



**MEETING OF THE
TEMPLE CITY COUNCIL**

MUNICIPAL BUILDING

2 NORTH MAIN STREET

3rd FLOOR – CONFERENCE ROOM

THURSDAY, OCTOBER 3, 2013

4:00 P.M.

WORKSHOP AGENDA

1. Discuss, as may be needed, Regular Meeting agenda items for the meeting posted for Thursday, October 3, 2013.
2. Receive briefing on NW Loop project.
3. Receive a City Council continuing education briefing on Water / Sewer Utilities.

5:00 P.M.

MUNICIPAL BUILDING

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

TEMPLE CITY COUNCIL

REGULAR MEETING AGENDA

I. CALL TO ORDER

1. Invocation
2. Pledge of Allegiance

II. PROCLAMATIONS & SPECIAL RECOGNITIONS

3. (A) [National Colonial Heritage Month – October, 2013](#)

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) [September 5, 2013 Special Called and Regular Meeting](#)
- (B) [September 19, 2013 Special Called and Regular Meeting](#)

Contracts, Leases, & Bids

- (C) [2013-7118-R](#): Consider adopting a resolution authorizing amendment No. 2 to the Interlocal Agreement with the Temple Independent School District providing for one additional Temple Police Department School Resource Officer, made and entered on July 16, 2009.
- (D) [2013-7119-R](#): Consider adopting a resolution approving an Interlocal Agreement with the Temple Independent School District providing for the use of rooms at specified campuses to support Community Policing and enhance police presence at schools.
- (E) [2013-7120-R](#): Consider adopting a resolution authorizing the City Manager to enter into an agreement with the Texas Lobby Group for legislative lobbying services through September 30, 2014 in an amount not to exceed \$66,000.
- (F) [2013-7121-R](#): Consider adopting a resolution authorizing a construction contract with Matous Construction, LTD. of Belton for the replacement of the backwash actuators and valve project at the water treatment plant in the amount of \$148,000.
- (G) [2013-7122-R](#): Consider adopting a resolution authorizing a construction contract with A&M Construction and Utilities, Inc. of Rowlett for construction activities required to rehabilitate the water treatment plant elevated backwash storage tank in an amount not to exceed \$179,400.
- (H) [2013-7123-R](#): Consider adopting a resolution authorizing a one year extension to the construction contract with APAC TX – Wheeler Company of Belton for the 2014 Overlay Program based on a unit price of \$78 a ton for overlay, \$485 a ton for speed humps, and \$2 a square yard for milling, in an estimated annual amount of \$630,000.
- (I) [2013-7124-R](#): Consider adopting a resolution authorizing the purchase of playground equipment for South Temple Park, Freedom Park and Northwest Hills Park utilizing a BuyBoard contract with We Build Fun, Inc. of Allen in the amount of \$125,381.29.
- (J) [2013-7125-R](#): Consider adopting a resolution authorizing the purchase and installation of playground shade structures at South Temple Park, Northwest Hills Park and Freedom Park from We Build Fun, Inc. of Allen in the total amount of \$70,628.84.
- (K) [2013-7126-R](#): Consider adopting a resolution authorizing the purchase of 3,180 plastic 96-gallon refuse containers for the Solid Waste Services Division of Public Works from Toter, Inc., of Statesville, NC, utilizing a National IPA cooperative contract, in the amount of \$148,055.80.

Ordinances – Second & Final Reading

- (L) [2013-4612](#): SECOND READING: 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.

Misc.

- (M) [2013-7127-R](#): Consider adopting a resolution authorizing participation in the Texas Municipal League, Intergovernmental Risk Pool to provide property, liability and worker's compensation coverage for the City.
- (N) [2013-7128-R](#): Consider adopting a resolution authorizing the receipt of grant funds from the Texas Department of Transportation, Safe Routes to School grant program; to be used for change order #3 on the construction contract with Patin Construction, LLC of Taylor to address the need to connect existing features to the trail project at Lakewood Elementary School in an amount not to exceed \$6,222.

V. REGULAR AGENDA

ORDINANCES

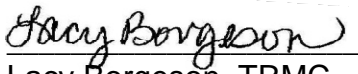
- 5. [2013-4614](#): FIRST READING - PUBLIC HEARING - Z-FY-13-32: Consider adopting an ordinance authorizing a zone change from Agricultural District (AG) to Single-Family Dwelling 2 District (SF-2) on 25.83 ± acres, being part of the Baldwin Robertson Survey, Abstract 17, Bell County, Texas, generally located northeast of Poison Oak Road and east of Carriage House Drive.
- 6. [2013-4615](#): FIRST READING – PUBLIC HEARING – A-FY-13-21: Consider adopting an ordinance authorizing abandonment and conveyance of a portion of Shallow Ford West Road, being a .514± acre tract of land out of the George Given Survey, Abstract No. 345, Bell County, Texas and as described in the plat approved by City Council on April 5, 2012, resolution #2012-6594-R; located south of Midway Drive, near the southeast corner of South General Bruce Drive and Midway Drive.
- 7. [2013-4616](#): FIRST READING – PUBLIC HEARING: Consider adopting an ordinance authorizing a negotiated settlement between Atmos Cities Steering Committee and Atmos Energy Corp., Mid-Tex Division regarding the Company's 2013 Annual Rate Review Mechanism filing in all Cities exercising original jurisdiction.
- 8. [2013-4617](#): FIRST READING – PUBLIC HEARING: Consider adopting an ordinance setting out the civil service classifications and setting the number of positions in each classification in the Temple Police Department.

BOARD APPOINTMENTS

- 9. [2013-7129-R](#): Consider adopting a resolution:
 - (A) Designating the Chair of the Tax Increment Financing Reinvestment Zone No. 1 Board of Directors to fill an unexpired term through December 31, 2013; and
 - (B) Appointing eight members to the Reinvestment Zone No. 1 Board of Directors to fill expiring terms through September 1, 2015.

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

I hereby certify that a true and correct copy of this Notice of Meeting was posted in a public place at 3:40 PM, on September 27, 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

10/03/13
Item #3(A)
Regular Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Daniel A. Dunn, Mayor

ITEM DESCRIPTION: Presentation of Proclamation

(A) National Colonial Heritage Month – October, 2013

STAFF RECOMMENDATION: Present proclamation as presented in item description.

ITEM SUMMARY: (A) This proclamation was requested by and will be presented to members of the Governor Samuel Mathews chapter of Colonial Dames XVII Century.

FISCAL IMPACT: None

ATTACHMENTS: None



COUNCIL AGENDA ITEM MEMORANDUM

10/03/13
Item #4(A-B)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Lacy Borgeson, City Secretary

ITEM DESCRIPTION: Approve Minutes:

- (A) September 5, 2013 Special Called and Regular Meeting
- (B) September 19, 2013 Special Called and Regular Meeting

STAFF RECOMMENDATION: Approve minutes as presented in item description.

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

FISCAL IMPACT: N/A

ATTACHMENTS:

[September 5, 2013 Special Called and Regular Meeting](#)
[September 19, 2013 Special Called and Regular Meeting](#)

TEMPLE CITY COUNCIL

SEPTEMBER 5, 2013

The City Council of the City of Temple, Texas conducted a Special Meeting on Thursday, September 5, 2013, at 3:30 PM, at the Municipal Building, 2 North Main Street, in the 3rd Floor Conference Room.

Present:

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

1. Discuss, as may be needed, Regular Meeting agenda items for the meeting posted for Thursday, September 5, 2013.

Regular Agenda Item #5 (Z-FY-13-26) - Mayor Dunn inquired on the cell tower and who the applicant is.

Ms. Lyerly stated that Verizon is the applicant for this item.

Councilmember Schneider asked about the abutting property behind the site?

Ms. Lyerly stated that a small portion of the slab would be taken.

Regular Agenda Item #6 (Preliminary Plat Brayson Crossing) - Mr. Blackburn stated there was a meeting with staff and County Officials. County expressed their concerns with the preliminary plat and that they had no authority. They also expressed concerns over the standards for which the streets would be built.

Mr. Graham stated County does not allow for private street or roads; but the City does. We, the City will have platting authority and have addressed some of County's concerns in this process and County will do the final inspection per the agreement.

Councilmember Schneider asked which authority would approve the cross sections and curbs? And why are we involved in this as it is in the ETJ?

Mr. Graham stated this was discussed with Commissioner Cortez, and the applicant will build with exception to width, to County standards. The only reason you are considering this plat is due to the fact that the applicant is

asking for exceptions.

Ms. Lyerly stated they are asking for an exception to the Fire Code and Park Fees.

Councilmember Cloud asked the applicant why she is requesting a private road.

The applicant stated that she wishes to make this a gated community and the County does not allow for gated communities.

Ms. Foutz stated there are letters on file from the supporting first responders and jurisdictions that they are 'ok' with this width of the gated opening.

Consent Agenda Item #4(O),(P); and (Q) related to annual contracts - Mr. Blackburn pointed out to the Council this item will approve 49 different contract over \$4 million.

Ms. Mattke, gave a brief explanation of item 4(P4) related to water meters. This is to recommend the 2nd lowest bidder as the lowest bidder, Zinner Performance Meters. There were concerns by staff for the quality of the meters and were unable to get samples.

Consent Agenda Item 4(C) - Demo Contracts - Ms. Myers stated the address of 813 East Avenue N was listed twice by mistake. 813 East Avenue N is to be listed only once and needed to add 1309 South 37th Street. The bid tabs were correct as submitted.

Consent Agenda Items 4(K) and 4(L) - Panda - Mr. Blackburn wanted to point out these two items as they are related to Panda and the Effluent line in south and southeast Temple.

2. Receive a City Council continuing education briefing on Conflict of Interest.

Mr. Graham gave a brief presentation to the Council as part of the 2013 City Council Continued Educations series. He reviewed Chapter 171, the State conflict of interest statute; City Charter Section 4.9; practical tips for avoiding conflicts; and penalties and remedies.

The City Council of the City of Temple, Texas conducted a Regular Meeting on Thursday, September 5, 2013 at 5:00 PM in the Council Chambers, Municipal Building, 2nd Floor, 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

Russell Smith, Troop 101, voiced the Invocation.

2. Pledge of Allegiance

Adam Dlugas, Troop 101, led the Pledge of Allegiance.

II. PROCLAMATIONS & SPECIAL RECOGNITIONS

3. (A) Constitution Week September 17 - 23, 2013

Mayor Dunn presented the Proclamation to Martha Enyeart, Regent, with the Betty Martin Chapter of the Daughters of American Revolution.

III. PUBLIC COMMENTS

Mr. Amos Martinez, 4905 J I Bruce Drive addressed the Council and spoke on the importance of the Constitution of the United States of America.

IV. CONSENT AGENDA

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

(A) August 15, 2013 Special Called and Regular Meeting

(B) 2013-7036-R: Consider adopting a resolution authorizing an Interlocal Cooperation Contract with the Texas Department of Public Safety for the purchase of alcohol, drug, and gunshot residue testing supplies by the Temple Police Department.

(C) 2013-7037-R: Consider adopting a resolution authorizing demolition contracts with Sierra Contracting Corporation of Round Rock for the demolition of eight residential structures funded through the Community Development Block Grant in the amount of \$37,500.

(D) 2013-7038-R: Consider adopting a resolution authorizing an

extension to the City's annual electrical contract with T. Morales Company for replacement of medium voltage feeder cables and arrestors at the Water Treatment Plant in the estimated amount of \$55,315.

(E) 2013-7039-R: Consider adopting a resolution authorizing a lease agreement with Bechtel Power Corporation for lease of approximately 23.30 acres of City-owned land located on the east side of Panda Drive.

(F) 2013-7040-R: Consider adopting a resolution authorizing the lease of a 19.86 acre tract of land, located at 1446 Bob White Road, Temple, Texas, to William Daniel for a term of five years.

(G) 2013-7041-R: Consider adopting a resolution authorizing a four-year agreement for copier services with CTWP, utilizing a State of Texas DIR contract, in an estimated annual amount of \$80,000.

(H) 2013-7042-R: Consider adopting a resolution authorizing an Emergency Medical Services Agreement between the City and Scott & White EMS, Inc.

(I) 2013-7043-R: Consider adopting a resolution authorizing a three-year renewal to the services agreement for propane delivery services with Star Tex Propane, Inc of Waco in the estimated annual amount of \$30,000.

(J) 2013-7044-R: Consider adopting a resolution authorizing a professional services agreement with Kasberg, Patrick and Associates, LP for professional services required to design the Downtown Master Plan in an amount not to exceed \$105,500.

(K) 2013-7045-R Consider adopting a resolution authorizing an agreement with Kasberg, Patrick, & Associates, LP of Temple for professional services required to design and bid Phase 1 of the Panda TBP Effluent Line in south and southeast Temple in an amount not to exceed \$353,800.

(L) 2013-7046-R Consider adopting a resolution authorizing an agreement with Kasberg, Patrick, & Associates, LP of Temple for professional services required to design and bid Phase 2 of the Panda TBP Effluent Line in south and southeast Temple in an amount not to exceed \$579,100.

(M) 2013-7047-R: Consider adopting a resolution authorizing the

purchase of radios and power supplies for traffic signals, utilizing a State of Texas DIR contract, from Consolidated Telecom Services of Temple in the amount of \$39,062.19.

(N) 2013-7048-R: Consider adopting a resolution authorizing the purchase of communication software and equipment from Trafficware of Sugarland for communication software and equipment for Traffic Signals in the amount of \$227,080.

(O) Consider adopting resolutions authorizing FY 2014 contract renewals for the following:

- 1. 2013-7049-R: Water Line Repair Services - K&S Backhoe Services, Inc., in the in the estimated annual amount of \$250,000**
- 2. 2013-7050-R: HVAC Repair Services - Temple Heat & Air, in the estimated annual amount of \$185,000**
- 3. 2013-7051-R: Hauling and Disposal of Sludge - S&M Vacuum & Waste, Ltd., in the estimated annual amount of \$160,000**
- 4. 2013-7052-R: Traffic Signal Equipment - Traffic Parts, Inc., Naztec, Inc., and Paradigm Traffic System, Inc., in the estimated annual amount of \$120,764.40**
- 5. 2013-7053-R: Citric Acid - Brenntag Southwest, Inc., in the estimated annual amount of \$116,813**
- 6. 2013-7054-R: Liquid Chlorine - DPC Industries, in the estimated annual amount of \$96,475**
- 7. 2013-7055-R: Construction Material Testing - Langerman Foster Engineering Company LLC, in the estimated annual amount of \$80,000**
- 8. 2013-7056-R: Liquid Ammonium Sulfate - Brenntag Southwest, Inc., in the estimated annual amount of \$73,083**
- 9. 2013-7057-R: Hot Mix Asphalt - APAC Texas, Inc., in the estimated annual amount of \$70,000**
- 10. 2013-7058-R: Sign and Traffic Control Supplies quid Chlorine - American Traffic Safety Materials, Inc., Pathmark Traffic Products, 3M Company, and Vulcan**

Sign, in the estimated annual amount of \$49,679.13

- 11. 2013-7059-R: Design, Printing, and Mailing of the Play-by-Play Brochures - Color Visual Concepts, Inc., in the estimated annual amount of \$47,860**
- 12. 2013-7060-R: Aggregate Base - Lhoist N.A. of Texas, in the estimated annual amount of \$42,000**
- 13. 2013-7061-R: Large Water Meter Testing and Repair Services - Great Southwest Meters, Inc., in the estimated annual amount of \$40,000.**
- 14. 2013-7062-R: Work Boots/Shoes - Cochran, Blair & Potts, in the estimated annual amount of \$31,000**
- 15. 2013-7063-R: Building Materials - Lengefeld Lumber Company, in the estimated annual amount of \$31,000**
- 16. 2013-7064-R: Hauling and Disposal of CIP Waste from WTP - Magna-Flow Environmental, in the estimated annual amount of \$29,600**
- 17. 2013-7065-R: Liquid Fluoride - Pencoco, Inc., in the estimated annual amount of \$27,000**
- 18. 2013-7066-R: Sodium Hypochlorite, Hydrochloric Acid, Cyanuric Acid, and Muriatic Acid - Commercial Chemical, Inc. dba Poolsure, in the estimated annual amount of \$26,000**
- 19. 2013-7067-R: Temporary Employment Services - Manpower, in the estimated annual amount of \$25,000**
- 20. 2013-7068-R: Security Guard Services - Ameritex Guard Services, in the estimated annual amount of \$25,000**
- 21. 2013-7069-R: Various forms of Rock - Superior Crushed Stone, in the estimated annual amount of \$25,000**
- 22. 2013-7070-R: Plumbing Supplies - Ham & McCreight Supply, in the estimated annual amount of \$25,000**
- 23. 2013-7071-R: Hot Crack Sealant - Crafcro Texas, Inc., in the estimated annual amount of \$25,000**

24. **2013-7072-R: Overhead Door Repair Services - Palousek Overhead Door, in the estimated annual amount of \$25,000**
25. **2013-7073-R: Online Auction Services - GovDeals, Inc., for a fee of 2.5% of the winning bid values**
26. **2013-7074-R: Sale of Scrap Metal and Non-Curbside Recyclables - Temple Iron and Metal**

(P) Consider adopting resolutions authorizing new FY 2014 annual contracts for the following:

1. **2013-7075-R: Utility Supplies - HD Supply Waterworks, Ferguson Waterworks, and ACT Pipe and Supply, in the total estimated annual amount of \$520,958.13**
2. **2013-7076-R: Tires and Retreads - Southern Tire Mart for tires and a secondary award for retreads, in the estimated annual amount of \$209,706.63; Wingfoot Commercial Tire Systems, LLC for retreads, in the estimated annual amount of \$52,660**
3. **2013-7077-R: Aluminum Sulfate Chemicals - Brenntag Southwest, Inc., in the estimated annual amount of \$255,410**
4. **2013-7078-R: Water Meters - HD Supply Waterworks, in the estimated annual amount of \$163,282.65**
5. **2013-7079-R: Library Books, DVD's, Books on CD, and Compact Disks - Baker and Taylor, Inc., Brodart Co., and Scholastic Library Publishing, Inc., in the total estimated annual amount of \$105,000**
6. **2013-7080-R: Electric Motor and Pump Repair Services - Alsay Incorporated, in the estimated annual amount of \$100,000**
7. **2013-7081-R: Liquid Caustic Soda - Brenntag Southwest, Inc., in the estimated annual amount of \$84,780**
8. **2013-7082-R: Oils and Lubricants - Brazos Valley Lubricants, in the estimated annual amount of \$69,567.69**

9. **2013-7083-R: Concrete Repair and Construction Services - Wilson Construction, in the estimated annual amount of \$59,409**
10. **2013-7084-R: Design and Printing of T-Shirts - Proctor and Rose Custom Screen Printing Plus, in the estimated annual amount of \$40,000**
11. **2013-7085-R: Electrical Supplies - Dealers Electrical Supply, in the estimated annual amount of \$32,000**
12. **2013-7086-R: Herbicides and Insecticides - five various vendor in the total estimated annual amount of \$31,593.44**
13. **2013-7087-R: Plumbing Repair Services - C.A.P.'s Mechanical, in the estimated annual amount of \$30,000.**
14. **2013-7088-R: Low Voltage Electrical Services - Durbin Electric, in the estimated annual amount of \$30,000**
15. **2013-7089-R: Medium Duty Truck Brakes - Russell & Smith Ford, in the estimated annual amount of \$30,000**
16. **2013-7090-R: Fire Uniforms - GT Distributors, Inc., in the estimated annual amount of \$26,984.94**
17. **2013-7091-R: Industrial Electrical Services - T. Morales Company Electric and Controls, Ltd., in the estimated annual amount of \$25,000**
18. **2013-7092-R: Telemetry/SCADA Services - T. Morales Company Electric and Controls, Ltd., in the estimated annual amount of \$25,000**
19. **2013-7093-R: Lighting Supplies - Dealers Electrical Supply, in the estimated annual amount of \$25,000**

(Q) Consider adopting resolutions authorizing new FY 2014 annual purchase commitments utilizing cooperative contracts:

1. **2013-7094-R: Cellular Services - Verizon Wireless, utilizing a State of Texas DIR contract, in the total estimated annual amount of \$215,000**
2. **2013-7095-R: Office Supplies - Perry Office Plus, Inc., utilizing a BuyBoard contract, in the estimated annual**

amount of \$130,000

3. **2013-7096-R: Janitorial Supplies - Gulf Coast Paper Company, utilizing a BuyBoard contract, in the estimated annual amount of \$100,000**
4. **2013-7097-R: Automotive Repair Parts - O'Reilly's Auto Parts, utilizing a BuyBoard contract, in the estimated annual amount of \$56,000**

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

(S) 2013-4606: SECOND READING: Consider adopting an ordinance authorizing a five year franchise with Acadian Ambulance Service, Inc., to provide non-emergency ambulance transfer services within the City.

(T) 2013-4607: SECOND READING: Consider adopting an ordinance authorizing a five year franchise with Scott & White EMS, Inc., to provide non-emergency ambulance transfer services within the City.

(U) 2013-7098-R: Consider adopting a resolution funding the rates for medical/prescription insurance and dental insurance for employees and under age 65 retirees, as well as, Life Insurance, Accidental Death & Dismemberment Insurance, Long Term Disability Insurance.

(V) 2013-7099-R: Consider adopting a resolution authorizing a contract with CONEXIS Benefits Administrators, LP for the administration of Cobra services for Dental Insurance.

