



**MEETING OF THE
TEMPLE CITY COUNCIL**

MUNICIPAL BUILDING

2 NORTH MAIN STREET

3rd FLOOR – CONFERENCE ROOM

THURSDAY, OCTOBER 17, 2013

4:00 P.M.

WORKSHOP AGENDA

1. Discuss, as may be needed, Regular Meeting agenda items for the meeting posted for Thursday, October 17, 2013.
2. Receive part two of 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) [Czech Heritage Month – October 2013](#)
(B) [Make a Difference Day – October 25, 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) [October 3, 2013 Special Called and Regular Meeting](#)

Contracts, Leases, & Bids

- (B) [2013-7130-R](#): Consider adopting a resolution authorizing a construction contract with Majestic Services, Inc of Austin for a renovation of the Fleet Services building in the amount of \$150,000.
- (C) [2013-7131-R](#): Consider adopting a resolution authorizing a contract with Atmos Pipeline Texas Division of Atmos Energy for transmission/distribution fees of natural gas to the compressed natural gas fueling station at a rate of \$1.29 per MMBtu.
- (D) [2013-7132-R](#): Consider adopting a resolution authorizing the following with respect to the procurement of natural gas for the compressed natural gas fueling station:
 - 1. A memorandum of agreement with Choice! Energy Services of Houston for consulting services related to the procurement of natural gas and ongoing energy consulting services at a cost of \$.15 per MMBtu; and
 - 2. The City Manager and the Director of Finance to act on behalf of the City to review pricing offers submitted for the supply of natural gas, and if in the best interest of the City, enter into a contract with the lowest responsible bidder for a period of 12 to 59 months beginning for the commodity costs of natural gas used at the CNG fueling station.
- (E) [2013-7133-R](#): Consider adopting a resolution authorizing an annual maintenance and warranty agreement with ZeitEnergy, LLC of Dallas for maintaining and servicing the CNG fueling station in the amount of \$3,000 per month.
- (F) [2013-7134-R](#): Consider adopting a resolution authorizing an amendment to the agreement with Bechtel Corporation to provide off-duty police officers for security and patrol work.
- (G) [2013-7135-R](#): Consider adopting a resolution authorizing a professional services agreement with Kasberg, Patrick & Associates, LP for professional services required to design an extension of South 23rd Street in an amount not to exceed \$39,830.

Ordinances – Second & Final Reading

- (H) [2013-4614](#): SECOND READING - 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.
- (I) [2013-4615](#): SECOND READING – 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.

- (J) [2013-4616](#): SECOND READING: 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.
- (K) [2013-4617](#): SECOND READING: Consider adopting an ordinance setting out the civil service classifications and setting the number of positions in each classification in the Temple Police Department.

Misc.

- (L) [2013-7136-R](#): Consider adopting a resolution authorizing budget amendments for fiscal year 2013-2014.

V. REGULAR AGENDA

ORDINANCES

5. [2013-4618](#): FIRST READING - PUBLIC HEARING - Z-FY-13-31: Consider adopting an ordinance authorizing an amendment to Ordinance 2008-4230, the Choices '08, City of Temple Comprehensive Plan, Chapter 5, to amend the Thoroughfare Plan Map.

RESOLUTIONS

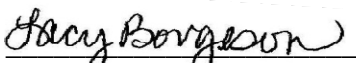
6. [2013-7137-R](#): Consider adopting a resolution authorizing the East Temple Redevelopment Plan.

BOARD APPOINTMENTS

7. [2013-7138-R](#): Consider adopting a resolution appointing one member to the Reinvestment Zone No. 1 Board of Directors to fill an expiring term 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 2:15 PM, on October 11, 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

10/17/13
Item #3(A-B)
Regular Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Daniel A. Dunn, Mayor

ITEM DESCRIPTION: Presentation of Proclamation.

- (A) Czech Heritage Month – October 2013
- (B) Make a Difference Day – October 25, 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 SPJST.

(B) This proclamation was requested by, and will be received by Tanya Gray, the Executive Director of Keep Temple Beautiful.

FISCAL IMPACT: None

ATTACHMENTS: None



COUNCIL AGENDA ITEM MEMORANDUM

10/17/13
Item #4(A)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Lacy Borgeson, City Secretary

ITEM DESCRIPTION: Approve Minutes:

(A) October 3, 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:

[October 3, 2013 Special Called and Regular Meeting](#)

TEMPLE CITY COUNCIL

OCTOBER 3, 2013

The City Council of the City of Temple, Texas conducted a Special Meeting on Thursday, October 3, 2013, at 4:00 PM, at the Municipal Building, 2 North Main Street, in the 3rd Floor Conference Room.

Present:

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

1. Discuss, as may be needed, Regular Meeting agenda items for the meeting posted for Thursday, October 3, 2013.

Councilmember Schneider stated he'd like to discuss item 9 related to Board Appointments. The Council discussed this item and recommendations will be made at the Regular Session of the Meeting.

Jonathan Graham, City Attorney reviewed item 7 related to settlement between Atmos Cities Steering Committee and Atmos Energy Corp.

Mayor Pro Tem Morales asked what this means for the residential customers.

Mr. Graham stated it is about a 74-cent monthly increase.

2. Receive briefing on NW Loop project.

Mr. Bill Hick, Lochner gave Council a project overview. He noted the NW Loop 363 Project was awarded in June 2012 to James Construction Group, LLC in the amount of \$39,883,619. Work began October 2, 2012; and is currently 34.3% complete as of August 31, 2013, and has been invoiced \$13,688,149. Mr. Hick noted the utility adjustments. City water / wastewater is complete along with Atoms, AT&T; Centrovision; Oncor Delivery; TWC; and Windstream. Mr. Hicks provided several photos of different areas of the project.

Mr. Hick also reviewed the payment structure. TxDOT reimburses \$20 million (which is up front); and through the PTF, TxDOT will reimburse \$15 million at annual payments of \$752k - \$1.5m depending on traffic counts. This payback will span from 11 to 20 years. He also noted the upcoming events and activities related to the project such as grading, drainage;

intersections (Wendland/ Nugent open in November/ December); paving; bridges; and traffic switches to the new lane which is anticipated to occur in November/ December. He noted there will be public meetings in November prior to the switch. Mr. Hicks also noted that the Wilsonart parcel for right-of-way has not yet closed. He mentioned the audit process for this project.

3. Receive a City Council continuing education briefing on Water / Sewer Utilities.

Nicole Torralva, Director of Public Works provided Council with part of the Water/ Sewer Utilities presentation. She began by giving some history and background on how Temple came to have its own water utility. She spoke about the different components and each plant, along with water distribution. Ms. Torralva noted there are approximately 600 miles of transmission/ distribution lines throughout the system.

The City Council of the City of Temple, Texas conducted a Regular Meeting on Thursday, October 3, 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

Lonzo Wallace, Fire Chief, voiced the Invocation.

2. Pledge of Allegiance

Sue Hall, Chapter Historian, with Colonial Dames, led the Pledge of Allegiance.

II. PROCLAMATIONS & SPECIAL RECOGNITIONS

3. (A) National Colonial Heritage Month - October, 2013

Mayor Dunn presented this Proclamation to Sue Hall and Elizabeth Cagnon with Colonial Dames honoring October as National Heritage Month.

At this time, Mayor Dunn recognized Fire Chief, Lonzo Wallace for his

services. He stated Chief Wallace has been a great model to many.

Chief Wallace then introduced his family members.

III. PUBLIC COMMENTS

Mayor Dunn stated that no one had signed up to speak during this portion of the meeting.

IV. CONSENT AGENDA

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

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

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

(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.

(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.

(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.

Motion by Mayor Pro Tem Judy Morales adopt resolution approving Consent Agenda. seconded by Councilmember Perry Cloud.

Motion passed unanimously.

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.**

Kim Foutz, Assistant City Manager/ Acting Director of Planning, presented this case to Council. Ms. Foutz stated the applicant for this case is Jason Carothers. The City's Comprehensive Plan/ Future Land Use Plan identifies this property as Suburban Residential District. There is an 8" water line and 6" sewer line available on Carriage House Drive; and a 24" sewer line to the eastern side of the property. Ms. Foutz then noted the surrounding uses and zonings. She also reviewed both allowed and prohibited uses as well as the Development Regulations. There were five notices mailed out with one returned in favor and zero in opposition. It is Staff's recommendation to approve as proposed. Planning and Zoning Commission heard this case on September 3, 2013 and voted 5/0 to approve per staff's recommendation.

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

Motion by Councilmember Timothy Davis adopt Ordinance as presented, with second and final reading set for October 17, 2013. seconded by Councilmember Perry Cloud.

Motion passed unanimously.

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.**

Kim Foutz, Assistant City Manager / Acting Planning Director, presented this case to Council. Ms. Foutz noted the applicant is Garlyn Shelton on behalf of GS Diamond S Holdings, LP. The applicant is requesting a portion of Shallow Ford West (.514 acre tract) be abandoned for the development of a car dealership. The portion of Shallow Ford West Road will be re-routed to a new location via an access and utility easement; of which has already been recorded. A plat was approved by Council on April 5, 2012 that accomplishes this realignment. Ms. Foutz stated the public utilities providers servicing the area have been notified; no responses have yet been received. The City water and wastewater lines run parallel with and perpendicular to Shallow Ford West Road at Midway Drive. These utility easement have been retained in the ordinance authorizing abandonment. Ms. Foutz noted there are no other utility lines present in this section of Shallow Ford West Road. Property owner notices were not necessary since the applicant owns the property on both sides of the right-of-way. 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. It is Staff's recommendation to approve the ordinance as presented.

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

Motion by Councilmember Perry Cloud adopt Ordinance as presented, with second and final reading set for October 17, 2013. seconded by Mayor Pro Tem Judy Morales.

Motion passed unanimously.

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.

Jonathan Graham, City Attorney, presented this item to Council. Mr. Graham stated the City is a customer of Atmos Energy; this is a rate mechanism to review and establish tariffs. Mr. Graham stated there will be a 74-cent monthly increase for residential.

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 17, 2013. seconded by Councilmember Perry Cloud.

Motion passed unanimously.

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.

Denny Hainley, Benefits Specialist / Acting Civil Service Director, presented this item to Council. Ms. Hainley explained this is set out in 143 of the Local Government Code. All of these positions were budgeted for in the FY14 Budget.

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

Motion by Councilmember Timothy Davis adopt Ordinance as presented, with second and final reading set for October 17, 2013. seconded by Mayor Pro Tem Judy Morales.

Motion passed unanimously.

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

It was recommended that Steve Wright be designated as Chair.

(B) Appointing eight members to the Reinvestment Zone No. 1 Board of Directors to fill expiring terms through September 1, 2015.

