



**MEETING OF THE
TEMPLE CITY COUNCIL**

MUNICIPAL BUILDING

2 NORTH MAIN STREET

3rd FLOOR – CONFERENCE ROOM

THURSDAY, AUGUST 15, 2013

3:00 P.M.

WORKSHOP AGENDA

1. Discuss, as may be needed, Regular Meeting agenda items for the meeting posted for Thursday, August 15, 2013.
2. Receive briefing on major legislative changes affecting cities.
3. Discuss the City's purchasing procedures relating to annual contract bidding and renewals.
4. Discuss the purchase of property near the City of Temple Landfill.

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

5:00 P.M.

MUNICIPAL BUILDING

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

TEMPLE CITY COUNCIL

REGULAR MEETING AGENDA

I. CALL TO ORDER

1. Invocation
2. Pledge of Allegiance

II. PUBLIC APPEARANCES

3. Receive presentation from [Dr. Robin Battershell, TISD Superintendent](#), regarding the September 21, 2013 Tax Ratification Election.

III. PUBLIC COMMENTS

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

IV. BUDGET ITEMS

4. [PUBLIC HEARING](#) – Conduct the second of two public hearings to receive comments on the proposed tax rate of 58.64 cents per \$100 valuation for fiscal year 2014 (2013 tax year), and announce meeting to adopt the proposed tax rate on August 29, 2013.

V. CONSENT AGENDA

All items listed under this section, Consent Agenda, are considered to be routine by the City Council and may be enacted by one motion. If discussion is desired by the Council, any item may be removed from the Consent Agenda at the request of any Councilmember and will be considered separately.

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

Minutes

- (A) [July 11, 2013 Special Called and Regular Meeting](#)
- (B) [July 18, 2013 Special Called and Regular Meeting](#)
- (C) [July 25, 2013 Special Called Meeting](#)
- (D) [August 1, 2013 Special Called and Regular Meeting](#)
- (E) [August 9, 2013 Special Called Meeting](#)

Contracts, Leases, & Bids

- (F) [2013-7009-R](#): Consider adopting a resolution authorizing a construction contract with Matous Construction, Ltd. of Belton for construction services required for improvements to the Williamson Creek Lift Station, to include installation of a pump, motor, valves, piping and related lift station appurtenances in the amount of \$457,839.
- (G) [2013-7010-R](#): Consider adopting a resolution authorizing a contract with McAllen Valley Roofing Company of McAllen to repair/coat the roofs of six (6) aircraft hangars totaling approximately 125,000 square feet at the Draughon-Miller Central Texas Regional Airport in the amount of \$198,767.44.
- (H) [2013-7011-R](#): Consider adopting a resolution authorizing a construction contract with National Signs, LLC, of Houston for the fabrication and installation of wayfinding signage, entrance signage and logo modernization at the Draughon-Miller Central Texas Regional Airport in the amount of \$138,070, and authorizing a deductive change order in the amount of \$20,500, for a net contract of \$117,570.
- (I) [2013-7012-R](#): Consider adopting a resolution authorizing the City Manager to execute a lease agreement between the City of Temple and JR Aviation, LLC, a wholly owned subsidiary of Paradise Helicopters located in Kailia-Kona, Hawaii, permitting the Lessee to lease an 8,300 square foot hangar for the purpose of providing FAA Part 135 charter operations; Part 133 external load for water bucket firefighting; Part 137 for aerial dispensing; and aircraft maintenance at the Draughon-Miller Central Texas Regional Airport.
- (J) [2013-7013-R](#): Consider adopting a resolution authorizing a lease agreement with Morris & Pursley Financial Plans, for lease of space in the E. Rhodes and Leona B. Carpenter Foundation Building (the Temple Public Library).
- (K) [2013-7014-R](#): Consider adopting a resolution authorizing a professional services agreement with S.D. Kallman, LP of Round Rock, for engineering services related to the rehabilitation of the Hickory Lift Station in the amount not to exceed \$51,083.
- (L) [2013-7015-R](#): Consider adopting a resolution authorizing a professional services agreement with Kasberg, Patrick & Associates, LP for professional services required to design the connection from Research Parkway to McLane Parkway within the Reinvestment Zone #1 in northwest Temple in an amount not to exceed \$366,935.
- (M) [2013-7016-R](#): Consider adopting a resolution authorizing a professional services agreement with Kasberg, Patrick & Associates, LP for professional services required to provide both preliminary design and 100% final design plans, which include exhibits, estimates, and metes and bounds for proposed improvements to Prairie View Road

from FM 317 to Hilliard Road/Research Boulevard in an amount not to exceed \$432,600.

- (N) [2013-7017-R](#): Consider adopting a resolution authorizing a professional service agreement with Kasberg, Patrick & Associates, LP of Temple for engineering services for the rehabilitation/replacement of the return activated sludge screw pumps at Doshier Farm Wastewater Treatment Plant in the amount not to exceed \$43,505.
- (O) [2013-7018-R](#): Consider adopting a resolution authorizing a professional services agreement with Kasberg, Patrick & Associates, LP for professional services required to design Research Parkway improvements from Central Pointe Parkway to IH35 within the Reinvestment Zone #1 in northwest Temple in an amount not to exceed \$1,864,020.
- (P) [2013-7019-R](#): Consider adopting a resolution authorizing a professional services agreement with Kasberg, Patrick & Associates, LP for engineering services required to implement the Water Treatment Plant Backwash Tank Rehabilitation in an amount not to exceed \$62,600.
- (Q) [2013-7020-R](#): Consider adopting a resolution ratifying the purchase of one (1) membrane rack (78 modules) for the Membrane Water Treatment Plant from Pall Advanced Separation Systems of Cortland, NY, in the amount of \$228,028.
- (R) [2013-7021-R](#): Consider adopting a resolution authorizing an annual services agreement with DataProse of Coppell for the printing, folding, stuffing and mailing of utility bills and delinquent notices in the estimated annual amount of \$170,000.
- (S) [2013-7022-R](#): Consider adopting a resolution authorizing a Chapter 380 Strategic Investment Zone “matching grant” agreement with United Way of Central Texas for redevelopment improvements on 3rd Street located within the North 3rd Street Strategic Investment Zone corridor in an amount not to exceed \$42,000.

Ordinances – Second & Final Reading

- (T) [2013-4605](#): SECOND READING: Consider adopting an ordinance establishing school crosswalks and setting speed limits within school zones to conform to school schedules.

Ordinances – First Reading – Set Public Hearing

- (U) [2013-4606](#): FIRST READING – SET PUBLIC HEARING: Consider adopting an ordinance authorizing a five year franchise with Acadian Ambulance Service, Inc., to provide non-emergency ambulance transfer services within the City.
- (V) [2013-4607](#): FIRST READING – SET PUBLIC HEARING: Consider adopting an ordinance authorizing a five year franchise with Scott & White EMS, Inc., to provide non-emergency ambulance transfer services within the City.

Misc.

- (W) [2013-7023-R](#): Consider adopting a resolution approving third quarter financial results for Fiscal Year 2013.

- (X) [2013-7024-R](#): Consider adopting a resolution authorizing budget amendments for fiscal year 2012-2013.

VI. REGULAR AGENDA

ORDINANCES

6. [2013-4608](#): FIRST READING – PUBLIC HEARING - Z-FY-13-27: Consider adopting an ordinance authorizing a zoning change from Agricultural District (AG) to Single Family Dwelling 1 District (SF-1) on 17.65 ± acres, being part of the S.P. Terry survey, Abstract No. 812, in Bell County, Texas, located on the north side of FM 2305 east of Arrowhead Point Road.

RESOLUTIONS

7. [2013-7008-R](#): P-FY-12-31: Consider adopting a resolution authorizing the revised Preliminary Plat of Valley Ranch Addition, a 39.3 ± acre, 94-lot residential subdivision with a requested exception to Unified Development Code Section 8.2.1., allowing the use of Local Rural Streets with 50-foot wide rights-of-way and 28-foot wide streets (back of curb to back of curb), located at the southwest corner of FM 93 and Dubose Road.
8. [2013-7025-R](#): P-FY-13-30: Consider adopting a resolution approving the Preliminary Plat of Brayson Crossing, a 6.008 ± acres, 9-lot, 1-block residential subdivision with a requested exception to Unified Development Code related to Park Land Dedication; and Fire Apparatus Access Roads, located in the western E.T.J., at the northeast corner of FM 439 and Sparta Loop.
9. (A) [2013-7026-R](#): Consider adopting a resolution authorizing the purchase of a 19.86 acre tract of land near the City of Temple's landfill.
- (B) [2013-7027-R](#): Consider adopting a resolution authorizing the purchase of a 49.94 acre tract of land near the City of Temple's landfill.
- (C) [2013-7028-R](#): Consider adopting a resolution authorizing the purchase of an approximately 110.72 acre tract of land near the City of Temple's landfill.
- (D) [2013-7029-R](#): Consider adopting a resolution authorizing the purchase of a 10 acre tract of land near the City of Temple's landfill.
- (E) [2013-7030-R](#): Consider adopting a resolution authorizing the purchase of a 10 acre tract of land near the City of Temple's landfill.

BOARD APPOINTMENTS

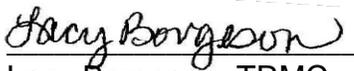
10. [2013-7031-R](#): Consider adopting a resolution appointing members to the following City boards and commissions:
- (A) Airport Advisory Board – five members to fill expiring terms through September 1, 2016
- (B) Building and Standards Commission – one member to fill an unexpired term through March 1, 2015

- (C) Civil Service Commission - one member to fill expiring term through September 1, 2016
- (D) Community Services Advisory Board – three members to fill expiring terms through September 1, 2016
- (E) Killeen-Temple Metropolitan Planning Organization – one member to fill a position on the KTMPO Policy Board; and authorizing the City Manager to make necessary staff appointments to the Technical Committee
- (F) Library Board – three members to fill expiring terms through September 1, 2016
- (G) Planning & Zoning Commission – three members to fill expiring terms through September 1, 2016; and one member to fill an unexpired term through September 1, 2015
- (H) Reinvestment Zone No. 1 Board of Directors – eight members to fill expiring terms through September 1, 2015
- (I) Temple Economic Development Corporation – four members to fill expiring terms through September 1, 2016
- (J) Temple Public Safety Advisory Board – six members to fill expiring terms through September 1, 2016; one member to fill an unexpired term through September 1, 2015; and two members to fill unexpired terms through September 1, 2014
- (K) Transit Advisory Committee – three members to fill expiring terms through September 1, 2015

11. [2013-7032](#): Consider adopting a resolution appointing one member to represent the City on the Central Texas Council of Governments Executive Committee.

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 2:00 PM , on August 9, 2013.


 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 _____ 2013. _____.



COUNCIL AGENDA ITEM MEMORANDUM

08/15/13
Item #3
Regular Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Daniel A. Dunn, Mayor

ITEM DESCRIPTION: Receive presentation from Dr. Robin Battershell, TISD Superintendent, regarding the September 21, 2013 Tax Ratification Election.

STAFF RECOMMENDATION: Receive comments as presented in item description.

ITEM SUMMARY: Dr. Robin Battershell submitted a Request for Placement on the City Council Agenda, please see attached the form.

FISCAL IMPACT: None

ATTACHMENTS:

[Request for placement on agenda - TISD](#)



CITY OF TEMPLE, TEXAS
CITY COUNCIL MEETINGS

REQUEST FOR PLACEMENT ON AGENDA

__Priority

NAME OF PRESENTER: Dr. Robin Battershell
Superintendent of Temple ISD
ADDRESS: 200 North 23rd Street
Temple, TX 76504
TELEPHONE NO. 254-215-6760

DATE REQUESTED TO APPEAR BEFORE THE COUNCIL: (Note – The City Council meets the first and third Thursdays of each month.) August 15, 2013 - 5:00 p.m.

SUBJECT TO BE PRESENTED: (Your description must identify the subject matter of your appearance in sufficient detail to alert the public what topic you will discuss and what action you are requesting by the Council.) _____

Tax Ratification Election Presentation (Power Point)

Election to be held Saturday, September 21, 2013

Note: Separate requests must be completed for each subject presented.

I, the above identified presenter, have read the procedures for public appearances before the City Council of the City of Temple, Texas, and will abide by these procedures.


SIGNATURE OF PRESENTER

July 30, 2013
DATE

For Office Use:



COUNCIL AGENDA ITEM MEMORANDUM

08/15/13
Item #4
Regular Agenda
Page 1 of 5

DEPT./DIVISION SUBMISSION & REVIEW:

David Blackburn, City Manager
Traci L. Barnard, Director of Finance

ITEM DESCRIPTION: PUBLIC HEARING – Conduct the second of two public hearings to receive comments on the proposed tax rate of 58.64 cents per \$100 valuation for fiscal year 2014 (2013 tax year), and announce meeting to adopt the proposed tax rate on August 29, 2013.

STAFF RECOMMENDATION: Conduct a public hearing but no action is required.

ITEM SUMMARY: At the August 1, 2013 regular meeting, Council discussed the proposed tax rate of 58.64 cents per \$100 valuation and adopted a resolution scheduling the adoption of the proposed tax rate for August 29, 2013, and setting public hearings for August 9, 2013 and August 15, 2013 on the proposed tax rate for FY 2013-2014. The following notices will be published after each public hearing:

- August 10th – “Notice of Tax Revenue Increase”
- August 16th – “Notice of Tax Revenue Increase”

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

The FY 2013-2014 budget was prepared with a preliminary total tax rate of 58.64 cents per \$100 valuation and a preliminary tax base of \$3,483,874,044 (estimated 3% increase from prior year). The preliminary tax rate was based on the FY 2013 rate of 58.64 cents.

On July 15, 2013, the Chief Appraiser certified the tax roll of \$3,589,339,096 (a 6.12% increase from prior year). On July 17, 2013, the Chief Appraiser calculated a final effective tax rate of 56.03 cents. Changes in the tax rate components as compared to the preliminary budget filed June 28, 2013 are as follows:

Comparing proposed tax rate of 58.64 cents to the *preliminary* rate of 58.64 cents as proposed in the budget filed on June 28, 2013:

	PRELIMINARY FY 2014	PROPOSED FY 2014	Increase (Decrease)	Effective Tax Rate	% FY 2014 > ETR
Proposed Tax Rate					
M&O (Maintenance & Operation)	\$ 0.3300	\$ 0.3324	\$ 0.0024		
I&S (Interest & Sinking - Debt)	0.2564	0.2540	(0.0024)		
	<u>\$ 0.5864</u>	<u>\$ 0.5864</u>	<u>\$ (0.0000)</u>	\$ 0.5603	<u>4.66%</u>

An increase in the proposed M&O tax rate; an adjustment of the certified taxable value (\$3,589,339,096) from the preliminary taxable value (\$3,483,874,044); and an increase in the frozen tax levy to \$1,857,709 from a preliminary levy of \$1,795,796 will result in a net increase to the M&O revenue by \$458,469 as compared to the preliminary budget filed on June 28, 2013. The increase in the certified taxable value as compared to the preliminary taxable value with a lower proposed debt rate will result in a net increase in the I&S debt revenue by \$174,868.

Comparing the proposed tax rate of 58.64 cents to the *current FY 2013 adopted* tax rate of 58.64 cents:

	FY 2013	PROPOSED FY 2014	Increase (Decrease)
Proposed Tax Rate			
M&O (Maintenance & Operation)	\$ 0.3300	\$ 0.3324	\$ 0.0024
I&S (Interest & Sinking - Debt)	0.2564	0.2540	(0.0024)
	<u>\$ 0.5864</u>	<u>\$ 0.5864</u>	<u>\$ (0.0000)</u>

Example 1 – Annual Property Tax - \$100,000 Taxable Value:

With the proposed tax rate of 58.64 cents per \$100 valuation, the cost to a homeowner with a taxable value of \$100,000 would increase by \$0 per year (\$0 per month) if there was no change in taxable value from the prior year.

Example 2 – Annual Property Tax - Average Taxable Value for City of Temple:

The preceding tax year's average taxable value of a residence homestead in Temple was \$96,066. In the current tax year, the average taxable value a residence homestead in Temple is \$97,958. With the proposed tax rate of 58.64 cents per \$100 valuation, there would be an annual increase of \$11.10 in taxes (\$0.93 per month).

FISCAL IMPACT: Changes from the preliminary tax rate and base used to calculate the filed budget on June 28, 2013 to the proposed rate with the certified tax roll as presented August 15, 2013 are as follows:

	Filed Budget 6/28/13	Proposed Budget 8/15/13	Increase/ (Decrease)
Tax Base*	\$3,483,874,044	\$3,589,339,096	\$105,465,052
Tax Rate:			
M&O	33.00¢	33.24¢	0.24¢
I&S	25.64¢	25.40¢	(0.24¢)
Total Tax Rate	58.64¢	58.64¢	0.00¢
Tax Levy:			
M&O	\$10,332,339	\$10,733,526	\$401,187
Frozen Taxes	1,795,796	1,857,709	61,913
I&S	8,027,914	8,201,912	173,998
Total Tax Levy*	\$20,156,049	\$20,793,147	\$637,098
Budget:			
M&O at 99% Collection	\$12,006,853	\$12,465,322	\$458,469
I&S at 100.5% Collection	8,068,054	8,242,922	174,868
Total Tax Budget	\$20,074,907	\$20,708,244	\$633,337

*Excludes Reinvestment Zone No. 1

**FY 2014
GENERAL FUND PROPOSED BUDGET
SCHEDULE OF ADJUSTMENTS AFTER FILING PROPOSED BUDGET**

	Proposed Budget		Increase (Decrease)
	Filed Copy as of 6-28-13	Current as of 8-1-13	
Projected Revenues	\$ 60,225,562	\$ 60,684,031	\$ 458,469 ^A
Proposed Budget Expenditures	62,572,904	63,031,373	458,469 ^B
Excess Revenues Over (Under) Expenditures	(2,347,342)	(2,347,342)	-
Transfers In (Out):			
Less: Transfer Out To Debt Service Fund -			
Solid Waste/CNG	(754,688)	(754,688)	-
Landfill CO's	(137,970)	(137,970)	-
Transfer Out To Internal Service Fund [Health Ins]	(85,000)	(85,000)	-
Total Transfer In (Out)	(977,658)	(977,658)	-
Excess Revenues Over (Under) Expenditures for FY 2014	\$ (3,325,000)	\$ (3,325,000)	\$0.00
Recommended Use of Undesignated Fund Balance-Capital Projects			
-TEDC Matrix Funding	\$ 1,825,000	\$ 1,825,000	\$ -
-Capital Equipment Funding	1,150,000	1,150,000	-
-Capital Replacement - Garbage Trucks	250,000	250,000	-
-Strategic Investment Zone Funding	100,000	100,000	-
	\$ 3,325,000	\$ 3,325,000	\$ -

Explanation of Changes from Filed Budget to Proposed Budget @ 8/1/2013:

^A **Revenue Changes:**

Required adjustment from preliminary to certified tax roll	\$ 458,469
Total Revenue Changes	\$ 458,469

^B **Expenditure Changes:**

Correct error to Police Department overtime for GIU Division	11,516
Reduce contingency for adjustment to correct error	(11,516)
Increase contingency for additional revenues from preliminary to certified tax roll	458,469
Total Expenditures Changes	\$ 458,469
Net Revenue Over (Under) Expenditures	\$ -

**FY 2014
DEBT SERVICE FUND PROPOSED BUDGET
SCHEDULE OF ADJUSTMENTS AFTER FILING PROPOSED BUDGET**

	Proposed Budget		Increase (Decrease)
	Filed Copy as of 6-28-13	Current as of 8-1-13	
Projected Revenues	\$ 8,484,054	\$ 8,658,922	\$ 174,868 ^A
Proposed Budget Expenditures	9,876,523	9,876,523	-
Excess Revenues Over (Under) Expenditures	\$ (1,392,469)	\$ (1,217,601)	174,868
Transfers In (Out):			
Plus: Transfer In From Hotel/Motel Fund [Energy Program]	23,400	23,400	-
Plus: Transfer In From General Fund -			
Solid Waste/CNG	754,688	754,688	
Landfill CO's	137,970	137,970	-
Total Transfer In (Out)	916,058	916,058	-
Excess Revenues Over (Under) Expenditures for FY 2014	\$ (476,411)	\$ (301,543)	\$ 174,868
Recommended Use of Undesignated Fund Balance	476,411	301,543	(174,868) ^A
	\$ -	\$ -	\$ -

Explanation of Changes from Filed Budget to Proposed Budget @ 8/1/2013:

^A **Revenue Changes:**

Adjustment from preliminary to certified tax roll	\$ 174,868
Total Revenue Changes	\$ 174,868

^B **Expenditure Changes:**

Total Expenditures Changes	\$ -
Net Revenue Over (Under) Expenditures	\$ 174,868

ATTACHMENTS:

[Historical Tax Rate Information](#)

CITY OF TEMPLE, TEXAS
ADOPTED TAX RATE VS. EFFECTIVE TAX RATE

Fiscal Year	Adopted Tax Rate			Effective Tax Rate	Adopted Rate v. Effective Tax Rate	
	I & S	M & O	Total		\$	%
2005	\$0.2349	\$0.3674	\$0.6023	\$0.5731	\$0.0292	5.10%
2006	0.2199	0.3546	0.5745	0.5579	0.0166	2.98%
2007	0.2339	0.3395	0.5734	0.5568	0.0166	2.98%
2008	0.2289	0.3392	0.5681	0.5516	0.0165	2.99%
2009	0.2273	0.3322	0.5595	0.5433	0.0162	2.98%
2010	0.2473	0.3173	0.5646	0.5511	0.0135	2.45%
2011	0.2379	0.3300	0.5679	0.5742	-0.0063	-1.10%
2012	0.2439	0.3240	0.5679	0.5571	0.0108	1.94%
2013	0.2564	0.3300	0.5864	0.5592	0.0272	4.86%
2014 ¹	0.2540	0.3324	0.5864	0.5603	0.0261	4.66%

¹ - PROPOSED Tax Rate



COUNCIL AGENDA ITEM MEMORANDUM

08/15/13
Item #5(A-E)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Lacy Borgeson, City Secretary

ITEM DESCRIPTION: Approve Minutes:

- (A) July 11, 2013 Special Called and Regular Meeting
- (B) July 18, 2013 Special Called and Regular Meeting
- (C) July 25, 2013 Special Called Meeting
- (D) August 1, 2013 Special Called and Regular Meeting
- (E) August 9, 2013 Special Called Meeting

STAFF RECOMMENDATION: Approve minutes as presented in item description.

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

FISCAL IMPACT: N/A

ATTACHMENTS:

[July 11, 2013 Special Called and Regular Meeting](#)
[July 18, 2013 Special Called and Regular Meeting](#)
[July 25, 2013 Special Called Meeting](#)
[August 1, 2013 Special Called and Regular Meeting](#)
[August 9, 2013 Special Called Meeting](#)

TEMPLE CITY COUNCIL

JULY 11, 2013

The City Council of the City of Temple, Texas conducted a Special Meeting on Thursday, July 11, 2013 at 3:30 PM, at the Municipal Building, 2 North Main Street, in the 3rd Floor Conference Room.

Present:

Councilmember Perry Cloud
Councilmember Timothy Davis
Councilmember Russell Schneider
Mayor Pro Tem Judy Morales
Mayor Daniel A. Dunn

1. Discuss, as may be needed, Regular Meeting agenda items for the meeting posted for Thursday, July 11, 2013.

Consent Agenda Item #4(F) Habitat for Humanity project - Mayor Pro Tem Morales requested that this item be pulled for presentation purposes at the Regular Meeting.

Regular Agenda Item #6, P-FY-13-29 Final Plat of the Groves at Lakewood Ranch Phase I - Mr. Blackburn noted that Staff believes the Drainage Criteria has been met.

Mayor Jones stated that the Council will hear item 3 at this time.

2. Discuss the proposed FY 2013-2014 budget and related issue, to include the various strategic and budget related policy issues to include, but not limited to, receiving an overview briefing of the FY2014 Preliminary Budget.

Mr. Blackburn, City Manager gave a brief presentation to the Council. He reviewed the Budget Calendar, 'Fence Posts' and Strategic Plan, Funds Overview, and Budget Highlights. Mr. Blackburn noted his 'fence posts' for FY 2014 are similar to years past, maintain fiscal soundness; maintain tax rate; improve core services; focus on people; and to align strategic, financial and tactical plans. He then reviewed the Combined Statement of sources and use of funds. The overall revenues are projected to increase 2.80% from FY 13 and the overall expenses are projected to increase 2.53% from FY 13. The FY 14 budget includes use of unreserved fund balance for the following: capital in the amount of \$1,400,000; TEDC Matrix \$1,825,000; and Strategic Investment Zone \$100,000.

Next Mr. Blackburn discussed a few selected budget highlights and issues.

First, he mentioned the issue of Police Services. Two primary areas of services are Patrol and Criminal Investigation Division. This has been a multi-year plan underway since 2011 to increase staffing. In FY 2011 one officer (SRO) was added; FY 2012 two traffic officers were added and in FY 2013 two detectives were added. The FY 2014 proposes adding two more patrol positions. It is anticipated there will be a few more years of incremental additions to help obtain the optimum staffing levels.

Next he discussed serving our community and our Parks. The FY 2014 Budget proposes \$3,330,047 in overall Park spending. Of that \$579,579 is allocated for capital improvement projects, repair and maintenance.

Curbside Recycling program was discussed next. The FY 2014 Budget includes implementation of the city-wide curbside recycling program approved by the Council in May 2013. Additional recycling containers are needed to implement the program and will be funded with Limited Tax Notes and paid for via a .40 cent increase on our solid waste rates. January is the target date for city-wide implementation.

Next Mr. Blackburn talked about the Alternative Fuels Initiative (CNG). In FY 13, the City Council authorized a natural gas alternative fuel program to include the construction of the facility, and the purchase of 14 CNG garbage trucks. The station and the trucks will be financed with Limited Tax Notes; and the payback for note will be fuel savings from the CNG and sanitation system revenue.

Next is the East Temple Redevelopment Initiative. The FY 14 Budget proposes funding for East Temple Redevelopment initiative to include the funding for participation in a public/ private partnership 'greenfield' housing development (\$400,000 reallocated from Water/Sewer Extension Fund and \$100,000 from TCIP). The intention is that this allocation will be done again in the FY 2015 Budget, aggregating at a total of \$1,000,000 for a yet-to-be defined 'greenfield' project, process, and partnership. Mr. Blackburn noted this investment is contingent upon a successful process, project and partnership being identified and approved by the City Council. The FY 14 Budget also proposes funding for an additional code enforcement officer position, combined with more proactive strategy, education and community outreach. The proposed budget continues to fund existing programs such as home down payment assistance program; 'Tree for Me' program; Neighborhood Clean-Up program; and the CDBG infrastructure and demolition program.

Mr. Blackburn then discussed one of the more important assets - The People of the organization. He noted there are 10 new positions recommended in the FY 2014 budget; along with compensation and benefits for the employees; and fully funded health insurance.

He then discussed the Transportation CIP. This is the 2nd year of the multi-

year plan. The project areas identified in the TCIP are intended to improve existing infrastructure; and to provide new capacity and connectivity.

Next he mentioned the Water/ Sewer infrastructure. More than 1/2 of our utilities in the ground are more than 1/2 a century old. The City has also experienced significant growth over the past decade of about 20%. Both of these factors necessitate an ambitious and much needed Water/Sewer CIP. The Water/ Sewer recommendations for FY 2014 are to continue with needed improvements to the system; propose \$16,285,000 to continue the Water/ Sewer Capital Program; and no rate changes are proposed for water, sewer, or drainage utilities in FY 2014.

Mr. Blackburn stated there is no change in the property tax rate for FY 2014 it is proposed to stay at 58.64 cents. He then noted the dates remaining on the budget calendar. The East Side Redevelopment Initiative will be discussed on July 18th at the request of Mayor Pro Tem Morales.

3. Received a City Council continuing education briefing on Platting.

Mr. Graham, City Attorney provided the Council with an overview of Platting. He reviewed the definitions, benefits of platting and when a plat is required. He noted that plats require approval by the "municipality authority", which for the city is the Planning and Zoning Commission. The Council hears the plats when exceptions are being requested by the developer. Mr. Graham also reviewed the exemptions from platting process, such as a division of land into lots all of which are five acres or more in the City limits and 10 acres or more in the ETJ, where each lot has public street access and no public improvement is being dedicated.

Ms. Zendt, then discussed the process and the different types of plats (preliminary, final, replat without vacation, minor or amending plat, and vacating plat). She also noted that a plat may not be recorded unless it is: approved by the appropriate authority; accompanied by a tax certificate; and is acknowledged by the owner.

The City Council of the City of Temple, Texas conducted a Regular Meeting on Thursday, July 11, 2013 at 5:00 PM in the Council Chambers, Municipal Building, 2nd Floor, 2 North Main Street.

Present:

Councilmember Perry Cloud
Councilmember Tim Davis
Councilmember Russell Schneider
Mayor Pro Tem Judy Morales
Mayor Daniel A. Dunn

I. CALL TO ORDER

1. Invocation

Pastor Pat Dietrich with First Lutheran Church of Temple voiced the Invocation.

2. Pledge of Allegiance

The Centex Titans led the Pledge of Allegiance.

II. PUBLIC APPEARANCES**3. Receive presentation from Centex Titans and Coach Joshua Martinez, thanking the City of Temple for their continued support.**

Coach Joshua Martinez along with members of the Centex Titans presented Mayor Daniel A. Dunn, Police Chief Gary Smith, and Fire Chief Lonzo Wallace with a team helmet.

III. PUBLIC COMMENTS

Steve Church with Habitat for Humanity signed up to speak; but deferred at this time and would speak later.

IV. CONSENT AGENDA**4. Consider adopting a resolution approving the Consent Agenda items and the appropriate resolutions for each of the following:****(A) June 20, 2013 Special Called and Regular Meeting**

(B) 2013-6982-R: Consider adopting a resolution authorizing a contract renewal with the Temple Towman's Association to provide wrecker services.

(C) 2013-6983-R: Consider adopting a resolution authorizing an Interlocal Agreement with the Belton Independent School District to add one School Resource Officer to the Temple Police Department.

(D) 2013-6984-R: Consider adopting a resolution authorizing a 3-year rental/lease agreement, utilizing a BuyBoard contract, with G&K Services of Coppell for the rental/lease of non-civil service uniforms and floor mats in the estimated annual amount of \$59,000.

(E) 2013-6985-R: Consider adopting a resolution authorizing a cost sharing agreement with Kiella Homebuilders for private participation in the extension of the next phase of Westfield Boulevard from Stonehollow to Prairie View Road.

(F) 2013-6986-R: Consider adopting a resolution supporting Habitat for Humanity in its application for grant funding through the Texas State Affordable Housing Corporation and authorizing city matching funds in the amount of \$10,000 for development and implementation of an external home repair and accessibility program.

(G) 2013-6987-R: Consider adopting a resolution authorizing the City Manager to enter into a Gateway Monument Agreement in the amount of \$190,000 and an Advance Funding Agreement in the amount of \$70,665 with the Texas Department of Transportation to permit enhancement of transportation facilities in conjunction with the Interstate 35 reconstruction project.

(H) 2013-4596: SECOND READING - Z-FY-13-20: Consider adopting an ordinance authorizing a zoning change from Agricultural District (AG) to General Retail District (GR) on 1.00 ± acres, being a portion of the Daniel Meador Survey, Abstract No. 577, situated in the City of Temple, Bell County, Texas, located at 8744 Airport Road.

(I) 2013-4597: SECOND READING - Z-FY-13-21: Consider adopting an ordinance authorizing a zoning change from Agricultural District (AG) to General Retail District (GR) on 1.296 ± acres, being a portion of the Nancy Chance Survey, Abstract 5, Bell County, Texas, located on the west side of Old Waco Road, south of West Adams Avenue.

(J) 2013-6988-R: Consider adopting a resolution setting the date, time and place of public hearings on the proposed FY 2013-2014 budget for August 1, 2013, and August 29, 2013, at 5:00 p.m. in the City Council Chambers.

(K) 2013-6989-R: Consider adopting a resolution authorizing budget amendments for fiscal year 2012-2013.

Motion by Councilmember Perry Cloud adopt Resolution approving Consent Agenda, with exception of item 4(F). seconded by Mayor Pro Tem Judy Morales.

Motion passed unanimously.

(F) 2013-6986-R: Consider adopting a resolution supporting Habitat for Humanity in its application for grant funding through the Texas State Affordable Housing Corporation and authorizing city matching funds in the amount of \$10,000 for development and implementation of an external home repair and accessibility program.

Ms. Williams provided a brief presentation to the Council. The focus of the is grant is home repairs; and the source of funding is Texas State Affordable Housing Corporation (maximum \$50,000 grant). Habitat for Humanity will provide program oversight, oversee required sweat equity, and administer the loan program if allowed.

Mr. Steve Church with Habitat for Humanity thanked the City Council and Staff for their efforts in this program.

Motion by Mayor Pro Tem Judy Morales adopt resolution. seconded by Councilmember Tim Davis.

Motion passed unanimously.

V. REGULAR AGENDA

ORDINANCES

- 5. 2013-4598: FIRST READING - PUBLIC HEARING - Z-FY-13-22: Consider adopting an ordinance authorizing a zoning change from Commercial District (C) to Planned Development -Commercial (PD-C) on 29.659± acres of land out of the Uri Holbrook Survey, Abstract No. 1009, City of Temple, Bell County, Texas, being a portion of that 99.39 acre tract of land conveyed by deed and recorded in Volume 1858, Page 292, of the Deed Records of Bell County, Texas, located at the southeast corner of North General Bruce Drive and NE H K Dodgen Loop.**

Beverly Zendt, Interim Planning Director, presented this case to Council. The applicant for this case is Arch Aplin III, on behalf of Frank Mayborn Enterprises Inc. This is for the proposed 60,000 square foot Buc-ee's Travel Center. They are proposing 829 parking spaces and 88 fueling locations on this site. Ms. Zendt reviewed the proposed landscaping as well as building materials and architecture. She also noted there would be an additional 5-foot offsets provided at the front entrance. Next, Ms. Zendt reviewed screening/ buffering and signage for the property. The applicant is proposing a 100' pole sign which is consistent with corporate standards; and enclosed trash compactor of which will

match the building colors. The City's Comprehensive Plan deems this property suburban commercial and is appropriate for retail and services adjacent to the residential neighborhoods and in other areas where the community's image and aesthetic value is to be promoted. Ms. Zendt stated the Development Plan documents shall determine the applicable development standards for this site. Per the UDC Section 3.4.3, in approving a Planned Development and the related development plans, a standard may not be modified unless the UDC expressly permits such modification. She added that water and sewer is being extended to serve this site as well as other sites. There was one notice mailed to the surrounding properties; with one returned in favor.

At its June 17, 2013 meeting, the Planning and Zoning Commission voted 9/0 to recommend approval of the proposed rezoning. Staff also recommends approval as presented.

Mayor Dunn declared the Public Hearing open with regards to Agenda Item 5 and asked if anyone wished to address this item. There being none, Mayor Dunn declared the Public Hearing closed.

Motion by Councilmember Russell Schneider adopt Ordinance, with second and final reading set for July 18, 2013. seconded by Councilmember Perry Cloud.

Motion passed unanimously.

RESOLUTIONS

6. **2013-6990-R: P-FY-13-29: Consider adopting a resolution authorizing a Final Plat of The Groves At Lakewood Ranch Phase I, a + 43.560 acre, 63 lot, 7 block residential subdivision, with a developer requested exception to Section 8.3.1A of the Unified Development Code related to the payment of required park fees, being out of the John J. Simmons Survey, Abstract 737, Bell County, Texas located on the north side of West Adams Road (FM 2305), west of Starlight Drive and East of St. Andrews Place.**

Mark Baker, Planner, presented this case to Council. The applicant for this plat is Kiella Land Development. DRC heard this case on May 30, 2013, and deemed it administratively complete. This plat proposes 57 single-family residential lots, 5-non residential lots and a 12.9 acres of multi-family development. It is also proposed to have one collector street

(Clinite Grove Boulevard) and five local streets (Bryson Drive, Findley Drive, Windy Pointe Drive, Raven Drive, and Keller Road). Mr. Baker stated water will be provided through a 14" line on the south along FM 2305; and wastewater will be provided through a 12" line on the south along FM 2305. He also added that per the UDC, the applicant is required to submit a preliminary plat for all development project where the subdivision constitutes a unit of larger tract or group of tracts that is 100 acres or larger under common ownership; and projects where the subdivision is planned for multiple phases. The applicant is requesting an exception to how the park fees are paid.

Staff recommends approval of the requested exceptions relating to park fees subject to the following conditions - that all park improvements in the value of \$12,835 be made prior to submission of an application for building permit for the single-family portion of the plat; and that a letter be provided to the developer prior to the submission for a building permit for the single-family portion of the plat including what the park fees were used for within the existing Lakewood Ranch Park and documentation demonstrating the value of completed improvements is equal or greater than the required park fees of \$12,835.

At its June 3, 2013, meeting of the Planning and Zoning Commission this case was heard and approved as recommended by Staff 5/0.

Motion by Mayor Pro Tem Judy Morales adopt Resolution. seconded by Councilmember Perry Cloud.

Motion passed unanimously.

Daniel A. Dunn, Mayor

ATTEST:

Lacy Borgeson
City Secretary

TEMPLE CITY COUNCIL

JULY 18, 2013

The City Council of the City of Temple, Texas conducted a Special Meeting on Thursday, July 18, 2013, at 3:00 PM, at the Municipal Building, 2 North Main Street, in the 3rd Floor Conference Room.

Present:

Councilmember Perry Cloud
Councilmember Timothy Davis
Mayor Pro em Judy Morales
Mayor Daniel A. Dunn

Absent:

Councilmember Russell Schneider

- 1. Discuss, as may be needed, Regular Meeting agenda items for the meeting posted for Thursday, July 18, 2013.**

Mayor Pro Tem Morales noted that she would abstain from Item 3 - public hearing on CDBG Annual Action Plan and Item 6(D) - lease agreement with HELP Center.

Councilmember Cloud stated he would abstain from Item #7 - Zoning request Z-FY-12-50.

Traci Barnard reviewed the two bond items on Regular Agenda (#4 & #5).

At this time Mayor Dunn stated the Council would take item 3 on the work shop agenda.

- 2. Received a City Council continuing education briefing on Texas Open Meetings Act.**

Mr. Graham, City Attorney provided this educational briefing to the Council. He covered the purpose; agenda preparation and posting; what happens between and during meetings; and penalties associated with the act. This act which was adopted by the Legislature in 1967, requires meetings of governmental bodies to be open to the public; and requires advanced notice of the meeting.

- 3. Discuss the proposed FY 2013-2014 budget and related issue, to include the various strategic and budget related policy issues to include, but not limited to a briefing of the East Temple**

Redevelopment initiative.

Mr. Blackburn provided a brief overview of the FY 14 Preliminary Budget to include the calendar; Certified Tax Rolls; and East Temple Redevelopment. She also noted that the total new taxable value for 2013 is \$90,678,141

Ms. Barnard noted the Certified Tax Roll was received by Bell County. The City's tax evaluation was \$3.5 million; 6.12% higher than prior year.

Mr. Blackburn noted that there are three basic options as to how the Council can proceed - (1) lower the tax rate to the number necessary to support the filed preliminary budget; (2) maintain the tax rate and allocate the additional funds; and (3) set a tax rate somewhere between Option 1 and Option 2 and allocate the additional funds. Mr. Blackburn reviewed a few projects such as Parks, Police, Code Enforcement, City Wide Curbside Recycling, and East Temple Redevelopment.

Mayor Dunn suggested that the Council take some time to digest the information provided and meet back on July 25, 2013 at 3:00 p.m. to discuss.

Mayor Pro Tem Morales provided an overview of the East Temple Development & Revitalization Plan. She mentioned the components of the programs to include the Home Repair and Clean-up; Boarded/ Dilapidated House Rehabilitation; New Housing Developments; Greenfield; and Workforce Training. Mayor Pro Tem Morales stated we want to bring back the ownership and pride in the community.

There were many present from the community to include Tanya Gray, KTB Executive Director; Troy Glasson, TABA; Victor Tamez, Builder; Elaine McCoy, Citizens for Progress. All of which support this initiative in East Temple.

Mayor Dunn stated that at this time approximately 4:39 p.m., the City Council would enter into executive session with no action anticipated.

Mayor Dunn thanked Mayor Pro Tem Morales for the efforts to bring this forward. He noted he'd like to see the success of the program before allocating more dollars than what has already been allocated in the FY 14 preliminary budget.

Councilmember Davis commented on the initiatives and stated this is an opportunity for District 1 as well, as there are a few areas that need attention.

Councilmember Cloud also stated this is a positive program. The success of this program will be from the collaboration between the community and the city - as it is a TEAM effort.

4. **Discuss purchase of property near the City of Temple landfill.**
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.

The City Council of the City of Temple, Texas conducted a Regular Meeting on Thursday, July 18, 2013 at 5:00 PM in the Council Chambers, Municipal Building, 2nd Floor, 2 North Main Street.

Present:

Councilmember Perry Cloud
Councilmember Tim Davis
Mayor Pro Tem Judy Morales
Mayor Daniel A. Dunn

Absent:

Councilmember Russell Schneider

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

Beverly Zendt, Interim Planning Director, led the Pledge of Allegiance.

II. PUBLIC COMMENTS

Mr. Dale Massie, 3620 Valley Mist Crt, of Temple addressed the Council with his concerns related to agenda item 7, zoning case Z-FY-12-50 on FM 93 located along the west of Dubose Road. As new development occurs the rural character is lost; and traffic will increase. Mr. Massie also expressed his concerns with the drainage.

Mr. Roney Castor, stated he'd would defer at this time.

Mr. R.S. Gates, 467 Valley Drive, of Moody expressed his concerns to the Council in regards to the Obligation of debt with the Bond items on the agenda (item 4 & 5).

Mr. CJ Grisham, 4365 Airport Trail, of Temple read an article discussing the purpose of government.

Emily Grisham, 4365 Airport Trail, of Temple expressed her concerns with the abuse of authority in the City of Temple.

Victoria Montgomery, 1622 Oak Chase Trail, of Temple expressed her concerns with abuse of authority in the City of Temple and asked the City to repeal unnecessary ordinances and policies.

Jeremy Witt, 1622 Oak Chase Trail, of Temple expressed his concerns with the abuse of authority in the City.

Deyette Pauer, 3790 Forrester Road, of Temple stated she would defer her comments until the public hearing was open in regards to the rezoning case Z-FY-12-50 (item 7).

Mr. Ron Gates, 3450 Forrester Road, of Temple also deferred his comments until the public hearing was opened for item 7, Z-FY-12-50.

Mr. Bill Jones, 5227 W. Adams Avenue, of Temple addressed the Council on a budget related issue related to transportation and asked for continued support and funding of the High Speed Rail.

III. PUBLIC HEARINGS

3. 2013-6991-R: PUBLIC HEARING - Conduct a final public hearing and consider adopting a resolution approving the Community Development Block Grant 2013-2014 Annual Action Plan and Budget, including the funding recommendations for public service agencies from the Community Services Advisory Board.

Brynn Myers, Director of Administrative Services, presented this item to Council. She gave a brief overview of the plan and noted that The City of Temple will receive \$408,865 for its 2013-2014 CDBG allocation (FY14). She also stated that the 2013 allocation is a 5.4% increase in funding from 2012; but the 2012 and 2011 allocations were reduced by a combined total of 30.9% for a total three estimated reduction of 25.5%. The City plans to reallocated \$217,954 through the 2013-2014 Action Plan for a total of \$626,819 to be allocated. Ms. Myers stated there were two public hearings, March 3rd and March 9th, where comments were received. The general comments expressed were the desire to 'stay the course' with the 1st Street Sidewalk project and investigate future opportunities for a similar project; to continue support for Public Service Agencies; to review the demolition program; to support the proposed East Temple Redevelopment Plan; and to support the Parks infrastructure improvement project.

Next Mr. Myers reviewed the proposed allocations to be, \$427,819 for infrastructure; \$57,000 for Public Services; \$85,000 for Demolition; and \$57,000 for Administration. She then noted the Community Services Advisory Board's recommendations for PSA allocations to be, Bell County Human Services (HELP Center) \$10,000 for Child Care and \$5,000 for Education/ Workforce Preparation; Families in Crisis \$17,000; Family Promise \$15,000; and Hill Country Community Action Association \$10,000.

As for infrastructure, the plan proposes \$200,000 for the First Street Sidewalk Project and \$227,819 for MLK Jr. Park Project located along MLK Jr. Boulevard and Avenue C for design and installation of landscaping, trail, and pavilion.

Mayor Pro Tem Morales provided an Affidavit to Abstain for this item prior to the meeting; however, she did asked for clarification on the MLK Park design and if changes would be allowed.