(W) 2013-7100-R: Consider adopting a resolution ratifying the submission of a grant application for the Staffing for Adequate Fire and Emergency Response grant, through the Federal Emergency Management Agency's Assistance to Firefighters Grants Program Office.

(X) 2013-7101-R: Consider adopting a resolution authorizing budget amendments for fiscal year 2012-2013.

Motion by Councilmember Perry Cloud adopt Resolution approving

Consent Agenda, with exception of Item 4(C). seconded by Mayor Pro Tem Judy Morales.

Motion passed unanimously.

(C) 2013-7037-R: Consider adopting a resolution authorizing demolition contracts with Sierra Contracting Corporation of Round Rock for the demolition of eight residential structures funded through the Community Development Block Grant in the amount of \$37,500.

Ms. Myers, Director of Administrative Services advised Council that the narrative showed two addressses of 813 East Avenue N. This is incorrect as the records should show one address of 813 East Avenue N and one address of 1309 South 37th Street.

Motion by Councilmember Russell Schneider adopted resolution as presented with correction seconded by Councilmember Timothy Davis.

Motion passed unanimously.

V. REGULAR AGENDA

ORDINANCES

- 5. 2013-4611: FIRST READING - PUBLIC HEARING - 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 37th Street and Tract A, Block 3, Glendale Park Section III, at 2707 South 37th Street.**

Tammy Lyerly, City Planner, presented this case to Council. This is a request for a freestanding personal wireless cell tower. The City requires there to be a conditional use permit for any freestanding wireless cell tower. This use is allowed in the property's existing Commercial District, but only for a collocation, per UDC Section 5.4.

Ms. Lyerly noted this request is due to Verizon Wireless network capacity failures within and around the Scott and White Hospital; and the inability to collocate. The proposal is for a 120 foot high monopole cell tower with equipment shelter. The FFA has determined there to no hazard to air navigation. Ms. Lyerly then reviewed the Design Standards within the UDC Section 5.4.5.

Staff recommends approval of the requested Conditional Use Permit for the following reasons: (1) the request complies with the Future Land Use and Character Map; (2) the request complies with the Thoroughfare Plan; (3) Public facilities are available to the subject property; and (4) the applicant has demonstrated compliance with the design standards in Section 5.4.5 of the UDC. Planning and Zoning heard this case at it's August 5, 2013 meeting and approved with a 7/0 vote to allow as requested.

Mayor Dunn declared the Public Hearing open with regards to Agenda Item 5 and asked if anyone wished to address this item.

Andy Camp, KGI Wireless was present on behalf of Verizon Wireless and available for questions. He requested favorable consideration from the council.

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

Councilmember Schneider inquired on the abutting property to the North and whether this will cause issues for access.

Ms. Lyerly stated there shouldn't be any issues for first responders; and that this had been reviewed by the Fire Marshal.

Motion by Mayor Pro Tem Judy Morales adopt Ordinance as presented, with second and final reading set for September 19, 2013. seconded by Councilmember Russell Schneider.

Motion passed unanimously.

RESOLUTIONS

6. **2013-7025-R: P-FY-13-30: Consider adopting a resolution approving the Preliminary Plat of Brayson Crossing, a 6.008 ± acres, 9-lot, 1-block residential subdivision with a requested exception to Unified Development Code related to Park Land Dedication; and Fire Apparatus Access Roads, located in the western E.T.J., at the northeast corner of FM 439 and Sparta Loop.**

Tammy Lyerly, City Planner, presented this case to Council. Ms.

Lyerly noted this is for a preliminary plat and the applicant is Mitchell & Associates for JRBC Investments, LLC. DRC deemed this administratively complete on June 26, 2013. There are no zoning regulations in the E.T.J. Ms. Lyerly also noted that water will be provided through a proposed 6-inch and 8-inch water line; and the development will be serviced by septic system. She also mentioned that tract A consists of two private streets with 20-foot rights-of-way widths and 20-foot pavement widths. The developer's proposed entrance islands at FM 439 do not meet the minimum requirements of Chapter 12 of the Code of Ordinance.

Ms. Lyerly then reviewed the exception, which is to propose a private apparatus access road with a combined pavement and concrete ribbon curb width of no less than 14 feet on both sides of the island instead of the required 18-feet. The other exception is for the required park fees in the sum of \$2,025 (\$225 per dwelling) per the UDC. Ms. Lyerly stated the City has not set forth any plans to annex the area proposed for development in the City's Municipal Annexation Plan.

Staff recommends approval of the Preliminary Plat of Brayson Crossing with the developer's requested exception to the UDC Section 8.3.C, and subject to meeting the minimum required 18-foot pavement width on both sides of an entrance island, per Chapter 12, Section 10 of the Code of Ordinance, Fire Apparatus Access Roads; as well as the revised drainage easement to be shown as private as presented. Staff also recommends consideration of Bell County's request that the development's private roads be built to Bell County's Street Construction Standards.

Planning and Zoning Commission hear this case at it's july 15, 2013, meeting and voted 8/0 to recommend approval of the preliminary plat of Brayson Crossing with devleoper's requested exceptions to the UDC Section 8.3.C, and Chapter 12, Section 10 of the Code of Ordinances, Fire Apparatus Access Roads.

Motion by Councilmember Russell Schneider adopt Resolution. seconded by Mayor Pro Tem Judy Morales.

Motion passed unanimously.

Daniel A. Dunn, Mayor

ATTEST:

Lacy Borgeson
City Secretary

TEMPLE CITY COUNCIL

SEPTEMBER 19, 2013

The City Council of the City of Temple, Texas conducted a Special Meeting on Thursday, September 19, 2013 at 3:30 PM, at the Municipal Building, 2 North Main Street, in the 3rd Floor Conference Room.

Present:

Councilmember Perry Cloud
Councilmember Timothy Davis
Councilmember Russell Schneider
Mayor Daniel A. Dunn

Absent:

Mayor Pro Tem Judy Morales

1. **Discuss, as may be needed, Regular Meeting agenda items for the meeting posted for Thursday, September 19, 2013.**

Councilmember Schnieder stated that he would abstain from item #8.

2. **Discuss the Mobility 2035 Metropolitan Transportation Plan.**

Mr. Blackburn introduced this item. He stated this document is used as a starting point for prioritizing projects and allocating funds; and that if a project is listed it isn't necessarily going to be funded. The deadline to file with KTMPO is September 30, 2013. The MTP is updated every five years.

Phillip Melton, Intern in Planning presented this item to the Council. He noted the MPO is required in every urbanized area with more than 50,000 people. He also stated the MTP is a 25 year plan while the TIP is a 4 year plan. The MPT (Metropolitan Transportation Plan) is updated every 5 years and considers impacts of national and local travel trends in the Killeen-Temple area; and identifies areas of investment. It also establishes regional priorities for funding. Temple currently has 63 projects on the list; with the top project to be the widening of i-35 between North Loop 363 and South Loop 363; the Outer Loop (new road); Kegley Road (widening); Prairie View (extend and widen); and Poison Oak (extend and widen). The TCIP Projects added are, Westfield Boulevard (extension); Aven U & 13th/17th connector (extend and widen); Hogan Road (widen); South Pea Ridge (widen); and North Pea Ridge (widen).

Next Mr. Melton reviewed the RZ Projects added - 1st Street; Loop 363 and 1st Street intersection; Realignment of 1st Street to 5th Street south of

Loop 363; and 5th Street Trail. There are also Tail and Bike Projects, as well as others to include SH 317 widening from FM 2305 to Oak Hills Drive; and the West Outer Loop from North IH-35 to South IH-35.

Mr. Melton also noted there were two project removed from the list due to construction being completed, Wendland Road and Waters Dairy Road.

At this time, approximately 3:58 pm, Mayor Dunn stated that the Temple City Council would enter into an executive session with possible action item on the regular.

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

At this time approximately, 4:40 pm, Mayor Jones reconvened the Work Shop of the Temple City Council and adjourned the meeting due to no further business.

The City Council of the City of Temple, Texas conducted a Regular Meeting on Thursday, September 19, 2013 at 5:00 PM in the Council Chambers, Municipal Building, 2nd Floor, 2 North Main Street.

Present:

Councilmember Perry Cloud
Councilmember Timothy Davis
Councilmember Russell Schneider
Mayor Daniel A. Dunn

Absent:

Mayor Pro Tem Judy Morales

I. CALL TO ORDER

1. Invocation

Councilmember Schneider voiced the Invocation.

2. Pledge of Allegiance

Nicole Torralva, Director of Public Works, led the 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.**

Mayor Dunn presented this Proclamation to Johnnie Reisner and thanked him for his dedication to the City of Temple.

Mr. Blackburn also expressed his thanks to Mr. Reisner.

III. PUBLIC COMMENTS

Jessie Jeffcoat of 2606 Red Wing Drive addressed the City Council with his concerns related to a dog attack that occurred on September 10, 2013. City Animal Control will not address the issue.

Mr. Milton Hensley, 301 Mitchell Drive invited the Council to attend the Annual National Life Chain on Sunday, October 6th from 2:00 - 3:00 at either South 31st Street (Chik-Fil-A); North 31st Street (Immanuel Baptist Church parking lot); or North Main and Sparta in Belton.

Eva Hamby, 214 East Munroe addressed the Council with her concerns for the trains behind her residence and the whistles.

Mr. Amos Martinez, 4905 J I Bruce Drive expressed the importance of the Constitution of the United States.

Tanya Reed, 1317 North 9th stated that she would speak on item 9 once read.

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

(A) August 29, 2013 Special Called Meeting

(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 Draughon-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 1st 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.

(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 37th Street and Tract A, Block 3, Glendale Park Section III, at 2707 South 37th Street.

(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 Draughon-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.

Motion by Councilmember Perry Cloud adopt Resolution approving Consent Agenda. seconded by Councilmember Russell Schneider.

Motion passed unanimously.

V. REGULAR AGENDA

ORDINANCES

At this time Mayor Dunn read both items 5 and 6 into the record for presentation.

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.**

Jonathan Graham, City Attorney, presented this item to Council. He noted that both items 5 and 6 are renewals for franchise services within the City. First he discussed item 6 - and stated that Scott and White has been providing non-emergency ambulance transfer service in the City for several years and the current agreement will expires on November 7, 2013. This renewal is for an additional 5 years. Scott and White will pay to the City 3-1/2% of the total amount billed for non-emergency services per year.

Next, Mr. Graham reviewed item 5 - the franchise agreement with Acadian. He noted that in 2011 Council approved an assignment of the Central Texas Regional EMS's franchise to Acadian. The current franchise agreement with the City expires on November 7, 2013. Acadian would like to renew the franchise for an additional 5-years; and will pay to the City 3-1/2% of the total amount billed for non-emergency services per year.

Mayor Dunn declared the Public Hearing open with regards to Agenda Items 5 and 6 and asked if anyone wished to address either item. There being none, Mayor Dunn declared the Public Hearing closed.

Motion by Councilmember Timothy Davis adopt Ordinances (5 and 6) as presented, on third and final reading. seconded by Councilmember Russell Schneider.

Motion passed unanimously.

- 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.**

Denny Hainley, Benefits Specialist / Acting Civil Service Director, presented this item to Council. She noted that this is brought forward as per Chapter 143. This is to bring the Police Department up to the same standards of the Fire and Police Departments within the community.

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

Motion by Councilmember Russell Schneider adopt Ordinance as presented, with second and final reading set for October 3, 2013. seconded by Councilmember Perry Cloud.

Motion passed unanimously.

- 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.**

Tammy Lyerly, Planner, presented this case to Council. Ms. Lyerly noted the applicant for this request is John Martin for Jack Hilliard Jr. The subject property is surrounded by existing and future residential uses, as well as future offices to the north. The Land Use and Character map has a split recommendation for this property. Ms. Lyerly reviewed both the allowed and prohibited uses in GR for both residential and non-residential. Per the Development Standards, the requested GR District is the standard retail district and allows most retail uses, except apartments. The GR 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. Ms. Lyerly noted, that adjoining zoning districts should be carefully selected to reduce environmental conflicts.

Ms. Lyerly then provided a visual for the Council to understand the split use. She also noted that Old Waco Road requires right-of-way dedication through the platting process, per UDC Section 8.2.1. UDC Section 8.2.3 (Sidewalks) defines South Pea Ridge Road, as a collector, and requires a 4-foot wide sidewalk; defines Old Waco Road, as a major arterial (Outer Loop), and requires a 6-foot wide sidewalk; and since a 10-foot wide spine trail is required along Old Waco Road, the required 6-foot wide sidewalk will need to be upsized to a 10-foot width, with a City oversized participation agreement for the additional 4 feet.

Ms. Lyerly stated there were seven notices mailed out with one returned in favor and one in opposition. Staff recommends denial of the requested zone change from AG to GR for the following reasons: (1) the west half of the property does not comply with the Future Land Use and Character Map; and does not offer sufficient buffering between residential uses and retail uses; (2) 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; and (3) the existing street facilities are insufficient to support 21 acres of General Retail development; and Water and Wastewater facilities are available to subject property.

Planning and Zoning heard this case at its August 19, 2013, meeting and voted 7/1 to recommend approval of the zone change as requested. Commissioner Magana voted in opposition.

Mayor Dunn declared the Public Hearing open with regards to Agenda Item 8 and asked if anyone wished to address this item.

John Martin, the applicant was available for questions. He asked the Council for favorable consideration of this request.

There being none, Mayor Dunn declared the Public Hearing closed.

*No motion made - item dies due to no motion

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.**

Jonathan Graham, City Attorney, presented this item to Council. He stated this item authorizes a letter of intent between the City and Criterion Management Group, LLC for redevelopment purposes. Mr. Graham noted the City inherited this property six to seven years ago for the purpose of finding a private developer. This will allow for the developer to complete his due diligence and set up the financing. At that time, we will bring forward a 380 agreement. The developer will ask that the City convey the Hawn Property; intersection improvements; a 10 year tax abatement on the increased property value; assistance with some clean up; for permit fees to be waived; that the city clean up the old pool area. This is intended to be high-end condos and a performing arts area.

Ms. Tanya Reed, Architectural Edge was available for questions. She noted that this project will be for high-end condos and mixed use; and the arcadia building for performing arts activities. But asked the Council for favorable consideration so that the developer could complete the due diligence.

Motion by Councilmember Russell Schneider adopt Resolution. seconded by Councilmember Timothy Davis.

Motion passed unanimously.

Daniel A. Dunn, Mayor

ATTEST:

Lacy Borgeson
City Secretary



COUNCIL AGENDA ITEM MEMORANDUM

10/03/13
Item #4(C)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Gary O. Smith, Chief of Police

ITEM DESCRIPTION: Consider adopting a resolution authorizing amendment No. 2 to the Interlocal Agreement with the Temple Independent School District providing for one additional Temple Police Department School Resource Officer, made and entered on July 16, 2009.

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

ITEM SUMMARY: The TISD and the Police Department wish to continue the agreement mentioned in the item description. Under the agreement, the City will bill TISD monthly for the officer's salary, benefits and mileage reimbursement. During the period this agreement remains in effect, the City agrees to furnish an equipped police vehicle and all other training that is required for a peace officer in the State of Texas.

The previous version of the agreement had a specific termination date due to funding considerations by the TISD. At this time, the TISD desires to continue the agreement, which will be effective upon execution by the parties, and then will renew automatically for one-year periods, unless either party gives notice of termination under the provisions in the agreement.

FISCAL IMPACT: TISD will pay salary and benefits for a Police Officer with 30 or less years in with the City of Temple, plus his mileage. The estimated reimbursement from TISD will be \$89,700.

ATTACHMENTS:

[Budget Adjustment
Resolution](#)

FY **2014****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 | |
| 110-1500-515-65-32 | | Contingency/Cont. Fund Balance | \$ 89,700 | | | |
| 110-0000-442-07-20 | | Police Revenue | 89,700 | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| TOTAL..... | | | \$ 179,400 | | \$ - | |

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

Appropriate revenue related to the continuation of the agreement between the Police Department and Temple Independent School District (TISD) in which the City will provide a School Resource Officer and an equipped police vehicle. The City will bill TISD monthly for the officer's salary, benefits and mileage reimbursement.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒

Yes

☐

No

DATE OF COUNCIL MEETING

10/9/2013

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 OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING AMENDMENT NUMBER 2 TO THE INTERLOCAL AGREEMENT WITH THE TEMPLE INDEPENDENT SCHOOL DISTRICT (TISD) TO PROVIDE ONE ADDITIONAL TEMPLE POLICE DEPARTMENT SCHOOL RESOURCE OFFICER; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the Temple Independent School District (TISD) and the Temple Police Department desire to extend the current Interlocal Agreement for an additional one-year period;

Whereas, under this agreement, the City will bill TISD monthly for the officer's salary, benefits and mileage and the City will furnish an equipped police vehicle and all other training that is required for a peace officer in the State of Texas;

Whereas, this agreement will expire on September 30, 2014 and will renew automatically for additional one-year periods, unless terminated by either entity; 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 Amendment No. 2 to the Interlocal agreement with the Temple Independent School District (TISD), after approval as to form by the City Attorney, to provide one additional Temple Police Department School Resource Officer (SRO) and to authorize additional one-year automatic renewal terms to the agreement unless terminated by either party.

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 3rd day of **October**, 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

10/03/13
Item #4(D)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Gary O. Smith, Chief of Police

ITEM DESCRIPTION: Consider adopting a resolution approving an Interlocal Agreement with the Temple Independent School District providing for the use of rooms at specified campuses to support Community Policing and enhance police presence at schools.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The proposed resolution will authorize an interlocal agreement with the TISD to provide access and use by the Temple Police Department for a room at Jefferson Elementary School, 2616 North 3rd Street, and Meredith-Dunbar Early Childhood Academy, 1717 East Avenue J for the purposes of supporting police operations for the surrounding vicinity. These “substations” will be available to officers 24 hours a day, but the primary use will be to support community policing activities and patrols.

In furtherance of the agreement, the TISD will provide for network access to the internet, technical support to maintain computer access, and one landline telephone in each office. The City of Temple is responsible for providing any necessary computers or furnishings for the offices. Currently, the Police Department plans to use surplus furniture owned by the City of Temple. The department also plans to use computers from existing inventory for the immediate future.

FISCAL IMPACT: None

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING AN INTERLOCAL AGREEMENT WITH THE TEMPLE INDEPENDENT SCHOOL DISTRICT (TISD) TO PROVIDE FOR THE USE OF ROOMS AT SPECIFIED CAMPUSES TO SUPPORT COMMUNITY POLICING AND ENHANCE POLICE PRESENCE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the Temple Police Department has requested an Interlocal Agreement with the Temple Independent School District (TISD) for access and use of one room at two TISD schools for the purpose of supporting policing operations in the surrounding vicinity: Jefferson Elementary School (2616 N. 3rd Street) and Meredith-Dunbar Early Childhood Academy (1717 E. Avenue J);

Whereas, these ‘substations’ will be available to officers 24 hours a day, but the primary use will be to support community policing activities and patrols;

Whereas, TISD will be responsible for providing network access to the internet, technical support to maintain computer access, and one landline telephone in each office – the City of Temple will be responsible for providing any necessary computers or furnishings for the offices; and

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

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

Part 1: The City Council authorizes the City Manager, or his designee, to execute an Interlocal agreement with the Temple Independent School District (TISD), after approval as to form by the City Attorney, to provide access and use of one room at two TISD schools for the purpose of supporting policing operations in the surrounding vicinity: Jefferson Elementary School (2616 N. 3rd Street) and Meredith-Dunbar Early Childhood Academy (1717 E. Avenue J).

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 3rd day of **October**, 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

10/03/13
Item #4(E)
Consent Agenda
Page 1 of 1

DEPT. /DIVISION SUBMISSION & REVIEW:

David Blackburn, City manager

ITEM DESCRIPTION: Consider adopting a resolution authorizing the City Manager to enter into an agreement with the Texas Lobby Group for legislative lobbying services through September 30, 2014 in an amount not to exceed \$66,000.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The City has engaged the services of the Texas Lobby Group for the past several state legislative sessions the City of Temple has engaged the services of the Texas State Lobby Group for state legislative consulting services. The Texas Lobby Group monitors and engages in negotiations on behalf of the City related to legislation items of interest to the City as well as assisting in the communication of the City's position on legislative items to members of the Legislature and other Texas agencies.

Staff is recommending that the lobbying services be deemed a professional service, and as such, this procurement would be exempt from competitive bidding.

The term of the contract is one year and will begin retroactively on October 1, 2013 and continue through September 30, 2014. Fees associated with this contract shall not exceed \$66,000

FISCAL IMPACT: The fee for the services of the lobbying services is \$5,500 per month. Funding in the amount of \$66,000 is available in account 110-1023-511-2616 to fund the agreement through September 30, 2014.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE TEXAS LOBBY GROUP FOR LEGISLATIVE LOBBYING SERVICES, IN AN AMOUNT NOT TO EXCEED \$66,000; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City has engaged the services of the Texas Lobby Group for the past several state legislative sessions – this group monitors and engages in negotiations on behalf of the City related to legislation items of interest to the City as well as assisting in the communication of the City’s position on legislative items to members of the Legislature and other Texas agencies;

Whereas, this agreement will begin retroactively on October 1, 2013 and continue through September 30, 2014;

Whereas, staff recommends that the lobbying services be deemed a professional service, and as such, this procurement would be exempt from competitive bidding;

Whereas, funding for these services is available in Account No. 110-1023-511-2616; and

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

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

Part 1: The City Council authorizes the City Manager to enter into an agreement with the Texas Lobby Group, after approval as to form by the City Attorney, for legislative lobbying services, in an amount not to exceed \$66,000.

