



**MEETING OF THE
TEMPLE CITY COUNCIL**

MUNICIPAL BUILDING

2 NORTH MAIN STREET

3rd Floor – CONFERENCE ROOM

THURSDAY, NOVEMBER 15, 2012

3:30 P.M.

WORKSHOP AGENDA

1. Discuss, as may be needed, Regular Meeting agenda items for the meeting posted for Thursday, November 15, 2012.
2. Receive briefing from Heart of Texas Defense Alliance.
3. Receive presentation on fourth quarter financial results for the fiscal year ended September 30, 2012.
4. Discuss an agreement to sell effluent from the Temple-Belton Wastewater Treatment Plant to Panda Temple Power II, LLC. (related to item 8 on Regular Agenda).

Executive Session: Pursuant to Section 551.087 of the Government Code, the City Council may meet in executive session to discuss either commercial or financial information that the City has received from a business prospect that the City wishes to locate, stay or expand within the City limits and with which the City is conducting economic development negotiations, or to deliberate the offer of a financial or other incentive to a business prospect the public discussion of which would adversely affect ongoing economic development negotiations.

5:00 P.M.

MUNICIPAL BUILDING

**2 NORTH MAIN STREET
CITY COUNCIL CHAMBERS – 2ND FLOOR
TEMPLE, TX**

TEMPLE CITY COUNCIL

REGULAR MEETING AGENDA

I. CALL TO ORDER

1. Invocation
2. Pledge of Allegiance

II. PUBLIC COMMENTS

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

III. 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.

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

Minutes

- (A) [October 18, 2012 Special Called and Regular Meeting](#)
- (B) [October 19, 2012 Special Called Meeting](#)
- (C) [November 1, 2012 Special Called and Regular Meeting](#)

Contracts, Leases, & Bids

- (D) [2012-6798-R](#): Consider adopting a resolution authorizing the purchase of a yearly 2012-2013 GIS Software maintenance contract with Environmental Systems Research Institute in the amount of \$25,832.
- (E) [2012-6799-R](#): Consider adopting a resolution authorizing a contract with Valley View Consulting, LLC for Investment Advisory Services.
- (F) [2012-6800-R](#): Consider adopting a resolution authorizing a professional services agreement with Architectural Edge, Inc. of Temple to provide architectural and engineering services related to the construction of Phase II of the Fire Training Center in an amount not to exceed \$361,610.
- (G) [2012-6801-R](#): Consider adopting a resolution authorizing a renewal to the purchase agreement with Casco Industries for the purchase of fire fighting protective clothing utilizing the City of North Richland Hills annual contract in the estimated amount for FY 2013 of \$42,700.
- (H) [2012-6802-R](#): Consider adopting a resolution authorizing a developer participation agreement with Bobby Arnold for reimbursement of the cost for constructing 8' wide sidewalks at D'Antoni's Crossing Subdivision on South 31st Street in an amount not to exceed \$60,194.61.
- (I) [2012-6803-R](#): Consider adopting a resolution authorizing an agreement with Bechtel Corporation to provide off-duty police officers for security work.
- (J) [2012-6804-R](#): Consider adopting a resolution authorizing a Chapter 380 Strategic Investment Zone "matching grant" agreement with Trawets Properties, Inc. for redevelopment improvements on Main Street in downtown Temple located within the South 1st Street Strategic Investment Zone corridor in an amount not to exceed \$29,000.
- (K) [2012-6805-R](#): Consider adopting a resolution authorizing the purchase of a utility camera with accessories from CUES, Inc. utilizing a BuyBoard contract in the amount of \$37,665.

Ordinances – Second & Final Reading

- (L) 1. [2012-4566](#): SECOND READING: Consider adopting an ordinance authorizing an amendment to the Tax Increment Financing Reinvestment Zone No. 1 Financing and Project Plans in FY 2013 to appropriate \$200,560 to the South 1st Street Improvements from the Temple College Apartments to Avenue O Project by reallocating funds from Public Improvements in the North Zone.

2. [2012-6806-R](#): Consider adopting a resolution authorizing a professional services agreement with Kasberg, Patrick & Associates, LP for professional services required to provide 30% preliminary design plans, exhibits, estimates, and metes and bounds for proposed improvements for South 1st Street in the Temple Medical Education District from the Temple College Apartments to Avenue O in an amount not to exceed \$200,560.

Misc.

- (M) [2012-6807-R](#): Consider adopting a resolution authorizing payment of the Consolidated Water Quality Assessment Fee to the Texas Commission on Environmental Quality for operations of Temple's wastewater treatment plants, in the cumulative amount of \$86,860.80.
- (N) [2012-6808-R](#): Consider adopting a resolution authorizing the submission of an application for funding through the Texas Department of Transportation, Transportation Enhancement Program in the amount of \$1,870,000, with \$1,500,000 reimbursed to the City through federal funding, to develop landscaped urban trails and improvements along SH 53 (Adam's Avenue) and Central Avenue.
- (O) [2012-6809-R](#): Consider adopting a resolution authorizing the carry forward of FY 2011-2012 funds to the FY 2012-2013 budget and consider adopting a resolution authorizing budget adjustments for FY 2011-2012.
- (P) [2012-6810-R](#): Consider adopting a resolution approving fourth quarter financial results for the fiscal year ended September 30, 2012.

IV. REGULAR AGENDA

ORDINANCES

- 4. [2012-4567](#): FIRST READING - PUBLIC HEARING: Consider adopting an ordinance designating a tract of land consisting of approximately 11.444 acres located at the southern end of Panda Drive, Temple, Texas as City of Temple Tax Abatement Reinvestment Zone Number Twenty-Five for commercial/industrial tax abatement.
- 5. [2012-4568](#): FIRST READING – PUBLIC HEARING: Consider adopting an ordinance authorizing the annexation of a 10+ acre tract of land, located at the north end of Richland Drive, north of The Campus at Lakewood Ranch Phase VII.
- 6. [2012-4569](#): FIRST READING - PUBLIC HEARING - Z-FY-12-61: Consider adopting an ordinance authorizing a permanent zoning upon annexation to Urban Estates District (UE) consisting of 10.089± acres of land, proposed for The Campus at Lakewood Ranch Phase VIII, located at the north end of Richland Drive, north of The Campus at Lakewood Ranch Phase VII.

RESOLUTIONS

7. [2012-6811-R](#): Consider approving a resolution authorizing an agreement to sell effluent from the Temple-Belton Wastewater Treatment Plant to Panda Temple Power II, LLC.

Executive Session: Pursuant to Section 551.087 of the Government Code, the City Council may meet in executive session to discuss either commercial or financial information that the City has received from a business prospect that the City wishes to locate, stay or expand within the City limits and with which the City is conducting economic development negotiations, or to deliberate the offer of a financial or other incentive to a business prospect the public discussion of which would adversely affect ongoing economic development negotiations.

BOARD APPOINTMENTS

8. [2012-6812-R](#): Consider adopting a resolution appointing members to the following City boards and commissions:
- (A) Animal Services Advisory Board –one member to fill an unexpired term through September 1, 2014
 - (B) Community Services Advisory Board – one member to fill unexpired term through September 1, 2014; and one member to fill an unexpired term through September 1, 2015
 - (C) Library Board – one member to fill an unexpired term through September 1, 2014
 - (D) Temple Public Safety Advisory Board – three members to fill an unexpired terms through September 1, 2013; one member to fill an unexpired term through September 1, 2014; and one member to fill an unexpired term through September 1, 2015
 - (E) Transit Advisory Committee – one member to fill an unexpired term through September 1, 2013
9. [2012-6595-R](#): Consider adopting a resolution appointing one alternate member to the Bell County Public Health District Board of Directors.

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

V. AGENDA – CITY OF TEMPLE EMPLOYEE BENEFITS TRUST

1. [2012-6813-R](#): Conduct a meeting of the City of Temple Employee Benefits Trust to purchase substitute Medicare supplement insurance for City of Temple over 65 retirees from the Scott & White Health Plan for calendar year 2013.

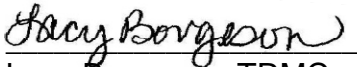
ADJOURN THE MEETING OF THE CITY OF TEMPLE EMPLOYEE BENEFITS TRUST AND RECONVENE THE REGULAR MEETING OF THE TEMPLE CITY COUNCIL.

VI. REGULAR AGENDA – CONTINUED

10. [2012-6814-R](#): Consider adopting a resolution funding the rates for substitute Medicare supplement insurance for eligible City of Temple over 65 retirees, and the City's contribution thereto for calendar year 2013.

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

I hereby certify that a true and correct copy of this Notice of Meeting was posted in a public place at 2:35 PM, on November 9, 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

11/15/12
Item #3(A-C)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Lacy Borgeson, City Secretary

ITEM DESCRIPTION: Approve Minutes:

- (A) October 18, 2012 Special Called and Regular Meeting
- (B) October 19, 2012 Special Called Meeting
- (C) November 1, 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:

October 18, 2012 Special Called and Regular Meeting
October 19, 2012 Special Called Meeting
November 1, 2012 Special Called and Regular Meeting

TEMPLE CITY COUNCIL

OCTOBER 18, 2012

The City Council of the City of Temple, Texas conducted a Special Meeting on Thursday, October 18, 2012 at 4:00 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 T. Schneider
Councilmember Judy Morales
Mayor William A. Jones, III

1. Discuss, as may be needed, Regular Meeting agenda items for the meeting posted for Thursday, October 18, 2012.

Mr. Blackburn spoke about Item 5(l) on the Consent Agenda. He stated this discussion was had a previous work shop in length. He was seeking clarification from Council on both no geographic was preferred or restricted from consideration; and the Council would entertain multiple applications at the same time.

2. Discuss future design and construction for the training fields at Fire Station 8.

Mr. Blackburn introduced this time and gave Council some background. He stated this is Phase II of the 2008 GO Fire Bonds for the expansion of the Training Facilities.

Chief Wallace gave a brief overview to the Council. He stated TFR is a first responder service for emergency medical calls for service, fire prevention, and hazardous material incidents. Chief stated the key components of the Drill Tower is to provide realistic training scenarios; live fire training; all-hazardous training; to assist with overall competency and confidence needed to fulfill our obligation; and most importantly it enhances the safety factor for all of our firefighters.

The current training tower was built in 1964 and is deteriorating. It is not safe for our men and women to train in, nor does it provide the realistic training we need. It is ineffective and unsafe.

Chief stated that in May 2008, the citizens passed a bond in the amount of \$13,995,000 which included multiple fire components to include replacement of Station 1; construction of a new Station (#8); replacement of

engines 1 and 4; purchase of new engine (#8); to construct a new emergency operations center; and construction of a new training center. All of the components of this bond package have been completed with exception of Phase II of the Training Center. In February 2010, the City engaged with a Consultant to assist with planning and design of Phase II for this Center. Chief provided some drawing for preliminary site plans for the ultimate build-out for the Training Field. The proposed construction of Phase II of the Training Field includes site infrastructure with a four-story training simulator. The estimated cost is \$2,500,000 of which is still available in the bond package monies.

Mr. Blackburn asked what the building is made of and how maintenance will be handled?

Chief stated it can be made of either sheet metal or brick. The roof will have sections of plywood for training; and will be repaired by those in the department.

Councilmember Cloud inquired as to whether the City will be able to host training for other cities to participate in?

Chief replied yes. He also stated this facility will have a driving track and other departments in the City will also be able to train at the center.

The City Council of the City of Temple, Texas conducted a Regular Meeting on Thursday, October 18, 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

Brian Vanicek, President of SPSJT voiced the Invocation.

2. Pledge of Allegiance

Cade Riggan, 2nd Grader at Kennedy Powell Elementary led the Pledge of Allegiance.

II. PROCLAMATIONS & SPECIAL RECOGNITIONS

3. (A) Receive 9-11 Memorial Flag flown over Kandahar, Afghanistan.

Mr. CJ Grisham, VFW Post 1820 presented the United States Flag flown over Kandahar, Afghanistan as memorial of 9-11, to the City Council.

(B) Czech Heritage Month - October 2012

Brian Vanicek, President of SPSJT received the proclamation from Mayor Jones.

III. PUBLIC HEARING

4. PUBLIC HEARING - Receive Municipal Service Plan and conduct a public hearing to receive comments on the possible annexation, known as the Campus at Lakewood Voluntary Annexation, for a 10+ acre tract of land, located at the north end of Richland Drive, north of The Campus at Lakewood Ranch Phase VII.

Autumn Speer, Community Services Director presented this case to the Council. She stated this is the first of two public hearings to receive comments. Ms. Speer stated the property owner filed a petition on September 18, 2012 with the City, seeking voluntary annexation of approximately 10 acres into the City limits. On October 4, 2012 the City Council adopted a resolution directing Staff to create the Municipal Services Plan and public hearing schedule.

Ms. Speer stated the Municipal Service Plan will provide the same level as provided for other parts of the City with same or similar topography and land use such as fire protection (Station 8), police, road maintenance, building permits, code enforcement, ROW mowing and water and wastewater (septic).

She also stated the next public hearing for the service plan will be on Friday, October 19, 2012 at 8:30 am in the Council Chambers. Planning and Zoning Commission will hear this case on November 5, 2012; and the first reading for the annexation will be heard by the City Council on Thursday, November 15, 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.

At this time Mayor Jones announced the 2nd Public Hearing will be Friday, October 19, 2012 at 8:30 am in the Council Chambers.

IV. PUBLIC COMMENTS

Ms. Betty Elliott addressed her concerns to the Council as they related to the trains and whistles.

Mr. Wes Teeters, 4 South Main voiced his concerns and issues with safety in the downtown area. Our Police Department is doing everything they can; but it is going to take everyone to make this change.

V. CONSENT AGENDA

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

(A) October 4, 2012 Special Called and Regular Meeting

(B) 2012-6777-R: Consider adopting a resolution authorizing a change order #1 to the construction contract with James Construction Group, LLC for construction activities required to build interim fencing improvements along the NW Loop 363 roadway project in an amount not to exceed \$58,706.41.

(C) 2012-6778-R: Consider adopting a resolution authorizing a construction contract with T. Morales Company Electric & Controls Ltd. of Florence for activities required to construct the emergency power improvements and building modifications to house the associated generator hardware (Phase 2B) in an amount not to exceed \$2,473,400.

(D) 2012-6779-R: Consider adopting a resolution authorizing the purchase of a yearly 2012-2013 maintenance contract with Sungard Public Sector in the amount of \$152,092.20

(E) 2012-6780-R: Consider adopting a resolution authorizing a cost sharing agreement with Stellar Development Company to provide for cost sharing of the installation of a wastewater line extension to the Highland Park Subdivision.

(F) 2012-6781-R: Consider adopting a resolution authorizing the renewal of the Emergency Management Performance Grant for FY 2012, which funds a portion of the administration cost for Emergency Management for the City of Temple in the amount of \$37,643.64.

(G) 2012-4560: SECOND READING - Z-FY-12-53: Consider adopting an ordinance amending the Citywide Trails Master Plan.

(H) 2012-4561: SECOND READING - Z-FY-12-54: Consider adopting an ordinance amending Ordinance 2008-4230, the Choices '08, City of Temple Comprehensive Plan, Chapter 5, to amend the Thoroughfare Plan Map.

(I) 2012-6782-R: Consider adopting a resolution establishing a policy and criteria for the City's support of tax credit projects through the Texas Department of Housing and Community Affairs and rescinding resolutions No. 2005-4280-R and No. 2004-4019-R.

(J) 2012-6783-R: Consider adopting a resolution authorizing acceptance of grant funding in the estimated amount of \$4,114,450 from the Texas Department of Transportation, Aviation Division, Airport Project Participation Grant Fund, for reconstruction, rehabilitation and overlay of Taxiways A, B, C, D, E, F and the aircraft parking apron at the Draughon-Miller Central Texas Regional Airport, with an estimated City match of 10% or \$411,445.

(K) 2012-6784-R: Consider adopting a resolution authorizing budget amendments for fiscal year 2012-2013.

Motion by Mayor Pro Tem Danny Dunn adopt resolution approving Consent Agenda. (Vote 5/0) seconded by Councilmember Perry Cloud.

VI. REGULAR AGENDA

ORDINANCES

6. (A) 2012-4563: SECOND READING - PUBLIC HEARING: Consider adopting an ordinance designating a tract of land consisting of approximately 8.144 acres and described as Lot 7 and Lot 8, Block 1, Enterprise Park, located at 2708 Lucius McCelvey Drive as City of Temple Tax Abatement Reinvestment Zone Number Twenty-Four for commercial/industrial tax abatement.

(B) 2012-6785-R: Consider adopting a resolution authorizing a tax abatement agreement with Don-Nan Pump & Supply Company, granting tax abatement on the increased value of real property on a tract of land located at 2708 Lucius McCelvey Drive, Temple, Bell County, Texas.

Kayla Landeros, Deputy City Attorney stated there was no

presentation at this time for both Item 6(A) and (B) but was available for questions.

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

Motion by Councilmember Judy Morales adopt ordinance on second and final reading. Vote (5/0) seconded by Councilmember Perry Cloud.

Motion by Mayor Pro Tem Danny Dunn adopt resolution. Vote (5/0) seconded by Councilmember Perry Cloud.

RESOLUTIONS

- 7. 2012-6786-R: Consider adopting a resolution directing Staff to proceed with implementation of the Tax Increment Financing Reinvestment Zone #1 Downtown Rail Safety Zone Report.**

Mayor Jones stated this item will not have a presentation. He asked Council if anyone had questions or comments.

Mayor Pro Tem Dunn stated this has been a tough situation for him. This process has stretched over 2 years. As it became clear to the community as to what was taking place, he received many phone calls with concerns related to the closure of the crossing at 1st Street. Mayor Pro Tem Dunn stated at this time he needs to listen and trust his constituents.

Councilmember Morales stated this good for the downtown community and appreciates all the comments that were received.

Motion by Councilmember Russell Schneider adopt resolution. Vote (4/1) seconded by Councilmember Judy Morales.

Mayor Pro Tem Dunn voted Nay; all others voted Aye

William A. Jones, III, Mayor

ATTEST:

Lacy Borgeson
City Secretary

SPECIAL MEETING OF THE TEMPLE CITY COUNCIL

OCTOBER 19, 2012

The City Council of the City of Temple conducted a Special Meeting on Friday, October 19, 2012 at 8:30 AM 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

Councilmember Russell Schneider voiced the Invocation.

Councilmember Judy Morales led the Pledge of Allegiance.

I. PUBLIC HEARING

- 1. PUBLIC HEARING - Receive Municipal Service Plan and conduct a public hearing to receive comments on the possible annexation, known as the Campus at Lakewood Voluntary Annexation, for a 10+ acre tract of land, located at the north end of Richland Drive, north of The Campus at Lakewood Ranch Phase VII.**

Autumn Speer, Director of Community Services stated this is the 2nd Public Hearing on the is voluntary annexation. The 1st Public Hearing was held last evening on Thursday, October 18, 2012. She stated that the property owner filed a petition with the City on September 18, 2012 for voluntary annexation. The City Council directed staff on October 4, 2012 to create a Municipal Service Plan and public hearing schedule.

Ms. Speer stated that on November 5, 2012, this item will be reviewed the Planning and Zoning Commission.

Mayor Jones declared the public hearing open with regards to agenda item 1 and asked if anyone wished to address this item. There being none, Mayor Jones declared the public hearing closed.

William A. Jones, III, Mayor

ATTEST:

Lacy Borgeson
City Secretary

TEMPLE CITY COUNCIL

NOVEMBER 1, 2012

The City Council of the City of Temple, Texas conducted a Special Meeting on Thursday, November 1, 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
Councilmember Judy Morales
Mayor William A. Jones, III

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

Mayor Jones stated Councilmember Schneider would be abstaining from item 6(H) on the Regular Agenda.

2. **Receive an update on the SIZ program and discuss SIZ program eligibility requirements and objectives.**

Ms. Foutz, Assistant City Manager presented this item to the Council and stated the City has been approached by an prospective applicant. We need to determine whether an non-profit and non-taxable property is eligible to participate in the program. She reviewed the objectives for the SIZ Program as it is to stimulate redevelopment; attract new investment; grow the tax base; and to create and retain jobs. The Grant Policy includes a minimum total investment of \$20,000 for commercial and \$10,000 for residential; there are specific matching caps set by the ordinance for each category; a point system is used for staff recommendation; and each applicant will be considered on a case-by-case basis. Ms. Foutz stated what is unresolved is whether we'll allow for a non-profit and non-taxable property participate. Ms. Foutz stated the current request is for the building at the corner of 2nd Street and Central Avenue, which is the Masonic Lodge. The improvements pursued at this time is for the facade.

Mr. Blackburn stated that there have no applications to date from either non-profit or non-taxable properties. We have only had a single inquiry.

Councilmember Schneider stated it shouldn't matter whether it is a taxable property or not. The reason for the program is to clean up the area. Each should be reviewed. Our end goal is to make the area more desirable.

Mayor Pro Tem Dunn had concerns with using all the available funds.

Councilmember Cloud agreed that each need to be a on case-by-case basis.

3. **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.**
4. **Executive Session: Pursuant to Chapter 551, Government Code, §551.074 - Personnel Matter - The City Council will meet in executive session to discuss the employment, evaluation, duties and work plans of the City Manager, Director of Finance, City Attorney, City Secretary, and Municipal Court Judge. No final action will be taken.**

The City Council of the City of Temple, Texas conducted A Regular Meeting on Thursday, November 1, 2012 at 5:00 PM in the Council Chambers, Municipal Building, 2nd Floor, 2 North Main Street,

The City Council of the City of Temple, Texas conducted a Regular Meeting on Thursday, November 1, 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

Reverend Shelton Rhodes with Greater Zion Church of God in Christ in Temple voiced the Invocation.

2. Pledge of Allegiance

Judge Kathleen Person led the Pledge of Allegiance.

II. PROCLAMATIONS & SPECIAL RECOGNITIONS

3. Municipal Court Week November 5 - 9, 2012

Mayor Jones presented the Proclamation to Judge Kathleen Person.

III. BOND ITEMS

4. **2012-4564: FIRST & FINAL READING - PUBLIC HEARING:** Consider adopting an ordinance authorizing the issuance of \$4,665,000 City of Temple, Texas Combination Tax and Revenue Certificates of Obligation, Taxable Series 2012; authorizing the Levy of an ad valorem tax and the pledge of certain revenues in support of the Certificates; approving and Official Statement, a Paying Agent/Registrar Agreement, and other agreements related to the sale and issuance of the Certificates; awarding the sale of the certificates; and authorizing other matters related to the issuance of the certificates.

At this time Mayor Jones read both item 4 and 5 into the record.

Traci Barnard, Director of Finance, presented this item. She stated there are two separate bond items for consideration. The first one is a Taxable Series 2012, related to future expansion of our City Landfill and the second one is a Combination Tax & Revenue C.O. Series 2012 related to TCIP-Phase I.

Ms. Barnard reviewed the Taxable Series 2012. She stated this is for the future expansion of the City's Landfill to include permitting, construction, land acquisition and other related costs. The estimated Issuance is \$4,665,000. This bond will be repaid with revenues from the operations of the landfill. Future budget amendment will be brought forward at a future meeting to increase the revenues and apply to debt service.

Next Mrs. Barnard discussed the Combination Tax & Revenue C.O. Series, 2012. This series is to fund the multi-year Transportation Capital Improvement Program (TCIP) in an estimated multi-year total of \$60,180,000. The first issuance is estimated at \$9,420,000. This will fund signalization, reconstruction, capacity/ connectivity, maintenance, and cost of issuance. Mrs. Barnard stated this is secured by an Ad Valorem Tax Pledge from the City. In the FY 2013 budget, the I&S tax rate increase of 1.25 cents. This rate increase was to fund \$60.2 million TCIP, assuming a 3% growth in the tax base for future years.

At this time Mr. Dan Wegmiller, Financial Advisory with Specialized Public Financing Inc. reviewed the transactions and pricing of each of the two bond series. He stated that bids for both Issues were accepted earlier today. He stated that Standard & Poor's Rating Service reaffirmed the City's rating of 'AA'; and stated our Finances remain very strong. Mr. Wegmiller stated the lowest bidder for the

Combination Tax & Revenue C.O., Series 2012, \$9,420,000 was Robert W. Baird & Co., Inc. with a true interest cost of 2.672695%. He added the Taxable Series 2012, \$4,645,000 was bid on five bidders, the lowest being BOSC, Inc. with the True Interest Cost of 3.052118%.

Carol Polumbo, Bond Counsel of McCall, Parkhurst & Horton L.L.P. reviewed the details of the ordinance and was available for questions. Ms. Polumbo stated the principal for the Taxable Series 2012 will be \$4,645,000 as the final amount. She added that closing/funding will be on November 15, 2012.

Mayor Jones declared the Public Hearing open with regard 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 Councilmember Perry Cloud adopt Ordinance as presented on first and final reading. Vote (5/0) Motion did not require second.

- 5. 2012-4565: FIRST & FINAL READING - PUBLIC HEARING: Consider adopting an ordinance authorizing the issuance of \$9,420,000 City of Temple, Texas Combination Tax and Revenue Certificates of Obligation, Series 2012; authorizing the Levy of an ad valorem tax and the pledge of certain revenues in support of the Certificates; approving and Official Statement, a Paying Agent/Registrar Agreement, and other agreements related to the sale and issuance of the Certificates; establishing procedures for selling and delivering the bonds; and authorizing other matters related to the issuance of the certificates.**

Mayor Jones declared the Public Hearing open with regard to Agenda Item 5 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 Ordinance as presented on first and final reading. Vote (5/0) seconded by Councilmember Perry Cloud.

IV. PUBLIC COMMENTS

No one signed up to speak.

V. CONSENT AGENDA

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

(A) 2012-6787-R: Consider adopting a resolution authorizing the

purchase of a trailer-mounted hydro-jet from Kinloch Equipment & Supply, Inc. of Arlington utilizing a BuyBoard contract in the amount of \$58,550.40.

(B) 2012-6788-R: Consider adopting a resolution authorizing the purchase of a mini excavator, Caterpillar model 301.4C compact construction equipment from Holt CAT of Irving utilizing a BuyBoard contract, in the amount of \$28,099.

(C) 2012-6789-R: Consider adopting a resolution authorizing a contract with the Department of Veterans Affairs, Veterans Industries/Compensated Work Therapy for the provision of temporary workers for the Parks and Leisure Services Department in the amount of \$ 73,478.

(D) 2012-6790-R: Consider adopting a resolution approving the City's Section 125 Cafeteria Plan and authorizing a contract with Financial Benefits Services for Voluntary Supplemental Insurances; and a subcontract with National Benefits Services for Flexible Spending Account management, both for the purpose of administration of the City's Section 125 cafeteria Plan.

(E) 2012-6791-R: Consider adopting a resolution authorizing a developer participation agreement with Scott & White for reimbursement of cost for constructing 10' wide sidewalks at Scott and White Clinic, 6684 FM 2305 in an amount not to exceed \$7,376.

(F) 2012-6792-R: Consider adopting a resolution authorizing the following:

- 1. An interlocal agreement with Bell County, Texas to allow for the utilization of a fiber installation and maintenance service contract between Bell County and JC Communications of Leander; and**
- 2. Execution of an annual service contract with JC Communications of Leander for fiber installation and maintenance services.**

(G) 2012-6793-R: Consider adopting a resolution authorizing a master intergovernmental cooperative purchasing agreement with National Intergovernmental Purchasing Alliance Company to enable the City to utilize competitive awarded solicitations through principal procurement agencies of National IPA.

(H) 2012-6794-R: Consider adopting a resolution authorizing a Donation Agreement between the City of Temple and the Temple Lion's Club Parks, Inc. for the construction of additional sidewalks and the expansion of the parking lot at the Gober House.

(I) 2012-6795-R: Consider adopting a resolution establishing hangar rental rates at the Draughon-Miller Central Texas Regional Airport.

(J) 2012-6796-R: Consider adopting a resolution authorizing an airport lease agreement with Kachemak Bay Flying Service, Inc. of Killeen for the lease of a 7,590 square foot airport hangar for the purpose of providing rotary wing flight services and overnight aircraft storage at a rental rate to the City of \$1,000 per month.

Motion by Councilmember Perry Cloud adopt Resolution approving Consent Agenda with exception of Item 6(H). Vote (5/0) seconded by Councilmember Judy Morales.

(H) 2012-6794-R: Consider adopting a resolution authorizing a Donation Agreement between the City of Temple and the Temple Lion's Club Parks, Inc. for the construction of additional sidewalks and the expansion of the parking lot at the Gober House.

Motion by Mayor Pro Tem Danny Dunn adopt resolution. Vote (4/1) seconded by Councilmember Judy Morales.

Councilmember Schneider abstained; all others voted in favor.

VI. REGULAR AGENDA

ORDINANCES

- 7. 2012-4566: FIRST READING - PUBLIC HEARING: Consider adopting an ordinance authorizing an amendment the Tax Increment Financing Reinvestment Zone No. 1 Financing and Project Plans in FY 2013 to appropriate \$200,560 to the South 1st Street Improvements from the Temple College Apartments to Avenue O Project by reallocating funds from Public Improvements in the North Zone.**

Traci Barnard, Director of Finance, presented this item. This is a project to fund the preliminary design. This project is located within the TMED Area. The amendment will allocate funds of \$200,560 to

the South 1st Street Improvements from the Temple College Apartments to Avenue O Project. This is line 458 of the Project Plan.

Mayor Jones declared the Public Hearing open with regard to Agenda Item 7 and asked if anyone wished to address this item. There being none, Mayor Jones declared the Public Hearing closed.

Motion by Councilmember Judy Morales adopt Ordinance as presented, with second and final reading set for November 15, 2012. Vote (5/0) seconded by Mayor Pro Tem Danny Dunn.

RESOLUTIONS

8. **2012-6797-R: Consider adopting a resolution authorizing the purchase of three tracts of land near the City of Temple's landfill.**

Jonathan Graham, City Attorney, presented this item. Mr. Graham reviewed each of the proposed acquisitions. The 10 acre Easley tract for \$65,000 plus closing costs estimated at \$3,300. Next is the 2.88 acre Easley tract for \$20,000 plus closing costs estimated at \$2,400; and the 1 acre Easley tract for \$105,000 plus closing cost estimated at \$2,850.

