These are usually people of low-income that need assistance for a special situation or emergency need; for instance: health card; fuel, utility bills.

Ms. Cofer asked if they could give an example of the utility assistance program.

Ms. Roque told of a recent client that had applied about the weatherization program, and as a result of that application process they were able to refer the client to the CBA program which is through the State of Texas that helps with modifications to the home for disabled individuals. They were also able to qualify the client for assistance with her utility bill during the summer months.

Chair Bragg asked if the \$10,000 requested for employment/education initiatives was all just one pot of money that they used for all those different potential services and how those items will be tracked.

Ms. Morales confirmed that they expect to help 45 individuals with the cost of the GED test and the rest would be for other job assistance needs. Before providing any kind of financial assistance they obtain a picture ID, proof of income and proof of residency and a file is maintained on each client receiving assistance.

Vice-Chair Donaldson asked what happens if they buy boots & uniforms and they quite a week later.

Ms. Morales stated that there is no follow-up to determine continued employment.

Ms. Roque stated that they refer the client to other sources for clothing and mainly provide work boots because most jobs require steel-toe or non-skid. She added that they require a referral either from another agency or from the employer in order to provide the boots.

Ms. Morales noted that they were requesting, \$15,000 for child care, which is the same as last year. This would enable them to assist an estimated 8 families with approximately 25 children.

Chair Bragg asked if they were not able to receive funding for both activities, which would they most like to see funded.

Ms. Morales stated that both activities are very needed now because of the state of the economy but that the childcare program was probably the best investment because of the 2 to 1 match. There is always the need for the childcare program and it provides the most value for the money.

There being no further questions, Chair Bragg thanked them for their time and closed the interview.

There was open discussion about Ms. Morales' candidacy for City Council and any conflict of interest regarding funding allocations.

Chair Bragg asked that each member review the applications and make a tentative decision of funding recommendations, keeping in mind the \$10,00 minimum and the estimated total amount available to award of \$65,356, and to prepare arguments for or against a funding particular agency.

4. **Confirm next scheduled meeting to discuss PSA applicants and make final recommendations to Council for the CDBG 2011 Program Year.**

Chair Bragg confirmed that the next meeting was scheduled for Thursday, May 12th, at 3:00 pm and the purpose of that meeting will be to come up with the funding recommendations to City Council.

6. **Adjournment**

There being no further questions or items for discussion, Chair Bragg adjourned the meeting at 5:10 p.m.

**Respectfully submitted,**

**Lois Whitley**

# Community Services Advisory Board

City Of Temple

Staff Conference Room

April 28, 2011 - 2:00 pm

NAME/COMPANY	ADDRESS	PHONE #
Nancy Eitzel, Independent Educational Consultant	329 Big Timber Dr., Temple TX	H+C same 254-780-9808
<u>Florencia Olivares</u>	<u>3323 Thornton Ln F-4 Temple, Tx</u>	<u>254-718-7326</u>
Patsy Cofer	4314 Gazelle Trl, Temple	254-899-8165
Dee Blackwell	8520 Oak Crossing Temple TX	254-228-5609
Nelissa Bragg	110 Arbor Drive, Little River TX	254-624-5606
Jody Donaldson	4106 Eagle Rd, Temple TX	778-8401
Ashleigh Pettigrew	1111 Sugar Brook Dr. Temple, TX	421-8843
Roscoe Harrison	5222 J & Bruce Dr. Temple TX	773-0173
William Cullen	101 Twelve Oaks Ranch	8247135
Suzanne Armour	POB 25 Killeen 76540	254-634-1181
William Hall	"	"
Sue Ellen Jackson	202 E First St, Belton, 76513	254-939-7582
<u>Lewanna Turner HCAA</u>	<u>PO Box 465 San Saba</u>	<u>805-372-5671 ext 278</u>
Don PIERCE, TISD	515 Ave D Temple TX 76502	254-215-5765
JT WILLIAMS	7309 Tanglewood 76502	215-6823
Esther Roque	102 E. Central #100 Temple 7706842	
Judy Morales	102 E. Central " Temple 7706850	





## NOTICE OF MEETING

**COMMUNITY SERVICES ADVISORY BOARD  
TEMPLE MUNICIPAL BUILDING, 1st FLOOR  
STAFF CONFERENCE ROOM  
2 NORTH MAIN ST.**

**April 28, 2011  
2:00 P.M.**

## AGENDA

- \_\_\_\_\_ 1. Call to Order
- \_\_\_\_\_ 2. Receive Comments from the Public
- \_\_\_\_\_ 3. Interview Public Service Agencies (PSA) Applicants for Community Development Block Grant (CDBG) 2011 Program Year
- \_\_\_\_\_ 4. Confirm next scheduled meeting to discuss PSA applicants and make final recommendations to Council for CDBG 2011 Program Year.
- \_\_\_\_\_ 5. Adjournment

I hereby certify that a true and correct copy of this Notice of Meeting was posted in a public place at 2:00 p.m., April 25, 2011.

*Clydette Entzminger*  
Clydette Entzminger  
City Secretary

**SPECIAL ACCOMMODATIONS:** Persons with disabilities who have special communication or accommodation needs and desire to attend the meeting should notify the City Secretary's Office by mail or telephone 48 hours prior to the meeting date.

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 \_\_\_\_\_ 2011.  
Name/Title \_\_\_\_\_

**COMMUNITY SERVICES ADVISORY BOARD**  
**Community Development Block Grant**  
**Public Service Agency Funding**

**May 12, 2011**  
**3:00 P. M.**

**COMMUNITY SERVICES ADVISORY BOARD MEMBERS PRESENT**

Chair Melissa Bragg	Vice-Chair Jody Donaldson
Rev. Roscoe Harrison	Nancie Etzel
Dee Blackwell	Ashleigh Pettijohn
Patsy Cofer	Florencio Olivares
Lamar Collins	

**BOARD MEMBERS ABSENT**

None

**STAFF PRESENT**

Lois Whitley, City of Temple

**GUESTS PRESENT**

See Attached Attendance List

The agenda for this meeting was posted on the bulletin board at the Municipal Building, May 6, 2011, at 1:30 p.m. in compliance with the Open Meetings Law.

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

**1. Call to Order**

Chair Bragg called the Community Services Advisory Board to order at 3:11 p. m.

**2. Receive Comments from the Public**

Chair Bragg noted that no guests from the public were in attendance at this time.

**3. Review Public Service Agencies (PSA) Applications for Community Development Block Grant (CDBG) 2011 Program Year.**

Chair Bragg re-capped the amounts that each agency has requested and opened the floor for discussion.

Vice-Chair Donaldson stated that one agency he is sure that he wants to see fully funded is the meals on wheels program proposed by Hill Country Community Action (HCCAA).



All members agreed that they also want to fully fund that program.

Mr. Collins asked about funding for the work force preparation portion requested by the HELP Center.

There was open discussion of the HELP Center request; the 2 to 1 match that the HELP Center receives on child care; purchase of boots; tuition reimbursement; GED test expense and other return to work activities.

Rev. Harrison asked, as they consider these funding requests, that the members keep in mind what other funding sources are available to each agency.

Chair Bragg asked if there is any program that the members do not want to fund.

Ms. Etzel stated that she did not want to fund TISD.

There was open discussion of the TISD program, the hours available to students and the cost of the program.

Ms. Pettijohn said that she had issues with Aware Central Texas (ACT) because their board minutes reflect serious financial concerns and that the agency was considering closure due to financial difficulties.

There was open discussion about the service provided by ACT, the volunteer staff, and comparison made to the services provided by Families In Crisis (FIC); the stability of the program and the direct service to be provided with the funds requested.

Rev. Harrison stated that he also has some concerns about funding the TISD program because they have other funding sources.

Ms. Blackwell spoke in favor of funding the TISD program at the revised amount of their application and feels that there is value in the program and that there is no other funding for this age group.

There was open discussion of the TISD program, the results of the first year of the program and the number of students expected to receive their diploma; the Fred Edwards Academy accelerated program, age of the students, the Temple College Adult Education program and the Temple Literacy Council.

Ms. Cofer stated that the impact on the children of these adult students should be considered. These children see their parents doing this to achieve their diploma and that will encourage the children to stay in school and get their diploma.

There was more discussion about the TISD program, beginning credits of the students and if credits earned toward a diploma is a good enough result to justify funding the program; concerns of continuing a program that may be discontinued from year to year depending on funding available and what happens to the students; and that it will take these students an average of 4 years to get their diploma; that it is not an accelerated program; and the dedication that the students have shown to get their diploma.

Vice-Chair Donaldson stated that he has a lot of concerns about the TISD program, the actual hours worked, the salary for the program specialist and that the program would have to be funded for several years before any students would actually graduate. His concerns with ACT were the discussions in the board

meetings about closing the agency, an increase in the rent budgeted, salary increases and other troubling things in their finances and board minutes.

After re-capping the funding recommendation from each board member, Chair Bragg noted that there are 2 agencies that some members do not wish to fund, ACT and TISD.

There was more discussion about funding amounts for each agency and the services provided with none of the members recommending funding for ACT and only 3 members still wanting some funds to go to TISD

Chair Bragg spoke in favor of FIC and how much she believes in their program and the important service provided. She noted that all members want to fund HELP Center child care-\$15,000, FIC-\$15,000, HCCAA-\$15,000 leaving \$20,000 to fund elsewhere.

All members agreed.

Ms. Cofer stated that she would not choose to give more to HCCAA for the meals on wheels program because they do not attempt to recruit volunteers from the Temple churches. Temple has a strong faith-based community and she feels that HCCAA just assumes that Temple will provide funding and that they don't make the effort to recruit volunteers from local church groups.

There was open discussion on the funding amounts of all agencies; total number of clients to be served and the best return for the amount funded; the failure of HCCAA to recruit church volunteers; TISD and the possibility of funding only the teacher salaries and supplies.

Chair Bragg requested a motion to call for a vote to determine funding for TISD.

Ms. Blackwell made a motion to partially fund the TISD diploma program and Mr. Olivares seconded the motion.

Each member was polled and the motion to fund the TISD program failed with 5 votes no and 3 votes yes, with Mr. Collins having left the meeting.

After further discussion and review of funding recommendations by each member, Chair Bragg re-capped the new recommendations for funding:

HELP Center-child Care- \$15,356  
HELP Center-return to work - \$10,000  
Families in Crisis - \$25,000  
Hill Country Community Action - \$15,000

There being no objections or requests for further discussion of these recommendations, Chair Bragg called for a motion to approve the funding amounts.

Vice-Chair Donaldson made a motion that funding be recommended as stated.

Rev. Harrison seconded the motioned.

All members were polled and the motion carried unanimously.

Ms. Whitley reminded the members that the total amount to be received from HUD was still an estimate and asked what procedure they would like to follow if the actual amount changed.

There was open discussion and all members agreed that if the actual amount varied by \$1,000 either way, the Board would meet again to discuss distribution; but if the variance was less than \$1,000, Ms. Whitley should distribute the difference in even dollar amounts to each of the four recommended activities with any odd dollar amounts to go to the HELP Center child care program.

Ms. Whitley stated that she would notify the members when the final funding amount was confirmed.

**5. Adjournment**

There being no further questions or items for discussion, Chair Bragg adjourned the meeting at 4:38 p.m.

**Respectfully submitted,**

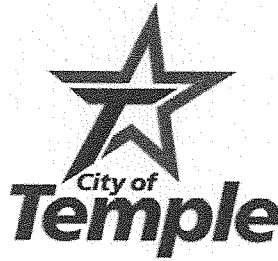
**Lois Whitley**

**2011-2012 CSAB PUBLIC SERVICE AGENCIES  
FUNDING RECOMMENDATIONS**

<b>PSA Applicant</b>	<b>Reason for Request</b>	<b>Requested Amount</b>	<b>Recommended Amount</b>
Bell County Human Services / Temple HELP Center	Transition from Welfare to Work Issues: Child care Workforce Preparation	\$15,000 \$10,000	\$15,356 \$10,000
Families in Crisis	Transition from Welfare to Work Issues: Skills Training (Salaries & Wages, fringe benefits)	\$20,000	\$25,000
Family Promise of East Bell County, Inc.	Transition from Welfare to Work Issues: Transportation, Skills Training (Salaries & Wages, fringe benefits)	\$28,650	\$0
Hill Country Community Action Associations, Inc. / Temple Nutrition Program	Elderly: Self-sufficiency programs (Salaries & wages/fringe benefits)	\$15,000	\$15,000
Temple Independent School District	Youth: Work force preparation, Mentoring High-School Diploma Program	\$13,965	\$0
Aware Central Texas	Youth: Self-sufficiency, Mentoring (Salaries & wages/fringe benefits)	\$11,440	\$0
	<b>Total</b>	<b>\$114,055</b>	<b>\$65,356</b>

**City Of Temple  
Staff Conference Room  
May 12, 2011 - 3:00 pm**

[illegible]



**NOTICE OF MEETING**

**COMMUNITY SERVICES ADVISORY BOARD  
TEMPLE MUNICIPAL BUILDING, 1ST FLOOR  
STAFF CONFERENCE ROOM  
2 NORTH MAIN ST.  
(Central Ave. side)**

**May 12, 2011  
3:00 P.M.**

**AGENDA**

- \_\_\_\_\_ 1. Call to Order
- \_\_\_\_\_ 2. Receive Comments from the Public
- \_\_\_\_\_ 3. Review Public Service Agencies (PSA) Applications for  
Community Development Block Grant (CDBG) 2011 Program Year
- \_\_\_\_\_ 4. Make funding recommendations to City Council
- \_\_\_\_\_ 5. Adjournment

I hereby certify that a true and correct copy of this Notice of Meeting was posted in a public place at 1:30 p.m., May 6, 2011.

*Clydette Entzminger*  
Clydette Entzminger  
City Secretary

**SPECIAL ACCOMMODATIONS:** Persons with disabilities who have special communication or accommodation needs and desire to attend the meeting should notify the City Secretary's Office by mail or telephone 48 hours prior to the meeting date.

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 \_\_\_\_\_ 2011.  
Name/Title \_\_\_\_\_





## COUNCIL AGENDA ITEM MEMORANDUM

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06/02/11  
Item #5(A)  
Consent Agenda  
Page 1 of 3

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

Nicole Torralva, P.E., Director of Public Works  
Sam Weed, Superintendent of Fleet Services

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing submission of an application for funding through the Texas Comptroller of Public Accounts, State Energy Conservation Office (SECO), Emerging Clean Energy Technologies for the Alternative Fuels Initiative Grant Program in the amount of \$51,050, with \$10,210 cost-shared by the City, to convert six vehicles and install a propane autogas fueling station.

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

**ITEM SUMMARY:** The State Energy Conservation Office (SECO) has announced a matching grant program entitled "Emerging Clean Energy Technologies for the Alternative Fuels Initiative Grant Program." The program provides cost-shared funding, on a competitive basis, for municipalities to utilize in transitioning vehicles to alternative fuels; and/or provide necessary refueling capabilities.

For the purpose of this funding opportunity alternative fuels include: compressed natural gas (CNG); liquefied petroleum (LPG); liquefied natural gas (LNG); electric vehicles; and hybrid vehicles which operate on both conventional fuel and on-board electrical power. Eligible alternative fueling stations include: CNG, LPG, LNG, E85 and electric charging stations.

The final application is due June 3, 2011. According to funding solicitation, selection will be announced no sooner than June 17, 2011.

The project scope we are requesting to apply for involves converting six fleet vehicles to LPG, also known as propane autogas. The City will also install a LPG fueling station on site at the Fleet Service Center.

LPG is the best alternative fuel for medium duty trucks. Staff has identified six vehicles that are currently available to be converted from gasoline to LPG, as listed below.

Department	Year	Model	Engine	Avg Miles	Annual Avg of Fuel Consumed (gal)
Metering	2010	F-150	5.4 L	15,000	2000
Metering	2010	F-150	5.4 L	19,000	2400
Solid Waste	2011	F-150	5.0 L	17,000	
PALs	2010	F-250	5.4 L	17,300	1400
Water	2009	F-250	5.4 L	15,000	1580
Water	2009	F-350	5.4 L	14,000	2000

These vehicles were chosen based on grant requirements (2009 or newer model year) and current conversion options available on the market. Staff is proposing to utilize a system that converts the current gasoline fuel to a bi-fuel LPG systems. This option allows the engine to start up using gasoline, but thereafter switch to LPG for operation. Gasoline will remain as a secondary back-up system, primarily operating on LPG. With grant assistance the City can anticipate a simple payback period of less than one-year and anticipate an annual savings between \$2,500 and \$3,000 per vehicle, as shown in the following table.

Sample Medium Duty Cost Analysis For Vehicles				
Capital Cost		GASOLINE	PROPANE	SAVINGS
1 Purchase Price		\$0.00	\$6,697.00	-\$6,697.00
<i>Click on the link below to determine the amount of your federal motor vehicle tax credit.</i>				
2 Grant funding			\$5,357.60	+ \$5,357.60
<b>3 Capital Cost Savings/Difference</b>				<b>-\$1,339.40</b>
Operating Cost				
1 Annual miles driven	19,000		19,000	
2 Average miles/gallon	11.4		10.3	
3 Gallons per year (line 1 divided by line 2)	1,666.67		1,844.66	
4 Cost per gallon*	\$3.72		\$2.42	
5 Annual fuel cost (line 3 x line 4)	\$6,200.00	-	\$4,464.08	= \$1,735.92
6 Annual federal excise tax rate/gallon	\$0.18		\$0.18	
7 Annual federal excise tax amount (line 6 x line 3)	\$306.67		\$337.57	-\$30.91
Annual federal excise tax credit/gal beginning 10/1/06				
8 (propane only)			\$0.50/gallon	
9 Annual federal tax credit (line 3 x line 8)			\$922.33	+ \$922.33
Cost of annual maintenance (includes tune-ups, oil, future engine life)				
10	(\$.03 per mile)	-	(\$.015 per mile)	
11 Annual maintenance (line 2 x line 10)	\$570.00	-	\$285.00	+ \$285.00
12 Loss from fuel pilferage/theft	\$100.00	-	NONE	+ \$100.00
13 Annual propane state motor fuel tax or decal			\$120.00	- \$120.00
<b>14 Total Annual Savings</b>				<b>= \$2,892.35</b>
<b>15 TOTAL First-Year Savings</b>				<b>\$1,552.95</b>
<b>16 TOTAL Three-Year Savings</b>				<b>\$4,658.84</b>

The total cost for converting the six vehicles equals \$40,200 (20% City match equals \$8,040).

Staff will also request funding to install a LPG fueling station at the Fleet Service Center. There is currently no easily accessible LPG fueling station within the City of Temple. A fueling station will allow City fleet to easily fuel-up, at any time of day. The total cost for a LPG fueling station is \$10,850 (20% City match equals \$2,170).

Staff is recommending that we submit a proposal to SECO to receive grant funds to convert six fleet vehicles to LPG and install a LPG fueling station. The total estimated cost for labor and materials is \$51,050, of which \$40,840 would be funded by the program. City required matching is 20% of the project costs, totaling \$10,210.

**FISCAL IMPACT:** Funding program guidelines provide for an 80/20 match. It is anticipated that the City will provide a \$10,210 cash match. A budget adjustment is presented for Council's approval designating the City's match in the amount of \$10,210 from General Fund Balance-Designated for Capital Projects-Unallocated, account 110-0000-352-13-45.

With this investment, the simple payback period is estimated to be under one-year, with a first year savings per vehicle of approximately \$1,550 due to grant assistance. Thereafter, the City should avoid an actual annual fuel cost of approximately \$2,500 to \$3,000 per vehicle, with the use of LPG.

**ATTACHMENTS:**

Budget Adjustment  
Resolution

FY 2011**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	
110-0000-352-13-45		Desg Cap Proj-SECO Alt. Fuel Grant	\$ 10,210			
110-0000-352-13-45		Desg Cap Proj-Unallocated			10,210	
		<b>DO NOT POST</b>				
<b>TOTAL.....</b>			\$ 10,210		\$ 10,210	

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

To designate the City's 20% match of \$10,210 for the Emerging Clean Energy Technologies for the Alternative Fuels Initiative Grant Program through the State Energy Conservation Office. If awarded this grant, the City will convert six fleet vehicles to liquefied petroleum (LPG), also known as propane autogas. The City will also install a LPG fueling station on site at the Fleet Service Center. The total project costs is estimated at \$51,050.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒

Yes

☐

No

DATE OF COUNCIL MEETING

6/2/2011

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 SUBMIT A GRANT APPLICATION THROUGH THE TEXAS COMPTROLLER OF PUBLIC ACCOUNTS, STATE ENERGY CONSERVATION OFFICE (SECO), EMERGING CLEAN ENERGY TECHNOLOGIES FOR THE ALTERNATIVE FUELS INITIATIVE GRANT PROGRAM IN THE AMOUNT OF \$51,050, WITH \$10,210 COST-SHARED BY THE CITY, TO CONVERT SIX VEHICLES AND INSTALL A PROPANE FUELING SYSTEM; AND PROVIDING AN OPEN MEETINGS CLAUSE.

---

**Whereas**, the State Energy Conservation Office (SECO) has announced a matching grant program entitled, “Emerging Clean Energy Technologies for the Alternative Fuels Initiative Grant Program,” which is intended to provide cost-shared funding, on a competitive basis, to municipalities to utilize in transitioning vehicles to alternative fuels; and/or provide necessary refueling capabilities;

**Whereas**, the Staff recommends submitting a grant application to SECO to receive grant funds to convert four fleet vehicles to LPG and install a propane fueling station on site at the Fleet Service Center;

**Whereas**, funding program guidelines provide for an 80/20 match, and the City’s cost will be approximately \$10,210, with the City receiving \$51,050 in grant funds – an amendment to the FY2010-2011 budget needs to be adopted 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 submit a grant application to the Texas Controller of Public Accounts, State Energy Conservation Office (SECO), Emerging Clean Energy Technologies for the Alternative Fuels Initiative Grant Program in the amount of \$51,050 and commits to the City’s match of \$10,210.

**Part 2:** The City Manager, or his designee, is authorized to execute any documents which may be necessary to apply for this grant, after approval as to form by the City Attorney.

**Part 3:** The City Council accepts any funds that may be received for this grant.

**Part 4:** The City Council approves an amendment to the FY2010-2011 budget, substantially in the form of the copy attached as Exhibit A, for this purpose.

**Part 5:** 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 2<sup>nd</sup> day of **June**, 2011.

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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06/02/11  
Item #5(B-1)  
Consent Agenda  
Page 1 of 2

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

Jonathan Graham, City Attorney

**ITEM DESCRIPTION:** SECOND READING – Consider adopting an ordinance designating a tract located at 3601 Eberhardt Road as City of Temple Tax Abatement Reinvestment Zone Number Twenty-One for commercial/industrial tax abatement.

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

**ITEM SUMMARY:** The proposed ordinance designates the area described as Lot 1, Block 1, Temple Industrial Park, located at 3601 Eberhardt Road, as a commercial/industrial tax abatement reinvestment zone. The designation of a tax abatement reinvestment zone lasts for five years and is a prerequisite for entering into a tax abatement agreement with a future economic development prospect.

Chapter 312 of the Texas Tax Code requires that property be within a tax abatement reinvestment zone (or an enterprise zone) to be eligible for tax abatement. The designation of a tax abatement reinvestment zone requires an ordinance, two readings and a public hearing. We are also required to give seven days prior notice to the other taxing entities before final approval of the ordinance, which will be done.

The proposed tax abatement reinvestment zone as described above, is proposed for commercial or industrial tax abatement (the property is currently zoned Commercial). Chapter 312 requires that the City make the following findings when it adopts an ordinance creating a tax abatement reinvestment zone: (1) that the creation of the tax abatement reinvestment zone will result in benefits to the City and to the land included in the zone after the term of any agreement, and that the improvements being sought are feasible; and (2) that the tax abatement reinvestment zone meets the criteria for creation of a zone under State law and the City's own criteria and guidelines for tax abatement. I have reviewed both the State law and our criteria and guidelines, and believe that the creation of the proposed reinvestment zone and subsequent approval of a tax abatement agreement with the property owner will lead to the retention of primary employment in the area, and the creation of new

real and personal property improvements in the area—as contemplated by our State and local criteria. The Staff recommends approval of the ordinance for the above reasons.

**FISCAL IMPACT:** None at this time.

**ATTACHMENTS:**

[Map](#)  
[Ordinance](#)

OWNERSHIP MAP for LIT TEXAS REALTY, INC.  
 LOT ONE (1), BLOCK ONE (1), of TEMPLE INDUSTRIAL PARK, PAGE ADDITION,  
 a subdivision in the City of Temple, Bell County, Texas, according to the plat  
 of record in Cabinet C, Slide 223-B, Plat Records of Bell County, Texas and  
 2.45 acres, being part of the J. H. MOORE SURVEY, ABSTRACT NO. 582 and  
 the R. C. MOORE SURVEY, ABSTRACT NO. 581, in Bell County, Texas.

EXHIBIT

A

0' 100' 200' 300'

REDUCED  
- COPY -

ASPHALT  
**EDERHARDT ROAD**  
 PUBLIC MAINTAINED ROADWAY  
 N 16°33'15" E 943.64'

5.95 ACRES  
 RIGHT-OF-WAY DEDICATION  
 VOL. 1523, PG. 943

LOT 1, BLOCK 1

TEMPLE INDUSTRIAL PARK,  
 PAGE ADDITION  
 CAB. C, SL. 223-B

19.35 ACRES

J. H. MOORE SURVEY, ABSTRACT NO. 582

PUBLIC MAINTAINED ROADWAY  
 1/2" IRON ROD FOUND

2.45 Acres

LOT 1, BLOCK 1  
 TEMPLE INDUSTRIAL PARK  
 SECTION NINETEEN  
 CAB. C, SL. 1-A

OWNERSHIP MAP for LIT TEXAS REALTY, INC.  
 LOT ONE (1), BLOCK ONE (1), of TEMPLE INDUSTRIAL PARK, PAGE  
 ADDITION, a subdivision in the City of Temple, Bell County, Texas,  
 according to the plat of record in Cabinet C, Slide 223-B, Plat Records  
 of Bell County, Texas and 2.45 acres, being part of the J. H. MOORE  
 SURVEY, ABSTRACT NO. 582 and the R. C. MOORE SURVEY, ABSTRACT  
 NO. 581, in Bell County, Texas.

ALL COUNTY SURVEYING, INC.



Survey completed: 08-07-03  
 Scale: 1" = 50'  
 Job No.: 999000  
 Dwg. No.: 100000000  
 Drawn by: JCF  
 Surveyor: G. J. B. B. B.

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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, DESIGNATING A CERTAIN AREA LOCATED AT 3601 EBERHARDT ROAD AS TAX ABATEMENT REINVESTMENT ZONE NUMBER TWENTY-ONE FOR COMMERCIAL/INDUSTRIAL TAX ABATEMENT; ESTABLISHING THE BOUNDARIES THEREOF AND OTHER MATTERS RELATING THERETO; DECLARING FINDINGS OF FACT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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WHEREAS, the City Council of the City of Temple, Texas (the "City"), desires to promote the development or redevelopment of a certain contiguous geographic area within its jurisdiction by creation of a reinvestment zone for commercial/industrial tax abatement, as authorized by Section 312.201 of the Texas Tax Code (hereinafter the "Code");

WHEREAS, the City held such public hearing after publishing notice of such public hearing, and giving written notice to all taxing units overlapping the territory inside the proposed reinvestment zone;

WHEREAS, the City at such hearing invited any interested person, or his attorney, to appear and contend for or against the creation of the reinvestment zone, the boundaries of the proposed reinvestment zone, whether all or part of the territory described in the ordinance calling such public hearing should be included in such proposed reinvestment zone, the concept of tax abatement; and

WHEREAS, the proponents of the reinvestment zone offered evidence, both oral and documentary, in favor of all of the foregoing matters relating to the creation of the reinvestment zone, and opponents of the reinvestment zone appeared to contest creation of the reinvestment zone.

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

**Part 1:** The facts and recitations contained in the preamble of this ordinance are hereby found and declared to be true and correct.

**Part 2:** The City, after conducting such hearings and having heard such evidence and testimony, has made the following findings and determinations based on the testimony presented to it:

A. That a public hearing on the adoption of the reinvestment zone has been properly called, held and conducted and that notices of such hearings have been published as required by law and mailed to all taxing units overlapping the territory inside the proposed reinvestment zone;

B. That the boundaries of the reinvestment zone (hereinafter "REINVESTMENT ZONE NUMBER TWENTY-ONE") should be the area described as Lot 1, Block 1, Temple Industrial Park, located at 3601 Eberhardt Road in the City of Temple, Bell County, Texas, as described in the drawing attached as Exhibit "A."

C. That creation of REINVESTMENT ZONE NUMBER TWENTY-ONE will result in benefits to the City and to the land included in the zone after the term of any agreement executed hereunder, and the improvements sought are feasible and practical;

D. That REINVESTMENT ZONE NUMBER TWENTY-ONE meets the criteria for the creation of a reinvestment zone as set forth in Section 312.202 of the Code in that it is "reasonably likely as a result of the designation to contribute to the retention or expansion of primary employment or to attract major investment in the zone that would be a benefit to the property and that would contribute to the economic development of the City;" and

E. That REINVESTMENT ZONE NUMBER TWENTY-ONE meets the criteria for the creation of a reinvestment zone as set forth in the City of Temple Guidelines and Criteria for granting tax abatement in reinvestment zones.

**Part 3:** Pursuant to Section 312.201 of the Code, the City hereby creates a reinvestment zone for commercial/industrial tax abatement encompassing Lot 1, Block 1, Temple Industrial Park, located at 3601 Eberhardt Road in the City of Temple, Bell County, Texas, described by the drawing in Exhibit "A," attached hereto and such REINVESTMENT ZONE is hereby designated and shall hereafter be officially designated as Tax Abatement Reinvestment Zone Number Twenty-One, City of Temple, Texas.

**Part 4:** The REINVESTMENT ZONE shall take effect on June 3, 2011, or at an earlier time designated by subsequent ordinance.

**Part 5:** To be considered for execution of an agreement for tax abatement the commercial/industrial project shall:

A. Be located wholly within the Zone as established herein;

B. Not include property that is owned or leased by a member of the City Council of the City of Temple, Texas, or by a member of the Planning and Zoning Commission;

C. Conform to the requirements of the City's Zoning Ordinance, the CRITERIA governing tax abatement previously adopted by the City, and all other applicable laws and regulations; and

D. Have and maintain all land located within the designated zone, appraised at market value for tax purposes.

**Part 6:** Written agreements with property owners located within the zone shall provide identical terms regarding duration of exemption and share of taxable real property value exempted from taxation.

**Part 7:** Written agreements for tax abatement as provided for by Section 312.205 of the Code shall include provisions for:

A. Listing the kind, number and location of all proposed improvements of the property;

B. Access to and inspection of property by municipal employees to ensure that the improvements or repairs are made according to the specification and conditions of the agreements;

C. Limiting the use of the property consistent with the general purpose of encouraging development or redevelopment of the zone during the period that property tax exemptions are in effect; and

D. Recapturing property tax revenue lost as a result of the agreement if the owner of the property fails to make the improvements as provided by the agreement.

**Part 8:** 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 9:** 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 10: Sunset provision.** The designation of Tax Abatement Reinvestment Zone Number Twenty-One shall expire five years from the effective date of this ordinance. The designation of a tax abatement reinvestment zone may be renewed for periods not exceeding five years. The expiration of a reinvestment zone designation does not affect an existing tax abatement agreement authorized by the City Council.

**Part 11:** It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meeting Act.

PASSED AND APPROVED on First Reading and Public Hearing on the **19<sup>th</sup>** day of **May**, 2011.

PASSED AND APPROVED on Second Reading on the **3<sup>rd</sup>** day of **June**, 2011.

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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06/02/11  
Item #5(B-2)  
Consent Agenda  
Page 1 of 2

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

Jonathan Graham, City Attorney

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a tax abatement agreement with LJT Texas, LLC, for a tract of land located at 3601 Eberhardt Road.

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

**ITEM SUMMARY:** The proposed resolution authorizes the City Manager to execute an agreement with LJT Texas, LLC, which if approved gives the company five years of 50% tax abatement on the increased taxable value of real and personal property improvements on a tract of land described as Lot 1, Block 1, Temple Industrial Park, located at 3601 Eberhardt Road, Temple, Texas. The tax abatement applies only to *new* real and personal property improvements with a useful life of ten or more years.

LJT Texas, LLC, timely filed an application to receive tax abatement on improvements to real and personal property proposed for a facility at 3601 Eberhardt Road. A separate, related item on this agenda is an ordinance designating the property on which the improvements will be located as a tax abatement reinvestment zone. Tax abatement is being sought for real and personal property improvements consisting of the addition of a 74,375 square foot metal canopy which will be used for storage and shipment of steel tubing. The taxable value of real and personal property with a useful life of ten or more years at the facility will be increased by an estimated \$2 million.

The City's Economic Development Policy sets out the criteria and guidelines for granting tax abatement. The renovations proposed meet the minimum criteria established for tax abatement consideration. The proposed improvements fall within the definition of "eligible facilities" in the criteria. The application indicates real and personal property improvements which meet the criteria for granting a 50% tax abatement for five years.

The Staff has provided the other taxing entities involved with notice and a copy of the proposed agreement. Under State law, the other taxing entities will have 90 days to elect to enter into an agreement with identical terms. The proposed agreement is drafted for the signature of each taxing entity, but will be effective between LJT Texas, LLC, and any of the taxing entities which sign the agreement even if not all sign. Under State law, taxes on supplies and inventory are not eligible for tax abatement.

Additionally, the agreement has all of the other terms required by Chapter 312 of the Texas Tax Code for tax abatement agreements, including provisions: (1) listing the kind and number of improvements; (2) providing for inspections of the facility by the taxing entities; (3) requiring compliance with State and local laws; (4) recapturing abated taxes in the event of a default under the agreement; and (5) requiring LJT Texas, LLC, to annually certify to all the taxing entities that it is in compliance with all of the terms and conditions of the agreement.

LJT Texas, LLC's application meets the standards for granting tax abatement on the increase in real and personal property improvements established by the City's Criteria and Guidelines for tax abatement. The City Council has discretion whether to approve an application for tax abatement and to increase the percentage of tax abatement over the recommended percentage specified in the matrix in the City's Criteria and Guidelines for tax abatement. The agreement should add to the continued development of the City's industrial growth, which would not have occurred in the absence of tax abatement.

**FISCAL IMPACT:** The tax abatement agreement would have the potential of abating approximately \$28,395 in City taxes over the 5 year life of the agreement assuming the FY 2011 tax rate of \$0.5679 per \$100 value over the 5 years.

**ATTACHMENTS:**

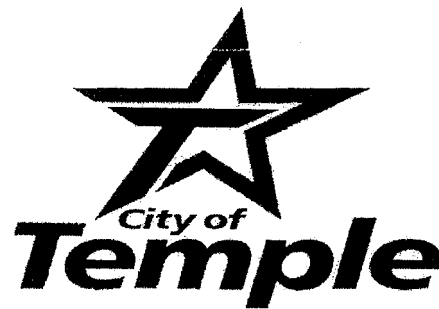
[Application](#)  
[Resolution](#)

- 5 year - 50% -

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# City of Temple

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Application for

City of Temple

Tax Abatement Program

## Instructions for completing the application form

1. The application form consists of three parts: (1) general information regarding your proposal and the property in question; (2) the objective criteria worksheet; and (3) questions relating to

minimum standards. **Please complete all three parts.** Please review the City of Temple's *Guidelines and Criteria* for tax abatement prior to completing the application form.

2. **Part One:** Questions 1-9 request basic information relating to your proposal.

Questions 3 & 4: Are applicable only if you are not the current owner of the property. If you are leasing the property for which you are requesting tax abatement, the City of Temple will also require your lessor to execute a tax abatement agreement.

Question 7: Describe in detail, the long term improvements you will make to the property, the proposed use you will make of the property, and your long range plans for the property.

Question 9: Tax abatement is available only on the increase in ad valorem taxes attributable to the improvements to the property you propose to make. Please indicate the percentage of abatement you are requesting.

3. **Part Two:** Questions 1-14 relate to the objective criteria established by the City of Temple for granting tax abatement. Answer each question as fully as possible using additional sheets of paper where necessary. The recommendation to the City Council on whether tax abatement *should* be granted, and if so, under what terms.

Question 2: Note that under the City's *Guidelines and Criteria*, the City of Temple will grant tax abatement only on **permanent** improvements to real property and personal property with a useful life of at least **10**

years (e.g., buildings, permanently installed equipment, site improvements, fixtures, and equipment). Specifically excluded from tax abatement agreement or transferred from another site owned or operated by the applicant are also excluded from tax abatement.

Question 3: Eligible personal property must have a useful life of **10** years to be eligible.

Question 9: Note that the City of Temple has established a minimum threshold of \$500,000 (\$25,000 in the Downtown Development Area) in permanent improvements (with a **10** year useful life) before tax abatement will be considered.

4. **Part 3:** To be eligible for consideration under the tax abatement program, the applicant must satisfy at least two of the minimum standards. We recommend that you provide detailed information regarding each of the minimum standards that may apply to your proposed project.

## **Part One – General Information**

---

1. Applicant: LJT Texas  
Mailing Address: 3601 Eberhardt rd Temple Tx  
  
E-Mail Address: richwerm@ljttx.com  
Telephone Number: 254 - 771 - 2253  
Fax Number: 254 - 771 - 3225

2. Contact Person or Agent (if different):

Mark Richner  
Mailing Address: 3601 Eberhardt rd.  
E-Mail Address: richnerm@ljtobe.com  
Telephone Number: 254-771-2253  
Fax Number: 254-771-3225

3. Current Property Owner: LJT Texas LLC

Mailing Address: 3601 Eberhardt rd.  
Telephone Number: 254-771-2253

4. Property Owner's Representative (if different):

Mailing Address: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
Fax Number: \_\_\_\_\_

5. Property Street Address:

3601 Eberhardt rd.

(Please also attach a legal description and a map/plat of the property for which you seek abatement.)

6. Is the property located within the City of Temple? Yes X No \_\_\_\_\_

Is the property in the City's extraterritorial jurisdiction (ETJ)?

Yes \_\_\_\_\_ No X

Is the Property located inside the City's **Tax Increment Financing Reinvestment Zone**? Yes X No \_\_\_\_\_

Temple ISD? Yes X No \_\_\_\_\_

Belton ISD? Yes \_\_\_\_\_ No X

Troy ISD? Yes \_\_\_\_\_ No X

7. Description of the project. Describe the *kind* of business (e.g., manufacturing or distribution) that will be created or expanded. For purposes of drafting an agreement we will need a detailed description of the proposed real and personal property improvements that you will expect to make including **square footage, construction material, etc.**

Addition of 74,375 Square Feet Metal Canopy, This Area will Be Used for storage and shipment of steel tubing.

8. Date Projected for (a) initiation of project: (mm/dd/yyyy)

(b) Completion of project: (a) 5/16/2011

(b) 7/30/2011

## **Part Two – Objective Criteria**

---

1. What is the existing appraised value of the real property and improvements? (*contact the Bell County Appraisal District at (254) 939-5841*)

Real property = \$ 6,474,509



2. What are the types and value of proposed improvements (broken down to show the kind and dollar value of real and personal property improvements)?

<u>Type</u>	<u>Estimated Expenditure</u>	<u>Useful Life</u>
Personal Property	\$ 600,000	10
Real Property	\$ 1,400,000	30

3. How many existing jobs, if any, will be *retained* by proposed improvements? 25

4. What number, job type, and estimated payroll of new jobs will be created by the proposed project?

<u>Job Type</u>	<u>Number of Jobs</u>	<u>Est. Annual Salary</u>	<u>Total Salary</u>
material handlers	10	\$ 30,000	\$ 300,000

5. Will the newly created jobs be filled by persons residing or projected to reside within the City of Temple?

Yes X No \_\_\_\_\_ % 100

Temple / Belton / Troy (circle one) Independent School District?

