



**MEETING OF THE  
TEMPLE CITY COUNCIL**

**MUNICIPAL BUILDING**

**2 NORTH MAIN STREET**

**3<sup>rd</sup> Floor – CONFERENCE ROOM**

**THURSDAY, AUGUST 2, 2012**

**3:00 P.M.**

**WORKSHOP AGENDA**

1. Discuss, as may be needed, Regular Meeting agenda items for the meeting posted for Thursday, August 2, 2012.
2. Receive Strategic Plan Update from Temple Independent School District
3. Discuss the City's purchasing procedures relating to annual contract bidding and renewals.
4. Discuss requests for demolition of two buildings under the City Demolition Program and Policy.
5. Discuss upcoming appointments to various City boards and commissions.
6. Discuss the purchase of two tracts of land for future expansion of the City's Water Treatment Plant (Items #6 & #7 on the Regular Agenda).

*Executive Session – Pursuant to Chapter 551, Government Code, §551.072 – Real Property – The City Council may enter into executive session to discuss the purchase, exchange, lease or value of real property relating to City projects, the public discussion of which would have a detrimental effect on negotiations with a third party.*

**5:00 P.M.**

**MUNICIPAL BUILDING**

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

**TEMPLE, TX**

**JOINT MEETING  
TEMPLE CITY COUNCIL  
&  
CITY OF TEMPLE EMPLOYEE BENEFITS TRUST**

**REGULAR MEETING AGENDA**

**I. CALL TO ORDER**

1. Invocation
2. Pledge of Allegiance

**II. PROCLAMATIONS & SPECIAL RECOGNITIONS**

3. Recognize the Temple Public Library for receiving the Achievement of Excellence in Libraries Award from the Texas Municipal Library Directors Association.

**III. PUBLIC COMMENTS**

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

**IV. BUDGET ITEMS**

4. A) PUBLIC HEARING - Receive presentation by the City Manager and conduct a public hearing on the proposed 2012-2013 operating budget.  
  
(B) [2012-6672-R](#): Discuss proposed tax rate and consider adopting a resolution scheduling the adoption of the proposed tax rate for August 30, 2012.

## **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:

### **Minutes**

- (A) [July 12, 2012 Special Called Meeting](#)
- (B) [July 19, 2012 Special Called and Regular Meeting](#)

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

- (C) [2012-6673-R](#): Consider adopting a resolution authorizing a construction contract for the base bid and bid alternate #1 with TTG Utilities, LP, of Gatesville for the construction of sidewalks on South 1<sup>st</sup> Street in the amount of \$220,999.60.
- (D) [2012-6674-R](#): Consider adopting a resolution recommending approval of the proposed design of the I-35 Gateway Monument; requesting installation of the monument within the operational highway right-of-way; and authorizing the City Manager to enter into a Gateway Monument Agreement with the Texas Department of Transportation to permit enhancement of transportation facilities by the City of Temple.
- (E) [2012-6675-R](#): Consider adopting a resolution authorizing a renewal lease agreement with the Bell County HELP Center for lease of space in the Public Services Building.
- (F) [2012-6676-R](#): Consider adopting a resolution authorizing a three (3) year lease agreement with Central Texas Workforce Board for lease of space in the Public Services Building.

### **Ordinances – Second & Final Reading**

- (G) [2012-4548](#): SECOND READING - Z-FY-12-45: Consider adopting an ordinance authorizing a rezoning from Agricultural District (AG) to Urban Estates District (UE) on 6.196 ± acres of land, situated in the S.P. Terry Survey, Abstract No. 812, Bell County, Texas, located north of the intersection of Rocky Lane and King's Cove.

### **Misc.**

- (H) [2012-6677-R](#): Consider adopting a resolution authorizing changing the designated use of the Casa Hispanica building located at 801 South Main Street to general government use, a use that does not qualify as meeting one of the national objectives of the CDBG program.

- (I) [2012-6678-R](#): A-FY-12-07: Consider adopting a resolution releasing a portion of the 10-foot wide sanitary sewer line easement within the boundaries of the proposed Final Plat of Prairie Crossing Addition, located at the northeast corner of North 8<sup>th</sup> Street and East Young Avenue.
- (J) [2012-6679-R](#): Consider adopting a resolution authorizing budget amendments for fiscal Year 2011-2012.

## **VI. REGULAR AGENDA**

### **RESOLUTIONS**

- 6. [2012-6680-R](#): Consider adopting a resolution authorizing the purchase of a .67 acre tract of land located at 4521 Parkside Drive.

*Executive Session – Pursuant to Chapter 551, Government Code § 551.072 – Real Property – The City Council may enter into executive session to discuss the purchase, exchange, lease or value of real property relating to City projects, the public discussion of which would have a detrimental effect on negotiations with a third party.*

- 7. [2012-6681-R](#): Consider adopting a resolution authorizing the purchase of a .213 acre tract of land located at 4910 Parkside Drive.

*Executive Session – Pursuant to Chapter 551, Government Code § 551.072 – Real Property – The City Council may enter into executive session to discuss the purchase, exchange, lease or value of real property relating to City projects, the public discussion of which would have a detrimental effect on negotiations with a third party.*

**ADJOURN THE REGULAR MEETING OF THE TEMPLE CITY COUNCIL AND CONVENE THE CITY OF TEMPLE EMPLOYEE BENEFITS TRUST MEETING.**

## **VII. AGENDA – CITY OF TEMPLE EMPLOYEE BENEFITS TRUST**

- 8. [2012-6682-R](#): Conduct a meeting of the City of Temple Employee Benefits Trust to purchase insurance policies from:
  - (A) MetLife for Dental Insurance for FY2012-2013;
  - (B) MetLife for Basic Life, AD&D and Voluntary Life for FY2012-2013;
  - (C) Avesis for Voluntary Vision Insurance for FY2012-2013;
  - (D) Blue Cross/Blue Shield of Texas for Medical and Prescription Insurance for FY2012-2013; and
  - (E) FBS/NBS for Voluntary Supplemental Insurance for FY2012-2013.

**ADJOURN THE MEETING OF THE CITY OF TEMPLE EMPLOYEE BENEFITS TRUST MEETING**

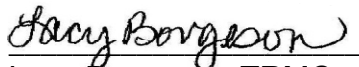


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***The City Council reserves the right to discuss any items in executive (closed) session whenever permitted by the Texas Open Meetings Act.***

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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 3:00 PM, on July 27, 2012.

  
Lacy Borgeson, TRMC  
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 \_\_\_\_\_ 2012. \_\_\_\_\_.



## **COUNCIL AGENDA ITEM MEMORANDUM**

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08/02/12  
Item #3  
Regular Agenda  
Page 1 of 1

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

William A. Jones, III, Mayor

**ITEM DESCRIPTION:** Recognize the Temple Public Library for receiving the Achievement of Excellence in Libraries Award from the Texas Municipal Library Directors Association.

**STAFF RECOMMENDATION:** Receive presentation as presented in item description.

**ITEM SUMMARY:** Lisa Youngblood from the Harker Heights Public Library, representing the Texas Municipal Library Directors Association will present the Temple Public Library staff with a plaque.

**FISCAL IMPACT:** None

**ATTACHMENTS:** None



## **COUNCIL AGENDA ITEM MEMORANDUM**

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08/02/12  
Item #4  
Regular Agenda  
Page 1 of 4

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

David Blackburn, City Manager  
Traci Barnard, Director of Finance

**ITEM DESCRIPTION:** (A) PUBLIC HEARING - Receive presentation by the City Manager and conduct a public hearing on the proposed 2012-2013 operating budget.

(B) Discuss proposed tax rate and consider adopting a resolution scheduling the adoption of the proposed tax rate for August 30, 2012.

**STAFF RECOMMENDATION:** (A) Receive presentation and conduct public hearing. Final action is to be taken by the Council at their August 30<sup>th</sup> meeting; (B) Adopt resolution as presented in item description.

**ITEM SUMMARY:** (A) **Budget- Public Hearing** - The City Manager's recommended budget was filed in accordance with the City Charter on June 29, 2012. Council has met for budget related work sessions on July 5<sup>th</sup>, 12<sup>th</sup>, 19<sup>th</sup> and 26<sup>th</sup>.

This is the initial public hearing on the proposed 2012-2013 budget, and complies with the State and Charter requirements that must be met before the budget can be adopted by the Council. A supplemental second public hearing on the budget will be conducted at the August 30<sup>th</sup> Special Council meeting, prior to budget adoption.

**(B) Proposed Tax Rate – Resolution setting date for adoption** - The proposed tax rate will be presented and discussed at the 5:00 pm meeting, prior to adoption of a resolution scheduling the adoption of the proposed tax rate for August 30<sup>th</sup>.

These proposed meeting dates and publication schedules comply with the Truth-In-Taxation requirements set forth by State Law and the City Charter.

**FISCAL IMPACT:**

(A) Budget: The proposed FY 2013 budget as filed on June 29, 2012:

	Adopted Budget FY 2012	PROPOSED Budget FY 2013	% Increase/ (Decrease)
<b>Revenues/Other Sources</b>			
General Fund	\$ 55,711,585	\$ 57,614,525	3.42%
Water & Wastewater Fund	26,847,261	28,684,076	6.84%
Debt Service Fund	8,061,085	8,437,407	4.67%
Hotel/Motel Tax Fund	1,399,450	1,702,900	21.68%
Federal/State Grant Fund	523,888	386,943	-26.14%
Drainage Fund	1,089,967	1,079,523	-0.96%
Internal Service Fund	2,552,768	3,295,525	29.10%
Reinvestment Zone No. 1 Fund	5,405,956	4,706,824	-12.93%
<b>Total Revenues/Other Sources</b>	<b>\$ 101,591,960</b>	<b>\$ 105,907,723</b>	<b>4.25%</b>

	Adopted Budget FY 2012	PROPOSED Budget FY 2013	% Increase/ (Decrease)
<b>Expenditures/Transfers</b>			
General Fund	\$ 58,730,477 <sup>(1)</sup>	\$ 59,069,645 <sup>(2)</sup>	0.58%
Water & Wastewater Fund	27,237,261	28,330,899	4.02%
Debt Service Fund	8,361,085	9,725,715	16.32%
Hotel/Motel Tax Fund	1,399,450	1,702,900	21.68%
Federal/State Grant Fund	523,888	386,943	-26.14%
Drainage Fund	1,756,471	1,079,523	-38.54%
Internal Service Fund	2,884,039	3,295,525	14.27%
Reinvestment Zone No. 1 Fund	6,606,653	6,534,108	-1.10%
<b>Total Expenditures/Transfers</b>	<b>\$ 107,499,324</b>	<b>\$ 110,125,258</b>	<b>2.44%</b>

<sup>(1)</sup> Includes \$3,018,892 in Capital (\$1,519,400); TEDC Matrix allocation (\$399,492); Strategic Investment Zone (\$100,000); and Street Improvements (\$1,000,000) funded with Undesignated Fund Balance - Capital Projects

<sup>(2)</sup> Includes \$1,455,120 in Capital (\$773,400); TEDC Matrix allocation (\$400,000); and Strategic Investment Zone (\$100,000) funded with Undesignated Fund Balance - Capital Projects; and Health Insurance Cost (\$181,720) from Fund Balance Designated for Health Insurance

Changes from the preliminary budget filed on June 29, 2012 to the proposed budget as presented August 2, 2012, with a proposed tax rate of 58.64¢. Adjustments are as indicated on the attached documents.

<b>Revenues/Other Sources</b>	<b>Adopted Budget FY 2012</b>	<b>PROPOSED Budget FY 2013</b>	<b>% Increase/ (Decrease)</b>
General Fund	\$ 55,711,585	\$ 57,614,525	3.42%
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(B) Tax Rate: The proposed tax rate for FY 2013 is 58.64¢. This rate is comprised of two components, maintenance and operations (M&O) of 33.00¢ and the interest & sinking (I&S) rate of 25.64¢. The proposed tax rate represents a 4.86% increase above the effective tax rate of 55.92¢. The current FY 2012 tax rate is 56.79¢.

	2012	2013	+/-
I & S Rate	\$ 0.2439	\$ 0.2564	\$ 0.0125
M& O Rate	0.3240	0.3300	0.0060
Total Rate	0.5679	0.5864	0.0185

The effective tax rate is the calculated rate that would provide the same amount of revenue received in the previous year on properties taxed in both years.

Note: The tax rate proposed in the budget document filed on June 29, 2012 was 59.04¢. The rate was developed based on estimates. Subsequent to the budget filing, staff received the Certified Roll and the Effective Tax Rate calculations.

**ATTACHMENTS:**

[FY 2012-2013 Budget Message](#)  
[Schedule of Adjustments](#)  
[Resolution](#)

# BUDGET MESSAGE









June 29, 2012

Honorable Mayor and City Council,

I am pleased to present the Preliminary Fiscal Year 2012-2013 Budget (FY 2013 Budget) for the City of Temple totaling \$109,523,358 for all funds.

The emphasis and focus on this FY 2013 Budget, as with previous budgets, is on providing and delivering services to our residents. Whether it is providing a place where residents can check out books, to places where residents can swim, walk along a trail, or play ball, or whether it is simply picking up the trash, the City provides multiple services to our residents. That is what we do and who we are...a service-delivery organization.

"Temple Tomorrow", our strategic plan, identifies 4 strategic focus areas: 1) Serving Our Community; 2) Improving Our Infrastructure; 3) Expanding the Tax Base; and 4) Growing the Health and Biosciences Industries. All 4 of these areas are equally important and significant. All 4 focus areas provide the foundation for our planning, budgeting, and work plans. Accordingly, the FY 2013 Budget, as with past budgets, continues to allocate resources with all 4 of these strategic focus areas in mind.

Two focus areas I would like to highlight in the FY 2013 Budget relate to Serving Our Community and Improving our Infrastructure. With regard to Serving Our Community, the FY 2013 budget continues the priority and the planning process to increase and enhance our public safety services. Detailed later in this transmittal letter, the FY 2013 Budget adds personnel to both the police and fire services. While the addition of these positions is necessary and beneficial to our service delivery in public safety, they are also simply a continuation of steps in a multi-year process.

I would also like to highlight the focus area relating to 'Improving Our Infrastructure'. The FY 2013 Budget recommends a multi-year transportation capital improvement program (FY2013-18 Transportation CIP, or 'TCIP'). The \$57,475,000 TCIP is a result of our recent assessments and reports on both the condition of our transportation infrastructure and the need to improve our mobility. The 17 project areas identified in the TCIP are intended to address both the need to improve our existing transportation infrastructure and provide new capacity and connectivity.

### **Budget Development & Background**

**Budget Process-** The budget is now a year round process and the framework for the development of this budget continued to be very similar to previous budgets. Planning and work for this budget began in late 2011 with the City Manager working on timelines and issue identification. Through late 2011 and early 2012, the Manager worked with Finance to develop the budget calendar and process for the FY 2013 Budget.

In January, the City Manager held a planning retreat with Departments to identify and discuss issues for the upcoming budget and in February, the City Manager and Finance staff met with

Departments to conduct a status review of current year budget and performance indicators and provide initial direction regarding issues identified in the planning retreat.

In mid February, the City Council held a strategic planning retreat to review and, as might be needed, update the City's strategic plan, "Temple Tomorrow: Strategic Vision and Plan". This plan establishes the mission and vision of the City, identifies four major areas of focus, and establishes the City's goals and objectives. The areas of focus identified in the Plan were: Expand the Tax Base, Grow Health and Bioscience, Improve the Transportation Infrastructure, and Serve our Community. These focus areas and their associated goals and objectives guided the development of the FY 2013 Budget. During the planning retreat, Council also reviewed the budget calendar and parameters and received information regarding potential budget issues identified by staff.

The FY 2013 Budget recommends a slight modification to one of the 4 strategic focus areas, 'Improve the Transportation Infrastructure'. I am recommending Council consider modifying this strategic focus area to 'Improve Our Infrastructure'. While our transportation infrastructure is no doubt significant and critical, I would submit we should broaden the focus area to allow the inclusion of all of our infrastructure. In particular, our utility infrastructure.

The City has invested almost \$60,000,000 over the past 5 years in improving and extending our water and sewer infrastructure. The FY 2013 Budget proposes an additional \$30,000,000 over the next 5 years to continue this work. Our utility infrastructure, no less so than our transportation infrastructure, is extremely important to our ability to deliver services in one of our core mission areas. I believe our strategic focus area should reflect this.

From February through the delivery of the FY 2013 Budget, staff has worked countless hours on preparing, reviewing, researching and responding to questions from Finance and the Manager relating to the programs and services this Preliminary Budget recommends.

**Budget Approach-** The FY 2013 Budget continues the 'activity-based' perspective began in FY 2010. Each Department was asked to identify each and every activity that they provide. They were also asked to identify the cost for providing each activity. This 'activity-based' approach allows for better identification of the services and service levels that we provide.

**Budget 'Fence Posts'-** This year's budget, as with every budget I have presented you, has been developed within the framework of the strategic plan priorities adopted by the City Council and the budget parameters, or 'fence posts', that were briefed to the Council at the February 9 planning retreat and the March 1 and May 24, 2012 work sessions. Those 'fence posts' are:

1. Maintain fiscal soundness;
2. Maintain core services;
3. Focus on people;
4. Align strategic, financial & tactical plan.

### ***Financial Highlights***

As indicated in the opening sentence of this transmittal letter, the FY 2013 Budget authorizes and allocates a total \$109,523,358. Of this amount, \$103,917,995 is proposed for the operations and maintenance budget which includes debt service and transfers and \$5,605,363 is proposed for routine capital for the general operating budget which includes equipment and public infrastructure projects. In accordance with current fiscal and financial policies, \$2,565,281

of the routine capital is funded with fund balance or retained earnings. The breakdown of this amount is as follows:

- ▶ \$1,791,881 – Reinvestment Zone No. 1
- ▶ \$773,400 – General Fund

As in previous years, the FY 2013 Preliminary Budget is a balanced budget under the policies and parameters discussed in earlier planning sessions with the City Council.

In addition, \$62,749,456 is proposed for capital improvements programs (CIP). The CIP allocated in FY 2012 can be divided into four categories:

- ▶ Routine Capital Recommended for Limited Tax Note Funding (L.T.N. CIP) - \$2,255,000
- ▶ Multi-year Non-Routine Capital Recommended for Certificates of Obligation Funding (C.O. CIP) - \$57,475,000
- ▶ Multi-year Non-Routine Capital Recommended for General Obligation Bond Funding (G.O.CIP) - \$3,019,456 (Proposed projects will be funded with project savings)

### **City Manager's Highlights**

With the above background in mind, I would like to highlight a few areas of general priority and significance in the FY 2013 Budget.

#### ***Serving our Community-***

You have heard me say many times that our most important asset isn't our brick and mortar, it isn't our trucks or tools...it is our people. Our ability to provide and deliver services is dependent upon our employees. .

Accordingly, the FY 2013 Budget proposes the continuation of a multi-year plan to enhance our police services. In FY 2011, we added 1 police officer (a school resource officer position). In FY 2012 we added 2 more police officers (additions to the traffic unit). The FY 2013 Budget recommends 2 more police officers for the purpose of enhancing our Criminal Investigations Division ('CID').

While the CID division has seen increases in caseload numbers over the past several years, staffing assigned to the CID division has not increased. CID's ability to manage caseloads is directly dependent upon staffing levels and 2 additional police officers will significantly help address service level expectations.

The FY 2013 Preliminary Budget also recommends an additional three Firefighter positions. With the opening of Station 8 this past year we have seen an increase in overtime costs with the Fire Department. Most of these overtime costs can be attributed to 'known unknowns' associated with paid leave within the Department. In any given year, we don't know how many firefighters will take leave, nor do we know how much leave they will take, nor when they will take it. But, what we do know is that it will occur. An analysis of leave within the Department

has provided us with a 'template' or 'formula' for better forecasting this factor in our budgeting process and it suggests the addition of 3 firefighter positions would mitigate our overtime costs.

The FY2013 Preliminary Budget also recommends adding an Animal Control Officer position. The City has a history of providing a high level of service delivery to our residents when it comes to animal services. Currently, Animal Control provides services 7 days a week, with Shelter days and hours being Monday through Friday from 10:00 a.m. to 4:00 p.m. and Saturday from 12:00 p.m. to 4:00 p.m. And while demand and service levels for animal services have grown substantially over the past decade, staffing levels at Animal Services have not. Not since 2002 has the City added to the ranks of Animal Control. Animal Services has been, and will continue to be, a critical part of our overall services relating to public safety. .

The cost for adding these public safety positions is approximately 1 cent on the tax rate.

The FY 2013 Budget also recommends the addition of a Development Coordinator to our Planning & Development staff. This position would help the City oversee and monitor planning and development issues in the field. The City has initiated multiple new programs and services related to planning and development over the past several years, but has no dedicated position to oversee and monitor the programs and development. This position would be dedicated to working in the field and insuring compliance. The position is proposed to be funded by an increase to permit and development fees.

With regard to the Water & Sewer Fund, one additional Maintenance Technician and three additional Maintenance Laborer positions assigned to the Water Treatment Plant are being recommended. Our Water Treatment Plant is one of our most critical assets. Staffing levels at the Water Treatment Plant over the past several years have been at minimal levels and the FY 2013 Preliminary Budget recommends adding these positions to better protect this critical piece of infrastructure and to better protect our people who work there. These positions would be paid for by an adjustment to the water and sewer rates.

Finally, the FY 2013 Preliminary Budget also provides for a 3% base pay adjustment for all city employees. While a 3% one time lump sum payment for all employees was provided for in FY2012, no base pay adjustments have been made since 2007. There is no additional cost to the FY2013 Budget over the FY2012 Budget for implementing this recommendation. If we are a service-delivery organization, and if our primary and best assets are our people, then we should provide a compensation plan that reflects these priorities. I believe this base pay adjustment would be yet another action that demonstrates the commitment and priority we place on our people.

### ***Improving our Infrastructure***

- In FY 2010, Temple's Street Department completed a comprehensive Pavement Condition Assessment ('PCA') for all city streets and alleys. The PCA found the overall condition of our streets to be in good condition. The PCA, and a 2012 Mobility Report which included a listing of street projects, also found significant challenges ahead for the City to maintain the overall good condition of the majority of our streets. The reports identified almost \$1 billion dollars in maintenance and project needs. The streets project listing alone identified approximately \$200 million in projects. Also recommended was a more comprehensive street maintenance program that includes more aggressive approaches for crack seal, seal coat, overlay, and reconstruction.

The FY 2011 Budget funded the first phase of a multi-year approach to work toward the recommended maintenance strategy. The first phase of that strategy was the establishment of a five member year-round crack sealing crew. The second phase, an enhanced seal coat program

in the amount of \$1,000,000 from unreserved fund balance designated for capital expenditures was funded in the FY 2012 Budget. This funding allowed for approximately 60 additional lane miles of streets to be seal coated.

With the completion of the 2012 Mobility Report, a better, more comprehensive view of our transportation needs and issues was provided. This report provides a compilation of existing master plans, transportation studies, thoroughfare plans, capital improvement projects, inspection reports, and local policies related to Temple's transportation system and identifies specific transportation project recommendations to address needs in the categories of connectivity, congestion, capacity, condition, and multi-modal options.

The FY 2013 Preliminary Budget proposes a multi- year capital improvement program to focus on re-construction, capacity, and connectivity transportation projects. All total, \$57,475,000 worth of transportation projects are recommended. The recommended projects are:

◎ Reconstruction Projects		\$21,100,000
○ Kegley Road (w/ bike lanes)	16,600,000	
○ N 8th Street	1,000,000	
○ Western Hills	2,700,000	
○ N 3rd Street Enhancement	800,000	
◎ Capacity and / or Connectivity Projects		\$28,725,000
○ S Pea Ridge	1,250,000	
○ Hogan	2,200,000	
○ Tarver	2,400,000	
○ N Pea Ridge	3,900,000	
○ Prairie View	6,900,000	
○ Westfield	5,100,000	
○ Avenue U / 13th & 17th Street	3,100,000	
○ W Avenue N	500,000	
○ Outer Loop Phase III	3,100,000	
○ Off-Site Connector Trails	275,000	
◎ Signalization &, Maintenance		\$7,650,000
○ Current Signalization Needs	600,000	
○ Future Signalization Needs	1,050,000	
○ Annual Seal Coat / Overlay	6,000,000	
◎ TOTAL		\$57,475,000

The cost for this transportation initiative to the tax rate is 1.25 cents.