Motion by Mayor Pro Tem Danny Dunn adopt Resolution authorizing the purchases as described by Mr. Graham. Vote (5/0) seconded by Councilmember Perry Cloud.

William A. Jones, III, Mayor

ATTEST:

Lacy Borgeson
City Secretary



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DEPT./DIVISION SUBMISSION & REVIEW:

Alan DeLoera, Information Technology Director

ITEM DESCRIPTION: Consider adopting a resolution authorizing the purchase of a yearly 2012-2013 GIS Software maintenance contract with Environmental Systems Research Institute in the amount of \$25,832.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The Information Technology, Public Works, Parks, Community Development, Police and Fire currently use Geographical Information Systems Software from Environmental Systems Research Institute (ESRI) that integrates hardware, software, and data for capturing, managing, analyzing, and displaying all forms of geographically referenced information. GIS allows us to view, understand, question, interpret, and visualize data in many ways that reveal relationships, patterns, and trends in the form of maps, globes, reports, and charts.

GIS is used for Crime, Water/Sewer, transportation, parcel, 911, planning, zoning, parks, infrastructure, political boundary, topographical, hydrological and census analysis and management. The GIS software is used for information sharing on our City website.

Environmental Systems Research Institute (ESRI) is the sole provider of maintenance for the ArcGIS application software. This is currently the 7th year of support for the current software

FISCAL IMPACT: The Information Technology Department currently has funds budgeted in account 110-1900-519-23-38 in the amount of \$25,832 for continued annual support of these applications.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF AN ANNUAL MAINTENANCE CONTRACT WITH ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE (ESRI), FOR FY2012-13, IN THE AMOUNT OF \$25,832; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City currently uses Geographical Information Systems Software from Environmental Systems Research Institute (ESRI) that integrates hardware, software, and data for capturing, managing, analyzing, and displaying all forms of geographically referenced information – ESRI is the sole provider of maintenance for the ArcGIS application software;

Whereas, GIS is used for Crime, Water/Sewer, transportation, parcel, 911, planning, zoning, parks, infrastructure, political boundaries, topographical, hydrological and census analysis and management and is used for information sharing on our City website;

Whereas, this will be the City's 7th year of support for the current software – funds are budgeted in Account No. 110-1900-519-2338 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 an annual maintenance contract for FY2012-13 with Environmental Systems Research Institute (ESRI), for ArcGIS application software, for an amount not to exceed \$25,832.

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

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

PASSED AND APPROVED this the 15th day of November, 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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DEPT./DIVISION SUBMISSION & REVIEW:

Traci L. Barnard, Director of Finance

ITEM DESCRIPTION: Consider adopting a resolution authorizing a contract with Valley View Consulting, LLC for Investment Advisory Services.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The City has traditionally not utilized an investment advisory firm to assist with the management of its investment portfolio. Based on the amount of the current investment portfolio and interest rate environment, staff has determined an investment consultant will add value to the portfolio.

Staff has selected Valley View Consulting for the Investment Advisory Services recommendation. Valley View Consulting is a SEC registered investment advisory firm serving Texas public entities in a variety of cash and investment management and consulting roles. Valley View provides completely independent advice and consultation and is not affiliated with any investment pool, mutual fund, broker/dealer, financial institution, or investment provider. The investment services the City will receive include:

- Strategic portfolio advice,
- Investment policy and bond covenant review,
- Cash flow model development for all non-bond funds,
- Bond proceeds cash flow model assistance,
- Complete analysis of eligible investment options,
- Thorough deposit and transaction documentation,
- Effective broker/dealer management,
- Integrated bond proceeds investment,
- Customized communication, reporting, and training, and
- Assistance with the Bank Depository RFA process.

FISCAL IMPACT. In consideration of these services, the annual fee would be .04% (4 basis points) of the investments' book value less than \$100,000,000 and .03% (3 basis points) for the portfolio balance in excess of \$100,000,000. This fee would be taken from the interest earnings of the City's investments. The City's investment portfolio market value at 9/30/2012 was \$115,468,406.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONTRACT WITH VALLEY VIEW CONSULTING, LLC FOR INVESTMENT ADVISORY SERVICES; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City has traditionally not utilized an investment advisory firm to assist with the management of its investment portfolio, but based on the amount of current investment portfolio and interest rate environment, staff has determined an investment consultant will add value to the City's portfolio;

Whereas, Valley View Consulting, LLC is a SEC registered investment advisory firm serving Texas public entities in a variety of cash and investment management and consulting roles – Valley View provides completely independent advice and consultation and is not affiliated with any investment pool, mutual fund, broker/dealer, financial institution, or investment provider;

Whereas, the investment services the City will receive include strategic portfolio advice, investment policy and bond covenant review, cash flow model development for all non-bond funds, bond proceeds cash flow model assistance, complete analysis of eligible investment options, thorough deposit and transaction documentation, effective broker/dealer management, integrated bond proceeds investment, customized communication, reporting, training and assistance with the Bank Depository RFA process;

Whereas, for purposes of this agreement, Traci Barnard, Director of Finance, is designated as the City of Temple's investment officer and is responsible for all investment decisions and activities; and

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

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

Part 1: The City Council authorizes the City Manager, or his designee, to execute a contract with Valley View Consulting, LLC for investment advisory services which will add to the value of the City's portfolio, substantially in the form of the copy attached hereto as Exhibit A.

Part 2: Traci Barnard, Director of Finance, is designated as the City of Temple's investment officer and is responsible for all investment decisions and activities, for the purposes of this agreement.

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 **15th** day of **November**, 2012.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Jonathan Graham
City Attorney

**AGREEMENT
BY AND BETWEEN
THE CITY OF TEMPLE, TEXAS
AND
VALLEY VIEW CONSULTING, L.L.C.**

It is understood and agreed that the City of Temple (the *Investor*) will have from time to time money available for investment (*Investable Funds*) and Valley View Consulting, L.L.C. (*Advisor*) has been requested to provide professional services to the Investor with respect to the Investable Funds. This agreement (the *Agreement*) constitutes the understanding of the parties with regard to the subject matter hereof.

1. This Agreement shall apply to any and all Investable Funds of the Investor from time to time during the period in which this Agreement shall be effective.
2. The Advisor agrees to provide its professional services to direct and coordinate all programs of investing as may be considered and authorized by the Investor.
3. The Advisor agrees to perform the following duties:
 - a. Assist the Investor in developing cash flow projections,
 - b. Suggest appropriate investment strategies to achieve the Investor's objectives,
 - c. Advise the Investor on market conditions, general information and economic data,
 - d. Analyze risk/return relationships between various investment alternatives,
 - e. Attend occasional meetings as requested by the Investor,
 - f. Assist in the selection, purchase, and sale of investments. The Advisor shall not have discretionary investment authority over the Investable Funds and the Investor shall make all decisions regarding purchase and sale of investments. All funds shall be invested consistent with the Texas Public Funds Investment Act, Chapter 2256 Government Code and the Investor's Investment Policy. The eligible investments are listed in the Investor's Investment Policy,
 - g. Advise on the investment of bond funds as to provide the best possible rate of return to the Investor in a manner which is consistent with the proceedings of the Investor authorizing the investment of the bond funds or applicable federal rules and regulations,
 - h. Assist the Investor in creating investment reports in compliance with State legislation and the Investor's Investment Policy,
 - i. Assist the Investor in creating monthly portfolio accounting reports, and
 - j. Assist the Investor in selecting a primary depository services financial institution.

4. The Investor agrees to:

- a. Compensate the Advisor for any and all services rendered and expenses incurred as set forth in Appendix A attached hereto,
- b. Provide the Advisor with the schedule of estimated cash flow requirements related to the Investable Funds, and will promptly notify the Advisor as to any changes in such estimated cash flow projections,
- c. Allow the Advisor to rely upon all information regarding schedules, investment policies and strategies, restrictions, or other information regarding the Investable Funds as provided to it by the Investor and that the Advisor shall have no responsibility to verify, through audit or investigation, the accuracy or completeness of such information,
- d. Recognize that there is no assurance that recommended investments will be available or that such will be able to be purchased or sold at the price recommended by the Advisor, and
- e. Not require the Advisor to place any order on behalf of the Investor that is inconsistent with any recommendation given by the Advisor or the policies and regulations pertaining to the Investor.

5. In providing the investment services in this Agreement, it is agreed that the Advisor shall have no liability or responsibility for any loss or penalty resulting from any investment made or not made in accordance with the provisions of this Agreement, except that the Advisor shall be liable for its own negligence, gross negligence or willful misconduct; nor shall the Advisor be responsible for any loss incurred by reason of any act or omission of any broker, selected with reasonable care by the Advisor and approved by the Investor, or of the Investor's custodian. Furthermore, the Advisor shall not be liable for any investment made which causes the interest on the Investor's obligations to become included in the gross income of the owners thereof.

6. The fee due to the Advisor in providing services pursuant to this Agreement shall be calculated in accordance with Appendix A attached hereto, and shall become due and payable as specified. Any and all expenses for which the Advisor is entitled to reimbursement in accordance with Appendix A attached hereto shall become due and payable at the end of each calendar quarter in which such expenses are incurred.

7. This Agreement shall remain in effect until October 31, 2014, with the option of the Investor to extend this Agreement in additional one and two year increments. Provided, however, the Investor or Advisor may terminate this Agreement upon thirty (30) days written notice to the other party. In the event of such termination, it is understood and agreed that only the amounts due to the Advisor for services provided and expenses incurred to and including the date of termination will be due and payable. No penalty will be assessed for termination of this Agreement. In the event this Agreement is terminated, all investments and/or funds held by the Advisor shall be returned to the Investor as soon as practicable. In addition, the parties hereto agree that upon termination of this Agreement the

Advisor shall have no continuing obligation to the Investor regarding the investment of funds or performing any other services contemplated herein.

8. The Advisor reserves the right to offer and perform these and other services for various other clients. The Investor agrees that the Advisor may give advice and take action with respect to any of its other clients, which may differ from advice given to the Investor. The Investor agrees to coordinate with and avoid undue demands upon the Advisor to prevent conflicts with the performance of the Advisor towards its other clients.

9. The Advisor shall not assign this Agreement without the express written consent of the Investor.

10. By initialing the appropriate line, Investor acknowledges that:

- 1) X Investor was provided a written copy of Form ADV Part 2 not less than 48 hours prior to entering into this written contract, or
- 2) Investor received a written copy of Form ADV Part 2 at the time of entering into this contract and has the right to terminate this contract without penalty within five business days after entering into this contract.
- 3) Investor is renewing an expiring contract and has received in the past, and offered annually, a written copy of Form ADV Part 2.

When accepted by the Investor, it, together with Appendix A attached hereto, will constitute the entire Agreement between the Investor and Advisor for the purposes and the consideration herein specified.

Respectfully submitted,

A handwritten signature in cursive script that reads "Richard G. Long Jr." is written over a light green rectangular background.

Richard G. Long, Jr.
Manager, Valley View Consulting, L.L.C.

This agreement is hereby agreed to and executed on behalf of the City of Temple, Texas.

By _____

City of Temple

Date: _____

APPENDIX A

FEE SCHEDULE AND EXPENSE ITEMS

In consideration for the services rendered by the Advisor in connection with the investment of the Investable Funds for the Investor, it is understood and agreed the Advisor shall receive an annual fee of .04% (4 basis points) of average quarterly fund balance for average balances less than or equal to \$100,000,000. For balances in excess of \$100,000,000, the Advisor shall receive an annual fee of .03% (3 basis points) of the excess average quarterly fund balance. Said fee shall be prorated and due and payable at the end of each investment quarter.

Should the Investor issue debt and select a bond proceeds investment strategy that incorporates a flexible repurchase agreement or other structured investment, fees will be determined by any applicable I.R.S. guidelines and industry standards.

Said fee includes all costs of services related to this Agreement, and all travel and business expenses related to attending regularly scheduled meetings. With pre-trip Investor approval, the Advisor may also request reimbursement for special meeting or event travel and business expenses. The obligation of the Advisor to pay expenses shall not include any costs incident to litigation, mandamus action, test case or other similar legal actions.

Any other fees retained by the Advisor shall be disclosed to the Investor.



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DEPT./DIVISION SUBMISSION & REVIEW:

Brynn Myers, Director of Administrative Services
Lonzo Wallace, Fire Chief

ITEM DESCRIPTION: Consider adopting a resolution authorizing a professional services agreement with Architectural Edge, Inc. of Temple to provide architectural and engineering services related to the construction of Phase II of the Fire Training Center in an amount not to exceed \$361,610.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: In May 2008, the citizens of Temple authorized the issuance of General Obligation Bonds in the amount of \$13,995,000 for public safety facilities and projects. The bond election proposition included funding for the replacement of Central Fire Station, construction of a new Fire Station No. 8, replacement of Engine #1 and #4, purchase of Engine #8, construction a new emergency operations center (to be co-located with Station 8), and construction of a new training center (also to be co-located with Station 8). All of the aforementioned has been completed, with the exception of Phase II of the Training Center.

Phase II of the Training Center includes the construction of a training tower, an ancillary shower/storage facility, and all necessary infrastructure to support the facility including a bridge across the drainage creek, roads and utility infrastructure. Staff has identified Architectural Edge as the most qualified architectural firm to assist the City with the design of the facility. Architectural Edge will work in conjunction with Abercrombie Creative, a consulting architect with expertise in the area of designing fire training centers and who developed the City of Temple's Training Center Master Plan. Staff has been pleased with the services Architectural Edge and Abercrombie Creative has provided in the past, including the design of Station #8 and the development of the Training Center Master Plan.

Per the timeline defined in Architectural Edge's attached proposal, the project will be ready to bid in July 2013 with construction being completed by February 2014.

FISCAL IMPACT: The General Obligation bond issue was approved by voters May 10, 2008. Total available funds remaining for the Phase II of the training center is \$3,019,456 which will be funded in account 363-2200-522-6851, project #100896. Of the \$3,019,456 available for this project, \$361,610 is proposed to fund architectural and engineering services. A balance of \$2,657,846 is available for construction and other needs.

ATTACHMENTS:

[Architectural Edge Proposal](#)
[Preliminary Development Schedule](#)
[Resolution](#)



October 31, 2012

Lonzo Wallace
Fire Chief
City of Temple

**RE: Architectural Services – Temple Fire Department Training Field
Buildings – Temple, Texas**

Architecture
Design Services
Consultation

ARCHITECTURAL EDGE INC. is pleased to submit a proposal to provide the City of Temple with Architectural and Engineering Services for two proposed building to be located behind Fire Station #8 in a new training area. The scope of work used as a basis for determining fee is the first phase of a master plan developed by abercrombie Planning and Design of Ft. Worth. This scope includes the design of two buildings. One multi story specialized burn training building of approximately 5,000 sf, and a second 1,200 sf storage toilet/dressing area for fire fighters. The project will also include the previously designed bridge across the drainage creek, roads and utility infrastructure to serve the constructed buildings in the training area. The design team will also coordinate with and facilitate the acceptance of the training field by the Federal Aviation Administration.

The proposal is based on an estimated \$2,400,000 construction cost for the two buildings, bridge and infrastructure.

Architectural and engineering fees, as required for Construction Documentation and Construction Administration, include architectural, engineering, consultants and specialists in fire training field design. The fees for this project are proposed at **\$361,610** and are broken up as follows;

Survey		\$ 6,200
Geotechnical Investigation		\$ 3,500
Preliminary Design	(30% of professional fee)	\$ 105,250
Design Development	(20% of professional fee)	\$ 70,160
Construction Documents	(30% of professional fee)	\$ 105,250
TDLR Requirements		\$ 1,100
Bidding & Negotiation	(5% of professional fee)	\$ 17,540
Construction Administration	(15% of professional fee)	\$ 52,620

Included in this fee are intermediate sets of plans at each design phase and 20 sets of plans at the completion of the Construction Documentation Stage for bidding purposes (if needed).

3010 Scott Blvd.
Suite 102
Temple, TX 76504

P 254.771.2054
F 254.773.2144

email@
archedge.com

All design shall be in accordance with City and State Laws and will meet the minimum requirements for a building permit issued by the City of Temple.

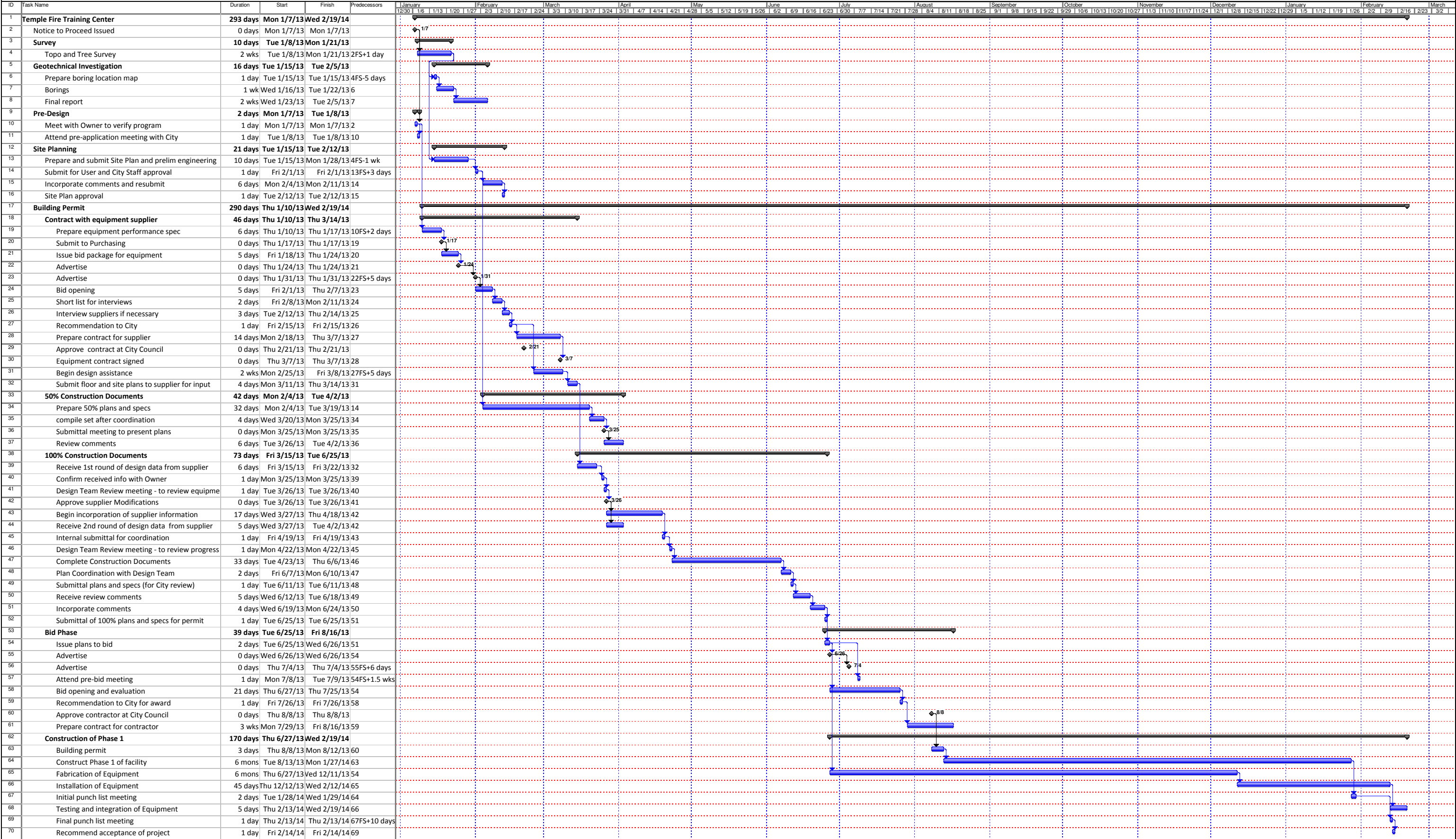
Thank you for the opportunity to serve you in this capacity, we look forward to working with you on this project.

Sincerely,
ARCHITECTURAL EDGE INC.

A handwritten signature in blue ink, appearing to read 'Randy Stumberg', is written over the printed name.

Randy Stumberg, AIA
Owner / Architect

Temple Fire Training Center
Preliminary Development Schedule



RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH ARCHITECTURAL EDGE, INC., OF TEMPLE, TEXAS TO PROVIDE ARCHITECTURAL AND ENGINEERING SERVICES RELATED TO THE CONSTRUCTION OF PHASE II OF THE FIRE TRAINING CENTER, IN AN AMOUNT NOT TO EXCEED \$361,610; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, in May 2008, the citizens of Temple authorized the issuance of General Obligation Bonds in the amount of \$13,995,000 for public safety facility and projects;

Whereas, the bond election proposition included funding for the replacement of Central Fire Station, construction of a new Fire Station No. 8, replacement of Engine #1 and #4, purchase of Engine #8, construction of new emergency operations center, and construction of a new training center - all of the aforementioned have been completed with the exception of Phase II of the training center;

Whereas, Phase II of the training center includes the construction of a training tower, an ancillary shower/storage facility, and all necessary infrastructure to support the facility including a bridge across the drainage creek, roads and utility infrastructure; the City of Temple anticipates the issuance of one or more series of obligations, the interest on which will be excludable from gross income under Section 103 of the Internal Revenue Code of 1986, as amended, in order to finance all or a portion of this project;

Whereas, the Staff has been pleased with the services provided by Architectural Edge, Inc. in the past and recommends using their services, as they are the most qualified to assist the City with the design of the facility;

Whereas, funds are available for these services from the General Obligation bond issuance in May 2008 and will be funded in Account No. 363-2200-522-6851, Project No. 100896; and

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

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

Part 1: The City Council authorizes the City Manager, or his designee, to execute a Professional Services Agreement, not to exceed \$361,610, between the City of Temple, Texas, and Architectural Edge, Inc., after approval as to form by the City Attorney, for architectural and engineering services related to the construction of Phase II of the Fire Training Center as part of the May 2008 General Obligation Bond issuance.

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 on this the **15th** day of **November**, 2012.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Jonathan Graham
City Attorney



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DEPT./DIVISION SUBMISSION & REVIEW:

Lonzo Wallace, Fire Chief
Belinda Mattke, Director of Purchasing

ITEM DESCRIPTION: Consider adopting a resolution authorizing a renewal to the purchase agreement with Casco Industries for the purchase of fire fighting protective clothing utilizing the City of North Richland Hills annual contract in the estimated amount for FY 2013 of \$42,700.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: On October 18, 2010, Council authorized an interlocal agreement with the City of North Richland Hills to allow for the utilization of North Richland Hills' annual contract for firefighting protective clothing with Casco Industries. On October 11, 2011, Council authorized a one-year renewal to the contract which expired on October 10, 2012. The City of North Richland Hills' Council authorized a second extension to the contract as allowed by the original bid. The renewal to this contract will go through October 10, 2013.

Staff recommends Council authorize an extension to this purchase agreement with Casco Industries.

The Fire Department anticipates needing to purchase 23 sets of protective jackets and trousers in FY 2013 utilizing this contract. The 23 sets will be ordered on an as needed basis for new recruits and others whose equipment is no longer serviceable.

FISCAL IMPACT: Funding for the purchase of bunker gear is available in account 110-2231-522-2113, Fire Department clothing and uniforms, of which \$80,715 was included in the adopted FY 2013 budget.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A RENEWAL OF THE PURCHASE AGREEMENT WITH CASCO INDUSTRIES FOR THE PURCHASE OF FIRE FIGHTING PROTECTIVE CLOTHING, UTILIZING THE CITY OF NORTH RICHLAND HILLS ANNUAL CONTRACT, IN AN ESTIMATED AMOUNT FOR FISCAL YEAR 2013 OF \$42,700; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on October 18, 2010, the City Council authorized an interlocal agreement with the City of North Richland Hills to allow for the utilization of North Richland Hills' annual contract for firefighting protective clothing with Casco Industries;

Whereas, on October 20, 2011, Council authorized a one-year renewal to the contract which expired on October 10, 2012 – the City of North Richland Hills' Council authorized a second extension to the contract as allowed by the original and this extension will go through October 10, 2013;

Whereas, the Fire Department anticipates the purchase of an additional 23 sets of protective jackets and trousers in FY13, which will be ordered on an 'as-needed' basis;

Whereas, the Staff recommends extending the agreement for an additional year – funds are available for the purchase in Account No. 110-2231-522-2113; and

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

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

Part 1: The City Council authorizes the City Manager, or his designee, to execute a one-year renewal to the purchase agreement with Casco Industries, after approval as to form by the City Attorney, for the purchase of fire fighting protective clothing for FY2012-13, in the estimated annual amount of \$42,700.

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 **15th** day of **November**, 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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DEPT./DIVISION SUBMISSION & REVIEW:

Autumn Speer, Director of Planning and Development

ITEM DESCRIPTION: Consider adopting a resolution authorizing a developer participation agreement with Bobby Arnold for reimbursement of the cost for constructing 8' wide sidewalks at D'Antoni's Crossing Subdivision on South 31st Street in an amount not to exceed \$60,194.61.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The City's subdivision ordinance requires the developer to install sidewalks along collector, minor arterial, and arterial streets as identified in the City's Thoroughfare Plan. The ordinance provides that the City will reimburse the developer for 100% of the cost of sidewalks where sidewalks are installed along arterial roadways for residential development. Such reimbursement is accomplished through a Participation Agreement.

Also, the City's Trails Master Plan identifies numerous trails that are located adjacent to collector, minor arterial, and arterial streets. As a way of accomplishing the Plan, an oversize participation agreement can be utilized to pay the difference between the required sidewalk width and the desired width for combined sidewalks/trails.

Below is a summary of one development that staff recommends for Participation Agreement:

The developers of Residences at D'Antoni's Crossing are constructing an approximately 1,000 foot long, 8 foot wide sidewalk /trail in accordance with plans approved by the City along the east side of South 31st Street adjacent to the residential portion of the existing D'Antonie's Crossing subdivision and proposed extension South approximately 600' from the intersection with FM 93.

Under the City's cost sharing ordinance, Section 8.2.3 of the Unified Development Code, Developer understands that the City is paying 100% of the cost of the Project for sidewalks located along the residential Phases of Residences at D'Antoni's Crossing subdivision. This location is also the site of a Proposed Local Connector Trail which is 6-8' in width. The City offers oversize participation in these instances.

The developer has submitted total cost estimates in the amount of \$60,194.61 for the project. The staff from the engineering office has reviewed these costs and concurs that they are reasonable. The total reimbursement to the developer under the developer oversize participation agreement would not exceed \$60,194.61, if approved by the City Council.

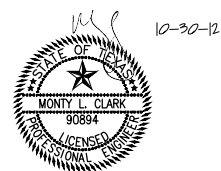
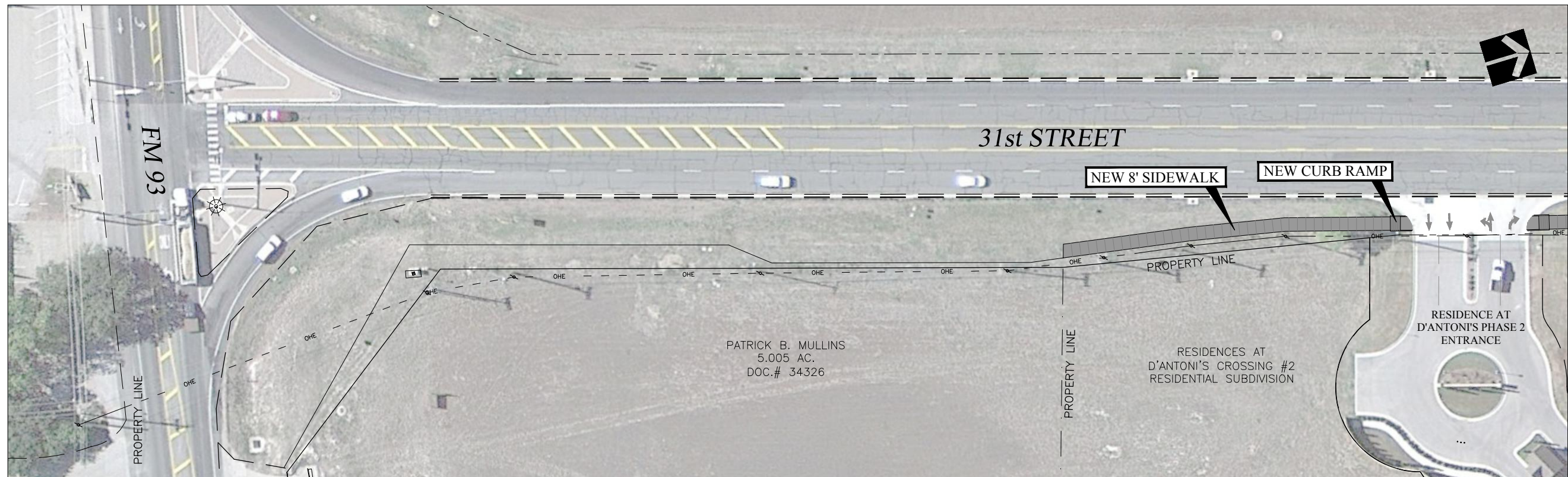
FISCAL IMPACT: A budget adjustment is presented for Council's approval appropriating \$60,195 of General Fund Designated Capital Projects-Unallocated funds to account 351-3400-531-6315, project #100943 to fund the developer participation agreement with Bobby Arnold for D'Antoni's Crossing Subdivision. The City will be responsible for maintaining the improvements once they have been accepted.