Yes X No \_\_\_\_\_ % 100

Bell County? Yes X No \_\_\_\_\_ % 100

2. What are the types and value of proposed improvements  
(broken down to show the kind and dollar value of real and  
personal property improvements)?

<u>Type</u>	<u>Estimated Expenditure</u>	<u>Useful Life</u>
-------------	------------------------------	--------------------

Personal Property

Real Property	<u>\$1,400,000</u>	<u>30 years</u>
---------------	--------------------	-----------------

3. How many existing jobs, if any, will be *retained* by proposed  
improvements? **none**

4. What number, job type, and estimated payroll of new jobs will  
be created by the proposed project?

<u>Job Type</u>	<u>Number of Jobs</u>	<u>Est. Annual Salary</u>	<u>Total Salary</u>
<u>Material Handlers</u>	<u>10</u>	<u>\$30,000</u>	<u>\$300,000</u>

5. Will the newly created jobs be filled by persons residing or  
projected to reside within the City of Temple?

Yes X No \_\_\_\_\_ % 100

Temple / Belton / Troy (circle one) Independent School District?

Yes X No \_\_\_\_\_ % 100

Bell County? Yes X No \_\_\_\_\_ % 100

6. What is the estimated amount of annual local sales taxes for the City of Temple to be generated directly? (Assume a 1 1/2 % city sales tax on applicable purchases within the City) \$ 10,000

7. By what amount do you estimate the valuation of the affected property will increase after your real and personal property improvements are completed? Will the increase in appraised value attributable to your improvements be at least \$500,000 (25,000 in the Downtown Development Area)?

Total estimated value of Project will Be  
\$1 2,000,000

8. What expenditures, if any, will you request be incurred by the City of Temple to provide facilities or Services to your proposed improvements? Movement of one Fire hydrant

9. What is the amount of ad valorem to be paid to the City of Temple during the Abatement period considering: (a) the existing values; (b) your proposed real and personal property improvement; (c) the percentage of new value abated; and (d) the Abatements period (assume a City tax rate of .5745).

Is 488,985

10. What population growth, if any, in the City of Temple do you expect to occur as a direct result of your proposed improvement? *none*

11. What if any, are the types and values of public improvements (e.g., streets, railroad spurs) you intend to make? *none*

12. Will the proposed improvements compete with existing businesses to the detriment of the local economy? Which businesses if any are likely to be impacted? *none*

13. Is your proposed use of the underlying property in compliance with the City's Comprehensive Zoning and Subdivision Ordinances? Have you discussed your plans with the City's Planning or Engineering Departments? *yes*

## Part Three – Minimum Standards

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1. Will the project involve a minimum increase in property value of 300% for construction of a new facility; 50% for expansion of existing facility; or an investment of at least \$1 million in taxable assets? (if outside the Downtown Area)

Explain. yes, There will be an investment of at least \$ 1,000 000

2. Will the project make a substantial contribution to redevelopment efforts or special area plans by enhancing either functional or visual characteristics, (e.g., historical structures, traffic circulation, parking, facades, materials, signs, etc.? Explain. no

3. Will the project have high visibility, image impact, or is it a significantly higher level of development quality? Explain.

NO

4. Is the project an area which might not get otherwise being developed because of constraints of topography, ownership patterns, site configuration, etc.? Explain. yes, next to a main power line easement and along the path of the new loop expansion

5. Will the project serve as a prototype and catalyst for other development of a higher standard? Explain. NO

6. Will the project stimulate desirable concentrations of employment or commercial activity? Explain. yes  
we will add 10 new jobs and retain at least 25. This will also generate 500 new loads of shipping traffic per year.

7. Will the project generate greater employment than would otherwise be achieved, e.g., Commercial/Industrial versus residential or manufacturing versus warehousing? Explain.

NO

# Lock Joint Tube

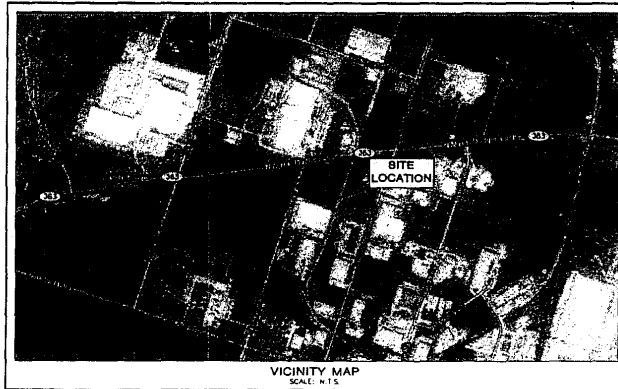
3601 Eberhardt Rd.

Temple, Texas

Metal Building Canopy Construction

JC Job No. C0103-001

Lot (1) Block (1)  
Temple Industrial Park



## INDEX OF DRAWINGS

SHEET No.	TITLE
1.	COVER SHEET & INDEX
2.	SITE PLAN & EROSION CONTROL
3.	GRADING & DRAINAGE PLAN
4.	PAVING PLAN
5.	BUILDING PLAN
6.	FOUNDATION PLAN
7.	BUILDING SECTION & DETAILS
8.	LANDSCAPING PLAN

MARCH 2011

**JC** JONES & CARTER, INC.  
ENGINEERS • PLANNERS • SURVEYORS  
Texas Board of Professional Engineers' Registration No. 1-424  
1716 Shiloh Drive, Suite 100 Bryan, Texas 77802 (979) 731-0000

8/11/2011 COVER SHEET TO  
1716 SHILOH DRIVE







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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE,  
TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A TAX  
ABATEMENT AGREEMENT WITH LJT TEXAS, LLC, FOR REAL AND  
PERSONAL PROPERTY ON A TRACT OF LAND LOCATED AT 3601  
EBERHARDT ROAD; AND PROVIDING AN OPEN MEETINGS  
CLAUSE.

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**Whereas**, the City adopted a Resolution dated June 15, 1989, stating that it elects to be eligible to participate in tax abatement;

**Whereas**, on February 3, 2011, the City Council adopted Ordinance No. 2011-4423, establishing a comprehensive economic development policy for the City of Temple, which policy includes criteria and guidelines for granting tax abatement within the City of Temple in accordance with Chapter 312 of the Tax Code;

**Whereas**, LJT Texas, LLC, is the owner of property within the City's Tax Abatement Reinvestment Zone Number Twenty-One, and has requested that the City consider granting tax abatement for proposed improvements to said real and personal property;

**Whereas**, the contemplated use by LJT Texas, LLC, of the property, as hereinafter described, and the contemplated improvements to said property in the form and amounts set forth in the agreement, are consistent with encouraging economic development, and in accordance with the criteria and guidelines for tax abatement in the City's Economic Development Policy;

**Whereas**, as required by law the City has notified the other taxing entities of its intent to enter into the agreement; and

**Whereas**, the City Council has considered the matter and finds that the proposed tax abatement with LJT Texas, LLC, is in compliance with State law and the City's *Guidelines and Criteria* governing tax abatement, and that the proposed improvements said company are feasible and likely to attract major investment and expand employment within the City.

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

**Part 1:** The City Manager, or his designee, is authorized to execute a tax abatement agreement on eligible real and personal property between the City of Temple and LJT Texas, LLC, after approval as to form by the City Attorney, governing a tract of land located at 3601 Eberhardt Road.

**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 **2<sup>nd</sup>** day of **June**, 2011.

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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06/02/11  
Item #5(C-1)  
Consent Agenda  
Page 1 of 2

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

Jonathan Graham, City Attorney

**ITEM DESCRIPTION:** SECOND READING – Consider adopting an ordinance designating a tract located at 3000 Pegasus Drive as City of Temple Tax Abatement Reinvestment Zone Number Twenty-Two for commercial/industrial tax abatement.

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

**ITEM SUMMARY:** The proposed ordinance designates the area located at 3000 Pegasus Drive as a commercial/industrial tax abatement reinvestment zone. The designation of a tax abatement reinvestment zone lasts for five years and is a prerequisite for entering into a tax abatement agreement with a future economic development prospect.

Chapter 312 of the Texas Tax Code requires that property be within a tax abatement reinvestment zone (or an enterprise zone) to be eligible for tax abatement. The designation of a tax abatement reinvestment zone requires an ordinance, two readings and a public hearing. We are also required to give seven days prior notice to the other taxing entities before final approval of the ordinance, which will be done.

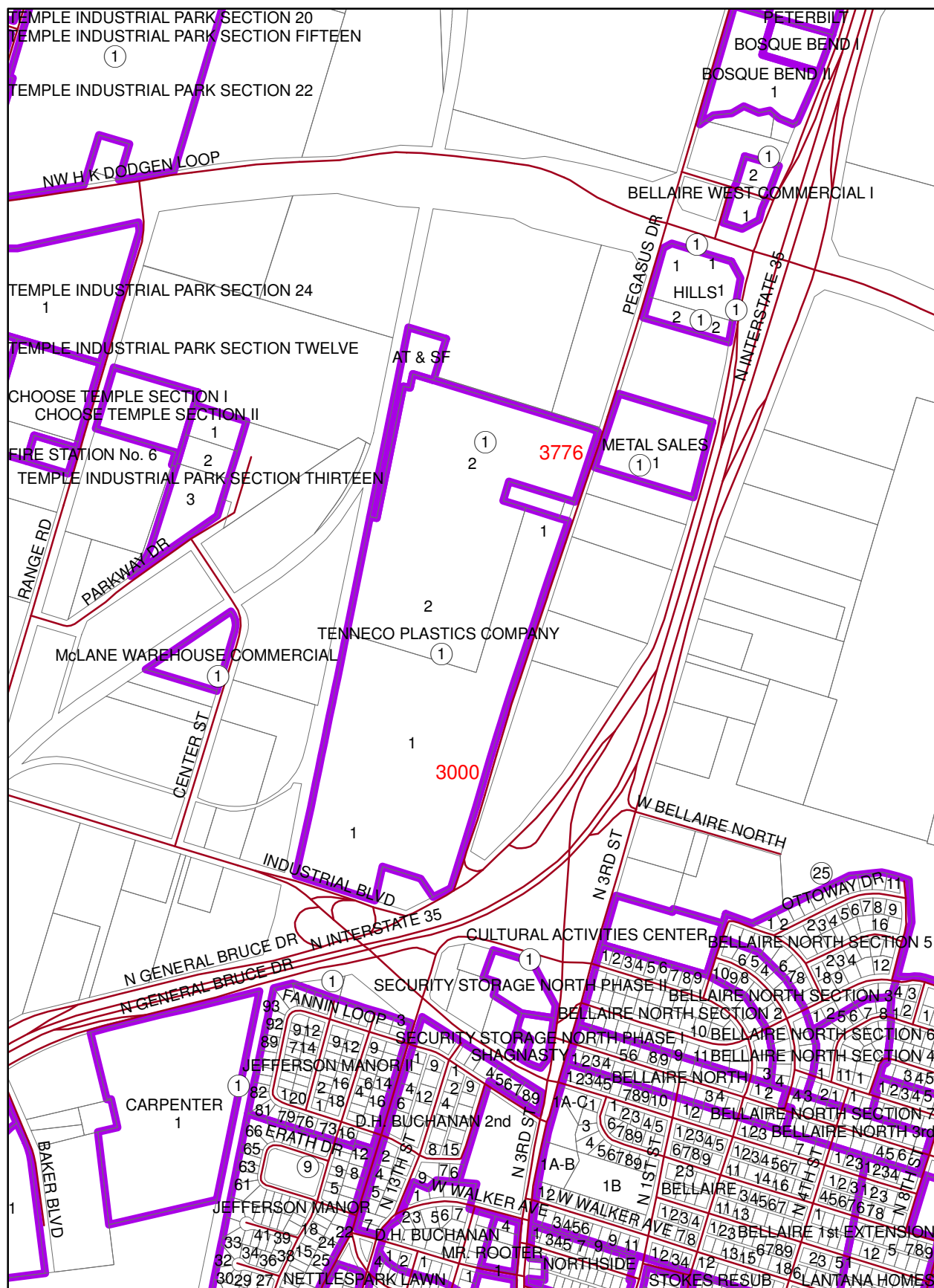
The proposed tax abatement reinvestment zone as described above, is proposed for commercial or industrial tax abatement (the property is currently zoned Commercial). Chapter 312 requires that the City make the following findings when it adopts an ordinance creating a tax abatement reinvestment zone: (1) that the creation of the tax abatement reinvestment zone will result in benefits to the City and to the land included in the zone after the term of any agreement, and that the improvements being sought are feasible; and (2) that the tax abatement reinvestment zone meets the criteria for creation of a zone under State law and the City's own criteria and guidelines for tax abatement. I have reviewed both the State law and our criteria and guidelines, and believe that the creation of the proposed reinvestment zone and subsequent approval of a tax abatement agreement with the property owner will lead to the retention of primary employment in the area, and the creation of new real and personal property improvements in the area—as contemplated by our State and local criteria. The Staff recommends approval of the ordinance for the above reasons.

**FISCAL IMPACT:** None at this time.

**ATTACHMENTS:**

[Map](#)

[Ordinance](#)



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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, DESIGNATING A CERTAIN AREA LOCATED AT 3000 PEGASUS DRIVE AS TAX ABATEMENT REINVESTMENT ZONE NUMBER TWENTY-TWO FOR COMMERCIAL/INDUSTRIAL TAX ABATEMENT; ESTABLISHING THE BOUNDARIES THEREOF AND OTHER MATTERS RELATING THERETO; DECLARING FINDINGS OF FACT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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WHEREAS, the City Council of the City of Temple, Texas (the "City"), desires to promote the development or redevelopment of a certain contiguous geographic area within its jurisdiction by creation of a reinvestment zone for commercial/industrial tax abatement, as authorized by Section 312.201 of the Texas Tax Code (hereinafter the "Code");

WHEREAS, the City held such public hearing after publishing notice of such public hearing, and giving written notice to all taxing units overlapping the territory inside the proposed reinvestment zone;

WHEREAS, the City at such hearing invited any interested person, or his attorney, to appear and contend for or against the creation of the reinvestment zone, the boundaries of the proposed reinvestment zone, whether all or part of the territory described in the ordinance calling such public hearing should be included in such proposed reinvestment zone, the concept of tax abatement; and

WHEREAS, the proponents of the reinvestment zone offered evidence, both oral and documentary, in favor of all of the foregoing matters relating to the creation of the reinvestment zone, and opponents of the reinvestment zone appeared to contest creation of the reinvestment zone.

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

**Part 1:** The facts and recitations contained in the preamble of this ordinance are hereby found and declared to be true and correct.

**Part 2:** The City, after conducting such hearings and having heard such evidence and testimony, has made the following findings and determinations based on the testimony presented to it:

A. That a public hearing on the adoption of the reinvestment zone has been properly called, held and conducted and that notices of such hearings have been published as required by law and mailed to all taxing units overlapping the territory inside the proposed reinvestment zone;

B. That the boundaries of the reinvestment zone (hereinafter "REINVESTMENT ZONE NUMBER TWENTY-TWO") should be the area located at 3000 Pegasus Drive in the City of Temple, Bell County, Texas, as described in the drawing attached as Exhibit "A."

C. That creation of REINVESTMENT ZONE NUMBER TWENTY-TWO will result in benefits to the City and to the land included in the zone after the term of any agreement executed hereunder, and the improvements sought are feasible and practical;

D. That REINVESTMENT ZONE NUMBER TWENTY-TWO meets the criteria for the creation of a reinvestment zone as set forth in Section 312.202 of the Code in that it is "reasonably likely as a result of the designation to contribute to the retention or expansion of primary employment or to attract major investment in the zone that would be a benefit to the property and that would contribute to the economic development of the City;" and

E. That REINVESTMENT ZONE NUMBER TWENTY-TWO meets the criteria for the creation of a reinvestment zone as set forth in the City of Temple Guidelines and Criteria for granting tax abatement in reinvestment zones.

**Part 3:** Pursuant to Section 312.201 of the Code, the City hereby creates a reinvestment zone for commercial/industrial tax abatement encompassing 3000 Pegasus Drive in the City of Temple, Bell County, Texas, described by the drawing in Exhibit "A," attached hereto and such REINVESTMENT ZONE is hereby designated and shall hereafter be officially designated as Tax Abatement Reinvestment Zone Number Twenty-Two, City of Temple, Texas.

**Part 4:** The REINVESTMENT ZONE shall take effect on June 3, 2011, or at an earlier time designated by subsequent ordinance.

**Part 5:** To be considered for execution of an agreement for tax abatement the commercial/industrial project shall:

A. Be located wholly within the Zone as established herein;

B. Not include property that is owned or leased by a member of the City Council of the City of Temple, Texas, or by a member of the Planning and Zoning Commission;

C. Conform to the requirements of the City's Zoning Ordinance, the CRITERIA governing tax abatement previously adopted by the City, and all other applicable laws and regulations; and

D. Have and maintain all land located within the designated zone, appraised at market value for tax purposes.

**Part 6:** Written agreements with property owners located within the zone shall provide identical terms regarding duration of exemption and share of taxable real property value exempted from taxation.

**Part 7:** Written agreements for tax abatement as provided for by Section 312.205 of the Code shall include provisions for:

A. Listing the kind, number and location of all proposed improvements of the property;

B. Access to and inspection of property by municipal employees to ensure that the improvements or repairs are made according to the specification and conditions of the agreements;



C. Limiting the use of the property consistent with the general purpose of encouraging development or redevelopment of the zone during the period that property tax exemptions are in effect; and

D. Recapturing property tax revenue lost as a result of the agreement if the owner of the property fails to make the improvements as provided by the agreement.

**Part 8:** 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 9:** 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 10: Sunset provision.** The designation of Tax Abatement Reinvestment Zone Number Twenty-Two shall expire five years from the effective date of this ordinance. The designation of a tax abatement reinvestment zone may be renewed for periods not exceeding five years. The expiration of a reinvestment zone designation does not affect an existing tax abatement agreement authorized by the City Council.

**Part 11:** It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meeting Act.

PASSED AND APPROVED on First Reading and Public Hearing on the **19<sup>th</sup>** day of **May**, 2011.

PASSED AND APPROVED on Second Reading on the **3<sup>rd</sup>** day of **June**, 2011.

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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06/02/11  
Item #5(C-2)  
Consent Agenda  
Page 1 of 2

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

Jonathan Graham, City Attorney

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a tax abatement agreement with Pactiv Corporation, for a tract of land located at 3000 Pegasus Drive.

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

**ITEM SUMMARY:** The proposed resolution authorizes the City Manager to execute an agreement with Pactiv Corporation, which if approved gives the company five years of up to 80% tax abatement on the increased taxable value of personal property improvements on a tract of land located at 3000 Pegasus Drive, Temple, Texas. The tax abatement applies only to *new* personal property improvements with a useful life of ten or more years.

Pactiv Corporation timely filed an application to receive tax abatement on improvements to personal property proposed for a facility at 3000 Pegasus Drive. A separate, related item on this agenda is an ordinance designating the property on which the improvements will be located as a tax abatement reinvestment zone. Tax abatement is being sought for personal property improvements. The taxable value of personal property with a useful life of ten or more years at the facility will be increased by an estimated \$8,301,390.

The City's Economic Development Policy sets out the criteria and guidelines for granting tax abatement. The renovations proposed meet the minimum criteria established for tax abatement consideration. The proposed improvements fall within the definition of "eligible facilities" in the criteria. The application indicates personal property improvements which meet the criteria for granting up to 80% tax abatement for five years based on the employment of 90 full time employees.

The Staff has provided the other taxing entities involved with notice and a copy of the proposed agreement. Under State law, the other taxing entities will have 90 days to elect to enter into an agreement with identical terms. The proposed agreement is drafted for the signature of each taxing entity, but will be effective between Pactiv Corporation, and any of the taxing entities which sign the agreement even if not all sign. Under State law, taxes on supplies and inventory are not eligible for tax abatement.

Additionally, the agreement has all of the other terms required by Chapter 312 of the Texas Tax Code for tax abatement agreements, including provisions: (1) listing the kind and number of improvements;

(2) providing for inspections of the facility by the taxing entities; (3) requiring compliance with State and local laws; (4) recapturing abated taxes in the event of a default under the agreement; and (5) requiring Pactiv Corporation to annually certify to all the taxing entities that it is in compliance with all of the terms and conditions of the agreement.

Pactiv's application meets the standards for granting tax abatement on the increase in personal property improvements established by the City's Criteria and Guidelines for tax abatement. The City Council has discretion whether to approve an application for tax abatement and to increase the percentage of tax abatement over the recommended percentage specified in the matrix in the City's Criteria and Guidelines for tax abatement. The agreement should add to the continued development of the City's industrial growth, which would not have occurred in the absence of tax abatement.

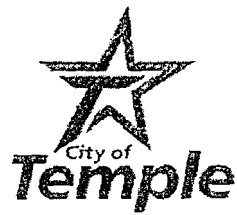
**FISCAL IMPACT:** The tax abatement agreement would have the potential of abating approximately \$188,574 in City taxes over the 5 year life of the agreement assuming the FY 2011 tax rate of \$0.5679 per \$100 value over the 5 years.

**ATTACHMENTS:**

[Application](#)  
[Resolution](#)

Pactiv

City of Temple



**Application for  
City of Temple**

## **Instructions for Completing the Application Form**

1. The application form consists of three parts: (1) general information regarding your proposal and the property in question; (2) the objective criteria worksheet; and (3) questions relating to minimum standards. **Please complete all three parts.** Please review the City of Temple's *Guidelines and Criteria* for tax abatement prior to completing the application form.

2. **Part One:** Questions 1-9 request basic information relating to your proposal.

Questions 3 & 4 are applicable only if you are not the current owner of the Property. If you are leasing property for which you are requesting tax abatement, the City of Temple will also require your lessor to execute a tax abatement agreement.

Question 7: Describe in detail, the long term improvements you will make to the property, the proposed use you will make of the property, and your long range plans for the property.

Question 9: Tax abatement is available only on the increase in ad valorem taxes attributable to the improvements to the property you propose to make. Please indicate the percentage of abatement you are requesting, and the number of years of abatement you are requesting.

3. **Part Two:** Questions 1-14 relate to the objective criteria established by the City of Temple for granting tax abatement. Answer each question as fully as possible using additional sheets of paper where necessary. The City Staff will review your responses to assist them in making a recommendation to the City Council on whether tax abatement *should* be granted, and if so, under what terms.

Question 2: Note that under the City's *Guidelines and Criteria*, the City will grant tax abatement only on permanent improvements to real property and personal property with a useful life of at least ten years (e.g., buildings, permanently installed equipment, site improvements, fixtures, equipment).

Specifically excluded from tax abatement are inventory, supplies, and the underlying real property. Personal property already on the property prior to the execution of tax abatement agreement or transferred from another site owned or operated by the applicant are also excluded from tax abatement.

Question 3: Eligible personal property must have a useful life of ten years to be eligible.

Question 9: Note that the City of Temple has established a minimum threshold of \$500,000 (\$25,000 in the Downtown Development Area) in permanent improvements (w/ 10 year useful life) before tax abatement will be considered.

4. **Part 3:** To be eligible for consideration under the tax abatement program, the applicant must satisfy at least two of the minimum standards. We recommend that you provide detail information regarding each of the minimum standards that may apply to your proposed project.

## **Part One – General Information**

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1. Applicant: PACTIV CORPORATION  
Mailing Address: 1900 WEST FIELD COURT  
LAKE FOREST, IL 60045  
  
E-mail Address: SGALLINGER@PACTIV.COM  
Telephone Number: 847-482-2780  
Fax Number: 847-615-6405
2. Contact Person or Agent: (if different) SHAWN SCHAFFMAN (AGENT)  
Mailing Address: 1301 INTERNATIONAL PKWY, STE 300  
SUNRISE, FL 33323  
E-mail Address: SHAWN.SCHAFFMAN@US.GT.COM  
Telephone Number: 954-331-1174  
Fax Number: 954-768-9908
3. Current Property Owner: PACTIV CORPORATION  
Mailing Address: 1900 WEST FIELD COURT  
LAKE FOREST, IL 60045

Telephone Number:

4. Property Owner's Representative: (if different)  
Mailing Address:

Telephone Number:

Fax Number:

5. Property Street Address: 3000 PEGASUS DRIVE

*(Please also attach a legal description and a map/plat of the property for which you seek abatement.)*

6. Is the property located within City of Temple? Yes X No      
In the City's extraterritorial jurisdiction (ETJ)? Yes     No X  
Inside the City's Tax Increment Financing Reinvestment Zone Yes X No      
Temple ISD? Yes No Belton ISD? Yes (No) Troy ISD? Yes (No)

7. Description of Project. Describe the *kind* of business (e.g., manufacturing or distribution) that will be created or expanded. For purposes of drafting an agreement we will need a detailed description of the proposed real and personal property improvements that you will expect to make – including **square footage, construction material, etc.**

Project is for production of various types of store brand and private label waste bags. Installation of 12 waste bag manufacturing lines - project includes infrastructure work to facilities and utilities to accommodate these manufacturing lines. These lines will be installed in existing open plant space consuming approx. 22k sq. ft.  
Pactiv plans to hire 85 employees

8. Date Projected for (a) initiation of project: (m/d/y)  
(b) Completion of project:

The project is expected to commence May 2011 with full ramp up by November 2011.

9. Percentage and duration of tax abatement requested: (See Section I.D.2(b) of the City's Criteria and Guidelines for Tax Abatement) Note: that tax abatement is generally limited to 5 years except for very large projects.

5 YEARS AT 100%

## Part Two – Objective Criteria

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1. What is the existing appraised value of the real property and improvements? (Contact the Bell County Appraisal District at (254) 939-5841)

\$14,549,649. Please see attached.

2. What are they type and value of proposed improvements (broken down to separately show the kind and dollar value of real and personal property improvements)?

	<u>Type</u>	<u>Estimated Expenditure</u>	<u>Useful Life</u>
<b>Real Property</b>	N/A		
<b>Personal Property</b>		\$8,301,390.31	10 - 15 years

3. How many existing jobs, if any, will be *retained* by proposed improvements?

	<u>JOBS</u>	<u>Annual Salary</u>	<u>Total Salary</u>
Indirect	16	\$34,119.98	\$545,919.66

4. What number, job type, and estimated payroll of *new* jobs will be created by the proposed project?

<u>Job Type</u>	<u>Number of Jobs</u>	<u>Est. Annual Salary</u>	<u>Total Salary</u>
Direct	69	\$24,453.64	\$1,687,301.20

5. Will the newly created jobs be filled by persons residing or projected to reside within the City? Yes x No      %

Temple/Belton/Troy (circle one) Independent School District? Yes x No      %

Bell County? Yes x No      %



## Project Snow-Globe Asset Summary

Total Disposer Cost	\$ 7,039,390.31	
Temple Subtotal	\$ 7,039,390.31	100.0%
+		
L2 Conversion to Master Roll (open capital project)	\$ 602,000.00	
+		
New Line #19 (open capital project)	\$ 660,000.00	
=		
<b>TOTAL TEMPLE</b>	<b>\$ 8,301,390.31</b>	

SNOW-GLOBE PROJECT

Month	Year	Asset Class	Asset Id	Description	Serial Number	Acq Yr	Acq Mo	Depn Method	Cost Sum	Depn Reserve SUM	Net Book Value SUM	Depn Amount SUM	Ytd Depn SUM	Revised NBV
12	2010	631C	10660713	95' FLOOR NIP	21404-31	2008	03	STL-F	6,250.00	1,967.58	4,282.42	57.87	594.44	3,645.85
12	2010	631C	10660804	BULK UNLOADER BLOWER UNIT #1	0	2008	03	STL-F	6,250.00	1,967.58	4,282.42	57.87	594.44	3,645.85
12	2010	631C	10660900	BULK UNLOADER BLOWER UNIT #2	0	2008	03	STL-F	9,370.00	2,949.81	6,420.19	86.75	1,041.11	5,465.94
12	2010	631C	10660902	BULK UNLOADER BLOWER UNIT #3	0	2008	03	STL-F	12,490.00	3,932.02	8,557.98	115.62	1,387.77	7,286.16
12	2010	631C	10660913	BULK UNLOADER VACUUM UNIT #1	0	2008	03	STL-F	6,250.00	1,967.58	4,282.42	57.87	594.44	3,645.85
12	2010	631C	10660909	BULK UNLOADER VACUUM UNIT #2	0	2008	03	STL-F	9,370.00	2,949.81	6,420.19	86.75	1,041.11	5,465.94
12	2010	631C	10660911	BULK UNLOADER VACUUM UNIT #3	0	2008	03	STL-F	12,490.00	3,932.02	8,557.98	115.62	1,387.77	7,286.16
12	2010	631C	10660908	CARTON ACCUMULATOR	0	2008	03	STL-F	9,370.00	2,949.81	6,420.19	86.75	1,041.11	5,465.94
12	2010	631C	10660909	CARTON ACCUMULATOR	0	2008	03	STL-F	9,370.00	2,949.81	6,420.19	86.75	1,041.11	5,465.94
12	2010	631C	10660700	CARTON ACCUMULATOR	0	2008	03	STL-F	9,370.00	2,949.81	6,420.19	86.75	1,041.11	5,465.94
12	2010	631C	10660702	CARTON ACCUMULATOR	0	2008	03	STL-F	9,370.00	2,949.81	6,420.19	86.75	1,041.11	5,465.94
12	2010	631C	10660712	CARTON ACCUMULATOR	0	2008	03	STL-F	9,370.00	2,949.81	6,420.19	86.75	1,041.11	5,465.94
12	2010	631C	10660697	CARTONER #11	1409	2008	03	STL-F	37,480.00	11,799.25	25,680.75	347.00	4,184.44	21,863.75
12	2010	631C	10660698	CARTONER #1	1371	2008	03	STL-F	31,240.00	9,834.81	21,405.19	289.25	3,471.11	18,223.44
12	2010	631C	10660709	CARTONER #10	1284	2008	03	STL-F	18,740.00	5,899.62	12,840.38	209.25	3,471.11	18,223.44
12	2010	631C	10660716	CARTONER #2	1370	2008	03	STL-F	31,240.00	9,834.81	21,405.19	289.25	3,471.11	18,223.44
12	2010	631C	10660695	CARTONER #3	1283	2008	03	STL-F	31,240.00	9,834.81	21,405.19	289.25	3,471.11	18,223.44
12	2010	631C	10660703	CARTONER #4	1281	2008	03	STL-F	24,990.00	7,667.40	17,322.60	231.37	2,776.66	14,577.73
12	2010	631C	10660708	CARTONER #5	1280	2008	03	STL-F	31,240.00	9,834.81	21,405.19	289.25	3,471.11	18,223.44
12	2010	631C	10660694	CARTONER #7	1347	2008	03	STL-F	31,240.00	9,834.81	21,405.19	289.25	3,471.11	18,223.44
12	2010	631C	10660693	CARTONER #8	1282	2008	03	STL-F	18,740.00	5,899.62	12,840.38	209.25	3,471.11	18,223.44
12	2010	631C	10660693	CARTONER #8	1369	2008	03	STL-F	31,240.00	9,834.81	21,405.19	289.25	3,471.11	18,223.44
12	2010	631C	10660693	CARTONER #8	1368	2008	03	STL-F	31,240.00	9,834.81	21,405.19	289.25	3,471.11	18,223.44
12	2010	631C	10751127	CORELESS WINDER	US-7-333-92	2008	03	STL-F	2,025.00	637.56	1,387.44	18.76	225.56	1,181.08
12	2010	631C	10751131	CORELESS WINDER	US-7-333-92	2008	03	STL-F	10,465.00	10,465.00	0.00	1,291.95	8,332.75	0.00
12	2010	631C	10751129	CORELESS WINDER	US-7-331-92	2008	03	STL-F	10,465.00	10,465.00	0.00	1,291.95	8,332.75	0.00
12	2010	631C	10660747	CORELESS WINDER	US-240-89	2008	03	STL-F	12,490.00	3,932.02	8,557.98	115.62	1,387.77	7,286.16
12	2010	631C	10660754	CORELESS WINDER	US-0-202-87	2008	03	STL-F	12,490.00	3,932.02	8,557.98	115.62	1,387.77	7,286.16
12	2010	631C	10660748	CORELESS WINDER	US-203-87	2008	03	STL-F	12,490.00	3,932.02	8,557.98	115.62	1,387.77	7,286.16
12	2010	631C	10660756	CORELESS WINDER	7777	2008	03	STL-F	12,490.00	3,932.02	8,557.98	115.62	1,387.77	7,286.16
12	2010	631C	10660751	CORELESS WINDER	7777	2008	03	STL-F	12,490.00	3,932.02	8,557.98	115.62	1,387.77	7,286.16
12	2010	631C	10660756	CORELESS WINDER	19-US-152-96	2008	03	STL-F	12,490.00	3,932.02	8,557.98	115.62	1,387.77	7,286.16
12	2010	631C	10660674	CORELESS WINDER #12	RS-889498	2008	03	STL-F	18,740.00	5,899.62	12,840.38	209.25	3,471.11	18,223.44
12	2010	631C	10660675	CORELESS WINDER #14	US-D-201-87	2008	03	STL-F	12,490.00	3,932.02	8,557.98	115.62	1,387.77	7,286.16
12	2010	631C	10660680	CORELESS WINDER #17	4S-204-87	2008	03	STL-F	12,490.00	3,932.02	8,557.98	115.62	1,387.77	7,286.16
12	2010	631C	10660692	CORELESS WINDER #18	US-239-89	2008	03	STL-F	12,490.00	3,932.02	8,557.98	115.62	1,387.77	7,286.16
12	2010	631C	10660684	END FOLDER LONG BELT	33762-05	2008	03	STL-F	6,250.00	1,967.58	4,282.42	57.87	594.44	3,645.85
12	2010	631C	10660723	END FOLDER LONG BELT	33762-05	2008	03	STL-F	6,250.00	1,967.58	4,282.42	57.87	594.44	3,645.85
12	2010	631C	10660688	END FOLDER LONG BELT #7	0	2008	03	STL-F	6,250.00	1,967.58	4,282.42	57.87	594.44	3,645.85
12	2010	631C	10660725	END FOLDER LONG BELT #17	0	2008	03	STL-F	6,250.00	1,967.58	4,282.42	57.87	594.44	3,645.85
12	2010	631C	10660728	END FOLDER LONG BELT #13	0	2008	03	STL-F	6,250.00	1,967.58	4,282.42	57.87	594.44	3,645.85
12	2010	631C	10660732	END FOLDER LONG BELT #3	21404-28	2008	03	STL-F	6,250.00	1,967.58	4,282.42	57.87	594.44	3,645.85
12	2010	631C	10660733	END FOLDER SHORT BELT	0	2008	03	STL-F	6,250.00	1,967.58	4,282.42	57.87	594.44	3,645.85
12	2010	631C	10660679	END FOLDER SHORT BELT #15	0	2008	03	STL-F	6,250.00	1,967.58	4,282.42	57.87	594.44	3,645.85
12	2010	631C	10660686	END FOLDER SHORT BELT #20	0	2008	03	STL-F	6,250.00	1,967.58	4,282.42	57.87	594.44	3,645.85
12	2010	631C	10660735	END FOLDER SHORT BELT #12	0	2008	03	STL-F	6,250.00	1,967.58	4,282.42	57.87	594.44	3,645.85
12	2010	631C	10660717	END FOLDER SHORT BELT #14	0	2008	03	STL-F	6,250.00	1,967.58	4,282.42	57.87	594.44	3,645.85
12	2010	631C	10660724	END FOLDER SHORT BELT #19	0	2008	03	STL-F	6,250.00	1,967.58	4,282.42	57.87	594.44	3,645.85
12	2010	631C	10660706	END FOLDER SHORT BELT	0	2008	03	STL-F	6,250.00	1,967.58	4,282.42	57.87	594.44	3,645.85