It was recommended to reappoint Larry Neal, Bob Browder, Wendell Williams, Steve Wright, Thomas Baird, Commissioner Bill Schumann, and Edward Coufal to fill expiring terms through September 2015; and to appoint Tyler Johnson to fill an expired term through September 2015.

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

Motion passed unanimously.

Daniel A. Dunn, Mayor

ATTEST:

Lacy Borgeson
City Secretary



COUNCIL AGENDA ITEM MEMORANDUM

10/17/13
Item #4(B)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Brynn Myers, Director of Administrative Services
Ashley Williams, Sustainability and Grant Manager

ITEM DESCRIPTION: Consider adopting a resolution authorizing a construction contract with Majestic Services, Inc of Austin for a renovation of the Fleet Services building in the amount of \$150,000.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: In an effort to properly service the 450 plus City-owned vehicles and equipment maintained by Fleet Services, the renovation of an exterior storage bay to a usable service bay is needed. Staff is recommending enclosing the existing 2,300 sf covered and fenced storage area on the north end of the facility located at 3210 E. Avenue H for use as an additional service bay. Construction will involve the replication of the existing cast-in-place tilt-up concrete walls, so the façade of the new area will match the existing fleet building.

As shown on the attached bid tabulation, on October 3, 2013, two (2) bids were received for the project designed by Architectural Edge, Inc. Since the City nor Architectural Edge have any experience in working with the low bidder, Majestic Services, Inc., references were checked by Architectural Edge and the feedback received indicates that they will be a responsible contractor.

This project is the first phase of a two-phase project to update the Fleet Services building. Phase two will address mechanical and electrical upgrades required to service Natural Gas vehicles, as well as more renovations to the building for the purpose of improving operations. Staff will be presenting phase two to Council within the coming months.

FISCAL IMPACT: Funding in the amount of \$640,000 was allocated to account 361-2400-519-6807, project 100999 for CNG improvements for Fleet Services. Currently, \$604,120 is available to fund the construction costs needed to enclose the service bay in the amount of \$150,000.

ATTACHMENTS:

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

Tabulation of Bids Received
on October 3, 2013 at 2:00 p.m.
City of Temple Fleet Services Addition

	Bidders	
	Vanguard Contractors LP Temple, TX	Majestic Services Inc. Austin, TX
Description		
Total Base Bid	\$204,000.00	\$150,000.00
Unit Price for Pier Depth/LF (additional depth/reduced depth)	\$35.00/\$5.00	\$35.00/\$5.00
Acknowledge Addendum	Yes	Yes
Bid Bond	5%	5%
Bond Requirement Affidavit	Yes	Yes
Credit Check Authorization	Yes	Yes

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONSTRUCTION CONTRACT WITH MAJESTIC SERVICES, INC. OF AUSTIN, TEXAS FOR RENOVATIONS OF THE FLEET SERVICES BUILDING, IN THE AMOUNT OF \$150,000; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, in an effort to properly service the 450 plus City-owned vehicles and equipment maintained by Fleet Services, the renovation of an exterior storage bay to a usable service bay is needed;

Whereas, staff recommends enclosing an existing 2,300 square feet of covered and fenced storage area on the north end of the facility, located at 3210 East Avenue H, for use as an additional service bay – construction will involve the replication of the existing case-in-place tilt-up concrete walls, so the façade of the new area will match the existing fleet building;

Whereas, this project is the first phase of a two-phase project to update the Fleet Services building – phase two will address mechanical and electrical upgrades required to service Natural Gas vehicles, as well as more renovations to the building for the purpose of improving operations;

Whereas, funds are available for these renovations in Account No. 361-2400-519-6807, Project 100999; 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 Majestic Services, Inc. of Austin, Texas, after approval as to form by the City Attorney, for renovation at the Fleet Services building, in the amount of \$150,000.

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 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

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

Brynn Myers, Director of Administrative Services
Ashley Williams, Sustainability and Grant Manager

ITEM DESCRIPTION: Consider adopting a resolution authorizing a contract with Atmos Pipeline Texas Division of Atmos Energy for transmission/distribution fees of natural gas to the compressed natural gas fueling station at a rate of \$1.29 per MMBtu.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: On May 16, 2013 Council adopted a resolution approving the construction of a CNG fueling station. Natural gas will be provided from an existing Atmos Distribution line near the station at a rate of \$1.29 per MMBtu. The cost will be approximately \$0.18 per gallon of fuel.

Staff anticipates that approximately 11,000 MMBtu will be used by City fleet the first year of the station, which is expected to increase as more CNG vehicles are purchased. This does not include any public sales, which cost will be included in the cost to the public.

The proposed term of the contract with Atmos is for one (1) year and proceeding month to month thereafter.

FISCAL IMPACT: The transmission/distribution fees is considered part of the cost components that are factored into Solid Waste's FY 2014 fuel budget, account 110-2330-540-2115, account 110-2350-540-2115, account 110-2360-540-2115, and account 110-2370-540-2115.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONTRACT WITH ATMOS PIPELINE TEXAS DIVISION OF ATMOS ENERGY FOR TRANSMISSION/DISTRIBUTION FEES OF NATURAL GAS TO THE COMPRESSED NATURAL GAS (CNG) FUELING STATION AT A RATE OF \$1.29 PER MMBTU; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on May 16, 2013, Council adopted a resolution approving the construction of a compressed natural gas (CNG) fueling station;

Whereas, natural gas will be provided from an existing Atmos Distribution line near the station at a rate of \$1.29 MMBtu – the cost will be approximately \$0.18 per gallon of fuel;

Whereas, staff anticipates that approximately 11,000 MMBtu will be used by the City fleet over the first year of the station, which is expected to increase as more CNG vehicles are purchased – the proposed term of the contract with Atmos is for one (1) year and proceeding month to month thereafter;

Whereas, transmission/distribution fees are considered part of the cost components that are factored into Solid Waste's fiscal year 2014 fuel budget; and

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

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

Part 1: The City Council authorizes the City Manager, or his designee, to execute a contract with Atmos Pipeline Texas Division of Atmos Energy, after approval as to form by the City Attorney, for transmission/distribution fees of natural gas to the compressed natural gas (CNG) fueling station at a rate of \$1.29 per MMBtu for a term of one (1) year and proceeding month to month thereafter.

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 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

10/17/13
Item #4(D)
Consent Agenda
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DEPT./DIVISION SUBMISSION & REVIEW:

Brynn Myers, Director of Administrative Services
Ashley Williams, Sustainability and Grant Manager

ITEM DESCRIPTION: Consider adopting a resolution authorizing the following with respect to the procurement of natural gas for the compressed natural gas fueling station:

1. A memorandum of agreement with Choice! Energy Services of Houston for consulting services related to the procurement of natural gas and ongoing energy consulting services at a cost of \$.15 per MMBtu; and
2. The City Manager and the Director of Finance to act on behalf of the City to review pricing offers submitted for the supply of natural gas, and if in the best interest of the City, enter into a contract with the lowest responsible bidder for a period of 12 to 36 months for the commodity costs of natural gas used at the CNG fueling station.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: On May 16, 2013 Council adopted a resolution approving the construction of a CNG fueling station. Natural gas will be provided from an existing Atmos Distribution line near the station. A commodity charge is required as part of the utility service of receiving natural gas.

Staff desires to engage Choice! Energy Services of Houston to assist in the procurement of natural gas service to the CNG fueling station. Choice! Energy Services was established in 1994 and has experience in procuring natural gas specifically for CNG fueling stations. Choice! provides comprehensive risk assessment and long-term energy knowledge. Under this agreement Choice! Energy Services will complete the following:

1. Collect data, analyze and distribute to third party natural gas suppliers;
2. Review prices and contracts / negotiate contract terms and conditions;
3. Provide results of pricing effort and make recommendations to the City; and
4. Assist in contract execution and contract management.

Choice! Energy Services proposed fee is \$0.15 per MMBtu (approximately \$0.02 per gallon). This fee will be paid by the retail provider to Choice!.

With guidance from Choice!, with respect to timing of the bidding, staff is requesting that Council authorize the bidding process to secure pricing for the City. Bids will be requested for periods ranging from as low as 12 and up to 36 months; however, the consultant is anticipating that the City will achieve the best value with the initial contract being a 12-month variable rate contract until public demand for the CNG can be better defined. With a variable rate contract, there are two components to the rate: (1) the commodity rate, which will fluctuate monthly based on the market and (2) the overhead and profit rate, which will be a fixed component of the rate.

The pricing of this commodity is typically only valid for a few days after the bids close. Accordingly, it is necessary to obtain pre-authorization from Council to enter into a contract with a vendor. Based on the bidding results, staff is requesting that Council give the City Manager or the Director of Finance the flexibility to negotiate a price and term that is most advantageous to the City.

FISCAL IMPACT: Choice! Energy Services consulting fee will be paid by the contract retail provider directly to Choice!. Based on an annual natural gas usage of approximately 10,274 MMBtu (75,000 gallons), this calculates out to an annual embedded fee of approximately \$1,541.

The consulting fee and the commodity of natural gas are considered part of the cost components that are factored into Solid Waste's FY 2014 fuel budget, account 110-2330-540-2115, account 110-2350-540-2115, account 110-2360-540-2115, and account 110-2370-540-2115.

ATTACHMENTS:
[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A MEMORANDUM OF AGREEMENT WITH CHOICE! ENERGY SOLUTIONS OF HOUSTON, TEXAS FOR CONSULTING SERVICES RELATED TO THE PROCUREMENT OF NATURAL GAS AND ONGOING ENERGY CONSULTING SERVICES, AND AUTHORIZING THE CITY MANAGER AND THE DIRECTOR OF FINANCE TO ACT ON BEHALF OF THE CITY TO REVIEW PRICING OFFERS FOR THE SUPPLY OF NATURAL GAS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on May 16, 2013, Council adopted a resolution approving the construction of a compressed natural gas (CNG) fueling station – natural gas will be provided from an existing Atmos Distribution line near the station and a commodity charge is required as part of the utility service of receiving natural gas;

Whereas, to assist in the procurement of natural gas service to the CNG fueling station, staff has engaged Choice! Energy Solutions of Houston, Texas – Choice! Energy Solutions has experience in procuring natural gas specifically for CNG fueling stations;

Whereas, Choice! Energy Solutions has proposed a fee of \$0.15 per MMBtu (approximately \$0.02 per gallon) and this fee will be paid by the retail provider to Choice! Energy Solutions;

Whereas, bids will be requested for periods ranging from as low as 12 to 36 months and are typically only valid for a few days after bidding closes – staff is requesting that Council give the City Manager or the Director of Finance the flexibility to negotiate a price or term that is more advantageous to the City;

Whereas, the consulting fee and the commodity of natural gas are considered part of the cost components that are factored into Solid Waste's fiscal year 2014 fuel budget; and

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

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

Part 1: The City Council authorizes the City Manager, or his designee, to execute a memorandum of agreement with Choice! Energy Services of Houston, Texas, after approval as to form by the City Attorney, for consulting services related to the procurement of natural gas and ongoing energy consulting services at a cost of \$.15 per MMBtu.

