



**MEETING OF THE  
TEMPLE CITY COUNCIL**

**MUNICIPAL BUILDING**

**2 NORTH MAIN STREET**

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

**THURSDAY, SEPTEMBER 19, 2013**

**3:30 P.M.**

**WORKSHOP AGENDA**

1. Discuss, as may be needed, Regular Meeting agenda items for the meeting posted for Thursday, September 19, 2013.
2. Discuss the Mobility 2035 Metropolitan Transportation Plan.
3. Discuss letter of intent between the City of Temple, Temple Historic Arcadia Theatre, Inc., and Criterion Management Group, LLC, for redevelopment of the Hawn and Arcadia Theatre properties located at 114 and 110 East Central Avenue.

*Executive Session - Pursuant to Chapter 551, Government Code, §551.087, the City Council will enter into executive session at this time to discuss certain economic development prospects with representatives from the Temple Economic Development Corporation.*

*Executive Session – Pursuant to §551.072 of the Open Meetings Act, the City Council will discuss in executive session the purchase of real property, the public discussion of which would have a detrimental effect on the position of the City in negotiations with a third party*

5:00 P.M.

**MUNICIPAL BUILDING**

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

**TEMPLE CITY COUNCIL**

**REGULAR MEETING AGENDA**

**I. CALL TO ORDER**

1. Invocation
2. Pledge of Allegiance

**II. PROCLAMATIONS & SPECIAL RECOGNITIONS**

3. (A) Present Proclamation to [Johnnie Reisner](#) recognizing his many years of service with the City of Temple.

**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. 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.

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

**Minutes**

- (A) [August 29, 2013 Special Called Meeting](#)

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

- (B) [2013-7102-R](#): Consider adopting a resolution authorizing a professional services agreement with Kasberg, Patrick & Associates, LP of Temple for the design of the Friar's Creek Trail to Avenue R Trail located in the TMED area in the amount of \$75,000.
- (C) [2013-7103-R](#): Consider adopting a resolution authorizing a professional services agreement with Kasberg, Patrick & Associates, LP for designing, preparing specifications and developing construction estimates for Airport enhancement projects including fuel farm loop roadway, Airport terminal access, northwest Airport parking and entrance and Airport entry and landscaping at the Draughton-Miller Central Texas Regional Airport in the amount of \$170,000.
- (D) [2013-7104-R](#): Consider adopting a resolution authorizing a professional services agreement with BSP Engineering Inc. of Temple for engineering services including design, surveying and construction administration required for Jefferson Manor waterline replacement (Alamo, Bowie, Crockett, Duval and Erath Loop) in an amount not to exceed \$41,125.
- (E) [2013-7105-R](#): Consider adopting a resolution authorizing a Second Amendment to the Office Space Lease between the City of Temple and Morgan Stanley Smith Barney Financing, LLC for lease of space in the E. Rhodes and Leona B. Carpenter Foundation Building (the Temple Public Library).
- (F) [2013-7106-R](#): Consider adopting a resolution authorizing the single-source purchase of Heil repair parts from Heil of Texas of Irving in the estimated amount of \$100,000.
- (G) [2013-7107-R](#): Consider adopting a resolution authorizing the purchase of a yearly 2013-2014 maintenance contract with Intergraph Public Safety in the amount of \$41,136.
- (H) [2013-7108-R](#): Consider adopting a resolution authorizing the purchase of jail services from Bell County Law Enforcement Center in the estimated amount of \$74,500 for FY 2014.
- (I) [2013-7109-R](#): Consider adopting a resolution authorizing the purchase of 50 metal refuse containers for the Solid Waste Division from Rolloffs USA., Durant, OK, through the H-GAC Contract in the amount of \$40,170.
- (J) [2013-7110-R](#): Consider adopting a resolution authorizing a construction contract for the base bid and bid alternate #1 with Alpha Constructors, of Temple for the construction of sidewalks on South 1<sup>st</sup> Street in the amount of \$182,850.65.
- (K) [2013-7111-R](#): Consider adopting a resolution ratifying an Interlocal Cooperation Contract with Texas State University for the acceptance of Tobacco Enforcement funding in the amount of \$9,450 for the purposes of enforcing Subchapter H, Chapter 161 of the Texas Health and Safety Code for fiscal year 2014.

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

- (L) [2013-4611](#): SECOND READING - Z-FY-13-26: Consider adopting an ordinance authorizing a Conditional Use Permit to allow a freestanding personal wireless cell tower in an existing Commercial District, located on 0.02 ± acres out of Lot 2, Block 1, Glendale Park, Section VI at 2615 South 37<sup>th</sup> Street and Tract A, Block 3, Glendale Park Section III, at 2707 South 37<sup>th</sup> Street.

**Misc.**

- (M) [2013-7112-R](#): Consider adopting a resolution authorizing acceptance of the FY 14 Texas Department of Transportation, Aviation Division, Routine Airport Maintenance Grant, in the amount of \$100,000 (City match of \$50,000), to help assist with lower cost airside and landside Airport improvements and maintenance items at the Draughton-Miller Central Texas Regional Airport.
- (N) [2013-7113-R](#): Consider adopting a resolution authorizing the renewal of the Emergency Management Performance Grant for FY 2013, which funds a portion of the administration cost for Emergency Management for the City of Temple in the amount of \$38,119.48.
- (O) [2013-7114-R](#): Consider adopting a resolution designating the *Temple Daily Telegram* as the official newspaper for the City for fiscal year 2013-2014, in accordance with Section 4.20 of the Charter of the City of Temple.
- (P) [2013-7115-R](#): Consider adopting a resolution authorizing payment of the annual invoice from Brazos River Authority in the amount of \$91,494.23 which covers operation and maintenance costs associated with the City's portion of raw water storage in Lake Belton and costs associated with repair work on the Belton Dam which was recently completed by the Corps of Engineers.
- (Q) [2013-7116-R](#): Consider adopting a resolution authorizing budget amendments for fiscal year 2012-2013.

**V. REGULAR AGENDA**

**ORDINANCES**

5. [2013-4606](#): THIRD AND FINAL READING – 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.
6. [2013-4607](#): THIRD AND FINAL READING – 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.



7. [2013-4612](#): FIRST READING – PUBLIC HEARING: Consider adopting an ordinance establishing certification pay in the amount of \$150 per month for the certification of Master Peace officer in the Police Department.
8. [2013-4613](#): FIRST READING – PUBLIC HEARING - Z-FY-13-30: Consider adopting an Ordinance authorizing a zone change from Agricultural District (AG) to General Retail District (GR) on 21.59 ± acres, part of the Nancy Chance Survey, Abstract No. 5, Bell County, Texas, located on the west side of Old Waco Road and the east side of South Pea Ridge Road, east of Westwood Estates.

## **RESOLUTIONS**

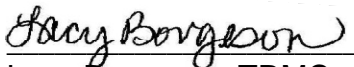
9. [2013-7117-R](#): Consider adopting a resolution authorizing a letter of intent between the City of Temple, Temple Historic Arcadia Theatre, Inc., and Criterion Management Group, LLC, for redevelopment of the Hawn and Arcadia Theatre properties located at 114 and 110 East Central Avenue.

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

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I hereby certify that a true and correct copy of this Notice of Meeting was posted in a public place at 3:00 PM, on September 13, 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

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09/19/13  
Item #3(A)  
Regular Agenda  
Page 1 of 1

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

Daniel A. Dunn, Mayor

**ITEM DESCRIPTION:** Presentation of Proclamation:

- (A) Present Proclamation to Johnnie Reisner recognizing his many years of service with the City of Temple.

**STAFF RECOMMENDATION:** Present proclamation as presented in item descriptions.

**ITEM SUMMARY:** This proclamation was requested by, Nicole Torralva, Director of Public Works, and will be presented to Johnnie Reisner.

**FISCAL IMPACT:** None

**ATTACHMENTS:** None



## **COUNCIL AGENDA ITEM MEMORANDUM**

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09/19/13  
Item #4(A)  
Consent Agenda  
Page 1 of 1

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

Lacy Borgeson, City Secretary

**ITEM DESCRIPTION:** Approve Minutes:

(A) August 29, 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:**

[August 29, 2013 Special Called Meeting](#)

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

**AUGUST 29, 2013**

The City Council of the City of Temple, Texas conducted a Special Meeting on Thursday, August 29, 2013, at 8:30 AM in the Council Chambers, Municipal Building, 2 North Main Street.

**Present:**

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

**I. CALL TO ORDER**

**1. Invocation**

Mayor Pro Tem Judy Morales voiced the Invocation.

**2. Pledge of Allegiance**

Kim Foutz, Assistant City Manager, led the Pledge of Allegiance.

**II. BUDGET ITEMS**

**3. 2013-7033-R: PUBLIC HEARING - Conduct a public hearing regarding the City's budget for fiscal year beginning October 1, 2013 and ending September 30, 2014 and consider adopting a resolution:**

**(A) Ratifying the property tax increase reflected in the budget - "This budget will raise more total property taxes than last year's budget by \$1,258,667 (6.44%) and of that amount, \$531,737 is tax revenue to be raised from new property added to the tax roll this year;" and**

**(B) Adopting the City's budget for fiscal year beginning October 1, 2013 and ending September 30, 2014, including the Operating Budget for 2013-2014, Capital Improvement Plan, General Government Pay Plan, and Fiscal & Investment Policies.**

David Blackburn, City Manager introduced the items to Council. He noted there were six items on the agenda related to the adoption of the operating budget to include the capital improvement plan; general

government pay plan; and Public Services Agencies. Mr. Blackburn also noted the PSA were pulled out for voting purposes. He also stated related to item 3(A), this is a property tax revenue increase, not property tax rate increase. Mr. Blackburn also highlighted that the overall revenues for FY14 are projected to increase 3.40% from FY13; and the overall expenses are projected to increase 2.94% from FY13.

Traci Barnard, Director of Finance, presented all other items related to the adoption of the budget to Council.

Item 4 - Property Tax Roll: this will adopt the ad valorem property tax roll certified by the Tax Appraisal District of Bell County, in the amount of \$3,742,350,334 (total FY14 taxable value). This is comprised of three components, the City of Temple; Frozen Taxables; and Tax Increment District.

Item 5 - Property Tax Rate: The proposed property tax rate for FY14 is 58.64 cents per \$100,000 valuation. The tax rate is comprised of two components, the M&O (Maintenance and Operation) at 33.24 cents; and the I&S (Debt) at 25.40 cents.

Item 6 - Solid Waste Residential Rates: There will be a 40 cent increase from \$15.80 to \$16.20 per month. This increase will cover the start up and incremental annual cost associated with the implementation of the City-wide residential curbside recycling program.

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

Motion by Councilmember Russell Schneider Item (A) I move that the property tax increase reflected in the budget be approved - "This budget will raise more total property taxes than last year's budget by \$1,258,667 (6.44%) and of that amount, \$531,737 is tax revenue to be raised from new property added to the tax roll this year." seconded by Councilmember Perry Cloud.

Motion passed unanimously.

Motion by Councilmember Perry Cloud Item (B) I move that the budget for fiscal year beginning October 1, 2013 and ending September 30, 2014, including the Operating Budget for 2013-2014, Capital Improvement Program, General Government Pay Plan, Fiscal and Budgetary Policy, and Investment Policy be adopted". seconded by Councilmember Timothy Davis.

Motion passed unanimously.

4. **2013-4609: FIRST & FINAL READING - PUBLIC HEARING - Consider adopting an ordinance approving the tax roll and authorizing calculation of the amount of tax that can be determined for all real and personal property in the City for the tax year 2013 (fiscal year 2014), to be considered on an emergency basis.**

Mayor Dunn declared the Public Hearing open with regard to Agend item 4 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 Ordinance as presented in item description, on first and final reading. seconded by Councilmember Russell Schneider.

Motion passed unanimously.

5. **2013-4610 FIRST & FINAL READING - PUBLIC HEARING - Consider adopting an ordinance levying taxes and setting a tax rate for the City for the tax year 2013, making the appropriation for the regular operation of the City, to be considered on an emergency basis.**

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

Motion by Councilmember Timothy Davis (A) "I move that the property tax rate be increased by the adoption of a tax rate of \$0.5864 per \$100 valuation, which is effectively a 4.66 percent increase in the tax rate." seconded by Councilmember Russell Schneider.

Motion passed unanimously.

Motion by Mayor Pro Tem Judy Morales (B) "I move that the ordinance setting the 2013-2014 tax rate in the amount of \$0.5864 per \$100 valuation comprised of \$0.3324 for maintenance and operations and \$0.2540 for debt service be adopted." seconded by Councilmember Perry Cloud.

Motion passed unanimously.

6. **2013-7034-R: Consider adopting a resolution setting the collection charges for residential solid waste services.**

Councilmember Schneider clarified that the 40 cents would cover the cost over a 10-year period.

Ms. Barnard confirmed; and also replenishes replacement.

Motion by Councilmember Timothy Davis adopt Resolution. seconded by Mayor Pro Tem Judy Morales.

Motion passed unanimously.

**7. 2013-7035-R: Consider adopting a resolution approving the funding recommendations for public service agencies for the 2013-2014 fiscal year.**

Motion by Councilmember Perry Cloud adopt Resolution. seconded by Councilmember Russell Schneider.

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

**III. SPECIAL RECOGNITION**

**8. Present Proclamation to Miranda Drake, Senior Accountant recognizing 20 years of service with the City of Temple.**

Mayor Dunn presented the Proclamation to Miranda.

Mr. Blackburn presented her Certificate of Retirement and expressed comments of appreciation for her dedication.

**IV. DISCUSSION ITEM**

**9. Receive update and discuss Downtown Rail Safety Zones.**

David Blackburn, City Manager, presented this item to Council. He reviewed the background related to this area. Mr. Blackburn stated the primary objective to the Downtown Rail Safety Zone was to increase the safety of the Rail Road Crossings in Downtown Temple. Multiple entities have worked on this initiative.

Mr. Blackburn stated there are three areas and crossings that are addressed in this report, the crossing at 1st Street; Main Street; and MLK. He then reviewed the timeline of events since October 26, 2011, to current date. In October 2012, BNSF had not submitted a cost estimate for 1st Street closure; but construction was estimated to be in the amount of \$450,000. In June 2013, BNSF submitted a

revised estimate to close 1st Street in the amount of \$814,215 + the construction cost of \$450,000. On August 9, 2013, BNSF again, resubmitted a revised cost estimate for the closure of 1st Street in the amount of \$433,236 + construction cost of \$450,000; this also required the closure to take place by August 16th. Mr. Blackburn stated he was granted an extension until this meeting so that Council could have a collective dialogue.

Mr. Blackburn mentioned that the RZ leadership has indicated they continue to support the project and can identify funding to cover the increased cost. He also noted that the RZ Leadership also believes this project is critical for the downtown redevelopment efforts. Mr. Blackburn stated it is his recommendation to move forward with this project.

Mr. David Patrick, KPA was available for questions.

Councilmember Schneider stated it is unfortunate that there are increases to the cost, but this project is important for the future of downtown. This is our window of opportunity and we need to move forward.

Mayor Pro Tem Morales, also commented that this is critical for the safety, growth, and Economic Development for downtown and we need to continue our path.

Mayor Dunn, stated he continues to be opposed to this project as the Rail Road is part of Temple's history; and the cost associated with this project has only increased.

Councilmember Cloud agreed to the need to move forward with this project. He confirmed the additional cost will come from the RZ budget.

Mr. Blackburn confirmed yes.

Councilmember Davis stated that downtown is at a tipping point and this this put downtown at an advantage for growth and economic development.

There being no futher business, Mayor Dunn adjourned the meeting of the Temple City Council.

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William A. Jones, III, Mayor

ATTEST:



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Lacy Borgeson  
City Secretary



## COUNCIL AGENDA ITEM MEMORANDUM

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09/19/13  
Item #4(B)  
Consent Agenda  
Page 1 of 1

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

Ken Cicora, Director of Parks and Leisure Services

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a professional services agreement with Kasberg, Patrick & Associates, LP of Temple for the design of the Friar's Creek Trail to Avenue R Trail located in the TMED area in the amount of \$75,000.

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

**ITEM SUMMARY:** This agreement is for the design services, bidding services, construction administration and on-site representation of the project to extend the Friars Creek Trail from the termination of the existing Friar's Creek Trail at Scott & White Boulevard north to Avenue R. The project, when constructed, will consist of a 12' wide concrete trail, landscaping, irrigation and lighting. The project is part of the T-MED infrastructure improvements planned and funded by the Reinvestment Zone No. 1.

The intent is to include this project with the bid for the Avenue R reconstruction project to achieve an economy of scale and be able to save on project costs. The design phase for the project will be completed in 60 days from the notice to proceed.

All improvements will be in Scott & White property and therefore an easement will be required for construction of the project.

The Reinvestment Zone Board approved the recommendation of the contract with KPA at its meeting on August 28, 2013.

**FISCAL IMPACT:** Funding in the amount of \$500,000 for the Friar's Creek Trail to Avenue R Trail project was approved by the Reinvestment Zone No. 1 Board on May 29, 2013, as part of the updated Master Plan projects. Funding in the amount of \$75,000 has been budgeted to fund the professional services agreement. It is available in the Reinvestment Zone No. 1 Financing Plan, account 795-9800-531-6876, project 101015.

### **ATTACHMENTS:**

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH KASBERG, PATRICK & ASSOCIATES, L.P., OF TEMPLE, TEXAS, FOR PROFESSIONAL SERVICES REQUIRED FOR DESIGN OF THE FRIAR'S CREEK TRAIL TO AVENUE R TRAIL LOCATED IN THE TEMPLE MEDICAL EDUCATION DISTRICT (TMED), IN THE AMOUNT OF \$75,000; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, as part of the TMED infrastructure improvements planned and funded by the Reinvestment Zone No. 1, the project to extend the Friar's Creek Trail from the termination of the existing Friar's Creek Trail at Scott & White Boulevard north to Avenue R, will consist of a 12' wide concrete trail, landscaping, irrigation and lighting;

**Whereas**, on August 28, 2013, the Board recommended City Council approve a professional services agreement with Kasberg, Patrick & Associates, L.P., of Temple, Texas, for design of the Friar's Creek Trail in the amount of \$75,000;

**Whereas**, funding for this project is available in the Reinvestment Zone No. 1 Financing Plan, Account No. 795-9800-531-6876, Project No. 101015; 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 design of the Friar's Creek Trail to Avenue R Trail located in the Temple Medical Education District (TMED), in the amount of \$75,000.

**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 19<sup>th</sup> day of **September**, 2013.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Jonathan Graham  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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09/19/13  
Item #4(C)  
Consent Agenda  
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### **DEPT./DIVISION SUBMISSION & REVIEW:**

Sharon Rostovich, Airport Director

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a professional services agreement with Kasberg, Patrick & Associates, LP for designing, preparing specifications and developing construction estimates for Airport enhancement projects including fuel farm loop roadway, Airport terminal access, northwest Airport parking and entrance and Airport entry and landscaping at the Draughon-Miller Central Texas Regional Airport in the amount of \$170,000.

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

**ITEM SUMMARY:** On May 29, 2013, the Reinvestment Zone No. 1 Board approved \$1,320,000 for design and construction to continue much needed improvements at the Airport as part of the updated Master Plan projects. During the Reinvestment Zone No 1 Board meeting August 28, 2013, the Zone Board recommended the City Council approve the professional services agreement with KPA in the amount of \$170,000.

The scope of services provided by KPA includes:

Design	\$ 95,700
Bidding	\$ 10,000
Construction Administration	\$ 29,900
On Site Representation	\$ 34,400
	<b><u>\$170,000</u></b>

**FISCAL IMPACT:** Funding in the amount of \$1,320,000 is designated for this project in the current adopted Reinvestment Zone #1 Project Plan and Financing Plan. Detail of the allocation of the design funding is shown below.

Project	Account #	Project #	Amount
Fuel Farm Loop Roadway	795-9800-531-6877	101016	\$10,000
Airport Terminal Access Enhancement	795-9800-531-6878	101017	\$15,000
Airport Entry Landscaping & Signage	795-9800-531-6879	101018	\$30,000
Northwest Airport Parking & Entrance	795-9800-531-6880	101019	\$115,000
<b>Total Design Funding</b>			<b>\$170,000</b>

**ATTACHMENTS:**

[Engineer's Proposal](#)  
[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 19, 2013

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

Re: City of Temple – Temple Reinvestment Zone  
Airport Enhancement Projects

Dear Ms. Rostovich:

At the request of the City of Temple Reinvestment Zone #1 (TRZ), we are submitting this proposal for the projects listed below. Our intent is to package these projects together in their respective categories in order to achieve an economy of scale. The projects consist of street and drainage enhancements at the fuel farm and at the terminal building, enhancement of the airport signage and landscaping and parking and entrance improvements at the Northwest portion of the Airport. The projects will develop 100% final design, bid and provide construction phase services for the projects. The final product will be plans, specifications and estimates ready for bidding through the City of Temple Purchasing Department with bidding and construction phase services to follow. Our preliminary opinion of probable construction cost for all projects is \$1,150,000.

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, estimates, bidding and construction phase services. Some elements of the project are adjacent to TxDOT rights-of-way, therefore coordination will be involved. All of the improvements will be in public rights-of-way and public land thus there will not be a need to acquire rights-of-way or easements.

KPA will perform quality control and quality assurance (QA/QC) on all deliverables associated with the project.



The following services will be performed:

I. Fuel Farm Loop Roadway

- 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. Perform detailed surveys of the project area to be used in design of the project.
- B. Geometric Design - Develop geometric design for the fuel farm roadway to match the amenities of the Airport and tie in to existing infrastructure.
- C. Roadway Design – Develop a section for the roadway with horizontal and vertical geometry to connect with existing infrastructure. Meetings with Airport Staff will be held to discuss improvements and coordination.
- D. Drainage – Develop hydrology and hydraulics for the Fuel Farm Roadway to create positive drainage to existing conveyance systems.
- E. Bidding – Perform bidding phase services of the project in conjunction with other Airport Projects in order to achieve an economy of scale. Services include notifying potential bidders after the project has publicly advertised, chairing the pre-bid conference, preparing all required addenda, attending the bid opening, tabulating and certifying the bids, recommendation of award and attending the TRZ Project Group Meeting, TRZ Board Meeting and City Council for award of the project. We will be available at all meetings to present and answer questions concerning the project and bid as required.
- F. Construction Administration – Perform construction administration services to include chairing the pre-construction conference, reviewing and approving all submittals, chairing progress meetings as required, meeting with the contractor in the field to answer questions, administration of pay applications, conducting the final walk through and preparing the final punch list and preparing record drawings from the contractor's information.
- G. On-Site Representation – Perform on-site representation services on the project in conjunction with the total project scope bid.

II. Airport Terminal Access Enhancement

- 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. Perform detailed surveys of the project area to be used in design of the project.
- B. Geometric Design - Develop geometric design for the Airport Terminal access to match the amenities of the Airport and tie in to existing infrastructure.
- C. Roadway Design – Develop a section for the roadway and access with horizontal and vertical geometry to connect with existing infrastructure. Meetings with Airport Staff will be held to discuss improvements and coordination.

- D. Drainage – Develop hydrology and hydraulics for the Airport Terminal access to create positive drainage to existing conveyance systems.
- E. Bidding – Perform bidding phase services of the project in conjunction with other Airport Projects in order to achieve an economy of scale. Services include notifying potential bidders after the project has publicly advertised, chairing the pre-bid conference, preparing all required addenda, attending the bid opening, tabulating and certifying the bids, recommendation of award and attending the TRZ Project Group Meeting, TRZ Board Meeting and City Council for award of the project. We will be available at all meetings to present and answer questions concerning the project and bid as required.
- F. Construction Administration – Perform construction administration services to include chairing the pre-construction conference, reviewing and approving all submittals, chairing progress meetings as required, meeting with the contractor in the field to answer questions, administration of pay applications, conducting the final walk through and preparing the final punch list and preparing record drawings from the contractor's information.
- G. On-Site Representation – Perform on-site representation services on the project in conjunction with the total project scope bid.

### III. Airport Entry Landscaping and Signage

- 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. Perform detailed surveys of the project area to be used in design of the project.
- B. Signage and Landscaping - Develop landscaping design for the Airport Entry signage at the main entrance and the west entrance to enhance and support the previous Airport Signage Project.
- C. Drainage – Develop hydrology and hydraulics for the Airport Entry and Signage to create positive drainage to existing conveyance systems.
- D. Bidding – Perform bidding phase services of the project in conjunction with other Airport Projects in order to achieve an economy of scale. Services include notifying potential bidders after the project has publicly advertised, chairing the pre-bid conference, preparing all required addenda, attending the bid opening, tabulating and certifying the bids, recommendation of award and attending the TRZ Project Group Meeting, TRZ Board Meeting and City Council for award of the project. We will be available at all meetings to present and answer questions concerning the project and bid as required.
- E. Construction Administration – Perform construction administration services to include chairing the pre-construction conference, reviewing and approving all submittals, chairing progress meetings as required, meeting with the contractor in the field to answer questions, administration of pay applications, conducting the final walk



through and preparing the final punch list and preparing record drawings from the contractor's information.

- F. On-Site Representation – Perform on-site representation services on the project in conjunction with the total project scope bid.

#### IV. Northwest Airport Parking and Entrance

- 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. Perform detailed surveys of the project area to be used in design of the project.
- B. Schematic Design – Develop schematic design for enhancements to the Northwest portion of the airport. Schematics shall include parking facilities, roadway enhancements and upgrades, drainage enhancements and upgrades, signage, and landscaping.
- C. Geometric Design - Develop geometric design for the Northwest Airport Parking and Entrance to match the amenities of the Airport and tie in to existing infrastructure.
- D. Pavement Design – Develop a section for the parking facilities and roadway/access improvements with horizontal and vertical geometry to connect with existing infrastructure. Meetings with Airport Staff will be held to discuss improvements and coordination.
- E. Drainage – Develop hydrology and hydraulics for the Northwest Airport Parking and Entrance Project to create positive drainage to existing conveyance systems.
- F. Bidding – Perform bidding phase services of the project in conjunction with other Airport Projects in order to achieve an economy of scale. Services include notifying potential bidders after the project has publicly advertised, chairing the pre-bid conference, preparing all required addenda, attending the bid opening, tabulating and certifying the bids, recommendation of award and attending the TRZ Project Group Meeting, TRZ Board Meeting and City Council for award of the project. We will be available at all meetings to present and answer questions concerning the project and bid as required.
- G. Construction Administration – Perform construction administration services to include chairing the pre-construction conference, reviewing and approving all submittals, chairing progress meetings as required, meeting with the contractor in the field to answer questions, administration of pay applications, conducting the final walk through and preparing the final punch list and preparing record drawings from the contractor's information.
- H. On-Site Representation – Perform on-site representation services on the project in conjunction with the total project scope bid.

The following scope of work for the Airport Projects connection can be completed for the lump sum price of \$170,000. Below is a breakdown of project costs by individual project.

<b>I. FUEL FARM LOOP ROADWAY</b>	
Design Surveys	\$ 800.00
Civil Design	\$ 3,300.00
Bidding	\$ 800.00
Construction Administration	\$ 2,500.00
On-Site Representation	\$ 2,600.00
<b>TOTAL FUEL FARM LOOP ROADWAY</b>	<b>\$ 10,000.00</b>
<b>II. AIRPORT TERMINAL ACCESS ENHANCEMENT</b>	
Design Surveys	\$ 1,200.00
Civil Design	\$ 7,200.00
Bidding	\$ 1,200.00
Construction Administration	\$ 2,600.00
On-Site Representation	\$ 2,800.00
<b>TOTAL AIRPORT TERMINAL ACCESS ENHANCEMENT</b>	<b>\$ 15,000.00</b>
<b>III. AIRPORT ENTRY LANDSCAPING &amp; SIGNAGE</b>	
Design Surveys	\$ 2,400.00
Landscape Design	\$ 10,100.00
Civil Design	\$ 4,900.00
Bidding	\$ 2,400.00
Construction Administration	\$ 5,000.00
On-Site Representation	\$ 5,200.00
<b>TOTAL AIRPORT ENTRY LANDSCAPING &amp; SIGNAGE</b>	<b>\$ 30,000.00</b>
<b>IV. NORTHWEST AIRPORT PARKING &amp; ENTRANCE</b>	
Design Surveys	\$ 9,500.00
Landscape Design	\$ 16,500.00
Civil Design	\$ 39,800.00
Bidding	\$ 5,600.00
Construction Administration	\$ 19,800.00
On-Site Representation	\$ 23,800.00
<b>TOTAL NORTHWEST AIRPORT PARKING &amp; ENTRANCE</b>	<b>\$ 115,000.00</b>
<b>GRAND TOTAL AIRPORT PROJECTS</b>	<b>\$ 170,000.00</b>

Ms. Sharon Rostovich

August 19, 2013

Page 6

We are pleased to submit this proposal and look forward to the benefit it will bring the City of Temple.

Sincerely,

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

R. David Patrick, P.E., CFM

xc: File

**ATTACHMENT "C"**

**Charges for Additional Services**

**City of Temple  
Airport Enhancement Projects**

<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





## Airport Park

AN AIRPORT  
FACILITY COMMITTED  
TO SERVING  
GENERAL, MILITARY,  
& CORPORATE  
AVIATION

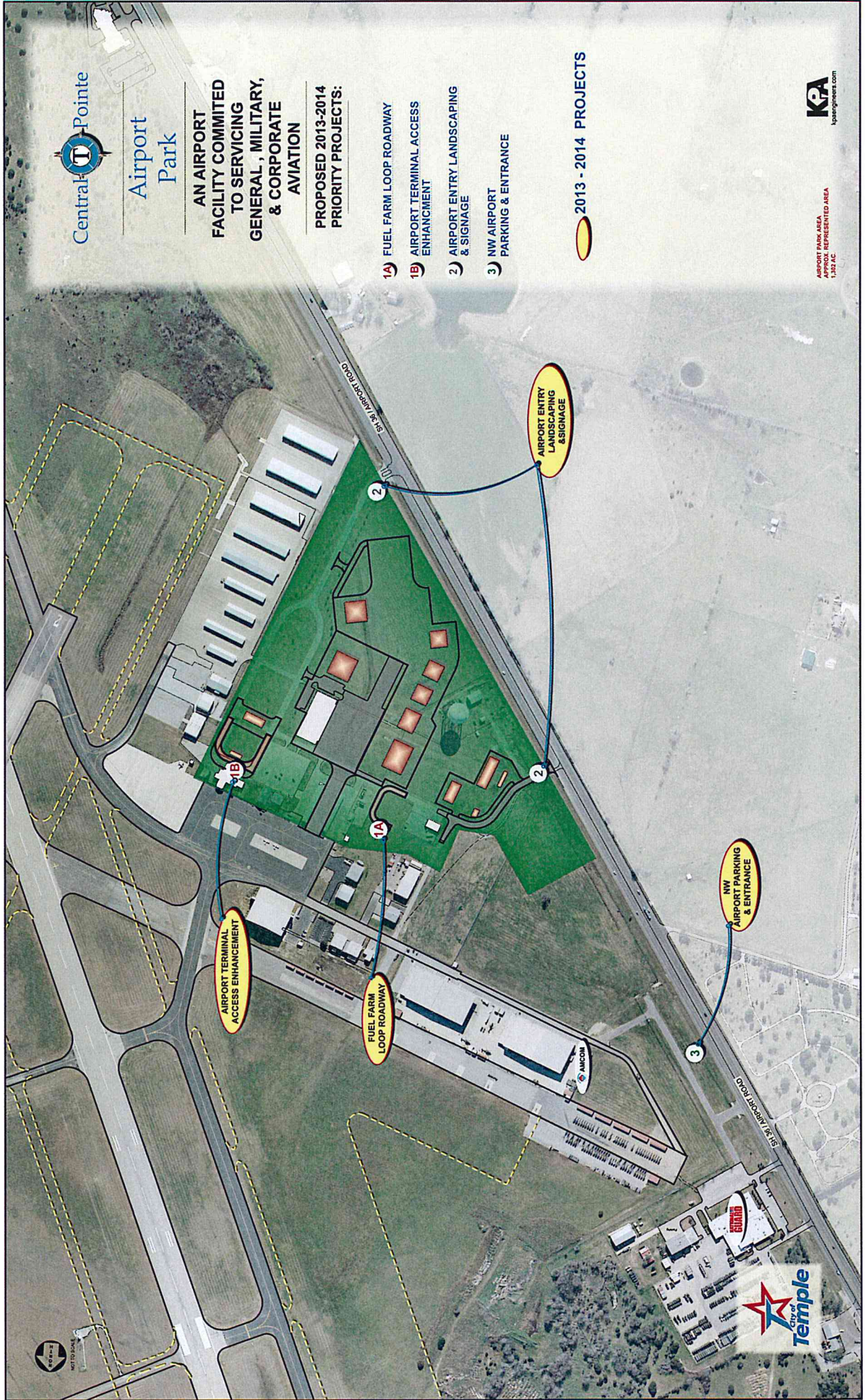
PROPOSED 2013-2014  
PRIORITY PROJECTS:

- 1A) FUEL FARM LOOP ROADWAY
- 1B) AIRPORT TERMINAL ACCESS  
ENHANCEMENT
- 2) AIRPORT ENTRY LANDSCAPING  
& SIGNAGE
- 3) NW AIRPORT  
PARKING & ENTRANCE

2013 - 2014 PROJECTS



AIRPORT PARK AREA  
1.352 AC  
UNDEVELOPED AREA





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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH KASBERG, PATRICK & ASSOCIATES, L.P., OF TEMPLE, TEXAS, FOR PROFESSIONAL SERVICES REQUIRED FOR THE DESIGN, PREPARATION OF SPECIFICATIONS AND DEVELOPMENT OF CONSTRUCTION ESTIMATES FOR AIRPORT ENHANCEMENT PROJECTS AT THE DRAUGHON-MILLER CENTRAL TEXAS REGIONAL AIRPORT, IN THE AMOUNT OF \$170,000; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on May 29, 2013, the Reinvestment Zone No. 1 Board approved \$1,320,000 for design and construction to continue much needed improvements at the Draughon-Miller Central Texas Regional Airport, as part of the updated Master Plan projects;

**Whereas**, on August 28, 2013, the Board recommended City Council approve a professional services agreement with Kasberg, Patrick & Associates, L.P., of Temple, Texas, for the design, preparation of specifications and development of construction estimates for airport enhancements projects, in the amount of \$170,000;

**Whereas**, funding for this project is available in the current adopted Reinvestment Zone No. 1 Project Plan in Account No. 795-9800-531-6877, Project No. 101016, Account No. 795-9800-531-6878, Project No. 101017, Account No. 795-9800-531-6879, Project No. 101018, and Account No. 795-9800-531-6880, Project No. 101019; 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 the design, preparation of specifications and development of construction estimates for the airport enhancement projects at the Draughon-Miller Central Texas Regional Airport, in the 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 **19<sup>th</sup>** day of **September**, 2013.

THE CITY OF TEMPLE, TEXAS

---

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

---

Jonathan Graham  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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09/19/13  
Item #4(D)  
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 services agreement with BSP Engineering Inc. of Temple for engineering services including design, surveying and construction administration required for Jefferson Manor waterline replacement (Alamo, Bowie, Crockett, Duval and Erath Loop) in an amount not to exceed \$41,125.

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

**ITEM SUMMARY:** For several years the Public Works Utility Services Division has experienced numerous operational waterline issues in the area of Alamo, Bowie, Crockett, Duval Courts and Erath Drive (also known as Jefferson Manor addition). This area contains numerous under sized cast iron lines with lead poured joints (less than 6" in size) and an absence of valves, providing minimal fire protection to the area. The project will provide larger distribution lines and installation of valves and hydrants, substantially upgrading water service and fire protection in the area.

Identified in the water distribution operation and maintenance budget, this project will result in replacing nearly 2,500 feet of 2" waterline with a new 6" waterline. As identified in the attached letter the proposed timeline for design of the project is approximately 84 days. Engineering services are broken down as follows:

**Basic Services**

Design Topography Survey	\$ 4,600.00
Parcel/Owner Identification and address	\$ 350.00
Preparation of Construction Documents (50% Complete)	\$ 9,886.00
Preparation of Construction Documents (100% Complete)	\$ 5,889.00
Contract Bidding Phase	\$ 2,500.00
Project Representation	\$ 1,200.00
Construction Surveying	\$ 6,900.00
Inspection Services	<u>\$ 9,800.00</u>

**Total Services      \$41,125.00**



The engineer's opinion of probable cost for construction of this project is approximately \$250,000.

**FISCAL IMPACT:** Funding in the amount of \$500,000 is available in account 520-5200-535-6357 project #100909 for this project.

**ATTACHMENTS:**

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



15 West Central Avenue  
Temple, Texas 76501  
Phone: 254.774.9611  
Fax: 254.774.9676  
www.beachengineers.com

August 27, 2013

City of Temple  
Department of Public Works  
Ms. Nicole Torralva, PE  
Public Works Director  
3210 E. Ave. H, Bldg. A, Ste 130  
Temple, TX 76501

RE: City of Temple, Jefferson Manor Water Main Replacement  
Includes Alamo, Bowie, Crockett, Duval, and Erath Loop.

Dear Ms. Torralva,

As per your request, we have prepared our professional services fee proposal for Engineering Services required for the above referenced project. Scope of work to conform to the attached Proposed Water Main Extension layout and Preliminary Opinion of Probable Cost:

**BASIC SERVICES:**

The BASIC SERVICES shall include Professional Engineering and Survey Topography Surveys, as required to prepare the design and construction drawings, and all other information as required to supplement project Bid manual.

We propose to complete all services for a lump sum Professional Fee of

**\$ 41,125.00.** The fee is divided as follows: These amounts shall be invoiced monthly based upon the percent complete through invoice date.

Design Topography Survey	\$ 4,600.00
Parcel / Owner Identification and address	\$ 350.00
Preparation of Construction Documents (50% Complete)	\$ 9,886.00
Preparation of Construction Documents (100% Complete)	\$ 5,889.00
Contract Bidding Phase	\$ 2,500.00



**BASIC SERVICES: CONTINUED**

Project Representation	\$ 1,200.00
<ul style="list-style-type: none"> <li>• Pre-construction Meeting</li> <li>• Additional (3) Meetings as required for project coordination</li> <li>• Pay request Review and Certification</li> <li>• Preparation of no design Change Orders</li> <li>• Final Walk-through</li> </ul>	
Construction Surveying	\$ 6,900.00
<ul style="list-style-type: none"> <li>• Calculation and Preparation of all Construction Layout points</li> <li>• Provide a one-time construction stake-out of water main</li> <li>• Preparation of Cut Sheets</li> </ul>	
Inspection Services	\$ 9,800.00
<ul style="list-style-type: none"> <li>• Daily Inspections (Estimated at 2 hours per day x 90 days)</li> <li>• Weekly Construction Reports</li> <li>• Photos taken during the Construction Process</li> <li>• Pay Request Review and Quantity Verification</li> <li>• Construction Progress Meetings with Contractor as required</li> </ul>	

**PROJECT DELIVERABLES:**

- (2) Contract Drawings - 50% Complete Review Sets 11x17
- (25) – 100% Complete hardcopy sets 11x17 Construction Drawings
- (1) Mylar set 11x17
- Opinion of Probable Cost
- Bid Exhibit including itemized Bid Items
- Bid Tabulation including review and Contractor recommendation
- Record Drawings prepared on Mylar and electronic files on CD

**PROJECT SCHEDULE:****Time Required**

Design Topography Survey	14 Cal Days
Preparation of Documents (50% Complete)	30 Cal Days
Preparation of Documents (100% Complete)	40 Cal Days
Contract Bidding Phase	30 Cal Days
Construction Phase	120 Cal Days

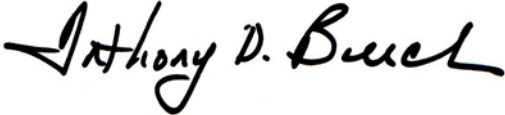
**ADDITIONAL SERVICES:**

The following are estimated ADDITIONAL SERVICES associated with the above referenced BASIC SERVICES:

Easement Preparation (None Anticipated)	\$ Hourly
---	-----------

After you have had the opportunity to review this proposal, we would be pleased to meet with you to discuss the specifics of the outlined services and fees.

Sincerely,

A handwritten signature in black ink that reads "Anthony D. Beach". The signature is written in a cursive style with a large, stylized 'A' and a long, sweeping underline.

Anthony D. Beach, P.E.  
BSP Engineers, Inc.  
F-7587  
[www.bspengineers.com](http://www.bspengineers.com)



# Jefferson Manor Main Replacement







## PRELIMINARY OPINION OF PROBABLE COST

**City of Temple, Texas**

**Jefferson Manor Water Distribution Replacement**

**Located in Temple, Texas includes Alamo, Bowie, Crockett, Duval, and Erath Loop**

Filename: 1895 Opinion of Probable Cost.xls

Date: August 28, 2013

Item Description	Unit	Unit Cost	Quantity	Total
1 Mobilization, Bonds, Permits and Insurance	LS	\$5,000.00	1	\$5,000.00
2 Preparation of R.O.W. and Site Clearing	STA	\$50.00	24	\$1,200.00
3 6" PVC Class 150 C900 Water Main	LF	\$31.00	2,485	\$77,035.00
4 Roadway / Pavement Repair 3' Wide	SY	\$15.00	900	\$13,500.00
5 Standard Fire Hydrant Assembly	EA	\$3,800.00	5	\$19,000.00
6 8" MJ Gate Valve	EA	\$1,900.00	3	\$5,700.00
7 6" MJ Gate Valve	EA	\$1,400.00	6	\$8,400.00
8 Connect to Existing City of Temple Water Main	EA	\$1,500.00	6	\$9,000.00
9 1" Water Service	EA	\$1,250.00	60	\$75,000.00
10 Existing Driveway / Sidewalk Repair	SF	\$11.00	400	\$4,400.00
11 Grass Sod Replacement	SF	\$2.00	1,500	\$3,000.00
12 Erosion Control and SWPPP Implementation	LS	\$850.00	1	\$850.00
13 Testing per City of Temple and TCEQ	LS	\$3,200.00	1	\$3,200.00

**CONSTRUCTION TOTAL: \$225,285.00**

**10% CONSTRUCTION CONTINGENCY: \$22,528.50**

**SUB TOTAL: \$247,813.50**

**ENGINEERING: \$19,825.08**

**SURVEYING PROPERTY: \$0.00**

**SURVEYING DESIGN: \$4,600.00**

**SURVEYING CONSTRUCTION: \$6,900.00**

**PROJECT REPRESENTATION / INSPECTION: \$9,800.00**

**BSP Contract Amount: \$41,125.08**

**PROJECT BUDGET: \$288,938.58**

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH BSP ENGINEERING, INC., OF TEMPLE, TEXAS, FOR ENGINEERING SERVICES INCLUDING THE DESIGN, SURVEYING AND CONSTRUCTION ADMINISTRATION REQUIRED FOR JEFFERSON MANOR WATERLINE REPLACEMENT, IN AN AMOUNT NOT TO EXCEED \$41,125; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas,** for several years, the Public Works Utility Services Division has experienced numerous operational waterline issues in the area of Alamo, Bowie, Crockett, Duval Courts and Erath Drive (also known as Jefferson Manor addition);

**Whereas,** this area contains numerous under sized cast iron lines with lead poured joints (less than 6" in size) and an absence of valves, providing minimal fire protection to that area – this project will provide larger distribution lines and installation of valves and hydrants, substantially upgrading water services and fire protection in the area;

**Whereas,** staff recommends Council approve a professional services agreement with BSP Engineering, Inc., of Temple, Texas, for engineering services required for Jefferson Manor waterline replacement in an amount not to exceed \$41,125;

**Whereas,** funding is available for this project in Account No. 520-5200-535-6357, Project No. 100909; 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 BSP Engineering, Inc., of Temple, Texas, after approval as to form by the City Attorney, for engineering services including design, surveying and construction administration required for Jefferson Manor waterline replacement (Alamo, Bowie, Crockett, Duval and Erath Loop), in an amount not to exceed \$41,125.

**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 18<sup>th</sup> day of **September**, 2013.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Jonathan Graham  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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09/19/13  
Item #4(E)  
Consent Agenda  
Page 1 of 1

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

Jonathan Graham, City Attorney

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a Second Amendment to the Office Space Lease between the City of Temple and Morgan Stanley Smith Barney Financing, LLC 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:** Morgan Stanley currently rents 3,243 square feet of office space in the Temple Public Library. The current lease term is 3 years and will expire on October 31, 2013. Morgan Stanley has requested to renew the lease for another 3 year term. This will be the second amendment to the original Office Space Lease between Morgan Stanley and the City which was signed in 2007.

As part of the Second Amendment, Morgan Stanley also has the option to extend the lease for 3 consecutive 3 year periods upon mutual agreement of the parties.

In year one of the new lease term, Morgan Stanley will pay annual rent of \$13.00/square foot (\$3,513.25 monthly). In year two, Morgan Stanley will pay annual rent of \$13.25/square foot (\$3,580.81 monthly) and in year three, Morgan Stanley will pay annual rent of \$13.50/square foot (\$3,648.38 monthly).

Pursuant to the Second Amendment, the City agrees to pay a commission to Morgan Stanley's broker in the amount of \$3,867.28 which represents 3% of the first year's annual rental payment due to the City.

**FISCAL IMPACT:** The City will receive annual rent in year one of \$42,159, in year two \$42,969.72, and in year three \$43,780.56. The rent will be deposited into account 110-0000-461-0937.

A budget adjustment is recommended for Councils' approval appropriating \$3,868 to account 110-4000-555-2616 for the 3% commission fee due to Morgan Stanley's broker. The funding for the commission fee will be funded from Library Building rental revenue account 110-0000-461-0937.

### **ATTACHMENTS:**

[Budget Adjustment  
Resolution](#)



FY 2013

**BUDGET ADJUSTMENT FORM**

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

Adjustments should be rounded to the nearest \$1.

+

-

ACCOUNT NUMBER	PROJECT #	ACCOUNT DESCRIPTION	INCREASE	DECREASE
110-4000-555-26-16		Professional	\$ 3,868	
110-0000-461-09-37		Library Building Rental Revenue	3,868	
<b>TOTAL.....</b>			<b>\$ 7,736</b>	<b>\$ -</b>

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

This budget adjustment recognizes additional revenue from increased rates and extended leases and appropriates the expenditures to cover cost related to the commission fee on Morgan Stanley Lease.

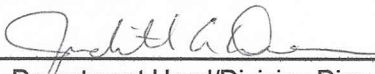
DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒ Yes☐ No

DATE OF COUNCIL MEETING

9/19/2013

WITH AGENDA ITEM?

☒ Yes☐ No
  
 Department Head/Division Director

9/6/2013

Date

☒ Approved  
☐ Disapproved

Finance

Date

☐ Approved  
☐ Disapproved

City Manager

Date

☐ Approved  
☐ Disapproved

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A SECOND AMENDMENT TO THE OFFICE SPACE LEASE BETWEEN THE CITY OF TEMPLE AND MORGAN STANLEY SMITH BARNEY FINANCING, LLC, FOR LEASE OF SPACE IN THE E. RHODES AND LEONA B. CARPENTER FOUNDATION BUILDING (TEMPLE PUBLIC LIBRARY); 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**, Morgan Stanley Smith Barney Financing, LLC currently rents 3,243 square feet of office space in the Temple Public Library – the current lease term is for three years and expires on October 31, 2013;

**Whereas**, Morgan Stanley has requested to renew the lease for another three year term – this will be the second amendment to the original Office Space Lease between Morgan Stanley and the City of Temple which was signed in 2007 - as part of the Second Amendment, Morgan Stanley also has the option to extend the lease for three consecutive three year periods, upon mutual agreement of the parties;

**Whereas**, the City will receive annual rent in year one of \$42,159, in year two, \$42,969.72, and in year three, \$43,780.56 – these funds will be deposited into Account No. 110-000-461-0937; 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 the Second Amendment to the Office Space Lease between the City and Morgan Stanley Smith Barney Financing, LLC for 3,243 square feet of office space in the E. Rhodes and Leona B. Carpenter Foundation Building which extends the lease term for three years and allows for three consecutive three year lease extensions, as set forth in Exhibit A attached hereto and incorporated herein.