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 3rd day of **October**, 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

10/03/13
Item #4(F)
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 construction contract with Matous Construction, LTD. of Belton for the replacement of the backwash actuators and valve project at the water treatment plant in the amount of \$148,000.

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

ITEM SUMMARY: The Conventional Water Treatment Plant utilizes mixed media gravity filters as the final treatment process when producing potable water. The eight (8) mixed filters have multiple pipes and electric actuated valves that allow for proper operation of the filter. The valves and piping compose the effluent, backwash and surface wash systems. The valves allow certain sections of the piping to be used for more than one system (switch from effluent to backwash for cleaning purposes) while maintaining the separation between the finished filter water and the backwash water. Proper operation of these valves and actuators is essential to producing quality drinking water.

The surface wash and effluent valves and actuators were replaced in 2004 along with the backwash valves. However, at that time the existing backwash actuators were retro-fitted and installed on the new valves. The backwash actuators on Filters 1, 2, 4, 5, 6, 7, & 8 are due for replacement. The filter effluent valve on Filter No. 3 does not fully close. Site observations indicate that the valve disc is rubbing on the interior of the adjacent piping. The noted "rubbing" could damage the seat which would lead to the valve body not being able to fully seat and seal the pipe. This project will replace the valve and install a flange filler to allow the new operation without contacting the adjacent pipe.

Also included in this project is the replacement of two electric actuators on the High Service Pump Station (Pumps P-16 and P-18) discharge piping. The referenced actuators are automated and allow the discharge butterfly to open and close slowly, thereby protecting the pump and piping from surges. Once the extent and complexity of the nature of work was fully realized, engineered drawings and contractor bids were solicited, resulting in overall increased costs from the original budget.

On September 17, 2013, two bids were received for the construction work. Per the attached bid tabulation Matous Construction, LTD. submitted the low bid In the amount of \$148,000. Matous Construction has completed several projects of similar scope at the City's Water Treatment Plant in the past and has the experience necessary to complete this work.

FISCAL IMPACT: Currently, the available funds for this project is \$19,683 in account 520-5122-535-6310, project 100912. The original budget for this project was \$49,550. A budget adjustment is being presented to Council in the amount of \$128,317 to fund the additional monies needed for this construction contract. The budget adjustment will appropriate money from the Water & Sewer Unreserved Retained Earnings, account 520-0000-373-0411 to Capital Building & Grounds, account 520-5122-535-6310, project 100912.

ATTACHMENTS:

[Bid Tabulation](#)

[Engineer's Letter of Recommendation](#)

[Budget Adjustment](#)

[Resolution](#)



KASBERG, PATRICK & ASSOCIATES, LP
CONSULTING ENGINEERS
Texas Firm F-510

RICK N. KASBERG, P.E.

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

THOMAS D. VALLE, P.E.

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

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

September 20, 2013

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

Re: City of Temple, Texas
WTP Actuator and Valve Project

Dear Mrs. Torralva:

On September 17, 2013, the City of Temple received competitive bids from two (2) contractors for the WTP Actuator and Valve Project. A Bid Tabulation is provided for your reference.

The attached Bid Tabulation shows Matous Construction, Ltd. of Belton, Texas as the low bidder with a total bid of \$148,000.00. The bids ranged from this low bid to \$170,300.00. Our final opinion of probable construction (OPC) cost was \$115,600. Review of the low bid versus the OPC shows that Bid Item 3 (Replacement Actuators on Backwash Valves) is the main difference in the bid and the estimate. The summation of Bid Items 1, 2, 4, 5 and 6 for the OPC and Matous Bid were \$45,600 and \$43,000, respectively. The OPC used \$10,000 per replacement actuator (Bid Item 3) while the actual bid received was \$15,000 per each (Second low bidder had a unit cost of \$17,800). The total differential in this bid item is \$35,000, which is generally the differential between the OPC and the low bid. It is often difficult to estimate the premium that a contractor will apply while bidding a relatively small, specialized rehabilitation project. In this case, the OPC underestimated the installation cost of the referenced actuators.

Matous Construction has completed several projects of similar scope at the City's Water Treatment Plant in the past and has the experience necessary to complete this work. Therefore, we recommend that a contract be awarded to Matous Construction, Ltd. for the WTP Actuator and Valve Project in the amount of \$148,00.00.

Sincerely,

Thomas D. Valle, P.E.

xc: Ms. Belinda Mattke, City of Temple
2013-121-40

**BID TABULATION
CITY OF TEMPLE**

ACTUATOR AND VALVE REPLACEMENT PROJECT

3210 E. Ave H; Bldg C; Temple, TX

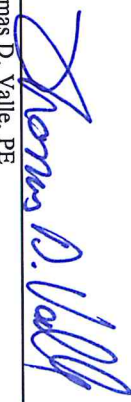
September 17, 2013; 2:00 PM

2013-121-40

| BIDDER INFORMATION | | | | | |
|--|--------------------|------|--|----------------------|----------------------|
| Matous Construction Ltd 8602 North Hwy 317 Belton TX 76513 | | | Bell Contractors Inc 3082 W Hwy 190 Belton TX 76513 | | |
| Item No. | Estimated Quantity | Unit | Bid Data Description | Unit Price | Extended Amount |
| 1 | 100% | LS | Mobilization, Bonds & Insurance | \$ 15,000.00 | \$ 15,000.00 |
| 2 | 2 | EA | Furnish & Install Replacement Actuators on High Service Pump Valves on Pump P-16 & P-18 Discharge Piping | 9,000.00 | 18,000.00 |
| 3 | 7 | EA | Furnish & Install Replacement Actuators on Backwash Valves for Filters 1, 2, 4, 5, 6, 7 & 8 | 15,000.00 | 105,000.00 |
| 4 | 100% | LS | Remove existing pump P-18 Discharge Valve & reinstalling with valve stem in vertical orientation | 1,000.00 | 1,000.00 |
| 5 | 100% | LS | Field Modifications required to allow Contractor to furnish & install new Effluent Valve & Flange Filler on Filler No. 3, & attaching existing EIM actuator to | 7,500.00 | 7,500.00 |
| 6 | 100% | LS | Allowance for Replacement of Defective EIM Actuator Parts (equipment cost only), as noted during Retrofit of Existing Actuators | 1,500.00 | 1,500.00 |
| TOTAL BID AMOUNT - (Items 1 - 6) | | | | \$ 148,000.00 | \$ 170,300.00 |

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

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



 Thomas D. Valle, PE

 Kasberg, Patrick & Associates, LP

 Date September 19, 2013





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

September 20, 2013

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

Re: City of Temple, Texas
WTP Actuator and Valve Project

Dear Mrs. Torralva:

On September 17, 2013, the City of Temple received competitive bids from two (2) contractors for the WTP Actuator and Valve Project. A Bid Tabulation is provided for your reference.

The attached Bid Tabulation shows Matous Construction, Ltd. of Belton, Texas as the low bidder with a total bid of \$148,000.00. The bids ranged from this low bid to \$170,300.00. Our final opinion of probable construction (OPC) cost was \$115,600. Review of the low bid versus the OPC shows that Bid Item 3 (Replacement Actuators on Backwash Valves) is the main difference in the bid and the estimate. The summation of Bid Items 1, 2, 4, 5 and 6 for the OPC and Matous Bid were \$45,600 and \$43,000, respectively. The OPC used \$10,000 per replacement actuator (Bid Item 3) while the actual bid received was \$15,000 per each (Second low bidder had a unit cost of \$17,800). The total differential in this bid item is \$35,000, which is generally the differential between the OPC and the low bid. It is often difficult to estimate the premium that a contractor will apply while bidding a relatively small, specialized rehabilitation project. In this case, the OPC underestimated the installation cost of the referenced actuators.

Matous Construction has completed several projects of similar scope at the City's Water Treatment Plant in the past and has the experience necessary to complete this work. Therefore, we recommend that a contract be awarded to Matous Construction, Ltd. for the WTP Actuator and Valve Project in the amount of \$148,00.00.

Sincerely,

Thomas D. Valle, P.E.

xc: Ms. Belinda Mattke, City of Temple
2013-121-40

FY **2014****BUDGET ADJUSTMENT FORM**

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

Adjustments should be rounded to the nearest \$1.

| | | | + | | - | |
|--------------------|-----------|--------------------------------------|-------------------|--|-------------------|--|
| ACCOUNT NUMBER | PROJECT # | ACCOUNT DESCRIPTION | INCREASE | | DECREASE | |
| 520-5122-535-63-10 | 100912 | Capital Building & Grounds | \$ 128,317 | | | |
| 520-0000-373-04-11 | | Water & Sewer Unreserved Ret Earning | | | 128,317 | |
| | | Do Not Post | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| TOTAL..... | | | \$ 128,317 | | \$ 128,317 | |

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

To fund the construction contract with Matous Construction for the replacement of actuators and a valve, project #100912, at the Conventional Water Treatment Plant.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒

Yes

☐

No

DATE OF COUNCIL MEETING

10/3/2013

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 OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONSTRUCTION CONTRACT WITH MATOUS CONSTRUCTION, LTD, OF BELTON, TEXAS, FOR THE REPLACEMENT OF THE BACKWASH ACTUATORS AND VALVE PROJECT AT THE WATER TREATMENT PLANT, IN THE AMOUNT OF \$148,000; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the Conventional Water Treatment Plant utilizes mixed media gravity filters as the final treatment process when producing potable water – the eight mixed filters have multiple pipes and electric actuator valves that allow for proper operation of the filter;

Whereas, the valves and piping compose the effluent, backwash and surface wash systems – these valves allow certain sections of the piping to be used for more than one system while maintaining the separation between the finished filter water and the backwash water;

Whereas, the surface wash and effluent valves and actuators were replaced in 2004 along with the backwash valves – proper operation and maintenance of these valves and actuators is essential to producing quality drinking water;

Whereas, also included is the replacement of two electric actuators on the High Service Pump Station discharge pipe – these actuators are automated and allow the discharge butterfly to open and close slowly, thus protecting the pump and piping from surges;

Whereas, on September 17, 2013, two bids were received for the construction work and staff recommends awarding Matous Construction, Ltd, of Belton, Texas, the contract – staff has worked with Matous Construction in the past and has found that they have the experience necessary to complete this work;

Whereas, a budget adjustment is presented for Council approval reallocating funds to Account No. 260-5122-535-6310, Project No. 100912; and

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

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

Part 1: The City Council authorizes the City Manager, or his designee, to execute a construction contract with Matous Construction, LTD, of Belton, Texas, after approval as to form by the City Attorney, for the replacement of the backwash actuators and valve project at the water treatment plant in the amount of \$148,000.

Part 2: The City Council authorizes an amendment to the FY13-14 budget, substantially in the form of a copy attached hereto as Exhibit A.

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 **19th** day of **September**, 2013.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

10/03/13
Item #4(G)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

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

ITEM DESCRIPTION: Consider adopting a resolution authorizing a construction contract with A&M Construction and Utilities, Inc. of Rowlett for construction activities required to rehabilitate the water treatment plant elevated backwash storage tank in an amount not to exceed \$179,400.

STAFF RECOMMENDATION: Adopt resolution as presented in item discussion.

ITEM SUMMARY: The City owns and operates an elevated 150,000-gallon backwash storage tank at the water treatment plant in southwest Temple (Map attached). The tank is in need of rehabilitation, including interior and exterior recoating. This project implements the rehabilitation to maintain potable water quality and compliance with TCEQ regulations.

On August 15, 2013, Council authorized a professional services agreement with Kasberg, Patrick & Associates, LP, (KPA) for engineering services required to implement the rehabilitation in an amount not to exceed \$62,600.

Construction services authorized under this contract will rehabilitate the interior and exterior surfaces of a 150,000-gallon elevated storage tank, including miscellaneous repairs and recoating. Base bids ranged from \$169,400 to \$275,220, and total bids including the add alternate for early completion ranged from \$179,400 to \$295,220 (see attached Bid Tab). AMCU was the low bidder for both the base bid and total bid.

AMCU's bid contained discrepancies between the written and numerical amounts for four bid items: Item 1 read "forty-five thousand" vs. the correct numerical amount of "35,000", Item 2 read "eighty-five thousand" vs. the correct "70,000", Item 4 read "sixteen thousand" vs. the correct "14,000", and Item 8 read "one thousand" vs. the correct "25". The bidder confirmed with the Purchasing Department that the numerical amounts are correct and that the total bid price is \$179,400, which is the sum of bid items using the numerical amounts.

The engineer's OPC for this project was \$269,000. KPA recommends awarding the contract to the low bidder, AMCU, for the total bid in the amount of \$179,400 (Recommendation attached).

The 90 days allotted for construction time under the base bid will be shortened so that construction will be completed by December 18, 2013.

FISCAL IMPACT: The cost of this construction contract is \$179,400. Funding in the amount of \$387,214 is available in account 561-5100-535-6904, project 100988.

ATTACHMENTS:

[Project Map](#)

[Bid Tabulation](#)

[Recommendation](#)

[Resolution](#)

**BACKWASH TANK
150,000 GALLONS**

**WATER
TREATMENT PLANT**

WILDFLOWER
COUNTRY CLUB

Pea Ridge Road

Old Waco Road

Kegley Road

Creek

Charter Oak Drive

Midway Drive

Shallow Ford Road

Pepper Creek

LEON RIVER



0 1000 2000

HORIZONTAL SCALE IN FEET



CITY OF TEMPLE, TEXAS

BACKWASH TANK



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

JULY 2013

EXHIBIT A

BID TABULATION
CITY OF TEMPLE
BACKWASH TANK REHABILITATION
3210 E. Ave H; Bldg C; Temple, TX
September 10, 2013; 2:00 PM

2013-128-40

| BIDDER INFORMATION | | | | | | | | | |
|--|--------------------|--|---------------|--|---------------|--|-----------------|--------------|---------------|
| A&M Construction & Utilities Inc 4950 Grisham Drive Rowlett TX 75088 | | Utility Service Co Inc \$35 Courtney Hodges Blvd P O Box 1350 Perry GA 31069 | | Blasco Texas Inc 5514 Easthampton Drive Houston TX 77039 | | M.K. Painting Inc 4157 Seventh Street Wynndotte MI 48192 | | | |
| Item No. | Estimated Quantity | Unit | Price | Extended Amount | Unit | Price | Extended Amount | Unit | Price |
| 1 | 100% | LS | \$ 35,000.00 | \$ 35,000.00 | \$ 37,000.00 | \$ 37,000.00 | \$ 40,000.00 | \$ 40,000.00 | \$ 40,000.00 |
| | | Furnish all materials, equipment, labor & superintendence & incidental work to abrasive blast, prime & paint the INTERIOR of the existing 150,000 gallon elevated backwash tank, all appendages, ladders including nut/bolt replacement, Test & disposal of blast media as required to provide a service-able facility that is structurally sound & safe, as detailed in these specifications | | | | | | | |
| 2 | 100% | LS | 70,000.00 | 70,000.00 | 53,000.00 | 53,000.00 | 80,000.00 | 80,000.00 | 80,000.00 |
| | | Furnish all materials, equipment, labor & superintendence & incidental work to, abrasive blast, prime & paint with two color finish, the EXTERIOR of the existing 150,000 gallon elevated backwash tank, all appendages, ladders, vent, manways, balcony railing, ladders including nut/bolt replacement per Section G1.11 of the Specifications, Test & disposal of blast media as required to provide a service-able facility that is structurally sound & safe, as detailed in these specifications | | | | | | | |
| 3 | 100% | LS | 25,000.00 | 25,000.00 | 62,000.00 | 62,000.00 | 45,000.00 | 45,000.00 | 45,000.00 |
| | | Furnish all materials, equipment, labor an superintendence & incidental work to PROVIDE DUST COLLECTION & FULLY CONTAIN THE ENTIRE EXTERIOR of the existing 150,000 gallon elevated backwash tank, including anchors, outriggers, cables, etc. as required to fully contain blast & paint emissions & for containment of abrasive material by means of a physical barrier, as detailed in these specifications | | | | | | | |
| 4 | 100% | LS | 14,000.00 | 14,000.00 | 17,000.00 | 17,000.00 | 10,000.00 | 10,000.00 | 8,000.00 |
| | | Furnish all materials, equipment, labor & superintendence & incidental work to DEHUMIDIFY the interior of the existing 150,000 gallon elevated backwash tank, including hoses, filters, etc., as detailed in these specifications | | | | | | | |
| 5 | 100% | LS | 1,000.00 | 1,000.00 | 500.00 | 500.00 | 1,500.00 | 1,500.00 | 500.00 |
| | | Furnish all materials, equipment, labor & superintendence & incidental work to replace GASKETS on all manways & hatches | | | | | | | |
| 6 | 100% | LS | 12,000.00 | 12,000.00 | 6,000.00 | 6,000.00 | 7,500.00 | 7,500.00 | 8,000.00 |
| | | Furnish all materials, equipment, labor & superintendence & incidental work to install an OSHA APPROVED roof access hatch to interior bowl ladder with cable type self-climbs. Furnish a Vanguard Door on the exterior leg ladder at the 8' level | | | | | | | |
| 7 | 40 | MHR | 120.00 | 4,800.00 | 200.00 | 8,000.00 | 75.00 | 3,000.00 | 4,000.00 |
| | | Furnish all materials, equipment, labor & superintendence & incidental work to perform welding repairs, surface repairs & general repair work as deemed necessary | | | | | | | |
| 8 | 40 | Tube | 25.00 | 1,000.00 | 100.00 | 4,000.00 | 25.00 | 1,000.00 | 3,000.00 |
| | | Furnish all materials, equipment, labor & superintendence & incidental work to perform caulking (Sika-flex 1A) work as deemed necessary | | | | | | | |
| 9 | 1 | EA | 6,000.00 | 6,000.00 | 4,700.00 | 4,700.00 | 5,500.00 | 5,500.00 | 8,000.00 |
| | | Paint a "City of Temple" Logo on the exterior of the tank bowl, including clear coat | | | | | | | |
| 10 | 100% | LS | 100.00 | 100.00 | 500.00 | 500.00 | 1,000.00 | 1,000.00 | 500.00 |
| | | Video Tape Project Site Before the Start of Construction on the Project & delivery of DVD to Owner | | | | | | | |
| 11 | 100% | LS | 500.00 | 500.00 | 500.00 | 500.00 | 2,500.00 | 2,500.00 | 2,000.00 |
| | | Furnish all materials, equipment, labor & superintendence & incidental work to remove existing flap valve on drain line & replace with weighted flap valve | | | | | | | |
| TOTAL BASE BID AMOUNT - (Items 1 - 11) | | | \$ 169,400.00 | | \$ 193,200.00 | | \$ 197,000.00 | | \$ 199,000.00 |

| ADD ALTERNATE | | | | | | | | | |
|---------------------------------------|--------------------|------|---|--------------|-----------------|------------|-----------------|--------------|-----------------|
| Item No. | Estimated Quantity | Unit | Description | Unit Price | Extended Amount | Unit Price | Extended Amount | Unit Price | Extended Amount |
| 1 | 100% | LS | Additional Cost for expediated completion of project & returning tank to service by December 18, 2013 | \$ 10,000.00 | \$ 10,000.00 | \$ 0.00 | \$ 0.00 | \$ 10,000.00 | \$ 15,000.00 |
| TOTAL ADD ALTERNATE AMOUNT - (Item 1) | | | | \$ 10,000.00 | | 0.00 | | \$ 10,000.00 | |

| | | | | | | | | | |
|---|--|--|--|---------------|---------------|---------------|---------------|---------------|--|
| BID SUMMARY | | | | | | | | | |
| BASE BID (Items 1 - 11) | | | | \$ 169,400.00 | \$ 193,200.00 | \$ 197,000.00 | \$ 199,000.00 | | |
| ADD ALTERNATE (Item 1) | | | | \$ 10,000.00 | \$ 0.00 | \$ 10,000.00 | \$ 15,000.00 | | |
| Total Bid Amount (BASE BID + ALTERNATE) | | | | \$ 179,400.00 | | \$ 193,200.00 | | \$ 214,000.00 | |

| | | | | |
|---------------------------------------|-----|-----|-----|----|
| Did Bidder Acknowledge Addenda No. 1? | YES | YES | YES | NO |
|---------------------------------------|-----|-----|-----|----|