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Month	Year	Asset Class	Asset Id	Description	Serial Number	Acq Yr	Acq Mo	Depn Method Code	Cost SUM	Depn Reserve SUM	Net Book Value SUM	Depn Amount SUM	Ytd Depn SUM	Revised XBY
12	2010	631C	10660701	END FOLDER SHORT BELT	15171-24	2008	03	STL-F	6,250.00	1,967.58	4,282.42	57.87	594.44	3,645.85
12	2010	631C	10660603	FLOOR NIP	33899-25-27	2008	03	STL-F	7,500.00	2,361.10	5,138.90	88.48	833.33	4,374.51
12	2010	631C	10660722	MINI-SEPARATOR	21410-32	2008	03	STL-F	6,250.00	1,967.58	4,282.42	57.87	594.44	3,645.85
12	2010	631C	10660730	MINI-SEPARATOR	0	2008	03	STL-F	6,250.00	1,967.58	4,282.42	57.87	594.44	3,645.85
12	2010	631C	10660727	MINI-SEPARATOR	0	2008	03	STL-F	6,250.00	1,967.58	4,282.42	57.87	594.44	3,645.85
12	2010	631C	10660734	MINI-SEPARATOR	24808-46	2008	03	STL-F	6,250.00	1,967.58	4,282.42	57.87	594.44	3,645.85
12	2010	631C	10660728	MINI-SEPARATOR	0	2008	03	STL-F	6,250.00	1,967.58	4,282.42	57.87	594.44	3,645.85
12	2010	631C	10660736	MINI-SEPARATOR	0	2008	03	STL-F	6,250.00	1,967.58	4,282.42	57.87	594.44	3,645.85
12	2010	631C	10660731	MINI-SEPARATOR	33762-04	2008	03	STL-F	6,250.00	1,967.58	4,282.42	57.87	594.44	3,645.85
12	2010	631C	10660738	MINI-SEPARATOR	24905-01	2008	03	STL-F	6,250.00	1,967.58	4,282.42	57.87	594.44	3,645.85
12	2010	631C	10660740	MINI-SEPARATOR	24809-41	2008	03	STL-F	6,250.00	1,967.58	4,282.42	57.87	594.44	3,645.85
12	2010	631C	10660685	MINI-SEPARATOR	21404-33	2008	03	STL-F	6,250.00	1,967.58	4,282.42	57.87	594.44	3,645.85
12	2010	631C	10660704	MINI-SEPARATOR	0	2008	03	STL-F	6,250.00	1,967.58	4,282.42	57.87	594.44	3,645.85
12	2010	631C	10660699	MINI-SEPARATOR	24608-46	2008	03	STL-F	6,250.00	1,967.58	4,282.42	57.87	594.44	3,645.85
12	2010	631C	10660724	POLYCOOL 36" X 24"	0	2008	03	STL-F	6,250.00	1,967.58	4,282.42	57.87	594.44	3,645.85
12	2010	631C	10660746	ROTARY BAG MACHINE	9390	2008	03	STL-F	31,240.00	9,834.81	21,405.19	289.25	3,471.11	18,223.44
12	2010	631C	10660741	ROTARY BAG MACHINE	9792	2008	03	STL-F	31,240.00	9,834.81	21,405.19	289.25	3,471.11	18,223.44
12	2010	631C	10660748	ROTARY BAG MACHINE	0	2008	03	STL-F	31,240.00	9,834.81	21,405.19	289.25	3,471.11	18,223.44
12	2010	631C	10660750	ROTARY BAG MACHINE	9490	2008	03	STL-F	31,240.00	9,834.81	21,405.19	289.25	3,471.11	18,223.44
12	2010	631C	10660676	ROTARY BAG MACHINE #10	9892	2008	03	STL-F	31,240.00	9,834.81	21,405.19	289.25	3,471.11	18,223.44
12	2010	631C	10660672	ROTARY BAG MACHINE #8	9892	2008	03	STL-F	31,240.00	9,834.81	21,405.19	289.25	3,471.11	18,223.44
12	2010	631C	10660720	ROTARY OVERLAP WINDER	W0419	2008	03	STL-F	74,960.00	23,598.51	51,361.49	694.12	8,328.89	43,726.17
12	2010	631C	10660715	ROTARY OVERLAP WINDER	W0622	2008	03	STL-F	74,960.00	23,598.51	51,361.49	694.12	8,328.89	43,726.17
12	2010	631C	10660738	ROTARY OVERLAP WINDER	9992	2008	03	STL-F	74,960.00	23,598.51	51,361.49	694.12	8,328.89	43,726.17
12	2010	631C	10660727	ROTARY OVERLAP WINDER #1	1393	2008	03	STL-F	74,960.00	23,598.51	51,361.49	694.12	8,328.89	43,726.17
12	2010	631C	10660726	ROTARY OVERLAP WINDER #2	5595	2008	03	STL-F	74,960.00	23,598.51	51,361.49	694.12	8,328.89	43,726.17
12	2010	631C	10660669	ROTARY OVERLAP WINDER #3	2893	2008	03	STL-F	74,960.00	23,598.51	51,361.49	694.12	8,328.89	43,726.17
12	2010	631C	10660681	ROTARY OVERLAP WINDER #4	8785	2008	03	STL-F	74,960.00	23,598.51	51,361.49	694.12	8,328.89	43,726.17
12	2010	631C	10660721	ROTARY OVERLAP WINDER #5	3094	2008	03	STL-F	74,960.00	23,598.51	51,361.49	694.12	8,328.89	43,726.17
12	2010	631C	10660742	ROTARY OVERLAP WINDER #6	0	2008	03	STL-F	74,960.00	23,598.51	51,361.49	694.12	8,328.89	43,726.17
12	2010	631C	10660632	SULLAIR	0	2008	03	STL-F	14,990.80	4,719.06	10,270.94	136.75	1,668.55	8,744.69
12	2010	631C	10660620	8" EXTRUDER	266-30609-01	2008	03	STL-F	62,470.00	19,666.47	42,803.53	578.38	6,941.11	36,441.35
12	2010	631C	10660654	80" BAG MACHINE	0	2008	03	STL-F	37,480.00	11,799.25	25,680.75	347.00	4,164.44	21,863.75
12	2010	631C	10660645	80" BAG MACHINE	28549-01	2008	03	STL-F	24,990.00	7,487.20	17,502.80	231.37	2,776.66	14,577.73
12	2010	631C	10660565	80" POST GUSSETER	24805-01	2008	03	STL-F	6,250.00	1,967.58	4,282.42	57.87	594.44	3,645.85
12	2010	631C	10660632	80" POST GUSSETER	28548-01	2008	03	STL-F	9,376.86	2,949.81	6,420.19	86.75	1,041.11	5,465.94
12	2010	631C	10660643	80" POST GUSSETER	28546-01	2008	03	STL-F	6,250.00	1,967.58	4,282.42	57.87	594.44	3,645.85
12	2010	631C	10660554	AIR RING	78169/30	2008	03	STL-F	12,490.00	3,932.02	8,557.98	115.62	1,387.77	7,286.16
12	2010	631C	10660653	AIR RING, 16"	0	2008	03	STL-F	12,490.00	3,932.02	8,557.98	115.62	1,387.77	7,286.16
12	2010	631C	10751123	AIR RING 26"	0	2008	03	STL-F	4,050.00	1,275.00	2,775.00	37.50	460.00	2,365.50
12	2010	631C	10751128	AIR RING 26"	0	2008	03	STL-F	10,940.00	10,940.00	0.00	1,350.59	8,711.49	0.00
12	2010	631C	10660630	AIR RING, 16" UPPER	0	2008	03	STL-F	9,370.00	2,949.81	6,420.19	86.75	1,041.11	5,465.94
12	2010	631C	10660636	AIR RING, 16" UPPER	0	2008	03	STL-F	9,370.00	2,949.81	6,420.19	86.75	1,041.11	5,465.94
12	2010	631C	10660556	BUBBLE CAGE	0	2008	03	STL-F	6,250.00	1,967.58	4,282.42	57.87	594.44	3,645.85
12	2010	631C	10660619	BUBBLE CAGE ASSEMBLY	0	2008	03	STL-F	10,000.00	3,148.14	6,851.86	92.62	1,111.11	5,833.04
12	2010	631C	10660618	COLLAPSING FRAME	0	2008	03	STL-F	12,490.00	3,932.02	8,557.98	115.62	1,387.77	7,286.16
12	2010	631C	10660626	CONTROL PANEL	30609-01	2008	03	STL-F	6,250.00	1,967.58	4,282.42	57.87	594.44	3,645.85
12	2010	631C	10660581	DIE 100MM/120MM	0	2008	03	STL-F	3,830.00	3,617.22	212.78	106.98	1,276.67	0.00
12	2010	631C	10660629	DIE 12"	0	2008	03	STL-F	1,150.00	1,086.11	63.89	31.88	383.34	0.00
12	2010	631C	10660635	DIE 12"	0	2008	03	STL-F	1,150.00	1,086.11	63.89	31.88	383.34	0.00
12	2010	631C	10660649	DIE 12"	0	2008	03	STL-F	1,070.00	1,010.55	59.45	29.75	356.67	0.00



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Month	Year	Asset Class	Asset ID	Description	Serial Number	Acq Yr	Acq Mo	Depn Method	Cost SUM	Depn Reserve SUM	Net Book Value SUM	Depn Amount SUM	Ytd Depn SUM	Revised NBV
12	2010	631C	10660650	DIE 16"	0	2008	03	STL-F	1,940.00	1,737.77	102.23	51.12	613.33	0.00
12	2010	631C	10660651	DIE 25"	34427-04	2008	03	STL-F	2,760.00	2,806.66	153.34	76.63	920.00	0.00
12	2010	631C	10660673	DIE PIN LINE #22	34427-14	2008	03	STL-F	4,080.00	1,926.66	2,153.34	56.63	860.00	1,530.41
12	2010	631C	10660560	EXTRUDER	0	2008	03	STL-F	16,740.00	5,899.62	10,840.38	173.50	2,062.22	10,931.88
12	2010	631C	10660568	EXTRUDER	244-24809-01	2008	03	STL-F	31,240.00	9,834.81	21,405.19	289.25	3,471.11	18,223.44
12	2010	631C	10660528	EXTRUDER	244-15721-01-2	2008	03	STL-F	31,240.00	9,834.81	21,405.19	289.25	3,471.11	18,223.44
12	2010	631C	10660634	EXTRUDER	244-24808-01	2008	03	STL-F	31,240.00	9,834.81	21,405.19	289.25	3,471.11	18,223.44
12	2010	631C	10660647	EXTRUDER	233-21404-01	2008	03	STL-F	18,740.00	5,899.62	12,840.38	173.50	2,062.22	10,931.88
12	2010	631C	10660651	EXTRUDER	244-21410-01	2008	03	STL-F	24,990.00	7,567.20	17,422.80	231.37	2,776.66	14,577.73
12	2010	631C	10660552	EXTRUDER DRIVE	1GAX04134	2008	03	STL-F	12,490.00	3,932.02	8,557.98	115.62	1,367.77	7,286.16
12	2010	631C	10660557	EXTRUDER DRIVE	0	2008	03	STL-F	12,490.00	3,932.02	8,557.98	115.62	1,367.77	7,286.16
12	2010	631C	10660615	EXTRUDER DRIVE	0	2008	03	STL-F	15,520.00	4,917.39	10,602.61	144.62	1,735.55	9,111.79
12	2010	631C	10660627	EXTRUDER DRIVE	0	2008	03	STL-F	9,370.00	2,949.81	6,420.19	86.75	1,041.11	5,465.94
12	2010	631C	10660633	EXTRUDER DRIVE	5-15634	2008	03	STL-F	9,370.00	2,949.81	6,420.19	86.75	1,041.11	5,465.94
12	2010	631C	10660644	EXTRUDER DRIVE	7-18717	2008	03	STL-F	9,370.00	2,949.81	6,420.19	86.75	1,041.11	5,465.94
12	2010	631C	10660646	EXTRUDER DRIVE	6-16207-4	2008	03	STL-F	9,370.00	2,949.81	6,420.19	86.75	1,041.11	5,465.94
12	2010	631C	10660651	EXTRUDER GEARBOX	162530	2008	03	STL-F	12,490.00	3,932.02	8,557.98	115.62	1,367.77	7,286.16
12	2010	631C	10660563	EXTRUDER GEARBOX	0	2008	03	STL-F	6,250.00	1,967.58	4,282.42	57.87	694.44	3,645.85
12	2010	631C	10660613	EXTRUDER GEARBOX 22-79	268-40609-1	2008	03	STL-F	24,990.00	7,567.20	17,422.80	231.37	2,776.66	14,577.73
12	2010	631C	10660641	EXTRUDER MOTOR	410374	2008	03	STL-F	12,490.00	3,932.02	8,557.98	115.62	1,367.77	7,286.16
12	2010	631C	10660646	EXTRUDER MOTOR	BR 1-291-BR	2008	03	STL-F	6,250.00	1,967.58	4,282.42	57.87	694.44	3,645.85
12	2010	631C	10660622	EXTRUDER MOTOR 400HP	PF-1-192-UP	2008	03	STL-F	18,740.00	5,899.62	12,840.38	173.50	2,062.22	10,931.88
12	2010	644	10720784	FAS SPBS WINDER	0	2009	02	STL-F	10,717.95	1,964.95	8,753.00	89.27	1,071.79	7,771.03
12	2010	631C	10660632	1-3 DIE AND AIR RING	0	2008	03	STL-F	12,340.00	6,992.66	5,347.34	205.63	2,468.00	3,085.41
12	2010	631C	10660562	BO EXHAUST BLOWER	H09227-100	2008	03	STL-F	6,250.00	1,967.58	4,282.42	57.87	694.44	3,645.85
12	2010	631C	10660690	L-10 DIES & AIR RINGS	0	2008	03	STL-F	22,990.00	10,431.37	11,658.63	368.75	3,681.68	8,284.38
12	2010	631C	10660692	L-8 EXTRUDER BARREL	0	2008	03	STL-F	33,300.00	8,577.26	24,722.74	252.30	3,023.27	21,947.44
12	2010	631C	10660623	POLYCYCLO 36" X 24"	0	2008	03	STL-F	6,250.00	1,967.58	4,282.42	57.87	694.44	3,645.85
12	2010	631C	10660558	PRIMARY NIP	0	2008	03	STL-F	6,250.00	1,967.58	4,282.42	57.87	694.44	3,645.85
12	2010	631C	10660567	PRIMARY NIP	24809-30	2008	03	STL-F	6,250.00	1,967.58	4,282.42	57.87	694.44	3,645.85
12	2010	631C	10660618	PRIMARY NIP	34427-11	2008	03	STL-F	10,000.00	3,148.14	6,851.86	92.62	1,111.11	5,833.04
12	2010	643	10660658	PRINTING PRESS FOR DISPOSER BAGS	0	2008	03	STL-F	12,680.00	2,763.58	9,916.42	81.50	975.38	9,022.12
12	2010	552B	10714907	RECONDITIONED MOTOR	0	2009	01	STL-F	13,200.00	1,265.00	11,935.00	55.00	660.00	11,330.00
12	2010	631C	10660556	RESIN PUMP UNIT	0	2008	03	STL-F	6,250.00	1,967.58	4,282.42	57.87	694.44	3,645.85
12	2010	631C	10660553	RESIN WEIGH BLENDER	0	2008	03	STL-F	6,250.00	1,967.58	4,282.42	57.87	694.44	3,645.85
12	2010	631C	10660566	RESIN WEIGH BLENDER	6121A	2008	03	STL-F	6,250.00	1,967.58	4,282.42	57.87	694.44	3,645.85
12	2010	631C	10660631	RESIN WEIGH BLENDER	50897	2008	03	STL-F	9,370.00	2,949.81	6,420.19	86.75	1,041.11	5,465.94
12	2010	631C	10660652	RESIN WEIGH BLENDER	59131	2008	03	STL-F	10,820.00	3,343.33	7,276.67	98.37	1,180.00	6,194.60
12	2010	631C	10660559	ROTARY BAG MACHINE	591	2008	03	STL-F	31,240.00	9,834.81	21,405.19	289.25	3,471.11	18,223.44
12	2010	631C	10752197	SCREEN CHANGERS	0	2010	08	STL-F	9,000.00	375.00	8,625.00	75.00	375.00	7,800.00
12	2010	631C	10660628	SCREENCHANGER HYDRAULIC UNIT	0	2008	03	STL-F	6,250.00	1,967.58	4,282.42	57.87	694.44	3,645.85
12	2010	631C	10660636	TRIM GRINDER	0	2008	03	STL-F	9,370.00	2,949.81	6,420.19	86.75	1,041.11	5,465.94
12	2010	631C	10660655	TRIM GRINDER	0	2008	03	STL-F	6,250.00	1,967.58	4,282.42	57.87	694.44	3,645.85
12	2010	631C	10660530	80" BAG MACHINE	33782-08	2008	03	STL-F	62,470.00	19,666.47	42,803.53	578.38	6,941.11	36,441.35
12	2010	631C	10751121	AIR RING 18"	0	2008	03	STL-F	2,699.99	849.99	1,850.00	25.00	300.00	1,575.00
12	2010	631C	10751126	AIR RING 18"	0	2008	03	STL-F	8,540.01	8,540.01	0.00	1,054.31	6,800.36	0.00
12	2010	631C	10660592	EXTRUDER	0	2008	03	STL-F	1,530.00	1,445.00	85.00	42.50	510.00	0.00
12	2010	631C	10660593	EXTRUDER CONTROL CONSOLE	33976-01	2008	03	STL-F	56,220.00	17,698.87	38,521.13	520.50	6,246.66	32,795.63
12	2010	631C	10660591	EXTRUDER DRIVE	1GAK10062	2008	03	STL-F	9,370.00	2,949.81	6,420.19	86.75	1,041.11	5,465.94
12	2010	631C	10660596	EXTRUDER DRIVE TRANSFORMER	J91-E1018	2008	03	STL-F	12,490.00	3,832.02	8,557.98	115.62	1,367.77	7,286.16
12	2010	631C	10660596	EXTRUDER DRIVE TRANSFORMER	0	2008	03	STL-F	6,250.00	1,967.58	4,282.42	57.87	694.44	3,645.85

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12	2010	531C	10660588	EXTRUDER MOTOR	1KSK10052A-VS	2008	03	STL-F	5,250.00	1,967.56	4,282.42	57.87	594.44	3,645.85
12	2010	531C	10660605	6" EXTRUDER CONTRACOL	0	2008	03	STL-F	62,470.00	19,668.47	42,801.53	578.38	6,941.11	36,441.35
12	2010	531C	10660604	BUBBLE CAGE ASSEMBLY	0	2008	03	STL-F	10,000.00	3,146.14	6,853.86	92.62	1,111.11	5,833.04
12	2010	531C	10660612	COLLAPSING FRAME	0	2008	03	STL-F	12,490.00	3,932.02	8,557.98	115.62	1,387.77	7,266.16
12	2010	531C	10660602	EXTRUDER DRIVE	058143	2008	03	STL-F	15,820.00	4,917.39	10,702.61	149.62	1,735.55	9,111.79
12	2010	531C	10660607	EXTRUDER GEARBOX 22:58	33899-01	2008	03	STL-F	24,990.00	7,867.20	17,122.80	231.37	2,776.66	14,577.73
12	2010	531C	10660608	EXTRUDER MOTOR 400HP	VD-1-3372D	2008	03	STL-F	18,740.00	5,899.62	12,840.38	173.90	2,082.22	10,931.88
12	2010	531C	10660606	PLASTIC ECL-21 EXTRUDER BARREL	0	2008	03	STL-F	19,550.00	5,539.16	14,010.84	162.88	1,956.00	12,219.16
12	2010	531C	10660611	POLYCOOL 36" X 24"	0	2008	03	STL-F	6,250.00	1,967.56	4,282.42	57.87	694.44	3,645.85
12	2010	531C	10660601	PRIMARY NIP	33899-21	2008	03	STL-F	10,000.00	3,146.14	6,853.86	92.62	1,111.11	5,833.04
12	2010	531C	10660675	PRINTING PRESS FOR L21	21404-28	2008	03	STL-F	32,840.00	7,706.66	24,933.34	226.63	2,720.00	22,440.41
12	2010	531C	10660614	SCREENCHANGER HYDRAULIC UNIT	0	2008	03	STL-F	6,250.00	1,967.56	4,282.42	57.87	694.44	3,645.85
12	2010	531C	10660689	CMD BAG MACHINE	0	2008	03	STL-F	4,870.00	726.21	4,143.79	21.35	256.31	3,908.94
12	2010	531C	10660598	HEM SEALER	496	2008	03	STL-F	98,710.00	29,501.29	64,208.71	867.63	10,412.22	54,664.78
12	2010	531C	10660648	REGISTRATION CONTROL KIT AND INSTALLATION	0	2008	03	STL-F	76,060.00	14,366.87	61,693.13	422.50	5,070.66	57,045.63
12	2010	531C	10660644	REGISTRATION CONTROL KIT AND INSTALLATION	0	2008	03	STL-F	3,932.02	3,932.02	0.00	22.00	22.00	2,978.13
12	2010	531C	10660607	ROTARY BAG MACHINE	2395	2008	03	STL-F	12,490.00	3,932.02	8,557.98	115.62	1,387.77	7,266.16
12	2010	531C	10660597	UNWIND STAND	86111401	2008	03	STL-F	167,920.00	43,174.94	124,445.16	1,269.83	15,238.18	110,477.03
12	2010	531C	10660683	LINE 4 UPGRADE	0	2008	03	STL-F	88,590.00	20,917.08	67,672.92	615.19	7,382.50	60,905.83
12	2010	531C	10660687	CMD BAG MACHINE	0	2008	03	STL-F	1,228,900.00	204,816.66	1,024,083.35	6,024.01	72,268.23	957,819.24
12	2010	531C	10660684	CMD BAG MACHINE	0	2008	03	STL-F	792,010.00	132,001.65	660,008.35	3,862.42	46,588.82	617,301.73
12	2010	835	10660688	VISION BASED PERF DETECTION	0	2008	03	STL-F	94,830.00	9,868.50	24,961.50	290.25	3,483.00	21,768.75
12	2010	531C	10660687	4-12" EXTRUDER	264-20770-01	2008	03	STL-F	37,480.00	11,795.25	25,684.75	347.00	4,164.44	21,863.75
12	2010	531C	10660684	80" POST GLUSSETER	15371-25	2008	03	STL-F	7,570.00	2,361.10	5,138.90	59.49	833.33	4,374.51
12	2010	531C	10660663	A-LANE DIE CUTTER	0	2008	03	STL-F	7,570.00	7,243.88	426.12	213.01	2,556.67	0.00
12	2010	531C	10660661	A-LANE DIE CUTTER CONTROL COGS	WC380	2008	03	STL-F	1,150.00	1,086.11	63.89	31.89	363.34	0.00
12	2010	531C	10660666	A-LANE DIE CUTTER LUBE OIL CH	318R-06	2008	03	STL-F	770.00	727.22	42.78	21.38	256.67	0.00
12	2010	531C	10660665	A-LANE ROTARY BAG MACHINE	WC402	2008	03	STL-F	93,710.00	29,501.29	64,208.71	867.63	10,412.22	54,664.78
12	2010	531C	10660660	B-LANE DIE CUTTER	0	2008	03	STL-F	7,670.00	7,243.88	426.12	213.01	2,556.67	0.00
12	2010	531C	10660658	B-LANE DIE CUTTER CONTROL COGS	WC381	2008	03	STL-F	1,150.00	1,086.11	63.89	31.89	363.34	0.00
12	2010	531C	10660689	B-LANE DIE CUTTER LUBE OIL CH	3197-96	2008	03	STL-F	770.00	727.22	42.78	21.38	256.67	0.00
12	2010	531C	10660662	B-LANE ROTARY BAG MACHINE	WC379	2008	03	STL-F	93,710.00	29,501.29	64,208.71	867.63	10,412.22	54,664.78
12	2010	531C	10660673	DIE, A-LANE 5"	0	2008	03	STL-F	770.00	727.22	42.78	21.38	256.67	0.00
12	2010	531C	10660670	DIE, B-LANE 5"	0	2008	03	STL-F	770.00	727.22	42.78	21.38	256.67	0.00
12	2010	531C	10660664	EXTRUDER DRIVE	2524	2008	03	STL-F	11,870.00	3,756.84	8,133.16	109.86	1,315.89	6,924.48
12	2010	531C	10660657	EXTRUDER MOTOR	JX-1-393-JX	2008	03	STL-F	6,250.00	1,967.56	4,282.42	57.87	694.44	3,645.85
12	2010	531C	10660671	INKJET PRINTER	13872530034WD	2008	03	STL-F	12,490.00	3,932.02	8,557.98	115.62	1,387.77	7,266.16
12	2010	531C	10660640	L-9 DIE AND AIR RING	0	2008	03	STL-F	17,450.00	9,868.50	7,581.50	290.87	3,480.00	4,362.10
12	2010	531C	10660668	PRIMARY NIP	24808-34	2008	03	STL-F	6,250.00	1,967.56	4,282.42	57.87	694.44	3,645.85
12	2010	531C	10660677	PRINTING PRESS FOR L9	0	2008	03	STL-F	18,290.00	4,318.45	13,971.55	127.05	1,524.16	12,574.00
12	2010	531C	10660659	U-FOLDER, A-LANE	WC389	2008	03	STL-F	10,000.00	3,146.14	6,853.86	92.62	1,111.11	5,833.04
12	2010	531C	10660656	U-FOLDER, B-LANE	WC390	2008	03	STL-F	10,000.00	3,146.14	6,853.86	92.62	1,111.11	5,833.04
12	2010	531C	10660677	AIR RING 16"	0	2008	03	STL-F	12,490.00	3,932.02	8,557.98	115.62	1,387.77	7,266.16
12	2010	531C	10660576	COLLAPSING FRAME	0	2008	03	STL-F	6,250.00	1,967.56	4,282.42	57.87	694.44	3,645.85
12	2010	531C	10660574	DIE 16"	633732	2008	03	STL-F	1,530.00	1,445.00	85.00	42.50	510.00	0.00
12	2010	531C	10660575	EXTRUDER	244-24810-01	2008	03	STL-F	31,240.00	9,834.81	21,405.19	289.28	3,471.11	18,223.44
12	2010	531C	10660569	EXTRUDER GEARBOX	0-25788	2008	03	STL-F	9,370.00	2,949.81	6,420.19	86.75	1,041.11	5,465.94
12	2010	531C	10660955	LIFTING DEVICE 21832, NIP STANDS, AIR MACHINE	0	2008	03	STL-F	6,250.00	1,967.56	4,282.42	57.87	694.44	3,645.85
12	2010	531C	10660956	LINE 21 AIR RING	0	2008	03	STL-F	40,260.00	6,774.60	31,485.40	256.04	3,096.92	28,646.96
12	2010	531C	10660956	LINE 21 AIR RING	0	2008	03	STL-F	54,510.00	9,619.90	44,890.10	282.92	3,395.26	51,777.98



SNOW-GLOBE PROJECT

Month	Year	Asset Class	Asset Id	Description	Serial Number	Acq Yr	Acq Mo	Depn Method Code	Cost SUM	Depn Reserve SUM	Net Book Value SUM	Depn Amount SUM	Ytd Depn SUM	Revised NBV
12	2010	631C	10660953	LINE 21 DIE & ROTATOR	0	2008	03	STL-F	96,220.00	17,038.05	79,181.95	501.18	6,013.75	73,668.95
12	2010	631C	10660960	LINE 21 DIE & ROTATOR	0	2008	05	STL-F	31,371.80	8,104.38	23,267.51	261.48	3,137.19	20,391.45
12	2010	631C	10660963	LINE 21 SCREEN CHNGR	0	2008	03	STL-F	21,410.00	3,192.71	18,217.29	93.94	1,126.84	17,183.95
12	2010	631C	10660956	LINE 21 WINDER	0	2008	03	STL-F	694,610.00	88,655.00	505,955.00	2,607.50	31,280.00	477,172.50
12	2010	631C	10660957	LINE 22 WINDER	0	2008	03	STL-F	10,340.00	1,541.92	8,798.08	45.36	544.21	8,299.12
12	2010	631C	10735785	MAGJURE BLENDER WSB 980T	0	2009	01	STL-F	68,690.48	13,165.66	55,524.80	572.42	6,868.04	49,228.18
12	2010	631C	10751120	MILL ROLL UPENDER, 2000LBS	89446	2008	03	STL-F	2,025.00	637.44	1,387.56	18.74	224.44	1,181.42
12	2010	631C	10751124	MILL ROLL UPENDER, 2000LBS	89446	2008	03	STL-F	4,225.00	4,225.00	0.00	521.59	3,364.86	0.00
12	2010	631C	10660956	ROLL HNDG/TAPE ROLLS	0	2008	03	STL-F	32,370.00	4,885.74	27,484.26	143.70	1,724.73	26,302.56
12	2010	631C	10660573	TREATER STATION	036163-2	2008	03	STL-F	24,990.00	7,887.20	17,102.80	231.37	2,776.86	14,577.73
12	2010	631C	10660570	TURRET WINDER EAST	20848-12	2008	03	STL-F	12,490.00	3,932.02	8,557.98	115.62	1,387.77	7,286.16
12	2010	631C	10660571	TURRET WINDER WEST	20848-12	2008	03	STL-F	12,490.00	3,932.02	8,557.98	115.62	1,387.77	7,286.16
12	2010	631C	10660637	60" BAG MACHINE	0	2008	03	STL-F	31,240.00	9,834.81	21,405.19	289.25	3,471.11	18,223.44
12	2010	631C	10660587	AIR RING 12"	0	2008	03	STL-F	9,370.00	2,949.81	6,420.19	86.75	1,041.11	5,465.94
12	2010	631C	10660588	COLLAPSING FRAME	0	2008	03	STL-F	6,250.00	1,967.58	4,282.42	57.87	694.44	3,645.85
12	2010	631C	10660589	DIE 12"	0	2008	03	STL-F	1,150.00	1,086.11	83.89	31.89	363.34	0.00
12	2010	631C	10660584	EXTRUDER	244-24811-01	2008	03	STL-F	31,240.00	9,834.81	21,405.19	289.25	3,471.11	18,223.44
12	2010	631C	10660642	EXTRUDER	233-19000-01	2008	03	STL-F	18,740.00	5,588.62	12,840.38	173.50	2,082.22	10,931.88
12	2010	631C	10660585	EXTRUDER DRIVE	0-23786-1	2008	03	STL-F	6,250.00	1,967.58	4,282.42	57.87	694.44	3,645.85
12	2010	631C	10660639	EXTRUDER DRIVE	5-15760	2008	03	STL-F	9,370.00	2,949.81	6,420.19	86.75	1,041.11	5,465.94
12	2010	631C	10660581	EXTRUDER GEARBOX	0	2008	03	STL-F	6,250.00	1,967.58	4,282.42	57.87	694.44	3,645.85
12	2010	631C	10660582	TREATER CONTROL PANEL	46588-1	2008	03	STL-F	6,250.00	1,967.58	4,282.42	57.87	694.44	3,645.85
12	2010	631C	10660583	TREATER CONTROL PANEL	46588-2	2008	03	STL-F	6,250.00	1,967.58	4,282.42	57.87	694.44	3,645.85
12	2010	631C	10660584	TREATER CONTROL PANEL	4495GQ(-)	2008	03	STL-F	6,250.00	1,967.58	4,282.42	57.87	694.44	3,645.85

Cost SUM	Depn Reserve SUM	Net Book Value SUM	Depn Amount SUM	Ytd Depn SUM	Revised NBV
7,039,390.31	1,791,707.15	5,247,683.16	57,214.54	655,490.24	\$ 4,688,135.47

Disposer

6. What is the estimated amount of annual local sales taxes for the City of Temple to be generated directly? (Assume a 1½% city sales tax on applicable purchases within the City)

$\$8,301,390.31 \times 1.5\% = \$124,520.85$

7. By what amount do you estimate the valuation of the affected property increase after your real and personal property improvements are completed? Will the increase in appraised value attributable to your improvements be at least \$500,000 (\$25,000 in the Downtown Development Area)?

Appraised Value of the Improvements will be greater than \$500,000.

Appraised Value:  $\$8,301,390.31 \times 95\% = \$7,886,320.79$

8. What expenditures, if any, will you request be incurred by the City of Temple to provide facilities or services to your proposed improvements?

None

9. What is the amount of ad valorem taxes to be paid the City of Temple during the Abatement period considering: (a) the existing values; (b) your proposed real and personal property improvement; and (c) the percentage of new value abated; and (c) the Abatements period (assume a City tax rate of .5745).

$\$177,878.44$

PLEASE SEE ATTACHED DETAIL

10. What population growth, if any, in the City of Temple do you expect to occur as a direct result of your proposed improvement?

None

11. What, if any, are the types and values of public improvements (e.g., streets, railroad spurs) you intend to make?

None

PACTIV CORPORATION CITY OF TEMPLE - TAX CALCULATION FROM TAX ABATEMENT			
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Jurisdictions	Estimated City Tax Rate	Abatement Years	Exemption
City of Temple	0.57450000%	1	100%
City of Temple	0.57450000%	2	100%
City of Temple	0.57450000%	3	100%
City of Temple	0.57450000%	4	100%
City of Temple	0.57450000%	5	100%

Total Tax Rate 2.87250000%

**Tax Year 2012**

Property Type	Cost		Value
Machinery & Equipment Abated	\$ 8,301,390.31		\$ 7,715,141.98
	\$ 8,301,390.31	Total	\$ 7,715,141.98

**Abated**

Jurisdiction	Tax Rate	Taxable Value	Tax Amount
City of Temple	0.57450000%	\$ 7,715,141.98	\$ 44,323.49
			\$ 44,323.49

**Tax Year 2013**

Property Type	Cost	Depreciation	Value
Machinery & Equipment Abated	\$ 8,301,390.31		\$ 7,582,670.55
	\$ 8,301,390.31	Total	\$ 7,582,670.55

**Abated**

Jurisdiction	Tax Rate	Taxable Value	Tax Amount
City of Temple	0.57450000%	\$ 7,582,670.55	\$ 43,562.44
			\$ 43,562.44

**Tax Year 2014**

Property Type	Cost	Depreciation	Value
Machinery & Equipment Abated	\$ 8,301,390.31		\$ 7,476,785.23
	\$ 8,301,390.31	Total	\$ 7,476,785.23

**Abated**

Jurisdiction	Tax Rate	Taxable Value	Tax Amount
City of Temple	0.57450000%	\$ 7,476,785.23	\$ 42,954.13
			\$ 42,954.13



PACTIV CORPORATION					
CITY OF TEMPLE - TAX CALCULATION FROM TAX ABATEMENT					
Tax Year 2015					
Property Type		Cost	Depreciation		Value
Machinery & Equipment Abated	\$	8,301,390.31		\$	4,637,256.24
	\$	8,301,390.31		Total	\$ 4,637,256.24
Abated					
Jurisdiction	Tax Rate	Taxable Value	Tax Amount		
City of Temple	0.5745000%	\$ 4,637,256.24	\$	26,641.04	
			\$	26,641.04	
Tax Year 2016					
Property Type		Cost	Depreciation		Value
Machinery & Equipment Abated	\$	8,301,390.31		\$	3,550,451.26
	\$	8,301,390.31		Total	\$ 3,550,451.26
Abated					
Jurisdiction	Tax Rate	Taxable Value	Tax Amount		
City of Temple	0.5745000%	\$ 3,550,451.26	\$	20,397.34	
			\$	20,397.34	
→ Total City Tax for Abatement Term			\$	177,878.44	

12. Will the proposed improvements complete with existing businesses to the detriment of the local economy? Which businesses if any, are likely to be impacted?

None

13. Is your proposed use of the underlying real property in compliance with the City's Comprehensive Zoning and Subdivision Ordinances? Have you discussed your plans with the City's Planning or Engineering Departments?

None

### **Part Three -- Minimum Standards**

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1. Will the project involve a minimum increase in property value of 300% for construction of a new facility; 50% for expansion of existing facility; or an investment of at least \$1 million in taxable assets? (If outside the Downtown Area) Explain.

The project will involve an investment of more than \$1 million in taxable assets. Taxable assets: \$8,301,390.31

2. Will the project make a substantial contribution to redevelopment efforts or special area plans by enhancing either functional or visual characteristics, e.g., historical structures, traffic circulation, parking, facades, materials, signs, etc.? Explain.

None

3. Will the project have high visibility, image impact, or is it a significantly higher level of development quality? Explain.

N/A

4. Is the project an area which might not get otherwise be developed because of constraints of topography, ownership patterns, site configuration, etc.? Explain.

No

5. Will the project serve as a prototype and catalyst for other development of a higher standard? Explain.

No

6. Will the project stimulate desirable concentrations of employment or commercial activity? Explain.

N/A

7. Will the project generate greater employment than would otherwise be achieved, e.g., commercial/industrial versus residential or manufacturing versus warehousing? Explain.

N/A

## Bell CAD

## Property Search Results &gt; 347890 PACTIV CORP for Year 2010

## Property

## Account

Property ID: 347890      Legal Description: IMPROVEMENTS3000 PEGASUS DR - TEMPLE  
 Geographic ID: 002120000010      Agent Code: ID:701729  
 Type: Real

## Location

Address: 3000 PEGASUS DR      Mapsco:  
 TEMPLE, TX  
 Neighborhood:  
 Neighborhood CD:

## Owner

Name: PACTIV CORP      Owner ID: 562067  
 Mailing Address: ATTN: CONTROLLER      % Ownership: 100.0000000000%  
 3000 PEGASUS DR  
 TEMPLE, TX 76501-6682

## Exemptions:

## Values

(+) Improvement Homesite Value:	+	\$0	
(+) Improvement Non-Homesite Value:	+	\$13,803,760	
(+) Land Homesite Value:	+	\$0	
(+) Land Non-Homesite Value:	+	\$0	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$0	\$0
(+) Timber Market Valuation:	+	\$0	\$0
<hr/>			
(=) Market Value:	=	\$13,803,760	
(-) Ag or Timber Use Value Reduction:	-	\$0	
<hr/>			
(=) Appraised Value:	=	\$13,803,760	
(-) HS Cap:	-	\$0	
<hr/>			
(=) Assessed Value:	=	\$13,803,760	

## Taxing Jurisdiction

Owner: PACTIV CORP  
 % Ownership: 100.0000000000%  
 Total Value: \$13,803,760

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
CAD	TAX APPRAISAL DISTRICT, BELL COUNTY	0.000000	\$13,803,760	\$13,803,760	\$0.00
CB	BELL COUNTY	0.382000	\$13,803,760	\$13,803,760	\$52,730.36
JTC	TEMPLE COLLEGE	0.210000	\$13,803,760	\$13,803,760	\$28,987.90
RRD	BELL COUNTY ROAD	0.029900	\$13,803,760	\$13,803,760	\$4,127.32
RSBIO	TEMPLE HEALTH AND BIOSCIENCE	0.024360	\$13,803,760	\$13,803,760	\$3,362.60
STEM	TEMPLE ISD	1.210000	\$13,803,760	\$13,803,760	\$167,025.50
TTE	CITY OF TEMPLE	0.567900	\$13,803,760	\$13,803,760	\$78,391.55
WCLW	CLEARWATER U.W.C.D.	0.004000	\$13,803,760	\$13,803,760	\$552.15
WEC	ELM CREEK WATER SHED	0.032700	\$13,803,760	\$13,803,760	\$4,513.83
Total Tax Rate:		2.460860			

Taxes w/Current Exemptions: \$339,691.21  
 Taxes w/o Exemptions: \$339,691.21

**Improvement / Building**

Improvement #1: COMMERCIAL State Code: F2 Living Area: 0.0 sqft Value: \$13,803,760

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
1/2	MIDDLE FLOOR	*		0	0.0

**Land**

No land segments exist for this property.

**Roll Value History**


Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2011	N/A	N/A	N/A	N/A	N/A	N/A
2010	\$13,803,760	\$0	0	13,803,760	\$0	\$13,803,760
2009	\$14,313,270	\$0	0	14,313,270	\$0	\$14,313,270
2008	\$13,843,670	\$0	0	13,843,670	\$0	\$13,843,670
2007	\$13,843,670	\$0	0	13,843,670	\$0	\$13,843,670
2006	\$13,843,670	\$0	0	13,843,670	\$0	\$13,843,670
2005	\$13,843,670	\$0	0	13,843,670	\$0	\$13,843,670
2004	\$13,843,670	\$0	0	13,843,670	\$0	\$13,843,670

**Deed History - (Last 3 Deed Transactions)**

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page
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**Tax Due**

Property Tax Information as of 04/13/2011

Amount Due if Paid on:  -

Year	Taxing Jurisdiction	Taxable Value	Base Tax	Base Taxes Paid	Base Tax Due	Discount / Penalty & Interest	Attorney Fees	Amount Due
2010	BELL COUNTY	\$13,803,760	\$52730.36	\$51148.45	\$0.00	\$0.00	\$0.00	\$0.00
2010	TEMPLE COLLEGE	\$13,803,760	\$28987.89	\$28987.89	\$0.00	\$0.00	\$0.00	\$0.00
2010	BELL COUNTY ROAD	\$13,803,760	\$4127.32	\$4003.50	\$0.00	\$0.00	\$0.00	\$0.00
2010	TEMPLE HEALTH AND BIOSCIENCE	\$13,803,760	\$3362.60	\$3362.60	\$0.00	\$0.00	\$0.00	\$0.00
2010	TEMPLE ISD	\$13,803,760	\$167025.49	\$167025.49	\$0.00	\$0.00	\$0.00	\$0.00
2010	CITY OF TEMPLE	\$13,803,760	\$78391.56	\$76039.82	\$0.00	\$0.00	\$0.00	\$0.00
2010	CLEARWATER U.W.C.D.	\$13,803,760	\$552.15	\$535.59	\$0.00	\$0.00	\$0.00	\$0.00
2010	ELM CREEK WATER SHED	\$13,803,760	\$4513.83	\$4378.42	\$0.00	\$0.00	\$0.00	\$0.00
	<b>2010 TOTAL:</b>		<b>\$339691.20</b>	<b>\$335481.76</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
2009	BELL COUNTY	\$14,313,270	\$53803.58	\$52193.67	\$0.00	\$0.00	\$0.00	\$0.00
2009	TEMPLE COLLEGE	\$14,313,270	\$30057.87	\$30060.21	\$0.00	\$0.00	\$0.00	\$0.00
2009	BELL COUNTY ROAD	\$14,313,270	\$4222.41	\$4096.07	\$0.00	\$0.00	\$0.00	\$0.00
2009	TEMPLE ISD	\$14,313,270	\$173190.57	\$173204.04	\$0.00	\$0.00	\$0.00	\$0.00
2009	CITY OF TEMPLE	\$14,313,270	\$80812.73	\$78394.64	\$0.00	\$0.00	\$0.00	\$0.00
2009	CLEARWATER U.W.C.D.	\$14,313,270	\$572.53	\$555.39	\$0.00	\$0.00	\$0.00	\$0.00
2009	ELM CREEK WATER SHED	\$14,313,270	\$4379.86	\$4248.80	\$0.00	\$0.00	\$0.00	\$0.00
	<b>2009 TOTAL:</b>		<b>\$347039.55</b>	<b>\$342752.82</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
2008	BELL COUNTY	\$11,074,936	\$41852.18	\$40596.62	\$0.00	\$0.00	\$0.00	\$0.00
2008	TEMPLE COLLEGE	\$11,074,936	\$23257.37	\$23257.37	\$0.00	\$0.00	\$0.00	\$0.00
2008	BELL COUNTY ROAD	\$11,074,936	\$3267.11	\$3169.10	\$0.00	\$0.00	\$0.00	\$0.00
2008	CITY OF TEMPLE	\$11,074,936	\$61964.27	\$60105.34	\$0.00	\$0.00	\$0.00	\$0.00
2008	ELM CREEK WATER SHED	\$11,074,936	\$3134.21	\$3040.18	\$0.00	\$0.00	\$0.00	\$0.00
	<b>2008 TOTAL:</b>		<b>\$133475.14</b>	<b>\$130168.61</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
2007	BELL COUNTY	\$8,306,202	\$31522.03	\$30576.37	\$0.00	\$0.00	\$0.00	\$0.00

2007	TEMPLE COLLEGE	\$8,306,202	\$18107.52	\$18107.52	\$0.00	\$0.00	\$0.00	\$0.00
2007	BELL COUNTY ROAD	\$8,306,202	\$2450.33	\$2376.82	\$0.00	\$0.00	\$0.00	\$0.00
2007	CITY OF TEMPLE	\$8,306,202	\$47187.54	\$45771.91	\$0.00	\$0.00	\$0.00	\$0.00
2007	ELM CREEK WATER SHED	\$8,306,202	\$2566.62	\$2489.62	\$0.00	\$0.00	\$0.00	\$0.00
<b>2007 TOTAL:</b>			<b>\$101834.04</b>	<b>\$99322.24</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
2006	BELL COUNTY	\$5,537,468	\$21125.44	\$20491.68	\$0.00	\$0.00	\$0.00	\$0.00
2006	TEMPLE COLLEGE	\$5,537,468	\$11074.93	\$11074.93	\$0.00	\$0.00	\$0.00	\$0.00
2006	BELL COUNTY ROAD	\$5,537,468	\$1633.55	\$1584.54	\$0.00	\$0.00	\$0.00	\$0.00
2006	CITY OF TEMPLE	\$5,537,468	\$31751.84	\$30799.29	\$0.00	\$0.00	\$0.00	\$0.00
2006	ELM CREEK WATER SHED	\$5,537,468	\$1628.02	\$1579.18	\$0.00	\$0.00	\$0.00	\$0.00
<b>2006 TOTAL:</b>			<b>\$67213.78</b>	<b>\$65529.62</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
2005	BELL COUNTY	\$2,768,734	\$9593.66	\$9305.85	\$0.00	\$0.00	\$0.00	\$0.00
2005	TEMPLE COLLEGE	\$2,768,734	\$5686.98	\$5686.98	\$0.00	\$0.00	\$0.00	\$0.00
2005	BELL COUNTY ROAD	\$2,768,734	\$816.78	\$792.28	\$0.00	\$0.00	\$0.00	\$0.00
2005	CITY OF TEMPLE	\$2,768,734	\$15906.38	\$15429.19	\$0.00	\$0.00	\$0.00	\$0.00
2005	ELM CREEK WATER SHED	\$2,768,734	\$814.01	\$789.59	\$0.00	\$0.00	\$0.00	\$0.00
<b>2005 TOTAL:</b>			<b>\$32817.81</b>	<b>\$32003.89</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
2004	BELL COUNTY	\$0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2004	TEMPLE COLLEGE	\$0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2004	BELL COUNTY ROAD	\$0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2004	CITY OF TEMPLE	\$0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2004	ELM CREEK WATER SHED	\$0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>2004 TOTAL:</b>			<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>GRAND TOTAL:</b>			<b>\$1022071.52</b>	<b>\$1005258.94</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

NOTE: Penalty & Interest accrues every month on the unpaid tax and is added to the balance. Attorney fees may also increase your tax liability if not paid by July 1. If you plan to submit payment on a future date, make sure you enter the date and RECALCULATE to obtain the correct total amount due.