**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 19<sup>th</sup> day of **September**, 2013.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

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Lacy Borgeson  
City Secretary

APPROVED AS TO FORM:

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Jonathan Graham  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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09/19/13  
Item #4(F)  
Consent Agenda  
Page 1 of 1

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

Nicole Torralva, PE, Director of Public Works  
Belinda Mattke, Director of Purchasing

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing the single-source purchase of Heil repair parts from Heil of Texas of Irving in the estimated amount of \$100,000.

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

**ITEM SUMMARY:** The Solid Waste Department utilizes approximately 20 Heil bodies in its fleet of refuse trucks. The Solid Waste Department has found the Heil units to be durable and to operate efficiently. However, with any mechanized loaders, components wear out and the units have to be maintained with new parts. The City currently has a few Heil bodies that are 8 years old, with a few trucks being retired this fall upon the activation of new CNG-fueled units.

The City has spent approximately \$47,000 thus far in FY 2013 for Heil replacement and repair parts with a pending purchase of approximately \$24,000 for a new lift and carriage that is needed for a commercial sideloader truck. With the activation of the new CNG fleet in FY 2014, staff expects the purchase of Heil replacement parts to be reduced, but new component parts will always be needed to keep the entire Solid Waste fleet in operation.

Heil only distributes its parts through full service dealers, and as such, the procurement of Heil parts is a single-source purchase as defined with the Local Government Code §252.022.

**FISCAL IMPACT:** Repair parts for Heil refuse trucks are purchased on an as needed basis by the Fleet Services department on behalf of the Solid Waste Department. The Solid Waste Department has budgeted for fleet repairs in several of its divisions in account 2333. Estimated repair part expenditures for FY 2013 and FY 2014 based on historical purchases: \$100,000.

**ATTACHMENTS:**

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE SINGLE SOURCE PURCHASE OF HEIL REPAIR PARTS FROM HEIL OF TEXAS, OF IRVING, TEXAS, IN THE ESTIMATED AMOUNT OF \$100,000; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas,** the Solid Waste Department utilizes approximately 20 Heil bodies in its fleet of refuse trucks and has found that the Heil units are durable and operate efficiently;

**Whereas,** however, with mechanized loaders, components wear out and the units have to be maintained with new parts – the City currently has a few Heil bodies that are 8 years old and a few that are to be retired this fall, with the activation of the new CNG-fueled units;

**Whereas,** Heil only distributes its parts through full service dealers, and as such, the procurement of Heil parts is a single source purchase as defined by the Local Government Code §252.022;

**Whereas,** repair parts for the Heil refuse trucks are purchased on an ‘as needed’ basis by the Fleet Services Department and the Solid Waste Department has budgeted for these fleet repairs in their adopted fiscal year 2013-2014 budget; 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 single source purchase of Heil repair parts from Heil of Texas, of Irving, Texas, in the estimated amount of \$100,000 for the Solid Waste Department.

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

**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 **19<sup>th</sup>** day of **September**, 2013.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Jonathan Graham  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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09/19/13  
Item #4(G)  
Consent Agenda  
Page 1 of 1

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

Brandon Harris, Information Technology Director

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing the purchase of a yearly 2013-2014 maintenance contract with Intergraph Public Safety in the amount of \$41,136.

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

**ITEM SUMMARY:** The Police and Fire Departments currently use Records Management Software from Intergraph Public Safety for the following public safety applications in helping the City to conduct management of Public Safety records and analysis:

SunPro Fire RMS

I-LEADS RMS (Arrests, warrants, citations, evidence, calls for service, etc...)

CAD Interface Software

Oracle Software

Intergraph Public Safety is the sole provider of maintenance for Intergraph Public Safety application software. This is currently the 14th year of support for the current software.

**FISCAL IMPACT:** The Information Technology Department currently has funds budgeted in account 110-1952-519-23-38 in the amount of \$41,136 for continued annual support of these applications.

### **ATTACHMENTS:**

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF AN ANNUAL MAINTENANCE CONTRACT WITH INTERGRAPH PUBLIC SAFETY, IN THE AMOUNT OF \$41,136; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, the police and fire departments currently use Records Management Software from Intergraph Public Safety for certain public safety applications in helping the City conduct management of Public Safety Records and analysis;

**Whereas**, Intergraph Public Safety is the sole provider of maintenance for Intergraph Public Safety application software - Staff recommends purchasing an annual maintenance contract for a cost not to exceed \$41,136;

**Whereas**, this will be the City's 14<sup>th</sup> year of support for the current software – funds are budgeted in Account No. 110-1925-519-2338 for this purchase; and

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

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

**Part 1:** The City Council authorizes the purchase of an annual maintenance contract with Intergraph Public Safety for Public Safety Software Applications, for an amount not to exceed \$41,136.

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

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

PASSED AND APPROVED this the 19<sup>th</sup> day of **September**, 2013.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:



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Lacy Borgeson  
City Secretary

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Jonathan Graham  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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09/19/13  
Item #4(H)  
Consent Agenda  
Page 1 of 1

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

Gary O. Smith, Chief of Police

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing the purchase of jail services from Bell County Law Enforcement Center in the estimated amount of \$74,500 for FY 2014.

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

**ITEM SUMMARY:** Resolution number 2012-6820-R allows the City of Temple to utilize the services of Bell County to house inmates instead of maintaining an in-house jail operation. The Bell County Law Enforcement Center has trained staff in place and space available to fulfill the City's needs. The City has been pleased with the services provided by Bell County and staff recommends the continued purchase of jail services.

**FISCAL IMPACT:** Funding in the amount of \$74,500 is designated for jail housing in FY 2014 budget in account 110-2011-521-2623.

**ATTACHMENTS:**

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE CONTINUED PURCHASE OF JAIL SERVICES FROM BELL COUNTY LAW ENFORCEMENT CENTER, FOR FISCAL YEAR 2013-2014, IN THE ESTIMATED ANNUAL AMOUNT OF \$74,500; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas,** the City of Temple has utilized the services of Bell County to house inmates for several years instead of maintaining an in-house jail operation;

**Whereas,** the Bell County Law Enforcement Center has trained staff in place and space available to fulfill the City's needs;

**Whereas,** the City has been pleased with the services provided by Bell County and staff recommends the continued purchase of jail services, for fiscal year 2013-2014, in the estimated annual amount of \$74,500;

**Whereas,** funds are available in Account No. 110-2011-521-2623 for this purchase; and

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

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

**Part 1:** The City Council authorizes the continued purchase of jail services from Bell County Law Enforcement Center, for fiscal year 2013-2014, in the estimated annual amount of \$74,500.

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

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

PASSED AND APPROVED this the 19<sup>th</sup> day of **September**, 2013.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

---

Jonathan Graham  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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09/19/13  
Item #4(I)  
Consent Agenda  
Page 1 of 1

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

Nicole Torralva, Public Works Director  
Lisa Sebek, Solid Waste Services Director

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing the purchase of 50 metal refuse containers for the Solid Waste Division from Rolloffs USA., Durant, OK, through the H-GAC Contract in the amount of \$40,170.

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

**ITEM SUMMARY:** Replacement containers are needed in the sideload and frontload metal collections systems. This purchase provides for 40 - 8 yard front load containers, 10 - 3 yard sideload containers.

Current pricing on the H-GAC bid contract has been confirmed by Purchasing. The city has done business with Rolloffs USA, and finds them to be a responsible vendor. Utilizing this contract through the H-GAC satisfies the requirement for competitive bids.

**FISCAL IMPACT:** Funding has been appropriated in the account listed below.

Description	Account #	Budget	Proposed Expenditure
Sideload Metal Containers	110-2360-540-22-11	\$4,800	\$4,400
Frontload Metal Containers	110-2350-540-22-11	\$42,500	\$35,770

**ATTACHMENTS:**

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE SINGLE SOURCE PURCHASE OF HEIL REPAIR PARTS FROM HEIL OF TEXAS, OF IRVING, TEXAS, IN THE ESTIMATED AMOUNT OF \$100,000; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas,** the Solid Waste Department utilizes approximately 20 Heil bodies in its fleet of refuse trucks and has found that the Heil units are durable and operate efficiently;

**Whereas,** however, with mechanized loaders, components wear out and the units have to be maintained with new parts – the City currently has a few Heil bodies that are 8 years old and a few that are to be retired this fall, with the activation of the new CNG-fueled units;

**Whereas,** Heil only distributes its parts through full service dealers, and as such, the procurement of Heil parts is a single source purchase as defined by the Local Government Code §252.022;

**Whereas,** repair parts for the Heil refuse trucks are purchased on an ‘as needed’ basis by the Fleet Services Department and the Solid Waste Department has budgeted for these fleet repairs in their adopted fiscal year 2013-2014 budget; 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 single source purchase of Heil repair parts from Heil of Texas, of Irving, Texas, in the estimated amount of \$100,000 for the Solid Waste Department.

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

**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 **19<sup>th</sup>** day of **September**, 2013.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Jonathan Graham  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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09/19/13  
Item #4(J)  
Consent Agenda  
Page 1 of 2

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

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

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a construction contract for the base bid and bid alternate #1 with Alpha Constructors, of Temple for the construction of sidewalks on South 1<sup>st</sup> Street in the amount of \$182,850.65.

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

**ITEM SUMMARY:** Included in the City's 2012-2013 Community Development Block Grant (CDBG) Action Plan is funding for South 1st Street Sidewalk Improvements Project. The project is located along South 1st Street within the boundaries of Ave. F on the north and Ave. M on the south. The project includes design and installation of sidewalks, not to exceed 8 feet in width, and any necessary ADA ramps, curbs and gutters, along with landscaping. This is a multi-year project with this being the third year of funding.

On August 27, 2013, the City of Temple received two (2) bids on this sidewalk project. As shown on the attached bid tabulation, Alpha Constructors of Temple submitted the low bid with a base bid cost of \$88,542.05, taking the project from Avenue K to Avenue I. Four add alternates were also accepted extending work to the north. Alternate bids with associated costs were included as follows:

- Alternate #1 – West Avenue I to West Avenue H in the amount of \$94,308.60
- Alternate #2 – West Avenue H to West Avenue G in the amount of \$110,563.59
- Alternate #3 – West Avenue G to West Avenue F in the amount of \$107,307.29
- Alternate #4 - Resurface Bus Stop retaining wall in the amount of \$6,435

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

**FISCAL IMPACT:** \$200,972 of Community Development Block Grant (CDBG) funds are available in account 260-6100-571-6315 project # 100623, Sidewalk/Curb/Gutter.

**ATTACHMENTS:**

[Engineer's Letter of Recommendation](#)

[Bid Tabulation](#)

[Resolution](#)



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

September 4, 2013

City of Temple  
Kenny Henderson  
3210 E. Ave H, Bldg A  
Temple, Texas 76501

Re: City of Temple - C.D.B.G. South First Street Sidewalk Improvements – Phase III – VI  
Bid # 61-01-13

Dear Mr. Henderson,

We have reviewed the bids for the above referenced project. Alpha Constructors submitted a Base Bid (\$88,542.05) with a Bid Alternate 1 (\$94,308.60) totaling \$182,850.65. In addition, Alpha Constructors submitted a Bid Alternate 2 totaling \$110,563.59, a Bid Alternate 3 totaling \$107,307.29, and a Bid Alternate 4 totaling \$6,435.00. *Please see the enclosed Bid Tabulation Sheet and Bid Schedule Breakout for detailed information.*

The initial construction budget for the present year is approximately \$200,000 and the engineer's final opinion of probable cost to construct both the Base Bid with Bid Alternate 1 was \$199,418.00.

We are recommending that you award the Base Bid and Bid Alternate 1, excluding Bid Alternates 2, 3, and 4 to Alpha Constructors. We believe, through personal experience, that Alpha Constructors is qualified and is capable of providing the C.D.B.G. South First Street Sidewalk Improvements as required in this project.

We believe that Alpha Constructors is a proven company with many successfully completed projects and we look forward to working with them on this project.

Sincerely,

Monty Clark, P.E., CPESC

# Bid Tabulation Sheet

## C.D.B.G South First Street Sidewalk Improvements - Phase III - VI

Bid Date: August 27, 2013

No.	Base Bid Item Description	Est. Quan.	UOM	Alpha Constructors		TCB Constructors Inc.	
				Unit Price	Total Cost	Unit Price	Total Cost
Base Bid Phase III Improvements							
1	Site R.O.W. Preparation & Clearing	4	STA	\$ 585.00	\$ 2,340.00	\$ 1,500.00	\$ 6,000.00
2	Mobilization, Bonds, Permits, & Insurance	100%	LS	\$ 2,106.00	\$ 2,106.00	\$ 10,000.00	\$ 10,000.00
3	Provide Miscellaneous Demolition	100%	LS	\$ 7,020.00	\$ 7,020.00	\$ 25,000.00	\$ 25,000.00
4	Remove & Relocate Existing Commercial Sign	1	EA	\$ 3,042.00	\$ 3,042.00	\$ 7,500.00	\$ 7,500.00
5	Provide New Reinforced Concrete Pavement Section	215	SY	\$ 63.18	\$ 13,583.70	\$ 63.00	\$ 13,545.00
6	Provide New HMAc Pavement Section	98	SY	\$ 47.39	\$ 4,644.22	\$ 31.00	\$ 3,038.00
7	Provide New Concrete Flatwork Section	228	SY	\$ 52.65	\$ 12,004.20	\$ 49.50	\$ 11,286.00
8	Provide New Concrete Curb and Gutter	373	LF	\$ 21.94	\$ 8,183.62	\$ 18.00	\$ 6,714.00
9	Provide New Handicap Curb Ramp	10	EA	\$ 912.60	\$ 9,126.00	\$ 900.00	\$ 9,000.00
10	Provide New 4" Schedule 40 PVC Utility Sleeves	464	LF	\$ 14.04	\$ 6,514.56	\$ 6.00	\$ 2,784.00
11	Provide New Landscaping	100%	LS	\$ 7,195.50	\$ 7,195.50	\$ 7,000.00	\$ 7,000.00
12	Provide New Irrigation	100%	LS	\$ 3,042.00	\$ 3,042.00	\$ 5,000.00	\$ 5,000.00
13	Provide New Street and Pedestrian Signage & Striping	100%	LS	\$ 4,475.25	\$ 4,475.25	\$ 2,500.00	\$ 2,500.00
14	Provide New Traffic Control Plan & Implementation	100%	LS	\$ 5,265.00	\$ 5,265.00	\$ 12,000.00	\$ 12,000.00
Total Base Bid							
C.D.B.G. Avenue G Sidewalk Improvements					\$ 88,542.05		\$ 121,367.00
Bid Alternate #1 Phase IV Improvements							
15	Site R.O.W. Preparation & Clearing	4	STA	\$ 585.00	\$ 2,340.00	\$ 900.00	\$ 3,600.00
16	Mobilization, Bonds, Permits, & Insurance	100%	LS	\$ 2,340.00	\$ 2,340.00	\$ 8,000.00	\$ 8,000.00
17	Provide Miscellaneous Demolition	100%	LS	\$ 11,115.00	\$ 11,115.00	\$ 30,000.00	\$ 30,000.00
18	Remove from Bid	0%		\$ -	\$ -	\$ -	\$ -
19	Provide New Reinforced Concrete Pavement Section	370	SY	\$ 63.18	\$ 23,376.60	\$ 63.00	\$ 23,310.00
20	Saw Cut, Remove, and Replace Existing HMAc Pavement Section	80	SY	\$ 47.39	\$ 3,791.20	\$ 31.00	\$ 2,480.00
21	Provide New Concrete Flatwork Section	125	SY	\$ 52.65	\$ 6,581.25	\$ 49.50	\$ 6,187.50
22	Provide New Concrete Curb and Gutter	257	LF	\$ 21.94	\$ 5,638.58	\$ 18.00	\$ 4,626.00
23	Provide New Handicap Curb Ramp	3	EA	\$ 912.60	\$ 2,737.80	\$ 900.00	\$ 2,700.00
24	Provide New 5' Precast Storm Inlet	1	EA	\$ 3,510.00	\$ 3,510.00	\$ 9,000.00	\$ 9,000.00
25	Provide New 15" RCP Storm Sewer	10	LF	\$ 100.62	\$ 1,006.20	\$ 150.00	\$ 1,500.00
26	Provide New Connection to Existing Storm Sewer	1	EA	\$ 409.50	\$ 409.50	\$ 600.00	\$ 600.00
27	Provide New Schedule 40 PVC Utility Sleeves	480	LF	\$ 14.04	\$ 6,739.20	\$ 6.00	\$ 2,880.00
28	Provide New Chain Link Fencing	95	LF	\$ 29.25	\$ 2,778.75	\$ 55.00	\$ 5,225.00
29	Provide New Rolling Gates	2	EA	\$ 2,457.00	\$ 4,914.00	\$ 550.00	\$ 1,100.00
30	Provide New Landscaping	100%	LS	\$ 4,148.82	\$ 4,148.82	\$ 5,000.00	\$ 5,000.00
31	Provide New Irrigation	100%	LS	\$ 2,925.00	\$ 2,925.00	\$ 3,000.00	\$ 3,000.00
32	Provide New Street and Pedestrian Signage & Striping	100%	LS	\$ 5,042.70	\$ 5,042.70	\$ 2,000.00	\$ 2,000.00
33	Provide New Traffic Control Plan & Implementation	100%	LS	\$ 4,914.00	\$ 4,914.00	\$ 11,000.00	\$ 11,000.00
Total Phase - Bid Alternate #1							
C.D.B.G. Avenue G Sidewalk Improvements					\$ 94,308.60		\$ 122,208.50
Bid Alternate #2 Phase V Improvements							
34	Site R.O.W. Preparation & Clearing	4	STA	\$ 585.00	\$ 2,340.00	\$ 1,000.00	\$ 4,000.00
35	Mobilization, Bonds, Permits, & Insurance	100%	LS	\$ 4,914.00	\$ 4,914.00	\$ 7,000.00	\$ 7,000.00
36	Provide Miscellaneous Demolition	100%	LS	\$ 7,020.00	\$ 7,020.00	\$ 21,000.00	\$ 21,000.00
37	Remove from Bid	0%	EA	\$ -	\$ -	\$ -	\$ -
38	Remove & Relocate Existing Commercial Sign	1	EA	\$ 4,212.00	\$ 4,212.00	\$ 7,500.00	\$ 7,500.00
39	Remove & Relocate Existing Utility/Light Pole and Overhead Electrical Wiring	1	EA	\$ 6,084.00	\$ 6,084.00	\$ 7,500.00	\$ 7,500.00
40	Provide New Reinforced Concrete Pavement Section	360	SY	\$ 63.18	\$ 22,744.80	\$ 63.00	\$ 22,680.00
41	Saw Cut, Remove, and Replace Existing HMAc Pavement Section	45	SY	\$ 47.39	\$ 2,132.55	\$ 31.00	\$ 1,395.00
42	Provide New Concrete Flatwork Section	136	SY	\$ 52.65	\$ 7,160.40	\$ 49.50	\$ 6,732.00
43	Provide New Concrete Curb and Gutter	165	LF	\$ 21.94	\$ 3,620.10	\$ 18.00	\$ 2,970.00
44	Provide New Handicap Ramp	18	LF	\$ 912.60	\$ 16,426.80	\$ 900.00	\$ 16,200.00
45	Provide New Handicap Railing	40	LF	\$ 58.50	\$ 2,340.00	\$ 55.00	\$ 2,200.00
46	Provide New Handicap Curb Ramp	1	EA	\$ 912.60	\$ 912.60	\$ 900.00	\$ 900.00
47	Provide New 4" Schedule 40 PVC Utility Sleeves	504	LF	\$ 17.55	\$ 8,845.20	\$ 6.00	\$ 3,024.00
48	Provide New Intruder Resistant Chain Link Fencing	67	LF	\$ 52.65	\$ 3,527.55	\$ 75.00	\$ 5,025.00
49	Provide New Landscaping	100%	LS	\$ 4,676.49	\$ 4,676.49	\$ 4,000.00	\$ 4,000.00
50	Provide New Irrigation	100%	LS	\$ 2,925.00	\$ 2,925.00	\$ 3,000.00	\$ 3,000.00
51	Provide New Street & Pedestrian Signage & Striping	100%	LS	\$ 5,651.10	\$ 5,651.10	\$ 2,500.00	\$ 2,500.00
52	Provide & Implement a Traffic Control Plan	100%	LS	\$ 5,031.00	\$ 5,031.00	\$ 7,000.00	\$ 7,000.00
Total Phase - Bid Alternate #2							
C.D.B.G. Avenue G Sidewalk Improvements					\$ 110,563.59		\$ 124,626.00
Bid Alternate #3 Phase VI Improvements							
53	Site R.O.W. Preparation & Clearing	4	STA	\$ 585.00	\$ 2,340.00	\$ 1,200.00	\$ 4,800.00
54	Mobilization, Bonds, Permits, & Insurance	100%	LS	\$ 2,574.00	\$ 2,574.00	\$ 6,000.00	\$ 6,000.00
55	Provide Miscellaneous Demolition	100%	LS	\$ 7,956.00	\$ 7,956.00	\$ 15,000.00	\$ 15,000.00
56	Remove & Relocate Existing Commercial Sign	1	EA	\$ 3,510.00	\$ 3,510.00	\$ 7,500.00	\$ 7,500.00
57	Remove & Relocate Existing Utility/Light Pole and Overhead Electrical Wiring	2	EA	\$ 6,084.00	\$ 12,168.00	\$ 8,000.00	\$ 16,000.00
58	Provide New Reinforced Concrete Pavement Section	395	SY	\$ 63.18	\$ 24,956.10	\$ 65.00	\$ 25,675.00
59	Saw Cut, Remove, and Replace Existing HMAc Pavement Section	48	SY	\$ 47.39	\$ 2,274.72	\$ 31.00	\$ 1,488.00
60	Remove & Replace Existing Gravel Pavement Section	11.5	SY	\$ 58.50	\$ 672.75	\$ 28.00	\$ 322.00
61	Provide New Concrete Flatwork Section	180	SY	\$ 52.65	\$ 9,477.00	\$ 55.00	\$ 9,900.00
62	Provide New Concrete Curb and Gutter	200	LF	\$ 21.94	\$ 4,388.00	\$ 19.00	\$ 3,800.00
63	Provide New Handicap Ramp	16	LF	\$ 74.88	\$ 1,198.08	\$ 800.00	\$ 12,800.00
64	Provide New Concrete Curb	21.5	LF	\$ 32.76	\$ 704.34	\$ 19.00	\$ 408.50
65	Provide New Handicap Railing	17	LF	\$ 58.50	\$ 994.50	\$ 65.00	\$ 1,105.00
66	Provide New Reinforced Concrete Stem Wall	17	LF	\$ 44.46	\$ 755.82	\$ 155.00	\$ 2,635.00
67	Provide New Handicap Curb Ramp	5	EA	\$ 912.60	\$ 4,563.00	\$ 900.00	\$ 4,500.00
68	Provide New 5' Precast Storm Inlet	1	EA	\$ 3,510.00	\$ 3,510.00	\$ 8,000.00	\$ 8,000.00
69	Provide New 18" RCP 15 Degree Bend	1	EA	\$ 409.50	\$ 409.50	\$ 550.00	\$ 550.00
70	Provide New 18" RCP Storm Sewer	8	LF	\$ 140.40	\$ 1,123.20	\$ 155.00	\$ 1,240.00
71	Provide New Connection to Existing Storm Sewer	2	EA	\$ 409.50	\$ 819.00	\$ 600.00	\$ 1,200.00
72	Provide New 4" Schedule 40 PVC Utility Sleeves	436	LF	\$ 14.04	\$ 6,121.44	\$ 6.00	\$ 2,616.00
73	Provide New Landscaping	100%	LS	\$ 4,419.09	\$ 4,419.09	\$ 6,000.00	\$ 6,000.00
74	Provide New Irrigation	100%	LS	\$ 2,925.00	\$ 2,925.00	\$ 2,500.00	\$ 2,500.00
75	Provide New Pedestrian and Traffic Signage & Striping	100%	LS	\$ 2,310.75	\$ 2,310.75	\$ 2,500.00	\$ 2,500.00
76	Remove & Relocate Existing Water Meter and Service	2	EA	\$ 643.50	\$ 1,287.00	\$ 2,000.00	\$ 4,000.00
77	Provide New Traffic Control Plan & Implementation	100%	LS	\$ 5,850.00	\$ 5,850.00	\$ 7,000.00	\$ 7,000.00
Total Phase - Bid Alternate #3							
C.D.B.G. Avenue G Sidewalk Improvements					\$ 107,307.29		\$ 147,539.50
Bid Alternate #4 Phase IV Improvements							
78	Provide New 4"x6" or 4"x8" Limestone Brick Veneer	100%	LS	\$ 6,435.00	\$ 6,435.00	\$ 6,500.00	\$ 6,500.00
Total Phase - Bid Alternate #4							
C.D.B.G. Avenue G Sidewalk Improvements					\$ 6,435.00		\$ 6,500.00
Total Base Bid & Bid Alternates 1, 2, 3, & 4					\$ 407,156.53		\$ 522,241.00

Tabulation of Bids Received  
 on August 27, 2013 at 2:00 p.m.  
 CDBG South First Street Sidewalk Improvements - Phase III - VI  
 Bid # 61-01-13

	Bidders	
	Alpha Constructors Temple, Texas	TCB Construction Inc. Austin, Texas
Description		
Phase 3 Base Bid	\$88,542.05	\$121,367.00
Phase 4 (Alternate 1)	\$94,308.60	\$122,208.50
Phase 5 (Alternate 2)	\$110,563.59	\$124,626.00
Phase 6 (Alternate 3)	\$107,307.29	\$147,539.50
Alternate 4	\$6,435.00	\$6,500.00
Total Base Bid and Alternate 1	\$182,850.65	\$243,575.50
Bid Bond	5%	5%
Bond Requirement Affidavit	Yes	No
Credit Check Authorization	Yes	Yes
Acknowledged Addendum	Yes	Yes
Statement of Bidder's Qualifications	Yes	Yes
Contractor Certifications	Yes	Yes
Noncollusion Affidavit of Prime Bidder	Yes	Yes
Business Certification for Business Concerns Seeking Section 3 Preference in Contracting	No	Yes
Employee Certification for Business Concerns Seeking Section 3 Preference in Contracting	No	No
Contactor's Section 3 Compliance Plan	Yes	Yes

**Recommended for Council Award**



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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONSTRUCTION CONTRACT FOR THE BASE BID AND BID ALTERNATE #1, WITH ALPHA CONSTRUCTORS OF TEMPLE, TEXAS, FOR THE CONSTRUCTION OF SIDEWALKS ON SOUTH 1<sup>ST</sup> STREET, IN THE AMOUNT OF \$182,850.65; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas,** included in the City's 2012-2013 Community Development Block Grant (CDBG) Action Plan is funding for the South 1<sup>st</sup> Street Sidewalk Improvement Project;

**Whereas,** the project is located along South 1<sup>st</sup> Street within the boundaries of Avenue F on the north and Avenue M on the south and includes design and installation of sidewalks, not to exceed 8 feet in width, any necessary ADA ramps, curbs and gutters and landscaping;

**Whereas,** on August 27, 2013, the City received two (2) bids on this sidewalk project and recommends the City authorize a construction contract with Alpha Constructors of Temple, Texas, for the base bid and bid alternate #1, for the construction of sidewalks on south 1<sup>st</sup> Street, in the amount of \$182,850.65;

**Whereas,** staff has worked with Alpha Constructors in the past and has found them to be a responsible contractor;

**Whereas,** funds are budgeted in the Community Development Block Grant Account No. 260-6100-571-6315, Project No. 100623; and

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

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

**Part 1:** The City Council authorizes the City Manager, or his designee, to execute a contract with Alpha Constructors of Temple, Texas, after approval as to form by the City Attorney, for the base bid and bid alternate #1 for the construction of the sidewalks on south 1<sup>st</sup> Street, in the amount of \$182,850.65.

**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 19<sup>th</sup> 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

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09/19/13  
Item #4(K)  
Consent Agenda  
Page 1 of 1

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

Gary Smith, Chief of Police

**ITEM DESCRIPTION:** Consider adopting a resolution ratifying an Interlocal Cooperation Contract with Texas State University for the acceptance of Tobacco Enforcement funding in the amount of \$9,450 for the purposes of enforcing Subchapter H, Chapter 161 of the Texas Health and Safety Code for fiscal year 2014.

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

**ITEM SUMMARY:** Texas law prohibits the sale or distribution of tobacco products to any person under the age of 18. The police department proposes to use funding from Texas State University – Texas School Safety Center (TxSSC) to conduct covert investigations into the possible illegal sales of tobacco products to minors that violate the Health and Safety Code, §161.082. After applying for the grant, TxSSC required that the City enter into an Interlocal Cooperation Contract which outlines the funding for this grant and the services to be performed by the City. All activity under the grant must be reported on a monthly basis to the TxSSC. The TxSSC is acting on behalf of the Department of State Health Services.

**FISCAL IMPACT:** TxSSC will reimburse contracted law enforcement agencies \$75.00 for each completed investigation. Funding is allowed for the purpose of conducting investigations for a minimum of 25% or a maximum of 200% of the tobacco permitted retail outlets in the jurisdiction. There are approximately 85 tobacco permitted retail outlets in Temple. The police department plans to conduct investigations at rate of 149% of the permitted outlets, meaning that 126 investigations are planned for the 85 tobacco permitted retail outlets during FY14.

If this plan is met, the City will receive \$9,450 in grant funds. It is estimated that it will cost the City \$6,659 in overtime hours as well as operational and fuel costs of \$1,800 for police vehicles. The total estimated expense is \$8,459. The remaining revenue would pay officer's overtime for conducting compliance inspections on retail locations and provide education services to the public in the area of state laws pertaining to tobacco sales to minors.

### **ATTACHMENTS:**

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, RATIFYING AN INTERLOCAL COOPERATION CONTRACT WITH TEXAS STATE UNIVERSITY FOR THE ACCEPTANCE OF TOBACCO ENFORCEMENT FUNDING FOR FISCAL YEAR 2013-2014, FOR THE PURPOSES OF ENFORCING SUBCHAPTER H, CHAPTER 161, OF THE TEXAS HEALTH AND SAFETY CODE, IN THE AMOUNT OF \$9,450; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas,** Texas law prohibits the sale or distribution of tobacco products to any person under the age of 18 – the Temple Police Department proposes to use funding from Texas State University – Texas School Safety Center (TxSSC) to conduct covert investigations into the possible illegal sales of tobacco products to minors that violate the Health and Safety Code, §161.082;

**Whereas,** after applying for the grant, TxSSC required the City enter into an Interlocal Cooperation Contract which outlines the funding for this grant and the services to be performed by the City - all activity under the grant must be reported on a monthly basis to the TxSSC which is acting on behalf of the Department of State Health Services;

**Whereas,** the police department plans to conduct investigations at a rate of 149% of the permitted outlets, meaning that 126 investigations are planned for the 85 tobacco permitted retail outlets during fiscal year 2013-2014 - TxSSC will reimburse contracted law enforcement agencies \$75 for each completed investigation;

**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 accepts grant funds from the Texas School Safety Center (TxSSC) for Tobacco Enforcement Funding, and authorizes the City Manager to execute the Interlocal Cooperation Contract with Texas State University and any other documents which may be necessary for this grant.

**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 19<sup>th</sup> day of **September, 2013**.

THE CITY OF TEMPLE, TEXAS

---

DANIEL A. DUNN, Mayor

ATTEST:

---

Lacy Borgeson  
City Secretary

APPROVED AS TO FORM:

---

Jonathan Graham  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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09/19/13  
Item #4(L)  
Consent Agenda  
Page 1 of 7

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

Kim Foutz, Assistant City Manager / Interim Director of Planning

**ITEM DESCRIPTION:** SECOND READING - Z-FY-13-26: Consider adopting an ordinance authorizing a Conditional Use Permit to allow a freestanding personal wireless cell tower in an existing Commercial District, located on 0.02 ± acres out of Lot 2, Block 1, Glendale Park, Section VI at 2615 South 37<sup>th</sup> Street and Tract A, Block 3, Glendale Park Section III, at 2707 South 37<sup>th</sup> Street.

**P&Z COMMISSION RECOMMENDATION** At its meeting on August 5, 2013, the Planning and Zoning Commission voted 7/0 in accordance with Staff recommendation to recommend approval of a Conditional Use Permit to allow a freestanding personal wireless cell tower. Commissioner Martin was absent.

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

Staff recommends approval of the requested Conditional Use where for the following reasons:

1. The request is compatible with the Future Land Use and Character Map;
2. The request complies with the Thoroughfare, Plan;
3. Public facilities are available to serve the property; and
4. The applicant has demonstrated compliance with UDC Section 5.4.5 Personal Wireless Service Facilities: Design Standards.

**ITEM SUMMARY:** Please refer to the draft minutes of case Z-FY-13-26 from the Planning and Zoning Commission meeting on August 5, 2013. This request is to allow a new freestanding personal wireless cell tower due to Verizon Wireless network capacity failures within and around the Scott and White Hospital area. If approved, the 120-foot high monopole cell tower and its equipment shelter would be enclosed by an 8-foot high wood fence with three strands of barbed wire along the top. UDC Section 7.7.5 D allows security fencing for utility facilities to be topped with barbed wire that is not closer than six feet to the ground.

The applicant is pursuing a Conditional Use Permit (C.U.P.) for a personal use wireless cell tower, because although the use is allowed in the property's existing Commercial zoning district, it is not a collocation, per UDC Section 5.4 (Personal Wireless Service Facilities). The applicant has submitted a letter regarding the inability to collocate. At the Planning and Zoning Commission meeting, Andy Kampen from KGI Wireless spoke on behalf of Verizon, the applicant. He answered technical questions regarding the proposed tower and addressed collocation issues.

Personal wireless cell towers pursuing C.U.P.s are subject to the following design standards in Section 5.4.5 of the UDC:

**A. Boundary and Use Setbacks**

1. A guy or guy anchor for a facility must not be closer than 20 feet to a bounding property line. Staff note: The proposed freestanding monopole does not have a guy or guy anchors.

2. The distance between the base of a self-supported tower and the property line of any residential zoning district or use must not be less than 3 times the height of the tower structure. Staff note: The proposed tower is located in the Commercial zoning district and is surrounded by commercial and retail uses.

**B. Security Screening Fence**

1. A solid, wood or masonry fence, a minimum of eight feet in height, must completely enclose the base of every tower. Staff note: The site plan proposes an eight foot high wood fence enclosed around the tower base and equipment shelter.

2. In a residential zoning district or on property that abuts a residential zoning district or use, a solid wood or masonry fence, a minimum of eight feet in height, must completely enclose all mechanical equipment and accessory structures. Staff note: The request is in the Commercial District and proposes an eight foot high wood fence enclosed around the tower base and equipment shelter.

3. A security screening fence for a facility built or permitted after May 17th, 2001, may not be less than 6 feet in height. Staff note: This request proposes an eight foot high wood fence.

4. A security fence must be built to safely discourage unauthorized access to facilities by climbing. Staff note: The applicants propose an eight foot high fence topped with three strands of barbed wire, as allowed by UDC Section 7.7.5 D.

5. External and internal gates and doors that provide access to a facility must be equipped with a self-locking or self-latching mechanism for purposes of preventing unauthorized access. Staff note: The site plan reflects compliance with this requirement.



6. Screening is not required for a facility located on a building that is not designed or built primarily to support the facility, if the ancillary equipment, including but not limited to the equipment enclosure, is not visible from an abutting property line or public street right-of-way. Staff note: The site plan reflects an eight foot high wood fence for screening around the site's perimeter.

### C. Screening

1. As much of the total facility as possible must be screened or located so as to not be visible from prevalent views. Staff note: The proposed tower base and equipment shelter will be screened by an eight foot high wood fence.

2. Landscaping must be continuously maintained in a healthy, growing condition and be trimmed as necessary to comply with ordinances governing height of grass, corner sight obstruction and street and sidewalk obstruction. Staff note: Verizon assures staff a maintenance technician will be responsible for the site.




### D. Collocation




A new freestanding tower is not permitted unless the applicant demonstrates to the satisfaction of the approving authority that existing, permitted or proposed alternative support structures cannot accommodate the proposed facilities for the following reasons:

1. Height is not sufficient to meet applicant's engineering requirements;
2. Structural strength is not sufficient to support applicant's proposed facilities and cannot be reinforced in accordance with engineering requirements;
3. Other aspects of structure do not meet applicant's technical design requirements;
4. Electromagnetic interference would result from collocation;
5. Fees or costs for sharing or adapting are unreasonable; any cost that is less than the cost to construct and develop a new tower is presumed to be reasonable;
6. Owners of alternative structures are unwilling to accommodate the applicant's needs within 30 days after the date such owners received applicant's written request; or
7. Other factors render alternative support structures unsuitable.

Staff note: The applicant has submitted a letter regarding the inability to collocate. Please see the attached letter.

**SURROUNDING PROPERTY AND USES:** The following table shows the subject property, existing zoning and current land uses:

Direction	Zoning	Current Land Use	Photo
Subject Property	C	Undeveloped Land	
			
North	C	Commercial Uses	

Direction	Zoning	Current Land Use	Photo
South	C	Commercial, Restaurant, & Hotel Uses	
			
			



Direction	Zoning	Current Land Use	Photo
East	GR,	Restaurant, Hotel, & Retail Uses	
			
West	C	Commercial & Service Uses	

**PUBLIC NOTICE:** Sixteen notices of the Planning and Zoning Commission public hearing were sent out to property owners within 500-feet of the subject property as required by State law and City Ordinance. As of Thursday August 22, 2013 at 4:00 PM, two notices were returned in favor of the use permit and three notices were returned in denial of the request.

**FISCAL IMPACT:** Not Applicable

**ATTACHMENTS:**

Zoning Map

Land Use and Character Map

Buffer Notification Map

Response Letters

Applicant's Collocation Letter

FAA Letter

Verizon Site Plan Exhibits

PZ Excerpts

Ordinance

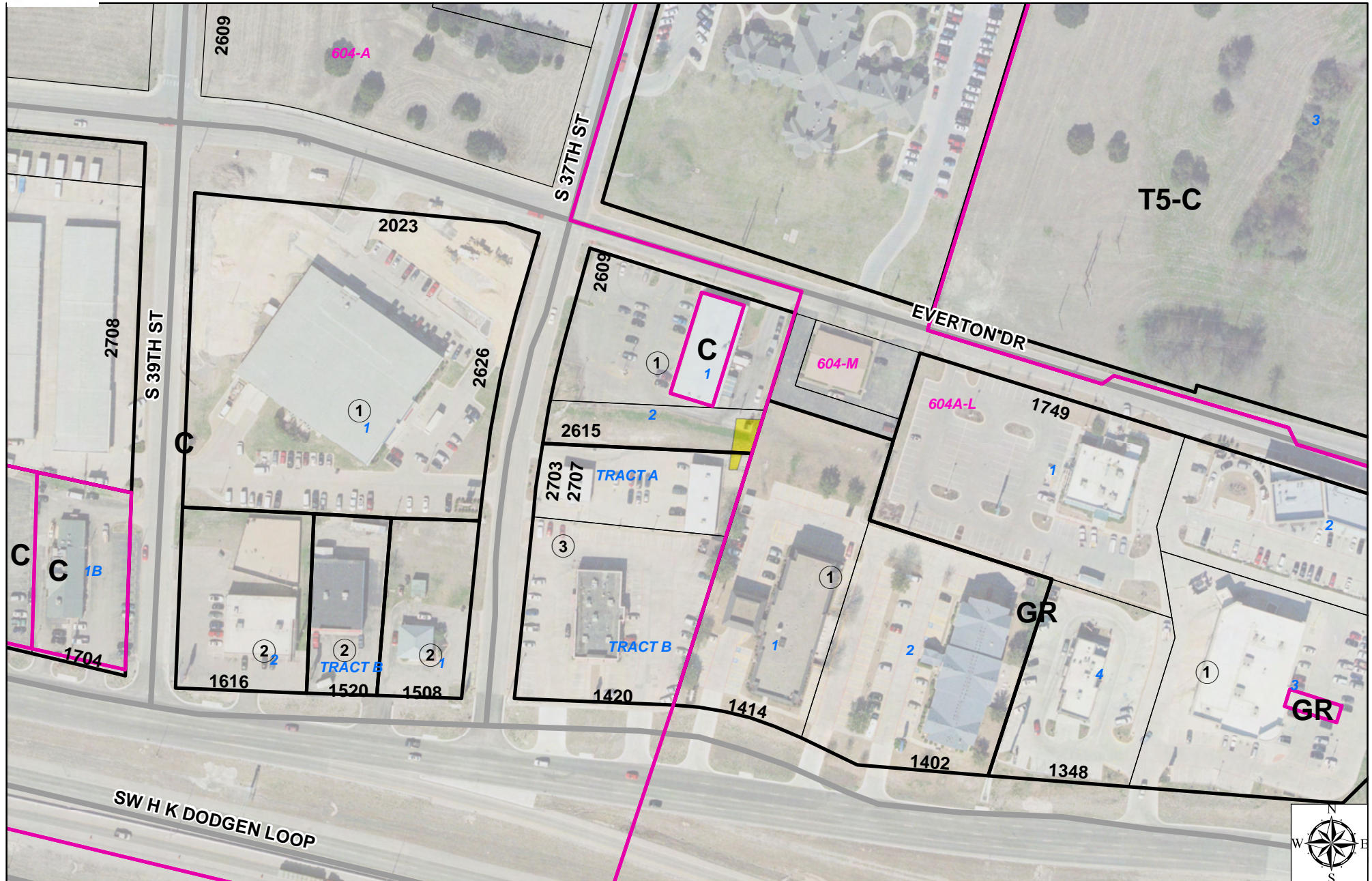




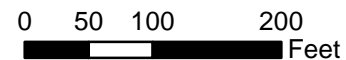
**Z-FY-13-26**

C.U.P. for Personal Wireless Cell Tower

2615 & 2702 S. 37th St.



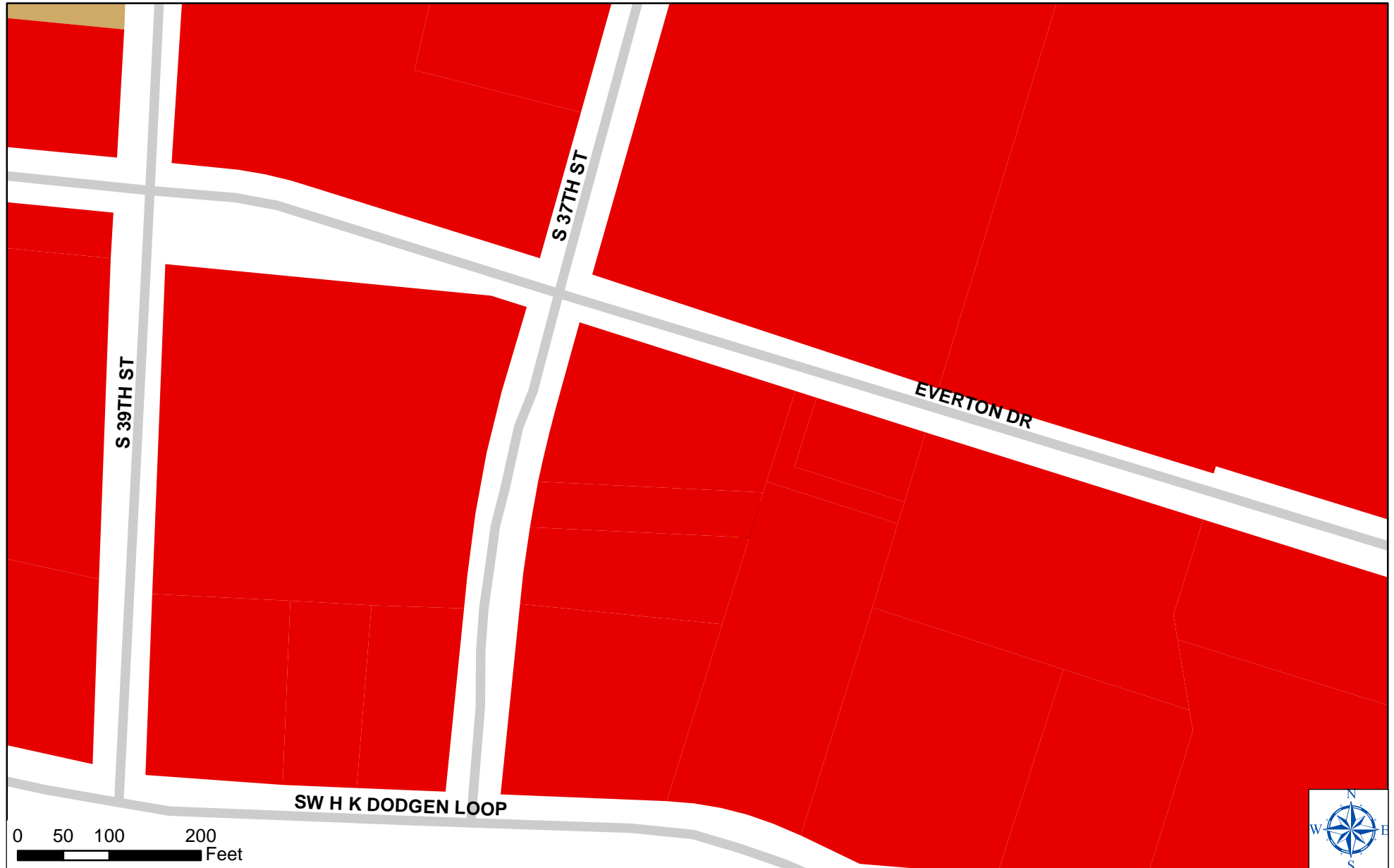
- |        |              |                  |        |
|--------|--------------|------------------|--------|
| Case   | Subdivisions | 1234-A Outblocks | Blocks |
| Zoning | Parcel       | 1234 Addresses   | 1 Lots |



7/17/2013  
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**

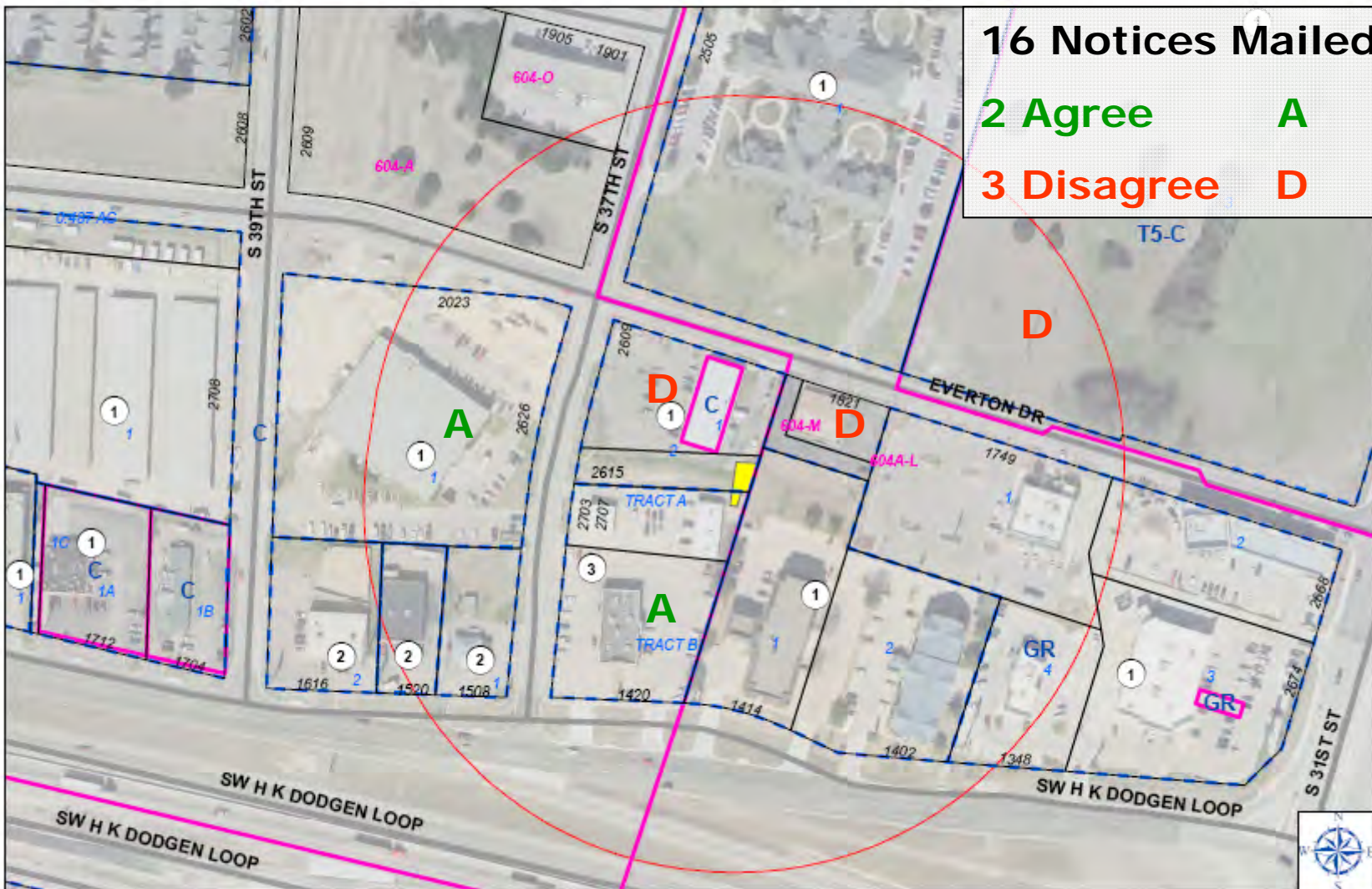
Neighborhood Conservation	Auto-Urban Residential	Auto-Urban Commercial	Temple Medical Education District	Public Institutional
Estate Residential	Auto-Urban Multi-Family	Suburban Commercial	Industrial	Parks & Open Space
Suburban Residential	Auto-Urban Mixed Use	Urban Center	Business Park	Agricultural/Rural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

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.