Mayor Dunn declared the Public Hearing open with regard to Agenda Item 3 and asked if anyone wished to address this item. There being none, Mayor Dunn declared the Public Hearing closed.

Motion by Councilmember Perry Cloud adopt Resolution. seconded by Councilmember Tim Davis.

Mayor Pro Tem Morales abstained; while all other voted for approval.

Mayor Pro Tem Judy Morales abstained. The other Councilmembers voted aye. The motion passed.

IV. BOND ITEMS

- 4. 2013-4599: FIRST & FINAL READING - PUBLIC HEARING: Consider adopting an ordinance authorizing the issuance of \$5,710,000* City of Temple, Texas Limited Tax Notes, Series 2013; authorizing the levy of an ad valorem tax in support of the notes; approving a paying agent/registrar agreement and an official statement; awarding the sale of the notes; and authorizing other matters related to the issuance of the notes.**
- 5. 2013-4600: FIRST & FINAL READING - PUBLIC HEARING: Consider adopting an ordinance authorizing the issuance of \$25,260,000 City of Temple, Texas Combination Tax and Revenue Certificates of Obligation, Series 2013; authorizing the levy of an ad valorem tax and the pledge of certain revenues in support of the certificates; approving an official**

statement and a paying agent/registrar agreement; awarding the sale of certificates; and authorizing other matters related to the issuance of the certificates.

At this time Mayor Dunn read both items 4 and 5 into the record. Traci Barnard, Director of Finance, presented this item to Council. She stated the Combination Tax and Revenue Certificates of Obligation is not exceed par amount of \$25,260,000. The source of payback will be the RZ#1 Tax Increment; with a 20 year term. The delivery date is August 8, 2013.

Ms. Barnard reviewed the Limited Tax Notes issuing an estimated \$5,710,000. The source of payback is identified as sanitation system revenue and fuel savings; term of 7 years and delivery date of August 8, 2013.

Ms. Jennifer Douglas, Financial Advisor with Specialized Public Finance, Inc. gave a breif overview of the bond ratings. She stated the City of Temple was assigned a 'AA' rating by Standard & Poor's Rating Services. Ms. Douglas noted the Limited Tax Notes was awarded to the low bidder, Robert W. Baird & Co., Inc. with true interest cost of 1.759425% as well as the Combination Tax Revenue Certificates of Obligation at a true interest cost of 3.768848%.

Jana Edwards, Bond Counsel with McCall, Parkhurst & Horton L.L.P. reviewed the specific details of the two bonds and was available for questions.

Mayor Dunn declared the Public Hearing open with regard to Agenda Item 4 and asked if anyone wished to address this item.

Mr. CJ Grisham, 4365 Airport Trail, addressed the Council. He asked if the City's taxes were going up due to the issuance of these bonds.

Mr. Barnard stated no; but the waste collections fees were increasing by .40 cents per month.

Mr. Grisham stated he did not support this.

There being no further comments, Mayor Dunn declared the Public Hearing closed.

Motion by Mayor Pro Tem Judy Morales adopt Ordinance on first and final reading; both item 4 and 5. seconded by Councilmember Tim Davis.

Motion passed unanimously.

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

(A) 2013-6992-R: Consider adopting a resolution authorizing an agreement with the Central Texas Housing Consortium to store a Network Digital Video Recorder in the Temple Police Department.

(B) 2013-6993-R: Consider adopting a resolution authorizing the renewal of a Cooperative Working Agreement with Bell County for the Bell County Crime Coalition project that is administered by the Bell County Juvenile Probation Department.

(C) 2013-6994-R: Consider adopting a resolution authorizing a renewal lease agreement with William Wilson, for lease of space in the E. Rhodes and Leona B. Carpenter Foundation Building (the Temple Public Library).

(D) 2013-6995-R: Consider adopting a resolution authorizing a renewal lease agreement with the Bell County HELP Center for lease of space in the Public Services Building.

(E) 2013-6996-R: Consider adopting a resolution authorizing a professional services agreement with Kasberg, Patrick, & Associates, LP of Temple for Phase 1 final design of the Leon River Interceptor Project, in an amount not to exceed \$458,850.

(F) 2013-6997-R: Consider adopting a resolution authorizing an amendment to a professional services contract with Kasberg, Patrick & Associates, LP to provide final design for the Loop 363 eastbound frontage road from the Union Pacific Railroad bridge west of Martin Luther King Jr. Drive to west of existing 5th Street in an amount not to exceed \$325,090.

(G) 2013-6998-R: Consider adopting a resolution authorizing a construction contract with Insituform Technologies, LLC of Chesterfield, MO, for construction of Phase 3 of the Bird Creek Interceptor Project in an amount not to exceed \$828,228.50.

(H) 2013-6999-R: Consider adopting a resolution authorizing a construction contract with Highway Intelligent Traffic Solutions of Lancaster for the construction of a traffic signal at FM 93 and South 5th Street in the amount of \$98,057.82.

(I) 2013-7000-R: Consider adopting a resolution authorizing a

construction contract with Highway Intelligent Traffic Solutions of Lancaster for the construction of a traffic signal at Westfield Boulevard and West Adams Avenue in the amount of \$104,264.64.

(J) 2013-7001-R: Consider adopting a resolution authorizing the purchase of 16,536 plastic 96-gallon recycling containers for the Solid Waste Services Division of Public Works from Toter, Inc. of Statesville, NC, utilizing a National IPA cooperative contract, in the amount of \$769,890.16.

(K) 2013-4598: SECOND READING - Z-FY-13-22: Consider adopting an ordinance authorizing a zoning change from Commercial District (C) to Planned Development -Commercial (PD-C) on 29.659± acres of land out of the Uri Holbrook Survey, Abstract No. 1009, City of Temple, Bell County, Texas, being a portion of that 99.39 acre tract of land conveyed by deed and recorded in Volume 1858, Page 292, of the Deed Records of Bell County, Texas, located at the southeast corner of North General Bruce Drive and NE H K Dodgen Loop.

(L) 2013-7002-R: Consider adopting a resolution authorizing budget amendments for fiscal year 2012-2013.

Motion by Councilmember Perry Cloud adopt Resolution, with exception of item 6(D). seconded by Mayor Pro Tem Judy Morales.

Motion passed unanimously.

(D) 2013-6995-R: Consider adopting a resolution authorizing a renewal lease agreement with the Bell County HELP Center for lease of space in the Public Services Building.

Motion by Councilmember Perry Cloud adopt resolution as presented seconded by Councilmember Tim Davis.

Mayor Pro Tem Morales abstained; all others voted in favor.

Motion passed unanimously.

VI. REGULAR AGENDA

ORDINANCES

7. 2013-4601: FIRST READING- PUBLIC HEARING - Z-FY-12-

50: Consider adopting an ordinance authorizing a zoning change from PD Planned Development-Urban Estates District (PD-UE) to Planned Development-Single Family-1 District (PD-SF-1) on 39.3± acres of land, being part of the William Frazier Survey, Abstract #310 located south of FM 93 along the west side of Dubose Road.

Beverly Zendt, Interim Planning Director, presented this case to Council. This case was originally brought forward to the P&Z Commission and the Council in 2012; and was tabled at the request of the applicant on October 4, 2012. At this time the applicant is ready to proceed with the zoning. Ms. Zendt stated the Future Land Use Map designates this area use as suburban residential, which allows for mid-size single family homes. She also reviewed the density and street widths for the approved PD-UE and the proposed PD-SF-1. The PD-UE rural street width is 22ft; while the proposed PD-SF-1 rural collector street width is 28 ft.

Ms. Zendt stated there were nine notices mailed out to the surrounding property owners; and three courtesy notices within the 200' buffer. One was returned in favor, three in opposition, and two courtesy in opposition.

At its meeting on September 17, 2012, the Planning and Zoning Commission voted 5/3 in favor of the proposed change and related exception with the following conditions: that the applicant post "no parking" signs on internal local streets in accordance with city requirements.

Staff recommends approval of the change of zoning from PD-UE to PD-SF-1 to 2F for the following reasons: zoning is compatible with the Future Land Use Map/ Comprehensive Plan; public utilities are available to the site; and the request complies and is compatible with the Future Thoroughfare Map. Staff recommends disapproval of the proposed 28' pavement width requiring the applicant to construct interior streets to local street standards of 31'.

Councilmember Davis inquired as to why the applicant doesn't wish to comply and construct the street widths at 31' as the standard sets out.

Mayor Dunn declared the Public Hearing open with regard to Agenda Item 7 and asked if anyone wished to address this item.

Mr. Jim Howe, the developer's representative was present

and asked Council for favorable consideration. Mr. Howe provided a presentation of the development being proposed. This rezone is for 39 acres out of the 107 for Single-Family (PD-SF-1), restricted to maximum of 94 single family lots; with rural street desing of 28' street width and no parking restrictions. He noted that the front portion of the tract which is commercial is not included in this request. In 2004 Valley Ranch was approved for 107 acres of Mixed Use including 126- 1/2 acre residential lots; 9 commercial lots; and 8- 1/4 acre park. There was collaboration with the City ot bring sewer to the area to serve Valley Ranch, Central Texas Christian School and the neighboring area. Mr. Howe stated there has been some resistance from by buyers due to the large 1/2 acre lots and upkeep for the landscaping. To attempt to bring resolution to this the developer has downsized the lots to 1/3 acre (17,235 average square foot). Among the revisions was traffic. The plan has improved circulation with looping streets (replacing five cul-de-sacs). This will allow for better accessibility; rural street design (28' wide); green space; and reduced ownership cost. Mr. Howe continued stating the the average distance between homes is 40' and there will be a 48' setback from the street.

Ms. Deyette Pauer, 3790 Forrester Road, of Temple addressed the Council. She expressed her concerns with what the developer is proposing as it relates to the increased traffic and the drainage and additional water flow that could be a result of this proposed development. She also provided the Council with a neighborhood petition objecting to the is request. Ms. Pauer stated that when the lots were purhcased in phases 1 & 2, it was believed that the next phase would also be 1/2 acres lots. Ms. Pauer stated she'd like to know what the water drainage plans are. Ms. Pauer inquired on the minimum square footage and if the Council has authority to enforce that as well. She inquired on installing speed humps; and if a city engineer will oversee the drainage and water issues.

Mr. Blackbun stated there are three ways to assess the area for calming devises, they are by petition, council or staff initiated.

Mr. Dunn stated yes, a City Engineer will have to approve the drainage plans for this to move forward.

Mr. Ron Gates, 3450 Forrester Road, of Temple stated he'd like to understand the size of the lots. He does not support this request as presented by the developer.

Mr. Pauer stated that some of the proposed lots will be 1/4

acres.

There being no further comments, Mayor Dunn declared the Public Hearing closed.

Mayor Dunn inquired on whether the drainage requirements have been met by the City. He also commented on the minimum square footage requirements for Single-Family 1. Mayor Dunn also asked if the water and sewer lines are adequate to support the additional density.

Ms. Zendt stated yes, they have been satisfied. Mr. Don Bond, City Engineer, agreed.

Ms. Zendt noted that there are no minimum square footage requirements for a structure, but it can be made as a condition to the Planned Development. Ms. Zendt also noted the water lines are sufficient.

Councilmember Cloud abstained; while all other voted in favor.

Motion by Mayor Pro Tem Judy Morales adopt Ordinance as presented with 28' street widths, with second and final reading set for August 1, 2013. seconded by Councilmember Tim Davis.

Motion passed unanimously.

8. **(A) 2013-4602: FIRST READING - PUBLIC HEARING - Z-FY-13-23: Consider adopting an ordinance authorizing a zoning change from Light Industrial District (LI) to Central Area District (CA) on Lot 1, Block 34, Original Town of Temple, County of Bell, Texas, according to the map or plat recorded in volume 36, page 640 of the real property records of Bell County, Texas, located at 201 South Main Street.**

(B) 2013-4603: FIRST READING - PUBLIC HEARING - Z-FY-13-24: Consider adopting an ordinance authorizing a Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption where sales will be more than 75% of the gross revenue for Vidana's Place, on Lot 1, Block 34, Original Town of Temple, County of Bell, Texas, according to the map or plat recorded in volume 36, page 640 of the real property records of Bell County, Texas, located at 201 South Main Street.

Mark Baker, Planner, presented these cases to Council. He noted the applicant is Francisco Vidana. The City's Comprehensive Plan and Future Land Use Plan identifies this property as Urban Center District, which is the most intensive site development and allows for buildings devoted to office, commercial or service uses. The zoning request for Central Area District (CA) is the predominant zoning district within the downtown core. Ms. Baker reviewed examples of permitted uses and conditional uses in the CA district. He noted public facilities are available with a 6" water line in both South Main Street, West Avenue B, and a 2" water line in the alley; and a 6" sewer line in the alley.

Mr. Baker then discussed the Conditional Use Permit. He noted the applicant is proposing a business where more than 75% of the gross revenue is from the sales of alcoholic beverages with on-premise consumption; of which a CUP is required. This property has been used as a bar/ tavern in the past, no additional traffic or concerns for area overcrowding are anticipated. Mr. Baker stated the applicant must comply with applicable licensing and permit provisions of the Alcoholic Beverage Code within 6 months from the date of the issuance of the CUP. Security lighting and cameras are proposed as well as security personnel at the front entrance. Mr. Baker also noted the site is not located within 300' from a place of worship, elementary or secondary school, public hospital, public park or any residential zoned or developed lot.

Mr. Baker concluded with staff's recommendation for approval of the zoning request from LI to CA; as well as the Conditional Use Permit. At its May 6, 2013, meeting, the Planning and Zoning Commission vote 9/0, to approve both the Zone Change and Conditional Use Permit per staff's recommendation.

Mayor Dunn inquired as to the location and if a CUP had already been issued.

Mr. Baker indicated that staff checked and no CUP had been found.

Mayor Dunn declared the Public Hearing open with regard to Agenda Item 8(A) and 8(B) and asked if anyone wished to address this item. There being none, Mayor Dunn declared the Public Hearing closed.

Motion by Mayor Pro Tem Judy Morales adopt Ordinances as presented , with second and final reading set for August 1, 2013. seconded by Councilmember Perry Cloud.

Motion passed unanimously.

9. **2013-4604: FIRST READING - PUBLIC HEARING - Z-FY-13-25: Consider adopting an ordinance authorizing a zoning change from Office One District (O-1) to General Retail District (GR) on 1.317± acres being a part of Lot 2, Block 1, Joshlin Subdivision, an addition to the City of Temple, Bell County, Texas, located at 6768 West Adams Avenue, west of Holy Trinity Catholic High School and east of Hilliard Road.**

Tammy Lyerly, City Planner, presented this case to Council. She noted the applicant is Nathan Streett for Temple G2K Development. This request is for GR District, which is the standard retail district and allows most retail uses, offices and residential uses, with exceptions to apartments. Ms. Lyerly noted that staff recommends approval; and its June 17, 2013, meeting, Planning and Zoning voted to approve by a vote of 9/0.

Mayor Dunn declared the Public Hearing open with regard to Agenda Item 9 and asked if anyone wished to address this item. There being none, Mayor Dunn declared the Public Hearing closed.

Motion by Councilmember Tim Davis adopt Ordinance as presented , with second and final reading set for August 1, 2013. seconded by Councilmember Perry Cloud.

Motion passed unanimously.

Daniel A. Dunn, Mayor

ATTEST:

Lacy Borgeson
City Secretary

SPECIAL MEETING OF THE TEMPLE CITY COUNCIL

JULY 25, 2013

The City Council of the City of Temple, Texas conducted a Special Meeting on Thursday, July 25, 2013 at 3:00 pm, at the Municipal Building, 2 North Main Street, 3rd Floor, Conference Room.

- 1. Discuss the proposed FY 2013-2014 budget and related issue, to include the various strategic and budget related policy issues to include, but not limited to a discussion on the tax rate and the certified tax roll, and additional revenues and allocation of such revenues.**

Mr. Blackburn, City Manager reviewed the FY 2014 preliminary budget along with the budget calendar; and asked the Council for direction as to how they wish to proceed on the tax rate. He reminded the Council of the Special Meetings scheduled for public hearings, August 9th and 29th.

The Council all indicated they would like both Special Meetings to start at 8:30 am.

Mr. Blackburn noted the tax rolls show a 6% growth which is 3% higher than what is needed to support the preliminary budget for FY 2014. This is a good thing. He then mentioned the three options (1) to lower the tax rate; (2) to maintain the tax rate; and (3) set a tax rate somewhere between options 1 and 2 and allocate the additional funds after a mid-year review of fund balance. Mr. Blackburn stated it is his recommendation to maintain the tax rate and not allocate additional dollars until after a mid-year fund balance assessment.

Councilmember Schneider noted there are many Parks projects that need to be done. If the year end number is better than \$900,000, he'd like to see some of the projects related to parks completed; such as Lion's Park restrooms.

Mr. Blackburn stated our Parks are a valuable asset to our community and we could complete a few on the list. He also noted the top priorities on the park's 'wish list' are Scott and White Park ballfield lights, Lion's Park softball field restrooms; Wilson Park softball and baseball field restrooms. Mr. Blackburn recommended to bring this list back to Council in December 2013 to review.

Councilmember Davis brought forward and issue on Bellaire North related to sewer lines and patch work on failing work.

Mr. Blackburn stated this can be reviewed outside of this process. He then asked council for direction on the tax rate.

All Council indicated they wished to maintain the tax rate and after a mid-year review decide where to allocate the additional funds.

2. Received a City Council continuing education briefing on Texas Open Meetings Act.

Mr. Graham continued his briefing from the July 18, 2013, workshop. Discussion was had about when you have quorum; and when you can have executive sessions/ closed meetings. Mr. Graham mentioned the HB 2414 as it relates to video conferencing; and SB 1297 Electronic Forum. He also discussed the rights of public as it relates to Open Meetings.

Daniel A. Dunn, Mayor

ATTEST:

Lacy Borgeson
City Secretary

TEMPLE CITY COUNCIL

AUGUST 1, 2013

The City Council of the City of Temple, Texas conducted a Special Meeting on Thursday, August 1, 2013 at 3:00 PM, at the Municipal Building, 2 North Main Street, in the 3rd Floor Conference Room.

Present:

Councilmember Perry Cloud
Councilmember Timothy Davis
Councilmember Russell Schneider
Mayor Pro Tem Judy Morales
Mayor Daniel A. Dunn

- 1. Discuss, as may be needed, Regular Meeting agenda items for the meeting posted for Thursday, August 1, 2013.**

Councilmember Cloud stated he would abstain from discussion and vote on item 7 on the regular agenda.

Mr. Blackburn noted that on Item 7 - the applicant requested that the Council consider tabling this item.

- 2. Receive a City Council continuing education briefing on Texas Public Information Act.**

Jonathan Graham, City Attorney gave a brief presentation to the Council. He provided history, and purpose of the Act as well as how to respond to request for information and how the Act affects councilmembers. He also noted that the City Secretary's Office, City Attorney's Office and the Police Department are involved in this process daily. The Act was adopted by Legislature in 1973 and is codified now in the Texas Government Code, Chapter 552. Mr. Graham also provided some exceptions to the act.

- 3. Discuss upcoming appointments to various City boards and commissions.**

Ms. Borgeson, City Secretary provided board appointment information to the Council. Most of the board members whose terms are expiring, are eligible for reappointment. The appointments are scheduled for the August 15th meeting.

The City Council of the City of Temple, Texas conducted a Regular Meeting on Thursday, August 1, 2013 at 5:00 PM in the Council Chambers, Municipal Building, 2nd Floor, 2 North Main Street.

Present:

Councilmember Perry Cloud
Councilmember Tim Davis
Councilmember Russell Schneider
Mayor Pro Tem Judy Morales
Mayor Daniel A. Dunn

I. CALL TO ORDER**1. Invocation**

Father Tom Chamberlain with Our Lady of Guadalupe of Temple voiced the Invocation.

2. Pledge of Allegiance

Michael Sreet with Atmos Energy led the Pledge of Allegiance.

II. PROCLAMATIONS & SPECIAL RECOGNITIONS**3. (A) "Safe Digging Day" August 11, 2013**

Mayor Dunn presented the proclamation to Michael Street and Chad Saylor both of Atmos Energy.

III. PUBLIC COMMENTS

Mr. Jay McDaniel, 7238 Valley Mist Drive, of Temple addressed the Council with his concerns for the requested zoning related to Valley Ranch and how this will affect the property taxes; and would like to have the notices resent.

Mr. CJ Grisham, 4365 Airport Trail of Temple, expressed his concerns related to the Temple Police Department and how they treat the local businesses and the right to carry. Mr. Grisham noted he was going to attend every City Council meeting, and make this a very big issue at the next election, unless the police force is turned into the police force it claims to be on their website; or Chief Smith resigns or is fired.

Ed Luna - 510 W. Hilliard Road, Troy Texas asked the Council to consider recognizing the hispanic heritage in the community by naming renaming a park.

Mr. Bill Cloud signed up, but deferred his comments at this time.

IV. BUDGET ITEMS

4. **(A) PUBLIC HEARING - Receive presentation by the City Manager and conduct a public hearing on the proposed 2013-2014 operating budget.**

(B) 2013-7003-R: Discuss proposed tax rate and consider adopting a resolution scheduling the adoption of the proposed tax rate for August 29, 2013.

David Blackburn, City Manager, presented this item to Council. He noted this is a year-round process for staff; and highlighted the budget calendar, fence posts and funds overview. The General Fund revenues adopted in FY13 was \$57,614,525; while the FY14 Preliminary Budget proposes \$60,684,031. He stated the 5.33% increase in revenues are attributed to sales tax and property tax. As for expenditures the FY13 adopted budget was for \$59,069,645; while the FY14 preliminary proposes \$64,009,031. This 8.36% increase in expenses is attributed to additional positions; civil service compensation plan (April); TEDC Matrix allocation increase; and Capital - Fund Balance increase. Mr. Blackburn also discussed the Water & Sewer Funds - both revenues and expenses; as well as the Unreserved Fund Balance.

Next, Mr. Blackburn discussed the issues of Police Services; Parks; Curbside Recycling Program; Alternative Fuels Initiatives (CNG); and East Temple Redevelopment. He then stated that the City is a service-delivery organization - providing services to our community. Due to this ten(10) new positions are being recommended in the FY 14 Preliminary Budget to include: Fleet Services Shop Foreman; CIP R.O.W. Agent (funded with bonds); Recycling Coordinator; Management Analyst; Building Maintenance Worker; Assistant Golf Professional; PT Office Assistant for RRH Museum; 2 Police Officers; and a Code Enforcement Officer. In addition to adding positions, both compensation and benefits are being addressed in the FY14 Budget to include: Master Peace Officers Incentive Pay; Reclassifications; Holiday Pay for Patrol Unit; Lump-Sum Performance Pay; Fully-Insured Health Insurance Plan; and the Civil Service Compensation Plan.

Next he discussed the Transportation CIP noting that this is the 2nd year of the multi-year plan. The projects identified are intended to improve existing infrastructure and to provide new capacity and connectivity. Also mentioned, was the water and sewer infrastructure. The FY14 budget proposes \$16,285,000 to continue with the water and sewer capital program. No rate changes are proposed in FY14 for water, sewer or drainage utilities. He stated the current tax rate is 58.64 cents and that is

the same rate proposed in the FY 14 budget.

Mr. Blackburn concluded and noted the next meeting related to the budget is on Friday, August 9, 2013 at 8:00 a.m. for the tax rate public hearing.

Mayor Dunn declared the Public Hearing open with regard to Agenda Item 4 and asked if anyone wished to address this item. There being none, Mayor Dunn declared the Public Hearing closed.

Motion by Councilmember Perry Cloud adopt Resolution setting the proposed tax rate of \$0.5864 per \$100 in value and scheduling the adoption of the proposed tax rate for the August 29, 2013 Special City Council Meeting. seconded by Mayor Pro Tem Judy Morales.

Motion passed unanimously.

Motion by Councilmember Russell Schneider to adopt Resolution setting the public hearings on the proposed tax rate of \$0.5864 per \$100 in value for 8:00 a.m. August 9, 2013 Special City Council Meeting and 5:00 p.m. August 15, 2013 Regular City Council Meeting. seconded by Councilmember Tim Davis.

Motion passed unanimously.

V. CONSENT AGENDA

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

(A) 2013-7004-R: Consider adopting a resolution ratifying a contract with Alsay, Inc. out of Houston for the emergency purchase of two replacement pumps at the Conventional Raw Water Plant in the amount of \$27,730.

(B) 2013-7005-R: Consider adopting a resolution ratifying the execution of an engagement letter with Lloyd Gosselink Rochelle & Townsend, P.C. for outside legal representation related to the City's accounting, management and oversight of the City's surface water supplies.

(C) 2013-4601: SECOND READING - Z-FY-12-50: Consider adopting an ordinance authorizing a zoning change from PD Planned Development-Urban Estates District (PD-UE) to Planned Development-Single Family-1 District (PD-SF-1) on 39.3± acres of

land, being part of the William Frazier Survey, Abstract #310 located south of FM 93 along the west side of Dubose Road.

(D) 1. 2013-4602: SECOND READING - Z-FY-13-23: Consider adopting an ordinance authorizing a zoning change from Light Industrial District (LI) to Central Area District (CA) on Lot 1, Block 34, Original Town of Temple, County of Bell, Texas, according to the map or plat recorded in volume 36, page 640 of the real property records of Bell County, Texas, located at 201 South Main Street.

2. 2013-4603: SECOND READING - Z-FY-13-24: Consider adopting an ordinance authorizing a Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption where sales will be more than 75% of the gross revenue for Vidana's Place, on Lot 1, Block 34, Original Town of Temple, County of Bell, Texas, according to the map or plat recorded in volume 36, page 640 of the real property records of Bell County, Texas, located at 201 South Main Street.

(E) 2013-4604: SECOND READING - Z-FY-13-25: Consider adopting an ordinance authorizing a zoning change from Office One District (O-1) to General Retail District (GR) on 1.317± acres being a part of Lot 2, Block 1, Joshlin Subdivision, an addition to the City of Temple, Bell County, Texas, located at 6768 West Adams Avenue, west of Holy Trinity Catholic High School and east of Hilliard Road.

(F) 2013-7006-R: A-FY-13-16: Consider adopting a resolution authorizing the release of an existing 20' sanitary sewer easement being approximately 3,400' in length, located within the main campus of Scott and White Memorial Hospital starting at South 31st Street and ending at a point north of the Oakbrook Apartments, approximately 604 feet east of South 13th Street.

(G) 2013-7007-R: Consider adopting a resolution authorizing budget amendments for fiscal year 2012-2013.

Motion by Mayor Pro Tem Judy Morales adopt Resolution approving Consent Agenda, with exception of item 5(C). seconded by Councilmember Russell Schneider.

Motion passed unanimously.

(C) 2013-4601: SECOND READING - Z-FY-12-50: Consider

adopting an ordinance authorizing a zoning change from PD Planned Development-Urban Estates District (PD-UE) to Planned Development-Single Family-1 District (PD-SF-1) on 39.3± acres of land, being part of the William Frazier Survey, Abstract #310 located south of FM 93 along the west side of Dubose Road.

Mayor Dunn stated this item was pulled for voting purposes only, no presentation necessary.

Councillmember Cloud abstained, while all others voted aye.

Motion by Councillmember Russell Schneider adopt resolution , be Approve, seconded by Mayor Pro Tem Judy Morales.

Councillmember Perry Cloud abstained. The other Councillmembers voted aye. The motion passed.

VI. REGULAR AGENDA

ORDINANCES

- 6. 2013-4605: FIRST READING - PUBLIC HEARING: Consider adopting an ordinance establishing school crosswalks and setting speed limits within school zones to conform to school schedules.**

Nicole Torralva, Director of Public Works, presented this item to Council. She noted this process is done every summer, prior to the next school year. The first change is related to TISD, at Jefferson Elementary School. The old school zone boundary is proposed to be adjusted south of Industrial Boulevard. The speed limit will be adjusted from 40 MPH to 25 MPH from 6:30 a.m. to 8:30 a.m. and from 2:45 p.m. to 4:30 p.m. on school days. The second part to this ordinance, is for the Belton Independent School District, High Pointe Elementary, which is scheduled to open in August 2013. There are two school zones related to this campus; (1) Starlight Drive just north of Orion to the southern portion of the campus for 30 MPH to 20 MPH during the school days; and (2) the north portion of the campus along FM 2483 from 60 MPH to 35 MPH. Both zones will be from 6:45 a.m. to 8:15 a.m. and from 2:30 p.m. to 4:15 p.m. on school days.

Mayor Dunn inquired on whether or not these new zones would have appropriate markings.

Ms. Torralva noted the zones would be in compliance with the

MUDTZ.

Mayor Dunn declared the Public Hearing open with regard to Agenda Item 6 and asked if anyone wished to address this item. There being none, Mayor Dunn declared the Public Hearing closed.

Motion by Councilmember Tim Davis adopt ordinance, with second and final reading set for August 15, 2013. seconded by Councilmember Perry Cloud.

Motion passed unanimously.

RESOLUTIONS

7. **2013-7008-R: P-FY-12-31: Consider adopting a resolution authorizing the revised Preliminary Plat of Valley Ranch Addition, a 39.3 ± acre, 94-lot residential subdivision with a requested exception to Unified Development Code Section 8.2.1., allowing the use of Local Rural Streets with 50-foot wide rights-of-way and 28-foot wide streets (back of curb to back of curb), located at the southwest corner of FM 93 and Dubose Road.**

Mr. Blackburn indicated that the applicant requested this item be tabled for further discussions with his engineering staff, City staff, and a 3rd party engineer; and be placed on the August 15th meeting agenda. No presentation required or necessary at this time.

Councilmember Cloud abstained, while all others vote aye.

Motion by Councilmember Russell Schneider resolution. , be Table, seconded by Councilmember Tim Davis.

Councilmember Perry Cloud abstained. The other Councilmembers voted aye. The motion passed.

Daniel A. Dunn, Mayor

ATTEST:

Lacy Borgeson
City Secretary

SPECIAL MEETING OF THE TEMPLE CITY COUNCIL

AUGUST 9, 2013

The City Council of the City of Temple, Texas conducted a Special Called Meeting on Friday, August 9, 2013, at 8:00AM, 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

2. Pledge of Allegiance

Councilmember Tim Davis led the Pledge of Allegiance.

1. Invocation

Councilmember Russell Schneider voiced the Invocation.

II. BUDGET ITEMS

3. PUBLIC HEARING - Conduct the first of two public hearings to receive comments on the proposed tax rate of 58.64 cents per \$100 valuation for fiscal year 2014 (2013 tax year), and announce meeting to adopt the proposed tax rate on August 29, 2013.

David Blackburn, City Manager, presented this item to Council. He mentioned the scheduled meetings related to the budget adoption. He also mentioned the proposed tax rate is 58.64 cents per \$100 valuation; and that this is the same as FY2013.

Mayor Dunn declared the Public Hearing open with regard to Agenda Item 3 and asked if anyone wished to address this item. There being none, Mayor Dunn declared the Public Hearing closed.

Mayor Dunn stated the second public hearing on the proposed tax rate is scheduled for the regular City Council Meeting Thursday, August 15th, at 5:00 pm, and the meeting to adopt the proposed tax rate is set for the Special Called City Council Meeting on Thursday, August 29, 2013, at 8:30 a.m. in the City Council Chambers.

Daniel A. Dunn, Mayor

ATTEST:

Lacy Borgeson
City Secretary



COUNCIL AGENDA ITEM MEMORANDUM

08/15/13
Item #5(F)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Nicole Torralva, P.E., Public Works Director
Don Bond, P.E., CFM, City Engineer

ITEM DESCRIPTION: Consider adopting a resolution authorizing a construction contract with Matous Construction, Ltd. of Belton for construction services required for improvements to the Williamson Creek Lift Station, to include installation of a pump, motor, valves, piping and related lift station appurtenances in the amount of \$457,839.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The Williamson Creek Lift Station is a critical element in the wastewater collection system currently serving northeast Temple. The lift station, located near the intersection of East Adams Avenue and NE HK Dodgen Loop, is the primary station conveying wastewater to the Doshier Wastewater Treatment Plant through operations of three primary pumps. One pump and motor have been out of service for some time, and are now in need of a replacement. In addition, valves, piping and electrical items will also be addressed for adequate system operations.

On June 28, 2013, one bid was received for the project. The base bid in the amount of \$340,689 addressed primary lift station components, with supplemental and add alternate bids items totaling \$117,150, also received for related work. Upon detailed bid evaluation review, and subsequent discussion with both the engineer and the contractor, award of this contract to Matous Construction, Ltd, is recommended. Matous Construction has performed a wide range of contracting services for the City in the past, and is qualified to perform the work. Construction time allotted for this project is 210 calendar days from the authorization of the notice to proceed.

FISCAL IMPACT: Funds were initially allocated to this project in May 2013 in the amount of \$350,000, account #561-5400-535-6905, project #100799. A budget adjustment is presented for Council's approval appropriating additional funding from Capital Special Projects/Contingency, account #561-5000-535-6532, in the amount of \$108,054 to account #561-5400-535-6905, project #100990, to fund this construction contract.

ATTACHMENTS:

Engineer's Letter of Recommendation

Bid Tabulation

Project Map

Budget Adjustment

Resolution



S. D. KALLMAN, L.P.
Engineers and Environmental Consultants
TBPE Firm Registration No. F-516

July 30, 2013

Ms. Nicole Torralva, P.E.
Director of Public Works
City of Temple, Texas
3210 East Avenue H, Building A
Temple, Texas 76501

**RE: CITY OF TEMPLE – WILLIAMSON CREEK WASTEWATER LIFT STATION
IMPROVEMENTS - 2012
RECOMMENDATION OF AWARD**

Dear Ms. Torralva:

On Friday, June 28, 2013 at 2:00 p.m., the City opened bids on the referenced project, and received one bid from a very reputable Contractor. The bid received from Matous Construction, Ltd. In Belton, Texas for the Williamson Creek Wastewater Lift Station Improvements - 2012 with final completion within two hundred ten (210) calendar days is summarized as follows:

ITEM	DESCRIPTION	AMOUNT
Base Bid	Replace 2,800 GPM 100 HP Non-Clog Sewage Pump and Associated Piping, Valves and Fittings	\$340,689.00
Supplemental Bid Item S.1	Temporary Wastewater Bypass System	\$50,600.00
Alternate Bid Item 1.A	5 Ton HVAC System in Control Room	\$26,800.00
Alternate Bid Item 2.A	400 AMP, 460 Volt, 3 Phase Manual Transfer Switch to be Used During Power Outages	\$21,250.00



ITEM	DESCRIPTION	AMOUNT
Alternate Bid Item 3.A	Repair Holes in 2 Existing 30" Corrugated Metal Pipe Vent Stacks	\$1,700.00
Alternate Bid Item 4.A	Install Fill Soil at Base of Eroded Vent Stacks and Grade Site	\$7,900.00
Alternate Bid Item 5.A	Install Common Bermuda Sod where Shown and Hydromulch Disturbed Areas on Site	\$7,100.00
Alternate Bid Item 6.A	Provide Construction Staking for Areas to be graded on Site	\$1,800.00
SUB-TOTAL ALTERNATE BID "A"		\$66,550.00
TOTAL BASE BID, SUPPLEMENTAL BID ITEM S.1 AND ALTERNATE BID ITEMS A.1 THRU A.6		\$457,839.00

Please refer to the attached "Bid Tabulation" for a detailed accounting of the bid for this Contractor.

Matous Construction, Ltd.'s excellent qualifications for doing this type of work are widely known. Matous has completed several projects for our firm in the past, on-time and within budget. Matous has performed work in the past on this very lift station.

We recommend that Matous Construction, Ltd. be awarded the contract for the Total Base Bid, Supplemental Bid and all six items within Alternate Bid "A" for a total of \$457,839.00.

Should you have any comments or questions regarding this project or related matters, please do not hesitate to call.

Cordially,
S. D. KALLMAN, L.P.
Engineers and Environmental Consultants

Steven D. Kallman, P.E., R.P.L.S.
 President

Attachment

S.D. KALLMAN, L.P.
ENGINEERS AND ENVIRONMENTAL CONSULTANTS
 1106 South Mays, Suite 101
 Round Rock, Texas 78664
 Phone: (512) 218-4404
 Fax: (512) 218-1668

BID TABULATION
CITY OF TEMPLE
WILLIAMSON CREEK WASTEWATER LIFT STATION
IMPROVEMENTS - 2012

Bid Date: June 28, 2013
Bid Time: 2:00 p.m.
SDK Job: 682-1513



ITEM NO.	ITEM DESCRIPTION	UNIT	QUANTITY	Matus Construction, Ltd. 8602 North Highway 317 Belton, Texas 76513									
				UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT		

BASE BID

1	Mobilization, Bonds & Insurance	L.S.	1	\$ 30,000.00	\$ 30,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
2	Furnish & Install Vertical Driven, Centrifugal, Single Stage Non-Clog Sewage Pump No. 3 & Frame, 2,800 GPM, 74 Feet Total Dynamic Head, 100 HP, 480 Volt, 3 Phase 1,150 RPM Inverter Duty Motor for Connection to Existing SVX 9000 Variable Frequency Drive, 75.4% Minimum Pump Efficiency, 73.7% Minimum Premium Motor Efficiency, including Concrete Pump Base	EA.	1	\$ 150,000.00	\$ 150,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
3	Remove & Replace Existing Pump No. 3 Discharge Piping to include but not limited to Existing 16" Ductile Iron Flanged Plug Valve, Existing 16" Ductile Iron Flanged Cushioned Check Valve & Existing 16" Ductile Iron Flanged Piping & Fittings. Remove & Replace Existing 20" Ductile Iron Plug Valve Located Inline with the Existing 20" Steel Pump Discharge Header. Remove & Replace Existing 20" Victaulic Flexible Coupling Located Inline with the 20" Steel Pump Discharge Header. Remove, Clean & Reuse Section of 20" Steel Pump Discharge Header between Existing 20" Ductile Iron Plug Valve & Existing 20" Victaulic Flexible Coupling, including the Installation of Pipe Supports, Coatings & all Materials & Equipment as Shown on the Plans	L.S.	1	\$ 154,134.00	\$ 154,134.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

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BID TABULATION
CITY OF TEMPLE
WILLIAMSON CREEK WASTEWATER LIFT STATION
IMPROVEMENTS - 2012

Bid Date: June 28, 2013
Bid Time: 2:00 p.m.
SDK Job: 682-1513

Matous Construction, Ltd.
 8602 North Highway 317
 Belton, Texas 76513

ITEM NO.	ITEM DESCRIPTION	UNIT	QUANTITY	UNIT PRICE		AMOUNT		UNIT PRICE		AMOUNT	
				UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT		
4	Furnish & Install 3" Tall x 6" Long Plastic Nameplates to be Attached to the Three Existing SVX 9000 Variable Frequency Drives to Identify Corresponding Pumps 1 through 3. Nameplates shall be professionally Engraved on Adhesive Back Plastic Displaying White Letters 1" in Height on a Black Background	EA.	3	\$ 85.00	\$ 255.00	-	-	-	-	-	-
5	Furnish & Install, Maintain & Removal of Silt Fencing as Shown on Plans	L.F.	125	5.60	700.00	-	-	-	-	-	-
6	Stabilized Construction Entrance	EA.	1	1,600.00	1,600.00	-	-	-	-	-	-
7	Traffic Control Plan	EA.	1	4,000.00	4,000.00	-	-	-	-	-	-
TOTAL BASE BID					\$ 340,689.00		-		-		-
MATERIALS					\$ 150,000.00		-		-		-
EQUIPMENT					\$ 125,000.00		-		-		-
LABOR AND OTHER CHARGES					\$ 65,689.00		-		-		-
TOTAL					\$ 340,689.00		-		-		-

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BID TABULATION
CITY OF TEMPLE
WILLIAMSON CREEK WASTEWATER LIFT STATION
IMPROVEMENTS - 2012

Bid Date: June 28, 2013
Bid Time: 2:00 p.m.
SDK Job: 682-1513

ITEM NO.	ITEM DESCRIPTION	UNIT	QUANTITY	Matus Construction, Ltd. 8602 North Highway 317 Belton, Texas 76513									
				UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT		

SUPPLEMENTAL BID

S.1	Design, Submit & Implement a Temporary Wastewater Bypass & Transference Plan which will Safely Transfer all Incoming Wastewater from the Williamson Creek Lift Station to a Pre-Designated Point Downstream of the Lift Station during the Installation of the Proposed Sewage Pump No. 3 & during the Removal & Replacement of Piping & Valves as Shown on the Plans. The Wastewater Transfer Plan shall Incorporate Sewage Vacuum Trucks, as Needed, for the Transference of Wastewater. This Plan will be Implemented if the Contractor's Work Disables the Lift Station for a Period Exceeding Three Hours.	L.S.	1	\$ 50,600.00	\$ 50,600.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
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BID TABULATION
CITY OF TEMPLE
WILLIAMSON CREEK WASTEWATER LIFT STATION
IMPROVEMENTS - 2012

Bid Date: June 28, 2013
Bid Time: 2:00 p.m.
SDK Job: 682-1513

ITEM NO.	ITEM DESCRIPTION	UNIT	QUANTITY	Matous Construction, Ltd. 8602 North Highway 317 Belton, Texas 76513									
				UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT		

ALTERNATE BID "A"

1.A.	Furnish & Install a Complete Single System HVAC System Consisting of a York Package Heat Pump Model BHX024-60, or Approved Equal, 5 Ton Nominal Tonnage, 208 Volt, Single Phase, 1,700 CFM, including Thermostat, all Necessary Conduits & Wiring for Thermostat & HVAC System & Installation of 60 AMP / 2 Pole Circuit Breaker in Existing Panel located within the Existing Electrical & Control Room & New 60 AMP N.F. NEMA 3R Disconnect to be Mounted to the Exterior of the Existing Lift Station Foundation Structure. Install all Exterior & Interior Supply Air & Return Air Duct Work, Registers, Duct Work Wall Sleeves at Existing CMU Wall, Reinforced Concrete Heat Pump Pad & all Components Required for a Working HVAC System as Shown on the Plans	L.S.	1	\$ 26,800.00	\$ 26,800.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
2.A.	Furnish & Install 1 Each Manual Transfer Switch (400 AMP, 460 Volts, 3 Phase ASCO Series 386, Non-Automatic, NEMA 3R Enclosure, including Conduits & Wiring & Reinforced Concrete Transfer Switch Pad as Shown on the Plans	L.S.	1	\$ 21,250.00	\$ 21,250.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
3.A.	Furnish all Equipment & Materials for Repair of the Two Existing 30" CMP Lift Station Vent Stacks. Repairs shall be Performed as Shown on the Plans. Repairs & Coatings shall be Completed Prior to Final Site Grading Work.	L.S.	1	\$ 1,700.00	\$ 1,700.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

S.D. KALLMAN, L.P.
ENGINEERS AND ENVIRONMENTAL CONSULTANTS
 1106 South Mays, Suite 101
 Round Rock, Texas 78664
 Phone: (512) 218-4404
 Fax: (512) 218-1668

BID TABULATION
CITY OF TEMPLE
WILLIAMSON CREEK WASTEWATER LIFT STATION
IMPROVEMENTS - 2012

Bid Date: June 28, 2013
Bid Time: 2:00 p.m.
SDK Job: 682-1513

Matous Construction, Ltd.
 8602 North Highway 317
 Belton, Texas 76513

ITEM NO.	ITEM DESCRIPTION	UNIT	QUANTITY	UNIT PRICE		AMOUNT		UNIT PRICE		AMOUNT	
				UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT		
4.A.	Furnish all Equipment & Materials to Perform Final Site Grading in Areas as Shown on Plans, Including Importing Top Soil for Required Fill, Preparation of Disturbed Areas for Sodding & Seeding & Soil Erosion Repair at the 30" CMP Vent Stack (West Side of Lift Station Structure) as Shown on the Plans	L.S.	1	\$ 7,900.00	\$ 7,900.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
5.A.	Furnish all Equipment & Materials for the Placement of Common Bermuda Sodding & Hydromulching of Graded & Disturbed Areas as Shown on the Plans	L.S.	1	\$ 7,100.00	\$ 7,100.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
6.A.	Furnish all Equipment & Material Required for Construction Staking for Final Site Grading	L.S.	1	\$ 1,800.00	\$ 1,800.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -



LOCATION MAP

**CITY OF TEMPLE, TEXAS
WILLIAMSON CREEK
WASTEWATER LIFT STATION**

S. D. KALLMAN, L.P.
Engineers and Environmental Consultants

TBPE Firm Registration No. F-516
1106 South Mays, Suite 101
Round Rock, TX. 78664
Phone: (512) 218-4404
Fax: (512) 218-1668
www.sdkallman.com

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
561-5400-535-69-05	100799	Bonds - Lift Station Improvements	\$ 108,054	
561-5000-535-65-32		Special Projects/Contingency		108,054
TOTAL.....			\$ 108,054	\$ 108,054

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

Additional funding in the amount of \$108,054 is needed for the Williamson Creek Lift Station improvements. Council is being presented a construction contract for authorization with Matous Construction, Ltd. In the amount of \$457,839 and the available funds for this project is \$349,785.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL? Yes No

DATE OF COUNCIL MEETING 8/15/2013

WITH AGENDA ITEM? Yes No

Department Head/Division Director	Date	<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved
Finance	Date	<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved
City Manager	Date	<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH MATOUS CONSTRUCTION, LTD., OF BELTON, TEXAS, FOR CONSTRUCTION SERVICES REQUIRED FOR IMPROVEMENTS TO THE WILLIAMSON CREEK LIFT STATION, IN THE AMOUNT OF \$457,839; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the Williamson Creek Lift Station is a critical element in the wastewater collection system currently serving northeast Temple – this lift station is located near the intersection of East Adams Avenue and NE HK Dodgen Loop and is the primary station conveying wastewater to the Doshier Wastewater Treatment Plant;

Whereas, this lift station operates three primary pumps and one of the primary pumps and a motor have been out of service for some time and are now in need of replacement;

Whereas, one bid was received for this project and upon discussion with the engineer and contractor, staff recommends award of this contract to Matous Construction, Ltd, of Belton, Texas in the amount of \$457,839;

Whereas, funds are budgeted for this project in Account No. 561-5400-535-6905, Project No. 100990, 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 contract between the City of Temple, Texas, and Matous Construction, Ltd., of Belton, Texas, after approval as to form by the City Attorney, for construction services required for improvements to the Williamson Creek Lift Station, in the amount of \$457,839.