| BIDDER INFORMATION | | | | | | | | | |
|---|--------------------|--|---------------|--|---------------|--|-----------------|--------------|---------------|
| Classic Protective Coatings N 7670 State Hwy 25 Memomnie WI 54751 | | Central Tank Coatings Inc. 22528 Canoe Rd Elgin IA 52141 | | N.G. Painting L.P. 1225 Bandera Hwy Ste A-2 Kerrville TX 78028 | | Williams Painting & Sandblasting Inc 3637 FM 346 East Tyler TX 75703 | | | |
| Item No. | Estimated Quantity | Unit | Price | Extended Amount | Unit | Price | Extended Amount | Unit | Price |
| 1 | 100% | LS | \$ 67,400.00 | \$ 67,400.00 | \$ 41,285.00 | \$ 41,285.00 | \$ 40,000.00 | \$ 38,700.00 | \$ 38,700.00 |
| | | Furnish all materials, equipment, labor & superintendence & incidental work to abrasive blast, prime & paint the INTERIOR of the existing 150,000 gallon elevated backwash tank, all appendages, ladders including nut/bolt replacement, Test & disposal of blast media as required to provide a service-able facility that is structurally sound & safe, as detailed in these specifications | | | | | | | |
| 2 | 100% | LS | 80,350.00 | 80,350.00 | 82,200.00 | 82,200.00 | 130,000.00 | 73,430.00 | 73,430.00 |
| | | Furnish all materials, equipment, labor & superintendence & incidental work to, abrasive blast, prime & paint with two color finish, the EXTERIOR of the existing 150,000 gallon elevated backwash tank, all appendages, ladders, vent, manways, balcony railing, ladders including nut/bolt replacement per Section G1.11 of the Specifications, Test & disposal of blast media as required to provide a service-able facility that is structurally sound & safe, as detailed in these specifications | | | | | | | |
| 3 | 100% | LS | 39,000.00 | 39,000.00 | 72,000.00 | 72,000.00 | 45,000.00 | 125,000.00 | 125,000.00 |
| | | Furnish all materials, equipment, labor an superintendence & incidental work to PROVIDE DUST COLLECTION & FULLY CONTAIN THE ENTIRE EXTERIOR of the existing 150,000 gallon elevated backwash tank, including anchors, outriggers, cables, etc. as required to fully contain blast & paint emissions & for containment of abrasive material by means of a physical barrier, as detailed in these specifications | | | | | | | |
| 4 | 100% | LS | 12,000.00 | 12,000.00 | 5,000.00 | 5,000.00 | 15,000.00 | 8,500.00 | 8,500.00 |
| | | Furnish all materials, equipment, labor & superintendence & incidental work to DEHUMIDIFY the interior of the existing 150,000 gallon elevated backwash tank, including hoses, filters, etc., as detailed in these specifications | | | | | | | |
| 5 | 100% | LS | 300.00 | 300.00 | 1,000.00 | 1,000.00 | 2,000.00 | 500.00 | 500.00 |
| | | Furnish all materials, equipment, labor & superintendence & incidental work to replace GASKETS on all manways & hatches | | | | | | | |
| 6 | 100% | LS | 5,800.00 | 5,800.00 | 8,500.00 | 8,500.00 | 10,000.00 | 14,300.00 | 14,300.00 |
| | | Furnish all materials, equipment, labor & superintendence & incidental work to install an OSHA APPROVED roof access hatch to interior bowl ladder with cable type self-climbs. Furnish a Vanguard Door on the exterior leg ladder at the 8' level | | | | | | | |
| 7 | 40 | MHR | 100.00 | 4,000.00 | 105.00 | 4,200.00 | 100.00 | 75.00 | 3,000.00 |
| | | Furnish all materials, equipment, labor & superintendence & incidental work to perform welding repairs, surface repairs & general repair work as deemed necessary | | | | | | | |
| 8 | 40 | Tube | 15.00 | 600.00 | 18.00 | 720.00 | 50.00 | 100.00 | 4,000.00 |
| | | Furnish all materials, equipment, labor & superintendence & incidental work to perform caulking (Sika-flex 1A) work as deemed necessary | | | | | | | |
| 9 | 1 | EA | 4,800.00 | 4,800.00 | 4,500.00 | 4,500.00 | 3,500.00 | 6,800.00 | 6,800.00 |
| | | Paint a "City of Temple" Logo on the exterior of the tank bowl, including clear coat | | | | | | | |
| 10 | 100% | LS | 900.00 | 900.00 | 500.00 | 500.00 | 1,000.00 | 30.00 | 30.00 |
| | | Video Tape Project Site Before the Start of Construction on the Project & delivery of DVD to Owner | | | | | | | |
| 11 | 100% | LS | 800.00 | 800.00 | 1,500.00 | 1,500.00 | 1,500.00 | 960.00 | 960.00 |
| | | Furnish all materials, equipment, labor & superintendence & incidental work to remove existing flap valve on drain line & replace with weighted flap valve | | | | | | | |
| TOTAL BASE BID AMOUNT - (Items 1 - 11) | | | \$ 215,950.00 | | \$ 221,405.00 | | * \$ 254,000.00 | | \$ 275,220.00 |

| Item No. | Estimated Quantity | Unit | Description | Unit Price | Extended Amount | Unit Price | Extended Amount | Unit Price | Extended Amount |
|---------------------------------------|--------------------|------|---|------------|-----------------|------------|-----------------|--------------|-----------------|
| 1 | 100% | LS | Additional Cost for expediated completion of project & returning tank to service by December 18, 2013 | \$ 1.00 | \$ 1.00 | \$ 0.00 | \$ 1,000.00 | \$ 20,000.00 | \$ 20,000.00 |
| TOTAL ADD ALTERNATE AMOUNT - (Item 1) | | | | \$ 1.00 | | \$ 0.00 | | \$ 20,000.00 | |

| | | | | | | | | | |
|------------------------------------|--|--|--|---------------|---------------|---------------|---------------|---------------|--|
| BID SUMMARY | | | | | | | | | |
| BASE BID (Items 1 - 11) | | | | \$ 215,950.00 | \$ 221,405.00 | \$ 254,000.00 | \$ 275,220.00 | | |
| ADD ALTERNATE (Item 1) | | | | \$ 1.00 | \$ 0.00 | \$ 1,000.00 | \$ 20,000.00 | | |
| Total Bid Amount (PART A + PART B) | | | | \$ 215,951.00 | | \$ 255,000.00 | | \$ 295,220.00 | |

| | | | | |
|---------------------------------------|-----|-----|-----|----|
| Did Bidder Acknowledge Addenda No. 1? | YES | YES | YES | NO |
|---------------------------------------|-----|-----|-----|----|

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

Juergen F. Dolbert 9/19/13
Juergen F. Dolbert, PE
Kandberg, Patrick & Associates, LP
Date





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

September 19, 2013

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

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

Dear Mr. Bond:

On September 10, 2013, the City of Temple received competitive bids from eight (8) contractors for the Rehabilitation of the WTP Backwash Tank. The Base Bid for the project allotted 90 days for the construction period. The Add Alternate was for additional cost associated with expedited completion by December 18, 2013. A Bid Tabulation is provided for your reference.

The attached Bid Tabulation shows A&M Construction and Utilities, Inc. of Rowlett, Texas as the low bidder at \$169,400.00 for the Base Bid and also for the Total including the Add Alternate at \$179,400.00. The bids ranged from this low bid to \$295,220.00. Our final opinion of probable construction cost was \$269,000.

A&M Construction and Utilities, Inc. is currently the contractor for the rehabilitation of two elevated storage tanks in the City of Belton and we have found their performance to be satisfactory. During our review of their qualifications for the Belton project, we spoke with numerous references which confirmed A&M Construction and Utilities, Inc.'s ability and qualifications to perform this type of work.

Therefore, we recommend that a contract be awarded to A&M Construction and Utilities, Inc. for the Rehabilitation of the Water Treatment Plant Backwash Tank in the amount of \$179,400.00.

Sincerely,

Ginger R. Tolbert, P.E.

xc: Ms. Belinda Mattke, City of Temple
2013-126-40

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONSTRUCTION CONTRACT WITH A&M CONSTRUCTION AND UTILITIES, INC. (AMCU), OF ROWLETT, TEXAS, FOR CONSTRUCTION ACTIVITIES REQUIRED TO REHABILITATE THE WATER TREATMENT PLANT ELEVATED BACKWASH STORAGE TANK, IN AN AMOUNT NOT TO EXCEED \$179,400; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City owns and operates an elevated 150,000 gallon backwash storage tank at the water treatment plant – the tank is in need of rehabilitation;

Whereas, on August 15, 2013, Council authorized a professional services agreement with Kasberg, Patrick & Associates, LP, (KPA) for engineering services required to implement the rehabilitation of this storage tank;

Whereas, construction services authorized will be to rehabilitate the interior and exterior services of the 150,000 elevated storage tank, including miscellaneous repairs and recoating;

Whereas, on September 10, 2013, eight bids were received for this project and both KPA and staff recommend awarding this contract to AMCU, in an amount not to exceed \$179,400;

Whereas, funding is available for this project in Account No. 561-5100-535-6904, Project No. 100988; and

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

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

Part 1: The City Council authorizes the City Manager, or his designee, to execute a construction contract with A&M Construction and Utilities, Inc., of Rowlett, Texas, after approval as to form by the City Attorney, for construction activities required to rehabilitate the water treatment plant elevated backwash storage tank, in an amount not to exceed \$179,400.

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 19th day of **September**, 2013.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

10/03/13
Item #4(H)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

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

ITEM DESCRIPTION: Consider adopting a resolution authorizing a one year extension to the construction contract with APAC TX – Wheeler Company of Belton for the 2014 Overlay Program based on a unit price of \$78 a ton for overlay, \$485 a ton for speed humps, and \$2 a square yard for milling, in an estimated annual amount of \$630,000.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: On March 7, 2013, the City authorized a construction contract with APAC TX – Wheeler Company of Belton for the 2013 Overlay Program. The current contract expired on September 30, 2013. The original bid allowed for four (4) additional one-year extensions. In order to renew the contract, the vendor must agree to hold their prices firm for an additional year, which they are willing to do.

Staff has evaluated the pricing and believes that the pricing as noted in the item description is still a good value.

Staff is pleased with the services provided by APAC TX – Wheeler Company and recommends that Council authorize an extension to the contract. This will be the first renewal available under this contract, with three years remaining.

FISCAL IMPACT: Funding in the amount of \$280,000 is available in account 365-3400-531-6527, project 100955. This is a continuation of the overlay project funded in the TCIP program.

\$350,000 is available in account 795-9800-531-6869, project 101007. This is Reinvestment Zone No. 1 funding that will be used to overlay Lorraine Drive and Panda Drive when PANDA completes the roads. Per the 2011 Economic Development Agreement between the City, Temple Economic Development Corporation and PANDA, upon PANDA's completion of the roads, the City will complete Lorraine Drive and Panda drive by placing hot mix asphalt concrete on the roads.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A ONE-YEAR EXTENTION TO THE CONSTRUCTION CONTRACT WITH APAC TX – WHEELER COMPANY OF BELTON, TEXAS, FOR THE 2014 OVERLAY PROGRAM, IN AN ESTIMATED ANNUAL AMOUNT OF \$630,000; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on March 7, 2013, the City authorized a construction contract with APAC TX – Wheeler Company of Belton, Texas for the 2013 Overlay Program and the current contract expired on September 30, 2013;

Whereas, the original bid allowed for four (4) additional one-year contract extensions and in order for the vendor to extend their contract, they had to agree to hold their prices firm for an additional year, which they are willing to do;

Whereas, staff has evaluated the pricing and believes that the pricing provided by APAC TX – Wheeler Company, is still a good value for the City;

Whereas, staff is pleased with the services provided by APAC TX – Wheeler Company and recommends that Council authorize a one-year extension to their contract, in an estimated annual amount of \$630,000 – this will be the first renewal available under this contract, with three years remaining;

Whereas, funds are available in Account No. 365-3400-531-6527, Project 100955 as a continuation of the overlay project funded in the TCIP program and Account No. 795-9800-531-6869, Project No. 101007; and

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

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

Part 1: The City Council authorizes the City Manager, or his designee, to execute a one-year extension to the construction contract with APAC TX – Wheeler Company, of Belton, Texas, after approval as to form by the City Attorney, for the 2014 Overlay Program based on a unit price of \$78 a ton for overlay, \$485 a ton for speed humps, and \$2 a square yard for milling, in an amount not to exceed \$630,000.

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 **3rd** day of **October**, 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

10/03/13
Item #4(I)
Consent Agenda
Page 1 of 2

DEPT. / DIVISION SUBMISSION & REVIEW:

Ken Cicora, Director, Parks and Leisure Services

ITEM DESCRIPTION: Consider adopting a resolution authorizing the purchase of playground equipment for South Temple Park, Freedom Park and Northwest Hills Park utilizing a BuyBoard contract with We Build Fun, Inc. of Allen in the amount of \$125,381.29.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Playgrounds are one of the most requested park amenities ask for in our park system. The Parks and Leisure Services Department is requesting authorization to purchase playground equipment for three playgrounds in Temple:

- South Temple Park - \$57,864.49
- Northwest Hills Park - \$38,725.48
- Freedom Park -\$28,791.32

South Temple Park and Freedom Park are both in need of playgrounds to add recreational activity for residences living around these parks as neither park does not currently have a playground. Northwest Hills has an old, out-of-date, playground that needs to be replaced. The proposed new playground equipment for each park is shown in the attached drawings.

Staff is recommending the purchase the playground equipment utilizing a BuyBoard cooperative contract. The BuyBoard contract is competitively procured, and as such, satisfies the competitive bidding requirements.

Parks Department staff will be installing all three play units. Materials delivered will include the play units, fibar fall safe mulch, border timbers and free standing safety sign and ADA access ramp. It is expected that the playground equipment installations will be complete by spring 2014.

FISCAL IMPACT: The total cost for the purchase of the playground equipment at South Temple Park, Northwest Hills Park, and Freedom Park is \$125,381.29. A budget adjustment is being presented to Council to appropriate funding from Developer Fees, account 110-0000-461-0830 in the amount of \$86,657 to Park Fee Expenditures, account 110-3500-552-6332 for South Temple Park, project 101099 and Freedom Park, project 101103.

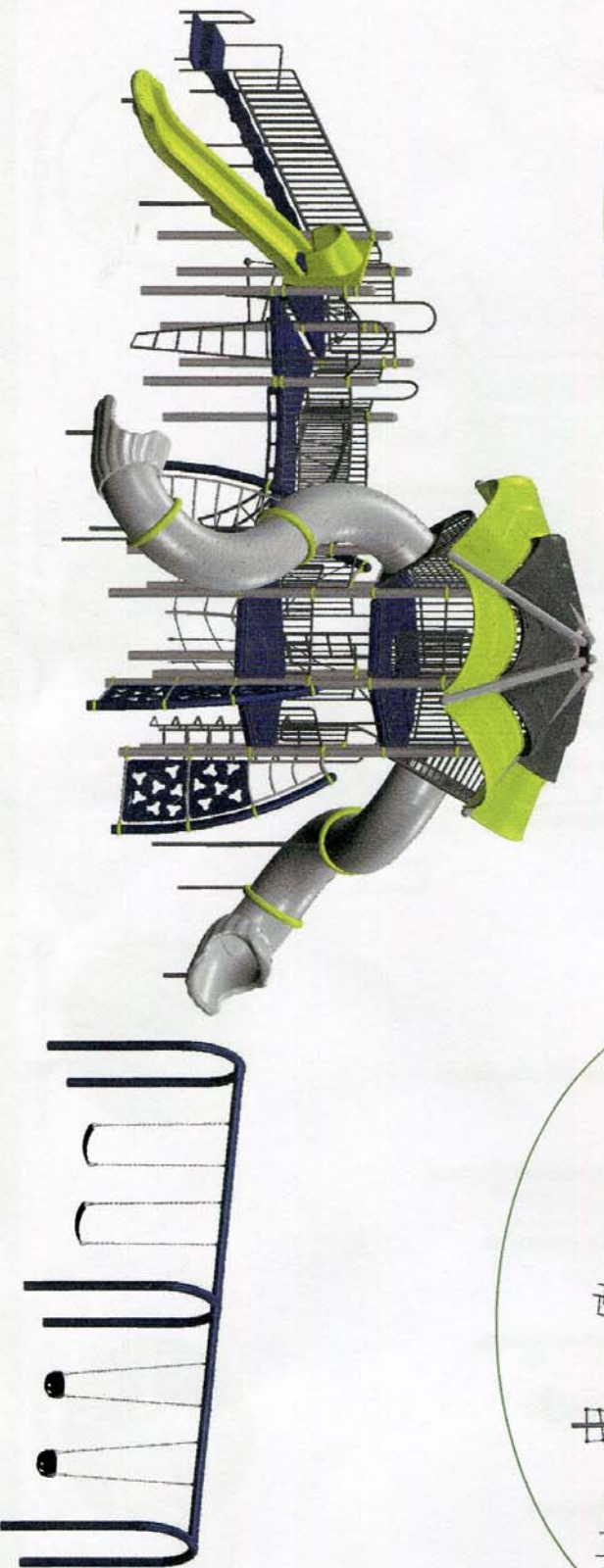
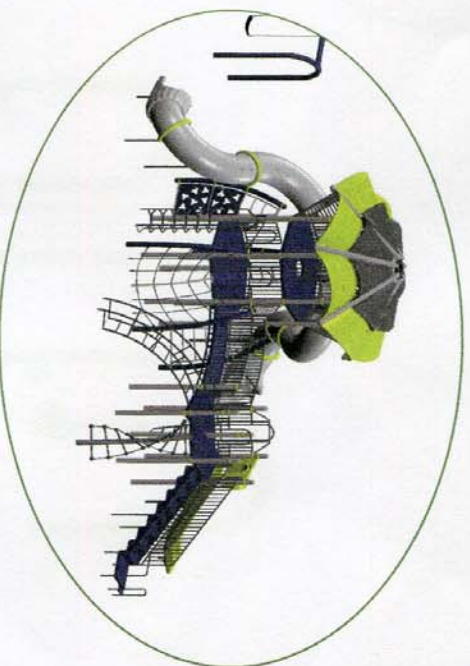
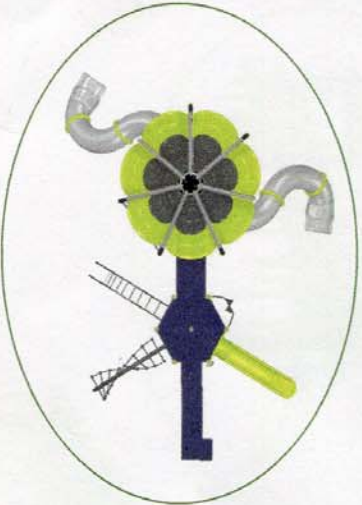
Funding in the amount of \$30,430 for the Northwest Hills Park playground equipment is currently available in account 110-5935-552-6310, project 101042. The budget adjustment being presented to Council also includes an appropriation of funds in the amount of \$8,296 for the Northwest Hills Park playground equipment from 351-3500-552-2311, project 350009 to 351-3500-552-6310, project 101042.

| Project | Project # | Funded | Account # | Amount |
|--------------------|-----------|----------------------|-------------------|------------------|
| South Temple Park | 101099 | Park Fees | 110-3500-552-6332 | \$57,865 |
| Freedom Park | 101103 | Park Fees | 110-3500-552-6332 | \$28,792 |
| Northwest Hills | 101042 | FY14 Budget | 110-5935-552-6310 | \$30,430 |
| Northwest Hills | 101042 | Deferred Maintenance | 351-3500-552-6310 | \$8,296 |
| Total Costs | | | | \$125,383 |

ATTACHMENTS:

Playground Equipment Drawings for South Temple Park, Freedom Park, and Northwest Hills Park
Budget Adjustment
Resolution

South Temple Park Alternate, Temple, TX



Northwest Hills Park

Temple, TX



Freedom Park

Temple, TX



FY **2014****BUDGET ADJUSTMENT FORM**

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

Adjustments should be rounded to the nearest \$1.

| | | | + | | - | |
|--------------------|-----------|---------------------------------------|-------------------|--|-----------------|--|
| ACCOUNT NUMBER | PROJECT # | ACCOUNT DESCRIPTION | INCREASE | | DECREASE | |
| 110-0000-461-08-30 | | Developer Fees | \$ 86,657 | | | |
| 110-3500-552-63-32 | 101099 | Park Fee Exp - South Temple Park | 57,865 | | | |
| 110-3500-552-63-32 | 101103 | Park Fee Exp - Freedom Park | 28,792 | | | |
| | | | | | | |
| 351-3500-552-63-10 | 101042 | Bldg & Grounds - Northwest Hills Park | 8,296 | | | |
| 351-3500-552-23-11 | 350009 | Parks Deferred Maintenance | | | 8,296 | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| TOTAL..... | | | \$ 181,610 | | \$ 8,296 | |

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

To appropriate funding for playground equipment being purchased for South Temple Park, Freedom Park, and Northwest Hills Park. Funding for South Temple Park and Freedom Park will be allocated from Developer Fees. Fees will be coming from the following locations for South Temple Park: Residence at D'Antoni's #2 (3/09) \$4,960; Hidden Meadow Ranch (11/05) \$1,350; Stewart Acres (3/99) \$900; Marlandwood Multifamily (9/11) \$20,250; and Stonegate 3 (7/12) \$30,405. Fees will be coming from the following locations for Freedom Park: Village of Sage Meadows IV (8/10) \$5,630; Village of Sage Meadows V (6/11) \$7,650; Westwood Estates (8/11) \$1,575; and Village of Sage Meadows VI (12/12) \$13,937. Total costs for playground equipment at Northwest Hills is more than what was budgeted for FY14 by \$8,296. This budget adjustment will allocate funding from Parks Deferred Maintenance to the Northwest Hills project in the amount of \$8,296.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒

Yes

☐

No

DATE OF COUNCIL MEETING

10/3/2013

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 OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF PLAYGROUND EQUIPMENT FOR SOUTH TEMPLE PARK, NORTHWEST HILLS PARK AND FREEDOM PARK, UTILIZING A BUYBOARD COOPERATIVE CONTRACT WITH WE BUILD FUN, INC. OF ALLEN, TEXAS, IN THE AMOUNT OF \$125,381.29; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, playgrounds are one of the most requested park amenities asked for in our park system – playground equipment for three parks are requested by the Parks and Leisure Services Department:

- South Temple Park - \$57,864.49
- Northwest Hills Park - \$38,725.48
- Freedom Park - \$28,791.32

Whereas, South Temple Park and Freedom Park are both in need of playgrounds to add recreational activity for residents living around these parks – Northwest Hills has an old, out-of-date playground that needs to be replaced.