## 16 Notices Mailed

## 2 Agree A

### 3 Disagree D



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.

7/17/2013  
City of Temple GIS  
8/2/2013

0 50 100  
Feet

④ Block Number

Lot Number

1234-A Outblock Number

1234 Address

## Zoning



ase

C





**RESPONSE TO PROPOSED  
CONDITIONAL USE PERMIT  
CITY OF TEMPLE**

Travis N. Pierce  
511 Park Heights Circle  
Tyler, Texas 75701

**Zoning Application Number:** Z-FY-13-26

**Project Manager:** Tammy Lyerly

**Location:** 2615 & 2707 South 37<sup>th</sup> Street

A request for a Conditional Use Permit has been submitted to the City of Temple. The area proposed for a Conditional Use Permit is shown in hatched marking on the attached map. The Conditional Use Permit will allow a personal wireless cell tower in a Commercial District. Because you own property within 500 feet of the requested change, your opinions are welcomed. Please use this form to indicate whether you are in favor of the proposed Conditional Use Permit for the property described on the attached notice, and provide any additional comments you may have.

I recommend ☒ approval ( ) denial of this request.

**Comments:**

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Travis N. Pierce  
(Signature)

TRAVIS N. PIERCE  
(Print Name)

Please mail or hand-deliver this comment form to the address shown below, no later than August 5, 2013.

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

**RECEIVED**

AUG 06 2013

City of Temple  
Planning & Development

**Number of Notices Mailed:** 16

**Date Mailed:** July 24, 2013



**RESPONSE TO PROPOSED  
CONDITIONAL USE PERMIT  
CITY OF TEMPLE**

Gordon L. Swanson, Jr.  
P.O. Box 21355  
Waco, Texas 76702

**Zoning Application Number:** Z-FY-13-26

**Project Manager:** Tammy Lyerly

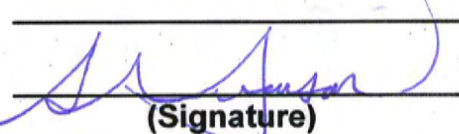
**Location:** 2615 & 2707 South 37<sup>th</sup> Street

A request for a Conditional Use Permit has been submitted to the City of Temple. The area proposed for a Conditional Use Permit is shown in hatched marking on the attached map. The Conditional Use Permit will allow a personal wireless cell tower in a Commercial District. Because you own property within 500 feet of the requested change, your opinions are welcomed. Please use this form to indicate whether you are in favor of the proposed Conditional Use Permit for the property described on the attached notice, and provide any additional comments you may have.

I recommend ( ☒ ) approval ( ☐ ) denial of this request.

**Comments:**

*I do NOT believe this would devalue  
my property. I wish I had the opportunity  
to have it on my property.*

  
(Signature)

Gordon Swanson  
(Print Name)

Please mail or hand-deliver this comment form to the address shown below, no later than August 5, 2013.

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

**RECEIVED**

JUL 31 2013

City of Temple  
Planning & Development

Number of Notices Mailed: 16

Date Mailed: July 24, 2013





RESPONSE TO PROPOSED  
CONDITIONAL USE PERMIT  
CITY OF TEMPLE

C C Jr. Etux Lore Dickson  
3310 Edgewood Lane  
Temple, Texas 76502

Zoning Application Number: Z-FY-13-26

Project Manager: Tammy Lyerly

Location: 2615 & 2707 South 37<sup>th</sup> Street

A request for a Conditional Use Permit has been submitted to the City of Temple. The area proposed for a Conditional Use Permit is shown in hatched marking on the attached map. The Conditional Use Permit will allow a personal wireless cell tower in a Commercial District. Because you own property within 500 feet of the requested change, your opinions are welcomed. Please use this form to indicate whether you are in favor of the proposed Conditional Use Permit for the property described on the attached notice, and provide any additional comments you may have.

I recommend ( ) approval (X) denial of this request.

Comments:

NOT FOR IT  
TO CLOSE TO THE BUILDING

CC Dickson Jr.  
(Signature)

CC Dickson Jr.  
(Print Name)

Please mail or hand-deliver this comment form to the address shown below, no later than August 5, 2013.

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

**RECEIVED**  
JUL 31 2013  
City of Temple  
Planning & Development

Number of Notices Mailed: 16

Date Mailed: July 24, 2013



**RESPONSE TO PROPOSED  
CONDITIONAL USE PERMIT  
CITY OF TEMPLE**

Sidney Kacir  
1821 Everton Drive  
Temple, Texas 76504

**Zoning Application Number:** Z-FY-13-26

**Project Manager:** Tammy Lyerly

**Location:** 2615 & 2707 South 37<sup>th</sup> Street

A request for a Conditional Use Permit has been submitted to the City of Temple. The area proposed for a Conditional Use Permit is shown in hatched marking on the attached map. The Conditional Use Permit will allow a personal wireless cell tower in a Commercial District. Because you own property within 500 feet of the requested change, your opinions are welcomed. Please use this form to indicate whether you are in favor of the proposed Conditional Use Permit for the property described on the attached notice, and provide any additional comments you may have.

I recommend ( ) approval (x) denial of this request.

**Comments:**

A Tower at the proposed location is  
HAZARDOUS To the health and safety  
of citizens; Also, several hospitals and clinics  
are located nearby AND helicopters fly into  
these towers

Sidney Kacir  
(Signature)

Sidney Kacir  
(Print Name)

Please mail or hand-deliver this comment form to the address shown below, no later than August 5, 2013.

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

**RECEIVED**

JUL 31 2013

City of Temple  
Planning & Development

Number of Notices Mailed: 16

Date Mailed: July 24, 2013





RESPONSE TO PROPOSED  
CONDITIONAL USE PERMIT  
CITY OF TEMPLE

Scott & White Properties Inc.  
2401 South 31<sup>st</sup> Street  
Temple, Texas 76504

Zoning Application Number: Z-FY-13-26

Project Manager: Tammy Lyerly

Location: 2615 & 2707 South 37<sup>th</sup> Street

A request for a Conditional Use Permit has been submitted to the City of Temple. The area proposed for a Conditional Use Permit is shown in hatched marking on the attached map. The Conditional Use Permit will allow a personal wireless cell tower in a Commercial District. Because you own property within 500 feet of the requested change, your opinions are welcomed. Please use this form to indicate whether you are in favor of the proposed Conditional Use Permit for the property described on the attached notice, and provide any additional comments you may have.

I recommend ( ) approval ☒ denial of this request.

Comments:

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(Signature)

(Print Name)

Please mail or hand-deliver this comment form to the address shown below, no later than August 5, 2013.

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

21 M. M. W. J.  
**RECEIVED**

Number of Notices Mailed: 16

Date Mailed: July 24, 2013

AUG 05 2013

City of Temple  
Planning & Development



Building Three, Suite 370  
805 Las Cimas Parkway  
Austin, Texas 78746

May 28, 2013

Ms. Leslie Evans  
City of Temple Planning and Zoning  
City Hall  
2 North Main Street, Suite 102  
Temple, TX 76501

Ms. Evans,

Per the City of Temple's Communications Tower Ordinance, the ordinance requires evidence that an "alternative support structure" cannot be utilized per list of 7 possible reasons in the ordinance. Items 3 and 7 qualify as reasons that alternative support structures don't qualify as suitable options for Verizon. Verizon is building at this location because of network capacity failures within and around the Scott and White Hospital. There are no collocation options within the .2 mile radius requested by Verizon's radio frequency unit. We attempted to mount antennas on the Hospital, however Scott and White said no to our request.

Best Regards,

A handwritten signature in black ink, appearing to read "Andy Kampen", written in a cursive style.

Andy Kampen  
KGI Wireless, Inc.



Mail Processing Center  
Federal Aviation Administration  
Southwest Regional Office  
Obstruction Evaluation Group  
2601 Meacham Boulevard  
Fort Worth, TX 76137

Aeronautical Study No.  
2013-ASW-2049-OE

Issued Date: 05/07/2013

Mikhail Raznobriadsev  
Alltel Communications Investments, Inc.  
1120 Sanctuary Pkwy  
Suite 150 GASA5REG  
Alpharetta, GA 30009

**\*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Monopole Scott and White
Location:	Temple, TX
Latitude:	31-04-32.25N NAD 83
Longitude:	97-22-12.37W
Heights:	679 feet site elevation (SE) 110 feet above ground level (AGL) 789 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

\_\_\_\_ At least 10 days prior to start of construction (7460-2, Part I)  
\_\_X\_\_ Within 5 days after the construction reaches its greatest height (7460-2, Part II)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed and maintained in accordance with FAA Advisory circular 70/7460-1 K Change 2.

This determination expires on 11/07/2014 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates , heights, frequency(ies) and power . Any changes in coordinates , heights, and frequencies or use of greater power will void this determination. Any future construction or alteration , including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Airmen (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

A copy of this determination will be forwarded to the Federal Communications Commission (FCC) because the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (817) 321-7752. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2013-ASW-2049-OE.

**Signature Control No: 186785721-189204643**

( DNE )

Alice Yett  
Technician

Attachment(s)  
Frequency Data

cc: FCC

# Frequency Data for ASN 2013-ASW-2049-OE

LOW FREQUENCY	HIGH FREQUENCY	FREQUENCY UNIT	ERP	ERP UNIT
698	806	MHz	1000	W
806	824	MHz	500	W
824	849	MHz	500	W
851	866	MHz	500	W
869	894	MHz	500	W
896	901	MHz	500	W
901	902	MHz	7	W
930	931	MHz	3500	W
931	932	MHz	3500	W
932	932.5	MHz	17	dBW
935	940	MHz	1000	W
940	941	MHz	3500	W
1850	1910	MHz	1640	W
1930	1990	MHz	1640	W
2305	2310	MHz	2000	W
2345	2360	MHz	2000	W



H:\ARCHCOMM LLC\VERIZON\SOUTH TEXAS\Scott and White\A-New Build - Rawland\Scott and White-T1 TITLE SHEET.dwg, 7/1/2013 8:45:51 AM, mvicana



SITE NAME

SCOTT AND WHITE

(261411)

SITE ADDRESS

2615 S. 37TH STREET  
TEMPLE, BELL COUNTY, TEXAS 76504

PROJECT DATA

PROJECT INFORMATION:

JURISDICTION: CITY OF TEMPLE  
CODE: .  
OCCUPANCY: N/A  
ZONING: N/A  
CONSTRUCTION TYPE: UNMANNED TELECOMMUNICATIONS  
LATITUDE: 31° 04' 32.13" N  
LONGITUDE: 97° 22' 12.46" W

APPLICANT:

VERIZON WIRELESS  
5804 TRI COUNTY PARKWAY  
SCHERTZ, TEXAS 78154  
CONTACT: TIM CALETKA  
PHONE: (210) 834-1664

OWNER:

MARY & MOSES FLORES  
2615 S. 37TH STREET  
TEMPLE, TEXAS 76504

PROPRIETARY INFORMATION

NOT FOR USE OR DISCLOSURE  
OUTSIDE VERIZON WIRELESS  
EXCEPT UNDER WRITTEN AGREEMENT

PROJECT PARTICIPANTS

DESIGNERS

ARCHCOMM LLC.  
1006 BECKETT  
SAN ANTONIO, TEXAS 78213  
PHONE: (210) 308-9905

ELECTRICAL ENGINEER

AZTECH ENGINEERING  
1528 WEST CONTOUR DR, SUITE 202  
SAN ANTONIO, TEXAS 78212  
PHONE: (210) 222-1970

STRUCTURAL ENGINEER

LEHMANN ENGINEERING, INC.  
1006 BECKETT  
SAN ANTONIO, TEXAS 78213  
PHONE: (210) 348-8889  
FIRM NUMBER: F-5298

SURVEYOR

SOLIS-KANAK & ASSOCIATES  
17500 HIGHWAY 306  
CANYON LAKE, TEXAS 78133  
PHONE: (830) 935-4011

ELECTRIC COMPANY

ONCOR

CONSTRUCTION ENGINEER

TIM CALETKA  
(210) 834-1664

TELEPHONE COMPANY

AT&T

CONSTRUCTION MANAGER

TRACY REEVES  
(682) 831-3245

PROJECT DESCRIPTION

THIS IS AN APPLICATION TO DEVELOP AN UNMANNED WIRELESS FACILITY CONSISTING OF COMMUNICATION EQUIPMENT, CONNECTING CABLES, DIRECTIONAL ANTENNAS AND GPS. THE SIZE, HEIGHT, AND DIRECTION OF THE ANTENNAS SHALL BE ADJUSTED TO MEET SYSTEM REQUIREMENTS. THE WIRELESS ANTENNAS WILL PROVIDE CLEAR AND RELIABLE WIRELESS COMMUNICATIONS WITHIN THE EFFECTIVE OPERATIONAL AREA. THESE INTERCONNECTS WILL ALLOW FOR AN INDEPENDENT COMMUNICATION NETWORK THAT CAN CONTINUE TO FUNCTION IF THE TELEPHONE (WIRE) SERVICE IS DISCONNECTED DURING AN EMERGENCY OR NATURAL DISASTER. THESE FACILITIES WILL ENHANCE THE GENERAL HEALTH, SAFETY, AND WELFARE OF THE COMMUNITY AND SURROUNDING AREAS BY PROVIDING RELIABLE WIRELESS COMMUNICATIONS AT THIS LOCATION.

DRIVING INSTRUCTIONS

FROM I-35 IN AUSTIN, GO NORTH TO TEMPLE, TAKE US-190 / TX-36 EXIT EAST TO S 31ST STREET. GO NORTH ON 31ST STREET TWO BLOCKS TO SCOTT BOULEVARD. CONTINUE WEST ON SCOTT TO 37TH, SOUTH TO VACANT LAND ON LEFT NEXT TO RESTAURANT EQUIPMENT BUILDING.

APPLICABLE BUILDING CODES AND STANDARDS

CONTRACTOR'S WORK SHALL COMPLY WITH ALL APPLICABLE NATIONAL, STATE, AND LOCAL CODES AS ADOPTED BY THE LOCAL AUTHORITY HAVING JURISDICTIONS (AHJ) FOR THE LOCATION. THE EDITION OF THE AHJ ADOPTED CODES AND STANDARDS IN EFFECT ON THE DATE OF CONTRACT AWARD SHALL GOVERN THE DESIGN.

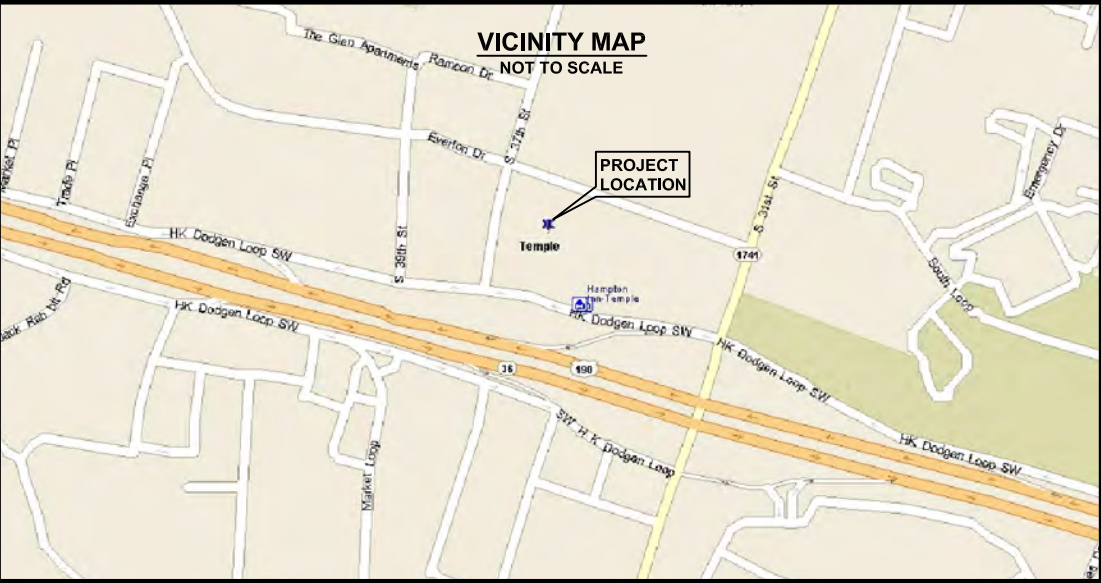
CONTRACTOR'S WORK SHALL COMPLY WITH THE LATEST EDITION OF THE FOLLOWING STANDARDS:  
AMERICAN CONCRETE INSTITUTE (ACI) 318, BUILDING CODE REQUIREMENTS FOR STRUCTURAL CONCRETE; AMERICAN INSTITUTE OF STEEL CONSTRUCTION (AISC), MANUAL OF STEEL CONSTRUCTION, ASD, NINTH EDITION;  
TELECOMMUNICATIONS INDUSTRY ASSOCIATION (TIA) 222-G, STRUCTURAL STANDARDS FOR STEEL ANTENNA TOWER AND ANTENNA SUPPORTING STRUCTURES;  
TIA 607, COMMERCIAL BUILDING GROUNDING AND BONDING REQUIREMENTS FOR TELECOMMUNICATIONS

INSTITUTE FOR ELECTRICAL AND ELECTRONICS ENGINEERS (IEEE) 81, GUIDE FOR MEASURING EARTH RESISTIVITY, GROUND IMPEDANCE, AND EARTH SURFACE POTENTIALS OF A GROUND SYSTEM IEEE 1100 (1999) RECOMMENDED PRACTICE FOR POWERING AND GROUNDING OF ELECTRONIC EQUIPMENT

IEEE C62.41, RECOMMENDED PRACTICES ON SURGE VOLTAGES IN LOW VOLTAGE AC POWER CIRCUITS (FOR LOCATION CATEGORY "C3" AND "HIGH SYSTEM EXPOSURE")

ANSI T1.311, FOR TELECOM - DC POWER SYSTEMS - TELECOM, ENVIRONMENTAL PROTECTION

FOR ANY CONFLICTS BETWEEN SECTIONS OF LISTED CODES AND STANDARDS REGARDING MATERIAL, METHODS OF CONSTRUCTION, OR OTHER REQUIREMENTS, THE MOST RESTRICTIVE REQUIREMENT SHALL GOVERN. WHERE THERE IS CONFLICT BETWEEN A GENERAL REQUIREMENT AND A SPECIFIC REQUIREMENT, THE SPECIFIC REQUIREMENT SHALL GOVERN.



TEAM SIGNOFF

Site Acquisition \_\_\_\_\_  
Const Supervisor \_\_\_\_\_  
RF Engineering \_\_\_\_\_  
Equipment \_\_\_\_\_  
Telco \_\_\_\_\_  
Const Manager \_\_\_\_\_

SHEET INDEX

T1 TITLE SHEET  
P1 SITE PHOTOGRAPHS  
C1 SURVEY  
C2 SURVEY  
N1 GENERAL NOTES  
A1 SITE PLAN  
A2 SITE GRADING PLAN  
A3 DETAIL SITE PLAN  
A4 SITE ELEVATION  
A5 ANTENNA DATA, RF SHEET & 1A LETTER  
D1 GENERAL SITE DETAILS  
D2 FENCE DETAILS  
D3 METER FRAME DETAILS  
D4 ROAD SECTION & DETAILS  
D5 EROSION CONTROL  
S1 FOUNDATION PLAN & DETAILS  
S2 RETAINING WALL NOTES  
S3 RETAINING WALL PLAN & DETAILS  
S4 RETAINING WALL SECTIONS  
G1 GROUNDING PLAN  
G2 SHELTER GROUNDING ELEVATIONS  
G3 GROUNDING DETAILS  
G4 TOWER GROUNDING DETAILS  
G5 CONNECTION DETAILS  
E1 SITE PLAN  
E2 DETAIL SITE PLAN  
E3 ELECTRICAL RISER  
E4 ELECTRICAL SPECIFICATIONS

APPROVAL SIGNATURES

LANDLORD

LEASING

CONSTRUCTION

DATE: 07.01.13



EXP. DATE: 06/30/14



ARCHCOMM, LLC.  
1006 Beckett  
San Antonio, Texas 78213  
(210) 308-9905

SHEET TITLE

TITLE  
SHEET

SHEET HISTORY

07.01.13 ISSUE FOR CONSTRUCTION

T1

THESE DRAWINGS ARE THE PROPERTY OF VERIZON WIRELESS. THEY ARE INTENDED FOR THE EXCLUSIVE USE OF THIS PROJECT ONLY. ANY RE-USE OF THESE PLANS (DRAWINGS) WITHOUT THE EXPRESS WRITTEN CONSENT OF VERIZON WIRELESS IS PROHIBITED.



H:\ARCHCOMM LLC\VERIZON\SOUTH TEXAS\Scott and White\A-New Build - Rawland\Scott and White-P1 SITE PHOTOGRAPHS.dwg, 7/1/2013 8:52:12 AM, mvicana



1 SITE PHOTOGRAPH

NOTE: REFER TO SHEET  
A1 AND/OR A2 FOR  
LOCATIONS FROM WHICH  
PHOTOS WERE TAKEN



2 SITE PHOTOGRAPH



SCOTT AND WHITE

\*\*\*

2615 S. 37TH ST  
TEMPLE, TEXAS, 76504  
(261411)

APPROVAL SIGNATURES  
LANDLORD

LEASING

CONSTRUCTION

DATE: 07.01.13



EXP. DATE: 06/30/14



ARCHCOMM, LLC.  
1006 Beckett  
San Antonio, Texas 78213  
(210) 308-9905

SHEET TITLE

SITE  
PHOTOGRAPHS

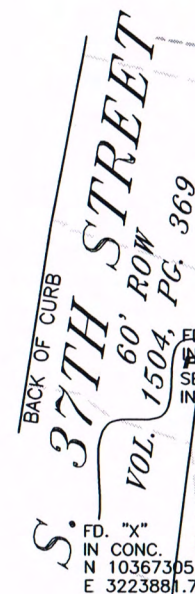
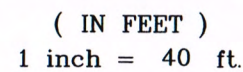
SHEET HISTORY

07.01.13 ISSUE FOR CONSTRUCTION

P1

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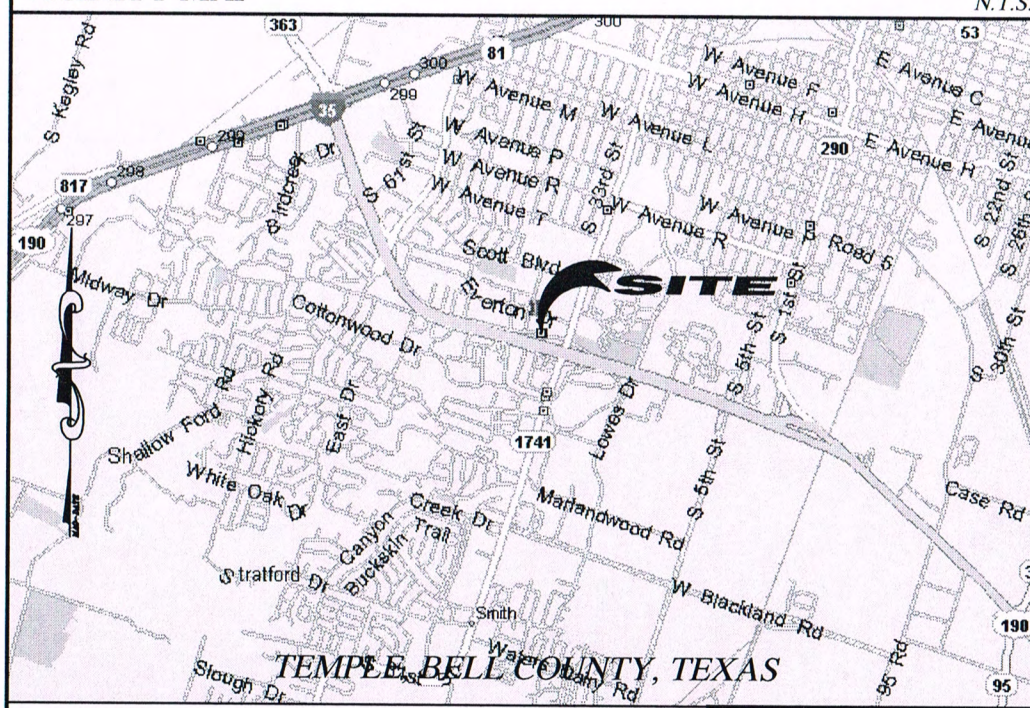






*SURVEY OF:*

A 0.0297 OF AN ACRE LEASE AREA AND A 20 FOOT WIDE ACCESS AND UTILITY EASEMENT OUT OF LOT 2, BLOCK 1, (TRACT ONE), OF GLENDALE PARK, SECTION VI RECORDED IN CABINET C, SLIDE 75-B OFFICIAL PUBLIC RECORDS BELL COUNTY, TEXAS (OPRBCT) AND OUT OF LOT A, BLOCK 3 (TRACT TWO), OF THE REPLAT GLENDALE PARK, SECTION III RECORDED IN CABINET A, SLIDE 350-B OPRBCT BOTH IN DEED TO MOSES LOUIE FLORES RECORDED IN DOCUMENT NO. 2013-00005709 OPRBCT.

SUBJECT TO:  
DEDICATION, VOL. 1504, PG. 369 OFFICIAL PUBLIC RECORDS BELL COUNTY, TEXAS  
(OPRBCT).  
DEDICATION, VOL. 1767, PG. 696 OPRBCT.  
DEDICATION, VOL. 1963, PG. 69 OPRBCT.  
DEDICATION, VOL. 3483, PG. 423 OPRBCT.  
STATUTORY DURABLE POWER OF ATTORNEY OF MOSES LOUIE FLORES, INSTRUMENT NO.  
2011-00028763 OPRBCT.  
911 ADDRESS:



### LEGEND

- |  |  |
|--|--|
| ⊙ = FOUND 1/2" IRON BAR UNLESS OTHERWISE NOTED.                        |  = UTILITY POLE |
| ● = SET 1/2" IRON BAR w/ SOLIS-KANAK CAP UNLESS OTHERWISE NOTED        | - OHL - = OVERHEAD LIN   |
| △ = SET 60D NAIL WITH DISK MARKED "SOLIS-KANAK" UNLESS OTHERWISE NOTED | - ○ - = WIRE FENCE   |
| ▲ = SET MAG NAIL WITH DISK MARKED "SOLIS-KANAK" UNLESS OTHERWISE NOTED |  = FIRE HYDRANT |
| ( ) = DENOTES BEARINGS & DISTANCES PER RECORD                          |  |

**FLOOD ZONE**

*This property described above appears on the Federal Emergency Management Agency Flood Insurance Rate Map: FIRM 48027C0355E, Effective date September 26, 2008. This property appears in Zone "X", areas determined to be outside the 0.2 % annual chance floodplain. No warranty expressed or implied is made regarding the accuracy of the National Flood Insurance program Map.*

## PROJECT INFORMATION

SITE NAME:	<u>SCOTT &amp; WHITE</u>
OWNERS NAME:	<u>MOSES LOUIE FLORES</u>
SITE ADDRESS:	<u>2707 S. 37TH ST.</u> <u>TEMPLE, TEXAS 76504</u>

**LATITUDE:** 31° 04' 32.25" N      **LONGITUDE:** 97° 22' 12.37" W

GROUND ELEVATION: 678.5' AMSL

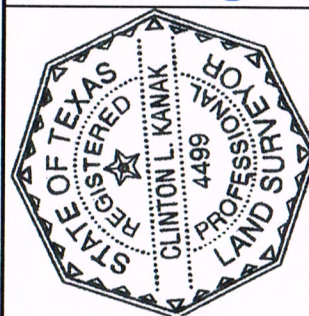
LATITUDE NORTH :	31° 04' 32.25"	31° 04' 31.67"
LONGITUDE WEST :	97° 22' 12.37"	97° 22' 11.28"
SYSTEM :	GEODETIC	GEODETIC
DATUM TRANS. :	NAD 1983	NAD 1927
ELLIPSOID :	GRS 1980	CLARK 1866

NOTES:

- 1) ALL ELEVATIONS ARE MEAN SEA LEVEL. ( NORTH AMERICAN VERTICAL DATUM OF 1988 )
- 2) METES AND BOUNDS DESCRIPTION PREPARED THIS DATE.
- 3) THIS SURVEY WAS PERFORMED WITH THE BENEFIT OF AN ABTRACTOR'S CERTIFICATE PROVIDED BY PRECISE LAND RECORDS, DATED 02-01-13.
- 4) BEARINGS BASED ON TEXAS STATE PLANE COORDINATES CENTRAL ZONE (NAD 83).

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY TO ARCHCOMM, INC., VERIZON WIRELESS AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS IN INTEREST THAT THIS SURVEY SUBSTANTIALLY COMPLIES WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS AND SPECIFICATIONS FOR A CATEGORY IB, CONDITION II SURVEY.

CLINTON L. KANAK, R.P.L.S.  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4499



**Solis-Kanak & Associates, Inc.**

Professional Surveyors

7500 FM 306

1/300 1 3/4 3000  
CANYON LAKE, TX 78133  
(830) 935-4011 FAX (830) 935-4012



JOB NUMBER: 13-0006

DATE: 04/ 08/ 13  
REV.

DRAWN BY: S.D.

REVISÉD BY:

SHEET NO.

1 of 2

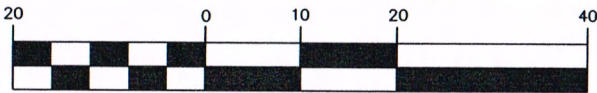
SCOTT & WHITE  
TEMPLE,  
BELL COUNTY,  
TEXAS



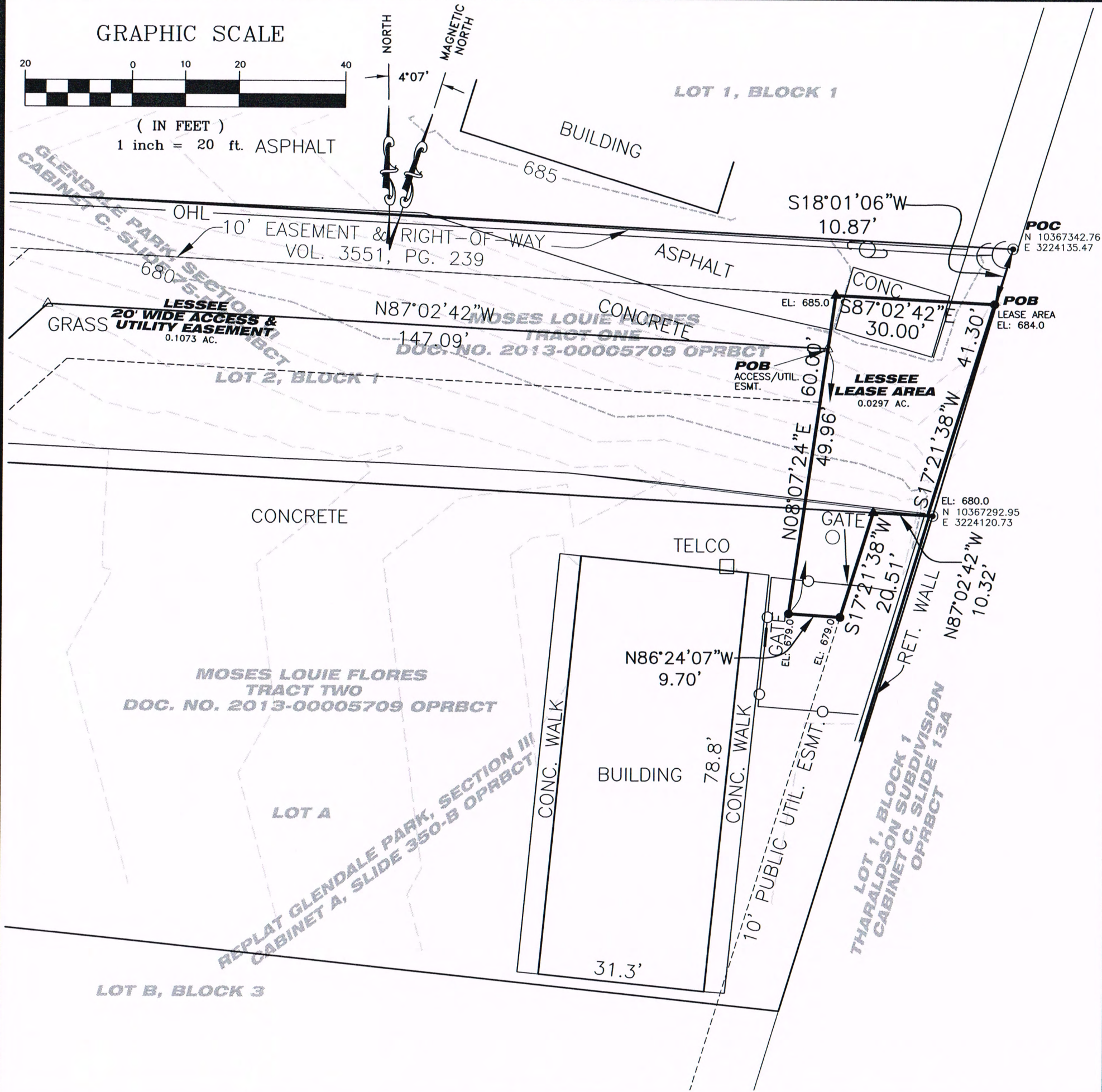
ArchComm Design, Inc. Architects  
1840 Lockhill-Selma, Suite 101  
San Antonio, Texas 78213  
(210)308-9905



GRAPHIC SCALE



( IN FEET )  
1 inch = 20 ft. ASPHALT



**Lessee**  
**Lease Area**  
**Scott and White**

Field notes for a 0.0297 of an acre lease area out of Lot 2, Block 1 (Tract One), of Glendale Park, Section VI, recorded in Cabinet C, Slide 75-B Official Public Records Bell County, Texas (OPRBCT) and Lot A, Block 3 (Tract Two), of the Replat of Glendale Park, Section III, recorded in Cabinet A, Slide 350-B OPRBCT in deed to Moses Louie Flores recorded in Document No. 2013-00005709 OPRBCT, and being more particularly described by metes and bounds as follows with all bearings being based on Texas State Plane Coordinates Central Zone (NAD 83);

**Commencing:** at a found ½" iron bar marking the northeast corner of said Lot 2, the northeast corner of the herein described lease area, the southeast corner of Lot 1, Block of said Glendale Park, Section VI, and lying on the west line of Lot 1, Block 1 of Tharaldson Subdivision recorded in Cabinet C, Slide 13A OPRBCT and from which a found ½" iron bar (N 10367292.95, E 3224120.73) lying on the west line of said Lot 1, Block 1 of said Tharaldson Subdivision marking the southeast corner of said Lot 2 and the northeast corner of said Lot A bears S 16° 29' 44" W 51.94 feet (called S 18° 31' 58" W, 51.62 feet), from the southeast corner of said Lot 2 and the northeast corner of said Lot A a found "X" (N 10367305.29, E 3223881.73) in concrete lying on the east right-of-way line of S. 37th Street (60' ROW) marking the southwest corner of said Lot 2 and the northwest corner of said Lot A bears N 87° 02' 42" W (Bearing Basis) 239.31 feet, (called N 85° 52' 22" W, 239.50 feet);

**Thence:** S 18° 01' 06" W, 10.87 feet, to a set ½" iron bar with cap (Solis-Kanak) for the northeast corner and the **Place of Beginning** of the herein described lease area;

**Thence:** S 17° 21' 38" W, 41.30 feet, along the upper east line of the herein described lease area, to the northwest corner of a concrete retaining wall marking the upper southeast corner of the herein described lease area;

**Thence:** N 87° 02' 42" W, 10.32 feet, along the upper south line of the herein described lease area, to a set mag nail with disk (Solis-Kanak) for an interior corner of the herein described lease area;

**Thence:** S 17° 21' 38" W, 20.51 feet, along the lower east line of the herein described lease area, to a set ½" iron bar with cap (Solis-Kanak) for the lower southeast corner of the herein described lease area;

**Thence:** N 86° 24' 07" W, 9.70 feet, along the lower south line of the herein described lease area, to a set ½" iron bar with cap (Solis-Kanak) for the southwest corner of the herein described lease area;

**Thence:** N 08° 07' 24" E, 60.00 feet, along the west line of the herein described lease area, to a set mag nail with disk (Solis-Kanak) for the northwest corner of the herein described lease area;

**Thence:** S 87° 02' 42" E, 30.00 feet, along the north line of the herein described lease area to the **Place of Beginning** and containing 0.0297 of an acre of lease area more or less.

**Lessee**  
**Access and Utility Easement**  
**Scott and White**

Field notes for a 20 foot wide access and utility easement out of Lot 2, Block 1 (Tract One), of Glendale Park, Section VI, recorded in Cabinet C, Slide 75-B Official Public Records Bell County, Texas (OPRBCT) and Lot A, Block 3 (Tract Two), of the Replat of Glendale Park, Section III, recorded in Cabinet A, Slide 350-B OPRBCT in deed to Moses Louie Flores recorded in Document No. 2013-00005709 OPRBCT, and being more particularly described by metes and bounds as follows with all bearings being based on Texas State Plane Coordinates Central Zone (NAD 83);

**Commencing:** at a found ½" iron bar marking the northeast corner of said Lot 2, the northeast corner of the herein described lease area, the southeast corner of Lot 1, Block of said Glendale Park, Section VI, and lying on the west line of Lot 1, Block 1 of Tharaldson Subdivision recorded in Cabinet C, Slide 13A OPRBCT and from which a found ½" iron bar (N 10367292.95, E 3224120.73) lying on the west line of said Lot 1, Block 1 of said Tharaldson Subdivision marking the southeast corner of said Lot 2 and the northeast corner of said Lot A bears S 16° 29' 44" W 51.94 feet (called S 18° 31' 58" W, 51.62 feet), from the southeast corner of said Lot 2 and the northeast corner of said Lot A a found "X" (N 10367305.29, E 3223881.73) in concrete lying on the east right-of-way line of S. 37th Street (60' ROW) marking the southwest corner of said Lot 2 and the northwest corner of said Lot A bears N 87° 02' 42" W (Bearing Basis) 239.31 feet, (called N 85° 52' 22" W, 239.50 feet);

**Thence:** S 18° 01' 06" W, 10.87 feet, to a set ½" iron bar with cap (Solis-Kanak) for the northeast corner of a 0.0297 of an acre lease area surveyed this same date;

**Thence:** S 17° 21' 38" W, 41.30 feet, along the upper east line of said lease area, to the northwest corner of a concrete retaining wall marking the upper southeast corner of said lease area;

**Thence:** N 87° 02' 42" W, 10.32 feet, along the upper south line of said lease area, to a set mag nail with disk (Solis-Kanak) for an interior corner of said lease area;

**Thence:** S 17° 21' 38" W, 20.51 feet, along the lower east line of said lease area, to a set ½" iron bar with cap (Solis-Kanak) for the lower southeast corner of said lease area;

**Thence:** N 86° 24' 07" W, 9.70 feet, along the lower south line of said lease area, to a set ½" iron bar with cap (Solis-Kanak) for the southwest corner of said lease area;

**Thence:** N 08° 07' 24" E, 49.96 feet, along the west line of said lease area, to a set 60d nail with disk (Solis-Kanak) for the **Place of Beginning** of the herein described easement;

**Thence:** N 87° 02' 42" W, 147.09 feet, along the centerline of the herein described easement, to a set 60d nail with disk (Solis-Kanak) for angle;

**Thence:** S 47° 57' 18" W, 51.72 feet, along the centerline of the herein described easement, to a set "X" in a concrete drive for angle;

**Thence:** N 87° 02' 42" W, 34.90 feet, along the centerline of the herein described easement, to a set "X" in concrete for the **Place of Terminus** of the centerline of the herein described easement lying on the east line of S. 37th Street (60' ROW) and the west line of said Lot A, the herein described easement being at 10.00 feet on either side of the above described centerline and containing 0.1073 of an acre of access and utility easement more or less.

**SCOTT & WHITE**  
TEMPLE,  
BELL COUNTY,  
TEXAS



ArchComm Design, Inc. Architects  
1840 Lockhill-Selma, Suite 101  
San Antonio, Texas 78213  
(210)308-9905

**Solis-Kanak & Associates, Inc.**

**Professional Surveyors**

17500 FM. 306  
CANYON LAKE, TX 76833  
(830) 935-4011  
FAX (830) 935-4012



JOB NUMBER: 13-0006

DATE: 04/ 08/ 13

REV. 1:

DRAWN BY: S.D.

REVISED BY:

SHEET NO.

2 of 2



H:\ARCHCOMM LLC\VERIZON\SOUTH TEXAS\Scott and White\A-New Build - Rawland\Scott and White-N1 GENERAL NOTES.dwg, 7/1/2013 2:04:37 PM, mvicana

GENERAL NOTES:

- FOR THE PURPOSE OF THESE CONSTRUCTION DOCUMENTS, THE FOLLOWING DEFINITIONS SHALL APPLY:  
CONTRACTOR = GENERAL CONTRACTOR  
OWNER – OWNER OF THE SITE  
PROJECT MANAGER – NEW CARRIER’S PROJECT MANAGER
- CARE SHALL BE TAKEN TO PROTECT THE SITE AND THE SURROUNDING AREA FROM FIRE HAZARD DURING ‘HOT’ OPERATIONS. ADEQUATE EQUIPMENT, PERSONNEL AND EMERGENCY COMMUNICATIONS SHALL BE PROVIDED TO PROTECT LIFE AND PROPERTY IN AND SURROUNDING THE CONSTRUCTION SITE.
- ALL EXCAVATIONS SHALL BE BARRICADED FOR PERSONNEL PROTECTION AND IF CONCRETE PIERS ARE DRILLED, THEY SHALL BE FILLED BY END OF DAY.
- VERIFY REQUIREMENTS OF OTHER TRADES PRIOR TO PROCEEDING WITH FABRICATION OR INSTALLATION OF MATERIALS.
- COMPLETE SHOP DRAWINGS SHALL BE PROVIDED FOR ALL FABRICATED ITEMS FOR REVIEW PRIOR TO FABRICATION. DRAWINGS CONTAINED IN THESE CONSTRUCTION DOCUMENTS SHALL NOT BE REPRODUCED FOR SHOP DRAWINGS.
- THE BUILDER/SUBCONTRACTOR SHALL BE RESPONSIBLE WITH NO ADDITIONAL COSTS TO THE OWNER/LESSOR/PROJECT MANAGEMENT TEAM FOR ALL FEES, PERMITS, INSPECTION FEES RELATED TO THIS PROJECT, OR SEE THAT ANY AND ALL SUCH CHARGES ARE PAID BY THE RESPECTIVE SUBCONTRACTORS ASSOCIATED WITH THIS PROJECT.
- DIMENSIONS NOTED AS ‘+/-’ OR ‘VERIFY’ ARE BASED ON MATCHING EXISTING CONDITIONS AND MAY VARY SLIGHTLY FROM THE DIMENSIONS AS SHOWN. NOTIFY THE CARRIER’S PROJECT MANAGER IF SIGNIFICANT VARIATIONS ARE ENCOUNTERED AT THE SITE.
- THE NATURE OF THE SITE RELATED ACTIVITIES REQUIRES THAT ACCESS TO THE SITE MUST BE MANAGED AT ALL TIMES DURING HOURS OF OPERATION AND WHEN THE SITE IS UNATTENDED. WORK WITH THE OWNERS REPRESENTATIVE FOR SAFETY AND SECURITY AT ALL TIMES.
- CONTRACTORS SHALL BE REQUIRED TO PICK UP ALL OWNER SUPPLIED EQUIPMENT AS DIRECTED BY THE PROJECT MANAGER WITH NO ADDITIONAL COST TO THE JOB.
- CONTRACTOR SHALL LEAVE PREMISES IN CLEAN CONDITION.
- CONTRACTOR SHALL HAVE A PRECONSTRUCTION MEETING WITH THE CARRIER’S PROJECT MANAGER TO DISCUSS ALL ASPECTS OF THE SCOPE OF THESE DRAWINGS TO ENSURE HE IS FAMILIAR WITH AND UNDERSTANDS ALL REQUIREMENTS AND INTENT OF EACH ACTIVITY.
- THE CONTRACTOR SHALL REVIEW, BE THOROUGHLY FAMILIAR WITH AND UNDERSTAND ALL DOCUMENTS CONCERNING THIS PROJECT INCLUDING, BUT NOT LIMITED TO, THIS SET OF DOCUMENTS; TOWER AND TOWER FOUNDATION DRAWINGS; SHELTER AND/OR PLATFORM DRAWINGS; STEALTH DRAWINGS (IF APPLICABLE) AND ALL APPLICABLE NATIONAL, STATE AND LOCAL CODES & ORDINANCES.
- NO WORK OF ANY KIND SHALL BE ACCOMPLISHED BY ANY TRADE IN FRONT OF ANY OPERATING ANTENNA.
- UNLESS OTHERWISE NOTED ON THE DRAWINGS, ALL FABRICATED STEEL ITEMS SHALL BE HOT DIPPED GALVANIZED PRIOR TO SHIPPING TO THE SITE.

FLOOD HAZARD ZONES:

- ALL SITES LOCATED WITHIN A FLOOD HAZARD ZONE SHALL HAVE TOP OF SLAB AND/OR TOP OF GRATING RAISED TO BE AT LEAST 12” ABOVE THE BASE FLOOD ELEVATION. THIS INCLUDES SHELTERS, RAISED EQUIPMENT PLATFORMS, GENERATORS, FUEL TANKS AND ALL ELECTRICAL EQUIPMENT.

EXISTING CONDITIONS:

- DEMOLITION AND CONSTRUCTION ACTIVITIES SHALL BE ACCOMPLISHED IN SUCH A MANNER THAT NO DISRUPTION OF EXISTING FACILITY OPERATIONS WILL OCCUR.
- THIS BUILDER/SUBCONTRACTOR SHALL BE RESPONSIBLE FOR THE REPAIR OF ANY DAMAGE TO EXISTING FACILITIES AND SHALL REPLACE OR REPAIR TO THE ORIGINAL CONDITION AS DETERMINED BY THE PROJECT MANAGER.
- CUT AND PATCH ANY AREAS WHERE REQUIRED BY THE SCOPE OF THIS PROJECT. MATCH EXISTING WORK AND MATERIALS EVEN IF SUCH WORK FALLS OUTSIDE OF THE LIMITS OF THIS CONTRACT.
- THE OWNER OF THE SITE RETAINS SALVAGE RIGHTS TO ALL MATERIALS AND EQUIPMENT REMOVED FROM THE EXISTING WORK. MATERIALS AND EQUIPMENT NOT CLAIMED BY THE OWNER SHALL BECOME THE PROPERTY OF THE BUILDER/SUBCONTRACTOR WHO SHALL ASSUME COMPLETE RESPONSIBILITY FOR THE REMOVAL AND APPROPRIATE DISPOSAL THEREOF.
- VERIFY ALL EXISTING SITE CONDITIONS, QUANTITIES AND DIMENSIONS BEFORE STARTING WORK. NOTIFY THE CONSTRUCTION MANAGER OF ANY DISCREPANCIES OR INCONSISTENCIES BEFORE PROCEEDING WITH THE WORK.
- ALL BIDDERS SHALL VISIT THE SITE BEFORE BIDDING TO FAMILIARIZE THEMSELVES WITH EXISTING CONDITIONS.
- CARE SHALL BE TAKEN TO LOCATE ALL EXISTING UNDERGROUND OBSTRUCTIONS, UTILITIES AND/OR EASEMENTS BEFORE DIGGING OR DRILLING ON THE SITE.
- UTILITY CHECK – BEFORE COMMENCING ANY WORK AT THE SITE, CONTACT THE **ONE CALL SYSTEM** IN THE STATE IN WHICH UNDERGROUND WORK IS BEING DONE. REFER TO ONE CALL NOTE ON SITE PLAN.