ATTACHMENTS:

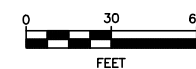
[Location Map](#)

[Budget Adjustment](#)

[Resolution](#)



RESIDENCE AT D'ANTONI'S CROSSING, PHASE 2 SIDEWALK EXHIBIT PLAN





**PRELIMINARY
NOT FOR
CONSTRUCTION**

PRELIMINARY OPINION OF PROBABLE COST

D'Antoni's Crossing Phase II Sidewalk Improvements

Located in Temple, Texas

Filename: 1240 Preliminary Cost Opinion 10-29-12.xlsx

Date: 10-29-12

Site Preparation, Clearing, and Grading

Item Description	Unit	Unit Cost	Quantity	Total
1. Right of Way Preparation	STA.	\$ 250.00	10.4	\$ 2,600.00
2. Mobilization	L.S.	\$ 7,500.00	100%	\$ 7,500.00
3. Miscellaneous Excavation Earthwork	C.Y.	\$ 6.50	150	\$ 975.00
4. Traffic Control Plan and Implementation	L.S.	\$ 3,500.00	100%	\$ 3,500.00
5. Miscellaneous Demolition	L.S.	\$ 2,250.00	100%	\$ 2,250.00
6. Erosion Control Plan and Implementation	L.S.	\$ 2,500.00	100%	\$ 2,500.00
7. Grass Reseeding and Topsoil	S.Y.	\$ 4.85	450	\$ 2,182.50
8. New 8' Concrete Flatwork	S.Y.	\$ 33.50	970	\$ 32,495.00
9. New ADA Curb Ramp	E.A.	\$ 1,800.00	2	\$ 3,600.00
TOTAL CONSTRUCTION				\$ 57,602.50
4.5% Professional Civil Engineering Services				\$ 2,592.11
Professional Surveying Services				Completed
Geotechnical Engineering Services				Completed
TOTAL CONSTRUCTION WITH PROFESSIONAL SERVICES				\$ 60,194.61



[Handwritten Signature]

10-29-12

2013

BUDGET ADJUSTMENT FORM

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

Adjustments should be rounded to the nearest \$1.

			+		-	
ACCOUNT NUMBER	PROJECT #	ACCOUNT DESCRIPTION	INCREASE		DECREASE	
351-3400-531-63-15	100943	Buildings & Grounds-Sidewalk\Curb\Gutter	\$ 60,195			
351-0000-490-25-82		Transfer In	60,195			
110-9100-591-81-51		Transfer Out-Capital Projects	60,195			
110-0000-352-13-45		Designated for Cap. Proj/Unallocated			\$ 60,195	
		<i>Do Not Post</i>				
TOTAL.....			\$ 180,585		\$ 60,195	

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

This budget adjustment appropriates funds from General Fund-Designated Capital Projects- Unallocated to fund a developer participation agreement with Bobby Arnold for reimbursement of cost for constructing 8' wide sidewalks at D'Antoni's Crossing Subdivision located on South 31st Street in an amount not to exceed \$60,194.61.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒ Yes ☐ No

DATE OF COUNCIL MEETING

November 15, 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 A DEVELOPER PARTICIPATION AGREEMENT WITH BOBBY ARNOLD FOR REIMBURSEMENT OF THE COST FOR CONSTRUCTING 8' WIDE SIDEWALKS AT D'ANTONI'S CROSSING SUBDIVISION ON SOUTH 31ST STREET, IN AN AMOUNT NOT TO EXCEED \$60,194.61; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City's subdivision ordinance requires the developer to install sidewalks along collector, minor arterial, and arterial streets as identified in the City's Thoroughfare Plan;

Whereas, the Ordinance provides that the City will reimburse the developer for 100% of the cost of sidewalks where sidewalks are installed along arterial roadways for residential development – such reimbursement is accomplished through a Participation Agreement;

Whereas, the developers of Residences at D'Antoni's Crossing are constructing an approximately 1,000 foot long, 8 foot wide sidewalk/trail, in accordance with plans approved by the City, along the east side of South 31st Street, adjacent to the residential portion of the existing D'Antoni's Crossing subdivision and proposed extension;

Whereas, under the City's cost sharing ordinance, Section 8.2.3 of the Unified Development Code, developer understands that the City is paying 100% of the cost of the project for sidewalks located along the residential Phases of Residences at D'Antoni's Crossing subdivision which is also the site of a proposed local connector trail;

Whereas, the developer has submitted total cost estimates in the amount of \$60,194.61 for the project and staff has reviewed these costs and believes these costs to be reasonable – the total reimbursement to the developer under this agreement would not exceed \$60,194.61;

Whereas, funds are available for this reimbursement in Account No. 341-3400-531-6315, but an amendment to the FY2012-13 budget needs to be approved to transfer the funds to the appropriate expenditure account; and

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

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

Part 1: The City Council authorizes the City Manager, or his designee, to execute a developer participation agreement with Bobby Arnold, after approval as to form by the City Attorney, to reimburse the developer for 100% of the cost of the sidewalks at D'Antoni's Crossing Subdivision on South 31st Street, in an amount not to exceed \$60,194.61.

Part 2: The City Council approves an amendment to the FY2012-13 budget, substantially in the form of the copy attached as Exhibit A, for this purpose.

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

PASSED AND APPROVED this the 15th day of **November**, 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

11/15/12
Item #3(I)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Jonathan Graham, City Attorney

ITEM DESCRIPTION: Consider adopting a resolution authorizing an agreement with Bechtel Corporation to provide off-duty police officers for security work.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The proposed agreement provides a mechanism for the City to provide off-duty police officers for patrol and security work on their work site (Panda Phase I power plant construction work).

Under the agreement the City will provide off-duty police officers (volunteers) to provide patrol and security onsite at times mutually agreed to by the parties. All police officer will be under the supervision and control of the Temple Police Department. Bechtel agrees to reimburse the City for (overtime) salary and benefits paid to the off-duty police officers.

FISCAL IMPACT: The City will be reimbursed 100% for salary and benefits paid which is currently estimated at \$28,800 per year.

ATTACHMENTS:

[Draft Agreement](#)
[Resolution](#)

STATE OF TEXAS	§	Description of Services: Provide patrol services
COUNTY OF BELL	§	

This Agreement is made and entered into by and between **Bechtel Corporation** (Company) and the City of Temple, Texas (City), a Texas home rule City, acting by and through its duly authorized agent, David A. Blackburn, City Manager, who agree as follows:

The parties to this Agreement enter into this present Agreement in order to clarify the anticipated scope and nature of Company's request.

2.2 The City reserves the right to enforce the performance of this Agreement in any manner prescribed by law or deemed to be in the best interest of the City in the event of breach or default of any provision of this Agreement, including immediate termination of this Agreement.

This Agreement represents the entire agreement between Company and the City and no prior or contemporaneous oral or written agreement shall be construed to alter its terms. No additional terms shall become part of this Agreement without the written consent of both parties and compliance with relevant state law.

Company shall not assign or subcontract its obligations under this Agreement without the prior written consent of the City.

5. INDEMNITY

IT IS AGREED FOR ALL PURPOSES HEREUNDER, THAT CITY IS AND SHALL BE AN INDEPENDENT CONTRACTOR AND SHALL NOT, WITH RESPECT TO ITS ACTS OR OMISSIONS BE DEEMED AN AGENT OR EMPLOYEE OF COMPANY.

THE INDEMNITY OBLIGATIONS HEREIN SHALL SURVIVE THE TERMINATION OF THE CONTRACT FOR ANY REASON AND SHALL SURVIVE THE COMPLETION OF THE WORK ON THE PROJECT.

COMPANY AGREES TO INDEMNIFY AND HOLD HARMLESS AND DEFEND CITY, ITS OFFICERS, AGENTS AND EMPLOYEES, FROM AND AGAINST LIABILITY FOR ANY AND ALL CLAIMS, LIENS, SUITS, DEMANDS AND/OR ACTIONS FOR DAMAGES, INJURIES TO PERSONS (INCLUDING DEATH), PROPERTY DAMAGE (INCLUDING LOSS OF USE), AND EXPENSES, INCLUDING COURT COSTS, ATTORNEYS' FEES, EXPERT WITNESSES' FEES, TRIAL CONSULTANTS' FEES, AND OTHER REASONABLE COSTS ARISING OUT OF OR RESULTING FROM COMPANY'S WORK AND/OR ACTIVITIES CONDUCTED IN CONNECTION WITH OR INCIDENTAL TO THIS CONTRACT AND FROM ANY LIABILITY ARISING OUT OF OR RESULTING FROM THE INTENTIONAL ACTS OR NEGLIGENCE OR BREACH OF ANY OBLIGATION UNDER THIS AGREEMENT, INCLUDING ALL SUCH CAUSES OF ACTION BASED UPON THE NEGLIGENT OR INTENTIONAL ACTS OR OMISSIONS OF COMPANY, INCLUDING BUT NOT LIMITED TO ITS OFFICERS, AGENTS, EMPLOYEES, SUBCONTRACTORS, LICENSEES, INVITEES, AND OTHER PERSONS.

COMPANY FURTHER AGREES THAT IT SHALL AT ALL TIMES EXERCISE REASONABLE PRECAUTIONS ON BEHALF OF, AND BE SOLELY RESPONSIBLE FOR, THE SAFETY OF ITS OFFICERS, AGENTS, EMPLOYEES, SUBCONTRACTORS, LICENSEES, INVITEES AND OTHER PERSONS, AS WELL AS THEIR PROPERTY. IT IS EXPRESSLY UNDERSTOOD AND AGREED THAT CITY SHALL NOT BE LIABLE OR RESPONSIBLE FOR THE NEGLIGENCE OF COMPANY, INCLUDING BUT NOT LIMITED TO ITS OFFICERS, AGENTS, EMPLOYEES, SUBCONTRACTORS, LICENSEES, INVITEES, AND OTHER PERSONS.

IT IS FURTHER AGREED WITH RESPECT TO THE ABOVE INDEMNITY, THAT CITY AND COMPANY WILL PROVIDE THE OTHER PROMPT AND TIMELY NOTICE OF ANY EVENT COVERED WHICH IN ANY WAY, DIRECTLY OR INDIRECTLY, CONTINGENTLY OR OTHERWISE, AFFECTS OR MIGHT AFFECT COMPANY OR CITY, AND CITY SHALL HAVE THE RIGHT TO COMPROMISE AND DEFEND THE SAME TO THE EXTENT OF ITS OWN INTERESTS.

6. OBLIGATIONS OF COMPANY

Company will reimburse the City for the overtime salary and benefits of the police officers carrying out scheduled off-duty patrols on and around the construction site. This does not include COPS officers or other officers on regular duty.

7. OBLIGATIONS OF CITY

The City will provide the officers and supervisors necessary to carry out the off-duty patrols on and around the construction site. The schedule for such patrols shall be determined by mutual agreement between the parties.

8. SUPERVISION OF POLICE OFFICERS

The off-duty police officers providing patrol services under this Agreement will work under the direct supervision and control of the City Police Department through their direct supervisor and the Chief of Police or his designated commander.

9. VENUE; RECOVERY OF FEES; DISPUTE RESOLUTION; CHOICE OF LAW

Any suit or claim or cause of action regarding this Agreement shall be brought in Bell County, Texas, as the choice of venue and jurisdiction and site of performance by the parties. The prevailing party in such an action may recover reasonable costs, including costs of court, attorney's fees, expert witnesses' fees, and trial consultants' fee. The parties are encouraged to enter into mediation should a dispute arise during the term of this Agreement, the costs being shared equally by the parties. The parties further agree that the law of the State of Texas shall govern any interpretation of the terms of this Agreement.

10. ETHICAL CERTIFICATION

Company certifies that neither it nor any of its agents or employees have or will offer or accept gifts or anything of value, or enter into any business arrangement, with any employee, official, or agent of the City.

11. NOTICES

Any written notice provided under this Agreement or required by law shall be deemed to have been given and received on the next day after such notice has been deposited by Registered or Certified Mail with sufficient postage affixed thereto and addressed to the other party to the Agreement; provided, that this shall not prevent the giving of actual notice in any manner.

Notice to Company may be sent to the following address:

Bechtel _____

12. CONTRACT ADMINISTRATOR

This Agreement shall be administered on the City's behalf by Gary E. Smith, and all notices, questions, or documentation, arising under this Contract shall be addressed to the contract administrator at:

Sergeant Gary E. Smith
Operations Sergeant
Temple Police Department
Temple, TX 76501

13. MODIFICATION

This Agreement may be amended or modified by the mutual agreement of both parties hereto in writing, such writing attached hereto and incorporated into this Agreement.

14. SEVERABILITY

In case any one or more of the provisions contained in this Agreement shall for any reason be held invalid, illegal, or unenforceable in any respect, such fact shall not affect any other provision thereof and this Agreement shall be construed as if the stricken provision had never been contained herein.

15. EXECUTION OF AGREEMENT

The execution of this Agreement shall proceed as follows: signature of Company (and the Corporate Secretary and seal, if applicable) shall be affixed hereto, whereupon the Agreement shall be submitted to the City Attorney's Office for review and approval. After such approval, the Agreement shall then be signed by the City Manager. After such approval, an executed original of this Agreement shall be kept on file in the City Secretary's Office.

THE CITY OF TEMPLE, TEXAS

David A. Blackburn, City Manager

ATTEST:

Lacy Borgeson
City Secretary

Bechtel_____

APPROVED AS TO FORM:

City Attorney's Office

STATE OF TEXAS §

COUNTY OF BELL §

This instrument was acknowledged before me on the ____ day of _____, 2012, by **David A. Blackburn**, City Manager of the City of Temple, Texas.

Notary Public, State of Texas

SINGLE ACKNOWLEDGMENT

STATE OF TEXAS §

COUNTY OF _____ §

This instrument was acknowledged before me on the ____ day of _____, 2012, by _____.

Notary Public, State of Texas

CORPORATE ACKNOWLEDGMENT

STATE OF TEXAS §

COUNTY OF _____ §

This instrument was acknowledged before me on the ____ day of _____, 2012, by _____ of _____, on behalf of such corporation.

Notary Public, State of Texas

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING AN AGREEMENT WITH BECHTEL CORPORATION TO PROVIDE OFF-DUTY POLICE OFFICERS FOR PATROL AND SECURITY WORK; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, an agreement between the City of Temple and Bechtel Corporation will provide a mechanism for the City to provide off-duty police officers for patrol and security work at the construction site of the Panda Phase I power plant;

Whereas, under this agreement, the City will provide off-duty police officers (volunteers) to provide patrol and security onsite at times mutually agreed to by the parties – all police officers will be under the supervision and control of the Temple Police Department;

Whereas, Bechtel Corporation agrees to reimburse the City for (overtime) salary and benefits paid to the off-duty police officers; 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 enter into an agreement with Bechtel Corporation to provide off-duty police officers for patrol and security work at the construction site of the Panda Phase I power plant.

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 **15th** day of **November**, 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

11/15/12
Item #3(J)
Consent Agenda
Page 1 of 2

DEPT. /DIVISION SUBMISSION & REVIEW:

Kim Foutz, Assistant City Manager
Jonathan Graham, City Attorney

ITEM DESCRIPTION: Consider adopting a resolution authorizing a Chapter 380 Strategic Investment Zone “matching grant” agreement with Trawets Properties, Inc. for redevelopment improvements on Main Street in downtown Temple located within the South 1st Street Strategic Investment Zone corridor in an amount not to exceed \$29,000.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: This agreement outlines the obligations and representations of Trawets Properties, Inc. and also defines the City's incentive package for Trawets Properties, Inc., located at 12 S. Main Street, situated in downtown Temple and within the South 1st Street Strategic Investment Zone.

The agreement and resolution will allow Trawets Properties, Inc. to receive a Chapter 380 SIZ 1:1 matching grant of up to \$15,000 match for façade improvements; up to \$2,500 match for sign improvements; up to \$4,000 match for asbestos survey and abatement; up to \$5,000 for Landscaping; up to \$2,500 for demolition; and up to \$2,000 for waiver of permits and fees.

Trawets Properties, Inc.’s total project investment is \$250,000 in renovations and sign improvements. The applicant proposes to open a restaurant and offices. These improvements meet the City’s ordinance requirements. Improvements must be completed by May 15, 2014 (approx.18 months). In return Trawets Properties, Inc. has agreed to:

- Demo and dispose of existing façade which contains significant asbestos materials
- Complete façade reconstruction and preservation (upper façade will include preservation of underlying brick or replacement material of stucco)
- First floor interior remodel to include demolition, abatement, and construction
- Creation of outdoor seating area
- Install glass roll-up doors for indoor/outdoor seating effect

In accordance with the updated Economic Development Ordinance for SIZ Coordinators, this project was evaluated for the below criteria. The staff evaluation yielded a score of 87. An application must score 85 points or more to be recommended by staff for approval by the City Council.

- (a) the extent to which the property for which a grant is sought is blighted or fails to meet City codes or regulations in one or more aspect (max 15 points - 15 points assigned)
- (b) whether the proposed redevelopment is at a higher level than which exists on other properties in the SIZ incentive corridor in which the property is situated (max 15 points - 15 points assigned);
- (c) whether the applicant has the financial resources to complete the described in the application (max 10 points - 10 points assigned);
- (d) whether the property is unlikely to redevelop without an incentive by the City (max 20 points – 17 points assigned);
- (e) whether the proposed use of the property is in keeping with the future uses of property identified in the City's Comprehensive Plan or a master plan adopted by the City Council (max 8 points - 8 points assigned);
- (f) whether the development is in an overlay that requires higher standards than in other parts of the City (max 10 points - 5 points assigned);
- (g) whether the development remedies deteriorated existing city infrastructure (max 10 points - 7 points assigned);
- (h) whether the development implements elements of the City Master Plan including sidewalk, trail, or parks master plan (max 7 points -5 points assigned); and
- (i) whether there is a known occupant/tenant for the proposed development (max 5 points - 5 points assigned).

FISCAL IMPACT: The total maximum grant match by the City is \$29,000. A total of \$ 218,224 has been appropriated for the Strategic Investment Zone matching grant incentives for FY 2013 (\$100,000 in current year funding and \$ 118,224 carried forward from previous years), of which \$174,224 is currently available in account 110-1500-515-2695. If this grant is approved, a balance of \$145,224 will remain available for future grants.

Payment of the grant matching funds will not be made until work and inspections are completed, and receipts are received by the City.

ATTACHMENTS:

[Location Map and Picture of Existing Building Resolution](#)

Location Map

12 South Main Street



Existing Building



RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CHAPTER 380 STRATEGIC INVESTMENT ZONE 'MATCHING GRANT' AGREEMENT WITH TRAWERTS PROPERTIES, INC., FOR REDEVELOPMENT IMPROVEMENTS ON MAIN STREET LOCATED WITHIN THE SOUTH 1ST STREET STRATEGIC INVESTMENT ZONE CORRIDOR; IN AN AMOUNT NOT TO EXCEED \$29,000, PLUS A WAIVER OF PERMIT FEES; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the Chapter 380 Strategic Investment Zone Agreement outlines the obligations and representations of Trawerts Properties, Inc., and also defines the City's incentive package for property located at 12 S. Main Street, situated in downtown Temple and within the South 1st Street Strategic Investment Zone;

Whereas, this agreement will allow Trawerts Properties, Inc. to receive a Chapter 380 Strategic Investment Zone matching grant of up to \$15,000 for façade improvements, up to \$2,500 for sign improvements, up to \$4,000 for asbestos survey and abatement, up to \$10,000 for landscaping and up to \$2,500 for demolition;

Whereas, in accordance with the updated Economic Development Ordinance for SIZ Coordinators, this project was evaluated for the necessary criteria and yielded a score of 87 points – an application must score 85 points or more to be recommended by staff approval by City Council;

Whereas, Trawerts Properties, Inc.'s total project investment is \$250,000 in renovations and sign improvements – these improvements meet the City's ordinance requirements and improvements must be completed by May 15, 2014;

Whereas, the Staff recommends entering into a Chapter 380 Development Agreement with Trawerts Properties, Inc. for redevelopment improvements of the property located at 12 S. Main Street, which is located in the South 1st Street Strategic Investment Zone Corridor; 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 Chapter 380 Development Agreement with Trawerts Properties, Inc., after approval as to form by the City Attorney, for redevelopment improvements of the property located at 12 S. Main Street, Temple, Texas, 76501, with the City's matching grant not to exceed \$29,000.

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

PASSED AND APPROVED this the **15th** day of **November**, 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

11/15/12
Item #3(K)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Nicole Torralva P.E., Public Works Director
Thomas Brown, Utility Services Director

ITEM DESCRIPTION: Consider adopting a resolution authorizing the purchase of a utility camera with accessories from CUES, Inc. utilizing a BuyBoard contract in the amount of \$37,665.

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

ITEM SUMMARY: The Utility Services Division of Public Works routinely utilizes a utility camera truck to assist in identification, assessment, and evaluation of both routine and complex utility system issues. Use of this advanced technological equipment has saved significant time and expense over the years, requiring replacement of key equipment components when warranted. The camera system currently utilized was manufactured by CUES, Inc., and as such and to maintain the proper functionality of the system, it is recommended that only CUES components be used in the system.

Currently, a Night Owl non-zoom camera is used in the camera van to inspect pipes inside the wastewater system. The camera is nearly a decade old and contains a module that is now obsolete and starting to fail, ultimately hindering the ability to close circuit TV monitor sewer lines. Close circuit TV monitoring is a major part of both the City's Sanitary Sewer Outreach (SSO) Initiative Program as and maintenance in the system. The camera system can identify and provide an exact location of the problem, which enables maintenance crews to quickly repair the issue and restore service to customers.

The purchase of the Cues OZIII camera with accessories is available through a BuyBoard contract. All purchases through the BuyBoard meet the Texas governmental competitive bid requirements.

FISCAL IMPACT: Replacement of this camera was approved in the FY 2013 budget. Funding in the amount of \$43,000 is available in account 520-5400-535-6211, project #100903 for the purchase of the camera.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF A UTILITY CAMERA WITH ACCESSORIES FROM CUES, INC. OF ATLANTA, GEORGIA, THROUGH THE BUYBOARD LOCAL GOVERNMENT ONLINE PURCHASING COOPERATIVE IN THE AMOUNT OF \$37,665; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the utility services division of Public Works routinely utilizes a utility camera truck to assist in identification, assessment, and evaluation of both routine and complex utility system issues – use of this equipment has saved significant time and expense over the years;

Whereas, currently the camera system used is nearly a decade old and contains a module which is now obsolete and starting to fail – hindering the ability to close circuit TV monitor sewer lines;

Whereas, close circuit TV monitoring is a major part of the City's Sanitary Sewer Outreach (SSO) Initiative Program, which enables maintenance crews to quickly repair the issue and restore service to customers;

Whereas, staff recommend the purchase of a utility camera with accessories from CUES, Inc., of Atlanta, Georgia for the utility services division of Public Works, in the amount of \$37,665;

Whereas, funds are available in Account No. 520-5400-535-6211, Project No. 100903 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 utility camera with accessories from CUES, Inc., of Atlanta, through the BuyBoard Local Government Online Purchasing Cooperative System, in the amount of \$37,665.

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

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

PASSED AND APPROVED this the **15th** day of **November**, 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

11/15/12
Item #3(L-1)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Traci L. Barnard, Director of Finance

ITEM DESCRIPTION: SECOND READING: Consider adopting an ordinance authorizing an amendment to the Tax Increment Financing Reinvestment Zone No. 1 Financing and Project Plans in FY 2013 to appropriate \$200,560 to the South 1st Street Improvements from the Temple College Apartments to Avenue O Project by reallocating funds from Public Improvements in the North Zone.

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

ITEM SUMMARY: The Reinvestment Zone No. 1 Board met on October 24, 2012, to recommend to Council an amendment to the Financing and Project Plans. The detail for the required amendment is shown below.

South 1st Street Improvements from the Temple College Apartments to Avenue O, Line 458 (Project Plan):

A proposal has been submitted by Kasberg, Patrick & Associates, LP for preliminary design services related to the South 1st Street Improvements from the Temple College Apartments to Avenue O in the amount of \$200,560. The current Project Plan has no funding for this project.

A Financing Plan amendment is presented to allocate \$200,560 in FY 2013 for the preliminary design related to the project by reallocating funding from Line 110, Public Improvements in North Zone.

FISCAL IMPACT: The proposed amendment reallocates funding within the FY 2013 Financing/Project Plans on Lines 110 and Line 458 as described above.

There will be no change to the previously reported unreserved fund balance at the end of FY 2013 of \$1,287,834.

ATTACHMENTS:

Financing Plan

Summary Financing Plan with Detailed Project Plan

Budget Adjustment

Ordinance

FINANCING PLAN

DESCRIPTION					Y/E 9/30/16	Y/E 9/30/17	Y/E 9/30/18	Y/E 9/30/19	Y/E 9/30/20	Y/E 9/30/21	Y/E 9/30/22	
Revised FY 2012					Year 34	Year 35	Year 36	Year 37	Year 38	Year 39	Year 40	
Year 30												
Year 31												
Year 32												
Year 33												
1	"Taxable Increment"	\$ 132,020,000	\$ 156,026,934	\$ 159,277,807	\$ 161,870,437	\$ 217,546,203	\$ 234,478,622	\$ 241,197,997	\$ 243,609,977	\$ 246,046,077	\$ 248,506,538	\$ 277,685,093
1	FUND BALANCE, Begin	\$ 7,979,748	\$ 831,621	\$ 1,287,834	\$ 1,115,658	\$ 1,144,402	\$ 816,972	\$ 925,643	\$ 1,143,800	\$ 1,092,429	\$ 986,706	\$ 910,053
2	Adjustments to Debt Service Reserve	462,707	1,761,865	1,765,643	-	-	-	-	-	-	-	-
3	Fund Balance Available for Appropriation	\$ 8,442,455	\$ 2,593,486	\$ 3,053,477	\$ 1,115,658	\$ 1,144,402	\$ 816,972	\$ 925,643	\$ 1,143,800	\$ 1,092,429	\$ 986,706	\$ 910,053
SOURCES OF FUNDS:												
4	Tax Revenues	4,569,378	4,859,099	4,926,519	4,986,268	6,580,402	7,052,323	7,162,797	7,221,518	7,280,825	7,340,724	7,723,762
6	Allowance for Uncollected Taxes	(115,655)	(72,886)	(73,898)	(74,794)	(98,706)	(105,785)	(107,442)	(108,323)	(109,212)	(110,111)	(115,856)
8	Interest Income-Other	50,000	50,000	50,000	50,000	50,000	50,000	50,000	40,000	40,000	30,000	10,000
10	Grant Funds	300,000	50,000	-	-	-	-	-	-	-	-	-
12	License Fee - Central Texas Railway	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000
14	Other Revenues	205,250	400,000	-	-	-	-	-	-	-	-	-
16	P.I.L.O.T.	1,300,000	-	-	-	-	-	-	-	-	-	-
20	Total Sources of Funds	\$ 6,344,973	\$ 5,322,213	\$ 4,938,621	\$ 4,997,474	\$ 6,567,696	\$ 7,032,538	\$ 7,141,355	\$ 7,189,195	\$ 7,247,613	\$ 7,296,613	\$ 7,653,906
25	TOTAL AVAILABLE FOR APPROPRIATION	\$ 14,787,428	\$ 7,915,699	\$ 7,992,098	\$ 6,113,132	\$ 7,712,098	\$ 7,849,510	\$ 8,066,998	\$ 8,332,996	\$ 8,340,042	\$ 8,283,319	\$ 8,563,959
USE OF FUNDS:												
DEBT SERVICE												
26	2003 Bond Issue {\$11.740}	598,590	619,200	-	-	-	-	-	-	-	-	-
27	2008 Bond Issue {\$16.010 mil}	-	-	-	-	-	-	-	-	-	-	-
28	2009 Bond Refunding	1,473,669	1,474,569	1,479,969	1,499,769	1,508,775	1,510,150	1,488,750	1,485,000	-	-	-
29	2008 Bond Issue-Taxable {\$10.365 mil}	1,241,935	1,239,641	1,240,495	1,239,233	1,240,854	1,240,096	1,241,957	1,241,173	1,237,744	1,241,670	1,242,422
30	Debt Service - 2011A Issue {Refunding}	447,100	399,900	914,900	914,450	913,550	912,200	908,350	915,950	2,497,800	2,497,550	2,494,950
31	Debt Service - 2012 Issue {Refunding}	13,779	17,700	17,700	17,700	82,700	76,400	79,600	77,650	80,050	77,250	78,750
32	Issuance Costs	186,113	-	-	-	-	-	-	-	-	-	-
33	Refunding Bonds Proceeds	(11,925,708)	-	-	-	-	-	-	-	-	-	-
34	Payment to Refunding Bond Agent	11,748,312	-	-	-	-	-	-	-	-	-	-
35	Paying Agent Services	1,200	1,200	1,200	1,200	1,200	1,200	1,200	1,200	1,200	1,200	1,200
40	Subtotal-Debt Service	3,784,990	3,752,210	3,654,264	3,672,352	3,747,079	3,740,046	3,719,857	3,720,973	3,816,794	3,817,670	3,817,322
OPERATING EXPENDITURES												
50	Prof Svcs/Proj Mgmt	205,250	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000
52	Legal/Audit	1,200	1,200	1,200	1,200	1,200	1,300	1,300	1,300	1,300	1,300	1,400
54	Zone Park Maintenance [mowing, utilities, botanical supplies]	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000
54	Zone Park Maintenance [maintenance]	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000
56	Rail Maintenance	274,575	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
58	Road/Signage Maintenance	158,826	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
60	Contractual Payments [TEDC - Marketing]	165,000	181,500	199,650	219,615	241,577	253,655	266,338	279,655	293,638	308,320	323,736
62	TISD-Reimbursement for expenses incurred for participation in Zone	25,000	25,000	25,000	26,250	26,250	26,250	27,563	27,563	27,563	28,941	28,941
65	Subtotal-Operating Expenditures	1,004,851	757,700	775,850	797,065	819,027	831,205	845,201	858,517	872,500	888,560	904,076
70	TOTAL DEBT & OPERATING EXPENDITURES	\$ 4,789,841	\$ 4,509,910	\$ 4,430,114	\$ 4,469,417	\$ 4,566,106	\$ 4,571,251	\$ 4,565,058	\$ 4,579,490	\$ 4,689,294	\$ 4,706,230	\$ 4,721,398
80	Funds Available for Projects	\$ 9,997,587	\$ 3,405,789	\$ 3,561,984	\$ 1,643,715	\$ 3,145,992	\$ 3,278,259	\$ 3,501,940	\$ 3,753,505	\$ 3,650,748	\$ 3,577,089	\$ 3,842,560
PROJECTS												
150	North Zone/Rail Park	58,800	49,440	250,000	250,000	-	-	-	-	-	-	-
200	Airport Park	125,000	337,840	-	-	-	-	-	-	-	-	-
250	Bio-Science Park	842,840	687,160	-	-	-	-	-	-	-	-	-
300	Outer Loop [from Wendland Rd to IH-35 North]	36,105	-	-	-	-	-	-	-	-	-	-
350	Northwest Loop 363 Improvements (TxDOT commitment)	899,350	-	-	-	-	-	-	-	-	-	-
400	Synergy Park	88,900	-	-	-	-	-	-	-	-	-	-
450	Downtown	692,227	242,955	246,326	249,313	329,020	352,616	358,140	361,076	364,041	367,036	386,188
500	TMED	4,401,823	700,560	1,950,000	-	-	-	-	-	-	-	-
501	Major Gateway Entrances	50,000	-	-	-	-	-	-	-	-	-	-
505	Airport Corporate Hangar Development/Improvements	1,970,921	100,000	-	-	-	-	-	-	-	-	-
600	Bond Contingency	-	-	-	-	-	-	-	-	-	-	-
610	Public Improvements	-	-	-	-	2,000,000	2,000,000	2,000,000	2,300,000	2,300,000	2,300,000	3,456,372
	Subtotal-Projects	9,165,966	2,117,955	2,446,326	499,313	2,329,020	2,352,616	2,358,140	2,661,076	2,664,041	2,667,036	3,842,560
TOTAL USE OF FUNDS					\$ 13,955,807	\$ 6,627,865	\$ 6,876,440	\$ 4,968,730	\$ 6,895,126	\$ 6,923,867	\$ 6,923,197	\$ 7,240,566
700	FUND BALANCE, End	\$ 831,621	\$ 1,287,834	\$ 1,115,658	\$ 1,144,402	\$ 816,972	\$ 925,643	\$ 1,143,800	\$ 1,092,429	\$ 986,706	\$ 910,053	\$ 0