Part 2: The City Council approves an amendment to the FY2012-2013 budget, substantially in the form of the copy attached as Exhibit A, for this project.

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

PASSED AND APPROVED on this the **15th** day of **August**, 2013.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

08/15/13
Item #5(G)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Sharon Rostovich, Airport Director

ITEM DESCRIPTION: Consider adopting a resolution authorizing a contract with McAllen Valley Roofing Company of McAllen to repair/coat the roofs of six (6) aircraft hangars totaling approximately 125,000 square feet at the Draughon-Miller Central Texas Regional Airport in the amount of \$198,767.44.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The City received insurance funds for hail damage to aircraft hangars in the amount of \$352,127.83 in April 2013. The City contracted with Austech Roof Consultants, Inc., from Austin to provide professional consulting services for the roof project at the Airport. On July 25, 2013, ten (10) bids were received for the roof coating project. The bid was broken out into a base bid plus five add alternates to insure adequate funds were available to award the contract. The base bid included two large aircraft hangars currently leased by AMCOM totaling approximately 100,000 square feet; add alternates included four additional hangars totaling approximately 25,000 square feet at the Draughon-Miller Central Texas Regional Airport. The bid results are shown on the attached bid tabulation sheet.

Austech Roof Consultants, Inc., of Austin reviewed the ten (10) bids submitted on July 25, 2013 and recommends award of the base bid plus add alternates #1thru#4 to the low bidder, McAllen Valley Roofing Company, of McAllen, Texas, in the amount of \$198,767.44.

Staff concurs with Austech Roof Consultants' recommendation of awarding the bid to McAllen Valley Roofing Company.

FISCAL IMPACT: Funding in the amount of \$352,128 is appropriated for this project in account #110-3634-560-6310, project #100998. To date, \$23,006.43 has been expended on the project for consulting services leaving \$329,121.57 to fund the construction of the project.

ATTACHMENTS:

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

**Tabulation of Bids Received
on July 25, 2013 at 2:00 p.m.
Roof Coating for Draughon-Miller Central Texas Regional Airport
Bid# 36-02-13**

Bidders					
	Molitor Enterprise Huntsville, TX	Brazos Urethane Inc. Texas City, TX	McAllen Valley Roofing Co McAllen, TX	Restocon Corporation Houston, TX	Empire Roofing Co., Inc. Pflugerville, TX
Description					
Total Base Bid	\$340,375.00	\$223,329.00	\$153,329.40	\$276,340.00	\$262,477.00
Contingency	\$8,000.00	\$8,000.00	\$8,000.00	\$8,000.00	\$8,000.00
Alternate 1	\$27,421.00	\$22,392.00	\$12,650.16	\$26,560.00	\$20,933.00
Alternate 2	\$21,081.00	\$18,860.00	\$9,724.18	\$21,359.00	\$16,093.00
Alternate 3	\$20,447.00	\$18,492.00	\$9,432.94	\$20,930.00	\$15,609.00
Alternate 4 or	\$12,205.00	\$12,480.00	\$5,630.76	\$14,822.00	\$9,317.00
Alternate 5	\$38,850.00	\$28,500.00	\$26,908.20	\$80,850.00	\$25,987.00
Discount #1	\$0.00	\$24,000.00	\$0.00	\$6,645.00	\$6,488.58
Discount #2	\$0.00	\$18,000.00	\$0.00	\$6,636.00	\$6,821.98
Total Bid taking Alt 4 vs 5	\$429,529.00	\$279,553.00	\$198,767.44	\$361,366.00	\$325,940.42
Acknowledge Addendum	Yes	Yes	Yes	Yes	Yes
Bid Bond	5%	Not on our form	Cashiers Check	5%	Not on our form
Bond Requirement Affidavit	Yes	No	Yes	Yes	No
Credit Check Authorization	Yes	No	Yes	No	No

Bidders					
	R.S. Ellis Inc. dba Southwest Corporation Austin, TX	CEI Roofing-Texas, LLC Austin, TX	Alpha Contracting Service Inc Dallas, TX	Johnson Roofing Inc. Waco, TX	Parsons Commercial Roofing Waco, TX
Description					
Total Base Bid	\$424,811.00	\$191,017.00	\$302,150.00	\$313,449.00	\$295,518.00
Contingency	\$8,000.00	\$8,000.00	\$8,000.00	\$8,000.00	\$8,000.00
Alternate 1	\$39,272.00	\$17,631.00	\$27,100.00	\$28,151.00	\$22,950.00
Alternate 2	\$31,918.00	\$13,004.00	\$23,500.00	\$21,508.00	\$17,850.00
Alternate 3	\$31,184.00	\$13,077.00	\$22,350.00	\$19,927.00	\$17,345.00
Alternate 4	\$21,625.00	\$8,459.00	\$20,950.00	\$12,652.00	\$10,200.00
Alternate 5	\$87,687.00	\$52,365.00	Excluded	\$54,991.00	\$34,518.00
Discount #1	\$7,500.00	\$4,000.00	\$3,881.55	\$0.00	\$5,000.00
Discount #2	\$5,000.00	\$6,000.00	\$0.00	\$0.00	\$5,000.00
Total Bid taking Alt 4 vs 5	\$549,310.00	\$247,188.00	\$400,168.45	\$403,687.00	\$366,863.00
Acknowledge Addendum	Yes	Yes	Yes	Yes	Yes
Bid Bond	5%	5%	5%	5%	5%
Bond Requirement Affidavit	Yes	Yes	Yes	Yes	Yes
Credit Check Authorization	No	Yes	Yes	Yes	Yes

Highlighted bid is recommended for Council approval

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH MCALLEN VALLEY ROOFING COMPANY, OF MCALLEN, TEXAS, TO REPAIR/COAT THE ROOFS OF SIX AIRCRAFT HANGARS AT THE DRAUGHON-MILLER CENTRAL TEXAS REGIONAL AIRPORT, IN THE AMOUNT OF \$198,767.44; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City of Temple received insurance funds for hail damage to aircraft hangars in April of 2010 – the City contracted with Austech Roof Consultants, Inc., from Austin, Texas, to provide professional consulting services for the roof project at the airport;

Whereas, ten bids were received for the project and after review by the Senior Consultant from Austech Roof Consultants, Inc., the City recommends award of the contract to McAllen Valley Roofing Company, of McAllen, Texas, in the amount of \$198,767.44;

Whereas, funds are budgeted for this project in Account No. 110-3634-560-6310, Project No. 100998; 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 between the City of Temple, Texas, and McAllen Valley Roofing Company of McAllen, Texas, after approval as to form by the City Attorney, to repair/coat six aircraft hangar roofs at the Draughon-Miller Central Texas Regional Airport, in the amount of \$198,767.44.

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 **August**, 2013.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

08/15/13
Item #5(H)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Sharon Rostovich, Airport Director

ITEM DESCRIPTION: Consider adopting a resolution authorizing a construction contract with National Signs, LLC, of Houston for the fabrication and installation of wayfinding signage, entrance signage and logo modernization at the Draughton-Miller Central Texas Regional Airport in the amount of \$138,070, and authorizing a deductive change order in the amount of \$20,500, for a net contract of \$117,570.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The City contracted with Kasberg, Patrick & Associates, from Temple to provide professional consulting services for the signage project at the Airport. On July 30, 2013, two (2) sealed bids were received for the signage project. The bid included a new west entrance sign, east entrance sign modernization, twelve wayfinding signs, relocation of the existing historic Airport sign and Airport logo modernization at the Draughton-Miller Central Texas Regional Airport. The bid results are shown on the attached detailed bid tabulation.

Kasberg, Patrick & Associates, LP reviewed the two (2) bids submitted on July 30, 2013 and recommends award of the bid to the low bidder, National Signs, LLC of Houston, Texas, in the amount of \$138,070. In order to get the project closer to the appropriated budget, a deductive change order in the amount of \$20,500 is attached reducing the contract to \$117,570. The deductive change order will eliminate from the project three (3) vehicular directional signs and the removal and relocation of the existing granite entrance sign.

Staff concurs with KPA's recommendation of awarding the bid to National Signs, LLC.

FISCAL IMPACT: Funding in the amount of \$137,119 is appropriated for this project in account #795-9500-531-6558, project #101021. To date, \$25,223 has been expended on the project for consulting services and advertising leaving a balance of \$111,896 to fund the construction of the project.

The City Council approved acceptance of the Texas Department of Transportation, Aviation Division RAMP Grant August 8, 2012 in the amount of \$100,000 (50-50 match) which is included in the numbers above.

A deduct change order in the amount of \$20,500 plus funding in the amount of \$5,674 will be taken from the Airport operating budget account number 110-3633-560-6310, project 101021 to cover the construction contract in the net amount of \$117,570.

ATTACHMENTS:

[Engineer's Letter of Recommendation](#)

[Bid Tabulation](#)

[Change Order #1](#)

[Resolution](#)



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
1008 South Main Street
Georgetown, Texas 78626
(512) 819-9478

August 5, 2013

Ms. Sharon Rostovich
Airport Director
City of Temple
7720-F Airport Road
Temple, Texas 76501

Re: City of Temple
Airport Wayfinding Signage, Entrance Signage & Logo Modernization Project
Draughon-Miller Central Texas Regional Airport

Dear Ms. Rostovich:

Bids were received by the City of Temple until 2:00 P.M. on Tuesday, July 30, 2013 for the above referenced project. There were two (2) sealed bids received and a detailed bid tabulation of these bids is attached for your use.

The Airport Wayfinding Signage, Entrance Signage & Logo Modernization Project, located at the Draughon-Miller Central Texas Regional Airport, includes approximately twelve (12) new internal wayfinding signs, two (2) new west entrance signs, east entrance sign (main sign) modernization and relocation of the existing historic airport sign that is currently located in front of the old terminal building. All of the new signage will incorporate the new airport logo.

The low, successful bidder for this project is National Signs, LLC; 2611 El Camino Street; Houston, Texas 77054 in the total amount of **\$138,070.00**. National Signs, LLC has performed signage work for entities all over Texas and the Nation. They are currently constructing the Downtown Signage Project for the City of Temple.

Therefore we recommend a contract be awarded to National Signs, LLC in the amount of **\$138,070.00** for the Airport Wayfinding Signage, Entrance Signage & Logo Modernization Project.

Please call if you should have any further questions.

Sincerely,

Alvin R. (Trae) Sutton III, P. E.

xc: Ms. Belinda Mattke, City of Temple
2013-122-30

**BID TABULATION
CITY OF TEMPLE
Airport Wayfinding Signage, Entrance Signage Logo Modernization Project**

3210 E. Ave H; Bldg C; Temple, TX
July 30, 2013; 2:00 PM

BIDDER INFORMATION							
National Signs, LLC 2611 El Camino Street Houston TX 77054		Starlight Signs LP 7923 E. McKinney Street Denton, Texas 76208					
<i>Unit Price</i>	<i>Extended Amount</i>	<i>Unit Price</i>	<i>Extended Amount</i>				
BASE BID							
1	100%	LS	Mobilization, Bonds and Insurance, not-to-exceed 5% of the Total Amount Bid	\$ 3,780.00	\$ 3,780.00	\$ 12,000.00	\$ 12,000.00
2	1	EA	Fabricate & Install Primary Entry Sign (Sign Type 1) including all demolition, removal, substructure, superstructure, supports, sign panels, replacement of	42,440.00	42,440.00	50,000.00	50,000.00
3	2	EA	Fabricate & Install Secondary Entry Signs (Sign Type 2) including all demolition, removal, substructure, superstructure, supports, sign panels, replacement of	18,700.00	37,400.00	36,000.00	72,000.00
4	100	LF	Furnish & Install 2" PVC Electrical Conduit by open cut required for lighting of the Secondary Signs	30.00	3,000.00	36.00	3,600.00
5	40	LF	Furnish & Install 2" PVC Electrical Conduit by bore required for lighting of the Secondary Signs	45.00	1,800.00	87.50	3,500.00
6	12	EA	Fabricate & Install Vehicular Directional Signs (Sign Type 3) including all demolition, removal, substructure, superstructure, supports, sign panels, replacement of grass, sod, brick pavers, asphalt or concrete etc and all appurtenances as shown on the plans and detailed on sheets SG-1.5	3,100.00	* 37,200.00	7,000.00	84,000.00
7	1	EA	For removing and relocating the Existing Granite Draughn Miller Airport Sign, Including demolition of the existing sign base and installation of a new Limestone Rock Base to support the Existing Granite Sign	11,200.00	11,200.00	18,000.00	18,000.00
8	100%	LS	Implement Traffic Control Plan for work adjacent to Roadways	1,250.00	1,250.00	2,500.00	2,500.00
TOTAL AMOUNT BASE BID - (Items 1 - 8)				** \$	138,070.00	\$	245,600.00

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

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


Alvin R "Trae" Sutton, III, CFM
Kasberg, Patrick & Associates, LP

8/5/13
Date



* Error in Extension of Unit Price and Quantity. Extended Amount has been corrected.
** Total Amount has been corrected.



KASBERG, PATRICK & ASSOCIATES, LP

CONSULTING ENGINEERS

Texas Firm F-510

RICK N. KASBERG, P.E.

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

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1008 South Main Street
Georgetown, Texas 78626
(512) 819-9478

August 5, 2013

Ms. Sharon Rostovich
Airport Director
City of Temple
7720-F Airport Road
Temple, Texas 76501

Re: City of Temple
Airport Wayfinding Signage, Entrance Signage & Logo Modernization Project
Draughon-Miller Central Texas Regional Airport

Dear Ms. Rostovich:

Attached for your review and approval are five (5) copies of Change Order No. 1 for the referenced project. The purpose of this change order is a result of the awarded bid amount of **\$138,070.00** exceeding the construction funds allotted for this project.

During the final design, three (3) additional wayfinding signs were included as well as the relocation of an existing historic sign that is currently located in front of the old terminal building. The original intent was to add these additional items to the bid, and should funds be available, include them in the construction of this project. By eliminating these items from this construction contract, the project will have a cost savings of \$20,500.00. This cost savings reduced the overall contract amount from \$138,070.00 to \$117,570.00.

Please feel free to contact me should you have any questions.

Sincerely,

Alvin R. (Trae) Sutton III, P. E.

xc: Ms. Belinda Mattke, City of Temple
2013-122-40

CHANGE ORDER

PROJECT: **Airport Wayfinding Signage, Entrance Signage & Logo Modernization Project**
 OWNER: **City of Temple**
 CONTRACTOR: **National Signs, LLC**
 ENGINEER: **Kasberg, Patrick & Associates, LP**
 CHANGE ORDER #: **1**

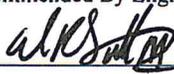
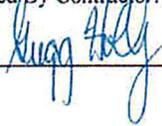
Make the following additions, modifications or deletions (circle those that apply) to the work described in the Contract Documents:

1. Deductive change order for quantity adjustments.

<u>Item</u>	<u>Description</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit price</u>	<u>Total</u>
C/O1-1	Deduct Bid Item 6 - Fabricate & Install Vehicular Directional Signs (Sign Type 3) including all demolition, removal, substructure, superstructure, supports, sign panels, replacement of grass, sod, brick pavers, asphalt or concrete etc and all appurtenances as shown on the plans and detailed on sheets SG-1.5	-3	EA	3,100.00	\$ (9,300.00)
C/O1-2	Deduct Bid Item 7 - For removing and relocating the Existing Granite Draughn Miller Airport Sign, Including demolition of the existing sign base and installation of a new Limestone Rock Base to support the Existing Granite Sign	-1	EA	11,200.00	\$ (11,200.00)
Total Deduct					\$ (20,500.00)

The compensation agreed upon in this Change Order is full, complete and final payment for all costs the Contractor may incur as a result of or relating to this change whether said costs are known, unknown, foreseen or unforeseen at this time, including without limitation, any cost for delay (for which only revised time is available), extended overhead, ripple or impact cost, or any other effect on changed or unchanged work as a result of this Change Order.

Original Contract Amount	\$ 138,070.00
Previous Net Change in Contract Amount	\$ -
Net Change in Contract Amount	\$ (20,500.00)
Revised Contract Amount	\$ 117,570.00
Original Contract Time	90 days
Previous Net Change in Contract Time	N/A
Net Change in Contract Time	N/A
Revised Contract Time	90 days
Original Final Completion Date	N/A
Revised Final Completion Date	N/A

Recommended By Engineer:	Approved By Contractor:
By: <u></u> <u>8/5/13</u> Date	By: <u></u> <u>8/5/13</u> Date
Approved by City of Temple:	Approved as to Form:
By: _____	By: _____
	City Attorney's Office Date

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONSTRUCTION CONTRACT WITH NATIONAL SIGNS, LLC, OF HOUSTON, TEXAS, FOR THE FABRICATION AND INSTALLATION OF WAYFINDING SIGNAGE, ENTRANCE SIGNAGE AND LOGO MODERNIZATION AT THE DRAUGHON-MILLER CENTRAL TEXAS REGIONAL AIRPORT, IN THE AMOUNT OF \$138,070, AND AUTHORIZING A DEDUCTIVE CHANGE ORDER IN THE AMOUNT OF \$20,500, FOR A TOTAL CONTRACT AMOUNT OF \$117,570; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City previously contracted with Kasberg, Patrick & Associates to provide professional consulting services for the signage project at Draughon-Miller Central Texas Regional Airport;

Whereas, on July 30, 2013, two bids were received for the signage project - the bid included a new west entrance sign, east entrance sign modernization, twelve wayfinding signs, relocation of the existing historic airport sign and airport logo modernization;

Whereas, after review of the bids, staff recommends award of the project to the low bidder, National Signs, LLC, of Houston, Texas, in the amount of \$138,070, and recommends approval of a deductive change order in the amount of \$20,500, for a net contract award of **\$117,570** – the deductive change order will eliminate from the project three (3) vehicular directional signs and the removal and relocation of the existing granite entrance sign;

Whereas, funds are available within the Reinvestment Zone No. 1 Financing and Project Plans, Line 401, Account No. 795-9500-531-6558, Project No. 101021, and a deductive change order will be funded in Account No. 110-3633-560-6310, Project No. 101021; 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 between the City of Temple and National Signs, LLC, of Houston, Texas, after approval as to form by the City Attorney, for the fabrication and

installation of wayfinding signage, entrance signage and logo modernization at the Draughton-Miller Central Texas Regional Airport, in the amount of \$138,070.

Part 2: The City Council authorizes a deductive change order in the amount of \$20,500 that reduces the scope of services in the base bid, for a net contract award for this project of **\$117,570**.

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 **August**, 2013.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, 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:

Sharon Rostovich, Airport Director

ITEM DESCRIPTION: Consider adopting a resolution authorizing the City Manager to execute a lease agreement between the City of Temple and JR Aviation, LLC, a wholly owned subsidiary of Paradise Helicopters located in Kailia-Kona, Hawaii, permitting the Lessee to lease an 8,300 square foot hangar for the purpose of providing FAA Part 135 charter operations; Part 133 external load for water bucket firefighting; Part 137 for aerial dispensing; and aircraft maintenance at the Draughon-Miller Central Texas Regional Airport.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Three companies submitted proposals: JR Aviation; Central Texas Flight Training; and Crawford, Huddleston & Company, LLC. The request included leasing an 8,300 square foot hangar vacated by AMCOM July 2013 for aviation business purposes. An evaluation committee was formed with representation from the City Manager's office, Legal, Airport Advisory Board and Airport. The Committee determined JR Aviation best met the Airport's needs and revenue requirements.

Staff recommends that a one year lease at the rental rate of \$1,200 per month with two (2) additional one year renewal options be approved with an effective start date of September 1, 2013.

FISCAL IMPACT: The Airport will receive \$14,400 annually in rental revenue. In addition to the rental revenue, the Airport will benefit from increased aircraft traffic and fuel sales.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A LEASE AGREEMENT OF AN 8,300 SQUARE FOOT HANGAR AT THE DRAUGHON-MILLER CENTRAL TEXAS REGIONAL AIRPORT, WITH JR AVIATION, LLC, A WHOLLY OWNED SUBSIDIARY OF PARADISE HELICOPTERS, LOCATED IN KAILIA-KONA, HAWAII, FOR THE PURPOSE OF PROVIDING FAA PART 135 CHARTER OPERATIONS, PART 133 EXTERNAL LOAD FOR WATER BUCKET FIREFIGHTING, PART 137 FOR AERIAL DISPENSING, AND AIRCRAFT MAINTENANCE, IN A MONTHLY LEASE AMOUNT OF \$1,200; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, three companies submitted proposals to lease an 8,300 square foot hangar vacated by AMCOM in July, 2013 for aviation business purposes;

Whereas, an evaluation committee was formed and the committee determined that JR Aviation best met the airport's needs and revenue requirements;

Whereas, staff recommends a one year lease at the rental rate of \$1,200 per month (\$14,400 annually) effective September 1, 2013, with two (2) additional one year renewal options should both parties agree; 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 lease agreement of an 8,300 square foot hangar at the Draughon-Miller Central Texas Regional Airport, with JR Aviation, LLC., a wholly owned subsidiary of Paradise Helicopters located in Kailia-Kona, Hawaii, after approval as to form by the City Attorney, for the purpose of providing FAA Part 135 charter operations, Part 133 external load for water bucket firefighting, Part 137 for aerial dispensing, and aircraft maintenance, in a monthly lease amount of \$1,200 per month (\$14,400 annually) with two (2) additional one year renewal options, beginning September 1, 2013.

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 August, 2013.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, 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

ITEM DESCRIPTION: Consider adopting a resolution authorizing a lease agreement with Morris & Pursley Financial Plans, for lease of space in the E. Rhodes and Leona B. Carpenter Foundation Building (the Temple Public Library).

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Morris & Pursley Financial Plans has requested to lease Suite 306B in the Temple Public Library for two years. Morris & Pursley Financial Plans is owned and operated by Jack M. Morris and Melissa K. Pursley. The lease term will run from August 19, 2013 to August 18, 2015. Morris & Pursley will pay \$305.50 per month in rent.

FISCAL IMPACT: Annual revenue in the amount of \$3,666 from the lease agreement will be deposited into account 110-0000-461-0937.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A TWO YEAR LEASE WITH MORRIS & PURSLEY FINANCIAL PLANS, FOR SPACE IN THE E. RHODES AND LEONA B. CARPENTER FOUNDATION BUILDING (THE TEMPLE PUBLIC LIBRARY), AT A LEASE RATE OF \$305.50 PER MONTH; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City currently owns and leases offices in the E. Rhodes and Leona B. Carpenter Foundation Building (the Temple Public Library);

Whereas, Morris & Pursley Financial Plans has requested to lease Suite 306B in the Temple Public Library for a term of two (2) years at a monthly rental rate of \$305.50 - the lease term will run from August 19, 2013 to August 18, 2015;

Whereas, staff recommends entering into a two year lease with Morris & Pursley Financial Plans effective August 19, 2013 and expiring on August 18, 2015, in a monthly lease amount of \$305.50;

Whereas, the lease agreement will allow for a 30-day termination clause should the lessee or the City desire to terminate the lease; 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 two (2) year lease, after approval as to form by the City Attorney, with Morris & Pursley Financial Plans for Suite 306B in the E. Rhodes and Carpenter Foundation Building (the Temple Public Library) at the rate of \$305.50 per month, beginning August 19, 2013 and expiring August 18, 2015;

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 **August**, 2013.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Jonathan Graham
City Attorney

FISCAL IMPACT: Funding in the amount of \$300,000 is available in account 561-5400-535-6905 project #100991 for this project.

ATTACHMENTS:

[Engineer's Proposal Letter](#)
[Resolution](#)



S. D. KALLMAN, L.P.
Engineers and Environmental Consultants
TBPE Firm Registration No. F-516

June 27, 2013

Ms. Nicole Torralva, P.E.
Director of Public Works
3210 East Avenue H, Building A
Temple, Texas 76501

**RE: PROFESSIONAL ENGINEERING SERVICES PROPOSAL
CITY OF TEMPLE HICKORY WASTEWATER LIFT STATION
IMPROVEMENTS PROJECT**

Dear Ms. Torralva:

We are pleased to provide professional engineering services to the City of Temple for the preparation of Plans and Specifications for improvements to the Hickory Wastewater Lift Station which will include the following items:

Pump Sizing and Plans and Specifications

- Review Preliminary Engineering Report dated September 25, 2002 and named "City of Temple – Hickory and Troy Lift Station Renovations".
- Verify and/or revise peak wastewater flow demands for the Hickory Lift Station.
- Review existing Plans and Specifications for the Hickory Lift Station.
- Size proposed replacement pumps and develop pump curves.
- Evaluate main electrical feeder and conduit size for adequacy for proposed pumps.
- Prepare Plans and Specifications for the proposed improvements.
- Develop opinion of probable costs for the Hickory Lift Station Improvements.



We can provide the above described services for a lump sum fee of \$41,125. The compensation to the engineer shall be broken down in the following milestones:

- Project Design Phase
Lump Sum \$35,000.
- Project Bidding Phase
Lump Sum \$ 2,450.
- Construction Phase
Lump Sum \$ 3,675.
- Total Compensation \$41,125.**

- Optional Daily Onsite Inspection Services:

For additional services, Consultant will be paid a reimbursable amount not to exceed the following budget.

- Inspector
90 Hours @ \$100.00 Per Hour = \$9,000.00
- Mileage
1,200 Miles @ 56.5¢/Mile = \$ 678.00
- Expenses
12 Days @ \$15.00 Per Diem = \$ 180.00
- Total No To Exceed Authorization = \$9,958.00**

We appreciate the opportunity to be of continuing service to the City of Temple.

Cordially,

S. D. KALLMAN, L.P.

ENGINEERS & ENVIRONMENTAL CONSULTANTS



Steven D. Kallman, P.E., R.P.L.S.
President, Steven D. Kallman, L.L.C.
General Partner, S. D. Kallman, L.P.

ATTACHMENT "A"

Proposal for City of Temple Hickory Wastewater Lift Station Improvements Project Scope of Professional Services

Project Design Phase:

- Size Proposed Replacement Pumps
- Prepare Final Design Plans and Technical Specifications for Items stated above
- Provide Engineers Opinion of Construction Cost and Calendar Days to Complete Project Construction
- Attend Meetings with the City and CH₂MHILL Staff

Project Bidding Phase:

- Prepare Bid Proposal and Coordinate Bidding with the City of Temple Purchasing
- Provide Technical Specifications and Bid Proposal Documents to City
- Hold a Pre-Bid Meeting
- Prepare and Forward Necessary Addenda to City
- Attend Bid Letting
- Review Bids and Provide Letter of Recommendation of Award to City

Construction Phase:

- Hold Pre-Construction Meeting
- Issue Notice of Award
- Review all Contractor Submittals
- Provide Construction Administration and Periodic Project "Site" Visits to Review the Quality of Construction
- Respond to Requests for Information (RFI's) from the Contractor
- Review Contractor Applications for Payment and Submit to City for Payment
- Read, Prepare, Review and Recommend Necessary Change Orders
- Attend Final Project Inspection
- Provide Final Inspection Punch List
- Prepare Record Drawings
- Issue Certificate of Completion Letter

Daily Onsite Construction Inspection Services (Optional):

- Provide Daily On-Site Project Representation and Inspection Services during Active Construction Periods at the Project Site
- Keep Daily Reports and Photographs of the Work Progress by the Construction Contractor and Provide to the City on a Monthly Basis
- Compensation in Accordance with S. D. Kallman, L.P. – Hourly Rate Schedule Attached

S.D. KALLMAN, L.P.
HOURLY RATE SCHEDULE

<i>Classification</i>	<i>Hourly Rate</i>
1. Corporate Officer	\$ 150.00
2. Project Manager	\$100.00
3. Project Inspector	\$100.00
5. Engineer-in-Training (E.I.T.)	\$ 85.00
6. Project Coordinator	\$ 65.00
7. Design Technician Including AutoCAD Station	\$ 85.00
8. Secretarial Personnel, including Word Processor	\$ 65.00
9. Mileage Reimbursement	@ \$0.55 per mile

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONSTRUCTION CONTRACT WITH S.D. KALLMAN, LP, OF ROUND ROCK, TEXAS, FOR ENGINEERING SERVICES RELATED TO THE REHABILITATION OF THE HICKORY LIFT STATION, IN THE AMOUNT NOT TO EXCEED \$51,083; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the Hickory Lift Station is located in the Bird Creek drainage basin and is an important part of the wastewater collection system;

Whereas, over the past several years, the station has experienced numerous pump failures/stoppages due to the inability to pass debris, long run times, and not being able to keep up during increased flows, and sometimes causing overflows at the station;

Whereas, a preliminary evaluation determines that the pumps are not adequately sized to meet the needs of the service area are in need of replacement;

Whereas, funds are available for this project in Account No. 561-5400-535-6905, Project # 100991; and

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

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

Part 1: The City Council authorizes the City Manager, or his designee, to execute a construction contract with S.D. Kallman, LP, of Round Rock, Texas, after approval as to form by the City Attorney, for engineering services related to the rehabilitation of the Hickory Lift Station, in the amount not to exceed \$51,083.

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 August, 2013.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, 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:

Nicole Torralva, P.E., Public Works Director
Don Bond, P.E., City Engineer

ITEM DESCRIPTION: Consider adopting a resolution authorizing a professional services agreement with Kasberg, Patrick & Associates, LP for professional services required to design the connection from Research Parkway to McLane Parkway within the Reinvestment Zone #1 in northwest Temple in an amount not to exceed \$366,935.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Utilities and roadway connection from McLane Parkway to Research Parkway are required to serve properties within the Industrial Park. A proposal and map of the project area are attached. Water utilities will be installed along with the road improvements.

In order that KPA provide the engineering services required for completion of this project, the following is a list of costs associated with each task:

Survey Services

Field Surveying	\$ 20,680
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Design Services

Route & Design Studies	\$ 16,770
Road	\$ 104,825
Drainage	\$ 48,580
Signage & Marking	\$ 27,250
Utility	\$ 89,110
Geotechnical	\$ 15,500
Traffic Control	\$ 19,620

Misc. Services

Environmental	\$ 16,500
Project Management	\$ 8,100

TOTAL	<u>\$ 366,935</u>
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On July 24, 2013, the RZ Board approved a recommendation to Council to authorize this contract. The proposed timeline for the design phase of the project is eight months.

Infrastructure designed under this contract will consist of approximately 3,500 feet of roadway and parallel 8" water line and 3,000 additional feet of 18" water line.

FISCAL IMPACT: Funding for this professional services agreement with KPA in the amount of \$366,935 is available in the Reinvestment Zone No. 1 Financing Plan, account 795-9800-531-6866, project 101003.

ATTACHMENTS:

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



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

1008 South Main Street
Georgetown, Texas 78626
(512) 819-9478

June 14, 2013

Mr. Don Bond, P.E., CFM
3210 E. Avenue H
Building A
Temple, Texas 76501

Re: City of Temple
McLane Parkway to Research Parkway Connection
Final Design

Dear Mr. Bond:

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 develop 100% final design for the connection roadway from McLane Parkway to Research Parkway. The connection to McLane Parkway will be near the southern portion of the tract owned by the City of Temple and the connection to Research Parkway will be near the mid-point of the property on Research Parkway. The final product will be plans, specifications and estimates ready for bidding through the City of Temple Purchasing Department.

The work to be performed by KPA under this contract consists of providing engineering services for design of the project described above to include 100% design and preparation of plans, specifications and estimates. Water utilities planned adjacent to the proposed roadway are also included in this proposal as well as geotechnical services, Phase I Environmental Site Assessment and archaeological clearances. The project consists of construction of approximately 3,500 linear feet of roadway with associated drainage, parallel water utilities, reinforced concrete box culvert, approximately 3,000 linear feet of 18-inch water main, striping, signage and erosion control. The timeframe for design of the project is eight months. The City of Temple currently owns the property that the proposed roadway improvements are planned to be located. Easements for the proposed 18-inch water main from Research Boulevard to the intersection of the proposed roadway on McLane Parkway may be required.

KPA will perform all work and prepare all deliverables in accordance with the latest version of AASHTO and City of Temple specifications, standards and manuals.

KPA will perform quality control and quality assurance (QA/QC) on all deliverables associated with the project. All traffic control will be in accordance with the Texas Manual on Uniform Traffic Control Devices (TMUTCD).

The following services will be performed:

I. ROUTE AND DESIGN STUDIES

- A. Data Collection – Obtain and review any existing data from the City and other entities that may have record documents and are allowed to release the information. i.e. – Atmos, AT&T, Oncor, etc.
- B. Geometric Design - Develop geometric design for the full length of the project to establish survey and investigation limits. All designs shall be in accordance with AASHTO and City of Temple design guidelines and criteria.
- C. Easement Data
 - 1. Research existing City of Temple rights-of-way data on McLane Parkway for the proposed water utilities.
 - 2. Prepare overall ROW Plan Sets to be used by the designated governmental entity for required potential easement acquisition.
 - 3. There are not any metes and bounds or acquisition services included in this proposal. If research proves an easement is required for the 18- inch water main on McLane Parkway, these services will be added at a later date.
- D. Utility Coordination
 - Efforts to ensure utility relocations and adjustments required to accommodate the proposed project development shall include Field Surveys and Utility Adjustment Coordination.
 - 1. Field surveys shall locate horizontally, crossings of all utilities within the project area identified by markings obtained from performing a one call utility locate service.
 - 2. After design surveys have located marked utilities from the one call service, verification of utilities will be performed as available from meeting with the utility companies (Atmos, AT&T, Oncor, etc.)
 - 3. Initial notifications of the project details and expected time lines for project development shall be conveyed to all utility owners existing within the project limits.
 - 4. Upon determination of required relocation and/or adjustments, intense coordination with impacted utility owners shall be initiated.

II. PROJECT MANAGEMENT

- A. Meetings
 - 1. Prepare, attend and document Progress Meetings at the City Office.
 - 2. Prepare, attend and document Utility Coordination Meetings.
 - 3. Prepare, attend and present as necessary updates to the Temple Re-investment Zone Project Group and Board.
- B. General Contract Administration
 - 1. Develop monthly invoices and progress reports.
 - 2. Sub-consultant coordination.
 - 3. Design coordination with the City.

III. FIELD SURVEYING

- A. General
 - 1. The City of Temple shall obtain right-of-entry (ROE) agreements with property owners for the required field surveys. These efforts on the City's part should be minimal as the City owns the property surrounding the project. Possible rights of entry could occur near the intersection at McLane Parkway and parallel to McLane Parkway where the proposed water utility will be located.
 - 2. Verify and compare previously located utility data with current ground conditions. Contact the One-Call System in advance of performing field surveys so that data collection includes ties to location of marked utilities. Reasonable attempts to coordinate with utility owners shall be made to achieve efficiency in data collection.
- B. Topographic Surveys for Engineering Design and Hydraulic Analysis
 - 1. Reasonable attempts shall be made to recover existing horizontal control points from previous work performed on this project as well as coordinate with other projects in the vicinity. Additional control shall be established to adequately position horizontal control points as needed for project design activities and plan notations thereof. Data for the horizontal control shall be based on Texas State Plane, Central Zone, NAD 83 (93).
 - 2. Reasonable attempts at recovering and verifying existing vertical control shall be made as well as coordinate with other projects in the vicinity. Additional benchmarks shall be established via differential level loops from recovered known project controls. A vertical benchmark system shall be perpetuated at approximate 1,000 foot intervals for future reference on the plans. These will be coordinated with other projects in the area.
 - 3. Survey files with previously obtained project data shall be compared to and merged with survey files generated through this proposal. In areas of

- uncertainty, changes in previous existing conditions, and/or limited topographic information, additional data shall be collected.
4. Data collection shall consist of spot elevations for improvements, edge of roadway, driveways, visible or marked utilities, drainage features, centerline of roadway and grade breaks. Individual roadway cross sections shall be taken at intervals approximately 100 feet or as required to properly define the surface of the project and generate accurate Digital Terrain Models (DTMs).
 5. The survey shall include topographic features within approximately 300 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 100-year rainfall event. Within these limits, the survey shall extend approximately 100 feet left and right of the existing roadway centerline.
 6. Channel cross sections shall be provided from the face of the existing drainage structures or edge of channel connection (4 sections each) to approximately 200 feet upstream and downstream. The sections shall indicate any ground breaks, top of banks, toe of slopes, etc., that define the actual contour of the section and the overbank area.
 7. A stream alignment and profile extending the entire limits of the channel cross sections described above shall be developed from the channel cross section information.
 8. Field surveys shall provide the locations of small signs, mailboxes and other visible surface features.

IV. ROADWAY DESIGN CONTROLS

- A. 30% Complete Plan Set
 1. Geometric Design - Develop the horizontal and vertical alignments, typical sections and resultant design cross sections to ensure compliance with current design criteria. Delineate and discuss potential deficiencies with City Staff. Review constructability of preliminary design including connections and access.
 2. Typical Sections - Develop proposed roadway typical sections for the project.
 3. Alignment Data Sheets - Prepare horizontal and vertical alignment data sheets.
 4. Plan & Profile Drawings - Prepare preliminary plan & profile sheets for the project.
 5. Intersection Layouts - Develop layouts that define preliminary horizontal and vertical geometry for the following intersections and connections:
 - McLane Parkway
 - Future Alignment of Research Parkway
 6. Develop preliminary rights-of-way and easement requirements for the proposed roadway infrastructure to be dedicated from property owned by the City of Temple.

7. Coordination with private utilities – After the Preliminary Engineering is complete, all utilities that appear effected will be contacted for coordination for relocation.

B. 100% Complete Plan Set

The following items shall be prepared for the project:

1. Typical Sections - Finalize typical sections prepared during the 30% completion phase.
2. Plan & Profile Drawings - Finalize plan & profile drawings prepared during the 30% completion phase.
3. Intersection Layouts - Finalize intersection and connection layouts prepared during the 30% completion phase. The following list of intersections and connections will be completed.
 - McLane Parkway
 - Future Alignment of Research Parkway
4. Miscellaneous Roadway Details - Develop various details, as required, for pavement, curb, riprap, etc.
5. Removal Layouts - Prepare removal and demolition layout sheets showing all features that are to be removed including pavement, structures, signing, etc.
6. Roadway Cross Sections - Finalize roadway cross sections prepared during the 30% completion phase.
7. Finalize requirements for rights-of-way and easements for all proposed roadway infrastructure.
8. Develop summary of final quantities for all roadway infrastructure and prepare cost estimates based on current bid data.

V. DRAINAGE

A. 30% Complete Plan Set

1. 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.
2. Develop storm water hydrology for the ultimate 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 4% and 1% annual chance storm (25-year, and 100-year) events. Modeling shall develop storm water flows to all cross culverts and roadway conveyances. Based on the data developed, drainage infrastructure shall be designed in a preliminary format for the project area. The level of detail shall be sufficient to establish cost estimates.

3. Develop preliminary hydraulics to all cross culvert conveyances and the roadway system. The system will convey to the regional detention pond that has been designed on the property adjacent to the proposed roadway.
 4. Develop preliminary designs for all cross drainage structures throughout the project limits. The system will convey to the regional detention pond that has been designed on the property adjacent to the proposed roadway.
 5. Develop preliminary designs for proposed storm water collection systems for the proposed curb-and-gutter portion of the project area. The system will convey to the regional detention pond that has been designed on the property adjacent to the proposed roadway.
 6. Determine potential utility conflicts based on preliminary design for the project area.
 7. Coordinate the preliminary design with the City of Temple. Comments and direction shall be incorporated into final designs.
- B. 100% Complete Plan Set
1. Develop final designs for all cross drainage structures within the project limits. All cross drainage structures shall be illustrated in plan profile sheets as well as detail sheets in the 100% plans. Grading to existing ground elevations shall be detailed as well as elevations for flow lines and headwalls. Hydraulic grade lines for the 4% and 1% annual chance storm (25-year and 100-year) events shall be illustrated in the profile views. Designs for conveyance to reduce erosion shall be completed and detailed in the plans.
 2. Develop final designs for the storm water collection system for the curb-and gutter portion of the project. Flow lines shall be detailed as well as hydraulic grade lines for the 4% and 1% annual chance storm (25-year and 100-year) events. All drainage infrastructure shall be designed and presented in the drawings in plan and profile.
 3. Design storm water conveyance to the regional detention facility. Design shall include conveyance for positive drainage and shall check proposed water surface elevations for storm water detention including backwater effects.
 4. Determine potential utility conflicts based on final design for the project area. Existing utility locations shall be illustrated in the drainage plan profile sheets.
 5. Prepare Hydraulic Data Sheets as appropriate reflecting the results of the hydraulic analyses and designs for proposed cross road culverts and storm sewer systems.
 6. Develop summary of final quantities for all drainage infrastructure and prepare cost estimates based on current bid data.
 7. Coordinate with the City of Temple to review the final drainage design, utility conflicts and relocations. All comments and direction shall be incorporated into final designs.
 8. Storm Water Pollution Prevention Plans (SW3P) - Develop SW3P to minimize potential impact to receiving waterways. The SW3P shall include quantities,

type and locations of erosion control devices and any required permanent erosion control measures in accordance with the City of Temple Policy.

VI. SIGNING AND MARKINGS

A. 100% Complete Plan Set

1. Signing and Markings Layouts - Prepare signing and pavement markings layouts for the full roadway section. The layouts shall include the signing and striping, roadway layout, centerline with stationing, existing signs to remain, to be removed or to be relocated, proposed signs and proposed permanent markings including pavement markings, object markers and delineation. Details shall be in accordance with TMUTCD,
2. Sign Details - Prepare details for signs included in the Project.
3. Intersection Layouts - Prepare detailed signing and striping layouts at the following intersections:
 - McLane Parkway
 - Future Alignment of Research Parkway

VII. UTILITY DESIGN

A. 30% Complete Plan Set

1. Develop layout for an 18-inch water line as shown in the City of Temple Water Master Plan from Research Parkway to McLane Parkway and for an 8-inch water line parallel to the proposed roadway. Layout shall be along the roadway alignment.
2. Develop layouts for hydrants to meet the City of Temple codes and regulations.

B. 100 % Complete Plan Set

1. Prepare plan and profile for an 18-inch water line as shown in the City of Temple Water Master Plan from Research Parkway to McLane Parkway and for an 8-inch water line parallel to the proposed roadway.
2. Call out fittings, hydrants, valves, etc on the plan profile sheets.
3. Prepare details for water utilities. Details shall be in accordance with current City of Temple standards.
4. Develop summary of final quantities for all water utility infrastructure and prepare cost estimates based on current bid data.

VIII. ENVIRONMENTAL

- A. Phase I Environmental Site Assessment
1. Prepare Phase I Site Assessment for the length of the project in accordance with the procedures included in ASTM E 1527-05.
 2. A full report of all findings will be completed with a recommendation. If additional investigations are required which are not a part of this proposal a contract amendment will be required to complete the Phase II services.
 3. At this time there are not any expected submittal or review fees by state or federal agencies and therefore no fees of this kind are included in the proposal.
- B. Archaeological Clearances
1. Complete field investigations in accordance with regulatory requirements to clear the length of the project for archaeological review with the State of Texas.
 2. A full report of all findings will be completed with a recommendation. If additional investigations are required which are not a part of this proposal a contract amendment will be required to complete the additional services. The findings will be submitted to the Texas Historical Commission for review and clearance of the project.
 3. At this time there are not any expected submittal or review fees by state or federal agencies and therefore no fees of this kind are included in the proposal.