CONSTRUCTION CODES:


- ALL WORK SHALL BE ACCOMPLISHED AS PER ALL APPLICABLE CURRENT STATE, LOCAL AND NATIONAL CODES. THESE CODES INCLUDE BUT ARE NOT LIMITED TO THE FOLLOWING:  
**INTERNATIONAL BUILDING CODE (OR LOCAL ACCEPTED CODE)**  
**THE AMERICAN INSTITUTE OF STEEL CONSTRUCTION–**  
SPECIFICATION FOR THE DESIGN, FABRICATION AND ERECTION OF STRUCTURAL STEEL FOR BUILDINGS  
**THE AMERICAN CONCRETE INSTITUTE–**  
BUILDING CODE REQUIREMENTS OF REINFORCED CONCRETE  
**AMERICAN WELDING SOCIETY–**  
STRUCTURAL WELDING CODE– STEEL  
**TOWER DESIGN– STANDARD PER FIA/TIA–**  
TIA 222 G SPECIFICATIONS  
TIA 607 GROUNDING & BONDING REQUIREMENTS FOR TELECOMMUNICATIONS.
- FOR ANY CONFLICTS BETWEEN SECTIONS OF LISTED CODES AND STANDARDS REGARDING MATERIAL, METHODS OF CONSTRUCTION, OR OTHER REQUIREMENTS, THE MOST RESTRICTIVE REQUIREMENT SHALL GOVERN. WHERE THERE IS CONFLICT BETWEEN A GENERAL REQUIREMENT AND A SPECIFIC REQUIREMENT, THE SPECIFIC REQUIREMENT SHALL GOVERN.

EXISTING TOWERS:

- THE EXISTING TOWERS CAPACITY TO SUPPORT NEW EQUIPMENT IS IN PART BASED ON THE ASSUMPTION THAT IT WAS BUILT AND MAINTAINED IN ACCORDANCE WITH THE MANUFACTURER’S SPECIFICATION (REFER TO STRUCTURAL ENGINEERS ANALYSIS & REPORT). THE CONTRACTOR SHALL MAKE A VISUAL INSPECTION OF THE EXISTING TOWER PRIOR TO THE START OF ANY NEW CONSTRUCTION AND REPORT TO THE VERIZON REPRESENTATIVE ANY CONDITION THAT HE BELIEVES IS NOT IN KEEPING WITH TIA–222–G ANNEX J: MAINTENANCE AND CONDITION ASSESSMENT.

SITE DEVELOPMENT & FINISHING NOTES:

- DIGGING AND EXCAVATION** – HAND DIG ALL EXCAVATIONS AND TRENCHES IN AREAS SUSPECTED TO CONTAIN EXISTING GROUNDING CONDUCTORS, GROUND RODS, POWER/TELCO CABLES OR OTHER BURIED UTILITIES.
- COLLOCATION SITE FINISHING** – UNLESS OTHERWISE DIRECTED BY THE NEW CARRIER’S PROJECT MANAGER, AREAS OF COMPOUND EXPANSION OR SPACE LOCATED WITHIN THE LEASED AREA SHALL BE FINISHED TO THE SAME STANDARD AS THE BALANCE OF THE EXISTING COMPOUND OR AT THE SOLE DISCRETION OF THE NEW CARRIER’S PROJECT MANAGER, THE FINISH STANDARD OF THE NEW CARRIER SHALL BE PROVIDED. REFER TO ITEM #3 BELOW.
- NEW CARRIER’S SITE FINISH STANDARD** – PROVIDE A MINIMUM 4” THICK LAYER OF CRUSHED STONE (APPROX. 1” DIAMETER W/O FINES) OVER 6 MIL. WEED BARRIER, OVER 6” COMPACTED BASE. FILL MATERIAL SHALL BE EQUAL TO CRUSHED LIMESTONE CONFORMING TO STATE DEPARTMENT OF TRANSPORTATION REQUIREMENTS FOR TYPE ‘A’, GRADE 2 MATERIAL COMPACTED TO 95% PROCTOR DENSITY OVER A COMPACTED SUB–GRADE THAT WAS SCARIFIED AND RECOMPACTED TO 95% PROCTOR DENSITY.
- REPAIR/REPLACE** – AT NO ADDITIONAL EXPENSE TO THIS CONTRACT, ANY CONSTRUCTION RELATED DAMAGE TO ANY EXISTING SITE ELEMENTS OR FINISHES WITHIN THE COMPOUND, IN ADJACENT AND/OR ALONG ROUTES TO THE WORK AREA, HOWEVER INCIDENTAL TO THE PROSECUTION OF THE WORK, SHALL BE PUT IN A PRECONSTRUCTION CONDITION TO THE SATISFACTION OF THE NEW CARRIER’S PROJECT MANAGER.
- BACKFILL** – ALL BORROWED FILL MATERIAL SHALL BE EQUAL TO STATE SPECIFICATION FOR TYPE A, GRADE 1 OR 2, COMPACTED TO 95% PROCTOR DENSITY. WHERE TRENCHING IS REQUIRED BACKFILLING WITH MATERIALS EXCAVATED FROM THE TRENCH WILL BE PERMITTED UNLESS OTHERWISE DIRECTED BY THE NEW CARRIER’S PROJECT MANAGER. ALL TRENCH BACK FILLING SHOULD BE COMPACTED IN LIFTS NOT TO EXCEED 6” COMPACTED DEPTH AND TO 95% PROCTOR DENSITY FLUSH TO THE SURFACE OF THE FINISHED COMPACTED SUB–GRADE.
- UNLESS INDICATED OTHERWISE, SITES SHALL NOT HAVE SLOPES GREATER THAN 1/4” PER FOOT AND THE AREA IMMEDIATELY AROUND NEW EQUIPMENT SHALL BE GRADED TO CAUSE SURFACE WATER TO FLOW AWAY FROM THE EQUIPMENT.



SCOTT AND WHITE

\*\*\*

2615 S. 37TH ST  
TEMPLE, TEXAS, 76504  
(261411)


APPROVAL SIGNATURES

LANDLORD

LEASING

CONSTRUCTION

THIS IS AN INCOMPLETE  
SET NOT FOR  
CONSTRUCTION OR  
PERMITTING.  
APPROPRIATE  
PROFESSIONAL SEAL  
WILL BE APPLIED TO  
FINAL CONSTRUCTION  
SET



ARCHCOMM, LLC.  
1006 Beckett  
San Antonio, Texas 78213  
(210) 308-9905

SHEET TITLE

GENERAL NOTES

SHEET HISTORY

07.01.13 ISSUE FOR CONSTRUCTION

N1

THESE DRAWINGS ARE THE PROPERTY OF VERIZON WIRELESS. THEY ARE INTENDED FOR THE EXCLUSIVE USE OF THIS PROJECT ONLY. ANY RE-USE OF THESE PLANS (DRAWINGS) WITHOUT THE EXPRESS WRITTEN CONSENT OF VERIZON WIRELESS IS PROHIBITED.

**1 SITE PLAN**  
SCALE: 1" = 20'-0"

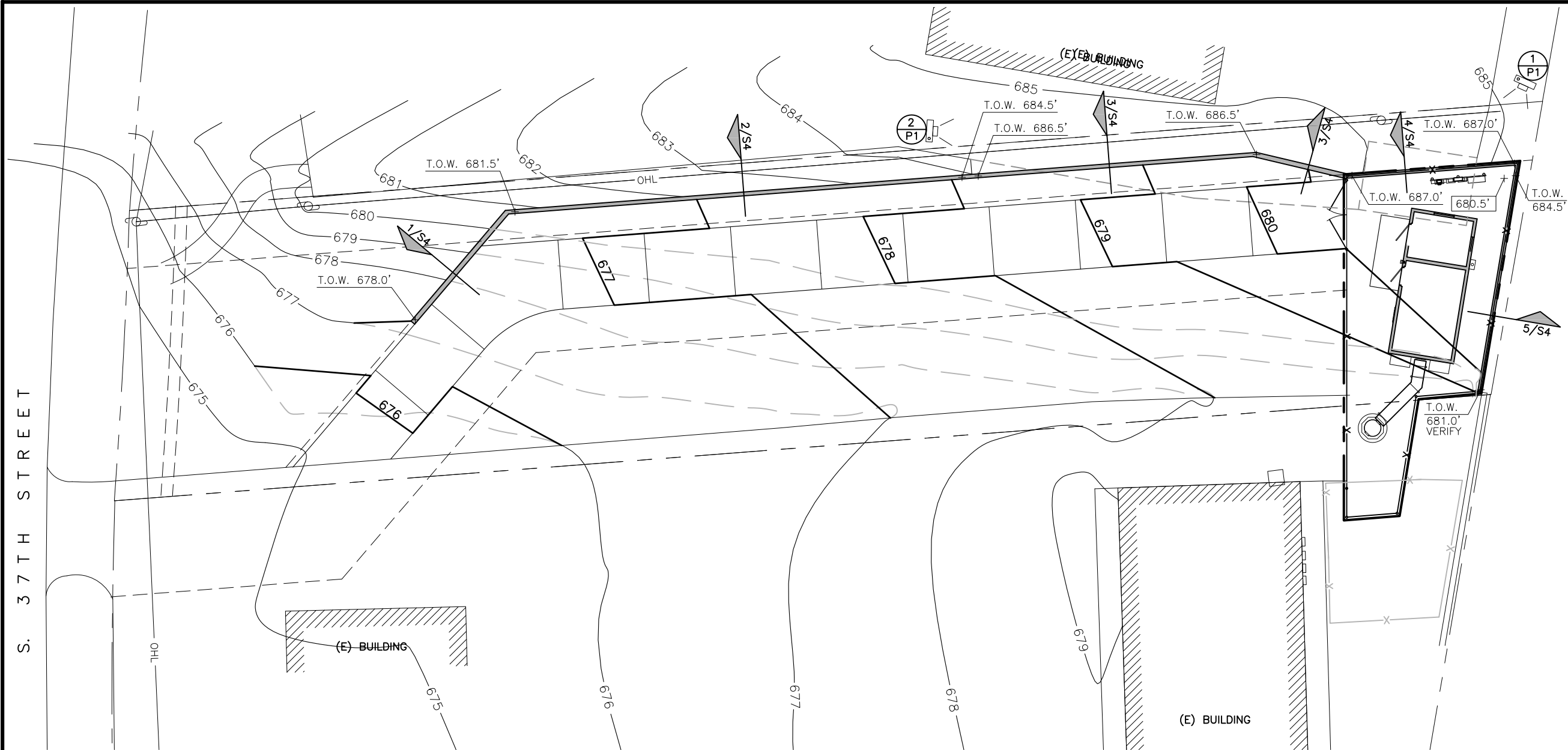
  
NORTH

**verizon**wireless

2615 S. 37TH ST  
TEMPLE, TEXAS, 76504  
(261411)

# A1

H:\ARCHCOMM LLC\VERIZON\SOUTH TEXAS\Scott and White\A-New Build - Rawland\Scott and White-BASE DRAWING.dwg, 7/1/2013 9:06:59 AM, mvcana



1

**GRADING PLAN**  
SCALE: 1" = 20'-0"

NORTH

NOTE: REFER TO S3 AND S4 FOR TOP OF WALL AND SPOT ELEVATIONS WITHIN THE SITE.

- (N) = NEW
- (E) = EXISTING
- (F) = FUTURE

000.00'

EXISTING GRADE

000.00'

NEW FINISH GRADE

T.O.W.

TOP OF WALL

TEXAS ONE CALL SYSTEM  
CALL BEFORE YOU DIG  
UNDERGROUND UTILITIES  
1-800-245-4545  
CALL 48 HOURS BEFORE YOU DIG, DRILL, OR BLAST.

**SCOTT AND WHITE**  
\*\*\*  
2615 S. 37TH ST  
TEMPLE, TEXAS, 76504  
(261411)

APPROVAL SIGNATURES

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CONSTRUCTION

DATE: 07.01.13

EXP. DATE: 06/30/14

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1006 Beckett  
San Antonio, Texas 78213  
(210) 308-9905

SHEET TITLE  
**SITE GRADING PLAN**

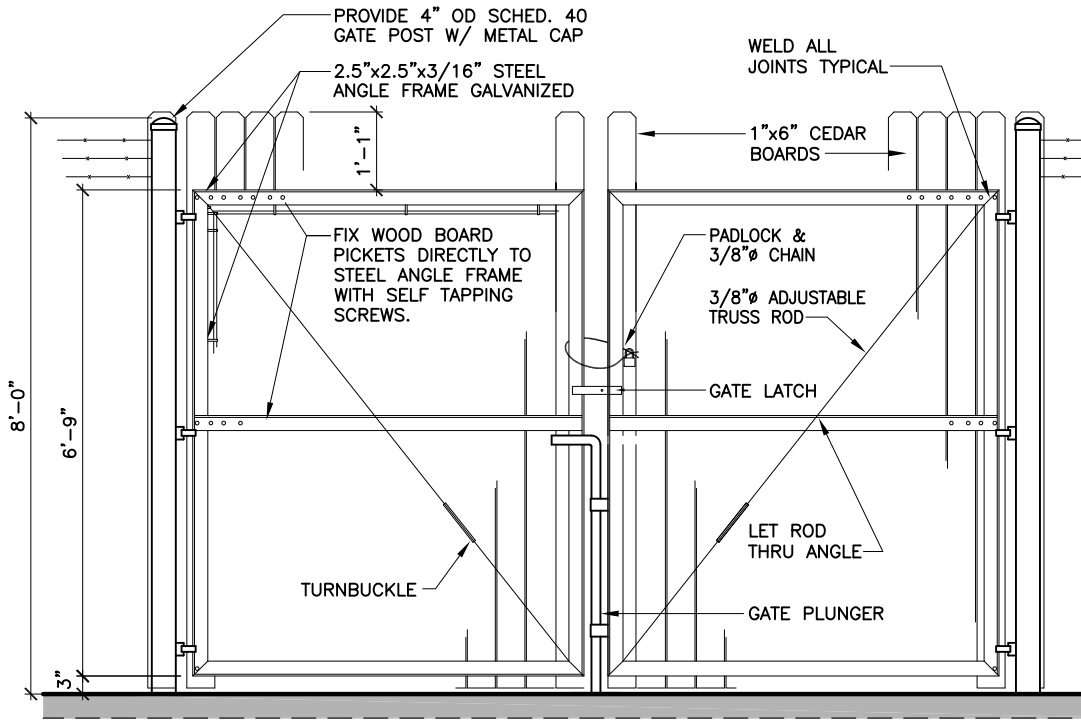
SHEET HISTORY  
07.01.13 ISSUE FOR CONSTRUCTION

**A2**

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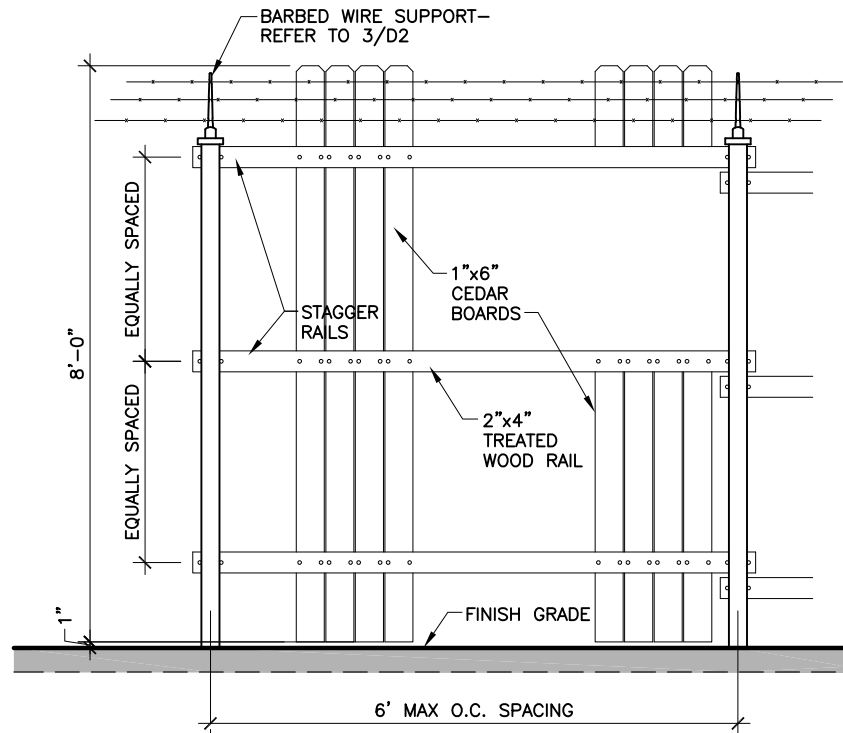
H:\ARCHCOMM LLC\VERIZON\SOUTH TEXAS\Scott and White\A-New Build - Rawland\Scott and White-SITE ELEVATION.dwg, 7/1/2013 9:10:20 AM, mvcana



NOTES :  
1. CONTRACTOR MAY SUBMIT ALTERNATE GATE PLAN FOR OWNER'S CONSIDERATION.  
BIDDERS SHALL BASE BID ON DETAIL SHOWN ABOVE.

### 3 WOOD GATE

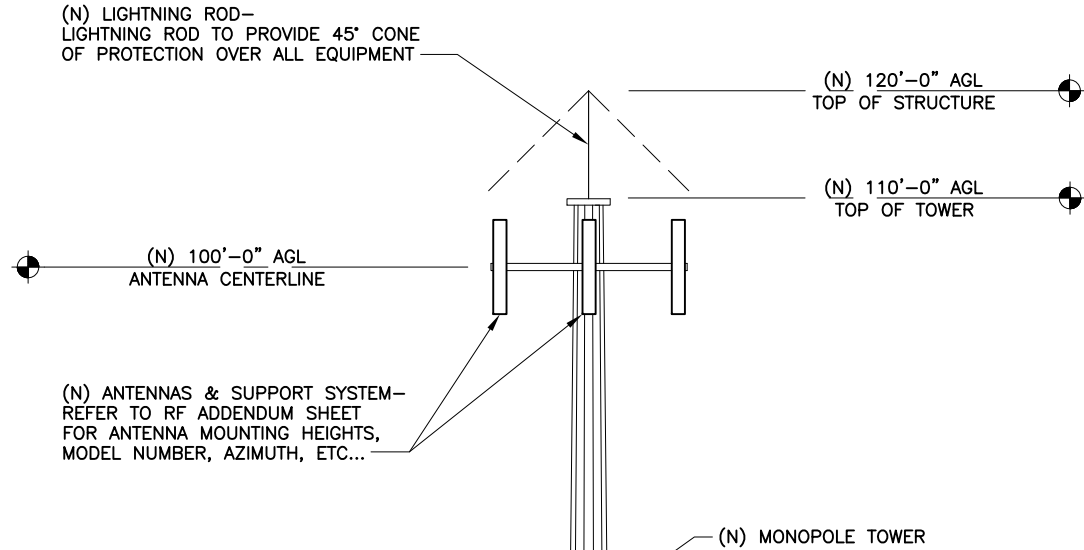
SCALE: 3/8" = 1'-0"



NOTE:  
1. REFER TO 2/D2 FOR MATERIALS SPECIFIED.  
2. USE 2" GALV. SCREWS FOR THE CEDAR PICKETS.

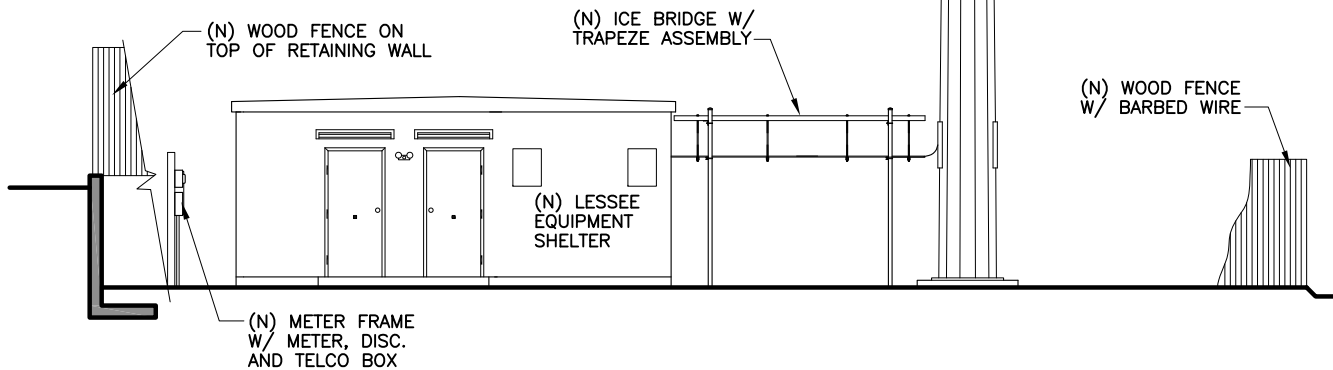
### 2 FENCE DETAIL

SCALE: 3/8" = 1'-0"



TOWER VERIFICATION:  
THE GENERAL CONTRACTOR SHALL VERIFY WITH OWNER, THE TOWER TYPE AND HEIGHT PRIOR TO ORDERING OR CONSTRUCTING THE TOWER.

NOTE:  
1 SUBCONTRACTOR TO COMPLY WITH ALL FCC AND FAA REGULATIONS ON THIS PROJECT  
2 ON TOWERS OVER 200' TALL ADD AIRCRAFT WARNING LIGHTS AND CONTROLS PER FAA REGULATIONS  
3 THIS SITE ELEVATION IS A GENERALIZATION OF SITE AND TOWER COMPONENTS AND THEIR RELATIONSHIPS WITH ONE ANOTHER



### 1 SITE ELEVATION

SCALE: N.T.S.



SCOTT AND WHITE

\*\*\*

2615 S. 37TH ST  
TEMPLE, TEXAS, 76504  
(261411)

APPROVAL SIGNATURES  
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LEASING

CONSTRUCTION

DATE: 07.01.13



EXP. DATE: 06/30/14



ARCHCOMM, LLC.  
1006 Beckett  
San Antonio, Texas 78213  
(210) 308-9905

SHEET TITLE

SITE ELEVATION

SHEET HISTORY

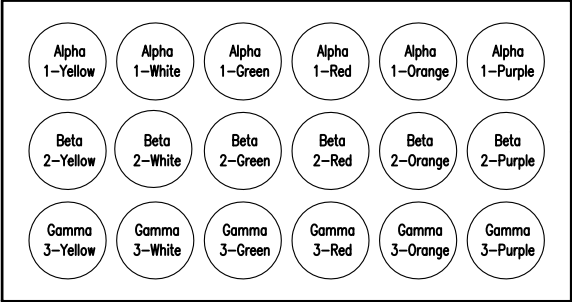
07.01.13 ISSUE FOR CONSTRUCTION

A4

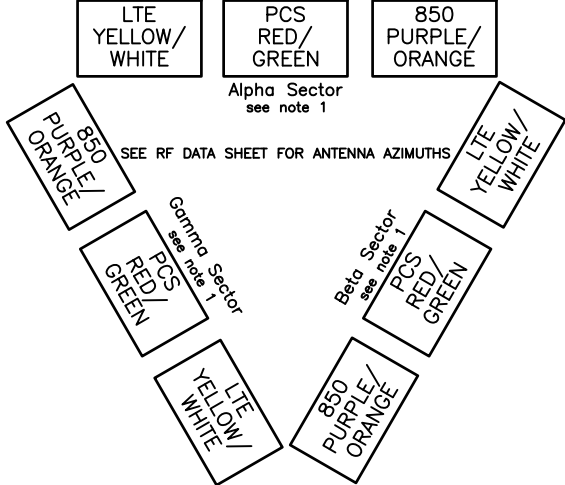
THESE DRAWINGS ARE THE PROPERTY OF VERIZON WIRELESS. THEY ARE INTENDED FOR THE EXCLUSIVE USE OF THIS PROJECT ONLY. ANY RE-USE OF THESE PLANS (DRAWINGS) WITHOUT THE EXPRESS WRITTEN CONSENT OF VERIZON WIRELESS IS PROHIBITED.



ID	COLOR	NUMBER OF BANDS	ID	COLOR	NUMBER OF BANDS	ID	COLOR	NUMBER OF BANDS
ALPHA	RED	1	BETA	RED	2	GAMMA	RED	3
ALPHA	GREEN	1	BETA	GREEN	2	GAMMA	GREEN	3
ALPHA	YELLOW	1	BETA	YELLOW	2	GAMMA	YELLOW	3
ALPHA	WHITE	1	BETA	WHITE	2	GAMMA	WHITE	3
ALPHA	ORANGE	1	BETA	ORANGE	2	GAMMA	ORANGE	3
ALPHA	PURPLE	1	BETA	PURPLE	2	GAMMA	PURPLE	3



CABLE LENGTHS	CABLE SIZE	MIN. BEND RADIUS
UNDER 100'	= 7/8" DIA	10 INCHES
100' TO 150'	= 1 1/4" DIA	15 INCHES
150' +	= 1 5/8" DIA	20 INCHES



## 4 COAX BENDING RADIUS

SCALE: NONE

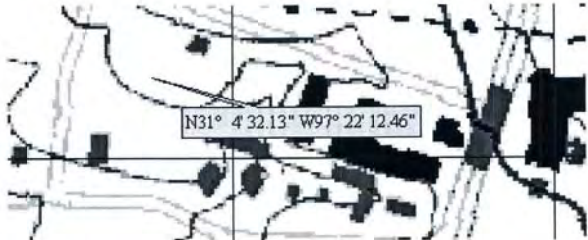


**Solis-Kanak & Associates, Inc.**  
**Professional Land Surveyors**

### 1-A Certification

Date of Field Survey: JANUARY 7, 2013

Site Location: TEMPLE, TX  
Site Name: SCOTT & WHITE



This is to certify that the center of the base of the proposed/existing tower lying within the subject site has the following geographic location:

**Latitude and Longitude - \*(to within fifteen (15) feet)**

Latitude: 31° 04' 32.13" N - NAD 83      Latitude: 31° 04' 31.55" N - NAD 27

Longitude: 97° 22' 12.46" W - NAD 83      Longitude: 97° 22' 11.37" W - NAD 27

**Base Ground Elevation - \*(to within three (3) feet)**

Elevation of Ground: **678.2' AMSL** (NAVD 88)

The above information is true and correct to within the given specifications\*.

Clinton L. Frank

Clinton L. Kanak  
Registered Professional Land Surveyor No. 4499  
G:\Jobs2013\13-0006\1A.doc



**2** **1A LETTER**  
SCALE: N.T.S.

## RF Addendum

Site Name <b>ECOTY AND WHITE</b>	Date of Issue <b>January 08, 2010</b>
Contract No. <b>N/A</b>	
Location <b>01270000 (4445 25)</b>	
Latitude <b>29 47 15</b>	
WGS 1984 Address <b>2737 South 0th, Tampa, FL 33605</b>	
Complete Description <div style="border: 1px solid black; height: 40px;"></div>	

Signature Type Name Given Multiple Entries <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No High Power Output <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Equipment Type MTB, Indoor/Outdoor Channel Mode TX Frequency Range RX Frequency Range 8 Channels Available	Unitname Version/Release <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 3610 channels 100 Channel 100 Channel 100 Channel 100 Channel
--	--

**Processed 361 MHz Antenna Configuration**

Alpha	Beta	Gamma
Contract No. 100	100	100
Date Type 7-8	7-8	7-8
# of Chans 8	8	8
Antenna Manufacturer KATHREIN	KATHREIN	KATHREIN
Antenna Model 940 8195-06	940 8195-06	940 8195-06
Antenna Gain 5.37	15.7	14.89
# of Antennas 1	1	1
Antenna Dimensions 133.82x4.33x4.33	133.82x4.33x4.33	133.82x4.33x4.33
Antenna Weight 98.21	30.31	30.31
Antenna Volume 6.5	62.2	62.5
Antenna Orientation SW	SW	SW
Antenna Azimuth 280	78	210
Antenna Elevation 0	0	0
Antenna Channel SW	SW	SW

**Processed 361 MHz Antenna Configuration**

Alpha	Beta	Gamma
Contract No. 100	100	100
Date Type 7-8	7-8	7-8
# of Chans 8	8	8
Antenna Manufacturer KATHREIN	KATHREIN	KATHREIN
Antenna Model 940 8195-06	940 8195-06	940 8195-06
Antenna Gain 4.75	4.8	16.81
# of Antennas 1	1	1
Antenna Dimensions 133.82x4.33x4.33	133.82x4.33x4.33	133.82x4.33x4.33
Antenna Weight 14.79	4.3	4.31
Antenna Volume 6.5	6.5	6.5
Antenna Orientation SW	SW	SW
Antenna Azimuth 280	78	210
Antenna Elevation 0	0	0
Antenna Channel SW	SW	SW

**Processed 400 MHz Antenna Configuration**

Alpha	Beta	Gamma
Contract No. 100	100	100
Date Type 7-8	7-8	7-8
# of Chans 8	8	8
Antenna Manufacturer CSE	CSE	CSE
Antenna Model AEW3-23-4	AEW3-23-4	AEW3-23-4
Antenna Gain 17.5	17.5	17.5
# of Antennas 1	1	1
Antenna Dimensions 230x79x79	230x79x79	230x79x79
Antenna Weight 19.30	19.30	19.30
Antenna Volume 66.5	66.5	66.5
Antenna Orientation SW	SW	SW
Antenna Azimuth 280	78	210
Antenna Elevation 0	0	0
Antenna Channel SW	SW	SW

**361 MHz**

Alpha
Contract No. 100
Date Type 7-8
# of Chans 8
Antenna Manufacturer CSE
Antenna Model AEW3-23-4
Antenna Gain 17.5
# of Antennas 1
Antenna Dimensions 230x79x79
Antenna Weight 19.30
Antenna Volume 66.5
Antenna Orientation SW
Antenna Azimuth 280
Antenna Elevation 0
Antenna Channel SW

**361 MHz**

Alpha
Contract No. 100
Date Type 7-8
# of Chans 8
Antenna Manufacturer CSE
Antenna Model AEW3-23-4
Antenna Gain 17.5
# of Antennas 1
Antenna Dimensions 230x79x79
Antenna Weight 19.30
Antenna Volume 66.5
Antenna Orientation SW
Antenna Azimuth 280
Antenna Elevation 0
Antenna Channel SW

How Build on the tower 1 month, 18 case, if TMA

Note:

(1) Wagon-Antenna (AWG-TMA-00-POB)W3-00-AW300-TMA

(2) Wagon-Antenna (AWG-TMA-00-POB)W3-00-AW300-TMA

(3) Wagon-Antenna (AWG-TMA-00-POB)W3-00-AW300-TMA

(4) Wagon-Antenna (AWG-TMA-00-POB)W3-00-AW300-TMA

(5) Wagon-Antenna (AWG-TMA-00-POB)W3-00-AW300-TMA

(6) Wagon-Antenna (AWG-TMA-00-POB)W3-00-AW300-TMA

(7) Wagon-Antenna (AWG-TMA-00-POB)W3-00-AW300-TMA

(8) Wagon-Antenna (AWG-TMA-00-POB)W3-00-AW300-TMA

(9) Wagon-Antenna (AWG-TMA-00-POB)W3-00-AW300-TMA

(10) Wagon-Antenna (AWG-TMA-00-POB)W3-00-AW300-TMA

(11) Wagon-Antenna (AWG-TMA-00-POB)W3-00-AW300-TMA

(12) Wagon-Antenna (AWG-TMA-00-POB)W3-00-AW300-TMA

(13) Wagon-Antenna (AWG-TMA-00-POB)W3-00-AW300-TMA

(14) Wagon-Antenna (AWG-TMA-00-PO

<b>Verizon Wireless Warehouse</b>	
Warehouse Mgr	Adam Cass
Warehouse Team	
<b>Scenicline Mariners</b>	
Aurika	Tony D'Am
Tanya Milman	Debra Lee
Roni Aronow	Michael Kohn
SS & Vally	David Mar
Watkins	David Mar
Milard	Tommy Ho
Lodovick	Greg Wolf

NF Engineering Contacts	
Donna Mayr	Donna Mayr
Donna Tabor	Donna Tabor
	Donna Tabor
	Donna Tabor
	Donna Tabor

BAND & FREQUENCY			
Band	Transmit		Receive
2300 A-Band	2300-2305	2305-2310	2300-2305
2300 B-Band	2305-2310	2310-2315	2305-2310
2310 A-Band	2310-2315		
2310 B-Band	2315-2320		
2300 & 2310			2310-2315
700 C-Band	700-705		700-705
700 D-Band	705-710		705-710
700 E-Band	710-715		710-715

**NOTE:**  
CONTRACTOR SHALL VERIFY INFORMATION  
ABOVE BEFORE ORDERING OR INSTALLING  
ANTENNAS.

# 3 RF ADDENDUM SHEET

# SCOTT AND WHITE

**\*\*\***

2615 S. 37TH ST  
TEMPLE, TEXAS, 76504

**(261411)**

APPROVAL SIGNATURES  
**LANDLORD**

## LEASING

## CONSTRUCTION

**DATE: 07.01.13**



EXP. DATE: 06/30/14



**ARCHCOMM, LLC.**  
1006 Beckett  
San Antonio, Texas 78213  
(210) 308-9905

SHEET TITLE

# ANTENNA DATA, RF SHEET & 1A LETTER

## SHEET HISTORY

07.01.13 ISSUE FOR CONSTRUCTION

# A5

H:\ARCHCOMM LLC\VERIZON\SOUTH TEXAS\Scott and White\A-New Build - Rawland\Scott and White-GENERAL SITE DETAILS.dwg, 7/1/2013 9:16:25 AM, mvcana

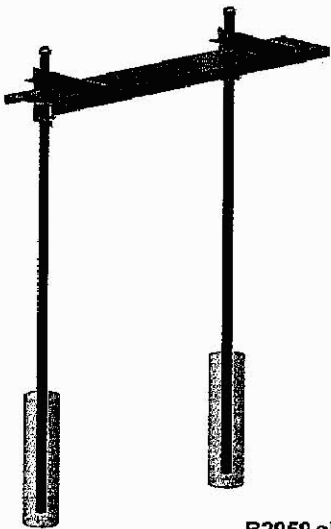
## Ice Bridge

### Grip Strut® Transmission Line Bridge

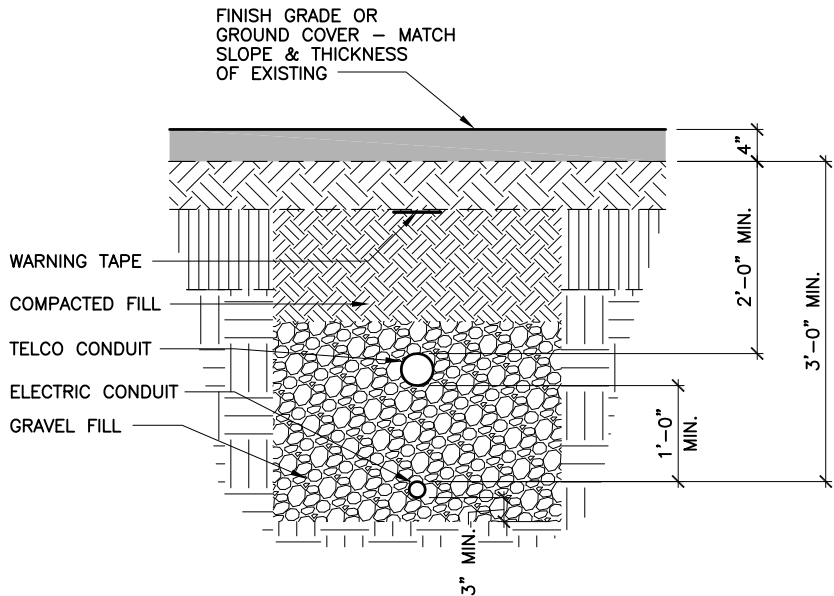
The Grip Strut® Transmission Line Bridge is intended to accommodate various types of transmission line supports including trapeze support kits, hanger brackets, coax blocks and threaded rod cushion hanger assemblies.

The open diamond pattern allows for drainage, yet provides protection from falling ice and other environmental elements. Galvanized.

Description	P/N	Price
12" x 10' Grip Strut® Coax Bridge Kit with base plate & anchor bolts	B3020	505.00
12" x 10' Grip Strut® Coax Bridge Kit with direct burial posts	B2957	425.00
24" x 10' Grip Strut® Coax Bridge Kit with base plate & anchor bolts	B2958	565.00
24" x 10' Grip Strut® Coax Bridge Kit with direct burial posts	B2959	485.00



B2959 shown

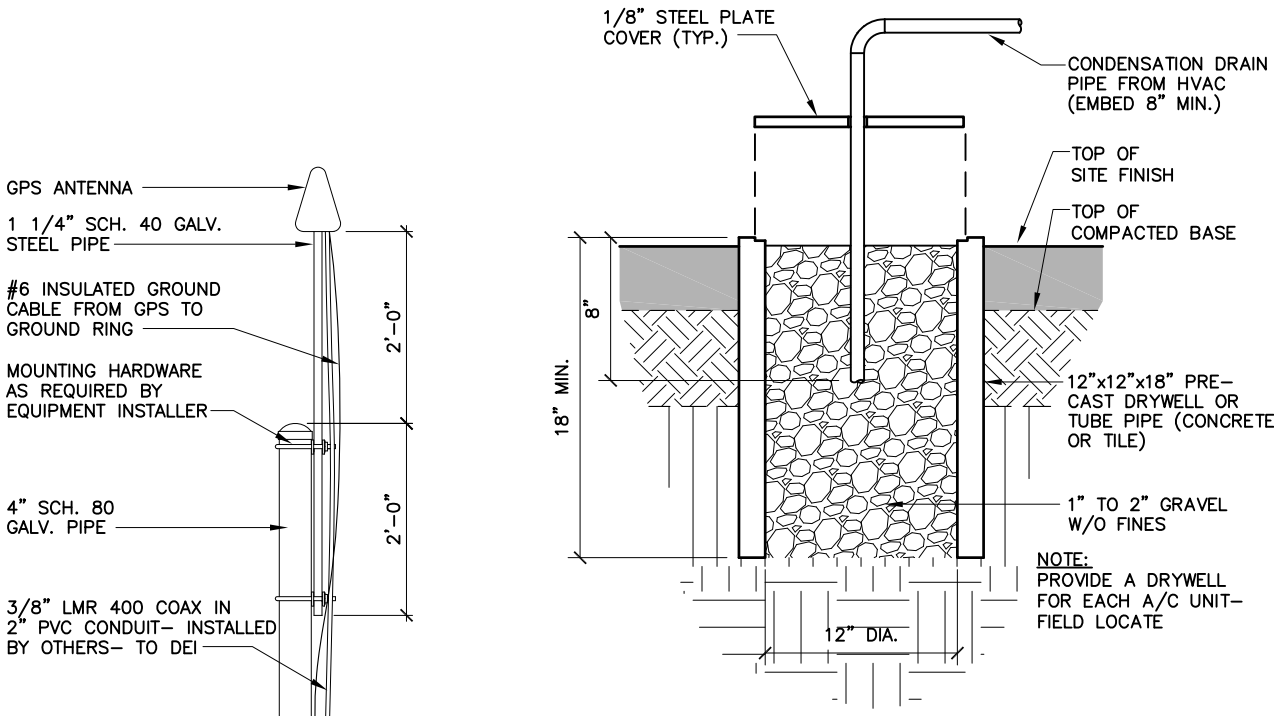


### 1 ICE BRIDGE W/ TRAPEZE ASSEMBLY

IMAGE WAS TAKEN FROM VALMONT PRODUCT GUIDE

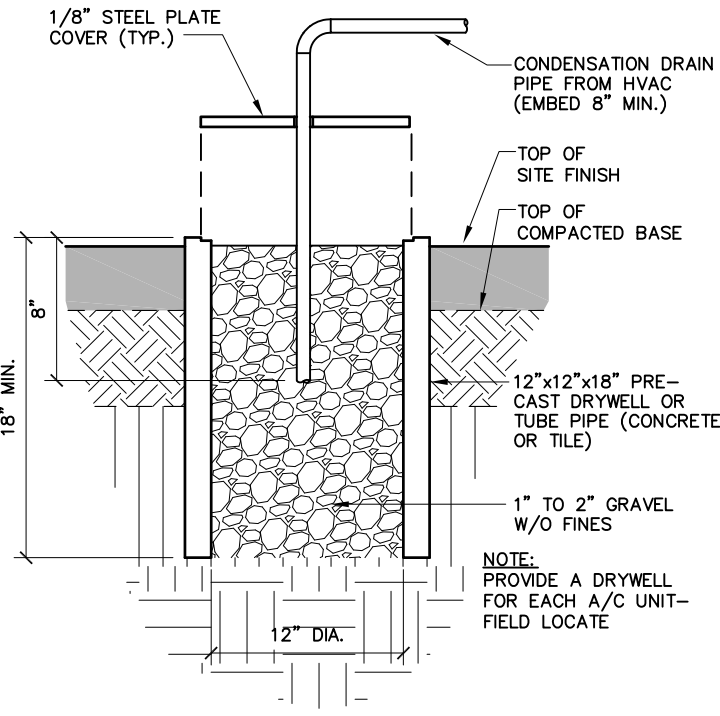
### 2 UTILITIES TRENCH

SCALE: 1/2" = 1'-0"



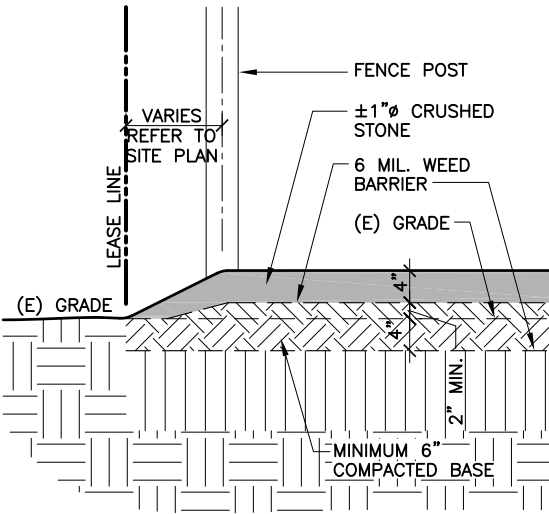
### 3 GPS MOUNTING DETAIL

SCALE: 1/2" = 1'-0"



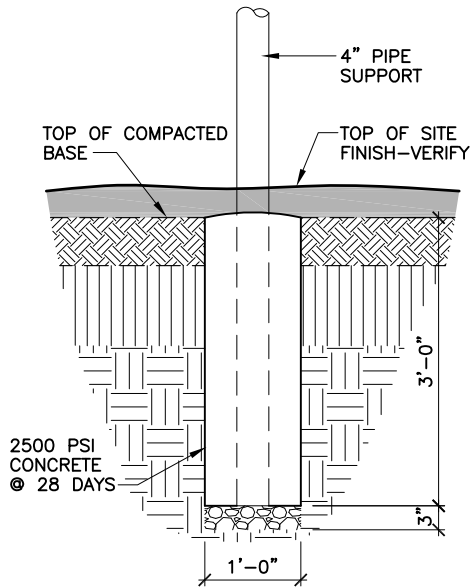
### 4 A/C CONDENSATE DRYWELL

SCALE: 1" = 1'-0"



### 5 SITE EDGE DETAIL

SCALE: 1/2" = 1'-0"



### 6 ICE BRIDGE FRAME FOUNDATION

SCALE: 1/2" = 1'-0"

verizonwireless

SCOTT AND WHITE

\*\*\*

2615 S. 37TH ST  
TEMPLE, TEXAS, 76504  
(261411)

APPROVAL SIGNATURES  
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DATE: 07.01.13



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ARCHCOMM, LLC.  
1006 Beckett  
San Antonio, Texas 78213  
(210) 308-9905

SHEET TITLE

GENERAL  
SITE DETAILS

SHEET HISTORY

07.01.13 ISSUE FOR CONSTRUCTION

D1



**SCOTT AND WHITE** \*\*\*

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2615 S. 37TH ST  
TEMPLE, TEXAS, 76504

(261411)

APPROVAL SIGNATURES

LANDLORD

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DATE: 07.01.13



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1006 Beckett  
San Antonio, Texas 78213  
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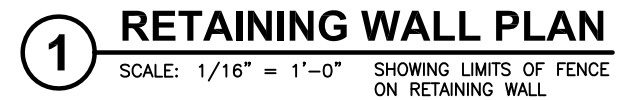
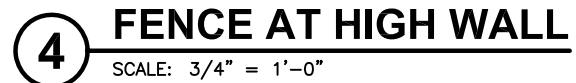
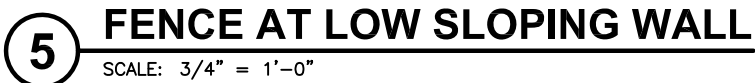
SHEET TITLE

## FENCE DETAILS

## SHEET HISTORY

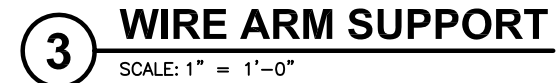
07.01.13 ISSUE FOR CONSTRUCTION

# D2

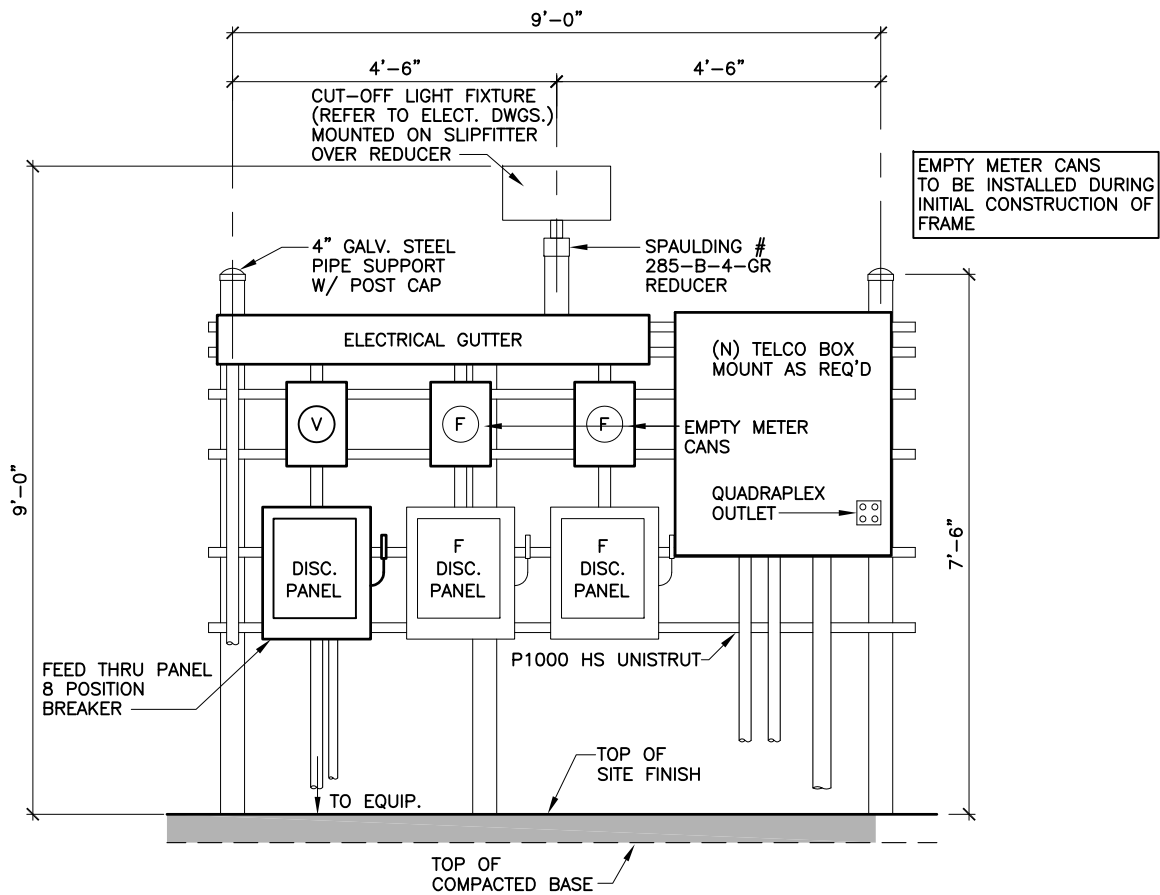


1. LINE POSTS— 3" O.D. PIPE, 16 GAUGE.
2. GATE & CORNER POSTS 4" OD PIPE, SCHEDULE 40. (AT END, CORNER, GATE, OR PULL POSTS)
3. GATE FRAMES— 2.5"x2.5"x3/16" GALV. STEEL WELDED ANGLE FRAME
4. TOP & BOTTOM — TREATED 2x6 SYP. MID RAILS — TREATED 2x4 SYP
5. POST TOPS— PRESSED STEEL, MALLEABLE IRON WITH PRESSED STEEL EXTENSION ARM, OR ONE-PIECE ALUMINUM CASTING; WITH HOLE FOR TOP RAIL, DESIGNED TO FIT OVER THE OUTSIDE OF THE POSTS AND TO PREVENT ENTRY OF MOISTURE INTO TUBULAR POSTS.
6. BARBED WIRE— GALVANIZED, ASTM A121 CLASS 3; THREE 14 GAUGE MINIMUM STEEL WIRES WITH 4 POINT ROUND 14 GAUGE BARBS SPACED 4" APART.
7. TRUSS ROD — GALVANIZED, 3/8" DIAMETER STEEL TRUSS ROD W/ GALV. TURNBUCKLE
8. PROVIDE ONE COMBINATION PADLOCK FOR EACH GATE, ACCORDING TO VERIZON PCS REQUIREMENTS. SECURE GATE WITH CHAIN NO LARGER THAN 3/8" DIA. ( FOR FIRE DEPT. EMERGENCY ACCESS )
9. ALL FERROUS METAL PARTS SHALL BE HOT DIPPED GALVANIZED.