Project Plan - 10/24/12 - to Zone Board

SUMMARY FINANCING PLAN				
	Revised FY 2012	FY 2013	FY 2014	FY 2015
1Beginning Available Fund Balance, Oct 1	\$ 7,979,748	\$ 831,621	\$ 1,287,834	\$ 1,115,658
20Total Sources of Funds	6,344,973	5,322,213	4,938,621	4,997,474
2Adjustments to Debt Service Reserve	462,707	1,761,865	1,765,643	-
25Net Available for Appropriation	14,787,428	7,915,699	7,992,098	6,113,132
50/52General Administrative Expenditures	206,450	176,200	176,200	176,200
54Zone Park Maintenance [mowing, utilities, botanical supplies]	150,000	150,000	150,000	150,000
54Zone Park Maintenance [maintenance]	25,000	25,000	25,000	25,000
56Rail Maintenance	274,575	100,000	100,000	100,000
58Road/Signage Maintenance	158,826	100,000	100,000	100,000
60Contractual Payments (TEDC - Marketing)	165,000	181,500	199,650	219,615
62TISD-Reimbursement for expenses incurred for participation in Zone	25,000	25,000	25,000	26,250
26Debt Service - 2003 Issue {\$11.740 mil}	598,590	619,200	-	-
27Debt Service - 2008 Issue {\$16.010 mil}	-	-	-	-
28Debt Service - 2009 Issue {Refunding}	1,473,669	1,474,569	1,479,969	1,499,769
29Debt Service - 2008 Taxable Issue {\$10.365 mil}	1,241,935	1,239,641	1,240,495	1,239,233
30Debt Service - 2011A Issue {Refunding}	447,100	399,900	914,900	914,450
31Debt Service - 2012 Issue {Refunding}	13,779	17,700	17,700	17,700
32Issuance Costs	186,113	-	-	-
33Refunding Bond Proceeds	(11,925,708)	-	-	-
34Payment to Refunding Bond Agent	11,748,312	-	-	-
35Paying Agent Services	1,200	1,200	1,200	1,200
70Total Debt & Operating Expenditures	4,789,841	4,509,910	4,430,114	4,469,417
80Funds Available for Projects	\$ 9,997,587	\$ 3,405,789	\$ 3,561,984	\$ 1,643,715

PROJECT PLAN				
	Revised FY 2012	FY 2013	FY 2014	FY 2015
<u>NORTH ZONE/RAIL PARK (including Enterprise Park):</u>				
100Railroad Spur Improvements	8,800	-	-	-
102Elm Creek Detention Pond	-	-	-	-
103ROW Acquisition - Public Improvements	-	-	-	-
104Extension of Rail Service	-	-	-	-
105BN Trans-Load NE Site Phase I - [\$850K total project cost]	-	-	-	-
106Wendland Road Improvements	-	-	-	-
107Wendland Property Roadway Phase I - [\$1.87M total project cost]	-	-	-	-
110Public Improvements in North Zone	50,000	49,440	250,000	250,000
150Total North Zone/Rail Park (including Enterprise Park)	58,800	49,440	250,000	250,000
<u>AIRPORT PARK:</u>				
151Airport Park Infrastructure Construction	-	-	-	-
155Pepper Creek Trail Extention Phase I - [\$750K total project cost]	125,000	337,840	-	-
200Total Airport Park	125,000	337,840	-	-
<u>BIO-SCIENCE PARK:</u>				
201Greenbelt Development along Pepper Creek	-	-	-	-
202Outer Loop Phase II (from Hwy 36 to FM 2305)	-	-	-	-
203Bio-Science Park Phase 1	-	-	-	-
204Pepper Creek Trail Connection to S&W	730,000	-	-	-
205Bioscience Park Service Road & Utility Extensions	112,840	687,160	-	-
250Total Bio-Science Park	842,840	687,160	-	-
300Outer Loop (from Wendland Rd to IH-35 North) - [\$15.5M total project cost]	36,105	-	-	-
350Northwest Loop 363 Improvements (TxDOT commitment)	899,350	-	-	-
<u>SYNERGY PARK:</u>				
351Lorraine Drive (Southeast Industrial Park) - [\$1.5M total project cost]	88,900	-	-	-
400Total Synergy Park	88,900	-	-	-
<u>DOWNTOWN:</u>				
401Downtown Improvements [1999 Ordinance]	604,077	242,955	246,326	249,313
402Rail Safety Zone Study	3,150	-	-	-
403Lot Identification & Signage	80,000	-	-	-
404Santa Fe Plaza Study	5,000	-	-	-
405Santa Fe Plaza Parking Lot - [\$1.3M total project cost]	-	-	-	-
450Total Downtown	692,227	242,955	246,326	249,313
<u>TMED:</u>				
451TMED - 1st Street @ Temple College - [\$2.9M total project cost]	466,633	-	-	-
452Master Plan Integration 2010	1,550	-	-	-
453Monumentation Identification Conceptual Design	1,617	-	-	-
454TMED - 1st Street @ Loop 363 Design/Construction - [\$2.5M city project cost]	624,920	-	1,950,000	-
455TMED - Friars Creek Trail 5th Street to S&W Blvd. - [\$1.9M total project cost - DOE Grant of \$400K]	1,495,453	-	-	-
456Avenue R - S&W Blvd, Ave R - 19th Intersections	1,535,500	500,000	-	-
457Ave U from S&W Blvd to 1st St & the 13th to 17th connector from Ave R to Loop 363	276,150	-	-	-
458South 1st Street Improvements from the Temple College Apartments to Ave O	-	200,560	-	-
500Total TMED	4,401,823	700,560	1,950,000	-
<u>OTHER PROJECTS:</u>				
501Gateway Entrance Projects	50,000	-	-	-
505Airport Corporate Hangar Development/Improvements	1,970,921	100,000	-	-
550Total Other Projects	2,020,921	100,000	-	-
600Undesignated Funding - Bonds	-	-	-	-
610Undesignated Funding - Public Improvements	-	-	-	-
Total Planned Project Expenditures	9,165,966	2,117,955	2,446,326	499,313
700Available Fund Balance at Year End	\$ 831,621	\$ 1,287,834	\$ 1,115,658	\$ 1,144,402

FY 2013

BUDGET ADJUSTMENT FORM

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

Adjustments should be rounded to the nearest \$1.

		+		-	
ACCOUNT NUMBER	PROJECT #	ACCOUNT DESCRIPTION	INCREASE		DECREASE
795-9500-531-65-61	100936	South 1st Street Impr from TC Apts to Ave O	\$ 200,560		
795-9500-531-65-18	100694	Public Improvements in North Zone			\$ 200,560
TOTAL.....			\$ 200,560		\$ 200,560

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

To reallocate funding from Public Improvements in the North Zone to the South 1st Street Improvements from the Temple College Apartments to Avenue O Project in the amount of \$200,560. This amendment funds the preliminary design services to be provided by Kasberg, Patrick & Associates, LP.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

X	Yes
----------	-----

No

DATE OF COUNCIL MEETING

11/15/2012

WITH AGENDA ITEM?

X	Yes
----------	-----

No

Department Head/Division Director

Date _____

Approved

Disapproved

Finance

Date _____

Approved

Disapproved

City Manager

Date _____

Approved

Disapproved

ORDINANCE NO. _____

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING AMENDMENTS TO THE TAX INCREMENT FINANCING REINVESTMENT ZONE NO. 1 FINANCING AND PROJECT PLANS IN FISCAL YEAR 2013 TO APPROPRIATE \$200,560 TO THE SOUTH FIRST STREET IMPROVEMENTS (FROM THE TEMPLE COLLEGE APARTMENTS TO THE AVENUE O) PROJECT BY REALLOCATING FUNDS FROM PUBLIC IMPROVEMENTS TO THE NORTH ZONE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; DECLARING FINDINGS OF FACT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City Council (the "Council") of the City of Temple, Texas, (the "City") created Reinvestment Zone Number One, City of Temple, Texas (the "Zone") by Ordinance No. 1457 adopted on September 16, 1982;

Whereas, the Council adopted a Project Plan and Reinvestment Zone Financing Plan for the Zone by Ordinance No. 1525 adopted on December 22, 1983, and thereafter amended such plans by Ordinance No. 1664 adopted on June 20, 1985, Ordinance No. 1719 adopted on November 21, 1985, Ordinance No. 1888 adopted on December 21, 1987, Ordinance No. 1945 adopted on October 20, 1988; Ordinance No. 1961 adopted on December 1, 1988; Ordinance No. 2039 adopted on April 19, 1990; Ordinance No. 91-2119 adopted on December 5, 1991; Ordinance No. 92-2138 adopted on April 7, 1992; Ordinance No. 94-2260 adopted on March 3, 1994; Ordinance No. 95-2351 adopted on June 15, 1995; Ordinance No. 98-2542 adopted on February 5, 1998; Ordinance No. 98-2582 adopted on November 19, 1998; Ordinance No. 99-2619 adopted on March 18, 1999; Ordinance No. 99-2629 adopted on May 6, 1999; Ordinance No. 99-2631 adopted on May 20, 1999; Ordinance No. 99-2647 adopted on August 19, 1999; Ordinance No. 99-2678 adopted on December 16, 1999; Ordinance No. 2000-2682 adopted on January 6, 2000; Ordinance No. 2000-2729 adopted on October 19, 2000; Ordinance No. 2001-2772 adopted on June 7, 2001; Ordinance No. 2001-2782 adopted on July 19, 2001; Ordinance No. 2001-2793 adopted on September 20, 2001; Ordinance No. 2001-2807 on November 15, 2001; Ordinance No. 2001-2813 on December 20, 2001; Ordinance No. 2002-2833 on March 21, 2002; Ordinance No. 2002-2838 on April 18, 2002; Ordinance No. 2002-3847 on June 20, 2002; Ordinance No. 2002-3848 on June 20, 2002; Ordinance No. 2002-3868 on October 17, 2002; Ordinance No. 2003- 3888 on February 20, 2003; Ordinance No. 2003-3894 on April 17, 2003; Ordinance No. 2003-3926 on September 18, 2003; Ordinance No. 2004-3695 on July 1, 2004; Ordinance No. 2004-3975 on August 19, 2004; Ordinance No. 2004-3981 on September 16, 2004; Ordinance No. 2005-4001 on May 5, 2005; Ordinance No. 2005-4038 on September 15, 2005; Ordinance No. 2006-4051 on January 5, 2006; Ordinance No. 2006-4076 on the 18th day of May, 2006; Ordinance No. 2006-4118; Ordinance No. 2007-4141 on the 19th day of April, 2007; Ordinance No. 2007-4155 on July 19, 2007; Ordinance No. 2007-4172 on the 20th day of

September, 2007; Ordinance No. 2007-4173 on October 25, 2007; Ordinance No. 2008-4201 on the 21st day of February, 2008; and Ordinance No. 2008-4217 the 15th day of May, 2008; Ordinance No. 2008-4242 the 21st day of August, 2009; Ordinance No. 2009-4290 on the 16th day of April, 2009; Ordinance No. 2009-4294 on the 21st day of May, 2009; Ordinance No. 2009-4316 on the 17th day of September, 2009; Ordinance No. 2009-4320 on the 15th day of October, 2009; Ordinance No. 2010-4338 on the 18th day of February, 2010; Ordinance No. 2010-4371 on the 19th day of August, 2010; Ordinance No. 2010-4405 on November 4, 2010; Ordinance No. 2011-4429 on March 17, 2011; Ordinance No. 2011-4455 on July 21, 2011; Ordinance No. 2011-4477 on October 20, 2011; Ordinance No. 2012-4540 on June 21, 2012; and Ordinance No. 2012-4546 on July 19, 2012; Ordinance No. 2012-4554 on September 20, 2012;

Whereas, the Board of Directors of the Zone has adopted an additional amendment to the Reinvestment Zone Financing and Project Plans for the Zone and forwarded such amendment to the Council for appropriate action;

Whereas, the Council finds it necessary to amend the Reinvestment Zone Financing and Project Plans for the Zone to include financial information as hereinafter set forth;

Whereas, the Council finds that it is necessary and convenient to the implementation of the Reinvestment Zone Financing and Project Plans, including the additional amendment, to establish and provide for an economic development program within the meaning of Article III, Section 52-a of the Texas Constitution ("Article III, Section 52-a"), Section 311.010(h) of the Texas Tax Code and Chapter 380 of the Texas Local Government Code to develop and diversify the economy of the Zone, eliminate unemployment and underemployment in the Zone and develop or expand transportation, business and commercial activity in the Zone including programs to make grants and loans of Zone assets or from the tax increment fund of the Zone in an aggregate amount not to exceed the amount of the tax increment produced by the City and paid into the tax increment fund for the Zone for activities that benefit the Zone and stimulate business and commercial activity in the Zone as further determined by the City;

Whereas, the Council further finds that the acquisition of the land and real property assembly costs as described in the additional amendment to the Reinvestment Zone Financing and Project Plans are necessary and convenient to the implementation of the Reinvestment Zone Financing and Project Plans and will help develop and diversify the economy of the Zone, eliminate unemployment and underemployment in the Zone and develop or expand transportation, business and commercial activity in the Zone by providing land for development of future business and commercial activity, attracting additional jobs within the City and attracting additional sales and other taxes within the City; and

Whereas, the Council finds that such amendment to the Reinvestment Zone Financing and Project Plans are feasible and conforms to the Comprehensive Plan of the City, and that this action will promote economic development within the City of Temple.

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

Part 1: Findings. The statements contained in the preamble of this ordinance are true and correct and are adopted as findings of fact hereby.

Part 2: Reinvestment Zone Financing and Project Plans. The amendments to the Tax Increment Financing Reinvestment Zone No. One Financing and Project Plans, heretofore adopted by the Board of Directors of the Zone and referred to in the preamble of this ordinance, are hereby approved and adopted, as set forth in the Amendments to Reinvestment Zone Number One, City of Temple, Texas, attached hereto as Exhibits A and B. This expenditure requires an amendment to the 2012-2013 budget, a copy of which is attached hereto, as Exhibit C.

Part 3: Plans Effective. The Financing Plan and Project Plans for the Zone heretofore in effect shall remain in full force and effect according to the terms and provisions thereof, except as specifically amended hereby.

Part 4: Copies to Taxing Units. The City Secretary shall provide a copy of the amendment to the Reinvestment Zone Financing and Project Plans to each taxing unit that taxes real property located in the Zone.

Part 5: Economic Development Program. The Council hereby establishes an economic development program for the Zone in accordance with Article III, Section 52-a of the Texas Constitution, Section 311.010(h) of the Texas Tax Code and Chapter 380 of the Texas Local Government Code to develop and diversify the economy of the Zone, eliminate unemployment and underemployment in the Zone and develop or expand transportation, business and commercial activity in the Zone including a program to make grants and loans of Zone assets or from the tax increment fund of the Zone in accordance with the provisions of Article III, Section 52-a, Chapter 311 of the Texas Tax Code and Chapter 380 of the Texas Local Government Code as directed and authorized by the Council. The Council hereby further directs and authorizes the Board of Directors of the Zone to utilize tax increment reinvestment zone bond proceeds to acquire the land and pay other real property assembly costs as set forth in the additional amendment attached hereto to help develop and diversify the economy of the Zone and develop or expand business and commercial activity in the Zone in accordance with Article III, Section 52-a, Chapter 311 of the Texas Tax Code and Chapter 380 of the Texas Local Government Code.

Part 6: Severability. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such invalid phrase, clause, sentence, paragraph or section.

Part 7: Effective Date. This ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

Part 8: Open Meetings. It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meeting Act.

PASSED AND APPROVED on First Reading and Public Hearing on the **1st** day of **November**, 2012.

PASSED AND APPROVED on Second Reading on the **15th** day of **November**, 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

11/15/12
Item #3(L-2)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Nicole Torralva, P.E., Director of Public Works

ITEM DESCRIPTION: Consider adopting a resolution authorizing a professional services agreement with Kasberg, Patrick & Associates, LP for professional services required to provide 30% preliminary design plans, exhibits, estimates, and metes and bounds for proposed improvements for South 1st Street in the Temple Medical Education District from the Temple College Apartments to Avenue O in an amount not to exceed \$200,560.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The TMED has been identified as a strategic district of redevelopment in Temple. South 1st Street is an important part of the district and a corridor into downtown Temple. Several recent and on-going projects along this corridor have resulted in upgrades and improvements that include roads, sidewalks, landscaping, and trails. This effort will advance improvements approximately a half mile to the north from the Temple College Apartments to Avenue O, primarily along the corridor in front the Veteran's Administration facility.

The scope of work for this project consists of providing 30% engineering services for preliminary design, exhibits for landscaping enhancements and Veteran's Administration (VA) monument relocation, cost estimates, and development of metes and bounds for proposed rights-of-way and easements along the VA property. The project also includes review of existing utilities for conflict with proposed project improvements. Federal Administrators require this preliminary design work to be completed in advance of submission of requested rights-of-way and easement from the VA facility.

Consultant services recommended under this contract include the following tasks and associated costs:

Preliminary Geometric Design	\$11,300
Field Surveying	\$31,380
Preliminary Roadway & Utility Design	\$82,100
Preliminary Drainage Design	\$46,280
Preliminary Landscape Design	<u>\$ 29,500</u>

Total Engineering Services \$200,560

On October 24, 2012, the RZB recommended approval of this preliminary engineering contract. The consultant's opinion of construction cost for improvements to this section of South 1st Street is approximately \$6,500,000.

FISCAL IMPACT: The current Financing and Project Plans do not have this project funded; therefore, an amendment to the Financing and Project plans has been recommended to the Reinvestment Zone No. 1 Board.

After approval of the amendment in the amount of \$200,560 to the Reinvestment Zone No. 1 Financing and Project Plans, funding for this professional services agreement will be available in Line 458, account 795-9500-531-6561, project 100936.

ATTACHMENTS:

[Project Area Map](#)
[Engineer's Proposal Letter](#)
[Resolution](#)



VA PROPERTY LINE

UNITED STATES
DEPARTMENT OF VETERANS AFFAIRS

**OLIN E. TEAGUE VETERANS
CENTER
MASTER PLAN 2020**



T M E D

**1ST STREET GATEWAY
PROJECT
PROPOSED R.O.W.**

REQUIRED R.O.W.

LEGEND

- EXISTING V.A. PROPERTY LINE
- PROPOSED R.O.W.
- PROPOSED BEAUTIFICATION EASEMENT
- PHASE 1 & 2 (UNDER CONSTRUCTION AND DESIGN)
- 1st STREET PHASE (V.A. AREA)



0 100
HORIZONTAL SCALE IN FEET





KASBERG, PATRICK & ASSOCIATES, LP

CONSULTING ENGINEERS

Texas Firm F-510

RICK N. KASBERG, P.E.

R. DAVID PATRICK, P.E., C.F.M.

THOMAS D. VALLE, P.E.

Temple

One South Main Street
Temple, Texas 76501
(254) 773-3731

Georgetown

3613 Williams Drive, Suite 406
Georgetown, Texas 78628
(512) 819-9478

October 5, 2012

Mr. David Blackburn
City of Temple
2 North Main Street
Temple, Texas 76501

Re: City of Temple
South 1st Street Improvements from the Temple College Apartments to Avenue O
Preliminary Design

Dear Mr. Blackburn:

At the request of the City of Temple Reinvestment Zone #1 (TRZ), we are submitting this proposal for the above referenced project. This project will prepare preliminary design for the South 1st Street Improvements from the Temple College Apartments to Avenue O. The final product will be 30% preliminary design plans, exhibits, estimates and metes and bounds for the proposed rights-of-way and easements.

The work to be performed by KPA under this contract consists of providing engineering services for preliminary design, exhibits for landscaping enhancements and VA monument relocation and incorporation in the landscaping plan, cost estimates for the project and metes and bounds for the proposed rights-of-way and easements for the Veteran's Administration property. The project will also include review of existing utilities for conflict with proposed project improvements. KPA will perform quality control and quality assurance (QA/QC) on all deliverables associated with the project.

The following services will be performed:

I. PRELIMINARY GEOMETRIC DESIGN

- A. Data Collection – Obtain and review any existing data from the City of Temple and TxDOT.
- B. Geometric Design - Develop geometric design for the project limits to determine location and alignments with proposed infrastructure, existing public infrastructure and storm water conveyances.

II. FIELD SURVEYING

A. Topographic Surveys for Engineering Design

1. Reasonable attempts shall be made to recover existing horizontal control points from previous work performed on the TMED 1st Street Projects. Additional control shall be established to adequately position horizontal control points as needed for project design activities and plan notations thereof. Control points shall be established with significant conformance to current Texas State Plane Coordinate System and the City of Temple Coordinate System.
2. Reasonable attempts at recovering and verifying existing vertical control shall be made. Additional benchmarks, if needed, shall be established via differential level loops from recovered known project controls. A vertical benchmark system shall be perpetuated for future reference on the plans and maintained to construction, if necessary.
3. Survey files with previously obtained project data shall be compared to and merged with survey files generated through this proposal.
4. Data collection shall consist of spot elevations for improvements, edge of roadway, driveways, visible or marked utilities, drainage features, centerline of roadway, grade breaks and elements within the Veteran's Administration facility.
5. The survey shall include topographic features within approximately 50 feet from each end of certain drainage features along the roadway or a sufficient distance to ensure and/or verify hydraulic cross sections can be developed to adequately accommodate the proposed conveyance.
6. Profiles of intersecting roadways within the project limits shall extend a sufficient distance beyond the existing ROW to ensure adequate data is available to determine tie-ins and connections.

B. Metes and Bounds

1. Prepare metes and bounds for the proposed rights-of-way and easements for the Veteran's Administration Property. At this time it is anticipated this will be the extend of the rights-of-way and easements required for the project.

III. PRELIMINARY ROADWAY AND UTILITY DESIGN

- ### A. Geometric Design -
- Using the data and information collected in the Geometric Design and Field Surveying stage existing surface models will be created utilizing Auto Cad Civil 3D. Preliminary horizontal geometry will be designed illustrating locations for curb and gutter, medians, intersections, driveway connections, sidewalks and trails, signals, landscaping, connections to existing topography, etc. Preliminary vertical geometry will be designed illustrating a preliminary plan profile for the roadway improvements. Sidewalk and trail geometry will be designed to ensure connection

- and layout with in the rights-of-way and easements for the project but will not have profiles.
- B. Typical Sections - Develop preliminary roadway typical sections for the project. Sections will be based on previous data gathered in the project area. Geotechnical design will be accomplished during the final design stage.
 - C. Alignment Data Sheets - Prepare preliminary horizontal and vertical alignment data sheets.
 - D. Plan & Profile Drawings - Prepare preliminary plan & profile sheets for the project. The sheets shall include the following:
 - 1. Control and benchmark data
 - 2. Proposed preliminary roadway improvements including horizontal and vertical roadway geometry and drainage
 - E. Roadway Cross-Sections - Prepare preliminary design cross-sections for critical areas to illustrate connections to existing topography.

IV. PRELIMINARY DRAINAGE DESIGN

- A. Incorporate all design surveys into computer aided drafting and develop topographies and surfaces. This data shall be utilized to develop drainage areas, hydrology and hydraulics. This shall include topographic working drawings to prepare the preliminary drainage design.
- B. Develop storm water hydrology for the preliminary roadway section throughout the limits of the project. The hydrology shall be modeled utilizing HEC-HMS with City of Temple drainage criteria. The model shall incorporate the 10%, 4% and 1% annual chance storm (10-year, 25-year, and 100-year) events. Modeling shall develop storm water flows to all cross culverts and roadway conveyances.
- C. Develop preliminary designs for all drainage structures within the project limits.
- D. Develop preliminary designs for the storm water collection system for the curb-and gutter roadway system. Storm sewer systems shall be analyzed and designed utilizing City of Temple criteria. All drainage infrastructure shall be presented in the plans in plan view only for the preliminary design phase.
- E. Design storm water conveyance to existing storm sewer systems, streams and channel ways. Design shall include conveyance for positive drainage.
- F. Determine potential utility conflicts based on preliminary design for the project area.

V. PRELIMINARY LANDSCAPE DESIGN

- A. Develop schematic design for landscaping for the project.
- B. Incorporate VA amenities into the schematic design.
- C. Prepare exhibits illustrating landscape design.
- D. Prepare exhibits illustrating VA amenities in conjunction with proposed landscaping improvements.
- E. Develop preliminary opinions of probable cost for landscaping and irrigation.

Mr. David Blackburn
October 5, 2012
Page 4

The following scope of work for the South 1st Street Improvements from the Temple College Apartments to Avenue O Preliminary Design can be completed for the lump sum price of \$200,560. Attached is a breakdown of project costs. We are please to submit this proposal and look forward to the benefit it will bring the City of Temple.

Sincerely,

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

R. David Patrick, P.E., CFM

xc: Bob Browder

1ST STREET FROM TC APARTMENTS TO AVE O PRELIMINARY DESIGN

	DESCRIPTION	PROJECT MANAGER	SENIOR ENGINEER	PROJECT ENGINEER	EIT	CADD ENGR TECH	CLERICAL	TOTAL
PRELIMINARY GEOMETRIC DESIGN								
1	Data Collection	2	4					\$ 880.00
2	Geometric Design	2	8	16	20	30		\$ 8,260.00
3	Site Visits	4	4					\$ 1,200.00
4	TBG Coordination	6						\$ 960.00
	SUBTOTAL	14	16	16	20	30	0	\$ 11,300.00
FIELD SURVEYING								
1	ACS Coordination			4		10		\$ 1,380.00
2	ACS Design Surveys							\$ 24,000.00
3	Rights-of-way/Easement Metes and Bounds							\$ 6,000.00
	SUBTOTAL	0	0	4	0	10	0	\$ 31,380.00
PRELIMINARY ROADWAY AND UTILITY DESIGN								
1	Preliminary Geometric Design	8	20	32	46	62		\$ 18,560.00
2	Preliminary Typical Sections	2	4	8	12	16		\$ 4,600.00
3	Preliminary Alignment Data Sheets	1	2	8	16	24		\$ 5,320.00
4	Preliminary Roadway Plan & Profile Sheets	8	20	30	38	68		\$ 17,980.00
5	Preliminary Intersection Layouts	2	8	20	32	60		\$ 12,760.00
6	Utility Conflicts	4	8	20	30	48		\$ 11,780.00
7	Critical Roadway Cross Sections	2	8	18	30	38		\$ 10,320.00
8	Preliminary Plan Production	1	1				8	\$ 780.00
	SUBTOTAL	28	71	0	204	316	8	\$ 82,100.00
PRELIMINARY DRAINAGE DESIGN								
1	Hydrologic Calculations	1	12	20	30	12		\$ 8,620.00
2	Hydraulic Calculations	1	16	24	30	12		\$ 9,660.00
3	Drainage Area Maps		6	10	14	4		\$ 3,940.00
4	Hydraulic Data Sheets		8	8	16	4		\$ 4,200.00
5	Storm Sewer Plan Design	6	28	40	50	52		\$ 19,860.00
	SUBTOTAL	8	70	102	140	84	0	\$ 46,280.00
PRELIMINARY LANDSCAPE DESIGN								
1	Schematic Design							\$ 12,000.00
2	Preliminary Landscape Design Package							\$ 17,500.00
	SUBTOTAL	0	0	0	0	0	0	\$ 29,500.00
	PROJECT TOTAL							\$ 200,560.00

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF TEMPLE, TEXAS, AND KASBERG, PATRICK & ASSOCIATES, L.P., FOR PROFESSIONAL SERVICES REQUIRED TO PROVIDE 30% PRELIMINARY DESIGN PLANS, EXHIBITS, ESTIMATES, AND METES AND BOUNDS FOR PROPOSED IMPROVEMENTS FOR SOUTH 1ST STREET IN THE TEMPLE MEDICAL EDUCATION DISTRICT (TMED), IN AN AMOUNT NOT TO EXCEED \$200,560; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the Temple Medical Education District (TMED) has been identified as a strategic district of redevelopment in Temple – South 1st Street is an important part of the district and a corridor into downtown Temple;

Whereas, several recent on-going projects along this corridor have resulted in upgrades and improvements that include roads, sidewalks, landscaping, and trails which will enhance improvements approximately one-half mile to the north from the Temple College Apartments to Avenue O, primarily along the corridor in front of the Veteran's Administration facility;

Whereas, on October 24, 2012, the Reinvestment Zone Number 1 Board recommended approval of this preliminary engineering contract provided by Kasberg, Patrick & Associates, L.P.;

Whereas, Kasberg, Patrick & Associates, L.P. has submitted a proposal for engineering services in the amount of \$200,560, attached as Exhibit A, hereto, and the Staff recommends accepting it;

Whereas, funds are available for this project in the Reinvestment Zone No. 1 Financing/Project Plans, Line 458, Account No. 795-9500-531-6551, Project No. 100936; and

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

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

Part 1: The City Council authorizes the City Manager, or his designee, to execute a professional services agreement, in an amount not to exceed \$200,560, between the City of Temple, Texas, and Kasberg, Patrick & Associates, L.P., after approval as to form by the City Attorney, for professional services required to provide 30% preliminary design plans, exhibits, estimates, and metes and bounds for proposed improvements for South 1st Street in the Temple Medical Education District (TMED).