Part 2: The City Council authorizes the City Manager or the Director of Finance to review pricing offers submitted for the supply of natural gas, and if in the best interest of the City, enter into a contract with the lowest responsible bidder for a period of 12 to 36 months for the commodity costs of natural gas used at the CNG fueling station.

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 **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

10/17/13
Item #4(E)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Brynn Myers, Director of Administrative Services
Ashley Williams, Sustainability and Grant Manager

ITEM DESCRIPTION: Consider adopting a resolution authorizing an annual maintenance and warranty agreement with ZeitEnergy, LLC of Dallas for maintaining and servicing the CNG fueling station in the amount of \$3,000 per month.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: On May 16, 2013 Council approved the construction of a compressed natural gas (CNG) fueling station, located at 2625 East Avenue H. The station will have two fast-fill dispensers and equipment to operate the station (i.e. compressors, storage tanks and dryers). With the completion of the station, continual maintenance and safety inspections will need to be performed on a monthly basis, to ensure proper operation of the station. The agreement includes the following maintenance and safety inspection practices:

- Preventative Maintenance: included in monthly service costs
- Scheduled Maintenance: included in monthly service costs
- Repair Maintenance: \$89/hour
- Emergency Maintenance: \$128/hour

ZeitEnergy, in partnership with Freese & Nichols, are designing and constructing the CNG fueling station. Based on ZeitEnergy's familiarity with the construction of the station and the equipment being utilized, staff is recommending that ZeitEnergy perform the monthly maintenance and safety inspections. ZeitEnergy has in-house certified technicians that will perform the maintenance and safety inspections.

The proposed agreement is for one (1) year commencing on the first day of operation of the station. The agreement will have the option for four (4) one-year renewals if agreeable to the City and ZeitEnergy.

FISCAL IMPACT: A budget adjustment in the amount of \$31,500 is being presented to Council appropriating funds from the Contingency Fund, account 110-1500-515-6532 to Other Contracted Services in the Fleet Department, account 110-3810-519-2623. Contract will be pro-rated for November 2013 at \$1,500 with remaining ten (10) months of FY 2014 priced at \$3,000 per month.

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
110-3810-519-26-23		Other Contracted Services	\$ 31,500	
110-1500-515-65-32		Contingency		31,500
TOTAL.....			\$ 31,500	\$ 31,500

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

This budget adjustment appropriates additional funds to the "Other Contracted Services" account needed for the annual maintenance and warranty agreement with ZeitEnergy, LLC for maintaining and servicing the CNG fueling station. Contract is pro-rated for November 2013 at \$1,500 with remaining ten (10) months of FY 2014 priced at \$3,000 per month.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒

Yes

☐

No

DATE OF COUNCIL MEETING

10/17/2013

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 AN ANNUAL MAINTENANCE AND WARRANTY AGREEMENT WITH ZEITENERGY, LLC OF DALLAS, TEXAS FOR MAINTAINING AND SERVICING THE CNG FUELING STATION, IN THE AMOUNT OF \$3,000 PER MONTH; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on May 16, 2013, Council approved the construction of a compressed natural gas (CNG) fueling station located at 2625 East Avenue H – the station will have two fast-fill dispensers and equipment to operate the station;

Whereas, with the completion of the station, continual maintenance and safety inspections will need to be performed on a monthly basis to ensure property operation of the station;

Whereas, ZeitEnergy, in partnership with Frees & Nichols, are designing and constructing the CNG fueling station – based on ZeitEnergy’s familiarity with the construction of the station and the equipment being utilized;

Whereas, therefore, staff recommends utilizing the services of ZeitEnergy, LLC of Dallas, Texas to perform monthly maintenance and safety inspections – ZeitEnergy has in-house certified technicians that will perform the maintenance and inspections;

Whereas, the proposed agreement is for one (1) year commencing on the first day of operation of the station – the agreement will have the option for four (4) one-year renewals if agreeable to the City and ZeitEnergy;

Whereas, funds are available for this project but an amendment to the fiscal year 2013-2014 budget needs to be approved to transfer the funds to Account No. 110-3810-519-2623; and

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

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

Part 1: The City Council authorizes the City Manager, or his designee, to execute a maintenance and warranty agreement with ZeitEnergy, LLC, of Dallas, Texas, after approval as to form by the City Attorney, for maintaining and servicing of the CNG fueling station, in the amount of \$3,000 per month.

Part 2: The City Council authorizes an amendment to the fiscal year 2013-2014 budget, substantially in the form of the 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 **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

10/17/13
Item #4(F)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Jonathan Graham, City Attorney

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

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: In November, 2012, Council approved an agreement with Bechtel Corporation through which the City agreed to provide off-duty police officers for patrol and security work at the Panda power plant construction site. The original agreement is set to expire on January 1, 2014. Bechtel has requested that the City agree to amend the agreement to provide the same services through January 1, 2015.

All police officers will be under the supervision and control of the Temple Police Department. Bechtel will continue to reimburse the City for overtime salary and benefits paid to the off-duty police officers.

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

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

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

Whereas, in November, 2012, Council approved an agreement with Bechtel Corporation through which the City agreed to provide off-duty police officers for patrol and security work at the Panda power plant construction site;

Whereas, the original agreement is set to expire on January 1, 2014 and Bechtel has requested that the City agree to amend the agreement to provide the same services through January 1, 2015;

Whereas, all police officers will be under the supervision and control of the Temple Police Department and Bechtel will continue to reimburse the City for overtime salary and benefits paid to the off-duty police officers;

Whereas, the City will be reimbursed 100% for salary and benefits paid which is currently estimated at \$28,800 per year; and

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

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

Part 1: The City Council authorizes the City Manager, or his designee, to execute an amendment to the agreement with Bechtel Corporation, after approval as to form by the City Attorney, to provide off-duty police officers for security and patrol work.

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 **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

10/17/13
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 professional services agreement with Kasberg, Patrick & Associates, LP for professional services required to design an extension of South 23rd Street in an amount not to exceed \$39,830.

STAFF RECOMMENDATION: Adopt resolution as presented in item discussion.

ITEM SUMMARY: The City of Temple has adopted a Transportation Capital Improvement Plan (TCIP) in which a public roadway connection in the vicinity of the TISD / Ralph Wilson Campus has been identified. This extension of South 23rd Street from its current dead end location to South 25th Street will provide for circulation and connectivity in support of a variety of activities within the area.

The scope of work for this project consists of providing engineering plans, specifications, estimates, bidding and construction phase services. Sequencing design, bidding, and construction of this work with other nearby project efforts along Avenue R will result in streamlined project implementation accelerated to meet the needs of community partners. Specific tasks associated with this professional services contract include the following:

Design Surveys	\$ 1,980
Civil Design	\$ 19,500
Metes and Bounds	\$ 1,350
Bidding	\$ 1,500
Construction Administration	\$ 7,500
On-Site Representation	\$ 8,000
TOTAL	<u>\$ 39,830</u>

FISCAL IMPACT: A budget adjustment in the amount of \$39,830 is being presented to Council for approval appropriating funds from TCIP Contingency, account 365-3400-531-6532 to South 23rd Street Extension, account 365-3400-531-6882, project 101107.

ATTACHMENTS:

Engineer's Proposal
Project Map
Budget Adjustment
Resolution



KASBERG, PATRICK & ASSOCIATES, LP

CONSULTING ENGINEERS

Texas Firm F-510

RICK N. KASBERG, P.E.

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

THOMAS D. VALLE, P.E.

Temple

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

Georgetown

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

October 7, 2013

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

Re: City of Temple, Texas
23rd Street Extension

Dear Mrs. Torralva:

At the request of the City of Temple, we are submitting this proposal for the above referenced project. The project consists of improvements of 23rd Street from 25th Street to the current property line of the Temple Independent School District (TISD). A preliminary layout of the project is depicted on the attached Exhibit. Improvements include paving, curb and gutter, drainage, grading, sidewalk and other miscellaneous items. The project will develop 100% final design, bid and provide construction phase services for the project. The final product will be plans, specifications and estimates ready for bidding through the City of Temple Purchasing Department with bidding and construction phase services to follow. The intent is to develop this project such that it can be bid with the Avenue R Project to achieve an economy of scale. The design phases for the project can be completed in forty-five days from the notice to proceed. Our preliminary opinion of probable construction cost for this project is \$300,000.

The work to be performed by KPA under this contract consists of providing engineering services for design of the project described above to include 100% design and preparation of plans, specifications, estimates, bidding and construction phase services. All of the improvements proposed are currently in both City of Temple rights-of-way and Temple Independent School District (TISD) property. The areas in TISD property will become City of Temple rights-of-way through this project. Metes and bounds will be developed for use by the City of Temple to acquire the right-of-way from TISD.

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

The following services will be performed:

I. Design Surveys

- A. Data Collection – Obtain and review any existing data from the City and other entities that may have record documents and are allowed to release the information. i.e. – Atmos, AT&T, Oncor, etc.
- B. Coordinate survey elements and tie into data points both horizontally and vertically for the Project.
- C. Conduct detailed surveys for the Project. All features will be surveyed and documented.

II. Civil Design

- A. Prepare layout for the project in accordance with City of Temple standards. Alignment for the project has been preliminarily established by KPA and reviewed by the City of Temple and the stakeholders.
- B. Geometric Design - Develop geometric design for the proposed roadway. Geometric design will include horizontal and vertical design with connections to the existing 23rd Street infrastructure, future Ralph Wilson Youth Club (RWYC) infrastructure and 25th Street. Design shall be in accordance to AASHTO standards.
- C. Street Design – Develop a section design for the street to meet the standards of the City of Temple. The street section will utilize a two (2) foot extension of the pavement section behind the back of curb as defined by City of Temple Standards.
- D. Sidewalk Design – Develop a section for the sidewalk to be constructed on one side of the proposed roadway. Sidewalk improvements will be designed to meet ADA standards. Our scope for design does not include TMED Standards for lighting, landscape and irrigation. A separate proposal will be submitted for the TMED's Standards if requested at a later date.
- E. Drainage – Develop hydrology and hydraulics for the project to create positive drainage to existing conveyance systems. Drainage improvements will be designed to collect storm water from the roadway infrastructure and convey to existing systems. It is unknown at this time if this will be achieved with overland flow or if a channel conveyance will be required. If channel conveyance from the roadway limits to the current conveyance to the east is required, an easement will be needed. This proposal does not include design for detention of storm water. A location for area storm water detention has been identified on the site to accommodate drainage from 23rd Street and site drainage from the future RWYC Complex and TISD Improvements.
- F. Details and Standards – Develop details and standards for bidding of the project to meet City of Temple standards.