## **Financial Highlights by Fund**

**General Fund Revenues-** Total revenues for the FY 2013 General Fund Budget are presented at \$57,614,525, an increase of 3.42% compared to the FY 2012 adopted budget.

The three largest sources of revenue for the General Fund are sales tax, property tax, and solid waste charges.

**Property Tax-** In the FY 2013 Budget, property tax accounts for 19.96% of the General Fund budgeted revenues and is the second largest revenue source of the General Fund. The preliminary tax rate for FY 2013 is proposed at 59.04¢ per \$100 valuation.

I think it is worth noting that the tax rate proposed for FY 2013 is lower than the tax rate that was set in 2001. I think this speaks volumes about our economic development policies and strategies.

This rate is based on a preliminary appraisal of \$3,343,011,809 (net taxable value not adjusted for frozen values). The tax rate is comprised of two components, the Maintenance and Operations rate (M&O) and the Interest Sinking rate (I&S). This year's proposed tax rate is 33.40¢ for the M&O rate and 25.64¢ for the I&S rate.

The M&O rate reflects a 1.00¢ tax rate increase to address the public safety staffing needs detailed in the 'Staffing' section above. The I&S rate reflects a 1.25¢ to fund the Streets CIP program detailed in the 'Streets Maintenance' section above.

The following chart presents the components of the total proposed tax rate for FY 2013 and the actual tax rate for the past two years.

<b><i>TAX RATE BY FUND</i></b>	<b><i>Fiscal Year 10-11</i></b>	<b><i>Fiscal Year 11-12</i></b>	<b><i>Fiscal Year 12-13</i></b>	<b><i>RATE CHANGE</i></b>
<b>General (M&amp;O)</b>	33.00¢	32.40¢	33.40¢	1.00¢
<b>Debt (I&amp;S)</b>	23.79¢	24.39¢	25.64¢	1.25¢
<b>TOTAL (Per \$100 Valuation)</b>	56.79¢	56.79¢	59.04¢	2.25¢

The certified appraisal roll for Ad Valorem taxes will not be available from the Appraisal District of Bell County until late July. Therefore, the proposed tax rate is based on assumptions and may require adjustments prior to the final adoption of the budget to reflect the current parameters set forth by Council.

**Sales Tax-** While much attention is focused on the property tax rate number, our single largest source of revenue for the General Fund continues to be sales tax revenue. In the FY 2013 Budget, sales tax is projected to account for 28.93% of the General Fund budgeted revenues and continues to be the single largest revenue source of the General Fund.

The FY 2013 Budget estimates \$16,670,000 in sales tax revenue, a 5.51% increase in sales tax revenue over budgeted FY 2012 sales tax revenue.

**Solid Waste Rates-** Charges associated with solid waste services represent the third largest source of revenue for the General Fund and are projected to account for 14.76% of total General Fund revenues. \$8,503,630 in solid waste revenue is projected for FY 2013, representing a 1.12% increase from the FY 2012 solid waste revenue adopted budget of \$8,409,750. These revenues are based on rates that remain unchanged from current year.

**General Fund Expenditures-** Total expenditures for the FY 2013 General Fund Budget are presented at \$59,069,645, an increase of 0.58% compared to the FY 2012 adopted budget. As noted above, a significant area of emphasis in the FY 2013 Budget that has contributed to this increase includes public safety staffing.

The FY 2013 Budget continues to provide funding to Public Service Agencies ('PSAs'). As you are aware, our PSAs provide much needed services to the community and our support to them 'leverages' their resources with ours. The FY 2013 Budget recommends \$503,431 in funding for sixteen organizations. Many of these organizations are funded through the City's General Fund. Organizations whose services are eligible for funding by hotel/motel tax revenues are funded through the City's Hotel/Motel Tax Fund.

One of the strategic focus areas identified in our Strategic Plan is to 'expand the tax base'. In order for us to continue to meet the demands for current service, and in order for us to meet the needs of projected growth and development, it is critical that this objective be met. As Council will recall, the FY 2008 Budget included a funding commitment to a 'matrix incentive pool' at \$800,000. This 'matrix incentive pool' was intended to provide funding for economic development incentives relating to economic development agreements with new and/or expanding businesses. The FY 2013 Budget continues that commitment and includes a \$400,000 'placeholder' investment to maintain the matrix funding level.

**Capital Improvements Program-** The City of Temple continues to manage the largest capital improvement program in the history of the community. As of March 31, 2012, a total of \$96,630,475 has been allocated for various capital projects including such improvements as water and sewer infrastructure, transportation infrastructure, parks improvements, and public safety infrastructure. Funding sources for these projects can be identified in eight major areas:

- ▶ Utility Revenue Bonds
- ▶ General Obligation Bonds
- ▶ Certificates of Obligation
- ▶ General Operating Budget Funding
- ▶ Limited Tax Notes
- ▶ TxDOT Pass Through Finance Agreement
- ▶ Grants
- ▶ Reinvestment Zone No. 1

During FY 2012, the City of Temple began construction on the single largest capital improvement project ever undertaken by the community- the expansion of the NW Loop 363. This is a significant project for the City and one that has been a desire of the community for many decades. The project includes upgrading approximately four miles of the existing two lane

NW Loop from just west of the BNSF railroad crossing to FM 2305. This will create a continuous four lane highway from the NW Loop at I-35 to the SW Loop at I-35. The project includes grade separated interchanges at both SH 36/Airport Road and Wendland Road.

The FY 2013 Budget includes \$5,605,363 for routine capital for the general operating budget which includes equipment and public infrastructure projects that are underway and/or planned for this fiscal year. In accordance with current fiscal and financial policies, \$2,565,281 of the routine capital is funded with fund balance or retained earnings. The breakdown of this amount is as follows:

- ▶ \$1,791,881 – Reinvestment Zone No. 1
- ▶ \$773,400 – General Fund

Within the Capital Improvement Projects section of this document, the specific projects recommended are listed within three categories. The categories are routine capital, multi-year non-routine capital, and projects identified for future funding.

**Water and Wastewater Fund-** Total revenues for the FY 2013 Water and Wastewater Fund Budget are presented at \$28,684,076, an increase of 6.84% compared to the FY 2012 adopted budget.

Expenses, capital improvements, and debt service for the FY 2013 Water and Wastewater Fund Budget are presented at \$28,330,899, an increase of 4.02% compared with prior year. Cost drivers for this increase include: 1) updating our cost accounting recovery methodology; 2) additional staffing at the Water Treatment Plant; 3) cash capital outlays; and 4) debt service associated with the water & sewer CIP. The capital improvements include the allocation of \$2,277,325 to continue the long-term replacement program of water and sewer infrastructures and equipment needs. A 6.39% rate increase is proposed for water and wastewater service in the FY 2013 Budget to support these operational and capital programs.

**Hotel and Motel Fund-** Total revenues and expenditures for Hotel/Motel Fund Budget are presented at \$1,702,900, an increase of 21.68% compared to the FY 2012 adopted budget. Funding for the Mayborn Center program as well as the Tourism/Marketing program are funded through the Hotel/Motel Tax Fund. Public Service Agencies whose services are eligible for funding by hotel/motel tax revenues are also funded through the Hotel/Motel Tax Fund.

In accordance with discussions with the Temple Railroad and Heritage Museum's board of directors, the FY 2013 Budget proposes that the City resume the management and operation of the Temple Railroad and Heritage Museum previously operated by the non-profit. This transition is proposed at the same cost as previous contracts.

**Federal and State Grant Fund-** Total revenues and expenditures for Federal and State Grant Fund Budget are presented at \$386,943, a decrease of 26.14% compared to the FY 2012 adopted budget. Total revenues include the award of the Community Development Block Grant (CDBG) at \$386,943. The proposed allocation of CDBG funds are as follows: public service agencies \$54,000, demolition \$85,000, sidewalk improvements \$192,757, and general administration \$55,186.

**Drainage Fund-** Total revenues are presented at \$1,079,523, a 0.96% decrease from prior year. Expenditures are presented at \$1,079,523, a decrease of 38.54% compared to the FY 2012 adopted budget. The expenditures of the drainage fund represent personnel, operational, and capital cost related to maintenance of existing drainage systems.



## **Conclusion**

I have attempted to provide you with a brief synopsis of the Preliminary Budget for FY 2013. Developing the budget is a team effort that requires participation and input by citizens, City Council and City staff. My thanks to all of the Department and Division Heads who helped put this Preliminary Budget together. Their ability to respond, many times on short notice, to my inquiries and requests for additional information was appreciated and helpful.

I also want to extend a special word of appreciation to Director of Finance, Traci Barnard and her staff for the many hours of work and effort they put in toward the development of this Preliminary Budget. Of special note is the work done by Assistant Finance Director Melissa Przybylski, Senior Accountant Miranda Hennig, Senior Accountant Kiyoko McDonald, and Accountant Stacey Hawkins. I also need to recognize Director of Administrative Services Brynn Reynolds for her work and input into the development of this Preliminary FY 2013 Budget. Quite simply, this document could not have been produced without them.

I look forward to the coming weeks of discussion, review, and direction by Council.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read 'David Blackburn', with a long horizontal flourish extending to the right.

David Blackburn  
City Manager



FY 2013

GENERAL FUND PROPOSED BUDGET

SCHEDULE OF ADJUSTMENTS AFTER FILING PROPOSED BUDGET

	Proposed Budget		Increase (Decrease)
	Filed Copy as of 6-29-12	Current as of 8-2-12	
Projected Revenues	\$ 57,614,525	\$ 57,614,525	\$ - <sup>A</sup>
Proposed Budget Expenditures	58,765,180	58,765,180	- <sup>B</sup>
Excess Revenues Over (Under) Expenditures	<u>(1,150,655)</u>	<u>(1,150,655)</u>	<u>-</u>
Transfers In (Out):			
Less: Transfer Out To Debt Service Fund -			
Energy Loan	(98,439)	(98,439)	-
Commercial Solid Waste Trucks	(24,306)	(24,306)	-
Transfer Out To Internal Service Fund [Health Ins]	(181,720)	(181,720)	-
Total Transfer In (Out)	<u>(304,465)</u>	<u>(304,465)</u>	<u>-</u>
Excess Revenues Over (Under) Expenditures for FY 2013	<u>\$ (1,455,120)</u>	<u>\$ (1,455,120)</u>	<u>\$0.00</u>
Recommended Use of Undesignated Fund Balance-Capital Projects			
-Capital Equipment Funding	\$ 773,400	\$ 773,400	\$ -
-TEDC Matrix Funding	400,000	400,000	-
-Strategic Investment Zone Funding	100,000	100,000	-
-Health Insurance Cost	181,720	181,720	-
	<u>\$ 1,455,120</u>	<u>\$ 1,455,120</u>	<u>\$ -</u>
<b>Explanation of Changes from Filed Budget to Proposed Budget @ 8/2/2012:</b>			
<sup>A</sup> Revenue Changes:			
Required adjustment from preliminary to certified roll		\$ (1,851)	
Added difference to Penalty & Interest - Ad Valorem Taxes revenue		1,851	
Total Revenue Changes		<u>\$ -</u>	
<sup>B</sup> Expenditure Changes:			
Total Expenditures Changes		<u>\$ -</u>	
Net Revenue Over (Under) Expenditures		<u>\$ -</u>	

FY 2013

**WATER & WASTEWATER FUND PROPOSED BUDGET**

**SCHEDULE OF ADJUSTMENTS AFTER FILING PROPOSED BUDGET**

	Proposed Budget		Increase (Decrease)
	Filed Copy as of 6-29-12	Current as of 8-2-12	
Projected Revenues	\$ 28,684,076	\$ 28,684,076	\$ -
Proposed Budget Expenses	28,304,939	28,304,939	-
Net Revenues	<u>\$ 379,137</u>	<u>\$ 379,137</u>	<u>\$ -</u>
Transfers In (Out):			
Less: Transfer Out To Internal Service Fund [Health Ins]	(25,960)	(25,960)	-
Total Transfer In (Out)	<u>(25,960)</u>	<u>(25,960)</u>	<u>-</u>
Net Revenues for FY 2013	<u><u>\$ 353,177</u></u>	<u><u>\$ 353,177</u></u>	<u><u>\$0.00</u></u>

FY 2013

DEBT SERVICE FUND PROPOSED BUDGET

SCHEDULE OF ADJUSTMENTS AFTER FILING PROPOSED BUDGET

	Proposed Budget		Increase (Decrease)
	Filed Copy as of 6-29-12	Current as of 8-2-12	
Projected Revenues	\$ 8,203,952	\$ 8,294,291	\$ 90,339 <sup>A</sup>
Proposed Budget Expenditures	9,523,815	9,725,715	201,900 <sup>B</sup>
Excess Revenues Over (Under) Expenditures	<u>\$ (1,319,863)</u>	<u>\$ (1,431,424)</u>	<u>(111,561)</u>
Transfers In (Out):			
Plus: Transfer In From Hotel/Motel Fund [Energy Program]	20,371	20,371	-
Plus: Transfer In From General Fund -			
Energy Loan	98,439	98,439	
Commercial Solid Waste Trucks	24,306	24,306	-
Total Transfer In (Out)	<u>143,116</u>	<u>143,116</u>	<u>-</u>
Excess Revenues Over (Under) Expenditures for FY 2013	<u>\$ (1,176,747)</u>	<u>\$ (1,288,308)</u>	<u>\$ (111,561)</u>
Recommended Use of Undesignated Fund Balance	<u>1,176,747</u>	<u>1,288,308</u>	<u>111,561</u>
	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

Explanation of Changes from Filed Budget to Proposed Budget @ 8/2/2012:

<sup>A</sup> Revenue Changes:

Adjustment from preliminary to certified roll	\$ 90,339
<b>Total Revenue Changes</b>	<u>\$ 90,339</u>

<sup>B</sup> Expenditure Changes:

Increase in interest for Certificates of Obligation, Series 2013 {Street CIP}	\$ 201,900
<b>Total Expenditures Changes</b>	<u>\$ 201,900</u>
<b>Net Revenue Over (Under) Expenditures</b>	<u>\$ (111,561)</u>

**FY 2013**

**HOTEL/MOTEL TAX FUND PROPOSED BUDGET**

**SCHEDULE OF ADJUSTMENTS AFTER FILING PROPOSED BUDGET**

	Proposed Budget		Increase (Decrease)
	Filed Copy as of 6-29-12	Current as of 8-2-12	
Projected Revenues	\$ 1,702,900	\$ 1,702,900	\$ -
Proposed Budget Expenditures	1,680,881	1,680,881	-
Excess Revenues Over (Under) Expenditures	<b>\$ 22,019</b>	<b>\$ 22,019</b>	-
Transfers In (Out):			
Less: Transfer Out To Debt Service [Energy Loan]	(20,371)	(20,371)	-
Transfer Out To Internal Service Fund [Health Ins]	(1,648)	(1,648)	-
Total Transfer In (Out)	<b>(22,019)</b>	<b>(22,019)</b>	-
Excess Revenues Over (Under) Expenditures for FY 2013	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

**FY 2013**

**FEDERAL/STATE GRANT FUND PROPOSED BUDGET**

**SCHEDULE OF ADJUSTMENTS AFTER FILING PROPOSED BUDGET**

	Proposed Budget		Increase (Decrease)
	Filed Copy as of 6-29-12	Current as of 8-2-12	
Projected Revenues	\$ 386,943	\$ 386,943	\$ -
Proposed Budget Expenditures	386,943	386,943	-
Excess Revenues Over (Under) Expenditures for FY 2013	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

**FY 2013**

**DRAINAGE FUND PROPOSED BUDGET**

**SCHEDULE OF ADJUSTMENTS AFTER FILING PROPOSED BUDGET**

	Proposed Budget		Increase (Decrease)
	Filed Copy as of 6-29-12	Current as of 8-2-12	
Projected Revenues	\$ 1,079,523	\$ 1,079,523	\$ -
Proposed Budget Expenditures	1,077,051	1,077,051	-
Excess Revenues Over (Under) Expenditures	<u>\$ 2,472</u>	<u>\$ 2,472</u>	<u>-</u>
Transfers In (Out):			
Less: Transfer Out To Internal Service Fund [Health Ins]	<u>(2,472)</u>	<u>(2,472)</u>	<u>-</u>
Total Transfer In (Out)	<u>(2,472)</u>	<u>(2,472)</u>	<u>-</u>
Excess Revenues Over (Under) Expenditures for FY 2013	<u><u>\$0.00</u></u>	<u><u>\$0.00</u></u>	<u><u>\$0.00</u></u>



**FY 2013**

**REINVESTMENT ZONE NO. 1 FUND PROPOSED BUDGET**

**SCHEDULE OF ADJUSTMENTS AFTER FILING PROPOSED BUDGET**

	Proposed Budget <sup>1</sup>		Increase (Decrease)
	Filed Copy as of 6-29-12	Current as of 8-2-12	
Projected Revenues	\$ 4,306,824	\$ 4,706,824	\$ 400,000 <sup>A</sup>
Proposed Budget Expenditures	6,134,108	6,534,108	400,000 <sup>B</sup>
Excess Revenues Over (Under) Expenditures for FY 2013	<u>\$ (1,827,284)</u>	<u>\$ (1,827,284)</u>	<u>\$ -</u>

<sup>1</sup> - As amended in Financing Plan approved by Council on July 19, 2012

**Explanation of Changes from Filed Budget to Proposed Budget @ 8/2/2012:**

<sup>A</sup> **Revenue Changes:**

Recognize revenue from developer's contribution	\$ 400,000
<b>Total Revenue Changes</b>	<u>\$ 400,000</u>

<sup>B</sup> **Expenditure Changes:**

Reallocate funds from Pepper Creek Trail Extension	\$ (287,160)
Bioscience Park	687,160
<b>Total Expenditures Changes</b>	<u>\$ 400,000</u>
<b>Net Revenue Over (Under) Expenditures</b>	<u>\$ -</u>

FY 2013

INTERNAL SERVICE FUND PROPOSED BUDGET

SCHEDULE OF ADJUSTMENTS AFTER FILING PROPOSED BUDGET

	Proposed Budget		Increase (Decrease)
	Filed Copy as of 6-29-12	Current as of 8-2-12	
Projected Revenues	\$ 3,083,725	\$ 3,083,725	\$ -
Proposed Budget Expenses	3,295,525	3,295,525	-
Net Revenues	<u>(\$211,800)</u>	<u>(\$211,800)</u>	<u>\$ -</u>
Transfers In (Out):			
Plus: Transfer In From General Fund [Health Ins]	181,720	181,720	-
Transfer In From Water & Sewer Fund [Health Ins]	25,960	25,960	-
Transfer In From Hotel/Motel Tax Fund [Health Ins]	1,648	1,648	-
Transfer In From Drainage Fund [Health Ins]	2,472	2,472	-
Total Transfer In (Out)	<u>211,800</u>	<u>211,800</u>	<u>-</u>
Net Revenues for FY 2013	<u><u>\$0.00</u></u>	<u><u>\$0.00</u></u>	<u><u>\$0.00</u></u>

RESOLUTION NO. 2012-6672-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, SCHEDULING THE ADOPTION OF THE PROPOSED TAX RATE FOR AUGUST 30, 2012; DECLARING FINDINGS OF FACTS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, Chapter 26 of the Property Tax Code requires all taxing entities to comply with truth-in-taxation laws in adopting their tax rates in an effort to make taxpayers aware of tax rate proposals and, in certain cases, to roll back or limit a tax increase;

**Whereas**, the City Manager's recommended budget was filed in accordance with City Charter on June 29, 2012;

**Whereas**, the proposed tax rate of 58.64¢ per \$100 of assessed property valuation represents a 4.86% increase above the effective tax rate of 55.92¢ – the current FY 2012 tax rate is 56.79¢; and

**Whereas**, the City Council has determined that it is in the public interest to schedule the adoption of the proposed tax rate for August 30, 2012.

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

**Part 1:** The City Council sets the proposed tax rate at 58.64¢ per \$100 of assessed property valuation, and schedules the adoption of the proposed tax rate for August 30, 2012, at the regular scheduled meeting at 5:00 p.m. in the City Council Chambers on the second floor of the Municipal Building located at Main and Central in Temple, Texas.

**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 **August**, 2012.

THE CITY OF TEMPLE, TEXAS

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WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Jonathan Graham  
City Attorney



## **COUNCIL AGENDA ITEM MEMORANDUM**

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08/02/12  
Item #5(A-B)  
Consent Agenda  
Page 1 of 1

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

Lacy Borgeson, City Secretary

**ITEM DESCRIPTION:** Approve Minutes:

- (A) July 12, 2012 Special Called Meeting
- (B) July 19, 2012 Special Called and Regular Meeting

**STAFF RECOMMENDATION:** Approve minutes as presented in item description.

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

**FISCAL IMPACT:** N/A

**ATTACHMENTS:**

July 12, 2012 Special Called Meeting  
July 19, 2012 Special Called and Regular Meeting

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

**JULY 12, 2012**

The City Council of the City of Temple, Texas conducted a Special Meeting on Thursday, July 12, 2012 at 3:00 pm, at the Municipal Building, 2 North Main Street, in the 3rd Floor Conference Room.

**Present:**

Councilmember Perry Cloud  
Mayor Pro Tem Danny Dunn  
Councilmember Russell Schneider  
Councilmember Judy Morales  
Mayor William A. Jones, III

- 1. Discuss the proposed FY 2012-2013 budget and related issue, to include the various strategic and budget related policy issues:**

**(a) Transportation CIP**

**(b) Police Services**

**(c) Code Enforcement**

David Blackburn lead the discussion and provided Council with calendar dates as they relate to the budget process. He also provided an overview for the Transportation CIP and noted the preliminary budget recommends a project list of approximately \$57.4 million with three areas of focus to be reconstruction projects, capacity and/or connectivity projects, and signalization and maintenance projects.

Ms. Barnard reviewed the financing for the Transportation CIP. She stated there are assumptions built into the budget and reviewed the funding time line and capacity of funding levels.

Mayor Pro Tem Dunn inquired on which projects would be done first.

Ms. Torralva noted that based on the numbers received by Ms. Barnard, the highest priority is signalization; Kegley is a multi-year project and we'd like to start early; projects around the schools and then maintenance throughout the city.

Mayor Pro Tem Dunn asked about Western Hills.

Ms. Torralva stated this project has shifted to the middle of the list due to cost of the project.

Mr. Blackburn stated we will prioritize with safety being at the top of the list. He also mentioned signalization and that restricted funds have been identified for the signalization needs at Airport and Parkway.

Councilmember Cloud stated traffic patterns will change as the construction begins on I-35.

Mayor Pro Tem Dunn stated he doesn't want to see the older streets deteriorate as we build new ones.

Mr. Blackburn stated there is an additional \$6 million dollars for street maintenance that we don't have in our current operating budget. We are nowhere near where we need to be.

Mayor Jones asked Ms. Torralva how far out we know if a street will need seal coat or overlay.

Ms. Torralva stated it changes every couple of months as the road conditions change.

Mr. Newman added the Pavement Assessment Report is dynamic to this process. We will continue to assess each year.

Mayor Jones stated we can do it all for 1.25 cents, or how much are we comfortable with. This will then determine what we can accomplish.

Councilmember Schneider stated 1.25 cents will carry us through 2019.