Whereas, staff recommends the purchase of playground equipment utilizing a BuyBoard Cooperative Contract, with We Build Fun, Inc., of Allen, Texas, in the amount of \$125,381.29;

Whereas, a budget adjustment is presented for Council approval reallocating funds to Account No. 110-3500-552-6332, Project No. 101099 for South Temple Park, Account No. 110-3500-552-6332, Project No. 101103 for Freedom Park and Account No. 351-3500-552-6310, Project No. 101042 for Northwest Hills Park; 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 playground equipment for South Temple Park, Northwest Hills Park and Freedom Park, utilizing a BuyBoard Cooperative Contract, with We Build Fun, Inc., of Allen, Texas, in the amount of \$125,381.29.

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: The City Council authorizes an amendment to the FY13-14 budget, substantially in the form of a copy attached hereto as Exhibit A.

Part 4: It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the **19th** day of **September**, 2013.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

10/03/13
Item #4(J)
Consent Agenda
Page 1 of 2

DEPT. / DIVISION SUBMISSION & REVIEW:

Ken Cicora, Director, Parks and Leisure Services

ITEM DESCRIPTION: Consider adopting a resolution authorizing the purchase and installation of playground shade structures at South Temple Park, Northwest Hills Park and Freedom Park from We Build Fun, Inc. of Allen in the total amount of \$70,628.84.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The Parks and Leisure Services Department and the Parks and Leisure Services Advisory Board are recommending that shade structures over playgrounds be installed at all new playgrounds and retrofitted over existing playgrounds as funds become available. Based on the availability of funds, staff is recommending the purchase of shade structures for South Temple Park, Freedom Park, and Northwest Hills Park.

Shade structures for these three park playgrounds are needed as South Temple Park and Freedom Park are currently void of older shade trees in the proposed playground locations. While Northwest Hills does have some older tree growth, they will not provide the shade needed over the proposed playground location.

Staff is recommending the purchase and installation of the shade structures utilizing a BuyBoard cooperative contract. The BuyBoard contract is competitively procured, and as such, satisfies the competitive bidding requirements. A 5% buy board discount will be applied to the shade structures with installation cost - the costs associated are as follows:

- | | |
|--|-------------|
| • South Temple (52'x 45'x15') Multi-Color Shade w/ installation | \$29,451.46 |
| • Freedom Park (40'x30'x 17') Multi-Color Shade w/ installation | \$17,532.05 |
| • Northwest Hills Park (40 x30 x 17') Multi-Color Shade w/installation | \$17,532.05 |
| • Payment and Performance Bonds, Freight and Engineering | \$ 6,113.28 |

It is expected that the shade structure installations will be complete by spring 2014.

FISCAL IMPACT: The total cost for three shade structures with installation is \$70,628.84. A budget adjustment is being presented to Council to appropriate funding from Developer Fees, account 110-0000-461-0830 in the amount of \$51,060 to Park Fee Expenditures account 110-3500-552-6332 for South Temple Park, project 101099 and Freedom Park, project 101103. Funding for the Northwest Hills Park is available in account 110-5935-552-6310, project 101042.

| Project | Project # | Funded | Account # | Amount |
|--------------------|-----------|-------------|-------------------|--------------------|
| South Temple Park | 101099 | Park Fees | 110-3500-552-6332 | \$31,489.22 |
| Freedom Park | 101103 | Park Fees | 110-3500-552-6332 | \$19,569.81 |
| Northwest Hills | 101042 | FY14 Budget | 110-5935-552-6310 | \$19,569.81 |
| Total Costs | | | | \$70,628.84 |

ATTACHMENTS:

[Budget Adjustment
Resolution](#)

FY **2014****BUDGET ADJUSTMENT FORM**

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

Adjustments should be rounded to the nearest \$1.

+

-

| ACCOUNT NUMBER | PROJECT # | ACCOUNT DESCRIPTION | INCREASE | | DECREASE | |
|--------------------|-----------|----------------------------------|-------------------|--|-------------|--|
| 110-0000-461-08-30 | | Developer Fees | \$ 51,060 | | | |
| 110-3500-552-63-32 | 101099 | Park Fee Exp - South Temple Park | 31,490 | | | |
| 110-3500-552-63-32 | 101103 | Park Fee Exp - Freedom Park | 19,570 | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| TOTAL..... | | | \$ 102,120 | | \$ - | |

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

To appropriate funding for playground shade structures being purchased for South Temple Park and Freedom Park. Funding will be allocated from Developer Fees. Fees will be coming from the following locations to South Temple Park: Creeks at Deerfield (3/07) \$6,525; Creeks @ Deerfield (1/10) \$4,050; Las Colinas (2/09) \$9,000; Misty Creek (2/08) \$5,400; Residence at D'Antoni's #2 (3/09) \$6,515. Fees will be coming from the following locations for Freedom Park: Saddle Brook (1/12) \$3,600; Saddle Brook (4/12) \$10,800; Village of Sage Meadows IV (8/10) \$5,170.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒ Yes☐ No

DATE OF COUNCIL MEETING

10/3/2013

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 OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE AND INSTALLATION OF PLAYGROUND SHADE STRUCTURES AT SOUTH TEMPLE PARK, NORTHWEST HILLS PARK, AND FREEDOM PARK, UTILIZING A BUYBOARD COOPERATIVE CONTRACT WITH WE BUILD FUN, INC. OF ALLEN, TEXAS, IN THE AMOUNT OF \$70,628.84; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the Parks and Leisure Services Department and the Parks and Leisure Services Advisory Board are commending that shade structures over playgrounds be installed at all new playgrounds and retrofitted over existing playgrounds;

Whereas, shade structures are recommended for South Temple Park, Freedom Park and Northwest Hills Park – these three playgrounds are currently void of older shade trees in the playground locations;

Whereas, staff recommends the purchase and installation of three shade structures utilizing the BuyBoard Cooperative Contract, with We Build Fun, Inc., of Allen, Texas, in the amount of \$70,628.84;

Whereas, a budget adjustment is presented for Council approval reallocating funds to Account No. 110-3500-552-6332, Project No. 101099, for South Temple Park and Account No. 110-3500-552-6332, Project No. 101103 for Freedom Park - funds are available in Account No. 110-5935-552-6310, Project No. 101042 for Northwest Hills Park; 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 and installation of playground shade structures at South Temple Park, Northwest Hills Park and Freedom Park, utilizing a BuyBoard Cooperative Contract, with We Build Fun, Inc., of Allen, Texas, in the amount of \$70,628.84.

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: The City Council authorizes an amendment to the FY13-14 budget, substantially in the form of a copy attached hereto as Exhibit A.

Part 4: It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the **19th** day of **September**, 2013.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

10/03/13
Item #4(K)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Nicole Torralva, P.E., Public Works Director
Lisa Sebek, Director of Solid Waste Services

ITEM DESCRIPTION: Consider adopting a resolution authorizing the purchase of 3,180 plastic 96-gallon refuse containers for the Solid Waste Services Division of Public Works from Toter, Inc., of Statesville, NC, utilizing a National IPA cooperative contract, in the amount of \$148,055.80.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: In August 2013, an order for purchase of 15,900 green curbside recycling containers was placed (authorized by Council on July 18, 2013) with first delivery (1 truck load) received on September 19th. Delivered containers were a much darker shade of green, and very near black. To resolve the issue, Toter has offered to sell the City these nearly black containers for use in Temple's regular garbage collection system, while proceeding to manufacture and ship the correct color of recyclable containers for recyclable use. Five truck loads (3,180 containers) have been manufactured, and are available for purchase with the City's logo already embossed on the containers. Manufacturer of the correct color of recycling containers is already underway, with the first shipment to occur in early October. This schedule will not impact the start date of city-wide curbside recycling collections, scheduled to begin in early January 2014.

Each year, the Solid Waste Division purchases new 96-gallon residential refuse containers both for new service and for regular container replacement. As such, staff is recommending that Council accept Toter's offer to purchase the 3,180 dark green containers.

The pricing offered for these containers by Toter through the National IPA contract is \$45.15 per container, plus \$4,478.80 for freight. This pricing is consistent with the recycling container purchase authorized by Council on July 18, 2013, and staff deems this pricing to be a good value based on the increased commodity pricing of resin over the last six (6) months.

The City has done business with Toter, Inc. and finds them to be a responsible vendor. Utilizing this contract through the National IPA cooperative purchasing organization satisfies competitive bid requirements.

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

| Description | Account # | Budget | Proposed Expenditure |
|-----------------|-------------------|-----------|----------------------|
| 96 Gallon Carts | 110-2330-540-2211 | \$148,056 | \$148,055.80 |

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF 3,180 PLASTIC 96-GALLON REFUSE CONTAINERS FOR THE SOLID WASTE SERVICES DIVISION OF PUBLIC WORKS, FROM TOTER, INC., OF STATESVILLE, NORTH CAROLINA, UTILIZING THE NATIONAL IPA COOPERATIVE CONTRACT, IN THE AMOUNT OF \$148,055.80; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, in August 2013, an order for the purchase of 15,900 green curbside recycling containers was placed with first delivery received on September 19, 2013 – the delivered containers were a much darker shade of green – nearly black;

Whereas, to resolve this issue, Toter has offered to sell the City these nearly black containers for use in Temple's regular garbage collection system, while proceeding to manufacture and ship the correct color of recyclable containers for recycle use – the correct color recycle containers will ship early October and will not impact the start date of the city-wide curbside recycling collections scheduled to begin in early January, 2014;

Whereas, each year the Solid Waste Division purchases new 96-gallon residential refuse containers and as such, staff is recommending that Council accept Toter's offer for the City to purchase the 3,180 dark green containers;

Whereas, the City has done business with Toter, Inc. in the past and finds them to be a responsible vendor – utilizing the National IPA Cooperative Purchasing Contract satisfies competitive bidding requirements;

Whereas, funds are available for this purchase in Account No. 110-2330-540-2211; 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 3,180 plastic 96-gallon recycling containers from Toter, Incorporated, of Statesville, North Carolina, for the Solid Waste Division, utilizing the National IPA Cooperative Contract, in the amount of \$148,055.80.

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 **3rd** day of **October**, 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

10/03/13
Item #4(L)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Denny Hainley, Benefits Specialist/Acting Director of Civil Service

ITEM DESCRIPTION: SECOND READING: 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: Adopt ordinance as presented in item description, on second and final reading.

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.

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 **19th** day of **September, 2013**.

PASSED AND APPROVED on Second Reading on the **3rd** day of **October, 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

10/03/13
Item #4(M)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Jonathan Graham, City Attorney
Gloria Elder, Risk Manager

ITEM DESCRIPTION: Consider adopting a resolution authorizing participation in the Texas Municipal League, Intergovernmental Risk Pool to provide property, liability and worker's compensation coverage for the City.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The City of Temple has participated in the Texas Municipal League Intergovernmental Risk Pool (TML-IRP) (a risk pool formed by Texas cities to provide insurance-like coverage of potential claims) since approximately 1981. Our experience with TML-IRP has been very positive.

The proposed resolution authorized the City's participation in TML-IRP for the FY2013-2014 at an estimated annual amount of \$401,725 for property and liability insurance and an estimated annual amount of \$658,000 for workers compensation insurance. We have received a proposal from TML-IRP to continue our participation in the risk pool in the following areas:

- General Liability
- Real & Personal Property
- Automobile Liability
- Law Enforcement Liability
- Errors & Omissions Liability
- Dishonestly/Crime
- Workers Compensation (to include volunteers and elected officials)

FISCAL IMPACT: The FY 13-14 budget appropriated approximately \$401,725 for property and liability insurance and approximately \$658,000 for workers compensation insurance.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING PARTICIPATION IN THE TEXAS MUNICIPAL LEAGUE, INTERGOVERNMENTAL RISK POOL (TML-IRP) TO PROVIDE PROPERTY, LIABILITY, AND WORKER'S COMPENSATION COVERAGE FOR THE CITY OF TEMPLE FOR FISCAL YEAR 2014, IN THE COMBINED ESTIMATED ANNUAL AMOUNT OF \$1,059,725; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City of Temple has participated in the Texas Municipal League Intergovernmental Risk Pool (TML-IRP), a risk pool formed by Texas cities to provide insurance-like coverage of potential claims, since approximately 1985 – our experience with TML-IRP has been very positive;

Whereas, the proposal we have received from TML-IRP to continue our participation in the risk pool in the areas of general liability, real & personal property, automobile liability, law enforcement liability, errors & omissions liability, and worker's compensation (to include volunteers and elected officials);

Whereas, staff has reviewed TML-IRP's proposal and prices and believes them to be attractive and acceptable for fiscal year 2014 in the combined estimated annual amount of \$1,059,725 (\$401,725 for property/liability insurance and \$658,000 for workers compensation insurance);

Whereas, funds have been appropriated in various departmental accounts for this insurance; 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 participated in the Texas Municipal League Intergovernmental Risk Pool (TML-IRP) for FY2014 in a combined estimated annual amount of \$1,059,725.00 (\$401,725 for property/liability insurance and \$658,000 for workers compensation insurance).

Part 2: The City Council authorizes the City Manager, or his designee, to execute any documents which may be necessary for the participation in TML-IRP, after approval as to form by the City Attorney.

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 **23rd** day of **September**, 2013.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

APPROVED AS TO FORM:

ATTEST:

Lacy Borgeson
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

10/03/13
Item #4(N)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Ken Cicora, Director of Parks and Leisure Services

ITEM DESCRIPTION: Consider adopting a resolution authorizing the receipt of grant funds from the Texas Department of Transportation, Safe Routes to School grant program; to be used for change order #3 on the construction contract with Patin Construction, LLC of Taylor to address the need to connect existing features to the trail project at Lakewood Elementary School in an amount not to exceed \$6,222.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: During the final construction phase of the project TxDOT instructed City staff, BSP Engineers, Inc and Patin Construction, LLC that a certain amount of overruns was acceptable in order to connect a project to existing features (sidewalks, curb and gutter, and street intersections). The overruns are grant eligible and these additional funds need to be accepted from TxDOT as part of the Safe Routes to School grant program.

Approval of the resolution will allow the City to make final actions necessary to secure the funds and to execute the final projects intended by the grant.

FISCAL IMPACT: The City was awarded \$496,725 for the line item construction for this project. A construction contract in the amount of \$458,498 was awarded to Patin Construction which left \$38,227 for additional construction funds available for the project.

Council approved Change Order #1 in the amount of \$47,180 in December 2012. This resulted in a net increase of grant funds awarded to the City in the amount of \$8,953 bringing the total of grant funds awarded for construction to \$505,678. After approval of Change Order #3 the City will recognize additional grant revenue and expenditure in the amount of \$6,222 which increase the total grant funds awarded for construction to \$511,900. The Advance Funding Agreement for this project states in section 13, Local Project Sources and Uses of Funds part C that over run funding of up to fifteen percent (15%) in excess of the approved project construction cost may be approved by the State. The State has approved the additional funding needed of \$6,222.

A budget adjustment is attached for Council's approval appropriating \$6,222 for the additional grant expenditures to 260-3400-531-63-15, project # 100690.

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 |
|--------------------|-----------|----------------------|------------------|-------------|
| 260-3400-531-63-15 | 100690 | Sidewalk/Curb/Gutter | \$ 6,222 | |
| 260-0000-431-01-63 | | Federal Grants | 6,222 | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| TOTAL..... | | | \$ 12,444 | \$ - |

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

Appropriate additional grant revenue and expenditure for the Safe Routes to School Grant Lakewood project as a result of Change Order No. 3. to the construction contract with Patin Construction. With the expenditures from Change Order #3 the City must recognize additional grant revenue and expenditures in the amount of \$6,222. The Advance Funding Agreement for this project states in section 13, Local Project Sources and Uses of Funds part C, that over run funding of up to fifteen percent (15%) in excess of the approved project construction cost may be approved by the State.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒

Yes

☐

No

DATE OF COUNCIL MEETING

10/3/2013

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 OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE ACCEPTANCE OF GRANT FUNDS FROM THE TEXAS DEPARTMENT OF TRANSPORTATION, SAFE ROUTES TO SCHOOL GRANT PROGRAM, TO BE USED ON THE CONSTRUCTION CONTRACT WITH PATIN CONSTRUCTION, LLC OF TAYLOR, TEXAS FOR CONNECTION OF EXISTING FEATURES TO THE TRAIL PROJECT AT LAKEWAY ELEMENTARY SCHOOL, IN AN AMOUNT NOT TO EXCEED \$6,222; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, during the final construction phase of the trail project at Lakewood Elementary School, Texas Department of Transportation (TxDOT) instructed City staff, BSP Engineers, Inc. and Patin Construction, LLC, that a certain amount of overruns were acceptable in order to connect the project to existing features (sidewalks, curb and gutter, and street intersections);

Whereas, the overruns are grant eligible and these additional funds need to be accepted from TxDOT as part of the Safe Routes to School grant program;

Whereas, a budget adjustment is presented for Council approval appropriating \$6,222 for the additional grant expenditures into Account No. 260-3400-531-6315, Project No. 100690; 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 acceptance of grant funds in the amount of \$6,222 from Texas Department of Transportation, Safe Routes to School grant program, and 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 receipt of these grant funds.

Part 2: The City Council approves an amendment to the fiscal year 2013-2014 budget, substantially in the form of the copy attached as Exhibit A, for this purpose.

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

PASSED AND APPROVED this the **3rd** day of **October**, 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

10/03/13
Item #5
Regular Agenda
Page 1 of 4

DEPT. / DIVISION SUBMISSION & REVIEW:

Mark Baker, Planner

ITEM DESCRIPTION: FIRST READING - PUBLIC HEARING - Z-FY-13-32: Consider adopting an ordinance authorizing a zone change from Agricultural District (AG) to Single-Family Dwelling 2 District (SF-2) on 25.83 ± acres, being part of the Baldwin Robertson Survey, Abstract 17, Bell County, Texas, generally located northeast of Poison Oak Road and east of Carriage House Drive.

PLANNING & ZONING COMMISSION RECOMMENDATION: At its September 3, 2013, the Planning and Zoning Commission voted 5 to 0 to recommend approval of the zone change from General Agriculture (AG) to Single Family Dwelling 2 (SF-2) for the above described property.

STAFF RECOMMENDATION: Conduct public hearing and adopt ordinance as presented in item description on first reading, and schedule a second reading and final adoption for October 17, 2013.

Based on the following discussion, staff recommends approval for a zone change from AG to SF-2 for the following reasons:

1. The proposed zoning is consistent with the Future Land Use Map which identifies this area as Suburban Residential;
2. The request complies with the Thoroughfare Plan;
3. The proposed zoning is compatible with the surrounding uses; and
4. Public facilities are available to serve the subject property.

ITEM SUMMARY: According to the City of Temple Comprehensive Plan / Future Land Use Plan (FLUP), the subject property is within the designated Suburban Residential District. The Suburban Residential District is for mid-size single family lots, allowing for greater separation between dwellings and more emphasis on green spaces versus the streets and driveways that predominate in an auto-urban setting. The request to a Single Family Dwelling 2 zoning district (SF-2) complies with the FLUP. In addition, the SF-2 zoning designation is compatible with the adjacent land use and will continue the suburban pattern of development.

The subject property is anticipated to be combined with 34.48 \pm acres (60.31 \pm acres in total) for development as a multi-phased subdivision. The 34.48 \pm acre portion currently has SF-2 zoning in place. A preliminary plat is being reviewed by the DRC but cannot proceed until after the 2nd reading of this zone change ordinance by City Council.

It should be noted that since the Planning and Zoning Commission's review of the zone change, neighborhood concern about increased traffic and circulation has been brought to staff's attention. Staff has noted that cumulatively, the existing residential development, the subdivisions of Oak Hills, Crest, Carriage House Village Amended and the Oaks at Westwood consists of approximately 560 existing lots and are served by 7 access points. This area is bordered by Hogan Road on the north, Poison Oak Road on the south, State Highway 317 on the west and Woodcreek and Carriage House Drives on the east. Based on 560 lots with 7 access points, the existing area averages 1 access point per 80 lots with all 7 access points connecting to arterial or collector streets. This is consistent with the Thoroughfare Plan and meets the spirit of the Residential Subdivision Entrance / Access Design Standards which requires 1 access point per 75 lots.

The proposed preliminary plat will extend residential development approximately 1400' east of Carriage House Drive and add 194 lots, 754 lots in total to the area described in the previous paragraph. The proposed preliminary plat does not propose any collector streets and the additional lots are all feeding into local streets and could result in increased traffic and circulation issues. Although these issues are addressed at the platting stage of review, it is noteworthy that per UDC Section 8.2.4.D, an additional access connection point will be needed on the southern boundary of the proposed subdivision to connect to a future proposed minor arterial (Poison Oak Road). Staff is actively working with the applicant and their engineer on the specific details and location of the additional access point.

Although it is anticipated the property will be developed with detached single-family residences, there are a number of uses that are permitted by right. Those uses include but are not limited to:

Residential uses

Family or Group Home
Industrialized Housing

Nonresidential uses

Farm or Ranch
Gas line Regulating Station
Fire Station

Prohibited uses include HUD-Code manufactured homes and land lease communities, duplexes and apartments. All commercial and industrial uses are prohibited, except these uses allowed by an approved conditional use permit (temporary asphalt concrete batching plants, a petroleum or gas well or a cemetery, crematory or mausoleum).