Questions Please Call Our Office In: \_ \_ \_ \_ \_ Belton (254)939-5841 \_ \_ \_ \_ \_ Killeen (254)634-9752 \_ \_ \_ \_ \_ Temple (254)771-1108

Website version: 1.2.2.2

Database last updated on: 4/13/2011 2:08 AM

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## Bell CAD

## Property Search Results &gt; 402038 PACTIV CORP for Year 2010

## Property

## Account

Property ID: 402038 Legal Description: IMPROVEMENTS - CIP2007 ABATEMENT AGREEMENT - ABATED3000 PEGASUS DR - TEMPLE  
 Geographic ID: 002120000030 Agent Code: ID:701729

Type: Real

## Location

Address: 3000 PEGASUS DR Mapsco:  
 TEMPLE, TX

Neighborhood: Map ID:

Neighborhood CD:

## Owner

Name: PACTIV CORP Owner ID: 562067  
 Mailing Address: ATTN: CONTROLLER % Ownership: 100.0000000000%  
 3000 PEGASUS DR  
 TEMPLE, TX 76501-6682

Exemptions: AB

## Values

(+) Improvement Homesite Value: + \$0  
 (+) Improvement Non-Homesite Value: + \$488,150  
 (+) Land Homesite Value: + \$0  
 (+) Land Non-Homesite Value: + \$0 Ag / Timber Use Value  
 (+) Agricultural Market Valuation: + \$0 \$0  
 (+) Timber Market Valuation: + \$0 \$0

(=) Market Value: = \$488,150  
 (-) Ag or Timber Use Value Reduction: - \$0

(=) Appraised Value: = \$488,150  
 (-) HS Cap: - \$0

(=) Assessed Value: = \$488,150

## Taxing Jurisdiction

Owner: PACTIV CORP  
 % Ownership: 100.0000000000%  
 Total Value: \$488,150

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
CAD	TAX APPRAISAL DISTRICT, BELL COUNTY	0.000000	\$488,150	\$488,150	\$0.00
CB	BELL COUNTY	0.382000	\$488,150	\$0	\$0.00
JTC	TEMPLE COLLEGE	0.210000	\$488,150	\$0	\$0.00
RRD	BELL COUNTY ROAD	0.029900	\$488,150	\$0	\$0.00
RSBIO	TEMPLE HEALTH AND BIOSCIENCE	0.024360	\$488,150	\$488,150	\$118.91
TTE	CITY OF TEMPLE	0.567900	\$488,150	\$0	\$0.00
WCLW	CLEARWATER U.W.C.D.	0.004000	\$488,150	\$488,150	\$19.53
WEC	ELM CREEK WATER SHED	0.032700	\$488,150	\$0	\$0.00
	Total Tax Rate:	1.250880			

Taxes w/Current Exemptions: \$138.44

Taxes w/o Exemptions: \$6,106.07

## Improvement / Building

Improvement #1: COMMERCIAL State Code: F2 Living Area: sqft Value: \$488,150

## Land

No land segments exist for this property.

## Roll Value History


Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2011	N/A	N/A	N/A	N/A	N/A	N/A
2010	\$488,150	\$0	0	488,150	\$0	\$488,150
2009	\$511,680	\$0	0	511,880	\$0	\$511,880
2008	\$500,000	\$0	0	500,000	\$0	\$500,000

**Deed History - (Last 3 Deed Transactions)**

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page
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**Tax Due**

Property Tax Information as of 04/13/2011

Amount Due if Paid on: 

Year	Taxing Jurisdiction	Taxable Value	Base Tax	Base Taxes Paid	Base Tax Due	Discount / Penalty & Interest	Attorney Fees	Amount Due
2010	BELL COUNTY	\$0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2010	TEMPLE COLLEGE	\$0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2010	BELL COUNTY ROAD	\$0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2010	TEMPLE HEALTH AND BIOSCIENCE	\$488,150	\$118.91	\$118.91	\$0.00	\$0.00	\$0.00	\$0.00
2010	CITY OF TEMPLE	\$0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2010	CLEARWATER U.W.C.D.	\$488,150	\$19.53	\$18.94	\$0.00	\$0.00	\$0.00	\$0.00
2010	ELM CREEK WATER SHED	\$0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	<b>2010 TOTAL:</b>		<b>\$138.44</b>	<b>\$137.85</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
2009	BELL COUNTY	\$0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2009	TEMPLE COLLEGE	\$0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2009	BELL COUNTY ROAD	\$0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2009	CITY OF TEMPLE	\$0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2009	ELM CREEK WATER SHED	\$0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	<b>2009 TOTAL:</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
2008	BELL COUNTY	\$0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2008	TEMPLE COLLEGE	\$0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2008	BELL COUNTY ROAD	\$0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2008	CITY OF TEMPLE	\$0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2008	ELM CREEK WATER SHED	\$0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	<b>2008 TOTAL:</b>		<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

NOTE: Penalty & Interest accrues every month on the unpaid tax and is added to the balance. Attorney fees may also increase your tax liability if not paid by July 1. If you plan to submit payment on a future date, make sure you enter the date and RECALCULATE to obtain the correct total amount due.

Questions Please Call Our Office In: \_\_\_\_\_ Belton (254)939-5841 \_\_\_\_\_ Killeen (254)634-9752 \_\_\_\_\_ Temple (254)771-1108

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## Bell CAD

## Property Search Results &gt; 402039 PACTIV CORP for Year 2010

## Property

**Account**  
 Property ID: 402039      Legal Description: IMPROVEMENTS - CIP2007 ABATEMENT AGREEMENT - NON-ABATED3000 PEGASUS DR - TEMPLE  
 Geographic ID: 002120060040      Agent Code: ID:701729  
 Type: Real  
**Location**  
 Address: 3000 PEGASUS DR      Mapsco:  
 TEMPLE, TX  
 Neighborhood:      Map ID:  
 Neighborhood CD:  
**Owner**  
 Name: PACTIV CORP      Owner ID: 562067  
 Mailing Address: ATTN: CONTROLLER      % Ownership: 100.000000000000%  
 3000 PEGASUS DR  
 TEMPLE, TX 76501-6682  
 Exemptions:

## Values

(+) Improvement Homesite Value: + \$0  
 (+) Improvement Non-Homesite Value: + \$488,150  
 (+) Land Homesite Value: + \$0  
 (+) Land Non-Homesite Value: + \$0      Ag / Timber Use Value  
 (+) Agricultural Market Valuation: + \$0      \$0  
 (+) Timber Market Valuation: + \$0      \$0  
 (=) Market Value: = \$488,150  
 (-) Ag or Timber Use Value Reduction: - \$0  
 (=) Appraised Value: = \$488,150  
 (-) HS Cap: - \$0  
 (=) Assessed Value: = \$488,150

## Taxing Jurisdiction

Owner: PACTIV CORP  
 % Ownership: 100.000000000000%  
 Total Value: \$488,150

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
STEM	TEMPLE ISD	1.210000	\$488,150	\$488,150	\$5,906.62
Total Tax Rate:		1.210000			
Taxes w/Current Exemptions:					\$5,906.62
Taxes w/o Exemptions:					\$5,906.62

## Improvement / Building

Improvement #1: COMMERCIAL      State Code: F2      Living Area: sqft      Value: \$488,150

## Land

No land segments exist for this property.

## Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2011	N/A	N/A	N/A	N/A	N/A	N/A
2010	\$488,150	\$0	0	488,150	\$0	\$488,150
2009	\$511,880	\$0	0	511,880	\$0	\$511,880
2008	\$500,000	\$0	0	500,000	\$0	\$500,000

## Deed History - (Last 3 Deed Transactions)

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page
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## Tax Due

Property Tax Information as of 04/13/2011  
 Amount Due if Paid on: 04/13/2011

## Bell CAD

## Property Search Results &gt; 196821 PACTIV CORPORATION for Year 2010

## Property

## Account

Property ID: 196821 Legal Description: TENNECO PLASTICS COMPANY, BLOCK 001, LOT 0002, ACRES 52.675  
 Geographic ID: 0127496003 Agent Code: ID:621121  
 Type: Real

## Location

Address: 3776 PEGASUS DR Mapsco:  
 TEMPLE, TX  
 Neighborhood: Temple Map ID: 22D10 A11  
 Neighborhood CD: 70

## Owner

Name: PACTIV CORPORATION Owner ID: 579641  
 Mailing Address: 1900 W FIELD CT % Ownership: 100.000000000000%  
 LAKE FOREST, IL 60045-4828

## Exemptions:

## Values

(+) Improvement Homesite Value:	+	\$0	
(+) Improvement Non-Homesite Value:	+	\$0	
(+) Land Homesite Value:	+	\$0	
(+) Land Non-Homesite Value:	+	\$257,739	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$0	\$0
(+) Timber Market Valuation:	+	\$0	\$0
<hr/>			
(=) Market Value:	=	\$257,739	
(-) Ag or Timber Use Value Reduction:	-	\$0	
<hr/>			
(=) Appraised Value:	=	\$257,739	
(-) HS Cap:	-	\$0	
<hr/>			
(=) Assessed Value:	=	\$257,739	

## Taxing Jurisdiction

Owner: PACTIV CORPORATION  
 % Ownership: 100.000000000000%  
 Total Value: \$257,739

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
CAD	TAX APPRAISAL DISTRICT, BELL COUNTY	0.000000	\$257,739	\$257,739	\$0.00
CB	BELL COUNTY	0.382000	\$257,739	\$257,739	\$984.56
JTC	TEMPLE COLLEGE	0.210000	\$257,739	\$257,739	\$541.25
RRD	BELL COUNTY ROAD	0.029900	\$257,739	\$257,739	\$77.06
RSBIO	TEMPLE HEALTH AND BIOSCIENCE	0.024360	\$257,739	\$257,739	\$62.79
STEM	TEMPLE ISD	1.210000	\$257,739	\$257,739	\$3,118.64
TTE	CITY OF TEMPLE	0.567900	\$257,739	\$257,739	\$1,463.70
WCLW	CLEARWATER U.W.C.D.	0.004000	\$257,739	\$257,739	\$10.31
WEC	ELM CREEK WATER SHED	0.032700	\$257,739	\$257,739	\$84.28
Total Tax Rate:		2.460860			

Taxes w/Current Exemptions: \$6,342.60  
 Taxes w/o Exemptions: \$6,342.60

## Improvement / Building

No improvements exist for this property.

## Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	COMM	COMMERCIAL	52.6750	0.00	0.00	0.00	\$257,739	\$0

## Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2011	N/A	N/A	N/A	N/A	N/A	N/A
2010	\$0	\$257,739	0	257,739	\$0	\$257,739
2009	\$0	\$579,425	0	579,425	\$0	\$579,425
2008	\$0	\$579,425	0	579,425	\$0	\$579,425
2007	\$0	\$579,425	0	579,425	\$0	\$579,425
2006	\$0	\$579,425	0	579,425	\$0	\$579,425
2005	\$0	\$579,425	0	579,425	\$0	\$579,425
2004	\$0	\$579,425	0	579,425	\$0	\$579,425
2003	\$13,843,660	\$579,425	0	14,423,085	\$0	\$14,423,085
2002	\$13,657,900	\$579,425	0	14,237,325	\$0	\$14,237,325
2001	\$13,657,900	\$579,425	0	14,237,325	\$0	\$14,237,325
2000	\$13,657,900	\$579,425	0	14,237,325	\$0	\$14,237,325
1999	\$13,657,900	\$579,425	0	14,237,325	\$0	\$14,237,325

## Deed History - (Last 3 Deed Transactions)

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page
1	1/17/2005 12:00:00 AM	13	MISC	FIRST SECURITY E	PACTIV CORPORA	5595	103
2	1/9/1998 12:00:00 AM	1	WARRANTY DEED	TENNECO PLASTIK	FIRST SECURITY E	3724	342
3	1/7/1998 12:00:00 AM	4	SUBDIVISION	TENNECO PLASTIK	TENNECO PLASTIK	3723	498

## Tax Due

Property Tax Information as of 04/13/2011

Amount Due if Paid on: 

Year	Taxing Jurisdiction	Taxable Value	Base Tax	Base Taxes Paid	Base Tax Due	Discount / Penalty & Interest	Attorney Fees	Amount Due
2010	BELL COUNTY	\$257,739	\$984.57	\$955.03	\$0.00	\$0.00	\$0.00	\$0.00
2010	TEMPLE COLLEGE	\$257,739	\$541.25	\$541.25	\$0.00	\$0.00	\$0.00	\$0.00
2010	BELL COUNTY ROAD	\$257,739	\$77.06	\$74.75	\$0.00	\$0.00	\$0.00	\$0.00
2010	TEMPLE HEALTH AND BIOSCIENCE	\$257,739	\$62.79	\$62.79	\$0.00	\$0.00	\$0.00	\$0.00
2010	TEMPLE ISD	\$257,739	\$3118.65	\$3118.65	\$0.00	\$0.00	\$0.00	\$0.00
2010	CITY OF TEMPLE	\$257,739	\$1463.70	\$1419.79	\$0.00	\$0.00	\$0.00	\$0.00
2010	CLEARWATER U.W.C.D.	\$257,739	\$10.31	\$10.00	\$0.00	\$0.00	\$0.00	\$0.00
2010	ELM CREEK WATER SHED	\$257,739	\$84.28	\$81.75	\$0.00	\$0.00	\$0.00	\$0.00
	<b>2010 TOTAL:</b>		<b>\$6342.61</b>	<b>\$6264.01</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
2009	BELL COUNTY	\$579,425	\$2178.06	\$2112.72	\$0.00	\$0.00	\$0.00	\$0.00
2009	TEMPLE COLLEGE	\$579,425	\$1216.79	\$1216.79	\$0.00	\$0.00	\$0.00	\$0.00
2009	BELL COUNTY ROAD	\$579,425	\$170.93	\$165.80	\$0.00	\$0.00	\$0.00	\$0.00
2009	TEMPLE ISD	\$579,425	\$7011.04	\$7011.04	\$0.00	\$0.00	\$0.00	\$0.00
2009	CITY OF TEMPLE	\$579,425	\$3271.44	\$3173.29	\$0.00	\$0.00	\$0.00	\$0.00
2009	CLEARWATER U.W.C.D.	\$579,425	\$23.18	\$22.48	\$0.00	\$0.00	\$0.00	\$0.00
2009	ELM CREEK WATER SHED	\$579,425	\$177.30	\$171.98	\$0.00	\$0.00	\$0.00	\$0.00
	<b>2009 TOTAL:</b>		<b>\$14048.74</b>	<b>\$13874.10</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
2008	BELL COUNTY	\$579,425	\$2189.65	\$2123.96	\$0.00	\$0.00	\$0.00	\$0.00
2008	TEMPLE COLLEGE	\$579,425	\$1216.79	\$1216.79	\$0.00	\$0.00	\$0.00	\$0.00
2008	BELL COUNTY ROAD	\$579,425	\$170.93	\$165.80	\$0.00	\$0.00	\$0.00	\$0.00
2008	TEMPLE ISD	\$579,425	\$7126.93	\$7126.93	\$0.00	\$0.00	\$0.00	\$0.00
2008	CITY OF TEMPLE	\$579,425	\$3241.88	\$3144.62	\$0.00	\$0.00	\$0.00	\$0.00
2008	CLEARWATER U.W.C.D.	\$579,425	\$23.18	\$22.48	\$0.00	\$0.00	\$0.00	\$0.00
2008	ELM CREEK WATER SHED	\$579,425	\$163.98	\$159.06	\$0.00	\$0.00	\$0.00	\$0.00

<b>2008 TOTAL:</b>		<b>\$14133.34</b>	<b>\$13959.64</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
2007 BELL COUNTY	\$579,425	\$2198.92	\$2132.95	\$0.00	\$0.00	\$0.00	\$0.00
2007 TEMPLE COLLEGE	\$579,425	\$1263.14	\$1263.14	\$0.00	\$0.00	\$0.00	\$0.00
2007 BELL COUNTY ROAD	\$579,425	\$170.93	\$165.80	\$0.00	\$0.00	\$0.00	\$0.00
2007 TEMPLE ISD	\$579,425	\$7185.16	\$7185.16	\$0.00	\$0.00	\$0.00	\$0.00
2007 CITY OF TEMPLE	\$579,425	\$3291.71	\$3192.96	\$0.00	\$0.00	\$0.00	\$0.00
2007 CLEARWATER U.W.C.D.	\$579,425	\$23.18	\$22.48	\$0.00	\$0.00	\$0.00	\$0.00
2007 ELM CREEK WATER SHED	\$579,425	\$179.04	\$173.67	\$0.00	\$0.00	\$0.00	\$0.00
<b>2007 TOTAL:</b>		<b>\$14312.08</b>	<b>\$14136.16</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
2006 BELL COUNTY	\$579,425	\$2210.51	\$2144.19	\$0.00	\$0.00	\$0.00	\$0.00
2006 TEMPLE COLLEGE	\$579,425	\$1158.85	\$1158.85	\$0.00	\$0.00	\$0.00	\$0.00
2006 BELL COUNTY ROAD	\$579,425	\$170.93	\$165.80	\$0.00	\$0.00	\$0.00	\$0.00
2006 TEMPLE ISD	\$579,425	\$8633.43	\$8633.43	\$0.00	\$0.00	\$0.00	\$0.00
2006 CITY OF TEMPLE	\$579,425	\$3322.43	\$3222.76	\$0.00	\$0.00	\$0.00	\$0.00
2006 CLEARWATER U.W.C.D.	\$579,425	\$23.18	\$22.48	\$0.00	\$0.00	\$0.00	\$0.00
2006 ELM CREEK WATER SHED	\$579,425	\$170.35	\$165.24	\$0.00	\$0.00	\$0.00	\$0.00
<b>2006 TOTAL:</b>		<b>\$15689.68</b>	<b>\$15512.75</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
2005 BELL COUNTY	\$579,425	\$2007.71	\$1947.48	\$0.00	\$0.00	\$0.00	\$0.00
2005 TEMPLE COLLEGE	\$579,425	\$1190.14	\$1190.14	\$0.00	\$0.00	\$0.00	\$0.00
2005 BELL COUNTY ROAD	\$579,425	\$170.93	\$165.80	\$0.00	\$0.00	\$0.00	\$0.00
2005 TEMPLE ISD	\$579,425	\$9444.63	\$9444.63	\$0.00	\$0.00	\$0.00	\$0.00
2005 CITY OF TEMPLE	\$579,425	\$3328.80	\$3228.94	\$0.00	\$0.00	\$0.00	\$0.00
2005 CLEARWATER U.W.C.D.	\$579,425	\$25.49	\$24.73	\$0.00	\$0.00	\$0.00	\$0.00
2005 ELM CREEK WATER SHED	\$579,425	\$170.35	\$165.24	\$0.00	\$0.00	\$0.00	\$0.00
<b>2005 TOTAL:</b>		<b>\$16338.05</b>	<b>\$16166.96</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>PACTIV CORPORATION TOTAL:</b>		<b>\$80864.50</b>	<b>\$79913.62</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
2004 BELL COUNTY	\$579,425	\$1920.80	\$1863.18	\$0.00	\$0.00	\$0.00	\$0.00
2004 TEMPLE COLLEGE	\$579,425	\$1248.08	\$1248.08	\$0.00	\$0.00	\$0.00	\$0.00
2004 BELL COUNTY ROAD	\$579,425	\$170.93	\$165.80	\$0.00	\$0.00	\$0.00	\$0.00
2004 TEMPLE ISD	\$579,425	\$9455.06	\$9455.06	\$0.00	\$0.00	\$0.00	\$0.00
2004 CITY OF TEMPLE	\$579,425	\$3489.88	\$3385.19	\$0.00	\$0.00	\$0.00	\$0.00
2004 CLEARWATER U.W.C.D.	\$579,425	\$27.81	\$26.98	\$0.00	\$0.00	\$0.00	\$0.00
2004 ELM CREEK WATER SHED	\$579,425	\$165.72	\$160.75	\$0.00	\$0.00	\$0.00	\$0.00
<b>2004 TOTAL:</b>		<b>\$16478.28</b>	<b>\$16305.04</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
2003 BELL COUNTY	\$765,185	\$2564.13	\$2564.13	\$0.00	\$0.00	\$0.00	\$0.00
2003 TEMPLE COLLEGE	\$765,185	\$1717.84	\$1717.84	\$0.00	\$0.00	\$0.00	\$0.00
2003 BELL COUNTY ROAD	\$765,185	\$228.79	\$228.79	\$0.00	\$0.00	\$0.00	\$0.00
2003 TEMPLE ISD	\$14,423,085	\$237980.91	\$237980.91	\$0.00	\$0.00	\$0.00	\$0.00
2003 CITY OF TEMPLE	\$765,185	\$4627.07	\$4627.07	\$0.00	\$0.00	\$0.00	\$0.00
2003 CLEARWATER U.W.C.D.	\$14,423,085	\$706.73	\$706.73	\$0.00	\$0.00	\$0.00	\$0.00
2003 ELM CREEK WATER SHED	\$765,185	\$218.84	\$218.84	\$0.00	\$0.00	\$0.00	\$0.00
<b>2003 TOTAL:</b>		<b>\$248044.31</b>	<b>\$248044.31</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
2002 BELL COUNTY	\$579,425	\$1950.34	\$1950.34	\$0.00	\$0.00	\$0.00	\$0.00
2002 TEMPLE COLLEGE	\$579,425	\$1300.81	\$1300.81	\$0.00	\$0.00	\$0.00	\$0.00
2002 BELL COUNTY ROAD	\$579,425	\$165.14	\$165.14	\$0.00	\$0.00	\$0.00	\$0.00
2002 TEMPLE ISD	\$14,237,325	\$234915.87	\$234915.87	\$0.00	\$0.00	\$0.00	\$0.00
2002 CITY OF TEMPLE	\$579,425	\$3414.55	\$3414.55	\$0.00	\$0.00	\$0.00	\$0.00
2002 CLEARWATER U.W.C.D.	\$14,237,325	\$740.34	\$740.34	\$0.00	\$0.00	\$0.00	\$0.00
2002 ELM CREEK WATER SHED	\$579,425	\$159.34	\$159.34	\$0.00	\$0.00	\$0.00	\$0.00
<b>2002 TOTAL:</b>		<b>\$242646.39</b>	<b>\$242646.39</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
2001 BELL COUNTY	\$579,425	\$1950.34	\$1950.34	\$0.00	\$0.00	\$0.00	\$0.00
2001 TEMPLE COLLEGE	\$579,425	\$1133.36	\$1133.36	\$0.00	\$0.00	\$0.00	\$0.00
2001 BELL COUNTY ROAD	\$579,425	\$165.14	\$165.14	\$0.00	\$0.00	\$0.00	\$0.00
2001 TEMPLE ISD	\$14,237,325	\$232780.27	\$232780.27	\$0.00	\$0.00	\$0.00	\$0.00
2001 CITY OF TEMPLE	\$579,425	\$3456.27	\$3456.27	\$0.00	\$0.00	\$0.00	\$0.00
2001 CLEARWATER U.W.C.D.	\$14,237,325	\$840.00	\$840.00	\$0.00	\$0.00	\$0.00	\$0.00
2001 ELM CREEK WATER SHED	\$579,425	\$162.24	\$162.24	\$0.00	\$0.00	\$0.00	\$0.00
<b>2001 TOTAL:</b>		<b>\$240487.62</b>	<b>\$240487.62</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
2000 BELL COUNTY	\$579,425	\$1950.35	\$1950.35	\$0.00	\$0.00	\$0.00	\$0.00

2000 TEMPLE COLLEGE	\$579,425	\$1133.35	\$1133.35	\$0.00	\$0.00	\$0.00	\$0.00
2000 BELL COUNTY ROAD	\$579,425	\$165.14	\$165.14	\$0.00	\$0.00	\$0.00	\$0.00
2000 TEMPLE ISD	\$14,237,325	\$234204.00	\$234204.00	\$0.00	\$0.00	\$0.00	\$0.00
2000 CITY OF TEMPLE	\$579,425	\$3431.36	\$3431.36	\$0.00	\$0.00	\$0.00	\$0.00
2000 CLEARWATER U.W.C.D.	\$14,237,325	\$840.00	\$840.00	\$0.00	\$0.00	\$0.00	\$0.00
2000 ELM CREEK WATER SHED	\$579,425	\$173.83	\$173.83	\$0.00	\$0.00	\$0.00	\$0.00
2000 TOTAL:		\$241898.03	\$241898.03	\$0.00	\$0.00	\$0.00	\$0.00
FIRST SECURITY BANK, NATIONAL TOTAL:		\$989554.63	\$989381.39	\$0.00	\$0.00	\$0.00	\$0.00
GRAND TOTAL (ALL OWNERS):		\$1070419.13	\$1069295.01	\$0.00	\$0.00	\$0.00	\$0.00

NOTE: Penalty & Interest accrues every month on the unpaid tax and is added to the balance. Attorney fees may also increase your tax liability if not paid by July 1. If you plan to submit payment on a future date, make sure you enter the date and RECALCULATE to obtain the correct total amount due.

Questions Please Call Our Office In: \_\_\_\_\_ Belton (254)939-5841 \_\_\_\_\_ Killeen (254)634-9752 \_\_\_\_\_ Temple (254)771-1108

Website version: 1.2.2.2

Database last updated on: 4/13/2011 2:08 AM

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This site only supports Internet Explorer 6+, Netscape 7+ and Firefox 1.5+.

Exhibit "A"

TRACT 1: Being 39.65 acres of land, more or less, out of the John F. Ferguson Survey, Abstract #318, Bell County, Texas, described by metes and bounds in fieldnotes attached hereto.

TRACT 2: Being 0.696 acre of land, more or less, out of the John F. Ferguson Survey, Abstract #318, Bell County, Texas, described by metes and bounds in fieldnotes attached hereto.

TRACT 3: (CONTAINS 2 PARCELS)

PARCEL 1: Being 48.39 acres of land, more or less, out of the John F. Ferguson Survey, Abstract #318, Bell County, Texas, described by metes and bounds in fieldnotes attached hereto.

PARCEL 2: Being 18.53 acres of land, more or less, out of the John F. Ferguson Survey, Abstract #318, Bell County, Texas, described by metes and bounds in fieldnotes attached hereto.

SAVE AND EXCEPT 0.699 acre of land, more or less, out of the John F. Ferguson Survey, Abstract #318, Bell County, Texas, described in Deed recorded in Volume 1840, Page 391, Deed Records of Bell County, Texas, and by fieldnotes attached hereto.

TRACT 4: Being a tract of land out of the J. W. Christian Survey, Abstract #1070, Bell County, Texas, as described in Deed recorded in Volume 1079, Page 183, Deed Records of Bell County, Texas, and by fieldnotes attached hereto.

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TRACT 1:

ORIGINAL  
POOR QUALITY

Being a tract of land out of the John F. Ferguson Survey, Patent No. 559, Abstract No. 318 in Bell County, Texas, and being a part of that certain 42.67 acre tract of land conveyed to T. J. Cloud by deed recorded in Vol. 718, page 27 of the Deed Records of Bell County, Texas.

BEGINNING at an iron stake in the West line of said Cloud tract and in the East line of the Gulf, Colorado & Santa Fe Railroad right-of-way for the Southwest corner of this. Said stake being the Northwest corner of that certain tract of land conveyed to the City of Temple by deed recorded in Vol. 885, page 486 of the said Deed Records.

THENCE N  $13^{\circ} 56' 30''$  E 1542.5 feet with the West line of said Cloud tract and the East line of said Railroad right-of-way to an iron stake. Said stake being the Northwest corner of said Cloud tract.

THENCE S  $70^{\circ} 56'$  E 1276.95 feet with the North line of said Cloud tract to an iron stake in the West line of N. 15th St. Said stake being the Northeast corner of said Cloud tract.

THENCE S  $19^{\circ} 21' 30''$  W 1280.17 feet with the East line of said Cloud tract and the west line of N 15th St. to an iron stake in the North right-of-way of Interstate Highway No. 35;

THENCE S  $65^{\circ} 09'$  W 149.08 feet with the North right-of-way line of Interstate Highway No. 35 to an iron stake. Said stake being the Southeast corner of that certain tract of land conveyed to S. T. Peak by deed recorded in Vol. 802, page 687 of said Deed Records as held on the ground.

THENCE N  $32^{\circ} 00'$  W 165.38 feet with the East line of said Peak tract as held on the ground to an iron stake. Said stake being the Northeast corner of said S. T. Peak tract as held on the ground.

THENCE N  $70^{\circ} 49'$  W 300.13 feet with the North line of said Peak tract as held on the ground to an iron stake. Said stake being the Northwest corner of the said S. T. Peak tract as held on the ground.

THENCE S  $14^{\circ} 02' 30''$  W 257.96 feet with the West line of said Peak tract as held on the ground to an iron stake. Said stake being the Northeast corner of the said City of Temple tract.

THENCE N  $70^{\circ} 57' 30''$  W 618.71 feet with the North line of said City of Temple tract to the point of beginning, containing 39.65 acres.

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## TRACT 2:

Being a tract of land in Bell County, Texas, out of and a part of the John F. Ferguson Survey, Abstract #318 and the land herein described being a part of that certain 4.756 acre tract described as first tract, second tract and third tract in a Deed from Jerry H. Stephens, Jr. estate to Texas Power & Light Company, said Deed being of record in Volume 954, Page 313, Deed Records of Bell County, Texas.

BEGINNING at an iron rod found in a fence line at the southeast corner of the said first tract for the southeast corner of this.

THENCE N.  $70^{\circ}11' 59''$  W. 1372.09 feet with the south line of first tract, second tract and third tract to an iron rod found in the east right-of-way of the Santa Fe Railroad at the southwest corner of second tract for the southwest corner of this.

THENCE N.  $14^{\circ}04' 22''$  E. 22.19 feet with the said east right-of-way to an iron rod found therein for the northwest corner of this.

THENCE S.  $70^{\circ}11' 56''$  E. 1373.92 feet crossing the said tracts to an iron rod found in the east line of the said first tract for the northeast corner of this.

THENCE S.  $18^{\circ}47' 35''$  W. 22.07 feet to the place of BEGINNING containing 0.696 acres of land.

SUBJECT TO easements to Texas Power & Light Company, recorded in Volume 442, Page 626, and Volume 568, Page 361 of the Deed Records of Bell County, Texas, and

SUBJECT TO a water line easement to Jerry Hood Stephens, recorded in Volume 894, Page 60, of the Deed Records of Bell County, Texas.

ORIGINAL  
POOR QUALITY



# TRACT 3:

ORIGINAL  
POOR QUALITY

A tract of land out of the John F. Ferguson Survey, Abstract No. 318, in Bell County, Texas, and being out of and a part of that certain 314.5 acre tract described in a deed to Jerry Hood Stephens and of record in Vol. 551, Page 421 of the Deed Records of Bell County, Texas, and being more particularly described as follows:

## TRACT NO. 1 PARCEL (1)

BEGINNING at the northeast corner of that certain 42.67 acre tract described in a deed to T. J. Cloud from Jerry Hood Stephens, Jr. et ux, and of record in Vol. 716, Page 243 of the Deed Records of Bell County, Texas, and also the northeast corner of a 39.37 acre tract conveyed to the Mobil Oil Corporation by William P. Cloud, and being the southeast corner of this;

THENCE N. 70 deg. 56 min. W. 1276.95 ft. along the north line of the said Mobil Tract to an iron pin at its northwest corner for the southwest corner of this;

THENCE N. 13 deg. 56 min. 30 sec. E. 1198.03 ft. along the east margin of the Santa Fe Railroad R.O.W. and the west line of this to an iron pin for a corner of this;

THENCE S. 76 deg. 03 min. 30 sec. E. 50 ft. to an iron pin;

THENCE N. 13 deg. 56 min. 30 sec. E. 384.90 ft. along the said railroad R.O.W. to an iron pin at the southwest corner of T. P. & L. Co. tract of 4.756 acres for the northwest corner of this;

THENCE S. 70 deg. 14 min. E. 1373.43 ft. along the south line of said tract and the north line of this to southeast corner of said T. P. & L. Co. 4.756 acre tract an iron pin for the northeast corner of this;

THENCE along the east line of the Stephens Tract as follows: N. 18 deg. 55 min. 32 sec. W. 1170.65 ft. and S. 20 deg. 13 min. 21 sec. E. 392.15 ft. to the place of beginning, containing 48.39 acres.

## TRACT NO. 2 PARCEL (2)

BEGINNING at the northeast corner of that certain 4.756 acre

tract described in a deed to the T. P. & L. Co. and of record in Vol. 954, Page 313 of the Deed Records of Bell County, and being in the east line of the Stephens Tract and being the southeast corner of this;

THENCE N. 70 deg. 14 min. W. 1386.40 ft. along the north line of said 4.756 acre tract and the south line of this to an iron pin for the southwest corner of this;

THENCE N. 13 deg. 56 min. 30 sec. E. 464.53 ft. along the east margin of the Santa Fe Railroad R.O.W. to an iron pin for a corner of this;

THENCE S. 76 deg. 03 min. 30 sec. E. 50 ft. to an iron pin for an ell corner of this;

THENCE N. 13 deg. 56 min. 30 sec. E. 105 ft. to an iron pin for the northwest corner of the Stephens Tract and the northwest corner of this;

THENCE S. 70 deg. 39 min. 16 sec. E. 1385.60 ft. along the north line of the Stephens Tract to its northeast corner an iron pin for the northeast corner of this;

THENCE S. 18 deg. 53 min. 32 sec. W. 580.80 ft. along the east line of the Stephens Tract and west line of the Nichols Tract to the place of beginning, containing 18.53 acres;

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SAVE AND EXCEPT FROM TRACT 3:

Being a tract of land in Bell County, Texas, out of and a part of the John H. Ferguson Survey, Abstract #318, and the land herein described being a part of that certain 314.5 acre tract described in a Deed to Jerry Hood Stephens, of Record in Volume 551, Page 421, Deed Records of Bell County, Texas.

BEGINNING at an iron rod found in the east line of the said 314.5 acre tract at the northeast corner of that certain 4.756 acre tract described in the first tract, second tract and third tract in a Deed to Texas Power & Light Company of Record in Volume 954, Page 313, Deed Records of Bell County, Texas, for the southeast corner of this.

THENCE N. 70°11' 59" W. 1585.28 feet with the north line of first tract, second tract and third tract to an iron rod found in the east right-of-way of the Santa Fe Railroad at the northwest corner of second tract for the southwest corner of this.

THENCE N. 13°58' 50" E. 22.03 feet with the said east right-of-way to an iron rod found therein for the northwest corner of this.

THENCE S. 70°12' 15" E. 1387.13 feet to an iron rod found in the east line of the said 314.5 acre tract for the northeast corner of this.

THENCE S. 18°47' 24" W. 22.03 feet to the place of BEGINNING containing 0.699 acres of land.

SUBJECT to a utility easement to the City of Temple, Texas, recorded in Volume 1625, Page 176 of the Deed Records of Bell County, Texas.

TRACT 4:

ORIGINAL  
POOR QUALITY

A tract of land out of the J. W. Christian Survey, Abstract No. 1070, in Bell County, Texas, and being out of and a part of that certain 13.33 acre tract described as the Second Tract in a partition deed to Imogene Nichols et al, and of record in Vol. 851, Page 424 of the Deed Records of Bell County, and being that portion of the said tract lying south of a lane (width 30 ft.) and being more particularly described as follows:

BEGINNING at the northeast corner of J. H. Stephens 314.5 acre tract an iron pin by a post in the south margin of said lane and being an ell corner of the said Nichols Tract and being the northwest corner of this;

THENCE with the fence on the south line of said lane S. 66 deg. 26 min. 40 sec. E. 66 ft. to a post in the west margin of the old Temple-Waco Road for the northeast corner of this;

THENCE S. 20 deg. 52 min. 45 sec. W. 1897.22 ft. along the west margin of said road to an iron pin in the east line of the Stephens Tract for the most southerly corner of this;

THENCE N. 18 deg. 53 min. 32 sec. E. 1981.45 ft. along the east line of the Stephens Tract as fenced on the ground to the place of beginning.

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FILED FOR RECORD

'95 NOV 21 PM 4 46

CLERK  
COUNTY CLERK  
BELL COUNTY TX  
DEPUTY

D

E

F

PLANT & LINE TEMPLE, TEXAS SITE

NAME SURVEY OF LAND

MATERIAL OR B/M	SCALE NONE	DRAWN S.E.DOERR	DATE 02/13/03
UNSPECIFIED TOLERANCES MACHINING FRACTIONAL DIMENSION $\pm 1/64$ ANGULAR DIMENSION $\pm 0^{\circ}-10'$ DECIMAL DIMENSION .XX = $\pm .015$ DECIMAL DIMENSION .XXX = $\pm .005$ NON-MACHINING FRACTIONAL DIMENSION $\pm 1/32$ ANGULAR DIMENSION $\pm 1/2^{\circ}$		APPVD.	DATE
		ARCHD.	DATE
		SHEET 1 OF 1 SHEETS	
		DWG. NO. T00C0121	REV.