Mayor Pro Tem Dunn inquired as to how far behind in maintenance will we be if we don't do all of this as proposed.

Ms. Torralva replied all funding is based on today's dollar. But yes, we would get further behind each year.

Mr. Blackburn stated we don't know how many projects will be on the list in the future; but we need to also factor in expansion and growth to our assessments. There is cost for future opportunity and with this we will generate opportunities for the private sectors as well. This proposal brings \$28 million in maintenance, reconstruction, and signalization for current needs in our city.

Mayor Pro Tem Dunn stated he would like to see the map with current and future street work incorporated.

Mayor Jones asked how the \$6 million be sent.

Ms. Torralva stated about a million a year. We would contract out the seal

coat work and do the crack seal in-house. We will add this to the map as well.

Mr. Newman stated the crack seal will add about one to two years of life.

Next item discussed was police services. Mr. Blackburn stated that TPD provides a full range of police services, but this will focus on two primary areas being Patrol and Criminal Investigations Division. The staffing levels of CID are remained constant for many years with our backlog of cases growing each year. Currently we estimating 1,496 cases backlogged for 2012. This budget proposes a multi-year phase plan to add four to five additional detectives, adding one in FY 2011, two in FY 2012 and two in FY 2013. All of this is based on population assumptions.

Chief Smith explained the different categories of cases and the history. He added that the current matrix shows the department can handle 1,900 hundred of the estimated 2,300 cases each year with the current staffing levels. He also reviewed the level of complexity and the time needed to dedicate for each level in order to complete the case.

Mayor Jones asked what time period the 1,400 backlogged cases covered, and how they are worked?

Chief Smith stated the backlog is extended over the last eight years. This summer we have utilized our school resource officers in working these cases. We loose a number of the backlog cases due to statute of limitations.

Mayor Pro Tem Dunn asked of the 83% that are routine, will the proposed number allow you to work close to 100% of the cases received.

Mr. Blackburn stated it is estimated now to be at 75%; but should be close to 83% for routine cases. We will need to continue to assess the formula and process to see if this works. Mr. Blackburn also stated that promotions will occur through the department with the new officers being assigned to patrol.

Councilmember Cloud asked of the 1,400 backlog cases are the complexity levels the same.

Chief Smith replied yes. We will prioritize and work the higher priority first. He also explained how each call is prioritized by the department as well as the communications center.

Mr. Blackburn stated the key matrix is the priority level and response times. It is recommended that we use priority 1 response times.

Next item discussed was Code Enforcement. Ms. Speer gave a brief

overview of Code Enforcement. She provided the mission, responsibilities and processes for how code issues are handled. Ms. Speer reviewed some of the cases received in 2011. She added that in 2011 there were 37 demolished structures, 31 residential and 6 being commercial structures. Ms. Speer identified some problem areas affecting effectiveness being vacant lots, large item pickup, out of town owners, reactive complaints, housing conditions, and zoning violations. Code Enforcement is a reactive department driven primarily by citizen complaint.

Mr. Blackburn stated the budget proposes a Development Coordinator position. We have temporarily moved a Code Enforcement Office to this position, but will need to return the position back to Code Enforcement.

Councilmember Morales inquired on the policy for dumping on empty lots.

Ms. Speer stated we have bulk pick up; but if you aren't a current customer the city has to pick up the cost. This is being reviewed by staff. Ms. Speer also mentioned the SIZ Cooridor. This area is proactively worked every month.

Mr. Blackburn added that Code Enforcement is the most challenging area. We don't want to punish or raise revenue, we only want compliance. With that we want to be as effective as we can.

Mr. Blackburn stated that next week July 19, we will discuss the RRHM, PSA and SIZ.

Mayor Jones inquired on the recycling process.

Mr. Blackburn stated the FY 2013 budget doesn't address anything further. We will do the expanded areas as directed by Council through fall of 2012 with anticipation of bringing a report to the Council in January 2013.

Mayor Jones inquired on the partnership.

Mr. Blackburn stated there are some potential cost and revenue sharing agreements and partnerships.

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William A. Jones, III, Mayor

ATTEST:

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Lacy Borgeson



City Secretary

## TEMPLE CITY COUNCIL

**JULY 19, 2012**

The City Council of the City of Temple, Texas conducted a Special Meeting on Thursday, July 5, 2012 at 3:30 pm, at the Municipal Building, 2 North Main Street, in the 3rd Floor Conference Room.

Present:

Councilmember Perry Cloud  
Mayor Pro Tem Danny Dunn  
Councilmember Russell Schneider  
Councilmber Judy Morales  
Mayor William A. Jones, III

**1. Discuss, as may be needed, Regular Meeting agenda items for the meeting posted for Thursday, July 19, 2012.**

Regular Agenda Item # 7 -the Downtown Rail Safety Zone Report. Mayor Pro Tem Dunn stated he had been contacted by many within the community with concerns for closing the crossing. He would like more time to speak with the citizens regarding this matter. Both Councilmember Schneider and Councilmember Cloud also received comments and would like additional time. Mayor Jones also stated the report could be accepted with implementation at a later date. This will allow us time to understand the comments and concerns from the citizens.

Mr. Blackburn also added the delay in getting this information from RZ to Council is due to challenges in getting additional information from BNSF to leave South 1st Street open.

Mayor Jones asked if the cost estimates we have were credible one and is it relavant to whether we signalize the crossing or close it? This will allow better flow of the linear park from the depot to the market.

Mr. Newman stated we are pursuing the most affordable option. There are a few complications at South 1st Street should we leave it open.

Councilmember Cloud stated he would like to have a report showing accidents or citations at these crossings.

Regular Agenda Item #8 - Board Appointments and possible applicants.

Regular Agenda Item #4 - Councilmember Morales stated she filed an affidavit for abstaintion from this item.

**2. Discuss the construction of Phase I of the Temple Fire and Rescue**

**Training Field.**

David Blackburn stated we anticipate this item coming back in September. The 2008 Bond Election obligated funding for public safety.

**3. Discuss the proposed FY 2012-2013 budget and related issue, to include the various strategic and budget related policy issues:**

**Railroad & Heritage Museum  
Public Service Agencies  
Strategic Investment Zones**

Mr. Blackburn gave a brief presentation. He stated the Appraisal District released our numbers earlier this week.

Ms. Barnard added the Certified Roll was received by the City. She stated that in preparing the budget we based our taxable property valuations to increase 1%; when in fact that actually increased by 2.01% to our roll. Ms. Barnard reviewed the composition of our tax base. The budget was filed with a 2.25 cent increase to the tax rate; this was projected to be a \$1.87 per month for a \$100,000 home. With the roll certified and should we keep the budget as filed with a revenue neutral we could see a total increase of 1.20 cents to the tax rate; \$1.00 per month for a \$100,000 home.

Councilmember Schneider asked if the maintenance projects were included in this number?

Ms. Barnard, stated yes. You would get the \$57 million over a 5-6 year period; but in 2013 only \$5.4 million would be available.

Nicole Torralva stated the project list had been revised to expedite some of the maintenance projects if funded.

Mayor Pro Tem Dunn inquired on time frame for Western Hills.

Ms. Torralva stated late 2016.

Mayor Pro Tem Dunn stated he wanted to make sure that we get the best deal to ensure that all the projects on the list can be done.

Mayor Jones stated we need to be sensitive to what TISD will do on their tax rate. Council agreed to set a special meeting on Thursday, July 26, 2012 at 3:00 pm.

Next Ken Cicora presented the Council with information related to the Temple Railroad & Heritage Museum and Santa Fe Depot. The Depot has asked the City to manage it again due to some financial constraints they are facing. Mr. Cicora reviewed the purpose of the museum which is to

preserve Temple's history and rail heritage and to educate school children in Bell County. Mr. Cicora reviewed the City's contributions over the past five years as well as the operating budget and the proposed FY 12/13 budget. The museum currently has six staffing positions. The Museum Board (a non-profit organization) will remain as such. They have agreed to stay on as we move forward and manage the Springer Endowment, Bingo Funds, archival Endowment, raising funds for activities, and providing volunteers for the Museum. To be successful the focus needs to remain on the Santa Fe archives, continue to have a committed non-profit support group, and increased community support. Mr. Cicora stated there are many repairs that are needed to the Depot. Over the last few years of drought the ground shifted causing damage to the walls and floors. We are currently in process of analyzing the repairs needed; but anticipated the cost to be from \$700,000 to \$1,000,000. He added we need to stabilize this soon, as the consultants have indicated the ground has gotten worse.

Mr. Blackburn stated the premises of the Museum and Depot are 'legacy' asset for the community. They are significant and need to be maintained. There is a better opportunity for the museum to survive in today's fiscal environment. We will need to assess every budget year as to goals, objectives, and resources.

Next item, Public Services Agencies, was given by Ms. Brynn Myers. She identified the three funding sources of General Fund, Hotel-Motel Fund, and CDBG Fund.

Mayor Jones inquired on the funding source used for the Railroad & Heritage Museum.

Ms. Myers stated it would continue to come out of the Hotel-Motel just not part of the Public Service Agencies.

Mayor Pro Tem Dunn inquired on the funding of the Incubator? They requested \$50,000 and were granted \$25,000.

Mr. Blackburn stated yes, there are on-going communications with CEO's and other partners to see what the level of commitment is as well as expectations. Did not believe at this time it was appropriate that the City fund 100%. This will be a collaborative partnership.

The Strategic Investment Zone was presented by Ms. Barnard. She provided the Council with a spreadsheet that showed historical data on the program as of June 30, 2012. The total appropriation over the five years is \$508,151; with a balance of \$106,756 as of July 19, 2012. Staff and Council discussed the processes used for the project and criteria.

Mayor Jones stated that at this time approximately 4:18 p.m. the City Council would enter into an executive session.

4. **Discuss the acquisition of property and institution of eminent domain proceedings related to all parcels not yet acquired on the Northwest Loop 363 Project (Items 5(p)-(u) on the Regular Agenda). Executive Session ? Pursuant to Chapter 551, Government Code, §551.071 ? Consultation with Attorney - The City Council will meet in executive session with the City Attorney to discuss pending and contemplated litigation.**

Mayor Jones reconvened the work session of the Temple City Council at approximately 4:47 p.m.

The City Council of the City of Temple, Texas conducted a Regular Meeting on Thursday, July 19, 2012 at 5:00 PM in the Council Chambers, Municipal Building, 2nd Floor, 2 North Main Street.

**Present:**

Councilmember Perry Cloud  
Mayor Pro Tem Danny Dunn  
Councilmember Russell Schneider  
Councilmember Judy Morales  
Mayor William A. Jones, III

**I. CALL TO ORDER**

**1. Invocation**

Pastor Tom Zintgraff with Harvest Church voiced the invocation

**2. Pledge of Allegiance**

Spencer and Austin Belbeck, grandchildren of Councilmember Morales led the Pledge of Allegiance.

**II. PROCLAMATIONS & SPECIAL RECOGNITIONS**

**3. Recognition of the 2012 Junior Fire Cadet Program**

Thomas Pechal, Temple Fire & Rescue gave a brief presentation to the Council.

**III. PUBLIC HEARINGS**

4. **2012-6650-R: PUBLIC HEARING - Conduct a final public hearing and consider adopting a resolution approving the Community Development Block Grant (CDBG) 2012-2013 Annual Action Plan and Budget, including the funding recommendations for public**

**service agencies from the Community Services Advisory Board.**

Brynn Myers, Director of Administrative Services presented this item. She stated the City of Temple will receive \$386,943 for its 2012 CDBG allocation (FY 2013), this reflects a 30.9% reduction over a two year period. Ms. Myers stated the proposed allocation of funds is for infrastructure in the amount of \$192,757; Public Services \$54,000; Demolition \$85,000; and Administration in the amount of \$55,186. She also noted that the administrative services for the program is now being done in-house to maximize funding of projects. Ms. Myers stated there were public meetings as well as a comment period of which no comments were received. The Adopted Action Plan will begin October 1, 2012.

Mayor Jones declared the public hearing open with regards to agenda item 4 and asked if anyone wished to address this item. There being none, Mayor Jones declared the public hearing closed.

Motion by Mayor Pro Tem Danny Dunn adopt resolution seconded by Councilmember Perry Cloud.

Councilmember Morales abstained; all others voted Aye

**IV. PUBLIC COMMENTS**

Mayor Jones stated no one signed up for public comments.

**V. CONSENT AGENDA****5. Consider adopting a resolution approving the Consent Agenda items and the appropriate resolutions for each of the following:****(A) July 5, 2012 Special Called and Regular Meeting**

**(B) 2012-6651-R: Consider adopting a resolution authorizing a contract with Brockway, Gersbach, Franklin and Niemeier, P.C. to perform the annual City of Temple audit for an amount not to exceed \$67,200.**

**(C) 2012-6652-R: Consider adopting a resolution authorizing an agreement with First Southwest Asset Management, Inc., an affiliate of First Southwest Company, for arbitrage rebate compliance services for a period of five years.**

**(D) 2012-6653-R: Consider adopting a resolution authorizing a Chapter 380 development agreement authorizing the transfer of an approximate 7.14 tract of land located in the Temple**

**Bioscience Park Subdivision to the Temple Economic Development Corporation for economic development purposes.**

**(E) 2012-6654-R: Consider adopting a resolution authorizing the renewal of a Cooperative Working Agreement with Bell County for the Bell County Crime Coalition project administered by the Bell County Juvenile Probation Department.**

**(F) Consider adopting resolutions authorizing:**

- 1. (A) 2012-6655-R: The City Manager to execute a Standard Utility Agreement with Texas Department of Transportation to provide reimbursement to the City by TxDOT, for utility relocation construction phase services in association with IH-35 improvements from South Loop 363 to Nugent in the amount of \$366,000.**

**(B) 2012-6656-R: A professional services agreement with Kasberg, Patrick & Associates LP of Temple for utility relocation construction phase services in association with IH-35 improvements from South Loop 363 to Nugent in an amount not to exceed \$366,000.**

- 2. (A) 2012-6657-R: The City Manager to execute a Standard Utility Agreement with Texas Department of Transportation to provide reimbursement to the City by TxDOT, for utility relocation construction phase services in association with IH-35 improvements from Nugent to North Loop 363 in the amount of \$316,000.**

**(B) 2012-6658-R: A professional services agreement with Kasberg, Patrick & Associates LP of Temple for utility relocation construction phase services in association with IH-35 improvements from Nugent to North Loop 363 in an amount not to exceed \$316,000.**

**(G) SECOND READING: Consider adopting ordinances authorizing a rezoning from Agricultural District (AG) to Light Industrial District (LI) on:**

- 1. 2012-4542: Z-FY-12-46A: 8.273± acres, a part of the S. Bottsford Survey, Abstract Number 118, Bell County, Texas, located at 7300 and 7330 North General Bruce Drive and 7205, 7305, and 7325 Pegasus Drive.**
- 2. 2012-4543: Z-FY-12-46B: 15.345± acres, a part of the S. Bottsford Survey, Abstract Number 118, Bell County,**

**Texas, located at 7590 North General Bruce Drive and 7405 and 7445 Pegasus Drive.**

**(H) 2012-4544: SECOND READING - Z-FY-12-47: Consider adopting an ordinance authorizing a Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption of more than 50% and less than 75% of the gross revenue for B. Dell's Fire and Ice Grill, on Lot 9, Block 2, Commerce Park Commercial Subdivision, a replat of a portion of Lots 3, 4, 5, & 7, Block 2, Commerce Park Commercial Subdivision, located at 221 S.W. HK Dodgen Loop.**

**(I) 2012-4545: SECOND READING - Z-FY-12-49: Consider adopting an ordinance authorizing an amendment to Ordinance 2010-4413, Temple Unified Development Code, Articles 3,5,7, and 8 of the Unified Development Code to add requirements for Site Plan and establish review procedures and submission standards related to such requirement; clarify language related to requirement for enclosure of Major Vehicle Repair; clarify language related to Access and Circulation standards; add requirement for Curb and Gutter for off-street parking and landscaping; amend required size of subdivision Water and Wastewater Mains; and eliminate developer cost participation requirements on certain streets adjacent to subdivisions.**

**(J) 2012-4546: SECOND READING: Consider adopting an ordinance authorizing amendments to the Tax Increment Financing Reinvestment Zone No. 1 Financing and Project Plans as follows:**

- 1. Appropriating \$65,000 to the Friar's Creek Hike and Bike Trail Project and recognizing \$65,000 in revenue from additional property taxes received in FY 2012.**
- 2. Appropriating \$800,000 to the Bioscience Park Service Road and Utility Extensions Project, \$112,840 in FY 2012 and \$687,160 in FY 2013; recognizing \$112,840 in revenue from additional property taxes received in FY 2012; recognizing \$400,000 in revenue from developer's contribution and reallocating funds from Pepper Creek Trail Extension in the amount of \$287,160 in FY 2013.**
- 3. Appropriating \$30,250 to professional services and recognizing \$30,250 in revenue from contributions from Temple Economic Development Corporation of \$10,000 and from Bioscience District of \$20,250 in FY**



**2012.**

**(K) 2012-6659-R: Consider adopting a resolution authorizing a construction contract with TTG Utilities, LP of Gatesville for the construction of Phase II of the Friar's Creek Hike and Bike Trail, accepting bid elements 1,2,3,4,6,7 rejecting bid elements 5,8 and add alternate A, in the amount of \$1,107,512.50.**

**(L) 2012-6660-R: Consider adopting a resolution authorizing a professional services agreement with Kasberg, Patrick & Associates, LP for professional services required to provide a service road and utility extensions in the Bioscience Park in an amount not to exceed \$112,840.**

**(M) 2012-4547: SECOND READING: Consider adopting an ordinance amending the Drainage Criteria and Design Manual by replacing Section 9 "Sediment and Erosion Control," with a revised section titled "Storm Water Best Management Practices."**

**(N) 2012-6661-R: Consider adopting a resolution establishing a policy that waives permit fees on City-contracted projects.**

**(O) 2012-6662-R: Consider adopting a resolution authorizing the use of the Design-Build project delivery method for the acquisition of services needed to repair the Santa Fe Depot foundation.**

**(P) 2012-6663-R: Consider adopting a resolution authorizing an agreement with Haley & Olson, P.C. to provide legal services to the City of Temple in connection with acquisition of property interests needed for the Northwest Loop 363 Pass-Through Project.**

**(Q) 2012-6664-R: Consider possible action and adoption of a resolution declaring the necessity for acquiring by eminent domain fee simple title to a 0.172 acre tract of property, situated in the Mercer Phelan Survey, Abstract No. 659, Bell County, Texas, and being a part of that certain called Temple Industrial Park Section 24, recorded in Cabinet D Slide 128-D of the Plat Records of Bell County, Texas, and being called 22.148 acres designated in a deed by Jencer Investments, Inc. as Temple Industrial Park Section 24, dated July 13, 2006, and recorded in Volume 6153 Page 472, of the Official Public Records of Real Property of Bell County, Texas, as well as 200.95 linear feet and 1,147.34 linear feet of denial of access lines along road right of way adjacent thereto, for the public use and purpose of expanding and improving Northwest Loop 363 within the city**

limits of the City of Temple, authorizing the City Manager of the City of Temple to make a written initial offer and a bona fide final offer regarding the acquisition of said property interests, and authorizing/ordering proceedings in eminent domain and condemnation of said property interests to proceed if final offer not accepted. The owner of the property is Jencer Investments, Inc. The parcels are numbered 6, 6AC-1, and 6AC-2.

(R) 2012-6665-R: Consider possible action and adoption of a resolution declaring the necessity for acquiring by eminent domain fee simple title to a 0.132 acre tract of property, situated in the R.C. Moore Survey, Abstract No. 581, and the J.W. Moore Survey, Abstract No. 582, Bell County, Texas, being part of Wilsonart International Temple North Campus subdivision, 697.34 linear feet, 165.00 linear feet, and 477.20 linear feet of denial of access lines along road right of way adjacent thereto, for the public use and purpose of expanding and improving Northwest Loop 363 within the city limits of the City of Temple, authorizing the City Manager of the City of Temple to make a written initial offer and a bona fide final offer regarding the acquisition of said property interests, and authorizing/ordering proceedings in eminent domain and condemnation of said property interests to proceed if final offer not accepted. The owner of the property is Wilsonart International, Inc. The parcels are numbered 8, 8AC-1, 8AC-2, and 8AC-3.

(S) 2012-6666-R: Consider possible action and adoption of a resolution declaring the necessity for acquiring by eminent domain fee simple title to a 0.1426 acre tract of property situated in the Mercer Phelan Survey, Abstract No. 659, Bell County, Texas, and being a part of that certain called Lot 1, Block 1, Temple Industrial Park Section 22, recorded in Cabinet C Slide 156-B, as well as 358.77 linear feet and 172.31 linear feet of denial of access lines along road right of way adjacent thereto, for the public use and purposes of expanding and improving Northwest Loop 363 within the City limits of the City of Temple, authorizing the City Manager of the City of Temple to make a written initial offer and a bona fide final offer regarding the acquisition of said property interests, and authorizing/ordering proceedings in eminent domain and condemnation of said property interests to proceed if final offer not accepted. The owner of the property is Temple TX Statutory Trust. The parcels are numbered 4, 4AC-1, and 4AC-2.

(T) 2012-6667-R: Consider possible action and adoption of a resolution declaring the necessity for acquiring by eminent domain 652.22 linear feet of a denial of access line situated in the

**George Givens Survey, Abstract No. 345, and the R.M. Williamson Survey, Abstract No. 905, of Bell County, Texas, for the public use and purposes of expanding and improving Northwest Loop 363 within the City of Temple, authorizing the City Manager of the City of Temple to make a written initial offer and a bona fide offer regarding the acquisition of said denial of access line, and authorizing/ordering proceedings in eminent domain and condemnation of said denial of access line to proceed if final offer not accepted. The property is located along the west side of NW HK Dodgen Loop (Loop 363) south of SH 36/53 Airport Road. The owner of the property is Lloyd Thomas, Trustee. The parcel is numbered 23AC.**

**(U) 2012-6668-R: Consider possible action and adoption of a resolution declaring the necessity for acquiring by eminent domain fee simple title to a 0.035 acre tract of property, situated in the J.W. Moore Survey, Abstract No. 582, Bell County, Texas, and being described in a deed recorded in Volume 4567, Page 63, of the real property records of Bell County, Texas, for the public use and purpose of expanding and improving Northwest Loop 363 within the city limits of the City of Temple, authorizing the City Manager of the City of Temple to make a written initial offer and a bona fide final offer regarding the acquisition of said property, and authorizing/ordering proceedings in eminent domain and condemnation of said property to proceed if final offer not accepted. The owner of the property is Wilsonart International, Inc. The parcel is numbered 14.**

**(V) 2012-6669-R: Consider adopting a resolution authorizing budget amendments for fiscal Year 2011-2012.**

Motion by Councilmember Perry Cloud adopt resolution approving Consent Agenda with amendend amounts for items#5(F1(a)) to be \$807,690, #5(F2(a)) to be \$717,190; and excluding items #5(Q), #5(R), #5(S), #5(T), #5(U). seconded by Councilmember Judy Morales.

**(Q) 2012-6664-R: Consider possible action and adoption of a resolution declaring the necessity for acquiring by eminent domain fee simple title to a 0.172 acre tract of property, situated in the Mercer Phelan Survey, Abstract No. 659, Bell County, Texas, and being a part of that certain called Temple Industrial Park Section 24, recorded in Cabinet D Slide 128-D of the Plat Records of Bell County, Texas, and being called 22.148 acres designated in a deed by Jencer Investments, Inc. as Temple Industrial Park Section 24, dated July 13, 2006, and recorded in Volume 6153 Page 472, of the Official Public Records of Real Property of Bell County, Texas, as well as 200.95 linear feet and**

**1,147.34 linear feet of denial of access lines along road right of way adjacent thereto, for the public use and purpose of expanding and improving Northwest Loop 363 within the city limits of the City of Temple, authorizing the City Manager of the City of Temple to make a written initial offer and a bona fide final offer regarding the acquisition of said property interests, and authorizing/ordering proceedings in eminent domain and condemnation of said property interests to proceed if final offer not accepted. The owner of the property is Jencer Investments, Inc. The parcels are numbered 6, 6AC-1, and 6AC-2.**

Mr. Graham, stated no action is needed for the items #5(Q), #5(R), #5(S), #5(U) at this time.