SURROUNDING PROPERTY AND USES: The following table provides the direction from the property, Future Land Use Plan (FLUP) designation, existing zoning and current land uses:

| <u>Direction</u> | <u>FLUP</u> | <u>Zoning</u> | <u>Current Land Use</u> |
|------------------|--|--------------------|--|
| Site | Suburban Residential | AG | Undeveloped |
| North | Suburban Residential Parks & Open Space | AG & SF-3 | Undeveloped & SF Residential (Oaks at Westwood & Southern Draw Subd.) |
| South | Suburban Residential | AG | Undeveloped & scattered SF residences |
| East | Suburban Residential | AG | Undeveloped |
| West | Suburban Residential | AG, SF-1 & SF-2 | Undeveloped & SF residences (Carriage House Villages & Oak Hills Subd.) |

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

| <u>Document</u> | <u>Policy, Goal, Objective or Map</u> | | <u>Compliance</u> |
|-----------------|--|---|--------------------------------------|
| CP | Map 3.1 - Future Land Use and Character (FLUP) | Suburban Residential is identified for the subject property as well as identified for the surrounding area. SF-2 zoning is a compatible zoning district and consistent with the Suburban Residential FLUP designation. | Y |
| CP | Map 5.2 - Thoroughfare Plan | The subject property will take immediate access from an existing local street named Oak Hills Dr. and a proposed local street named Salt Mill Hollow Dr. All proposed local streets will feed into other local streets. Although the immediate residential vicinity is in compliance to the Thoroughfare Plan, it is unclear how additional development will impact compliance. | Required (Addressed through Plat) |
| CP | Goal 4.1 - Growth and development patterns should be consistent with the City's infrastructure and public service capacities | Water is available to the subject property through an 8" water line in Carriage House Drive. Sewer is available through a 6" sewer line in Carriage House Dr. and a 24" sewer line on the eastern side of the subject property. | Y |
| STP | Temple Trails Master Plan | Master Plan Map has identified a | Required |

| | | | |
|--|-----------------|---|--------------------------|
| | Map & sidewalks | community connector trail in the Hog Pen Creek corridor within the development. No sidewalks are required along local streets however; sidewalks are required on one side of collector streets per UDC section 8.2.3. | (Addressed through Plat) |
|--|-----------------|---|--------------------------|

CP = Comprehensive Plan STP = Sidewalk and Trails Plan

DEVELOPMENT REGULATIONS: Standard residential setbacks in the SF-2 district are:

Front - 25'
Side - 5'
Side (corner) - 15'
Rear - 10'

PUBLIC NOTICE: Five 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 Tuesday September 24, 2013 at 10:00 AM, one notice for approval had been received.

The newspaper printed notice of the Planning and Zoning Commission public hearing on August 22, 2013, in accordance with state law and local ordinance.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

[Subject and Surrounding Property Photos](#)
[Zoning Map](#)
[Future Land Use and Character Map](#)
[Surrounding Uses, Zoning and FLUP](#)
[Draft Preliminary Plat](#)
[Localized Area of Thoroughfare Plan](#)
[Buffer Notification Map](#)
[Returned Adjacent Property Owner Notices](#)
[PZ Excerpts](#)
[Ordinance](#)

Subject & Surrounding Property Photos



Subject Property: Undeveloped (Looking east from Carriage House Drive)



Subject Property: Undeveloped (Looking west from South Pea Ridge Rd.)



North: Undeveloped & Oaks at Westwood & Southern Draw subdivisions



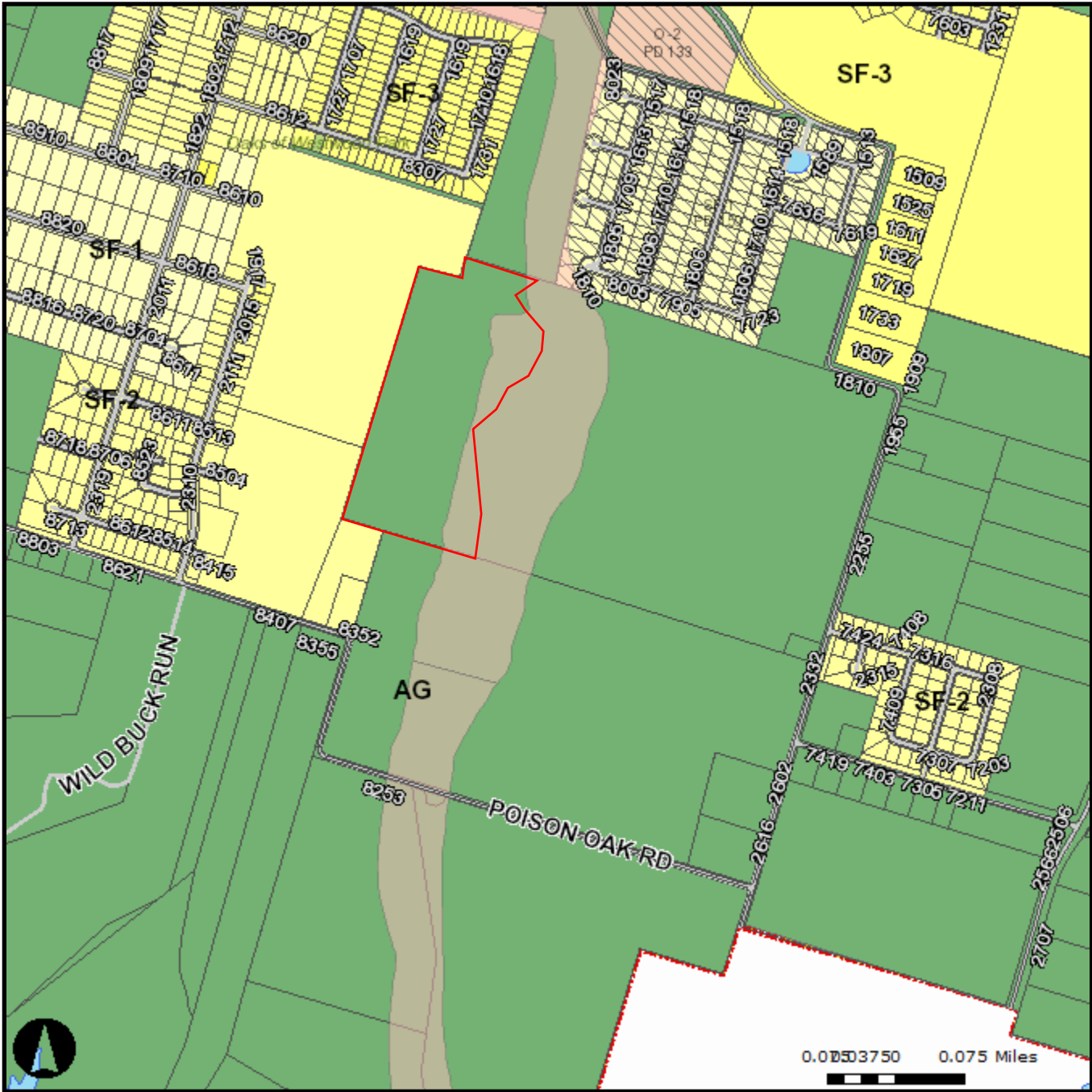
South: Undeveloped & Scattered SF Residences



East: Undeveloped & Scattered SF Residences



West: Carriage House Villages subdivision

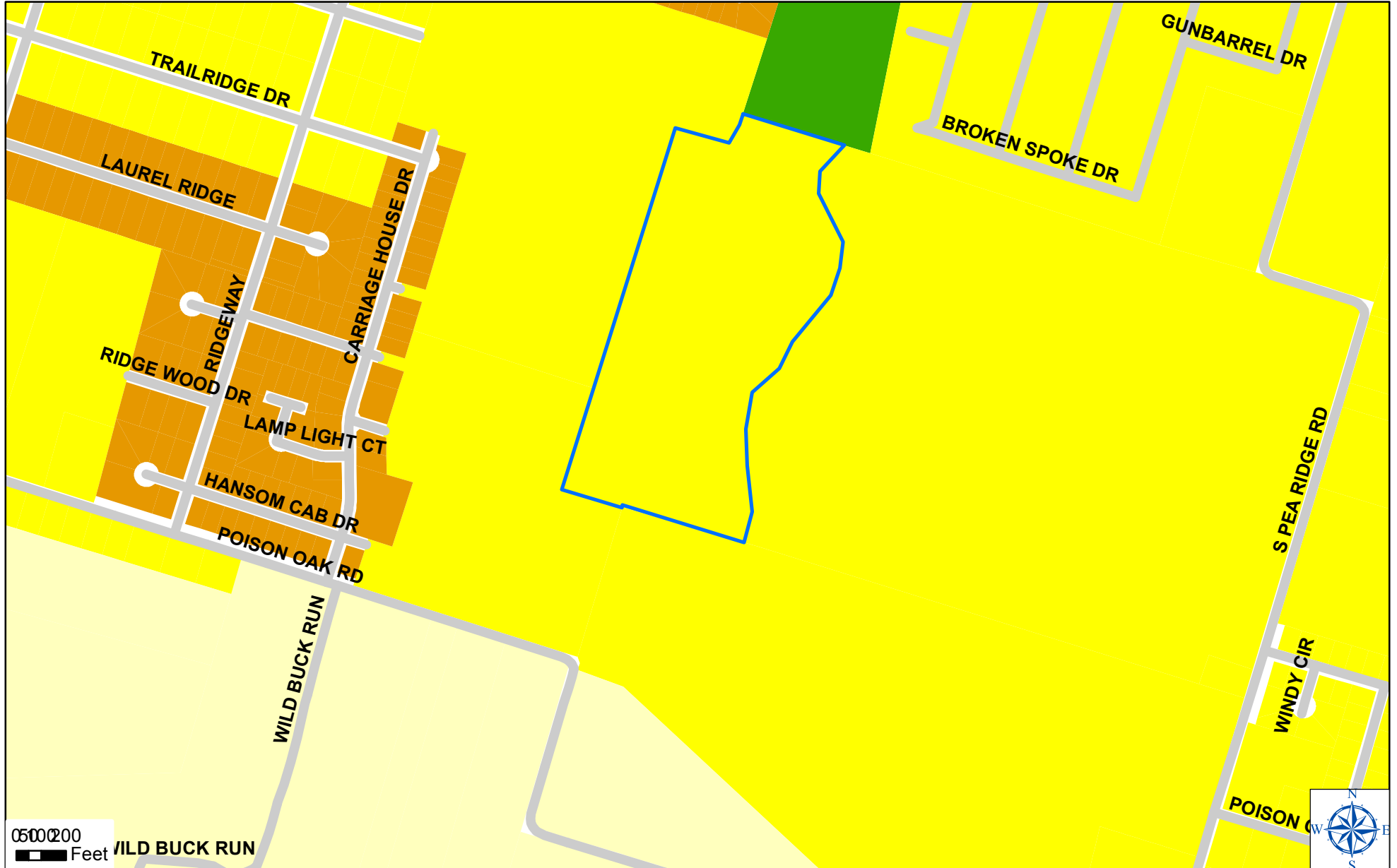




Z-FY-13-32

AG to SF-2

NE of Poison Oak Rd.
& East of Carriage House Dr.



Future Land Use

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

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

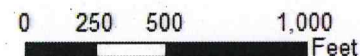
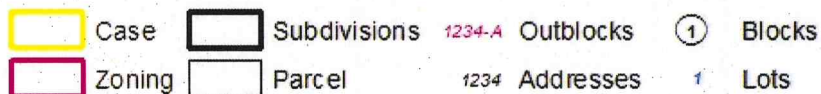
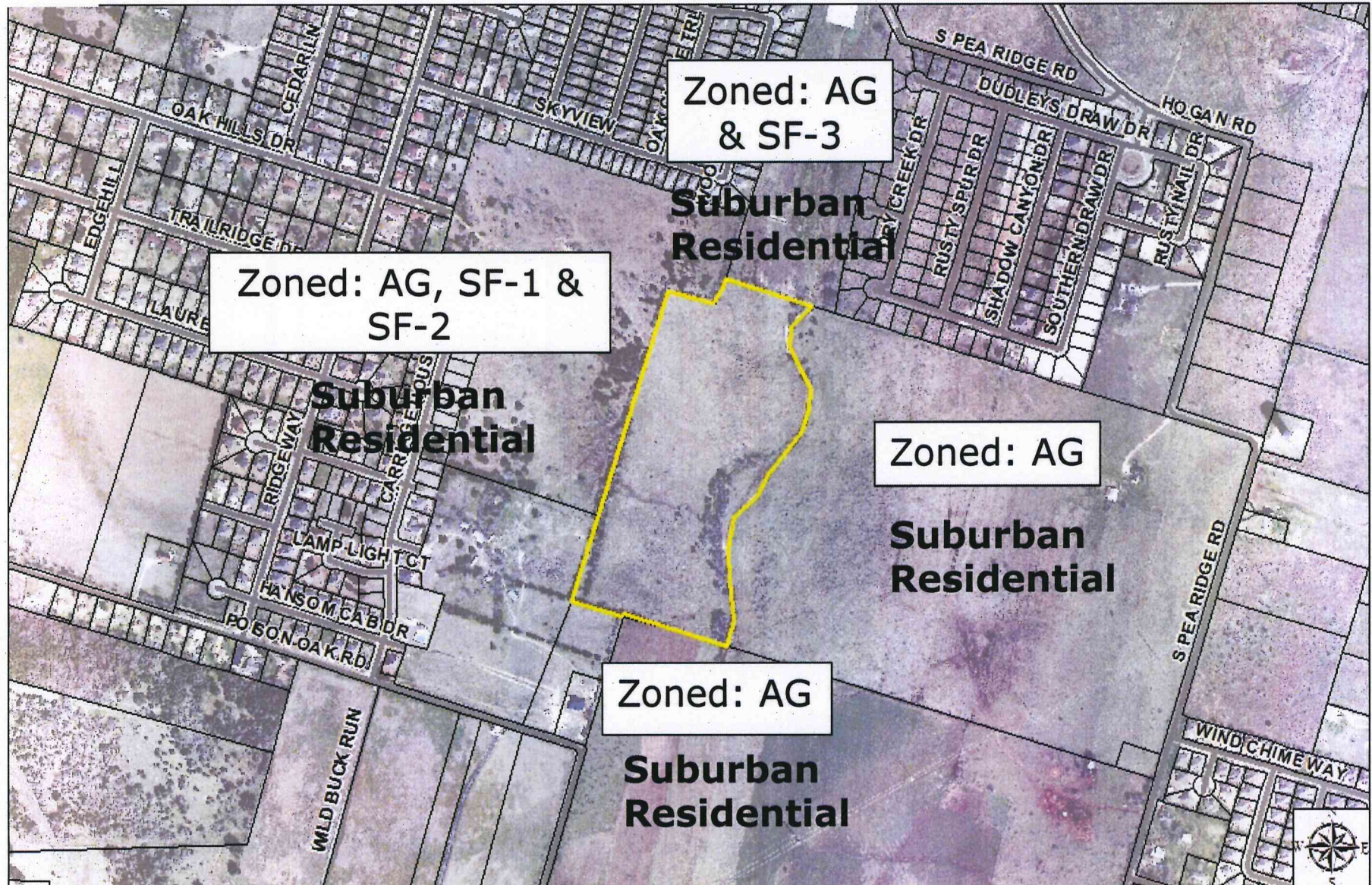
8/12/2013
City of Temple GIS



Z-FY-13-32

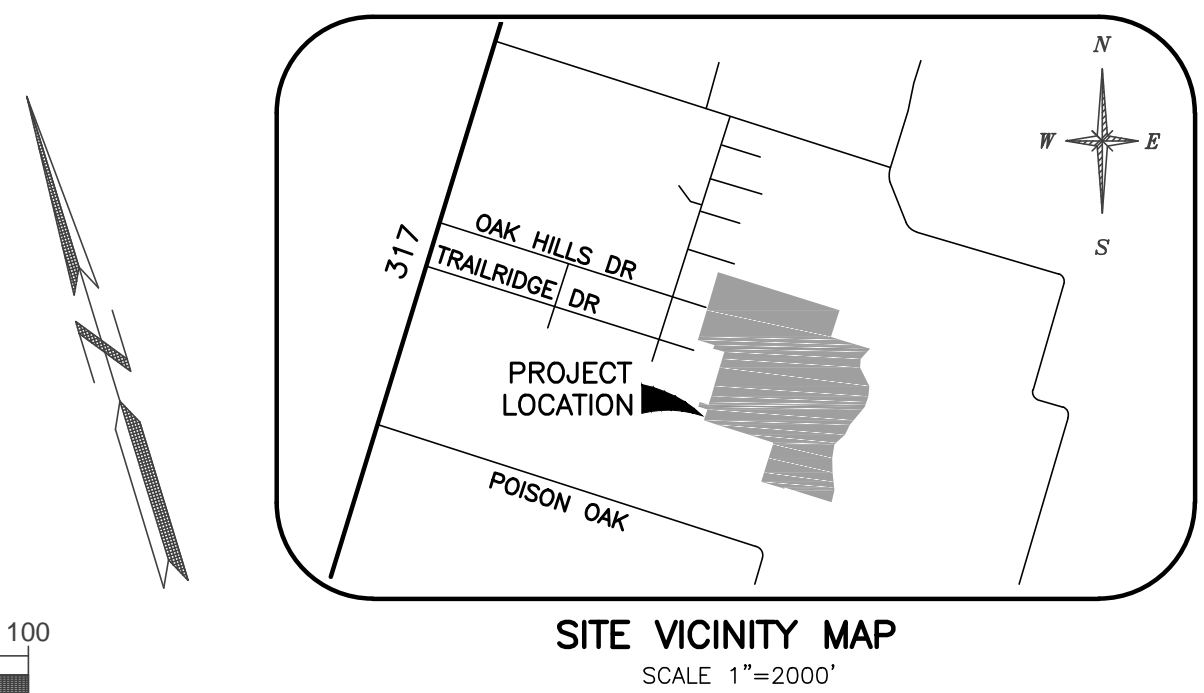
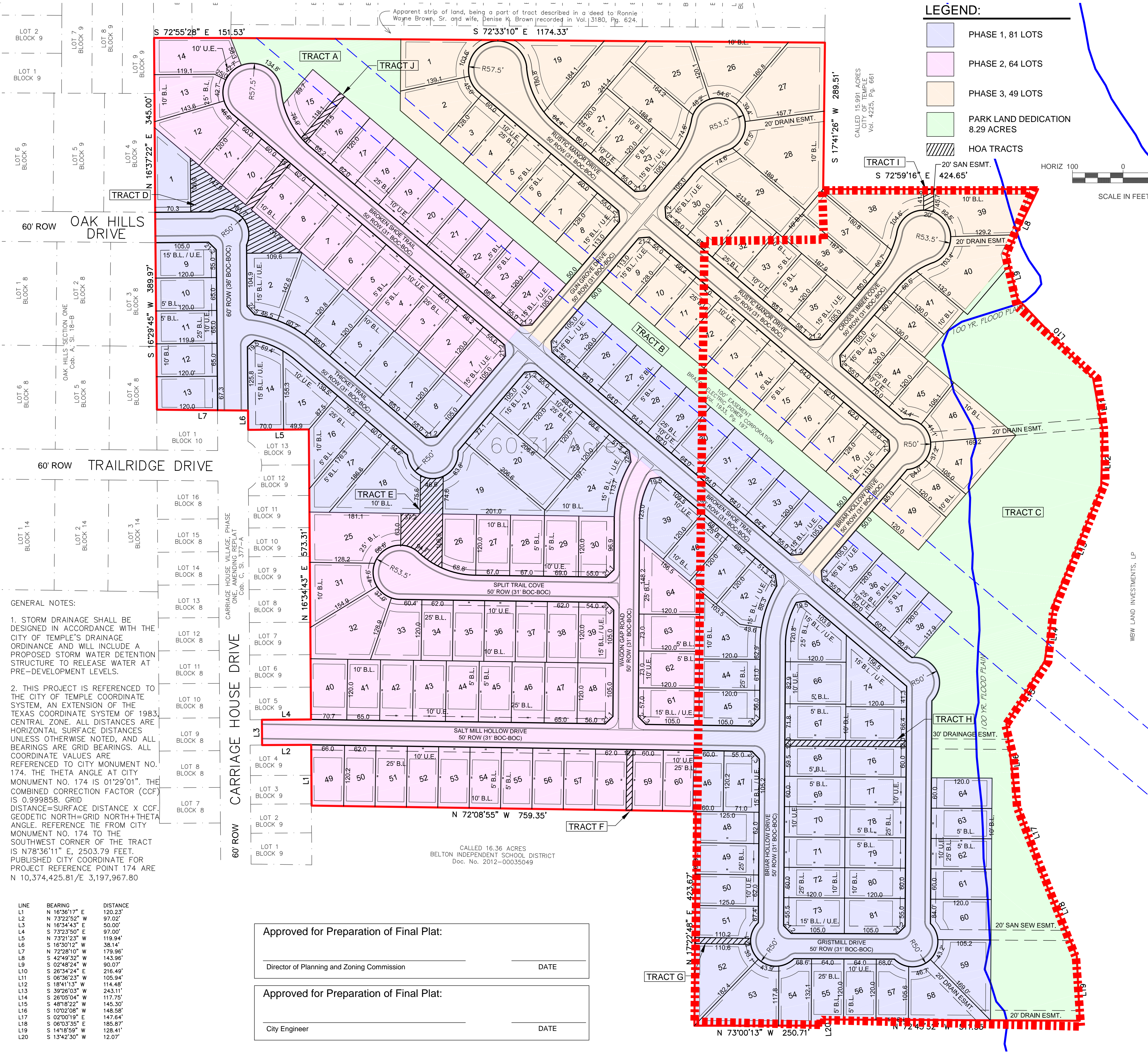
Surrounding Uses, Zoning & FLUP

NE Poison Oak Rd
& East of Carriage House Dr.