DET. NO. **PACTIV CORPORATION**

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE,  
TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A TAX  
ABATEMENT AGREEMENT WITH PACTIV CORPORATION FOR  
PERSONAL PROPERTY ON A TRACT OF LAND LOCATED AT 5000  
PEGASUS DRIVE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, the City adopted a Resolution dated June 15, 1989, stating that it elects to be eligible to participate in tax abatement;

**Whereas**, on February 3, 2011, the City Council adopted Ordinance No. 2011-4423, establishing a comprehensive economic development policy for the City of Temple, which policy includes criteria and guidelines for granting tax abatement within the City of Temple in accordance with Chapter 312 of the Tax Code;

**Whereas**, Pactiv Corporation is the owner of property within the City's Tax Abatement Reinvestment Zone Number Twenty-Two, and has requested that the City consider granting tax abatement for proposed improvements to said personal property;

**Whereas**, the contemplated use by Pactiv Corporation of the property, as hereinafter described, and the contemplated improvements to said property in the form and amounts set forth in the agreement, are consistent with encouraging economic development, and in accordance with the criteria and guidelines for tax abatement in the City's Economic Development Policy;

**Whereas**, as required by law the City has notified the other taxing entities of its intent to enter into the agreement; and

**Whereas**, the City Council has considered the matter and finds that the proposed tax abatement with Pactiv Corporation is in compliance with State law and the City's *Guidelines and Criteria* governing tax abatement, and that the proposed improvements said company are feasible and likely to attract major investment and expand employment within the City.

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

**Part 1:** The City Manager, or his designee, is authorized to execute a tax abatement agreement on eligible personal property between the City of Temple and Pactiv Corporation, after approval as to form by the City Attorney, governing a tract of land located at 5000 Pegasus 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 **2<sup>nd</sup>** day of **June**, 2011.

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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06/02/11  
Item #5(D)  
Consent Agenda  
Page 1 of 1

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

Brian Mabry, AICP, Planning Director

**ITEM DESCRIPTION:** Consider adopting a resolution rescheduling public hearings to consider the petition received for the Lawson Voluntary Annexation, a 3+/- acre tract of land located on the east side of State Highway 36, north of Moffat Road, part of Outblock 10790-A, more commonly known as 10740 West State Highway 36.

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

**ITEM SUMMARY:** Frank Lawson filed a petition on May 4, 2011, seeking voluntary annexation of approximately 3+/- acre acres into the City of Temple. The petition was accepted by the City Council at its May 19<sup>th</sup> meeting as it meets the statutory requirements for voluntary annexation.

The City Council also set the dates for the required public hearings at the May 19<sup>th</sup> meeting. However, the legal notice for these hearings was not published so the public hearing dates must be rescheduled to be in compliance with Local Government Code §43.063(c).

The proposed dates for initial public hearings are **June 16, 2011, (regular meeting) and June 17, 2011, (special meeting, 8:00 a.m., Council Chambers)**. The resolution sets the time and place for these meetings. No on-site hearing will be necessary, as there are no residents on the land proposed to be annexed. Planning staff will present a Municipal Services Plan at the hearing on June 16th as required by state law, showing how the City will serve the area proposed to be annexed into the City. The proposed schedule anticipates completion of annexation proceedings on August 4, 2011. The Planning and Zoning Commission will make a recommendation to the Council for the applicant's requested zoning to C, Commercial, to be part of the annexation and zoning ordinance readings, at its June 6 meeting..

**FISCAL IMPACT:** Future tax revenue.

### **ATTACHMENTS:**

[Revised Annexation schedule](#)  
[Resolution](#)

Schedule (Revised)  
Petition for Voluntary Annexation  
Frank J. Lawson Property -3.00 Acres

DATE	ACTION	TIME LIMIT
May 4, 2011	<b>CITY RECEIVES PETITION</b> of landowner to annex unoccupied area adjacent to city limits	NA
May 19, 2011 Thursday Regular Meeting	<b>COUNCIL GRANTS PETITION</b> <i>15th day after petition filed</i>	Hear and grant or deny petition after the 5 <sup>th</sup> day, but on or before the 30 <sup>th</sup> day after petition is filed §43.028(d) LGC
June 2, 2011 Thursday Regular Meeting	<b>COUNCIL ADOPTS RESOLUTION</b> Directing staff to develop service plan Calling public hearings on June 16 and June 17	Before publication of notice of First hearing required under §43.065 LGC.
June 5, 2011 Sunday	<b>CITY SECRETARY PUBLISHES NOTICES FOR PUBLIC HEARINGS ON ANNEXATION</b> Post notice on City web site Publish notice in Telegram Send notice to affected railroads by certified mail  <i>11<sup>th</sup> day before 1<sup>st</sup> public hearing</i> <i>12<sup>th</sup> day before 2<sup>nd</sup> public hearing</i>	Publish hearing notice on or after the 20 <sup>th</sup> day but before the 10 <sup>th</sup> day before the date of the hearing required under §43.063(c) LGC
June 16, 2011 Thursday Regular Meeting	<b>COUNCIL HOLDS 1<sup>ST</sup> PUBLIC HEARING</b> Staff presents service plan  <i>35th day before 1<sup>st</sup> reading of the ordinance</i>	Hold hearings on or after the 40 <sup>th</sup> day but before the 20 <sup>th</sup> day before the date of institution of annexation proceedings with 1 <sup>st</sup> reading of ordinance. §43.063(a) LGC
June 17, 2011 Friday Special Meeting 8:00 a.m.	<b>COUNCIL HOLDS 2<sup>ND</sup> PUBLIC HEARING</b> Staff presents service plan  <i>34th day before 1<sup>st</sup> reading of the ordinance</i>	
June 6, 2011	<b>PLANNING &amp; ZONING COMMISSION MEETING TO CONSIDER REZONING OF PROPERTY</b>	Receive recommendation for rezoning from PZC prior to 1 <sup>st</sup> reading of annexation/rezoning Ordinance by Council
July 21, 2011 Thursday Regular Meeting	<b>COUNCIL CONSIDERS ANNEXATION/REZONING ORDINANCE ON 1<sup>ST</sup> READING &amp; HOLDS PUBLIC HEARING</b>	First reading institutes proceedings for purposes of statutory time limits.
August 4, 2011 Thursday Regular Meeting	<b>COUNCIL CONSIDERS ANNEXATION/REZONING ORDINANCE ON 2<sup>ND</sup> READING</b>  <i>14<sup>th</sup> day after 1<sup>st</sup> reading of ordinance</i>	Complete annexation proceedings within 90 days from first reading. §43.064(A) LGC



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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, RESCHEDULING PUBLIC HEARINGS TO CONSIDER THE PETITION RECEIVED FOR THE *LAWSON VOLUNTARY ANNEXATION*, A TRACT OF LAND CONSISTING OF APPROXIMATELY 3 ACRES LOCATED ON THE EAST SIDE OF STATE HIGHWAY 36, NORTH OF MOFFAT ROAD, PART OF OUTBLOCK 10790-A, MORE COMMONLY KNOWN AS 10740 WEST STATE HIGHWAY 36; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on May 19, 2011, the City Council accepted a petition to voluntarily annex a tract of land consisting of approximately 3 acres to the city limits of Temple;

**Whereas**, the City Council also set the dates for the required public hearings at the May 19<sup>th</sup> meeting; however, the legal notice for these hearings was not published so the public hearing dates must be rescheduled to be in compliance with Local Government Code §43.063(c); 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 *revised* schedule for the *Lawson Voluntary Annexation*, which is more fully described herein, attached hereto and made a part hereof for all purposes, as Exhibit A, is adopted.

**Part 2:** The City Council hereby calls two public hearings to gather comment concerning the proposed *Lawson Voluntary Annexation*, with the first public hearing scheduled for the Regular Council Meeting on June 16, 2011, at 5:00 PM, and the second public hearing at a Special Called City Council Meeting on June 17, 2011, at 8:00 AM, both public hearings to be held in the City Council Chambers on the 2nd floor of the Municipal Building located at Main and Central in Temple, Bell County, Texas.

**Part 3:** The City Staff is hereby authorized to relocate the second public hearing to a suitable location within the area to be annexed in the event of protest.

**Part 4:** 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 **2<sup>nd</sup>** day of **June**, 2011.

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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Item #5(E)  
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### **DEPT./DIVISION SUBMISSION & REVIEW:**

Traci Barnard, Director of Finance

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing budget amendments for fiscal year 2010-2011.

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

**ITEM SUMMARY:** This item is to recommend various budget amendments, based on the adopted FY 2010-2011 budget. The amendments will involve transfers of funds between contingency accounts, department and fund levels.

**FISCAL IMPACT:** The total amount of budget amendments is \$29,921.

### **ATTACHMENTS:**

[Budget amendments](#)  
[Resolution](#)

**CITY OF TEMPLE**  
**BUDGET AMENDMENTS FOR FY 2011 BUDGET**  
**June 2, 2011**

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
110-2100-529-2117		Janitorial Supplies (Animal Services)	\$ 2,000	
110-0000-461-0841		Donations/Gifts		\$ 2,000
<p>This budget adjustment recognizes revenue from Animal Shelter donations and increases expenditures for janitorial supplies. A change in dog kennel sanitizing procedures, change in sanitizing chemicals, and more frequent cleaning has depleted this account. Funds are available from Animal Shelter donations received this year.</p>				
110-2350-540-2516		Judgments & Damages (Solid Waste - Front Load)	\$ 495	
110-1500-515-6531		<b>Contingency - Judgments &amp; Damages</b>		<b>\$ 495</b>
<p>Settlement of claim filed against the City seeking reimbursement for damage to the gate on a trash enclosure at 463 Westfield Boulevard that occurred when Solid Waste serviced the trash container on April 15, 2011.</p>				
110-4000-555-2510		Contributions & Prizes (Library)	\$ 200	
110-0000-461-0841		Donations/Gifts		\$ 200
<p>Use donation from City Federated Women's Clubs to purchase board books for prizes for summer reading club as specified in the gift</p>				
240-4400-551-6310	100736	Buildings & Grounds (Mayborn Center)	\$ 27,226	
240-0000-358-1110		<b>Hotel/Motel Unreserved Fund Balance</b>		<b>\$ 27,226</b>
<p>Appropriate Hotel/Motel Unreserved Fund Balance to fund a back up generator and back up battery system at the Mayborn Convention Center. Last fall, the Mayborn Center experienced a power outage and permanently damaged the backup power system at the facility. This appropriation will fund the installation of a battery backup system so that lights will be operational in the event the facility experiences a power outage (\$3,226) and funds a back up generator and required wiring that will supply power to the freezer, refrigerators and AC units in the event the facility experiences a power outage (24,000).</p>				
<b>TOTAL AMENDMENTS</b>			<b>\$ 29,921</b>	<b>\$ 29,921</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			\$	80,000
Added to Contingency Judgments & Damages from Council Contingency			\$	-
Taken From Judgments & Damages			\$	(61,463)
Net Balance of Judgments & Damages Contingency Account			\$	18,537
Beginning <b>Fuel</b> Contingency			\$	55,841
Added to Fuel Contingency			\$	-
Taken From Fuel Contingency			\$	-
Net Balance of Fuel Contingency Account			\$	55,841

**CITY OF TEMPLE**  
**BUDGET AMENDMENTS FOR FY 2011 BUDGET**  
**June 2, 2011**

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
		Beginning <b>Self Insurance Start Up Cost</b> Contingency	\$	628,756
		Added to Self Insurance Start Up Cost Contingency	\$	-
		Taken From Self Insurance Start Up Cost Contingency	\$	(628,756)
		Net Balance of Self Insurance Start Up Cost Contingency Account	\$	-
		<b>Net Balance Council Contingency</b>	\$	<b>74,378</b>
		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	\$	50,000
		Added to Contingency Sweep Account	\$	-
		Taken From Contingency	\$	(23,790)
		Net Balance of Contingency Account	\$	26,210
		Beginning <b>Self Insurance Start Up Cost</b> Contingency	\$	100,365
		Added to Self Insurance Start Up Cost Contingency	\$	-
		Taken From Self Insurance Start Up Cost Contingency	\$	(100,365)
		Net Balance of Self Insurance Start Up Cost Contingency Account	\$	-
		<b>Net Balance Water &amp; Sewer Fund Contingency</b>	\$	<b>26,210</b>
		<b>HOTEL/MOTEL TAX FUND</b>		
		Beginning <b>Self Insurance Start Up Cost</b> Contingency	\$	10,968
		Added to Self Insurance Start Up Cost Contingency	\$	-
		Taken From Self Insurance Start Up Cost Contingency	\$	(10,968)
		Net Balance of Self Insurance Start Up Cost Contingency Account	\$	-
		<b>DRAINAGE FUND</b>		
		Beginning <b>Self Insurance Start Up Cost</b> Contingency	\$	9,911
		Added to Self Insurance Start Up Cost Contingency	\$	-
		Taken From Self Insurance Start Up Cost Contingency	\$	(9,911)
		Net Balance of Self Insurance Start Up Cost Contingency Account	\$	-
		<b>FED/STATE GRANT FUND</b>		
		Beginning <b>Contingency</b> Balance	\$	2,284
		Carry forward from Prior Year	\$	25,229
		Added to Contingency Sweep Account	\$	-
		Taken From Contingency	\$	(27,513)
		Net Balance of Contingency Account	\$	-

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
TEMPLE, TEXAS, APPROVING BUDGET AMENDMENTS TO THE  
2010-2011 CITY BUDGET; AND PROVIDING AN OPEN  
MEETINGS CLAUSE.

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**Whereas**, on the 2<sup>nd</sup> day of September, 2010, the City Council approved a budget for the 2010-2011 fiscal year; and

**Whereas**, the City Council deems it in the public interest to make certain amendments to the 2010-2011 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 2010-2011 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 2<sup>nd</sup> day of **June**, 2011.

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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Item #6  
Regular Agenda  
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### **DEPT./DIVISION SUBMISSION & REVIEW:**

Jonathan Graham, City Attorney

**ITEM DESCRIPTION:** FIRST READING – PUBLIC HEARING - Consider adopting an ordinance approving a negotiated resolution between the Steering Committee of Cities Served by Oncor and Oncor Electric Delivery Company regarding the company's application to increase electric rates in all cities exercising original jurisdiction.

**STAFF RECOMMENDATION:** Conduct public hearing and adopt ordinance as presented in item description, on first reading with second reading and final adoption set for June 16, 2011.

**ITEM SUMMARY:** The City, along with approximately 160 other cities served by Oncor Electric Delivery Company LLC ("Oncor" or "Company"), is a member of the Steering Committee of Cities Served by Oncor ("Steering Committee"). On or about January 7, 2011, Oncor filed with the City an application to increase electric rates.

The Oncor filing sought a \$353 million rate increase. The City worked with the Steering Committee to analyze the schedules and evidence offered by Oncor to support its request to increase rates. The Ordinance and attached rate and tariffs are the result of negotiations between the Steering Committee and the Company to resolve issues raised by the Steering Committee and other intervenors during the review and evaluation of the filing. The Ordinance resolves the Company's filing by authorizing an increase in the Company's base rate of \$136.7 million. The monthly bill impact for the average residential customer will be a \$2.35 increase (as opposed to the \$5.00 per bill increase as proposed in the Company's filing).

The Executive Committee of the Steering Committee and the Steering Committee's legal counsel recommend that all city members of the Steering Committee adopt the Ordinance implementing the rate change.

**Background:**

The tariff was approved by the Executive Committee of the Steering Committee as part of the settlement agreement to resolve the Oncor rate filing at the Public Utility Commission of Texas. As stated above, the agreement reduces Oncor's request for a \$353 million increase to \$136.7 million.

The agreement does not change the current authorized capitalization of 60% debt and 40% equity and return on equity of 10.25% from Oncor's last rate proceeding.

Also, the settlement results in a system-wide rate increase of 6.1%. Residential customers will see an increase of 6.2%, much lower than Oncor's requested 14.6% increase. Street lighting rates will increase 13.8%, which is also lower than Oncor's requested increase of 25.9%. Oncor has agreed that it will not file another general base rate case prior to July 1, 2013. However, as cities are regulatory authorities, cities may still initiate a rate case prior to that date.

Additionally, consistent with the District Court's reversal of the Commission's decision relating to municipal franchise fees in Docket No. 35717, Oncor will increase franchise fees to the contractually agreed to amounts within 60 days of the final order, or July 1, 2011, whichever is later. Additionally, Oncor will pay cities retroactive franchise fees from the date the rates approved in Oncor's prior rate case, Docket No. 35717, went into effect.

Oncor will also pay cities' rate case expenses and recover those amounts over three years with no carrying charges. Finally, at its own expense, the Company will reinstate Rider SCUD, which provides for a 20% discount for institutions of higher learning.

**Purpose of the Ordinance:**

Rates cannot change and the Settlement Agreement with Oncor cannot be implemented without passage of rate ordinances by cities. The purpose of the Ordinance is to approve rate tariffs ("Attachment A" and "Attachment B") that reflect the negotiated rate changes pursuant to the process and to ratify a Settlement Agreement recommended by the Steering Committee.

As a result of the negotiations, the Steering Committee was able to reduce the Company's requested \$353 million increase to \$13.6 million (a decrease of over 60% of the Company's request). Approval of the Ordinance will result in the implementation of new rates that increase Oncor's revenues in two phases: by \$93.7 million effective July 1, 2011 (i.e. "Attachment A") and by \$43 million effective January 1, 2012 ("Attachment B").

**Reasons Justifying Approval of the Negotiated Resolution:**

During the time that the City has retained original jurisdiction in this case, consultants working on behalf of the Steering Committee have investigated the support for the Company's requested rate increase. While the evidence does not support the \$353 million increase requested by the Company, the Steering Committee consultants agree that the Company can justify an increase in revenues of \$136.7 million. The agreement on \$136.7 million is a compromise between the positions of the parties.



The alternative to a settlement of the filing would be a contested case proceeding before the Public Utility Commission of Texas on the Company's current application, would take several months and cost ratepayers millions of dollars in rate case expenses, and would not likely produce a result more favorable than that to be produced by the settlement. The Executive Committee and counsel for the Steering Committee recommend that Steering Committee member cities take action to approve the Ordinance authorizing new rate tariffs.

**Explanation of "Be It Ordained" Paragraphs:**

1. This paragraph approves all findings in the Ordinance.
2. This section adopts the attached tariffs ("Attachment A") in all respects and finds the rates set pursuant to the attached tariffs to be just, reasonable and in the public interest.
3. This section requires the Company to reimburse the Steering Committee for reasonable rate making costs associated with reviewing and processing the application.
4. This section repeals any resolution or ordinance that is inconsistent with this Ordinance.
6. This section finds that the meeting was conducted in compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.
7. This section is a savings clause, which provides that if any section(s) is later found to be unconstitutional or invalid, that finding shall not affect, impair or invalidate the remaining provisions of this Ordinance. This section further directs that the remaining provisions of the Ordinance are to be interpreted as if the offending section or clause never existed.
8. This section is a "Most Favored Nations" clause, which protects the City by mandating that if the City determines any rates, revenues, terms and conditions, or benefits resulting from a Final Order or subsequent negotiated settlement approved in any proceeding addressing the issues raised in the Company's filing would be more beneficial to the City than the terms of the attached tariffs, then the more favorable rates, revenues, terms and conditions, or benefits shall additionally accrue to the City.
9. This section provides for an effective dates upon passage. Approval of the Ordinance will result in the implementation of new rates that increase Oncor's revenues in two phases: by \$93.7 million effective July 1, 2011 (i.e. "Attachment A") and by \$43 million effective January 1, 2012 ("Attachment B").
10. This paragraph directs that a copy of the signed Ordinance be sent to a representative of the Company and legal counsel for the Steering Committee.

**FISCAL IMPACT:** None.

**ATTACHMENTS:**

Attachment A – Phase One Tariff (to be provided)

Attachment B – Phase Two Tariff (to be provided)

Attachment C – Settlement Agreement (to be provided)

[Ordinance](#)

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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, (“CITY”) APPROVING A NEGOTIATED RESOLUTION BETWEEN THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR (“STEERING COMMITTEE”) AND ONCOR ELECTRIC DELIVERY COMPANY LLC (“ONCOR” OR “COMPANY”) REGARDING THE COMPANY’S APPLICATION TO INCREASE ELECTRIC RATES IN ALL CITIES EXERCISING ORIGINAL JURISDICTION; DECLARING EXISTING RATES TO BE UNREASONABLE; REQUIRING THE COMPANY TO REIMBURSE CITIES’ REASONABLE RATEMAKING EXPENSES; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT AND FINDING THE RATES TO BE SET BY THE ATTACHED TARIFFS TO BE JUST AND REASONABLE; APPROVING ONCOR’S PROOF OF REVENUES; ADOPTING A SAVINGS CLAUSE; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND THE STEERING COMMITTEE’S LEGAL COUNSEL.

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**Whereas**, the City of Temple, Texas (“City”) is an electric utility customer of Oncor Electric Delivery Company LLC (“Oncor” or “Company”), and a regulatory authority with an interest in the rates and charges of Oncor;

**Whereas**, the City is a member of the Steering Committee of Cities Served by Oncor (“Steering Committee”), a coalition of approximately 160 similarly situated cities served by Oncor that have joined together to facilitate the review of and response to electric issues affecting rates charged in the Oncor service area;

**Whereas**, on or about January 7, 2011, Oncor filed with the City its application to increase electric base rates by approximately \$353 million, such increase to be effective in every municipality within Oncor’s service territory;

**Whereas**, the Steering Committee coordinated their review of Oncor’s filing by designating an Executive Committee made up of Steering Committee representatives, assisted by Steering Committee attorneys and consultants, to resolve issues identified by the Steering Committee in the Company’s filing;

**Whereas**, the Company has filed evidence that existing rates are unreasonable and should be changed;

**Whereas**, independent analysis by the Steering Committee's rate experts concluded that Oncor is able to justify an increase over current rates of \$136.7 million;

**Whereas**, the Steering Committee has entered a Settlement Agreement ("Attachment C") with Oncor to increase base rate revenues by \$136.7 million;

**Whereas**, the Executive Committee of the Steering Committee, and the Steering Committee's lawyers and consultants recommend that Steering Committee members approve the attached rate tariffs ("Attachment A" and "Attachment B" to this Ordinance), which will increase the Company's revenue requirement by \$136.7 million;

**Whereas**, the attached tariffs implementing new rates are consistent with the negotiated resolution reached by the Steering Committee and are just, reasonable, and in the public interest;

**Whereas**, it is the intention of the parties that if the City determines any rates, revenues, terms and conditions, or benefits resulting from a Final Order or subsequent negotiated settlement approved in any proceeding addressing the issues raised in the Company's filing would be more beneficial to the City than the terms of the attached tariff, then the more favorable rates, revenues, terms and conditions, or benefits shall additionally accrue to the City; and

**Whereas**, the negotiated resolution of the Company's filing and the resulting rates are, as a whole, in the public interest.

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

**Part 1:** That the findings set forth in this Ordinance are hereby in all things approved.

**Part 2:** That the City Council finds the existing rates for electric service provided by Oncor are unreasonable and new tariffs, which are attached hereto and incorporated herein as Attachments A and B, are just and reasonable and are hereby adopted.

**Part 3:** That Oncor shall reimburse the reasonable ratemaking expenses of the Steering Committee in processing the Company's rate application.

**Part 4:** That to the extent any resolution or ordinance previously adopted by the Council is inconsistent with this Ordinance, it is hereby repealed.

**Part 5:** That the meeting at which this Ordinance was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

**Part 6:** That if any one or more sections or clauses of this Ordinance is adjudged to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remaining

provisions of this Ordinance and the remaining provisions of the Ordinance shall be interpreted as if the offending section or clause never existed.

**Part 7:** That if the City determines any rates, revenues, terms and conditions, or benefits resulting from a Final Order or subsequent negotiated settlement approved in any proceeding addressing the issues raised in the Company's filing would be more beneficial to the City than the terms of the attached tariffs, then the more favorable rates, revenues, terms and conditions, or benefits shall additionally accrue to the City.

**Part 8:** That this Ordinance and Settlement Agreement ("Attachment C") shall become effective from and after its passage with rates authorized by attached Tariffs to be effective in two phases. Phase one tariffs (attached to this Ordinance as "Attachment A"), increasing Oncor's revenues by \$93.7 million, are effective for bills rendered on or after July 1, 2011. Phase two tariffs (attached to this Ordinance as "Attachment B"), increasing Oncor's revenues by \$43 million, are effective for bills rendered on or after January 1, 2012.

**Part 9:** That a copy of this Ordinance shall be sent to Oncor, care of Autry Warren, Oncor Electric Delivery Company, LLC, 1601 Bryan St., 23<sup>rd</sup> Floor, Dallas, Texas 75201 and to Thomas Brocato, at Lloyd Gosselink Rochelle & Townsend, P.C., P.O. Box 1725, Austin, Texas 78767-1725.

PASSED AND APPROVED this on First Reading and Public Hearing on the **2<sup>nd</sup>** day of **June**, 2011.

PASSED AND APPROVED on Second and Final Reading on the **16<sup>th</sup>** day of **June**, 2011.

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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06/02/11  
Item #7  
Regular Agenda  
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### **DEPT./DIVISION SUBMISSION & REVIEW:**

Brian Mabry, Planning Director

**ITEM DESCRIPTION:** FIRST READING – PUBLIC HEARING - Z-FY-11-26: Consider adopting an ordinance amending Planned Development Ordinance No. 2010-4382, to allow construction of duplexes on a 6.76 ± acre tract of land being part of the Maximo Moreno Survey, Abstract No. 14, City of Temple, Bell County Texas, located at 1000 South Knob Street.

**P&Z COMMISSION RECOMMENDATION:** At its May 2, 2011, meeting, the Planning and Zoning Commission voted 7/1 (Chair Talley was in opposition, and Commissioner Martin was absent) to recommend approval of amending Planned Development (PD) Ordinance No. 2010-4382, to allow construction of duplexes with the following conditions, which were part of the original approval:

1. No housing construction or disturbance of vegetation other than periodic maintenance may take place within the 50 foot wide buffer zone along the west property line adjacent to the railroad;
2. Development must be based on the property's PD site plan;
3. Duplexes are a permitted use; and
4. All other development and land use must follow SF1 District regulations

**STAFF RECOMMENDATION:** Conduct public hearing and adopt ordinance as presented in the item description, with the above PD conditions, on first reading, and schedule second reading and final adoption for June 16, 2011.

**ITEM SUMMARY:** Please refer to the Staff Report and draft minutes of case Z-FY-11-26, from the Planning and Zoning meeting, May 2, 2011. The applicant, Ratchnee France, requests an amendment to her existing Planned Development –Single Family One District (PD-SF1) to allow duplexes with all other conditions of the original PD approval remaining in place. City Council approved her original request on September 2, 2010 with PD Ordinance No. 2010-4382.

The subject property has a base zoning of Single Family One (SF1), allowing only single-family development. This base zoning district, with its associated dimensional standards, would remain in place, as further described on page 2. Since duplexes are not allowed in the SF1 base zoning district, this request requires an amendment to the PD with Planning and Zoning Commission recommendation and City Council approval.

The applicant plans to build herself a log cabin on this property and hopes to build additional homes in the future. Although the property's existing PD allows six homes on this property, any future residential development after the applicant builds her home will require the establishment of additional residential lots, easements and right-of-way through the platting process.

The PD site plan approved with Ordinance No. 2010-4382 requires a 50-foot wide "no housing construction" buffer at the west property line along the railroad right-of-way as an attempt to provide some distance and a vegetative buffer between the train tracks and the proposed homes. The site plan also restricts future homes within the 100-year flood plain along the east property line adjacent to the concrete channel.

Ms. Hazel Mathis, property owner at 1001 S. 18<sup>th</sup> Street, spoke in opposition to the applicant's request to build homes near the railroad tracks. She cited safety concerns of children near railroad tracks. She also warned that potential homes would be subject to loud train noises, train smoke, and house shaking from train traffic.

The applicant spoke in favor of her request at the Planning and Zoning Commission meeting. She mentioned her love of train watching and explained train noises did not bother her.

Mr. Johnny Ockelberry, property owner at 1002 S. 20<sup>th</sup> Street, did not have any statements regarding the applicant's request, but expressed safety concerns about the bridge on 24<sup>th</sup> street and Avenue H.

#### **DEVELOPMENT REGULATIONS:**

The purpose of the SF-1 "base" zoning district is to develop average or standard single-family lots that serve as a transition between larger and smaller lot single-family districts.

Typical uses permitted are detached single-family residences and related accessory structures. Typical prohibited uses include secondary homes, duplexes, apartments, and non-residential uses. **Although SF1 Districts prohibit duplexes, the applicant wants the option to build duplexes within this PD.**

The minimum lot area and setback requirements for the SF-1 zoning district are as follows.

<b>SF-1, Single-Family 1</b>	
<b>Min. Lot Area (sq. ft.)</b>	7,500
<b>Min. Lot Width (ft.)</b>	60
<b>Min. Lot Depth (ft.)</b>	100
<b>Max. Height (stories)</b>	2 ½ stories
<b>Min. Yard (ft)</b>	
Front	25
Side	10% width of lot - 6 min & 7.5 max
Rear	10

**COMPREHENSIVE PLAN COMPLIANCE:**

The proposed rezoning relates to the following goals, objectives or maps of the Comprehensive Plan and Sidewalk and Trails Plan:

Document	Policy, Goal, Objective or Map	Compliance?
CP	Map 3.1 - Future Land Use and Character	Yes
	Map 5.2 - Thoroughfare Plan	Yes
	Goal 4.1 - Growth and development patterns should be consistent with the City's infrastructure and public service capacities.	Yes
	Land Use Policy 9 – New development or redevelopment on infill parcels in developed areas should maintain compatibility with existing uses and the prevailing land use pattern in the area.	Yes
STP	Page F4- Local connector trail along adjacent concrete channel to the east	Yes

CP = Comprehensive Plan      STP = Sidewalk and Trails Plan

**Future Land Use and Character (Cp Map 3.1)**

Although the Future Land Use and Character Map designates the subject property as Parks and Open Space, the Parks and Leisure Department currently has no plans to turn the applicant's property into a park. The applicant's intent is to keep an open space or woodsy environment with log cabins. Since the Comprehensive Plan recommends the use of Auto-Urban and Suburban residential districts for a range of development options with the incorporation of open space, the proposal conforms to the Future Land Use and Character Plan. Planning Staff will recommend this area be part of the semi-annual update to the Map.

**Thoroughfare Plan (CP Map 5.2)**

South Knob Street is a local street, which is appropriate for SF1 and duplex development.

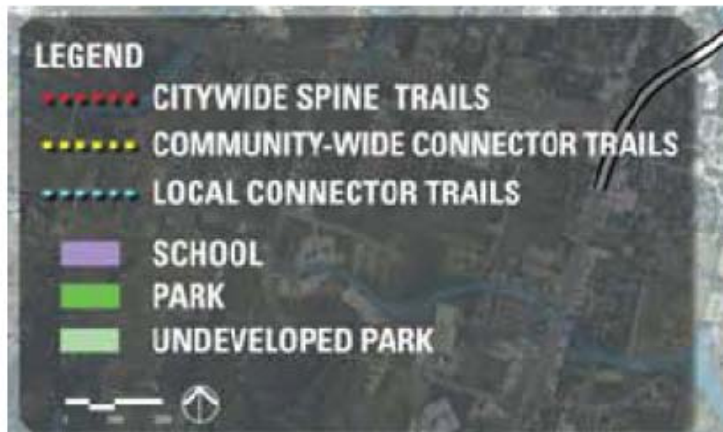
**Availability of Public Facilities (CP Goal 4.1)**

Several 2-inch water mains, as well as 16-inch and 12-inch sewer mains are available to provide services to the property.

**Sidewalk and Trails Plan (STP pg. F3)**

The Citywide Trails Master Plan shows a local connector trail along the concrete creek channel that separates the applicant's property from the adjacent neighborhood. The Parks and Leisure Department has no plans to purchase the eastern edge of the applicant's property for the local connector trail shown below. When the property goes through the platting process the City will request a 20-foot wide trail easement for the local connector trail.





## *Citywide Trails Master Plan*

### **PUBLIC NOTICE:**

Forty-nine notices of the Planning and Zoning Commission's public hearing were mailed. As of Thursday, May 19, 2011, at 11 AM, one notice was returned in favor of the request. Although no notices were returned in opposition to the request, the property owner at 1001 S. 18<sup>th</sup> Street opposed the request at the Planning and Zoning Commission meeting. The newspaper printed notice of the Planning and Zoning Commission public hearing on Thursday, April 21, 2011 in accordance with state law and local ordinance.

### **FISCAL IMPACT:**

### **ATTACHMENTS:**

Aerial  
PD Site Plan  
Land Use and Character Map  
Zoning Map  
Utility Map  
Flood Plain Map  
Thoroughfare Map  
Notice Map  
P&Z Staff Report (Z-FY-11-26)  
P&Z Minutes (May 2, 2011)  
Ordinance