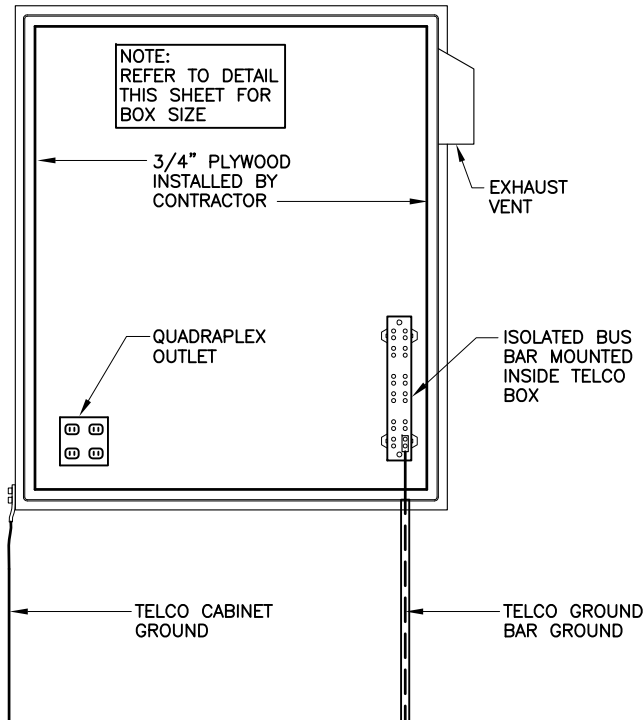
## 2 FENCE SPECIFICATIONS



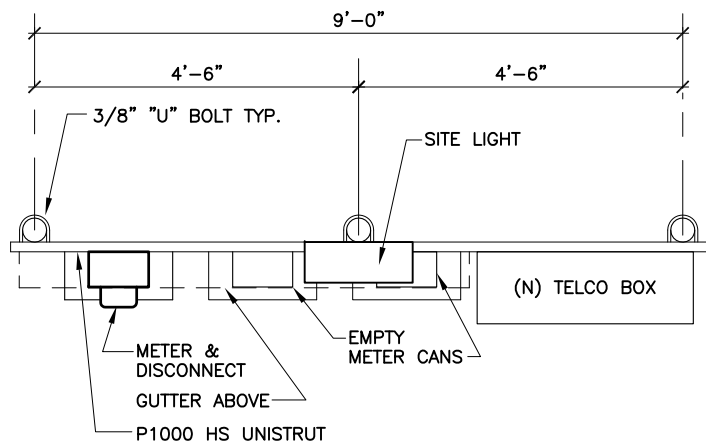
H:\ARCHCOMM LLC\VERIZON\SOUTH TEXAS\Scott and White\A-New Build - Rawland\Scott and White-METER FRAME DETAILS.dwg, 7/1/2013 9:23:04 AM, mvcana



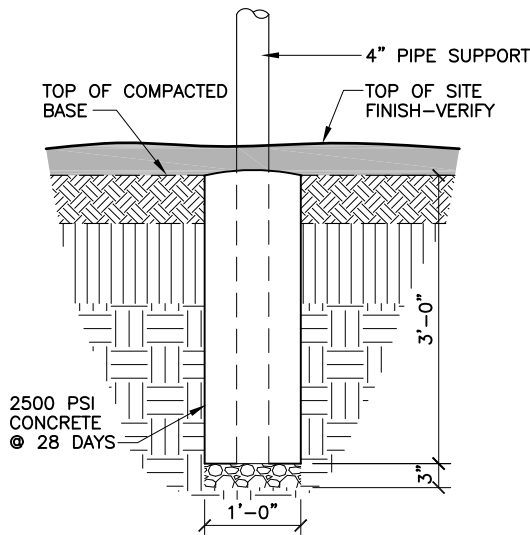
1 FRONT ELEVATION  
SCALE: 3/8" = 1'-0"



2 TELCO BOX DETAIL  
SCALE: 3/4" = 1'-0"



3 PLAN VIEW  
SCALE: 3/8" = 1'-0"



4 METER FRAME FOUNDATION  
SCALE: 1/2" = 1'-0"

IMAGE BELOW WAS TAKEN FROM ADVANCED LIGHTNING TECHNOLOGY, INC. (A.L.T.) PRODUCT GUIDE (VOLUME 3)



#### Telco Box

All Telco Boxes carry a NEMA 3R rating and come with a hinged cover.

Catalog No.	Dimensions (in.)	Options	Weight (lbs.)
5950-24x24x16	24 x 24 x 16	Includes mounting studs and installed locking T-handle - backing plate not included.	68
5950-30x36x12	30 x 36 x 12	Includes mounting studs and installed locking T-handle - backing plate not included.	118
5950-36x36x12	36 x 36 x 12	Includes locking T-handle and wood backboard.	122
5950-36x48x12	36 x 48 x 12	Includes mounting studs and installed locking T-handle - backing plate not included.	160

5 TELCO BOX

NOTE: CONTRACTOR SHALL VERIFY THE REQUIREMENTS FOR A TELCO BOX AT THIS SITE WITH THE PROJECT MANAGER BEFORE ORDERING. PROVIDE TELCO BOX ONLY AS REQUIRED.

verizonwireless

SCOTT AND WHITE

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2615 S. 37TH ST  
TEMPLE, TEXAS, 76504

(261411)

APPROVAL SIGNATURES

LANDLORD

LEASING

CONSTRUCTION

DATE: 07.01.13



EXP. DATE: 06/30/14



ARCHCOMM, LLC.  
1006 Beckett  
San Antonio, Texas 78213  
(210) 308-9905

SHEET TITLE

METER FRAME  
DETAILS

SHEET HISTORY

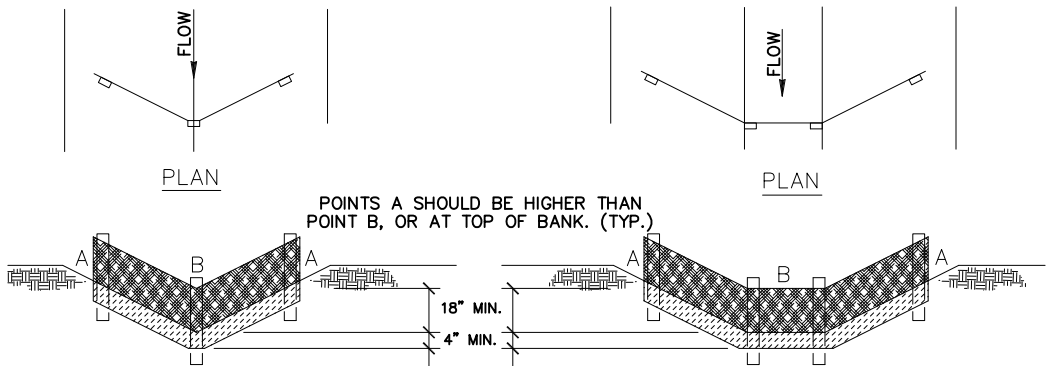
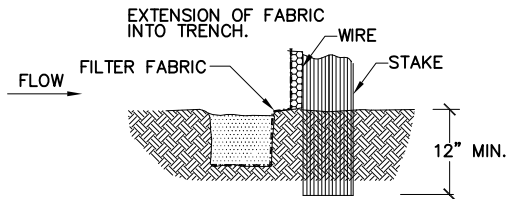
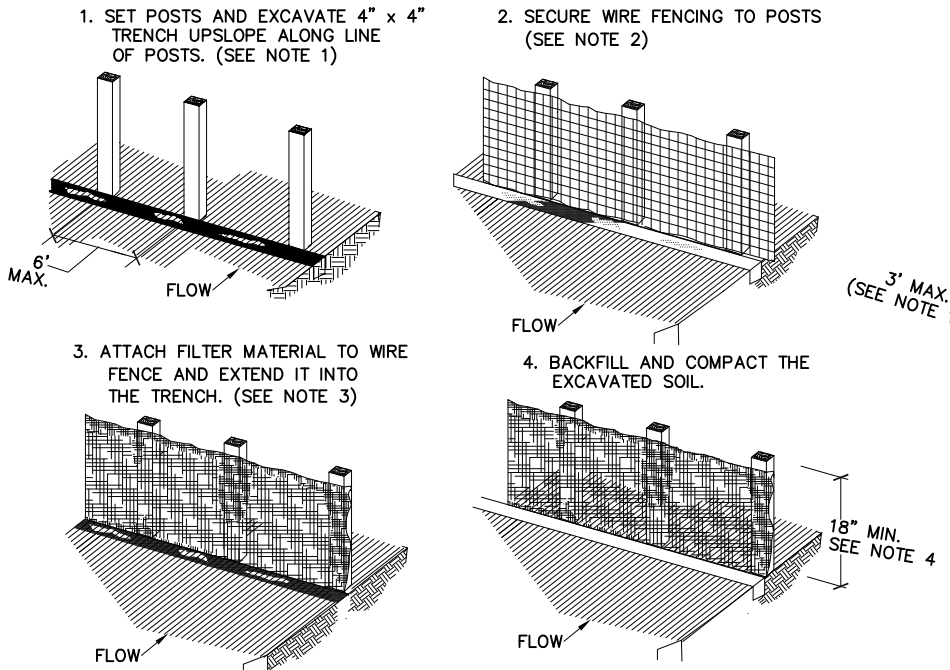
07.01.13 ISSUE FOR CONSTRUCTION

D3

## D4



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"V-DITCH" SECTION/ELEVATION

TRAPEZOIDAL SECTION/ELEVATION

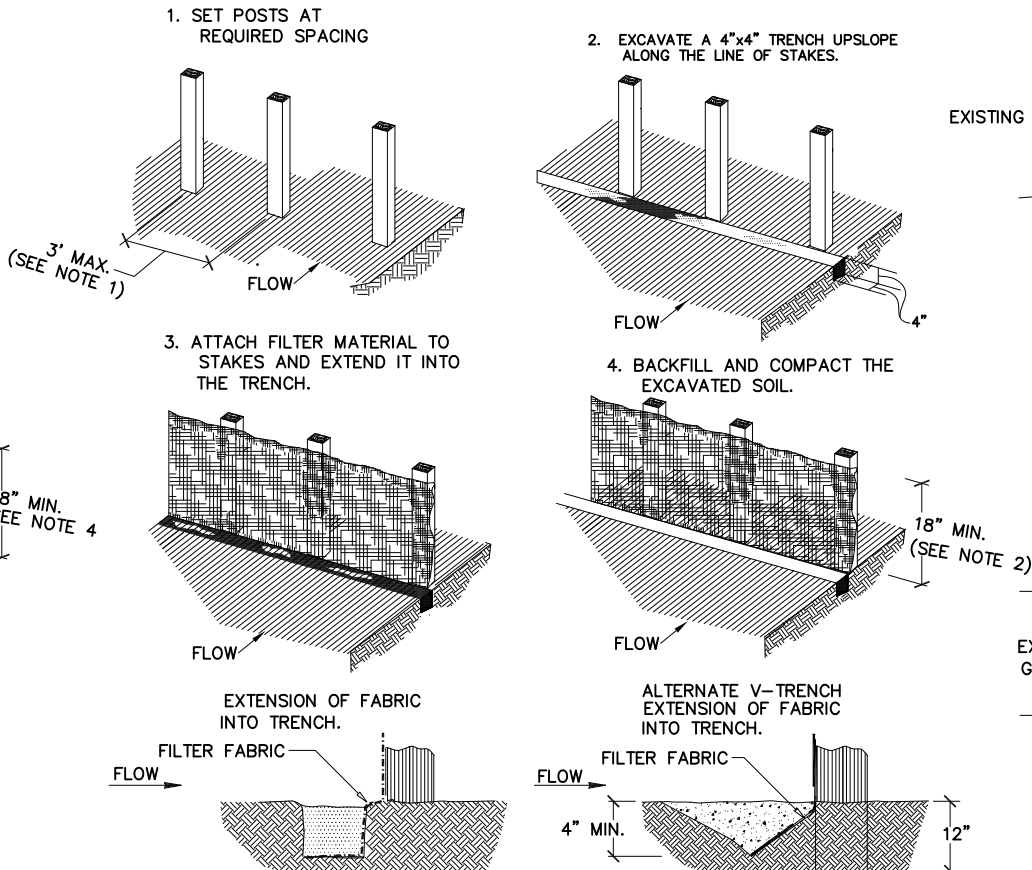
#### CONSTRUCTION NOTES

1. SET 1 INCH BY 2 INCH WOODEN STAKES SPACED A MAXIMUM OF 6 FEET APART AND EMBEDDED A MINIMUM OF 12 INCHES.
2. WOVEN WIRE FENCE TO BE FASTENED SECURELY TO FENCE POSTS WITH STAPLES.
3. FILTER CLOTH TO BE FASTENED SECURELY TO WOVEN WIRE FENCE WITH TIES SPACED EVERY 24 INCHES AT TOP AND MIDSECTION.
4. MINIMUM HEIGHT OF FILTER SHOULD BE 18 INCHES AND A MAXIMUM OF 36 INCHES ABOVE NATURAL GROUND.
5. WHEN TWO SECTIONS OF FILTER CLOTH ADJOIN EACH OTHER THEY SHALL BE OVERLAPPED 6 INCHES AT THE POSTS AND FOLDED.

1

### REINFORCED FILTER FABRIC BARRIER

SCALE: N.T.S.



#### CONSTRUCTION NOTES

1. 1" THICK BY 2 INCH WOODEN STAKES TO BE SET AT MAXIMUM SPACING OF 3 FEET AND EMBEDDED A MINIMUM OF 8 INCHES. PREASSEMBLED FENCE WITH SUPPORT NETTING IS USED, SPACING OF POST MAY BE INCREASED TO 8 FEET MANIMUM.
2. ATTACH FILTER FABRIC TO WOODEN STAKES. FILTER FABRIC FENCE SHALL HAVE A MINIMUM HEIGHT OF 18 INCHES AND MANIMUM HEIGHT OF 36 INCHES ABOVE ANTURAL GROUND.
3. WHEN TWO SECTIONS OF FILTER CLOTH ADJOIN EACH OTHER THEY SHOULD BE OVERLAPPED 6 INCHES AT THE POSTS AND FOLDED.

2

### FILTER FABRIC FENCE

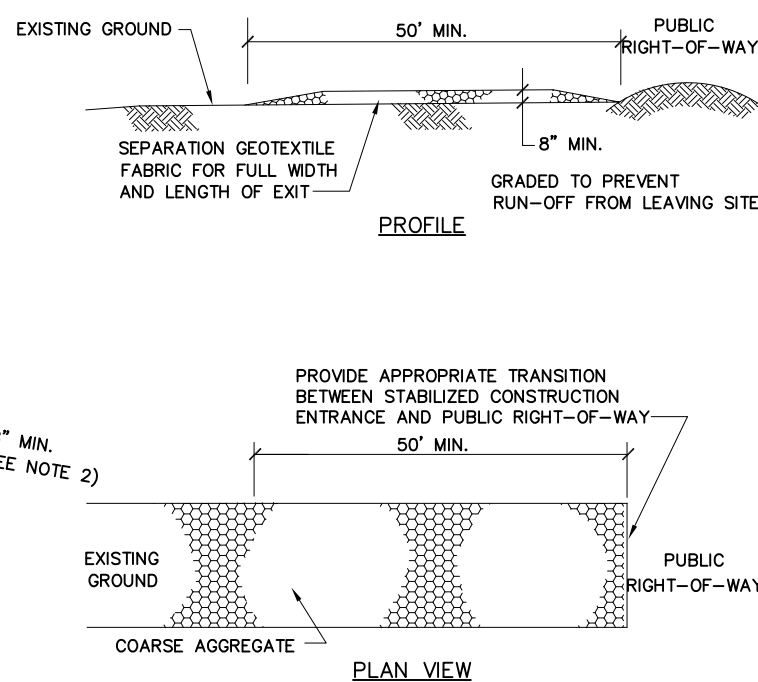
SCALE: N.T.S.

NOTE: CONTRACTOR SHALL UTILIZE THESE DETAILS AS APPROPRIATE TO THE INDIVIDUAL PROJECT

3

### STABILIZED CONSTRUCTION EXIT

SCALE: N.T.S.



#### CONSTRUCTION NOTES

1. LENGTH SHALL BE AS SHOWN ON THE CONSTRUCTION DRAWINGS, BUT NOT LESS THAN 50 FEET.
2. THICKNESS SHALL BE NOT LESS THAN 6 INCHES.
3. WIDTH SHALL BE NOT LESS THAN FULL WIDTH OF ALL POINTS OF INGRESS OR EGRESS.
4. STABILIZATION FOR OTHER AREAS SHALL HAVE THE SAME AGGREGATE THICKNESS AND WIDTH REQUIREMENTS AS THE STABILIZED CONSTRUCTION EXIT, UNLESS OTHERWISE SHOWN ON THE CONSTRUCTION DRAWINGS.
5. STABILIZED AREA MAY BE WIDENED OR LENGTHENED TO ACCOMMODATE A TRUCK WASHING AREA. AN OUTLET SEDIMENT TRAP MUST BE PROVIDED FOR THE TRUCK WASHING AREA.

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SCOTT AND WHITE

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2615 S. 37TH ST  
TEMPLE, TEXAS, 76504

(261411)

APPROVAL SIGNATURES  
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CONSTRUCTION

DATE: 07.01.13



EXP. DATE: 06/30/14



1006 Beckett  
San Antonio, Texas 78213  
(210) 308-9905

SHEET TITLE

EROSION  
CONTROL

SHEET HISTORY

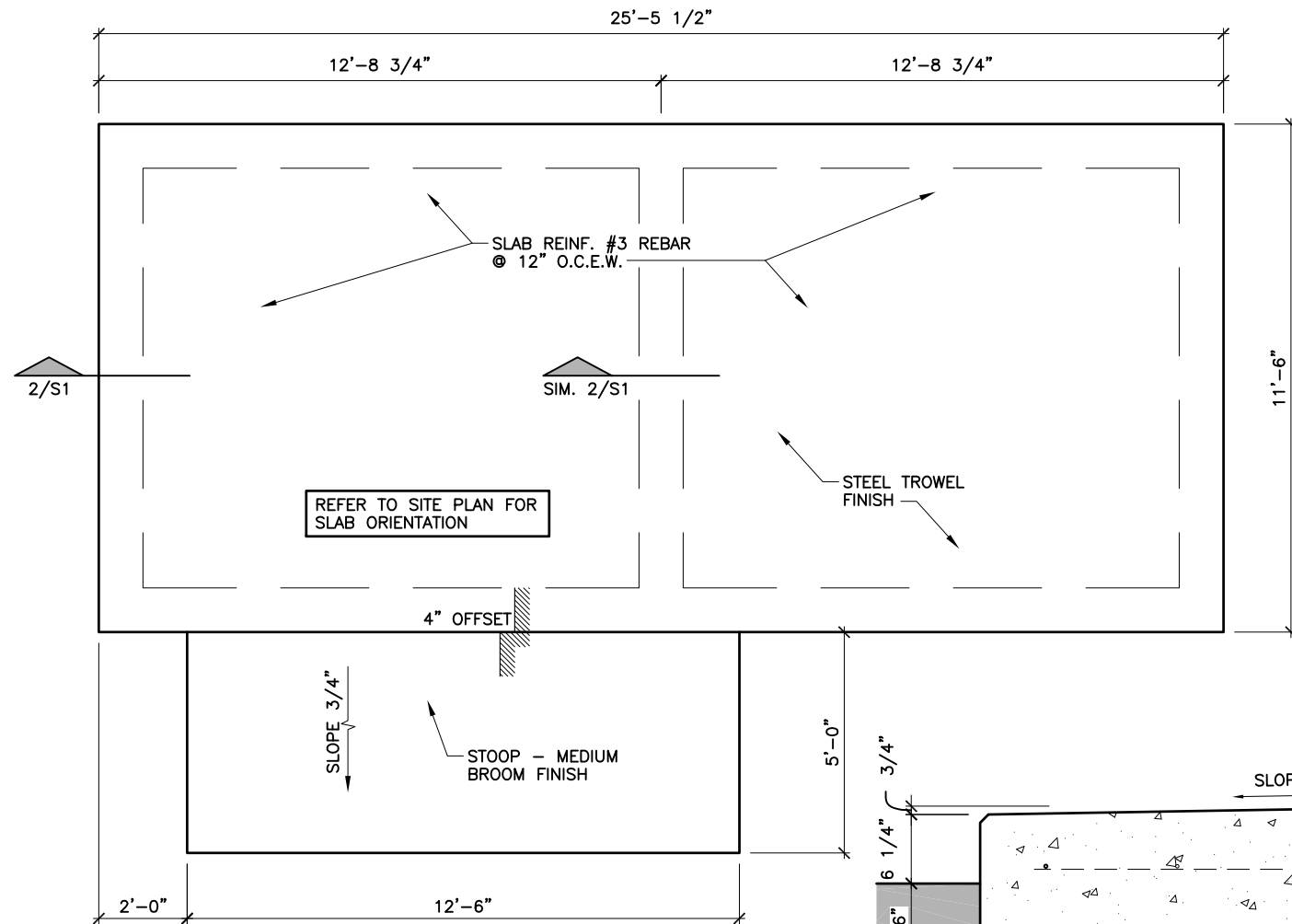
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D5

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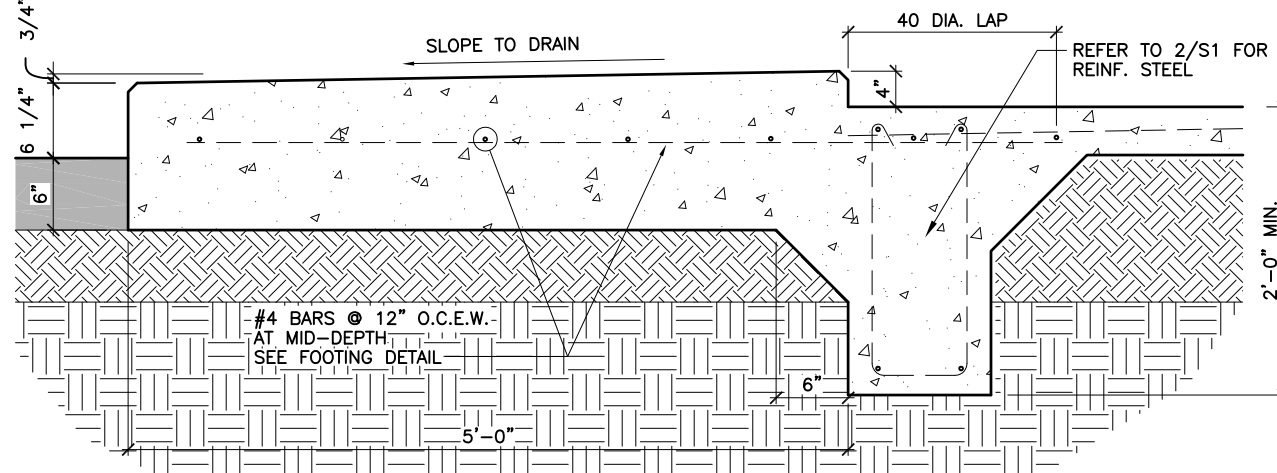
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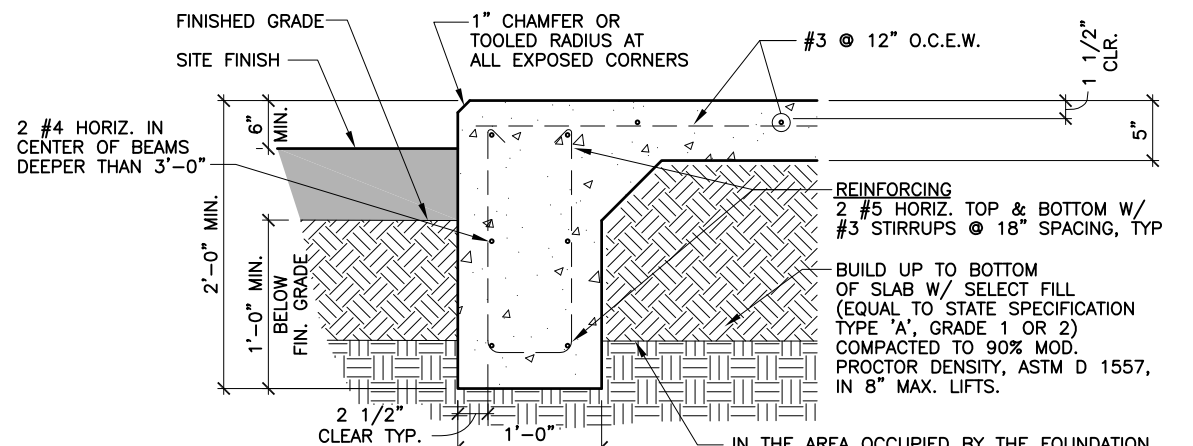
**1 FOUNDATION PLAN**  
SCALE: 1/4" = 1'-0"

**CONCRETE AND REINFORCING STEEL NOTES:**

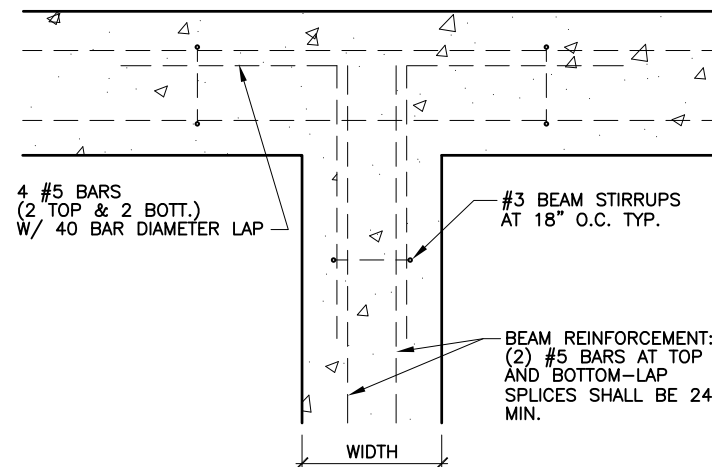
1. ALL CONCRETE WORK SHALL BE IN ACCORDANCE WITH THE ACI 301, ACI 318, ACI 336, ASTM A184, ASTM A185 AND THE DESIGN AND CONSTRUCTION SPECIFICATION FOR CAST-IN-PLACE CONCRETE.
2. ALL CONCRETE SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 3000 PSI AT 28 DAYS, UNLESS NOTED OTHERWISE. REPLACE 20% CEMENT CONTENT BY WEIGHT WITH FLYASH. ASTM C-618
3. REINFORCING STEEL SHALL CONFORM TO ASTM A 615, GRADE 60, DEFORMED. SPLICES SHALL BE CLASS 'B' AND ALL HOOKS SHALL BE STANDARD. ALL UNLESS NOTED OTHERWISE.
4. THE FOLLOWING MINIMUM CONCRETE COVER SHALL BE PROVIDED FOR REINFORCING STEEL UNLESS SHOWN OTHERWISE ON DRAWINGS:  
CONCRETE CAST AGAINST EARTH 3 IN.  
CONCRETE EXPOSED TO EARTH OR WEATHER:  
#6 AND LARGER 2 IN.  
#5 AND SMALLER & WWF  
CONCRETE NOT EXPOSED TO EARTH OR WEATHER OR NOT CAST AGAINST THE GROUND:  
SLAB ON GRADE 1 1/2" FROM TOP
5. A 3/4" CHAMFER SHALL BE PROVIDED AT ALL EXPOSED EDGES OF CONCRETE, UNLESS NOTED OTHERWISE. IN ACCORDANCE WITH ACI 301 SECTION 4.2.4.
6. INSTALLATION OF CONCRETE EXPANSION/WEDGE ANCHOR, SHALL BE PER MANUFACTURER'S WRITTEN RECOMMENDED PROCEDURE. THE ANCHOR BOLT, DOWEL OR ROD SHALL CONFORM TO MANUFACTURER'S RECOMMENDATION FOR EMBEDMENT DEPTH OR AS SHOWN ON THE DRAWINGS. NO REBAR SHALL BE CUT WITHOUT PRIOR ENGINEERING APPROVAL WHEN DRILLING HOLES IN CONCRETE. EXPANSION BOLTS SHALL BE PROVIDED BY RAMSET/REDHEAD OR APPROVED EQUAL.
7. FOUNDATION DESIGN IS BASED ON SOIL WITH 2000 PSF BEARING CAPACITY. IF EXISTING SOIL DOES NOT HAVE A MINIMUM 2000 PSF BEARING CAPACITY, CONTRACTOR SHALL EXTEND PERIMETER BEAM TO REACH SOIL WITH MINIMUM 2000 PSF BEARING CAPACITY.



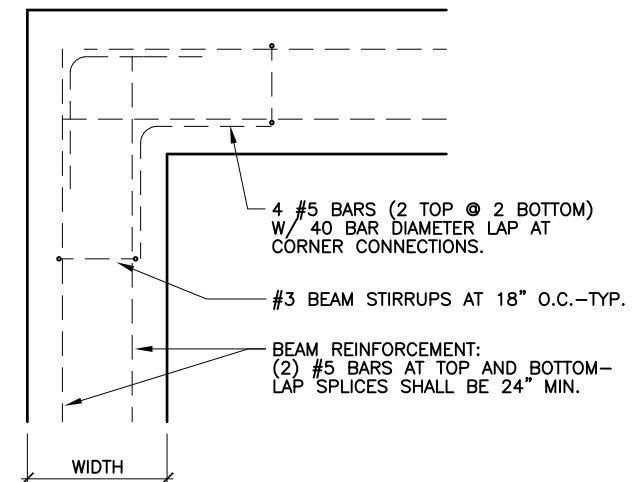
**3 STOOP DETAIL**  
SCALE: 3/4" = 1'-0"



**2 FOOTING DETAIL**  
SCALE: 3/4" = 1'-0"



**5 TEE DETAIL**  
SCALE: 3/4" = 1'-0"



**4 CORNER DETAIL**  
SCALE: 3/4" = 1'-0"

APPROVAL SIGNATURES  
**LANDLORD**

**LEASING**

**CONSTRUCTION**

07.01.13



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San Antonio, Texas 78213  
(210) 308-9905

**SHEET TITLE**  
**FOUNDATION PLAN & DETAILS**

**SHEET HISTORY**  
07.01.13 ISSUE FOR CONSTRUCTION

**S1**

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GENERAL NOTES:

**GN-1** THIS STRUCTURE IS DESIGNED IN ACCORDANCE WITH THE INTERNATIONAL BUILDING CODE (2012) AS AMENDED, AND APPLICABLE INDUSTRY STANDARDS (AISC, ACI, ETC.).

**GN-2** DESIGN CRITERIA:

DEAD LOADS – THE WEIGHT OF THE MATERIALS FORMING THE PERMANENT PART OF THE STRUCTURE. A SUPERIMPOSED DEAD LOAD OF 5 PSF HAS BEEN APPLIED FOR MECHANICAL DUCTS, CONDUITS, CEILING, ETC.

WIND LOADS – PER IBC SECTION 1609  
ULTIMATE DESIGN WIND SPEED (3 SECOND GUST), V–ult . . . . . 115 MPH  
NOMINAL DESIGN WIND SPEED, V–asd . . . . .89 MPH  
EXPOSURE CATEGORY . . . . . C  
RISK CATEGORY . . . . . II

**GN-3** THE STRUCTURE HAS BEEN DESIGNED TO RESIST DESIGN LOADS ONLY AS A COMPLETED STRUCTURE. CONTRACTOR SHALL CONSIDER ALL LOADS APPLIED TO THE PARTIALLY COMPLETED STRUCTURE AND PROVIDE TEMPORARY BRACING AS REQUIRED UNTIL ALL PERMANENT CONNECTIONS ARE MADE. ANY PROPOSED APPLICATION OF CONSTRUCTION LOADS WHICH EXCEED THE DESIGN LOADS WILL REQUIRE REANALYSIS AND PROBABLE REDESIGN.

**GN-4** PRIOR TO START OF CONSTRUCTION, THE CONTRACTOR AND FABRICATOR SHALL VERIFY ALL QUANTITIES, DIMENSIONS AND CONDITIONS AND NOTIFY ARCHITECT/ENGINEER OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK.

**GN-5** VERIFY REQUIREMENTS OF OTHER TRADES PRIOR TO PROCEEDING WITH FABRICATION OR INSTALLATION OF MATERIALS.

**GN-6** UTILITIES PENETRATING BUILDING SHALL BE STRUCTURE, USING SLEEVE JOINTS, BENDS, LOOPS, ETC. TO PERMIT MOVEMENTS DUE TO EXPANSIVE UNDERLYING SOILS.

**GN-7** THE ENGINEER SHALL NOT HAVE CONTROL OF, AND SHALL NOT BE RESPONSIBLE FOR, CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES, OR PROCEDURES, FOR SAFETY PRECAUTIONS AND PROGRAMS IN CONNECTION WITH THE WORK, FOR THE ACTS OR OMISSION OF THE CONTRACTOR, SUBCONTRACTOR, OR ANY OTHER PERSONS PERFORMING ANY OF THE WORK, OR FOR THE FAILURE OF ANY OF THEM TO CARRY OUT THE WORK IN ACCORDANCE WITH THE CONTRACT DOCUMENTS.

**GN-8** ASSUMPTIONS HAVE BEEN MADE BY THIS OFFICE REGARDING EXISTING CONDITIONS. ACTUAL CONDITIONS MAY VARY FROM THOSE ASSUMED. THE CONTRACTOR IS TO REPORT ANY SUCH DISCREPANCIES TO THE ENGINEER FOR POSSIBLE MODIFICATIONS NEEDED TO THE CONTRACT DRAWINGS BEFORE PROCEEDING WITH FURTHER WORK.

CONCRETE NOTES:

**CN-1** ALL CONCRETE WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF ACI 301 "SPECIFICATION FOR STRUCTURAL CONCRETE BUILDINGS" AND ACI 318 "BUILDING CODE REQUIREMENTS FOR REINFORCED CONCRETE."

**CN-2** CONSTRUCTION TOLERANCES SHALL CONFORM TO ACI 117 "STANDARD TOLERANCES FOR CONCRETE CONSTRUCTION AND MATERIALS."

**CN-3** CONTRACTOR SHALL DESIGN, CONSTRUCT, ERECT, SHORE, BRACE AND MAINTAIN FORM WORK ACCORDING TO ACI 301. WOOD FORM WORK SHALL BE #2 COMMON OR BETTER PLYWOOD, EXPOSED SURFACES SHALL BE NEW OR LIKE NEW MOISTURE RESISTANT FIR FORM PLYWOOD. LIGHTLY COAT FORMS WITH NON–STAINING FORM OIL, REMOVE SURPLUS OIL. FORM EXPOSED FACES 6" MINIMUM BELOW FINISH GRADE.

**CN-4** REINFORCING STEEL SHALL BE DOMESTIC NEW BILLET STEEL CONFORMING TO ASTM A615 GRADE 60, EXCEPT TIES AND STIRRUPS MAY BE GRADE 40. BARS DESIGNATED AS CONTINUOUS SHALL BE LAPPED 40 BAR DIAMETERS. WELDED WIRE FABRIC SHALL CONFORM TO ASTM A185 AND SHALL BE LAPPED 8" MINIMUM AT SPLICE POINTS OR 1 1/2 MESHES, WHICHEVER IS GREATER.

**CN-5** PORTLAND CEMENT SHALL COMPLY WITH ASTM C–150, TYPE 1. FLY ASH SHALL CONFORM TO ASTM C–618. NORMAL WEIGHT AGGREGATE SHALL COMPLY WITH ASTM C33. WATER SHALL BE POTABLE AND COMPLY WITH ASTM C94.

**CN-6** CONCRETE SHALL BE NORMAL WEIGHT, LABORATORY DESIGNED TO DEVELOP MINIMUM SPECIFIED 28 DAY COMPRESSIVE STRENGTH AND PROPORTIONED AS FOLLOWS:

SLAB ON GRADE: 3000 PSI, 5 SACKS OF CEMENT PER CUBIC YARD, 1 1/2" MAXIMUM AGGREGATE, MAXIMUM SLUMP OF 5".

FLY ASH IS LIMITED TO A MAXIMUM 20% CEMENT REPLACEMENT BY WEIGHT.

**CN-7** ALL REINFORCING STEEL SHALL BE FREE OF RUST, SCALE, AND DRIED CONCRETE, AND SHALL BE ACCURATELY BENT AND SECURELY TIED INTO POSITION TO PREVENT MOVEMENT DURING CONCRETE PLACEMENT. RAISING REINFORCEMENT DURING POUR WILL NOT BE PERMITTED.

**CN-8** CONCRETE COVER SHALL BE AS FOLLOWS, UNLESS NOTED OTHERWISE:

- A. CONCRETE CAST AGAINST EARTH – 3"
- B. CONCRETE EXPOSED TO EARTH OR WEATHER:  
BARS 3/4" AND LARGER IN DIAMETER – 2 INCHES  
BARS SMALLER THAN 3/4" DIAMETER – 1 1/2"
- C. CONCRETE NOT EXPOSED TO WEATHER OR GROUND:  
SLAB ON GRADE – 1 1/2" FROM TOP OF SLAB

**CN-9** SET AND BUILD ANCHORAGE AND OTHER EMBEDDED ITEMS INTO FORM WORK AS REQUIRED FOR OTHER WORK THAT IS ATTACHED TO OR SUPPORTED BY CONCRETE. COORDINATE WITH OTHER DISCIPLINES.

**CN-10** CONCRETE SHALL BE MIXED AND DELIVERED IN ACCORDANCE WITH ASTM C–94 "STANDARD SPECIFICATION FOR READY–MIXED CONCRETE."

**CN-11** CONCRETE WHEN DEPOSITED SHALL HAVE A TEMPERATURE NOT BELOW 50°F OR ABOVE 90°F. APPROPRIATE MEASURES SHALL BE TAKEN TO MAINTAIN TEMPERATURE RANGE AND PREVENT WATER EVAPORATION FOR 5 DAYS AFTER PLACEMENT. SALT OR OTHER CHEMICALS SHALL NOT BE ADDED TO PREVENT FREEZING.

**CN-12** CONCRETE SHALL BE CONVEYED TO AND DEPOSITED IN FORM WORK NEAR ITS FINAL POSITION, WITH A FREE VERTICAL DROP NOT EXCEEDING 3 FEET. PLACE CONCRETE IN 12 INCH MAXIMUM LAYERS AND COMPACT EACH LAYER BY MECHANICAL VIBRATING.

**CN-13** SCREEDING, RE–STRAIGHTENING, AND FINISHING OPERATIONS SHALL COMPLY WITH ACI 302.1R. COORDINATE ALL FINISHES WITH ARCHITECTURAL DRAWINGS AND FLOOR FINISH REQUIREMENTS. CAREFULLY TOOL ALL EXPOSED EDGES.

**CN-14** CURE CONCRETE FOR AT LEAST SEVEN DAYS BY MOISTURE CURING, SEALED MOISTURE RETAINING COVER CURING, OR A CLEAR WATERBOURNE CURING COMPOUND CONFORMING TO ASTM C309.

**CN-15** SIDE FORMS MAY BE REMOVED AFTER CUMULATIVE CURING AT NOT LESS THAN 50°F FOR 24 HOURS AFTER PLACING CONCRETE.

**CN-16** PATCH HONEYCOMB, TIE HOLES, AND MINOR DEFECTS WITH ONE PART CEMENT AND TWO PARTS SAND IMMEDIATELY AFTER REMOVING FORMS.