IX. GEOTECHNICAL

- A. Geotechnical data and design
1. Roadway – Geotechnical field data will be taken for the length of the project every 500 feet in order to establish the subsurface conditions. Boring logs will be established for inclusion in the final report. Borings will be a maximum of ten feet in depth. Traffic loading will be based on City of Temple criteria.
 2. A final report of the subsurface investigations and geotechnical design for the roadway will be completed for the project.

X. MISCELLANEOUS DESIGN

- A. 30% Complete Plan Set
1. Traffic Control Plans (TCP) – A conceptual TCP shall be developed. The TCP will generally involve the intersections at McLane Parkway and Research Parkway. TCP shall be based on the TMUTCD and the latest Standards. Plan sheets shall include:
 - Traffic control layout
 - Advance Warning Signs
 - TCP Phasing Overview Layout

2. Miscellaneous Drawings - Prepare the following miscellaneous drawings:
 - Title Sheet
 - Index of Sheets
- B. 100% Complete Plan Set
 1. Traffic Control Plans TCP - A detailed TCP shall be developed. The TCP will generally involve the intersections at McLane Parkway and Research Parkway. The TCP shall also include the design of temporary drainage, if required, throughout the construction process to ensure positive flow during construction. TCP shall be based on the TMUTCD and the latest Standards. Plan sheets shall include:
 - Traffic control layout for each phase of construction
 - Advance Warning Signs
 - TCP Phasing Overview Layout
 - Any necessary miscellaneous drawings relevant to traffic control
 - Coordinate with Oncor for final layout for the project.
 2. Cost Estimates - Prepare detailed construction cost estimates
 3. General Notes and Specifications - Prepare project specific general notes including standard notes for City of Temple.
 4. Bid Proposal- Prepare the project bid proposal that shall include the following:
 - General Notes
 - Standard and Special Specifications
 - Bid Form
 5. Miscellaneous Drawings - Prepare the following miscellaneous drawings:
 - Title Sheet / Index of Sheets
 - Project Layout

Mr. Don Bond, P.E., CFM

June 14, 2013

Page 10

The following scope of work for the McLane Parkway to Research Parkway connection can be completed for the lump sum price of \$366,935. Below is a breakdown of project costs. We are pleased to submit this proposal and look forward to the benefit it will bring the City of Temple.

ROUTE AND DESIGN STUDIES	\$	16,770.00
FIELD SURVEYING	\$	20,680.00
ROADWAY DESIGN	\$	104,825.00
DRAINAGE	\$	48,580.00
SIGNING & PAVEMENT MARKING	\$	27,250.00
UTILITY DESIGN	\$	89,110.00
GEOTECHNICAL	\$	15,500.00
ENVIRONMENTAL	\$	16,500.00
MISC. DESIGN	\$	19,620.00
GENERAL MANAGEMENT & COORDINATION	\$	8,100.00
TOTAL	\$	366,935.00

Sincerely,



R. David Patrick, P.E., CFM

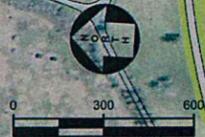
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ATTACHMENT "C"

Charges for Additional Services

City of Temple
McLane Parkway to Research Parkway Connection
Final Design

<u>POSITION</u>	<u>MULTIPLIER</u>	<u>SALARY COST/RATES</u>
Principal	2.4	\$ 75.00 – 95.00/hour
Project Manager	2.4	60.00 – 75.00/hour
Project Engineer	2.4	50.00 – 60.00/hour
Engineer-in-Training	2.4	40.00 – 50.00/hour
Engineering Technician	2.4	35.00 – 50.00/hour
CAD Technician	2.4	30.00 – 50.00/hour
Clerical	2.4	15.00 – 30.00/hour
Expenses	1.1	actual cost
Computer	1.0	15.00/hour
Survey Crew	1.1	125.00 – 160.00/hour
Registered Public Surveyor	1.0	130.00/hour
On-Site Representative	2.1	30.00 – 40.00/hour



GRAPHIC SCALE IN FEET

Corporate Campus

A CORPORATE CAMPUS PARK

PROPOSED 2013-2014 PROGRAM
PRIORITY PROJECTS
MCLANE PKWY/
RESEARCH PKWY
CONNECTION

PROPOSED 8" WATER LINE

MCLANE PKWY/
RESEARCH PKWY
CONNECTION

PROPOSED 18" WATER LINE

- PROPOSED WATERLINE
- EXISTING WATERLINE
- EXISTING CITY PROPERTY



CORPORATE CAMPUS AREA
APPROX. REPRESENTED AREA
1,561 AC.



RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH KASBERG, PATRICK & ASSOCIATES, LP, OF TEMPLE, TEXAS, TO DESIGN THE CONNECTION FROM RESEARCH PARKWAY TO MCLANE PARKWAY, WITHIN THE REINVESTMENT ZONE #1 IN NORTHWEST TEMPLE, IN AN AMOUNT NOT TO EXCEED \$366,935; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, utilities and roadway connection from Research Parkway to McLane Parkway are required to serve properties within the Industrial Park;

Whereas, on July 24, 2013, the Reinvestment Zone approved a recommendation to Council to authorize a professional services agreement with Kasberg, Patrick & Associates, LP, of Temple, Texas, to design the connection from Research Parkway to McLane Parkway within the Reinvestment Zone #1 in northwest Temple;

Whereas, funds are available for this project in the Reinvestment Zone No. 1 Financing Plan, Account No. 795-9800-531-6866, Project No. 101003; 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 with Kasberg, Patrick & Associates, L.P., after approval as to form by the City Attorney, to design the connection from Research Parkway to McLane Parkway within the Reinvestment Zone #1 in northwest Temple, in an amount not to exceed \$366,935.

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 **August**, 2013.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

08/15/13
Item #5(M)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Nicole Torralva, P.E., Public Works Director
Don Bond, P.E., CFM, City Engineer

ITEM DESCRIPTION: Consider adopting a resolution authorizing a professional services agreement with Kasberg, Patrick & Associates, LP for professional services required to provide both preliminary design and 100% final design plans, which include exhibits, estimates, and metes and bounds for proposed improvements to Prairie View Road from FM 317 to Hilliard Road/Research Boulevard in an amount not to exceed \$432,600.

STAFF RECOMMENDATION: Adopt resolution as presented in item discussion.

ITEM SUMMARY: The City of Temple has adopted a Transportation Capital Improvement Program (TCIP) in which capacity and connectivity improvements to Prairie View Road are identified. The scope of work for this project consists of providing preliminary engineering design and final engineering design. Preliminary design will provide plan sets that include geometric design, utility identification, drainage requirements, rights-of-way and easement requirements, intersection layout and typical cross sections in an amount not to exceed \$238,650. The final design phase will include providing bid-ready plans, specifications and estimates (PS&E) in an amount not to exceed \$193,950. This contract also includes utility coordination, phase one environmental investigation, archeological investigations, geotechnical investigations, design survey and metes and bounds for rights-of-way and easements required to construct the project.

Preliminary design will be completed within 210 calendar days after the notice to proceed. Professional services associated with producing preliminary design documents include the following tasks and costs:

Preliminary Design

Preliminary Civil Design	\$ 143,790
Design Surveys	\$ 30,360
Metes and Bounds	\$ 37,500
Environmental and Archaeological	\$ 13,400
Geotechnical	\$ 13,600

Preliminary Design Total **\$ 238,650**

Once preliminary design is complete, final design and plan preparation will be initiated prior to construction bidding. It should be noted that funding for construction of this roadway will not occur until a future bond issue, currently scheduled for FY '15 and '16. Professional services associated with producing final design documents include the following tasks and costs:

Final Design (100%)

Final Design Total	<u>\$ 193,950</u>
TOTAL	<u>\$ 432,600</u>

Final design will be completed within 180 calendar days after the notice to proceed.

FISCAL IMPACT: Funding in the amount of \$300,000 is appropriated for this project in account #365-3400-531-6862, project #100984 as part of the Transportation CIP. An additional \$132,600 is needed to fund this professional services agreement. A budget adjustment is presented for Council's approval reallocating funds in the amount of \$132,600 from savings from the traffic signal projects that were also part of the TCIP.

ATTACHMENTS:

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



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
1008 South Main Street
Georgetown, Texas 78626
(512) 819-9478

July 25, 2013

Mr. Richard Wilson, P.E.
3210 E. Avenue H
Building A
Temple, Texas 76501

Re: City of Temple, Texas
Prairie View Road Improvements

Dear Mr. Wilson:

At the request of the City of Temple, we are submitting this proposal for the above referenced project. The proposal will include preliminary design, final design, bidding and construction administration services for Prairie View Road upgrading the facility from a two lane rural road section to an arterial. The preliminary design will include preliminary plan sets that include geometric design, utility identification, drainage requirements, rights-of-way and easement requirements, intersection layout and typical cross sections. A phase one environmental analysis and archaeological investigations will also be performed. The final design phase will produce bid ready plans, specifications and estimates (PS&E).

The work to be performed by KPA under this contract consists of providing preliminary engineering services for the Prairie View Road Improvements Project and the 100% design and preparation of plans, specifications and estimates (PS&E). The project will also include a phase one environmental investigation, archaeological investigations, geotechnical investigations, design surveys and metes and bounds for rights-of-way and easements required to construct the project. Traffic Impact Analysis is not a part of this proposal. Under the proposal the design surveys, metes and bounds for rights-of-way and easements, phase one environmental investigations, geotechnical preliminary investigations and archaeological investigations will be accomplished during the Preliminary Design Phase.

KPA will perform all work and prepare all deliverables in accordance with City of Temple design guidelines. All communications will be through the designated City of Temple Project Manager, unless otherwise directed by the City. KPA will perform quality control and quality assurance (QA/QC) on all deliverables associated with the project. All traffic control will be in accordance with the Texas Manual on Uniform Traffic Control Devices (TMUTCD).

The following services will be performed:

I. ROUTE AND DESIGN STUDIES

- A. Data Collection – Obtain and review any existing data from the City and TxDOT.
- B. Project Pre-Design Meeting – Schedule a Pre-Design Meeting with the City of Temple and the KPA Design Team. The meeting will review alignments, typical sections, survey areas, utilities, investigations and other concepts to begin design for the project. (Preliminary Design Phase)
- C. Geometric Design - Develop geometric design for the project. Design effort will be sufficient to develop rights-of-way and easements including reviewing topography for cut and fill sections. All designs shall be in accordance with current design guidelines and criteria. (Preliminary Design Phase)
- D. Geotechnical Investigations (Preliminary Design Phase)
 - 1. Obtain and review any existing and available geotechnical and geologic information. Field reconnaissance of the project limits will be performed.
 - 2. Obtaining bore samples at approximately 500 foot intervals.
 - 3. Perform laboratory testing to classify soil strata, evaluate plasticity, shrink/swell potential and evaluate compressive strength. Tests shall include moisture content, Atterberg Limits, unconfined compressive strength, sieve analysis, absorption swell tests, lime-series tests, California Bearing Ratio (CBR) and sulfate content test.
 - 4. Provide alternative pavement designs and develop a recommended pavement section.
 - 5. Prepare a Geotechnical Report to include the summary of the field investigations, laboratory testing results and recommended pavement design.
- E. Environmental Investigations (Preliminary Design Phase)
 - 1. Environmental – Perform Phase I Environmental Investigation including a report to explain the findings and recommendations for further action, if any.
 - 2. Archeology – Archival research shall be performed in the electronic and mapping files of the Texas Historical Commission (THC) Atlas Sites database, the Texas Archeological Research Laboratory (TARL) and/or any other relevant archives for information on previous cultural resource investigations conducted and previously recorded sites and historic properties recorded in the vicinity of the project's Area of Potential Effect (APE). The results of this research shall be presented in a final report.
- F. Rights-of-Way Data (Preliminary Design Phase)
 - 1. Perform sufficient property records research to obtain current ownership and deed information of affected properties per Bell County Appraisal District Records.
 - 2. Prepare revised overall ROW Plan Sets, individual parcel plats and descriptions to be used by the designated group for required ROW acquisition and easement process.

- G. Utility Coordination (Preliminary Design Phase) - Efforts to ensure utility relocations and adjustments required to accommodate the proposed project development shall include Field Surveys, Utility Adjustment Coordination and Utility Engineering Services.
1. Field surveys shall locate horizontally, crossings of all utilities.
 2. A list of the utility owners contact information shall be developed from a preliminary survey and maintained throughout project development.
 3. Initial notifications of the project details and expected time lines for project development shall be conveyed to all utility owners existing within the project limits.
 4. A recommended identification location map shall be developed based on the potential utility conflict areas determined from the review of the existing utilities and proposed designs.
 5. Upon determination of required relocation and/or adjustments, intense coordination with impacted utility owners shall be initiated. Periodic reviews of utility adjustment designs shall be performed and guidance on project timelines for relocation budgeting shall be provided.
 6. All City of Temple utilities that will require relocation shall be designed for horizontal alignment.
 7. Coordination meetings, public and individual, shall be held as necessary to facilitate utility conflict identification and resolution.

II. PROJECT MANAGEMENT

- A. Meetings (Preliminary & Final Design Phases)
1. Attend and document Kickoff Meeting.
 2. Attend and document Progress Meetings.
 3. Attend and document Utility Coordination Meetings.
- B. General Contract Administration (Preliminary & Final Design Phases)
1. Develop monthly invoices and progress reports.
 2. Sub-consultant coordination.
 3. Design coordination with the City.

III. FIELD SURVEYING

- A. General (Preliminary Design Phase)
1. Surveys provided shall be in accordance with the "Texas State Board of Land Surveying".
 2. Survey field notes shall be submitted as requested by the City.
 3. Unless previously obtained, the City of Temple shall obtain right-of-entry (ROE) agreements with property owners for the required field surveys.
 4. Locate and identify utilities. Contact the One-Call System in advance of performing field surveys so that data collection includes ties to location of

marked utilities. Reasonable attempts to coordinate with utility owners shall be made to achieve efficiency in data collection.

B. Topographic Surveys for Engineering Design and Hydraulic Analysis (Preliminary Design Phase)

1. Reasonable attempts shall be made to recover existing horizontal control points from previous work performed (if any) on this project. 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 for use on the project. Where possible, reference ties to permanent features shall be provided for each established horizontal control point. Data for the horizontal control shall be based on Texas State Plane, Central Zone, NAD 83 (93).
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 at approximate 1,000 foot intervals for future reference on the plans and maintained to construction, if necessary.
3. Data collection shall consist of spot elevations for improvements, edge of roadway, driveways, visible or marked utilities, drainage features, centerline of roadway and grade breaks. Individual roadway cross sections shall be taken at intervals required to properly define the surface of the project and generate accurate Digital Terrain Models (DTMs).
4. The survey shall include topographic features within approximately 500 feet from each end of drainage features along the roadway or a sufficient distance to ensure and/or verify that hydraulic cross sections can be developed to adequately accommodate the 100-year rainfall event. Within these limits, the survey shall extend approximately 100 feet left and right of the preliminary proposed roadway right-of-way, provided ROE allows such access.
5. Channel cross sections shall be provided from the face of the existing drainage structures to approximately 200 feet upstream and downstream. The sections shall indicate any ground breaks, top of banks, toe of slopes, water surface elevations, normal high water surface elevations (if discernible), etc., that define the actual contour of the section and the overbank area, provided ROE allows such access.
6. A stream alignment and profile extending the entire limits of the channel cross sections described above shall be developed from the channel cross section information.
7. Profiles of intersecting driveways within the project limits shall extend a sufficient distance beyond the existing ROW to ensure adequate data is available to determine tie-ins with proposed vertical alignment changes, provided ROE allows such access.
8. Field surveys shall provide the locations of small signs, mailboxes and other visible surface features.

9. Survey shots shall be assigned a unique point number which provides a positive identification of the point. Data shall contain: the point number, northing, easting, elevation and the descriptive feature code.

IV. ROADWAY DESIGN CONTROLS

A. Preliminary Plan Set

1. Geometric Design - Develop the horizontal and vertical alignments, typical sections and resultant design cross sections to ensure compliance with current design criteria. Delineate and discuss potential deficiencies with City staff. Review constructability of preliminary design including connections and access for Belton Independent School District prior to final plan preparation. Incorporate multi-modal elements into the section to include both sidewalks and trail sections. Coordination with the City of Temple Parks Department will be accomplished with this phase.
2. Typical Sections – Work with City Staff to establish and develop proposed roadway typical sections for the project.
3. Alignment Data Sheets - Prepare horizontal and vertical alignment data sheets.
4. Plan & Profile Drawings - Prepare plan & profile sheets for Prairie View Drive from FM 317 to Research Boulevard connecting to existing infrastructure. The sheets shall include the following:
 - Critical Base map data in plan and profile (i.e. existing topography, utilities, etc.)
 - Control and benchmark data
 - Proposed roadway improvements including horizontal and vertical roadway geometry, curb geometry, drainage, grading, utilities and miscellaneous related improvements
5. Intersection Layouts - Develop intersection layouts that define all horizontal and vertical geometry for the intersections:
 - FM 317
 - Pea Ridge Road
 - Westfield
 - Research Boulevard
 - BISD connections
6. Signals – Coordinate signal layouts for the project at FM 317

B. 100% Complete Plan Set

The following items shall be prepared for the project:

1. Typical Sections – Finalize typical sections prepared during the Preliminary phase.
2. Plan & Profile Drawings – Finalize plan & profile drawings prepared during the phase.
3. Intersection Layouts – Finalize intersection layouts prepared during the phase. The following list of intersections reflects the current configuration. Layouts

for intersections that are constructed during the plan development phase will be prepared accordingly.

- FM 317
 - Pea Ridge Road
 - Westfield
 - Research Boulevard
 - BISD connections
4. Driveway Details – Develop typical driveway designs and summarize driveway features including material type and geometric design. Driveways shall be replaced with HMAC or concrete, conforming with existing.
 5. Miscellaneous Roadway Details – Develop various details, as required, for pavement, curb, riprap, etc.
 6. Removal Layouts – Prepare removal layout sheets (1"=100') showing all features that are to be removed including pavement, structures, signing, etc.
 7. Roadway Cross-Sections – Prepare design cross-sections at intervals not to exceed 100 feet along the proposed roadway improvement length to a sufficient level of detail to support design decisions.

V. DRAINAGE

A. Preliminary Plan Set

1. 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.
2. Develop storm water hydrology for the ultimate 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. Based on the data developed, drainage infrastructure shall be designed in a preliminary format for the project area. The level of detail shall be sufficient to establish cost estimates and required easements and possession and use agreements for the construction of the proposed drainage structures and channel improvements.
3. Develop preliminary hydraulics to all cross culvert conveyances and the roadway system.
4. Develop preliminary designs for all cross drainage structures throughout the project limits. The cross drainage shall be modeled with HEC-HMS and HEC-RAS.
5. Develop preliminary designs for proposed storm water collection systems for the proposed curb-and-gutter portion of the project area.

6. Determine potential utility conflicts based on preliminary design for the project area.
 7. Develop preliminary drainage easement requirements for the project area.
 8. Coordinate the preliminary design with the cities of Temple and Belton Independent School District. Comments and direction shall be incorporated into final designs.
- B. 100% Complete Plan Set
1. Develop final designs for all cross drainage structures within the project limits. The cross drainage shall be modeled with HEC-HMS and HEC-RAS. All cross drainage structures shall be illustrated in plan profile sheets as well as detail sheets in the 100% plans. Grading to existing ground elevations shall be detailed as well as elevations for flow lines and headwalls. Hydraulic grade lines for the 4% and 1% annual chance storm (25-year and 100-year) events shall be illustrated in the profile views. Designs for conveyance to reduce erosion shall be completed and detailed in the plans.
 2. Develop final designs for the storm water collection system for the curb and gutter portion of the project limits. Flow lines shall be detailed as well as hydraulic grade lines for the 20% and 1% annual chance storm (5-year and 100-year) events. All drainage infrastructures shall be designed and presented in the plans in plan and profile.
 3. Design storm water conveyance to existing streams and channel ways. Design shall include conveyance for positive drainage and shall check current water surface elevations to proposed water surface elevations after project completion.
 4. Determine potential utility conflicts based on final design for the project area. Existing utility locations shall be illustrated in the drainage plan profile sheets.
 5. Develop final drainage easement requirements for the project area. Limits of pavement drainage easements shall be kept to a minimum. Layouts for drainage easements shall be prepared for review with the City of Temple. Details will be provided for the production of metes and bounds for acquisition. (Metes and Bounds are not a part of this proposal)
 6. Prepare a global Drainage Area Map for the entire project limits and a separate network Drainage Area Map delineating drainage area boundaries for the storm sewer designs.
 7. Prepare Hydraulic Data Sheets as appropriate reflecting the results of the hydraulic analyses and designs for proposed cross road culverts and storm sewer systems.
 8. Prepare a Hydraulic Report, documenting the results of the hydrological studies, hydraulic analysis and designs. Include the preliminary Hydraulic Data and Drainage Area Map sheets.
 9. Coordinate the acceptance and conveyance of storm water from the northern drainage area to the Belton Independent School District Site.

10. Develop summary of final quantities for all drainage infrastructure and prepare cost estimates based on current bid data.
11. Coordinate with the City of Temple to review the final drainage design, phasing for the project, utility conflicts and relocations, etc. All comments and direction shall be incorporated into final designs.
12. Storm Water Pollution Prevention Plans (SW3P) – Develop SW3P to minimize potential impact to receiving waterways. The SW3P shall include text describing the plan, quantities, type and locations of erosion control devices and any required permanent erosion control measures.

VI. SIGNING, MARKINGS AND SIGNALIZATION

A. 100% Complete Plan Set

The following items shall be prepared for the project:

1. Signing and Markings Layouts - Prepare signing and pavement markings layouts for project. The layouts shall include the signing and striping, roadway layout, centerline with stationing, culverts and other structures, existing signs to remain, to be removed or to be relocated, proposed signs and proposed permanent markings including pavement markings, object markers and delineation. Prepare details in accordance with TMUTCD Standards.
2. Sign Details - Prepare details for signs.
3. Intersection Layouts - Prepare detailed signing and striping layouts at the following intersections:
 - FM 317
 - Pea Ridge Road
 - Westfield
 - Research Boulevard
 - BISD connections

VII. MISCELLANEOUS DESIGN

A. Preliminary Plan Set

1. Traffic Control Plans TCP, Detours and Sequence of Construction - A detailed TCP shall be developed including sequence of construction and the existing and proposed traffic control devices (including signs, barricades, pavement markings, etc.). The TCP shall be based on phasing construction, if required, to allow traffic flow. The TCP shall also include the evaluation of temporary drainage throughout the construction process to ensure positive flow during construction. TCP shall be based on the TMUTCD Standards. Plan sheets shall include:
 - Traffic control typical sections for each phase of construction
 - Advance Warning Signs
 - TCP Phasing Overview Layout

- TCP layouts showing work zones, number of lanes open, advance warning signs, typical sections and any necessary detour geometry
 - Intersection phasing layouts
 - 2. Pedestrian Facilities - Pedestrian facilities shall be designed to meet the multi-model concept for the project. Coordination with the City of Temple Parks Department and the current pedestrian master plan will be conducted. Design shall be ADA compliant and be in coordination with the City of Temple standards as practicable.
 - 3. Miscellaneous Drawings – Prepare the following miscellaneous drawings:
 - Title Sheet
 - Index Sheets
 - 4. Cost Estimates - Prepare a construction cost estimate for the Preliminary Design.
- B. 100% Complete Plan Set
1. Traffic Control Plans TCP, Detours and Sequence of Construction - A detailed TCP shall be developed including sequence of construction and the existing and proposed traffic control devices (including signs, barricades, pavement markings, etc.). The TCP shall be based on phasing construction, as required, to allow traffic flow. The TCP shall also include the design of temporary drainage throughout the construction process to ensure positive flow during construction. TCP shall be based on the TMUTCD Standards. Plan sheets shall include:
 - Traffic control typical sections for each phase of construction
 - Advance Warning Signs
 - TCP Phasing Overview Layout
 - TCP layouts showing work zones, sequence of construction, number of lanes open, advance warning signs, typical sections and any necessary detour geometry
 - Intersection phasing layouts, including temporary signal plans
 - Any necessary miscellaneous drawings relevant to traffic control
 - Required Traffic Control Standard sheets
 2. Pedestrian Facilities - Pedestrian facilities shall be designed in coordination with and as approved within the Preliminary Design Set. Design shall be ADA compliant and be in coordination with the City of Temple standards.
 3. Cost Estimates - Prepare detailed construction cost estimates. An estimate shall be provided at each submittal (Preliminary, 90% and 100% PS&E).
 4. Construction Time Estimate - Prepare a construction time estimate in Microsoft Project that shows the time required to construct the project.
 5. Bid Proposal- Prepare the project bid proposal that shall include the following:
 - General Notes
 - Special Specifications
 - Bid Tabulation Sheets

6. Miscellaneous Drawings - Prepare the following miscellaneous drawings:
- Title Sheet / Index of Sheets
 - Project Layout

The scope of work as described in this proposal can be completed for the lump sum amount of \$238,650 for the Preliminary Design Phase and the lump sum amount of \$193,950 for the Final Design Phase. Below 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.

<u>Preliminary Design</u>	
Preliminary Civil Design	\$143,790
Design Surveys	\$ 30,360
Metes and Bounds	\$ 37,500
Environmental and Archaeological	\$ 13,400
Geotechnical	\$ 13,600
Preliminary Design Total	<u>\$238,650</u>

<u>Final Design</u>	
Final Design	\$193,950

Sincerely,



R. David Patrick, P.E., CFM

ATTACHMENT "A"

Charges for Additional Services

**City of Temple
Prairie View Road Improvements
Preliminary and Final Design**

<u>POSITION</u>	<u>MULTIPLIER</u>	<u>SALARY COST/RATES</u>
Principal	2.4	\$ 60.00 – 80.00/hour
Project Manager	2.4	45.00 – 58.00/hour
Project Engineer	2.4	40.00 – 45.00/hour
Engineer-in-Training	2.4	32.00 – 40.00/hour
Engineering Technician	2.4	22.00 – 40.00/hour
CAD Technician	2.4	18.00 – 40.00/hour
Clerical	2.4	13.00 – 25.00/hour
Expenses	1.1	actual cost
Computer	1.0	15.00/hour
Survey Crew	1.1	95.00 – 120.00/hour
Registered Public Surveyor	1.0	110.00/hour
On-Site Representative	2.1	30.00 – 40.00/hour



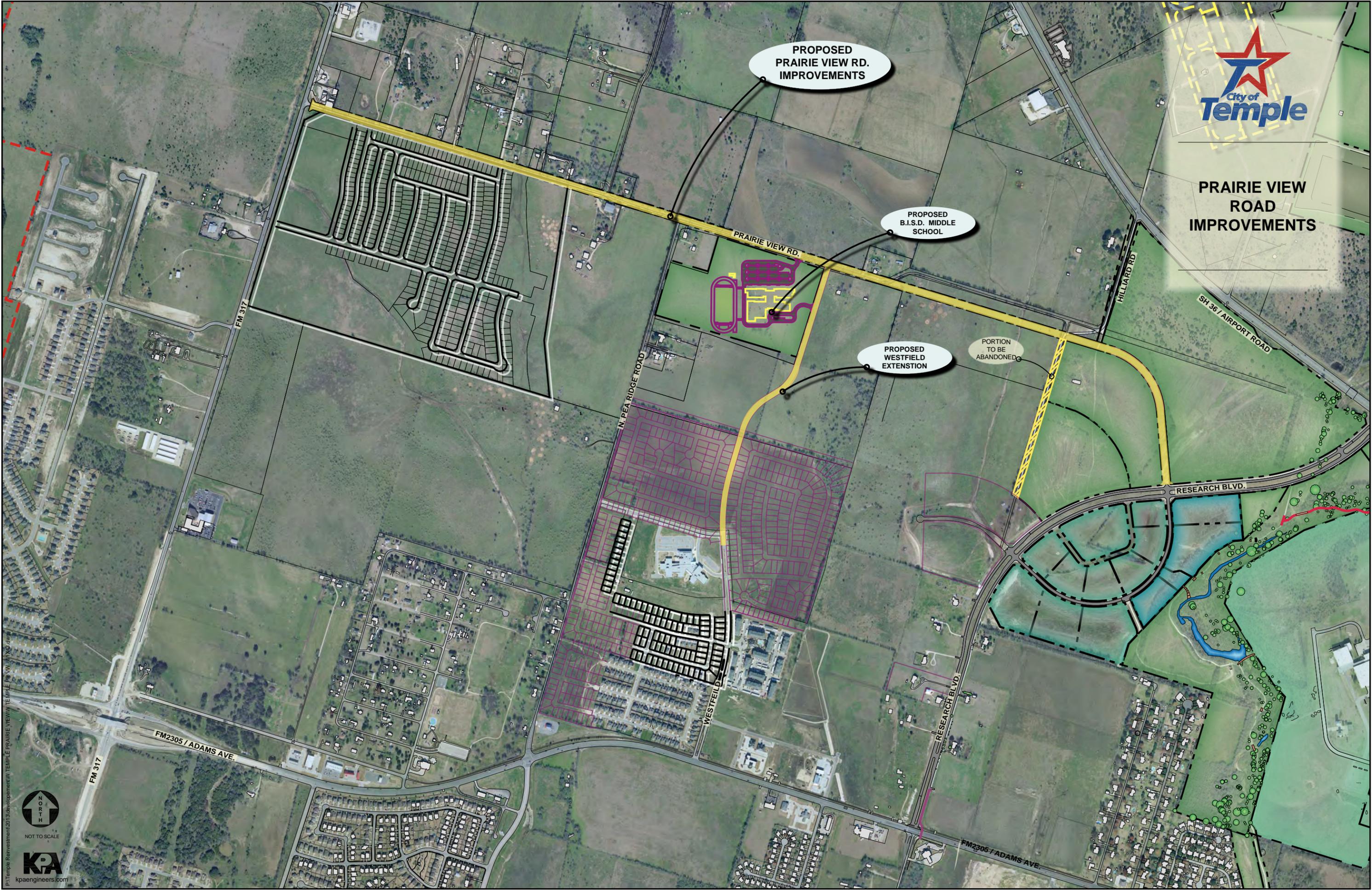
PRAIRIE VIEW ROAD IMPROVEMENTS

PROPOSED PRAIRIE VIEW RD. IMPROVEMENTS

PROPOSED B.I.S.D. MIDDLE SCHOOL

PROPOSED WESTFIELD EXTENSION

PORTION TO BE ABANDONED



City of Temple, Prairie View Road Improvements, 2013, kpaengineers.com



NOT TO SCALE
KPA
kpaengineers.com

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
365-3400-531-68-62	100984	Bonds - Prairie View Rd Improvements	\$ 132,600		
365-2800-532-68-10	100504	Bonds - Traffic Signals			66,300
365-2800-532-68-10	100956	Bonds - Traffic Signals			66,300
TOTAL.....			\$ 132,600		\$ 132,600

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

Additional funding in the amount of \$132,600 is needed for the Prairie View Road Improvements. Council is being presented an engineering contract for authorization with KPA in the amount of \$432,600 and the available funds for this project is \$300,000.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL? Yes No

DATE OF COUNCIL MEETING 8/15/2013

WITH AGENDA ITEM? Yes No

Department Head/Division Director	Date	<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved
Finance	Date	<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved
City Manager	Date	<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH KASBERG, PATRICK & ASSOCIATES, LP, OF TEMPLE, TEXAS, TO PROVIDE PRELIMINARY AND FINAL DESIGN PLANS FOR PROPOSED IMPROVEMENTS TO PRAIRIE VIEW ROAD FROM FM 317 TO HILLIARD ROAD/RESEARCH BOULEVARD, IN AN AMOUNT NOT TO EXCEED \$432,600; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City of Temple adopted a Transportation Capital Improvement Plan in which capacity and connectivity improvements to Prairie View Road are identified;

Whereas, preliminary design will provide plan sets that include geometric design, utility identification, drainage requirements, rights-of-way and easement requirements, intersection layout and typical cross sections, in an amount not to exceed \$238,650;

Whereas, final design will include providing bid-ready plans, specification and estimates, utility coordination, phase one environmental investigation, archeological investigations, geotechnical investigations, design survey and metes and bounds for rights-of-way and easements required to construction the project, in an amount not to exceed \$193,950;

Whereas, funds are available for this project in Account No. 365-3400-531-6862, Project No. 100984, 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 professional services agreement with Kasberg, Patrick & Associates, L.P., after approval as to form by the City Attorney, to provide preliminary and final design plans for proposed improvements to Prairie View Road from FM 317 to Hilliard Road/Research Boulevard, in an amount not to exceed \$432,600.

Part 2: The City Council approves an amendment to the FY2012-2013 budget, substantially in the form of the copy attached as Exhibit A, for this project.

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

PASSED AND APPROVED this the 15th day of August, 2013.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

08/15/13
Item #5(N)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

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

ITEM DESCRIPTION: Consider adopting a resolution authorizing a professional service agreement with Kasberg, Patrick & Associates, LP of Temple for engineering services for the rehabilitation/replacement of the return activated sludge screw pumps at Doshier Farm Wastewater Treatment Plant in the amount not to exceed \$43,505.

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

ITEM SUMMARY: The return activated sludge pumps (RAS) are a critical part of the treatment process at the Doshier Wastewater Treatment Plant. Activated sludge is a treatment process that uses a suspended growth of organisms to remove biochemical oxygen demand (BOD) and suspended solids from the wastewater. The solids are separated from the wastewater in the clarifiers. These solids are either sent to the dewatering facilities (Waste Activated Sludge, WAS) or recycled to the front of the aeration process and mixed with the influent wastewater (Return Activated Sludge, RAS). The RAS contains microorganisms that are very efficient at digesting organic matter in the aeration process and is vital to maintaining the plant's ability to effectively treat the influent wastewater. The RAS pumps are the original pumps installed when the WWTP plant was built in 1994. One of the two pumps has failed and both pumps need to be rehabilitated or replaced immediately.

Identified in updates to the City's Utility capital improvement project list, this project will result in replacing and rehabilitation of the RAS pumps. If the pumps and motors are not rehabilitated or replaced, compliance issues at the WWTP may result.

As identified in the attached letter, the proposed timeline for the design of the project is approximately 90 days. Per attachment the engineering services are broken down as follows.

Basic Services

Final Design	\$	18,495
Bidding	\$	6,000
Construction Administration	\$	<u>12,610</u>
Total Basic Services	\$	37,105

Special Services

On-Site Representation	\$	<u>6,400</u>
Total Special Services	\$	6,400

Total \$ **43,505**

FISCAL IMPACT: Funding in the amount of \$300,000 is available in account 561-5500-535-6945 project #100993 for this project.

ATTACHMENTS:

[Engineer's Proposal Letter](#)
[Resolution](#)



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
1008 South Main Street
Georgetown, Texas 78626
(512) 819-9478

July 18, 2013

Mrs. Nicole Torralva, P.E.
Director of Public Works
3210 E. Avenue H
Building A
Temple, Texas 76501

Re: Doshier Farm Wastewater Treatment Plant
Rehabilitation of Return Activated Sludge (RAS) Screw Pumps

Dear Mrs. Torralva:

This letter proposal is in response to your request for engineering services required for rehabilitation of the two (2) Return Activated Sludge (RAS) screw pumps at the Doshier Farm WWTP. The RAS Pump Station currently has only a single screw pump operable due to a lower bearing failure in the inoperable pump.

The scope of our services for this project will include the following:

- Determine acceptable replacement parts for the existing screw pumps including:
 - Lower Bearing Assembly
 - Upper Bearing Assembly
- Determine acceptable manufacturers for replacement of existing Drive Units consisting of motor, gear reducer, belts, sheaves and guards.
- Prepare plans and technical specifications for rehabilitation of RAS screw pumps, including:
 - Surface preparation of existing screw, flights and deflector plate
 - Painting of existing screw, flights and deflector plate
 - Replacement of pump components noted above.
- No separate analysis of the existing electrical components is included in this proposal. The drive units noted above will be replaced with like sized components.
- Prepare final opinion of probable construction costs and construction schedule requirements.
- Assistance in Bidding the Project, including notification of bidders, conducting Pre-Bid meeting, attending bid opening, preparing bid tabulation, reviewing low bidder's qualifications and recommending award of contract.
- Construction Administration.
 - Hold pre-construction conference
 - Prepare monthly pay requests by the contractor
 - Hold progress meetings (3 total)
 - Periodic site visits during construction as required
 - Review shop drawings submittals
 - Prepare Record Documents

- On-Site Representation
 - Periodically observe construction by the Contractor
 - We estimate approximately 80 hours will be required throughout the project. The time required will vary depending on the particular activity by the Contractor (ie. equipment delivery, removal, installation, painting, progress meetings and final punch list).

In order for us to provide the services required for completion of this project, the following not-to-exceed lump sum amounts will be will be applicable:

Basic Services

Final Design	\$	18,495
Bidding	\$	6,000
Construction Administration	\$	12,610
Total Basic Services	\$	<u>37,105</u>

Special Services

On-Site Representation	\$	<u>6,400</u>
Total Special Services	\$	6,400

Total \$ 43,505

We can complete the plans and specifications within ninety (90) calendar days from written authorization to proceed.

The deliverables for the project shall be as follows.

1. 90% design review sets. Three copies of 90% design sets will be delivered to the Project Manger designated for the City of Temple for distribution to staff. The City of Temple shall notify KPA when comments are ready and they will be incorporated into the design.
2. Final Design sets. Three copies of the final design will be delivered to the Project Manager designated for the City of Temple distribution to staff. The City of Temple shall notify KPA when comments are ready and they will be incorporated into the design. Once these comments have been incorporated into the plans they shall be considered final and the project design shall be complete.
3. Construction deliverables. After the project has been completed and all punch list items are corrected by the Contractor, one set of 11x17 mylar record drawings, one CD with pdf record drawings and project photos, one copy of inspector reports, and one copy of submittals shall be delivered to the Project Manager.

Mrs. Nicole Torralva, P.E.

July 18, 2013

Page Three

Any requirements beyond the scope of deliverables as listed above shall be considered additional services and shall be billed according to the rate tables shown on Exhibit A.

We can complete all the tasks represented for the lump sum amount of \$43,505. We are available to discuss the scope of the project at your convenience. As always, we look forward to working with you on the project.

Sincerely,

A handwritten signature in blue ink, appearing to read "Rick N. Kasberg". The signature is fluid and cursive, with a large initial "R" and "K".

Rick N. Kasberg, P.E.

TDV/

EXHIBIT A

Charges for Additional Services

City of Temple

**Doshier Farm Wastewater Treatment Plant
Rehabilitation of Return Activated Sludge (RAS) Screw Pumps**

**Kasberg, Patrick & Associates, LP
July 18, 2013**

<u>POSITION</u>	<u>MULTIPLIER</u>	<u>SALARY COST/RATES</u>
Principal	2.4	\$ 60.00 – 80.00/hour
Project Manager	2.4	45.00 – 58.00/hour
Project Engineer	2.4	40.00 – 45.00/hour
Engineer-in-Training	2.4	32.00 – 40.00/hour
Engineering Technician	2.4	22.00 – 40.00/hour
CAD Technician	2.4	18.00 – 40.00/hour
Clerical	2.4	13.00 – 25.00/hour
Expenses	1.1	actual cost
Computer	1.0	15.00/hour
Survey Crew	1.1	95.00 – 120.00/hour
Registered Public Surveyor	1.0	110.00/hour
On-Site Representative	2.1	30.00 – 40.00/hour

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH KASBERG, PATRICK & ASSOCIATES, LP, OF TEMPLE, TEXAS, FOR ENGINEERING SERVICES FOR THE REHABILITATION AND/OR REPLACEMENT OF THE RETURN ACTIVATED SLUDGE SCREW PUMPS AT DOSHIER FARM WASTEWATER TREATMENT PLANT, IN AN AMOUNT NOT TO EXCEED \$43,505; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the return activated sludge screw pumps (RAS) are a critical part of the treatment process at the Doshier Farm Wastewater Treatment Plant and activated sludge is a treatment process that uses a suspended growth of organisms to remove biochemical oxygen demand and suspends solids from the wastewater;

Whereas, the RAS contains microorganisms that are very efficient at digesting organic matter in the aeration process and is vital to maintaining the plant's ability to effectively treat the influent wastewater;

Whereas, the RAS pumps are the original pumps installed in 1994 when the Doshier Farm Wastewater Treatment Plant was built and both of the pumps are in need of rehabilitation or replacement immediately;

Whereas, funds are available for this project in Account No. 561-5500-535-6945, Project No. 100993; 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 with Kasberg, Patrick & Associates, L.P., after approval as to form by the City Attorney, for engineering services for the rehabilitation and/or replacement of the return activated sludge screw pumps at Doshier Farm Wastewater Treatment Plant, in an amount not to exceed \$43,505.

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 **August**, 2013.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

08/15/13
Item #5(O)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Nicole Torralva, P.E., Public Works Director
Don Bond, P.E., City Engineer

ITEM DESCRIPTION: Consider adopting a resolution authorizing a professional services agreement with Kasberg, Patrick & Associates, LP for professional services required to design Research Parkway improvements from Central Pointe Parkway to IH35 within the Reinvestment Zone #1 in northwest Temple in an amount not to exceed \$1,864,020.

STAFF RECOMMENDATION: Adopt resolution as presented in item discussion.

ITEM SUMMARY: Completion of the outer loop requires Research Parkway to be extended from its current terminus northward to IH35. A proposal and map of the project area are attached. Water and wastewater utilities will be installed along with the road improvements. New gravity sewer will enable the abandonment of an existing sewer lift station and force main.

In order that KPA provide engineering services required for completion of this project, the following is a list of costs associated with each task:

Survey Services

Field Surveying	\$ 122,300
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Design Services

Route and Design Studies	\$ 96,440
Roadway Design	\$ 676,920
Drainage	\$ 196,120
Signage & Marking	\$ 146,600
Utility Design	\$ 166,210
Structural Design	\$ 267,800
Geotechnical	\$ 28,500
Traffic Control	\$ 59,870

Misc. Services

Environmental	\$ 41,000
BNSF Coordination	\$ 21,760
Project Management	\$ 40,500

TOTAL	<u>\$ 1,864,020</u>
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On July 24, 2013, the RZ Board approved a recommendation to Council to authorize this contract. The proposed timeline for the design phase of the project is 14 months.

The design will provide two alternative crossings of the BNSF railroad so that either an at-grade or bridge crossing may be constructed. Infrastructure designed under this contract will consist of approximately 4.5 miles of roadway and parallel water lines. Infrastructure designed for abandonment under this contract consists of the Hart Road Lift Station via new gravity sewer line.

FISCAL IMPACT: Funding for this professional services agreement with KPA in the amount of \$1,864,020 is available in the Reinvestment Zone No. 1 Financing Plan. Detail of accounts is shown below.

Account #	Project #	Amount
795-9800-531-6863	101000	\$919,366
795-9800-531-6864	101001	\$546,395
795-9800-531-6881	101004	\$398,259
Total		\$1,864,020

ATTACHMENTS:

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



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

1008 South Main Street
Georgetown, Texas 78626
(512) 819-9478

June 14, 2013

Mr. Don Bond, P.E., CFM
3210 E. Avenue H
Building A
Temple, Texas 76501

Re: City of Temple
Research Parkway (Central Pointe Parkway to IH 35)
Final Design

Dear Mr. Bond:

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 develop 100% final design for Research Parkway from Central Pointe Parkway to IH-35. The connection to IH-35 will be at the current intersection of Hart Road and IH-35. This intersection has already been coordinated with the IH-35 development projects currently underway with the Texas Department of Transportation (TxDOT). The plans will be designed in whole to allow for seamless connections for the project when constructed but construction projects and plan, specification and estimates will be separated into three areas. Generally the project areas will be from Central Pointe Parkway to just north of McLane Parkway, just North of McLane Parkway to Wendland Road and from Wendland Road to IH-35. The final product will be plans, specifications and estimates ready for bidding through the City of Temple Purchasing Department.

The work to be performed by KPA under this contract consists of providing engineering services for design of the project described above to include 100% design and preparation of plans, specifications and estimates. The project consists of reconstruction and construction of approximately 4.5 miles of major arterial roadway with associated drainage, parallel water utilities, abandonment of the Hart Road Lift Station with gravity fed wastewater, elevated bridge structure over the BNSF Railroad with an at-grade design option, striping, signage and erosion control. The timeframe for design of the project is fourteen months. Metes and bounds for rights-of-way and easements will be delivered to the designated City of Temple Project Manager for acquisition processes to be the responsibility of the City.

KPA will perform all work and prepare all deliverables in accordance with the latest version of AASHTO and City of Temple specifications, standards and manuals.