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 **15th** day of **November**, 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

11/15/12
Item #3(M)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Nicole Torralva, P.E., Director of Public Works

ITEM DESCRIPTION: Consider adopting a resolution authorizing payment of the Consolidated Water Quality Assessment Fee to the Texas Commission on Environmental Quality for operations of Temple's wastewater treatment plants, in the cumulative amount of \$86,860.80.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The Texas Commission on Environmental Quality (TCEQ) requires wastewater permit holders within the State of Texas to pay a Consolidated Water Quality (CWQ) Fee annually. This fee provides for general revenue in support of TCEQ's existing water-program activities.

This year, the TCEQ CWQ fee associated with permitted operations of the Doshier WWTP and Temple-Belton WWTP is \$36,041.20 and \$50,819.60, respectively. Payment of these fees are due within 30 days of receipt of the invoice, and must be paid by November 17, 2012.

FISCAL IMPACT: Funding is available in accounts 520-5521-535-2616 and 520-5522-535-2616 to fund the Consolidated Water Quality fee.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING PAYMENT OF THE CONSOLIDATED WATER QUALITY (CWQ) ASSESSMENT FEE TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) FOR OPERATIONS OF TEMPLE'S WASTEWATER TREATMENT PLANTS, IN THE CUMULATIVE AMOUNT OF \$86,860.80; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the Texas Commission on Environmental Quality (TCEQ) requires wastewater permit holders within the State of Texas to pay a Consolidated Water Quality (CWQ) fee annually – this fee provides for general revenue in support of TCEQ's existing water program activities;

Whereas, this year, the Texas Commission on Environmental Quality Consolidated Water Quality fee is associated with permitted operations of the Doshier Wastewater Treatment Plant and the Temple-Belton Wastewater Treatment Plant in the amount of \$36,041.20 and \$50,819.60, respectively;

Whereas, payment of these fees are due within 30 days of receipt of the invoice and must be paid no later than November 17, 2012;

Whereas, funding is available for this expenditure Account No. 520-5521-535-2616 and 520-5522-535-2616; and

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

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

Part 1: The City Council authorizes payment of the Consolidated Water Quality Assessment Fee to the Texas Commission on Environmental Quality (TCEQ) for operation of Temple's wastewater treatment plants, in the cumulative amount of \$86,860.80.

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 **15th** day of **November**, 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

11/15/12
Item #3(N)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Ashley Williams, Sustainability and Grant Manager

ITEM DESCRIPTION: Consider adopting a resolution authorizing the submission of an application for funding through the Texas Department of Transportation, Transportation Enhancement Program in the amount of \$1,870,000, with \$1,500,000 reimbursed to the City through federal funding, to develop landscaped urban trails and improvements along SH 53 (Adam's Avenue) and Central Avenue.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The Texas Department of Transportation has announced a matching funding program entitled "Transportation Enhancement Program". Eligible project types include, but are not limited to:

- 1) **Provision of facilities for pedestrians and bicycles.** Activities in this category must be principally for transportation rather than recreation. Successful projects are those that connect people to places in their communities, i.e. construct walking and biking trails to link communities, shopping, schools, businesses and parks. Amenities that enhance these facilities such as lighting, landscaping or street furnishings are also eligible activities.

Staff is recommending that we submit the project along SH 53 (Adam's Avenue) and Central Avenue for consideration with a total estimated construction and TxDOT administration cost of \$1,870,000, of which \$1,500,000 would be funded by the program. City required match is \$370,000 (20%).

Staff believes the proposed project achieves the following:

- Continues the Trails Master Plan vision for connectivity
- Accomplishes the Strategic Plan areas of focus:
 - Grow the Transportation Infrastructure: Offer a variety of choice in modes of transit – develop new existing pedestrian and bicycle amenities throughout the city
 - Grow community enhancements: Enhanced image and identity for Temple
 - public beautification efforts along Temple's major corridors
 - Invest in parks and facilitates that enhance community wellness, quality of place, and community amenities
- Vision for multi-modal transportation (bicycle and pedestrian)

The deadline for submittal is November 16. Applications will be evaluated by TxDOT staff and the Transportation Enhancement Project Evaluation Committee, with recommendations going to the Texas Transportation Commission.

The project scope includes the following:

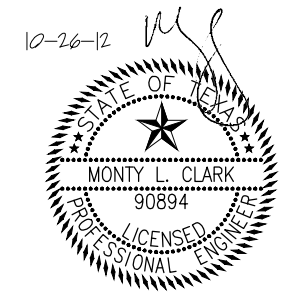
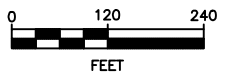
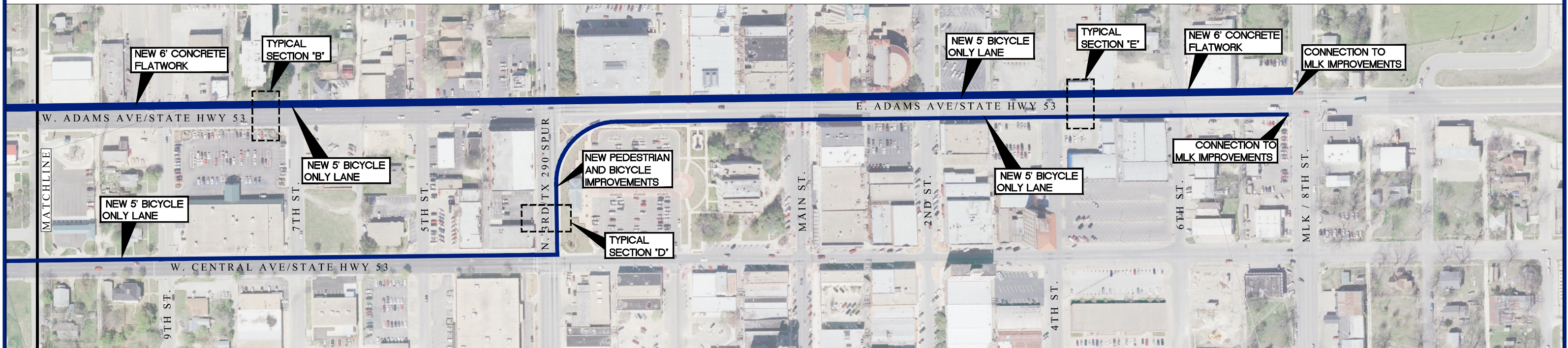
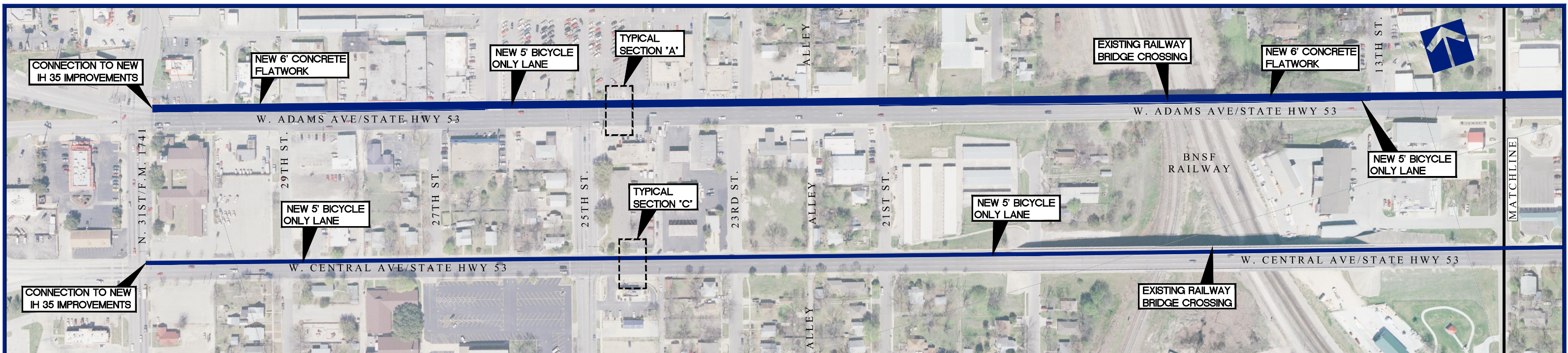
- Construction of a 6' - 8' sidewalk along SH 53 (Adams Avenue) from IH 35 east towards Martin Luther King Jr. Boulevard;
- Construction of a bike lane along SH 53 (Adams Avenue) from IH 35 east towards Martin Luther King Jr. Boulevard;
- Construction of a bike lane along Central Avenue from IH35 east towards 3rd Street; and
- Provision of streetscape, landscape, informational kiosks and beautification.

This project is in our Trail Master Plan.

FISCAL IMPACT: Funding program guidelines provide a maximum reimbursement of 80%, with the City providing a minimum of 20% cash match. If awarded the grant the City will provide a \$370,000 cash match (20%) as part of the \$9.4 million Certificate of Obligation Bonds sold on November 1, 2012 for the Transportation Capital Improvement Plan (TCIP).

ATTACHMENTS:

[Map of STEP trail location](#)
[Resolution](#)



2013 ADAMS AVE AND CENTRAL AVE BICYCLE AND PEDESTRIAN IMPROVEMENTS PROJECT



RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR FUNDING THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION, TRANSPORTATION ENHANCEMENT PROGRAM, IN THE AMOUNT OF \$1,870,000, WITH \$1,500,000 REIMBURSED TO THE CITY THROUGH FEDERAL FUNDING; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the Texas Department of Transportation has announced a matching funding program entitled “Transportation Enhancement Program” with project eligibility requirements outlined;

Whereas, staff recommends submitting an application for a project along SH53 (Adam’s Avenue) and Central Avenue which continues the City’s Trail Master Plan vision for connectivity, accomplishes the Strategic Plan areas of focus by growing the transportation infrastructure, enhancing the image and identity of Temple, and which achieves the City’s vision for multi-modal transportation;

Whereas, the deadline for application submittal is November 16, 2012 - applications will be evaluated by TxDOT and the Transportation Enhancement Project Evaluation Committee, with recommendations going on to the Texas Transportation Commission;

Whereas, funding program guidelines provide a maximum reimbursement of 80%, with the City providing a minimum of 20% cash match – if awarded the grant, the City will provide a \$370,000 cash match (20%) as part of the \$9.4 million Certificate of Obligation Bonds sold on November 1, 2012 for the Transportation Capital Improvement Plan (TCIP); and

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

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

Part 1: The City Council authorizes the City Manager, or his designee, to submit a grant application, after approval as to form by the City Attorney, to the Texas Department of Transportation in the amount of \$1,870,000, with \$1,500,000 being reimbursed to the City through federal funding to develop landscaped urban trails and improvements along SH53 (Adam’s Avenue) and Central 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 **15th** day of **November**, 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

11/15/12
Item #3(O)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Traci L. Barnard, Director of Finance

ITEM DESCRIPTION: Consider adopting a resolution authorizing the carry forward of FY 2011-2012 funds to the FY 2012-2013 budget and consider adopting a resolution authorizing budget adjustments for FY 2011-2012.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: This agenda item will recognize and carry forward to fiscal year 2012-2013 outstanding purchase orders and contracts that were not completed at the end of fiscal year 2011-2012. These items will be received or completed during fiscal year 2013. Also, all unencumbered Community Development funds and ongoing Capital Projects will be carried forward to fiscal year 2013.

We are also presenting some “clean up” budget adjustments for fiscal year 2012 that need Council approval. These items were identified after the end of the fiscal year, but were not presented to Council prior to September 30, 2012.

Line item expenditure accounts in the fiscal year 2013 budget will be amended to reflect fiscal year 2012 funds that will be carried forward. The total of all expenditure-related carry forwards is \$81,592,682. The total of all expenditure-related carry forwards from prior fiscal year was \$38,444,771. The increase compared to the prior year is due to the issuance of bond proceeds on projects funded in the Capital Improvement Program. Revenue carry forwards related to TXDOT reimbursements, Capital Projects and Federal/State Grant funding, detailed on the attachment, total \$28,328,985.

Itemization by fund is as follows:

<u>Fund</u>	<u>Carry Forward</u>
General Fund	\$ 2,060,396
Hotel/Motel Tax Fund	10,704
Federal/State Grant Fund	6,130,272
Pass Through Financing Fund	42,867,895
Drainage Fund	26,752
Capital Projects	497,758
Bond Projects	6,738,992
Water & Sewer Fund	17,491,123
Reinvestment Zone No. 1	<u>5,768,790</u>
Total Carry Forwards	<u><u>\$81,592,682</u></u>

FISCAL IMPACT: The fiscal impact will not change the fiscal year results presented in the agenda item detailing year end financial results for FY 2012.

ATTACHMENTS:

[Carry Forward to FY 2012/2013](#)
[Budget Adjustment for FY 2011/2012](#)
[Resolution](#)

CITY OF TEMPLE, TEXAS
PRIOR YEAR ENCUMBRANCES, UNENCUMBERED AMOUNTS & CONTRACTS
CARRY FORWARD TO FY 2012-2013

ACCOUNT #	DESCRIPTION	PROJECT #	APPROPRIATION	
			DEBIT	CREDIT
110-1121-513.25-14	TRAVEL & TRAINING		\$ 2,200.00	
110-1122-513.26-16	PROFESSIONAL		4,328.00	
110-1132-513.25-11	PRINTING & PUBLICATIONS		9,000.00	
110-1200-515.26-16	PROFESSIONAL		9,172.00	
110-1200-515.26-23	OTHER CONTRACTED SERVICES		1,400.00	
110-1200-515.26-30	BANKING FEES		16,000.00	
110-1400-511.26-23	OTHER CONTRACTED SERVICES		7,177.00	
110-1500-515.26-92	EMERGENCY REHAB		840.00	
110-1500-515.26-95	SIZ PROGRAM		214,244.00	
110-1700-519.26-16	PROFESSIONAL		50,000.00	
110-1800-525.62-21	COMPUTER SOFTWARE	100830	4,708.00	
110-1900-519.26-10	TELEPHONE		3,843.00	
110-1900-519.62-28	PEG CAPITAL EXPENDITURES	100858	19,439.00	
110-1900-519.62-28	PEG CAPITAL EXPENDITURES		15,050.00	
110-1900-519.62-28	PEG CAPITAL EXPENDITURES	100858	10,751.00	
110-2011-521.21-36	PUBLIC SAFETY EXPENDITURES		9,188.00	
110-2020-521.25-33	DARE EXPENDITURES		9,159.00	
110-2031-521.21-13	CLOTHING & UNIFORMS		2,686.00	
110-2031-521.21-31	OCU SEIZED FUNDS FEDERAL EXPENDITURES		1,220.00	
110-2031-521.25-14	TRAVEL & TRAINING		2,002.00	
110-2031-521.62-13	AUTOMOTIVE	100768	12,090.00	
110-2041-521.25-38	CRIME VICTIM EXPENDITURES		254.00	
110-2057-521.21-21	FIREARMS/MUNITIONS		3,411.00	
110-2100-529.22-21	COMPUTER EQUIPMENT		6,500.00	
110-2210-522.25-13	SPECIAL SERVICES		2,476.00	
110-2231-522.21-13	CLOTHING & UNIFORMS		11,506.00	
110-2232-522.26-17	EMPLOYEMENT COSTS		2,760.00	
110-2310-540.26-16	PROFESSIONAL		20,750.00	
110-2330-540.22-11	INSTRUMENTS/SPECIAL EQUIPMENT		40,335.00	
110-2330-540.26-16	PROFESSIONAL		1,375.00	
110-2350-540.22-11	INSTRUMENTS/SPECIAL EQUIPMENT		22,950.00	
110-2360-540.22-11	INSTRUMENTS/SPECIAL EQUIPMENT		8,425.00	
110-2370-540.22-11	INSTRUMENTS/SPECIAL EQUIPMENT		16,140.00	
110-2400-519.23-11	REPAIR & MAINTENANCE		12,244.00	
110-2400-519.25-11	PRINTING & PUBLICATIONS		105.00	
110-2700-515.21-38	WELLNESS PROGRAM		20,000.00	
110-2700-515.26-16	PROFESSIONAL		13,593.00	
110-3110-551.27-13	COST OF GOODS SOLD-MERCHANDISE		6,642.00	
110-3130-551.27-25	COST OF GOODS SOLD		512.00	
110-3221-551.22-20	MACHINERY & EQUIPMENT		9,900.00	
110-3250-551.21-13	CLOTHING & UNIFORMS		1,300.00	
110-3250-551.21-20	EDUCATION/RECREATION		6,600.00	
110-3250-551.22-20	MACHINERY & EQUIPMENT		10,565.00	
110-3250-551.23-11	REPAIR & MAINTENANCE		11,000.00	
110-3270-551.22-10	FURNITURE & FIXTURES		2,343.00	
110-3280-551.25-40	MAYOR'S FITNESS COUNCIL		3,763.00	
110-3280-551.25-41	CORPORATE GAMES		3,453.00	
110-3410-531.23-38	REPAIR & MAINTENANCE		21,078.00	
110-3500-552.21-19	BOTANICAL SUPPLIES		2,422.00	
110-3500-552.23-11	REPAIR & MAINTENANCE		6,224.00	
110-3500-552.26-23	OTHER CONTRACTED SERVICES	950095	17,946.00	

CITY OF TEMPLE, TEXAS
PRIOR YEAR ENCUMBRANCES, UNENCUMBERED AMOUNTS & CONTRACTS
CARRY FORWARD TO FY 2012-2013

ACCOUNT #	DESCRIPTION	PROJECT #	APPROPRIATION	
			DEBIT	CREDIT
110-3500-552.26-23	OTHER CONTRACTED SERVICES		3,763.00	
110-3500-552.26-23	OTHER CONTRACTED SERVICES	950095	640.00	
110-3500-552.26-23	OTHER CONTRACTED SERVICES		6,023.00	
110-3500-552.63-10	BUILDINGS & GROUNDS	100855	2,365.00	
110-3633-560.23-11	REPAIR & MAINTENANCE		9,047.00	
110-3700-524.22-10	FURNITURE & FIXTURES		512.00	
110-4000-555.22-16	TOOLS & RELATED		7,527.00	
110-4000-555.22-25	BOOKS & PERIODICALS		1,938.00	
110-4000-555.25-22	MICROFILM/AUDIO VISUAL		120.00	
110-4100-551.25-11	PRINTING & PUBLICATIONS		5,860.00	
110-5900-522.62-13	AUTOMOTIVE	100751	2,468.00	
110-5900-522.62-13	AUTOMOTIVE	100752	14,416.00	
110-5900-522.62-22	MACHINERY & EQUIPMENT	100844	6,874.00	
110-5900-540.62-22	MACHINERY & EQUIPMENT	100771	202,500.00	
110-5900-540.62-22	MACHINERY & EQUIPMENT	100772	202,500.00	
110-5900-540.62-22	MACHINERY & EQUIPMENT	100773	202,500.00	
110-5924-519.26-23	OTHER CONTRACTED SERVICES		6,300.00	
110-5924-519.63-10	BUILDINGS & GROUNDS	100407	18,216.00	
110-5924-519.63-10	BUILDINGS & GROUNDS	100738	40,524.00	
110-5924-519.63-10	BUILDINGS & GROUNDS	100750	128,409.00	
110-5924-519.63-10	BUILDINGS & GROUNDS	100738	21,948.00	
110-5935-552.62-13	AUTOMOTIVE	100754	14,416.00	
110-5935-552.63-10	BUILDINGS & GROUNDS	100763	50,000.00	
110-5935-552.63-10	BUILDINGS & GROUNDS	100766	23,452.00	
110-5935-552.63-10	BUILDINGS & GROUNDS	350009	29,941.00	
110-5935-552.63-10	BUILDINGS & GROUNDS	100855	1,500.00	
110-5935-552.63-10	BUILDINGS & GROUNDS	100928	10,000.00	
110-9100-591.81-51	TRANSFER OUT-CAPITAL PROJECTS FUND		317,918.00	
110-9100-591.81-60	TRANSFER OUT-GRANT FUND		37,650.00	
TOTAL GENERAL FUND			\$ 2,060,396.00	\$ -
HOTEL/MOTEL FUND				
240-4400-551.23-35	ALARM SYSTEM		\$ 35.00	
240-4400-551.26-16	PROFESSIONAL		301.00	
240-4400-551.62-21	COMPUTER SOFTWARE	100866	2,078.00	
240-7000-551.26-16	PROFESSIONAL	100915	8,290.00	
TOTAL HOTEL/MOTEL FUND			\$ 10,704.00	
GRANT FUND				
260-1100-513.21-10	OFFICE SUPPLIES		\$ 338.00	
260-1100-513.22-10	FURNITURE & FIXTURES		702.00	
260-1100-513.22-11	INSTRUMENTS/SPECIAL EQUIPMENT		1,690.00	
260-1100-513.22-21	COMPUTER EQUIPMENT		129.00	
260-1100-513.23-11	REPAIRS & MAINTENANCE		18,181.00	
260-1100-513.25-14	TRAVEL & TRAINING		1,422.00	
260-1100-519.62-13	AUTOMOTIVE	100835	9,753.00	
260-1110-513.25-10	CONTRIBUTIONS/PRIZES		117.00	

CITY OF TEMPLE, TEXAS
PRIOR YEAR ENCUMBRANCES, UNENCUMBERED AMOUNTS & CONTRACTS
CARRY FORWARD TO FY 2012-2013

ACCOUNT #	DESCRIPTION	PROJECT #	APPROPRIATION	
			DEBIT	CREDIT
260-2000-521.21-13	CLOTHING & UNIFORMS		12,793.00	
260-2000-521.21-36	PUBLIC SAFETY EXPENDITURES		12,014.00	
260-2000-521.22-11	INSTRUMENTS/SPECIAL EQUIPMENT		2,182.00	
260-3400-531.63-15	SIDEWALK/CURB/GUTTER	100690	46,199.00	
260-3400-531.63-15	SIDEWALK/CURB/GUTTER	100691	90,292.00	
260-3400-531.63-15	SIDEWALK/CURB/GUTTER	100690	6,000.00	
260-3400-531.63-15	SIDEWALK/CURB/GUTTER	100691	6,000.00	
260-3400-531.63-15	SIDEWALK/CURB/GUTTER	100690	13,240.00	
260-3400-531.63-15	SIDEWALK/CURB/GUTTER	100691	27,365.00	
260-3400-531.63-15	SIDEWALK/CURB/GUTTER	100690	188,305.00	
260-3400-531.63-15	SIDEWALK/CURB/GUTTER	100691	350,167.00	
260-3500-552.63-16	HIKE & BIKE TRAILS	100629	1,668,817.00	
260-3600-560.65-24	FAA RUNWAY REHABILITATION	100716	3,308,899.00	
260-6000-515.65-32	CONTINGENCY		11,413.00	
260-6100-571.26-91	HOUSING REHABILITATION		480.00	
260-6100-571.26-98	CODE ENFORCEMENT		51,783.00	
260-6100-571.63-15	SIDEWALK/CURB/GUTTER	100623	234,683.00	
260-6100-571.63-17	STREETS & ALLEYS	100735	4,086.00	
260-6100-571.65-16	PARK IMPROVEMENTS	100742	34,796.00	
260-6100-571.65-32	CONTINGENCY		28,426.00	
260-0000-431.01-63	FEDERAL GRANTS			5,605,726.00
260-0000-431.01-31	CDBG GRANT			365,667.00
260-0000-490.25-89	TRANSFER IN-LAW ENF BLOCK GRANT			6,397.00
260-0000-490.25-82	TRANSFER IN-GENERAL FUND			31,253.00
260-0000-490.25-82	TRANSFER IN-BOND FUND			121,229.00
TOTAL GRANT FUND			\$ 6,130,272.00	\$ 6,130,272.00
PASS THROUGH FINANCING FUND				
261-3400-531.25-87	NW LOOP 363 IMPROVEMENTS	100681	\$ 61,819.00	
261-3400-531.25-88	NW LOOP 363 IMPROVEMENTS	100681	\$ 42,806,076.00	
261-0000-461.08-65	TXDOT CATEGORY 12 FUNDS			19,809,810.00
TOTAL PASS THROUGH FINANCING FUND			\$ 42,867,895.00	\$ 19,809,810.00
DRAINAGE FUND				
292-2910-534.26-16	PROFESSIONAL		\$ 249.00	
292-2921-534.62-11	INSTRUMENTS/SPECIAL EQUIPMENT	100930	8,218.00	
292-2923-534.26-16	PROFESSIONAL		18,285.00	
TOTAL DRAINAGE FUND			\$ 26,752.00	
CAPITAL PROJECTS FUND				
351-1100-513.26-23	OTHER CONTRACTED SERVICES		\$ 75,000.00	
351-1500-515.26-86	HILL COUNTRY TRANSIT		6,969.00	
351-1800-525.68-49	MUNICIPAL COURT FACILITY	100240	523.00	
351-1900-519.22-21	COMPUTER EQUIPMENT		4,656.00	
351-1900-519.26-23	OTHER CONTRACTED SERVICES		783.00	
351-1900-519.62-18	COMPUTER HARDWARE	100407	192.00	
351-1900-519.62-21	COMPUTER SOFTWARE	100407	164.00	
351-1900-519.62-24	COMMUNICATION EQUIPMENT	100622	51.00	
351-1900-519.62-24	COMMUNICATION EQUIPMENT	100920	22,000.00	

CITY OF TEMPLE, TEXAS
PRIOR YEAR ENCUMBRANCES, UNENCUMBERED AMOUNTS & CONTRACTS
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ACCOUNT #	DESCRIPTION	PROJECT #	APPROPRIATION	
			DEBIT	CREDIT
351-1900-519.65-19	FINANCIAL SOFTWARE	190001	592.00	
351-2300-540.61-10	LAND	100197	41,683.00	
351-3400-531.61-10	LAND	100346	179,840.00	
351-3500-552.23-11	REPAIR & MAINTENANCE	350009	55,811.00	
351-3500-552.63-11	BRIDGES & CULVERTS	100848	44,069.00	
351-3500-552.63-11	BRIDGES & CULVERTS	100922	27,600.00	
351-3500-552.63-15	SIDEWALKS/CURB/GUTTER	100726	12,000.00	
351-3500-552.63-16	HIKE & BIKE TRAILS	100728	11,000.00	
351-3500-552.65-16	PARK IMPROVEMENTS	100725	3,140.00	
351-3500-552.65-16	PARK IMPROVEMENTS	100727	11,685.00	
351-0000-461.08-65	ROW REIMBURSEMENTS FOR KEGLEY ROAD			179,840.00
351-0000-490.25-82	TRANSFER IN-GENERAL FUND			317,918.00
TOTAL CAPITAL PROJECTS FUND			\$ 497,758.00	\$ 497,758.00
BOND PROJECTS FUND				
361-2400-519.68-07	FACILITY IMPROVEMENTS	100925	\$ 101,864.00	
361-2800-532.68-10	TRAFFIC SIGNALS	100504	125,005.00	
361-2800-532.68-10	TRAFFIC SIGNALS	100926	16,500.00	
361-2800-532.68-10	TRAFFIC SIGNALS	100927	8,820.00	
361-3400-531.25-88	NW LOOP 363 IMPROVEMENTS	100681	2,515,197.00	
361-3400-531.68-13	OUTER LOOP	100089	242,193.00	
361-3400-531.68-34	1ST STREET GATEWAY/LOOP 363	100332	3,100.00	
361-3400-531.68-47	TARVER ROAD EXT TO OLD WACO ROAD	100392	66,305.00	
361-9100-591.81-60	TRANSFER OUT-GRANT FUND		121,229.00	
363-2200-522.61-10	LAND	100120	26,395.00	
363-2200-522.68-50	FIRE STATION #1	100120	137,701.00	
363-2200-522.68-50	FIRE STATION #1	100407	1,324,343.00	
363-2200-522.68-50	FIRE STATION #1	100120	7,500.00	
363-2200-522.68-51	FIRE STATION #8	100407	1,385,748.00	
363-2200-522.68-52	FIRE ENGINES	100407	542.00	
363-2200-522.68-52	FIRE ENGINES	100801	608,424.00	
363-2200-522.68-56	FIRE EQUIPMENT	100407	89.00	
364-2000-521.68-55	POLICE MOLD REMEDIATION	100407	48,037.00	
TOTAL BOND PROJECTS FUND			\$ 6,738,992.00	
WATER & SEWER FUND				
520-5000-535.26-16	PROFESSIONAL		\$ 2,085.00	
520-5121-535.23-13	GENERAL MAINTENANCE & REPAIR		1,646.00	
520-5121-535.23-38	MAINTENANCE CONTRACT		9,099.00	
520-5122-535.23-31	INSTRUMENTS/SPECIAL EQUIPMENT		16,120.00	
520-5122-535.23-38	MAINTENANCE CONTRACT		537.00	
520-5122-535.26-16	PROFESSIONAL		375.00	
520-5122-535.63-10	BUILDINGS & GROUNDS	100796	719,840.00	
520-5122-535.63-10	BUILDINGS & GROUNDS	100865	52,908.00	
520-5122-535.63-10	BUILDINGS & GROUNDS	100797	17,690.00	
520-5123-535.23-38	MAINTENANCE CONTRACT		8,435.00	
520-5124-535.23-38	MAINTENANCE CONTRACT		1,838.00	
520-5300-535.22-24	COMMUNICATION EQUIPMENT		1,050.00	
520-5300-535.23-38	MAINTENANCE CONTRACT		1,606.00	