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APPROVAL SIGNATURES

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TX FIRM REG. NO. F-5298

ARCHCOMM, LLC.  
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San Antonio, Texas 78213  
(210) 308-9905

SHEET TITLE

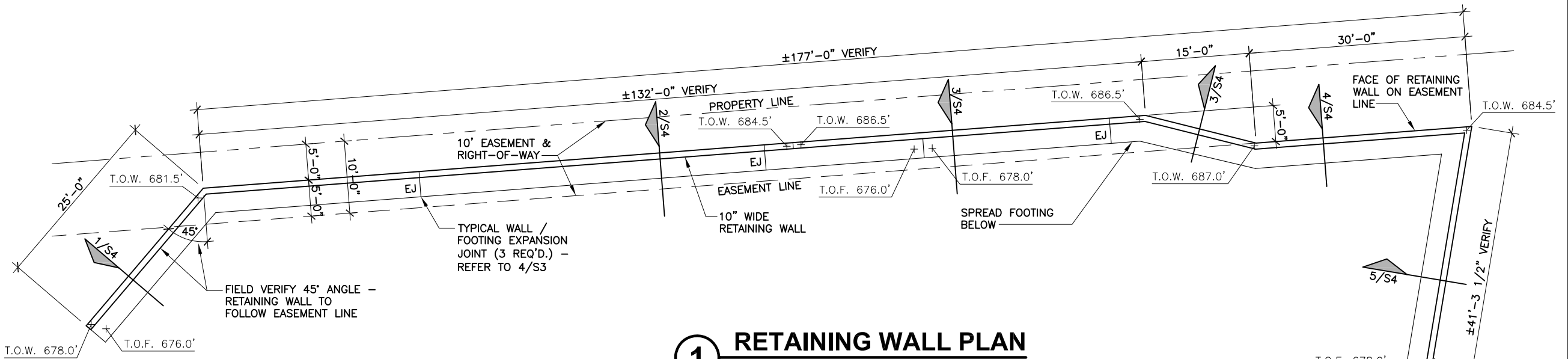
RETAINING WALL  
NOTES

SHEET HISTORY

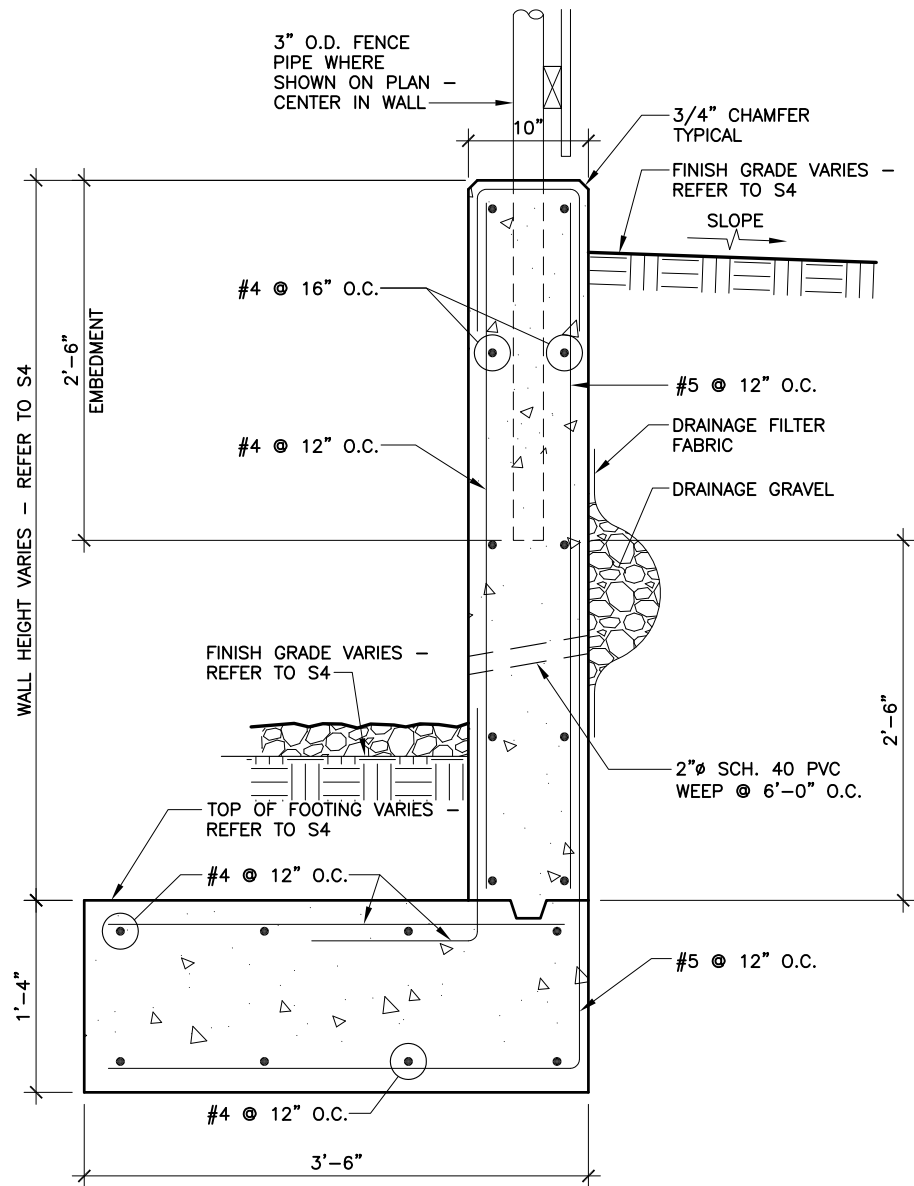
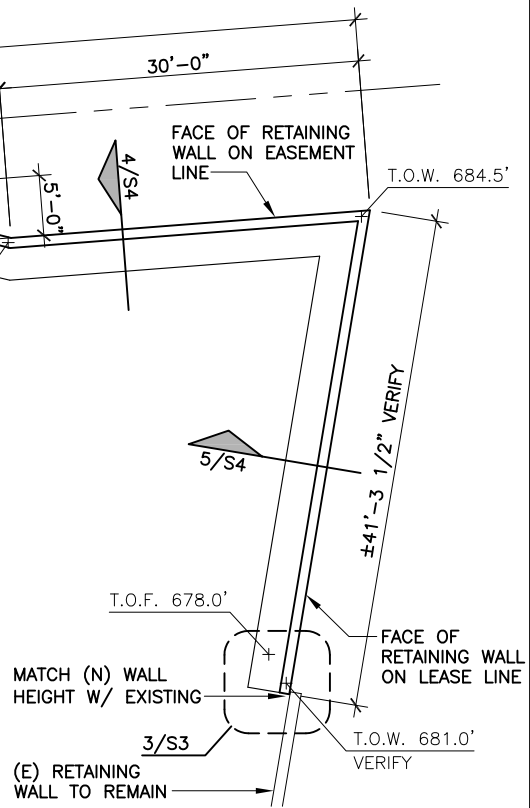
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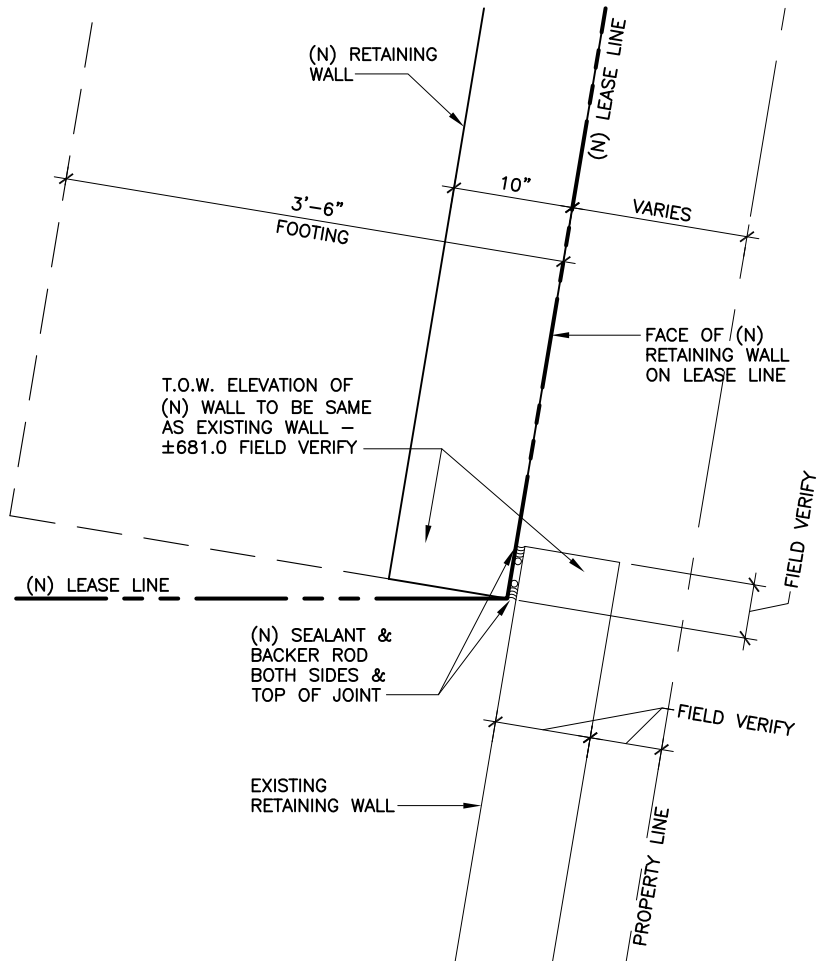
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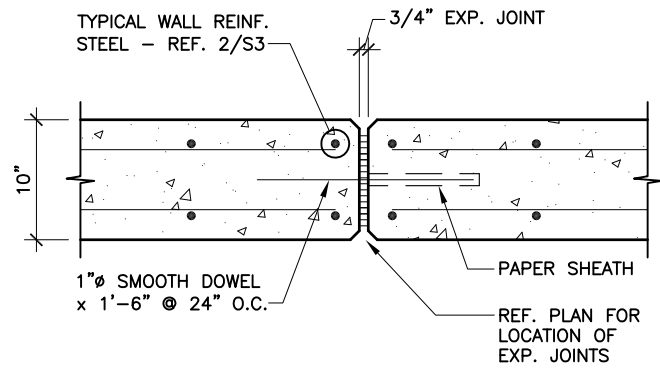
**1 RETAINING WALL PLAN**  
SCALE: 1/16" = 1'-0"



**2 TYPICAL REINF. STEEL DESIGN**  
SCALE: 3/4" = 1'-0"



**3 RETAINING WALL CONNECTION DETAIL**  
SCALE: 3/4" = 1'-0"



**4 EXPANSION JOINT DETAIL**  
SCALE: 3/4" = 1'-0"



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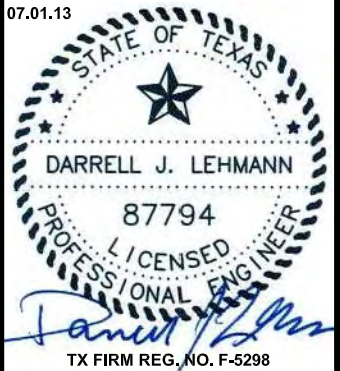
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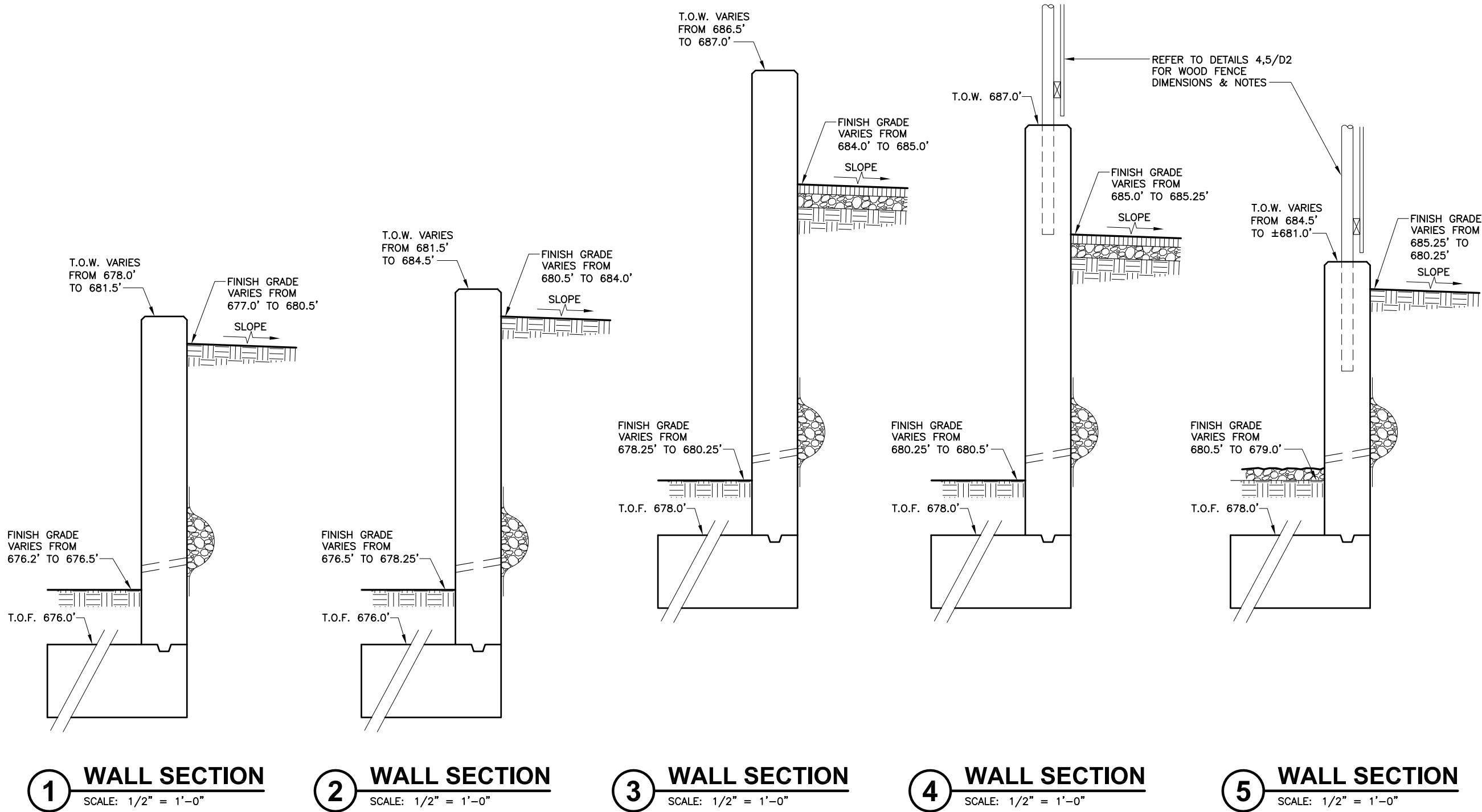
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**RETAINING WALL PLAN & DETAILS**

SHEET HISTORY  
07.01.13 ISSUE FOR CONSTRUCTION

**S3**



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NOTE: ALL RETAINING WALL SECTIONS REFER TO DETAIL 2/S3 FOR REINFORCING STEEL AND DIMENSIONS.

T.O.F. = TOP OF FOOTING  
T.O.W. = TOP OF WALL  
F.G. = FINISH GRADE



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SHEET TITLE  
RETAINING WALL  
SECTIONS

SHEET HISTORY  
07.01.13 ISSUE FOR CONSTRUCTION

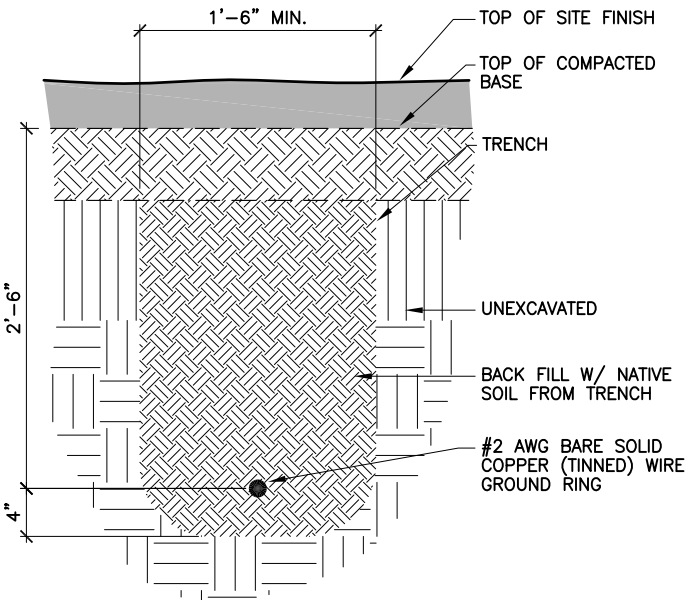
S4

GENERAL NOTES

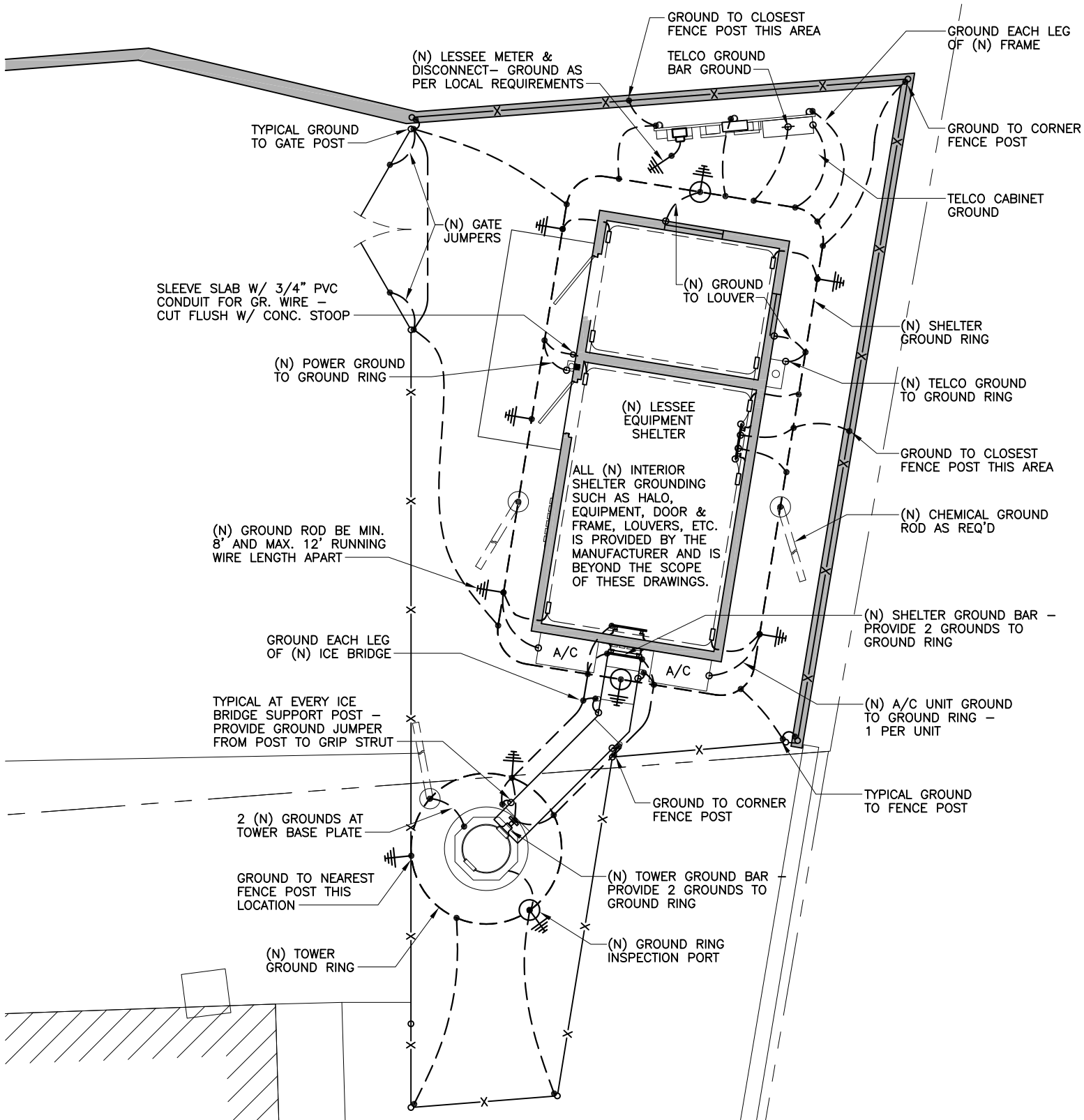
- 1. ALL GROUND WIRES SHOWN SHALL BE #2 SOLID TIN PLATED COPPER UNLESS OTHERWISE IDENTIFIED.
- 2. ALL EXPOSED GROUND LEADS TO BE IN 1/2" SEAL TIGHT W/ SILICONE.
- 3. PROVIDE CHEMICAL GROUND RODS WHEN DRIVEN RODS ARE NOT PRACTICAL OR WHERE A STANDARD 5 OHMS RESISTANCE CANNOT BE OBTAINED AT THE SITE. LOCATION SHALL BE DETERMINED ON SITE BY PROJECT MANAGER.
- 4. AFTER SITE GROUNDING IS COMPLETED THE GROUNDING INSTALLATION SHALL TEST AT 5 OHMS OR LESS.

GROUNDING LEGEND

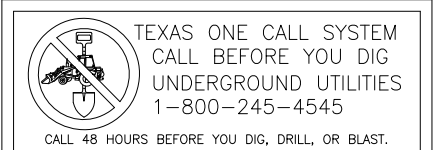
- CRIMPED CONNECTION
- GROUND WIRE/GROUND RING
- EXOTHERMIC CONNECTION WELD
- MECHANICAL CONNECTION (TWO HOLE LUGS TYP.)
- 5/8"x8'-0" GALVANIZED STEEL GROUND ROD TO BE MIN. 8' TO MAX. 12' RUNNING WIRE LENGTH APART. CAD WELDED TO GROUND LOOP
- GROUND RING INSPECTION WELL
- 20' CHEMICAL GROUND ROD IN AN INSPECTION WELL, PLACE VERTICALLY OR HORIZONTALLY
- TINNED COPPER GROUND BAR



2 GROUND RING TRENCH  
SCALE: 3/4" = 1'-0"



1 GROUNDING PLAN  
SCALE: 1/8" = 1'-0"



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SHEET TITLE

GROUNDING  
PLAN

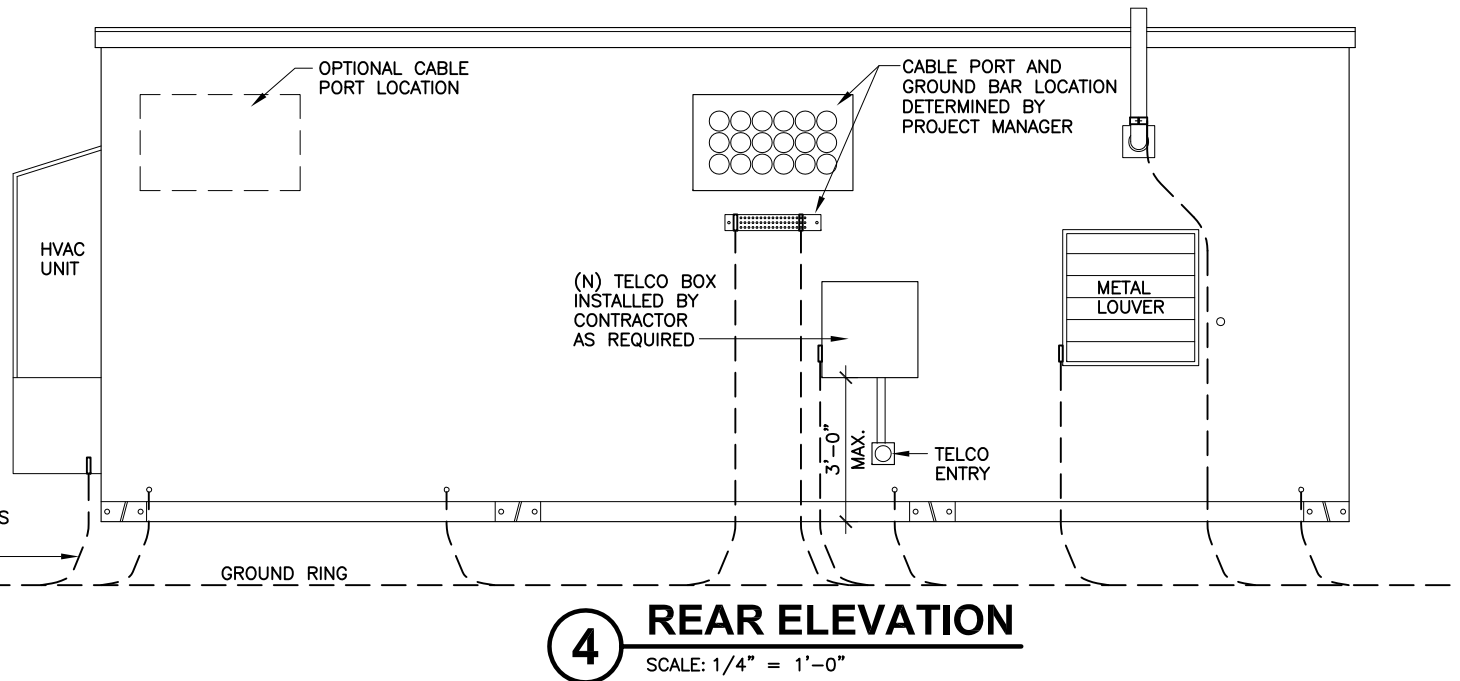
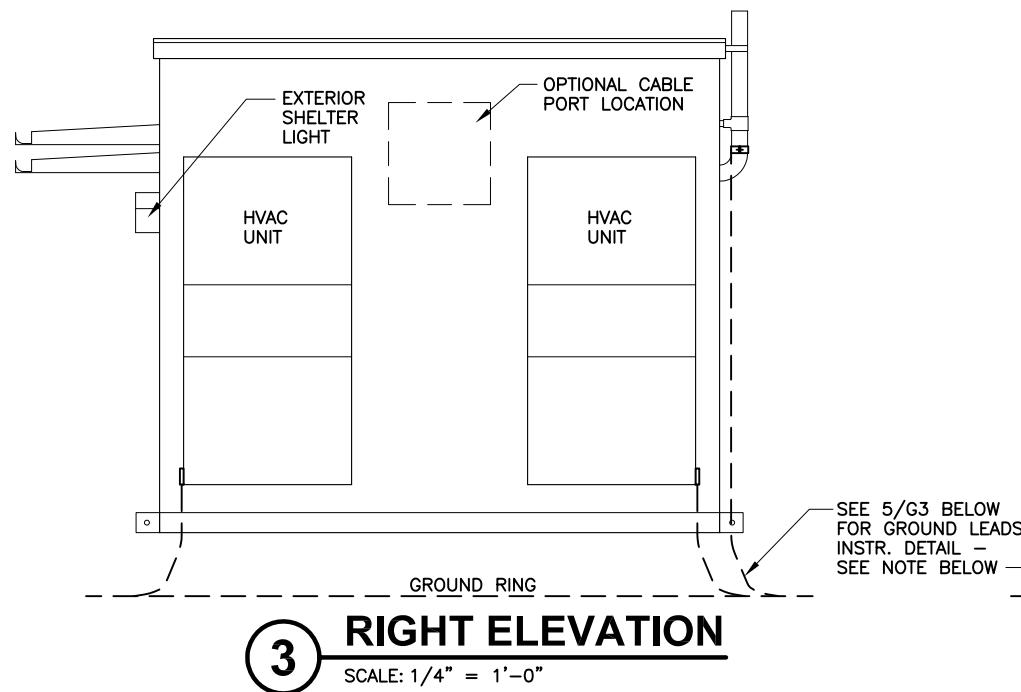
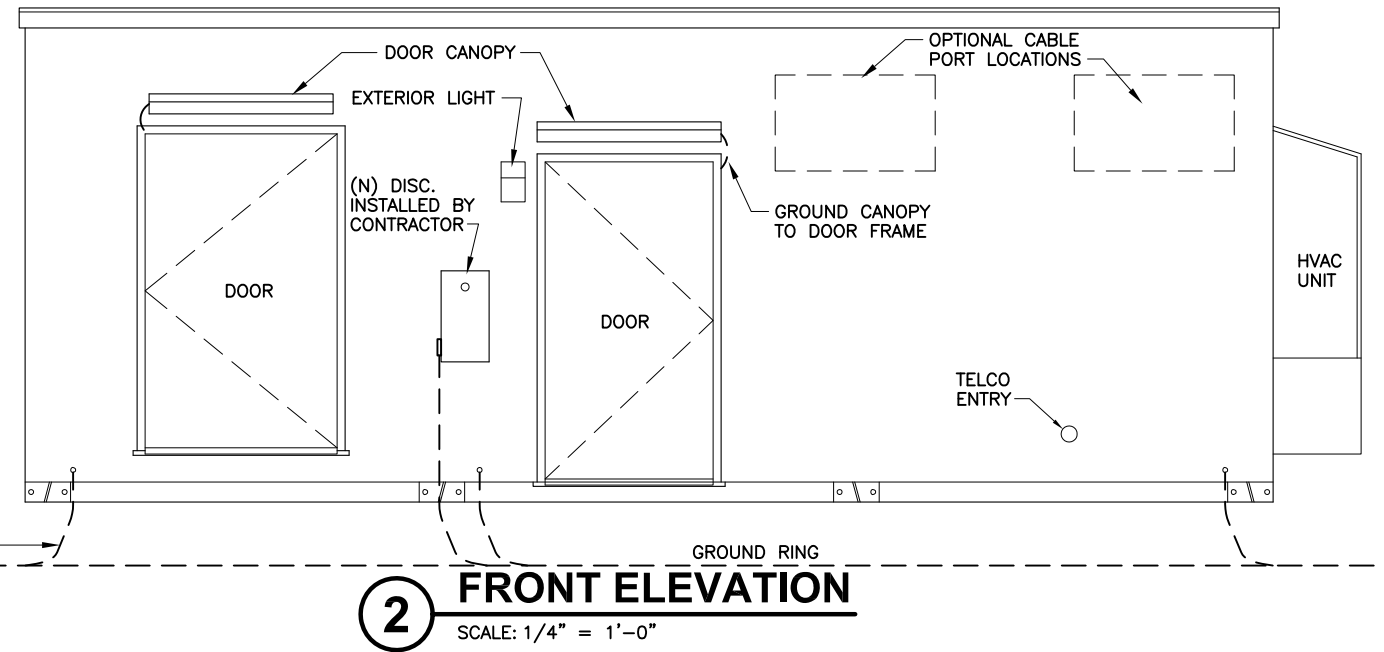
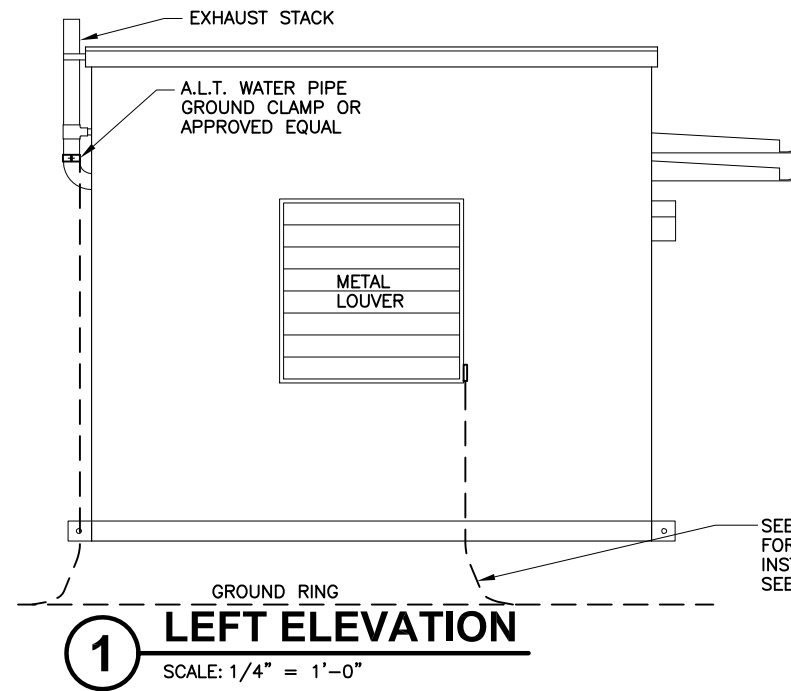
SHEET HISTORY

07.01.13 ISSUE FOR CONSTRUCTION

G1

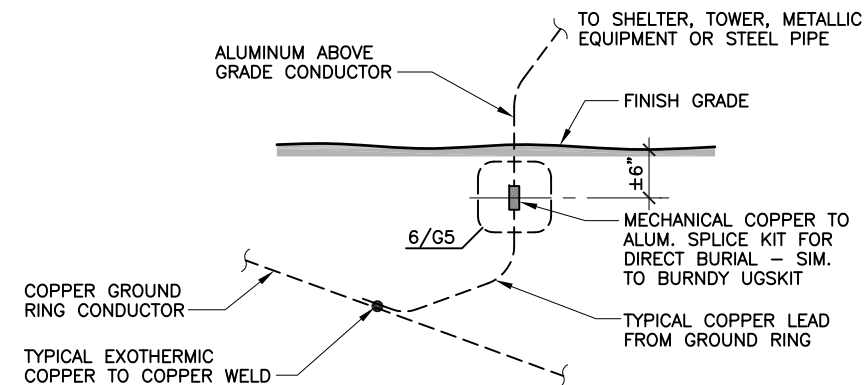


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ALL GROUNDS TO EXTERIOR OF SHELTER, A/C UNITS, GROUND BARS, UTILITY BOXES, CABLE PORT AND GROUND BAR SHALL BE TWO LUG MECHANICAL CONNECTION OR AS APPROVED BY PROJECT MANAGER.

NOTE: ALL GROUNDING LEADS FROM THE GROUND RING UP TO THE TOWER, SHELTER, GROUND BARS, ETC. THAT EXTEND MORE THAN 18" ABOVE THE FINISH GRADE SHALL HAVE A COPPER TO ALUMINUM SPLICE RATED FOR DIRECT BURIAL. GROUND LEADS MADE TO POST, (I.E., FENCE, CABLE BRIDGE, ETC.) WHERE COPPER TO STEEL EXOTHERMIC WELDS ARE MADE DO NOT APPLY. REFER TO DETAILS 5/G3, 1/G4, 4/G4 & 5/G5.



**SCOTT AND WHITE**  
\*\*\*

2615 S. 37TH ST  
TEMPLE, TEXAS, 76504  
(261411)

APPROVAL SIGNATURES  
LANDLORD

LEASING

CONSTRUCTION

DATE: 07.01.13



EXP. DATE: 06/30/14



**ARCHCOMM, LLC.**  
1006 Beckett  
San Antonio, Texas 78213  
(210) 308-9905

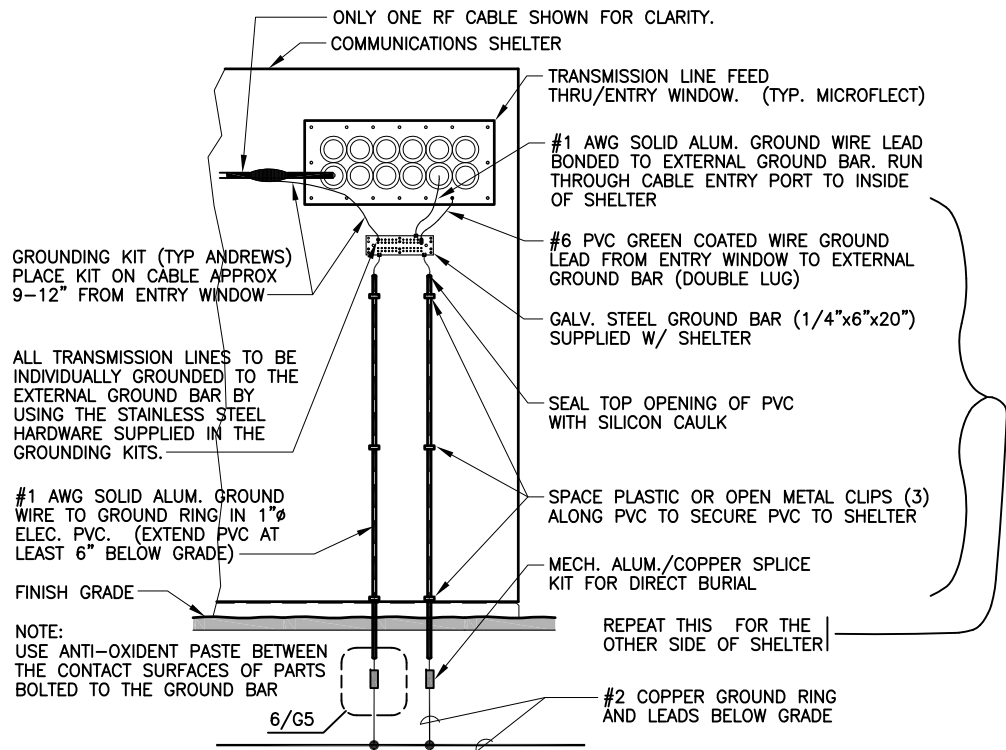
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ELEVATIONS**

SHEET HISTORY  
07.01.13 ISSUE FOR CONSTRUCTION

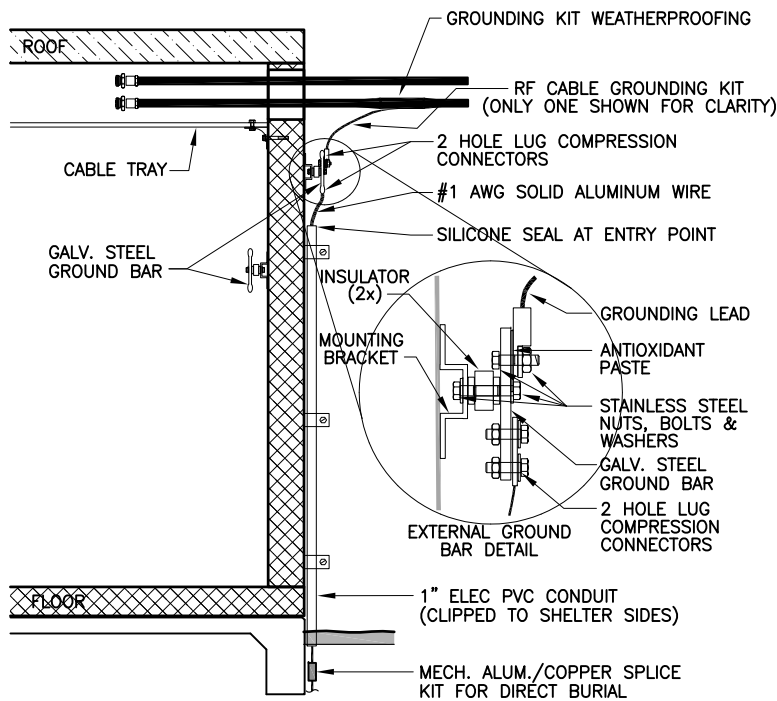
**G2**

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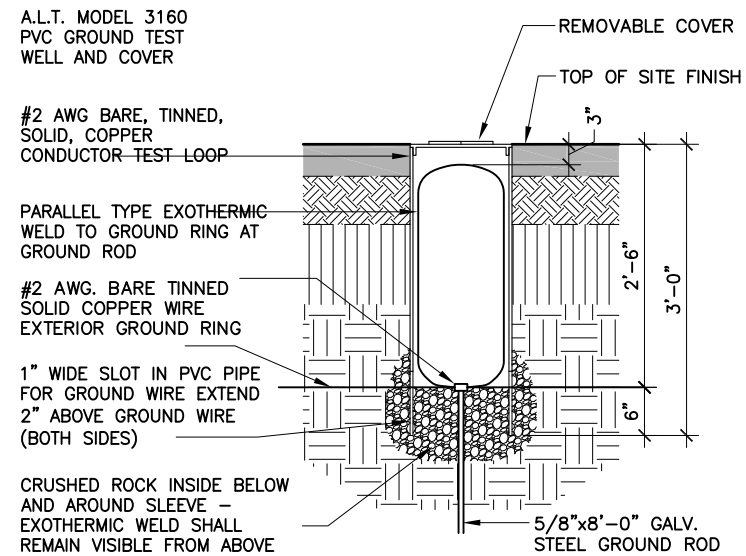
H:\ARCHCOMM LLC\VERIZON\SOUTH TEXAS\Scott and White\A-New Build - Rawland\Scott and White-GROUNDING DETAILS.dwg, 7/1/2013 9:50:12 AM, mviciana



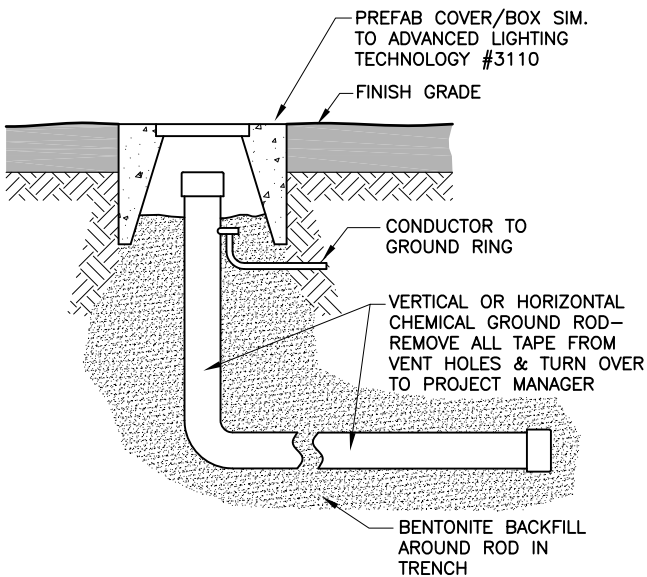
**1** **EXTERNAL GROUND WINDOW**  
SCALE: N.T.S.



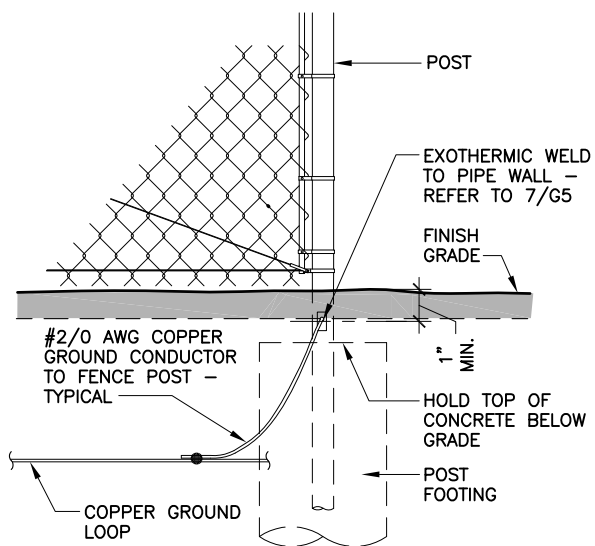
**2** **BULKHEAD GROUNDING**  
SCALE: N.T.S.



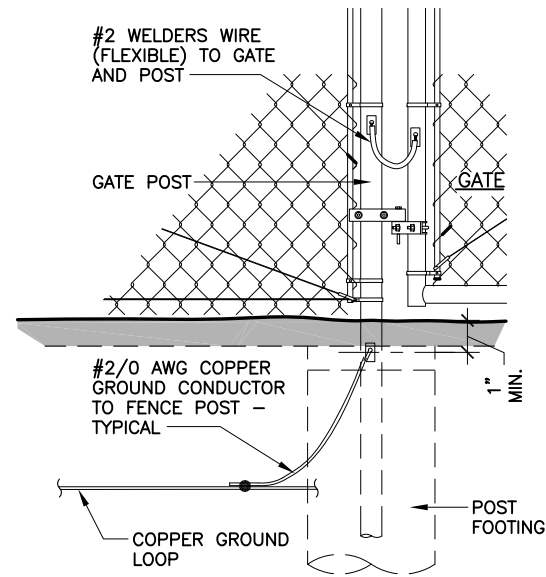
**3** **GALVANIZED STEEL GROUND/ROD INSPECTION WELL**  
SCALE: 1/2" = 1'-0"



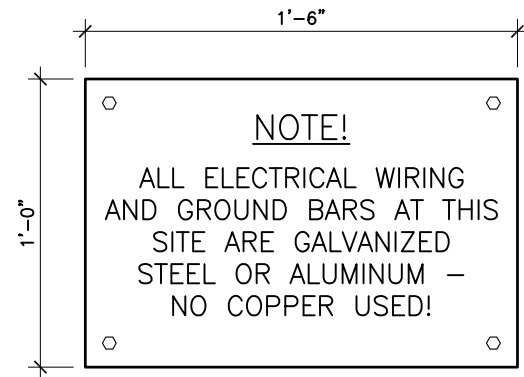
**4** **CHEMICAL GROUND ROD/INSPECTION WELL**  
SCALE: 3/4" = 1'-0"



**5** **FENCE POST GROUNDING**  
SCALE: 1" = 1'-0"



**6** **GATE POST GROUNDING**  
SCALE: 1" = 1'-0"



**7** **SITE "GROUNDING" SIGN**  
SCALE: 1 1/2" = 1'-0"



**SCOTT AND WHITE**  
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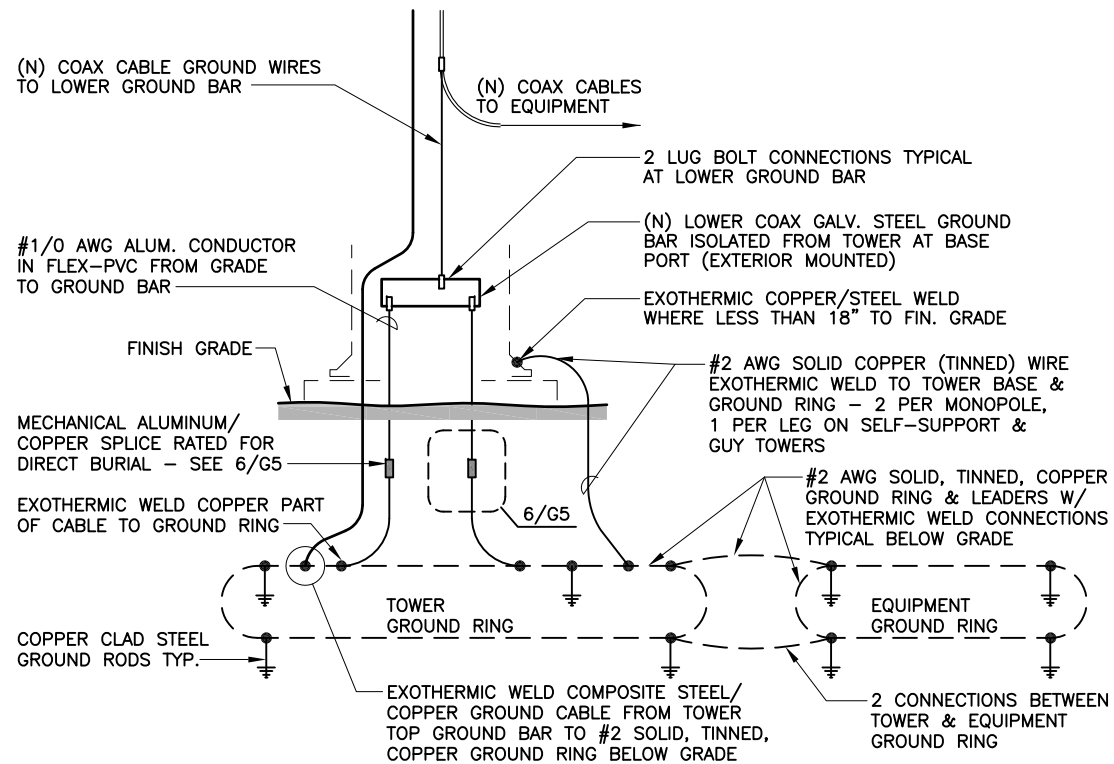
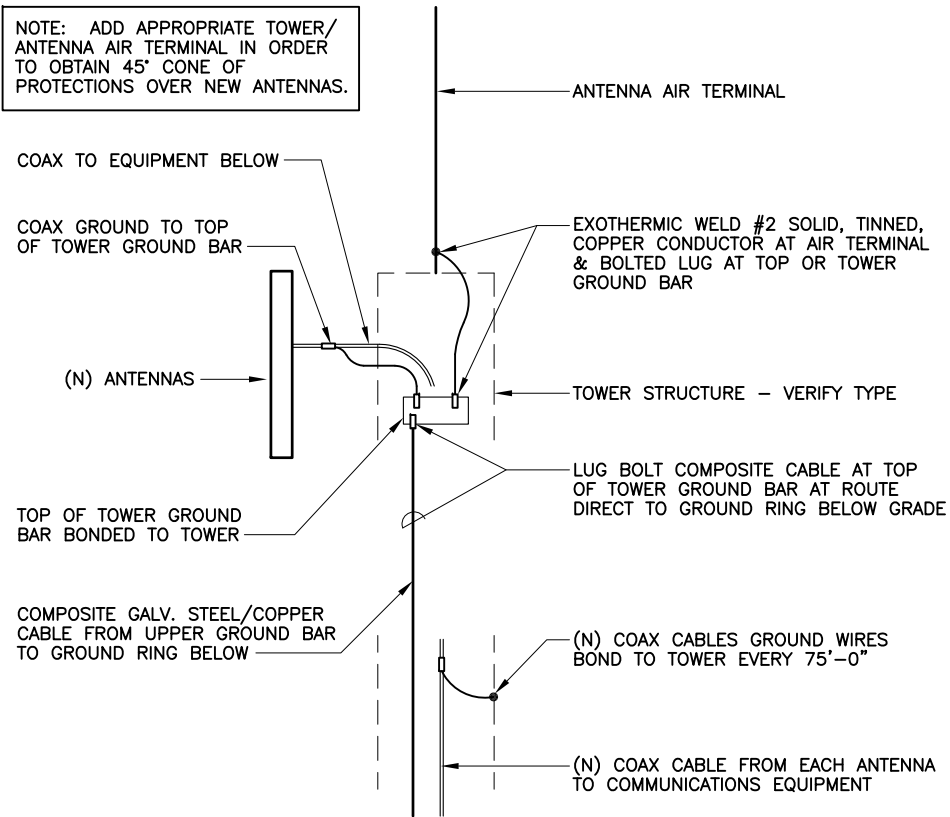
SHEET TITLE

**GROUNDING DETAILS**

SHEET HISTORY  
07.01.13 ISSUE FOR CONSTRUCTION

**G3**

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## 1 TOWER GROUNDING DIAGRAM

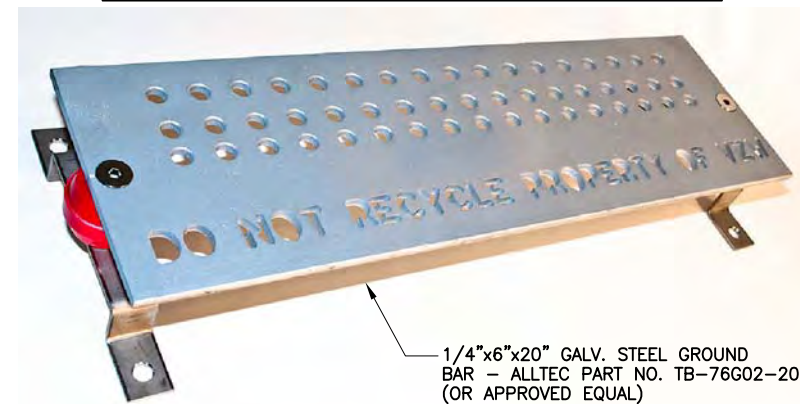
SCALE: NONE

1. IN SO FAR IS PRACTICAL AND TO AFFORD MAXIMUM PROTECTION TO THE SITE, ALL ELECTRICAL CONDUCTORS PROVIDING POWER TO AND THROUGHOUT THE SITE AND GROUND CONDUCTORS SHALL BE ALUMINUM. ALL GROUND BARS SHALL BE GALVANIZED STEEL. WHERE ACCESS IS SECURE (I.E., BURIED GROUND RINGS, LEADS, AND INSIDE SHELTERS & EQUIPMENT CABINETS, ETC.) COPPER MAY HAVE LIMITED USE.
2. ABOVE GRADE GROUNDING CONDUCTORS SHALL BE ALUMINUM AND GROUNDING CONDUCTORS INSTALLED BELOW GRADE SHALL REMAIN COPPER.
3. COPPER JOINTS, SPLICES OR CONNECTIONS SHALL BE AS INDICATED IN THE CONSTRUCTION DOCUMENTS. COPPER TO COPPER AND COPPER TO STEEL CONNECTIONS SHALL BE EXOTHERMIC WELD OR MECHANICAL AS DESIRED. ANY CONNECTIONS THAT ARE BELOW GRADE (I.E., GROUND RINGS, LEADS, ETC.) OR OTHERWISE NOT ACCESSIBLE SHALL BE EXOTHERMIC WELDS AS ARE PRACTICAL; HOWEVER, NO EXOTHERMIC WELDS SHALL BE MADE TO ANY GALVANIZED STEEL TOWER ELEMENT WHERE THE SIDE OPPOSITE THE WELD IS NOT ACCESSIBLE FOR INSPECTION (I.E., MONOPOLE, PIPE OR TUBE SECTIONS).
4. ALLUMINUM-ASSOCIATED CONNECTIONS SHALL BE APPROPRIATELY RATED MECHANICAL CONNECTIONS. THE DISSIMILARITY OF ALUMINUM WITH COPPER AND STEEL MAKES THE USE OF EXOTHERMIC WELDS IMPRACTICAL WHERE ALUMINUM CONDUCTORS ARE CONCERNED.
5. ANY ALUMINUM CONDUCTORS LOCATED CLOSER THAN 18" TO GRADE SHALL BE PROTECTED BY WATERPROOF INSULATION. ANY ALUMINUM CONDUCTOR CONNECTIONS LOCATED CLOSER THAN 18" TO GRADE SHALL BE TREATED AS A WATERPROOF CONNECTION RATED FOR DIRECT BURIAL.

## 2 ELECTRICAL CONDUCTORS

SCALE: NONE

IMAGE WAS TAKEN FROM ALLTEC CORPORATION PRODUCT CATALOG



1/4"x6"x20" GALV. STEEL GROUND BAR - ALLTEC PART NO. TB-76G02-20 (OR APPROVED EQUAL)

## 3 GALV. STEEL GROUND BAR

SCALE: NONE



Fig. 1

NOTE: SHRINK WRAP SECOND LAYER TO EXTEND MINIMUM OF 20" ABOVE FINISH GRADE.