**(R) 2012-6665-R: Consider possible action and adoption of a resolution declaring the necessity for acquiring by eminent domain fee simple title to a 0.132 acre tract of property, situated in the R.C. Moore Survey, Abstract No. 581, and the J.W. Moore Survey, Abstract No. 582, Bell County, Texas, being part of Wilsonart International Temple North Campus subdivision, 697.34 linear feet, 165.00 linear feet, and 477.20 linear feet of denial of access lines along road right of way adjacent thereto, for the public use and purpose of expanding and improving Northwest Loop 363 within the city limits of the City of Temple, authorizing the City Manager of the City of Temple to make a written initial offer and a bona fide final offer regarding the acquisition of said property interests, and authorizing/ordering proceedings in eminent domain and condemnation of said property interests to proceed if final offer not accepted. The owner of the property is Wilsonart International, Inc. The parcels are numbered 8, 8AC-1, 8AC-2, and 8AC-3.**

**(S) 2012-6666-R: Consider possible action and adoption of a resolution declaring the necessity for acquiring by eminent domain fee simple title to a 0.1426 acre tract of property situated in the Mercer Phelan Survey, Abstract No. 659, Bell County, Texas, and being a part of that certain called Lot 1, Block 1, Temple Industrial Park Section 22, recorded in Cabinet C Slide 156-B, as well as 358.77 linear feet and 172.31 linear feet of denial of access lines along road right of way adjacent thereto, for the public use and purposes of expanding and improving Northwest Loop 363 within the City limits of the City of Temple, authorizing the City Manager of the City of Temple to make a written initial offer and a bona fide final offer regarding the acquisition of said property interests, and authorizing/ordering proceedings in eminent domain and condemnation of said**

**property interests to proceed if final offer not accepted. The owner of the property is Temple TX Statutory Trust. The parcels are numbered 4, 4AC-1, and 4AC-2.**

**(U) 2012-6668-R: Consider possible action and adoption of a resolution declaring the necessity for acquiring by eminent domain fee simple title to a 0.035 acre tract of property, situated in the J.W. Moore Survey, Abstract No. 582, Bell County, Texas, and being described in a deed recorded in Volume 4567, Page 63, of the real property records of Bell County, Texas, for the public use and purpose of expanding and improving Northwest Loop 363 within the city limits of the City of Temple, authorizing the City Manager of the City of Temple to make a written initial offer and a bona fide final offer regarding the acquisition of said property, and authorizing/ordering proceedings in eminent domain and condemnation of said property to proceed if final offer not accepted. The owner of the property is Wilsonart International, Inc. The parcel is numbered 14.**

**(T) 2012-6667-R: Consider possible action and adoption of a resolution declaring the necessity for acquiring by eminent domain 652.22 linear feet of a denial of access line situated in the George Givens Survey, Abstract No. 345, and the R.M. Williamson Survey, Abstract No. 905, of Bell County, Texas, for the public use and purposes of expanding and improving Northwest Loop 363 within the City of Temple, authorizing the City Manager of the City of Temple to make a written initial offer and a bona fide offer regarding the acquisition of said denial of access line, and authorizing/ordering proceedings in eminent domain and condemnation of said denial of access line to proceed if final offer not accepted. The property is located along the west side of NW HK Dodgen Loop (Loop 363) south of SH 36/53 Airport Road. The owner of the property is Lloyd Thomas, Trustee. The parcel is numbered 23AC.**

Motion by Councilmember Perry Cloud I move that Resolution No. 2012-6667-R be adopted and that the City of Temple be authorized to use the power of eminent domain to acquire 652.22 linear feet of access denial line situated in the George Givens Survey, Abstract No. 345, and the R.M. Williamson Survey, Abstract No. 905, of Bell County, Texas, also described in Exhibit "A", for the public use and purpose of expanding and improving Northwest Loop 363 within the city limits of the City of Temple, Texas. seconded by Councilmember Judy Morales.

## V. REGULAR AGENDA

### ORDINANCES

6. **2012-4548: FIRST READING - PUBLIC HEARING -Z-FY-12-45: Consider adopting an ordinance authorizing a rezoning from Agricultural District (AG) to Urban Estates District (UE) on 6.196 ± acres of land, situated in the S.P. Terry Survey, Abstract No. 812, Bell County, Texas, located north of the intersection of Rocky Lane and King's Cove.**

Autumn Speer, Director of Community Services presented this case to the Council. This is for a rezoning of 6.19 acres AG - UE District. The applicant is Brad Dusek wishes to development of estate lots of .7-1.0 acres. Ms. Speer provided several photos of the surrounding area for Council. There are no trails or sidewalks required for project. It proposed request meets the Future Land Use Map and Comprehensive Plan. There is an 8" water line serving the property, but sewer is not available. The size meets requirements for Bell County and septic systems. She reviewed the allowed uses in Urban Estates. Four notices were mailed out with two returned in opposition. This case was heard by Planning and Zoning at its July 2, 2012 meeting and voted 9/0 in favor. Staff also recommends approval.

Mayor Jones declared the public hearing open with regards to agenda item 6 and asked if anyone wished to addresses this item. There being none, Mayor Jones declared the public hearing closed.

Motion by Councilmember Russell Schneider adopt ordinance, with second and final adotion set for August 2, 2012. seconded by Mayor Pro Tem Danny Dunn.

### RESOLUTIONS

7. **2012-6670-R: Consider adopting a resolution accepting The Temple Reinvestment Zone #1 Downtown Rail Safety Zone Report, dated October 2011, and directing Staff to proceed with implementation of the report.**

Nicole Torralva, Director of Public Works presented this item to the Council. In March 2011 the Reinvestment Zone commissioned KPA to develop options and alternatives to create rail and safety zones allowing trains to operate without the use of horns. This report was delivered to the RZ Board in October 2011 and the total estimated cost for all the work was

\$433,665 of which the RZ Board recommended full implementation of the report. The crossing identified in the report were MLK, Main Street, and South 1st Street. This was received by Council at their June workshop. Ms. Torralva reviewed each area with the Council. Crossing #1 (MLK) recommends installation of supplemental safety measures with an estimated cost of \$132,000; crossing #2 (Main Street) recommends installation of supplemental safety measures with an estimated cost of \$41,650; and crossing #3 (South 1st Street) recommends closing existing crossing with an estimated cost of \$123,500.

Councilmember Schneider asked if the pavers were included in the cost for crossing #2.

David Patrick, KPA stated the cost only includes the intersection itself.

Mayor Pro Tem Dunn stated there are many concerns throughout the community. Would like to accept the plan but not implement at this time.

Mayor Jones added we will ask staff for more information. This will allow us to speak with those that have concerns in the community.

Councilmember Schneider would like to clarify that whistles will still be heard in the downtown area, and reiterated that this is for safety reasons.

Motion by Mayor Pro Tem Danny Dunn adopt resolution accepting the report and defer implementation of study at this time. seconded by Councilmember Judy Morales.

## **BOARD APPOINTMENTS**

### **8. 2012-6671-R: Consider adopting resolutions for the following City boards and commissions:**

**(A) Parks and Leisure Services Advisory Board - one member to fill an unexpired term through March 1, 2015.**

Fabian Gomez to fill the unexpired term through March 1, 2015 to the Parks and Leisure Services Advisory Board.

**(B) Temple Public Safety Advisory Board - one member to fill an unexpired term through September 1, 2013.**

Karl Kolbe to fill the unexpired term through September 1, 2013 to the Temple Public Safety Advisory Board.

**(C) Temple Economic Development Corporation - one member to fill an unexpired term through September 1, 2012.**

Mike Thompson to fill the unexpired term through September 1, 2012 to the Temple Economic Development Corporation.

Motion by Councilmember Perry Cloud appoint as recommended seconded by Councilmember Judy Morales.

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William A. Jones, III, Mayor

ATTEST:

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Lacy Borgeson  
City Secretary





## COUNCIL AGENDA ITEM MEMORANDUM

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08/02/12  
Item #5(C)  
Consent Agenda  
Page 1 of 2

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

Nicole Torralva, P.E., Director of Public Works  
Kenny Henderson, Director of Street and Drainage Services

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a construction contract for the base bid and bid alternate #1 with TTG Utilities, LP, of Gatesville for the construction of sidewalks on South 1<sup>st</sup> Street in the amount of \$220,999.60.

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

**ITEM SUMMARY:** The CPMP Annual Action Plan reflects the City of Temple's funding priorities and identifies projects for neighborhood revitalization, public improvements, and public service activities. The associated funds enhance the City of Temple's community development programs supporting safe, well planned residential and business districts. CDBG financed projects respond to the most urgent needs of limited income residents.

For more than 30 years, the CDBG program has been assisting metropolitan cities and urban counties across this country to fund their community and economic development activities. The City of Temple is one of 76 entitlement communities located in the State of Texas.

This project has been identified as the South 1<sup>st</sup> Street Sidewalk Improvements Project in the 2012 CDBG Annual Action Plan. Project limits for these improvements are along South 1<sup>st</sup> Street within the boundaries of Avenue F to Avenue M and will include new pedestrian flatwork and handicap accessibility improvements, access driveway reconfiguration, and landscaping. Construction of the first phase of the project includes new sidewalk on the west side of South 1<sup>st</sup> Street from West Avenue M to West Avenue J making the entire length ADA accessible

On July 3, 2012, the City of Temple received one (1) bid on this sidewalk project. TTG Utilities, LP, submitted the lone bid with a base bid cost of \$131,665, taking the project from West Avenue M north to West Avenue K. Three add alternates were also accepted extending work to the north. Alternate bids with associated costs were included as follows:

- Alternate #1 – West Avenue K to West Avenue J in the amount of \$89,334.60
- Alternate #2 – West Avenue J to West Avenue I in the amount of \$107,382.50
- Alternate #3 – West Avenue I to West Avenue H in the amount of \$148,293.10

The City of Temple has worked with TTG Utilities in the past and found them to be a responsible contractor. Per the attached letter of recommendation, the consultant and City Staff recommend that the base bid and bid alternate #1 be constructed at this time based on the funds that are available in the CDBG program.

**FISCAL IMPACT:** \$232,828 of Community Development Block Grant (CDBG) funds is available in account 260-6100-571-6315 project # 100623, Sidewalk/Curb/Gutter.

**ATTACHMENTS:**

[Engineer's Letter of Recommendation](#)  
[Project Map](#)  
[Bid Tabulation](#)  
[Resolution](#)



215 North Main Street  
Temple, Texas 76501  
(254) 899-0899  
Fax (254) 899-0901  
[www.clark-fuller.com](http://www.clark-fuller.com)  
Firm Registration No: F-10384

July 9, 2012

City of Temple  
Don Bond, P.E.  
3210 E. Ave H, Bldg A  
Temple, Texas 76501

Re: City of Temple - C.D.B.G. South First Street Sidewalk Improvements

Dear Mr. Bond,

We have reviewed the bids for the above referenced project. TTG Utilities, LP submitted a Base Bid (\$131,665.00) with a Bid Alternate 1 (\$89,334.60) totaling \$220,999.60. In addition, TTG Utilities, LP submitted a Bid Alternate 2 totaling \$107,382.50 and a Bid Alternate 3 totaling \$148,293.10. *Please see the enclosed Bid Tabulation Sheet and Bid Schedule Breakout for detailed information.*

The initial construction budget for the present year is \$233,000.00 and the engineer's final opinion of probable cost to construct both the Base Bid with Bid Alternate 1 was \$219,201.50.

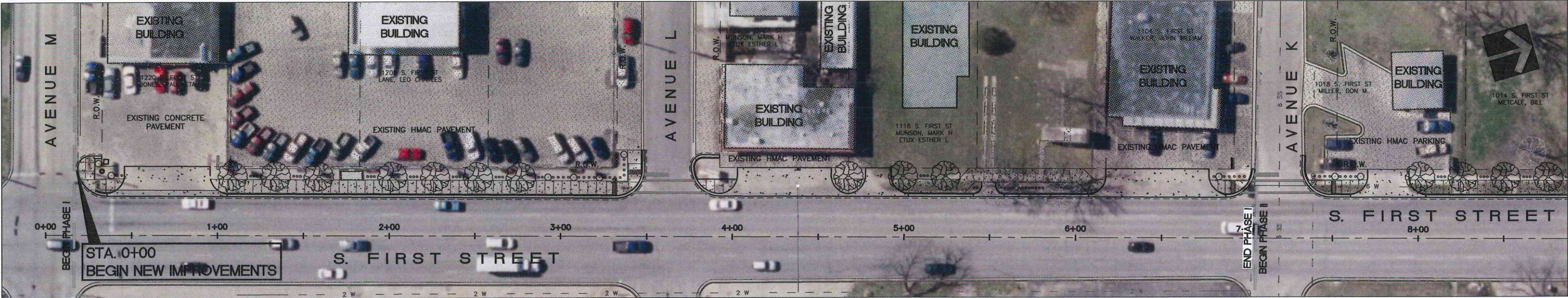
We are recommending that you award the Base Bid and Bid Alternate 1, excluding Bid Alternates 2 and 3 to TTG Utilities, LP. We believe, through personal experience, that TTG Utilities, LP is qualified and is capable of providing the C.D.B.G. South First Street Sidewalk Improvements as required in this project.

We believe that TTG Utilities, LP is a proven company with many successfully completed projects and we look forward to working with them on this project.

Sincerely,

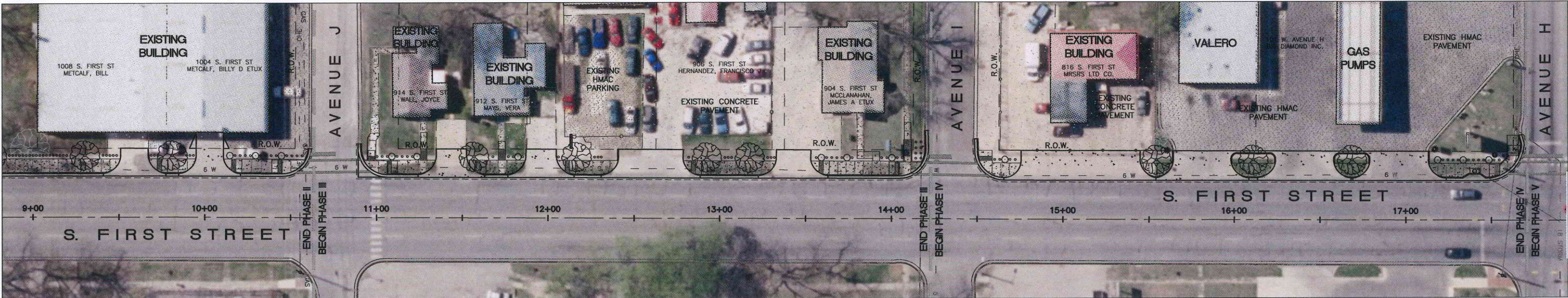
Monty Clark, P.E., CPESC





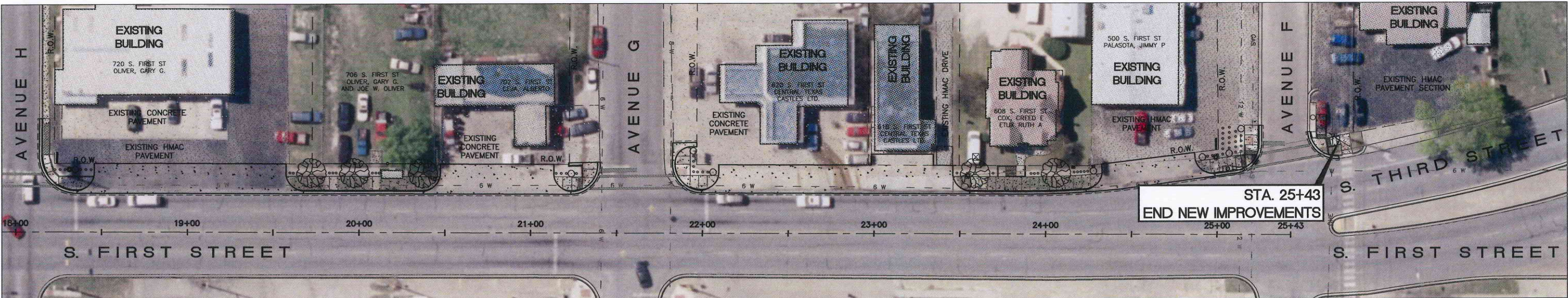
PHASE I  
STA. 0+16.58 - 7+05.58

PHASE II  
STA. 7+05.58 - 10+63.46

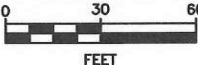


PHASE III  
STA. 10+63.46 - 14+22.88

PHASE IV  
STA. 14+22.88 - 17+70.70



PHASE V  
STA. 17+70.70 - END



Date: Revisions Remarks:

**DRAWING STATUS**

THESE DRAWINGS WERE PREPARED UNDER THE AUTHORITY OF THE CITY OF TEMPLE, TEXAS, AND ARE NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN CONSENT OF THE CITY OF TEMPLE, TEXAS.

FOR REVIEW ONLY: ☐ FOR BIDDING: ☐ FOR CONSTRUCTION: ☒ FOR FINAL: ☐

**CITY OF TEMPLE**  
2012 C.D.B.G.  
S. FIRST STREET -  
NEW SIDEWALK IMPROVEMENTS  
TEMPLE, TEXAS

5-18-12

**CLARK & FULLER**  
CIVIL ENGINEERING • DESIGN • PLANNING  
215 North Main Street, Temple, TX 76701  
254-892-0899 www.clark-fuller.com F-10384

**PROJECT SITE PHASING PLAN**

Project No: 101216.00  
Plot Date: 5-18-12  
Designed By: MLC  
Drawn By: DGR

**C3.1**



# Bid Tabulation Sheet

## C.D.B.G. South First Street Sidewalk Improvements

Bid Date: July 3, 2012

	Base Bid			TTG Utilities, LP	
No.	Item Description	Est. Quan.	UOM	Unit Price	Total Cost
Base Bid					
1	Site R.O.W. Preparation & Clearing	7	STA	\$ 530.00	\$ 3,710.00
2	Mobilization, Bonds, Permits, & Insurance	100%	LS	\$ 1,500.00	\$ 1,500.00
3	Provide Miscellaneous Demolition	100%	LS	\$ 7,370.00	\$ 7,370.00
4	Remove & Relocate Existing Traffic Signal Pole	1	EA	\$ 6,500.00	\$ 6,500.00
5	Remove & Relocate Existing Commercial Sign	2	EA	\$ 2,450.00	\$ 4,900.00
6	Remove & Relocate Existing Water Meter & Service	1	EA	\$ 865.00	\$ 865.00
7	Provide New Reinforced Concrete Pavement Section	208	SY	\$ 78.50	\$ 16,328.00
8	Provide New HMAc Pavement Section	170	SY	\$ 37.00	\$ 6,290.00
9	Provide New Concrete Flatwork Section	226	SY	\$ 55.00	\$ 12,430.00
10	Provide New Concrete Curb and Gutter	542	LF	\$ 25.00	\$ 13,550.00
11	Provide New Handicap Curb Ramp	3	EA	\$ 1,050.00	\$ 3,150.00
12	Provide New 4" Schedule 40 PVC Utility Sleeves	532	LF	\$ 21.00	\$ 11,172.00
13	Provide New Landscaping	100%	LS	\$ 24,200.00	\$ 24,200.00
14	Provide New Irrigation	100%	LS	\$ 13,000.00	\$ 13,000.00
15	Provide New Street and Pedestrian Signage & Striping	100%	LS	\$ 1,350.00	\$ 1,350.00
16	Provide New Traffic Control Plan & Implementation	100%	LS	\$ 5,350.00	\$ 5,350.00
Total Base Bid					
C.D.B.G. Avenue G Sidewalk Improvements					\$ 131,665.00
Bid Alternate #1 Phase II Improvements					
17	Site R.O.W. Preparation & Clearing	3	STA	\$ 480.00	\$ 1,440.00
18	Mobilization, Bonds, Permits, & Insurance	100%	LS	\$ 823.10	\$ 823.10
19	Provide Miscellaneous Demolition	100%	LS	\$ 7,400.00	\$ 7,400.00
20	Provide New Reinforced Concrete Pavement Section	143	SY	\$ 78.50	\$ 11,225.50
21	Saw Cut, Remove, and Replace Existing HMAc Pavement Section	80	SY	\$ 37.00	\$ 2,960.00
22	Provide New Concrete Flatwork Section	227	SY	\$ 55.00	\$ 12,485.00
23	Provide New Concrete Curb and Gutter	367	LF	\$ 25.00	\$ 9,175.00
24	Provide New Handicap Curb Ramp	4	EA	\$ 1,050.00	\$ 4,200.00
25	Provide New Schedule 40 PVC Utility Sleeves	206	LF	\$ 21.00	\$ 4,326.00
26	Provide New Landscaping	100%	LS	\$ 16,900.00	\$ 16,900.00
27	Provide New Irrigation	100%	LS	\$ 11,700.00	\$ 11,700.00
28	Provide New Street and Pedestrian Signage & Striping	100%	LS	\$ 1,350.00	\$ 1,350.00
29	Provide New Traffic Control Plan & Implementation	100%	LS	\$ 5,350.00	\$ 5,350.00
Total Phase - Bid Alternate #1					
C.D.B.G. Avenue G Sidewalk Improvements					\$ 89,334.60
Bid Alternate #2 Phase III Improvements					
30	Site R.O.W. Preparation & Clearing	4	STA	\$ 530.00	\$ 2,120.00
31	Mobilization, Bonds, Permits, & Insurance	100%	LS	\$ 1,500.00	\$ 1,500.00
32	Provide Miscellaneous Demolition	100%	LS	\$ 7,500.00	\$ 7,500.00
33	Remove & Relocate Existing Commercial Sign	1	EA	\$ 2,550.00	\$ 2,550.00
34	Provide New Reinforced Concrete Pavement Section	215	SY	\$ 78.50	\$ 16,877.50
35	Saw Cut, Remove, and Replace Existing HMAc Pavement Section	98	SY	\$ 37.00	\$ 3,626.00
36	Provide New Concrete Flatwork Section	228	SY	\$ 55.00	\$ 12,540.00
37	Provide New Concrete Curb and Gutter	373	LF	\$ 25.00	\$ 9,325.00
38	Provide New Handicap Curb Ramp	10	EA	\$ 1,050.00	\$ 10,500.00
39	Provide New 4" Schedule 40 PVC Utility Sleeves	464	LF	\$ 21.00	\$ 9,744.00
40	Provide New Landscaping	100%	LS	\$ 12,500.00	\$ 12,500.00
41	Provide New Irrigation	100%	LS	\$ 11,750.00	\$ 11,750.00
42	Provide New Street & Pedestrian Signage & Striping	100%	LS	\$ 1,350.00	\$ 1,350.00
43	Provide & Implement a Traffic Control Plan	100%	LS	\$ 5,500.00	\$ 5,500.00
Total Phase - Bid Alternate #2					
C.D.B.G. Avenue G Sidewalk Improvements					\$ 107,382.50
Bid Alternate #3 Phase IV Improvements					
44	Site R.O.W. Preparation & Clearing	4	STA	\$ 530.00	\$ 2,120.00
45	Mobilization, Bonds, Permits, & Insurance	100%	LS	\$ 823.10	\$ 823.10
46	Provide Miscellaneous Demolition	100%	LS	\$ 11,075.00	\$ 11,075.00
47	Remove & Relocate Existing Traffic Signal Pole	1	EA	\$ 6,500.00	\$ 6,500.00
48	Provide New Reinforced Concrete Pavement Section	370	SY	\$ 78.50	\$ 29,045.00
49	Saw Cut, Remove, and Replace Existing HMAc Pavement Section	80	SY	\$ 37.00	\$ 2,960.00
50	Provide New Concrete Flatwork Section	121	SY	\$ 55.00	\$ 6,655.00
51	Provide New Concrete Curb and Gutter	257	LF	\$ 25.00	\$ 6,425.00
52	Provide New Handicap Curb Ramp	3	EA	\$ 2,200.00	\$ 6,600.00
53	Provide New 5' Precast Storm Inlet	1	EA	\$ 3,150.00	\$ 3,150.00
54	Provide New 15" RCP Storm Sewer	10	LF	\$ 105.00	\$ 1,050.00
55	Provide New Connection to Existing Storm Sewer	1	EA	\$ 450.00	\$ 450.00
56	Provide New 4" Schedule 40 PVC Utility Sleeves	480	LF	\$ 21.00	\$ 10,080.00
57	Provide New Chain Link Fencing	95	LF	\$ 40.00	\$ 3,800.00
58	Provide New Rolling Gates	2	EA	\$ 2,550.00	\$ 5,100.00
59	Provide New Landscaping	100%	LS	\$ 22,260.00	\$ 22,260.00
60	Provide New Irrigation	100%	LS	\$ 19,500.00	\$ 19,500.00
61	Provide New Pedestrian and Traffic Signage & Striping	100%	LS	\$ 5,200.00	\$ 5,200.00
62	Provide New Traffic Control Plan & Implementation	100%	LS	\$ 5,500.00	\$ 5,500.00
Total Phase - Bid Alternate #3					
C.D.B.G. Avenue G Sidewalk Improvements					\$ 148,293.10
Total Base Bid & Bid Alternates 1, 2, & 3					\$ 476,675.20

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONSTRUCTION CONTRACT WITH TTG UTILITIES, LP, OF GATESVILLE, TEXAS, FOR THE CONSTRUCTION OF SIDEWALKS ON SOUTH 1<sup>ST</sup> STREET; IN AN AMOUNT NOT TO EXCEED \$220,999.60; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas,** the CPMP Annual Action Plan reflects the City of Temple's funding priorities and identifies projects for neighborhood revitalization, public improvements, and public service activities;

**Whereas,** for more than 30 years, the CDBG program has been assisting metropolitan cities and urban counties across the country to fund their community and economic development activities and the City of Temple is one of 76 entitlement communities located within the State of Texas;

**Whereas,** this project was identified in the 2012 CDBG Annual Action Plan and project limits for these improvements are along south 1<sup>st</sup> Street within the boundaries of Avenue F to Avenue M and will include new pedestrian flatwork and handicap accessibility improvements, access driveway reconfiguration, and landscaping;

**Whereas,** on July 3, 2012, the City of Temple received one bid on this project, taking the project from West Avenue M north to West Avenue K, and three add alternate bids were also accepted extending the work to the north - Staff recommends accepting the bid (\$220,999.60) received from TTG Utilities, LP, of Gatesville, Texas for this project;

**Whereas,** funds are available for this project in Account No. 260-6100-571-6315, Project No. 100623; and

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

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

**Part 1:** The City Council authorizes the City Manager, or his designee, to execute a construction contract, not to exceed \$220,999.60, with TTG Utilities, LP, of Gatesville, Texas, after approval as to form by the City Attorney, for construction of the construction of sidewalks on South 1<sup>st</sup> Street.