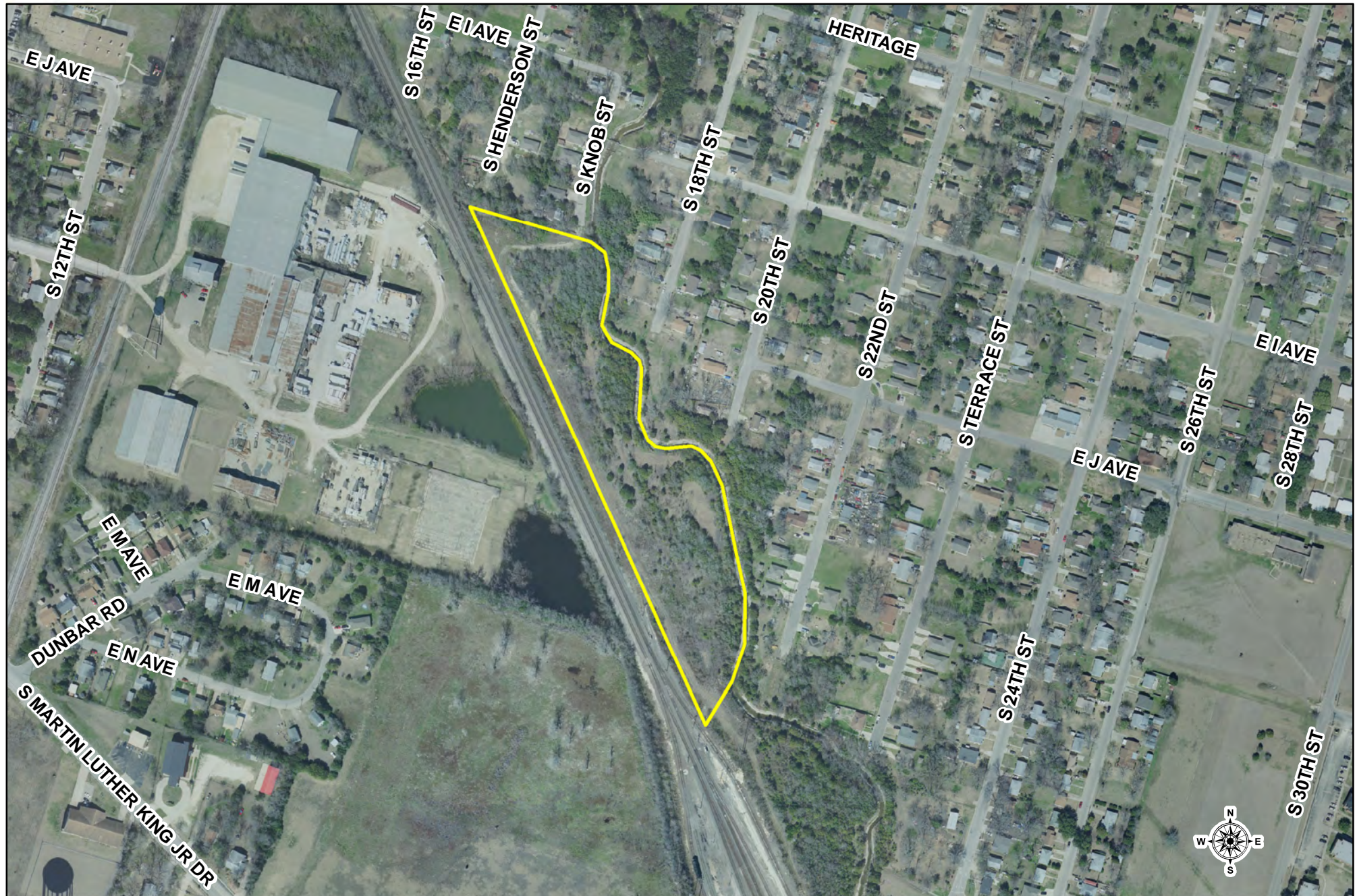




Z-FY-11-26


# Ordinance 2010-4382 PD-SF1 Amendment

1000 Knob Street



 ZFY 11-26      Streets 

2008 Bell County Aerial

Feet 0 100 200 300 400  


LMatlock Planning 4.05.11





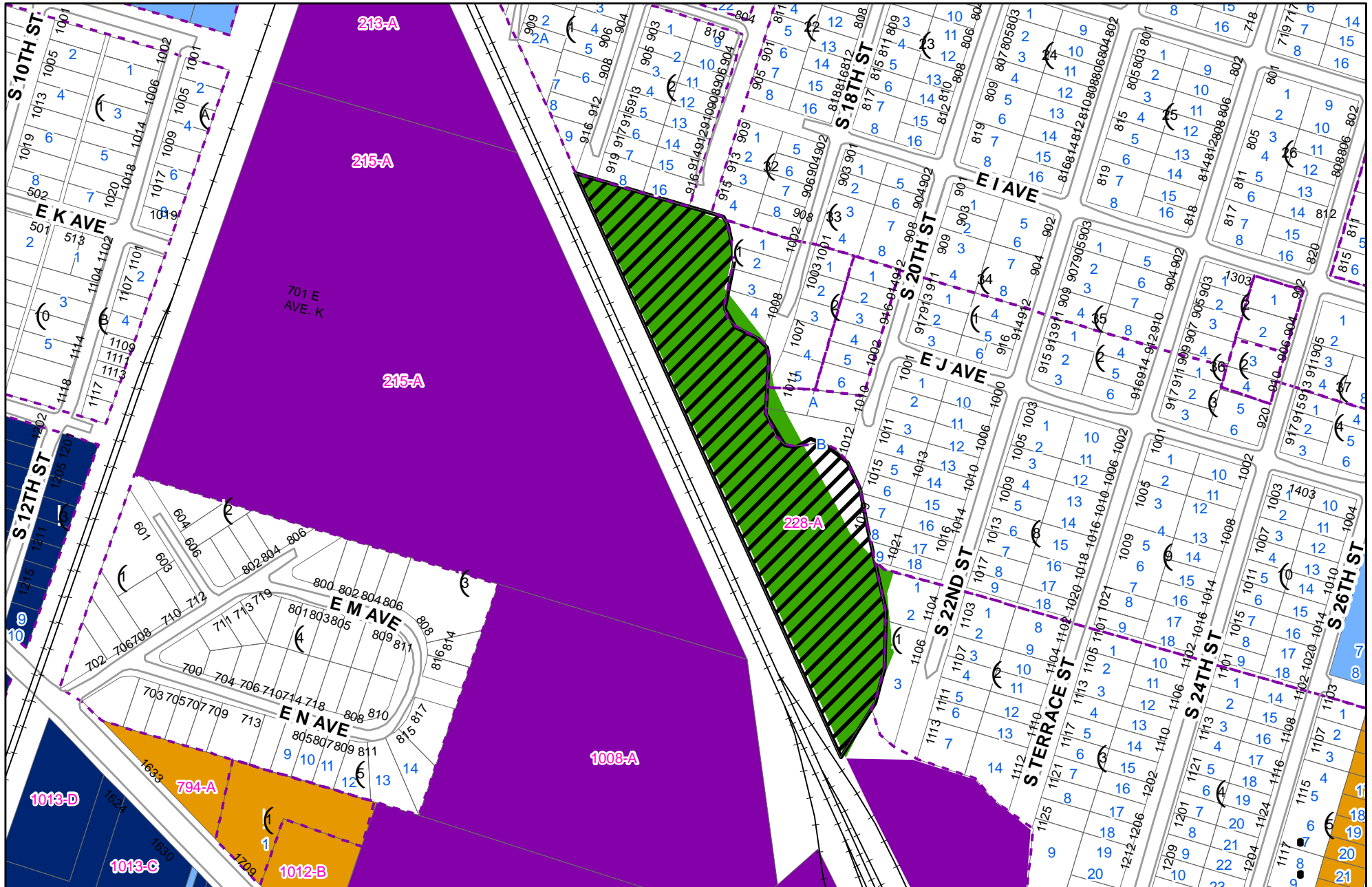


Z-FY-11-26

Ordinance 2010-4382  
PD-SF1 Amendment

OB# 228-A

1000 S Knob St



Neighborhood Conservation

Estate Residential

Suburban Residential

Auto-urban Residential

Auto-Urban Multi-Family

Auto-Urban Mixed Use

Auto-Urban Commercial

Suburban Commercial

Urban Center

Temple Medical Education District

Industrial

Business park

Public/Institutional

Parks and Open Space

Agricultural/Rural

ZFY1034

1 inch = 300 feet

J Stone 6.24.10

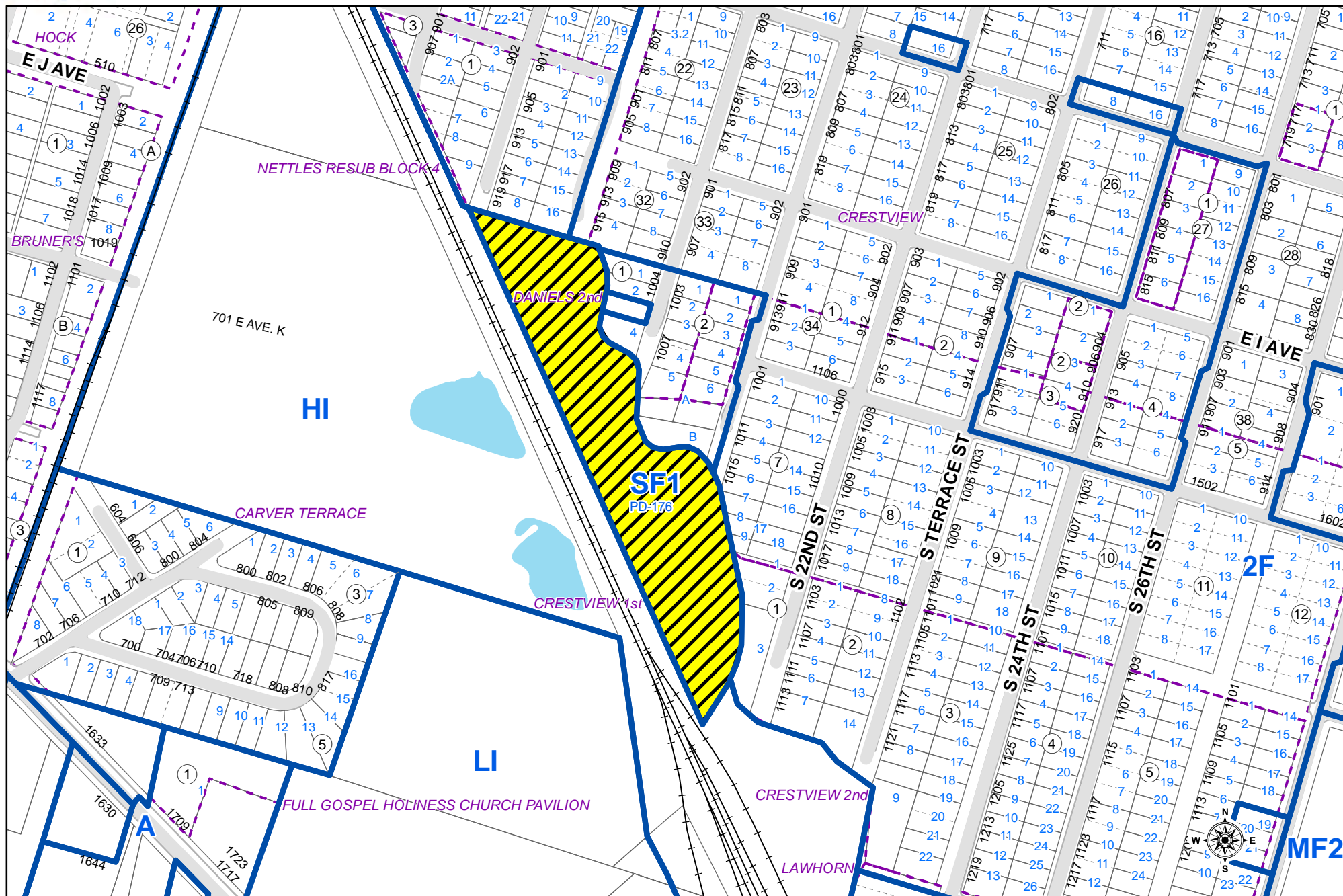




Z-FY-11-26

# Ordinance 2010-4382 PD-SF1 Amendment

1000 Knob Street



ZFY 11-26

Streets

Feet 0 100 200 300 400

LMatlock Planning 4.05.11

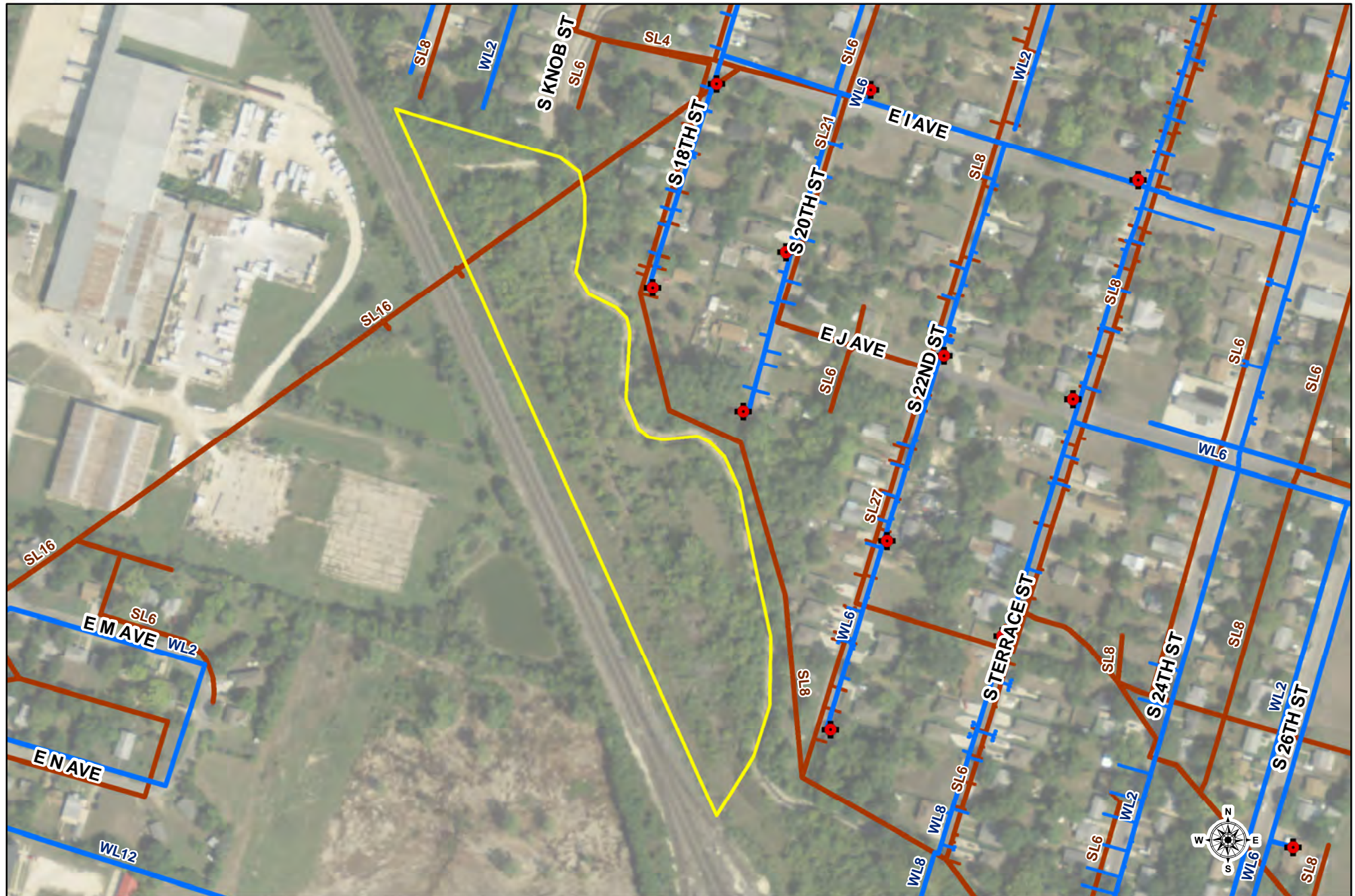




Z-FY-11-26

# Ordinance 2010-4382 PD-SF1 Amendment

1000 Knob Street



— ZFY 11-26    ● Fire Hydrants    — Sanitary Sewer Lines    — Domestic Water Lines

Feet 0 100 200 300 400

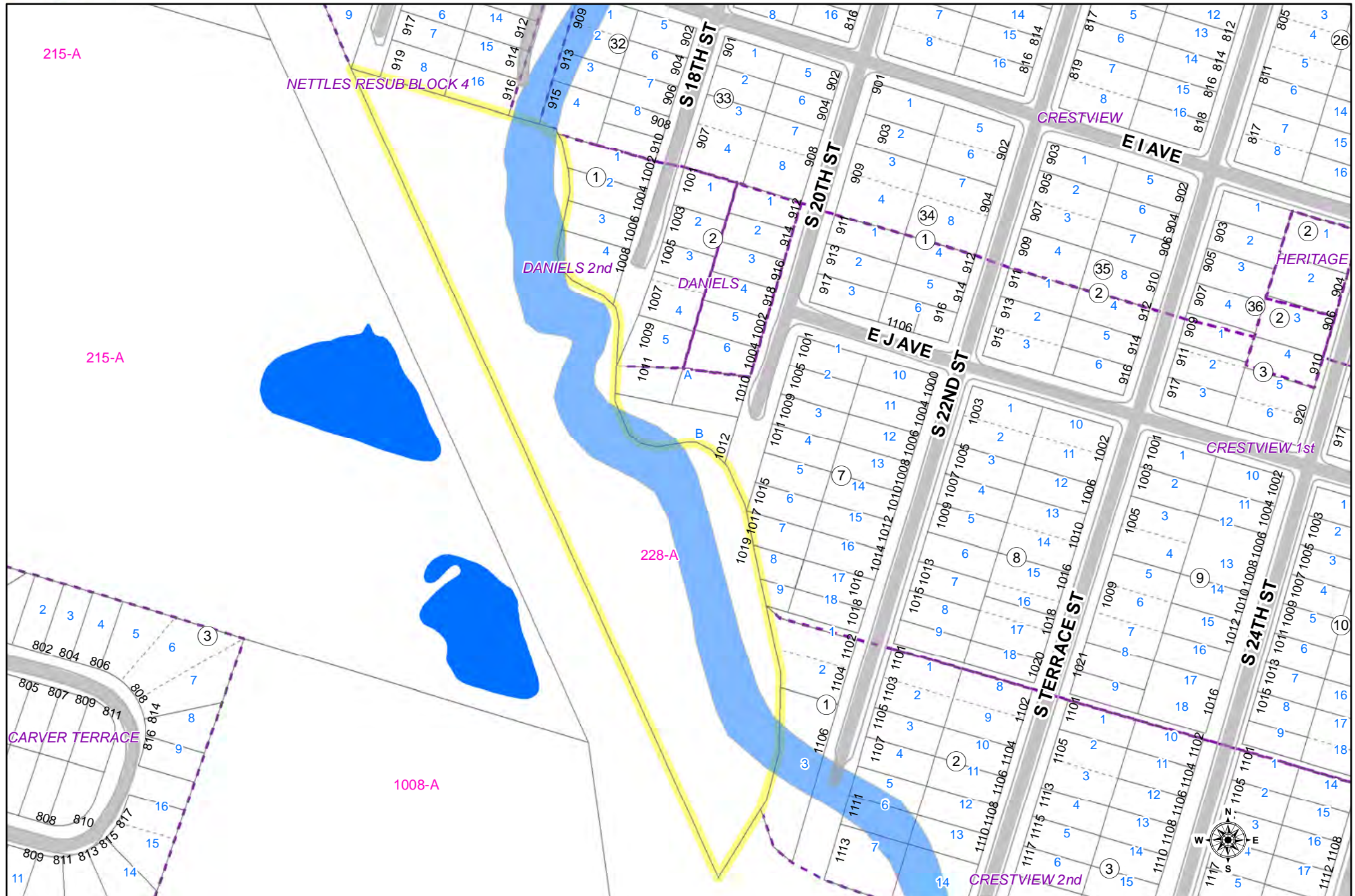




Z-FY-11-26

# Ordinance 2010-4382 PD-SF1 Amendment

1000 Knob Street



ZFY 11-26

Streets

FEMA 500-year Flood Plain

Bodies of Water

Feet 0 100 200 300 400





Z-FY-11-26

# Ordinance 2010-4382 PD-SF1 Amendment

1000 Knob Street



Collector Streets Streets Collector Streets

Feet 0 100 200 300 400

LMatlock Planning 4.05.11







# PLANNING AND ZONING COMMISSION AGENDA ITEM

05/02/11  
Item #2  
Regular Agenda  
Page 1 of 5

**APPLICANT / DEVELOPMENT:** Ratchnee France

**CASE MANAGER:** Tammy Lyerly, Planner

**ITEM DESCRIPTION:** Z-FY-11-26 Hold a public hearing to discuss and recommend action to amend Planned Development Ordinance No. 2010-4382, to allow construction of duplexes on a 6.76 ± acre tract of land being part of the Maximo Moreno Survey, Abstract No. 14, City of Temple, Bell County Texas, located at 1000 South Knob Street. (Applicant: Ratchnee France)

**BACKGROUND:** The applicant wishes to add duplex uses to Planned Development Ordinance No. 2010-4382, approved by City Council on September 2, 2010. The subject ordinance has a base zoning of Single Family One (SF1), allowing only single-family development. This base zoning district with its associated dimensional standards would remain in place, as further described on page 4. Since duplexes are a “two-family” classification, this request requires an amendment to the PD with Planning and Zoning Commission recommendation and City Council approval.

The applicant plans to build herself a log cabin on this property and hopes to build additional homes in the future. Although the property’s existing Planned Development allows six homes on this property, any future residential development after the applicant builds her home will require the establishment of additional residential lots through the platting process.






The Planned Development site plan approved with Ordinance No. 2010-4382 requires a 50-foot wide “no housing construction” buffer at the west property line along the railroad right-of-way. The site plan also restricts future homes within the 100-year flood plain along the east property line adjacent to the concrete channel.

**SURROUNDING PROPERTY AND USES:**

The following table shows the subject property, existing zoning and current land uses:

Direction	Zoning	Current Land Use	Photo
Subject Property	PD-SF1	Undeveloped	



Direction	Zoning	Current Land Use	Photo
North	MU, SFA3, and 2F	Undeveloped and Residential	 
South	HI	Railroad	
East	SFA3 and 2F	Residential and Undeveloped	
West	HI	Railroad and Industrial	

## **COMPREHENSIVE PLAN COMPLIANCE:**

The proposed Planned Development amendment relates to the following goals, objectives or maps of the Comprehensive Plan and Sidewalk and Trails Plan:

Document	Policy, Goal, Objective or Map	Compliance?
CP	Map 3.1 - Future Land Use and Character	Yes
	Map 5.2 - Thoroughfare Plan	Yes
	Goal 4.1 - Growth and development patterns should be consistent with the City's infrastructure and public service capacities.	Yes
	Land Use Policy 9 – New development or redevelopment on infill parcels in developed areas should maintain compatibility with existing uses and the prevailing land use pattern in the area.	Yes
STP	Page F4- Local connector trail along adjacent concrete channel to the east	Yes

CP = Comprehensive Plan      STP = Sidewalk and Trails Plan

### Future Land Use and Character (Cp Map 3.1)

Although the Future Land Use and Character Map designates the subject property as Parks and Open Space, the Parks and Leisure Department currently has no plans to turn the applicant's property into a park. The applicant's intent is to keep an open space or woodsy environment throughout the development. Since the Comprehensive Plan recommends the use of Auto-Urban and Suburban residential districts for a range of development options with the incorporation of open space, the proposal conforms to the Future Land Use and Character Plan.

### Thoroughfare Plan (CP Map 5.2)

South Knob Street is a local street, which is appropriate for SF1 and duplex development.

### Availability of Public Facilities (CP Goal 4.1)

Several 2-inch water mains, as well as 16-inch and 12-inch sewer mains are available to provide services to the property.

### Sidewalk and Trails Plan (STP pg. F3)

The Citywide Trails Master Plan shows a local connector trail along the concrete creek channel that separates the applicant's property from the adjacent neighborhood. When the property goes through the platting process the City will request a 20-foot wide trail easement for the local connector trail.



*Citywide Trails Master Plan*



**DEVELOPMENT REGULATIONS:**

The purpose of the SF-1 “base” zoning district is to develop average or standard single-family lots that serve as a transition between larger and smaller lot single-family districts.

Typical uses permitted are detached single-family residences and related accessory structures. Typical prohibited uses include secondary homes, duplexes, apartments, and non-residential uses. **Although SF1 Districts prohibit duplexes, the applicant wants the option to build duplexes within this Planned Development.**

The minimum lot area and setback requirements for the SF-1 zoning district are as follows.

<b>SF-1, Single-Family 1</b>	
<b>Min. Lot Area (sq. ft.)</b>	7,500
<b>Min. Lot Width (ft.)</b>	60
<b>Min. Lot Depth (ft.)</b>	100
<b>Max. Height (stories)</b>	2 ½ stories
<b>Min. Yard (ft)</b>	
Front	25
Side	10% width of lot - 6 min & 7.5 max
Rear	10

**PD-SF1:**

The existing Planned Development Single Family One District (PD-SF1) requires a 50-foot wide “no construction” buffer along the west property line adjacent to the railroad. The existing PD-SF1 site plan also restricts potential home construction from the 100-year flood plain along the east property line.

**Rather than change the base zoning of this existing Planned Development to Two Family (2F), staff recommends adding duplexes as an allowable use. All other SF1 “base zoning district” regulations apply.**

The existing PD site plan shows the applicant's house plus five other potential home sites. The requested Planned Development amendment would allow either single-family homes or duplexes at these potential home sites. The existing PD site plan shows a general location of anticipated homes. The exact locations and sizes of lots will be determined during the platting process when drainage requirements, easements, and lot access are reviewed.

**PUBLIC NOTICE:**

Staff mailed forty-nine notices of the Planning and Zoning Commission's public hearing. As of Wednesday, April 27, 2011 at 2 PM, one notice was returned in favor of the request and none in opposition to the request. The newspaper printed notice of the Planning and Zoning Commission public hearing on April 21, 2011 in accordance with state law and local ordinance

**STAFF RECOMMENDATION:**

Staff recommends approval of the amendment to Planned Development Ordinance No. 2010-4382, to allow construction of duplexes for Z-FY-11-26 subject to the following conditions:

1. No housing construction or disturbance of vegetation other than periodic maintenance may take place within the 50 foot wide buffer zone along the west property line adjacent to the railroad;

2. Development must be based on the property's Planned Development site plan;
3. Duplexes are a permitted use; and
4. All other development and land use must follow SF1 District regulations

**FISCAL IMPACT:** Not Applicable

**ATTACHMENTS:**

Aerial  
Land Use and Character Map  
Zoning Map  
Utility Map  
Flood Plain Map  
Thoroughfare Map  
Notice Map  
Response Letter  
Planned Development Site Plan

**EXCERPTS FROM THE  
PLANNING & ZONING COMMISSION MEETING  
MONDAY, MAY 2, 2011**

**ACTION ITEMS**

**Item 2: Z-FY-11-26** - Hold a public hearing to discuss and recommend action to amend the existing Planned Development Ordinance No. 2010-4382, to allow construction of duplexes on a 6.76 ± acre tract of land being part of the Maximo Moreno Survey, Abstract No. 14, City of Temple, Bell County Texas, located at 1000 South Knob Street.

Ms. Tammy Lyerly, Planner, stated City Council first reading would be held on May 19th and second reading and final action would be on June 2nd. ***(The City Council dates were stated incorrectly—first reading will take place on June 2nd and second reading and final action will take place on June 16th.)***

The subject property is a Planned Development (PD) district which was approved in 2010 and has a base zoning of Single Family One (SF1). All planned developments have a base zoning designation that follow required regulations but are also customized to allow things that the base district may not normally allow. This subject property is for a residential development with SF1 on the property. Currently, the land is undeveloped and the applicant is planning on building a log cabin home for her personal residence. The PD has potential houses on the site plan which was approved in 2010 and the applicant would like the potential homes to be duplexes. Since this PD already has a base zoning of SF1 district, a duplex would not be allowed since a duplex is considered a two family dwelling. The amendment the applicant is asking for is to keep it as a Planned Development district and to retain the SF1 base zoning, but also allow duplexes as an allowable use in that development.

The property is located west of the Knob Street Creek Channel which borders the property from the rest of the residential environment to the east of the property. The gate leading into the property borders the railroad right-of-way. Although there are several streets to the east of the property, the Knob Street creek channel runs along the east boundary of the subject property and the entrance is off of Knob Street.

Surrounding properties include the creek channel to the east, residential to the north, railroad property to the west, and railroad tracks to the south.

The Future Land Use and Character Map shows this area to be designated as parks and open space. When the PD was approved in 2010, the Parks & Leisure Department (PALS) stated they had no plans to develop this property into a park and agreed with the PD request at the time. Also, PALS has no plans at this time to purchase any of the applicant's property. The area along the Knob Street Creek Channel is designated as a local connector trail in the Citywide Master Trails Plan. In the future, along that creek

channel, the Plan calls for a connector trail. Whenever the property owner decides to divide the property into additional lots for additional homes, she would go through the platting process and during that time PALS would require a trail easement along that property to develop the trail along the creek channel. Chair Talley asked if the applicant was aware of this information and Ms. Lyerly stated yes, it had been discussed during the Design Review Committee (DRC) meetings.

The Thoroughfare Plan in the applicant's area does not indicate any arterials or collector streets. Knob Street is considered a local street which is suitable for single family and two family developments and traffic.

There are sufficient water and sewer lines available in the area. One sewer line runs diagonally through the applicant's property. If the applicant goes through the platting process and decides to further divide the property, she would be required to establish an easement for that existing sewer line.

Regulations for SF1 were given. Presently, the applicant's six plus acres exceeds these requirements. Should the applicant ever decide to divide the property, she would be subject to the SF1 lot dimensions. Normally duplexes are allowed in the Two Family (2F) district and require lot widths of 60 feet. If the duplexes were allowed, they would match what is required in a 2F zoning. The maximum allowed would be 12 units, one duplex with two dwellings would be considered one unit, two units per acre.

The proposed amended site plan was shown with potential residences. There is a 50 foot wide railroad buffer along the tracks and the 100 year flood plane runs through the entire subject property.

Forty-nine notices were mailed out and one notice was received in approval of this request.

Staff recommends approval of this requested amendment to Planned Development Ordinance No. 2010-4382 to allow construction of duplexes for **Z-FY-11-26** subject to the following conditions:

No housing construction or disturbance of vegetation other than periodic maintenance may take place within the 50 foot wide buffer zone along the west property line adjacent to the railroad;

Development must be based on the property's Planned Development site plan;

Duplexes are a permitted use; and

All other development and land use must follow SF1 District regulations.

Commissioner Staats asked if the access to the property was from a single street and Ms. Lyerly stated yes. Commissioner Staats asked about an Ordinance regarding additional outlets. Ms. Lyerly stated that was something that would be looked at through the platting process since it would be triggered through the number of lots on



the property. Commissioner Staats asked about the length and if a cul-de-sac at the end was needed. Ms. Lyerly said they would address that issue when the applicant came forward for additional division of her property. The subject property touches on Henderson and the applicant asked at DRC about the possibility of getting a second entry into the property from Henderson. The angle of Henderson currently does not allow a 90 degree angle into the property or a connection that may require additional property to allow some type of angle.

Commissioner Rhoads asked if it was normal to leave it as SF1 when it will possibly be SF2 and Ms. Lyerly stated it would be a combination of uses and the applicant's personal home would be SF. The applicant would have the option whether to make the other homes either SF or duplexes. The choice was made to recommend SF1 base zoning and allow duplexes.

Chair Talley asked if there were any park fees for a single family and Ms. Lyerly stated they would apply during the platting process. In the applicant's case, the park fees would depend on what type of development she requested.

Chair Talley opened the public hearing.

Ms. Hazel Mathis, 1001 S. 18th Street, Temple, Texas, stated it was a bad idea to put houses in that area. Ms. Mathis lives approximately two blocks from the subject property and stated she has had numerous problems with the railroad and thought it would be dangerous to have homes only 50 feet from the tracks, especially for children.

Ms. Mathis stated her doctor has already instructed her to move out of her house due to the trains making her house shake, rail cars constantly banging together, brakes screeching, inability to sleep at night, and things constantly falling off of the walls. The radio talk is loud and black smoke from the train fills the air making it look like something is on fire. Ms. Mathis felt having homes that close to the tracks, with children, was very dangerous and destructive.

Ms. Ratchnee France, 213 Oak Ridge, Nolanville, Texas, stated she was the owner of the property, and is fascinated by and loves trains, and the noise does not bother her. Ms. France stated one reason she wanted to develop the area was because it was quiet, besides the train, and she can enjoy nature.

Ms. France stated she thought the area would be a good place for low income housing for individuals 55 and older, and no children allowed, except for her child who is in high school and will be leaving for college. Ms. France agreed with Ms. Mathis that it would be unsafe for children.

Ms. France stated if the land were developed it would be a gated community and completely fenced. She stated she may not develop the land but would like the option to possibly expand. She is planning on building her own home and loves the trains.

There being no further speakers, Chair Talley closed the public hearing.

Commissioner Rhoads asked what the City's approach to the safety issue was and Ms. Lyerly stated safety was always a concern for Planning which was part of the reason for the stated 50 foot buffer which Staff felt would be sufficient distance from the tracks. Temple is a railroad town, the tracks go through various parts of Temple, and there are numerous homes built near or by railroad tracks. When this case went through in 2010, no one came forward and spoke about the unsafe nature of the tracks.

Commissioner Sears asked for clarification that the P&Z Board was only voting to amend the PD and potentially allow duplexes on the property and Ms. Lyerly stated that was correct.

Chair Talley reopened the public hearing since another citizen asked to speak.

Mr. Johnny Ockelberry, 1002 S. 20th Street, stated the bridge on 24th street and Avenue H was unsafe and was concerned about the buses and children using them.

Chair Talley stated he appreciated Mr. Ockelberry's concern, however, the P&Z Board was not the appropriate place to voice this issue. Ms. Lyerly stated Staff would contact the Public Works Department regarding this matter.

There being no further speakers, Chair Talley closed the public hearing.

Commissioner Staats made a motion to approve **Z-FY-11-26** and Commissioner Pilkington made a second.

*Motion passed: (7:1)*

Chair Talley voted nay; Vice-Chair Martin absent

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

[PLANNING NO. Z-FY-11-26]

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AMENDING PLANNED DEVELOPMENT ORDINANCE NO. 2010-4382, TO ALLOW CONSTRUCTION OF DUPLEXES ON AN APPROXIMATELY 6.76 ACRE TRACT OF LAND BEING PART OF THE MAXIMO MORENO SURVEY, ABSTRACT NO. 14, CITY OF TMEPLE, BELL COUNTY, TEXAS, LOCATED AT 1000 SOUTH KNOB STREET; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on September 2, 2010, the City Council adopted Ordinance No. 2010-4382 that rezoned property consisting of approximately 6.76 acres located at 1000 South Knob Street, from Heavy Industrial District (HI) and Mixed Use District (MU) to Planned Development District Single-Family 1 (PD-SF1);

**Whereas**, the property owner has requested an amendment to the ordinance to allow for the construction of duplexes;

**Whereas**, at its meeting on May 2, 2011, the Planning and Zoning Commission voted to approve this action and recommend its consideration by the City Council; 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 an amendment to Planned Development Ordinance No. 2010-4382, to allow construction of duplexes on a tract of land consisting of approximately 6.76 acres located at 1000 South Knob Street, in accordance with the following conditions:

- (a) No housing construction or disturbance of vegetation other than periodic maintenance may take place within the 50 foot wide buffer zone along the west property line adjacent to the railroad.
- (b) Development must be based on the property's PD site plan;
- (c) Duplexes are a permitted use; and
- (d) All other development and land use must follow SF-1 District regulations.

**Part 2:** 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 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 **2<sup>nd</sup>** day of **June**, 2011.

PASSED AND APPROVED on Second Reading on the **16<sup>th</sup>** day of **June**, 2011.

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

---

Jonathan Graham  
City Attorney



## **COUNCIL AGENDA ITEM MEMORANDUM**

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06/02/11  
Item #8  
Regular Agenda  
Page 1 of 2

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

Brian Mabry, AICP, Planning Director

**ITEM DESCRIPTION:** FIRST READING – PUBLIC HEARING – A-FY-10-02: Consider adopting an Ordinance abandoning the 0.433-acre unnamed county road, located along the north edge of Coughran Subdivision, between the east right-of-way of South Pea Ridge Road and the north right-of-way of West Adams Avenue, and retaining a 15-foot wide utility easement along the north line of the abandoned road.

**STAFF RECOMMENDATION:** Conduct public hearing and adopt ordinance as presented.

**ITEM SUMMARY:** Staff presented this right-of-way abandonment request to the City Council on May 6, 2010. The applicant, Wes Coughran, withdrew the application immediately before the City Council meeting because he objected to purchasing the right-of-way from the City. The Council heard the staff presentation and conducted the public hearing. Because of Mr. Coughran's concern, the public hearing was suspended and the item was tabled on first reading.

Mr. Coughran has subsequently worked with the City Attorney to negotiate an opportunity for him to provide additional landscaping on his property, Big Chew Chews Burgers & Shakes, in exchange for the City transferring ownership of the right-of-way to him without compensation. He wants to use the abandoned road for additional parking for his restaurant and for access to the back half of his property. The City Staff will request that the City Council authorize a Chapter 380 agreement with Mr. Coughran regarding the Chew Chew property. In the Chapter 380 agreement, the property owner (in lieu of paying the nominal value for the tract adjacent to his property that he is asking to convey to him) agrees to add new specified landscaping improvements to his property that exceed the City's minimum standards. The City potentially benefits from not having to maintain the adjacent tract and from having property fronting a prominent SIZ corridor beautified.

Mr. Coughran obtained a signed document from Kiella Land Investments LTD. (the property owner along the north edge of the unnamed county road) relinquishing any interest regarding closure, conveyance, and purchase of the road adjoining its property.


Staff contacted all utility providers, including all divisions of the Public Works Department, regarding the applicant's requested road abandonment. The City of Temple does not have any water, wastewater, or drainage utility within this right-of-way. Oncor Electric Delivery requests a 10-foot wide utility easement along the north boundary of the road abandonment to protect existing utilities. AT&T Texas requests a 15-foot wide utility easement along the north boundary of the road abandonment to protect buried and aerial facilities.

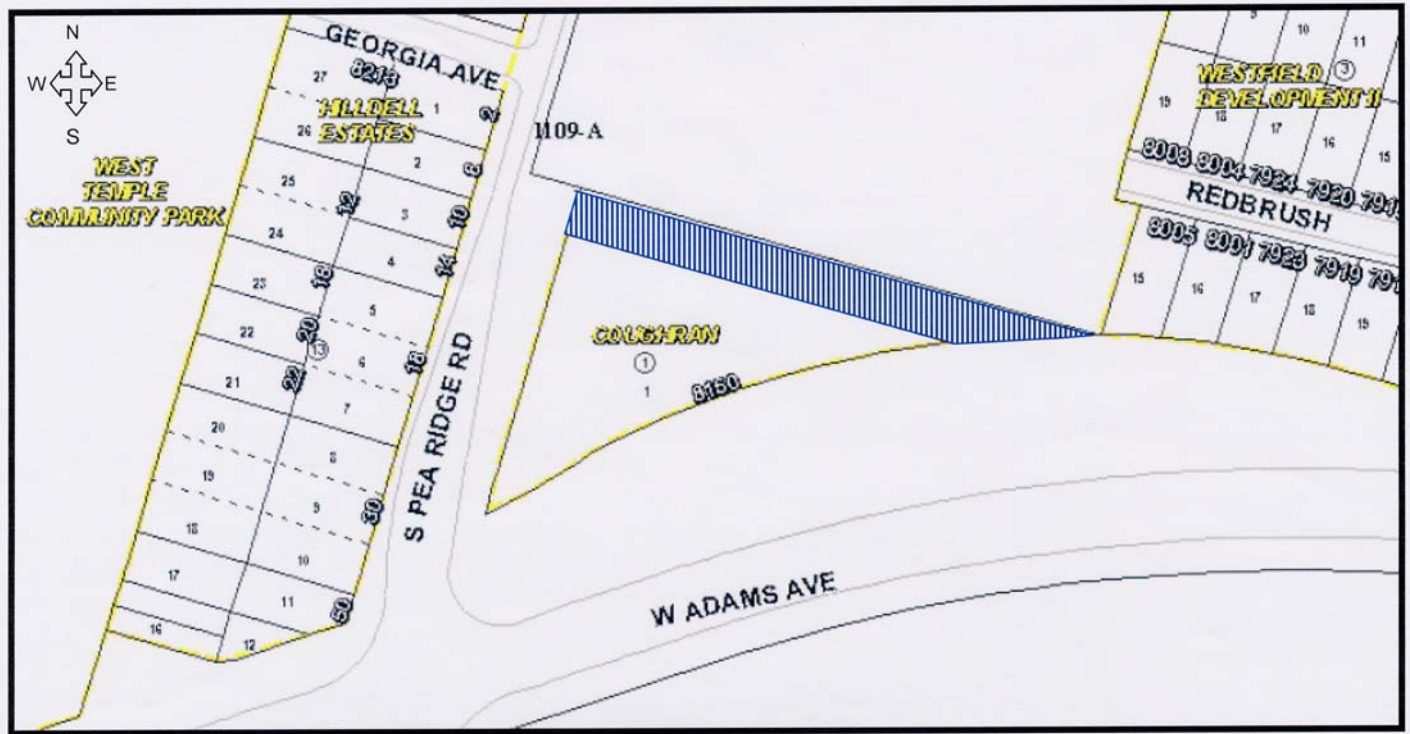
**FISCAL IMPACT:** NA


**ATTACHMENTS:**

[Aerial](#)  
[Abandonment Exhibit](#)  
[Easement Exhibit](#)  
[Application](#)  
[Letter of Relinquishment](#)  
[Surveys](#)  
[Landscape drawing](#)  
[Ordinance](#)

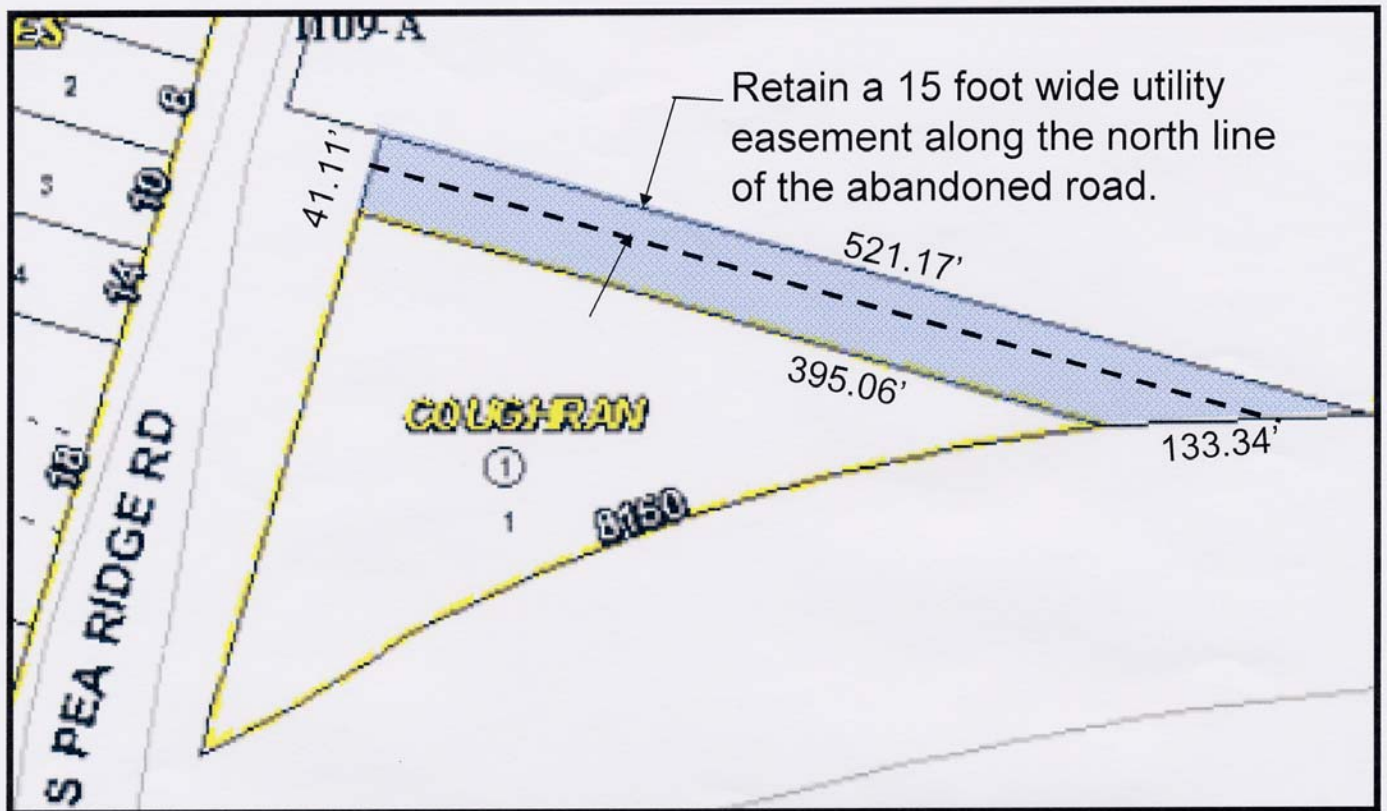


 Proposed Road Abandonment – 0.433 Acres



 Proposed Road Abandonment – 0.433 Acres





### ABANDONMENT APPLICATION

Date: 11-10-09

Property Owner: GEORGE W COUGHRAN - 299 GREEN PARK BELTON 76513  
Name Address Phone #

Applicant: GEORGE W. COUGHRAN 299 GREEN PARK BELTON, TEX, 76513  
Name Address Phone #

Capacity of applicant: ☒ Officer ☐ Broker ☒ Prospective Buyer ☐ Other 780-4300 = 780-9385

Email: \_\_\_\_\_ Fax Number: 254-780-4301

Address of Property: \_\_\_\_\_ Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Subdivision: \_\_\_\_\_

Outblock (if not platted): OLD COUNTY ROAD ON NORTH SIDE COUGHRAN SUBDIVISION

**Filing Fee:** The abandonment application requires a filing fee of \$100 plus the broker's opinion of the value of the property to be abandoned (if applicable). The fee is not refundable, except that a refund of \$25 and the value of the property will be made if an application is withdrawn in writing and received by the Planning Department prior to the notification of utility providers.