III. Rights-of-Way

- A. Develop metes and bounds for the project to be delivered to the City of Temple for acquisition. Services for acquisition of rights-of-way are not a part of this proposal.

IV. Bidding

- A. Prepare and submit a signed and sealed Opinion of Probable Construction Cost to the City of Temple. This OPC will be itemized by typical units of construction.
- B. After the project publically advertises, solicit contractors to bid the project.
- C. Chair the Pre-Bid Conference and develop notes for the project based on questions asked by potential bidders.
- D. Develop the addenda for the project. The addenda will be sent to the City of Temple Project Manager for distribution to the City of Temple Purchasing Department.
- E. Attend the bid opening for the project. Tabulate all bids received and certify the bids. After a low bidder is determined, research of the apparent low bidder will be conducted to make a recommendation of award.
- F. Attend the City Council for award of the project.

V. Construction Administration

- A. Chair the Pre-Construction Conference.
- B. Review and approve all submittals for the project.
- C. Perform construction administration to include site visits, meeting with the contractor and answer questions and holding progress meetings as required.
- D. Coordinate and conduct the final walk through for the project. After the final walk through is complete a punch list will be generated and monitored.
- E. Prepare monthly assessment of contractor quality, timeliness and cooperation with City Staff and the public.
- F. Develop record drawings based on information supplied by the contractor.
- G. Make written recommendation of final acceptance of the project to the City.

VI. On-Site Representation

- A. Perform daily on-site representation in conjunction with the Avenue R Project.
- B. Prepare and submit weekly logs of construction activities.
- C. Prepare monthly assessment of contractor quality, timeliness and cooperation with City Staff and the public.

Mrs. Nicole Torralva, P.E.

October 7, 2013

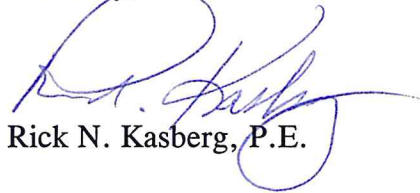
Page 4

The following scope of work for the 23rd Street Extension can be completed for the lump sum price of \$39,830. Below is a breakdown of project costs by task. We are pleased to submit this proposal and look forward to the benefit it will bring the City of Temple.

23rd Street Extension

I. Design Surveys	\$ 1,980.00
II. Civil Design	\$ 19,500.00
III. Metes and Bounds	\$ 1,350.00
IV. Bidding	\$ 1,500.00
V. Construction Administration	\$ 7,500.00
VI. On-Site Representation	\$ 8,000.00
TOTAL	\$ 39,830.00

Sincerely,

A handwritten signature in blue ink, appearing to read "R. Kasberg", is written over the printed name.

Rick N. Kasberg, P.E.

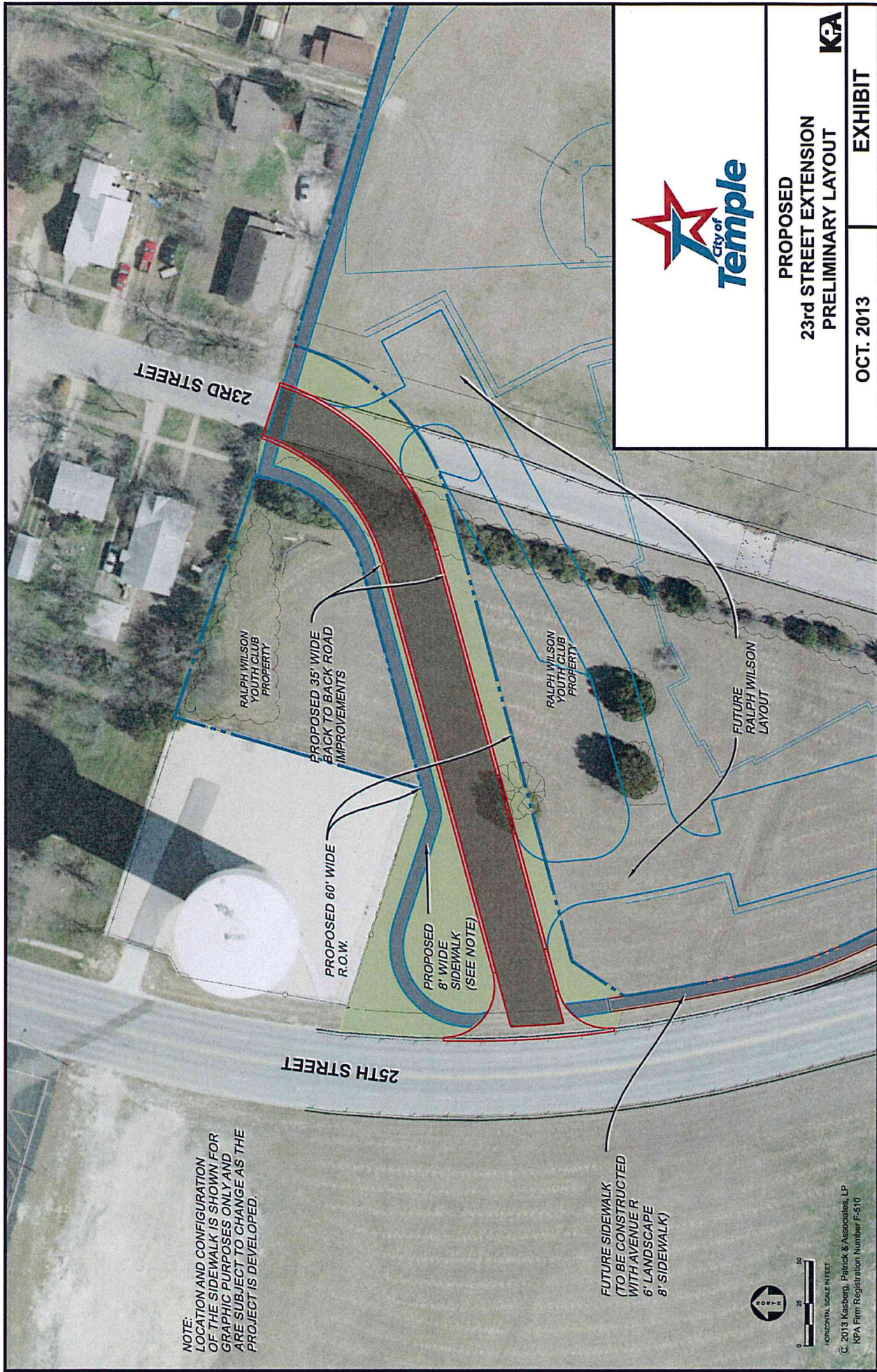
XC: File

ATTACHMENT "C"

Charges for Additional Services

**City of Temple
23rd Street Extension**

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



**PROPOSED
23rd STREET EXTENSION
PRELIMINARY LAYOUT**



OCT. 2013

EXHIBIT

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
365-3400-531-68-82	101107	Capital / South 23rd Street Extension	\$ 39,830		
365-3400-531-65-32		Capital / Contingency Fund			39,830
TOTAL.....			\$ 39,830		\$ 39,830

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

To fund the engineering contract with Kasberg, Patrick, & Associates for the design, bidding, construction administration, and on-site representation for the South 23rd Street Extension project.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒

Yes

☐

No

DATE OF COUNCIL MEETING

10/17/2013

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 PROFESSIONAL SERVICES AGREEMENT WITH KASBERG, PATRICK & ASSOCIATES, L.P., OF TEMPLE, TEXAS, FOR PROFESSIONAL SERVICES REQUIRED TO DESIGN AN EXTENSION OF SOUTH 23RD STREET, IN THE AMOUNT OF \$39,830; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City has adopted a Transportation Capital Improvement Plan (TCIP) in which a public roadway connection in the vicinity of the Temple Independent School District/Ralph Wilson Campus has been identified;

Whereas, the extension of South 23rd Street from its current dead end location to South 25th Street will provide for circulation and connectivity in support of a variety of activities within the area;

Whereas, funds are available for this project but an amendment to the fiscal year 2013-2014 budget needs to be approved to transfer the funds to Account No. 365-3400-531-6882, Project No. 101107; and

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

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

Part 1: The City Council authorizes the City Manager, or his designee, to execute a professional services agreement with Kasberg, Patrick & Associates, L.P., after approval as to form by the City Attorney, for professional services required to design an extension of South 23rd Street, in an amount not to exceed \$39,830.

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 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

10/17/13
Item #4(H)
Consent Agenda
Page 1 of 4

DEPT. / DIVISION SUBMISSION & REVIEW:

Mark Baker, Planner

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

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 Map & sidewalks	Master Plan Map has identified a 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.	Required (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



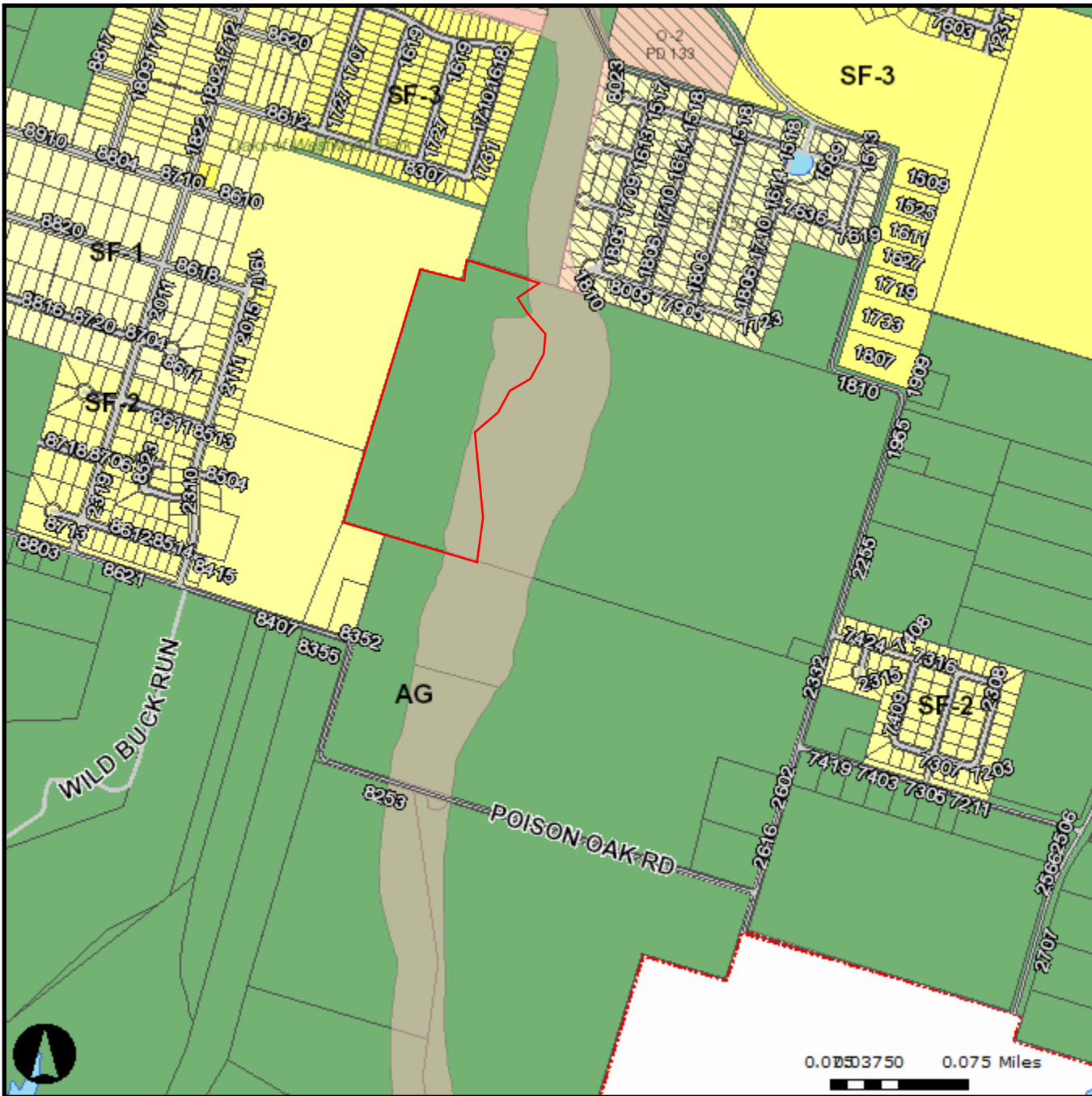
South: Undeveloped & Scattered SF Residences