**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 **August**, 2012.

THE CITY OF TEMPLE, TEXAS

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WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Jonathan Graham  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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08/02/12  
Item #5(D)  
Consent Agenda  
Page 1 of 2

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

Kim Foutz, Assistant City Manager

**ITEM DESCRIPTION:** Consider adopting a resolution recommending approval of the proposed design of the I-35 Gateway Monument; requesting installation of the monument within the operational highway right-of-way; and authorizing the City Manager to enter into a Gateway Monument Agreement with the Texas Department of Transportation to permit enhancement of transportation facilities by the City of Temple.

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

**ITEM SUMMARY:** Due to I-35 construction activity, the existing city entry sign and associated landscaping will be demolished because of its current location. A new city entry gateway sign is proposed on the west side and northern section of I-35 in Temple close to the existing gateway sign location. The monument design is subject to TXDOT and the Federal Highway Administration approval. TXDOT will consider the following factors in determining whether a gateway monument sign design will be approved: location, potential for motorist distraction, accessibility for maintenance, aesthetics, community support, and maintainability. TXDOT will bid and construct the improvements in conjunction with their reconstruction of IH-35 from Loop 363 to the City of Troy.

In accordance with TXDOT procedures, the City must pass a Resolution recommending approval of the proposed design of the Gateway Monument and requesting installation within the operational highway right-of-way. The City must also enter into a Gateway Monument Agreement with TxDOT.

The Gateway Monument Agreement and City Resolution will include the following provisions:

- Jurisdiction over the area of the project site
- Approval of the Gateway Monument content
- Funding responsibilities
- Commitment to ensure City maintenance of the Gateway Monument (and any associated landscaping and/or lighting), including timely graffiti removal, repair, and removal (or restoration) as needed. Maintenance access will also be stipulated.
- Proposed schedule for commencing and completing project installation
- Coordination and resolution of any utility issues
- Provision for removal, if necessary



- Approval of design and placement

The agreement must be fully executed by both TxDOT and the City prior to commencement of any construction associated with the project.

**FISCAL IMPACT:** The design for this project is funded through the Reinvestment Zone No. 1. Final scope for construction has yet to be determined. Funding sources for construction will include current Keep Temple Beautiful Governor's Award, TxDOT reimbursements and future Keep Temple Beautiful fundraising events. Approval of this item does not commit any city funds for construction.

**ATTACHMENTS:**

[Design Proposal and Location Map](#)

[Program Guidelines](#)

[Resolution](#)

# I-35 GATEWAY SIGN CONCEPT



INTERSTATE 35 GATEWAY SIGN



Moody Design

Curved Sign | 1

This document is released for  
 the purpose of public review  
 and comment only. It is not  
 to be used for construction,  
 bidding or permit  
 purposes.  
 May 2013  
 R. David Patrick, P.E. 82538

INTERSTATE 35 AND  
 NORTH 5TH AVE. GATEWAY LOOP MK  
 PROPOSED IH-35  
 GATEWAY ENTRANCE SIGN  
 LOCATION MAP

K&A  
 CONSULTING & ASSOCIATES, L.P.  
 2700 DOWNTOWN DRIVE, SUITE 100  
 DALLAS, TEXAS 75201

DATE	BY	APP	REVISION
05/13	RP	RP	ISSUED

Scale: 1" = 100'  
 North Arrow

# Gateway Monument Program Guidelines

## General

Integration of the transportation system to reflect community values may be achieved through enhancements that include Gateway Monuments. This program provides a method for the Texas Department of Transportation (TxDOT) to permit enhancement of transportation facilities by local entities.

A Gateway Monument is defined as any freestanding structure, nonintegral or nonrequired highway feature that will communicate the name of a city, county, or town (Local Entity) within TxDOT right of way. A Gateway Monument may include the name of the Local Entity and/or the officially adopted seal. The approval of a Gateway Monument proposal shall be made with due consideration to safety (location, potential for motorist distraction, accessibility for maintenance, etc.), aesthetics, community support, and maintainability. Proposals for the placement of Gateway Monuments must comply with these guidelines.

Gateway Monuments differ from aesthetic treatments incorporated into engineered highway features (sound walls, retaining walls, or other highway features).

## Guidance

Local Entities often desire transportation facilities to provide identification and a favorable image of the communities in which they are located. TxDOT encourages and promotes enrichment of the cultural and visual environment for transportation system users and local communities by facilitating and coordinating the integration of Gateway Monuments within the operational highway right-of-way, through the Gateway Monument Agreement process.

Gateway Monuments are to be solely funded and maintained by a Local Entity. TxDOT will collaborate with the responsible Local Entity supporting the proposed Gateway Monument.

Gateway Monuments are discretionary features within the transportation corridor. Only one Gateway Monument will be allowed per State route in each direction into a town. The incorporation of a Gateway Monument will be evaluated for its potential for creating a distraction to motorists. TxDOT retains sole discretion for determining the location, appropriate size, content, colors, and other elements of the Gateway Monument. TxDOT shall have responsibility for approval of all Gateway Monuments on the State highway system and in addition, the Federal Highway Administration (FHWA) must approve Gateway Monuments on the interstate system.

Gateway Monuments shall be located beyond the clear recovery zone or otherwise placed to minimize the likelihood of being struck by an errant vehicle.

Other improvements such as landscaping or accent lighting may be considered in conjunction with the Gateway Monument proposal. Any improvements will be the responsibility of the Local Entity. TxDOT will collaborate with the Local Entity for appropriateness of the Gateway Monument proposal in context with existing, proposed, and future improvements.

## **Review/Approval Process**

Gateway Monument submittals shall be reviewed with primary considerations to safety (location), appropriateness, aesthetics and access for maintenance purposes.

The Local Entity shall submit a Gateway Monument proposal to the District Engineer. The District Engineer has approval authority for these proposals. If the Gateway Monument is proposed for the interstate facility, the District shall coordinate with the Maintenance Division for additional processing and FHWA review and approval.

The Gateway Monument Agreement must be fully executed by both TxDOT and the Local Entity prior to the commencement of any construction associated with the project.

## **Financial Responsibilities**

All costs for proposed Gateway Monument design, construction, access for maintenance, maintenance, and if required, removal of the Gateway Monument shall be the responsibility of the Local Entity and stipulated in detail within the Preliminary and Final Gateway Monument submittals.

The Gateway Monument Agreement shall stipulate that the Local Entity shall hold harmless, indemnify, and defend the State against any action associated with a Gateway Monument. TxDOT will assume the administrative costs associated with Gateway Monument proposal reviews, and developing, issuing, and monitoring the Gateway Monument Agreement for approved Gateway Monument projects. All other costs, including labor, materials, supplies, and traffic control (if required) for design, engineering, testing, construction, installation, maintenance, and removal of the Gateway Monument shall be the responsibility of the Local Entity. Coordination and resolution of any utility issues will be the responsibility of the Local Entity.

## **Maintenance**

The Local Entity shall be required to provide for regularly scheduled maintenance, as described in the Gateway Monument Agreement, for its projected lifespan. Maintenance shall include, but not be limited to, restoration work to maintain the integrity of the approved Gateway Monument, maintenance of any associated landscaping or lighting and graffiti removal. Gateway Monuments shall be kept clean, free of graffiti, and in good repair. Graffiti removal shall conform to current TxDOT policies and guidelines, which require prompt removal of offensive messages and timely removal of all other graffiti.

Maintenance access shall be as stipulated by TxDOT in the Gateway Monument Agreement and should be provided from outside the highway right-of-way, wherever possible. For projects located on interstate highways, access shall not be from the mainlanes. Maintenance practices shall protect air and water quality as required by federal and state law.

## **Removal**

The Local Entity shall remove Gateway Monuments, which in the opinion of TxDOT create safety or operational concern due to deterioration or inadequate maintenance. TxDOT will notify the Local Entity when it has determined that the Gateway Monument requires special attention. In the event the Local Entity fails to maintain, repair, rehabilitate, or remove the Gateway Monument in a timely manner, TxDOT may remove the Gateway Monument after 60 days following notification to the Local Entity, and bill the Local Entity for all costs of removal and restoration of the area.

TxDOT reserves the right to remove the Gateway Monument due to construction, rehabilitation, or other necessary activities affecting the transportation facilities without any obligation, compensation to, or approval of the Local Entity. TxDOT will strive to notify the Local Entity of its intent to remove the Gateway Monument to allow for timely removal and salvage by the Local Entity (if possible).

TxDOT reserves the right to remove or alter any Gateway Monument that presents an immediate safety hazard to the public without delay or advanced notification to the Local Entity.

### **Design and Placement of Gateway Monuments**

Proposed Gateway Monuments shall:

1. Be freestanding.
2. Feature only the letters of the community name and/or officially adopted seal.
3. Include, if required by TxDOT, approved protective graffiti coatings.
4. Be appropriate to its proposed setting and community context.
5. Be in proper size and scale with its surroundings. The maximum size of the gateway monument face shall not exceed 400 square feet in total. The height shall not exceed 20 feet above existing grade. Monument widths exceeding 20 feet will not be allowed for gateway monuments on the Interstate, although the FHWA may consider waiving this limitation on a case-by-case basis.
6. Be composed of materials that are durable for the projected life span of the project.
7. Be located beyond the clear zone, for both main lane traffic and frontage road traffic.
8. Be located where maintenance can be safely performed, as specified in the Gateway Monument Agreement and in conformance with TxDOT procedures.
9. Be subject to the review and approval of TxDOT in consideration of design, size, and scale for appropriate integration on urban or rural highway features.

Proposed Gateway Monuments shall not:

1. Be allowed within the center median areas of interstate highway right-of-way.
2. Contain religious, political, special interest, private, or commercial messages of any sort, including, but not limited to, symbols, logos, business names, trade names, jingles, or slogans.
3. Contain any displays of any sort, advertising, decorative banners, flags, or flag poles.
4. Display telephone numbers, street addresses, or Internet addresses.
5. Interfere with airspace above the roadway.
6. Create a distraction to the motoring public, for example, the proposed Gateway Monument shall be large enough to interpret at highway speed, but not be so large that it demands attention from the motorist.
7. Include reflective or glaring surface finishes.
8. Include illumination that impairs or distracts the vision of transportation system users. Other lighting may be permitted.
9. Display blinking or intermittent or moving lights, including changeable message signs, digital displays or lighted static displays such as LED. Ground mounted uplights are acceptable.
10. Include moving elements (kinetic art) or simulate movement.
11. Include water features of any sort.
12. Interfere with official traffic control devices nor interfere with the operational right-of-way above the roadway.
13. Be placed within State right-of-way upon trees, or painted or drawn upon rocks or other existing natural features.
14. Make use of or simulate colors or combinations of colors usually reserved for official traffic control devices described in the Texas Manual on Uniform Traffic Control

Devices.

15. Require the removal of trees or other vegetation for visibility, or harm trees during construction. Pruning of tree branches or roots, and removal of shrubs should be avoided.
16. Negatively impact existing highway features, including existing signs, irrigation systems, necessary drainage patterns, and facilities.

### **Submittal Requirements for Gateway Monument Proposals**

A Gateway Monument proposal must be supported by the Local Entity that has jurisdiction in the area where the Gateway Monument will be incorporated. The Local Entity shall issue an adopted resolution or other official document recommending approval of the proposed design of the Gateway Monument and requesting installation within the operational highway right-of-way.

The Local Entity shall provide the Department an adopted resolution or other official documentation that describes the Local Entity's:

1. Jurisdiction over the area of the project site.
2. Approval of the Gateway Monument content.
3. Funding responsibility.
4. Commitment to ensure maintenance of the Gateway Monument (and any associated landscaping and/or lighting), including timely graffiti removal/repair, and removal (or restoration) of the Gateway Monument as needed.
5. Proposed schedule for commencing and completing project installation.

A licensed landscape architect, architect, or professional engineer shall professionally prepare, sign and seal submittals for a Gateway Monument Proposal. Exhibits, plans, and details shall include, but are not limited to the following:

1. A full description of the proposed Gateway Monument, including location, construction, and installation techniques, details necessary to convey construction methods, proposed color scheme, proposed materials, including, but not limited to, paint and protective coatings.
2. Specifications for proposed materials, including material data sheets.
3. A scaled drawing indicating the placement of the proposed Gateway Monument.
4. Elevations and details clearly illustrating and dimensioning the proposal (the Gateway Monument must be aesthetically pleasing on all visible sides).
5. Landscape, irrigation and lighting plans if required.
6. Construction schedule.
7. Cost estimate.
8. Traffic control plans and provisions if required.
9. Proposed maintenance plan and schedule (including proposed access for maintenance purposes).
10. Environmental documentation.

The Local Entity shall adhere to and maintain compliance with departmental rules, regulations, state and federal laws, and any additional requirements TxDOT may apply to the project. If, at any time during the process, TxDOT recommends any changes for a proposal that has not yet received final approval, the proposal may be returned to the Local Entity for revision. Once TxDOT approves a Gateway Monument proposal, no changes shall be made to the Gateway Monument without prior written approval of the District Engineer. For Gateway Monuments located on interstate highways, changes must be submitted to FHWA for approval.

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING THE PROPOSED DESIGN OF THE I-35 GATEWAY MONUMENT, REQUESTING INSTALLATION OF THE MONUMENT WITHIN THE OPERATIONAL HIGHWAY RIGHT-OF-WAY AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A GATEWAY MONUMENT AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION TO PERMIT ENHANCEMENT OF TRANSPORTATION FACILITIES BY THE CITY OF TEMPLE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, due to I-35 construction activity, the existing city entry sign and associated landscaping will be demolished because of its current location;

**Whereas**, the City desires to construct a new monument gateway sign which proposed placement is on the west side and the northern section of I-35 in Temple, close to the existing gateway sign location;

**Whereas**, the City is required to follow TxDOT's Gateway Monument Program Guidelines and to enter into an Agreement meeting the requirements of those guidelines - the City acknowledges that the Texas Department of Transportation has jurisdiction over the area of the project site and that the Gateway Monument content, placement, and design are subject to TxDOT approval and that all costs deemed the responsibility of the City by the State for the Gateway Monument design, construction, access for maintenance, maintenance, and if required, removal shall be the responsibility of the City of Temple;

**Whereas**, the City of Temple commits to ensure maintenance of the Gateway Monument and any associated landscaping and landing, including graffiti removal/repair, and removal or restoration as needed;

**Whereas**, The City commits to adhere to and maintain compliance with departmental rules, regulations, state and federal laws, and any additional requirements TxDOT may apply to the project; 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 agrees to the terms outlined above.

**Part 2:** The City Council authorizes the City Manager, or his designee, to approve the proposed design of the I-35 Gateway Monument, approve the installation of the monument within the operational highway right-of-way, and enter into a Gateway Monument Agreement with the Texas Department of Transportation to permit enhancement of transportation facilities.

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

PASSED AND APPROVED this the **2<sup>nd</sup>** day of **August**, 2012.

THE CITY OF TEMPLE, TEXAS

---

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Jonathan Graham  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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08/02/12  
Item #5(E)  
Consent Agenda  
Page 1 of 1

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

Jonathan Graham, City Attorney

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a renewal lease agreement with the Bell County HELP Center for lease of space in the Public Services Building.

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

**ITEM SUMMARY:** On February 16, 2012, the City Council approved a one year lease agreement with the Bell County HELP Center for lease of 4,917 square feet in the Public Services Building for a monthly rent payment of \$2,704.35. The monthly rent payment was incorrectly stated in the lease agreement. Therefore, a new lease agreement must be signed to reflect the proper lease payment of \$2,684.35. The HELP Center has been paying monthly rent of \$2,684.35 since January 1, 2012 and the new lease agreement will reflect the actual lease payment.

**FISCAL IMPACT:** The correction to the amount of the lease payment is a decrease of \$20 per month. The total lease revenue to be received from the HELP Center rent is \$32,212.20 per year.

**ATTACHMENTS:**

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE RENEWAL OF A LEASE WITH THE BELL COUNTY HELP CENTER FOR LEASE OF SPACE IN THE PUBLIC SERVICES ANNEX; AND PROVIDING AN OPEN MEETINGS CLAUSE.

---

**Whereas,** the Bell County HELP Center has been providing services in the City's Public Service Annex since 1991;

**Whereas,** on February 16, 2012, City Council approved the renewal of a one year lease agreement with the Bell County HELP Center, however the lease reflected an incorrect monthly rent amount – therefore, a new lease agreement must be signed to reflect the correct rent amount of \$2,684.35;

**Whereas,** the HELP Center will continue to be responsible for all utilities, janitorial services, and other daily maintenance; and

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

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

**Part 1:** The City Council authorizes the City Manager, or his designee, to execute a corrected lease agreement between the City of Temple and the Bell County HELP Center, after approval as to form by the City Attorney, for the lease of space in the City's Public Service Annex (old Sears Building) in a corrected monthly amount of \$2,684.35.

**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 **August**, 2012.

THE CITY OF TEMPLE, TEXAS

---

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

---

Jonathan Graham  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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08/02/12  
Item #5(F)  
Consent Agenda  
Page 1 of 1

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

Jonathan Graham, City Attorney

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a three (3) year lease agreement with Central Texas Workforce Board for lease of space in the Public Services Building.

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

**ITEM SUMMARY:** The Central Texas Workforce Board has requested to lease approximately 16,721 sq. ft. of office space in the Public Services Building at 102 East Central Avenue. Pursuant to the lease, the Central Texas Workforce Board will be responsible for all utilities, janitorial services, and other daily maintenance as set forth in the Lease Agreement. This is an “as-is” lease since the City will not be making any adjustments or upgrades to the space. The rent will be \$0.60 per square foot or \$10,032.60 per month.

**FISCAL IMPACT:** Total anticipated Central Texas Workforce Board rent is \$120,391.20 per year.

**ATTACHMENTS:**

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A THREE YEAR LEASE AGREEMENT WITH CENTRAL TEXAS WORKFORCE BOARD IN THE PUBLIC SERVICES ANNEX; AND PROVIDING AN OPEN MEETINGS CLAUSE.

---

**Whereas,** the Central Texas Workforce Board has requested to lease approximately 16,721 sq. ft. of office space in the Public Services Building at 102 East Central Avenue;

**Whereas,** the Central Texas Workforce Board will be responsible for all utilities, janitorial services, and other daily maintenance, as set forth in the Lease Agreement;

**Whereas,** this is an 'as-is' lease since the City will not be making any adjustments or upgrades to the space - tenant will pay \$0.60 per sq. ft. or \$10,032.60 per month or \$120,391.20 per year; and

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

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

**Part 1:** The City Council authorizes the City Manager, or his designee, to execute a three year lease agreement between the City of Temple and the Central Texas Workforce Board, after approval as to form by the City Attorney, for the lease of approximately 16,721 sq. ft. of space in the City's Public Service Annex located at 102 East Central.

**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 **August**, 2012.

THE CITY OF TEMPLE, TEXAS

---

WILLIAM A. JONES, III, Mayor

ATTEST:

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Lacy Borgeson  
City Secretary

APPROVED AS TO FORM:

---

Jonathan Graham  
City Attorney



## CITY COUNCIL ITEM MEMORANDUM

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08/02/12  
Item #5(G)  
Consent Agenda  
Page 1 of 5

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

Autumn Speer, Director of Community Services

**ITEM DESCRIPTION:** SECOND READING -Z-FY-12-45: Consider adopting an ordinance authorizing a rezoning from Agricultural District (AG) to Urban Estates District (UE) on 6.196 ± acres of land, situated in the S.P. Terry Survey, Abstract No. 812, Bell County, Texas, located north of the intersection of Rocky Lane and King's Cove.

**PLANNING AND ZONING COMMISSION RECOMMENDATION:** At its July 2, 2012 meeting, the Planning and Zoning Commission voted 5/0 to recommend approval of a rezoning from AG to UE.

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



Staff recommends approval of a rezoning from AG to UE for the following reasons:



1. The request complies with the Future Land Use and Character Map;
2. The request complies with the Thoroughfare Plan; and
3. A combination of public and private facilities will be available to subject property.

**ITEM SUMMARY:** The developer requests this rezoning to allow development of larger sized residential lots. Once City Council renders a decision on this rezoning request, the developer will proceed with the platting process for the subject property.