Fig. 2



Catalog Number	Figure Number	Wire Range	
		Maximum	Minimum
UGSKIT2*	1	2	8
UGSKIT250*	2	250	1

\*UL486D Listed for Direct Burial

### TYPE UGSKIT

### WATERTIGHT/ UNDERGROUND SPLICE KITS

For all Aluminum or  
Copper/Aluminum  
Combinations

## 4 WATERTIGHT/UNDERGROUND SPLICE KIT

SCALE: N.T.S.

BURNDY TYPE UGSKIT



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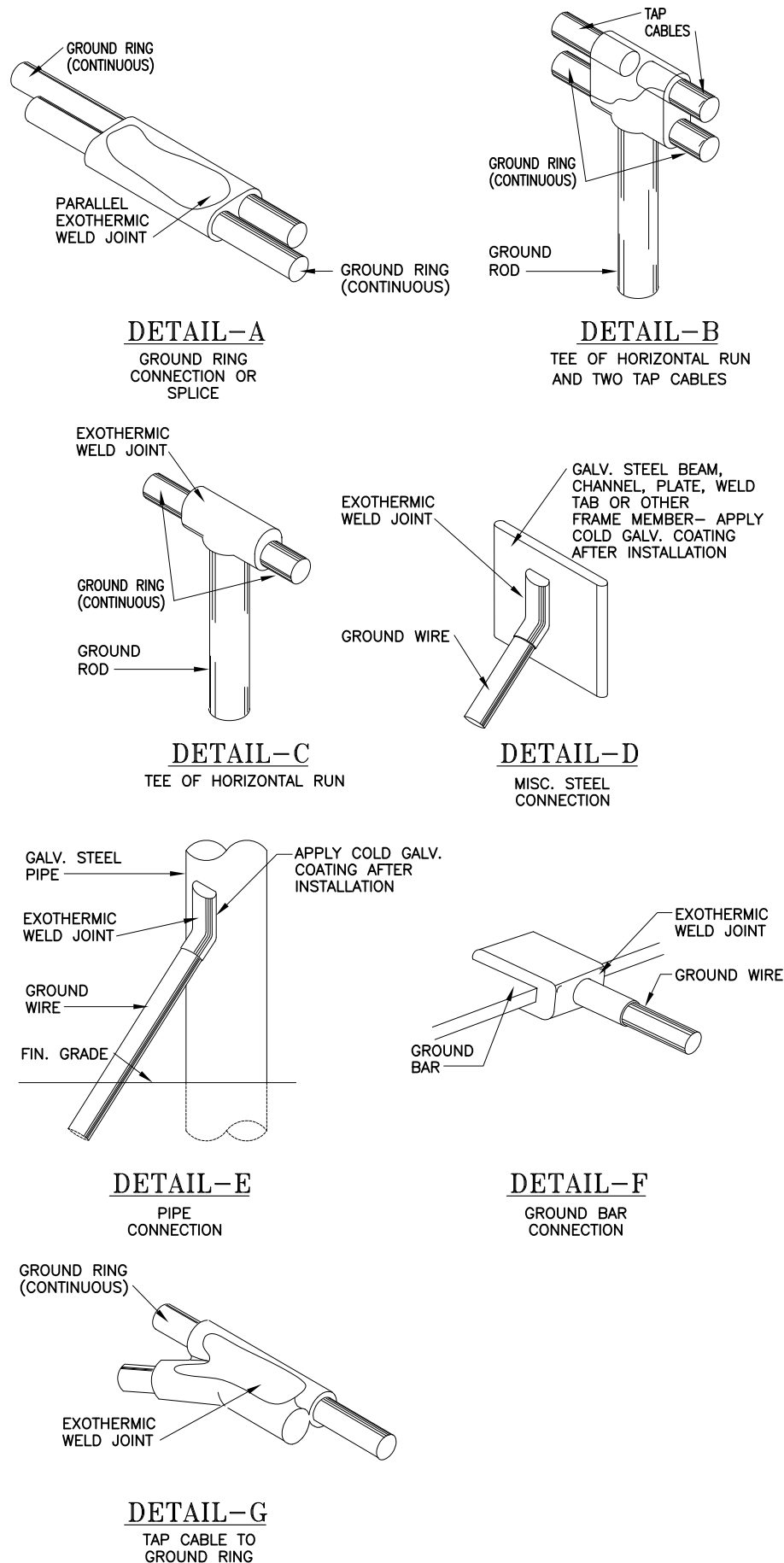
SHEET TITLE  
**TOWER  
GROUNDING DETAILS**

SHEET HISTORY  
07.01.13 ISSUE FOR CONSTRUCTION

G4



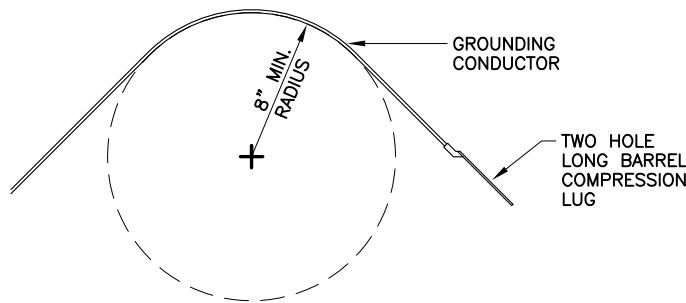
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## 1 WELD CONNECTION DETAILS

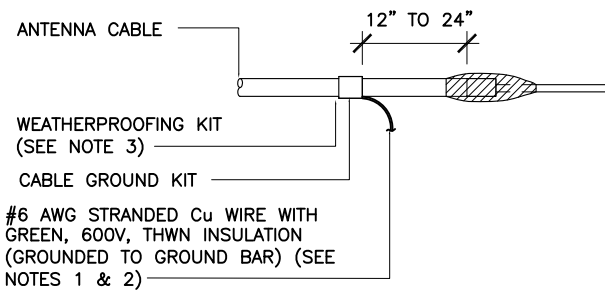
SCALE: NONE

1. CLEAN SURFACES TO BE WELDED OF ALL PAINT, DIRT, MOISTURE, CORROSION AND OTHER FOREIGN MATTER.
2. MAKE APPROPRIATE WELDED CONNECTION (REFER TO DETAILS).- USE MANUFACTURER'S WRITTEN RECOMMENDATIONS.
3. IF WELDED MATERIALS HAVE A GALVANIZED FINISH. APPLY A PROTECTIVE COLD GALVANIZE COATING.



## 2 MINIMUM GROUNDING CONDUCTOR RADIUS

SCALE: N.T.S.

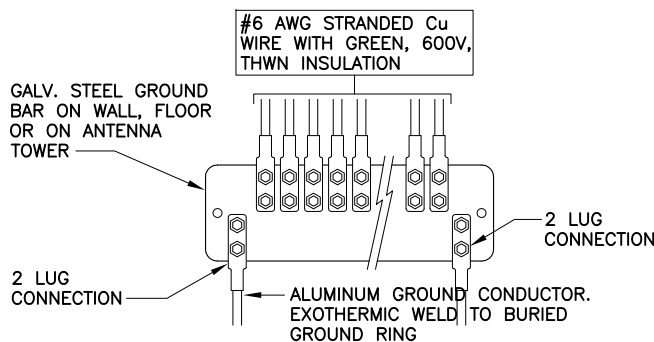


### NOTES:

1. DO NOT INSTALL CABLE GROUND KIT AT A BEND AND ALWAYS DIRECT GROUND WIRE DOWN TO GROUND BAR.
2. GROUNDING KIT SHALL BE TYPE AND PART NUMBER AS SUPPLIED OR RECOMMENDED BY CABLE MANUFACTURER.
3. WEATHER PROOFING SHALL BE (TYPE AND PART NUMBER AS SUPPLIED OR RECOMMENDED BY CABLE MANUFACTURER.)

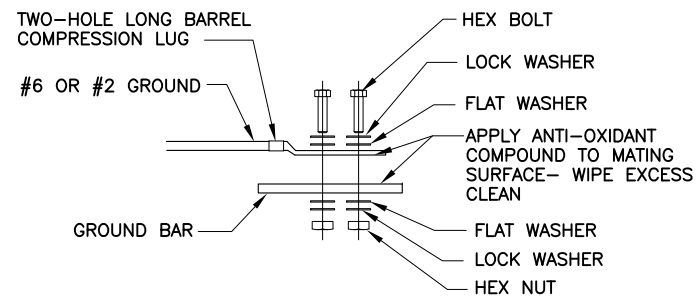
## 3 CABLE GROUND KIT

SCALE: N.T.S.



## 4 COAX CABLE GROUND BAR

SCALE: N.T.S.

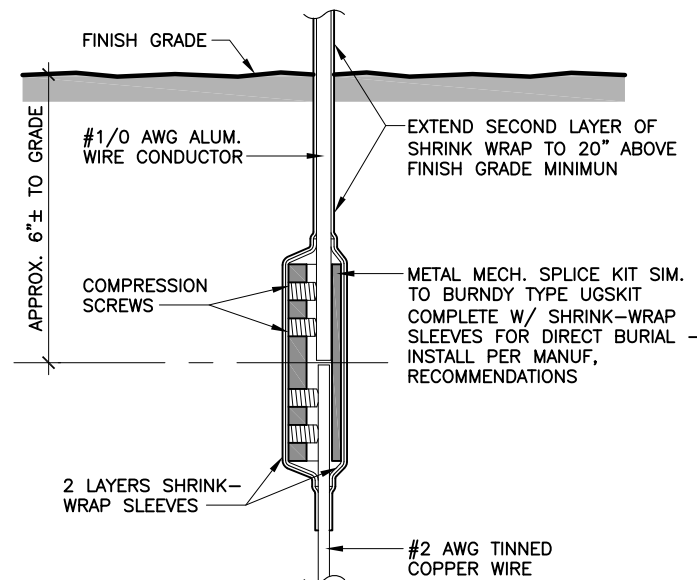


### INSTALLATION NOTES:

- ALL BOLTS, WASHERS AND NUTS SHALL BE STAINLESS STEEL.
- SELECT BOLT LENGTH TO PROVIDE A MINIMUM TO TWO EXPOSED THREADS.
- BURNISH MOUNTING SURFACE TO REMOVE ALL FOREIGN RESIDUE IN THE AREA OF LUG CONTACT.
- APPLY ANTI-OXIDANT COMPOUND TO MATING SURFACES OF LUG AND WIPE CLEAN EXCESS COMPOUND.
- USE 1/4" HARDWARE FOR ATTACHMENT TO METAL ENCLOSURES & 3/8" FOR ATTACHMENT TO GROUND BARS.

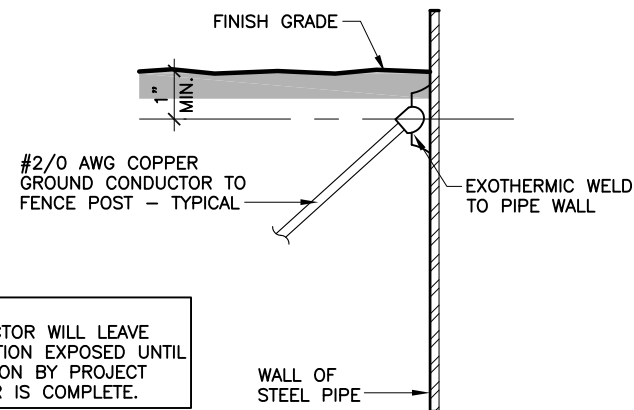
## 5 GROUND CONNECTION DETAIL

SCALE: N.T.S.



## 6 WATERTIGHT/UNDERGROUND SPLICE DETAIL

SCALE: N.T.S.



NOTE:  
CONTRACTOR WILL LEAVE CONNECTION EXPOSED UNTIL INSPECTION BY PROJECT MANAGER IS COMPLETE.

## 7 CONNECTION AT POST DETAIL

SCALE: N.T.S.

verizonwireless

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2615 S. 37TH ST  
TEMPLE, TEXAS, 76504

(261411)

APPROVAL SIGNATURES  
LANDLORD

LEASING

CONSTRUCTION

DATE: 07.01.13



EXP. DATE: 06/30/14

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San Antonio, Texas 78213  
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SHEET TITLE  
CONNECTION DETAILS

SHEET HISTORY  
07.01.13 ISSUE FOR CONSTRUCTION

G5

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S. 37TH STREET

(E) PLANTER

OHL

(E) UTILITY  
POLES

(E) OVERHEAD  
UTILITIES

(E) BUILDING

(E) BUILDING

(N) UNDERGROUND - POWER  
3#250KCMIL, 1#4G, 3°C  
(ALUMINUM CONDUCTORS)

(E) UTILITY  
POLE

(N) UNDERGROUND 2-4" - TELCO

(N) METER FRAME

(N) LESSEE  
EQUIPMENT  
SHELTER

(N) MONOPOLE  
TOWER

(E) BUILDING

SITE NOTES:

1. HAND DIG IN AREAS SUSPECTED TO CONTAIN EXISTING GROUNDING CONDUCTORS, GROUND RODS, POWER/TELCO CABLE OR OTHER BURIED SITE UTILITIES.
2. REPAIR/REPLACE AT NO ADDITIONAL EXPENSE TO THIS CONTRACT ANY CONSTRUCTION RELATED DAMAGE TO SITE ELEMENTS AND/OR FINISHES. MINIMUM ACCEPTABLE STANDARD SHALL BE TO MATCH PRE-CONSTRUCTION CONDITIONS OR AS REQUIRED BY PROJECT MANAGER.
3. FIELD VERIFY ALL EXISTING CONDITIONS.
4. SHOULD UNDERGROUND PULL BOXES BE REQUIRED, PROVIDE THEM AS REQUIRED EVEN THOUGH NOT SHOWN ON PLANS.
5. ALL CONDUIT SHALL BE ROUTED INSIDE OF RESPECTIVE EASEMENT.

1

SITE PLAN

SCALE: 1" = 20'-0"



2

SITE "GROUNDING" SIGN

SCALE: 1-1/2" = 1'-0"

NOTE!  
ALL ELECTRICAL WIRING AND  
GROUNDING BARS AT THIS SITE ARE  
GALVANIZED STEEL OR ALUMINUM  
NO COPPER USED!



TEXAS ONE CALL SYSTEM  
CALL BEFORE YOU DIG  
UNDERGROUND UTILITIES  
1-800-245-4545

CALL 48 HOURS BEFORE YOU DIG, DRILL, OR BLAST.

verizonwireless

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2615 S. 37TH ST  
TEMPLE, TEXAS, 76504

(261411)

APPROVAL SIGNATURES  
LANDLORD

LEASING

CONSTRUCTION

FIRM REGISTRATION NO. F-6224



DATE: 06/28/2013



ARCHCOMM, LLC.  
1006 Beckett  
San Antonio, Texas 78213  
(210) 308-9905

SHEET TITLE

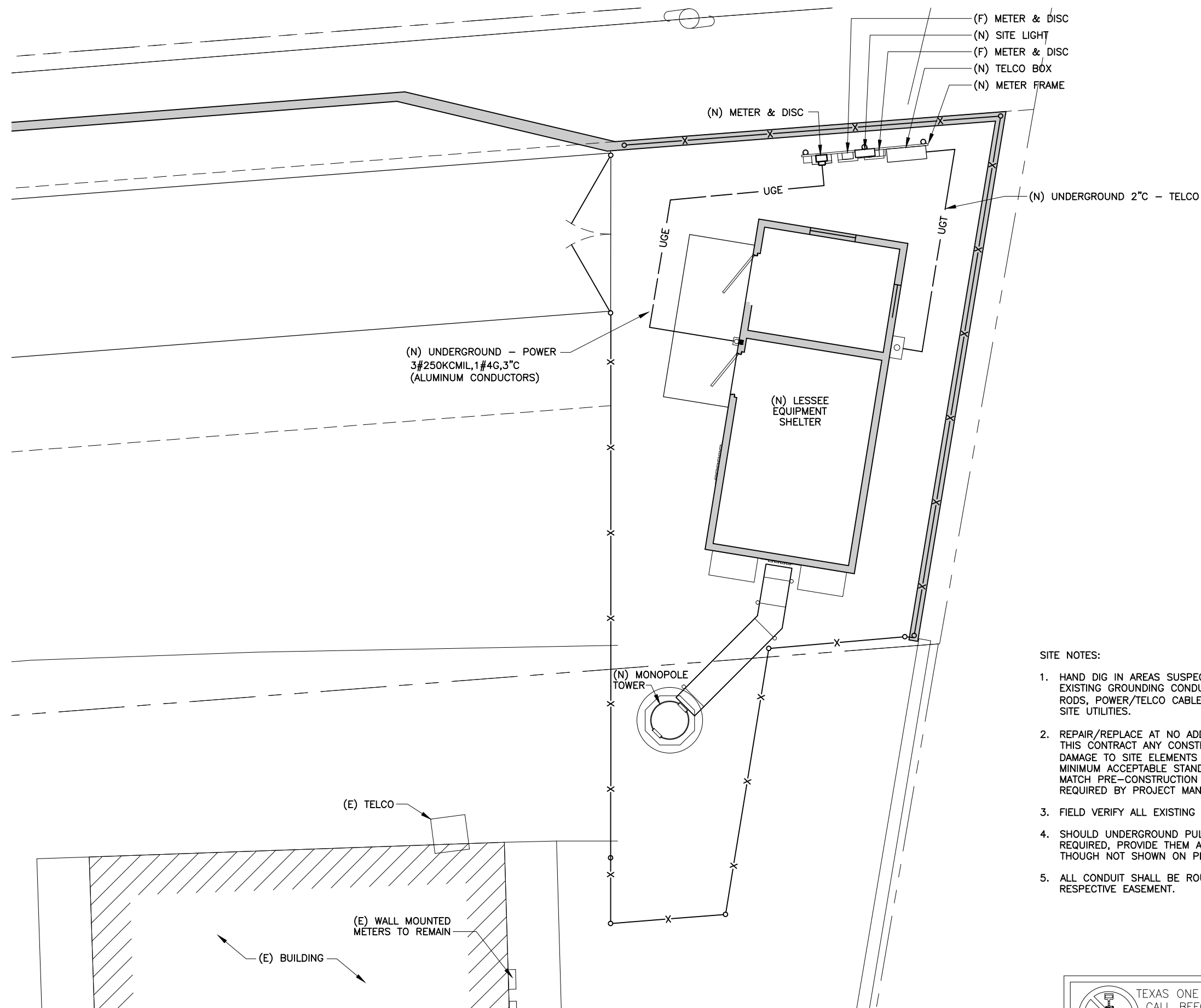
SITE  
PLAN

SHEET HISTORY

06.10.13 ISSUE FOR CONSTRUCTION

E1





SITE NOTES:

1. HAND DIG IN AREAS SUSPECTED TO CONTAIN EXISTING GROUNDING CONDUCTORS, GROUND RODS, POWER/TELCO CABLE OR OTHER BURIED SITE UTILITIES.
2. REPAIR/REPLACE AT NO ADDITIONAL EXPENSE TO THIS CONTRACT ANY CONSTRUCTION RELATED DAMAGE TO SITE ELEMENTS AND/OR FINISHES. MINIMUM ACCEPTABLE STANDARD SHALL BE TO MATCH PRE-CONSTRUCTION CONDITIONS OR AS REQUIRED BY PROJECT MANAGER.
3. FIELD VERIFY ALL EXISTING CONDITIONS.
4. SHOULD UNDERGROUND PULL BOXES BE REQUIRED, PROVIDE THEM AS REQUIRED EVEN THOUGH NOT SHOWN ON PLANS.
5. ALL CONDUIT SHALL BE ROUTED INSIDE OF RESPECTIVE EASEMENT.



**1** **DETAIL SITE PLAN**  
SCALE: 1/8" = 1'-0"



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2615 S. 37TH ST  
TEMPLE, TEXAS, 76504  
(261411)

APPROVAL SIGNATURES  
**LANDLORD**

**LEASING**

**CONSTRUCTION**

FIRM REGISTRATION NO. F-6224



JUNE 28, 2013

**ARCHCOMM, LLC.**  
1006 Beckett  
San Antonio, Texas 78213  
(210) 308-9905

SHEET TITLE

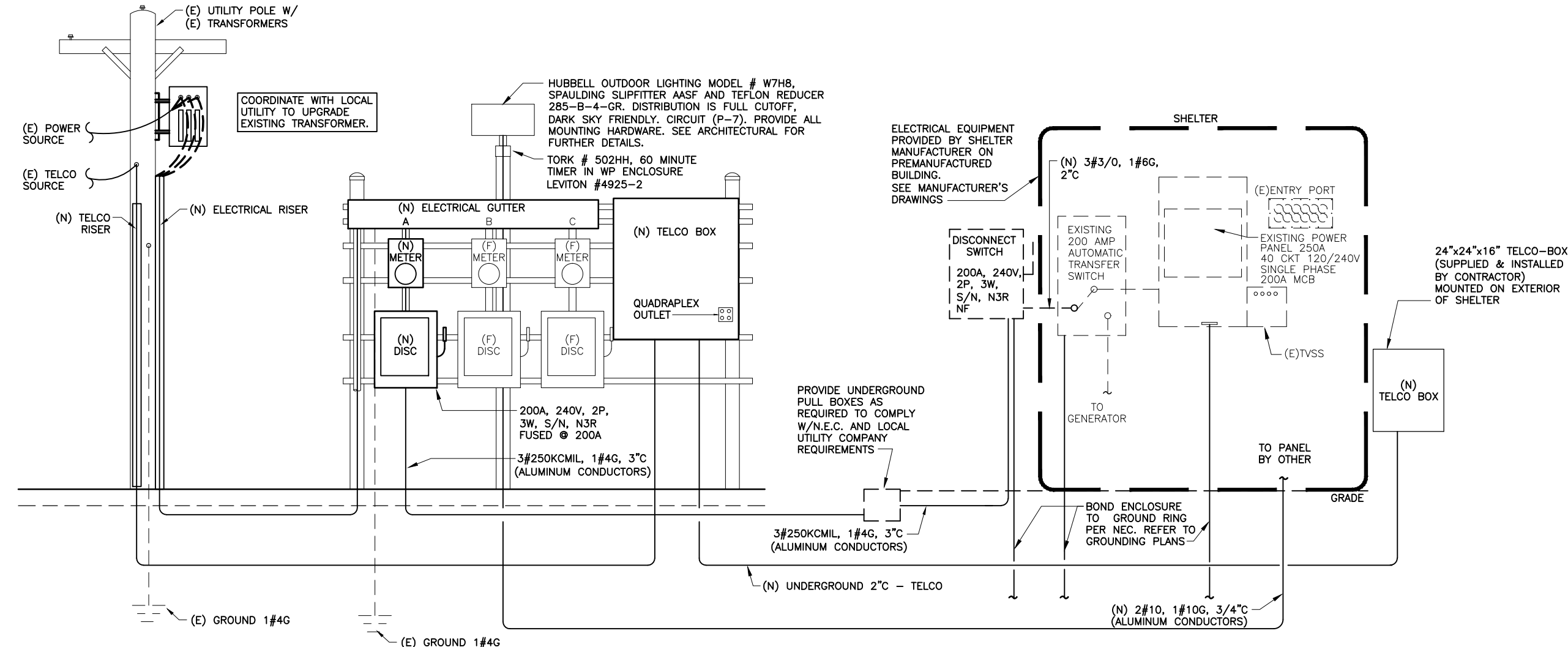
**DETAIL  
SITE PLAN**

SHEET HISTORY

06.28.13 ISSUE FOR CONSTRUCTION

**E2**

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ELECTRICAL LEGEND	
	ELECTRICAL METER
	J-BX/PULL BOX
	DUPLEX RECEPTACLE
	DISCONNECT, AMPS, FUSED OR NON-FUSED AS NOTED
ATS AUTOMATIC TRANSFER SWITCH	
TVSS TRANSIENT VOLTAGE SURGE SUPPRESSOR	
UNDERGROUND CONDUIT	
ABOVE GROUND CONDUIT	
	OVERHEAD TELEPHONE
	OVERHEAD ELECTRICAL
	UNDERGROUND ELECTRICAL; SIZE AS SHOWN
	UNDERGROUND TELEPHONE; SIZE AS SHOWN
(N)	NEW
(E)	EXISTING
(F)	FUTURE
#	KEYED NOTE - NUMBER AS NOTED

1

ELECTRICAL RISER

SCALE: NTS

RELOCATED ELECTRICAL SERVICE - 1 TENANT					
LOAD ANALYSIS	120/240V		2P	3W	
DESCRIPTION	KVA	DEMAND FACTOR	KVA	AMPS	WSA
TENANT "A" (N)	28.6	1.0	28.6		
FUTURE TENANT					
FUTURE TENANT					
FUTURE TENANT					
TOTAL	28.6		28.6	200	600

GENERAL NOTES:

1. ALL ELECTRICAL WIRING SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST NATIONAL ELECTRICAL AND BUILDING CODES AND ALL OTHER CODES HAVING JURISDICTION.
2. ALL WIRE SHALL BE TYPE THWN COPPER, MINIMUM SIZE #12 AWG. EXCEPT CONTROL WIRING. ALUMINUM CONDUCTORS SHALL BE AA-8000 SERIES TYPE.
3. ELECTRICAL CONTRACTOR SHALL CONNECT GROUNDS FROM ELECTRICAL EQUIPMENT ON EXTERIOR OF SHELTER AND ON RACK TO EXTERNAL GROUND LOOP.
4. ELECTRICAL CONTRACTOR SHALL PAY FOR AND COORDINATE ELECTRICAL SERVICE UPGRADES WITH LOCAL UTILITY COMPANY.
5. CONTRACTOR SHALL FILL TRENCH EXCAVATIONS AS NOTED IN TRENCHING NOTES OF THESE DOCUMENTS.
6. STUB UP LOCATIONS FOR ELECTRICAL AND TELEPHONE SHALL BE COORDINATED WITH LESSEE AND SHELTER MANUFACTURER DRAWINGS.
7. CONTRACTOR SHALL PROVIDE ALL TEMPORARY POWER ON JOB SITE INCLUDING ENTRY CONDUCTORS, METER AND DISCONNECTS AS REQUIRED. IF POWER COMPANY TEMPORARY SERVICE IS NOT AVAILABLE, CONTRACTOR SHALL
8. PROVIDE A 10KW MINIMUM SIZE GENERATOR TO SUPPLY DEMAND.
9. COORDINATE EXACT ROUTE OF UNDERGROUND CONDUITS WITH LOCAL UTILITY COMPANY PRIOR TO INSTALLATION.
10. PROVIDE LONG SLEEVE ELBOWS.
11. TELCO CABINET, PANEL, TVSS, GENERATOR AND SHELTER ARE TYPICALLY PROVIDED BY OTHERS AND ARE SHOWN FOR REFERENCE ONLY.
12. SPOT ALL UNDERGROUND UTILITIES AND SPECIALTY ITEMS SUCH AS GROUND RODS AND GROUND RINGS PRIOR TO DIGGING. ITEMS ARE NOT LIMITED TO THE ABOVE. DAMAGED ITEMS SHALL BE REPAIRED AT NO ADDITIONAL COST TO OWNER. BACKFILL AND PATCH TO MATCH EXISTING CONDITIONS. REFER TO "TRENCHING" IN THIS PROJECT'S DOCUMENTS.
13. CONTRACTOR SHALL COORDINATE ELECTRICAL EQUIPMENT BONDING WITH EXTERNAL GROUND RING WITH CONTRACTOR PERFORMING THE WORK ON THE GROUNDING PLANS.

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TEMPLE, TEXAS, 76504  
(261411)

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FIRM REGISTRATION NO. F-6224

JUNE 28, 2013

ARCHCOMM, LLC.  
1006 Beckett  
San Antonio, Texas 78213  
(210) 308-9905

SHEET TITLE

ELECTRICAL RISER

SHEET HISTORY

06.28.13 ISSUE FOR CONSTRUCTION

E3





**EXCERPTS FROM THE  
PLANNING & ZONING COMMISSION MEETING  
MONDAY, AUGUST 5, 2013**

**ACTION ITEMS**

**Item 3: Z-FY-13-26:** Hold a public hearing to consider and recommend action on a Conditional Use Permit to allow a freestanding personal wireless cell tower in an existing Commercial District, located on 0.02 ± acres out of Lot 2, Block 1, Glendale Park, Section VI at 2615 South 37th Street and Tract A, Block 3, Glendale Park Section III, at 2707 South 37th Street.

Ms. Lyerly stated this item will go forward to City Council for first reading on September 5th and September 19, 2013 for second reading.

The applicants are asking for a Conditional Use Permit (CUP) for a freestanding personal wireless cell tower. The use is allowed on the property's existing Commercial (C) district but only for collocation for personal wireless service facilities. The applicant is pursuing the CUP because they are proposing a new freestanding cell tower.

Although the applicant owns two adjacent pieces of property; the request is only for one cell tower that would be located over the property line of both parcels.

This request is brought about due to Verizon Wireless network capacity failures in and around Scott & White Hospital and the inability to collocate. The proposal is for a 120 foot tall monopole cell tower with equipment shelter. The applicants have a letter from the FAA for determination of no hazards to air navigation.

Surrounding properties include commercial and service uses to the west, commercial, restaurant, and hotel uses to the south, commercial uses to the north, and restaurant, hotel and retail uses to the east.

The Future Land Use and Character Map designate this area as Auto-Urban Commercial. The use is compatible.

Sixteen notices were mailed out to a 500 foot buffer as required by the UDC. One notice was returned in favor and three were received in opposition.

The applicants' exhibits were shown and described to the Commissioners.

Ms. Lyerly described the concrete wall and fence which would also have three strands of barbed wire on top to deter people from climbing the structure. This is allowed in the UDC.

In order to approve a CUP for a personal wireless cell tower, some design standards have to be met:

A. In accordance with UDC Section 5.4.5, A. Boundary and Use Setbacks:

1. Guy or guy anchors for a facility must not be closer than 20 feet to a bounding property line.

**Staff note: The proposed freestanding monopole does not have a guy or guy anchors.**

2. The distance between the base of a self-supported tower and the property line of any residential zoning district or use must not be less than 3 times the height of the tower structure.

**Staff note: The proposed tower is located in the Commercial zoning district and is surrounded by commercial and retail uses.**

B. In accordance with UDC Section 5.4.5, B. Security Screening Fence:

1. A solid, wood or masonry fence, a minimum of eight feet in height, must completely enclose the base of every tower.

**Staff note: The site plan proposes an eight foot high fence enclosed around the tower base and equipment shelter.**

2. In a residential zoning district or on property that abuts a residential zoning district or use, a solid wood or masonry fence, a minimum of eight feet in height, must completely enclose all mechanical equipment and accessory structures.

**Staff note: The request is in the Commercial District, but does comply.**

3. A security screening fence for a facility built or permitted after May 17th, 2001, may not be less than six feet in height.

**Staff note: This request proposes an eight foot high wood fence.**

4. A security fence must be built to discourage unauthorized access to facilities by climbing.

**Staff note: The applicants propose an eight foot high fence topped with three strands of barbed wire, as allowed by UDC Section 7.7.5 D.**

5. External and internal gates and doors that provide access to a facility must be equipped with a self-locking or self-latching mechanism for purposes of preventing unauthorized access.

**Staff note: The site plan reflects compliance with this requirement.**

6. Screening is not required for a facility located on a building that is not designed or built primarily to support the facility, if the ancillary equipment, including but not limited to the equipment enclosure, is not visible from an abutting property line or public street right-of-way.

**Staff note: The site will be screened with an eight foot high wood fence.**



C. In accordance with UDC Section 5.4.5, Security Screening:

1. As much of the total facility as possible must be screened or located so as to not be visible from prevalent views.

**Staff note: The proposed tower base and equipment shelter will be screened by an eight foot high wood fence.**

2. Landscaping must be continuously maintained in a healthy, growing condition and be trimmed as necessary to comply with ordinances governing height of grass, corner sight obstruction and street and sidewalk obstruction.

**Staff note: Verizon assures staff a maintenance technician will be responsible for the site.**

D. Collocation

A new freestanding tower is not permitted unless the applicant demonstrates to the satisfaction of the approving authority that existing, permitted or proposed alternative support structures cannot accommodate the proposed facilities for the following reasons:

1. Height is not sufficient to meet the applicant's engineering requirements;
2. Structural strength is not sufficient to support applicant's proposed facilities and cannot be reinforced in accordance with engineering requirements;
3. Other aspects of structure do not meet applicant's technical design requirements;
4. Electromagnetic interference would result from collocation;
5. Fees or costs for sharing or adapting are unreasonable; any cost that is less than the cost to construct and develop a new tower is presumed to be reasonable;
6. Owners of alternative structures are unwilling to accommodate the applicant's needs within 30 days after the date such owners received applicant's written request; or
7. Other factors render alternative support structures unsuitable.

**Staff note: The applicant has submitted a letter regarding the inability to collocate.**

Staff recommendation for this request is approval of the requested Conditional Permit for the following reasons:

The request complies with the Future Land Use and Character Map;

The request complies with the Thoroughfare Plan;

Public facilities are available to the subject property; and

The applicant has demonstrated compliance with the design standards in Section 5.4.5 of the UDC.

Chair Staats opened the public hearing.

Mr. Andy Kampen, KGI Wireless, 805 Los Cimas Parkway, Austin, Texas, stated he was representing Verizon tasked with finding suitable locations to meet their network needs. This project is called the Scott & White (S&W) project. The problem that Verizon Wireless is having is a network capacity problem in and around the S&W Hospital. The capacity problem is creating so much stress on Verizon's network (amount of traffic) and has caused multiple dropped calls with emergency problems, etc. The first solution to this problem was to try to work out a collocation agreement with S&W and put antennas on the rooftop of the hospital. S&W's ultimate determination was not to allow Verizon to collocate on their rooftop. Mr. Kampen stated S&W gets multiple inquiries from companies to collocate.

Mr. Kampen stated the closest they could get to the hospital would be to work with land owned by S&W. When S&W was approached with this idea they said no and did not want to work with KGI on a tower to support their hospital. The next best solution to achieve KGI's goal was to work west and south of the hospital and get as close as possible. Properties were canvassed for the proper fit and ability to support the tower and support S&W.

Vice-Chair Sears asked for confirmation of the base size and Mr. Kampen stated typically the bases are three and a half to four feet wide. Mr. Kampen explained the pole was a single pole with no guy wires which supports itself and has to pass structural engineering for rated wind speeds. Monopoles can be anywhere from 60 to 180 feet tall.

Commissioner Talley asked about one letter in opposition that stated it would be hazardous to the health and safety of the citizens. Mr. Kampen stated it was not. The height in which the antennas are, one would have to be standing directly in front of an active antenna for a period of 12 minutes of direct radiation. From a radio frequency (RF) perspective, there is no hazard.

Chair Staats asked about the denial response letter received from S&W and what his opinion was. Mr. Kampen stated from his perspective that he had just heard about it. In KGI's dealings with S&W, S&W had not been very cooperative in working with KGI in trying to facilitate their needs. S&W would not let them collocate on the roof or use adjacent properties. KGI approached S&W about the Hilton Garden Inn and perhaps putting a pole in at the corner of that property but S&W said no and did not state any reason.

Chair Staats closed the public hearing.

Commissioner Talley made a motion to approve Item 3, **Z-FY-13-26**, and Commissioner Magaña made a second.

Motion passed: (7:0)

Commissioner Martin absent

[Z-FY-13-26]

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONDITIONAL USE PERMIT TO ALLOW A FREESTANDING PERSONAL WIRELESS CELL TOWER IN AN EXISTING COMMERCIAL DISTRICT, LOCATED ON APPROXIMATELY 0.02 ACRES OUT OF LOT 2, BLOCK 1, GLENDALE PARK, SECTION VI AT 2615 SOUTH 37<sup>TH</sup> STREET AND TRACT A, BLOCK 3, GLENDALE PARK SECTION III, ALSO KNOWN AS 2707 SOUTH 37<sup>TH</sup> STREET; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, the Comprehensive Zoning Ordinance of the City of Temple, Texas, provides for the issuance of conditional use permits under certain conditions and authorizes the City Council to impose such developmental standards and safeguards as the conditions and locations indicate to be important to the welfare or protection of adjacent property and for the protection of adjacent property from excessive noise, vibration, dust, dirt, smoke, fumes, gas, odor, explosion, glare, offensive view or other undesirable or hazardous conditions, and for the establishment of conditions of operation, time limits, location, arrangement and construction for any use for which a permit is authorized;

**Whereas**, the Planning and Zoning Commission of the City of Temple, Texas, after due consideration of the location and zoning classification of the establishment, has recommended that the City Council approve this application; and

**Whereas**, the City Council of the City of Temple, Texas, after public notice as required by law, has at a public hearing, carefully considered all the evidence submitted concerning the establishment at 2707 South 37<sup>th</sup> Street, and has heard the comments and evidence presented by all persons supporting or opposing this matter at said public hearing, and after examining the location and the zoning classification of the establishment finds that the proposed use of the premises substantially complies with the comprehensive plan and the area plan adopted by the City Council.

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

**Part 1:** The City Council approves a Conditional Use Permit to allow a freestanding personal wireless cell tower in an existing Commercial District, located on approximately 0.02 acres out of lot 2, block 1, Glendale Park, Section VI at 2615 South 37<sup>th</sup> Street and tract A, block 3, Glendale Park Section III, also known as 2707 South 37<sup>th</sup> Street, more fully described in Exhibit A, attached hereto and made a part hereof for all purposes.

**Part 2:** The owners/applicants, their employees, lessees, agents or representatives, hereinafter called "permittee" shall comply with the following developmental standards and conditions of operation:

- (a) Enclose 120-foot high monopole cell tower and equipment shelter by an 8-foot high wood fence with three strands of barbed wire along the top;
- (b) The City Council may deny or revoke a conditional use permit if it affirmatively determines that the issuance of the same is (a) incompatible with the surrounding uses of property, or (2) detrimental or offensive to the neighborhood or contrary to the health, safety, and general welfare of the City and its inhabitants.
- (c) A conditional use permit issued under this section runs with the property and is not affected by a change in the owner or lessee of a permitted establishment.
- (d) All conditional use permits issued under this section will be further conditioned that the same may be canceled, suspended or revoked in accordance with the revocation clause set forth in Section 7-609.

**Part 3:** 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 4:** 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 5:** This ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

**Part 6:** It is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on First Reading and Public Hearing on the 5<sup>th</sup> day of September, 2013.

PASSED AND APPROVED on Second Reading on the **19<sup>th</sup>** day of **September**, 2013.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Jonathan Graham  
City Attorney





## COUNCIL AGENDA ITEM MEMORANDUM

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

Sharon Rostovich, Airport Director

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing acceptance of the FY 14 Texas Department of Transportation, Aviation Division, Routine Airport Maintenance Grant, in the amount of \$100,000 (City match of \$50,000), to help assist with lower cost airside and landside Airport improvements and maintenance items at the Draughon-Miller Central Texas Regional Airport.

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

**ITEM SUMMARY:** The City of Temple, as part of our Airport Grant Assurance, has participated in the yearly grant program through the Texas Department of Transportation, Aviation Division for several years. The RAMP Grant is a pro-active, flexible grant program that allows the City to determine projects on an as needed basis upon execution of the grant. Eligible items currently being considered in FY14, but subject to change based on needs include a thermal image camera for the aircraft rescue firefighting truck; recertification of the Airport's Spill Prevention Plan; upgrades to the Airport's general aviation terminal to include restrooms and flooring; an awning for the maintenance facility to allow proper ventilation when working on the Airport's 3,000 gallon tank refuelers; and upgrades to the fuel farm to include security lighting and cameras.

TxDOT has approved Temple's participation for inclusion in the FY14 RAMP Program at the maximum level of \$100,000 (50-50 share). The City's matching funds are included in the FY14 Airport operating budget.

The Grant Agreement must be forwarded to TxDOT upon acceptance.

**FISCAL IMPACT:** The expenditure of \$100,000 (which includes the City's \$50,000 match) was approved in the FY14 Airport operating budget in account 110-5900-560-6310, project # 101023. The grant revenue was also included in the FY 14 budget in account 110-0000-431-0261. TxDOT Aviation will reimburse the City 50% of the total project cost not to exceed \$50,000.

### **ATTACHMENTS:**

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING ACCEPTANCE OF THE FISCAL YEAR 2013-2014 TEXAS DEPARTMENT OF TRANSPORTATION, AVIATION DIVISION, ROUTINE AIRPORT MAINTENANCE GRANT (RAMP), TO ASSIST WITH LOWER COST AIRSIDE AND LANDSIDE AIRPORT IMPROVEMENTS AND MAINTENANCE ITEMS AT THE DRAUGHON-MILLER CENTRAL TEXAS REGIONAL AIRPORT, IN THE AMOUNT OF \$100,000 AND WITH A CITY MATCH OF \$50,000; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas,** the City of Temple, as part of the Airport Grant Assurance Program, has participated in the yearly grant program through the Texas Department of Transportation, Aviation Division, for several years;

**Whereas,** the RAMP Grant is a pro-active, flexible grant program, that allows the City to determine projects on an “as needed” basis upon execution of the grant;

**Whereas,** eligible items currently being considered, but subject to change based on needs, include a thermal image camera for the aircraft rescue firefighting truck, recertification of the Airport’s Spill Prevention Plan, upgrades to the airport’s general aviation terminal to include restrooms and flooring, an awning for the maintenance facility to allow proper ventilation when working on the Airport’s 3,000 gallon tank refuelers, and upgrades to the fuel farm to include security lighting and cameras;

**Whereas,** TXDOT has approved Temple’s participation for inclusion in the FY14 RAMP Program at the maximum level of \$100,000 with the City’s 50% matching funds of \$50,000;

**Whereas,** funds are available in the Airport’s fiscal year 2013-2014 adopted operating budget for this grant in Account No. 110-5900-560-6310, Project No. 101023 – TXDOT Aviation will reimburse the City 50% of the total project cost not to exceed \$50,000; 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 accepts the grant funds from the Texas Department of Transportation’s Aviation Division, Routine Airport Maintenance Program for the Draughon-Miller Central Texas Regional Airport, and authorizes the City Manager to execute any documents which may be necessary for this grant, including the City’s matching 50-50 share (\$50,000) of the funds.

**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 19<sup>th</sup> day of **September**, 2013.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

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Lacy Borgeson  
City Secretary

APPROVED AS TO FORM:

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Jonathan Graham  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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

Lonzo Wallace, Fire Chief

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing the renewal of the Emergency Management Performance Grant for FY 2013, which funds a portion of the administration cost for Emergency Management for the City of Temple in the amount of \$38,119.48.

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

**ITEM SUMMARY:** The request is for approval of the renewal of the Emergency Management Performance Grant for FY 2013. This grant is funded by the Governors Department of Emergency Management (GDEM) to pay for a portion of the administration cost for Emergency Management for the City of Temple.

Temple Fire and Rescue recommends approval of the renewal of this grant by the City Council.

**FISCAL IMPACT:** The grant will reimburse the City for a maximum of 50% of the salary and benefit expenditures related to emergency management. The grant application estimates that the total expenditures will be \$157,928.64 for fiscal year 2013 with a 50% grant amount of \$78,964.32. In fiscal year 2012, the City was awarded grant funds in the amount of \$37,644.

Funds were included in the fiscal year 2013 Fire Department operating budget for the full amount of salary and benefit expenditures. Revenue was budgeted in the amount of \$36,755. The City has been awarded \$38,119.48 in FY 2013.

### **ATTACHMENTS:**

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE RENEWAL OF THE EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) FOR FISCAL YEAR 2013-2014, WHICH FUNDS A PORTION OF THE ADMINISTRATION COSTS FOR EMERGENCY MANAGEMENT FOR THE CITY OF TEMPLE, IN THE AMOUNT OF \$38,119.48; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, the Emergency Management Performance Grant is funded through the Governor's Department of Emergency Management (GDEM) and pays a portion of the administration costs for Emergency Management for the City;

**Whereas**, the grant will reimburse the City for a maximum of 50% of the salary and benefit expenditures related to emergency management;

**Whereas**, the grant application estimates that the total expenditures will be \$152,928.64 for fiscal year 2013-2014 with a 50% grant amount of \$78,964.32 – the City of Temple was awarded grant funds in the amount of \$38,119.48; 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 renewal of the Emergency Management Performance Grant (EMPG) for fiscal year 2013-2014, which funds a portion of the administration costs for Emergency Management for the City of Temple.

**Part 2:** The City Council accepts any funds that may be received for this grant, and authorizes the City Manager to execute any documents which may be necessary for this grant.

**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 19<sup>th</sup> day of **September**, 2013.

THE CITY OF TEMPLE, TEXAS

\_\_\_\_\_  
DANIEL A. DUNN, Mayor

ATTEST:

ATTEST:

\_\_\_\_\_  
Lacy Borgeson  
City Secretary

\_\_\_\_\_  
Jonathan Graham  
City Attorney





## COUNCIL AGENDA ITEM MEMORANDUM

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

Lacy Borgeson, City Secretary

**ITEM DESCRIPTION:** Consider adopting a resolution designating the *Temple Daily Telegram* as the official newspaper for the City for fiscal year 2013-2014, in accordance with Section 4.20 of the Charter of the City of Temple.

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

**ITEM SUMMARY:** Section 4.20 of the City Charter requires the City to designate an official newspaper for the publication of City ordinances, legal descriptions, and notices for each fiscal year, and enter into a contract with the designated paper. The proposed resolution will accomplish this Charter requirement.

Reference: City Charter

*Section 4.20 OFFICIAL CONTRACT FOR PUBLISHING: The City Council shall, as soon as practicable after the commencement of each fiscal year, enter into a contract with a public newspaper in the City as the official paper thereof, and to continue as such until another is selected, and shall cause to be published therein all ordinances, notices and other matters required by this Charter or by the ordinances of the City to be published*

**FISCAL IMPACT:** N/A

### **ATTACHMENTS:**

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, DESIGNATING THE TEMPLE DAILY TELEGRAM AS THE OFFICIAL NEWSPAPER FOR THE CITY OF TEMPLE FOR FISCAL YEAR 2013-2014, IN ACCORDANCE WITH SECTION 4.20 OF THE CHARTER OF THE CITY OF TEMPLE, AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE DESIGNATED PAPER; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, Section 4.20 of the City Charter requires the City to designate an official newspaper for the publication of City ordinances, legal descriptions, and notices for each fiscal year, as well as enter into contract with the designated paper;

**Whereas**, the City Council has considered the matter and deems the Temple Daily Telegram as the newspaper of most general circulation in Temple;

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

**Part 1:** The City Council designates the Temple Daily Telegram as the official newspaper for the City of Temple for fiscal year 2013-2014.

**Part 2:** The City Manager, or his designee, is authorized to execute a contract with the Temple Daily Telegram, after approval as to form by the City Attorney, affirming the designation of the Temple Daily Telegram as the City's official newspaper.

**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 19<sup>th</sup> day of **September**, 2013.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Jonathan Graham  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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

Nicole Torralva, Director of Public Works

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing payment of the annual invoice from Brazos River Authority in the amount of \$91,494.23 which covers operation and maintenance costs associated with the City's portion of raw water storage in Lake Belton and costs associated with repair work on the Belton Dam which was recently completed by the Corps of Engineers.

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

**ITEM SUMMARY:** Pursuant to the Water Storage Contract between the Brazos River Authority ("BRA") and the City, dated July 16, 1962, the City is responsible for 22.013% of the BRA's operation and maintenance costs associated with Lake Belton and the Belton Dam. The City's share of the operation and maintenance costs are billed annually and usually total less than \$25,000. Also under the contract, the City is responsible for 22.013% of any extraordinary or non-recurring repairs made to the Belton Dam. The Corps of Engineers recently completed major repairs to the Belton Dam and BRA was responsible for the cost of that work. Under the Storage Contract, Temple is also responsible for its percentage of the repair work which brought the City's annual operation and maintenance payment to BRA to a total of \$91,494.23. Staff is seeking authorization to make this payment to BRA.

**FISCAL IMPACT:** Funding in the amount of \$35,525 is available in account 520-5110-535-2651. A budget adjustment is presented for Council's approval appropriating the additional \$55,970 from Unreserved Retained Earnings, account 520-0000-373-0412.