9/20/2013
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.



DEVELOPER: CAROTHERS EXECUTIVE HOMES

REGISTERED PROFESSIONAL LAND SURVEYOR: ALL COUNTY SURVEYING, INC.

REGISTERED PROFESSIONAL ENGINEER: BSP ENGINEERS, INC.

DEVELOPMENT STATISTICS:

| | |
|-----------------------------------|-------------|
| TOTAL DEVELOPED AREA: | 60.31 Acres |
| TOTAL DEVELOPED RESIDENTIAL LOTS: | 194 |
| AVERAGE LOT SIZE: | 62'x120' |
| DEVELOPMENT ZONING: | SF-2 |

STATE OF TEXAS

COUNTY OF BELL

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

2013-08-01



Signature: Anthony D. Beach

STATE OF TEXAS

COUNTY OF BELL

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THIS PLANNED DEVELOPMENT PLAT IS TRUE AND CORRECT, THAT IT WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND, AND THAT ALL NECESSARY SURVEY MONUMENTS ARE CORRECTLY SHOWN THEREON.

CHARLES C. LUCKO, R.P.L.S.
REGISTRATION NUMBER 4636

DATE SURVEYED: _____

STATE OF TEXAS
COUNTY OF BELL

THAT I, _____, BEING THE OWNER OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS _____, WITHIN THE CITY OF TEMPLE, BELL COUNTY, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, DOES HEREBY DEDICATE THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS, AND PUBLIC PLACES SHOWN HEREON WITHIN THE PLAT BOUNDARIES OF THIS SUBDIVISION.

BY: _____

STATE OF TEXAS
COUNTY OF BELL

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE _____ DAY OF _____, 2013.

Notary Public, State of Texas

THIS PLAT HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF TEMPLE, TEXAS, AND IS HEREBY APPROVED BY SUCH COMMISSION.

DATED THIS _____ DAY OF _____, 2013.

Chairperson Secretary to the Planning and Zoning Commission

Date: _____ Revisions: _____

Remarks: _____

CARRIAGE HOUSE
PHASE 2

Temple, Texas

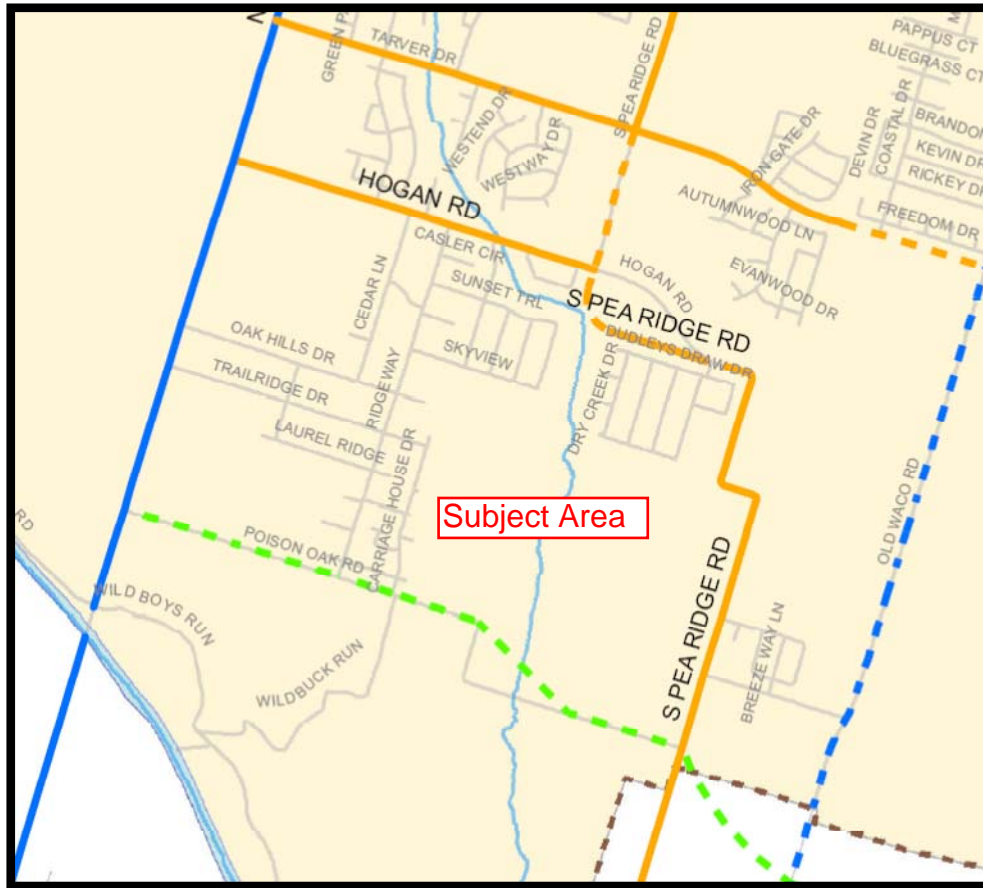
PRELIMINARY PLAT



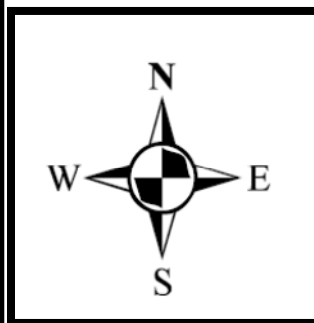
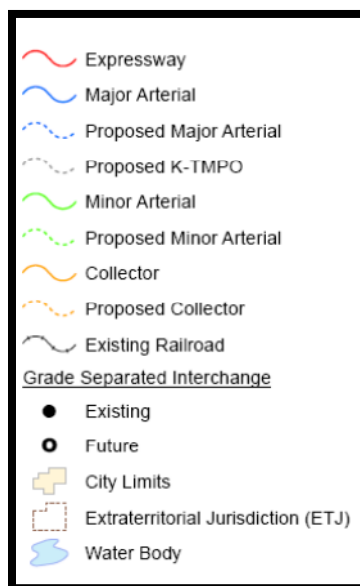
Project No: 122057.00

C1

Localized Area of Thoroughfare Plan



Map Legend

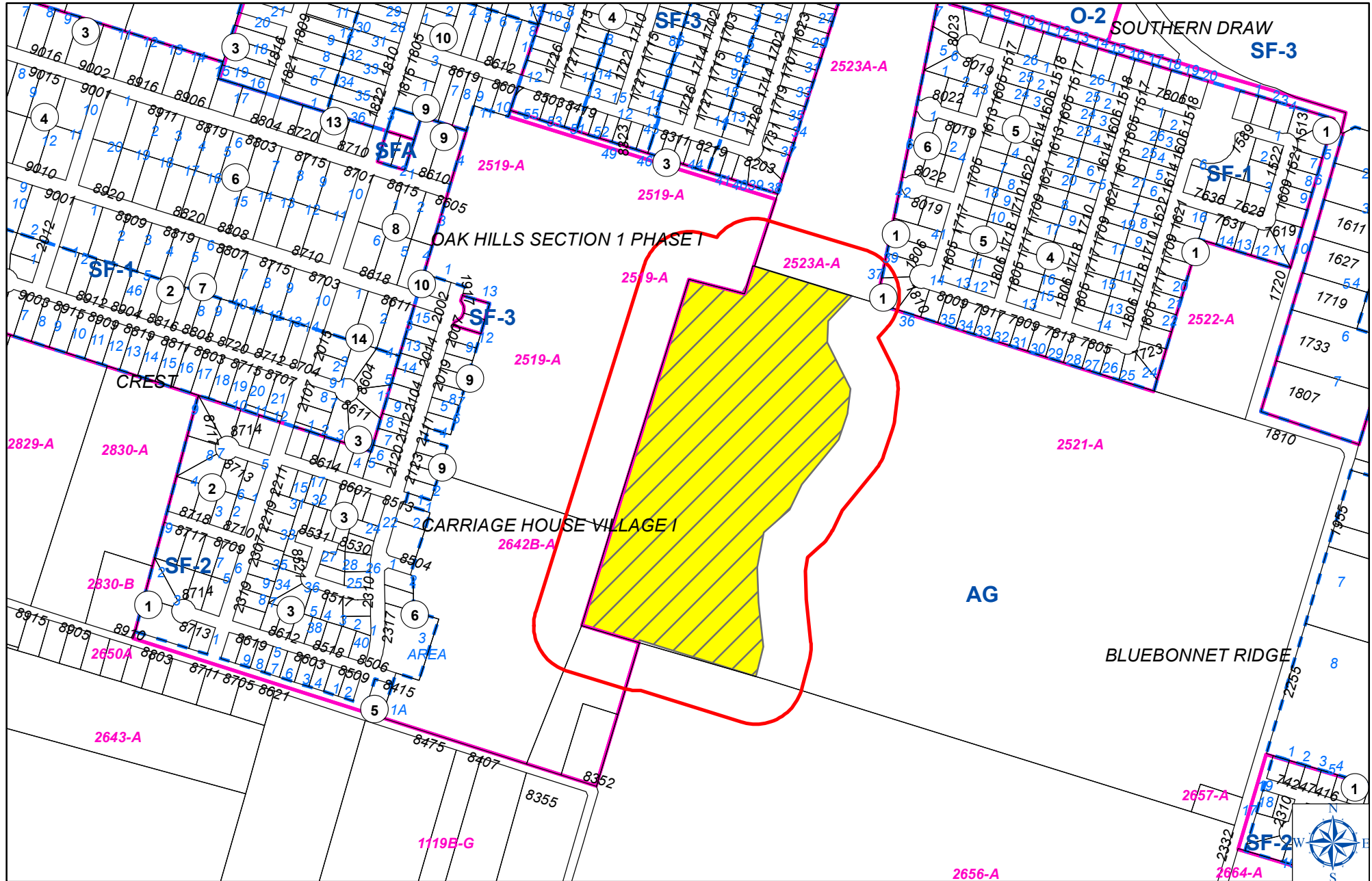




Z-FY-13-32

Buffer Notification

NE of Poison Oak Rd.
& East of Carriage House Dr.



- Case
- Zoning
- 1234-A Outblock Number
- ① Block Number
- 200' Buffer
- Subdivision
- 1234 Address
- 1 Lot Number

0 200 400
Feet

8/12/2013
City of Temple GIS
mbaker

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**

WBW Land Investments LP
3000 Illinois Avenue, Suite 100
Killeen, Texas 76543

Zoning Application Number: Z-FY-13-32

Project Manager: Mark Baker

Location: Generally northeast of Poison Oak Road and east of Carriage House Drive

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

I recommend ☒ approval () denial of this request.

Comments:



Signature

Bruce Whitis

Print Name

Please mail or hand-deliver this comment form to the address shown below, no later than September 3, 2013

City of Temple
Planning Department
Room 102
Municipal Building
Temple, Texas 76501

RECEIVED

SEP 06 2013

City of Temple
Planning Department

Number of Notices Mailed: 5

Date Mailed: August 22, 2013

**EXCERPTS FROM THE
PLANNING & ZONING COMMISSION MEETING
TUESDAY, SEPTEMBER 3, 2013**

ACTION ITEMS

Item 2: Z-FY-13-32: Hold a public hearing to consider and recommend action on a zone change from Agricultural District (AG) to Single-Family Dwelling 2 District (SF-2) on 25.83 ± acres, being part of the Baldwin Robertson Survey, Abstract 17, Bell County, Texas, generally located northeast of Poison Oak Road and east of Carriage House Drive. (Applicant: Jason Carothers)

Mr. Mark Baker, Planner, stated this item would go to City Council for first reading on October 3rd and a second reading for October 17, 2013.

The Future Land Use and Character Map designate this property as Suburban-Residential. There is an eight-inch water line and a six-inch sewer line available in Carriage House Drive and a 24-inch sewer line available on the eastern side of the property.

The zone change is needed for a multi-phase subdivision plat, approximately 60.30 ± acres and 194 lots. The zone change portion consists of approximately 25.83 ± acres of those 60 acres. The preliminary plat cannot proceed until after the second City Council reading of the zone change which is October 17th, based on the current timeline, the plat, if ready, could be before the P&Z Commission as early as October 21st meeting.

Surrounding properties consist of undeveloped land and scattered single family residences to the south and east, undeveloped land and Oaks at Westwood and Southern Draw Subdivisions to the north, and Carriage House Villages Subdivision to the west.

The property is identified as Suburban-Residential district primarily for mid-sized single-family lots. The SF-2 zoning requires a minimum of 5,000 square feet per lot and is the third largest single family lot sized designation. The SF-2 zoning does comply with the Future Land Use and Character Map.

Single Family-Two (SF-2) allowed and prohibited uses are cited.

A comparison of the Development Regulations is shown for Agricultural (AG) and SF-2.

Sidewalks are required along collector streets per Unified Development Code (UDC) Section 8.2.3. Oak Hills Drive and Carriage House Drive are functioning and being designed to meet collector standards.

Five notices were mailed out and zero were returned in favor or opposition.

Staff recommends approval of the request for a zone change from “AG” to “SF-2” for the following reasons:

1. The proposed zoning is consistent with the Future Land Use Map which identifies this area as Suburban Residential;

2. The request complies with the Thoroughfare Plan;
3. The proposed zoning is compatible with the surrounding uses; and
4. Public facilities are available to serve the subject property.

Chair Sears opened the public hearing.

There being no speakers, the public hearing was closed.

Commissioner Staats made a motion to approve Item 2, Z-FY-13-32, and Commissioner Jones made a second.

Motion passed: (5:0)

Commissioner Rhoads absent

ORDINANCE NO. _____

[PLANNING NO. Z-FY-13-32]

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING A REZONING FROM AGRICULTURAL DISTRICT (AG) TO SINGLE FAMILY DWELLING 2 DISTRICT (SF-2) ON APPROXIMATELY 25.83 ACRES OUT OF THE BALDWIN ROBERTSON SURVEY, ABSTRACT 17, LOCATED NORTHEAST OF POISON OAK ROAD AND EAST OF CARRIAGE HOUSE DRIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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

Part 1: The City Council approves a rezoning from Agricultural District (AG) to Single Family Dwelling 2 District (SF-2) on approximately 25.83 acres out of the Baldwin Robertson Survey, Abstract No. 17, Bell County, Texas, located northeast of Poison Oak Road and east of Carriage House Drive, 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 3rd day of **October**, 2013.

PASSED AND APPROVED on Second Reading on the **17th** day of **October**, 2013.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

APPROVED AS TO FORM:

ATTEST:

Lacy Borgeson
City Secretary

Jonathan Graham
City Attorney



CITY COUNCIL ITEM MEMORANDUM

10/03/13
Item #6
Regular Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Kim Foutz, Assistant City Manager/Acting Planning Director

ITEM DESCRIPTION: FIRST READING – PUBLIC HEARING – A-FY-13-21: Consider adopting an ordinance authorizing abandonment and conveyance of a portion of Shallow Ford West Road, being a .514± acre tract of land out of the George Given Survey, Abstract No. 345, Bell County, Texas and as described in the plat approved by City Council on April 5, 2012, resolution #2012-6594-R; located south of Midway Drive, near the southeast corner of South General Bruce Drive and Midway Drive.

STAFF RECOMMENDATION: Conduct a public hearing and consider the ordinance as presented, on first reading, and schedule second reading and final consideration for October 17, 2013.

ITEM SUMMARY: The applicant, Garlyn Shelton, has submitted a request on behalf of GS Diamond S Holdings LP, to abandon a portion of Shallow Ford West Road, approximately a .514 acre tract for the development of a proposed car dealership.

The portion of Shallow Ford West Road being abandoned will be re-routed to a new location via an access and utility easement. The access and utility easement has already been recorded. A plat was approved by Council on April 5, 2012 that accomplishes this realignment. Please see the attached plat and site plan for the new alignment. Council granted the following exceptions to the city's development standards for the new section:

- Right-of-way width from 55' to 40'
- 25' wide paved section with 2' ribbon curb in lieu of the 36' requirement

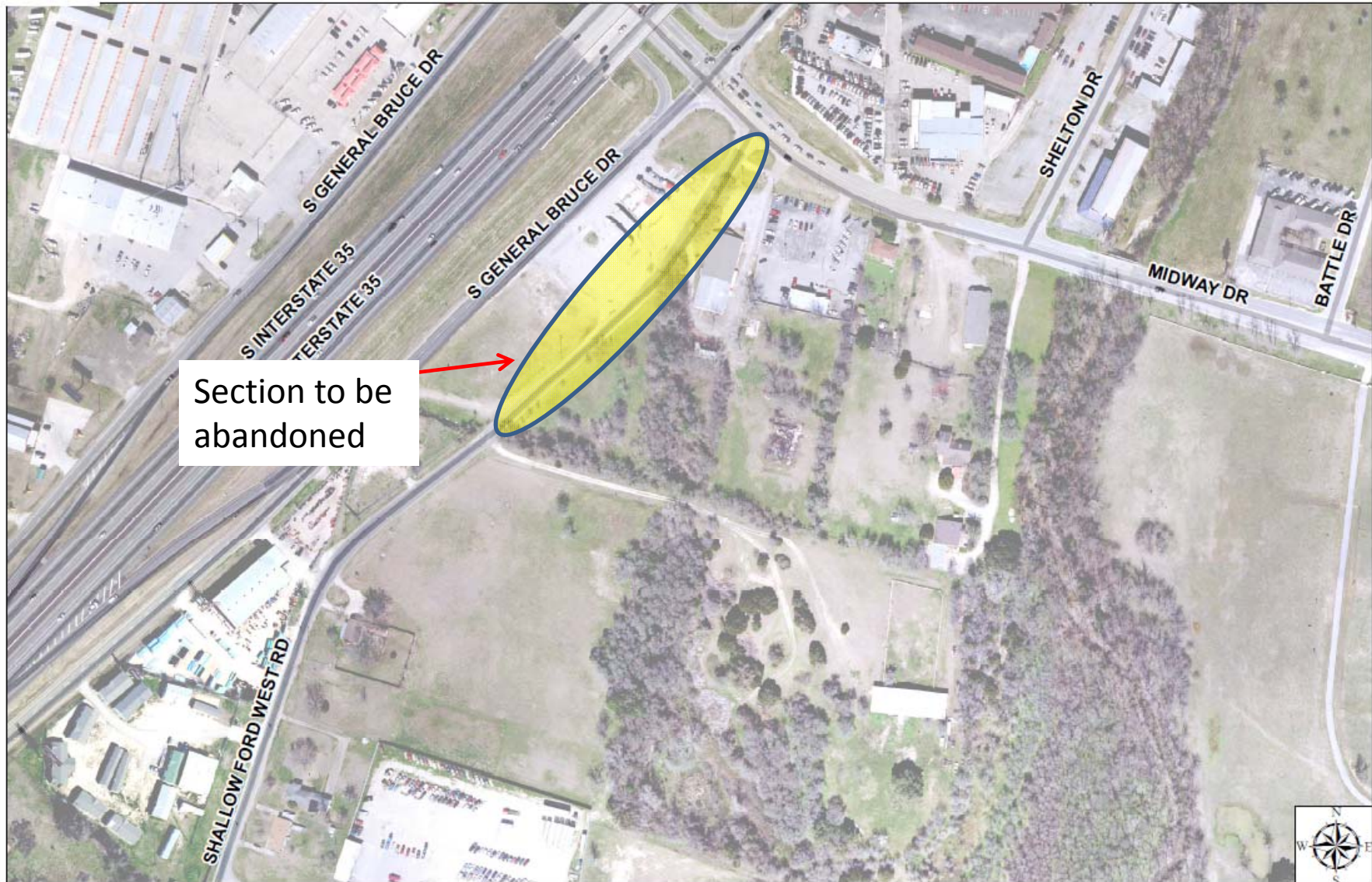
In addition, the easement has one 90 degree turn and another that is just larger than 90 degrees around the addition for connection from Shallow Ford West Road to Midway.

Public utility providers servicing the area have been notified; however responses have not yet been received. Staff will provide an update to City Council regarding outside utilities at Second Reading of the ordinance. City water and wastewater lines run parallel with and perpendicular to Shallow Ford West Road at Midway Drive. These utility easements have been retained in the ordinance authorizing abandonment. There are no other utility lines present in this section of Shallow Ford West Road. Property owner notifications were not necessary since the applicant owns the property on both sides of the right-of-way.