**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	AG	Undeveloped Land	
Subject Property	AG	Undeveloped Land	
North	NA	Lake	Lake only

Direction	Zoning	Current Land Use	Photo
South	AG	Single Family Residential	
South	AG	Single Family Residential	
East	AG	Lake	Lake only
West	AG	Vacant	NA

**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 (FLUP)	The subject property is Estate Residential with Estate Residential in all directions	Y
CP	Map 5.2 - Thoroughfare Plan	Proposed access will be a local street. Local streets are not shown on the Thoroughfare Plan	Y
CP	Goal 4.1 - Growth and development patterns should be consistent with the City's infrastructure and public service capacities	Water lines are located along Eagles Landing and a portion of Kings Cove. Water will be extended to the site via these lines. Wastewater is not available at this time. It is anticipated that these properties will be provided wastewater through on-site septic systems as development occurs.	Y
STP	Temple Trails Master Plan Map & sidewalks	The Plan does not reflect a trail in or surrounding the subject property.	Y

CP = Comprehensive Plan      STP = Sidewalk and Trails Plan

**DEVELOPMENT REGULATIONS:** The purpose of the Urban Estate zoning district permits single-family detached residences and related accessory uses and accommodates large lot single-family residential developments. This district is suitable for estate development or areas in which it is desirable to permit only low-density development. Developments should typically be rural in character and well buffered from more intensely developed uses.

Typical allowed uses include: single family detached dwelling, industrialized housing, cemetery, child care (with CUP), institutions, and utilities. Typical prohibited uses include manufactured home subdivisions, multi-family, patio home, single family attached dwelling, two-family dwelling and most nonresidential development.

UE Urban Estate	Minimum Standards
Min. Lot Area (sq. ft.)	22,500
Min. Lot Width (ft.)	80
Min. Lot Depth (ft.)	125
Max. Height (stories)	3 stories
Min. Yard (ft)	
Front	30'
Side	15' (street side) and 15' (interior)
Rear	10'

**PUBLIC NOTICE:** 4 notices of the Planning and Zoning Commission public hearing were sent out to property owners within 200-feet of the subject property as required by State law and City Ordinance. As of Wednesday, June 27 at 12:00 PM, no notices were returned in favor of and no notices were returned in opposition to the request.

The newspaper printed notice of the Planning and Zoning Commission public hearing on June 21, 2012, in accordance with state law and local ordinance.

**FISCAL IMPACT:** Not Applicable

**ATTACHMENTS:**

[Zoning and Location Map](#)  
[Future Land Use and Character Map](#)  
[Notice Map](#)  
[Thoroughfare, Sidewalk, and Trails Plan Map](#)  
[Utility & Thoroughfare Plan Map](#)  
[Notice Responses](#)  
[Excerpts](#)  
[Ordinance](#)



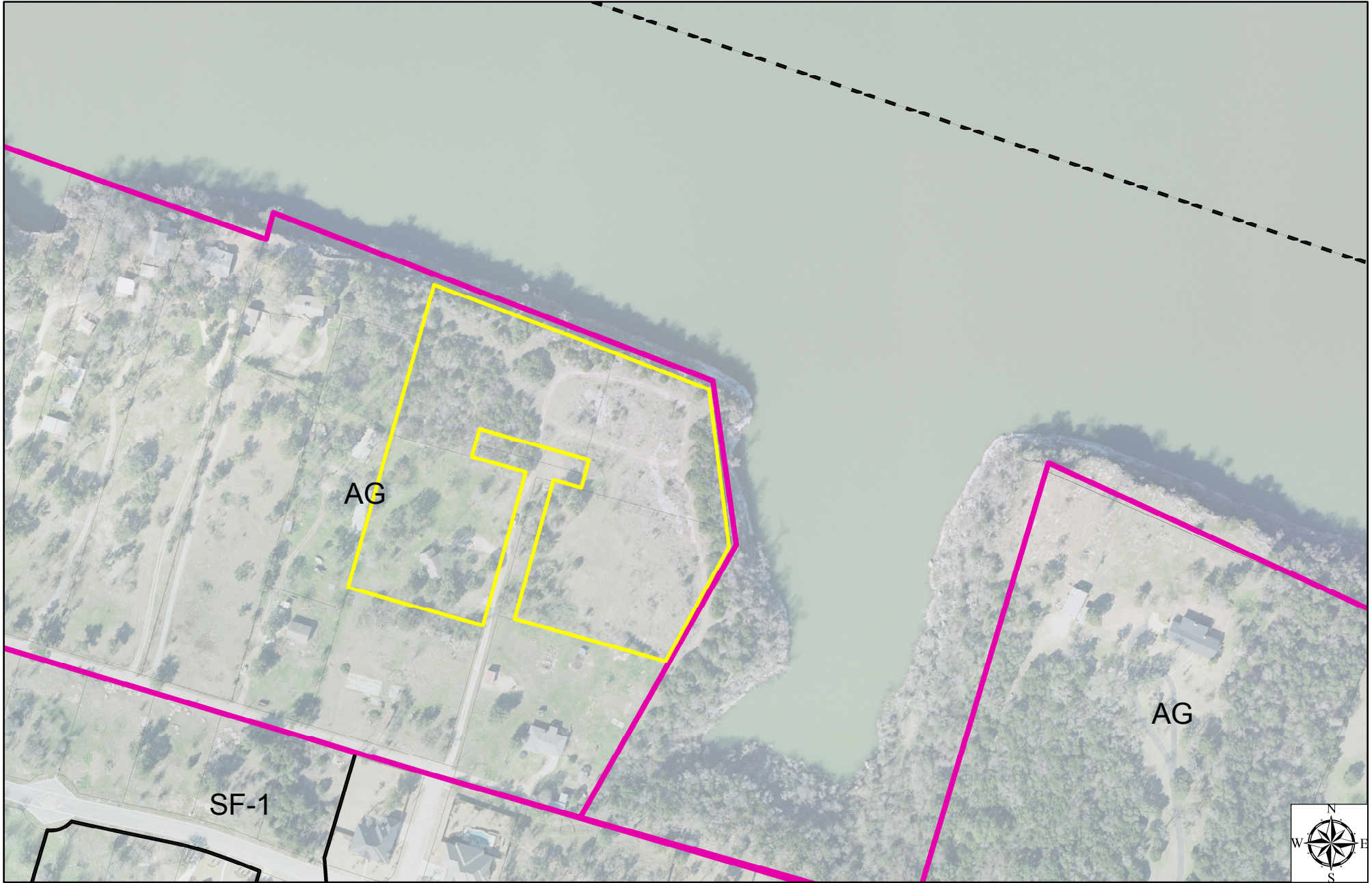







**Z-FY-12-45**

LOCATION AND ZONING MAP

**AG to UE**

**6.196 Acres**



-  Case
-  Subdivisions
-  Temple\_Boundary
-  Zoning
-  Parcels

0 100 200 400 Feet

5/29/2012  
City of Temple GIS

GIS products are for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. They do not represent an on-the-ground survey and represent only the approximate relative location of property boundaries and other features.



Z-FY-12-45

FUTURE LAND USE AND CHARACTER MAP

AG to UE

6.196 Acres



### Future Land Use

Neighborhood Conservation	Auto-Urban Residential	Auto-Urban Commercial	Temple Medical Education District	Public Institutional
Estate Residential	Auto-Urban Multi-Family	Suburban Commercial	Industrial	Parks & Open Space
Suburban Residential	Auto-Urban Mixed Use	Urban Center	Business Park	Agricultural/Rural

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5/29/2012  
City of Temple GIS

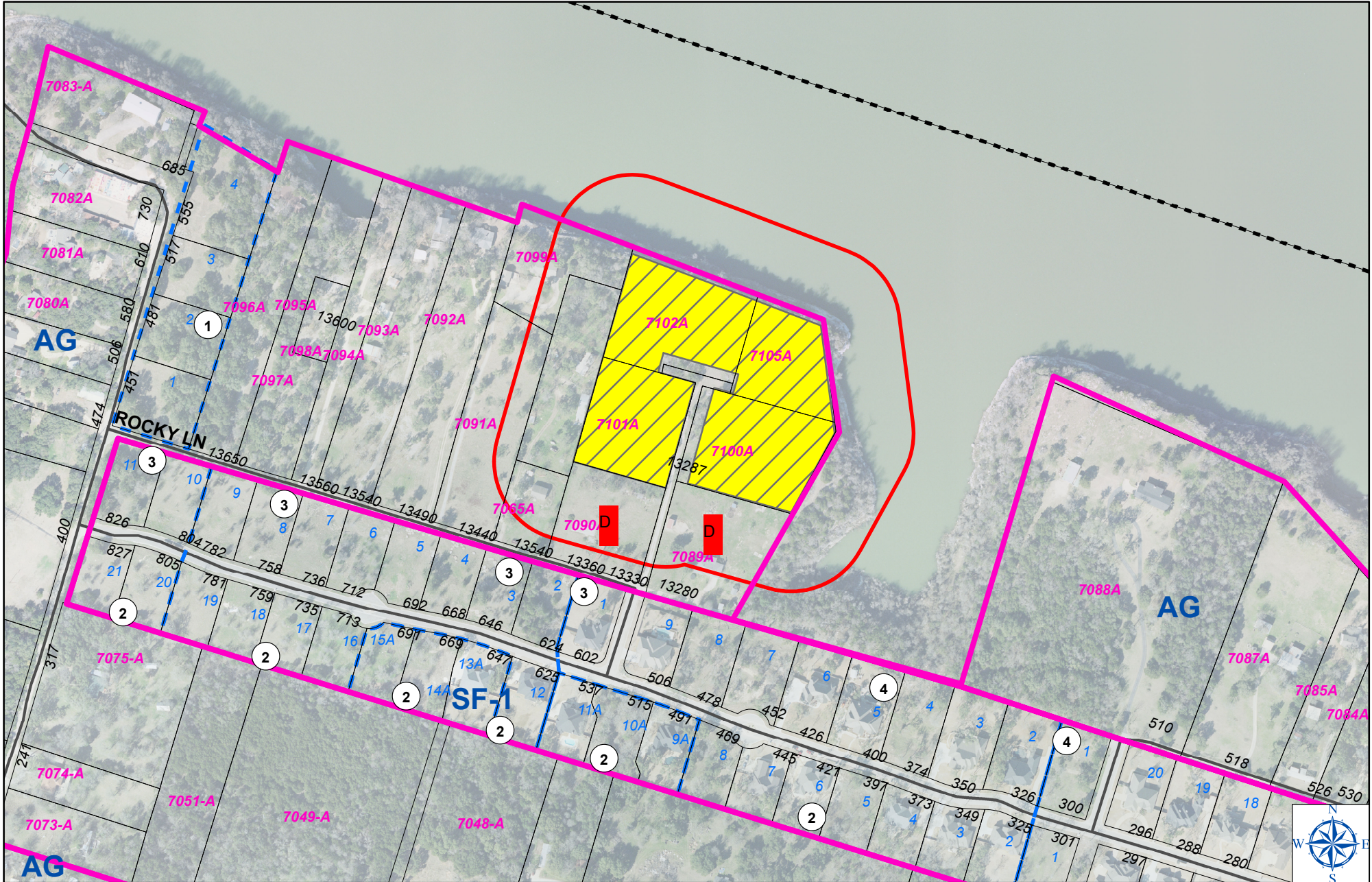






Z-FY-12-45


NOTICES  
AG to UE


6.196 Acres



 Case

 Zoning Boundary

 200' Buffer

 Subdivision Boundary

1234-A    1234    Address

①    Block Number

1    Lot Number

0    100    200

Feet

5/29/2012  
City of Temple GIS  
gkeith

GIS products are for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. They do not represent an on-the-ground survey and represent only the approximate relative location of property boundaries and other features.



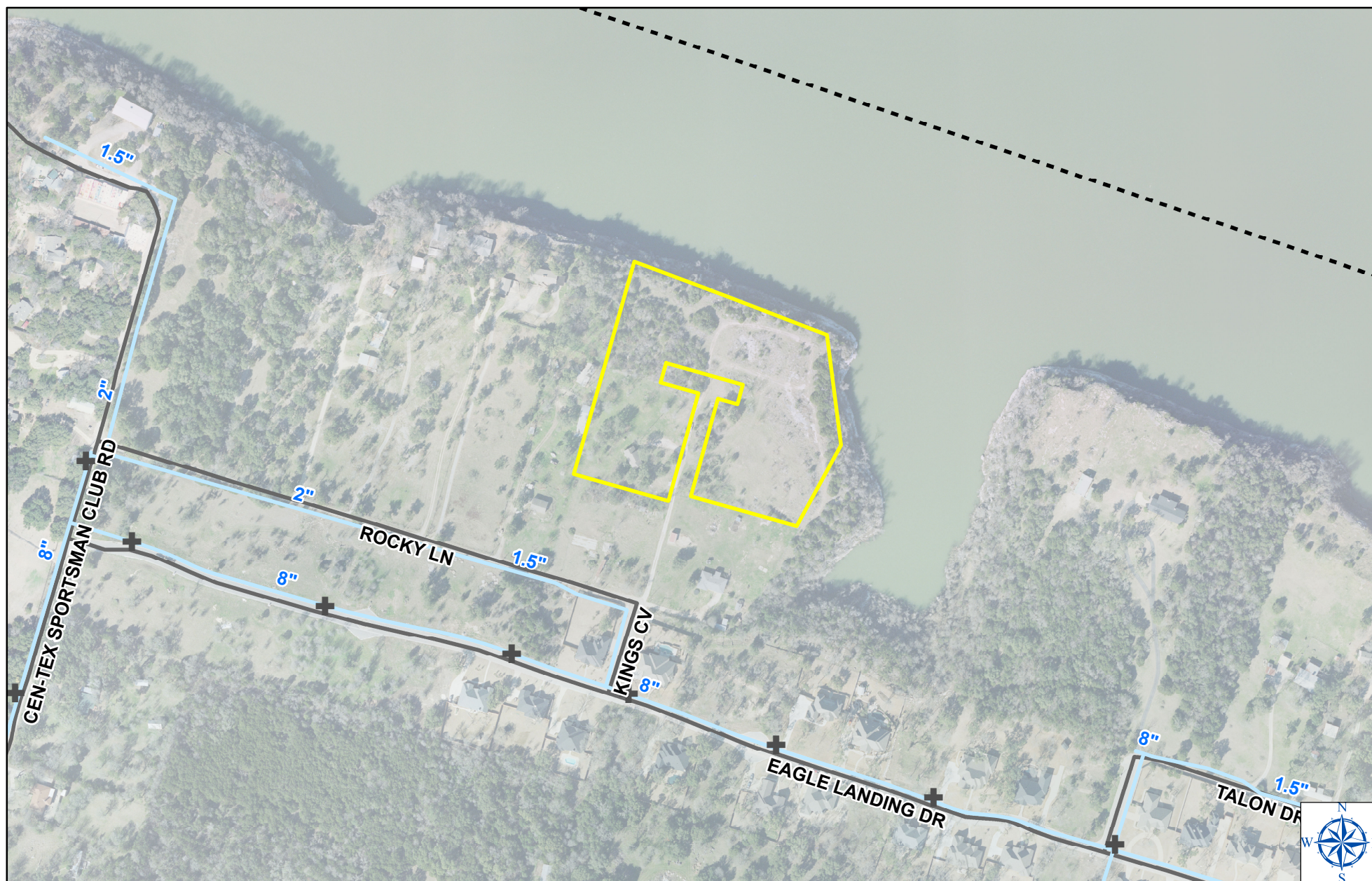


Z-FY-12-45

UTILITY MAP

AG to UE

6.196 Acres



- |              |                |                         |                         |            |
|--------------|----------------|-------------------------|-------------------------|------------|
| Case         | Water Line     | Proposed Major Arterial | Proposed Minor Arterial | City Limit |
| Fire Hydrant | Expressway     | Proposed K-TUTS         | Collector               |            |
| Sewer Line   | Major Arterial | Minor Arterial          | Conceptual Collector    |            |

0 100 200 400  
Feet

5/29/2012  
City of Temple GIS

GIS products are for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. They do not represent an on-the-ground survey and represent only the approximate relative location of property boundaries and other features.



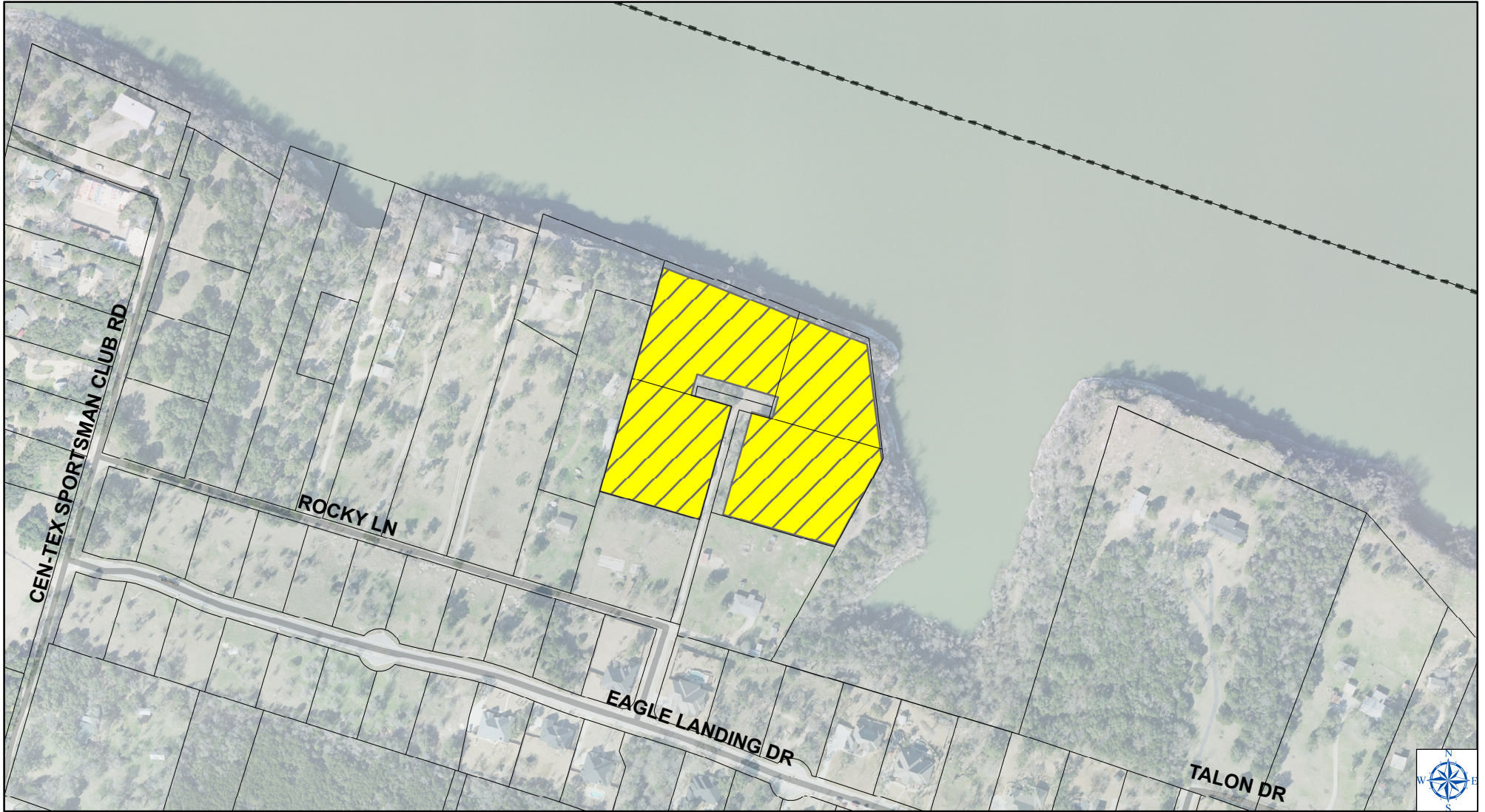


Z-FY-12-45

THOROUGHFARE, SIDEWALKS, & TRAILS

AG To UE

6.196 Acres



**Trails**

- Existing Citywide Spine Trail
- Under Design/Construction Citywide Spine Trail
- Proposed Citywide Spine Trail
- Existing Community-Wide Connector Trail

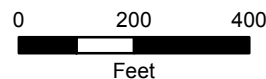
- Under Design/Construction Community-Wide Connector Trail
- Proposed Community-Wide Connector Trail
- Existing Local Connector Trail
- Proposed Local Connector Trail

**Thoroughfare**

- Expressway
- Major Arterial
- Proposed Major Arterial

- Proposed K-TUTS
- Minor Arterial
- Proposed Minor Arterial
- Collector
- Conceptual Collector

GIS products are for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. They do not represent an on-the-ground survey and represent only the approximate relative location of property boundaries and other features.



5/29/2012  
City of Temple GIS  
gkeith





RESPONSE TO PROPOSED  
REZONING REQUEST  
CITY OF TEMPLE

Joe Etux Mary Eller  
11645 Betty Lane  
Kaufman, Texas 76514

Zoning Application Number: Z-FY-12-45

Project Manager: Kim Foutz

Location: North of the intersection of Rocky Lane and King's Cove

The proposed rezoning is the area shown in hatched marking on the attached map. Because you own property within 200 feet of the requested change, your opinions are welcomed. Please use this form to indicate whether you are in favor of the possible rezoning of the property described on the attached notice, and provide any additional comments you may have.

I recommend ( ) approval ☒ denial of this request.

Comments:

we want to keep the Agricultural  
District as is.

  
Signature

Roy Eller  
Print Name  
Executive of will

Please mail or hand-deliver this comment form to the address shown below, no later than July 2, 2012

City of Temple  
Planning Department  
Room 201  
Municipal Building  
Temple, Texas 76501

**RECEIVED**  
JUN 29 2012  
City of Temple  
Planning & Development

Number of Notices Mailed: 4

Date Mailed: June 21, 2012

**EXCERPTS FROM THE  
PLANNING & ZONING COMMISSION MEETING  
MONDAY, JULY 2, 2012**

**ACTION ITEMS**

**Item 2: Z-FY-12-45** – Hold a public hearing to discuss and recommend action on a rezoning from Agricultural District (AG) to Urban Estate District (UE) on 6.196 ± acres, situated in the S.P. Terry Survey, Abstract 812, Bell County, Texas, located north of the intersection of Rocky Lane and King's Cove. (Applicant: Brad Dusek)

Ms. Kim Foutz, Assistant City Manager and Acting Planning Director, stated the applicant was Brad Dusek and was requesting a rezoning from Agricultural (AG) to Urban Estates (UE). The subject property is located north of Rocky Lane in King's Cove, it was annexed into City limits several years ago, and has lake frontage on two sides. The owner would like to develop estate lots on this property.

Most of the surrounding properties are zoned AG. Lake Belton lies to the north and east, there is vacant land to the west, and two houses are located to the south which are currently zoned AG.

In accordance with the Thoroughfare Plan, this development would be served by a local street which would need to be developed. There are no trails or sidewalks required for this development.

The Future Land Use and Character Map designate the area as Estate Residential.

There is an eight inch line which would service this property along with a one and a half to two inch water line. There is no sewer available and would need to utilize a septic system.

Four notices were sent out with zero responses received in favor and two responses received in opposition which equals 18% of the notice area.

Staff recommends approval of this request since it meets the intent of the Future Land Use and Character Map, complies with the Thoroughfare Plan, Trails, and sidewalk plans, and complies with public utilities.

Chair Martin opened the public hearing.

There being no speakers, the public hearing was closed.

Commissioner Talley made a motion to approve Item 2, **Z-FY-12-45** and Commissioner Pilkington made a second.