KPA will perform quality control and quality assurance (QA/QC) on all deliverables associated with the project. All traffic control will be in accordance with the Texas Manual on Uniform Traffic Control Devices (TMUTCD).

The following services will be performed:

I. ROUTE AND DESIGN STUDIES

- A. Data Collection – Obtain and review any existing data from the City and other entities that may have record documents and are allowed to release the information. i.e. – Atmos, AT&T, Oncor, etc.
- B. Geometric Design - Develop geometric design for the full length of the project to establish survey and investigation limits. All designs shall be in accordance with City of Temple design guidelines and criteria.
- C. Rights-of-Way Data
 1. Perform sufficient property records research to obtain current ownership and deed information of affected properties current per Bell County Appraisal District Records at the time of plan development.
 2. Prepare revised overall ROW Plan Sets to be used by the City of Temple for required ROW acquisition and easement process.
 3. Prepare metes and bounds for the entire project limits. Metes and bounds will be delivered to the designated City of Temple Project Manager to utilize in the City's efforts to acquire rights-of-way and easements. There is not any acquisition services included in this proposal.
- D. Utility Coordination

Efforts to ensure utility relocations and adjustments required to accommodate the proposed project development shall include Field Surveys and Utility Adjustment Coordination.

 1. Field surveys shall locate horizontally; crossings of all utilities within the project area identified by markings obtained from performing a one call utility locate service.
 2. After design surveys have located marked utilities from the one call service, verification of utilities will be performed as available from meeting with the utility companies (Atmos, AT&T, Oncor, etc.)
 3. Initial notifications of the project details and expected time lines for project development shall be conveyed to all utility owners existing within the project limits.
 4. Upon determination of required relocation and/or adjustments, intense coordination with impacted utility owners shall be initiated.

II. PROJECT MANAGEMENT

A. Meetings

1. Prepare, attend and document Progress Meetings at the City Office.
2. Prepare, attend and document Utility Coordination Meetings.
3. Prepare, attend and present as necessary updates to the Temple Re-investment Zone Project Group and Board.

B. General Contract Administration

1. Develop monthly invoices and progress reports.
2. Sub-consultant coordination.
3. Design coordination with the City and BNSF.

III. FIELD SURVEYING

A. General

1. Unless previously obtained, the City of Temple shall obtain right-of-entry (ROE) agreements with property owners for the required field surveys.
2. Verify and compare previously located utility data with current ground conditions. Contact the One-Call System in advance of performing field surveys so that data collection includes ties to location of marked utilities. Reasonable attempts to coordinate with utility owners shall be made to achieve efficiency in data collection.

B. Topographic Surveys for Engineering Design and Hydraulic Analysis

1. Reasonable attempts shall be made to recover existing horizontal control points from previous work performed on this project. Additional control shall be established to adequately position horizontal control points as needed for project design activities and plan notations thereof. Data for the horizontal control shall be based on Texas State Plane, Central Zone, NAD 83 (93).
2. Reasonable attempts at recovering and verifying existing vertical control shall be made. Additional benchmarks shall be established via differential level loops from recovered known project controls. A vertical benchmark system shall be perpetuated at approximate 1,000 foot intervals for future reference on the plans.
3. Survey files with previously obtained project data shall be compared to and merged with survey files generated through this proposal. In areas of uncertainty, changes in previous existing conditions, and/or limited topographic information, additional data shall be collected.
4. Data collection shall consist of spot elevations for improvements, edge of roadway, driveways, visible or marked utilities, drainage features, centerline of roadway and grade breaks. Individual roadway cross sections shall be taken at intervals approximately 100 feet or as required to properly define the surface of the project and generate accurate Digital Terrain Models (DTMs).

5. The survey shall include topographic features within approximately 500 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 100-year rainfall event. Within these limits, the survey shall extend approximately 150 feet left and right of the proposed roadway centerline, provided ROE allows such access.
6. Channel cross sections shall be provided from the face of the existing drainage structures or edge of channel connection (4 sections each) to approximately 200 feet upstream and downstream. The sections shall indicate any ground breaks, top of banks, toe of slopes, etc., that define the actual contour of the section and the overbank area, provided ROE allows such access.
7. A stream alignment and profile extending the entire limits of the channel cross sections described above shall be developed from the channel cross section information.
8. Profiles of intersecting driveways within the project limits shall extend a sufficient distance beyond the existing ROW to ensure adequate data is available to determine tie-ins with proposed vertical alignment changes, provided ROE allows such access.
9. Field surveys shall provide the locations of small signs, mailboxes and other visible surface features.

IV. ROADWAY DESIGN CONTROLS

- A. 30% Complete Plan Set
 1. Geometric Design - Develop the horizontal and vertical alignments, typical sections and resultant design cross sections to ensure compliance with current design criteria. Delineate and discuss potential deficiencies with City Staff. Review constructability of preliminary design including connections and access.
 2. Typical Sections - Develop existing and proposed roadway typical sections for the project.
 3. Alignment Data Sheets - Prepare horizontal and vertical alignment data sheets.
 4. Plan & Profile Drawings - Prepare preliminary plan & profile sheets for the project.
 5. Intersection Layouts - Develop layouts that define preliminary horizontal and vertical geometry for the following intersections and connections:
 - Pepper Creek Road
 - McLane Parkway
 - Cedar Creek Road
 - Old Howard Road
 - Wendland Road
 - Brewster Road
 - Pegasus Drive

- IH-35
6. Bridge Layout – Develop geometric layout for the bridge structure at the crossing of the BNSF Railroad. The layout shall include the geometry to include receiving and delivery tracks planned for the Rail Park as well as the current BNSF right-of-way.
 7. At-Grade Crossing for the BNSF Railroad – Develop geometric layout for an at-grade option for crossing the BNSF Railroad. The layout will include receiving and delivery tracks planned for the Rail Park as well as the current BNSF right-of-way.
 8. Develop preliminary rights-of-way and easement requirements for the proposed roadway infrastructure.
 9. Coordination with private utilities – After the Preliminary Engineering is complete, all utilities that appear effected will be contacted for coordination for relocation.
- B. 100% Complete Plan Set
- The following items shall be prepared for the project:
1. Typical Sections - Finalize typical sections prepared during the 30% completion phase.
 2. Plan & Profile Drawings - Finalize plan & profile drawings prepared during the 30% completion phase.
 3. Intersection Layouts - Finalize intersection and connection layouts prepared during the 30% completion phase. The following list of intersections and connections will be completed.
 - Pepper Creek Road
 - McLane Parkway
 - Cedar Creek Road
 - Old Howard Road
 - Wendland Road
 - Brewster Road
 - Pegasus Drive
 - IH-35
 4. Driveway Details - Develop typical driveway designs and summarize driveway features including material type and geometric design. Driveways shall be replaced with HMAC or concrete, conforming to existing. Profiles for each driveway will be completed to illustrate the connection with proposed infrastructure and existing private access. All access facilities will meet the requirements of the City of Temple criteria.
 5. Bridge Layout – Finalize bridge layout including a geometrics for crossing the BNSF Railroad. Geometrics will include both horizontal and vertical alignments for clearances with the BNSF Railroad according to their standards as well as future receiving and delivery tracks planned for the Rail Park.

6. Miscellaneous Roadway Details - Develop various details, as required, for pavement, curb, riprap, etc.
7. Removal Layouts - Prepare removal and demolition layout sheets showing all features that are to be removed including pavement, structures, signing, etc.
8. Roadway Cross Sections - Finalize roadway cross sections prepared during the 30% completion phase.
9. Finalize requirements for rights-of-way and easements for all proposed roadway infrastructure.
10. Develop summary of final quantities for all roadway infrastructure and prepare cost estimates based on current bid data.

V. DRAINAGE

A. 30% Complete Plan Set

1. 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.
2. Develop storm water hydrology for the ultimate 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 4% and 1% annual chance storm (25-year, and 100-year) events. Modeling shall develop storm water flows to all cross culverts and roadway conveyances. Based on the data developed, drainage infrastructure shall be designed in a preliminary format for the project area. The level of detail shall be sufficient to establish cost estimates.
3. Develop preliminary hydraulics to all cross culvert conveyances and the roadway system.
4. Develop preliminary designs for all cross drainage structures throughout the project limits.
5. Develop preliminary designs for proposed storm water collection systems for the proposed curb-and-gutter portion of the project area.
6. Determine potential utility conflicts based on preliminary design for the project area.
7. Develop preliminary drainage easement requirements for the project area.
8. Coordinate the preliminary design with the City of Temple. Comments and direction shall be incorporated into final designs.

B. 100% Complete Plan Set

1. Develop final designs for all cross drainage structures within the project limits. All cross drainage structures shall be illustrated in plan profile sheets as well as detail sheets in the 100% plans. Grading to existing ground elevations shall be detailed as well as elevations for flow lines and headwalls. Hydraulic grade lines for the 4% and 1% annual chance storm (25-year and 100-year) events

- shall be illustrated in the profile views. Designs for conveyance to reduce erosion shall be completed and detailed in the plans.
2. Develop final designs for the storm water collection system for the curb-and gutter portion of the project. Flow lines shall be detailed as well as hydraulic grade lines for the 4% and 1% annual chance storm (25-year and 100-year) events. All drainage infrastructure shall be designed and presented in the drawings in plan and profile.
 3. Design storm water conveyance to existing streams and channel ways. Design shall include conveyance for positive drainage and shall check current water surface elevations to proposed water surface elevations after project completion.
 4. Determine potential utility conflicts based on final design for the project area. Existing utility locations shall be illustrated in the drainage plan profile sheets.
 5. Develop final drainage easement requirements for the project area. Layouts for drainage easements shall be prepared for review with the City. Details will be provided for the production of metes and bounds for acquisition.
 6. Prepare Hydraulic Data Sheets as appropriate reflecting the results of the hydraulic analyses and designs for proposed cross road culverts and storm sewer systems.
 7. Develop summary of final quantities for all drainage infrastructure and prepare cost estimates based on current bid data.
 8. Coordinate with the City of Temple to review the final drainage design, phasing for the project, utility conflicts and relocations. All comments and direction shall be incorporated into final designs.
 9. Storm Water Pollution Prevention Plans (SW3P) - Develop SW3P to minimize potential impact to receiving waterways. The SW3P shall include quantities, type and locations of erosion control devices and any required permanent erosion control measures in accordance with the City of Temple Policy.

VI. SIGNING AND MARKINGS

A. 100% Complete Plan Set

1. Signing and Markings Layouts - Prepare signing and pavement markings layouts for the full roadway sections. The layouts shall include the signing and striping, roadway layout, centerline with stationing, existing signs to remain, to be removed or to be relocated, proposed signs and proposed permanent markings including pavement markings, object markers and delineation. Details shall be in accordance with TMUTCD,
2. Sign Details - Prepare details for signs included in the Project.

3. Intersection Layouts - Prepare detailed signing and striping layouts at the following intersections:
 - Pepper Creek Road
 - McLane Parkway
 - Cedar Creek Road
 - Old Howard Road
 - Wendland Road
 - Brewster Road
 - Pegasus Drive
 - IH-35

VII. UTILITY DESIGN

- A. 30% Complete Plan Set
 1. Develop layout for 12-inch water line as shown in the City of Temple Water Master Plan. Layout shall be along the roadway alignment.
 2. Develop layouts for hydrants to meet the City of Temple codes and regulations.
 3. Develop preliminary design and layout for eliminating the Hart Road Lift Station.
 4. Develop preliminary designs and alignment for wastewater infrastructure to gravity feed the Hart Road Lift Station in the City of Temple Wastewater System.
- B. 100 % Complete Plan Set
 1. Prepare plan and profile for 12-inch water line for the project as shown in the City of Temple Water Master Plan
 2. Call out fittings, hydrants, valves, etc on the plan profile sheets.
 3. Prepare details for water utilities. Details shall be in accordance with current City of Temple standards.
 4. Develop summary of final quantities for all utility infrastructure and prepare cost estimates based on current bid data.
 5. Develop final plans and specifications for the elimination of the Hart Road Lift Station.
 6. Develop final plan and profile for the gravity fed wastewater to connect to the existing City of Temple system.
 7. Prepare details for all wastewater improvements.

VIII. STRUCTURAL DESIGN

- A. 30% Complete Plan Set
 1. Develop preliminary structural design for elevated bridge structure over BNSF Railroad.
 2. Develop preliminary structural design for retaining walls.

- B. 100 % Complete Plan Set
 - 1. Develop final structural design for elevated bridge structure over BNSF Railroad.
 - 2. Develop final structural design for retaining walls.
 - 3. Develop summary of final quantities for bridge elements and retaining walls and prepare cost estimates based on current bid data

IX. ENVIRONMENTAL

- A. Phase I Environmental Site Assessment
 - 1. Prepare Phase I Site Assessment for the length of the project not currently cleared in accordance with the procedures included in ASTM E 1527-05.
 - 2. A full report of all findings will be completed with a recommendation. If additional investigations are required which are not a part of this proposal, a contract amendment will be required.
 - 3. At this time there are not any expected submittal or review fees by state or federal agencies and therefore no fees of this kind are included in the proposal.
- B. Archaeological Clearances
 - 1. Complete field investigations in accordance with regulatory requirements to clear the length of the project not currently cleared for archaeological review with the State of Texas.
 - 2. A full report of all findings will be completed with a recommendation. If additional investigations are required which are not a part of this proposal, a contract amendment will be required. The finding will be submitted to the Texas Historical Commission for review and clearance of the project
 - 3. At this time there are not any expected submittal or review fees by state or federal agencies and therefore no fees of this kind are included in the proposal.

X. GEOTECHNICAL

- A. Geotechnical data and design
 - 1. Roadway – Geotechnical field data will be taken for the length of the project every 500 feet in order to establish the subsurface conditions. Boring logs will be established for inclusion in the final report. Borings will be 10 feet in depth. Traffic loading will be based on City of Temple criteria.
 - 2. Bridge – Geotechnical field data will be taken for the proposed bridge structure at the BNSF right-of-way in order to establish structural design for the bridge. Borings will be included in the final report.
 - 3. A final report of the subsurface investigations and geotechnical design for the roadway and bridge will be completed for the project.

XI. BNSF COORDINATION

- A. 30% Complete Plan Set
 1. Communicate with BNSF with respect to the project limits within BNSF rights-of-way and options for infrastructure crossing the main line of the BNSF Railway.
 2. Update BNSF to the direction of the options.
- B. 100 % Complete Plan Set
 1. Coordinate proposed construction activities within and around BNSF rights-of-way.
 2. Prepare permit applications with all required back up information and documentation.
 3. Monitor and assist for execution of permitting through the BNSF.
 4. All submittal fees will be paid by the City Temple and are not part of this proposal.

XII. MISCELLANEOUS DESIGN

- A. 30% Complete Plan Set
 1. Traffic Control Plans (TCP), Detours and Sequence of Construction – A conceptual TCP shall be developed including sequence of construction and the existing and proposed traffic control devices (including signs, barricades, pavement markings, etc.). The TCP shall be based on phasing construction to allow traffic flow. The TCP shall also include the evaluation of temporary drainage throughout the construction process to ensure positive flow during construction. TCP shall be based on the TMUTCD and the latest Standards. Plan sheets shall include:
 - Traffic control layout for each phase of construction
 - Advance Warning Signs
 - TCP Phasing Overview Layout
 - TCP layouts showing work zones, number of lanes open, advance warning signs, typical sections and any necessary detour geometry
 2. Miscellaneous Drawings - Prepare the following miscellaneous drawings:
 - Title Sheet
 - Index of Sheets
 3. Illumination and Electric
 - Design conduit layout for future installation of street lighting.
 - Coordinate with Oncor Electric for future installation of traffic lights.
 4. Cost Estimates - Prepare a construction cost estimate for the 30% design.
- B. 100% Complete Plan Set
 1. Traffic Control Plans TCP, Detours and Sequence of Construction - A detailed TCP shall be developed including sequence of construction and the existing and proposed traffic control devices (including signs, barricades, pavement markings, etc.). The TCP shall be based on phasing construction to allow traffic flow. The TCP shall also include the design of temporary drainage, if

required, throughout the construction process to ensure positive flow during construction. TCP shall be based on the TMUTCD and the latest Standards. Plan sheets shall include:

- Traffic control layout for each phase of construction
 - Advance Warning Signs
 - TCP Phasing Overview Layout
 - Any necessary miscellaneous drawings relevant to traffic control
2. Illumination and Electric
 - Develop final conduit layout for future installation of street lighting.
 - Coordinate with Oncor for final layout for the project.
 3. Cost Estimates - Prepare detailed construction cost estimates.
 4. General Notes and Specifications – Prepare project specific general notes including standard notes for City of Temple.
 5. Bid Proposal- Prepare the project bid proposal that shall include the following:
 - General Notes
 - Standard and Special Specifications
 - Bid Form
 6. Miscellaneous Drawings - Prepare the following miscellaneous drawings:
 - Title Sheet / Index of Sheets
 - Project Layout

The following scope of work for Research Parkway (Central Pointe Parkway to IH35) can be completed for the lump sum price of \$1,864,020. Below is a breakdown of project costs. We are pleased to submit this proposal and look forward to the benefit it will bring the City of Temple.

ROUTE AND DESIGN STUDIES	\$ 96,440.00
FIELD SURVEYING	\$ 122,300.00
ROADWAY DESIGN	\$ 676,920.00
DRAINAGE	\$ 196,120.00
SIGNING & PAVEMENT MARKING	\$ 146,600.00
UTILITY DESIGN	\$ 166,210.00
STRUCTURAL DESIGN	\$ 267,800.00
ENVIRONMENTAL	\$ 41,000.00
BNSF COORDINATION	\$ 21,760.00
GEOTECHNICAL	\$ 28,500.00
MISC. DESIGN	\$ 59,870.00
GENERAL MANAGEMENT & COORDINATION	\$ 40,500.00
TOTAL	\$ 1,864,020.00

Sincerely,



R. David Patrick, P.E., CFM

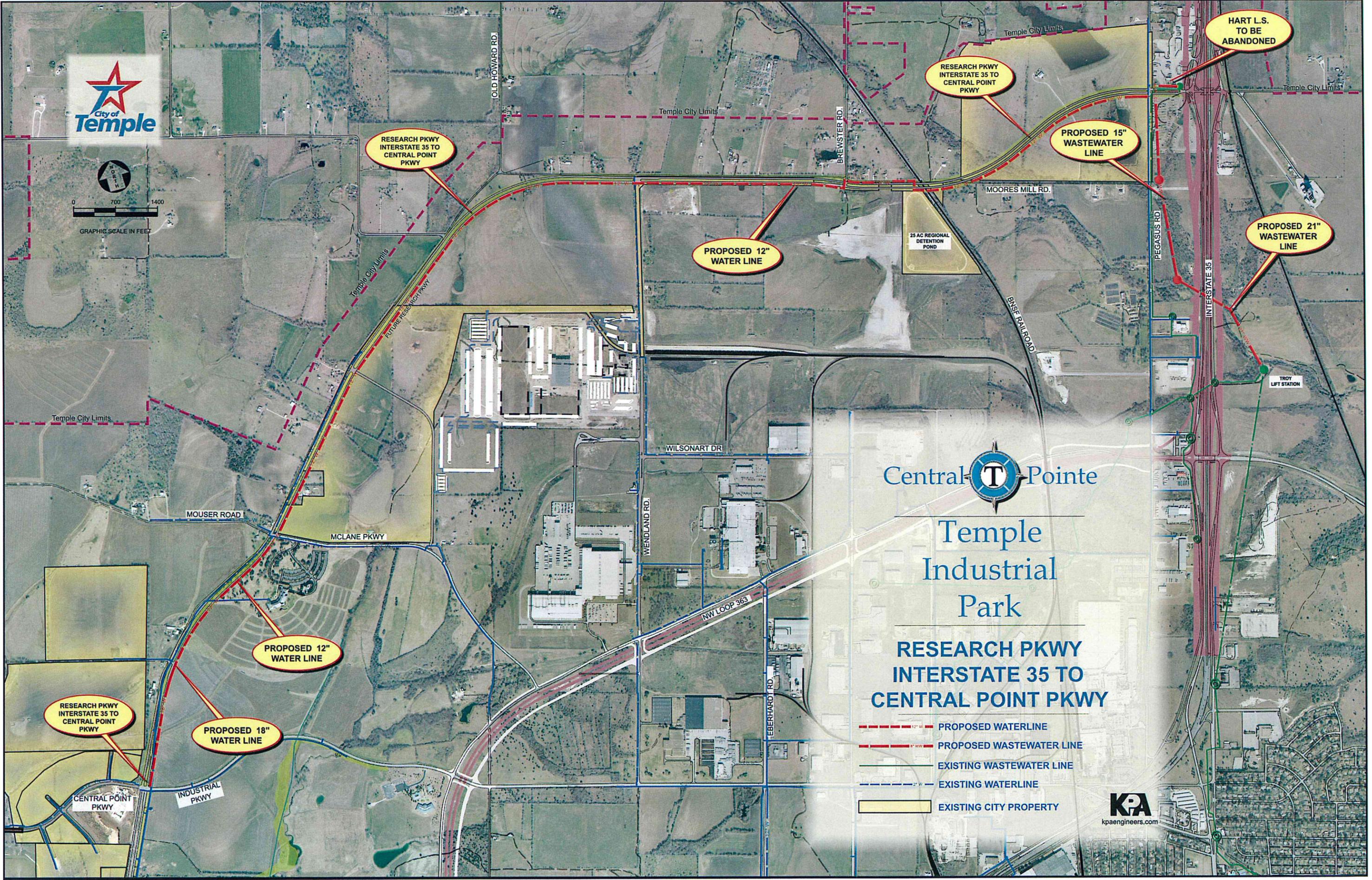
xc: File

ATTACHMENT "C"

Charges for Additional Services

**City of Temple
Research Parkway (Central Pointe Parkway to IH35)
Final Design**

<u>POSITION</u>	<u>MULTIPLIER</u>	<u>SALARY COST/RATES</u>
Principal	2.4	\$ 75.00 – 95.00/hour
Project Manager	2.4	60.00 – 75.00/hour
Project Engineer	2.4	50.00 – 60.00/hour
Engineer-in-Training	2.4	40.00 – 50.00/hour
Engineering Technician	2.4	35.00 – 50.00/hour
CAD Technician	2.4	30.00 – 50.00/hour
Clerical	2.4	15.00 – 30.00/hour
Expenses	1.1	actual cost
Computer	1.0	15.00/hour
Survey Crew	1.1	125.00 – 160.00/hour
Registered Public Surveyor	1.0	130.00/hour
On-Site Representative	2.1	30.00 – 40.00/hour



RESEARCH PKWY INTERSTATE 35 TO CENTRAL POINT PKWY

PROPOSED 15" WASTEWATER LINE

HART L.S. TO BE ABANDONED

RESEARCH PKWY INTERSTATE 35 TO CENTRAL POINT PKWY

PROPOSED 12" WATER LINE

PROPOSED 21" WASTEWATER LINE

PROPOSED 12" WATER LINE

RESEARCH PKWY INTERSTATE 35 TO CENTRAL POINT PKWY

PROPOSED 18" WATER LINE

Central T Pointe Temple Industrial Park

RESEARCH PKWY INTERSTATE 35 TO CENTRAL POINT PKWY

- PROPOSED WATERLINE
- PROPOSED WASTEWATER LINE
- EXISTING WASTEWATER LINE
- EXISTING WATERLINE
- EXISTING CITY PROPERTY



RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH KASBERG, PATRICK & ASSOCIATES, LP, OF TEMPLE, TEXAS, FOR PROFESSIONAL SERVICES REQUIRED TO DESIGN RESEARCH PARKWAY IMPROVEMENTS FROM CENTRAL POINTE PARKWAY TO IH35, WITHIN THE REINVESTMENT ZONE #1 IN NORTHWEST TEMPLE, IN AN AMOUNT NOT TO EXCEED \$1,864,020; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, completion of the outer loop requires Research Parkway to be extended from its current terminus northward to IH35;

Whereas, water and wastewater utilities will be installed along with new road improvements and new gravity sewer will enable the abandonment of an existing sewer lift station and force main;

Whereas, on July 24, 2013, the Reinvestment Zone #1 Board approved a recommendation to Council to authorize a professional services agreement with Kasberg, Patrick & Associates, LP, of Temple, Texas, to design Research Parkway improvements from Central Pointe Parkway to IH35, within the Reinvestment Zone #1 in northwest Temple;

Whereas, funds are available for this project in Account Nos. 795-9800-6863, 795-9800-531-6864, and 795-9800-531-6881, Project Nos. 101000, 101001, and 101004; 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 with Kasberg, Patrick & Associates, L.P., after approval as to form by the City Attorney, to design Research Parkway improvements from Central Pointe Parkway to IH35, within the Reinvestment Zone #1 in northwest Temple, in an amount not to exceed \$1,864,020.

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 **August**, 2013.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

08/15/13
Item #5(P)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Nicole Torralva, P.E., Public Works Director
Don Bond, P.E., City Engineer

ITEM DESCRIPTION: Consider adopting a resolution authorizing a professional services agreement with Kasberg, Patrick & Associates, LP for engineering services required to implement the Water Treatment Plant Backwash Tank Rehabilitation in an amount not to exceed \$62,600.

STAFF RECOMMENDATION: Adopt resolution as presented in item discussion.

ITEM SUMMARY: The City owns and operates a 150,000-gallon elevated backwash storage tank, located at the WTP in southwest Temple (see attached Proposal & Map). The tank is in need of rehabilitation, including interior and exterior recoating. This project will implement the rehabilitation to maintain potable water quality and compliance with TCEQ regulations.

The engineering services authorized under this resolution will provide design services, bid phase services and construction phase services required to implement the backwash tank surface rehabilitation and recoating. The infrastructure rehabilitated with this project will be the interior and exterior surfaces of the 150,000-gallon tank.

The proposed timeline for design is 45 calendar days. In order that KPA provide the engineering services required for completion of this project, the following is a list of costs associated with each task:

Plans and Specifications	\$ 15,700
Bidding	\$ 6,000
Construction Administration	\$ 12,000
On-Site Representation	\$ 8,000
HOT Inspection Services, Inc.	\$ 20,900
TOTAL	<u>\$ 62,600</u>

FISCAL IMPACT: The cost of this professional services contract is \$62,600. Funds are available in account #561-5100-535-6904, project #100988.

ATTACHMENTS:

[Proposal & Map
Resolution](#)



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
1008 South Main Street
Georgetown, Texas 78626
(512) 819-9478

July 25, 2013

Mr. Don Bond, P.E., CFM
3210 E. Avenue H
Building A
Temple, Texas 76501

Re: City of Temple, Texas
Rehabilitation of WTP Backwash Tank

Dear Mr. Bond:

This letter is in response to your request for engineering services required for rehabilitation of the 150,000 Gallon Backwash Tank at the Water Treatment Plant as shown on Exhibit "A".

The attached Exhibit "B" provides for a Scope of Services for the project. In order for us to provide services required for completion of this project, the following not-to-exceed lump sum amounts will be applicable:

I. Basic Services

A. Plans and Specifications	\$	15,700.00
B. Bidding		6,000.00
C. Construction Administration		12,000.00
Total Basic Services	\$	33,700.00

II. Special Services

A. On-Site Representation	\$	8,000.00
B. HOT Inspection Services, Inc.	\$	20,900.00
Total Special Services	\$	28,900.00

TOTAL \$ 62,600.00

HOT Inspection Services, Inc. will observe containment systems, blasting, welding and coating applications. KPA's on-site representative will observe general daily construction activities which will be necessary for scheduling and coordinating HOT Inspection Services, Inc. site visits to observe completed blasting and coating applications by the Contractor. The KPA portion of costs for on-site representation is based on an anticipated average of two (2) hours per day during construction.

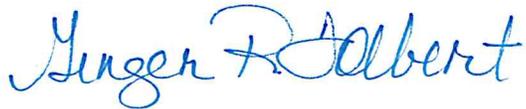
Mr. Don Bond, P.E.

July 25, 2013

Page Two

Exhibit "C" outlines rates which would be used to charge for special or additional services authorized beyond the scope as described in this proposal. KPA will begin work once a written notice to proceed is issued by the City and will complete plans and specifications within 15 calendar days from receipt of the inspection report and notice to proceed. We are available to address any questions or comments that you may have about this proposal. As always, we look forward to working with you on the project and to the enhancement that it will bring to the City of Temple.

Sincerely,

A handwritten signature in blue ink that reads "Ginger R. Tolbert". The signature is written in a cursive style with a large initial "G".

Ginger R. Tolbert, P.E.

Associate

GRT

**BACKWASH TANK
150,000 GALLONS**

**WATER
TREATMENT PLANT**

**WILDFLOWER
COUNTRY CLUB**

Pea Ridge Road

Old Waco Road

Kegley Road

Charter Oak Drive

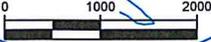
Midway Drive

Shallow Ford Road

LEON RIVER

Pepper Creek

Creek



HORIZONTAL SCALE IN FEET



CITY OF TEMPLE, TEXAS

BACKWASH TANK



KASBERG, PATRICK & ASSOCIATES, LP
CONSULTING ENGINEERS
TEMPLE, TEXAS 76501
Firm Registration No. F-510

JULY 2013

EXHIBIT A

EXHIBIT "B"

Scope of Services

Rehabilitation of WTP Backwash Tank

I. Basic Services

A. Plans and Specifications

1. Review and incorporate recommendations from HOT Inspection Services, Inc. Report from inspection of tank;
2. Provide Project Location Map;
3. Prepare plan and section views of the tank;
4. Provide colored photographs in Bid Documents;
5. Prepare specifications;
6. Develop time frame and sequence for project;
7. Develop bid schedule;
8. Provide Opinion of Probable of Construction Cost;
9. Submit to City for review;

B. Bidding

1. Assist in soliciting bidders;
2. Monitor status/number of bidders on plan holders list;
3. Answer potential bidders questions;
4. Conduct pre-bid conference;
5. Prepare addenda as required;
6. Attend bid opening;
7. Tabulate bids and recommend contract award.

C. Contract Administration

1. Conduct pre-construction conference;
2. Prepare Partial Payment forms and review partial payment requests;
3. Make periodic project visits during construction;
4. Communicate with City Project Manager weekly regarding project status and schedule;
5. Conduct construction progress meetings;
6. Coordinate contractor schedule with Water Plant Staff;
7. Advise and consult with the Owner, communicate with Contractor, prepare routine change orders as required, and keep the Owner informed of the progress;
8. Review submittals;
9. Check final pay quantities and pay requests;
10. Prepare Record Drawings.

II. Special Services

A. On-Site Representation

1. **KPA** will respond to Contractor's requests for information (RFI);
2. **KPA** will prepare daily reports, including weather conditions, and deliver to Project Manager weekly;
3. **KPA** will utilize HOT Inspection Services, Inc. as a sub-consultant to perform observations of construction, which will include containment systems, blasting, welding, miscellaneous metal work and coating applications for conformance with the project Contract Documents;

KPA will observe daily construction activities which will be necessary for scheduling and coordinating HOT Inspection Services, Inc. site visits at critical hold points. The **KPA** portion of costs for on-site representation is based on an anticipated average of two (2) hours per day during construction, including associated vehicle cost; **KPA** will provide construction reports.

ATTACHMENT "C"

Charges for Additional Services

**City of Temple
Rehabilitation of WTP Backwash Tank**

<u>POSITION</u>	<u>MULTIPLIER</u>	<u>SALARY COST/RATES</u>
Principal	2.4	\$ 60.00 – 80.00/hour
Project Manager	2.4	45.00 – 58.00/hour
Project Engineer	2.4	40.00 – 45.00/hour
Engineer-in-Training	2.4	32.00 – 40.00/hour
Engineering Technician	2.4	22.00 – 40.00/hour
CAD Technician	2.4	18.00 – 40.00/hour
Clerical	2.4	13.00 – 25.00/hour
Expenses	1.1	actual cost
Computer	1.0	15.00/hour
Survey Crew	1.1	95.00 – 120.00/hour
Registered Public Surveyor	1.0	110.00/hour
On-Site Representative	2.1	30.00 – 40.00/hour

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH KASBERG, PATRICK & ASSOCIATES, LP, OF TEMPLE, TEXAS, FOR ENGINEERING SERVICES REQUIRED TO IMPLEMENT THE WATER TREATMENT PLANT BACKWASH TANK REHABILITATION, IN AN AMOUNT NOT TO EXCEED \$62,600; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City owns and operates a 150,000 gallon elevated backwash storage tank located at the Water Treatment Plant in southwest Temple;

Whereas, this elevated backwash storage tank is in need of rehabilitation, including interior and exterior recoating – the rehabilitation of this tank will maintain potable water quality and compliance with Texas Commission on Environmental Quality (TCEQ) regulations;

Whereas, funds are available for this project in Account No. 561-5100-535-6904, Project No.100988; 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 with Kasberg, Patrick & Associates, L.P., after approval as to form by the City Attorney, for engineering services required to implement the Water Treatment Plant backwash tank rehabilitation, in an amount not to exceed \$62,600.

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 **August**, 2013.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

08/15/13
Item #5(Q)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Nicole Torralva, P.E., Public Works Director
Johnnie Reisner, Director of Water Production Services

ITEM DESCRIPTION: Consider adopting a resolution ratifying the purchase of one (1) membrane rack (78 modules) for the Membrane Water Treatment Plant from Pall Advanced Separation Systems of Cortland, NY, in the amount of \$228,028.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: As part of normal membrane water treatment plant operations, water treatment personnel regularly perform required maintenance within the facility to keep all components and operations functioning year round. At the time the Membrane Plant was built, Pall Corporation's parts and equipment were originally installed, resulting in specialized equipment on site. At this time, replacement for some of these parts can only be supplied by the original vendor, Pall Corporation. While historically membrane modules have been identified as a sole source item, staff will be exploring the potential to consider purchase of equivalent membranes in the future, as significant technological advances have occurred since the plant was built.

Within the last few weeks, performance of older membrane modules has declined, resulting in decreased abilities to produce water from the plant. With increased summertime temperatures and increasing water demands, the purchase of new modules (1 complete rack, consisting of 78 modules) were made under an emergency basis. Cost per module was \$2,900.

FISCAL IMPACT: A budget adjustment is presented for Council's approval for appropriating Water & Sewer Unreserved Retained Earnings in the amount of \$228,028 to account #520-5121-535-6310, project #100910 for the purchase of one (1) membrane rack (78 modules) for the Membrane Water Treat Plant.

ATTACHMENTS:

[Budget Adjustment
Resolution](#)

BUDGET ADJUSTMENT FORM

Use this form to make adjustments to your budget. All adjustments must balance within a Department.
Adjustments should be rounded to the nearest \$1.

		+	-	
ACCOUNT NUMBER	PROJECT #	ACCOUNT DESCRIPTION	INCREASE	DECREASE
520-5121-535-63-10	100910	Capital Building & Grounds	\$ 228,028	
520-0000-373-04-11		Water & Sewer Unreserved Ret Earnings		228,028
		Do Not Post		
TOTAL.....			\$ 228,028	\$ 228,028

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

To fund the purchase of one (1) membrane rack (78 modules) for the Membrane Water Treatment Plant from Pall Advanced Separation Systems in the amount of \$228,028.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL? Yes No

DATE OF COUNCIL MEETING 8/15/2013

WITH AGENDA ITEM? Yes No

Department Head/Division Director	Date	<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved
Finance	Date	<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved
City Manager	Date	<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, RATIFYING A CONTRACT WITH PALL ADVANCED SEPARATION SYSTEMS OF CORTLAND, NEW YORK, FOR THE PURCHASE OF ONE MEMBRANE RACK (78 MODULES) FOR THE WATER TREATMENT PLANT, IN THE AMOUNT OF \$228,028; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, as part of the normal membrane water treatment plant operations, water treatment personnel regularly perform required maintenance within the facility to keep all components and operations functioning year around;

Whereas, within the last few weeks, performance of older membrane modules has declined, resulting in decreased abilities to produce water from the plant – with increased summertime temperatures and increasing water demands, the purchase of a new membrane rack was made under an emergency basis;

Whereas, funds are budgeted for this project in Account No. 520-5121-535-6310 Project No. 100910, 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 contract with Pall Advanced Separation Systems of Cortland, New York, after approval as to form by the City Attorney, for the purchase of one membrane rack (78 modules) for the Water Treatment Plant, in the amount of \$228,028.

Part 2: The City Council approves an amendment to the FY2012-2013 budget, substantially in the form of the copy attached as Exhibit A, for this project.

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

PASSED AND APPROVED this the 15th day of August, 2013.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

08/15/13
Item #5(R)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Heather Mikulas, Utility Business Office Manager
Belinda Mattke, Director of Purchasing

ITEM DESCRIPTION: Consider adopting a resolution authorizing an annual services agreement with DataProse of Coppell for the printing, folding, stuffing and mailing of utility bills and delinquent notices in the estimated annual amount of \$170,000.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The Utility Business Office generates approximately 28,500 utility statements and delinquent notices per month. Beginning in 2006, the City began outsourcing this service and staff has found it to be very effective and efficient.

As shown on the attached tabulation of proposals received, on July 18, 2013, the City received 14 proposals for this service. A committee comprised of members from the Utility Business Office, the Information Technology Services Department, and the Finance Department was formed to evaluate the proposals. The evaluation criteria included the following: price, 40%; qualifications & experience, 25%; ability to meet the City's needs and requirements, 20%; references, 10%; and quality of proposal submittal, 5%. Based on the evaluation of these criteria, the committee is recommending the award of the contract to DataProse out of Coppell, Texas. The cost for the mailing services will be as follows:

Presorted Postage Rate rates)	\$.384 (will be billed based on 'actual' USPS rates)
Statement Processing/Printing/Paper/Envelopes	\$.088 per statement
Second Side Printing (optional)	\$.01 per statement
Inserting Extra Items with Statement	\$.003 per page

The proposed printing and mailing service will commence on October 1, 2013. However, staff included in the proposed services a redesign of the Utility Statement and Delinquent Notice, which DataProse will be assisting the City with prior to October 1st. The proposed agreement is through September 30, 2014, with the option for four (4) additional one-year renewal periods.

FISCAL IMPACT: It is estimated that \$170,000 will be needed to fulfill this contract in FY 2014. Funding in the amount of \$180,000 is included in the proposed FY 2014 budget in account 520-5800-535-2623 for Utility Bill Printing and Processing.

ATTACHMENTS:

[Summary of Proposals Received](#)
[Resolution](#)

**Statement Printing and Mailing Services for Utility Bills
Summary of Proposals Received on July 18, 2013**

Company	Location	Stmnt Design & Programming Fee	Programming Fees future changes	Standard Processing Fee		Rejected Pieces Processing Fee		Second Side Printing Unit Cost	Inserting Extra Items (per page)
				Processing Unit Price	Processing Monthly Cost @ 28,500 estimated pieces	Rejected Pieces Unit price	Rejected Pieces Monthly Cost @ 500 estimated pieces		
Billtrust	Hamilton, NJ	N/C	\$150/hr	\$0.0950	\$2,707.50	N/C	N/C	\$0.0150	\$0.0100
Cash Cycle Solutions	Poway, CA	N/C	\$100/hr	\$0.0800	\$2,280.00	\$0.0300	\$15.00	\$0.0200	\$0.0050
DataProse	Coppell, TX	N/C	\$125/hr	\$0.0880	\$2,508.00	N/C	N/C	\$0.0100	\$0.0030
Electronic Output Solutions, Inc.	Coppell, TX	N/C	\$80/hr	\$0.1560	\$4,446.00	\$0.4600	\$230.00	\$0.0200	\$0.0030
Fidelity Information Services - FIS	San Antonio, TX	\$4,500.00	\$80/hr	\$0.1050	\$2,993.00	\$0.0100	\$5.00	\$0.0125	\$0.0050
Infosend, Inc.	Anaheim, CA	N/C	\$150/hr	\$0.0800	\$2,280.00	N/C	N/C	\$0.0040	\$0.0050
Matrix Imaging Solutions, Inc.	Sanborn, NY	N/C	\$100/hr	\$0.0870	\$2,479.50	N/C	N/C	\$0.0180	\$0.0063
Olameter Corporation	Arlington, TX	\$12,642.05	\$187.50/hr	\$0.1807	\$5,149.95	N/C	N/C	\$0.0420	\$0.0057
OSG Billing Services	Englewood, NJ	\$5,000.00	\$150/hr	\$0.0900	\$2,565.00	\$0.4600	\$230.00	\$0.0080	\$0.0050
Pinnacle Data Systems	Birmingham, AL	N/C	\$125/hr	\$0.0800	\$2,280.00	N/C	N/C	\$0.0000	\$0.0050
PrintMPro, Ltd.	Austin, TX	\$65/hr	\$65/hr	\$0.0917	\$2,613.45	\$0.0100	\$5.00	\$0.0110	\$0.0100
QuestMark Information Management, Inc.	Houston, TX	N/C	N/C	\$0.0750	\$2,137.50	\$0.4330	\$216.50	\$0.0120	\$0.0050
The Anderton Group, Inc. dba Integ	Waco, TX	N/C	\$120/hr	\$0.0945	\$2,693.25	\$0.0100	\$5.00	\$0.0040	\$0.0120
VariVerge	Amarillo, TX	N/C	N/C	\$0.1243	\$3,542.55	\$0.0100	\$5.00	\$0.0300	\$0.0100

Recommended for Council Award

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING AN ANNUAL SERVICES AGREEMENT WITH DATAPROSE OF COPPELL, TEXAS, FOR THE PRINTING, FOLDING, STUFFING AND MAILING OF UTILITY BILLS AND DELINQUENT NOTICES; IN THE ESTIMATED ANNUAL AMOUNT OF \$170,000; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the Utility Business Office generates approximately 28,500 utility statements and delinquent notices per month - in 2006, the City began outsourcing this services and staff has found it to be very effective and efficient;

Whereas, on July 18, 2013, the City received fourteen (14) proposals for this service, including the redesign of the utility statement and delinquent notice, and based on the evaluation of all proposals, staff recommends recommending the award of the contract to DataProse of Coppell, Texas, in the estimated amount of \$170,000;

Whereas, the proposed printing and mailing service will commence on October 1, 2013 with four (4) additional one-year options, if agreed to by both parties;

Whereas, funds for this annual services agreement are available in Account No. 520-5800-535-2623; 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 an annual services agreement with DataProse of Coppell, Texas, after approval as to form by the City Attorney, for the printing, folding, stuffing, and mailing of utility bills and delinquent notices, in the estimated amount of \$170,000.

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 **August**, 2013.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

08/15/13
Item #5(S)
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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 United Way of Central Texas for redevelopment improvements on 3rd Street located within the North 3rd Street Strategic Investment Zone corridor in an amount not to exceed \$42,000.

STAFF RECOMMENDATION: The proposed incentives are consistent with the incentive guidelines for the North 3rd Street Strategic Investment zone adopted by City Council, therefore staff recommends approval of the grant and resolution as presented.

ITEM SUMMARY: This agreement outlines the obligations and representations of United Way of Central Texas and also defines the City's incentive package for United Way of Central Texas located at 604 North 3rd Street within the North 3rd Street Strategic Investment Zone.

The agreement and resolution will allow United Way of Central Texas 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 \$10,000 for sidewalks; up to \$10,000 for landscaping; up to \$2,500 for demolition; and up to \$2,000 for waiver of permits and fees. Based on initial investment estimates, eligible expenses will result in a \$34,850 match.

United Way of Central Texas' total project investment is \$137,021 in renovations and sign improvements. The applicant proposes to locate the Central Texas headquarters here. These improvements meet and exceeds and the City's 3rd Street Overlay ordinance requirements. Improvements must be completed by February 2014 (approx.18 months). In return United Way of Central Texas has agreed to:

- Complete façade reconstruction
- First floor interior remodel to include demolition and construction
- Installation of new HVAC system
- Add new signs
- Add landscaping and irrigation system
- Replace/Repair existing roof
- Installing 8ft wide sidewalks

FISCAL IMPACT: The total maximum grant match by the City is \$42,000. A total of \$314,244 has been appropriated for the Strategic Investment Zone matching grant incentives for FY 2013 which includes a carry forward amount of \$214,244 from prior years. Currently \$135,046.78 is available in account 110-1500-515-2695. If this grant is approved, a balance of \$93,046.78 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:

[Grant Agreement](#)

[Location Map](#)

[Resolution](#)



North 3rd Street Strategic Investment Zone Chapter 380 Development Agreement

This Agreement is executed by and between the City of Temple, a home rule city in Bell County, Texas (hereinafter “the City”) and United Way of Central Texas (hereinafter “Owner”).