East: Undeveloped & Scattered SF Residences



West: Carriage House Villages subdivision

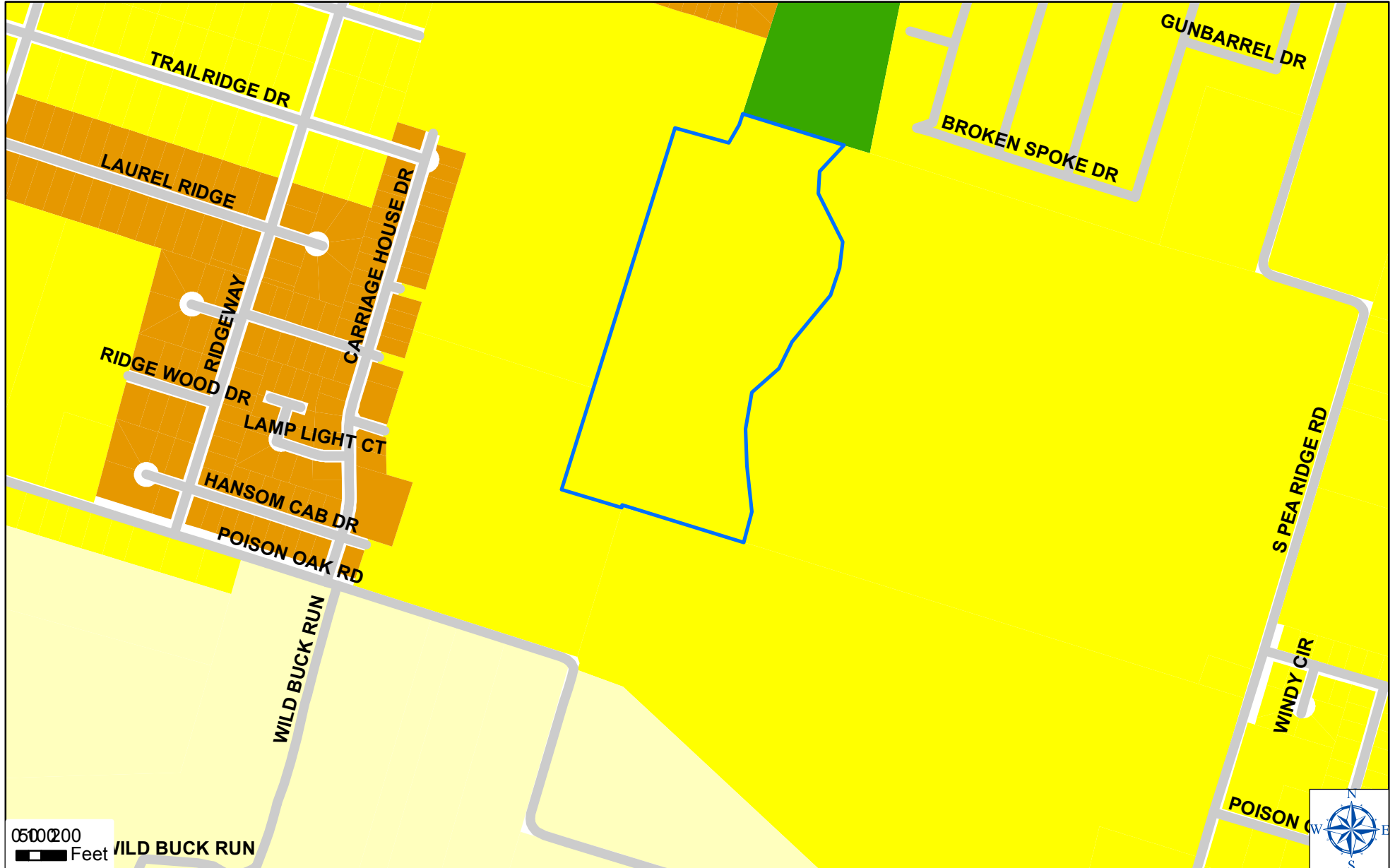




Z-FY-13-32

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.

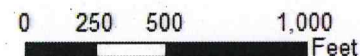
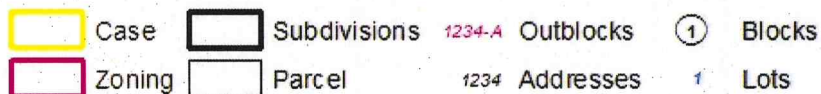
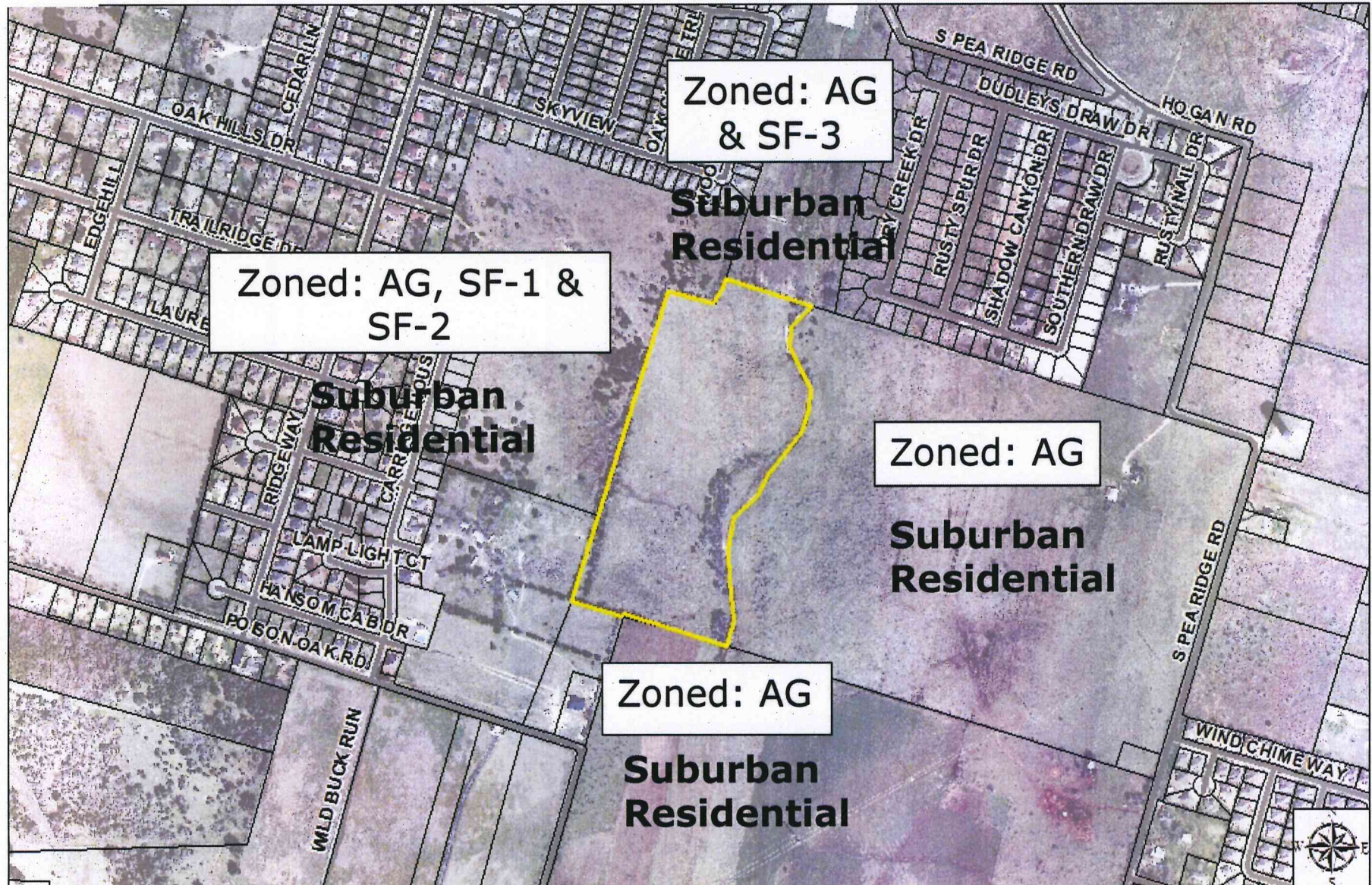
8/12/2013
City of Temple GIS