*Motion passed: (5:0)*

Commissioners Magaña, Sears, Rhoads and Vice-Chair Staats absent

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

(PLANNING NO. Z-FY-12-45)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING A REZONING FROM AGRICULTURAL (AG) TO URBAN ESTATES (UE) ON APPROXIMATELY 6.196 ACRES OF LAND, SITUATED IN THE S.P. TERRY SURVEY, ABSTRACT NO. 812, BELL COUNTY, TEXAS, LOCATED NORTH OF THE INTERSECTION OF ROCKY LAND AND KING'S COVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

---

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

**Part 1:** The City Council approves a rezoning from Agricultural (AG) to Urban Estates (EU) on approximately 6.196 acres of land, situated in the S.P. Terry Survey, Abstract No. 812, located north of the intersection of Rocky Lane and King's Cove, and more fully described in Exhibit A, attached hereto and made a part hereof for all purposes.

**Part 2:** The City Council directs the Director of Planning to make the necessary changes to the City Zoning Map accordingly.

**Part 3:** It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such phrase, clause, sentence, paragraph or section.

**Part 4:** This ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

**Part 5:** It is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on First Reading and Public Hearing on the **19<sup>th</sup>** day of **July**, 2012.

PASSED AND APPROVED on Second Reading on the **2<sup>nd</sup>** day of **August**, 2012.

THE CITY OF TEMPLE, TEXAS

---

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

---

Lacy Borgeson  
City Secretary

---

Jonathan Graham  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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08/02/12  
Item #5(H)  
Consent  
Page 1 of 1

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

Brynn Myers, Director of Administrative Services

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing changing the designated use of the Casa Hispanica building located at 801 South Main Street to general government use, a use that does not qualify as meeting one of the national objectives of the CDBG program.

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

**ITEM SUMMARY:** In 2002, Community Development Block Grant (CDBG) funds were used to replace the structure known as Casa Hispanica at 801 South Main Street. The building was designated for use as a senior citizen center. In 2011 the designated use of the building was changed to community center in an attempt to better serve the changing neighborhood.

City staff is now proposing to change the designated use of the property to general government, a use which does not qualify as meeting one of the national objectives of the CDBG program.

In order for the City to effect this change in use of a facility that was built with CDBG funds, the U.S. Department of Housing and Urban Development (HUD) requires that the City provide affected citizens with notice of and opportunity to comment on the proposed change. If it is determined, after consultation with affected citizens, that it is appropriate to change the use of the property to a use which does not qualify, the City may retain or dispose of the property and reimburse the CDBG program according to program guidelines.

An ad was placed in the Temple Daily Telegram on June 5, 2012 and Public Hearings were held on June 20, 2012 at the Municipal Building and the Wilson Park Recreation Center for comments on the proposed change. No comments were received.

**FISCAL IMPACT:** Reimburse \$75,000 to the CDBG program, according to program guidelines, for the appraised amount of the designated property. A budget adjustment is presented for your approval appropriating \$75,000 to account 351-1100-513-26-23, Other Contract Services from account 110-0000-352-13-45, Designated Capital Projects-Unallocated.

### **ATTACHMENTS:**

[Budget Adjustment  
Resolution](#)

FY **2012****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
110-9100-591-81-51		Transfer Out-Desg Cap Proj	\$ 75,000	
110-0000-352-13-45		Desg Cap Proj - Unallocated		75,000
351-1100-513-26-23		Other Contract Services	75,000	
351-0000-490-25-82		Transfer In	75,000	
<b>TOTAL.....</b>			<b>\$ 225,000</b>	<b>\$ 75,000</b>

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

Appropriate funds to reimburse the CDBG program for the Casa Hispanica building located at 801 S Main Street. The designated use of the facility will be changed to general government, which does not qualify as meeting one of the national objectives of the CDBG program.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒

Yes

☐

No

DATE OF COUNCIL MEETING

8/2/2012

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 CHANGING THE DESIGNATED USE OF THE CASA HISPANICA BUILDING LOCATED AT 801 SOUTH MAIN STREET TO GENERAL GOVERNMENT USE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, in 2002, Community Development Block Grant (CDBG) funds were used to replace the structure known as Casa Hispanica located at 801 South Main Street – the building was designated for use as a senior citizen center;

**Whereas**, in 2011, the designated use of the building was changed to a community center in an attempt to better serve the changing community – Staff is now proposing to change the designated use to general government, a use which does not qualify as meeting one of the national objectives of the CDBG program;

**Whereas**, in order for the City to effect this change in use of a facility that was built with CDBG funds, the U.S. Department of Housing and Urban Development (HUD) requires that the City provide affected citizens with notice of and opportunity to comment on the proposed change -- public hearings were held on June 20, 2012 and no comments were received; 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 changing the designated use of the Casa Hispanica building located at 801 South Main Street to “general government use.”

**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 **August**, 2012.

THE CITY OF TEMPLE, TEXAS

---

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:



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Lacy Borgeson  
City Secretary

---

Jonathan Graham  
City Attorney



## **COUNCIL AGENDA ITEM MEMORANDUM**

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08/02/12  
Item #5(I)  
Consent Agenda  
Page 1 of 1

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

Autumn Speer, Director of Development Services

**ITEM DESCRIPTION:** A-FY-12-07: Consider adopting a resolution releasing a portion of the 10-foot wide sanitary sewer line easement within the boundaries of the proposed Final Plat of Prairie Crossing Addition, located at the northeast corner of North 8<sup>th</sup> Street and East Young Avenue.

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

**ITEM SUMMARY:** The applicant, Pat Patterson, requests the City of Temple release a portion of an existing sewer easement within the boundaries of his proposed plat known as the Final Plat of Prairie Crossing Addition (P-FY-12-27). Staff members of the Development Review Committee (DRC) have reviewed the proposed final plat and the subject sewer easement.

The Utility Division within the Public Works/Engineering Department confirmed the existing sewer easement does not contain an active line within the boundaries of the proposed plat. The easement area to be abandoned was used for a sewer force main that has been abandoned. The approximate location of the unneeded easement area is shown on the proposed plat.

**FISCAL IMPACT:** Staff recommends this easement be transferred at no cost to the underlying fee owner, as state law allows.

### **ATTACHMENTS:**

[Exhibit A \(Sewer Easement Document - vol.1011, pg. 276\)](#)

[Exhibit B \(Plat Field Notes\)](#)

[Proposed Plat](#)

[Resolution](#)

10.11/276

## EXHIBIT A

STATE OF TEXAS |  
COUNTY OF BELL |

KNOW ALL MEN BY THESE PRESENTS:

THAT COMMUNITY ENTERPRISES, INC. for and in consideration of the sum of ONE AND NO/100 (\$1.00) DOLLAR to it cash in hand paid by the CITY OF TEMPLE, a municipal corporation of Bell County, Texas, the receipt and sufficiency of which is hereby acknowledged, does hereby GIVE AND GRANT unto the CITY OF TEMPLE an easement ten feet in width for the sole purpose of constructing and maintaining a sanitary sewer line upon and across the following described property, to-wit:

Being a strip of land ten feet (10') in width being out of the B. Stracener Survey, Abstract No. 746 in Bell County, Texas, and being out of and a part of the First and Second Tracts as described in a Deed from Bell Broadcasting Company to Temple Services Company recorded in Vol. 766, Page 574 of the Deed Records of Bell County, Texas, said ten foot (10') Strip having a center line described as follows:

EASEMENT NO. 1

BEGINNING at the center of a manhole at the southeast corner of Lot 4 Block 15 of Bellaire North Section III;

THENCE N 62 deg. 30 min. E 447.1 ft. to the center of a manhole for a bend in the line;

THENCE N 85 deg. 55 min. E 242.01 ft. to a manhole at a bend in the line;

THENCE S 70 deg. 10 min. E 794.42 ft. to a manhole at a bend in the line;

THENCE S 2 deg. 05 min. 30 sec. E 120.72 ft. to a manhole;

THENCE N 89 deg. 54 min. 30 sec. E 320.0 ft. to a manhole being 5 ft. west of the west margin of the M.K. & T. RR. R.O.W.;

THENCE South along a line 5 ft. from and parallel to the west margin of said railroad R.O.W. for a distance of 924.4 ft. to the south end of said easement being described.

EASEMENT NO. 2

BEGINNING at a point S 19 deg. 47 min. W 5 ft. from the north east corner of Lot 7 Block 13 of Bellaire North Section III;

THENCE S 70 deg. 13 min. E 749.3 ft. to a point that is N 70 deg. 13 min. W 5 ft. from the east line of the said Second Tract;

THENCE N 15 deg. 56 min. E 10 ft. to the north end of this easement.

10.11/276

EASEMENT NO. 3

BEGINNING at a manhole that is S 70 deg. 13 min. E 15 ft. and N 19 deg. 47 min. E 7 ft. from the southeast corner of Lot 7 Block 12 of Bellaire North Section III;

THENCE S 70 deg. 13 min. E 769 ft. to a manhole 5 ft. from the east line of said SECOND TRACT;

THENCE N 15 deg. 56 min. E 298.7 ft. along the sewer line 5 ft. from and parallel to the said east line to the north end of this.

EASEMENT NO. 4

BEGINNING at the north end of Easement No. 2 as described above;

THENCE S 15 deg. 56 min. W 10 ft.

THENCE N 70 deg. 13 min. W 130 ft. to a corner of this;

THENCE S 16 deg. 02 min. W 680 ft. to the south line of the said SECOND TRACT and the north line of Young Avenue extended.

As surveyed on the ground by Frank G. Martin, Jr.  
Registered Professional Engineer and County Surveyor  
of Bell County, Texas, on November 1, 1967.

But upon the express condition that the CITY OF TEMPLE  
will at all times after doing any work in connection  
with the construction or repair of said sewer line  
restore said premises to the same condition in which said  
premises were found before such work was undertaken.

WITNESS the execution hereof this 12<sup>th</sup> day of

March, A. D. 1968.

COMMUNITY ENTERPRISES, INC.

By: Frank G. Martin, Jr.  
President

ATTEST:

C. A. Baker  
Secretary

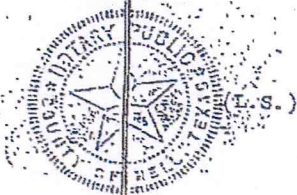
STATE OF TEXAS |

COUNTY OF BELL |

BEFORE ME, the undersigned, a Notary Public in and  
for said County and State, on this day personally appeared  
Frank G. Martin, Jr. President of COMMUNITY  
ENTERPRISES, INC., known to me to be the person and officer  
whose name is subscribed to the foregoing instrument and  
acknowledged to me that the same was the act of the said  
COMMUNITY ENTERPRISES, INC., a corporation, and that he  
executed the same as the act of such corporation for the

purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 1st day of March, A. D. 1968.



Robert L. Coughlin  
Notary Public in and for Bell  
County, Texas.

FILED FOR RECORD THIS THE 6 DAY OF March, 1968 at 8, 11

MRS. RUBY MCKEE, COUNTY CLERK  
BELL COUNTY, TEXAS

BY: \_\_\_\_\_ Deputy



## EXHIBIT B

1

### FIELD NOTES PREPARED BY ALL COUNTY SURVEYING, INC.

May 16, 2012

Surveyor's Field Notes for **PRAIRIE CROSSING ADDITION**, for:

**6.91 ACRES**, being part of the **B. STRACENER SURVEY, ABSTRACT 746**, City of Temple, Bell County, Texas, being a portion of that certain tract in the name of Frank Mayborn Enterprises, Inc. per Bell County Tax ID No. 25183, and being the remainder of a called 43.13 Acre tract as described in Volume 1210, Page 586, Deed Records of Bell County, Texas, and being more particularly described as follows:

**BEGINNING** at a ½" iron rod found on the western line of said 43.13 Acre tract, being the southwest corner of Lot 1, Block 35, Bellaire North, Section Seven, an addition in the City of Temple, Bell County, Texas, according to the plat of record in Cabinet A, Slide 178-D, Plat Records of Bell County, Texas, and being on the east line of a public roadway known as North 8<sup>th</sup> Street, for the northwest corner of the herein described tract;

**THENCE**, in an easterly direction, with the south line of said Bellaire North, Section Seven, **S 72° 36' 06" E – 453.14'** (Rec. S 70° 12' 55" E, Cab. A, Sl. 178-D), a ½" iron rod found at the southwest corner of Lot 6, Block 35, and **S 72° 56' 24" E – 105.99'** (Rec. S 70° 12' 55" E – 106.05', Cab. A, Sl. 178-D), to a 1" iron pipe found at the southeast corner of said Lot 6, being at the southwest point on the west line of a public roadway known as North 12<sup>th</sup> Street;

**THENCE**, continuing in said easterly direction, with the south end of said North 12<sup>th</sup> Street, same being the south line of said Bellaire North, Section Seven, **S 72° 49' 32" E – 59.81'** (Record S 70° 12' 55" E, Cab. A, Sl. 178-D), to a 1" iron pipe found at the southwest corner of Lot 9, Block 31, said Bellaire North, Section Seven, and **S 72° 26' 56" E – 124.95'** (Rec. S 70° 12' 55" E – 125.0', Cab. A, Sl. 178-D), to a 5/8" iron rod found at the southeast corner of said Bellaire North, Section Seven, and being on the west line of M K & T Railroad, for the northeast corner of the herein described tract;

**THENCE**, in a southerly direction, with the west line of said railroad, **S 13° 29' 09" W – 384.56'** (Rec. S 15° 56' 28" W, Vol. 1210, Pg. 586), to a 5/8" iron rod set on the north line of a public roadway known as E. Young Avenue, for the southeast corner of the herein described tract;

**THENCE**, in a westerly direction, with the north line of said E. Young Avenue, **N 73° 21' 42" W – 546.79'** (Rec. N 71° 15' W – 546.5', Vol. 1210, Pg. 586), to a railroad spike found, for an interior corner of the herein described tract;

**THENCE**, in a southerly direction, **S 23° 03' 10" W – 33.11'** (Rec. S 25° 30' 29" W – 33.15', Vol. 1210, Pg. 586), to a 5/8" iron rod set, and still remaining on the north line of said E. Young Avenue;

Surveyor's Field Notes for **PRAIRIE CROSSING ADDITION**, (continued):

**THENCE**, continuing in a westerly direction, and continuing with the north line of said E. Young Avenue, **N 72° 57' 57" W – 217.56'** (Rec. N 70° 35' 29" W – 218.14', Vol. 1210, Pg. 586), to a 5/8" iron rod set at the southwest corner of said 43.13 Acre tract, and being on the east line of said North 8<sup>th</sup> Street, for the southwest corner of the herein described tract;

**THENCE**, in a northerly direction, with the east line of said North 8<sup>th</sup> Street, **N 17° 03' 10" E – 424.72'** (Rec. N 19° 30' 36" E, Vol. 1210, Pg. 586), to the **POINT OF BEGINNING** and containing **6.91 Acres**.

This project is referenced to the City of Temple Coordinate System, an extension of the Texas Coordinate System of 1983, Central Zone. All distances are horizontal surface distances unless noted and all bearings are grid bearings. All coordinates are referenced to City Monument No. 25. The theta angle at City Monument No. 25 is 01° 31' 58". The combined correction factor (CCF) is 0.999848. Grid distance = Surface distance X CCF. Geodetic north = Grid north + theta angle. Published City coordinates for City Monument No. 25 are N.= 10,376,940.87 E.= 3,227,848.94 Reference tie from City Monument No. 25 to the northwest corner of said 6.91 acre tract is N 53° 22' 08" E 11568.10 feet.

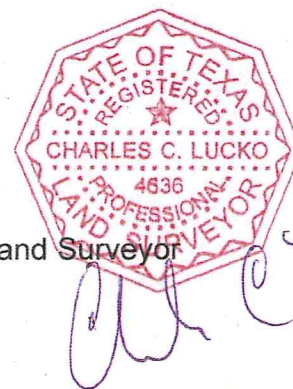
This document is not valid for any purpose unless signed and sealed by a Registered Professional Land Surveyor. This metes and bounds description to accompany a Surveyor's Sketch showing the herein described 6.91 Acre tract.

Surveyed April 10, 2012

**ALL COUNTY SURVEYING, INC.**  
**1-800-749-PLAT**

server/projects/pro120000/120200/120216/120216P.doc

Charles C. Lucko  
Registered Professional Land Surveyor  
Registration No. 4636





FINAL PLAT OF  
PRAIRIE CROSSING ADDITION

WITHIN THE CITY OF TEMPLE, BELL COUNTY, TEXAS.

Being part of the B. STRACENER SURVEY, ABSTRACT NO. 146, in the City of Temple, Bell County, Texas, and being a portion of that certain called 43.13 acre tract described in a deed to FRANK MAYBORN ENTERPRISES, INC. of record in Volume 1210, Page 586 of the Deed Records of Bell County, Texas.

This Subdivision Plat is to accompany a metes and bounds description of the herein shown 6.91 acre tract.

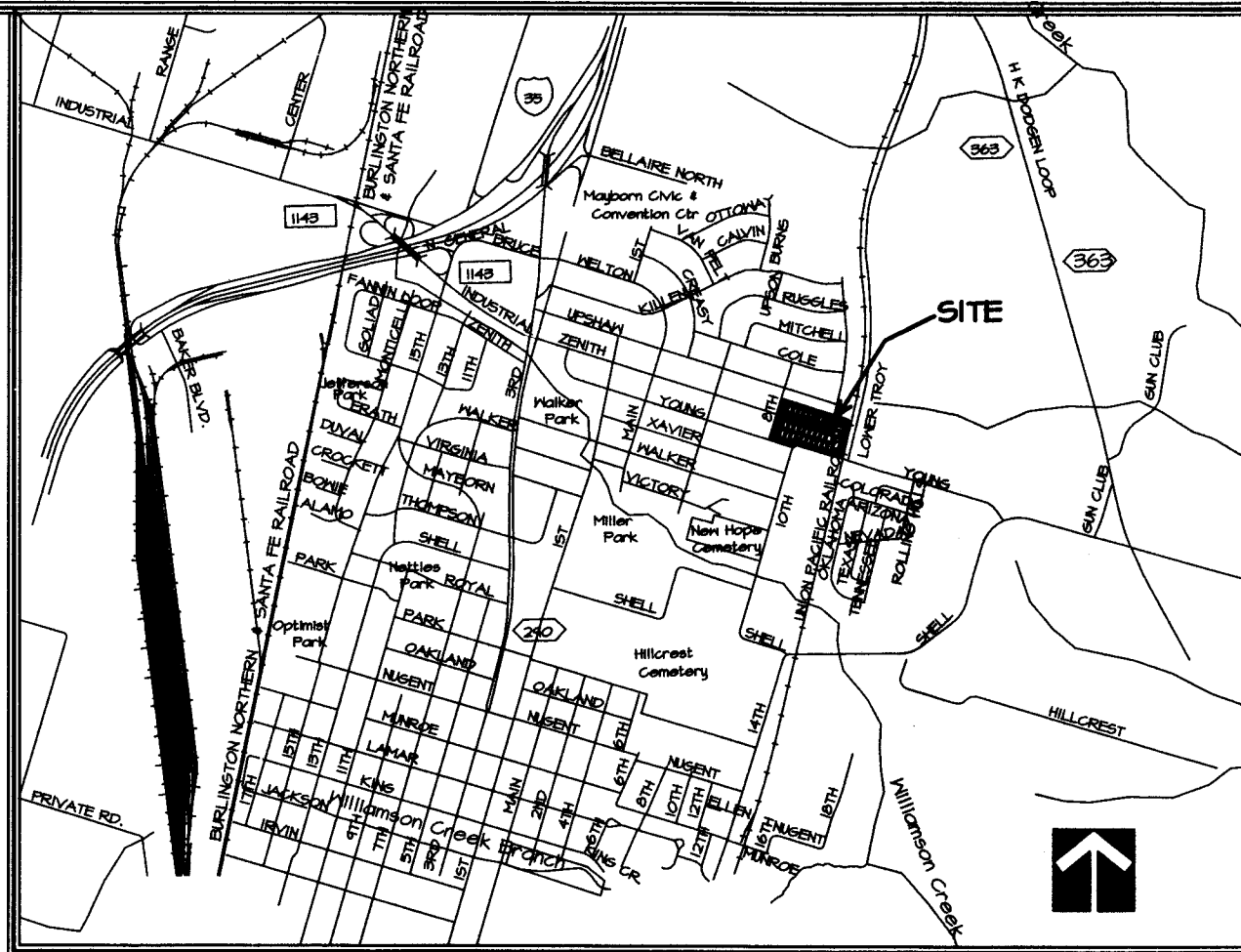
OWNER:  
Friars Ridge, Ltd.  
2116 West Avenue H  
Temple, Texas 76504

LOTS - THIRTY-THREE (33)  
BLOCKS - TWO (2)  
TOTAL AREA - 6.91 ACRES

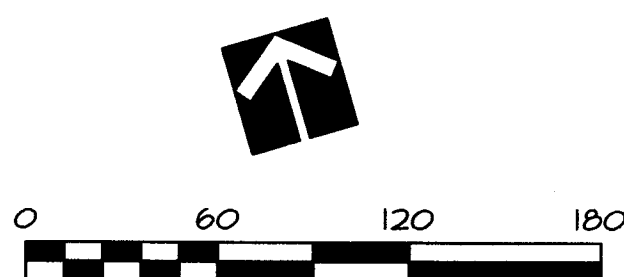
ACTUAL LOT CORNERS WILL BE PLACED AS SHOWN UPON THE COMPLETION AND ACCEPTANCE OF ROAD AND UTILITY CONSTRUCTION WORK.

SIDE BLDG SETBACK LINES ARE 5' UNLESS OTHERWISE NOTED.

A 6' SIDEWALK WILL BE REQUIRED ALONG THE NORTH LINE OF E. YOUNG AVENUE. THE 6' SIDEWALK WILL BE INSTALLED DURING DEVELOPMENT OF EACH LOT THROUGH THE BUILDING PERMIT PROCESS.



VICINITY MAP  
n.t.s.



5/8" IRON ROD WITH CAP  
MARKED "ALL COUNTY" SET

10' Sewer Line Easement  
City of Temple  
Easement No. 4  
Vol. 101, Pg. 276  
(Note that the City of Temple maps show that this is an abandoned force main)  
(Note that the location is approximate)

6.8 ACRES  
KENNETH A. MURPHY and wife,  
DARLENE J. MURPHY  
Volume 3105, Page 743

47.848 ACRES  
BLUEBONNET TX LLC  
Inst. No. 2008-00008253

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 \_\_\_\_\_, 2012.

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 \_\_\_\_\_, 2012 A.D.

By: \_\_\_\_\_  
Bell County Tax Appraisal District

Copyright 2012 All County Surveying, Inc.

STATE OF TEXAS  
COUNTY OF BELL

FRIARS RIDGE, LTD., OWNER OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS PRAIRIE CROSSING ADDITION, WITHIN 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.

Friars Ridge, Ltd.,  
a Texas limited liability partnership,  
acting by and through its general partner  
Palco Construction LLC,  
a Texas limited liability company

Meldon C. Patterson, manager

STATE OF TEXAS  
COUNTY OF BELL

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED MELDON C. PATTERSON, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2012.

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 \_\_\_\_\_, 2012.

CHAIRPERSON SECRETARY TO THE PLANNING AND ZONING COMMISSION

STATE OF TEXAS  
COUNTY OF BELL

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN THIS PLAT.

SCOTT MURRAH, P. E.  
Registration Number 97406

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.  
REGISTRATION NO. 4636

DATE SURVEYED: APRIL 10, 2012

LINE	BEARING	DISTANCE
L 1	S 12°44'32" E	54.21'
L 2	S 23°03'10" W	33.11'
L 3	S 61°50'44" W	14.19'

Based upon what can be scaled from the graphics shown on Federal Insurance Rate Map (FIRM), Community Panel No. 48021C03595E, dated 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 1983, Central Zone. All distances are horizontal surface distances unless noted and all bearings are grid bearings. All coordinates are referenced to City Monument No. 25. The theta angle at City Monument No. 25 is 01° 31' 58". The combined correction factor (CCF) is 0.999848. Grid distance = Surface distance X CCF. Geodetic north = Grid north + theta angle. Published City coordinates for City Monument No. 25 are N= 10376440.871 E= 32271449.44 Reference tie from City Monument No. 25 to the northwest corner of said 6.91 acre tract is N 53° 22' 08" E 11568.10 feet.