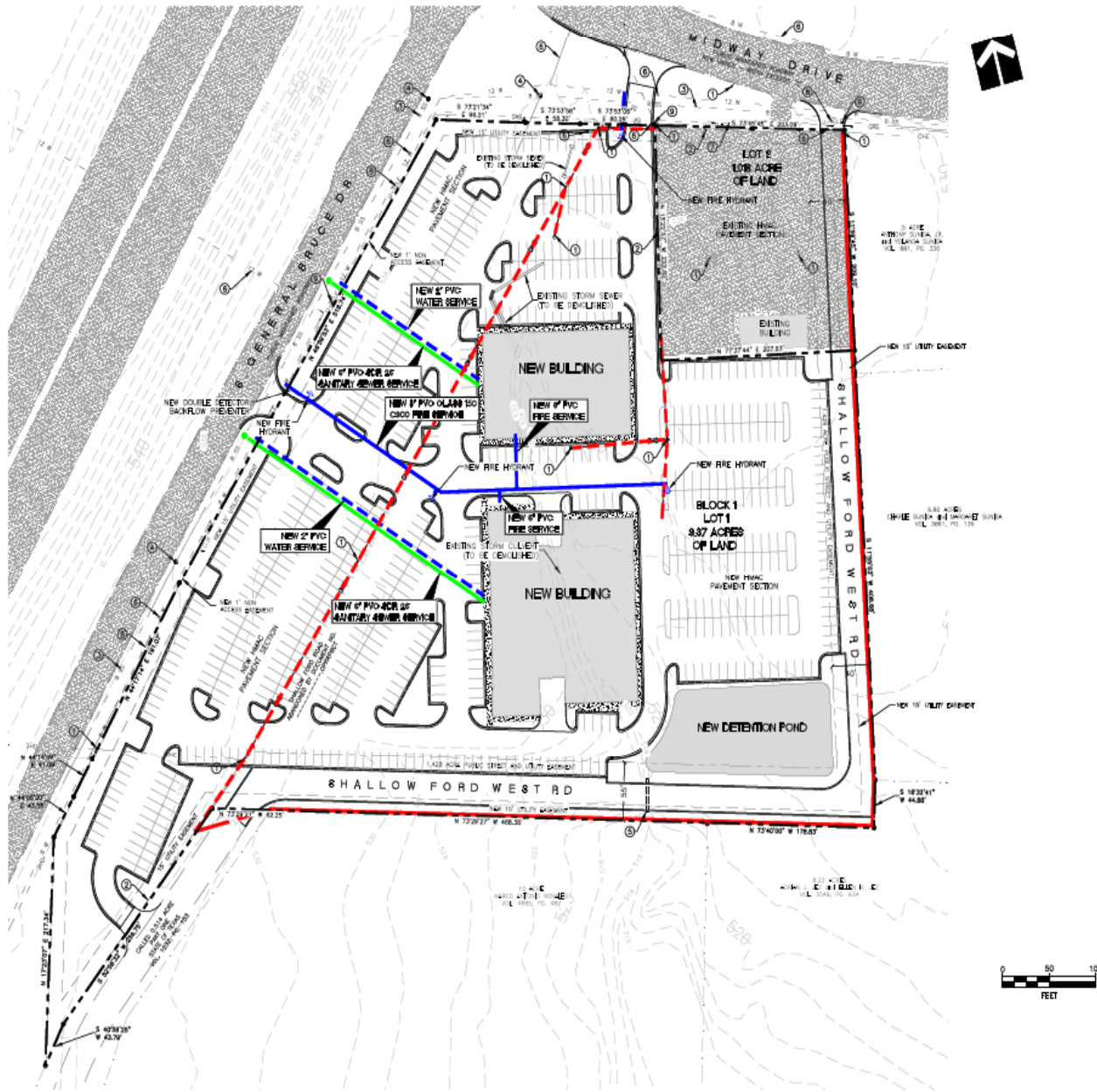
FISCAL IMPACT: If approved, the applicant will be allowed to purchase the abandoned roadway section at fair market value. A broker's opinion of value is currently underway. The applicant is the only owner eligible to purchase this portion of the right-of-way since the applicant owns both of the abutting properties.

ATTACHMENTS:

[Aerial Vicinity Map](#)
[Approved Final Plat](#)
[Site Plan](#)
[Ordinance](#)



SITE PLAN



LEGEND

- PROPOSED FIRE HYDRANT ASSEMBLY
- PROPOSED 8" PVC CLASS 150 CSO WATER MAIN
- PROPOSED 6" PVC FIRE SERVICE
- PROPOSED 2" PVC WATER SERVICE
- PROPOSED 4" DIA. ECCENTRIC MANHOLE
- PROPOSED 8" PVC SDR 25 SANITARY SEWER SERVICE
- EXISTING OVERHEAD ELECTRIC (TO BE RELOCATED)
- NEW ELECTRIC

KEYED NOTES

1. EXISTING POWER/LIGHT POLE
2. EXISTING OVERHEAD ELECTRIC
3. EXISTING SANITARY SEWER MAIN
4. EXISTING SANITARY SEWER MANHOLE
5. EXISTING STORM SEWER
6. EXISTING WATER MAIN/WATER
7. EXISTING GAS MAIN
8. EXISTING UNDERGROUND TELEPHONE
9. EXISTING TELEPHONE PEDIESTAL

GENERAL NOTES

1. STORM DRAINAGE SHALL BE DESIGNED IN ACCORDANCE WITH THE CITY OF TEMPLE'S DRAINAGE CRITERIA AND DESIGN MANUAL.
2. THIS COMMERCIAL SITE DEVELOPMENT IS NOT LOCATED WITHIN THE 100 YEAR FLOODPLAIN AS DETERMINED BY GRAPHIC DETERMINATION AND ACCORDING TO THE FLOOD INSURANCE RATE MAP #840203030E ISSUED SEPTEMBER 26, 2008.
3. PROPOSED SANITARY SEWER/STORM DRAINAGE LAYOUT IS PRELIMINARY AND SUBJECT TO CHANGE PRIOR TO FINAL CONSTRUCTION DRAWINGS.
4. FIRE PROTECTION FOR THE FINAL SITE LAYOUT SHALL BE IN ACCORDANCE WITH THE CITY OF TEMPLE FIRE CODE AND SHALL BE APPROVED THROUGH THE BUILDING PERMIT PROCESS.
5. UTILITIES WITHIN DEVELOPMENT SHALL BE PRIVATELY MAINTAINED.

Revisions

Date: _____ Remarks: _____

DRAWING STATUS

- ☒ THIS DRAWING IS THE FINAL DESIGN FOR THE PROJECT.
- ☐ THIS DRAWING IS A PRELIMINARY DESIGN FOR THE PROJECT.
- ☐ THIS DRAWING IS A CONCEPTUAL DESIGN FOR THE PROJECT.
- ☐ THIS DRAWING IS A CONCEPTUAL DESIGN FOR THE PROJECT.

DIAMOND S SUBDIVISION
WITHIN THE CITY OF TEMPLE, BELL COUNTY, TEXAS



CLARK & FULLER
CITY ENGINEERS & ARCHITECTS
2800 South Loop West, Suite 100, Temple, TX 76788
(817) 291-1111



Project No.: 101164-000
Date: 3-2-22
Drawn By: JEF
Check By: DOR

TOPOGRAPHY - UTILITY MAP

C1.1

ORDINANCE NO. _____

[A-FY-13-21]

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING ABANDONMENT AND CONVEYANCE OF A PORTION OF SHALLOW FORD WEST ROAD, BEING AN APPROXIMATELY .514 ACRE TRACT OF LAND OUT OF THE GEORGE GIVEN SURVEY, ABSTRACT NO. 345, BELL COUNTY, AND LOCATED SOUTH OF MIDWAY DRIVE, NEAR THE SOUTHEAST CORNER OF SOUTH GENERAL BRUCE DRIVE AND MIDWAY DRIVE; DECLARING FINDINGS OF FACT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City has a request to abandon a portion of Shallow Ford West Road, being an approximately .514 acre tract of land out of the George Given Survey, Abstract No. 345, Bell County, Texas and described in the plat approved by City Council on April 5, 2013 (Resolution No. 2012-6594-R), and located south of Midway Drive, near the southeast corner of South General Bruce Drive and Midway Drive;

Whereas, the applicant, G S Diamond S Holdings, LP, has submitted a request to abandon a portion of Shallow Ford West Road, an approximately .514 acre tract of land for the development of a proposed car dealership;

Whereas, City water and wastewater lines run parallel with and perpendicular to Shallow Ford West Road at Midway Drive and these utility easements have been retained in this ordinance authorizing abandonment - there are no other utility lines present in this section of Shallow Ford West Road; and

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

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

Part 1: The City Council abandons a portion of Shallow Ford West Road, being an approximately .514 acre tract of land out of the George Given Survey, Abstract No. 345, Bell County, Texas and described in the plat approved by City Council on April 5, 2013 (Resolution No. 2012-6594-R), and located south of Midway Drive, near the southeast corner of South General Bruce Drive and Midway Drive, more fully described in Exhibit A, attached hereto and incorporated herein for all purposes.

Part 2: The City Council reserves a public utility easement in the entire abandoned roadway to protect existing public utility lines.

Part 3: The City Council authorizes the Mayor of the City of Temple, Texas, to execute a Deed Without Warranty conveying the rights and interests of the City of Temple, Texas, to the abutting property owner, which when done, shall be and become a binding act and deed of the City of Temple.

Part 4: If any provision of this ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

Part 5: 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 **3rd** day of **October**, 2013.

PASSED AND APPROVED on Second Reading the **17th** day of **October**, 2013.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

ATTEST:

Lacy Borgeson
City Secretary

Jonathan Graham
City Attorney

STATE OF TEXAS §

COUNTY OF BELL §

This instrument was acknowledged before me on the ____ day of _____, 2013, by, Daniel A. Dunn, Mayor of the City of Temple, Texas.

Notary Public, State of Texas



COUNCIL AGENDA ITEM MEMORANDUM

10/03/13
Item #7
Regular Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Jonathan Graham, City Attorney

ITEM DESCRIPTION: FIRST READING – PUBLIC HEARING: Consider adopting an Ordinance authorizing a negotiated settlement between Atmos Cities Steering Committee and Atmos Energy Corp., Mid-Tex Division regarding the Company's 2013 Annual Rate Review Mechanism filing in all Cities exercising original jurisdiction.

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 17, 2013.

ITEM SUMMARY: The City of Temple is a gas utility customer of Atmos Energy Corporation, Mid-Tex Division and a regulatory authority with an interest in the rates and changes of Atmos Mid-Tex. The City is a member of the Atmos Cities Steering Committee (ACSC), a coalition of approximately 164 similarly situated cities served by Atmos Mid-Tex that have joined together to facilitate the review of and response to natural gas issues affecting rates charged in the Atmos Mid-Tex service area.

Pursuant to the terms of the agreement settling the Company's 2007 Statement of Intent to increase rates, ACSC Cities and the Company worked collaboratively to develop a Rate Review Mechanism ("RRM") tariff that allows for an expedited rate review process controlled in a three-year experiment by ACSC Cities as a substitute to the current Gas Reliability Infrastructure Program ("GRIP") process instituted by the Legislature. The City took action in 2008 to approve a Settlement Agreement with Atmos Mid-Tex resolving the Company's 2007 rate case and authorizing the RRM tariff and in 2013 ACSC and the Company negotiated a renewal of the RRM tariff process for an additional five years.

The RRM renewal tariff contemplates reimbursement of ACSC Cities' reasonable expenses associated with RRM applications. On or about July 15, 2013, the Company filed with the City its first annual RRM filing under the renewed RRM tariff, requesting to increase natural gas base rates by \$22.7 million. ACSC coordinated its review of Atmos Mid-Tex's RRM filing through its Executive Committee, assisted by ACSC attorneys and consultants, to resolve issues identified by ACSC in the Company's RRM filing.

The ACSC Executive Committee, as well as ACSC's counsel and consultants, recommend that ACSC Cities approve the attached rate tariffs ("Attachment A" to this Ordinance), which will increase the Company's revenues by \$16.6 million.

FISCAL IMPACT: N/A

ATTACHMENTS:
[Ordinance](#)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING AND ADOPTING A NEGOTIATED SETTLEMENT BETWEEN ATMOS CITIES STEERING COMMITTEE AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY'S 2013 ANNUAL RATE REVIEW MECHANISM FILING IN ALL CITIES EXERCISING ORIGINAL JURISDICTION; ADOPTING A SAVINGS CLAUSE; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; DECLARING AN EFFECTIVE DATE.

Whereas, the City of Temple, Texas ("City") is a gas utility customer of Atmos Energy Corp., Mid-Tex Division ("Atmos Mid-Tex" or "the Company"), and a regulatory authority with an interest in the rates and charges of Atmos Mid-Tex;

Whereas, the City is a member of the Atmos Cities Steering Committee ("ACSC"), a coalition of approximately 164 similarly situated cities served by Atmos Mid-Tex that have joined together to facilitate the review of and response to natural gas issues affecting rates charged in the Atmos Mid-Tex service area;

Whereas, pursuant to the terms of the agreement settling the Company's 2007 Statement of Intent to increase rates, ACSC Cities and the Company worked collaboratively to develop a Rate Review Mechanism ("RRM") tariff that allows for an expedited rate review process controlled in a three-year experiment by ACSC Cities as a substitute to the current Gas Reliability Infrastructure Program ("GRIP") process instituted by the Legislature. The City took action in 2008 to approve a Settlement Agreement with Atmos Mid-Tex resolving the Company's 2007 rate case and authorizing the RRM tariff and in 2013 ACSC and the Company negotiated a renewal of the RRM tariff process for an additional five years

Whereas, the RRM renewal tariff contemplates reimbursement of ACSC Cities' reasonable expenses associated with RRM applications. On or about July 15, 2013, the Company filed with the City its first annual RRM filing under the renewed RRM tariff, requesting to increase natural gas base rates by \$22.7 million. ACSC coordinated its review of Atmos Mid-Tex's RRM filing through its Executive Committee, assisted by ACSC attorneys and consultants, to resolve issues identified by ACSC in the Company's RRM filing;

Whereas, the ACSC Executive Committee, as well as ACSC's counsel and consultants, recommend that ACSC Cities approve the attached rate tariffs ("Attachment A" to this Ordinance), which will increase the Company's revenues by \$16.6 million; and

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

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

Part 1: That the findings set forth in this Ordinance are hereby in all things approved.

Part 2: That the City Council finds the existing rates for natural gas service provided by Atmos Mid-Tex are unreasonable and new tariffs which are attached hereto and incorporated herein as Attachment A, are just and reasonable and are hereby adopted.

Part 3: That Atmos Mid-Tex shall reimburse the reasonable ratemaking expenses of the ACSC Cities in processing the Company's RRM application.

Part 4: That to the extent any resolution or ordinance previously adopted by the Council is inconsistent with this Ordinance, it is hereby repealed.

Part 5: That the meeting at which this Ordinance was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

Part 6: That if any one or more sections or clauses of this Ordinance is adjudged to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance and the remaining provisions of the Ordinance shall be interpreted as if the offending section or clause never existed.

Part 7: That if ACSC determines any rates, revenues, terms and conditions, or benefits resulting from a Final Order or subsequent negotiated settlement approved in any proceeding addressing the issues raised in Atmos' 2013 RRM filing would be more beneficial to the ACSC Cities than the terms of the attached tariffs, then the more favorable rates, revenues, terms and conditions, or benefits shall additionally and automatically accrue to the ACSC Cities, including the City, without the need for City to take any further action. If this automatic adjustment occurs, Atmos Mid-Tex shall promptly thereafter file with the City an amended tariff documenting the adjustment to rates.

Part 8: That this Ordinance shall become effective from and after its passage with rates authorized by attached tariffs to be effective for bills rendered on or after November 1, 2013.

Part 9: That a copy of this Ordinance shall be sent to Atmos Mid-Tex, care of Chris Felan, Manager of Rates and Regulatory Affairs, at Atmos Energy Corporation, 5420 LBJ Freeway, Suite 1862, Dallas, Texas 75240, and to Geoffrey Gay, General Counsel to ACSC, at Lloyd Gosselink Rochelle & Townsend, P.C., P.O. Box 1725, Austin, Texas 78767-1725.

Part 10: 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 **3rd** day of **October**, 2013.

PASSED AND APPROVED on First Reading and Public Hearing on the **17th** day of **October**, 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

10/03/13
Item #8
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 setting out the civil service classifications and setting the number of positions in each classification in the Temple 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 17, 2013.

ITEM SUMMARY: Chapter 143 of the Local Government Code requires that the Council establish, by ordinance, the number of positions in each classification in the Temple Fire Department and the Temple Police Department.

At the July 11, 2013 meeting, Council approved an Interlocal Agreement with the Belton Independent School District (BISD) to add one (1) School Resource Officer (SRO) to the Temple Police Department. FY 2014 budget includes staffing an additional two (2) Police Officers. To accommodate this change, Council must authorize three (3) additional Police Officer positions be added to the ordinance.

FISCAL IMPACT: The FY 2014 Adopted Budget includes funding in the amount of \$114,020 for the two Police Officers. BISD agreed to provide a 70% reimbursement [\$47,313] for the SRO. The FY 2014 Adopted Budget included the reimbursement revenue in the amount of \$47,313, but did not include the additional expense or position for the BISD SRO. A budget adjustment will be presented with the second reading of the ordinance to fund 100% of personnel expenses associated with the BISD Officer.

ATTACHMENTS:

[Ordinance](#)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, SETTING THE NUMBER OF POSITIONS IN EACH CIVIL SERVICE CLASSIFICATION FOR THE TEMPLE POLICE DEPARTMENT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, Chapter 143 of the Local Government Code requires that the City Council establish, by ordinance, the number of positions in each classification for the Temple Police Department;

Whereas, at the July 11, 2013 meeting, Council approved an interlocal agreement with the Belton Independent School District (BISD) to add one (1) School Resource Officer to the Temple Police Department and the fiscal year 2014 budget includes staffing two (2) additional Police Officers;

Whereas, to accommodate these additions, Council must authorize three (3) additional Police Officer positions be added to this ordinance;

Whereas, funding has been appropriated in the FY13-14 budget for two of the three Police Officers – BISD will provide 70% reimbursement (\$47,313) for the School Resource Officer; 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: The City Council authorizes the staffing of three (3) additional police officers to enhance the Temple Police Department.

Part 2: To accommodate these changes, Council authorizes three (3) additional police officer positions be added to the Ordinance, as outlined in the FY13-14 budget. Council establishes the following Classifications and the Number of Positions of Certified Police Officers for civil service positions in the Police Department:

CLASSIFICATIONS AND POSITIONS OF CERTIFIED POLICE OFFICERS

I. UNCLASSIFIED POSITIONS

A. *POLICE CHIEF* – 1 Position

The Police Chief is appointed by the City Manager. No person shall be eligible for appointment as the Chief of the Police Department who is not eligible for certification by the Commission on Law Enforcement Standards and Education at the intermediate level or its equivalent as determined by that Commission or who has not served as a bona fide law enforcement officer for at least 5 years.

B. *DEPUTY CHIEF* – 2 Positions

No person shall be eligible for appointment as a Deputy Chief who has not served as a Lieutenant or continuously served for a minimum of 2 years as a Sergeant in the Department.

II. CLASSIFIED POSITIONS

A. *LIEUTENANT* – 5 Positions

No person shall be eligible for appointment as a Lieutenant who has not served continuously as a Sergeant in the Department for at least 2 years. In addition to base pay, every Lieutenant having more than 5, 8, 12, 16 or 20 years of service in the Department shall receive the amount shown on the attached compensation plan for such increments of seniority.

B. *SERGEANT* – 16 Positions

No person shall be eligible for appointment as a Sergeant who has not served continuously as a Corporal in the Department for at least 2 years. In addition to base pay, every Sergeant having more than 3, 6, 10, 15 or 20 years of service in the Department shall receive the amount shown on the attached compensation plan for such increments of seniority.

C. *CORPORAL* – 16 Positions

No person shall be eligible for appointment as a Corporal who has not served continuously as a Police Officer in the Department for at least 2 years. In addition to base pay, every Corporal having more than 3, 6, 10, 15 or 20 years of

service in the Department shall receive the amount shown on the attached compensation plan for such increments of seniority.

D. *POLICE OFFICER* – 98 Positions

No person shall be eligible for appointment as a Probationary Police Officer who has not met the basic requirements for entrance into the Department. No person shall be eligible for a permanent appointment as a Police Officer who has not completed 1 year of satisfactory performance in the Department. In addition to base pay, every Police Officer who has 1, 3, 6, 10, 15 or 20 years of service in the Department shall receive the amount shown on the attached compensation pan for such increments of seniority.

Part 3: 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 4: This ordinance shall take effect October 17, 2013.

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 **3rd** day of **October, 2013.**

PASSED AND APPROVED on Second Reading on the **17th** day of **October, 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

10/03/13
Item #9
Regular Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Lacy Borgeson, City Secretary

ITEM DESCRIPTION: Consider adopting a resolution:

- (A) Designating the Chair of the Tax Increment Financing Reinvestment Zone No. 1 Board of Directors to fill an unexpired term through December 31, 2013; and
- (B) Appointing eight members to the Reinvestment Zone No. 1 Board of Directors to fill expiring terms through September 1, 2015.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: (A) Chapter 311 of the Tax Code, Tax Increment Financing Act, specifies that each year the governing body of the municipality shall appoint one member of the board to serve as chairman for a term of one year that begins on January 1 of the following year. The board of directors may elect a vice-chairman to preside in the absence of the chair.

Bob Browder is currently serving as Chair of the TIF RZ No. 1 Board of Directors. Mr. Browder will need to resign as Chair of the Tax Increment Financing Reinvestment Zone No. 1 Board of Directors due to his appointment as Chair of the Temple Economic Development Corporation which is effective October 1, 2013. Please see the attached board member list.

We recommend the Council designate one member of the board to serve as Chair to fill the unexpired term through December 31, 2013.

(B) The City Council adopted a resolution in June, 2003, establishing policies governing the appointment and training of citizens to City boards.

FISCAL IMPACT: N/A

ATTACHMENTS:

Resolution