Z-FY-13-32

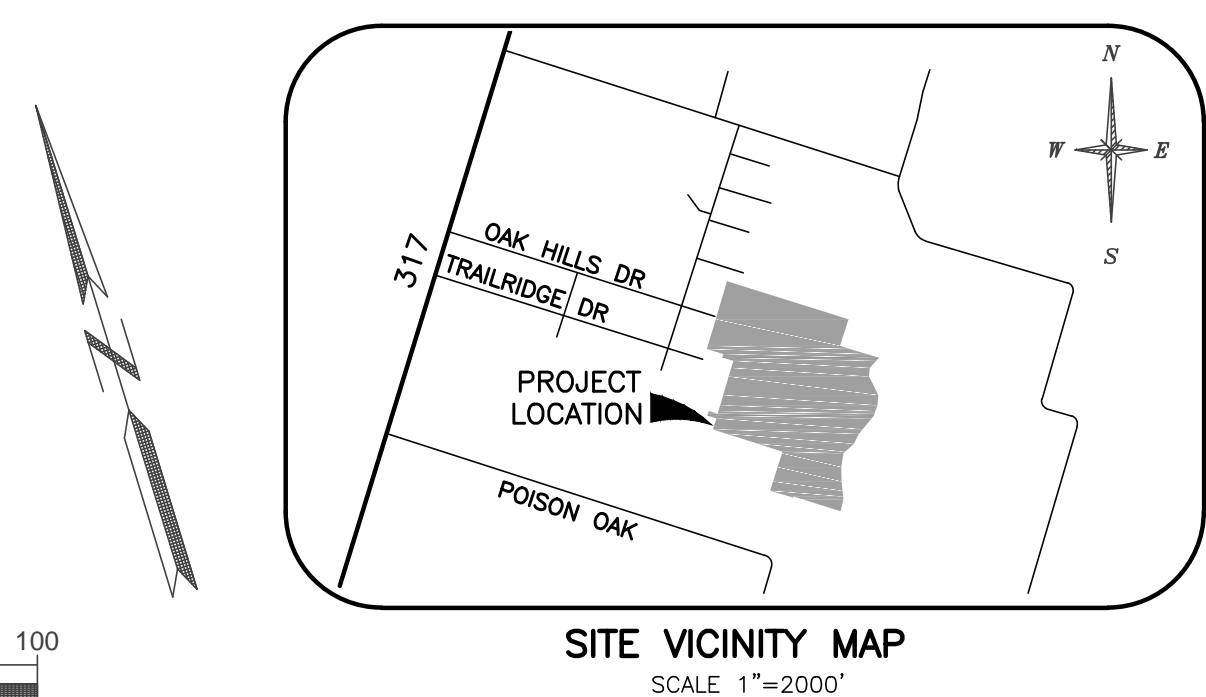
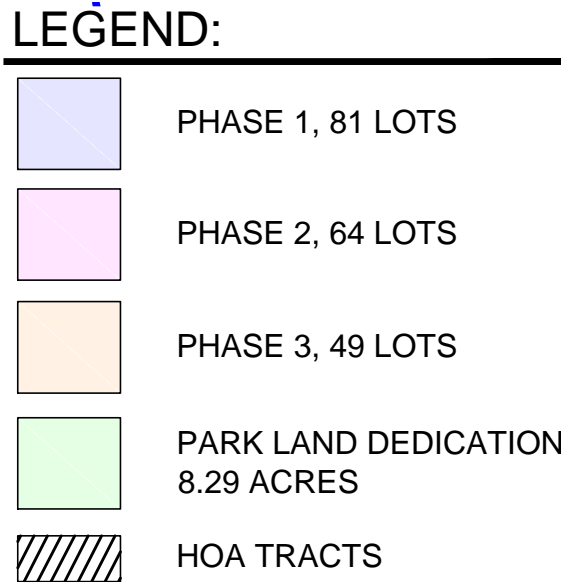
Surrounding Uses, Zoning & FLUP

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



Anthony D. Buell
SIGNATURE

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

Revisions
Date: _____ Remarks: _____

CARRIAGE HOUSE

PHASE 2

Temple, Texas

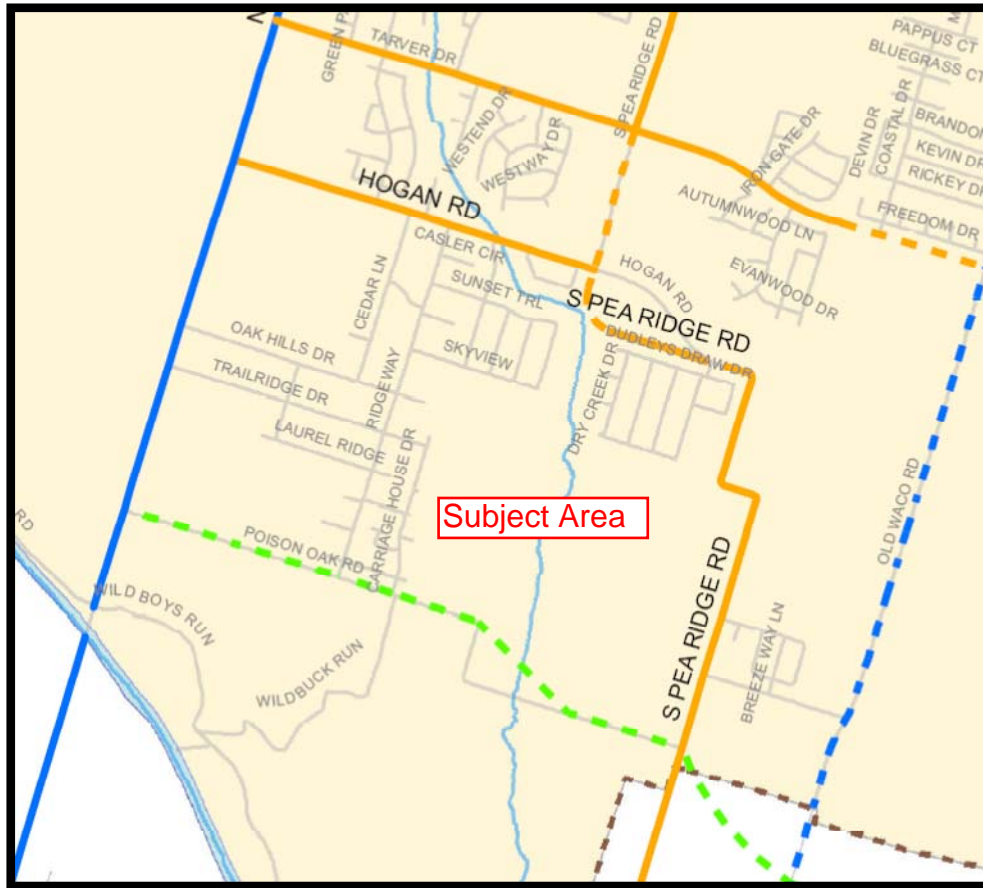
PRELIMINARY PLAT



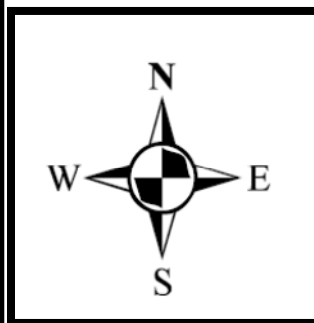
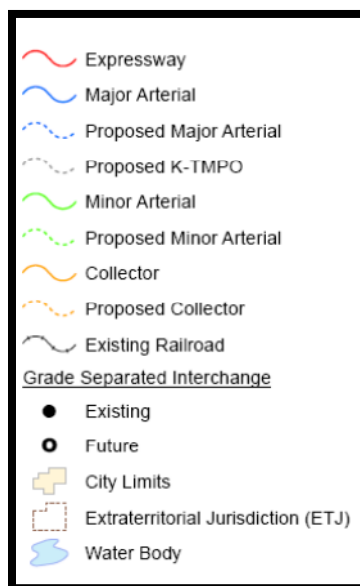
Project No:
122057.00

C1

Localized Area of Thoroughfare Plan



Map Legend

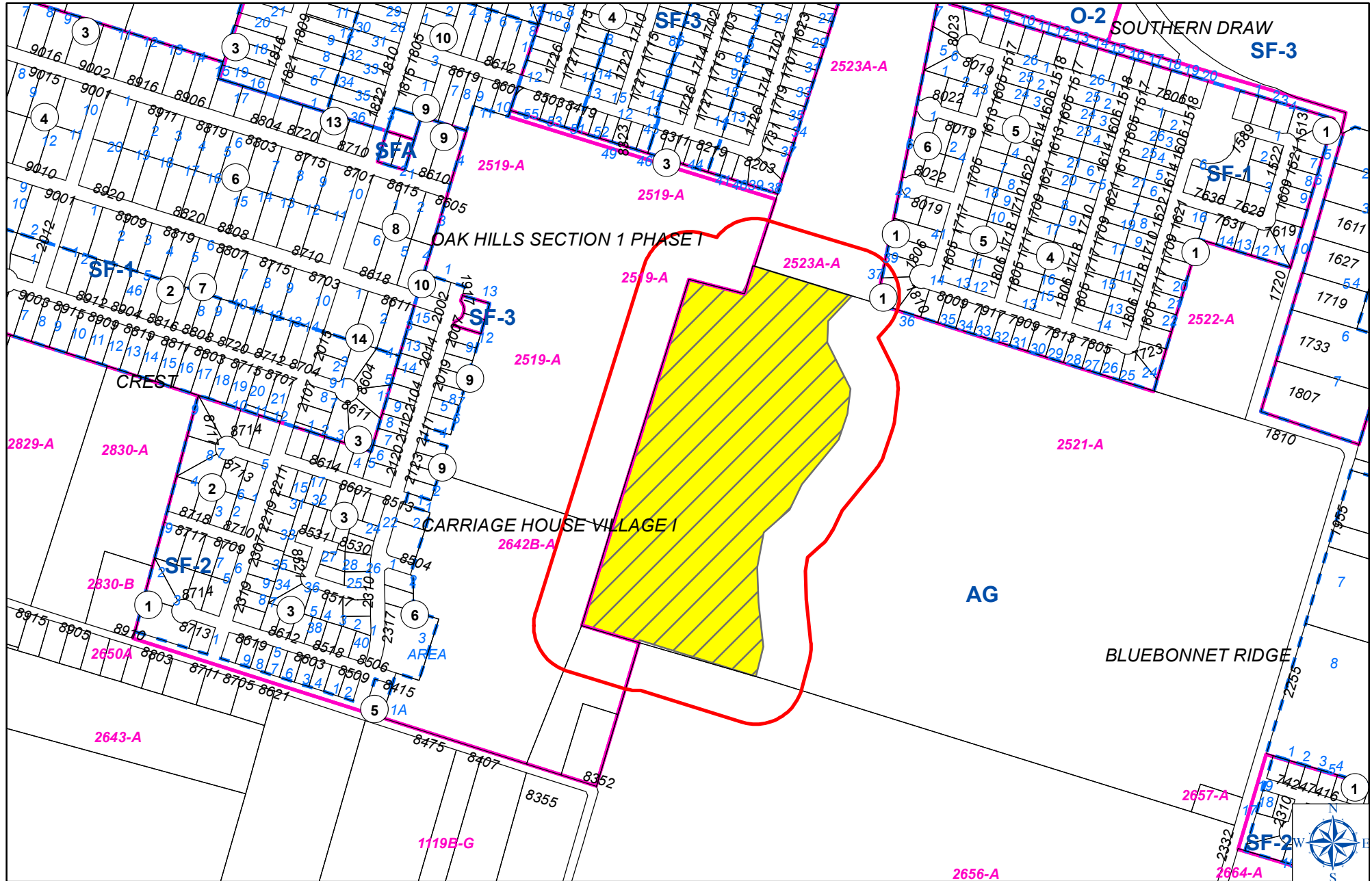












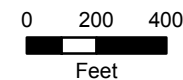
Z-FY-13-32

Buffer Notification

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



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



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

10/17/13
Item #4(I)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Kim Foutz, Assistant City Manager/Acting Planning Director

ITEM DESCRIPTION: SECOND READING – 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. The property is located south of Midway Drive, near the southeast corner of South General Bruce Drive and Midway Drive.