REVISIONS:

PRAIRIE CROSSING  
ADDITION

WITHIN THE CITY OF TEMPLE, BELL COUNTY, TEXAS

ALL COUNTY SURVEYING, INC.

1303 South 21st Street, Temple, Texas 76504  
(254) 770-2272 FAX (254) 774-7608  
TX Firm Lic No. 100226600



Survey completed 04-10-12  
Scale: 1" = 60'  
Job No. 120216.03  
Dwg No. 120216P  
Drawn by DMF  
Surveyor CCL 04636



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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, RELEASING A PORTION OF THE 10-FOOT WIDE SANITARY SEWER LINE EASEMENT WITHIN THE BOUNDARIES OF THE PROPOSED FINAL PLAT OF PRAIRIE CROSSING ADDITION, LOCATED AT THE NORTHEAST CORNER OF NORTH 8<sup>TH</sup> STREET AND EAST YOUNG AVENUE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas,** the applicant requests the City of Temple release a portion of an existing sewer easement within the boundaries of his proposed plat known as the final plat of Prairie Crossing Addition;

**Whereas,** the Utility Division within the Public Works/Engineering Department confirmed the existing sewer easement does not contain an active line within the boundaries of the proposed plat – and the Staff recommends this easement be released at no cost to the owner; 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 of Temple, Texas, releases a portion of the 10-foot wide sanitary sewer line easement within the boundaries of the proposed final plat of Prairie Crossing Addition, located at the northeast corner of North 8<sup>th</sup> Street and East Young Avenue.

**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 **August**, 2012.

THE CITY OF TEMPLE, TEXAS

---

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

---

Jonathan Graham  
City Attorney



## **COUNCIL AGENDA ITEM MEMORANDUM**

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08/02/12  
Item #5(J)  
Consent Agenda  
Page 1 of 1

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

Traci Barnard, Director of Finance

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing budget amendments for fiscal year 2011-2012.

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

**ITEM SUMMARY:** This item is to recommend various budget amendments, based on the adopted FY 2011-2012 budget. The amendments will involve transfers of funds between contingency accounts, department and fund levels.

**FISCAL IMPACT:** The total amount of budget amendments is \$523,285.

**ATTACHMENTS:**

[Budget Amendments  
Resolution](#)

**CITY OF TEMPLE**  
**BUDGET AMENDMENTS FOR FY 2012 BUDGET**  
**August 2, 2012**

			<b>APPROPRIATIONS</b>	
<b>ACCOUNT #</b>	<b>PROJECT #</b>	<b>DESCRIPTION</b>	<b>Debit</b>	<b>Credit</b>
110-2033-521-1119		Overtime (Police Department)	\$ 9,369	
110-0000-442-0718		Police Overtime		\$ 9,369
This budget adjustment recognizes a reimbursement from Temple Futures for Police overtime worked at the Bloomin' Temple Festival. This budget adjustment also appropriates the funds to the cover the overtime expense.				
110-3292-551-2513		Special Services (Recreation - Adult Athletics)	\$ 19,000	
110-0000-445-0494		Volleyball Entry Fees		\$ 4,700
110-0000-445-0492		Softball Entry Fees		\$ 4,160
110-0000-445-0496		Basketball Entry Fees		\$ 2,720
110-0000-445-0488		Football Entry Fees		\$ 800
110-0000-445-0498		Soccer Entry Fees		\$ 2,390
110-0000-445-1590		Special Events Classes		\$ 4,230
Additional funds are needed in special services for officials pay. The additional revenues from volleyball, softball, basketball, football, soccer, and the turkey trot 5k will offset the expenses.				
110-3640-560-1118		Extra Help/Seasonal (Airport)	\$ 2,850	
110-0000-442-0720		Airshow Revenue		\$ 1,200
110-0000-442-1630		Airshow Revenue		\$ 1,650
This budget adjustment recognizes revenue received from the Central Texas Airshow for reimbursement of overtime for Airshow, appropriates the offsetting expenditures, and corrects previous error.				
240-4400-551-2721		Food Products - Cost of Goods Sold (Mayborn Center)	\$ 4,500	
240-0000-445-1033		Catering/Food Service		\$ 4,500
240-4400-551-2725		Alcohol - Cost of Goods Sold	\$ 3,000	
240-0000-445-1072		Alcohol Sales		\$ 3,000
This budget adjustment recognizes additional revenue and the associated expenditures for Food Products and Alcohol Sales at the Mayborn Center.				
364-2000-521-6218	100843	Mobile Data Laptops	\$ 484,566	
364-2000-521-6855	100683	Police Mold Remediation		\$ 484,566
This budget adjustment reallocates funds from the mold remediation project, which was completed in February 2012 to fund the purchase of mobile data laptops. Council approved the purchase of the laptops via our DIR contract in January 2012 with an intent to reimburse limited tax notes to be sold in FY 2012 for the purchase of solid waste vehicles and the mobile data laptops. It was later determined that the purchase of the solid waste vehicles would be delayed and that savings related to the mold remediation project was the best available source of funds for the purchase of the mobile data laptops.				
<b>TOTAL AMENDMENTS</b>			<b>\$ 523,285</b>	<b>\$ 523,285</b>

**CITY OF TEMPLE**  
**BUDGET AMENDMENTS FOR FY 2012 BUDGET**  
**August 2, 2012**

		APPROPRIATIONS	
ACCOUNT #	PROJECT #	DESCRIPTION	Debit      Credit
GENERAL FUND			
		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	\$ (37,852)
		Net Balance of Judgments & Damages Contingency Account	\$ 42,148
		Beginning <b>Compensation</b> Contingency	\$ 863,600
		Added to Compensation Contingency	\$ -
		Taken From Compensation Contingency	\$ (863,600)
		Net Balance of Compensation Contingency Account	\$ -
		<b>Net Balance Council Contingency</b>	\$ 42,148
		Beginning Balance <b>Budget Sweep</b> Contingency	\$ -
		Added to Budget Sweep Contingency	\$ -
		Taken From Budget Sweep	\$ -
		Net Balance of Budget Sweep Contingency Account	\$ -
WATER & SEWER FUND			
		Beginning <b>Contingency</b> Balance	\$ 50,000
		Added to Contingency Sweep Account	\$ -
		Taken From Contingency	\$ (46,750)
		Net Balance of Contingency Account	\$ 3,250
		Beginning <b>Compensation</b> Contingency	\$ 97,000
		Added to Compensation Contingency	\$ -
		Taken From Compensation Contingency	\$ (92,916)
		Net Balance of Compensation Contingency Account	\$ 4,084
		<b>Net Balance Water &amp; Sewer Fund Contingency</b>	\$ 7,334
HOTEL/MOTEL TAX FUND			
		Beginning <b>Contingency</b> Balance	\$ 79,303
		Added to Contingency Sweep Account	\$ -
		Carry forward from Prior Year	\$ -
		Taken From Contingency	\$ (34,444)
		Net Balance of Contingency Account	\$ 44,859
		Beginning <b>Compensation</b> Contingency	\$ 11,300
		Added to Compensation Contingency	\$ -
		Taken From Compensation Contingency	\$ (11,300)
		Net Balance of Compensation Contingency Account	\$ -
		<b>Net Balance Hotel/Motel Tax Fund Contingency</b>	\$ 44,859
DRAINAGE FUND			
		Beginning <b>Compensation</b> Contingency	\$ 13,200
		Added to Compensation Contingency	\$ -
		Taken From Compensation Contingency	\$ (13,200)
		Net Balance of Compensation Contingency Account	\$ -
FED/STATE GRANT FUND			
		Beginning <b>Contingency</b> Balance	\$ 24,387
		Carry forward from Prior Year	\$ 12,105
		Added to Contingency Sweep Account	\$ 22,327
		Taken From Contingency	\$ (29,131)
		Net Balance of Contingency Account	\$ 29,688

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
TEMPLE, TEXAS, APPROVING BUDGET AMENDMENTS TO  
THE 2011-2012 CITY BUDGET; AND PROVIDING AN OPEN  
MEETINGS CLAUSE.

---

**Whereas**, on the 1<sup>st</sup> day of September, 2011, the City Council approved a budget for the 2011-2012 fiscal year; and

**Whereas**, the City Council deems it in the public interest to make certain amendments to the 2011-2012 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 2011-2012 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 **August**, 2012.

THE CITY OF TEMPLE, TEXAS

---

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

---

Lacy Borgeson  
City Secretary

---

Jonathan Graham  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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08/02/12  
Item #6  
Regular Agenda  
Page 1 of 1

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

Jonathan Graham, City Attorney

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing the purchase of a .67 acre tract of land located at 4521 Parkside Drive.

*Executive Session – Pursuant to Chapter 551, Government Code § 551.072 – Real Property – The City Council may enter into executive session to discuss the purchase, exchange, lease or value of real property relating to City projects, the public discussion of which would have a detrimental effect on negotiations with a third party.*

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

**ITEM SUMMARY:** The property is located in close proximity to the City's water treatment plant. The property owner has contacted the City and is interested in selling the property. Staff is interested in acquiring the property in anticipation of future expansion of the treatment plant. The seller has proposed a purchase price which the City Staff feels is reasonable. We will provide additional information in executive session. This is one of two tracts located near the City water plant that we plan to bring to you for authorization to purchase. Both are seller-initiated.

**FISCAL IMPACT:** The purchase of this property will be funded with Water & Sewer Unreserved Retained Earnings. A budget amendment will be presented for Council's approval at a later date.

### **ATTACHMENTS:**

Map  
Resolution





4521 Parkside Dr

County Property ID: 75851



1 inch = 150 feet

**DISCLAIMER:**

GIS products are for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. They do not represent an on-the-ground survey and represent only the approximate relative location of property boundaries and other features.



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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF A .67 ACRE TRACT OF LAND LOCATED AT 4521 PARKSIDE DRIVE; IN THE AMOUNT OF \$\_\_\_\_\_; AND PROVIDING AN OPEN MEETINGS CLAUSE.

---

**Whereas**, the property located at 4521 Parkside Drive, outlined by the attached map marked as Exhibit A, is in close proximity to the City's water treatment plant and the city is interested in acquiring the property in anticipation of future expansion of the water treatment plant;

**Whereas**, the seller has proposed a purchase price which staff feels is reasonable and Staff recommends purchasing this tract of land;

**Whereas**, funds are budgeted in Account No. \_\_\_\_\_ for this purchase; and

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

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

**Part 1:** The City Council authorizes the purchase of a .67 acre tract of land located at 4521 Parkside Drive.

**Part 2:** The City Council authorizes the City Manager, or his designee, to execute any documents, after approval by the City Attorney, that may be necessary for the purchase of this parcel in the amount of \$\_\_\_\_\_, which includes all closing costs.

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

PASSED AND APPROVED this the 2<sup>nd</sup> day of **August**, 2012.

THE CITY OF TEMPLE, TEXAS

---

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:



---

Lacy Borgeson  
City Secretary

---

Jonathan Graham  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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08/02/12  
Item #7  
Regular Agenda  
Page 1 of 1

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

Jonathan Graham, City Attorney

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing the purchase of a .213 acre tract of land located at 4910 Parkside Drive.

*Executive Session – Pursuant to Chapter 551, Government Code § 551.072 – Real Property – The City Council may enter into executive session to discuss the purchase, exchange, lease or value of real property relating to City projects, the public discussion of which would have a detrimental effect on negotiations with a third party.*

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

**ITEM SUMMARY:** The property is located in close proximity to the City's water treatment plant. The property owner has contacted the City and is interested in selling the property. Staff is interested in acquiring the property in anticipation of future expansion of the treatment plant. The seller has proposed a purchase price which the City Staff feels is reasonable. We will provide additional information in executive session. This is one of two tracts located near the City water plant that we plan to bring to you for authorization to purchase. Both are seller-initiated.

**FISCAL IMPACT:** The purchase of this property will be funded with Water & Sewer Unreserved Retained Earnings. A budget amendment will be presented for Council's approval at a later date.

### **ATTACHMENTS:**

[Map](#)  
[Resolution](#)





4910 Parkside Dr

County Property ID: 119785



1 inch = 150 feet

**DISCLAIMER:**

GIS products are for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. They do not represent an on-the-ground survey and represent only the approximate relative location of property boundaries and other features.



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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF A .213 ACRE TRACT OF LAND LOCATED AT 4910 PARKSIDE DRIVE; IN THE AMOUNT OF \$\_\_\_\_\_; AND PROVIDING AN OPEN MEETINGS CLAUSE.

---

**Whereas**, the property located at 4910 Parkside Drive, outlined by the attached map marked Exhibit A, is in close proximity to the City's water treatment plant and the city is interested in acquiring the property in anticipation of future expansion of the water treatment plant;

**Whereas**, the seller has proposed a purchase price which staff feels is reasonable and Staff recommends purchasing this tract of land; and

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

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

**Part 1:** The City Council authorizes the purchase of a .213 acre tract of land located at 4910 Parkside Drive.

**Part 2:** The City Council authorizes the City Manager, or his designee, to execute any documents, after approval by the City Attorney, that may be necessary for the purchase of this parcel in the amount of \$\_\_\_\_\_, which includes all closing costs.

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

PASSED AND APPROVED this the **2<sup>nd</sup>** day of **August**, 2012.

THE CITY OF TEMPLE, TEXAS

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WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Jonathan Graham  
City Attorney



## **EMPLOYEE BENEFITS TRUST AGENDA ITEM MEMORANDUM**

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08/02/12  
Item #8  
Regular Agenda  
Page 1 of 2

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

Randy A. Stonerod, Director of Human Resources

**ITEM DESCRIPTION:** Conduct a meeting of the City of Temple Employee Benefits Trust to purchase insurance policies from:

- (A) MetLife for Dental Insurance for FY2012-2013;
- (B) MetLife for Basic Life, AD&D and Voluntary Life for FY2012-2013;
- (C) Avesis for Voluntary Vision Insurance for FY2012-2013;
- (D) Blue Cross/Blue Shield of Texas for Medical and Prescription Insurance for FY2012-2013; and
- (E) FBS/NBS for Voluntary Supplemental Insurance for FY2012-2013.

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

### **ITEM SUMMARY:**

#### **(A) Dental Insurance**

In 2011, the trustees of the Employee Benefits Trust awarded a contract to MetLife for dental insurance. MetLife has performed well, and Staff desires to extend the contract for another year. Staff recommends that for plan year 2012-2013, the City continue to contribute at the same level as FY2011-2012. The current benefits will remain the same. In addition, as in years past, if employees do not wish to participate in the cost of their dental insurance, they will not be required to purchase the benefit, and the City's contribution will be contributed to their Flexible Spending Account should they choose to have one. Staff recommends that the Trustees authorize a one year contract with MetLife for dental benefits.

#### **(B) Basic Life, AD&D and Voluntary Life Insurances**

In 2011, the trustees of the Employee Benefits Trust awarded a contract to MetLife for Basic Life, AD&D and Voluntary Life Insurance. MetLife has performed well, and Staff desires to extend the contract for another year. Staff recommends that for plan year 2012-2013, the City continue to contribute at the same level as FY2011-2012. The current benefits will remain the same. Staff recommends that for FY2012-2013, the City authorize a contract with MetLife for Basic Life, AD&D and Voluntary Life.

(C) Voluntary Vision Insurance

In 2011, the trustees of the Employee Benefits Trust awarded a contract to Avesis for voluntary vision insurance. Avesis has performed well, and Staff desires to extend the contract for another year. This contract award has no direct cost to the City since this is a voluntary benefit.

(D) Medical and Prescription Insurance

In 2011, the trustees of the Employee Benefits Trust awarded a contract to Blue Cross Blue Shield of Texas (BCBS) for a partially self-funded medical plan – administered and reinsured by BCBS. The current benefits will remain the same. Staff recommends that the Trustees authorize a one year contract with BCBS for medical benefits.

(E) Voluntary Supplemental Insurance

On June 26, 2012, the City received thirteen proposals for providing City employees with voluntary supplemental insurances and flexible spending account program management. The City's insurance consultant reviewed the proposals and narrowed them to one for consideration – FBS/NBS. The consultant and staff reviewed the proposal and recommend that the Trustees authorize a one year contract with FBS/NBS for voluntary supplemental insurance. This contract award has no direct cost to the City since this a voluntary benefit.

**ACTION REQUIRED:** The Mayor shall recess the Council meeting and convene a meeting of the trustees of the City of Temple Employee Benefits Trust. The Trustees (all Councilmembers) will conduct the business of the Trust as shown on the Trust Agenda, including awarding contracts to the various vendors. Once business has been concluded, the Mayor will adjourn the Trust meeting and reconvene the Council meeting. No action is required of the Council on this item. All action is performed by the Trustees.

**FISCAL IMPACT:** Funding of the contracts awarded by the Trust will be accomplished at a Council meeting in September when the budget is adopted. (NOTE: The trust was established in order to eliminate the premium tax that is passed on from the insurance companies.)

Budgeted FY2012-2013 amounts:	\$ 55,756	for dental insurance for employees
	\$ 2,147,821	for medical/prescription insurance for employees
	\$ 119,270	for medical/prescription and dental insurance
		for retirees < age 65
	\$ 9,189	for AD&D
	\$ 43,550	for Basic Life
	<u>\$ 2,375,586</u>	

**ATTACHMENTS:**

Proposal Tabulation  
Resolution

# City of Temple



## Responses to RFP # 27-01-13

### Voluntary Products Benefit Cost

<u>Cancer</u>							
	Bay Bridge	BKCW	American Fidelity	Colonial	FBS	Riata Financial	GL Group
Employee Only	\$15.96 (I) \$16.60 (G)	<i>Did not submit</i>	\$31.80	\$20.65	\$14.20	did not quote	did not quote
Employee + Spouse	\$32.98 (I) \$34.33 (G)	<i>Gas a rider to Critical</i>	\$47.40	\$34.30	\$25.60		
Employee + Children	\$23.28 (I) \$24.13 (G)	<i>Illness policy</i>	\$47.40	\$22.20	\$20.01		
Employee + Family	\$32.98 (I) \$41.87 (G)		\$61.60	\$34.30	\$25.60		
Ranking	2	N/A	4	3	1	N/A	N/A

<u>Critical Illness (\$20,000)</u>							
	Bay Bridge	BKCW	American Fidelity	Colonial	FBS	Riata Financial	GL Group
Partipant (40)	\$29.17	\$30.63	\$17.22	\$15.80	\$20.26	\$36.95	\$32.00
Ranking	4	5	2	1	3	7	6

<u>Accidental Disability Insurance</u>							
	Bay Bridge	BKCW	American Fidelity	Colonial	FBS	Riata Financial	GL Group
Employee Only	\$12.69	\$15.97	\$26.10	\$19.00	\$10.80	\$16.12	\$3.59
Employee + Spouse	\$23.29		\$34.90	\$25.67	\$19.40	\$23.06	\$6.67
Employee + Children	\$24.82		\$41.00	\$30.52	\$21.20	\$30.68	\$7.39
Employee + Family	\$35.53		\$49.80	\$37.18	\$29.80	\$37.62	\$9.07
Ranking	3	??	6	5	2	4	1

# City of Temple



## Responses to RFP # 27-01-13

### Voluntary Benefit Cost

#### Hospital Confinement (GAP) (40)

	Bay Bridge	BKCW	American Fidelity	Colonial	FBS	Riata Financial	GL Group
Employee Only	\$50.18	\$56.20	\$34.60	\$30.85	\$34.40	\$41.86	\$49.04
Employee + Spouse	\$106.06	\$110.13	\$63.60	\$62.75	\$65.10	\$83.23	\$98.06
Employee + Children	\$78.34	\$100.92	\$59.00	\$52.10	\$53.10	\$63.55	\$102.98
Employee + Family	\$133.35	\$134.42	\$88.00	\$73.90	\$83.80	\$104.92	\$152.00
Ranking	5	7	3	1	2	4	6

#### Intensive Care

	Bay Bridge	BKCW	American Fidelity	Colonial	FBS	Riata Financial	GL Group
Employee Only	did not quote	did not quote	\$3.40	did not quote	did not quote	did not quote	did not quote
Employee + Spouse			\$6.60				
Employee + Children			\$5.10				
Employee + Family			\$6.00				
Ranking	N/A	N/A	1	N/A	N/A	N/A	N/A

#### Short Term Disability

	Bay Bridge	BKCW	American Fidelity	Colonial	FBS	Riata Financial	GL Group
7 Day Elimination	\$5.31/100		\$2.60/100	did not quote		\$2.68/100 (3)	\$3.03/100 (500)
14 Day Elimination	\$4.69/100		\$2.34/100	\$3.60/100	\$2.16/100	did not quote	
30 Day Elimination	\$3.52/100		did not provide	did not quote		did not quote	
Ranking	5	N/A	3	4	1	2	6



# City of Temple



## Responses to RFP # 27-01-13

### Flexible Spending Account Plan Administration

	Bay Bridge	BKCW	American Fidelity	Colonial	FBS	Riata Financial	GL Group
Initial Set-Up Fee	\$500.00	\$380.00	Waived	\$300.00	Waived	Waived	None
Annual Maintenance	\$399.00	\$80.00	Waived	\$175.00	Waived	Waived	None
Monthly PEPM Fee	\$5.50	\$4.25	Waived	4.95	\$3.00	Waived	Waived
Minimum Monthly	\$100.00	\$60.00	Waived	\$75.00	\$50.00	Waived	Waived
Debit Card	Included	Included	Included	Inlcuded	Included	Included	Included
Fees Absorbed	Yes	Yes	Yes	Partial	Yes	Yes	Yes

RESOLUTION NO. 2012-6682-R

A RESOLUTION OF THE CITY OF TEMPLE, TEXAS, EMPLOYEES BENEFITS' TRUST, APPROVING FUNDING OF THE RATES FOR DENTAL INSURANCE; BASIC LIFE INSURANCE, ACCIDENTAL DEATH AND DISMEMBERMENT INSURANCE AND VOLUNTARY LIFE INSURANCE; VOLUNTARY VISION INSURANCE; MEDICAL AND PRESCRIPTION INSURANCE AND VOLUNTARY SUPPLEMENTAL INSURANCE; AND THE BIWEEKLY TRANSFER OF THE CITY'S EMPLOYEES' AND RETIREES' CONTRIBUTIONS TO THE TRUST FOR THE PAYMENT OF BENEFITS PURCHASED BY THE CITY OF TEMPLE EMPLOYEE BENEFIT TRUST; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, in 2011, the trustees of the City of Temple Employee Benefits Trust agreed to purchase insurance contracts from MetLife for dental insurance, Metlife for basic life, accidental death and dismemberment insurance and voluntary life insurance, Avesis for voluntary vision insurance and Blue Cross Blue Shield of Texas for medical/prescription insurance;

**Whereas**, Staff and Burke O. Sunday of City-County Benefits Services, recommend using the services of Financial Benefits Services, LLC/National Benefits Services, LLC (FBS/NBS) for voluntary supplemental insurance and flexible spending account program management;

**Whereas**, the City must now, with the adoption of the FY2012-13 budget, fund the cost of those benefits and allow for the biweekly transfer of contributions made by the City and by employees/retirees to the trust;

**Whereas**, funding of the contracts awarded by the Trust reflects no change in costs from the current year and funds are budgeted in the FY2012-13 budget for this expense; and

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

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

**Part 1:** The City Council approves funding of the rates for dental insurance, basic life and accidental death and dismemberment insurance and voluntary life insurance, voluntary vision insurance, medical/prescription insurance, voluntary supplemental insurance and flexible spending account program.

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

PASSED AND APPROVED this the **2<sup>nd</sup>** day of **August**, 2012.

THE CITY OF TEMPLE, TEXAS

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WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Jonathan Graham  
City Attorney