City and Owner agree as follows:

Section 1. Purpose. Pursuant to authority granted to home rule cities under Chapter 380 of the Local Government Code and pursuant to a program established for the North 3rd Street Strategic Investment Zone under City Ordinance Number 2011-4504, the City and the Owner enter into this Agreement to promote economic development within the North 3rd Street Strategic Investment Zone. As an inducement to Owner to make certain specified improvements to the property located at 604 N. 3rd St. (hereinafter the “Property”), City and Owner agree to assume the responsibilities set forth below.

Section 2. Obligations of Owner. Owner proposes to make certain improvements to the Property, which are described generally below and as attached, and to use the Property for office use after the Improvements are completed. Owner is seeking matching grants for certain types of improvements described in Section 2, and further agrees to complete all of the additional improvements described in the subparts of Section 3.

Improvements, hereinafter collectively referred to as “the Improvements” include the following: reconstruct the façade, remodel the interior of the first floor, install new HVAC system, install new signs, install new landscaping and irrigation systems, repair/replace the existing roof, and install 8 foot sidewalks. Exterior façade improvements will be in accordance with Exhibit “A.” The total anticipated investment in the Property by Owner is \$137,021. Any match made by the City, as described in Section 3 below, is limited to \$42,000, which includes waiver of permit fees not to exceed \$2,000.

Owner agrees to complete said Improvements on or before February 1, 2014. As a condition to receiving the matching grants from the City described in Section 3, Owner further agrees to complete the improvements described in each subpart of Section 3. If Improvements are not completed on February 1, 2014, the City may administratively grant a one-time extension of time for 90 days.

Section 3. Matching Grants by the City. The City agrees to provide matching grants to the Owner, subject to the maximum cap of \$42,000, as described below

if Owner satisfactorily completes and maintains the additional improvements described in each subpart below and as set forth in Section 2:

- (a) **Façade Improvement Grant.** The City will make a grant of up to \$15,000 on a 1:1 matching basis for the replacement and repair of an existing façade with an eligible masonry product. Eligible masonry materials for a replacement façade under this subsection include brick, stone, stucco, EIFS, simulated stone block, and such other materials that the City may approve from time to time. A list of eligible materials for the North 3rd Street Strategic Investment Zone is maintained in the Construction Safety Office, 1st Floor, the Municipal Building, 2 North Main Street. Other façade improvement costs eligible for reimbursement with a façade improvement grant include demolition costs (including labor), landfill costs, and material and construction (including labor) costs, but specifically exclude design costs.
- (b) **Sign.** The City will make a grant of up to \$2,500 on a 1:1 matching basis for sign construction and installation.
- (c) **Landscaping.** The City will make a grant of up to \$10,000 on a 1:1 matching basis for landscaping. Landscaping improvement costs eligible for reimbursement with a landscaping improvement grant include ground preparation costs (including labor), materials (trees, shrubs, soil and other decorative hardscape such as arbors, art, large pots, railings, and walls or fences) and material and construction (including labor) costs, curbed islands, but specifically *exclude* design costs.
- (d) **Sidewalk.** The City will make a grant of up to \$10,000 on a 1:1 matching basis for the construction of new sidewalks, curb and guttering or the replacement of existing sidewalks or curb and guttering. Sidewalk improvement costs eligible for reimbursement with a sidewalk improvement grant include demolition costs (including labor), landfill costs, and material and construction (including labor) costs and equipment rental, but specifically exclude design costs.
- (f) **Demolition Grant.** The City will make a grant of up to \$2,500 on a 1:1 matching basis for demolition costs.
- (g) **Waiver of Permit Fees.** All permit fees that would be typically charged by the City of Temple to perform the work outlined in this Agreement are waived up to \$2,000 in value except that water and wastewater tap fees are not waived and will be the responsibility of Owner.

Section 4. Acceptance of Improvements and Payment of Matching Grants.

The City's obligation to provide the matching grants described in Section 3 is conditioned upon the Owner completing the Improvements described in Section 2 and the specific additional improvements described in the relevant subparts of Section 3. After the Improvements described in Section 2 and in the subparts of Section 3 are inspected and accepted by the City, the City will make payment to the Owner within 30 days of such acceptance and upon evidence of receipts for expenses.

Section 5. Maintenance of Improvements. Owner, or its successors and assigns, agree to maintain the Improvements described in Section 2 and the subparts of Section 3 for a period of not less than five (5) years from the date matching grants are received from the City. Maintenance includes, but is not limited to, maintenance of all buildings, parking, and site improvements. Also included is the removal of all weeds, removal of dead plants, and replacement of all dead plants. The Owner agrees to replace, within 30 days, any plant material that is diseased, deteriorated, or dead. The Director of Planning may issue up to a 90-day extension for replacement of such plants. All new plant material must be planted and maintained in accordance with the latest edition of the American National Standards Institute requirements for Tree, Shrub, and Other Woody Plant Maintenance (ANSI A300 Parts 1-6). All required public frontage and private frontage must be irrigated and maintained in a good condition after installation.

Section 6. Assignment. Owner shall have the right to assign this Agreement as collateral for the financing of the construction of the Improvements, and in the event that Owner is unable to complete the project for any reason, its assignee shall have the right, but not the obligation to finish the project, and receive a contribution from the City in the amounts specified in this Agreement upon final inspection and acceptance of the Improvements by the City.

Section 7. Availability of Records. Owner agrees to make its books and other records related to the construction of the Improvements available for inspection by the City during reasonable business hours.

Section 8. Contract Execution. Execution of this Agreement by Owner must occur within **sixty (60) days** of City Council approval. If execution of the Agreement does not occur within this period, Owner will have to reapply for the matching grant funds.

Executed on this the ____ day of _____, 2013.

City of Temple, Texas

Owner

David A. Blackburn
City Manager

United Way of Central Texas
By:_____

Attest:

Approved as to form:

Lacy Borgeson
City Secretary

City Attorney

State of Texas §

County of Bell §

This instrument was acknowledged before me on the ____ day of _____, 2013 by David A. Blackburn, City Manager, for the City of Temple, a Texas home rule City.

Notary Public

State of Texas §

County of Bell §

This instrument was acknowledged before me on the ____ day of _____, 2013 by _____ (name), _____ (title) of United Way of Central Texas.

Notary Public



This image is conceptual and subject to change.
May 16, 2013



This image is conceptual and subject to change.
May 16, 2013





This image is conceptual and subject to change.
May 16, 2013





This image is conceptual and subject to change.
May 16, 2013



This image is conceptual and subject to change.
May 16, 2013



This image is conceptual and subject to change.
May 16, 2013









This image is conceptual and subject to change.
May 16, 2013



Location Map- 604 North 3rd Street, Temple Texas



RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CHAPTER 380 STRATEGIC INVESTMENT ZONE DEVELOPMENT AGREEMENT WITH UNITED WAY OF CENTRAL TEXAS FOR REDEVELOPMENT IMPROVEMENTS AT 604 NORTH 3RD STREET WHICH IS LOCATED WITHIN THE NORTH 3RD STREET STRATEGIC INVESTMENT ZONE CORRIDOR; IN AN AMOUNT NOT TO EXCEED \$42,000; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, United Way of Central Texas has purchased the property located at 604 North 3rd Street in downtown Temple and within the North 3rd Street Strategic Investment Zone corridor which makes it eligible to receive a matching grant incentive from the City which is authorized by Ordinance No. 2011-4504, passed by the Temple City Council on January 5, 2012,;

Whereas, the Staff recommends entering into a Chapter 380 Strategic Investment Zone development agreement which will outline the obligations and representations of United Way of Central Texas and will define the City's incentive package, as outlined in Exhibit A attached - the City's total match may not exceed \$42,000;

Whereas, funds are available for this matching grant incentive in Account No. 110-1500-515-2695; if this grant is approved, a balance of \$93,046.78 will remain for future grants; 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 United Way of Central Texas, after approval as to form by the City Attorney, for redevelopment improvements at 604 North 3rd Street, which is located within the North 3rd Street Strategic Investment Zone corridor, in an amount not to exceed \$42,000.

Part 2: The agreement will define the City's incentive package, as outlined in Exhibit A, for this project.

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

PASSED AND APPROVED this the 15th day of August, 2013.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

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

ITEM DESCRIPTION: SECOND READING: Consider adopting an ordinance establishing school crosswalks and setting speed limits within school zones to conform to school schedules.

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

ITEM SUMMARY: In March of 2013 the City adopted an ordinance establishing school crosswalks and setting limits within school zones as agreed upon by City, TISD and BISD.

TISD has requested the school zone at Jefferson on North 3rd Street (SP 290) be extended to the north just past West Zenith Avenue. This prompted a study by TXDOT to be performed. Based on the engineering study by the State, TXDOT has requested that the City adopted an ordinance extending this speed limit just past W Zenith Avenue.

TISD has reconstructed Jefferson Elementary changing the traffic patterns at the School.

BISD has requested two (2) new school zones to be established. One (1) on Starlight Drive starting just north of Orion Drive to just passed Maple Wood Court for High Point Elementary School reducing the speed limit from 30 mph to 20 mph from 6:45am to 8:15 am and 2:30pm to 4:15pm on school days. And, one (1) on FM 2483 which prompted a traffic study by TXDOT to be performed since it is a TXDOT roadway. Based on the traffic engineering study by the state, TXDOT has requested that the City adopted an ordinance establishing a school zone FM 2483 starting .039 of a mile west of Hwy 317 and running .160 of a mile west to the end of school zone on FM 2483 for High Point Elementary School reducing the speed limit from 60 mph to 35 mph from 6:45am to 8:15 am and 2:30pm to 4:15pm on school days.

BISD has constructed a new elementary school just west of the Wind Mill Farms subdivision.

FISCAL IMPACT: The cost to update and install the signal equipment to accommodate these changes is \$20,644.84 and is funded in account 110-2840-532-6323, project 100894.

ATTACHMENTS:

List of school crossings

Maps

Ordinance

**City of Temple
School Zones**

Schools	Cones	Flags	Zone Times
<p style="text-align: center;">Bethune Elementary 510 E Ave J</p> <p>A. Crossing guard works crosswalk on MLK Blvd and Ave J B. School Zone is on E Ave J and S 10th St. The front and westside of school C. One Way on S 10th St from E Ave I to E Ave J</p>	Yes	Yes	<p style="text-align: center;">School Zone Signs 6:30 to 8:30 14:45 to 16:30</p> <p style="text-align: center;">One Way Time as Posted 7:00 to 8:30 14:00 to 15:30</p>
<p style="text-align: center;">Cater Elementary 4111 Lark Trail</p> <p>A. Crossing guard works Crosswalk in school parking area B. School Zone is on Lark Trail in front of School</p>	Yes	Yes	
<p style="text-align: center;">Emerson Elementary 1400 E Ave B</p> <p>A. Crossing Guard works Crosswalk Works E Ave B and S 24th ST</p>	Yes	Yes	
<p style="text-align: center;">Hector P. Garcia Elementary 2525 Lavendusky Dr</p> <p>A. No Crosswalk B. Flasing lights on Lavendusky just West of HK Dodgen Lp and just east of S 50th. St.</p>	No	No	<p style="text-align: center;">Flashing Lights</p> <p style="text-align: center;">06:30 to 08:30 14:45 to 16:30</p>
<p style="text-align: center;">Jefferson Elementary 400 W. Walker Ave</p> <p>A. Crossing Guards (2) Works Crosswalk At N 3rd St and W. Walker Ave B. Crossing Guard works Crosswalk at N 3rd ST and Industrial Blvd this is a controlled signal light. C. Flashing lights on N 3rd St are North of W. Walker Ave and North of W Shell Ave.</p>	Yes	Yes	<p style="text-align: center;">Flashing Lights</p> <p style="text-align: center;">06:30 to 08:30 14:45 to 16:30</p>
<p style="text-align: center;">Kennedy-Powell Elementary 3707 W. Nugent Ave</p> <p>A. Crossing Guard will work Crosswalks W. Nugent Ave and Cearley Rd. B. Flashing lights on W. Nugent Ave west and east of Cearley Rd</p>	Yes	Yes	<p style="text-align: center;">Flashing Lights</p> <p style="text-align: center;">06:30 to 08:30 14:45 to 16:30</p>
<p style="text-align: center;">Dickson Elementary 1100 S 33rd St</p> <p>A. One way south from W Ave K to W Ave L</p>			<p style="text-align: center;">One Way Time as Posted 7:00 to 8:30 14:00 to 15:00</p>

<p align="center">Meridith-Dunbar 1717 E Ave J</p> <p>A. Crossing Guard will work Crosswalks at S 30th St and E. Ave J B. Flashing lights on S 30th St C. One Way on E Ave J from S 30th St to S 34th St at posted times</p>	Yes	Yes	<p align="center">Flashing Lights</p> <p align="center">06:30 to 08:30 14:45 to 16:30</p> <p align="center">One Way Time as Posted 7:00 to 8:30 14:00 to 15:00</p>
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**City of Temple
School Zones**

Schools	Cones	Flags	Zone Times
<p align="center">Raye Allen Elementary 5015 S 5th St</p> <p>A. Crossing Guards will work Crosswalks on S 5th St B. Flashing lights on S 5th St north and south of school</p>	Yes	Yes	<p align="center">Flashing Lights</p> <p align="center">06:30 to 08:30 14:45 to 16:30</p>
<p align="center">Scott Elementary 2301 W Ave P</p> <p>A. Crossing Guard will work Crosswalk on W Ave P B. Crossing Guard will work Crosswalk on W Ave M @ S 45th St. C. Flashing lights on W Ave P east of S 49th St and west of S 39th St.</p>	Yes	Yes	<p align="center">Flashing Lights</p> <p align="center">06:30 to 08:30 14:45 to 16:30</p>
<p align="center">Thornton Elementary 2900 Pin Oak Dr</p> <p>A. Crossing Guard will work Crosswalk on Pin Oak @ East Dr. B. One way on Pin Oak from East Dr. to Mesquite at posted times</p>	Yes	Yes	<p align="center">School Zone Signs 07:30 to 8:30 14:30 to 16:00</p> <p align="center">One Way Time as Posted 7:30 to 8:30 14:30 to 16:00</p>
<p align="center">Western Hills Elementary 600 Arapaho</p> <p>A. Crossing Guard will work Crosswalk on Apache @ Deer Tr B. Crossing Guard will work Crosswalk on Apache @ Gila C. Flashing lights on Apache North of Deer Tr. South of Gila.</p>	Yes	Yes	<p align="center">Flashing Lights</p> <p align="center">06:30 to 08:30 14:45 to 16:30</p>
<p align="center">Bonham Middle School 4600 Midway Dr</p> <p>A. Flashing Lights on Midway Dr. east and west of school.</p>			<p align="center">Flashing Lights</p> <p align="center">07:00 to 08:30 15:00 to 16:30</p>
<p align="center">Lamar Middle School 2120 N 1st St</p>			<p align="center">Flashing Lights</p>

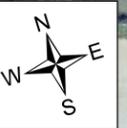
<p>A. Flashing lights on N 3rd St are North of W. Walker Ave and North of W Shell Ave. B. One way on N 1st St from W Park Ave to W. Virginia Ave at posted times</p>			<p>06:30 to 08:30 14:45 to 16:30 One Way Time as Posted 7:30 to 8:30 15:00 to 16:00</p>
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**City of Temple
School Zones**

Schools	Cones	Flags	Zone Times
<p align="center">Travis Middle School 1500 S 19th St</p> <p>A. Crossing Guard will work Crosswalk on W Ave M @ S 19th St B. One way on S 19th St from W Ave R to W Ave M C. Flashing lights on W Ave M from S 15th to S 23rd D. Flashing lights on W Ave R from S 15th to S 25th E. Flashing lights on S 25th from W Ave R to just south of W Ave M</p>			<p align="center">One Way Time as Posted 6:30 to 8:30 14:30 to 16:00</p> <p align="center">Flashing lights 6:30 to 8:30 14:30 to 16:30</p>
<p align="center">Temple High School 415 N 31st St</p> <p>A. Flashing Lights on N 31st St north of W Barton Ave and North of W Houston Ave</p>			<p align="center">Flashing Lights 07:00 to 16:00</p>
<p align="center">Temple High School Campus 1414 W Barton Ave</p> <p>A. School Zone on Barton from N 31st St to North 27th St</p>			<p align="center">School Zone Signs 07:00 to 16:30</p>
<p align="center"><u>B.I.S.D</u></p> <p align="center">Lakewood Elementary 11200 FM 2305</p> <p>A. Flashing lights on FM 2305 in front of school</p>			<p align="center">Flashing Lights 7:15 to 8:00 14:15 to 15:00</p>
<p align="center">Joe M. Pirtle Elementary 714 South Pea Ridge Rd</p> <p>A. Flashing lights on South Pea Ridge in from of school</p>			<p align="center">Flashing Lights 7:15 to 8:00 14:15 to 15:00</p>
<p align="center">Tarver Elementary 7949 Shone Hollow Dr</p> <p>A. School Zone on Stone Hollow Dr in front of school.</p>			<p align="center">School Zone Signs 7:00 to 8:30 14:30 to 16:00</p>

<p>B. School Zone on Prairie Lark on northside of school</p> <p>B. School Zone on on Westfield on southside of school</p>			
<p>Lake Belton Middle School 8815 Tarver</p> <p>A. Flashing lights on Tarver in front of school.</p> <p>B. School zone on Cedar Ln from Tarver to just north of school</p>			<p>Flashing Lights</p> <p>7:00 to 8:30 14:30 to 16:30</p> <hr/> <p>School Zone Signs</p> <p>7:00 to 8:30 14:30 to 16:30</p>

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.



FM 2483

Speed Zone Boundary

SPEED
LIMIT
35

Speed Zone Boundary

High Point
Elementary

STATE HIGHWAY 317

Speed Zone Boundary

MAPLE WOOD CT

FANTAIL LN

SMOCK MILL LN

SUNNYSIDE LN

BIRCH TREE DR

ORION DR

SPEED
LIMIT
20

Speed Zone Boundary



0 0.05 0.1 Miles

12 July 2013
Leah Harvey

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.



SPEED LIMIT 25

New Speed Zone Boundary

Old Speed Zone Boundary to be moved

Speed Zone 25 MPH When Flashing

SPEED LIMIT 25

Old Speed Zone Boundary to remain

Jefferson Elementary School

Lamar Middle School

0 0.05 0.1 Miles

10 July 2013 Leah Harvey



AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, ESTABLISHING SCHOOL CROSSWALKS AND SETTING SPEED LIMITS WITHIN SCHOOL ZONES TO CONFORM TO SCHOOL SCHEDULES; PROVIDING AN EFFECTIVE DATE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, in March of 2013, the City adopted an ordinance establishing school crosswalks and setting speed limits within school zones as agreed upon by the City, Temple Independent School District (“TISD”) and Belton Independent School District (“BISD”);

Whereas, TISD has requested the school zone at Jefferson on North 3rd Street (SP 290) be extended to the north, just past west Zenith Avenue – based on the engineering study performed by the State, TxDOT has requested the City extend this speed limit just past west Zenith Avenue;

Whereas, BISD has requested two new school zones – one at Starlight Drive, starting north of Orion Drive to just past Maple Wood Court for High Point Elementary School, reducing the speed limit from 30 mph to 20 mph from 6:45 am to 8:15 am and 2:30 pm to 4:15 pm on school days;

Whereas, TxDOT has requested the City extend the speed limit just past west Zenith Avenue, more fully shown on Exhibit A, which is attached hereto and made a part hereof;

Whereas, and a new school zone at FM 2483, which prompted a traffic study by TxDOT to be performed since it is a TxDOT roadway – starting at .039 of a mile west of Highway 317 and running .160 of a mile west to the end of school zone on FM 2483 for High Point Elementary School, reducing the speed limit from 60 mph to 35 mph from 6:45 am to 8:15 am and 2:30 pm to 4:15 pm on school days; and

Whereas, the City Council has considered the matter and deems it in the public interest to establish this school zone for the benefit of the citizens for the promotion of the public health, welfare, and safety.

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

Part 1: The City Council finds that the school zone at Jefferson on North 3rd Street (SP 290) be extended to the north, just past west Zenith Avenue – based on the engineering study performed by the State.

Part 2: The City Council establishes a school zone at Starlight Drive, starting north of Orion Drive to just past Maple Wood Court for High Point Elementary School, reducing the speed limit from 30 mph to 20 mph from 6:45 am to 8:15 am and 2:30 pm to 4:15 pm on school

days, more fully shown on Exhibit B which is attached hereto and made a part hereof for all purposes.

Part 3: The City Council establishes a school zone at FM 2483, which prompted a traffic study by TxDOT to be performed since it is a TxDOT roadway – starting at .039 of a mile west of Highway 317 and running .160 of a mile west to the end of school zone on FM 2483 for High Point Elementary School, reducing the speed limit from 60 mph to 35 mph from 6:45 am to 8:15 am and 2:30 pm to 4:15 pm on school days, more fully shown on Exhibit C which is attached hereto and made a part hereof for all purposes.

Part 4: It shall be unlawful for any person to drive or operate a motor vehicle, bicycle, or other vehicle of any kind, whether or not motor powered, on that portion of the roadways described above under the conditions described herein, at a speed greater than is reasonable and prudent under the circumstances then existing, but any speed in excess of the reasonable and prudent prima facie maximum speed limits as set forth in Part 1 hereof shall be prima facie evidence that such speed is not reasonable or prudent and that it is unlawful.

Part 5: All ordinances or parts of ordinances in conflict with the provisions of this ordinance are to the extent of such conflict hereby repealed.

Part 6: 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 7: 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: 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 on the 1st day of **August**, 2013.

PASSED AND APPROVED on Second Reading on the 15th day of **August**, 2013.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

APPROVED AS TO FORM:

Jonathan Graham
City Attorney

ATTEST:

Lacy Borgeson
City Secretary



COUNCIL AGENDA ITEM MEMORANDUM

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Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Jonathan Graham, City Attorney

ITEM DESCRIPTION: FIRST READING – SET PUBLIC HEARING: Consider adopting an ordinance authorizing a five year franchise with Acadian Ambulance Service, Inc., to provide non-emergency ambulance transfer services within the City.

STAFF RECOMMENDATION: Adopt ordinance as presented in item description on first reading, schedule second reading for September 5th and third reading and public hearing for September 19th.

ITEM SUMMARY: On November 6, 2008, the City Council authorized a five year franchise to Central Texas Regional EMS to provide non-emergency ambulance transfer services within the City. On May 19, 2011, the Council approved an assignment of the franchise from Central Texas Regional EMS to Acadian Ambulance Service, Inc. Acadian is one of two current non-emergency ambulance transfer service franchisees – the other being Scott & White EMS, Inc.

The current franchise is set to expire on November 7, 2013. Acadian has submitted the necessary paperwork requesting renewal of the franchise. The Staff recommends authorizing a five year renewal of the franchise. Five years is the normal franchise term by City ordinance. Franchise renewals require three readings, a public hearing, and publication of a summary of the franchise ordinance in the Temple Daily Telegram.

FISCAL IMPACT: By ordinance, non-emergency ambulance transfer services franchisees pay the City 3½ % of the total amount billed per year. In the most recent full reported year (FY 2012), Acadian paid the City \$24,652.46 in non-emergency ambulance transfer service franchise fees.

ATTACHMENTS:

[Ordinance](#)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, GRANTING TO ACADIAN AMBULANCE SERVICE, INC., A NON-EXCLUSIVE FRANCHISE FOR FIVE YEARS TO OPERATE AND MAINTAIN A NON-EMERGENCY AMBULANCE TRANSFER SERVICE UPON THE PUBLIC STREETS AND HIGHWAYS OF THE CITY OF TEMPLE, TEXAS PURSUANT TO THE PROVISIONS OF THE CONSTITUTION AND LAWS OF THE STATE OF TEXAS, THE CHARTER OF THE CITY OF TEMPLE, AND CHAPTER 5 OF THE CODE OF ORDINANCES OF THE CITY OF TEMPLE; DECLARING FINDINGS OF FACT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, Article III, Chapter 5 of the City Code, requires that a person or persons desiring to provide non-emergency ambulance transfer services on the streets of the City of Temple obtain a franchise, under conditions set out therein;

Whereas, Acadian Ambulance Service, Inc. has requested a franchise for a non-exclusive, non-emergency transfer service within the City of Temple; and

Whereas, Acadian Ambulance Service, Inc. has established to the satisfaction of the City Council by clear, cogent and convincing evidence that public convenience and necessity will be served by the granting of said franchise.

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

Part 1: A non-exclusive franchise to operate and maintain a non-emergency ambulance transfer service is granted to Acadian Ambulance Service, Inc., pursuant to Chapter 5 of the Code of Ordinances of the City of Temple, as amended, and the Charter of the City of Temple, as provided herein.

Part 2: Definitions.

As used in this ordinance, the following words and phrases shall have the meaning ascribed in this section:

(a) **City** shall mean the City of Temple, a municipal corporation of the State of Texas, situated in Bell County; the words *in the City* or any similar reference to the territorial limits of the City of Temple, Texas, shall mean the area within the corporate limits of the City of Temple, Texas, as they now exist or as they may hereafter be lawfully modified or extended.

(b) **Company, Transfer Service Franchise Holder**, as used herein, unless the context clearly indicates otherwise, shall mean Acadian Ambulance Service, Inc., or its legally approved successors and assigns.

(c) *Ambulance* or *Transfer Service* shall mean any motor vehicle used, designed, redesigned or constructed and equipped for the transportation of sick or injured persons, which vehicles for the purposes of this ordinance shall be of the classification of basic life support vehicle or higher, according to the definitions and standards of the City of Temple, Texas or the Bureau of Emergency Management of the Texas Department of Health.

(d) *Non-Emergency Ambulance Transfer Service* means a response made by a transfer vehicle or ambulance for the transportation of individuals to or from a medical facility, a nursing home or residence under circumstances which do not constitute an emergency.

(e) *Emergency* is any circumstance that calls for an immediate action and which the element of time in transporting the sick, wounded or injured for medical treatment at an emergency room or a facility providing emergency medical care is or may be essential to the health or life of any person. Such circumstances include, but are not limited to, general accidents, traffic accidents and acts of violence resulting in personal injury, and sudden illness.

(f) All other words, terms or phrases shall have the meaning assigned to them by Chapter 5 of the City Code, to the extent that such words, terms or phrases have not been assigned other meanings by Chapter 773 of the Texas Health and Safety Code; as amended, or the regulations of the Bureau of Emergency Management of the Texas Department of Health, in which case those assigned meanings shall prevail. In the absence of an assigned meaning by the above-referenced ordinance, statute, or regulations of the Bureau, the meanings of such words, terms and phrases shall have the ordinary meanings applied at law generally or by common usage in the English language.

Part 3: Notice and Extent of Grant.

The City grants the non-exclusive right and authority to operate and maintain ambulances solely for non-emergency ambulance transfer service of persons upon the public streets and highways of the City of Temple, Texas, for a term ending on **September 30, 2018**, to Company in consideration of the payment of a franchise fee as provided in Part 5 of this ordinance.

Part 4: Standards and Requirements for Personnel, Vehicles and Equipment.

The Company shall comply with all standards and requirements for personnel, vehicles and equipment as enumerated in Chapter 5 of the Code of Ordinances of the City of Temple.

PART 5: Payment to the City Required; Franchise Fee.

(a) The transfer service franchise holder shall, during the life of said franchise, pay to the City of Temple at the Office of the Director of Finance in lawful money of the United States, three and one-half (3 ½%) percent of the total amount billed for the transfer service fees and other income derived from the operation of the transfer service, which said remittance shall be made monthly on or before the tenth day of each calendar month for the preceding calendar month. The compensation provided for in this section shall be in lieu of any other fees or charges

imposed by any other ordinance now or hereafter in force during the life hereof, but shall not release the grantee from the payment of ad valorem taxes levied, or to be levied, on property of its own.

(b) It shall be the duty of the franchise holder to file with the Director of Finance a sworn statement for each calendar quarter showing the total amount billed for the preceding three (3) months which statement shall be filed within ten (10) days following the end of the third month. The franchise holder herein shall be required to install and adequately keep a system of bookkeeping to be approved by the Director of Finance, which books shall be subject to inspections of the governing body of the City of Temple and such person or persons as the City may designate, or either of them, so as to enable the City of Temple to check the correctness of the accounts kept and to compute fairly and accurately the amount billed that may be due to the City.

Part 6: Rates.

- (a) The City Council hereby expressly reserves the right, power, and authority to fully regulate and fix, by resolution, the rates and charges for the services of the Company to its customers, fully reserving to the City Council all the rights, powers, privileges, and immunities, subject to the duties, limitations and responsibilities which the Constitution, the laws of the State, and the Charter confer upon the City.
- (b) Company may from time to time propose changes in the general rates by filing an application with the City Secretary for consideration of the City Council. Within a reasonable time consistent with law, the City Council shall afford Company a fair hearing with reference to the application and shall either approve or disapprove the proposed changes or make such order as may be reasonable.

Part 7: Liability Insurance Required.

No transfer vehicle shall be operated on the public streets of the City, unless the applicant provides evidence to the City that he has in full force and effect a public liability insurance policy on that transfer vehicle, such insurance policy to be issued by an insurance company licensed to do business in the State of Texas. Such insurance policy shall:

- (a) provide liability coverage for each vehicle of not less than two hundred and fifty thousand dollars (\$250,000) per person, or five hundred thousand dollars (\$500,000) per occurrence for personal injury or death, and one hundred thousand dollars (\$100,000) for property damage;
- (b) **name the City of Temple as an additional insured, and provide a waiver of subrogation in favor of the City;**
- (c) not contain a passenger liability exclusion; and

(d) **provide for at least thirty (30) days prior written notice** of cancellation to the City.

Part 8: *Conditions of Franchise Granted.*

The rights, powers and authority herein granted are granted subject to the Constitution and laws of the State of Texas, the Charter of the City of Temple, and where not provided herein, the ordinances and codes of the City of Temple as same now exist or may hereafter be amended so as to constitute reasonable regulations protecting the health, safety and welfare to insure safe, efficient and continuous non-emergency ambulance transfer service, all of which enumerated provisions are incorporated herein by reference and made a part hereof as fully as though the same had been copied herein verbatim.

Part 9: *Manner of Giving Notice.*

Notice to Company may be given by leaving a written copy thereof at the principal office of Company during ordinary business hours. Notice to the City may be given by leaving a written copy thereof at the Office of the Director of Finance during ordinary business hours.

Part 10: *Public Convenience and Necessity.*

Company has established by clear, cogent and convincing evidence and the City Council has so found and determined that the present and future public convenience and necessity require the operations here authorized to be performed by Company and the public convenience and necessity will be served by the granting of this franchise.

Part 11: *Performance Bond and Revocation Clause.*

(a) The transfer service franchise holder shall establish a Ten Thousand Dollar (\$10,000) performance bond. The purpose of this bond is to recover costs to the City of Temple for accepting and administering the applications for a transfer service franchise in the event the franchise is revoked.

(b) If the transfer service franchise holder violates any provision or standard of this ordinance the franchise will be subject to revocation by the City Council of the City of Temple and forfeiture of the performance bond.

Part 12: This franchise shall become effective as provided in Article 10, Section 10.3 of the Charter of the City of Temple, if Company shall have filed its written acceptance of the franchise within thirty (30) days after the final passage and approval of this ordinance.

Part 13: The declarations, determinations and findings declared, made and found in the preamble of this ordinance are hereby adopted, restated and made a part of the operative provisions hereof.

Part 14: 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 15: 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 on the **15th** day of **August**, 2013.

PASSED AND APPROVED on Second Reading on the **5th** day of **September**, 2013.

PASSED AND APPROVED on Third and Final Reading and Public Hearing on the **19th** day of **September**, 2013.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Jonathan Graham
City Attorney

Agreement of Franchisee

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF TEMPLE,
TEXAS:

The franchisee, Acadian Ambulance Service, Inc., acting by and through its duly authorized and empowered officer, hereby accepts the terms and conditions of Ordinance No. _____ granting a non-exclusive franchise to operate and maintain a non-emergency ambulance transfer service upon the public streets and highways of the City of Temple.

SIGNED this ____ day of _____, 2013.

ACADIAN AMBULANCE SERVICE, INC.

By:



COUNCIL AGENDA ITEM MEMORANDUM

08/15/13
Item #5(V)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Jonathan Graham, City Attorney

ITEM DESCRIPTION: FIRST READING – SET PUBLIC HEARING: Consider adopting an ordinance authorizing a five year franchise with Scott & White EMS, Inc., to provide non-emergency ambulance transfer services within the City.

STAFF RECOMMENDATION: Adopt ordinance as presented in item description on first reading, schedule second reading for September 5th and third reading and public hearing for September 19th.

ITEM SUMMARY: On November 6, 2008, the City Council authorized a five year franchise to Scott & White Memorial Hospital and the Scott, Sherwood and Brindley Foundation to provide non-emergency ambulance transfer services within the City. Those non-emergency services are now being operated by Scott & White EMS, Inc. in a joint venture with Scott & White Healthcare and Community EMS. Scott & White is one of two current non-emergency ambulance transfer service franchisees – the other being Acadian Ambulance Service, Inc.

The current franchise is set to expire on November 7, 2013. Scott & White EMS has submitted the necessary paperwork requesting renewal of the franchise. The Staff recommends authorizing a five year renewal of the franchise. Five years is the normal franchise term by City ordinance. Franchise renewals require three readings, a public hearing, and publication of a summary of the franchise ordinance in the Temple Daily Telegram.

FISCAL IMPACT: By ordinance, non-emergency ambulance transfer services franchisees pay the City 3½ % of the total amount billed per year. In the most recent full reported year (FY 2012), Scott & White EMS paid the City \$115,682.71 in non-emergency ambulance transfer service franchise fees.

ATTACHMENTS:

[Ordinance](#)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, GRANTING TO SCOTT & WHITE EMS, INC., A NON-EXCLUSIVE FRANCHISE FOR FIVE YEARS TO OPERATE AND MAINTAIN A NON-EMERGENCY AMBULANCE TRANSFER SERVICE UPON THE PUBLIC STREETS AND HIGHWAYS OF THE CITY OF TEMPLE, TEXAS PURSUANT TO THE PROVISIONS OF THE CONSTITUTION AND LAWS OF THE STATE OF TEXAS, THE CHARTER OF THE CITY OF TEMPLE, AND CHAPTER 5 OF THE CODE OF ORDINANCES OF THE CITY OF TEMPLE; DECLARING FINDINGS OF FACT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, Article III, Chapter 5 of the City Code, requires that a person or persons desiring to provide non-emergency ambulance transfer services on the streets of the City of Temple obtain a franchise, under conditions set out therein;

Whereas, Scott & White EMS, Inc. has requested a franchise for a non-exclusive, non-emergency transfer service within the City of Temple; and

Whereas, Scott & White EMS, Inc. has established to the satisfaction of the City Council by clear, cogent and convincing evidence that public convenience and necessity will be served by the granting of said franchise.

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

Part 1: A non-exclusive franchise to operate and maintain a non-emergency ambulance transfer service is granted to Scott & White EMS, Inc., pursuant to Chapter 5 of the Code of Ordinances of the City of Temple, as amended, and the Charter of the City of Temple, as provided herein.

Part 2: Definitions.

As used in this ordinance, the following words and phrases shall have the meaning ascribed in this section:

(a) **City** shall mean the City of Temple, a municipal corporation of the State of Texas, situated in Bell County; the words *in the City* or any similar reference to the territorial limits of the City of Temple, Texas, shall mean the area within the corporate limits of the City of Temple, Texas, as they now exist or as they may hereafter be lawfully modified or extended.

(b) ***Company, Transfer Service Franchise Holder***, as used herein, unless the context clearly indicates otherwise, shall mean Scott & White EMS, Inc., or its legally approved successors and assigns.

(c) ***Ambulance or Transfer Service*** shall mean any motor vehicle used, designed, redesigned or constructed and equipped for the transportation of sick or injured persons, which vehicles for the purposes of this ordinance shall be of the classification of basic life support vehicle or higher, according to the definitions and standards of the City of Temple, Texas or the Bureau of Emergency Management of the Texas Department of Health.

(d) ***Non-Emergency Ambulance Transfer Service*** means a response made by a transfer vehicle or ambulance for the transportation of individuals to or from a medical facility, a nursing home or residence under circumstances which do not constitute an emergency.

(e) ***Emergency*** is any circumstance that calls for an immediate action and which the element of time in transporting the sick, wounded or injured for medical treatment at an emergency room or a facility providing emergency medical care is or may be essential to the health or life of any person. Such circumstances include, but are not limited to, general accidents, traffic accidents and acts of violence resulting in personal injury, and sudden illness.

(f) All other words, terms or phrases shall have the meaning assigned to them by Chapter 5 of the City Code, to the extent that such words, terms or phrases have not been assigned other meanings by Chapter 773 of the Texas Health and Safety Code; as amended, or the regulations of the Bureau of Emergency Management of the Texas Department of Health, in which case those assigned meanings shall prevail. In the absence of an assigned meaning by the above-referenced ordinance, statute, or regulations of the Bureau, the meanings of such words, terms and phrases shall have the ordinary meanings applied at law generally or by common usage in the English language.

Part 3: Notice and Extent of Grant.

The City grants the non-exclusive right and authority to operate and maintain ambulances solely for non-emergency ambulance transfer service of persons upon the public streets and highways of the City of Temple, Texas, for a term ending on **September 30, 2018**, to Company in consideration of the payment of a franchise fee as provided in Part 5 of this ordinance.

Part 4: Standards and Requirements for Personnel, Vehicles and Equipment.

The Company shall comply with all standards and requirements for personnel, vehicles and equipment as enumerated in Chapter 5 of the Code of Ordinances of the City of Temple.

Part 5: Payment to the City Required; Franchise Fee.

(a) The transfer service franchise holder shall, during the life of said franchise, pay to the City of Temple at the Office of the Director of Finance in lawful money of the United States, three and one-half (3 ½%) percent of the total amount billed for the transfer service fees and other income derived from the operation of the transfer service, which said remittance shall be made monthly on or before the tenth day of each calendar month for the preceding calendar month. The compensation provided for in this section shall be in lieu of any other fees or charges imposed by any other ordinance now or hereafter in force during the life hereof, but shall not release the grantee from the payment of ad valorem taxes levied, or to be levied, on property of its own.

(b) It shall be the duty of the franchise holder to file with the Director of Finance a sworn statement for each calendar quarter showing the total amount billed for the preceding three (3) months which statement shall be filed within ten (10) days following the end of the third month. The franchise holder herein shall be required to install and adequately keep a system of bookkeeping to be approved by the Director of Finance, which books shall be subject to inspections of the governing body of the City of Temple and such person or persons as the City may designate, or either of them, so as to enable the City of Temple to check the correctness of the accounts kept and to compute fairly and accurately the amount billed that may be due to the City.

Part 6: Rates.

- (a) The City Council hereby expressly reserves the right, power, and authority to fully regulate and fix, by resolution, the rates and charges for the services of the Company to its customers, fully reserving to the City Council all the rights, powers, privileges, and immunities, subject to the duties, limitations and responsibilities which the Constitution, the laws of the State, and the Charter confer upon the City.
- (b) Company may from time to time propose changes in the general rates by filing an application with the City Secretary for consideration of the City Council. Within a reasonable time consistent with law, the City Council shall afford Company a fair hearing with reference to the application and shall either approve or disapprove the proposed changes or make such order as may be reasonable.

Part 7: Liability Insurance Required.

No transfer vehicle shall be operated on the public streets of the City, unless the applicant provides evidence to the City that he has in full force and effect a public liability insurance policy on that transfer vehicle, such insurance policy to be issued by an insurance company licensed to do business in the State of Texas. Such insurance policy shall:

- (a) provide liability coverage for each vehicle of not less than two hundred and fifty thousand dollars (\$250,000) per person, or five hundred thousand dollars (\$500,000) per occurrence for personal injury or death, and one hundred thousand dollars (\$100,000) for property damage;

(b) name the City of Temple as an additional insured, and provide a waiver of subrogation in favor of the City;

(c) not contain a passenger liability exclusion; and

(d) provide for at least thirty (30) days prior written notice of cancellation to the City.

Part 8: Conditions of Franchise Granted.

The rights, powers and authority herein granted are granted subject to the Constitution and laws of the State of Texas, the Charter of the City of Temple, and where not provided herein, the ordinances and codes of the City of Temple as same now exist or may hereafter be amended so as to constitute reasonable regulations protecting the health, safety and welfare to insure safe, efficient and continuous non-emergency ambulance transfer service, all of which enumerated provisions are incorporated herein by reference and made a part hereof as fully as though the same had been copied herein verbatim.

Part 9: Manner of Giving Notice.

Notice to Company may be given by leaving a written copy thereof at the principal office of Company during ordinary business hours. Notice to the City may be given by leaving a written copy thereof at the Office of the Director of Finance during ordinary business hours.

Part 10: Public Convenience and Necessity.

Company has established by clear, cogent and convincing evidence and the City Council has so found and determined that the present and future public convenience and necessity require the operations here authorized to be performed by Company and the public convenience and necessity will be served by the granting of this franchise.

Part 11: Performance Bond and Revocation Clause.

(a) The transfer service franchise holder shall establish a Ten Thousand Dollar (\$10,000) performance bond. The purpose of this bond is to recover costs to the City of Temple for accepting and administering the applications for a transfer service franchise in the event the franchise is revoked.

(b) If the transfer service franchise holder violates any provision or standard of this ordinance the franchise will be subject to revocation by the City Council of the City of Temple and forfeiture of the performance bond.

Part 12: This franchise shall become effective as provided in Article 10, Section 10.3 of the Charter of the City of Temple, if Company shall have filed its written acceptance of the franchise within thirty (30) days after the final passage and approval of this ordinance.

Part 13: The declarations, determinations and findings declared, made and found in the preamble of this ordinance are hereby adopted, restated and made a part of the operative provisions hereof.

Part 14: 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 15: 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 on the **15th** day of **August**, 2013.

PASSED AND APPROVED on Second Reading on the **5th** day of **September**, 2013.

PASSED AND APPROVED on Third and Final Reading and Public Hearing on the **19th** day of **September**, 2013.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Jonathan Graham
City Attorney

Agreement of Franchisee

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF TEMPLE,
TEXAS:

The franchisee, Scott & White EMS, Inc., acting by and through its duly authorized and empowered officer, hereby accepts the terms and conditions of Ordinance No. _____ granting a non-exclusive franchise to operate and maintain a non-emergency ambulance transfer service upon the public streets and highways of the City of Temple.

SIGNED this ____ day of _____, 2013.

SCOTT & WHITE EMS, INC.

By:



COUNCIL AGENDA ITEM MEMORANDUM

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Item #5(W)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Traci L. Barnard, Director of Finance

ITEM DESCRIPTION: Consider adopting a resolution approving third quarter financial results for Fiscal Year 2013.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

BACKGROUND: This item will present in detail the third quarter ending June 30, 2013, for the General, Water & Sewer, Hotel/Motel Tax, Drainage, and Self-Funded Health Insurance Funds.

Included with these second quarter results will be various schedules detailing grants, sales tax, capital projects and investments.

The third quarter financial statements also include a forecast of year-end financial results for the General Fund as of September 30, 2013.

FISCAL IMPACT: N/A

ATTACHMENTS:

Quarterly Financial Statements - To be provided
Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING THE THIRD QUARTER FINANCIAL RESULTS FOR THE FISCAL YEAR 2012-2013; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the third quarter 2012-2013 fiscal year financial results need to be approved by the City Council and will detail the third quarter ending June 30, 2013, for the General, Water & Sewer, Hotel/Motel Tax, Drainage, and Self-Funded Health Insurance Funds;

Whereas, included in the third quarter results are various schedules detailing 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 third quarter 2012-2013 fiscal year financial results ending June 30, 2013, 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 **August**, 2013.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Traci Barnard, Director of Finance

ITEM DESCRIPTION: Consider adopting a resolution authorizing budget amendments for fiscal year 2012-2013.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: This item is to recommend various budget amendments, based on the adopted FY 2012-2013 budget. The amendments will involve transfers of funds between contingency accounts, department and fund levels.

FISCAL IMPACT: The total amount of budget amendments is \$61,438.