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

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.

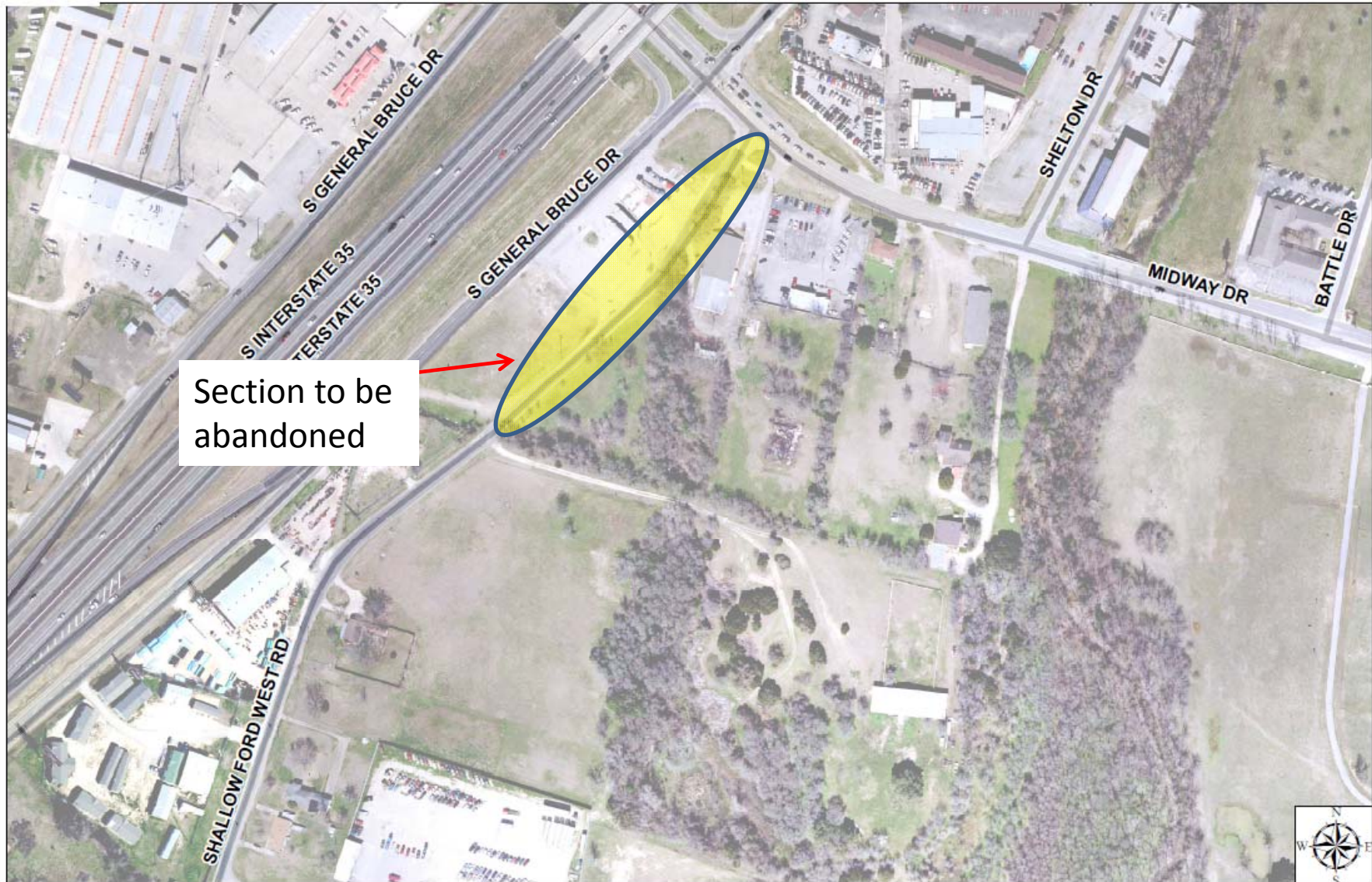
ATTACHMENTS:

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



Aerial Map

Shallowford Road



1

1

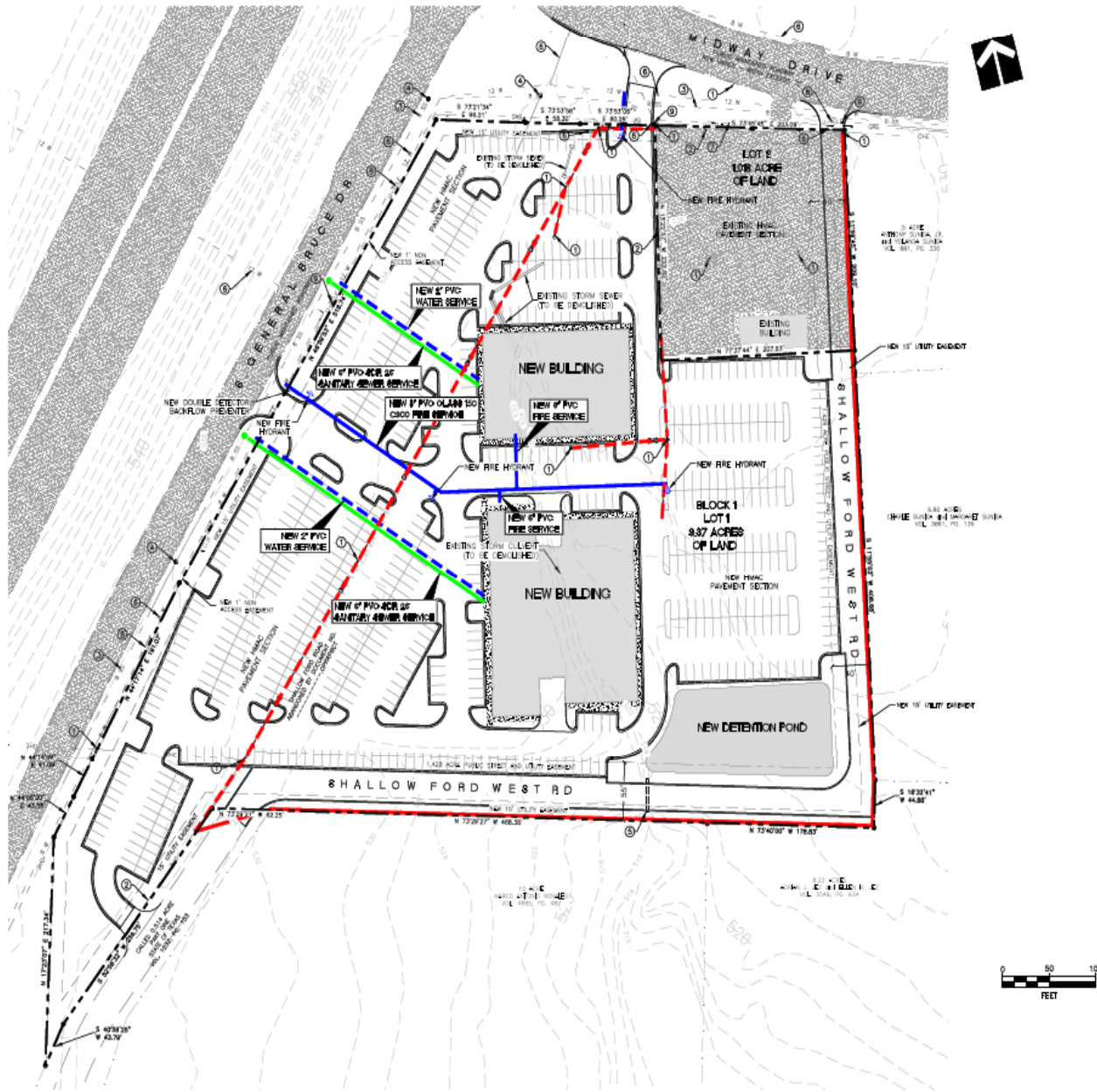
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Feet

9/25/2013
City of Temple GIS

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

Job No: 1003173
Date: 11-01-2011
Scale: 1" = 60'
Drawing No: 100311T
Drawn By: SUN
Checked By: ECL
Copyright 2012 All County Services, Inc.

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 PEDISTAL

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: _____

TOPOGRAPHY - UTILITY MAP

DRAWING STATUS

THIS DRAWING IS THE PROPERTY OF CLARK & FULLER, INC. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF CLARK & FULLER, INC.

DATE: 10/14/2010
BY: JEF

DIAMOND S SUBDIVISION

WITHIN THE CITY OF TEMPLE, BELL COUNTY, TEXAS

CLARK & FULLER

CITY ENGINEERS & SURVEYORS

Project No: 101164-020

Date: 10/14/2010

Drawn By: JEF

Check By: JEF

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

10/17/13
Item #4(J)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Jonathan Graham, City Attorney

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

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

10/17/13
Item #4(K)
Regular 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 setting out the civil service classifications and setting the number of positions in each classification in the Temple 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, 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 is presented for Council's approval to fund 100% of personnel expenses associated with the BISD Officer.

ATTACHMENTS:

[Budget Adjustment
Ordinance](#)

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
110-2020-521-11-15		Salaries/Skilled	\$ 42,452	
110-2020-521-11-30		Clothing Allowance	302	
110-2020-521-12-20		Retirement/Pension	7,568	
110-2020-521-12-21		Social Security	620	
110-2020-521-12-22		Health Insurance	4,549	
110-2020-521-12-23		Worker Compensation	979	
110-2020-521-12-24		Unemployment Insurance	270	
110-2020-521-12-25		Dental Insurance	97	
110-2020-521-12-26		Life Insurance	64	
110-2020-521-12-27		AD&D Insurance	14	
110-2020-521-12-28		Long Term Disability	101	
110-1500-515-65-32		Contingency/Cont. Fund Balance		57,016
TOTAL.....			\$ 57,016	\$ 57,016

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

Appropriate expenditures related to the addition of one police officer to the Temple Police Department in accordance with the ordinance presented before Council for second reading on 10/17/2013. This ordinance sets the number of positions in each classification in the Temple Fire Department and the Temple Police Department. Council approved an Interlocal Agreement with Belton Independent School District (BISD) to add one School Resource Officer (SRO) to the Temple Police Department but the FY 14 budget did not include the associated expenditures. This budget adjustment appropriates those expenditures.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒

Yes

☐

No

DATE OF COUNCIL MEETING

10/17/2013

WITH AGENDA ITEM?