### **ATTACHMENTS:**

[Budget Adjustment  
Resolution](#)

FY **2013****BUDGET ADJUSTMENT FORM**

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

**Adjustments should be rounded to the nearest \$1.**

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ACCOUNT NUMBER	PROJECT #	ACCOUNT DESCRIPTION	INCREASE		DECREASE	
520-5110-535-26-51		BRA-Water Services	\$ 55,970			
520-0000-373-04-12		W&S Unreserved Retained Earnings			\$ 55,970	
		<b>DO NOT POST</b>				
<b>TOTAL.....</b>			<b>\$ 55,970</b>		<b>\$ 55,970</b>	

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

To appropriate the additional funds needed to pay the FY 2013 annual invoice from Brazos River Authority. The invoice amount is \$91,494.23. Currently, there is \$35,525 available in the account. An additional \$55,970 is needed to pay the invoice in full.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒

Yes

☐

No

DATE OF COUNCIL MEETING

9/19/2013

WITH AGENDA ITEM?

☒

Yes

☐

No

Department Head/Division Director

Date

☐

Approved

☐

Disapproved

Finance

Date

☐

Approved

☐

Disapproved

City Manager

Date

☐

Approved

☐

Disapproved



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

A RESOLUTION AUTHORIZING PAYMENT OF THE ANNUAL INVOICE FROM BRAZOS RIVER AUTHORITY IN THE AMOUNT OF \$91,494.23 WHICH COVERS OPERATION AND MAINTENANCE COSTS ASSOCIATED WITH THE CITY'S PORTION OF RAW WATER STORAGE IN LAKE BELTON AND COSTS ASSOCIATED WITH REPAIR WORK ON THE BELTON DAM; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas,** pursuant to the Water Storage Contract between the Brazos River Authority ("BRA") and the City, dated July 16, 1962, the City is responsible for 22.013% of the BRA's operation and maintenance costs associated with Lake Belton and the Belton Dam;

**Whereas,** the City is also responsible for 22.013% of any extraordinary or non-recurring repairs made to the Belton Dam – the Corps of Engineers recently completed major repairs to the Belton Dam and BRA was responsible for the cost of that work;

**Whereas,** the City is also responsible for its percentage of the repair work which brought the City's annual operation and maintenance payment to BRA to a total of \$91,494.23;

**Whereas,** funding in the amount of \$35,525 is available in account 520-5110-535-2651 – a budget adjustment is presented for Council's approval appropriating the additional \$55,970 from Unreserved Retained Earnings, account 520-0000-373-0412; and

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

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

**Part 1:** The City Council authorizes payment of the annual invoice from Brazos River Authority in the amount of \$91,494.23 which covers operation and maintenance costs associated with the City's portion of raw water storage in Lake Belton and costs associated with repair work on the Belton Dam.

**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 19<sup>th</sup> day of **September**, 2013.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Jonathan Graham  
City Attorney



## **COUNCIL AGENDA ITEM MEMORANDUM**

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**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 \$280,485.

**ATTACHMENTS:**

[Budget Amendments](#)  
[Resolution](#)

**CITY OF TEMPLE**  
**BUDGET AMENDMENTS FOR FY 2013 BUDGET**  
**September 19, 2013**

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
110-1300-515-2623		Contracted Services (Purchasing)	\$ 2,500	
110-0000-461-0424		Sale of Assets		\$ 2,500
520-5000-535-2623		Contracted Services (Public Works)	\$ 1,000	
520-0000-443-3024		Online Auction Sales		\$ 1,000
Budget adjustment appropriates revenue and expenditures related to online auction sales of assets. This budget adjustment appropriates revenue to cover the expenditures for FY 2013 but does not appropriate the full amount of revenue received from the auction sales.				
110-1500-515-1150		Separation Pay	\$ 160,000	
110-0000-352-1345		<b>Desg Cap Projects - Unallocated</b>		<b>\$ 160,000</b>
This budget adjustment appropriates funds to cover the additional separation pay for General Fund employees in FY 2013. Funds are available in Designated Capital Projects - Unallocated Fund Balance.				
110-2011-521-2138		Public Safety Expenditures (Police)	\$ 38	
110-0000-313-0331		<b>Reserve for Public Safety</b>		<b>\$ 38</b>
Appropriate funds to cover the cost of plaque to give Fire Chief Lonzo Wallace.				
110-2042-521-6213	101101	Capital Equipment/OCU State Seized	\$ 3,500	
110-0000-442-0725		OCU State Seized Funds		\$ 3,500
To appropriate the value of a seized vehicle (2002 Honda Accord EX) that will be placed in service and used by the Special Investigations Unit.				
111-2042-521-6213	101102	Capital Equipment/OCU State Seized	\$ 3,225	
110-0000-442-0725		OCU State Seized Funds		\$ 3,225
To appropriate the value of a seized vehicle (2001 Chevrolet 1500 Suburban) that will be placed in service and used by the Special Investigations Unit.				
110-2100-529-2111		Computer Supplies (Animal Services)	\$ 650	
110-2100-529-2112		Office Machines	\$ 650	
110-2100-529-2114		Animal Food & Supplies	\$ 650	
110-2100-529-2124		Camera/Film Supplies	\$ 650	
110-0000-461-0841		Donations/Gifts		\$ 2,600
This budget adjustment recognizes additional revenue received in Donations/Gifts and appropriates expenditures to cover unexpected needs.				

**CITY OF TEMPLE**  
**BUDGET AMENDMENTS FOR FY 2013 BUDGET**  
**September 19, 2013**

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
110-2232-522-2118		Supplies/Chemicals/Compressed Gas (Fire)	\$ 1,000	
110-0000-442-1630		Fire Department Revenue		\$ 1,000
<p>On April 23, 2013 Temple Fire &amp; Rescue responded to an incident of suspicious powder at 511 N. Main Street. The incident was deemed to be a prank and the person responsible was ordered to reimburse Temple Fire &amp; Rescue for materials used in the incident. The first installment was received and processed into the Fire Department revenue. This budget adjustment appropriates that revenue and the related expenditures.</p>				
110-3624-560-2711		Cost of Goods Sold/AvGas (Airport)	\$ 40,000	
110-0000-446-1011		AvGas		\$ 40,000
<p>Budget adjustment appropriates additional revenue and costs of goods sold expenditures related to fuel sales at the Airport. These accounts have exceeded budget due to both the increased cost of fuel and the increase in gallons of fuel sold.</p>				
110-3700-524-2614		Waived Permit Fees (Construction Safety)	\$ 3,800	
110-0000-422-0920		Other Permit Fees		\$ 3,800
<p>Budget adjustment recognizes additional revenue received in Other Permit Fees and appropriates and expenditure to offset waived permit fees.</p>				
240-7000-551-2524		Curatorial Supplies (Railroad Museum)	\$ 2,000	
240-0000-445-1136		Restricted Donations		\$ 2,000
<p>Budget adjustment appropriates restricted donations received to be used for archival activities. The funds will be used to purchase archival boxes for historical drawings.</p>				
240-4400-551-2721		Food Products (Mayborn)	\$ 3,500	
240-4400-551-2725		Alcohol Beverages	\$ 2,000	
240-4400-551-2210		Furniture & Fixtures		\$ 2,000
240-0000-445-1033		Catering Food Service		\$ 3,500
<p>Budget adjustment increases cost of goods sold against forecasted revenue.</p>				
430-0000-461-0111		Interest Revenue		\$ 525
430-9100-591-8110		Transfer Out - General Fund	\$ 525	
110-0000-490-2582		Transfer In		\$ 525
110-0000-352-1345		<b>Designated Capital Projects - Unallocated</b>	<b>\$ 525</b>	
<p>Appropriate interest earnings on the Reserve Fund for the 2005 Airport Revenue bonds that will be transferred to the General Fund since the initial reserve balance was funded by the General Fund. The Reserve Fund will still maintain the required balance of \$475,000.</p>				



**CITY OF TEMPLE**  
**BUDGET AMENDMENTS FOR FY 2013 BUDGET**  
**September 19, 2013**

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
520-5300-535-6213	100931	Contracted Services	\$ 27,136	
520-0000-431-0163		Federal Grants		\$ 27,136
260-3800-519-6213	100931	Contracted Services		\$ 27,136
260-0000-431-0163		Federal Grants	\$ 27,136	

Budget adjustment reallocates grant revenue and expenditures from the Clean Start Propane Refueling, Vehicle Incentive & Outreach program through the Texas State Technical College (TSTC) and its partners CleanFUEL USA and Public Solutions Group (PSG). The original budget adjustment appropriating the grant revenue and expenditures was appropriated 100% to the Grant Fund but three of the conversion kits were placed on Water and Wastewater Fund department vehicles. This budget adjustment appropriates the revenue and expenditure related to those three vehicles.

**TOTAL AMENDMENTS**

**\$ 280,485 \$ 280,485**

**GENERAL FUND**

Beginning <b>Contingency</b> Balance	\$ -
Added to Contingency Sweep Account	\$ -
Carry forward from Prior Year	\$ -
Taken From Contingency	\$ -
Net Balance of Contingency Account	\$ -

Beginning <b>Judgments &amp; Damages</b> Contingency	\$ 80,000
Added to Contingency Judgments & Damages from Council Contingency	\$ -
Taken From Judgments & Damages	\$ (39,859)
Net Balance of Judgments & Damages Contingency Account	\$ 40,141

Beginning <b>Compensation</b> 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 <b>Budget Sweep</b> Contingency	\$ -
Added to Budget Sweep Contingency	\$ -
Taken From Budget Sweep	\$ -
Net Balance of Budget Sweep Contingency Account	\$ -

**WATER & SEWER FUND**

Beginning <b>Contingency</b> Balance	\$ 50,000
Added to Contingency Sweep Account	\$ -
Taken From Contingency	\$ (11,882)
Net Balance of Contingency Account	\$ 38,118

Beginning <b>Compensation</b> 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**

**CITY OF TEMPLE**  
**BUDGET AMENDMENTS FOR FY 2013 BUDGET**  
**September 19, 2013**

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
		<b>HOTEL/MOTEL TAX FUND</b>		
		Beginning <b>Contingency</b> 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 <b>Compensation</b> Contingency	\$	10,100
		Added to Compensation Contingency	\$	-
		Taken From Compensation Contingency	\$	(10,100)
		Net Balance of Compensation Contingency Account	\$	-
		<b>Net Balance Hotel/Motel Tax Fund Contingency</b>	<b>\$</b>	<b>82,855</b>
		<b>DRAINAGE FUND</b>		
		Beginning <b>Contingency</b> Balance	\$	69,100
		Added to Contingency Sweep Account	\$	-
		Carry forward from Prior Year	\$	-
		Taken From Contingency	\$	-
		Net Balance of Contingency Account	\$	69,100
		Beginning <b>Compensation</b> Contingency	\$	25,100
		Added to Compensation Contingency	\$	-
		Taken From Compensation Contingency	\$	(25,100)
		Net Balance of Compensation Contingency Account	\$	-
		<b>Net Balance Hotel/Motel Tax Fund Contingency</b>	<b>\$</b>	<b>69,100</b>
		<b>FED/STATE GRANT FUND</b>		
		Beginning <b>Contingency</b> 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.

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**Whereas**, on the 30<sup>th</sup> 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 19<sup>th</sup> 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

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09/19/13  
Item #5  
Regular Agenda  
Page 1 of 1

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

Jonathan Graham, City Attorney

**ITEM DESCRIPTION:** THIRD AND FINAL READING – 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:** Conduct a public hearing and adopt ordinance as presented in item description, on third and final reading.

**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.

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**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 **15<sup>th</sup>** day of **August**, 2013.

PASSED AND APPROVED on Second Reading on the **5<sup>th</sup>** day of **September**, 2013.

PASSED AND APPROVED on Third and Final Reading and Public Hearing on the **19<sup>th</sup>** day of **September**, 2013.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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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

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09/19/13  
Item #6  
Regular Agenda  
Page 1 of 1

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

Jonathan Graham, City Attorney

**ITEM DESCRIPTION:** THIRD AND FINAL READING – 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:** Conduct a public hearing and adopt ordinance as presented in item description, on third and final reading.

**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 **15<sup>th</sup>** day of **August**, 2013.

PASSED AND APPROVED on Second Reading on the **5<sup>th</sup>** day of **September**, 2013.

PASSED AND APPROVED on Third and Final Reading and Public Hearing on the **19<sup>th</sup>** 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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09/19/13  
Item #7  
Regular Agenda  
Page 1 of 1

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

Denny Hainley, Benefits Specialist/Acting Director of Civil Service

**ITEM DESCRIPTION:** FIRST READING – PUBLIC HEARING: Consider adopting an ordinance establishing certification pay in the amount of \$150 per month for the certification of Master Peace officer in the Police Department.

**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 October 3, 2013.

**ITEM SUMMARY:** Chapter 143 of the Local Government Code requires that the Council establish certification pay by ordinance. Management desires to add a certification pay of \$150 per month for the certification of Master Peace Officer in the Police Department.

**FISCAL IMPACT:** Funding in the amount of \$38,000 is included in the FY 2014 budget for the Master Peace Officer certification pay.

### **ATTACHMENTS:**

[Ordinance](#)



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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, ESTABLISHING CERTIFICATION PAY FOR THE MASTER PEACE OFFICER AT THE TEMPLE POLICE DEPARTMENT, IN THE AMOUNT OF \$150 PER MONTH; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, Chapter 143 of the Local Government Code requires that the City Council establish certification pay by ordinance;

**Whereas**, staff desires to add a certification pay of \$150 per month for the certification of Master Peace Officer in the Police Department;

**Whereas**, funding for the Master Peace Officer certification pay is included in the FY 2013-2014 budget; and

**Whereas**, the City Council has considered these matters and deems it in the public interest to authorize these actions.

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

**Part 1:** Pursuant to Section 143.044 of the Local Government Code, the City Council authorizes the payment of \$150 per month for police officers receiving the certification of Master Peace Officer from the Texas Commission on Law Enforcement Officer Standards and Education.

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

PASSED AND APPROVED on First Reading and Public Hearing on the **19<sup>th</sup>** day of **September, 2013**.

PASSED AND APPROVED on Second Reading on the **3<sup>rd</sup>** day of **October, 2013**.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, MAYOR

ATTEST:

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Lacy Borgeson  
City Secretary

APPROVED AS TO FORM:

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Jonathan Graham  
City Attorney



## **COUNCIL AGENDA ITEM MEMORANDUM**

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09/19/13  
Item #8  
Regular Agenda  
Page 1 of 5

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

Tammy Lyerly, Senior Planner

**ITEM DESCRIPTION:** FIRST READING – PUBLIC HEARING - Z-FY-13-30: Consider adopting an Ordinance authorizing a zone change from Agricultural District (AG) to General Retail District (GR) on 21.59 ± acres, part of the Nancy Chance Survey, Abstract No. 5, Bell County, Texas, located on the west side of Old Waco Road and the east side of South Pea Ridge Road, east of Westwood Estates.

**P&Z COMMISSION RECOMMENDATION** At its meeting on August 19, 2013, the Planning and Zoning Commission voted 7/1 to recommend approval of a zone change from Agricultural District (AG) to General Retail District (GR). Commissioner Magaña voted in opposition.

**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 October 3, 2013.

Staff recommends denial of the requested zone change to GR District for the following reasons:

1. The west half of the property does not comply with the Future Land Use and Character Map;
2. The request does not offer sufficient buffering between residential uses and retail uses
3. Although the arterial classification of Old Waco Road complies with the Thoroughfare Plan, Old Waco Road is not built to arterial standards and requires right-of-way dedication and widening;
4. Existing street facilities are insufficient to support the requested 21 acres of General Retail development; and
5. Water and wastewater facilities are available to the subject property.

**ITEM SUMMARY:** The applicant requests a zone change from Agricultural District (AG) to General Retail District (GR).

According to the City of Temple Comprehensive Plan, **the property's Suburban Residential land use classification on the west half of the applicant's property** should be characterized by mid-size single family lots, allowing for greater separation between dwellings and more emphasis on green space versus streets and driveways. **The applicant's requested GR District does not comply with the property's Suburban Residential land use classification.**

**The property's Suburban Commercial land use classification on the east half of the applicant's property** is appropriate for office, retail and services uses adjacent to and abutting residential neighborhoods and in other areas where the community's image and aesthetic value is to be promoted, such as at "gateways" and high-profile corridor locations. Therefore, it limits the floor area ratio and requires a higher landscape surface ratio than in the Auto Urban Commercial district. **To maintain the suburban character and achieve higher quality development, design standards should be integrated into the zoning ordinance, perhaps with a Planned Development.**

The requested GR zoning district is the standard retail district and allows most retail uses including retail sales, restaurants, grocery stores, department stores, or offices and residential uses except apartments.

The GR zoning district is intended to serve larger service areas than neighborhoods. This district should be located at the intersection of major arterials and should provide total on-site traffic maneuvering such that traffic entering and exiting the facility should have room to turn, stack and park within the confines of the retail facility. **Adjoining zoning districts should be carefully selected to reduce environmental conflicts.** Adjoining uses are undeveloped land, agricultural uses, and rural residential uses.

A rezoning from the AG to the GR zoning district would allow many uses by right, including residential uses that would not have been allowed before. Those uses include, but are not limited to, the following:

Residential uses

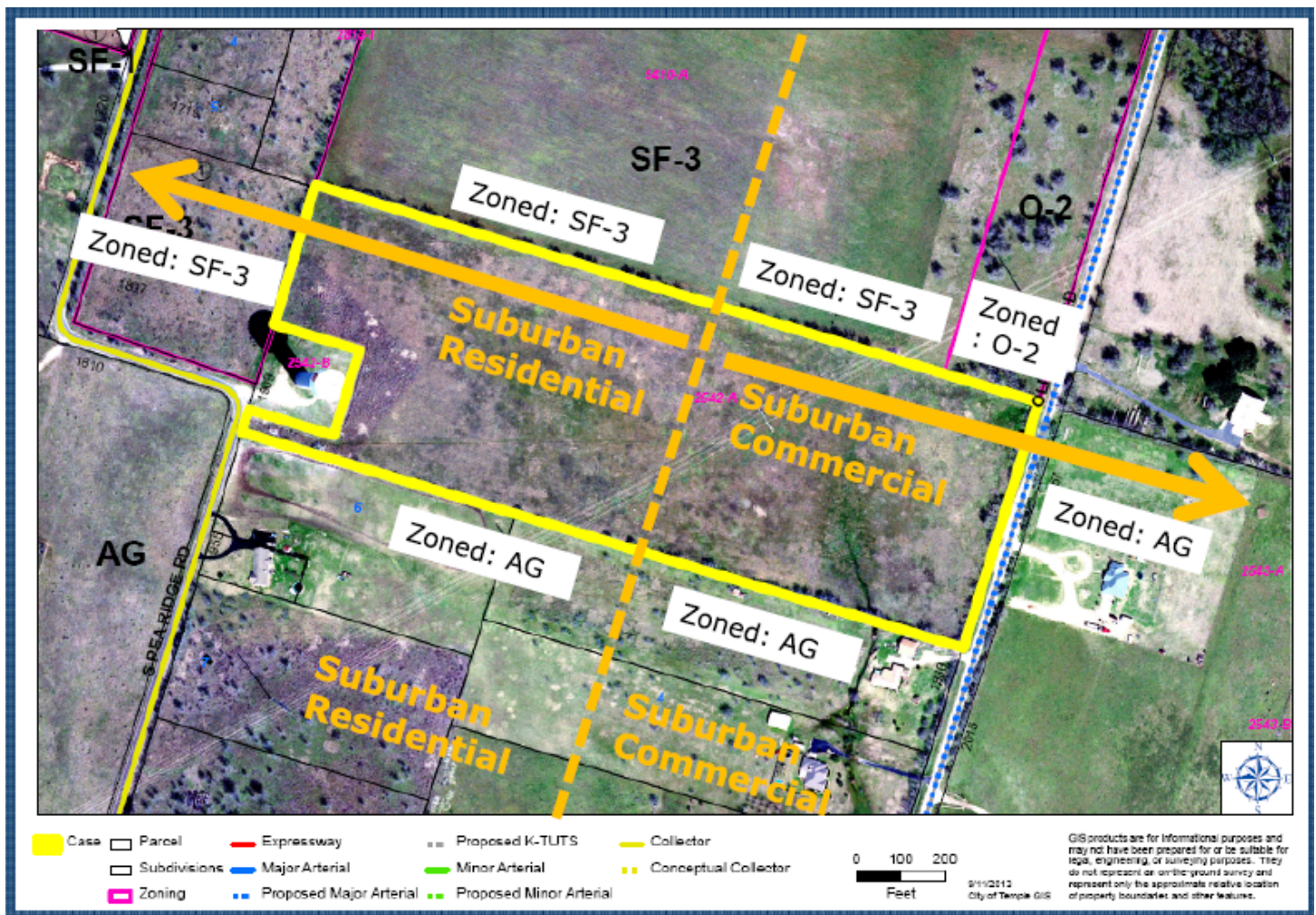
Single Family Attached  
Duplex  
Home for the Aged  
Townhouse

Nonresidential uses

Office  
Restaurant  
Hotel or Motel  
Food or Beverage sales store without fuel sales

**Prohibited uses** include HUD-Code manufactured homes and land lease communities, boat sales or storage, welding or machine shop, storage warehouse, and building material sales, among others.

**SURROUNDING PROPERTY AND USES:** The following aerial shows the subject property and surrounding properties, as well as zoning and recommendations from the Future Land Use and Character Map. A table showing the subject property, existing zoning and current land uses is included in the attached surrounding uses table.



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

Docu ment	Policy, Goal, Objective or Map	Site Conditions	Compliance
CP	Map 3.1 - Future Land Use and Character (FLUP)	<p>The east half of the subject property along Old Waco Road is identified as Suburban Commercial. The applicant's requested GR District is in compliance.</p> <p><b>However</b>, the west half of the property is identified as Suburban Residential.</p> <p><b>The applicant's requested GR District does not comply with this recommendation.</b> If approved, a zone change to the GR District would require an amendment to the Future Land Use and Character Plan.</p>	<p>The request for the west half of the property does not comply with the recommended Suburban Residential, but the east half of the property complies with the recommended Suburban Commercial.</p>
CP	Map 5.2 - Thoroughfare Plan	<p>The property fronts Old Waco Road, which is identified as a proposed major arterial. The requested GR district is</p>	<p>Arterials and collectors are appropriate, but</p>



		appropriate along major arterials. <b>The applicant will be required to dedicate right-of-way along Old Waco Road through the platting process, per UDC Section 8.2.1 Streets.</b> The southwest corner of the applicant's property fronts South Pea Ridge Road, which is classified as a collector. GR districts are appropriate along collectors.	Old Waco Road requires right-of-way dedication and widening to arterial standards.
CP	Goal 4.1 - Growth and development patterns should be consistent with the City's infrastructure and public service capacities	An 18-inch water line runs along the west side of the property. A 14-inch water line runs along the north property line. A 24-inch water line runs along the east property line along Old Waco Road. An 8-inch and 12-inch sewer line exists to the east of the property, along the east right-of-way of Old Waco Road.	Yes
STP	Temple Trails Master Plan Map & sidewalks	The Temple Trails Master Plan reflects a proposed 10' Citywide Spine Trail along the east edge of the subject property along Old Waco Road. Per UDC section 8.2.3, sidewalks are required on both sides of arterials and one side of collector streets. Sidewalks are required to be installed at the time of development and will be noted on the plat. The combined sidewalk and trail will be constructed as part of the overall Old Waco Road improvement project.	A 10' wide sidewalk is required, but will be addressed during platting process.

CP = Comprehensive Plan STP = Sidewalk and Trails Plan

**DEVELOPMENT REGULATIONS:** Dimensional standards for **nonresidential** development in the GR District are as follows:

- Minimum lot size – N/A
- Minimum Lot Width – N/A
- Minimum Lot Depth – N/A
- Front Yard Setback – 15 feet
- Side Yard Setback – 10 feet
- Rear Yard Setback – 0 feet (10 feet adjacent to residential zoning)

Dimensional standards for **residential** development in the GR District are as follows:

- Minimum lot size – 5,000 Sq. Ft.
- Minimum Lot Width – 50 feet
- Minimum Lot Depth – 100 feet
- Front Yard Setback – 15 feet
- Side Yard Setback – 10% of lot width with 5-feet min.
- Side Yard Setback (corner) – 15 feet
- Rear Yard Setback – 10 feet

**PUBLIC NOTICE:** Seven 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 September 9, 2013, one notice was returned in favor of the request and one notice was returned in opposition.

The newspaper printed notice of the Planning and Zoning Commission public hearing on August 7, 2013, in accordance with state law and local ordinance.

**FISCAL IMPACT:** Not Applicable

**ATTACHMENTS:**

[Zoning and Location Map](#)  
[Future Land Use and Character Map](#)  
[Surrounding Uses Table](#)  
[Notification Map](#)  
[Response letters](#)  
[PZ Excerpts](#)  
[Ordinance](#)





Z-FY-13-30

AG to GR

Old Waco Road



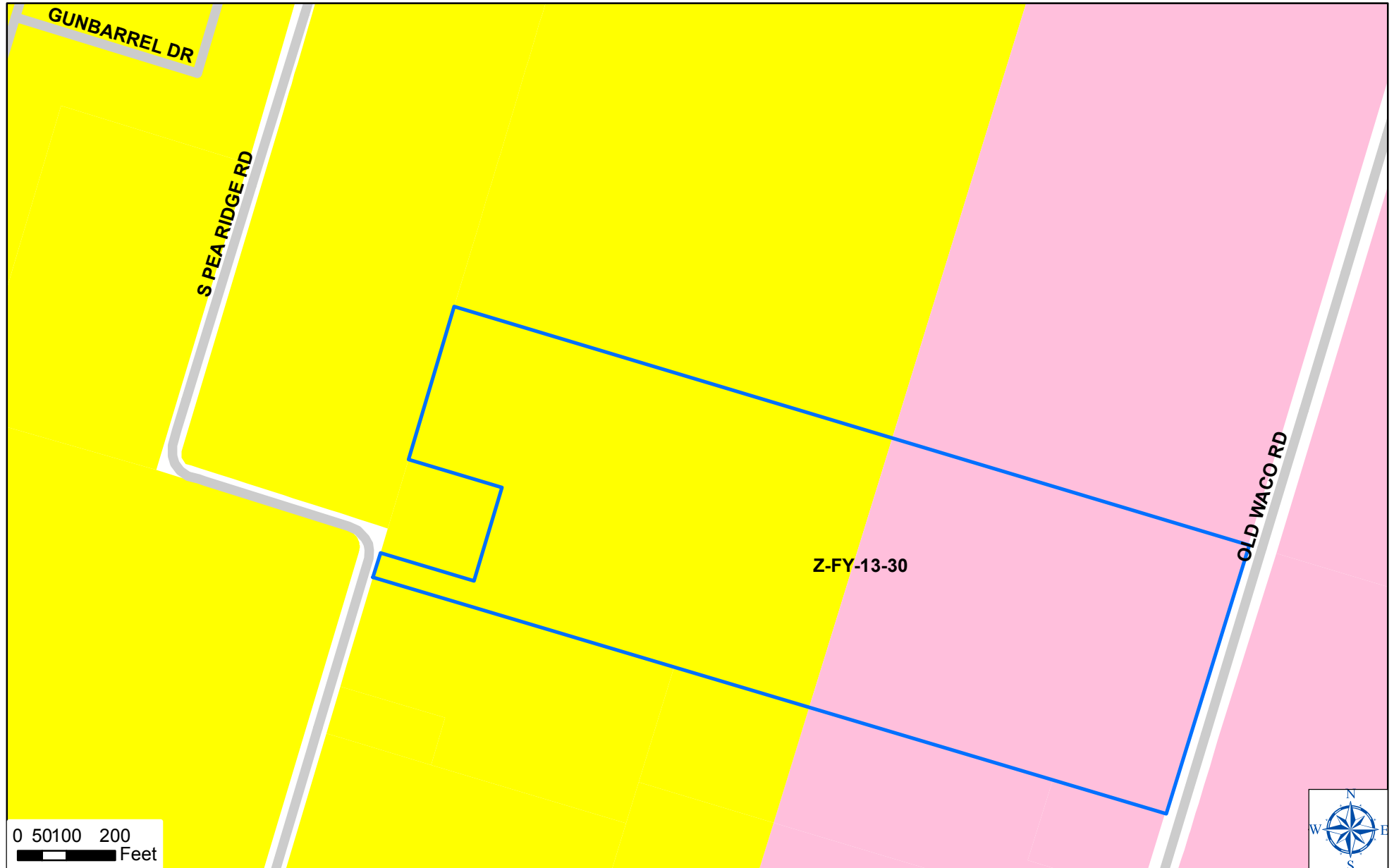
- |              |                         |                         |                      |           |
|--------------|-------------------------|-------------------------|----------------------|-----------|
| Case         | Parcel                  | Expressway              | Proposed K-TUTS      | Collector |
| Subdivisions | Major Arterial          | Minor Arterial          | Conceptual Collector |           |
| Zoning       | Proposed Major Arterial | Proposed Minor Arterial |                      |           |

0 100 200  
Feet

7/25/2013  
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

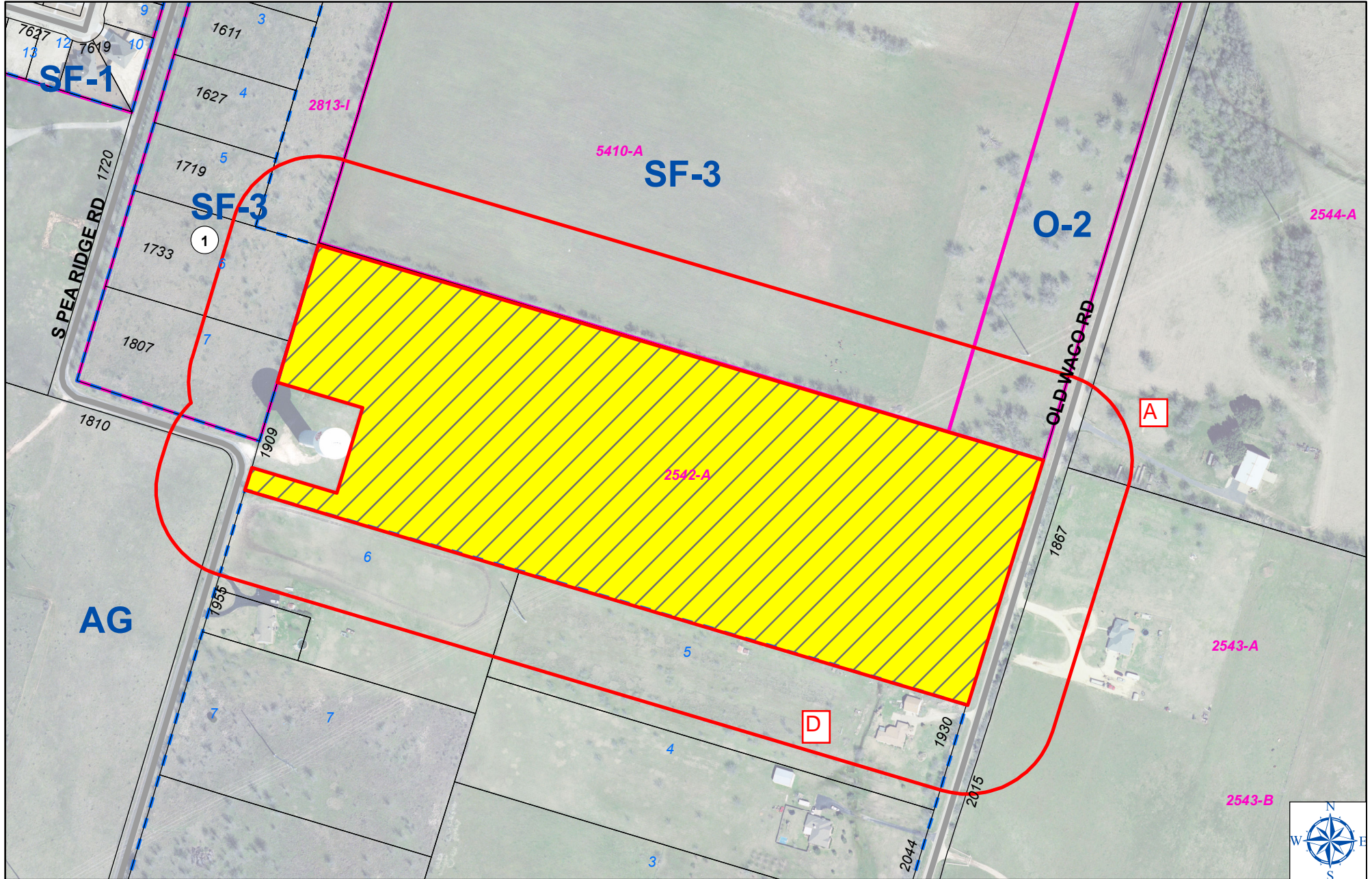
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



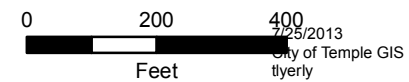
Z-FY-13-30

AG to GR

Old Waco Road



- |  |   |  |  |
|--|---|--|--|
|  Case        |  Zoning      |  1234-A Outblock Number |  Block Number |
|  200' Buffer |  Subdivision |  1234 Address           |  1 Lot Number |



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**

Richard Etux Gloria Jackson  
3101 Oaklawn Drive  
Temple, Texas 76502

**Zoning Application Number:** Z-FY-13-30

**Project Manager:** Tammy Lyerly

**Location:** West side of Old Waco Road and the east side of South Pea Ridge Road, east of Westwood Estates

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:**

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Gloria Jackson  
Signature

Gloria JACKSON  
Print Name

Please mail or hand-deliver this comment form to the address shown below, no later than August 19, 2013

City of Temple  
Planning Department  
Room 102  
Municipal Building  
Temple, Texas 76501

**RECEIVED**

AUG 15 2013

City of Temple  
Planning & Development

Number of Notices Mailed: 7

Date Mailed: August 7, 2013



RESPONSE TO PROPOSED  
ZONE CHANGE REQUEST  
CITY OF TEMPLE

Kurt W. Hentschel  
1930 Old Waco Road  
Temple, Texas 76502

RECEIVED

AUG 19 2013

City of Temple  
Planning & Development

Zoning Application Number: Z-FY-13-30

Project Manager: Tammy Lyerly

Location: West side of Old Waco Road and the east side of South Pea Ridge Road, east of Westwood Estates

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:

because It could devalue my  
property and crime security. Increased  
value, noise and destruction of Night  
sky with increased lighting.

Signature

kurt w. hentschel

Print Name

Please mail or hand-deliver this comment form to the address shown below, no later than August 19, 2013




City of Temple  
Planning Department  
Room 102  
Municipal Building  
Temple, Texas 76501

Number of Notices Mailed: 7





Date Mailed: August 7, 2013

**SURROUNDING PROPERTY AND USES:**

The following table shows the subject property, existing zoning and current land uses:

Direction	Zoning	Current Land Use	Comp Plan	Photo
Subject Property	AG	Undeveloped Land	Suburban Residential and Suburban Commercial	
				
East	AG	Agricultural Land/ Rural Residential	Suburban Commercial	



Direction	Zoning	Current Land Use	Comp Plan	Photo
West	AG and SF-3	Agricultural Land/ Rural Residential	Suburban Residential	
South	AG	Agricultural Land/ Rural Residential	Suburban Commercial	
			Suburban Residential	
North	SF3 and O-2	Undeveloped Land	Suburban Residential and Suburban Commercial	

**EXCERPTS FROM THE  
PLANNING & ZONING COMMISSION MEETING  
MONDAY, AUGUST 19, 2013**

**ACTION ITEMS**

**Item 2: Z-FY-13-30:** Hold a public hearing to discuss and recommend action on a zone change from Agricultural District (AG) to General Retail District (GR) on 21.59 ± acres part of the Nancy Chance Survey, Abstract No. 5, Bell County, Texas, located on the west side of Old Waco Road and the east side of South Pea Ridge Road, east of Westwood Estates. (Applicant: John Martin for Jack P. Hilliard, Jr.)

Ms. Tammy Lyerly, Senior Planner, stated this item would go to City Council for first reading on September 19, 2013 and second reading on October 3, 2013.

The subject property is surrounded by existing and future residential uses as well as future office uses to the north. The Future Land Use and Character Map designate a split recommendation for the property. Old Waco Road is on the east side of the property and S. Pea Ridge Road is located on the west side.

Surrounding properties include undeveloped land (future single family residential and office uses) to the north, and rural residential and agricultural uses to the east, south and west.

The General Retail (GR) allowed and prohibited uses are given.

Development and dimensional standards are given for the GR district.

The Future Land Use and Character Map splits the designate of the area as Suburban-Residential (yellow) and Suburban-Commercial (pink). The applicant's request is for GR district does not comply with the Suburban-Residential portion but does comply with the Suburban-Commercial section.

The Thoroughfare Plan designates Old Waco Road as a proposed major arterial and S. Pea Ridge Road as a collector. The applicant would be required to dedicate right-of-way along Old Waco Road during the platting process.

Per the Unified Development Code, Section 8.2.3, Sidewalks, a collector requires a four-foot sidewalk along one side of the road and an arterial requires a six-foot wide sidewalk along both sides. There is a citywide spine trail on the Trails Master Plan for this property and a spine trail requires a 10 foot wide sidewalk. For the six-foot wide sidewalk required along the arterial, the City has an oversized participation agreement to upgrade the minimum six-foot wide sidewalk up to the 10 foot wide sidewalk required for a spine trail. The City will help with the cost of the additional four feet.

The existing water lines in the area include a 14-inch to the north of the property and a four-inch line and 24-inch line along Old Waco Road. An 18-inch water line is also located along S. Pea Ridge Road. There is an eight-inch sewer line on the opposite side of Old Waco Road. Water and sewer are available to serve the property.



Seven notices were mailed out with one received in favor and one in opposition.

Staff recommendation is for denial of the requested zone change because:

The request only partially complies with the Future Land Use and Character Map;

The request partially complies with the Thoroughfare Plan; and

Public facilities are available to the subject property.

Staff would like to work with the applicant in a proposal for partial residential and partial general retail with enhanced buffering for the adjacent residential uses.

Chair Sears opened the public hearing.

Mr. Thomas Baird, 15 N. Main Street, Temple, Texas, appeared on behalf of the applicant, Jack Hilliard, and stated the applicant would like to keep his options open. The property would not make a good residential site due to the transmission power lines that goes from north to south cutting the property in half, and the water tower make it not conducive to residential. A better mix would be general retail and office and this zoning would allow more flexibility necessary to maximize the property and development. Mr. Baird asked the Commissioners to support this request.

Commissioner Rhoads asked if the applicant had any idea what he wanted to do with the property and Mr. Baird stated not really, he would like to keep his options open for future development.

Mr. Baird stated he was glad to see the spine trail.

Mr. John Martin, 2813 Sleepy Hollow, Temple, Texas, stated he represented Mr. Hilliard and agreed with Mr. Baird's comments. With the tower in back of the property and the lines above, the property would be better zoned as general retail rather than residential.

Commissioner Staats asked what the easement width of the transmission line was. Mr. Martin did not know but stated this one is a major line. Normally the easement is 100 feet.

Chair Sears closed the public hearing.

Commissioner Talley asked about the staff working with the applicant and if the applicant was open to doing that. Ms. Lyerly stated they have not had a lot of discussions other than informing the applicant of Staff's recommendation; but when she spoke with Mr. Martin he wanted to market the property for general retail. The various options have not been discussed.

Commissioner Staats made a motion to approve Item 2, **Z-FY-13-30**, and Commissioner Martin made a second.

*Motion passed: (7:1)*

Commissioners Magaña voted nay

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

[PLANNING NO. Z-FY-13-30]

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING A REZONING FROM AGRICULTURAL DISTRICT (AG) TO GENERAL RETAIL DISTRICT (GR) ON APPROXIMATELY 21.59 ACRES OUT OF THE NANCY CHANCE SURVEY, ABSTRACT NO. 5, LOCATED ON THE WEST SIDE OF OLD WACO ROAD AND THE EAST SIDE OF SOUTH PEA RIDGE ROAD, EAST OF WESTWOOD ESTATES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**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 General Retail District (GR) on approximately 21.59 acres out of the Nancy Chance Survey, Abstract No. 5, Bell County, Texas, located on the west side of Old Waco Road and the east side of South Pea Ridge Road, east of Westwood Estates, more fully described in Exhibit A, attached hereto and made a part hereof for all purposes.

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

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

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

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

PASSED AND APPROVED on First Reading and Public Hearing on the **19<sup>th</sup>** day of **September**, 2013.

PASSED AND APPROVED on Second Reading on the **3<sup>rd</sup>** day of **October**, 2013.

THE CITY OF TEMPLE, TEXAS

---

DANIEL A. DUNN, Mayor

APPROVED AS TO FORM:

ATTEST:

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Lacy Borgeson  
City Secretary

---

Jonathan Graham  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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09/19/13  
Item #9  
Regular Agenda  
Page 1 of 2

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

Jonathan Graham, City Attorney  
David Blackburn, City Manager

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a letter of intent between the City of Temple, Temple Historic Arcadia Theatre, Inc., and Criterion Management Group, LLC, for redevelopment of the Hawn and Arcadia Theatre properties located at 114 and 110 East Central Avenue.

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

**ITEM SUMMARY:** Staff has been working for several months to negotiate a Letter of Intent (LOI) with a developer, **Criterion Management Group, LLC.**, for the Hawn Hotel and Arcadia Theatre properties. Criterion's proposal is to renovate the Hawn and Arcadia properties as a combination residential (condos), retail and possible performing arts space.

Bryan Smith, the principal shareholder of the Criterion group, grew up in Temple, and has been involved in development in Texas for several decades prior to this project (e.g., construction project manager for the Domain project in Austin). He is currently working in Montreal, Canada on project to decommission a refinery.

This LOI is non-binding and indicates the parties' intent to proceed with, and negotiate in good faith, a future development agreement for redevelopment of the Hawn Hotel and Arcadia Theatre properties by Criterion. **The LOI is essentially a grant by the City to the Criterion Group of an exclusive right to negotiate for a period of up to eight (8) months.** During that period, Criterion will conduct its due diligence, secure financing, and finalize the design for the renovations. At the end of the due diligence period, if Criterion elects to proceed, the City, Temple Historic Arcadia Theatre, Inc., and Criterion, will execute a binding development agreement with the terms outlined below firmed up. In late July, the board of directors for the nonprofit corporation that owns the Arcadia Theatre (I serve on that board) met and voted to authorize the Arcadia Theatre property to be subject to the letter of intent as well.

A briefing will be provided to the City Council at the workshop scheduled for September 19<sup>th</sup>.

The proposed LOI includes the following concepts:

1) Redevelopment of the “Hawn” property improvements by the Criterion Group to include:

- City/Arcadia conveys Hawn and Arcadia buildings to Criterion for \$1
- Criterion to be developer & owner;
- **Upper** floors of the Hawn Hotel main building to be ‘for sale’ urban condominium units;
- **First** floor of the Hawn Hotel main building and adjacent 2 story attached building developed as retail space, support services and a restaurant;
- Reversionary clause if construction is not initiated within two years;
- Commitment by the City to make the existing City-owned parking lot (approximately 80 spaces) north of the Hawn (4<sup>th</sup> Street) and Arcadia properties available for exclusive use of residents of the condominium units;
- Actual form of parking in that lot to be determined (at a minimum secured/fenced, and possibly covered) with ingress & egress to and through the Arcadia Theatre property;
- Evaluation of use of the Arcadia Theatre improvements as a performing arts venue (live or recorded) and as common areas;
- If performing arts venue isn’t economically feasible, the Arcadia Theater improvements (theater and arcade area off of Central) will be used for more retail/restaurant space and common areas for the overall project;
- City to improve intersection of Central and 4<sup>th</sup> Street similar to other renovated intersection in and around City Hall (stamped or paved corners, ADA compliant ramps, and streetscape);
- City to evaluate condition of water and wastewater infrastructure for project, and update if needed;
- Other City incentives to include: tax abatement (10 year, declining percentage) on the increased value of real and personal property with a useful life of ten years or more;
- Waiver of permits and fees; application assistance for historic or new market tax credits;
- Criterion agrees to maintain the historical integrity and appearance of the exteriors of the Hawn and Arcadia main buildings/façades.

**FISCAL IMPACT:** None at this time. If after the 8 month due diligence period, Criterion elects to move forward on the project, the City is agreeing that it will convey the Hawn property to Criterion for \$1 (the board of directors for the Arcadia have made a similar commitment). The City is also committing to a ten year declining percentage tax abatement on the increased value of real and personal property with a useful life of at least ten years. The specific value for that tax abatement is unknown at this time, but the current tax value of the Hawn and Arcadia properties on BCAD’s tax rolls is very low. The cost of waiving permit fees is also unknown at this time, as is the cost if any of any renovations to the City’s water and wastewater infrastructure to address the needs of the proposed project. Those collective costs would be estimated at the time Criterion completes its due diligence and advises the City that it is prepared to enter into a development agreement.

**ATTACHMENTS:**

[Resolution](#)



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

A RESOLUTION AUTHORIZING A LETTER OF INTENT BETWEEN THE CITY OF TEMPLE, TEMPLE HISTORIC ARCADIA THEATRE, INC. AND CRITERION MANAGEMENT GROUP, LLC FOR REDEVELOPMENT OF THE HAWN AND ARCADIA THEATRE PROPERTIES LOCATED AT 114 AND 110 EAST CENTRAL AVENUE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

---

**Whereas**, Staff has been working for several months to negotiate a Letter of Intent (LOI) with the developer, Criterion Management Group, LLC, for the Hawn Hotel and Arcadia Theatre properties – Criterion’s proposal is to renovate the Hawn and Arcadia properties as a combination residential (condos), retail, and possible performing arts space;

**Whereas**, the LOI is non-binding and indicates the parties’ intent to proceed with, and negotiate in good faith, a future development agreement for redevelopment of the Hawn Hotel and Arcadia Theatre properties by Criterion and would provide the Criterion Group an exclusive right to negotiate for a period of up to eight (8) months;

**Whereas**, during this period, Criterion will conduct its due diligence, secure financing, and finalize the design for the renovations – at the end of the period, if Criterion elects to proceed, the City, Temple Historic Arcadia Theatre, Inc., and Criterion will execute a binding development agreement with terms to be mutually agreed upon at that time – the board of directors for Temple Historic Arcadia Theatre, Inc. have met and voted to authorize the LOI; 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 letter of intent, after approval as to form by the City Attorney, between the City of Temple, Temple Historic Arcadia Theatre, Inc., and Criterion management Group, LLC for redevelopment of the Hawn and Arcadia Theatre properties located at 114 and 110 East Central Avenue which will include the following concepts:

- City/Arcadia conveys Hawn and Arcadia buildings to Criterion for \$1
- Criterion to be developer & owner;
- Upper floors of the Hawn Hotel main building to be ‘for sale’ urban condominium units;
- First floor of the Hawn Hotel main building and adjacent 2 story attached building developed as retail space, support services and a restaurant;
- Reversionary clause if construction is not initiated within two years;
- Commitment by the City to make the existing City-owned parking lot (approximately 80 spaces) north of the Hawn (4<sup>th</sup> Street) and Arcadia properties available for exclusive use of residents of the condominium units;
- Actual form of parking in that lot to be determined (at a minimum secured/fenced, and possibly covered) with ingress & egress to and through the Arcadia Theatre property;
- Evaluation of use of the Arcadia Theatre improvements as a performing arts venue (live or recorded) and as common areas;
- If performing arts venue isn’t economically feasible, the Arcadia Theater improvements (theater and arcade area off of Central) will be used for more retail/restaurant space and

- common areas for the overall project;
- City to improve intersection of Central and 4<sup>th</sup> Street similar to other renovated intersection in and around City Hall (stamped or paved corners, ADA compliant ramps, and streetscape);
  - City to evaluate condition of water and wastewater infrastructure for project, and update if needed;
  - Other City incentives to include: tax abatement (10 year, declining percentage) on the increased value of real and personal property with a useful life of ten years or more;
  - Waiver of permits and fees; application assistance for historic or new market tax credits;
  - Criterion agrees to maintain the historical integrity and appearance of the exteriors of the Hawn and Arcadia main buildings/façades.

**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 19<sup>th</sup> day of **September**, 2013.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Jonathan Graham  
City Attorney