ATTACHMENTS:

[Budget Amendments
Resolution](#)

**CITY OF TEMPLE
BUDGET AMENDMENTS FOR FY 2013 BUDGET
August 15, 2013**

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
351-2200-522-2331		Instruments/Special Equipment (Fire Department)	\$ 20,959	
351-0000-490-2582		Transfer In - General Fund		\$ 20,959
110-9100-591-8151		Transfer Out - Designated Capital Projects	\$ 20,959	
110-0000-352-1345		Designated Capital Projects - Unallocated		\$ 20,959
This budget adjustment appropriates funds to repair the Outdoor Warning Sirens. Funds are being appropriated from Designated Capital Projects - Unallocated.				
520-5900-535-6611	100805	Lift Station - Friar's Creek Lift Station (Water & Sewer)	\$ 19,520	
520-0000-373-0411		Water & Sewer Unreserved Retained Earnings		\$ 19,520
This budget adjustment appropriates Water and Sewer Fund Retained Earnings to fund a change order to the construction contract with Associated Construction Partners, LTD for the rehabilitation of Friar's Creek Lift Station. This project was approved by Council as part of the FY 2012 Capital Improvement Program on September 1, 2011. The construction contract was awarded by Council on 6/21/12. The project is estimated to be completed on 8/19/13.				
TOTAL AMENDMENTS			\$ 61,438	\$ 61,438
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	\$ (39,859)	
		Net Balance of Judgments & Damages Contingency Account	\$ 40,141	
		Beginning Compensation Contingency	\$ 403,000	
		Added to Compensation Contingency	\$ -	
		Taken From Compensation Contingency	\$ (403,000)	
		Net Balance of Compensation Contingency Account	\$ -	
		Net Balance Council Contingency	\$ 40,141	
		Beginning Balance Budget Sweep Contingency	\$ -	
		Added to Budget Sweep Contingency	\$ -	
		Taken From Budget Sweep	\$ -	
		Net Balance of Budget Sweep Contingency Account	\$ -	

CITY OF TEMPLE
BUDGET AMENDMENTS FOR FY 2013 BUDGET
August 15, 2013

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
		WATER & SEWER FUND		
		Beginning Contingency Balance	\$	50,000
		Added to Contingency Sweep Account	\$	-
		Taken From Contingency	\$	(11,882)
		Net Balance of Contingency Account	\$	38,118
		Beginning Compensation Contingency	\$	142,000
		Added to Compensation Contingency	\$	-
		Taken From Compensation Contingency	\$	(97,509)
		Net Balance of Compensation Contingency Account	\$	44,491
		Net Balance Water & Sewer Fund Contingency	\$	82,609
		HOTEL/MOTEL TAX FUND		
		Beginning Contingency Balance	\$	147,759
		Added to Contingency Sweep Account	\$	-
		Carry forward from Prior Year	\$	-
		Taken From Contingency	\$	(64,904)
		Net Balance of Contingency Account	\$	82,855
		Beginning Compensation Contingency	\$	10,100
		Added to Compensation Contingency	\$	-
		Taken From Compensation Contingency	\$	(10,100)
		Net Balance of Compensation Contingency Account	\$	-
		Net Balance Hotel/Motel Tax Fund Contingency	\$	82,855
		DRAINAGE FUND		
		Beginning Contingency Balance	\$	69,100
		Added to Contingency Sweep Account	\$	-
		Carry forward from Prior Year	\$	-
		Taken From Contingency	\$	-
		Net Balance of Contingency Account	\$	69,100
		Beginning Compensation Contingency	\$	25,100
		Added to Compensation Contingency	\$	-
		Taken From Compensation Contingency	\$	(25,100)
		Net Balance of Compensation Contingency Account	\$	-
		Net Balance Hotel/Motel Tax Fund Contingency	\$	69,100
		FED/STATE GRANT FUND		
		Beginning Contingency Balance	\$	-
		Carry forward from Prior Year	\$	39,839
		Added to Contingency Sweep Account	\$	114,528
		Taken From Contingency	\$	(11,413)
		Net Balance of Contingency Account	\$	142,954

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING BUDGET AMENDMENTS TO THE 2012-2013 CITY BUDGET; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on the 30th day of August, 2012, the City Council approved a budget for the 2012-2013 fiscal year; and

Whereas, the City Council deems it in the public interest to make certain amendments to the 2012-2013 City Budget.

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

Part 1: The City Council approves amending the 2012-2013 City Budget by adopting the budget amendments which are more fully described in Exhibit A, attached hereto and made a part hereof for all purposes.

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

PASSED AND APPROVED this the 15th day of August, 2013.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

08/15/13
Item #6
Regular Agenda
Page 1 of 3

DEPT. / DIVISION SUBMISSION & REVIEW:

Mark Baker, Planner

ITEM DESCRIPTION: FIRST READING – PUBLIC HEARING - Z-FY-13-27: Consider adopting an ordinance authorizing a zoning change from Agricultural District (AG) to Single Family Dwelling 1 District (SF-1) on 17.65 ± acres, being part of the S.P. Terry survey, Abstract No. 812, in Bell County, Texas, located on the north side of FM 2305 east of Arrowhead Point Road.

PLANNING & ZONING COMMISSION RECOMMENDATION: At its July 15, 2013 meeting, the Planning & Zoning Commission voted 7 to 0 to recommend approval of the zoning change from General Agriculture (AG) to Single Family Dwelling 1 (SF-1) for the above described property.

STAFF RECOMMENDATION: Conduct public hearing and adopt ordinance as presented in item description on first reading, and schedule a second reading and final adoption for September 5, 2013.

Staff recommends approval for the following reasons:

1. Although the proposed zoning does not comply with the Future Land Use Map which identifies this area as Estate Residential, it is consistent with the adjacent SF-1 district to the north and with the suburban character of the area;
2. The request complies with the Thoroughfare Plan;
3. The proposed zoning is compatible with the surrounding uses; and
4. Public facilities are available to serve the subject property.

ITEM SUMMARY: According to the City of Temple Comprehensive Plan / Future Land Use Plan (FLUP), the subject property is within the designated Estate Residential District. The Estate Residential district is for rural development on larger lots. The lots would generally be located on the City's fringes with a character and lifestyle setting of the ETJ. The minimum lot size should be larger than the City's current Urban Estates standard of one-half acre, and then this minimum could be reduced with a corresponding increase in the required open space ratio, for developments that cluster the estate lots within an overall site. The zoning most fitting for the Estate Residential FLUP district is the Urban Estate (UE) zoning district. Although the zoning request does not fully comply with the FLUP, staff recommends approval as this zoning designation is compatible with the adjacent land use and will continue the suburban pattern of development. If approved, the FLUP will need to be updated.

Although it is anticipated the property will be developed with detached single-family residences, there are a number of uses that are permitted by right. Those uses include but are not limited to:

Residential uses

Family or Group Home
Industrialized Housing

Nonresidential uses

Farm or Ranch
Park or Playground
Fire Station
Gas line Regulating Station

Prohibited uses include HUD-Code manufactured homes and land lease communities, duplexes and apartments. All commercial and industrial uses are prohibited, except these uses allowed by an approved conditional use permit. The uses include but are not limited to: temporary asphalt concrete batching plants, a petroleum or gas well or a cemetery, crematory or mausoleum.

SURROUNDING PROPERTY AND USES: The following table shows the subject property, existing zoning and current land uses:

<u>Direction</u>	<u>Zoning</u>	<u>Current Land Use</u>
Subject Property	AG	Existing S.F. Residence on acreage
North	SF-1	Single-Family Residential (Eagle Oaks at the Lakes subdivision)
South (Across FM 2305)	AG	Scattered S.F. Residential & Non-Residential uses
East	AG	Scattered S.F. Residential Uses
West	AG	Scattered S.F. Residential and Non-Residential uses

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

Document	Policy, Goal, Objective or Map	Analysis	Compliance
CP	Map 3.1 - Future Land Use and Character (FLUP)	Estate Residential is identified for the subject property as well as identified in three of the four directions from the subject property. Suburban Commercial is identified in a strip along the south side of FM 2305. Agriculture/Rural is identified further surrounding the immediate area on three of four sides.	No
CP	Map 5.2 - Thoroughfare Plan	The subject property has frontage on FM 2305 which has been identified as a	Y

		major arterial.	
CP	Goal 4.1 - Growth and development patterns should be consistent with the City's infrastructure and public service capacities	The subject property is served by 6" water lines in FM 2305. There is no city sewer line serving the immediate area however, there is a 12" sewer line in FM 2305 approx. 0.8 mile to the east.	Y
STP	Temple Trails Master Plan Map & sidewalks	Master Plan Map has not identified any proposed trails within the development. Per UDC section 8.2.3, sidewalks are required on both sides of arterials.	Y

CP = Comprehensive Plan STP = Sidewalk and Trails Plan

DEVELOPMENT REGULATIONS: Standard residential setbacks in the SF-1 district are:

- Front - 25'
- Side - 10% of Lot Width 6' Min
- Side (corner) - 15'
- Rear - 10'

Sidewalks are required on both sides of arterials per UDC Section 8.2.3. The sidewalks will be required at time of development.

PUBLIC NOTICE: Seventeen notices of the Planning and Zoning Commission public hearing were sent out to property owners within 200-feet of the subject property as required by State law and City Ordinance. As of Monday August 5, 2013 at 5:00 PM, Two notices for approval and two notices for denial for the zone change have been received.

The newspaper printed notice of the Planning and Zoning Commission public hearing on July 4, 2013, in accordance with state law and local ordinance.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

- [Subject & Surrounding Property Photos](#)
- [Zoning and Location Map](#)
- [Future Land Use and Character Map](#)
- [Buffer Notification Map](#)
- [Returned Property Owner Notices](#)
- [PZ Excerpts](#)
- [Ordinance](#)

Subject & Surrounding Property Photos



Subject Property: Existing Single-Family Residence on Acreage



North: Single-Family Residential – (Eagle Oaks at the Lakes subdivision)



South: Scattered S.F. Residential and Non-Residential Uses



East: Scattered Single-Family Uses



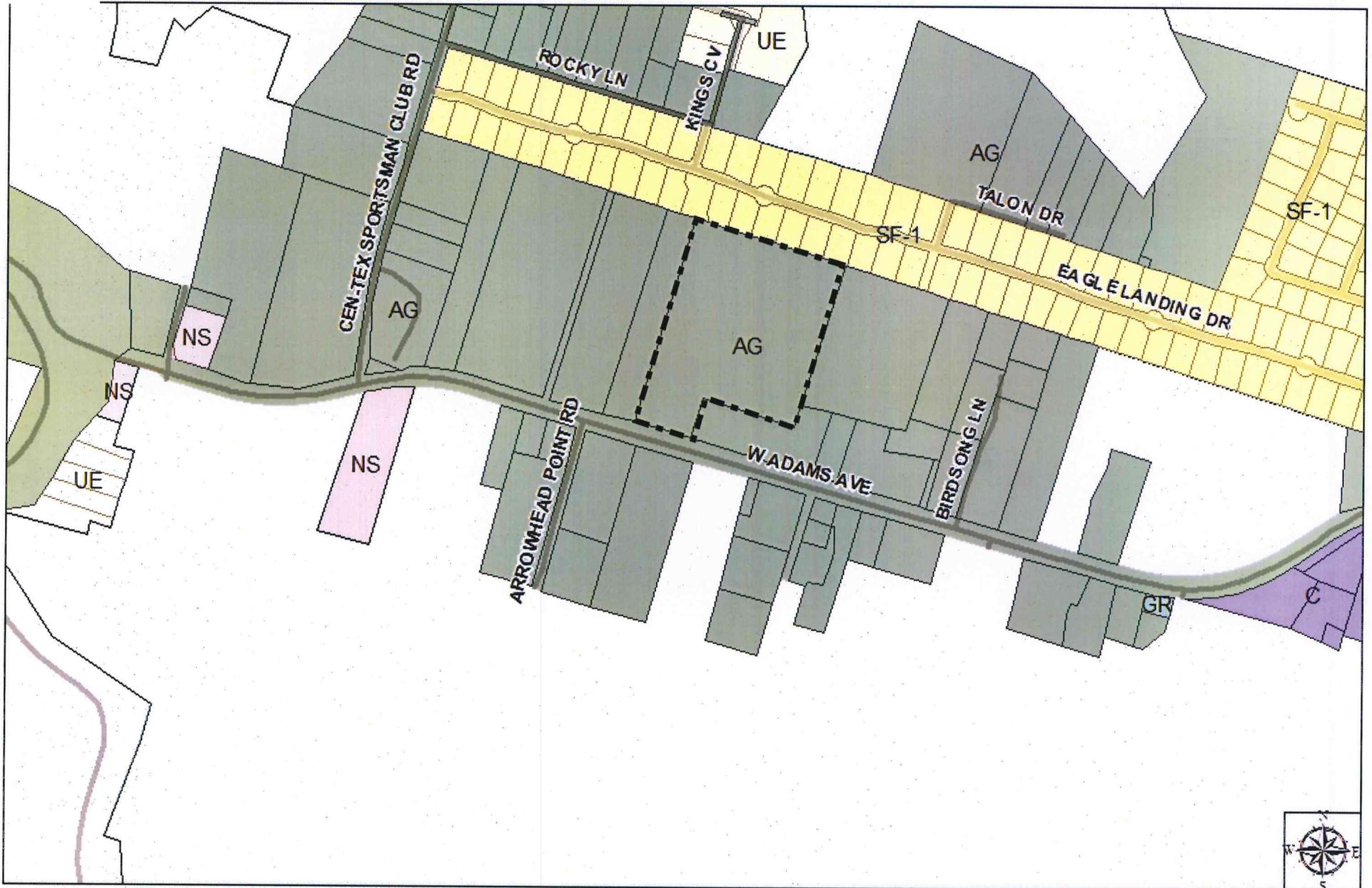
West: Scattered Single-Family Uses and Non-Residential Uses



Z-FY-13-27

Zone Change AG to SF-1

North of FM 2305 and
East of Arrow Point Rd.



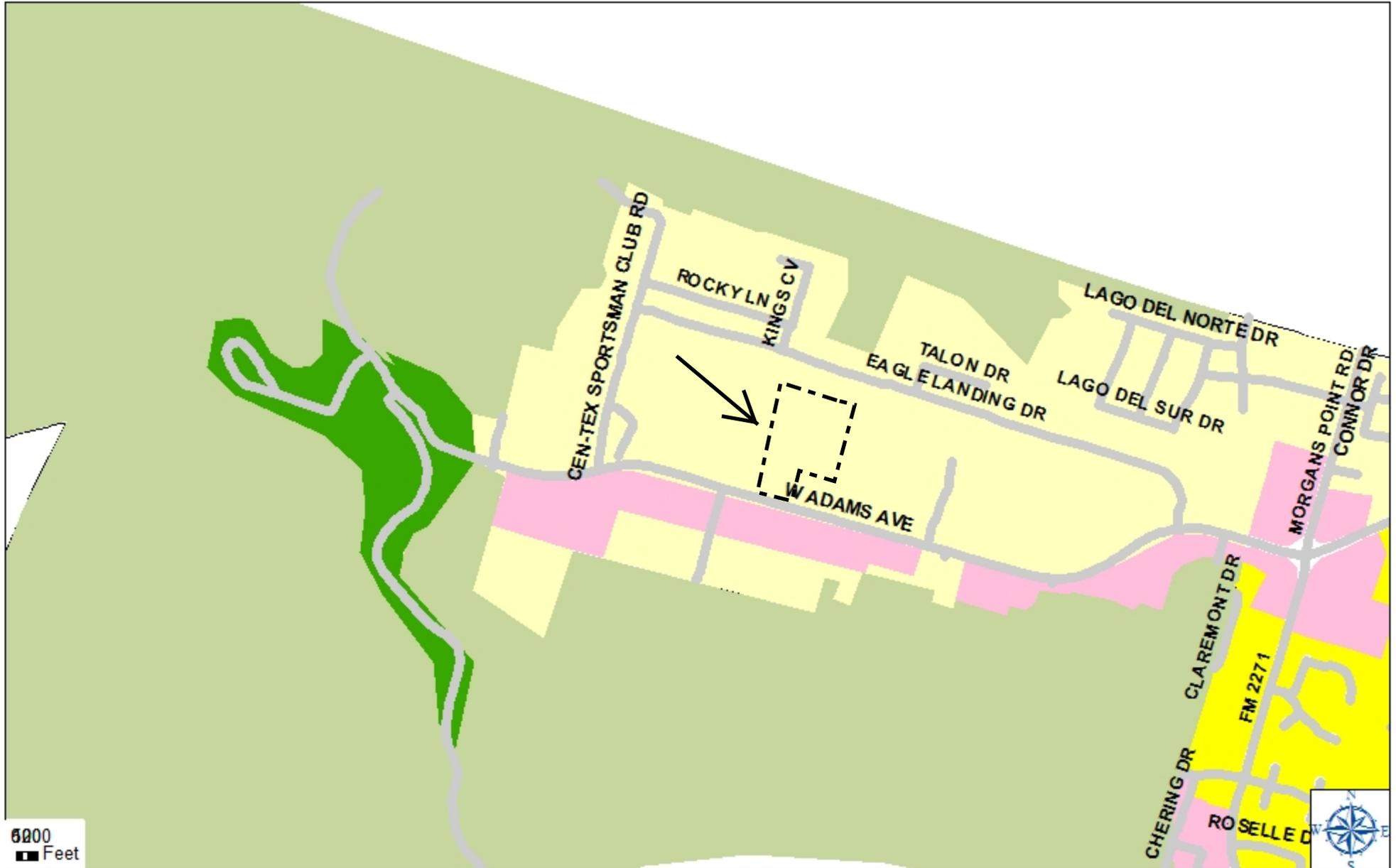
- Case
- Zoning
- Subdivisions
- Parcel
- Outblocks 1
- Addresses 1
- Blocks
- Lots

0 500 1000
Feet

7/3/2013
City of Temple GIS

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





Future Land Use

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

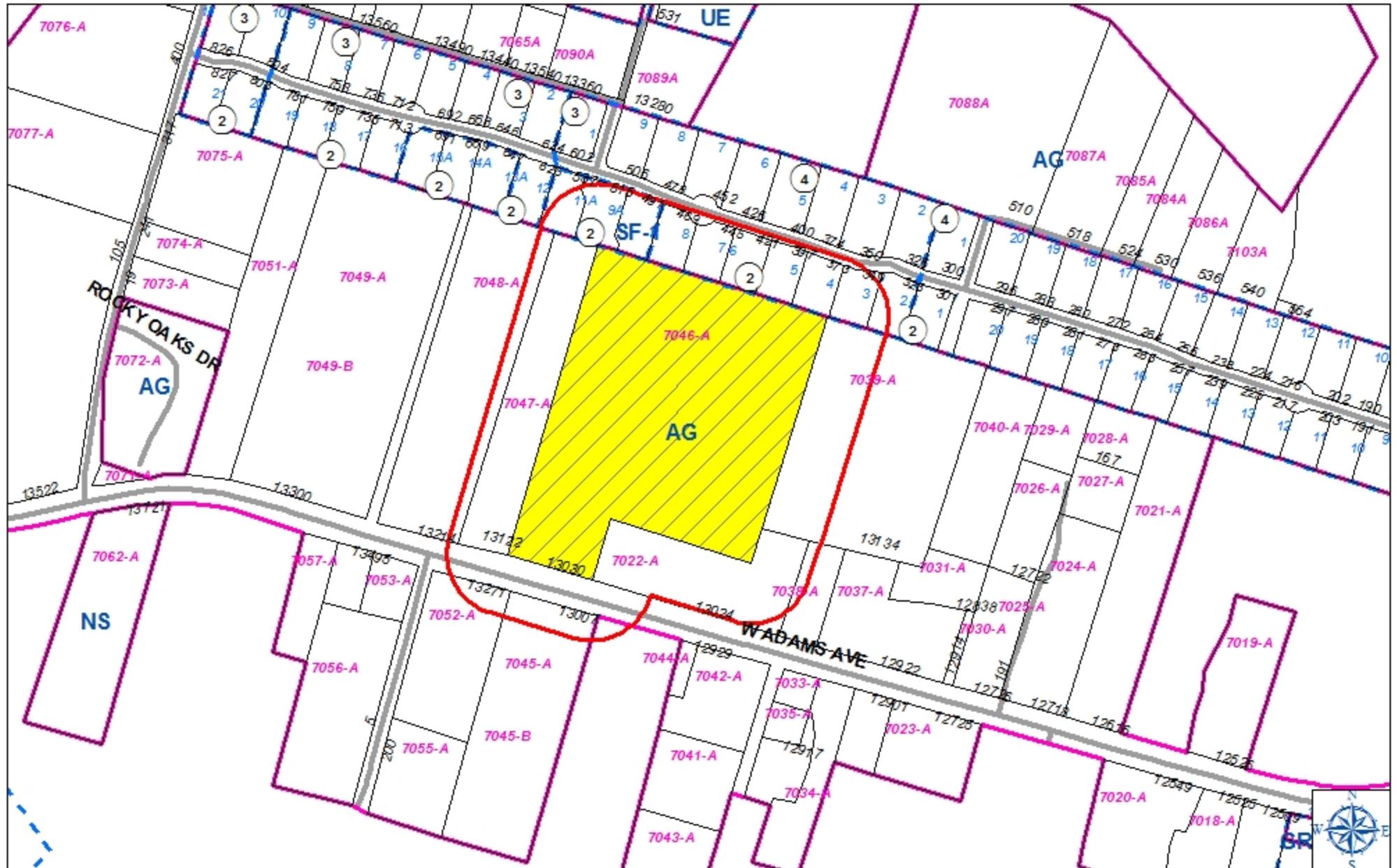
GIS products are for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. They do not represent an on-the-ground survey and represent only the approximate relative location of property boundaries and other features.



Z-FY-13-27

Zone Change Request from AG to SF-1

North of FM 2305
and
East of Arrowhead Point Rd.



- Case
- Zoning
- 1234-A Outblock Number
- Block Number
- Buffer_200
- Subdivision
- 1234 Address
- Lot Number

0 50100

 Feet

6/10/2013
 City of Temple GIS
 mbaaker

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
ZONE CHANGE REQUEST
CITY OF TEMPLE**

Joann M. Tuck Hodges Etal
8600 South Wells Road
Rogers, Texas 76569

Zoning Application Number: Z-FY-13-27

Project Manager: Mark Baker

Location: 201 South Main Street

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

I recommend approval () denial of this request.

Comments:


Signature

JoAnn Hodges
Print Name

Please mail or hand-deliver this comment form to the address shown below, no later than July 15, 2013

**City of Temple
Planning Department
Room 102
Municipal Building
Temple, Texas 76501**

RECEIVED

JUL 05 2013

City of Temple
Planning & Development

Number of Notices Mailed: 17

Date Mailed: July 3, 2013



**RESPONSE TO PROPOSED
ZONE CHANGE REQUEST
CITY OF TEMPLE**

Howard & Diedre Steinman
2801 Dame Brisen Drive
Lewisville, Texas 75056

Zoning Application Number: Z-FY-13-27 **Project Manager:** Mark Baker

Location: 201 South Main Street

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

I recommend () approval denial of this request.

Comments:

It will decrease the value of our
house that backs up to it

Diedre Steinman
Signature

Diedre Steinman
Print Name

Please mail or hand-deliver this comment form to the address shown below, no later than July 15, 2013

City of Temple
Planning Department
Room 102
Municipal Building
Temple, Texas 76501

RECEIVED
JUL 10 2013
City of Temple
Planning & Development



**RESPONSE TO PROPOSED
ZONE CHANGE REQUEST
CITY OF TEMPLE**

John Etux Angela Bailey
373 Eagle Landing Drive
Belton, Texas 76513

Zoning Application Number: Z-FY-13-27

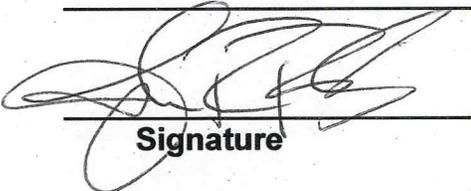
Project Manager: Mark Baker

Location: 201 South Main Street

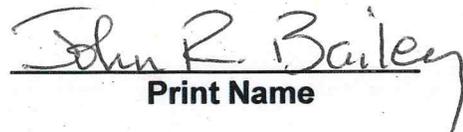
The proposed rezoning is the area shown in hatched marking on the attached map. Because you own property within 200 feet of the requested change, your opinions are welcomed. Please use this form to indicate whether you are in favor of the possible rezoning of the property described on the attached notice,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

I recommend approval () denial of this request.

Comments:



Signature



Print Name

Please mail or hand-deliver this comment form to the address shown below, no later than July 15, 2013

City of Temple
Planning Department
Room 102
Municipal Building
Temple, Texas 76501

RECEIVED
JUL 11 2013
City of Temple
Planning & Development

Number of Notices Mailed: 17

Date Mailed: July 3, 2013



**RESPONSE TO PROPOSED
ZONE CHANGE REQUEST
CITY OF TEMPLE**

Artie Annelle Edgar
13122 FM 2305
Belton, Texas 76513

Zoning Application Number: Z-FY-13-27

Project Manager: Mark Baker

Location: 201 South Main Street

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

I recommend () approval (X) denial of this request.

Comments:

My property joins the proposed rezoning area, which puts me in the buffer zone. While I have no reason to object to others' property rights, I do strongly object to it affecting my property. It should only pertain to his property. A buffer zone is calling (including) my property. Having lived here all my life I do not want my property rezoned.

Artie Annelle Edgar
Signature

Artie Annelle Edgar
Print Name

Please mail or hand-deliver this comment form to the address shown below, no later than July 15, 2013

City of Temple
Planning Department
Room 102
Municipal Building
Temple, Texas 76501

RECEIVED
JUL 15 2013
City of Temple
Planning & Development

**EXCERPTS FROM THE
PLANNING & ZONING COMMISSION MEETING
MONDAY, JULY 15, 2013**

ACTION ITEMS

Item 5: Z-FY-13-27: Hold a public hearing to discuss and recommend action on a zone change from Agricultural District (AG) to Single Family Dwelling 1 District (SF-1) on 17.65 ± acres, being part of the S.P. Terry survey, Abstract No. 812, in Bell County, Texas, located on the north side of FM 2305 east of Arrowhead Point Road. (Applicant: Brad Dusek)

Mr. Baker stated this item would go to City Council for first reading on August 15th and second reading on September 3, 2013.

The Comprehensive Plan Future Land Use and Character Map designate the property as Estate-Residential. There is a six-inch water line at FM 2305 that fronts the property and a 12 inch sewer line on FM 2305 a short distance to the east.

Surrounding properties include scattered single family residential and non-residential uses to the south, Eagles Oaks at the Lakes subdivision to the north, and to the east and west are mixed residential and non-residential uses.

Estate-Residential District is for rural residential development on larger lots on the city fringes. Single Family-One (SF-1) zoning does not completely comply with the Future Land Use and Character Map. Surrounding areas are currently zoned Agricultural (AG) and SF-1 is the existing residential zoning to the north and some to the further northeast.

Some allowed and prohibited residential and non-residential uses within SF-1 are stated.

Comparisons of Development Regulations are given.

Sidewalks are required on both sides of arterials per UDC Section 8.2.3 and the six foot sidewalk will be required at the time of development.

Seventeen notices were mailed out. Two were received in favor of the request and two were in opposition. Copies of returned notices, received after the P&Z packet was distributed, were given to the Commissioners.

When the proposed rezoning does not agree with the Future Land Use and Character Map, Staff takes the following into account:

1. Is the proposed land consistent with the Comprehensive Plan / Future Land Use Map?
2. Do surrounding uses seem compatible and similar to the proposed zoning?
3. Do surrounding zoning designations seem compatible or similar to the proposed rezoning?

Regarding item 1, it has already been established this request is not completely consistent. Regarding items 2 and 3, there is an established SF-1 adjacent and north of the subject property and the proposed zoning will extend the same type of use already established and continue the suburban pattern.

Staff recommends approval of the request for a zone change from AG to SF-1 for the following reasons:

The proposed zoning does not comply with the Future Land Use Plan Map which identifies this area as Estate Residential, but is consistent with the adjacent SF-1 District to the north and with the suburban character of the area;

The request complies with the Thoroughfare Plan;

The proposed zoning is compatible with the surrounding uses; and

Public facilities are available to serve the subject property.

Chair Staats opened the public hearing.

Mr. Jason Dawkins, 13024 FM 2305, Temple, Texas, stated he was representing his parents, Edward and Sarah Dawkins, property owners adjacent to the subject property directly south.

Mr. Dawkins asked the Commission that since they were located within 200 feet of the development, how would this request affect the Dawkins' property and would they still be allowed to have livestock/animals or would it prohibit them from doing what they are currently doing? Mr. Baker responded the zoning request would not change the Dawkins' property since it is not included with the request. It only reflects the property described from AG to SF-1. Mr. Dawkins stated that as long as it did not change anything on their property, they welcomed the development by Mr. Dusek. Chair Staats stated the zoning request would have no effect on the Dawkins' property which is zoned AG. The Dawkins also own property on the back side of Mr. Dusek's development and had some problems in the past. The Dawkins do not want to go through that process again. Chair Staats stated again it would not change their property.

There being no further speakers, Chair Staats closed the public hearing.

Commissioner Talley made a motion to approve Item 5, **Z-FY-13-27**, and Commissioner Rhoads made a second.

Motion passed: (7:0)

Commissioners Martin absent

Commissioner Harrell attended the meeting but not as a Commissioner

ORDINANCE NO. _____

(PLANNING NO. Z-FY-13-27)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A ZONING CHANGE FROM AGRICULTURAL DISTRICT (AG) TO SINGLE FAMILY ONE DISTRICT (SF-1), ON APPROXIMATELY 17.65 ACRES, BEING PART OF THE S.P. TERRY SURVEY, ABSTRACT NO 812, IN BELL COUNTY, TEXAS, LOCATED ON THE NORTH SIDE OF FM 2305 EAST OF ARROWHEAD POINT ROAD; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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

Part 1: The City Council approves a rezoning from Agricultural District (AG) to Single Family One District (SF-1) on approximately 17.65 acres, being part of the S.P. Terry Survey, Abstract No. 812, in Bell County, Texas, located on the north side of FM 2305 east of Arrowhead Point Road, 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 **August**, 2013.

PASSED AND APPROVED on Second Reading on the 5th day of **September**, 2013.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

08/15/13
Item #7
Regular Agenda
Page 1 of 3

DEPT. / DIVISION SUBMISSION & REVIEW:

Tammy Lyerly - Planner

ITEM DESCRIPTION: P-FY-12-31: Consider adopting a resolution authorizing the revised Preliminary Plat of Valley Ranch Addition, a 39.3 ± acre, 94-lot residential subdivision with a requested exception to Unified Development Code Section 8.2.1., allowing the use of Local Rural Streets with 50-foot wide rights-of-way and 28-foot wide streets (back of curb to back of curb), located at the southwest corner of FM 93 and Dubose Road.

PLANNING AND ZONING COMMISSION RECOMMENDATION: At its June 17, 2013, meeting, the Planning and Zoning Commission voted 9/0 to recommend approval of Revised Preliminary Plat of Valley Ranch Addition with the developer requested exception to Unified Development Code Section 8.2.1., allowing the use of Local Rural Streets with 50-foot wide rights-of-way and 28-foot wide streets (back of curb to back of curb).

STAFF RECOMMENDATION: Adopt resolution as presented in item description. Staff recommends approval of the Revised Preliminary Plat of Valley Ranch Addition, subject to City Council's approval of the developer's requested exception to Unified Development Code Section 8.2.1., regarding the use of Local Rural Streets.

ITEM SUMMARY: The Development Review Committee reviewed the Revised Preliminary Plat of Valley Ranch Addition July 25, 2012 and April 24, 2013. It was deemed administratively complete on June 12, 2013.

The Revised Preliminary Plat of Valley Ranch Addition is a 94-lot, 5-block, single family residential subdivision located at the southwest corner of FM 93 and Dubose Road, a county road within the E.T.J. Only approximately 500 feet of Dubose Road from the south right-of-way of FM 93 is within the City Limits of Temple.

This proposed plat is an amendment to the existing Preliminary Plat of Valley Ranch Addition approved by City Council on July 1, 2004 with Resolution 2004-4086-R. The existing Preliminary Plat of Valley Ranch Addition was approved with a combination of 135 residential and non-residential lots on 95.847 acres.

The Revised Preliminary Plat of Valley Ranch Addition proposes to amend only the residential portion of Valley Ranch Addition on the west side of Dubose Road. The amendment proposes 94 single-family lots, an increase of 38 lots from the 56 single-family lots originally approved by Resolution 2004-4086-R in this section of the development. The results are a 67% increase in density within the amended area with an average density of 2.39 lots per acre.

This density increase triggers the requirement of Local Street standards, instead of the Local Rural Street standards established for Valley Ranch Addition on the east side of Dubose Road. **The applicant requests an exception to Unified Development Code Section 8.2.1., to allow the use of Local Rural Streets with 50-foot rights-of-way and 28-foot wide streets (back of curb to back of curb).**

Unified Development Code Section 11.2 (f) defines a “**rural local street**” as a local street designed for low density development, **not to exceed two dwelling units per acre**. A rural local street must not be constructed adjacent to an area presumed to attain more traditional urban densities within a 20-year planning horizon. Unified Development Code Section 11.2 (c) also defines a “**rural collector street**” as a collector street designed for low density development, **not to exceed two dwelling units per acre**. A rural collector street must not be constructed adjacent to an area presumed to attain more traditional urban densities within a 20-year planning horizon.

The applicants are also pursuing a zone change from Planned Development Urban Estates (PD-UE) to Planned Development Single Family One (PD-SF-1) with zoning case Z-FY-12-50. This plat will be tracking with the Second Reading of Z-FY-12-50 at City Council on August 1, 2013. The submitted plat is consistent with the site plan attached to the companion zoning case Z-FY-12-50.

The developer’s park land dedication for Valley Ranch Addition increases \$8,550 (38 additional lots at \$225 each). This increase will be satisfied by the following:

- Dedication to the City of an additional 0.973 acres of land (Parcels “D” and “E”) for parkland.
 - The additional acreage will become a greenbelt within the subdivision providing Valley Ranch residents’ access to/from the park with access to future residents of adjacent property (west) and ultimately connecting to Central Texas Christian School and any future trails system beyond.
- Credit for land dedication of \$5,838 (50% of \$12,000 per acre value times 0.973 acres)
 - Developer will invest an additional \$2,712.00 in Valley Ranch Addition park improvements (\$8,550 - \$5,838= \$2,712)
- Developer Commitment – Playground and Land Dedication:
 - The additional park land will be dedicated to the City when surrounding property is final platted.
 - The developer will complete the Valley Ranch Addition park improvements prior to final acceptance of the initial phase of revised preliminary plat

Water will be provided to the subdivision through proposed 6-inch and 8-inch water lines. Wastewater services will be provided through proposed 6-inch and 8-inch wastewater lines and an existing 10-inch wastewater line.

City Council is the final plat authority since the applicant requests an exception to the Unified Development Code.

FISCAL IMPACT: N/A

ATTACHMENTS:

Letter of Requested Exception

Plat

PZ Excerpts

Resolution

Valley Ranch

Amended Rezoning/Replat Request

Requested Zoning:

- **‘PD-SF1’ - Planned Development - Single Family 1**
- **Limit to 94 total Lots within rezoned PD-SF1 section**
 - Lot Density: 2.39 homes/acre at maximum number of lots at Replat Area and 1.71 homes/acre for total Valley Ranch Subdivision
 - Lot Size: Average 14,232 sf (exceeds SF1 requirements by 90%)

Requested Exceptions:

- **Streets – Rural Street Standard**
 - Local: **Rural Local Street, 50’ ROW & 28’ BC-BC without Parking Restrictions**
 - Exemption justifications:
 - Housing Density: Low (1.71 Homes/Acre for Valley Ranch Subdivision)
 - Local Streets: Continuity with prior phases
 - Drainage, Open (grass-lined swales): Provides continuity with prior phases and facilitates Post Construction Ordinance objectives.
 - Filtration – Grass-lined swales filter Stormwater and traps solid particles, a Post Construction Ordinance objective
 - Velocity and flow rate Down stream – Reduced by grass filtration.
 - Maintenance – Swales become yard area maintained by homeowners.
 - Stormwater Chokes & Flooding - Elimination of curb inlets and underground storm drain reduces potential for choked drains, flooding, roadway hazard and property damage.
 - Driveways and Parking:
 - Front Building Setback - 30’
 - Driveway Length:
 - Front Entry Garage – 43’ Minimum
 - Side Entry Garage – Greater than 43’
 - Exceeds SF-1 Minimum - 25%
 - Additional setback would facilitate parking
 - Conforms with Phases I & II front setbacks

Valley Ranch- Proposed

After careful consideration of the factors affecting slow new home sales, the home builder, developer, and engineer researched alternatives to the Valley Ranch preliminary plat and came to the following conclusions:

1. **Evergreen** (East side of Dubose Road) Phase II lots, due to the proximity with Phase I homes, will continue to develop as originally planned.
2. **Fairfield** (West side of Dubose Road) lot sizes should be reduced to overcome buyer resistance to large lot initial construction and future maintenance (Fence, irrigation, initial landscape, watering costs, fertilizer, mowing, landscape replacement due to drought conditions, etc...). The following must be approved by the City of Temple to facilitate the change:
 - a. **Rezone** Fairfield section from Planned Development Urban Estate 'PD-UE' to Planned Development Single Family 1 'PD-SF1'.
 - b. **Amend Preliminary Plat** with reduced lot sizes exceeding 'PD-SF1' minimums.

Comparison of the Proposed plat amendment with PD-SF1

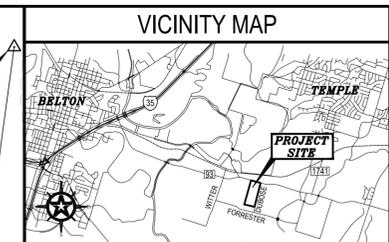
UDC Lot Requirement	Single Family 1 ('SF1')	Proposed Modified Preliminary Plat	Exceed SF1 Minimums
Square Footage	7,500sf	Average 14,233sf	90%
Front Building Setback	25'	30'	20%
Front Building Setback (cul-de-sac)	15'	25'	67%

- c. **Street & Street Lights** – Revise to conform to proposed rezoning & plat amendment
- d. **Water System** – Revise to conform to proposed plat amendment
- e. **Waste Water System** – Revise to conform to proposed plat amendment
- f. **Storm Water System** – Revise to conform to proposed plat amendment
- g. **Entrance** – The lighted boulevard entrance with masonry monuments, landscaping, and automatic irrigation will be maintained by the Valley Ranch Property Owners' Association. The existing Valley Ranch 'Beautification Agreement' will be amended to include the extension of Dubose Road to the South.
- h. **Park Land** – The Developer contributed, by dedication to the City, 8+ acres during Phase I and II plat approvals to serve as a combination park and detention area. The Developer proposes to dedicate an additional 0.973 acres of parkland and invest an additional \$2,712.00 in the playground which is to be prior to final acceptance of the initial phase of the revised Preliminary Plat.
- i. **Utilities** – Utility companies, TXU, Southwestern Bell Telephone, Time-Warner Cablevision, and Centro-Vision are being furnished copies of the proposed revision to the preliminary plat for design and location of easements to serve Valley Ranch Fairfield section lots with electric, phone and TV cable services.
- j. **Homes** – The new price point is \$180,000 to \$300,000 (original was \$150,000 to \$200,000).

VALLEY RANCH ADDITION REVISED PRELIMINARY PLAT

LOTS 5-57, BLOCK 1, LOTS 1-10, BLOCK 2, LOTS 1-10, BLOCK 3, LOTS 1-11, BLOCK 4 AND LOTS 1-10, BLOCK 5
BEING A PORTION OF THE CALLED 44.234 ACRE TRACT DESCRIBED IN A DEED TO LEXINGTON HOLDINGS, LTD. RECORDED IN VOLUME 5572, PAGE 849, OF THE OFFICIAL PUBLIC RECORDS OF BELL COUNTY, TEXAS, TO THE CITY OF TEMPLE, BELL COUNTY, TEXAS

EDWARD D. MAREK
REMAINDER - FIRST TRACT
9.773 ACRES
VOLUME 1788, PAGE 230
D.R.B.C.T.



LEGEND	LOT INFO
○ = 12" IRON ROD WITH CAP STAMPED "WALKER PARTNERS" SET	TOTAL SUBDIVISION ACREAGE = 39.3 ACRES
△ = CITY OF TEMPLE MONUMENT	TOTAL RESIDENTIAL LOT ACREAGE = 30.460 LOTS
() = DEED CALL	TOTAL NUMBER OF RESIDENTIAL LOTS = 94
D.R.B.C.T. = DEED RECORDS OF BELL COUNTY, TEXAS	TOTAL NUMBER OF BLOCKS = 5 BLOCKS
P.R.B.C.T. = PLAT RECORDS OF BELL COUNTY, TEXAS	
O.P.R.B.C.T. = PLAT RECORDS OF BELL COUNTY, TEXAS	

SURVEYOR'S NOTES

- PHASING WILL BE DETERMINED DURING FINAL PLATTING PROCESS.
- FIELD NOTES ATTACHED HERETO, MADE A PART HEREOF AND TITLED: VALLEY RANCH, REVISED PRELIMINARY PLAT, TO THE CITY OF TEMPLE, BELL COUNTY, TEXAS.
- THE CONTOURS SHOWN HEREON ARE BASED ON AERIAL PHOTOGRAPHY PERFORMED BY SANBORN ON DECEMBER 19, 2003 AND ARE BASED ON CITY OF TEMPLE MONUMENT NO. 141.
- RECORD OWNER: LEXINGTON HOLDINGS, LTD. AS RECORDED IN VOLUME 5572, PAGE 849 OF THE OFFICIAL PUBLIC RECORDS OF BELL COUNTY, TEXAS.
- THIS PROJECT IS REFERENCED TO THE CITY OF TEMPLE COORDINATE SYSTEM, AN EXTENSION OF THE TEXAS COORDINATE SYSTEM OF 1983, CENTRAL ZONE. ALL DISTANCES ARE HORIZONTAL SURFACE DISTANCES UNLESS NOTED AND ALL BEARINGS ARE GRID BEARINGS. ALL COORDINATES ARE REFERENCED TO CITY MONUMENT NO. 141. THE THETA ANGLE AT CITY MONUMENT NO. 141 IS 01°30'27". THE COMBINED CORRECTION FACTOR (CCF) IS 0.99999. GRID DISTANCE = SURFACE DISTANCE X CCF. GEODETIC NORTH = GRID NORTH + THETA ANGLE. REFERENCE THE FROM CITY MONUMENT NO. 141 TO THE NORTHEAST CORNER OF THE 39.279 ACRE TRACT IS S 30°49'47" E, 194.42 FEET. PUBLISHED CITY COORDINATES FOR PROJECT REFERENCE POINT 141 ARE N 10°34'42" E, 52,212.989 81.
- THE APPROXIMATE LOCATION OF UNDERGROUND UTILITIES SHOWN HEREON ARE BASED UPON FIELD SURVEY INFORMATION, UTILITY LOCATOR MARKINGS AND EXISTING UTILITY AS-BUILT DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN HEREON ARE IN THE EXACT LOCATION INDICATED. ALL UTILITIES MUST BE FIELD VERIFIED BEFORE PERFORMING ANY WORK.
- THE SURVEYOR DID NOT ABSTRACT THE SUBJECT TRACT. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT. THEREFORE THE SURVEYOR CERTIFIES THAT EASEMENTS THAT HE HAS BEEN ADVISED OF HAVE BEEN ADDRESSED HOWEVER, THE SURVEYOR DOES NOT GUARANTEE THAT ALL EASEMENTS, RESTRICTIONS OR ENCUMBRANCES, EITHER OF RECORD OR NOT OF RECORD, WHICH MAY AFFECT THE SUBJECT TRACT ARE SHOWN HEREON.
- FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) NOTE: THIS PROPERTY IS IN FEMA "OTHER AREAS" ZONE X AS SHOWN ON THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL 480270349E, WHICH BEARS AN EFFECTIVE DATE OF SEPTEMBER 26, 2008. THIS FLOOD STATEMENT DOES NOT IMPLY THAT THIS TRACT WILL, OR WILL NOT, FLOOD, NOR DOES IT CREATE ANY LIABILITY IN SUCH EVENT ON THE PART OF THIS SURVEYOR OR COMPANY.

EXPLANATION OF FEMA ZONE: FEMA "OTHER AREAS" ZONE X - AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN.

OWNER/DEVELOPER

OMEGA COMMUNITY BUILDERS, INC.
P.O. BOX 1908
TEMPLE, TEXAS 76703-1908

JAMES I. HOWE, VICE PRESIDENT
DATE _____

SURVEYOR:
Mark Paul Bell
WALKER PARTNERS
600 AUSTIN AVENUE, SUITE 20
WACO, TEXAS 76701
DATE 06/11/13

ENGINEER:
Jacob Bell
WALKER PARTNERS
600 AUSTIN AVENUE, SUITE 20
WACO, TEXAS 76701
DATE 06/11/13

CITY CERTIFICATION

RECOMMENDED FOR PRELIMINARY APPROVAL:

CITY ENGINEER AND/OR DIRECTOR OF PUBLIC WORKS _____ DATE _____

APPROVED FOR PREPARATION OF FINAL PLAT:

CHAIRMAN, PLANNING AND ZONING COMMISSION _____ DATE _____

APPROVED FOR PREPARATION OF FINAL PLAT:

CITY SECRETARY _____ DATE _____



PLAT NUMBER	01-0221
PROJECT NUMBER	1-02078
DRAWN BY/CHECKED BY	MPP/KRH
FIELD NOTE NO.	1-02078-FN-02
DRAWING NAME	1-02078PRELIM.DWG
DRAWN DATE	06/15/2012
SHEET NUMBER	1 of 2

VALLEY WEST SUBDIVISION
PHASE I
CAB. A, SLIDE 82-C
P.R.B.C.T.