**Type of Abandonment:** ☐ Alley ☒ Street ☐ Drainage or utility easement ☐ Other \_\_\_\_\_

**Abandonment Description:** Please explain why the abandonment is needed.

0.456 ACRES OF STREET RIGHT OF WAY

**Use of Abandonment:** Please provide the proposed use of abandoned property, if granted.

FOR PARKING & ENTRANCE TO BACK HALF OF PROPERTY

**Thoroughfare Plan Streets:** Any abandonment of a street reflected on the City's Thoroughfare Plan may be presented to Planning and Zoning Commission and the City Council.

**Certification:** You as the property owner certify with your signature that all of the following statements are true:

- This application is complete and all of the information provided is accurate.
- The person signing below as applicant may act as my agent for the processing and presentation of this request. The designated agent shall be the principal contact person with the City in processing and responding to requirements or issues relevant to this request.

George W. Conghran  
Applicant's Signature

George W. Conghran  
Property Owner's Signature

**For Office Use Only**

☒ Completed Application

Fee Received By: Tammy Lyraly

Case #: A-FY-10-02 Zoning Map Page: \_\_\_\_\_ Project Manager: Tammy Lyraly

Tentative City Council Date: \_\_\_\_\_



Tammy Lyerly, Planner  
City of Temple Planning Department  
2 N Main ST  
Temple TX 76501

Re: Proposed abandonment of old county road located north of the intersection of North Pea Ridge Road and West Adams Avenue/FM 2305, abutting Coughran Subdivision and Outblocks 1109-A and 1109-B.

Dear Ms. Lyerly:

I have received notice of a request for abandonment and sale of the road described above and shown on the attached drawing, which shows Proposed Road Abandonment (Approx. 0.5 AC), Tract A (0.2 AC) abutting Coughran Subdivision, and Tract B (Approx. 0.3 AC) abutting Outblocks 1109-A and 1109-B.

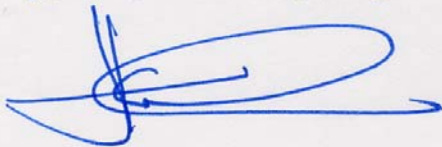
I understand that if the abandonment is approved, the road may be sold to the abutting property owners in proportion to their abutting ownership for the fair market value determined by an appraisal and approved by the City Council.

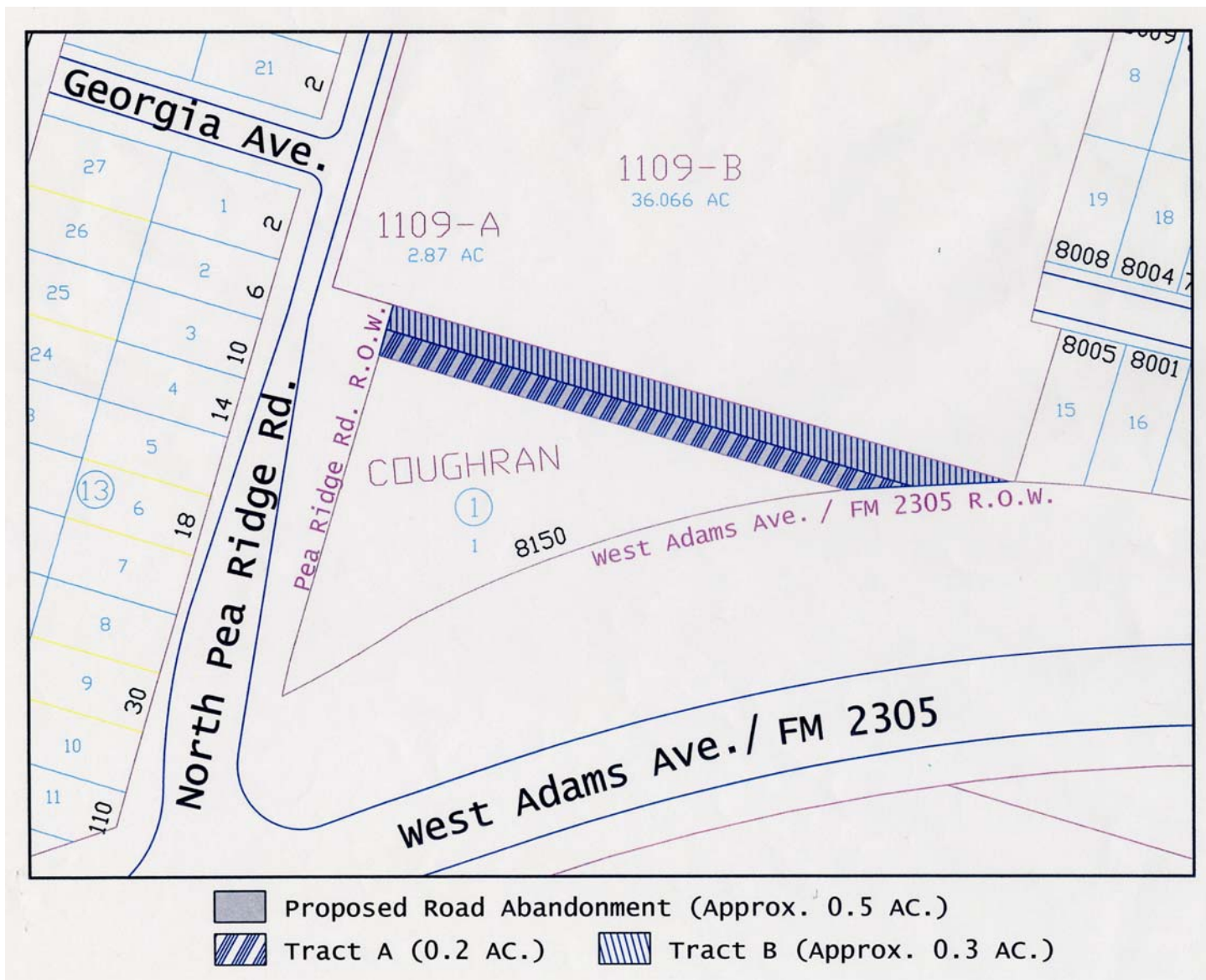
KIELLA LAND INVESTMENTS LTD.

as the sole owner of Outblocks 1109-A and 1109-B, hereby relinquishes any interest it may have regarding closure and conveyance of the road, as it does not wish to purchase the proportionate portion of the road adjoining its property.

John Kiella  
President

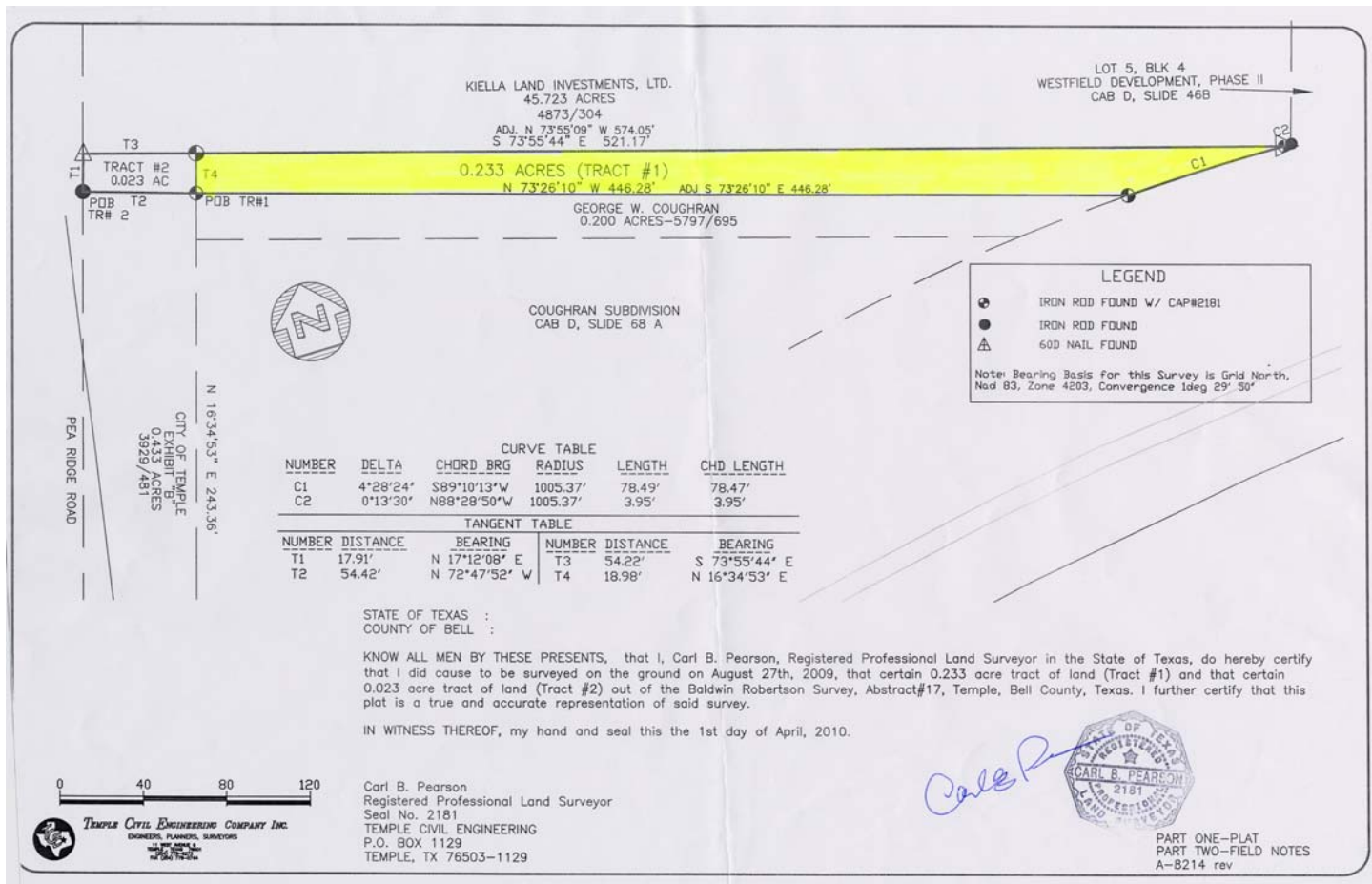
Kiella Land Investment Ms.





(Exhibit with Letter)

# Abandonment Surveys





Tract One

Field Notes for a 0.233 acre tract of land in Temple, Bell County, Texas, being out of and a part of the BALDWIN ROBERTSON SURVEY, ABSTRACT #17, Bell County, Texas, being a part of that certain 50 acre tract of land described in a deed to Edgar L. Von Rosenberg, et al, in Volume 1210, page 188, of the Deed Records, Bell County, Texas, and also being a part of the North one half of an abandoned City of Temple Road, said 0.233 acre tract of land being more fully described as follows:

Beginning at an iron rod found with cap#2181 for the Southwest corner of this tract of land, the Northeast corner of a 0.433 acre City of Temple tract of land described in a deed recorded in Volume 3929, page 481, of the Deed Records, Bell County, Texas, and the Northwest corner of a 0.200 acre tract of land described in a deed to George W. Coughran, recorded in Volume 5797, Page 695, of the Deed Records of Bell County, Texas.

Thence: North 16° 34' 53" East, 18.98 feet with the West line of this tract of land, to an iron set with CAP #2181 for the Northwest corner of this tract of land, said corner being in the North line of the aforementioned City of Temple Abandoned Road.

Thence: South 73° 55' 44" East, 521.17 feet with the North line of this tract of land and the North line of the aforementioned abandoned City of Temple Road to a 8D nail found at a fence corner post for the most Easterly corner of this tract of land and a corner in the North line of the aforementioned Abandoned City of Temple Road, said corner also being the most Westerly corner of a 1.251 acre State of Texas tract of land described in a deed recorded in Volume 758, page 107, of the Deed Records, Bell County, Texas, and bears North 88° 28' 50" West, 3.95 feet from the Southwest corner of Lot 5, Block 4, Westfield Development, Phase II, according to Plat of Record in Cabinet D, Slide 46, of the Plat Records of Bell County, Texas.

Thence: with the East line of this tract of land and the North line of FM 2304 being a curve to the left, a distance of 78.49 feet, to an iron rod found with CAP #2181 for the Southeast corner of this tract of land and the most Easterly corner of the aforementioned 0.200 acre tract of land, said curve having a radius of 1005.37 feet and a chord which bears S 89° 10' 13" W, 78.47 feet.

Thence: North 73° 26' 10" West, 446.28 feet, (adjoiner South 73° 26' 10" East, 446.28 feet) with the South line of this tract of land and with the North line of the aforementioned 0.200 acre tract of land, to the place of beginning, containing 0.233 acres of land.

Bearing Basis for this survey is Grid North, NAD 83, Zone 4203, Convergence = 1° 29' 50".

STATE OF TEXAS:

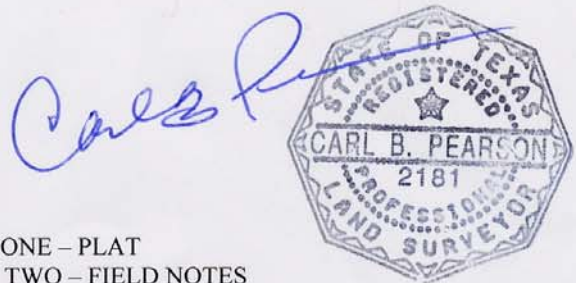
COUNTY OF BELL

KNOW ALL MEN BY THESE PRESENTS, that I, Carl B. Pearson, Registered Professional Land Surveyor, do hereby certify that I did cause to be surveyed on the ground on the 27<sup>th</sup> day of August, 2009, the above described tract of land and to the best of my knowledge and belief, said description is true and accurate.

IN WITNESS THEREOF, my hand and seal, this 1st day of April, 2010.

Carl B. Pearson  
Registered Professional Land Surveyor  
Seal No. 2181  
TEMPLE CIVIL ENGINEERING  
P.O. BOX 1129  
TEMPLE, TEXAS 76503-1129

PART ONE – PLAT  
PART TWO – FIELD NOTES  
FN – 8214 Tract One





STATE PLANE COORDINATES: NAD 83, TX ZONE 4203			
Static Station 10383172.28 North, 3206070.80 East, Convergence 1deg 29' 50.1"			
COMBINED CORRECTION FACTOR = 0.99985786			
A	10383345.39 North	3205305.37 East	IRS NW COR TRACT #1
B	10383235.24 North	3205684.76 East	IRS NE COR TRACT #1
C	10383068.27 North	3205225.11 East	IRS SW COR TRACT #1

NUMBER		CHORD BRG	CURVE TABLE	LENGTH	CHD LENGTH
C1	S	70°02'11" W	1005.37'	493.99'	489.04'
C2	N	13°50'37" E	440.00'	45.21'	45.19'
ADJ	S	13°39'31" W	440.00'	45.21'	44.87'
C3	S	85°40'32" W	1005.37'	54.85'	54.84'

TANGENT TABLE	
NUMBER	DISTANCE BEARING
T1	22.13' N 16°34'53" E

STATE OF TEXAS :  
COUNTY OF BELL :

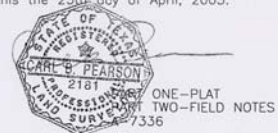
KNOW ALL MEN BY THESE PRESENTS, that I, Carl B. Pearson, Registered Professional Land Surveyor in the State of Texas, do hereby certify that I did cause to be surveyed on the ground on April 22, 2005, those certain 1.088 and 0.200 acre tracts of land out of the Baldwin Robertson Survey, Abstract #17, Bell County, Texas.

I further certify that this plot is a true and accurate representation of said survey.

IN WITNESS THEREOF, my hand and seal this the 25th day of April, 2005.

Carl B. Pearson  
Registered Professional Land Surveyor  
Sedl No. 2181

TEMPLE CIVIL ENGINEERING  
P.O. BOX 1129  
TEMPLE, TX 76503-1129





## Tract 2

Field Notes for a 0.200 acre tract in Temple, Bell County, Texas, out of and a part of the BALDWIN ROBERTSON SURVEY, ABSTRACT #17, and the tract herein described being out of and a part of that certain ten acre First Tract described in a deed to Sheila Sanders Mitchell, et al, of record in Volume 1218, page 234, Deed Records, Bell County, Texas, said 0.200 acre tract being more fully described as follows:

Beginning at an iron rod set in the North line of the said First Tract and in the center line of an abandoned road for the Northwest corner of this tract and the Northeast corner of a certain 0.433 acre Pea Ridge Road right-of-way described in a deed to the City of Temple, Bell County, Texas, of record in Volume 3929, page 481, Deed Records, Bell County, Texas.

Thence: South  $73^{\circ} 26' 10''$  East, 446.28 feet with the North line of this tract, the North line of the said First Tract, and with the center line of the aforementioned abandoned road to an iron rod set in the North line of FM 2305 right-of-way, for the Northeast corner of this tract, said right-of-way established by Condemnation Clause #8859.

Thence: with the East line of this tract being a curve to the left in a Southwesterly direction, a distance of 54.85 feet, to an iron rod set in the South line of the said abandoned road for the Southeast corner of this tract, said curve having a radius of 1005.37 feet and a long chord which bears South  $85^{\circ} 40' 32''$  West, 54.84 feet.

Thence: South  $73^{\circ} 48' 27''$  East, 395.06 feet, with the South line of this tract and with the South line of the said abandoned road to an iron rod set in the East line of the aforementioned 0.433 acre tract for the Southwest corner of this tract.

Thence: North 16° 34' 53" East, 22.13 feet with the West line of this tract and with the East line of the said 0.433 acre tract to the place of BEGINNING containing 0.200 acres of land.

All bearings are grid bearings based on the Texas Plane System, NAD83 and referenced to a "static" station established by Temple Civil Engineering Company, X = 3206070.80, Y = 10383172.28 Convergence Angle = 1° 29' 50.1".

STATE OF TEXAS:  
COUNTY OF BELL

KNOW ALL MEN BY THESE PRESENTS, that I Carl B. Pearson, Registered Professional Land Surveyor, do hereby certify that I did cause to be surveyed on the ground on the 22nd day of April, 2005, the above described tract of land and to the best of my knowledge and belief, said description is true and accurate.

IN WITNESS THEREOF, my hand and seal, this 26<sup>th</sup> day of April, 2005.

Carl B. Pearson  
Registered Professional Land Surveyor  
Seal No. 2181

TEMPLE CIVIL ENGINEERING  
P.O. BOX 1129  
TEMPLE, TEXAS 76503-1129

PART ONE – PLAT  
PART TWO – FIELD NOTES  
FN – 7336 TRACT #1







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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, ABANDONING THE 0.433 UNNAMED COUNTY ROAD, LOCATED ALONG THE NORTH EDGE OF COUGHRAN SUBDIVISION BETWEEN THE EAST RIGHT-OF-WAY OF SOUTH PEA RIDGE ROAD AND THE NORTH RIGHT-OF-WAY OF WEST ADAMS AVENUE; RETAINING A 15-FOOT WIDE UTILITY EASEMENT ALONG THE NORTH LINE OF THE ABANDONED ROAD; DECLARING FINDINGS OF FACT; AUTHORIZING CONVEYANCE OF SUCH PROPERTY BY A DEED WITHOUT WARRANTY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

---

**Whereas**, the City has a request to abandon the 0.433 acre unnamed county road located along the north edge of Coughran Subdivision between the east right-of-way of South Pea Ridge Road and the north right-of-way of West Adams Avenue – the property owner along the south edge of the unnamed county road wants to use the abandoned roadway for additional parking for his restaurant and for access to the back half of his property;

**Whereas**, a 15-foot wide public utility easement needs to be retained along the north line of the abandoned road;

**Whereas**, the road is not necessary for the purpose of serving the general public or the owners of adjacent land for purposes of vehicular access; and

**Whereas**, the Staff recommends that the tract be abandoned in exchange for the applicant making additional landscaping improvements on the property; and

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

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

**Part 1:** The City Council abandons the 0.433 acre unnamed county road, located along the north edge of Coughran Subdivision between the east right-of-way of South Pea Ridge Road and the north right-of-way of West Adams Avenue, more fully described in Exhibit A, attached hereto for all purposes, retaining a 15-foot wide public utility easement along the north line of the abandoned road.

**Part 2:** The City Council authorizes the Mayor of the City of Temple, Texas, for the consideration set out in Part 3, to execute a Deed Without Warranty conveying the rights and interests of the City of Temple, Texas, to the abutting property owner, retaining a 15-wide public utility easement along the north line of the abandoned road, which when done, shall be and become a binding act and deed of the City of Temple.

**Part 3:** As consideration for the conveyance described in Part 2 hereof, the abutting property owner shall make additional landscaping improvements on the property.

**Part 4:** 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 5:** This ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

**Part 6:** It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on First Reading and Public Hearing on the **2<sup>nd</sup>** day of **June**, 2011.

PASSED AND APPROVED on Second Reading the **16<sup>th</sup>** day of **June**, 2011.

THE CITY OF TEMPLE, TEXAS

\_\_\_\_\_  
WILLIAM A. JONES, III, Mayor

ATTEST:

ATTEST:

\_\_\_\_\_  
Clydette Entzminger  
City Secretary

\_\_\_\_\_  
Jonathan Graham  
City Attorney

STATE OF TEXAS           §

COUNTY OF BELL           §

This instrument was acknowledged before me on the \_\_\_\_\_ day of June, 2011, by WILLIAM A. JONES, III, Mayor of the City of Temple, Texas.

\_\_\_\_\_  
Notary Public, State of Texas



## COUNCIL AGENDA ITEM MEMORANDUM

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06/02/11  
Item #9  
Regular Agenda  
Page 1 of 2

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

Brian Mabry, Planning Director

**ITEM DESCRIPTION:** P-FY-11-26: Consider adopting a resolution authorizing the Final Plat of Biggs Subdivision, a 2.32± acre, three-lot nonresidential subdivision located on the north side of Whitehall Road, west of FM 317, in Temple's northern ETJ with developer's requested exception to Section 8.2.7.E of the Unified Development Code requiring fire hydrants to comply with the City's Fire Code.

**P&Z COMMISSION AND STAFF RECOMMENDATION:** At its May 2, 2011, meeting, the Planning and Zoning Commission voted 7/0 to recommend approval of the Final Plat of Biggs Subdivision, subject to the developer's requested exception to Section 8.2.7.E of the Unified Development Code requiring fire hydrants to comply with the City's Fire Code.

Commissioner Staats abstained and Commissioner Martin was absent.

**ITEM SUMMARY:** Please refer to the Staff Report and draft minutes of case P-FY-11-26, from the Planning and Zoning Commission meeting on May 2, 2011. This is a three-lot nonresidential plat.

The Development Review Committee reviewed the Final Plat on April 20, 2011 and deemed the Final Plat administratively complete on April 26, 2011.

Pendleton Water Supply Corporation will supply water to the property for domestic use, but does not have the capacity to support fire hydrants. Therefore, the developer requests an exception to UDC Section 8.2.7 E requiring fire hydrants to comply with the City's Fire Code.

UDC Citation	Requirement	Applicant's Justification	Staff Support?*
Sec. 8.2.7.E	Nonresidential: Fire hydrants spaced 300 feet apart with no structure more than 500 feet from the fire hydrant.	There is adequate water for domestic use, but not enough capacity for fire hydrants at this time.	Yes

The Moffat Volunteer Fire Department will be the first responder for this property. It supports this request and does not require fire hydrants for attacking structure fires. They also have Automatic Aid from Morgan's Point VFD (1,500 gallon water) and if needed, 7,000 gallons of water from Troy VFD.

During the Planning and Zoning Commission meeting on May 2, 2011, the Commissions had questions regarding Moffat Volunteer Fire Department's firefighting equipment. The Fire Department reviewed the plat during the City of Temple DRC review process and did not express concern over the requested exception.

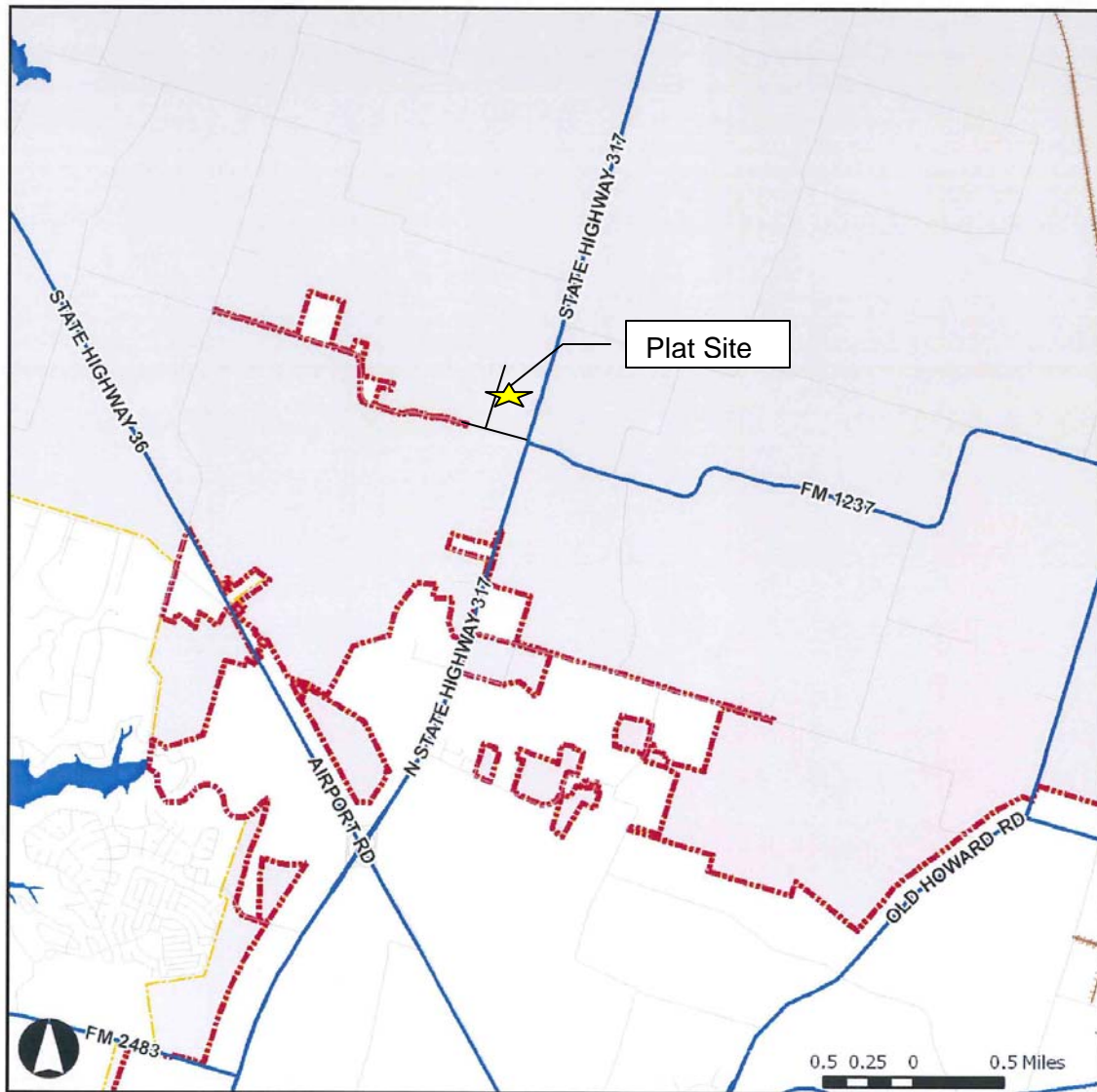
Park fees do not apply to nonresidential development.

**FISCAL IMPACT:**

**ATTACHMENTS:**

[Vicinity Map](#)  
[Plat](#)  
[UDC Exception Letter](#)  
[Moffat VFD Letter](#)  
[P&Z Commission Staff Report](#)  
[P&Z Excerpts](#)  
[Resolution](#)

# City of Temple





FINAL PLAT of  
**BIGGS SUBDIVISION**  
WITHIN THE E. T. J. OF THE CITY OF TEMPLE,  
BELL COUNTY, TEXAS

STATE OF TEXAS  
COUNTY OF BELL

MEAGAN BIGGS, OWNER OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS **BIGGS SUBDIVISION** WITHIN THE E. T. J. OF THE CITY OF TEMPLE, BELL COUNTY, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS, AND PUBLIC PLACES SHOWN HEREON WITHIN THE PLAT BOUNDARIES OF THIS SUBDIVISION.

BY: \_\_\_\_\_  
MEAGAN BIGGS

STATE OF TEXAS  
COUNTY OF BELL

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED MEAGAN BIGGS, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011.

NOTARY PUBLIC, STATE OF TEXAS

THIS FINAL PLAT HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF TEMPLE, TEXAS, AND IS HEREBY APPROVED BY SUCH COMMISSION.  
DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011.

CHAIRPERSON \_\_\_\_\_ SECRETARY, PLANNING & ZONING \_\_\_\_\_

I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF **BIGGS SUBDIVISION**, WITHIN THE E. T. J. OF THE CITY OF TEMPLE, BELL COUNTY, TEXAS, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011. SAID SUBDIVISION SHALL BE SUBJECT TO ALL REQUIREMENTS OF THE SUBDIVISION ORDINANCE OF THE CITY OF TEMPLE, TEXAS.

WITNESS MY HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011.

CITY SECRETARY \_\_\_\_\_

BELL COUNTY  
PUBLIC HEALTH DISTRICT CERTIFICATE

The Bell County Public Health District, the Licensing Authority for an on-site sewage disposal in Bell County, Texas, hereby certifies that this subdivision meets or exceeds the minimum standards established by the Bell County Board of Health.

Sanitarian \_\_\_\_\_ Date \_\_\_\_\_

I hereby certify that this plat was approved this the \_\_\_\_\_ day of \_\_\_\_\_, 2011, by the Bell County Commissioners Court and may be filed for record in the Plat Records of Bell County, Texas.

County Judge \_\_\_\_\_

Witness my hand this the \_\_\_\_\_ day of \_\_\_\_\_, 2011.

Notary Public, State of Texas \_\_\_\_\_

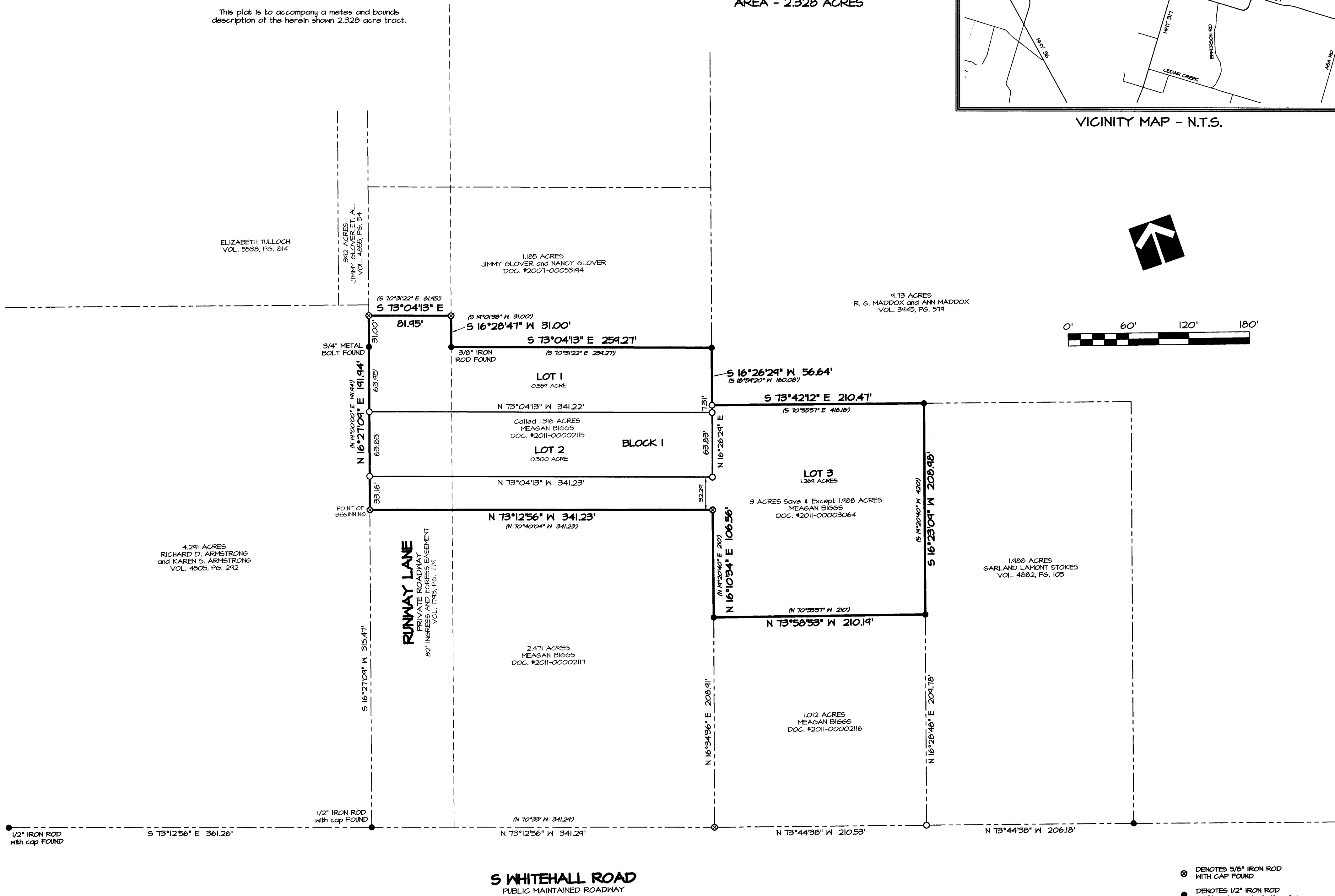
STATE OF TEXAS  
COUNTY OF BELL

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THIS PLAT IS TRUE AND CORRECT, THAT IT WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND, AND THAT ALL NECESSARY SURVEY MONUMENTS ARE CORRECTLY SHOWN THEREON.

CHARLES C. LUCKO, R.P.L.S. DATE SURVEYED: MARCH 7, 2011  
REGISTRATION NO. 4636

Being part of the Sarah Fitzhenry Survey, Abstract No. 312, Bell County, Texas, and being all of that certain called 1.316 acre tract described in a deed to MEAGAN BIGGS, of record in Document #2011-00002115 of the Official Public Records of Real Property of Bell County, Texas, and being all of that certain tract described in a deed to MEAGAN BIGGS, of record in Document #2011-00003064 of said Official Public Records.

This plat is to accompany a metes and bounds description of the herein shown 2.328 acre tract.



AFFIDAVIT:

The Tax Appraisal District of Bell County, the taxing authority for all taxing entities in Bell County, Texas, does hereby certify that there are currently no delinquent taxes due or owing on the property described by this plat.

Dated this the \_\_\_\_\_ day of \_\_\_\_\_, 2011

By: \_\_\_\_\_  
Bell County Tax Appraisal District

RECORDATION INFORMATION:

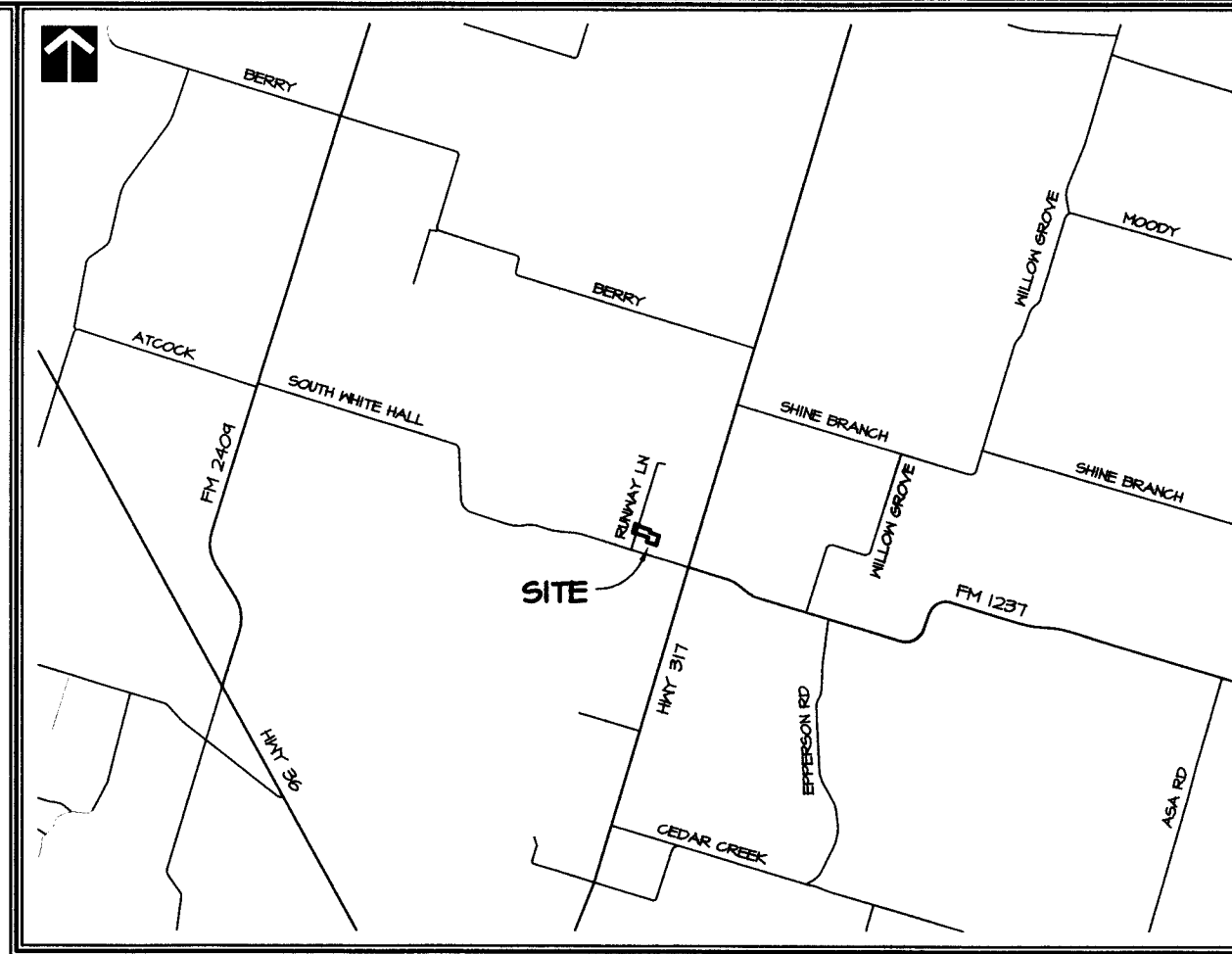
PLAT RECORDED IN CABINET \_\_\_\_\_, SLIDE \_\_\_\_\_, PLAT RECORDS OF BELL COUNTY, TEXAS

DEDICATION RECORDED IN INSTRUMENT NO. \_\_\_\_\_, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BELL COUNTY, TEXAS

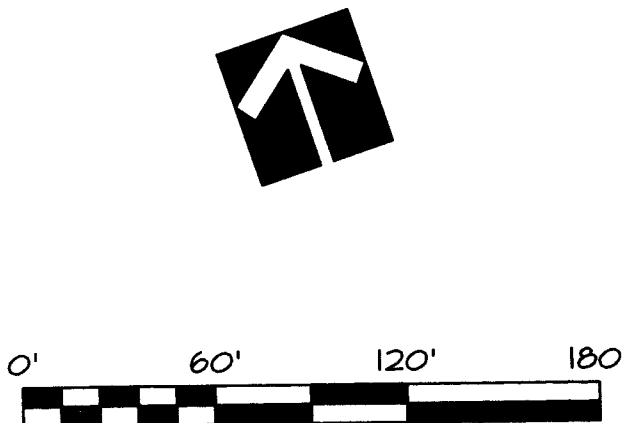
FILED THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011.