CITY OF TEMPLE, TEXAS
PRIOR YEAR ENCUMBRANCES, UNENCUMBERED AMOUNTS & CONTRACTS
CARRY FORWARD TO FY 2012-2013

ACCOUNT #	DESCRIPTION	PROJECT #	APPROPRIATION	
			DEBIT	CREDIT
520-5300-535.25-14	TRAVEL & TRAINING		2,750.00	
520-5300-535.62-21	COMPUTER SOFTWARE	100934	10,985.00	
520-5400-535.63-59	SEWER LINE-IN HOUSE CREW	100790	35,000.00	
520-5400-535.63-59	SEWER LINE-IN HOUSE CREW	100791	125,650.00	
520-5400-535.63-59	SEWER LINE-IN HOUSE CREW	100792	126,252.00	
520-5400-535.63-59	SEWER LINE-IN HOUSE CREW	100791	6,800.00	
520-5521-535.63-10	BUILDINGS & GROUNDS	100799	70,000.00	
520-5900-535.23-27	WATER MAINS		250,000.00	
520-5900-535.61-10	LAND	100089	3,470.00	
520-5900-535.61-10	LAND	100863	20,221.00	
520-5900-535.61-10	LAND	100921	17,321.00	
520-5900-535.63-51	WATER MAINS	100811	12,360.00	
520-5900-535.63-61	SEWER LINE REPLACEMENT	100807	49,437.00	
520-5900-535.63-61	SEWER LINE REPLACEMENT	100808	5,000.00	
520-5900-535.63-61	SEWER LINE REPLACEMENT	100807	29,385.00	
520-5900-535.63-61	SEWER LINE REPLACEMENT	100808	35,650.00	
520-5900-535.63-61	SEWER LINE REPLACEMENT	100807	512,539.00	
520-5900-535.63-61	SEWER LINE REPLACEMENT	100808	940,884.00	
520-5900-535.63-66	WATER LINE EXTENSION	100476	11,730.00	
520-5900-535.63-66	WATER LINE EXTENSION	520004	54,685.00	
520-5900-535.63-68	SEWER LINE EXTENSION	540003	21,025.00	
520-5900-535.63-68	SEWER LINE EXTENSION	100575	155,146.00	
520-5900-535.66-11	LIFT STATIONS	100805	683,825.00	
520-5900-535.66-18	WATER & SEWER SPECIAL PROJECT	100687	65,000.00	
520-5900-535.66-18	WATER & SEWER SPECIAL PROJECT	100688	64,999.00	
520-5900-535.66-18	WATER & SEWER SPECIAL PROJECT	100682	98,038.00	
520-5900-535.66-18	WATER & SEWER SPECIAL PROJECT	100687	60,595.00	
520-5900-535.66-18	WATER & SEWER SPECIAL PROJECT	100688	36,728.00	
520-5900-535.66-18	WATER & SEWER SPECIAL PROJECT	100687	366,000.00	
520-5900-535.66-18	WATER & SEWER SPECIAL PROJECT	100688	316,000.00	
561-5100-535.69-04	TANK REFURBISHMENT	100620	973.00	
561-5100-535.69-04	TANK REFURBISHMENT	100800	84,030.00	
561-5100-535.69-06	EMERGENCY OPERATIONS INFRASTRUCTURE	100679	492,864.00	
561-5100-535.69-31	WTP SCADA SYSTEM UPGRADES	100336	1,744.00	
561-5200-535.69-07	HWY 317 WATERLINE RELOCATION	100223	170,481.00	
561-5200-535.69-09	SOUTH TEMPLE WATER SYSTEM IMPR.	100333	1,973,211.00	
561-5200-535.69-36	TARVER/OLD WACO RD UTILITY RELOCATION	100391	17,550.00	
561-5200-535.69-39	CHARTER OAKS WATERLINE	100608	3,443,149.00	
561-5200-535.69-40	NW LOOP 363 UTILITY RELOCATION	100681	763,712.00	
561-5400-535.69-05	LIFT STATION IMPROVEMENTS	100667	9,046.00	
561-5400-535.69-20	FM 2305 SEWER LINE EXTENSION	100095	1,000.00	
561-5400-535.69-25	BIRD CREEK SEWER LINE REPLACEMENT	100842	523,094.00	
561-5400-535.69-37	GENERAL BRUCE & 57TH UTILITY RELOCATION	100470	8,995.00	
561-5400-535.69-41	LEON RIVER INTERCEPTOR PROJECT	100851	4,196,000.00	
561-5500-535.69-38	TBRSS PLANT EXPANSION	100584	784,570.00	
520-0000-461.08-65	TXDOT REIMBURSEMENTS			1,641,145.00
TOTAL WATER & SEWER FUND			\$ 17,491,123.00	\$ 1,641,145.00

CITY OF TEMPLE, TEXAS
PRIOR YEAR ENCUMBRANCES, UNENCUMBERED AMOUNTS & CONTRACTS
CARRY FORWARD TO FY 2012-2013

ACCOUNT #	DESCRIPTION	PROJECT #	APPROPRIATION	
			DEBIT	CREDIT
	REINVESTMENT ZONE NO. 1			
795-9500-531.25-39	DOWNTOWN IMPROVEMENTS	100698	\$ 43,320.00	
795-9500-531.25-39	DOWNTOWN IMPROVEMENTS	100697	3,150.00	
795-9500-531.25-39	DOWNTOWN IMPROVEMENTS	100698	12,010.00	
795-9500-531.25-87	ROW ACQUISITION	100681	102,970.00	
795-9500-531.26-16	PROFESSIONAL		63,894.00	
795-9500-531.26-31	LOT CLEAN UP		42,574.00	
795-9500-531.63-17	STREETS & ALLEYS	100693	33,077.00	
795-9500-531.63-17	STREETS & ALLEYS	100258	36,100.00	
795-9500-531.65-14	RAIL SPUR IMPROVEMENTS	100692	238,302.00	
795-9500-531.65-18	PUBLIC IMPROVEMENTS	100694	50,000.00	
795-9500-531.65-28	DOWNTOWN IMPROVEMENTS	100328	107,673.00	
795-9500-531.65-28	DOWNTOWN IMPROVEMENTS	100697	450,000.00	
795-9500-531.65-50	TMED PHASE I	100629	438,450.00	
795-9500-531.65-51	1ST STREET/LOOP 363	100700	526,776.00	
795-9500-531.65-52	FRIAR'S CREEK TRAIL	100585	171,900.00	
795-9500-531.65-53	AVENUE R PROJECT	100696	1,505,641.00	
795-9500-531.65-54	PEPPER CREEK TRAIL EXTENSION @ S&W	100695	566,373.00	
795-9500-531.65-55	AVENUE U PROJECT	100718	27,583.00	
795-9500-531.65-56	PEPPER CREEK TRAIL EXT PHASE I	100812	125,000.00	
795-9500-531.65-58	AIRPORT CORPORATE HANGER	100811	65,099.00	
795-9500-531.65-59	GATEWAY SIGNAGE	100861	1,250.00	
795-9500-531.65-60	BIOSCIENCE ROAD & UTILITY IMPROVEMENTS	100867	54,200.00	
795-9600-531.65-52	FRIAR'S CREEK TRAIL	100585	365,043.00	
795-9700-531.25-87	ROW ACQUISITION	100681	26,380.00	
795-9700-531.65-52	FRIAR'S CREEK TRAIL	100585	670,000.00	
795-9700-531.68-25	NORTH ZONE RAIL SPUR	100256	8,800.00	
795-9700-531.68-28	SYNERGY PARK	100258	33,225.00	
795-0000-431.02-61	KTG GRANT REVENUE-1ST STREET/LOOP 363			250,000.00
	TOTAL REINVESTMENT ZONE NO. 1		\$ 5,768,790.00	\$ 250,000.00
			\$ 81,592,682.00	\$ 28,328,985.00

CITY OF TEMPLE
BUDGET AMENDMENTS FOR FY 2012 BUDGET
November 15, 2012

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
110-3624-560-2710		Cost of Goods Sold - Jet Fuel (Airport)	\$ 20,000	
110-0000-446-1016		Fuel Sales - Jet Fuel		\$ 20,000
110-3624-560-2711		Cost of Goods Sold - AV Gas	\$ 50,000	
110-0000-446-1011		Fuel Sales - AV Gas		\$ 50,000
To appropriate funds to cover Cost of Goods Sold (COGS) in the Airport budget				
110-3700-524-2631		Lot Clean Up/Code Enforcement (Construction Safety)	\$ 28,000	
110-0000-352-1345		Designated Capital Projects - Unallocated		\$ 28,000
Chapter 380 agreement between the City and Scott & White obligated the City to demolish a structure on South 5th Street. The City did not demolish the structure. Scott & White actually completed the demolition of the structure. The total value of the demolition was \$194,267.27. Additional funding is needed to fully fund the City's obligation.				
650-2700-515-2566		Retiree Claims (Health Ins Fund)	\$ 85,090	
650-2700-515-2567		COBRA Claims	\$ 16,074	
650-2700-515-2611		Insurance	\$ 1,338	
650-2700-515-2623		Other Contracted Services	\$ 1,038	
650-2700-515-2616		Professional	\$ 1,445	
650-0000-353-1110		Unreserved Fund Balance		\$ 104,985
To appropriate fund balance that was not originally appropriated in the Health Insurance Fund during the budget process for FY 2012				
650-2700-515-2565		Employee Claims (Health Ins Fund)	\$ 72,000	
650-2700-515-2566		Retiree Claims	\$ 80,000	
650-0000-490-2520		Transfer In from Water & Sewer Fund		\$ 41,827
650-0000-490-2540		Transfer In from Hotel/Motel Tax Fund		\$ 2,656
650-0000-490-2543		Transfer In from General Fund		\$ 103,533
650-0000-490-2592		Transfer In from Drainage Fund		\$ 3,984
110-9100-591-8165		Transfer Out - Health Ins Fund	\$ 103,533	
110-0000-352-1345		Designated Capital Projects - Unallocated		\$ 103,533
240-9100-591-8165		Transfer Out - Health Ins Fund	\$ 2,656	
240-4400-551-6532		Contingency		\$ 2,656
292-9100-591-8165		Transfer Out - Health Ins Fund	\$ 3,984	
292-2921-534-2317		Drainage Systems		\$ 3,984
520-9100-591-8165		Transfer Out - Health Ins Fund	\$ 41,827	
520-0000-373-0411		Retained Earnings		\$ 41,827
Estimated additional funds needed to pay claims for FY 2012 is \$152,000. \$103,533 is being appropriated from the Designated Capital Projects - Unallocated, \$41,287 is being appropriated from W&S Retained Earnings, and the remaining funds are available from expenditure/contingency accounts within each fund.				
TOTAL AMENDMENTS			\$ 506,985	\$ 506,985

CITY OF TEMPLE
BUDGET AMENDMENTS FOR FY 2012 BUDGET
November 15, 2012

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
GENERAL FUND				
		Beginning Contingency Balance	\$	-
		Added to Contingency Sweep Account	\$	-
		Carry forward from Prior Year	\$	-
		Taken From Contingency	\$	-
		Net Balance of Contingency Account	\$	-
		Beginning Judgments & Damages Contingency	\$	80,000
		Added to Contingency Judgments & Damages from Council Contingency	\$	-
		Taken From Judgments & Damages	\$	(42,310)
		Net Balance of Judgments & Damages Contingency Account	\$	37,690
		Beginning Compensation Contingency	\$	863,600
		Added to Compensation Contingency	\$	-
		Taken From Compensation Contingency	\$	(863,600)
		Net Balance of Compensation Contingency Account	\$	-
		Net Balance Council Contingency	\$	37,690
		Beginning Balance Budget Sweep Contingency	\$	-
		Added to Budget Sweep Contingency	\$	-
		Taken From Budget Sweep	\$	-
		Net Balance of Budget Sweep Contingency Account	\$	-
WATER & SEWER FUND				
		Beginning Contingency Balance	\$	50,000
		Added to Contingency Sweep Account	\$	-
		Taken From Contingency	\$	(46,750)
		Net Balance of Contingency Account	\$	3,250
		Beginning Compensation Contingency	\$	97,000
		Added to Compensation Contingency	\$	-
		Taken From Compensation Contingency	\$	(92,916)
		Net Balance of Compensation Contingency Account	\$	4,084
		Net Balance Water & Sewer Fund Contingency	\$	7,334
HOTEL/MOTEL TAX FUND				
		Beginning Contingency Balance	\$	79,303
		Added to Contingency Sweep Account	\$	-
		Carry forward from Prior Year	\$	-
		Taken From Contingency	\$	(52,300)
		Net Balance of Contingency Account	\$	27,003
		Beginning Compensation Contingency	\$	11,300
		Added to Compensation Contingency	\$	-
		Taken From Compensation Contingency	\$	(11,300)
		Net Balance of Compensation Contingency Account	\$	-
		Net Balance Hotel/Motel Tax Fund Contingency	\$	27,003
DRAINAGE FUND				
		Beginning Compensation Contingency	\$	13,200
		Added to Compensation Contingency	\$	-
		Taken From Compensation Contingency	\$	(13,200)
		Net Balance of Compensation Contingency Account	\$	-

CITY OF TEMPLE
BUDGET AMENDMENTS FOR FY 2012 BUDGET
November 15, 2012

			APPROPRIATIONS	
ACCOUNT #	PROJECT #	DESCRIPTION	Debit	Credit
		FED/STATE GRANT FUND		
		Beginning Contingency 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, AUTHORIZING THE CARRY FORWARD OF FISCAL YEAR 2011-
2012 FUNDS TO THE FISCAL YEAR 2012-2013 BUDGET; AND
PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, there are outstanding purchase orders and contracts that were not completed at the end of fiscal year 2011-2012 which will be received or completed during fiscal year 2012-2013;

Whereas, all unencumbered Community Development funds and ongoing Capital Projects will be carried forward to fiscal year 2012-2013; and

Whereas, the City Council deems it in the public interest to authorize the carry forward of fiscal year 2011-2012 funds to the fiscal year 2012-2013 budget.

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

Part 1: The City Council authorizes the Director of Finance to carry forward fiscal year 2011-2012 funds to the fiscal year 2012-2013 budget, 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 **15th** day of **November**, 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

11/15/12
Item #3(P)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Traci L. Barnard, Director of Finance

ITEM DESCRIPTION: Consider adopting a resolution approving fourth quarter financial results for the fiscal year ended September 30, 2012.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: This item will present in detail the Fiscal 2011/2012 year end results for the General Fund, Water & Sewer Fund, Hotel/Motel Tax Fund, Drainage Fund, Internal Service Fund and the Reinvestment Zone No. 1 Fund as of September 30, 2012.

Included with these 4th quarter results will be various schedules detailing construction contracts, grants, sales tax, capital projects and investments.

As in the past years, we do not feel that there will be any significant variances of ending balances shown here when compared with the final audited financial reports. Final audited reports will be presented to the City Council in February 2013.

FISCAL IMPACT: These reports will establish year-end allocations of fund balances for all funds upon acceptance by the City Council.

ATTACHMENTS:

Quarterly Financial Statements
[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING THE FOURTH QUARTER FINANCIAL RESULTS FOR FISCAL YEAR 2012; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the fourth quarter financial results for FY 2012 need to be approved by the City Council;

Whereas, included in the fourth quarter results are various schedules detailing construction contracts, grants, sales tax, capital projects and investments; and

Whereas, the City Council 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 the fourth quarter fiscal year 2012 financial results, 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 **15th** day of **November**, 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

11/15/12
Item #4
Regular Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Jonathan Graham, City Attorney

ITEM DESCRIPTION: FIRST READING - PUBLIC HEARING: Consider adopting an ordinance designating a tract of land consisting of approximately 11.444 acres located at the southern end of Panda Drive, Temple, Texas as City of Temple Tax Abatement Reinvestment Zone Number Twenty-Five for commercial/industrial tax abatement.

STAFF RECOMMENDATION: Adopt ordinance as presented in item description

ITEM SUMMARY: The proposed ordinance designates a tract of land consisting of approximately 11.444 acres and described as Tax Abatement Reinvestment Zone Number Twenty-Five, located at the south end of Panda Drive, as a commercial/industrial tax abatement reinvestment zone, as depicted in the drawing attached to the ordinance as Exhibit "A."

The tract proposed for designated as a tax abatement reinvestment zone will be the location for Phase 2 of the Panda Temple power plant project. The proposed reinvestment zone is within the boundaries of the tract acquired by Panda for their proposed power plant (Phase 1 and Phase 2) and is surrounded by tax abatement reinvestment zone (Tax Abatement Reinvestment Zone Number Twenty) designated by the City Council for Phase 1 of the Panda Temple power plant project. The designation of a tax abatement reinvestment zone lasts for five years and is a prerequisite for entering into a tax abatement agreement with a future economic development prospect. We anticipate bringing a tax abatement agreement for the improvements that will constitute Panda Temple Power Phase 2 on December 6th.

FISCAL IMPACT: None at this time.

ATTACHMENTS:

[Ordinance](#)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, DESIGNATING A CERTAIN TRACT OF LAND CONSISTING OF APPROXIMATELY 11.444 ACRES LOCATED AT THE SOUTHERN END OF PANDA DRIVE, TEMPLE, BELL COUNTY, TEXAS, AS TAX ABATEMENT REINVESTMENT ZONE NUMBER TWENTY-FIVE FOR COMMERCIAL/INDUSTRIAL TAX ABATEMENT; ESTABLISHING THE BOUNDARIES THEREOF AND OTHER MATTERS RELATING THERETO; DECLARING FINDINGS OF FACT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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

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

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

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

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

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

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

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

B. That the boundaries of the reinvestment zone (hereinafter "REINVESTMENT ZONE NUMBER TWENTY-FIVE") should be approximately 11.444 acres of land situated at the southern end of Panda Drive, Temple, Bell County, Texas, as described in the drawing attached as Exhibit "A."

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

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

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

Part 3: Pursuant to Section 312.201 of the Code, the City hereby creates a reinvestment zone for commercial/industrial tax abatement encompassing 11.444 acres of land situated at the southern end of Panda Drive, Temple, Bell County, Texas, described by the drawing in Exhibit "A," attached hereto and such REINVESTMENT ZONE is hereby designated and shall hereafter be officially designated as Tax Abatement Reinvestment Zone Number Twenty-Five, City of Temple, Texas.

Part 4: The REINVESTMENT ZONE shall take effect on December 6, 2012, or at an earlier time designated by subsequent ordinance.

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

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

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

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

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

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

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

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

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

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

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

Part 8: If any provision of this ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

Part 9: This ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

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

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

PASSED AND APPROVED on First Reading and Public Hearing on the 15th day of **November**, 2012.

PASSED AND APPROVED on Second Reading on the 6th day of **December**, 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

11/15/12
Item #5
Regular Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

David Blackburn, City Manager

ITEM DESCRIPTION: FIRST READING – PUBLIC HEARING: Consider adopting an ordinance authorizing the annexation of a 10+ acre tract of land, located at the north end of Richland Drive, north of The Campus at Lakewood Ranch Phase VII.

STAFF RECOMMENDATION: Adopt ordinance as presented in item description, on first reading, and schedule second reading and final adoption for December 6, 2012.

ITEM SUMMARY: This annexation tracks with rezoning case Z-FY-12-61, a request to go from Agricultural (the default zoning district upon annexation) to Urban Estates.

John Kiella filed a petition on September 18, 2012, seeking voluntary annexation of approximately 10± acre acres into the City of Temple. The property is part of the Campus at Lakewood Ranch Phase VIII subdivision. The subdivision is planned for Urban Estate single family lots.

On October 4, 2012, the City Council adopted a resolution directing City staff to create a Municipal Service Plan and public hearing schedule in anticipation of the annexation of the subject property. On October 18 and 19, City staff presented the Municipal Service Plan for the property at two public hearings. No one spoke in favor of or in opposition to the request at either hearing.

This meeting is the last opportunity for the Council to receive citizen comments regarding the proposed annexation. Following the public hearing, staff recommends the Council approve the ordinance on first reading. The second and final reading will be conducted on Thursday, December 6, 2012, at the regular City Council meeting.

FISCAL IMPACT: Future tax revenue. The Municipal Service Plan does not contain any proposal to extend water or wastewater services to the area, or any other new physical facilities to serve this small tract.

ATTACHMENTS:

[Municipal Service Plan](#)
[Field Notes of Study Area](#)
[Map of Study Area](#)
[Ordinance](#)

**CITY OF TEMPLE
ANNEXATION SERVICE PLAN—VOLUNTARY ANNEXATION
CAMPUS AT LAKEWOOD**

For approximately 10+ acre tract of land, located at the north end of Richland Drive, north of The Campus at Lakewood Ranch Phase VII., located in Bell County, and being more particularly described as Exhibit “A” and depicted as Exhibit “B” of the Annexation Ordinance (2012-####).

SERVICES TO BE PROVIDED ON THE EFFECTIVE DATE OF ANNEXATION

1. POLICE PROTECTION

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

2. FIRE PROTECTION AND AMBULANCE SERVICE

The City will provide fire protection from Station 8 to the newly-annexed area at the same or similar level of service now being provided to other areas of the City with the same or similar topography, land use and population density. The City will provide First Responder services through its Fire Department and contract for emergency medical services (EMS) through the Scott & White Hospital System.

3. SOLID WASTE COLLECTION

Upon payment of any required deposits and the agreement to pay lawful service fees and charges, solid waste collection will be provided to the newly-annexed area to the extent that the City has access to the area to be serviced. Private contractors currently providing sanitation collecting services in the area may continue to do so for up to two years.

4. MAINTENANCE OF WATER AND WASTEWATER FACILITIES

Any and all water or wastewater facilities owned or maintained by the City at the time of the proposed annexation shall continue to be maintained by the City. Any and all water or wastewater facilities which may be acquired subsequent to the annexation of the proposed area shall be maintained by the City, to the extent of its ownership. Any and all water or wastewater facilities outside the extent of the ownership of the City, and owned by other water or wastewater providers shall continue to be allowed to provide those services to the newly-annexed tract.

5. MAINTENANCE OF ROADS AND STREETS

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

6. MAINTENANCE OF PUBLIC PARKS, PLAYGROUNDS AND SWIMMING POOLS

The City Council is not aware of the existence of any public parks, playgrounds or swimming pools now located in the area proposed for annexation. In the event any such parks, playgrounds or swimming pools do exist and are public facilities, the City, will maintain such areas to the same extent and degree that it maintains parks, playgrounds and swimming pools and other similar areas of the City now incorporated in the City.

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

The City Council is not aware of the existence of any publicly-owned facility, building or other municipal service now located in the area proposed for annexation. In the event any such publicly-owned facility, building or municipal service does exist and are public facilities, the City will maintain such areas to the same extent and degree that it maintains publicly-owned facilities, buildings or municipal services of the City now incorporated in the City.

8. CONSTRUCTION SAFETY

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

9. CODE ENFORCEMENT

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

10. MOWING

The City will provide right-of-way mowing services adjacent to the newly-annexed tract at the same or similar level of service now being provided to other areas of the City with the same or similar topography, land use and population density.

CAPITAL IMPROVEMENTS

1. POLICE PROTECTION, FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES

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

2. ROADS AND STREETS

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

3. WATER AND WASTEWATER FACILITIES

The City of Temple has water facilities within the boundaries of the voluntary annexation, and proposes no other extension of water facilities to the area, taking into consideration the existing land use, and topography and population density relative to areas within the existing City Limits which do not have water services.

The City of Temple has no wastewater providers within the boundaries of the voluntary annexation and property owners rely on septic tank systems. The City of Temple proposes non extensions of wastewater facilities to the boundaries of the voluntary annexation taking into consideration existing service providers, the existing land use, and topography and population density relative to areas within the existing City Limits which do not have water services.

4. CAPITAL IMPROVEMENTS

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

SPECIFIC FINDINGS

The City Council finds and determines that this proposed Service Plan will not provide any fewer services, and it will not provide a lower level of service in the area proposed to be annexed than were in existence in the proposed area at the time immediately preceding the annexation process.

Because of the differing characteristics of topography, land utilization and population density, the service levels which may ultimately be provided in the newly annexed area may differ somewhat from services provided in other areas of the City. These differences are specifically dictated because of differing characteristics of the property and the City will undertake to perform consistent with this contract so as to provide the newly-annexed area with the same type, kind and quality of service presently enjoyed by the citizens of the City who reside in areas of the same or similar topography, land utilization and population density.

APPROVED ON THIS _____ DAY OF _____, 2012.

City of Temple, Texas

Mayor

ATTEST:

City Secretary

EXHIBIT A

BEING a 10.089 acre tract of land situated in the GEORGE W. LINDSEY SURVEY, ABSTRACT No. 513, Bell County, Texas and being a part or portion of that certain 25.000 acre tract of land described in a Executor's Special Warranty Deed dated April 2, 2008 from Edward William Clinite, Independent Executor and as Trustee of any Trusts Created under the Last Will and Testament of LaVerne Miller, Deceased to Kiella Land Investments, Ltd., a Texas limited partnership and being of record in Document No. 2008-00016748, Official Public Records of Bell County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod with cap stamped "RPLS 2475" found being an interior point of the said 25.000 acre tract and being an exterior ell corner in the north boundary line of that certain tract of land described as The Campus at Lakewood Ranch, Phase VII according to the map or plat of record in Cabinet D, Slide 251-C, Plat Records of Bell County, Texas which bears N. 78° 41' 12" W., 342.25 feet from a 1/2" iron rod found at the northeast corner of the said Campus at Lakewood Ranch, Phase VII for corner;

THENCE N. 73° 16' 08" W., 164.87 feet departing the said north boundary line and continuing over and across the said 25.000 acre tract to a 1/2" iron rod with cap stamped "RPLS 2475" set being in the west boundary line of the said 25.000 acre tract and being in the east boundary line of that certain Morgan's Point Lake Resort Section 2, a subdivision of Morgan's Point according to the plat of record in Cabinet A, Slide 242-C, Plat Records of Bell County, Texas for corner;

THENCE with the west boundary line of the said 25.000 acre tract and with the east boundary line of the said Morgan's Point Lake Resort Section 2 the following six (6) calls:

- 1) N. 17° 54' 49" E., 57.03 feet (calls N. 17° 54' 49" E., 77.04 feet) to a 3/8" iron rod found for corner;
- 2) N. 17° 19' 35" E., 253.49 feet (calls N. 17° 19' 35" E., 253.49 feet) to a 1/2" iron rod found for corner;
- 3) N. 15° 58' 10" E., 109.95 feet (calls N. 15° 58' 10" E., 109.95 feet) to a 1/2" iron rod stamped "RPLS 2475" found for corner;
- 4) N. 17° 09' 24" E., 274.50 feet (calls N. 17° 45' 51" E., 488.84 feet) to a 1/2" iron rod found for corner;
- 5) N. 18° 32' 31" E., 214.38 feet to a 1/2" iron rod found for corner;



- 6) N. $28^{\circ} 16' 50''$ E., 34.49 feet (calls N. $28^{\circ} 16' 50''$ E., 34.49 feet) to a $\frac{1}{2}$ " iron rod with cap stamped "RPLS 2475" found being the northwest corner of the said 25.000 acre tract and being an exterior ell corner in a south boundary line of that certain remainder 147.28 acre tract of land described in a Judgment to LaVerne Miller of record in Volume 1681, Page 25, Deed Records of Bell County, Texas for corner;

THENCE S. $71^{\circ} 40' 00''$ E., 226.37 feet departing the said Morgan's Point Lake Resort Section 2 and with the north boundary line of the said 25.000 acre tract (calls S. $71^{\circ} 40' 00''$ E., 958.15 feet) and the south boundary line of the said Miller tract to a $\frac{1}{2}$ " iron rod with cap stamped "RPLS 2475" set for corner;

THENCE departing the said north boundary line and the said south boundary line and over and across the said 25.000 acre tract the following two (2) calls:

- 1) S. $18^{\circ} 33' 21''$ W., 29.46 feet to a $\frac{1}{2}$ " iron rod with cap stamped "RPLS 2475" set being at the beginning of a non-tangent curve to the left having a radius equals 525.00 feet, chord bearing equals S. $81^{\circ} 28' 40''$ E., 172.87 feet, central angle equals $18^{\circ} 57' 08''$ for corner;
- 2) 173.66 feet along the arc of said curve to the left to a $\frac{1}{2}$ " iron rod with cap stamped "RPLS 2475" set being in the north boundary line of the said 25.000 acre tract and being in the south boundary line of the aforementioned Miller tract for corner;

THENCE departing the said north boundary line and the said south boundary line and over and across the said 25.000 acre tract the following two (2) calls:


- 1) S. $00^{\circ} 49' 17''$ W., 220.83 feet to a $\frac{1}{2}$ " iron rod with cap stamped "RPLS 2475" set for corner;
- 2) N. $76^{\circ} 02' 04''$ E., 394.13 feet to a $\frac{1}{2}$ " iron rod with cap stamped "RPLS 2475" set being in the north boundary line of the said 25.000 acre tract and being in the south boundary line of the aforementioned Miller tract for corner;

THENCE departing the said north boundary line and the said south boundary line and over and across the said 25.000 acre tract the following two (2) calls:

- 1) S. $15^{\circ} 56' 32''$ E., 55.80 feet to a $\frac{1}{2}$ " iron rod with cap stamped "RPLS 2475" set for corner;

- 2) S. $54^{\circ} 35' 24''$ W., 1106.69 feet to the Point of BEGINNING and containing 10.089 acres of land.