WILLIAM FRAZIER SURVEY
ABSTRACT NO. 310
BELL COUNTY, TEXAS

GARY A. PAUER AND WIFE,
DEVETTE PAUER
CALLED 5.047 ACRES
VOLUME 3523, PAGE 586
O.P.R.B.C.T.

GARY ALLEN PAUER, ET UX
CALLED 5.000 ACRES
VOLUME 3728, PAGE 298
O.P.R.B.C.T.

B. TRENT STREET, ET UX
CALLED 4.41 ACRES
VOLUME 3973, PAGE 219
D.R.B.C.T.

TRACT "C" - 0.437 ACRES
CITY OF TEMPLE PARK
VOLUME 5894, PAGE 903
O.P.R.B.C.T.

TRACT "B" - 6.688 ACRES
CITY OF TEMPLE PARK &
STORMWATER DETENTION FACILITY
VOLUME 5844, PAGE 398
O.P.R.B.C.T.

TRACT "A" - 1.183 ACRES
CITY OF TEMPLE PARK & UTILITY
(PLAYGROUND AREA)
VOLUME 5844, PAGE 398
O.P.R.B.C.T.

GATES MEADOW ADDITION
CAB. B, SLIDE 147-B
B.C.D.R.



OUT IN
CITY LIMIT



CITY OF TEMPLE
MONUMENT NO. 139

WEST FARM-TO-MARKET NO. 93
(R.O.W. VARIES)

POINT OF BEGINNING

CITY OF TEMPLE
MONUMENT NO. 141
(SEE NOTE)

J&B HOLDINGS, LTD.
VOLUME 5429, PAGE 90
O.P.R.B.C.T.

VALLEY MIST CT.
(50' R.O.W.)

VALLEY RANCH ADDITION,
PHASE I
CABINET D, SLIDE 21-A
P.R.B.C.T.

VALLEY MIST DR.
(50' R.O.W.)

A12 SUBDIVISION ENTRANCE

1"=40'

CURB LAYOUT

**EXCERPTS FROM THE
PLANNING & ZONING COMMISSION MEETING
MONDAY, JUNE 17, 2013**

ACTION ITEMS

Item 2: P-FY-12-31: Consider and take action on the Revised Preliminary Plat of Valley Ranch Addition, a 39.3 ± acre, 94-lot residential subdivision with a requested exception to Unified Development Code Section 8.2.1., allowing the use of Local Rural Streets with 50-foot wide rights-of-way and 28-foot wide streets (back of curb to back of curb), located at the southwest corner of FM 93 and Dubose Road.

Ms. Tammy Lyerly, Senior Planner, stated that since the applicant was asking for exceptions on this plat, it would be going forward to City Council for final approval authority.

This is a revised preliminary plat of Valley Ranch Addition and the subject property is located on the west side of Dubose Road. Dubose Road is in the county but the property is located within the city limits.

This plat was deemed complete on June 12, 2013. The property is currently zoned Planned Development (PD) Urban Estates (UE). The developer is in the process of pursuing a rezoning for the portion that is an amendment to a PD Single Family-One (SF-1) district. This plat proposes amending the existing preliminary plat of Valley Ranch Addition which was approved by City Council in 2004 with Resolution 2004-4086-R. The entire Valley Ranch development that was approved with that preliminary plat is a combined 135 residential and non-residential lots and consists of 95.847 ± acres. The revised portion for P&Z review is only the residential portion located on the west side of Dubose Road.

The amendment proposes 94 single family lots, an increase of 38 lots from the 56 single family lots originally approved. With this increase, it triggers the City's requirements for 31 foot wide streets, back of curb to back of curb, but the developer would like to stay with local rural street standards which are 28 foot width. The rural standards are measured from edge of asphalt to edge of asphalt. The 28 foot width would include the ribbon curbing, making it 26 foot width but 28 foot with the ribbon curbing.

Water will be provided through a proposed six-inch and eight-inch water lines. Wastewater services will be provided through an existing 10-inch wastewater line and a proposed six inch and eight-inch wastewater lines.

The development has an extensive parkland dedication. With the additional 38 lots, it increases the parkland dedication for the entire Valley Ranch Addition to \$8,550.

Staff recommends approval of the revised preliminary plat of Valley Ranch Addition subject to City Council's approval of the developer's requested exception to the UDC Section 8.2.1 allowing the use of local rural streets with the 50 foot right-of-way and 28 foot wide streets measured back of curb to back of curb.

Chair Staats asked Mr. Gary Freytag, 462 Woodland Point Road, Temple, Texas, what the width was of Oncor's transmission line since there was nothing stated on the plat. Mr. Freytag stated 60 feet. Mr. Bob Wallace with the Wallace Group stated they have been working with Mr. Freytag on the project and he was a licensed surveyor. Mr. Wallace stated a lot of the old Oncor and high pressure gas line easements did not have a specified width in the documents. Courts have ruled what the limits of those easements can be and that is what Mr. Wallace 'assumed' in this case. Mr. Wallace stated generally the power line easements width is specified by the law depending on the voltage of the line and this is probably a 69KV line.

Commissioner Rhoads made a motion to approve Item 2, **P-FY-12-31**, as presented, and Commissioner Harrell made a second.

Motion passed: (9:0)

RESOLUTION NO. _____

(PLANNING NO. P-FY-12-31)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING THE REVISED PRELIMINARY PLAT OF VALLEY RANCH ADDITION, A 39.3 ACRE, 94-LOT, RESIDENTIAL SUBDIVISION WITH A REQUESTED EXCEPTION TO THE UNIFIED DEVELOPMENT CODE, SECTION 8.2.1, ALLOWING THE USE OF LOCAL RURAL STREETS WITH 50-FOOT WIDE RIGHTS-OF-WAY AND 28-FOOT WIDE STREETS (BACK OF CURB TO BACK OF CURB), LOCATED AT THE SOUTHWEST CORNER OF FM 93 AND DUBOSE ROAD; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on June 17, 2013, the Planning and Zoning Commission recommended approval of the Revised Preliminary Plat of Valley Ranch Addition, a 39.3 acre, 94-lot, residential subdivision with the developer's requested exception to the Unified Development Code, Section 8.2.1, allowing the use of Local Rural Streets with 50-foot wide rights-of-way and 28-foot wide streets (back of curb to back of curb); and

Whereas, the City Council has considered the matter and deems it in the public interest to approve the Revised Preliminary Plat of Valley Ranch Addition.

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

Part 1: The City Council approves the Revised Preliminary Plat of Valley Ranch Addition, a 39.3 acre, 94-lot, residential subdivision, which is on file in the City's Planning Department, incorporated herein and referred to by reference, and including the following conditions and exceptions to the Unified Development Code Section 8.2.1:

- (1) Allowing the use of Local Rural Streets with 50-foot wide rights-of way and 28 foot wide streets (back of curb to back of curb).

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 15st day of August, 2013.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, MAYOR

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

08/15/13
Item #8
Regular Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Kim Foutz, Assistant City Manager/Acting Planning Director

ITEM DESCRIPTION: P-FY-13-30: Consider adopting a resolution approving the Preliminary Plat of Brayson Crossing, a 6.008 ± acres, 9-lot, 1-block residential subdivision with a requested exception to Unified Development Code related to Park Land Dedication; and Fire Apparatus Access Roads, located in the western E.T.J., at the northeast corner of FM 439 and Sparta Loop

PLANNING AND ZONING COMMISSION RECOMMENDATION: At its July 15, 2013, meeting the Planning and Zoning Commission voted 8/0 to recommend approval of the Preliminary Plat of Brayson Crossing with the developer's requested exceptions to UDC Section 8.3.C. and Chapter 12 of the Code of Ordinances, Section 12-10, Fire Apparatus Access Roads. (Commissioner Martin was absent)

STAFF RECOMMENDATION: Staff recommends approval of the Preliminary Plat of Brayson Crossing with the developer's requested exception to UDC Section 8.3.C, **and** subject to meeting the minimum required 18-foot pavement width on both sides of an entrance island, per Chapter 12 of the Code of Ordinances, Section 12-10, Fire Apparatus Access Roads.

ITEM SUMMARY: The Development Review Committee reviewed the Preliminary Plat of Brayson Crossing on June 5, 2013. It was deemed administratively complete on June 26, 2013. At its July 1, 2013 meeting, the Planning and Zoning Commission tabled this plat until the next scheduled meeting on July 15, 2013, at the applicant's request.

At the July 15, 2013, Planning and Zoning Commission meeting, the Commissioners reviewed and discussed the applicant's revisions and letters of support from first responders in the E.T.J. Although

staff recommends adhering to standards adopted by the City of Temple Fire Code, the applicant's letters from first responders in the ETJ should also be considered.

After the July 1, 2013, Planning and Zoning Commission meeting, the applicant submitted a letter requesting an exception to required park fees. UDC Section 8.3 C General Requirements in the Extraterritorial Jurisdiction states that park land dedication is not required in the City's ETJ if all of the following circumstances exist:

1. The area proposed for development is more than one mile from the existing city limits;
2. The proposed subdivision will create fewer than nine lots; and
3. The City has not set forth plans to annex the area proposed for development in the City's Municipal Annexation Plan.

The proposed development meets conditions 1 and 3. The proposed plat does not meet condition 2, because it has exactly nine residential lots. Staff supports the applicant's request to waive the required park fees in the sum of \$2,025 (\$225 per dwelling), per the Unified Development Code.

Preliminary Plat of Brayson Crossing is a 9-lot, 1-block, single family residential subdivision located in the western E.T.J., at the northeast corner of FM 439 and Sparta Loop.

Tract A consists of two private streets, Brayson Oaks Drive and Brayson Oaks Court, with 22-foot rights-of-way widths and 20-foot pavement widths. The development proposes entrance islands at F.M. 439 that do not meet the minimum width requirements of Chapter 12 of the Code of Ordinances. The applicant initially proposed a private street width of 13 feet on both sides of the proposed entrance island. At the July 15, 2013 Planning and Zoning meeting, the applicant presented revisions with a proposed private street width of 14 feet on both sides of the proposed entrance island.

The applicant cited the wrong section of the Fire Code by requesting an exception to Chapter 12 of the Code of Ordinances, Section 12-13, d) Location of Private Fire Apparatus Access Roads and Fire Lanes, to allow a private apparatus access road that has a pavement and concrete ribbon curb width of no less than thirteen feet, instead of the minimum required width of eighteen feet. **The private roads proposed throughout the development meet the minimum required width of eighteen feet.** The proposed plat does not meet the minimum required width of eighteen feet on both sides of the proposed island entrance, per Section 12-10 of the Fire Code, therefore an exception is required.

Water will be provided to the subdivision through proposed 6-inch water lines. This development will be serviced by septic system.

FISCAL IMPACT: The applicant requests an exception to required park fees in the sum of \$2,025 (\$225 per dwelling), per the Unified Development Code.

ATTACHMENTS:

[Letters of Requested Exceptions](#)

[Plat](#)

[PZ Excerpts](#)

[Resolution](#)

Mitchell & Associates, Inc.
Engineering & Surveying

July 6, 2013

Ms. Tammy A. Lyerly
Senior Planner
City of Temple
Planning Department
2 North Main
Temple, Texas 76501

Re: Brayson Crossing Park Fee Exception

Dear Ms. Lyerly,

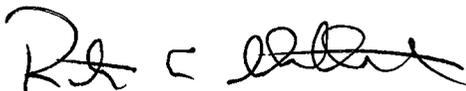
Please let this letter serve as a request for an exception to the UDC, Article 8, Section 3 Park Land Dedication.

Paragraph C of said Section 3 states "Park land dedication will not be required in the City's extraterritorial jurisdiction if all of the following circumstances exist:

1. The area proposed for development is more than one mile from the existing city limits'
2. The proposed subdivision will create fewer than nine lots; and
3. The City has not set forth plans to annex the area proposed for development in the City's Municipal Annexation Plan."

Brayson Crossing has exactly nine (9) lots so it close to meeting the second circumstance. This plat does meet the other two circumstances.

Respectfully,



Robert E. Mitchell, P.E.
Mitchell & Associates, Inc.

Mitchell & Associates, Inc.
Engineering & Surveying

June 25, 2013

Ms. Tammy A. Lyerly
Senior Planner
City of Temple
Planning Department
2 North Main
Temple, Texas 76501

Re: Brayson Crossing Exceptions

Dear Ms. Lyerly,

Please let this letter serve as a request for an exception to the UDC, Article 3, Section 3. The specific exception is to Chapter 12, Section 12 - 13, d) of the Code of Ordinances. The request is to allow a private apparatus access road that has a width less than twenty (20) feet. This request is to allow a private apparatus access road that has a pavement and concrete ribbon curb width of no less than thirteen (13) feet.

A similar request has been granted for the Valley Ranch II Subdivision.

Respectfully,



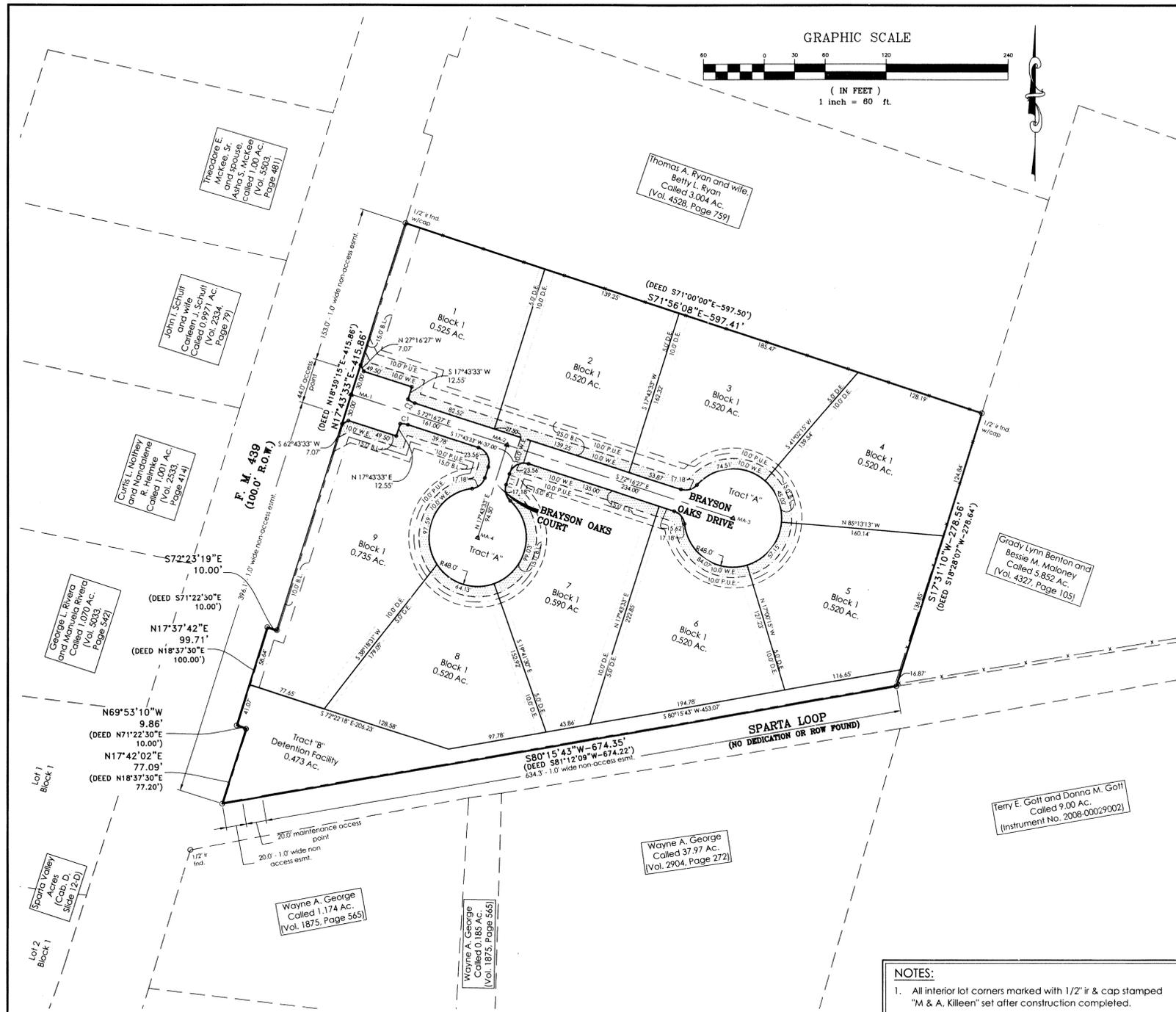
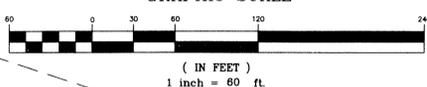
Robert E. Mitchell, P.E.
Mitchell & Associates, Inc.

RECEIVED

JUN 25 2013

City of Temple
Planning & Development

GRAPHIC SCALE



STATE OF TEXAS §
COUNTY OF BELL §

JRBC Investments, L.L.C., a Texas limited liability company, owner of the land shown on this plat and designated herein as BRAYSON CROSSING, within the extraterritorial jurisdiction of the City of Temple, Bell County, Texas, and whose name is subscribed hereto, does hereby dedicate for the use of the public forever all streets, alleys, parks, watercourses, drains, easements, and public places shown hereon within the plat boundaries of this subdivision.

WITNESS the execution hereof, on this 21 day of June, 2013.

Rebecca Taylor
Rebecca Taylor, President

Before me, the undersigned authority, on this day personally appeared Rebecca Taylor known to me to be the person whose name is subscribed to the foregoing instrument. It has been acknowledged to me that she executed the foregoing instrument as the owner of the property described hereon.



Christine Marie Napier
NOTARY PUBLIC STATE OF TEXAS
My Commission Expires: 7/19/16

In approving this plat by the Commissioners' Court of Bell County, Texas, it is understood that the building of all streets, roads, and other public thoroughfares and any bridges or culverts necessary to be constructed or placed is the responsibility of the owners of the tract of land covered by this plat in accordance with the plans and specifications prescribed by the Commissioners' Court of Bell County, Texas. Said Commissioners' Court assumes no obligation to build any of the streets, roads, or other public thoroughfares shown on this plat or of constructing any of the bridges or drainage improvements in connection therewith. The County will assume no responsibility for drainage ways or easements in the subdivision, other than those draining or protecting the public road system and streets. The County assumes no responsibility for the accuracy of representation by other parties in this plat. Flood plain data, in particular, may change depending on the subsequent development.

All easements as shown on this plat are free of liens.

I, the undersigned, city engineer of the City of Temple, hereby certify that this subdivision plat conforms to all requirements of the subdivision ordinance and hereby recommend approval.

City Engineer: _____ Date: _____

This preliminary plat has been submitted to and considered by the Planning and Zoning Commission of the City of Temple, Texas, and is hereby approved by such commission.

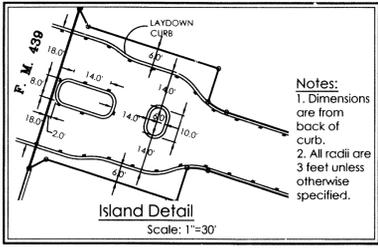
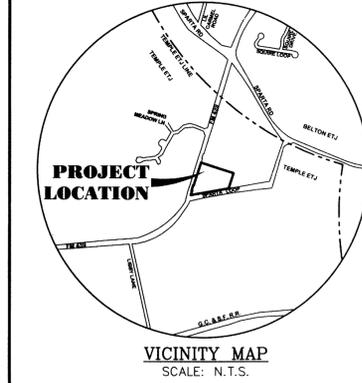
Dated this _____ day of _____, 2013.

Chairperson: _____

KNOW ALL MEN BY THESE PRESENTS,

That I, Rex D. Haas, Registered Professional Land Surveyor, do hereby certify that I did prepare this plat from an actual and accurate survey of the land, that the corner monuments shown hereon were properly placed under my personal supervision in accordance with the subdivision regulations of the County of Bell, Texas, and this subdivision is within the County Limits of Bell County, Texas.

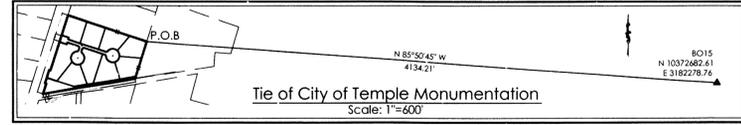
Rex D. Haas
Rex D. Haas
Registered Professional Land Surveyor, No. 4378



Notes:
1. Dimensions are from back of curb.
2. All radii are 3 feet unless otherwise specified.

CURVE TABLE				
CURVE	LONG CHORD	LENGTH	RADIUS	DELTA
C1	N83°15'09"W - 7.62'	7.66'	20.00'	21°57'25"
C2	S61°17'44"E - 7.62'	7.66'	20.00'	21°57'25"

MONUMENT	NORTHING	EASTING
MA-1	10373000.6407	3177534.1721
MA-2	10372951.6220	3177687.5285
MA-3	10372880.3774	3177910.4191
MA-4	10372861.6118	3177658.7577



- NOTES:
- All interior lot corners marked with 1/2" ir & cap stamped "M & A. Killeen" set after construction completed.
 - All property corners are 1/2" ir & cap stamped "M & A. Killeen, found, unless otherwise specified.
 - This subdivision is located in zone X, by the U.S. FEMA Agency Boundary Map, (Flood Insurance Rate Map), Map No. 48027C0325E, effective date September 26, 2008 for Bell County, Texas.
 - This subdivision will be served by on site sewerage facilities (OSS). The Bell County Health Department must approve any on site sewerage facilities installation prior to construction.
 - All bearings are grid bearings referenced to the Texas State Plane Coordinate System, Central Zone, NAD 83.
 - All coordinate values are referenced to City Monument No. BO15.
 - The theta angle at City Monument number BO15 is +01°27'28".
 - Combined Correction Factor (CCF) is 0.999854.
 - Published City Coordinates for City Monument number BO15 are X = 3,182,278.76 and Y = 10,372,682.61.
 - The tie from City Monument number BO15 to the northeast corner of this 6,007 acres tract is N85°50'45"W, 4,134.21 feet.
 - Grid Distance = surface distance times CCF.
 - Geodetic North = grid north + theta angle.
 - Area of Tract "A" = 0.567 Acres
Area of residential lots = 4,970 Acres
Area of Tract "B" = 0.471 Acres
 - ir = iron rod
fnd = found
P.U.E. = public utility easement
W.E. = water easement
D.E. = drainage easement
B.L. = building setback line
TBM = temporary bench mark
P.O.B = point of beginning
PAV. = pavement
 - Radii at right of way on lot 3, lot 6, lot 7 & lot 9 are 15' unless otherwise specified.
 - Tract "A" = private streets
Tract "B" = private detention facility
 - Common areas: Tract "A" & Tract "B".
 - Brayson Court & Brayson Oaks Drive:
Right of Way Width = 22.0'
Pavement Width = 20.0'
Along cul-de-sac:
Right of Way Radius = 48.0'
Pavement Radius = 47.0'

I, the undersigned, a registered sanitarian in the State of Texas, hereby certify that this subdivision has been reviewed for compliance with applicable state and county regulations governing On-Site Sewage Facilities and is hereby recommend for approval.

Signature: _____ Date: _____

Title: _____ Bell County Public Health District

The Bell County Tax Appraisal District, the taxing authority for all entities in Bell County, Texas does hereby certify that there are currently no delinquent taxes due or owing on the property described by this plat.

Dated this _____ day of _____, A.D. 2013

BELL COUNTY TAX APPRAISAL DISTRICT

BY: _____

FILED FOR RECORD this _____ day of _____, 2013, in Cabinet _____ Slide _____, Plat Records of Bell County, Texas. Dedication Instrument in Instrument # _____ Official Public Records of Real Property, Bell County, Texas.

No.	DATE	REVISIONS	REMARKS
3.	7/15/2013	ENTRANCE, REVISIONS	
2.	6/25/2013	ISLAND DETAIL	
1.	6/18/2013	CITY OF TEMPLE COMMENTS	

BRAYSON CROSSING

CITY OF TEMPLE ETJ, BELL COUNTY, TEXAS

PRELIMINARY PLAT

SHEET TITLE:

MITCHELL & ASSOCIATES, INC.
ENGINEERING & SURVEYING
KILLEEN TEXAS 76541
PHONE: (254) 634-5541
FAX: (254) 634-2141
REGISTRATION NO. 2471
T. & E. L. S. FIRM REGISTRATION NO. 100204-00

DATE: _____ SCALE: _____ FB/LB: _____ 9 LOTS _____ 1 BLOCK _____ 6.008 AC.

DWG No. _____ DRAWN BY: _____ MCH/FRB _____ 1"=100'

**EXCERPTS FROM THE
PLANNING & ZONING COMMISSION MEETING
MONDAY, JULY 15, 2013**

ACTION ITEMS

Item 3: P-FY-13-30: Consider and recommend action on the Preliminary Plat of Brayson Crossing, a 6.008 ± acres, 9-lot, 1-block residential subdivision with a requested exception to Unified Development Code Section 8.3 C: Park Land Dedication: General Requirements in the Extraterritorial Jurisdiction to waive park fees and a requested exception to Chapter 12 of the Code of Ordinances, Section 12-10, Fire Apparatus Access Roads, to allow a private apparatus access road that has a combined pavement and concrete ribbon curb width of no less than thirteen feet, instead of the minimum required width of eighteen feet on both sides of an entrance island, located in the western E.T.J., at the northeast corner of FM 439 and Sparta Loop. (Applicant: Mitchell & Associates for JRBC Investments LLC)

Ms. Lyerly stated the item has changed since the last meeting because the applicants are now requesting an exception to the required park fees. The item has been changed to include their waiver for park fee requirements.

The applicant is proposing private roads and they meet the private road width. This item was tabled at the last meeting because of the road width at the entrance island.

This plat was deemed administratively complete on June 26, 2013. The property is located in the ETJ so there are no zoning regulations for this subdivision. Water will be provided through proposed six-inch and eight-inch water lines and the development will be serviced by septic system. Tract A consists of two private streets with 20 foot wide right-of-way widths and 20 foot pavement widths. The developer proposes entrance islands at FM 439 that do not meet the requirements of Chapter 12 of the Code of Ordinances which deals with the fire code.

Chapter 12 of the Code of Ordinances, Section 12-13, d) Location of Private Fire Apparatus Access Roads and Fire Lanes, requires the following:

No building, other than single-family or two-family dwellings, shall be constructed so that any part of the perimeter of the building is greater than one hundred and fifty (150) feet from a public way or public place unless the owner or property manager constructs and maintains a private apparatus access road or fire lane having a minimum width of twenty (20) feet and a minimum overhead clearance throughout of no less than thirteen (13) feet six (6) inches and terminating within one hundred and fifty (150) feet from the furthestmost point of said building. The same being reflected on the first plat of the property.

The developer requests an exception to required park fees in the amount of \$2,025 (\$225 per dwelling) per the UDC.

Ms. Lyerly states the following information is from a newer section of the UDC and if an applicant meets the three criteria, park fees are not required within the ETJ. The applicants

meet the conditions except for one: if the proposed subdivision has fewer than nine lots than they are allowed with the other conditions to have the park fees waived. In this case they have exactly nine lots. Staff supports the request for waiver of park fees.

The previously requested exception dealt with the fire code. The section the applicant quoted initially actually meets the section. The whole subdivision is at least 20 feet wide in street width and the section they asked for is the 18 feet. What they do not meet are the street widths on both sides of the entrance island.

At the last meeting the applicant had 13 feet on each side of the island. That has been revised to 14 feet and an extra foot at the entrance has been added.

Staff still supports the City of Temple's Fire Code but the applicant has submitted letters of support from the first responders in the ETJ area, Bell County, and from the City of Belton. Staff recognizes that although they support the Fire Code they recognize the Commission needs to consider the opinions of the first responders in the ETJ and County.

Staff recommends approval of the preliminary plat of Brayson Crossing, with the developer's requested exception to UDC Section 8.3. C and subject to meeting the minimum required 20-foot pavement width for private apparatus access road, per Chapter 12 of the Code of Ordinances, Section 12-13, d) Location of Private Fire Apparatus Access Roads and Fire Lanes.

Commissioner Talley had questions regarding authors of the letters of support. Ms. Lyerly stated the applicant was in attendance and could answer any questions.

Chair Staats asked for someone to respond.

Ms. Rebecca Taylor, 3700 South Lake Drive, Belton, Texas, responded with who the individuals were that wrote the letters.

Commissioner Magaña asked about the 14 feet and Ms. Taylor responded they were able to add an additional foot on each side of the gate as well as changing the curbing to ribbon.

Commissioner Magaña commented that at the last meeting his first inclination was to go with 18 feet. However, when Commission Magaña went home after that meeting, he discovered his subdivision gates were 14 feet. Commissioner Magaña stated if he and his family are safe with 14 foot gates, the applicant should have 14 foot gates as well.

Commissioner Talley made a motion to approve Item 3, **P-FY-13-30**, and Commissioner Magaña made a second.

Motion passed: (7:0)

Commissioners Martin absent

Commissioner Harrell attended the meeting but not as a Commissioner

RESOLUTION NO. _____

(PLANNING NO. P-FY-13-30)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING THE PRELIMINARY PLAT OF BRAYSON CROSSING, AN APPROXIMATE 6.008 ACRE, 9-LOT, 1-BLOCK RESIDENTIAL SUBDIVISION WITH A REQUESTED EXCEPTION TO THE UNIFIED DEVELOPMENT CODE, SECTION 8.3C, AND A REQUESTED EXCEPTION TO CHAPTER 12 OF THE CODE OF ORDINANCES, LOCATED IN THE WESTERN EXTRA TERRITORIAL JURISDICTION, AT THE NORTHEAST CORNER OF FM439 AND SPARTA LOOP; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on July 15, 2013, the Planning and Zoning Commission recommended approval of the Preliminary Plat of Brayson Crossing, an approximate 6.008 acre, 9-lot, 1-block residential subdivision with a requested exception to the Unified Development Code, Section 8.3 C: Park Land Dedication: General Requirements in the Extraterritorial Jurisdiction to waiver park fees and a requested exception to Chapter 12 of the Code of Ordinances, Section 12-10: Fire Apparatus Access Roads, to allow a private apparatus access road as described above in the item description; and

Whereas, the City Council has considered the matter and deems it in the public interest to approve the Preliminary Brayson Crossing.

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

Part 1: The City Council approves the Preliminary Plat of Brayson Crossing, an approximate 6.008 acre, 9-lot, 1-block residential subdivision with a requested exception to the Unified Development Code, Section 8.3 C: Park Land Dedication: General Requirements in the Extraterritorial Jurisdiction to waiver park fees and a requested exception to Chapter 12 of the Code of Ordinances, Section 12-10: Fire Apparatus Access Roads, to allow a private apparatus access road with a combined pavement and concrete ribbon curb width of no less than fourteen feet, instead of the minimum required width of eighteen feet on both sides of an entrance island.

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 **August**, 2013.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, 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

ITEM DESCRIPTION: Consider adopting a resolution authorizing the purchase of a 19.86 acre tract of land near the City of Temple's landfill.

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

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The 19.86 acre tract of land at issue is located in close proximity to the City's landfill. Acquisition of the property is necessary for future landfill expansion. The seller has proposed a purchase price which the City Staff feels is reasonable. We will provide additional information in executive session.

FISCAL IMPACT: Taxable Certificate of Obligation Bonds were issued in November 2012 to fund costs related to the expansion of the landfill. Funds are available in account 365-2300-540-6110, project 100197 for the purchase of this property.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF A 19.86 ACRE TRACT OF LAND NEAR THE CITY OF TEMPLE'S LANDFILL; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the 19.86 acre tract of land, outlined by the attached map marked as Exhibit A, is located in close proximity to the City's landfill, and the City is interested in acquiring the property in anticipation of future expansion of the landfill;

Whereas, funds are available for this purchase in Account No. 365-2300-540-6110, Project No. 100197; 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 19.86 acre tract of land, outlined by the attached map marked as Exhibit A, and located in close proximity to the City's landfill.

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

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 **August**, 2013.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, 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

ITEM DESCRIPTION: Consider adopting a resolution authorizing the purchase of a 49.94 acre tract of land near the City of Temple's landfill.

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

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The 49.94 acre tract of land at issue is located in close proximity to the City's landfill. Acquisition of the property is necessary for future landfill expansion. The sellers have proposed a purchase price which the City Staff feels is reasonable. We will provide additional information in executive session.

FISCAL IMPACT: Taxable Certificate of Obligation Bonds were issued in November 2012 to fund costs related to the expansion of the landfill. Funds are available in account 365-2300-540-6110, project 100197 for the purchase of this property.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF A 49.94 ACRE TRACT OF LAND NEAR THE CITY OF TEMPLE'S LANDFILL; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the 49.94 acre tract of land, outlined by the attached map marked as Exhibit A, is located in close proximity to the City's landfill, and the City is interested in acquiring the property in anticipation of future expansion of the landfill;

Whereas, funds are available for this purchase in Account No. 365-2300-540-6110, Project No. 100197; 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 49.94 acre tract of land, outlined by the attached map marked as Exhibit A, and located in close proximity to the City's landfill.

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

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 August, 2013.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, 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

ITEM DESCRIPTION: Consider adopting a resolution authorizing the purchase of an approximately 110.72 acre tract of land near the City of Temple's landfill.

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

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The 110.72 acre tract of land at issue is located in close proximity to the City's landfill. Acquisition of the property is necessary for future landfill expansion. The sellers have proposed a purchase price which the City Staff feels is reasonable. We will provide additional information in executive session.

FISCAL IMPACT: Taxable Certificate of Obligation Bonds were issued in November 2012 to fund costs related to the expansion of the landfill. Funds are available in account 365-2300-540-6110, project 100197 for the purchase of this property.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF A 110.72 ACRE TRACT OF LAND NEAR THE CITY OF TEMPLE'S LANDFILL; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the 110.72 acre tract of land, outlined by the attached map marked as Exhibit A, is located in close proximity to the City's landfill, and the City is interested in acquiring the property in anticipation of future expansion of the landfill;

Whereas, funds are available for this purchase in Account No. 365-2300-540-6110, Project No. 100197; 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 110.72 acre tract of land, outlined by the attached map marked as Exhibit A, and located in close proximity to the City's landfill.

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

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 August, 2013.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, 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

ITEM DESCRIPTION: Consider adopting a resolution authorizing the purchase of a 10 acre tract of land near the City of Temple's landfill.

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

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The 10 acre tract of land at issue is located in close proximity to the City's landfill. Acquisition of the property is necessary for future landfill expansion. The sellers have proposed a purchase price which the City Staff feels is reasonable. We will provide additional information in executive session.

FISCAL IMPACT: Taxable Certificate of Obligation Bonds were issued in November 2012 to fund costs related to the expansion of the landfill. Funds are available in account 365-2300-540-6110, project 100197 for the purchase of this property.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF A 10 ACRE TRACT OF LAND NEAR THE CITY OF TEMPLE'S LANDFILL; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the 10 acre tract of land, outlined by the attached map marked as Exhibit A, is located in close proximity to the City's landfill, and the City is interested in acquiring the property in anticipation of future expansion of the landfill;

Whereas, funds are available for this purchase in Account No. 365-2300-540-6110, Project No. 100197; 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 10 acre tract of land, outlined by the attached map marked as Exhibit A, and located in close proximity to the City's landfill.

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

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 **August**, 2013.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, 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

ITEM DESCRIPTION: Consider adopting a resolution authorizing the purchase of a 10 acre tract of land near the City of Temple's landfill.

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

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The 10 acre tract of land at issue is located in close proximity to the City's landfill. Acquisition of the property is necessary for future landfill expansion. The seller has proposed a purchase price which the City Staff feels is reasonable. We will provide additional information in executive session.

FISCAL IMPACT: Taxable Certificate of Obligation Bonds were issued in November 2012 to fund costs related to the expansion of the landfill. Funds are available in account 365-2300-540-6110, project 100197 for the purchase of this property.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF A 10 ACRE TRACT OF LAND NEAR THE CITY OF TEMPLE'S LANDFILL; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the 10 acre tract of land, outlined by the attached map marked as Exhibit A, is located in close proximity to the City's landfill, and the City is interested in acquiring the property in anticipation of future expansion of the landfill;

Whereas, funds are available for this purchase in Account No. 365-2300-540-6110, Project No. 100197; 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 10 acre tract of land, outlined by the attached map marked as Exhibit A, and located in close proximity to the City's landfill.

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

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 August, 2013.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, 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:

Daniel A. Dunn, Mayor

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

- (A) Airport Advisory Board – five members to fill expiring terms through September 1, 2016
- (B) Building and Standards Commission – one member to fill an unexpired term through March 1, 2015
- (C) Civil Service Commission - one member to fill expiring term through September 1, 2016
- (D) Community Services Advisory Board – three members to fill expiring terms through September 1, 2016
- (E) Killeen-Temple Metropolitan Planning Organization – one member to fill a position on the KTMPO Policy Board; and authorize the City Manager to make necessary staff appointments to the Technical Committee
- (F) Library Board – three members to fill expiring terms through September 1, 2016
- (G) Planning & Zoning Commission – three members to fill expiring terms through September 1, 2016; and one member to fill an unexpired term through September 1, 2015
- (H) Reinvestment Zone No. 1 Board of Directors – eight members to fill expiring terms through September 1, 2015
- (I) Temple Economic Development Corporation – four members to fill expiring terms through September 1, 2016
- (J) Temple Public Safety Advisory Board – six members to fill expiring terms through September 1, 2016; one member to fill an unexpired term through September 1, 2015; and two members to fill unexpired terms through September 1, 2014
- (K) Transit Advisory Committee – three members to fill expiring terms through September 1, 2015

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. In accordance with that resolution, appointments to the above stated boards are to be made at the second regular meeting in August, with an effective date of September 1, 2012.

Killeen-Temple Metropolitan Planning Organization – Policy Board - Former Mayor, William A. Jones, III, was serving on the City’s representative on the KTMPO Policy Board. Due to his term ending in May 2013, it is being requested that this position on the Policy Board be appointed by the Council.

Killeen-Temple Metropolitan Planning Organization – Policy Board - Former Interim Planning Director, Beverly Zendt was serving as the City’s representative on the KTMPO Technical Committee, along with City Manager David Blackburn. It is requested that another city staff official be appointed to fill the position due to the resignation of Ms. Zendt. The City Manager can make this appointment with authorization by the Council to do so.

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](#)



APPLICATION SUMMARY
BOARD APPOINTMENTS

AIRPORT ADVISORY BOAR – 3 YEAR TERMS: Meets 2ND Monday of each month at 4 p.m.

5 Terms Expiring: 4 (Temple Resident Members) – Craig Caddell, Vernon Starnes, Rayford Brown, David Jones, and 1 (At Large/TEDC member) Jim Kent

Eligible for Reappointment: All are eligible and wish to be reappointment with **exception of** Rayford Brown.

Board Forms on File: *to be provided*

ANIMAL SERVCIES ADVISORY BOARD – 3 YEAR TERMS: Meets 2ND Monday of each month at 11:00 am

1 Term Expiring: Carol Owen (General Citizen); and 1 Municipal Member:

Eligible for Reappointment: Carol is eligible and wishes to be reappointed

Board Forms on File: *to be provided*

BUILDING & STANDARDS COMMISSION – 2 YEAR TERMS: Meets 1st Monday of each month at 2 p.m.

1 Unexpired Term: (Alternate Member) –Mary Ann Rojas (moved)

Board Forms on File: Barbara Brown, Jeff Byrd

CIVIL SERVICE COMMISSION – 3 YEAR TERMS: Meet on called basis

1 Terms Expiring: Justice Bigbie (resident of Temple)

Eligible for Reappointment: Justice is eligible and wishes to be reappointed

Board Forms on File: *to be provided*

COMMUNITY SERVICES ADVISORY BOARD – 3 YEAR TERMS: Meet on Called Basis

3 Terms Expiring: Patsy Cofer, Ashleigh Pettijohn, and Florencio Olivares (all residents of Bell County)

Eligible for Reappointment: all are eligible; Patsy Cofer wishes to be reappointed. We have not received confirmation from Ashleigh or Florencio at this time.

Board Forms on File: to be provided upon request

LIBRARY BOARD – 3 YEAR TERMS: Meets 3rd Tuesday of each quarter at 12:00 noon

3 Terms Expiring: Temekia Brown, Margarita Stefano-Rios; and Sammie Marshall

Eligible for Reappointment: Both Temekia and Margarita are eligible; Margarita wishes to be reappointed. We have not received confirmation from Temekia at this time. Sammie has **termed out and is ineligible.**

Board Forms on File:

PLANNING & ZONING COMMISSION – 3 YEAR TERMS: Meets 1ST & 3rd Monday of each month at 5:30 pm

4 Terms: 3 Expiring: Allen Talley, Will Sears, and Derek Martin and
1 Unexpired Term: Randy Harrell

Eligible for Reappointment: Will Sears is eligible and wishes to be reappointed. Both Allen and Derek are **ineligible due to terming out.** Randy Harrell resigned from this board on 07/15/2013.

Board Forms on File: *to be provided*

REINVESTMENT ZONE NO. ONE – 2 YEAR TERMS: Meets 4TH Wednesday of each quarter at 7:00 am

8 Terms Expiring: Larry Neal; Randy Harrell; Bob Browder; Wendell Williams; Steve Wright; Thomas Baird; and Commissioner Bill Schumann

Eligible for Reappointment: All are eligible and wish to be reappointed

Board Forms on File: *to be provided upon request*

TEMPLE ECONOMIC DEVELOPMENT CORPORATION – 3 YEAR TERMS: Meets every 3rd Tuesday of each month at 10:00 a.m.

4 Terms Expiring: Pat Patterson (Chamber), James Kent (At-Large), Drayton McLane III (At-Large), Gregg Strasburger (At-Large)

Eligible for Reappointment: All are eligible and wish to be reappointed, with **exception** of Pat who has **termed out**.

Board Forms on File: Abbi Bhakta, Bill Bogucki (PSAB), Jeff Byrd (Electrical Brd), Jim Calhoun, Lamar Collins, Omar Crisp, Paul Erchinger, David Fitch, Randy Harrell (RZ), Alan Horn (Bldg Brd of Appeals), John Howe (RZ), Rick Hughes, Patrick Johnson, David Jones (PZ & Airport), Wade Knight, Richard Morgan, Michael Nader, Larry Neal, Donald Nelson (PSAB), Michael Norman, Ratu Patel, Kenny Paysse, Blake Pitts, Randy Ramsey, Will Sears (PZ & Bldg. Brd of Appeals), Adams Soorholtz (PSAB),

TEMPLE PUBLIC SAFETY ADVISORY BOARD – 3 YEAR TERMS: Meets 2nd Tuesday each month at 6:00 pm (must be a Temple Resident)

9 Terms: 3 Unexpired Terms: Jeff Blackwell and Steve Hubbard (both forfeit due to attendance); and 6 Expired Terms: Rebecca Rucker, John Bush, James Conley Sr., Joyce Adams, Adam Soorholtz, Bill Bogucki, and Margaret Goodwin

Eligible for Reappointment: R. Rucker, J. Adams, A. Soorholtz, B. Bogucki, and M. Goodwin are all eligible for reappointment; all with **exception of** R. Rucker (confirmation not received) wish to be reappointed.

J. Conley, J. Bush, J. Blackwell, and S. Hubbard forfeit terms due to attendance and are ineligible.

Board Forms on File: Sammy Rasgdale

TRANSIT ADVISORY BOARD – 2 YEAR TERMS: Meet 2ND Thursday of every month at 2:00 – Temple Public Library

3 Terms Expiring: Mary Ann Rojas (Gen. Citizen); Sammy Ragsdale (Gen. Citizen); and Esther Roque (Health Rep.)

Eligible for Reappointment: Mary Ann Rojas (moved); Sammy Ragsdale (time conflict); and Esther Roque has **termed out and is ineligible**

Board Forms on File: no new applications at this time



COUNCIL AGENDA ITEM MEMORANDUM

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DEPT./DIVISION SUBMISSION & REVIEW:

Daniel A. Dunn, Mayor

ITEM DESCRIPTION: Consider adopting a resolution appointing one member to represent the City on the Central Texas Council of Governments Executive Committee.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Mayor Pro Tem Morales serves as the City's alternate member on the Central Texas Council of Governments (CTCOG) Executive Committee. Former Mayor Jones had been serving as the City's representative until his term ended in May 2013.

CTCOG has requested our appointment of one member to the Executive Committee to attend meetings as set forth.

FISCAL IMPACT: N/A

ATTACHMENTS: None