OWNER:  
MEAGAN BIGGS  
211 RUNWAY LANE  
TEMPLE, TEXAS 76504

LOTS - THREE (3)  
BLOCKS - ONE (1)  
AREA - 2.328 ACRES



VICINITY MAP - N.T.S.



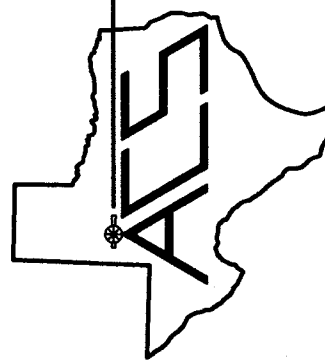
- ⊙ DENOTES 5/8" IRON ROD WITH CAP FOUND
- DENOTES 1/2" IRON ROD FOUND UNLESS NOTED OTHERWISE
- DENOTES 5/8" IRON ROD WITH CAP SET
- ( ) Record call

Based upon what can be scaled from the graphics shown on F.E.M.A Flood Insurance Rate Map (FIRM), Map No. 48027C01TSE, effective date September 26, 2008, the above shown property does not appear within the "Special Flood Hazard Area", and appears to be situated in Zone X. This flood statement does not imply that this tract will never flood, nor does it create any liability in such event on the part of this surveyor or company.

This project is referenced to the City of Temple Coordinate System, an extension of the Texas Coordinate System of 1483, Central Zone. All distances are horizontal surface distances unless noted and all bearings are grid bearings. All coordinates are referenced to City Monument No. 64. The theta angle at City Monument No. 64 is 01° 32' 13". The combined correction factor (CCF) is 0.999847. Grid distance = Surface distance X CCF. Geodetic north = Grid north + theta angle. Reference tie from City monument No. 64 to the southwest corner of this 2.328 acre tract is N 45° 44' 45" W 27464.23 feet. Published City coordinates for project reference point 64 are N= 10341122.28 E= 3224442.64.

FINAL PLAT of  
**BIGGS SUBDIVISION**  
WITHIN THE E. T. J. OF THE CITY OF TEMPLE,  
BELL COUNTY, TEXAS

**ALL COUNTY SURVEYING, INC.**  
1303 South 21st Street, Temple, Texas 76504  
(254) 778-2272 FAX (254) 774-7608



Plot date: 3-11-11

Job No: 110114  
Date: 3-7-11  
Scale: 1" = 60'  
Drawing No: 110114P  
Drawn By: JMB/SLW  
Checked By: CCL  
Ref: 100134



# ALL COUNTY SURVEYING, INC.

\*Surveying \* Mapping \*Construction Layout \* GPS

RECEIVED

APR 21 2011

City of Temple  
Planning & Development

April 21, 2011

City of Temple Planning Department  
City Hall – Downtown Temple  
Temple, TX 76501  
Attn: Tammy Lyerly, Planner

Re: **BIGGS SUBDIVISION – POST DRC COMMENTS – SUBMITTAL**

Dear Ms. Lyerly:

Please accept the items requested for the above referenced plat, and please forward this plat on for Planning & Zoning and City Council approval.

This plat is in the western ETJ of the City, and I would like to point out the following facts:

- 1.) FIRE PROTECTION/ FIRST RESPONDERS TO SITE: Fire- Moffat Volunteer Fire Department. Law Enforcement – Bell County Sheriff. Medical- Scott & White EMS
- 2.) RUNWAY LANE – It is a private access easement, but Runway Lane is recognized by Bell County 911. The US Post Office also recognizes Runway Lane as an actual address.

*( see attached email from Central Texas Council of Governments )*

According to UDC Sect. 3.10 & 3.6.6 there are a few requested exceptions:

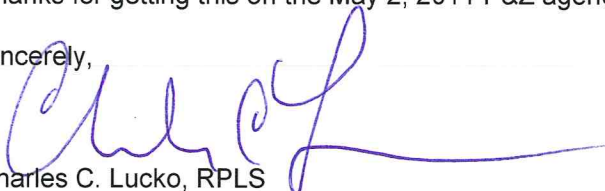
- Fire Hydrants – There is adequate water for domestic use, but not enough capacity for hydrants at this time

Note – The Bell County Health District has been issued this plat, and will have a letter referencing OSSF that All County will email to you within the next 2 or 3 days.

Note 2 - Pendleton Water Supply Corp supplies water to this site, and their engineer, BSP Engineers, of Temple, has indicated verbally that there is adequate water to serve these 3 new lots, but their standard protocol is for the letter to the developer to come from the Board, and we understand that a letter will be coming to Mr. Biggs in May. We will also supply you with this letter, and understand that the plat MAY NOT be recorded until this letter is in hand. Bell County Engineer's office will require this.

Thanks for getting this on the May 2, 2011 P&Z agenda.

Sincerely,

  
Charles C. Lucko, RPLS  
Pres., All County Surveying, Inc.

**Copy – file, Bill Biggs**

1303 South 21<sup>st</sup> Street, Temple, Texas 76504  
254 778-2272 (Temple) 254 634-4636 (Killeen) 254 774-7608 (Fax)  
**[www.allcountysurveying.com](http://www.allcountysurveying.com)**

# MOFFAT VOLUNTEER FIRE DEPARTMENT

5660 LAKEAIRE BLVD.  
TEMPLE, TEXAS 76502  
Hal R. Pagel-Fire Chief

Fax 254-986-2558  
Home Phone 254-986-8388  
Chief's Cell 254-760-3338  
Email: [chief@moffatvfd.org](mailto:chief@moffatvfd.org)

Federal Tax # 74-2164752

Mr. Shane Wood  
All County Surveying  
1303 South 21<sup>st</sup> St  
Temple, TX 76504

Re: Briggs Subdivision  
Runway Lane  
Bell County, Texas (City of Temple ETJ)

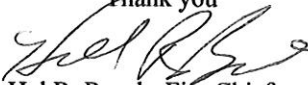
Mr. Wood

In regards to the above named subdivision, please be advised that Moffat Volunteer Fire Department currently provides Emergency Service Response to this location for Fire, Rescue and EMS calls. Moffat VFD is an all volunteer department with its station located at 5660 Lakeaire Blvd. at the Lakeaire Subdivision of Moffat. Our current fleet is comprised of a 1997 Pierce 1500 gallon per minute structure pumper with 1000 gallons of water on board, a 1996 Ford Tanker with 2000 gallons of water, 3-grass/booster trucks with 250 to 300 gallons of water each and a medium duty rescue/EMS vehicle. We currently have an active roster of 18 firefighters.

For the purpose of response to a structure fire at this location, Moffat VFD has no requirements for water supply such as hydrants. Because our district is mostly rural with few to no hydrants available, our attack plans call for water carried on first due vehicles, along with Automatic Aid from Morgan's Point VFD (1500 gallons water) and if needed, 7000 gallons of water from Troy VFD.

If you require any further information, please contact me.

Thank you

  
Hal R. Pagel - Fire Chief  
Moffat Vol. Fire Dept.



# PLANNING AND ZONING COMMISSION AGENDA ITEM

05/02/11

Item #4

Regular Agenda

Page 1 of 2

**APPLICANT / DEVELOPMENT:** All County Surveying for Meagan Biggs

**CASE MANAGER:** Tammy Lyerly, Planner

**ITEM DESCRIPTION:** P-FY-11-26 Consider and take action on the Final Plat of Biggs Subdivision, a 2.32± acre, three-lot non-residential subdivision located on the north side of Whitehall Road, west of FM 317, in Temple's northern ETJ with developer's requested exception to Section 8.2.7.E of the Unified Development Code requiring fire hydrants to comply with the City's Fire Code. (All County Surveying for Meagan Biggs)

**STAFF RECOMMENDATION:** Staff recommends approval of the Final Plat of Biggs Subdivision, subject to City Council's approval of the applicant's requested exception to UDC Section 8.2.7.E requiring fire hydrants to comply with the City's Fire Code.

**BACKGROUND:** This is a three-lot non-residential plat associated with airplane hangars. Runway Lane shown on the plat is a private 82-foot wide ingress/egress easement (vol.1793, pg. 779), with its west portion being a private grassy runway for airplanes and the remainder being a private asphalt roadway for lot access. Central Texas Council of Governments (CTCOG) recognizes Runway Lane as a private county road registered with the Intrado 9-1-1 Net database system.

The Design Review Committee reviewed the Final Plat on April 20, 2011 and deemed the Final Plat administratively complete on April 26, 2011. City Council is the final plat authority since the developer requests an exception to UDC Section 8.2.7 E requiring fire hydrants to comply with the City's Fire Code.

UDC Citation	Requirement	Applicant's Justification	Staff Support?*
Sec. 8.2.7.E	Non-residential: Fire hydrants spaced 300 feet apart with no structure more than 500 feet from the fire hydrant.	There is adequate water for domestic use, but not enough capacity for fire hydrants at this time.	Yes

The Moffat Volunteer Fire Department would be the first responder for this property. It supports this request and does not require fire hydrants for attacking structure fires. Their current fleet includes a 1997 Pierce 1500 gallon per minute structure pumper with 1000 gallons of water on board, a 1996 Ford Tanker with 2000 gallons of water, 3-grass/booster trucks with 250 to 300 gallons of water each, and a medium duty rescue/EMS vehicle. They also have Automatic Aid from Morgan's Point VFD (1500 gallon water) and if needed, 7000 gallons of water from Troy VFD.

Park fees do not apply to nonresidential development.

**ATTACHMENTS:**

UDC Exception Letter

Moffat VFD Letter

Plat

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

**MONDAY, MAY 2, 2011**

**ACTION ITEMS**

**Item 4: P-FY-11-26** - Consider and take action on the Final Plat of Biggs Subdivision, a 2.32± acre, three-lot non-residential subdivision located on the north side of Whitehall Road, west of FM 317, in Temple's northern ETJ with developer's requested exception to Section 8.2.7.E of the Unified Development Code requiring fire hydrants to comply with the City's Fire Code. (All County Surveying for Meagan Biggs)

Commissioner Staats stated he would have to recuse himself from this item.

Ms. Tammy Lyerly stated the developer for this plat is asking for exceptions to the UDC so City Council would be final authority on this matter.

South Whitehall Road runs to the south of the subject property, the entrance is from Runway Lane, and three tracts of land would connect to Runway Lane. This is a non-residential plat for airplane hangars. A grassy portion of Runway Lane is a private runway and the eastern area is an asphalt road for entry into the lots.

The exception being asked for is related to the fire hydrant requirement. DRC deemed the plat administratively complete on April 6, 2011. Park fees do not apply to this plat since it is non-residential. Moffat Volunteer Fire Department would be the first responder for this property and supported the request for exceptions. Ms. Lyerly stated the letter from the Moffat Volunteer Fire Department stated they did not need fire hydrants to fight fires in this area. The letter also describes the firefighting equipment they currently maintain.

Staff recommends approval of this plat subject to the exceptions of UDC Section 8.2.7(e) regarding fire hydrants.

Chair Talley questioned the amounts of water listed in Moffat Fire Department's letter and Ms. Lyerly stated the Fire Marshall was present during the DRC process and seemed to be in agreement with the available inventory.

Commissioner Sears made a motion to approve P-FY-11-26 and Commissioner Jones made a second.

*Motion passed: (7:0)*

Commissioner Staats abstained; Vice-Chair Martin absent

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

(PLANNING NO. P-FY-11-26)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING THE FINAL PLAT OF BIGGS SUBDIVISION, AN APPROXIMATELY 2.32 ACRE, THREE-LOT NONRESIDENTIAL SUBDIVISION LOCATED ON THE NORTH SIDE OF WHITEHALL ROAD, WEST OF FM 317, IN TEMPLE'S NORTHERN ETJ WITH DEVELOPER'S REQUESTED EXCEPTION TO SECTION 8.2.7E OF THE UNIFIED DEVELOPMENT CODE REQUIRING FIRE HYDRANTS TO COMPLY WITH THE CITY'S FIRE CODE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on May 2, 2011, the Planning and Zoning Commission approved the final plat of the Biggs Subdivision, an approximately 2.32 acre, three-lot nonresidential subdivision located on the north side of Whitehall Road, west of FM 317, in Temple's northern ETJ with developer's requested exception to Section 8.2.7E of the Unified Development Code requiring fire hydrants to comply with the City's Fire Code; and

**Whereas**, the City Council has considered the matter and deems it in the public interest to approve the final plat of the Biggs Subdivision.

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

**Part 1:** The City Council approves the final plat of the Biggs Subdivision, an approximately 2.32 acre, three-lot nonresidential subdivision located on the north side of Whitehall Road, west of FM 317, in Temple's northern ETJ, 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 exception to the Unified Development Code; *Section 8.2.7E* to waive the requirement for fire hydrants.

**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 2<sup>nd</sup> day of **June**, 2011.

THE CITY OF TEMPLE, TEXAS

\_\_\_\_\_  
WILLIAM A. JONES, III, MAYOR

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Clydetta Entzminger

\_\_\_\_\_  
Jonathan Graham



City Secretary

City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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06/02/11  
Item #10  
Regular Agenda  
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### **DEPT./DIVISION SUBMISSION & REVIEW:**

Jonathan Graham, City Attorney

**ITEM DESCRIPTION:** Consider adopting a resolution establishing a schedule for the City's redistricting efforts, creating a citizen advisory committee on redistricting and adopting criteria for the City's redistricting efforts.

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

**ITEM SUMMARY:** The Staff (City Secretary, Director of IT, Deputy City Attorney Sarah Gardner-Cox and the City Attorney) has performed an initial assessment of the City's single member districts applying data from the 2010 census to the present City districts which were established in 2001 (but amended several times due to annexations). That initial assessment shows that:

The idea district size is 16,526 (2010 Census for Temple 66,102 /4).

- District 4 has a population of 20,449 which is a relative deviation from the mean of +23.74%
- District 3 has a population of 15,905 which is a relative deviation from the mean of -3.75%
- District 2 has a population of 14,364 which is a relative deviation from the mean of -13.08%
- District 1 has a population of 15,384 which is a relative deviation from the mean of -6.90%

Overall deviation (23.74) [largest positive] + 13.08% (largest negative) = 36.82%

Under the Equal Protection Clause and established case law, deviations of less than 10% from the ideal district size enjoy a presumption of validity. Given our deviation of 36.82% redistricting will be required.

The proposed resolution: (1) directs the Staff to begin the process of redistricting; (2) establishes a process and calendar for redistricting, (3) and establishes criteria governing the redistricting process.

The staff recommends a five step process:

1. Initial Assessment (completed)
2. Redraw the Districts using a citizen advisory committee
3. Consideration of proposed plan(s) & public process by the City Council
4. Formal adoption of new district plan
5. Preclearance of newly adopted plan by Justice Department

The resolution establishes the following timeline for the redistricting process:

June 2, 2011 CC meeting (today): City Council adopts resolution establishing need for redistricting, establishes a citizen advisory committee on redistricting sets a schedule for redistricting and determines criteria for redistricting

June 16, 2011 CC meeting: City Council adopts resolution appointing members to the Citizen Advisory committee on redistricting

June through August: Redistricting advisory committee works with Staff to develop redistricting plan

September 1, 2011: Presentation of proposed redistricting plan to City Council by redistricting advisory committee; consideration of alternative plans submitted by the public

September 15, 2011: 1st reading and public hearing of an ordinance on the proposed redistricting plan

September 15th-October 15<sup>th</sup>: City Attorney prepares voting rights submission for redistricting plan

October 15, 2011: Submission of plan to Department of Justice (DOJ)

December 31, 2011: Target date for receiving DOJ Approval

The resolution establishes criteria for the redistricting process and for any redistricting plans presented to the City Council. The criteria serve several purposes: they educate the City Council, Staff and public on the legal frameworks for redistricting plans; they establish race-neutral criteria for drawing plans consistent with established districting principles; they set standards and timelines for the submission of plans by the Committee/Staff and by the public; and they ensure that any proposed redistricting plan meets the requirements of the Voting Rights Act and avoids either retrogressive voting changes or changes that dilute minority voting strength. Our proposed criteria cover both procedural and substantive elements of redistricting plans:

Procedural elements:

- Require plans to be submitted in writing with appropriate mapping.
- Require plans to indicate the total population and voting age population for Non-Hispanic Whites, Non-Hispanic Blacks, Hispanic and other measurable minorities for each proposed district.
- Establish a deadline for submission of plans (August 26, 2011).
- Require plans to reflect redistricting of the *entire* City.
- Require plans to conform to the criteria set out in the City's resolution.

Substantive elements:

- Follow identifiable geographic boundaries where possible.
- Maintain communities of interest in a single district and where possible avoid splitting districts.
- Base new districts to the greatest extent possible on existing districts.
- Configure districts so that they are relatively equal in total population (ideal district size 16,526) according to the 2010 federal census, and avoid population deviations between the largest and the smallest district that exceed ten percent (10%).
- Create compact districts composed of contiguous territory.
- Preserve incumbent-constituency relations by recognition of the residence of incumbents and their history in representing certain areas wherever reasonable in view of other factors.
- Avoid retrogression in the position of racial minorities and language minorities.
- Avoid fragmenting geographically compact minority voters or communities or packing minority voters in the presence of polarized voting.

The final element of the resolution creates a fifteen member advisory committee to work with Staff to develop a redistricting plan to recommend to the City Council. There is nothing magical about the number 15—it's just what we used successfully in 2001. Our recommendation is that each city councilmember (including the Mayor) be allowed to nominate three members (or if the City Council desires a smaller or larger committee that the number be adjusted accordingly. It is critically important that the composition of the committee be diverse, in terms of geography, race and ethnicity. **At the June 2<sup>nd</sup> meeting, we are proposing the creation of the advisory committee on redistricting. The actual appointments would be made at the June 16<sup>th</sup> meeting.**

**FISCAL IMPACT:** N/A

**ATTACHMENTS:**

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, ESTABLISHING A SCHEDULE FOR THE CITY'S REDISTRICTING EFFORTS; CREATING A CITIZEN ADVISORY COMMITTEE ON REDISTRICTING; AND ADOPTING CRITERIA FOR THE CITY'S REDISTRICTING EFFORTS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, the Staff has performed an initial assessment of the City's single member districts applying data from the 2010 census to the present City districts which were established in 2001, but amended several times due to annexations;

**Whereas**, under the Equal Protection Clause and established case law, deviations of less than 10% from the ideal district size enjoy a presumption of validity; however, the City has a deviation of 36.82% which will make redistricting a requirement;

**Whereas**, in effecting such redistricting, the City is subject to numerous federal and state constitutional, statutory, and case law requirements, but desires to afford all persons in the community an opportunity to participate in the redistricting process;

**Whereas**, a process and calendar for restricting need to be established, along with criteria governing the restricting process; 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 directs the Staff to begin the process of redistricting.

**Part 2:** The City Council adopts the following timeline for the redistricting process:

- June 2, 2011: City Council adopts resolution establishing need for redistricting, establishes a citizen advisory committee on redistricting sets a schedule for redistricting and determines criteria for redistricting.
- June 16, 2011: City Council adopts resolution appointing members to the Citizen Advisory committee on redistricting.

- June through August: Redistricting advisory committee works with Staff to develop redistricting plan.
- September 1, 2011: Presentation of proposed redistricting plan to City Council by redistricting advisory committee; consideration of alternative plans submitted by the public.
- September 15, 2011: 1st reading and public hearing of an ordinance on the proposed redistricting plan
- September 15th-October 15<sup>th</sup>: City Attorney prepares voting rights submission for redistricting plan.
- October 15, 2011: Submission of plan to Department of Justice (DOJ).
- December 31, 2011: Target date for receiving DOJ Approval.

**Part 3:** The City Council adopts the following criteria for the redistricting process:

Procedural elements:

- Require plans to be submitted in writing with appropriate mapping.
- Require plans to indicate the total population and voting age population for Non-Hispanic Whites, Non-Hispanic Blacks, Hispanic and other measurable minorities for each proposed district.
- Establish a deadline for submission of plans (August 26, 2011).
- Require plans to reflect redistricting of the *entire* City.
- Require plans to conform to the criteria set out in the City's resolution.

Substantive elements:

- Follow identifiable geographic boundaries where possible.
- Maintain communities of interest in a single district and where possible avoid splitting districts.
- Base new districts to the greatest extent possible on existing districts.
- Configure districts so that they are relatively equal in total population (ideal district size 16,526) according to the 2010 federal census, and avoid population deviations between the largest and the smallest district that exceed ten percent (10%).



- Create compact districts composed of contiguous territory.
- Preserve incumbent-constituency relations by recognition of the residence of incumbents and their history in representing certain areas wherever reasonable in view of other factors.
- Avoid retrogression in the position of racial minorities and language minorities.
- Avoid fragmenting geographically compact minority voters or communities or packing minority voters in the presence of polarized voting.

**Part 4:** A Redistricting Advisory Committee consisting of fifteen (15) residents of the City is established and shall have the purposes of considering community and policy issues as follows:

- (a) Receive public comment with respect to the redistricting of the Council districts;
- (b) Reviewing proposed plans and issues related to redistricting; and
- (c) Reporting back to the City Council and providing advice and recommendations to Council with respect to issues, concerns and comments received.

**Part 5:** The Redistricting Advisory Committee shall hold at least one public hearing, review the proposed redistricting plan(s), and make it recommendation back to the City Council at a public hearing of the City Council.

**Part 6:** The citizens of Temple should be afforded an opportunity to participate and make comments and suggestions at a public hearing regarding how councilmember districts should be drawn.

**Part 7:** Citizens shall be given until August 26, 2011, to submit written comments or plans for redistricting.

**Part 8:** The Redistricting Advisory Committee and the citizens desiring to submit plans or make comments are advised that any plans should meet the following criteria which the City Council will follow in its adoption of a plan:

- (a) Any plan should have council member districts of substantially equal population;
- (b) Any plan should not act to dilute the voting strength of racial or language minority citizens;
- (c) Any plan should avoid fragmenting or packing minority communities;
- (d) Any plan should be based on 2010 census data;

- (e) Any council district should be composed of territory that is contiguous and reasonably compact; and
- (f) Any plan, to the extent consistent with legal requirements, should preserve historic boundaries, should recognize clearly identifiable economic or community interests, and should preserve constituency-representative relations.

**Part 9:** Public notice shall be provided for each of the aforementioned public hearings.

**Part 10:** As proposed redistricting plans are under consideration, citizens will be afforded further opportunity to submit comments regarding such plans.

**Part 11:** 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 **2<sup>nd</sup>** day of **June**, 2011.

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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Item #11  
Regular Agenda  
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### **DEPT./DIVISION SUBMISSION & REVIEW:**

Clydetta Entzminger, City Secretary

**ITEM DESCRIPTION:** Consider adopting a resolution appointing members to the following City boards and commissions:

- (A) Airport Advisory Board – one member to fill an unexpired term of the Temple Economic Development representative through September 1, 2013
- (B) Animal Services Advisory Board – one member to fill a standing Councilmember position
- (C) Hill Country Transit District Board – one member to fill a Councilmember position
- (D) Killeen-Temple Metropolitan Planning Organization – one member to fill a position on the KTMPO Policy Board
- (E) Temple Economic Development Corporation – one member to fill a standing Councilmember position and one member to fill an at-large position through September 1, 2012
- (F) Temple Public Safety Advisory Board – one member to fill an unexpired term through September 1, 2012.

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

**ITEM SUMMARY:** Airport Advisory Board – Perry Cloud is currently serving in an at-large/TEDC representative position on this board.

Animal Services Advisory Board – Former Mayor Pro Patsy Luna will filling a standing position on this board. Due to the expiration of her term on the City Council, another Municipal Official should be appointed to fill that vacated position.

Hill Country Transit District Board – Former Mayor Pro Tem Patsy Luna was serving as the City's voting member on this board. It is requested that another elected official be appointed to fill the position.

Killeen-Temple Metropolitan Planning Organization – Former Councilmember Marty Janczak was serving as the City's representative on the KTMPO Policy Board, along with Mayor Jones. It is requested that another elected official be appointed to fill the position due to the expiration of Mr. Janczak's term on the City Council.

Temple Economic Development Corporation – Former Councilmember Marty Janczak was serving in the City Councilmember standing position on that board. It is requested that another Councilmember be appointed to fill that position. Perry Cloud is also serving on the TEDC board in an at-large position, to expire September 1, 2012.

Temple Public Safety Advisory Board – John Mayo resigned from the Temple Public Safety Advisory Board effective May 11, 2011. Staff requests appointment of one Temple resident to fill the unexpired term through September 1, 2012.

**FISCAL IMPACT:** N/A

**ATTACHMENTS:**

[Board member lists](#)

Resolution (to be provided)

# AIRPORT ADVISORY BOARD

TERM EXPIRATION: SEPTEMBER - 3 YEAR TERMS

APPOINTED BY: MAYOR/COUNCIL

MEMBER	POSITION FILLED	DATE APPOINTED	EXPIRATION YEAR	ADDRESS	PHONE NUMBER
*William Maedgen, III <a href="mailto:maedgen@embark.com">maedgen@embark.com</a>	At large	09/08	2011	11886 Brewer Road Salado, TX 76571	773-9902 W 947-5815 F 760-6385 Cell
Brad Phillips, Sec. <a href="mailto:Bradp@homespecl.com">Bradp@homespecl.com</a>	Temple Resident	09/08	2011	4000 Hickory Rd. #9 PO Box 1369 Temple, TX 76503	770-8057 W/C 770-0429 H
*Bob Browder(RZ-1) <a href="mailto:bobbrowder@bcswlaw.com">bobbrowder@bcswlaw.com</a>	At large & RZ No. 1	09/09	2012	4101 Briar Cliff Rd Temple, TX 76502	774-8333 ext. 255 W 778-8956 H 760-6164 C
Lamar Eidson, Vice Chair <a href="mailto:lamareidson@sbcglobal.net">lamareidson@sbcglobal.net</a>	Temple Resident	10/08	2012	11010 Whiterock Dr Temple, TX 76502	780-2505 W 291-8659 C
Craig Caddell <a href="mailto:Craig4323@hotmail.com">Craig4323@hotmail.com</a>	Temple Resident	09/10	2013	621 Benchmark Trl Belton, TX 76513	760-3761 C
Vernon Starnes <a href="mailto:vstarnes@hot.rr.com">vstarnes@hot.rr.com</a>	Temple Resident	07/09	2013	121 Calvin Drive Temple, TX 76502	773-4700 H
Rayford Brown <a href="mailto:lcrkbrown@hot.rr.com">lcrkbrown@hot.rr.com</a>	Temple Resident	09/09	2013	3702 Jaguar Trail Temple, TX 76502	718-4910 W/H/C
David Jones <a href="mailto:david@belltec.net">david@belltec.net</a>	Temple Resident	09/10	2013	11704 Meredith Dr Belton, TX 76513	939-9404 W 780-1433 H 718-2221 C
Perry Cloud <a href="mailto:ptcloud@cloudconstruction.com">ptcloud@cloudconstruction.com</a>	At Large & TEDC	09/10	2013	P.O. Box 667 Temple, TX 76503	778-1363 W 778-6492 H 760-6421 C

Created August 21, 1980 by Ordinance #1287; amended by Ordinances 1755 (5-15-86) and 2132 (4-16-92) to increase membership from 6 to 9 (addition of 3 at large positions); re-established by Resolution No. 2008-5437-R (remove Belton Rep and add 1 rep from TEDC and 1 rep from RZ No. 1 Board).

**Purpose:** Serves in an advisory capacity to City Council in matters pertaining to the Airport, make recommendations as to fees, charges, facility improvements, and airport services.

**Membership:** 6 residents of the City of Temple  
3 residents at-large  
1 member from TEDC Board of Directors & 1 member from RZ No. 1 Board of Directors (either at-large or Temple resident)  
Ex-officio - Airport Manager, City Manager and Mayor

**Term:** 3 years **Meeting Time/Place:** 2<sup>nd</sup> Monday of each month, 4:00 pm, Airport Operations Bldg.

# ANIMAL SERVICES ADVISORY BOARD

TERM EXPIRATION: SEPTEMBER - 3 YEAR TERMS

APPOINTED BY: MAYOR/COUNCIL

MEMBER	DATE APOINTED	EXPIRATION YEAR	ADDRESS	PHONE NUMBER
Dr. Lance Crews, Veterinarian	01/03	standing	Animal Medical Care 1604 W. Avenue H Temple, TX 76502 <a href="mailto:amc@vvm.com">amc@vvm.com</a>	778-5246 W 913-8450 M 778-6327 F
Carole Owen	09/10	2013	1203 North 9 <sup>th</sup> Temple, TX 76501 <a href="mailto:ritescot@aol.com">ritescot@aol.com</a>	791-1365 H 760-1437 C
Barbara Brown, Chair	10/07	2011	4402 Lonestar Trail Temple, TX 76502 <a href="mailto:hbbrown76502@sbcglobal.net">hbbrown76502@sbcglobal.net</a>	771-2832 H
Patsy Luna, Mayor Pro Tem/Councilmember District 2	01/03	standing	216 South 26 <sup>th</sup> Street Temple, TX 76501 <a href="mailto:pluna@ci.temple.tx.us">pluna@ci.temple.tx.us</a>	773-5870 H
Amy Strunk, Animal Shelter Operator	09/09	2012	Animal Shelter 620 Mama Dog Circle Temple, TX 76504 <a href="mailto:astrunk@ci.temple.tx.us">astrunk@ci.temple.tx.us</a>	298-5732 W
Jennifer Rojas O/OMA	05/11	2012	1313 N. 8 <sup>th</sup> Temple, TX 76501 <a href="mailto:jen@myjobsource.org">jen@myjobsource.org</a>	298-8785 W 774-7061 H 361-658-9632 M
Krissy Whittington, APAC	03/08	2012	P O Box 2351 Temple, TX 76503 <a href="mailto:krissyw@fcttx.com">krissyw@fcttx.com</a>	773-7750 W 931-0840 M
Walter Hetzel, Animal Services Director	Ex-Officio		Animal Shelter 620 Mama Dog Circle Temple, TX 76504 <a href="mailto:whetzel@ci.temple.tx.us">whetzel@ci.temple.tx.us</a>	298-5742

Created July 3, 1975 by Ordinance #830; reorganized in 1988 under Ordinance #1892; board repealed and re-established as Animal Services Advisory Board under Resolution No. 2003-3589-R, January 16, 2003.

**Purpose:** To advise the City Council and City staff on matters relating to the City's Animal Services Division and its operations. The Board is specifically charged with ensuring that the City complies with State law requirements relating to the operation of animal shelters (currently found in Chapter 823 of the Texas Health and Safety Code. The Board shall submit each March a report to the City Council describing the Board's activities during the preceding year.

**Membership:** 7 members - to include 1 licensed veterinarian, 1 representative from an animal welfare organization, 1 municipal official, 1 person who duties include the daily operation of an animal shelter and 3 additional members that are residents of the City of Temple. **Chair to be appointed by Council annually.**

**Terms:** 3 years **Meeting Time/Place:** 2<sup>nd</sup> Monday of every other month; 11:00 am; Board must meet at least 3 times per year.

**City Staff:** Walter Hetzel, Animal Services Director; Clydette Entzminger, City Secretary

Revised: 05/19/11

# TEMPLE ECONOMIC DEVELOPMENT CORPORATION

TERM EXPIRATION: SEPTEMBER - 3 YEAR TERMS

APPOINTED BY: CITY COUNCIL

MEMBER	DATE APPOINTED	EXPIRATION	ADDRESS	PHONE NUMBER
William A. Jones, III, Mayor <a href="mailto:bjones@ci.temple.tx.us">bjones@ci.temple.tx.us</a>	02/08	standing	2 North Main Temple, TX 76501	298-2951 W
Marty Janczak Councilmember <a href="mailto:mjanczak@ci.temple.tx.us">mjanczak@ci.temple.tx.us</a>	02/08	Standing	2 North Main Temple, TX 76501	773-4028 W 534-0659 M
David Blackburn, City Mgr <a href="mailto:dblackburn@ci.temple.tx.us">dblackburn@ci.temple.tx.us</a>	02/01	Standing	2 North Main Temple, TX 76501	298-5600 W 298-5637 Fax
Bob Browder (RZ Chair) <a href="mailto:bobbrowder@bcswlaw.com">bobbrowder@bcswlaw.com</a>	09/09	Standing	P.O. Box 1655 Temple, Texas 76503	774-8333/255 W 778-8956 H 760-6164 C 774-9353 Fax
Kenny Martin (Chamber) <a href="mailto:martin@vvm.com">martin@vvm.com</a>	02/08	2011	3115 Kensington Court P O Box 1404 Temple, TX 76503	771-5400 W 771-3811 H 771-4000 F
Barbara Bozon (Chamber) <a href="mailto:execdir@centexhousing.org">execdir@centexhousing.org</a>	09/09	2011	P.O. Box 1326 Temple, TX 76503	773-5628 W 773-1958 F
Gary Schmidt (RZ No. 1) <a href="mailto:gschmidt@cnbtemple.com">gschmidt@cnbtemple.com</a>	09/05	2011	Central National Bank P.O. Box 4107 Temple, TX 76505	770-1234 W 770-3186 F
Greg Rhoads (Chamber) <a href="mailto:greg@2thetopllc.com">greg@2thetopllc.com</a>	09/09	2012	2668 South 31 <sup>st</sup> St. Temple, TX 76504	778-3400 W 931-0637 C
Perry Cloud (At Large) <a href="mailto:ptcloud@cloudconstruction.com">ptcloud@cloudconstruction.com</a>	09/09	2012	P.O. Box 667 Temple, TX 76503	778-1363 W 778-6492 H 760-6421 C 778-5877 F
Pat Currie (At Large) <a href="mailto:pcurrie@swmail.sw.org">pcurrie@swmail.sw.org</a>	5/08	2012	1150 Hartrick Canyon Dr Temple, TX 76502	724-4537 W 982-4674 H 713-582-5606 C
Charles Belson (At Large) <a href="mailto:cmbelson@sbcglobal.net">cmbelson@sbcglobal.net</a>	09/09	2012	4309 Stonehill Court Temple, TX 76502	254-697-8516 W 773-1347 H 760-6636 C 254-697-8656 F
Pat Patterson (Chamber) <a href="mailto:pat.patterson@patconstructionllc.com">pat.patterson@patconstructionllc.com</a>	09/07	2013	201 Shady Oaks Ct Temple, TX 76504	771-2228 W 760-6062 M
James (Jim) Kent (At Large) <a href="mailto:Jkent88@yahoo.com">Jkent88@yahoo.com</a>	09/10	2013	13616 Dandelion Trail Belton, TX 76513	771-7905 W 780-9812 H 541-6252 C
Drayton McLane III (At Large) <a href="mailto:Drayton.mclane3@mclaneat.com">Drayton.mclane3@mclaneat.com</a>	09/10	2013	P.O. Box 549 Temple, TX 76503	770-6123 W 947-8307 H 228-3845 C
Gregg Strasburger (Bioscience Dist.) <a href="mailto:gss@strasburger.net">gss@strasburger.net</a>	09/10	2013	Fuel Distributors, Inc. 7 North 5 <sup>th</sup> Street Temple, TX 76501	778-3547 x 433 W 760-7278 M
TEDC STAFF – Lee Peterson <a href="mailto:lpeterson@choosetemple.com">lpeterson@choosetemple.com</a>			1 South 1 <sup>st</sup> Street Temple, Texas 76501	773-8856 F 773-8332 W



Created as a nonprofit corporation; articles of incorporation and bylaws of TEDC were amended in December, 1992 with the approval of an Economic Development Agreement between the City of Temple and TEDC; current agreement approved Jan. 2008.

**Purpose:** To cooperate fully to coordinate efforts in order to ensure optimal economic development within the City.

**Membership:** 15 directors- all appointed by City, with 2 from the Chamber Board, 1 from Bioscience District Board, 7 at large, 1 from RZ Board and 4 standing appointments to include 2 Councilmembers (one of whom may be the Mayor), City Manager, and RZ #1 Chair;

**Term:** 3 years    **Meeting Place/Time:** 3<sup>rd</sup> Tuesday of each month, 10:00 a.m., TEDC Conference Room

Revised 08/19/10

# TEMPLE PUBLIC SAFETY ADVISORY BOARD

TERM EXPIRATION: SEPTEMBER - 3 YEAR TERMS

APPOINTED BY: MAYOR/COUNCIL

MEMBER	DATE APPOINTED	EXPIRATION YEAR	ADDRESS	PHONE NUMBER
Bill E. Moore	06/05	2012	2005 East Avenue K, 76501	773-3589 H
John Mayo <span style="color: red;">Resigned 5-11-11</span>	04/10	2012	6918 Valley Mist, 76502 <a href="mailto:John.Mayo@hotmail.com">John.Mayo@hotmail.com</a>	773-9966 W 541-6816 C
Twila Coley	09/10	2013	714 South 13 <sup>th</sup> Street, 76504 <a href="mailto:Tcoley3@att.net">Tcoley3@att.net</a>	931-7669 W/C
John Bush	09/09	2013	1302 North 13 <sup>th</sup> , 76501 <a href="mailto:Jbush83498@sbcglobal.net">Jbush83498@sbcglobal.net</a>	774-8899 W 773-1416 H 760-9313 C
Donald W. Nelson	09/09	2012	3105 Hemlock Blvd., 76502 <a href="mailto:Dnelson8@hotmail.com">Dnelson8@hotmail.com</a>	778-1803 H/F
Sylvia Chesser	09/10	2013	802 Westpoint Dr., 76504 <a href="mailto:Kd5usi@aol.com">Kd5usi@aol.com</a>	771-1171 H
Dee Blackwell	09/10	2013	8520 Oak Crossing, 76502 <a href="mailto:dahblackwell@hotmail.com">dahblackwell@hotmail.com</a>	228-5609 H 541-8873 C
Richard Morgan	03/11	2013	214 West Houston, 76501 <a href="mailto:richardmorgan@hotmail.com">richardmorgan@hotmail.com</a>	634-4244 W 760-0331 C
Temikia Brown	09/09	2012	P O Box 1702, 76503 <a href="mailto:temikiabrown@aol.com">temikiabrown@aol.com</a>	780-2822 H 778-8036 W 217-5476 C
Margaret Goodwin	06/10	2013	3206 Keller Road, 76504 <a href="mailto:mag47goo@msn.com">mag47goo@msn.com</a>	541-0894 C
Jeff Blackwell	11/10	2011	8520 Oak Crossing, 76502 <a href="mailto:jblackwell@swmail.sw.org">jblackwell@swmail.sw.org</a>	228-5609 H 541-8874 C
Gerald Richmond	09/05	2011	3210 Glenwood Drive 76502 <a href="mailto:n5zxj@n5zxj.us">n5zxj@n5zxj.us</a>	773-6868 W 771-3006 H 913-7041 C
Bennie Trevino	11/10	2011	1003 South 13 <sup>th</sup> Street, 76504 <a href="mailto:Bnn_trevino@yahoo.com">Bnn_trevino@yahoo.com</a>	771-3859 H
Arben "Benny" Ismaili	09/07	2011	2787 S. MLK Dr. #2203 <a href="mailto:arben1976@hotmail.com">arben1976@hotmail.com</a>	771-0169 W 231-7824 C
John Barina	09/08	2011	2109 Stagecoach Trl 76502 <a href="mailto:johnbarina@hotmail.com">johnbarina@hotmail.com</a>	760-6525 W/C 773-9580 H

Created by Resolution 94-641-R February 3, 1994; previously under authority of resolution adopted September 1, 1983 as Temple Law Enforcement Advisory Board.

**Purpose:** Advise the Council on matters of law enforcement, fire, emergency medical service, communications and emergency management.

**Membership:** 15 members - all residents of the City;  
Ex-Officio members - Chief of Police, Fire Chief

**Term:** 3 years

**City Staff:** Police Chief Gary Smith/Fire Chief Lonzo Wallace

**Meeting Time/Place:** 2nd Tuesday of each month at 6:00 p.m., Temple Police Department. Revised 03/03/11