I, Michael E. Alvis, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that these field notes are a correct representation of a survey made on the ground.



Michael E. Alvis, R.P.L.S. #5402
July 13, 2012



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 COORDINATE VALUES ARE REFERENCED TO CITY MONUMENT NUMBER 506

THE THETA ANGLE AT SAID CITY MONUMENT IS $01^{\circ} 29' 04''$

THE COMBINED CORRECTION FACTOR (CCF) IS 0.999852

PUBLISHED CITY COORDINATES ARE X = 3,198,199.05 Y = 10,383,950.33

THE TIE FROM THE ABOVE CITY MONUMENT TO THE POINT OF BEGINNING (POB) IS

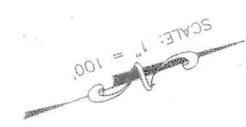
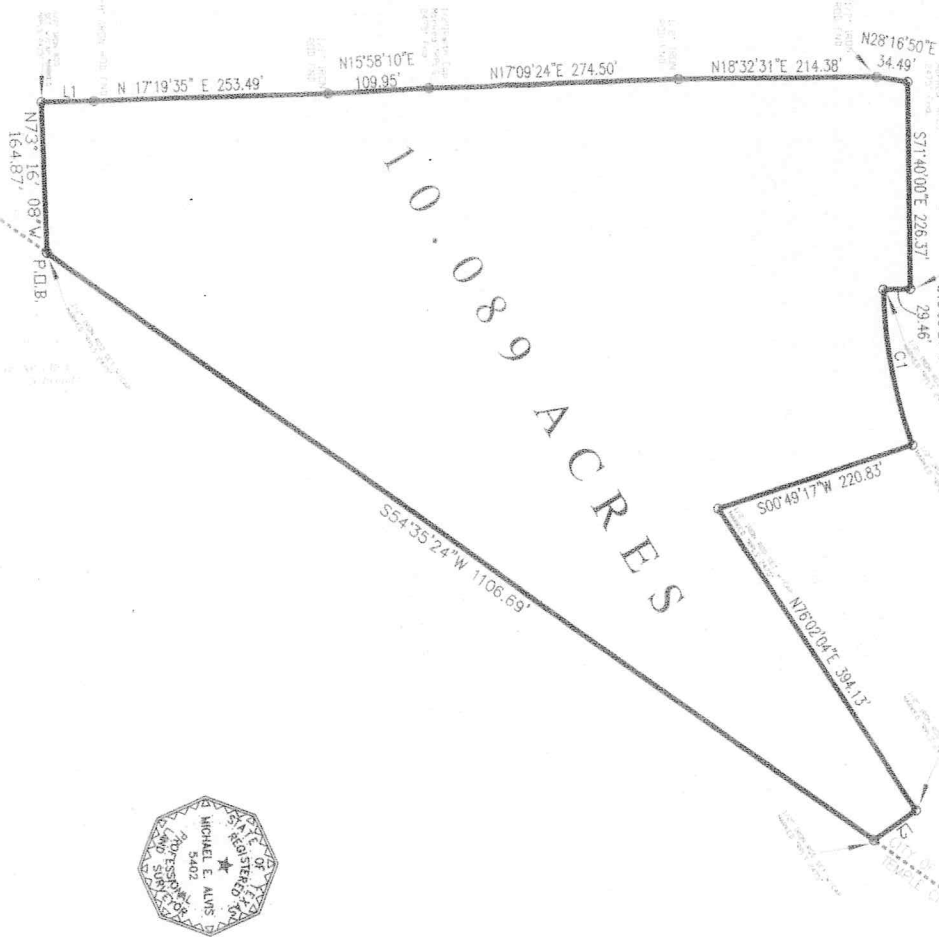
N. $43^{\circ} 10' 50''$ W., 4637.45 FEET.

GRID DISTANCE = SURFACE DISTANCE X CCF

GEODETIC NORTH = GRID NORTH + THETA ANGLE

See attached surveyor's sketch that accompanies this set of field notes (ref: Turley Associates, Inc. drawing no.12512-C)

EXHIBIT B



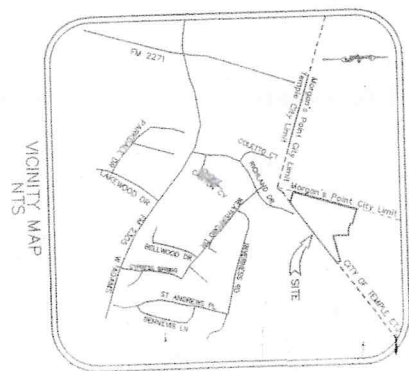
STATE OF TEXAS: I, MICHAEL E. ALVIS, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that this survey was this day made on the ground of the property described herein, and is correct.

IN WITNESS THEREOF, my hand and seal, this the 30th day of July, 2012.

Michael E. Alvis R.P.L.S., No. 5402

CURVE TABLE	
CHORD	PERCENT
173.66	35.000
312.80	62.500
344.49	70.000
375.00	75.000
404.50	80.000
433.01	85.000
460.52	90.000
487.03	95.000
512.54	100.000

LINE TABLE	
LINE	LENGTH
1	173.66
2	312.80
3	344.49
4	375.00
5	404.50
6	433.01
7	460.52
8	487.03
9	512.54



10.089 ACRES GEORGE W. LINDSEY SURVEY, ABSTRACT #513 BELL COUNTY, TEXAS		ENGINEERING • PLANNING • SURVEYING CONSTRUCTION MANAGEMENT FIRM REGISTRATION NO. F-1658 TURLEY ASSOCIATES, INC. 301 N. 3rd ST. TEMPLE, TEXAS	
DEVELOPED BY: KIELLA DEVELOPMENT, INC.		(254) 773-2400 (fax) 773-1008	
DATE:	7-12-1	FIELD BOOK:	08-1
DRAWN BY:	JFB	SHEET:	1 OF 1
REF:	96318.973	COMPUTER:	08-381LA
	11824-	DWG. NO.:	
12512-		DRAWING NO.	

AN ORDINANCE OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE ANNEXATION OF AN APPROXIMATELY 10 ACRE TRACT OF LAND LOCATED AT THE NORTH END OF RICHLAND DRIVE, NORTH OF THE CAMPUS AT LAKEWOOD RANCH PHASE VII; FINDING THAT ALL NECESSARY AND REQUIRED LEGAL CONDITIONS HAVE BEEN SATISFIED; PROVIDING THAT SUCH AREA SHALL BECOME A PART OF THE CITY AND THAT THE OWNERS AND INHABITANTS THEREOF, IF ANY, SHALL BE ENTITLED TO THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BE BOUND BY THE ACTS AND ORDINANCES NOW IN EFFECT AND TO BE HEREAFTER ADOPTED; PROVIDING A ZONING CLASSIFICATION FOR SAID PROPERTY PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City of Temple is a home-rule city authorized by State law and the City Charter to annex territory lying adjacent and contiguous to the City, or portions of property currently subject to a development agreement within the City's extraterritorial jurisdiction (ETJ);

Whereas, two separate public hearings were conducted prior to consideration of this ordinance in accordance with Chapter 43 of the Texas Local Government Code;

Whereas, the hearings were conducted and held not more than forty nor less than twenty days prior to the institution of annexation proceedings;

Whereas, notice of the public hearings was published in a newspaper of general circulation in the City and the territory proposed to be annexed not more than twenty nor less than ten days prior to the public hearings;

Whereas, the property to be annexed is contiguous with and adjacent to the City and not within the boundaries of any other city; and

Whereas, the City is able to provide all services to the property to be annexed according to the service plan attached hereto.

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

Part 1: All of the above premises are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.

Part 2: The property consisting of approximately 10 acres described in Exhibit "A," attached hereto and incorporated herein for all purposes (hereinafter referred to as the "Property"), is hereby annexed and brought within the corporate limits of the City of

Temple, Bell County, Texas, and is made an integral part thereof, in accordance with the request in the *Petition for Annexation* accepted by the City of Temple, Texas, attached hereto and made a part hereof for all purposes as Exhibit "B."

Part 3: The service plan submitted in accordance with Chapter 43 of the Texas Local Government Code is hereby approved as part of this ordinance, made a part hereof and attached hereto as Exhibit "C."

Part 4: The owners and inhabitants of the Property herein annexed shall be entitled to all of the rights and privileges of other citizens and property owners of said City and are hereby bound by all acts, ordinances, and all other legal action now in full force and effect and all those which may be hereafter adopted.

Part 5: The official map and boundaries of the City of Temple, are hereby amended so as to include the annexed Property as part of the City of Temple.

Part 6: The annexed Property shall, in compliance with the Zoning Ordinance of the City of Temple, be zoned as *Urban Estates*, as shown on the map made a part hereof and attached hereto as Exhibit "D."

Part 7: The annexed Property shall be included in, and become a part of, the City of Temple City Council Election District Number 4.

Part 8: If any provision of this ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

Part 9: If the taking of any territory annexed by this ordinance is declared by a court of competent jurisdiction to be invalid and/or illegal, it shall not affect the balance of the property annexed and attempted to be annexed, and that property shall remain as part of the City of Temple, Texas. It is the intent of this ordinance that any territory that is not lawful for the City to incorporate be excluded from this annexation and that such exclusion be documented by having a qualified surveyor correct the property description of the annexed area to conform to the Council's intention and to insure that the boundary description closes.

Part 10: 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 11: It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on First Reading and Public Hearing on the **15th** day of **November**, 2012.

PASSED AND APPROVED on Second and Final Reading on the **6th** day of **December**, 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

11/15/12
Item #6
Regular Agenda
Page 1 of 5

DEPT./DIVISION SUBMISSION & REVIEW:

Autumn Speer, Director of Planning and Development

ITEM DESCRIPTION: FIRST READING - PUBLIC HEARING - Z-FY-12-61: Consider adopting an ordinance authorizing a permanent zoning upon annexation to Urban Estates District (UE) consisting of 10.089± acres of land, proposed for The Campus at Lakewood Ranch Phase VIII, located at the north end of Richland Drive, north of The Campus at Lakewood Ranch Phase VII.

P&Z COMMISSION RECOMMENDATION: At its meeting on November 5, 2012, the Planning and Zoning Commission voted 7:0 (Commissioners Martin and Harrell absent) in accordance with the Staff recommendation to recommend approval of a zone assignment to UE.

STAFF RECOMMENDATION: Adopt ordinance as presented in item description, on first reading and schedule second reading and final adoption for December 6, 2012.

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 applicant filed a petition on September 18, 2012, seeking voluntary annexation of approximately 10± acre acres into the City of Temple. Voluntary annexation is governed by Section 43.028 of the Texas Local Government Code and applies only to the annexation of an area that is:

1. Less than one-half mile in width,
2. Contiguous to the annexing municipality, and
3. Vacant and without residents or on which fewer than three qualified voters reside.

The landowner's petition meets the statutory requirements and is recommended to be granted.

The proposed dates for the initial public hearings were held on October 18, 2012 and October 19, 2012. No on-site hearing was required, as there are no residents on the land proposed to be annexed. Planning staff presented a Municipal Services Plan at the hearings, as required by state law, showing how the City will serve the area proposed to be annexed into the City. The proposed schedule anticipates completion of annexation proceedings December 6, 2012. The Planning and Zoning Commission will make a recommendation to the Council for the applicant's requested zoning to UE, Urban Estates, to be part of the annexation and zoning ordinance readings, at its November 5, 2012 meeting.

The applicant is requesting this change of zoning to allow development of single family dwellings. A final plat was approved on September 17, 2012, for the Final Plat of The Campus at Lakewood Ranch Phase VIII, a 15.047 ± acres, 19-lot, 3 block residential subdivision, located at the north end of Richland Drive, north of The Campus at Lakewood Ranch Phase VII. The northwest portion of this plat is included in the annexation proceedings and rezoning request.

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 Platted for UE lots	

Direction	Zoning	Current Land Use	Photo
East	UE	Undeveloped Land Plated for UE lots	
West	County	Undeveloped/ Low Density Residential	

Direction	Zoning	Current Land Use	Photo
South	UE	Residential	

COMPREHENSIVE PLAN COMPLIANCE: The proposed rezoning relates to the following goals, objectives or maps of the Comprehensive Plan and Sidewalk and Trails Plan:

Docu ment	Policy, Goal, Objective or Map	Site Conditions	Compliance
CP	Map 3.1 - Future Land Use and Character (FLUP)	The subject property has been identified as Suburban Residential which is compatible with UE zoning.	Y
CP	Map 5.2 - Thoroughfare Plan	Proposed access will be from Richland Road, an existing local street. Access is adequate for this low density development.	Y
CP	Goal 4.1 - Growth and development patterns should be consistent with the City's infrastructure and public service capacities	The subject property will be serviced by proposed 6" water lines and private septic systems.	Y
STP	Temple Trails Master Plan Map & sidewalks	The Plan does not reflect a trail in or surrounding the subject tract. Sidewalks are not required.	Y

CP = Comprehensive Plan STP = Sidewalk and Trails Plan

DEVELOPMENT REGULATIONS: According to the City of Temple Comprehensive Plan, Suburban Residential land use is characterized by mid-size single family lots, allowing for greater separation between dwellings and more emphasis on green space versus streets and driveways. The proposed UE zoning exceeds these requirements.

The following residential uses are **permitted by right** in the **proposed Urban Estates (UE)** zoning district:

- Industrialized Housing;
- Single Family Detached Dwelling;

Prohibited uses include manufactured home subdivisions, multi-family, patio home, and single family attached dwellings. Dimensional standards are as follows:

- Minimum lot size – 22,500 sq ft
- Minimum Lot Width – 80'
- Minimum Lot Depth – 125'
- Front Yard Setback – 30'

PUBLIC NOTICE: Three 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. In addition 14 courtesy notices were sent to property owners outside of the City limits. As of October 29, 2012, one notice was returned in favor of the request.

The newspaper printed notice of the Planning and Zoning Commission public hearing on October 25, 2012, in accordance with state law and local ordinance.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

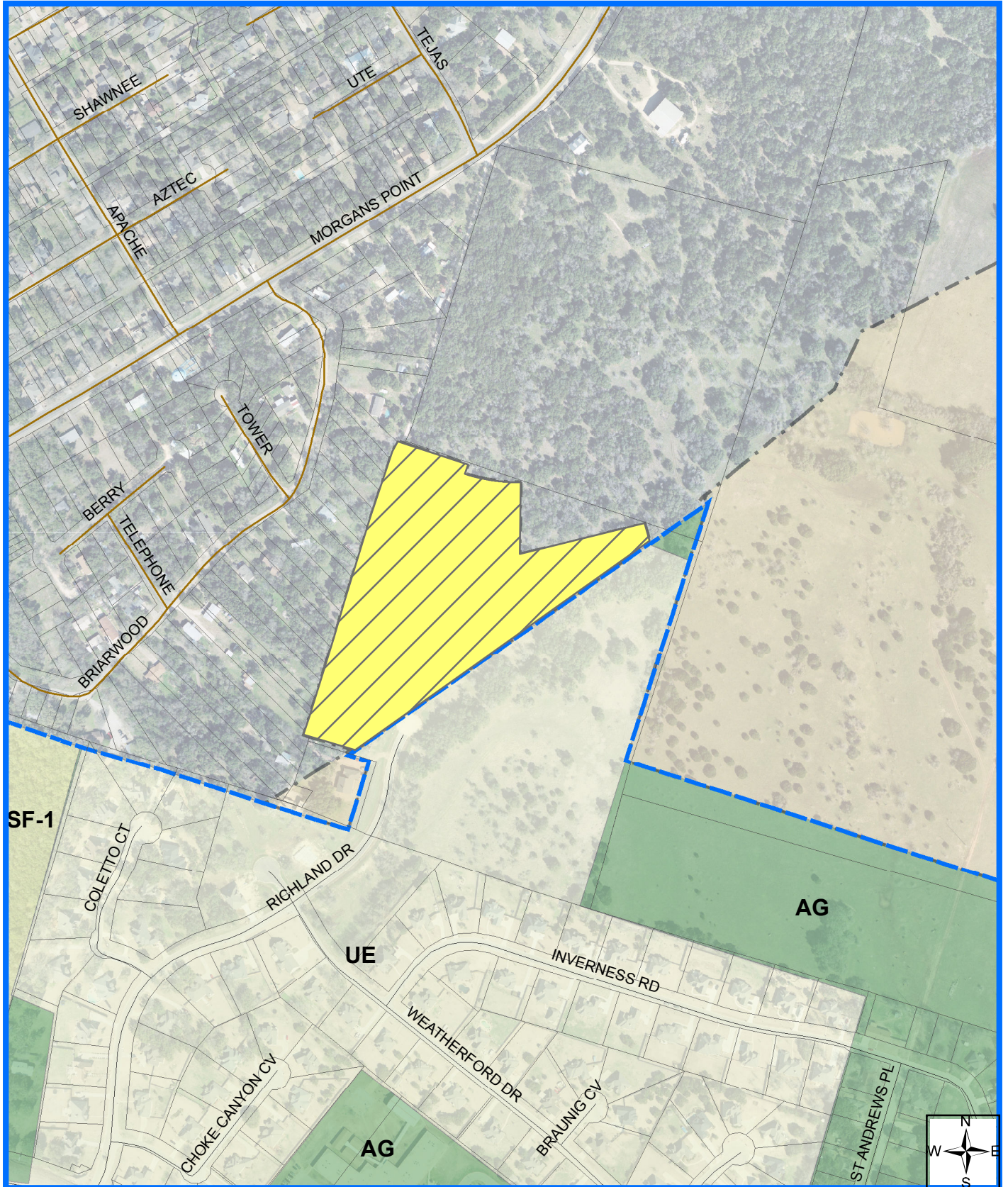
[Zoning and Location Map](#)
[Future Land Use and Character Map](#)
[Notification Map](#)
[Returned Notices](#)
[P&Z Excerpts](#)
[Ordinance](#)





Z-FY-12-61

To UE

North of Richland Dr.



 Case Z-FY-12-61
 City/ETJ Boundary

 ETJ

0 250 500
Feet

10/31/2012
City of Temple
GIS Dept.

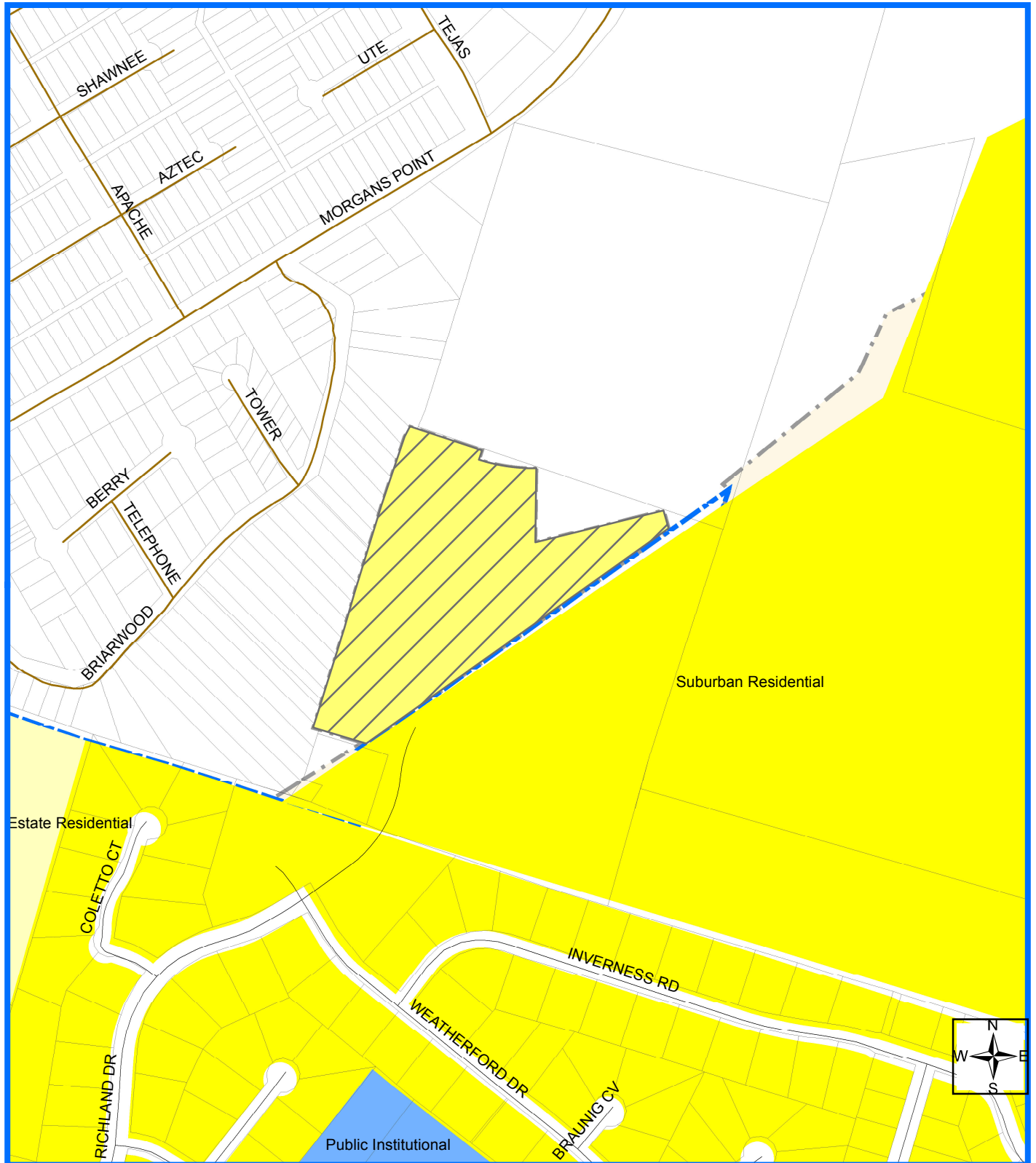
GIS products are for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. They do not represent an on-the-ground survey and represent only the approximate relative location of property boundaries and other features.



Z-FY-12-61

To UE

North of Richland Dr.



Case Z-FY-12-61



City Boundary



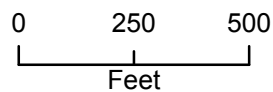
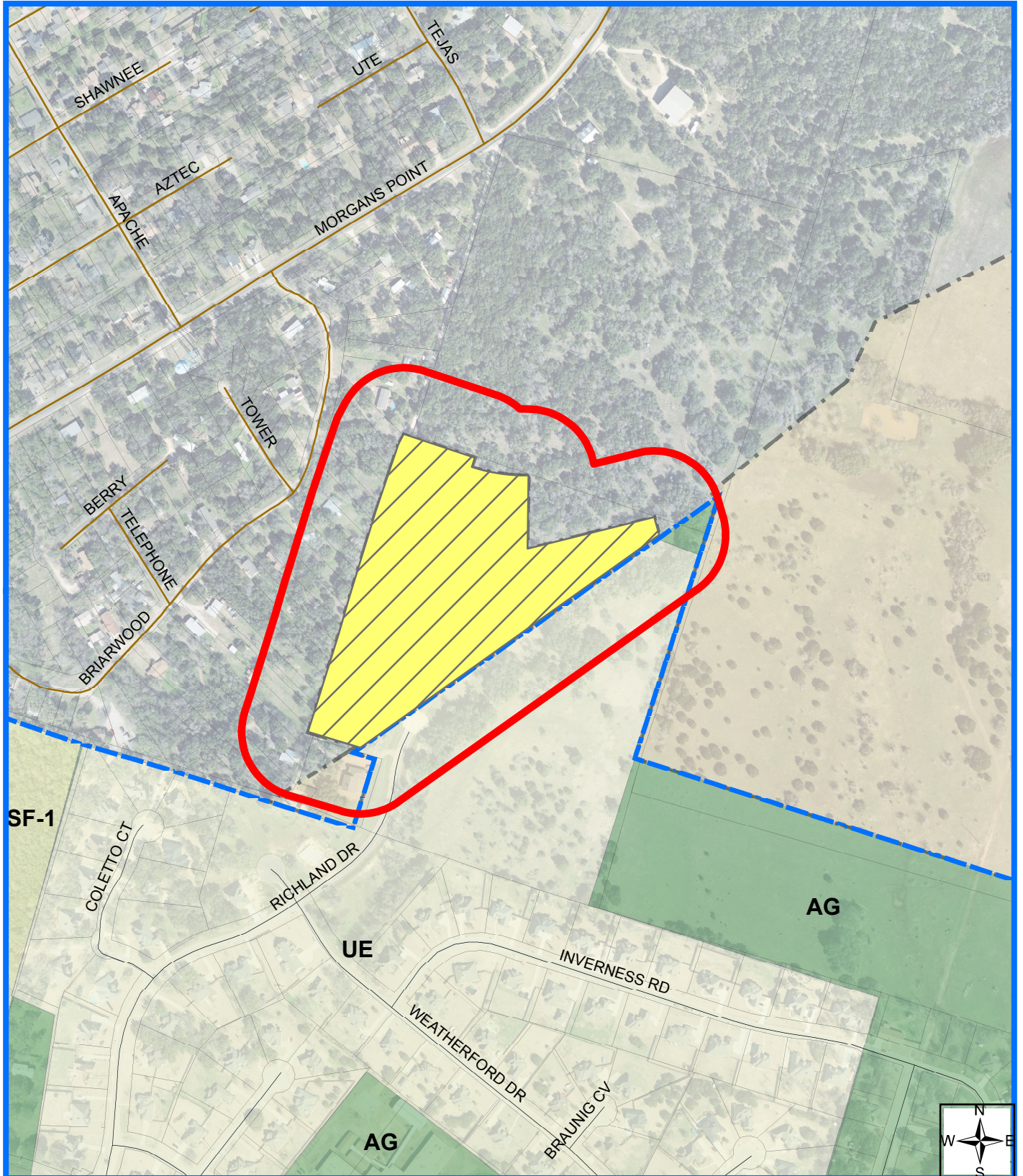
ETJ



Z-FY-12-61

To UE

North of Richland Dr.



10/31/2012
City of Temple
GIS Dept.

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.



**RESPONSE TO PROPOSED
ZONING REQUEST
CITY OF TEMPLE**

First Omega Partners Ltd
7353 West Adams Avenue
Temple, Texas 76502

Zoning Application Number: Z-FY-12-61

Project Manager: Autumn Speer

Location: At the north end of Richland Drive, north of the Campus At Lakewood Ranch
Phase VII

The proposed zone change upon annexation 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:


Signature

JOHN C. HOWE
Print Name

Please mail or hand-deliver this comment form to the address shown below, no later than November 5, 2012

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

RECEIVED
OCT 29 2012
City of Temple
Planning & Development

**EXCERPTS FROM THE
PLANNING & ZONING COMMISSION MEETING
MONDAY, NOVEMBER 5, 2012**

ACTION ITEMS

Item 4: Z-FY-12-61 – Hold a public hearing to discuss and recommend action on permanent zoning upon annexation to Urban Estates District (UE) consisting of 10.089 ± acres of land, proposed for The Campus at Lakewood Ranch Phase VIII, located at the north end of Richland Drive, north of The Campus at Lakewood Ranch Phase VII. (Applicant: Kiella Development)

Ms. Autumn Speer, Director of Planning & Development, stated this was an annexation project submitted on September 18, 2012 to put permanent zoning on the property. The zoning will allow development of single family dwellings, which is the same that exists in the other Campus at Lakewood Ranch. The final plat was approved on September 17, 2012 for the Campus at Lakewood Ranch Phase VIII.

Surrounding properties include developed land to the south as Urban Estate (UE) residential, to the east is undeveloped land, the subject property and farther north is undeveloped, and to the west is undeveloped and low density residential on the other side of this property.

UE is the larger single family zoning district and does not allow nonresidential uses.

The Future Land Use and Character Map designate this area as Suburban-Residential and does comply. Water is available on Richland Drive and will be extended. Septic will be provided on the lots.

Staff recommends approval of the requested zoning change since the request complies with the Future Land Use and Character Map, the Thoroughfare Plan, and utilities area available to serve the property.

Chair Staats opened the public hearing.

There being no speakers, the public hearing was closed.

Commissioner Rhoads made a motion to approve Item 4, Z-FY-12-61, as presented, and Commissioner Jones made a second.

Motion passed: 7:0

Commissioners Martin and Harrell absent

Commissioner Talley asked Ms. Speer if the required printed notification was also published on the City's website. Ms. Speer stated no.

ORDINANCE NO. _____

(PLANNING NO. Z-FY-12-61)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING A PERMANENT ZONING UPON ANNEXATION TO URBAN ESTATES (UE), ON APPROXIMATELY 10.089 ACRES OF LAND, PROPOSED FOR THE CAMPUS AT LAKEWOOD RANCH PHASE VIII, LOCATED AT THE NORTH END OF RICHLAND DRIVE, NORTH OF THE CAMPUS AT LAKEWOOD RANCH PHASE VII; 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 permanent zoning upon annexation to Urban Estates (EU) on approximately 10.089 acres of land, proposed for The Campus at Lakewood Ranch Phase VIII, located at the north end of Richland Drive, north of The Campus at Lakewood Ranch Phase VII, 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 **15th** day of **November**, 2012.

PASSED AND APPROVED on Second Reading on the **6th** day of **December**, 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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DEPT./DIVISION SUBMISSION & REVIEW:

Jonathan Graham, City Attorney
David Blackburn, City Manager

ITEM DESCRIPTION: Consider approving a resolution authorizing an agreement to sell effluent from the Temple-Belton Wastewater Treatment Plant to Panda Temple Power II, LLC.

Executive Session: Pursuant to Section 551.087 of the Government Code, the City Council may meet in executive session to discuss either commercial or financial information that the City has received from a business prospect that the City wishes to locate, stay or expand within the City limits and with which the City is conducting economic development negotiations, or to deliberate the offer of a financial or other incentive to a business prospect the public discussion of which would adversely affect ongoing economic development negotiations.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: In November 2009, the City Council authorized a development agreement with Panda Temple Power, L.L.C. The development agreement obligated the City to sell to Panda 100% of the effluent (less any used by the City) produced by Doshier Farm Wastewater Treatment Plant ("Doshier") and also obligated the City to sell potable water as a backup source for the first phase of Panda's electric generation facility ("Phase I"). Panda now intends to construct the second phase of the facility ("Phase II") and wishes to purchase additional effluent from the Temple-Belton Wastewater Treatment Plant ("TBP").

Construction of Phase I of Panda's facility is already under way. Phase I is expected to produce 750 megawatts of electricity. Phase II is expected to produce the same amount. Panda's facilities will use gas turbines to generate electricity and water (effluent) to generate steam and cool the system. Panda has yet to complete the design for their Phase II facilities, but their preliminary data suggests that they will need somewhere between 4-5 million gallons of water per day (m.g.d.) of effluent for peak operations. Their actual usage will vary from day to day depending on weather and demand for electricity.

The proposed agreement between the City and Panda has the following major elements:

- ✓ **Term:** 30 years
- ✓ **Sale of Effluent:** City agrees to provide up to an agreed maximum volume (up to 5 mgd) of effluent or potable water to Panda for their operations. The TBP is jointly owned by Temple and Belton. Pursuant to this joint ownership, Temple is entitled to 75% of the effluent produced from the plant and Belton is entitled to the remaining 25%. Therefore, the City can only agree to provide the amount of effluent requested by Panda up to its 75% share.
 - City will provide treated effluent (net of any prior use by Temple or Belton) to Panda with potable water as a backup source, only if effluent supply is insufficient.
 - Effluent sold “as is” without implied or express warranties as to fitness for a particular purpose; City does commit to maintaining its WW permits and using best efforts to produce effluent that meets requirements of permits.
 - **Potable water** is backup source of water—the City is offering the potable under the same terms and conditions as any other customer of the City’s water system (Panda will pay same rates other users of the system pay).
- ✓ **Infrastructure:** The City will construct the infrastructure (pipeline, pumping stations, valves, etc.) to transmit effluent from the TBP to Panda’s facility. Panda will reimburse the City for all costs related to financing, designing, constructing, operating, and maintaining the necessary infrastructure during the life of their operations.
- ✓ **Compensation to City:**
 - An **Option fee** to reserve effluent during construction (pre-operations) phase - **\$25,000/per each 6 months** for 4 years.
 - A **Demand charge in the amount of \$23,333/month** that effectively sets a minimum compensation to the City for reserving the maximum amount of effluent that Panda can request for the purchase of effluent each month that the plant is in operation. The demand charge commences after Phase II goes into commercial operation.
 - A **Commodity charge** that is the price per thousand gallons of effluent. The parties have agreed on a price of \$0.70/1,000 gallons of treated effluent over the first 10 years of the agreement term. Beginning in the eleventh year of the agreement term, Panda will pay at a rate per 1,000 gallons of Treated Effluent that is equivalent to what the rate would have been if the inflation factors had been applied in years 2-10 of operation to a base rate of \$1.10/1,000 gallon. For example, if the inflation rate per the index used in the agreement had been 2% per year in years 2-10, the commodity rate in year 11 would be \$1.314/1,000 gallons. The commodity charge commences after Phase II goes into commercial operation.
 - Reimbursement to City for financing, designing, constructing, operating, and maintaining the Infrastructure: Panda to reimburse the City for repairs and maintenance performed on the delivery infrastructure during the first 10 years of the agreement term. In the ninth year, the parties will renegotiate this aspect of the agreement to determine how future repair and maintenance costs will be allocated.

- **CPI adjustments** to the **Demand and Commodity charges** payable to the City during the term of the Agreement.

FISCAL IMPACT: Prior to commercial operation of Panda's facilities, the City will earn revenue under the contract from the payment of an option fee (\$25,000/per 6 months). After commercial operation (Phase II) is begun, the City will receive revenue from Panda in the form of monthly demand and commodity charges. The City will construct the infrastructure necessary to deliver effluent to Panda's facility, and Panda will reimburse the City for the construction, financing, operating and maintenance costs related to the infrastructure.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING AN AGREEMENT TO SELL EFFLUENT FROM THE TEMPLE-BELTON WASTEWATER TREATMENT PLANT TO PANDA TEMPLE POWER II, LLC; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, In November 2009, City Council authorized a development agreement with Panda Temple Power, L.L.C. - the agreement obligated the City to sell to Panda 100% of the effluent (less any used by the City) produced by Doshier Farm Wastewater Treatment Plant and also obligated the City to sell potable water as a backup source for Phase I of Panda's electric generation facility;

Whereas, Panda now intends to construct Phase II of the facility and will purchase additional effluent from the Temple-Belton Wastewater Treatment Plant ("TBP") - Construction of Phase I of Panda's facility is under way;

Whereas, the Staff recommends entering into a 30-year agreement with Panda, once again obligating the City to provide up to an agreed to maximum volume of effluent or potable water for their operations; and

Whereas, prior to commercial operation of Panda's facilities, the City will earn revenue under the contract, from the payment of an option fee by Panda and after commercial operation has begun, the City will receive revenue in the form of monthly demand and commodity charges – the City will construct the infrastructure necessary to deliver effluent to their facility and Panda will reimburse the City for the construction, financing, operating and maintenance costs.

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

Part 1: The City Council authorizes the City Manager, or his designee, to execute an agreement with Panda Temple Power II, LLC, after approval as to form by the City Attorney, for the sale of effluent from the Temple-Belton Wastewater Treatment Plant, substantially in the form of the copy attached hereto as Exhibit A.

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 15th day of **November**, 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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DEPT./DIVISION SUBMISSION & REVIEW:

William A. Jones, III, Mayor

ITEM DESCRIPTION: Consider adopting a resolution appointing members to the following City boards and commissions:

- (A) Animal Services Advisory Board –one member to fill an unexpired term through September 1, 2014
- (B) Community Services Advisory Board – one member to fill unexpired term through September 1, 2014; and one member to fill an unexpired term through September 1, 2015
- (C) Library Board – one member to fill an unexpired term through September 1, 2014
- (D) Temple Public Safety Advisory Board – three members to fill an unexpired terms through September 1, 2013; one member to fill an unexpired term through September 1, 2014; and one member to fill an unexpired term through September 1, 2015
- (E) Transit Advisory Committee – one member to fill an unexpired term through September 1, 2013

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The City Council adopted a resolution in June, 2003, establishing policies governing the appointment and training of citizens to City boards.

Please see the attached summary listing which has been updated to include all applications received for board appointments.

FISCAL IMPACT: N/A

ATTACHMENTS:

[Board Application Summary](#)

TRANSIT ADVISORY COMMITTEE

TERM EXPIRATION: SEPTEMBER - 2 YEAR TERMS

APPOINTED BY: MAYOR/COUNCIL

MEMBER	DATE APPOINTED	EXPIRATION YEAR	ADDRESS	PHONE NUMBER
Mary Ann Rojas / General Citizen maryann.rojas@myjobsources.org reinstated	05/11	2013	1313 N. 8 th Temple, TX 76501	773-8822 W 774-7061 H 361-816-4157 C
Vacant – General Citizen	09/11	2013		
Esther Roque, Vice Chair Health Rep. esther.roque@co.bell.tx.us reinstated	09/06	2013	5007 Williams Drive, 76504 11 North 2 nd (mail) Temple, TX 76501	771-3658 H 770-6838 W 770-6837 F
Vickie Gideon, Chair Health Rep. vickieg@workforcelink.com	09/07(unexp term thru 09/08)	2015	2706 Pin Oak Temple, TX 76502	742-4413 W 778-3445 H 760-1226 C
Deanna DeGraaff Disabled Rep. vipdegraaff@att.net	09/10	2015	815 West French Avenue Temple, TX 76501	778-5073 H 718-8998 C
Nancie Etzel General Citizen NEtzel27@aol.com	09/10	2015	329 Big Timber Drive Temple, TX 76502	780-9898 H
Justice Bigbie Elderly Rep. jbnavyman@hotmail.com	09/10	2015	108 Sundance Drive Temple, TX 76502	742-2171 H 421-0849 C

Created by Resolution No. 2000-2812-R, December 7, 2000; replaces previous Transit Advisory Board.

Purpose: Review operations of Temple Transit System and make suggestions for service enhancements; make advisory policy recommendations to the City Council; attend public hearing regarding system changes conducted by the contractor and report finding to the City Council and to the Hill Country Transit District Board of Directors.

Membership: 7 members, all residents of City; one member shall be elderly and not disabled, one member shall be disabled, and three members shall be citizens who are not program participants. Committee has recommended two remaining positions be filled with representation from the health, education or business community.

Term: 2 years

Meeting Time/Place: Second Thursday of every other month, 2:00 p.m., as needed, Temple Public Library, 3rd Floor Board Room

City Staff: Director of Community Services

Revised 09/06/2012

TEMPLE PUBLIC SAFETY ADVISORY BOARD

TERM EXPIRATION: SEPTEMBER - 3 YEAR TERMS

APPOINTED BY: MAYOR/COUNCIL

MEMBER	DATE APPOINTED	EXPIRATION YEAR	ADDRESS	PHONE NUMBER
Karl Kolbe O	03/12 Unexp	2015	4208 S. 31 st Street, Apt. 515 Temple, Texas 76502 kkolbe@hot.rr.com	512-771-4132 C 254-231-3445 H
Sonny Jaramillo	06/11 Unexp	2015	512 W. Oakland Dr., 76501 sivj@swbell.net	933-4206 W 760-7502 C
Rebecca Rucker	07/11	2013	212 Tanglewood Rd. 76502 rebeccar@fsbcentex.com	899-6602 W 231-2766 C
John Bush	09/09	2013	1302 North 13 th , 76501 Jbush83498@sbcglobal.net	774-8899 W 773-1416 H 760-9313 C
James Conley Sr. **NO E-Mail	09/12	2015	1519 N. 18 th Street Temple, TX 76501 **NO E-Mail	771-9904 H 228-9281 C
VACANT	09/10	2013		
VACANT	09/10	2013		
VACANT	03/11	2013		
VACANT	09/09	2015		
Margaret Goodwin	06/10	2013	3206 Keller Road, 76504 mag47goo@msn.com	541-0894 C
Jeff Blackwell	11/10	2014	8520 Oak Crossing, 76502 jblackwell@swmail.sw.org	228-5609 H 541-8874 C
Steve Hubbard	09/10	2014	8716 Laurel Ridge, 76504 sthubbard@swmail.sw.org	654-3828 –C
VACANT	11/10	2014		
Billy Rowton	07/11	2014	3008 W. Ave T 76504 b.rowton@sbcglobal.net	771-2400 H 541-1775 C
John Barina	09/08	2014	2109 Stagecoach Trl 76502 johnbarina@hot.rr.com	760-6525 W/C 773-9580 H

Created by Resolution 94-641-R February 3, 1994; previously under authority of resolution adopted September 1, 1983 as Temple Law Enforcement Advisory Board.

Purpose: Advise the Council on matters of law enforcement, fire, emergency medical service, communications and emergency management.

Membership: 15 members - all residents of the City;
Ex-Officio members - Chief of Police, Fire Chief

Term: 3 years

City Staff: Police Chief Gary Smith/Fire Chief Lonzo Wallace

Meeting Time/Place: 2nd Tuesday of each month at 6:00 p.m., Temple Police Department. Revised 09/06/12

LIBRARY BOARD

TERM EXPIRATION: SEPTEMBER - 3 YEAR TERMS

APPOINTED BY: MAYOR/COUNCIL

MEMBER	DATE APPOINTED	EXPIRATION YEAR	ADDRESS	PHONE NUMBER
Susan Corman Finecuisine810@aol.com	02/09	2015	810 South 17 th Street Temple, TX 76504	778-3717 H 718-1056 C
Barbara Brown Hbbrown76502@sbcglobal.net	09/12	2015	4402 Lonestar Trl Temple, TX 76502	771-2832 H
Sammy Ragsdale sammyragsdale@att.net	08/09	2015	5821 Fair Hill Dr. Temple, TX 76502	743-6601 W 771-3643 H 228-3734 C
Temekia Brown temikiabrown@aol.com	09/10	2013	P.O. Box 1702 Temple, TX 76503	778-8036 W 780-2822 H 217-5476 C
Margarita Stefano-Rios Rjose2513@aol.com	08/09	2013	2419 East Adams Ave Temple, TX 76501	742-7703 H 493-9085 C
Sammie Marshall	12/06	2013	516 W. Nugent Temple, TX 76501	778-7552 H
Jean Kubala sensibala@hotmail.com	04/11	2014	1111 North 3 rd Temple, TX 76501	778-8034 H
Margaret Goodwin mag47goo@msn.com	09/11	2014	3206 Keller Road Temple, TX 76504	771-8600/277 W 541-0894 C
VACANT	09/11	2014		

Created by City Charter, Section 3.25.

Purpose: The Trustees shall advise the Council on the operation and maintenance of the Library.

Membership: Odd number of members - currently 9
Each to be a resident citizen of the City

Term: To be set by Council - currently 3 year terms

Meeting Time/Place: Third Tuesday of each quarter at noon in the Board Room at the Temple Public Library

COMMUNITY SERVICES ADVISORY BOARD

TERM EXPIRATION: SEPTEMBER - 3 YEAR TERMS

APPOINTED BY: MAYOR/COUNCIL

MEMBER	DATE APPOINTED	EXPIRATION YEAR	ADDRESS	PHONE NUMBER
Kelly Yempa kyepma@extracobanks.com OMA/ O	09/12	2015	4610 Spanish Oak Rd Temple, TX	774-5812 W 771-2323 H 534-0444 C
VACANT	09/12	2015		
Nancie Etzel NEtzel27@hotmail.com	04/08	2015	329 Big Timber Drive Temple, TX 76502	780-9898 H
Patsy Cofer pcofer@hotmail.com O/OMA	09/10	2013	4314 Gazelle Trl Temple, TX 76504	718-1859 W 899-8165 H 718-0866 C
Ashleigh Pettijohn apettijohn@extracobanks.com	09/10	2013	201 Rabern Ct Apt 517 Belton, TX 76513	774-5807 W 624-9268 H/C
Florencio Olivares Florencio.olivares@atmosenergy.com	03/11	2013	1111 North 6 th Street Temple, TX 76501	718-7326 W/C 295-0123 H
VACANT	09/08	2014		
Temikia Brown TemikiaBrown@aol.com	03/12	2014	8228 Stoneview Temple, 76502	778-8036 W 780-2822 H 913-9524 C
Dee Blackwell dahblackwell@hotmail.com	04/10	2014	8520 Oak Crossing, 76502	228-5609 H 541-8873 C

Created May 7, 1992 by Resolution #92-234-R; duties expanded May 6, 2004 by Resolution 2004-4042-R

Purpose: To assess public service needs in the community; annually request proposals from public service agencies to meet identified needs; recommend funding levels to the Council from the CDBG annual budget; monitor the agencies receiving CDBG funds to evaluate their performance and proper utilization of funds.

General Duties: Attend approximately 6 board meetings per year, from October through May; participate in subcommittee work on application format as needed; participate in subcommittee application review; participate in interview process of agency representatives; present funding recommendations to the Council in June. Duties will include the selection criteria and process for the new HOME Program and other associated CDBG activities.

Membership: 11 members, all residents of Bell County; Ex-officio members - City Manager

Term: 3 years

City Staff: Traci Barnard, Director of Finance

Meeting Time/Place: Regular meetings monthly, special meetings as needed; Staff Conference Room, Municipal Building.

Revised 10/01/12

ANIMAL SERVICES ADVISORY BOARD

TERM EXPIRATION: SEPTEMBER - 3 YEAR TERMS

APPOINTED BY: MAYOR/COUNCIL

MEMBER	DATE APOINTED	EXPIRATION YEAR	ADDRESS	PHONE NUMBER
Dr. Lance Crews, Veterinarian	01/03	standing	Animal Medical Care 1604 W. Avenue H Temple, TX 76502 amc@vvm.com	778-5246 W 913-8450 M 778-6327 F
Carole Owen	09/10	2013	1203 North 9 th Temple, TX 76501 ritescot@aol.com	791-1365 H 760-1437 C
Vacant – Animal Welfare Org. Rep.	09/11	2014		
Bill Jones, III, Mayor Municipal Official	05/11	standing	2 North Main Street Temple, TX 76501 bjones@templetx.gov	298-2951 W 760-6488 C
Amy Strunk, Animal Shelter Operator - Chair	09/09	2015	Animal Shelter 620 Mama Dog Circle Temple, TX 76504 astrunk@templetx.gov	298-5732 W
Margarita Stefano-Rios	09/12	2015	2419 East Adams Avenue Temple, TX 76501 Rjose2513@aol.com	493-9085 C
Fabian Gomez	09/12	2015	1806 S. 45 th Street Temple, TX 76504 fgomez@kpaengineers.com	773-3731 W 493-4864 M
Walter Hetzel, Animal Services Director	Ex-Officio		Animal Shelter 620 Mama Dog Circle Temple, TX 76504 whetzel@templetx.gov	298-5742

Created July 3, 1975 by Ordinance #830; reorganized in 1988 under Ordinance #1892; board repealed and re-established as Animal Services Advisory Board under Resolution No. 2003-3589-R, January 16, 2003.

Purpose: To advise the City Council and City staff on matters relating to the City's Animal Services Division and its operations. The Board is specifically charged with ensuring that the City complies with State law requirements relating to the operation of animal shelters (currently found in Chapter 823 of the Texas Health and Safety Code. The Board shall submit each March a report to the City Council describing the Board's activities during the preceding year.

Membership: 7 members - to include 1 licensed veterinarian, 1 representative from an animal welfare organization, 1 municipal official, 1 person who duties include the daily operation of an animal shelter and 3 additional members that are residents of the City of Temple. **Chair to be appointed by Council annually.**

Terms: 3 years **Meeting Time/Place:** 2nd Monday of every other month; 11:00 am; Board must meet at least 3 times per year.

City Staff: Walter Hetzel, Animal Services Director

Revised: 10/01/2012



COUNCIL AGENDA ITEM MEMORANDUM

11/15/12
Item #9
Regular Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

William A. Jones, III, Mayor

ITEM DESCRIPTION: Consider adopting a resolution appointing one alternate member to the Bell County Public Health District Board of Directors.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Dr. Ray Ashcraft was appointed to the Bell County Public Health District Board of Directors in June 2009 to fill the position vacated by Dr. William Hardin. The Health District has now requested the City appoint an alternate member to serve in the absence of Dr. Ashcraft. The appointment of an alternate is provided for in the Cooperative Agreement with the Health District.

In 2010 Dr. Jim Madsen was appointed as the alternate member and is unable to fulfill this position.

FISCAL IMPACT: N/A

ATTACHMENTS: N/A



EMPLOYEE BENEFITS TRUST AGENDA ITEM MEMORANDUM

11/15/12
Item #1
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 substitute Medicare supplement insurance for City of Temple over 65 retirees from the Scott & White Health Plan for calendar year 2013.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The City issued a Request for Proposal in October of 2011 requesting a 3 year contract with a successful vendor to be awarded one year at a time. On November 8, 2011, the City received one (1) proposal. The City's consultant, Burke Sunday of City-County Benefit Services, reviewed the proposal received and recommended award to the Scott & White Health Plan.

Scott & White Health Plan, the recommended carrier, offers SeniorCare as its substitute Medicare supplement. In 2007, 2008, 2009, 2010 and 2011, retirees were offered twelve Medicare supplement plans through the City. In 2012, SeniorCare offered twenty Medicare supplement plans through the City to its over 65 retirees, and will offer those same plans in 2013.

Scott & White has performed well and Staff desires to extend the contract for another year. Staff recommends that for calendar year 2013, the City continue to contribute at the same level as during calendar year 2012.

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 a contract to the named vendor. 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: Budgeted amount: \$182,250 in account 110-2700-515-1231*
Estimated amount for FY 12-13 \$62,980**

* Budget includes all retirees' insurance.

** Maximum contribution during FY 2013 for the new plan costs calculated as \$102 x 61 # Medicare eligible retirees (as of 11/05/12) x 9 months (Jan - Sept) = \$55,998; the number of retirees could change over the course of the year. The cost incurred for the Medicare Supplemental insurance from October through December was \$15,929.85.

(NOTE: The trust was established in order to eliminate the premium tax that is passed on from the insurance companies.)

ATTACHMENTS:
[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF TEMPLE, TEXAS, EMPLOYEE BENEFITS TRUST, AUTHORIZING A ONE YEAR EXTENSION TO THE PURCHASE OF SUBSTITUTE MEDICARE SUPPLEMENTAL INSURANCE FOR CITY OF TEMPLE RETIREES OVER 65 FROM THE SCOTT & WHITE HEALTH PLAN FOR CALENDAR YEAR 2013; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, in 2011, trustees of the City of Temple Employee Benefits Trust awarded the purchase of substitute Medicare supplement insurance to Scott & White Health Plan, at the recommendation of the City's consultant, Burke Sunday of City-County Benefits Services;

Whereas, Scott & White Health Plan offers SeniorCare as its substitute Medicare supplement, with twenty Medicare supplement plans offered to the City's retirees over age 65;

Whereas, Scott & White Health Plan has performed well and staff desires to extend the contract for another year at the same level as during calendar year 2012;

Whereas, funds are budgeted in Account No. 110-2700-515-1231 in the estimated amount of \$62,980 for FY2012-13; and

Whereas, the City of Temple Employee Benefits Trust has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF TEMPLE, TEXAS, EMPLOYEE BENEFITS TRUST, THAT:

Part 1: The City of Temple Employee Benefits Trust authorizes a one year extension to the purchase of substitute Medicare supplement for the City's retirees over age 65, through Scott & White Health Plan for calendar year 2013 in the estimated amount of \$62,980

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 **15th** day of **November**, 2012.

CITY OF TEMPLE, TEXAS, EMPLOYEE
BENEFITS TRUST

WILLIAM A. JONES, III, Trustee

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

11/15/12
Item #10
Regular Agenda
Page 1 of 3

DEPT./DIVISION SUBMISSION & REVIEW:

Randy A. Stonerod, Director of Human Resources/Civil Service

ITEM DESCRIPTION: Consider adopting a resolution funding the rates for substitute Medicare supplement insurance for eligible City of Temple over 65 retirees, and the City's contribution thereto for calendar year 2013.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Previously the trustees of the City of Temple Employee Benefits Trust adopted rates for health and dental insurance for all active employees and retirees not eligible for Medicare. City policy requires that when retirees turn 65, if they are eligible, they must enroll in the substitute Medicare supplement plan(s) offered through the City in order to receive the City's contribution. These rates are not available until the late Fall of each year, so at this time Council needs to adopt substitute Medicare supplement rates for retirees for 2013. The rates for substitute Medicare supplement insurance run from January 1st through December 31st of each year, while rates for our active employees and non-Medicare eligible retirees run from October 1st through September 30th of each year.

The Personnel Policies and Procedures Manual states that the City will pay an amount established during the budget process for substitute Medicare Supplement insurance for Medicare-eligible retirees who have at least twenty-five (25) years of continuous service with the City of Temple. The City issued a Request for Proposal in October of 2011 requesting a 3 year contract with a successful vendor, to be awarded one year at a time. On November 8, 2011, the City received one (1) proposal. The City's consultant, Burke Sunday of City-County Benefit Services, reviewed the proposal and recommended award of the contract to the Scott & White Health Plan.

Scott & White Health Plan, the recommended carrier, offers SeniorCare as its substitute Medicare supplement. In 2007, 2008, 2009, 2010 and 2011, retirees were offered twelve Medicare supplement plans through the City. In 2012, SeniorCare offered twenty Medicare supplement plans through the City to its over 65 retirees, and will offer those same plans in 2013.

In FY 2010-2011, the City Policy regarding contributions was amended to state that the City will pay an amount toward retiree insurance, to be determined each fiscal year. The FY 2013 budget included funding in the amount of \$102 per eligible retiree to contribute towards the cost of substitute Medicare Supplemental insurance. Staff recommends that Council authorize a contribution of 50% toward all plans up to a maximum contribution of \$102.

The new monthly premium recommendations for 2013 are as follows:

Plan	Description	Monthly Premium	City's Contribution	Retiree's Contribution
A	Senior Select – No Rx	\$0.00	\$0.00	\$0.00
B	Senior Select – Value Rx	\$46.80	\$23.40	\$23.40
C	Senior Select – Basic Rx	\$44.50	\$22.25	\$22.25
D	Senior Select – Enhanced Rx	\$98.00	\$49.00	\$49.00
E	Senior Preferred – No Rx	\$87.00	\$43.50	\$43.50
F	Senior Preferred – Value Rx	\$133.90	\$66.95	\$66.95
G	Senior Preferred – Basic Rx	\$131.60	\$65.80	\$65.80
H	Senior Preferred – Enhanced Rx	\$185.00	\$92.50	\$92.50
I	Senior VIP – No Rx	\$147.00	\$73.50	\$73.50
J	Senior VIP– Value Rx	\$193.90	\$96.95	\$96.95
K	Senior VIP – Basic Rx	\$191.60	\$95.80	\$95.80
L	Senior VIP – Enhanced Rx	\$244.90	\$102.00	\$142.90
M	Senior MedOption – No Rx	\$167.00	\$83.50	\$83.50
N	Senior MedOption – Value Rx	\$213.90	\$102.00	\$111.90

Plan	Description	Monthly Premium	City's Contribution	Retiree's Contribution
O	Senior MedOption – Basic Rx	\$211.50	\$102.00	\$109.50
P	Senior MedOption – Enhanced Rx	\$264.90	\$102.00	\$162.90
Q	Senior Premium– No Rx	\$187.00	\$93.50	\$93.50
R	Senior Premium– Value Rx	\$233.80	\$102.00	\$131.80
S	Senior Premium – Basic Rx	\$231.50	\$102.00	\$129.50
T	Senior Premium – Enhanced Rx	\$284.90	\$102.00	\$182.90

FISCAL IMPACT: Budgeted amount: \$182,250 in account 110-2700-515-1231*
Estimated amount for FY12-13: \$62, 980. **

* Budget includes all retirees' insurance

** Maximum contribution during FY 2013 for the new plan costs calculated as \$102 x 61 # Medicare eligible retirees (as of 11/05/12) x 9 months (Jan - Sept) = \$55,998.; the number of retirees could change over the course of the year. The cost incurred for the Medicare Supplemental insurance from October through December was \$15,929.85.

ATTACHMENTS:

[2013 Response
Resolution](#)

City of Temple Employee Benefits Trust



Scott & White Health Plan - 2013 Senior Care Rates

	Select	Preferred	VIP	MedOption	Premium
Medical Only	\$0.00	\$87.00	\$147.00	\$167.00	\$187.00
2012 Medical Only	\$40.00	\$87.00	\$125.00	\$148.00	\$167.00
Difference	-\$40.00	\$0.00	\$22.00	\$19.00	\$20.00
Medical + Value Rx	\$46.80	\$133.90	\$193.90	\$213.90	\$233.80
2012 Medical + Value Rx	\$70.60	\$117.60	\$155.60	\$178.60	\$197.60
Difference	-\$23.80	\$16.30	\$38.30	\$35.30	\$36.20
Medical + Basic Rx	\$44.50	\$131.60	\$191.60	\$211.50	\$231.50
2012 Medical + Basic Rx	\$77.00	\$124.00	\$162.00	\$185.00	\$204.00
Difference	-\$32.50	\$7.60	\$29.60	\$26.50	\$27.50
Medical + Enhanced Rx	\$98.00	\$185.00	\$244.90	\$264.90	\$284.90
2012 Medical + Enhanced Rx	\$133.10	\$180.10	\$218.10	\$241.10	\$260.10
Difference	-\$35.10	\$4.90	\$26.80	\$23.80	\$24.80

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, FUNDING RATES FOR SUBSTITUTE MEDICARE SUPPLEMENT INSURANCE FOR ELIGIBLE CITY OF TEMPLE OVER 65 RETIREES AND THE CITY'S CONTRIBUTION THERETO FOR CALENDAR YEAR 2013; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the trustees of the City of Temple Employee Benefits Trust adopted rates for health and dental insurance for all active employees and retirees not eligible for Medicare – City policy requires that when retirees turn 65, and if they are eligible and have at least 25 years of continuous service with the City of Temple, they must enroll in a substitute Medicare supplement plan offered through the City in order to receive the City's contribution;

Whereas, Scott & White Health Plan offers SeniorCare as its substitute Medicare supplement and offers twenty supplement plans through the City to its over 65 retirees;

Whereas, in FY10-11, the City policy regarding contributions was amended to state that the City will pay an amount toward retiree insurance, to be determined each fiscal year;

Whereas, the FY12-13 budget includes funding contributions towards the cost of substitute Medicare supplement insurance, and staff recommends Council authorize a contribution of 50% toward all plans up to a maximum contribution of \$102 per eligible retiree;

Whereas, the estimated expenditure for FY2012-13 is \$62,980 and funds for retirees' insurance are budgeted in Account No. 110-2700-515-1231;

Whereas, the City of Temple Employees Trust previously awarded a contract with Scott & White Health Plan for SeniorCare substitute Medicare supplement for the City's eligible over 65 retirees; 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 fund rates, after approval as to form by the City Attorney, for substitute Medicare supplement insurance for City of Temple over 65 retirees for calendar year 2013 at the following rates:

Plan	Description	Monthly Premium	City's Contribution	Retiree's Contribution
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A	Senior Select – No Rx	\$0.00	\$0.00	\$0.00
B	Senior Select – Value Rx	\$46.80	\$23.40	\$23.40
C	Senior Select – Basic Rx	\$44.50	\$22.25	\$22.25
D	Senior Select – Enhanced Rx	\$98.00	\$49.00	\$49.00
E	Senior Preferred – No Rx	\$87.00	\$43.50	\$43.50
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Q	Senior Premium – No Rx	\$187.00	\$93.50	\$93.50
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S	Senior Premium – Basic Rx	\$231.50	\$102.00	\$129.50
T	Senior Premium – Enhanced Rx	\$284.90	\$102.00	\$182.90

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 **15th** day of **November**, 2012.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Jonathan Graham
City Attorney