☒

Yes

☐

No

Department Head/Division Director

Date

☐

Approved

☐

Disapproved

Finance

Date

☐

Approved

☐

Disapproved

City Manager

Date

☐

Approved

☐

Disapproved

ORDINANCE NO. 2013-4617

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;

Whereas, a budget amendment is presented for Council's approval to fund 100% of personnel expenses associated with the BISD 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: The City Council authorizes an amendment to the fiscal year 2013-2014 budget, substantially in the form of the copy attached hereto as Exhibit A.

Part 3: 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

10/17/13
Item #4(L)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Traci Barnard, Director of Finance

ITEM DESCRIPTION: Consider adopting a resolution authorizing budget amendments for fiscal year 2013-2014.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: This item is to recommend various budget amendments, based on the adopted FY 2013-2014 budget. The amendments will involve transfers of funds between contingency accounts, department and fund levels.

FISCAL IMPACT: The total amount of budget amendments is \$35,309.

ATTACHMENTS:

[Budget Amendments
Resolution](#)

CITY OF TEMPLE
BUDGET AMENDMENTS FOR FY 2014 BUDGET
October 17, 2013

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
110-2031-521-2333		Auto & Equip (Fleet Services) (Police-Patrol)	\$ 5,113	
110-0000-461-0554		Insurance Claims		\$ 5,113
Insurance claim from Aggressive Insurance Services on 2008 Crown Victoria asset #12952 on 08/17/2013.				
110-3120-551-6222	101105	Machinery and Equipment (Golf Course)	\$ 12,954	
110-0000-461-0554		Insurance Proceeds		\$ 11,954
110-1500-515-6531		Judgements and Damages		\$ 1,000
This budget adjustment recognizes the variance proceeds received from TML.				
520-5124-535-6310	101106	Capital Building & Grounds (Water Treatment)	\$ 17,242	
520-0000-373-0411		Water & Sewer Unreserved Ret Earnings		\$ 17,242
To fund the engineering contract with Whitlock Dalrymple Poston & Associates for the evaluation and repair design of the raw water intake structures (concrete rip-rap) at the Water Treatment Plant.				
TOTAL AMENDMENTS			\$ 35,309	\$ 35,309

GENERAL FUND

Beginning Contingency Balance	\$ 498,072
Added to Contingency Sweep Account	\$ 89,700
Carry forward from Prior Year	\$ -
Taken From Contingency	\$ (57,016)
Net Balance of Contingency Account	\$ 530,756

Beginning Judgments & Damages Contingency	\$ 40,000
Added to Contingency Judgments & Damages from Council Contingency	\$ -
Taken From Judgments & Damages	\$ (1,000)
Net Balance of Judgments & Damages Contingency Account	\$ 39,000

Beginning Compensation Contingency	\$ 288,000
Added to Compensation Contingency	\$ -
Taken From Compensation Contingency	\$ -
Net Balance of Compensation Contingency Account	\$ 288,000

Net Balance Council Contingency **\$ 857,756**

Beginning Balance Budget Sweep Contingency	\$ -
Added to Budget Sweep Contingency	\$ -
Taken From Budget Sweep	\$ -
Net Balance of Budget Sweep Contingency Account	\$ -

WATER & SEWER FUND

Beginning Contingency Balance	\$ 50,000
Added to Contingency Sweep Account	\$ -
Taken From Contingency	\$ -
Net Balance of Contingency Account	\$ 50,000

CITY OF TEMPLE
BUDGET AMENDMENTS FOR FY 2014 BUDGET
October 17, 2013

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
		Beginning Compensation Contingency	\$	50,000
		Added to Compensation Contingency	\$	-
		Taken From Compensation Contingency	\$	-
		Net Balance of Compensation Contingency Account	\$	50,000
		Net Balance Water & Sewer Fund Contingency	\$	100,000
		HOTEL/MOTEL TAX FUND		
		Beginning Contingency Balance	\$	29,107
		Added to Contingency Sweep Account	\$	-
		Carry forward from Prior Year	\$	-
		Taken From Contingency	\$	-
		Net Balance of Contingency Account	\$	29,107
		Beginning Compensation Contingency	\$	7,500
		Added to Compensation Contingency	\$	-
		Taken From Compensation Contingency	\$	-
		Net Balance of Compensation Contingency Account	\$	7,500
		Net Balance Hotel/Motel Tax Fund Contingency	\$	36,607
		DRAINAGE FUND		
		Beginning Contingency Balance	\$	-
		Added to Contingency Sweep Account	\$	-
		Carry forward from Prior Year	\$	-
		Taken From Contingency	\$	-
		Net Balance of Contingency Account	\$	-
		Beginning Compensation Contingency	\$	7,500
		Added to Compensation Contingency	\$	-
		Taken From Compensation Contingency	\$	-
		Net Balance of Compensation Contingency Account	\$	7,500
		Net Balance Drainage Fund Contingency	\$	7,500
		FED/STATE GRANT FUND		
		Beginning Contingency Balance	\$	-
		Carry forward from Prior Year	\$	-
		Added to Contingency Sweep Account	\$	-
		Taken From Contingency	\$	-
		Net Balance of Contingency Account	\$	-

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING BUDGET AMENDMENTS TO THE 2013-2014 CITY BUDGET; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on the 29th day of August, 2013, the City Council approved a budget for the 2013-2014 fiscal year; and

Whereas, the City Council deems it in the public interest to make certain amendments to the 2013-2014 City Budget.

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

Part 1: The City Council approves amending the 2013-2014 City Budget by adopting the budget amendments which are more fully described in Exhibit A, attached hereto and made a part hereof for all purposes.

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

PASSED AND APPROVED this the 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

10/17/13
Item #5
Regular Agenda
Page 1 of 3

DEPT. /DIVISION SUBMISSION & REVIEW:

Kim Foutz/ Assistant City Manager/Interim Planning Director

ITEM DESCRIPTION: FIRST READING - PUBLIC HEARING - Z-FY-13-31: Consider adopting an ordinance authorizing an amendment to Ordinance 2008-4230, the *Choices '08*, City of Temple Comprehensive Plan, Chapter 5, to amend the Thoroughfare Plan Map.

P&Z COMMISSION RECOMMENDATION: At its September 16, 2013 meeting, the Planning and Zoning Commission voted 8/0 in accordance with staff recommendation to recommend approval of the amendment to *Choices '08*, City of Temple Comprehensive Plan, Chapter 5, to amend the Thoroughfare Plan Map.

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 November 7, 2013.

ITEM SUMMARY: On September 4, 2008, the City of Temple adopted the *Choices '08*, City of Temple Comprehensive Plan. With that plan, the City adopted a Thoroughfare Plan Map, a companion document to Chapter 5 which addressed transportation. The Thoroughfare Plan Map is intended as a guide for roadway network expansion and improvement. Care was taken in the development of the plan to ensure that designated routes follow existing roadway alignments, parcel boundaries, and topography as much as possible. Nevertheless, available funding, changing development patterns, city growth, right-of-way availability, and subsequent roadway realignments necessitate occasional revisions to ensure the map reflects current and projected transportation patterns and connectivity. Planning staff has worked closely with Public Works staff and area stakeholders to identify changes which impact the overall transportation network. In developing these recommendations staff reviewed the following:

- The city's Transportation Capital Improvement Plan project list;
- the Reinvestment Zone Number One Master Plan; and
- Local development activity.

The following table summarizes the proposed amendments to the Thoroughfare Plan Map identified by staff:

Thoroughfare Plan Proposed Amendments/Corrections

#	Name/ Classification	Action	Segment Description	Reason for Change
1	North Pea Ridge Road – Identified as an existing Collector	Reclassified as a proposed Collector	Section from Prairie View Road to FM 2305	This has not yet been improved
2	Prairie View Road Identified as an existing Minor Arterial	Reclassified as a proposed Minor Arterial	Entire length	This has not yet been improved
3	Hogan Road – Identified as an existing Collector	Reclassified as a proposed Collector	From SH 317 to Pea Ridge Road	This road has not yet been improved
4	North Pea Ridge Existing Collector	Reclassified as a proposed Collector	Section from Prairie View Road to Airport Road	This has not yet been improved
5	Mouser Road – Identified as an existing and proposed Minor Arterial	Reclassified as a proposed Collector	From Airport Road to Old Howard Road	Unimproved local road, will serve as a Collector in the future.
6	Case Road – Identified as existing Collector	Reclassified as a Local Street	Entire Length	This does not function (nor is it constructed) as a Collector.
7	McLane Parkway Local Street	Reclassified as an existing Collector	From Old Howard Road to NW HK Dodgen Loop	Functions and constructed as Collector
8	Hilliard Road – Identified as a proposed Major Arterial	Reclassified as a Major Arterial	Section from FM 2305 to just past the intersection of Central Pointe Road	This section has already been constructed.
9	Westfield – Proposed Minor Arterial	Reclassified as a Minor Arterial	From FM 2305 to Stonehollow Dive	This section has already been constructed.
10	Central Pointe Parkway Proposed Minor Arterial	Reclassified as a Minor Arterial	Section from Hilliard Road midway to Airport Trail	This section has already been constructed.
11	Avenue U- Identified as a Local Road	Added Extension/ Connection as a proposed Collector	Proposed as a Collector from 1 st Street to Scott and White Boulevard	Adopted as part of Reinvestment Zone Plan
12	13 / 17th St – Identified as a Local Road	Added Extension/ Connection as a proposed Collector	Proposed as a Collector from Avenue T to HK Dodgen Loop	Adopted as part of Reinvestment Zone Plan
13	Scott and White Boulevard- Proposed Collector	Removed	Section from Avenue R to South HK Dodgen Loop	North-South connectivity realignment along 13 th /17 th St. Existing S&W Blvd will remain
14	New Segment-	Added as a proposed Collector	From Old Howard Road to McLane Parkway	New unnamed segment
15	New Segment	Added as a proposed Collector	From Adams Ave. to Tarver Dr.	Extension of Westfield Blvd. south of Adams Ave.

Additionally, consistent with the attached letter from the Temple Area Builders' Association, staff would also like to recommend annual review and evaluation of the Thoroughfare Plan to ensure that it accurately represents current and projected transportation patterns and needs. Staff recommends that the Thoroughfare Plan map be updated annually to reflect changes brought about by development and related adopted plans.

FISCAL IMPACT:

None









ATTACHMENTS:

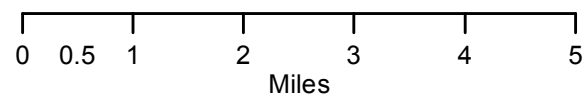
Thoroughfare Plan Map- Existing
Thoroughfare Plan Map- Proposed Changes
Thoroughfare Plan- with Revisions
TABA Letter of Support
PZ Excerpts
Ordinance



Existing Thoroughfare Plan

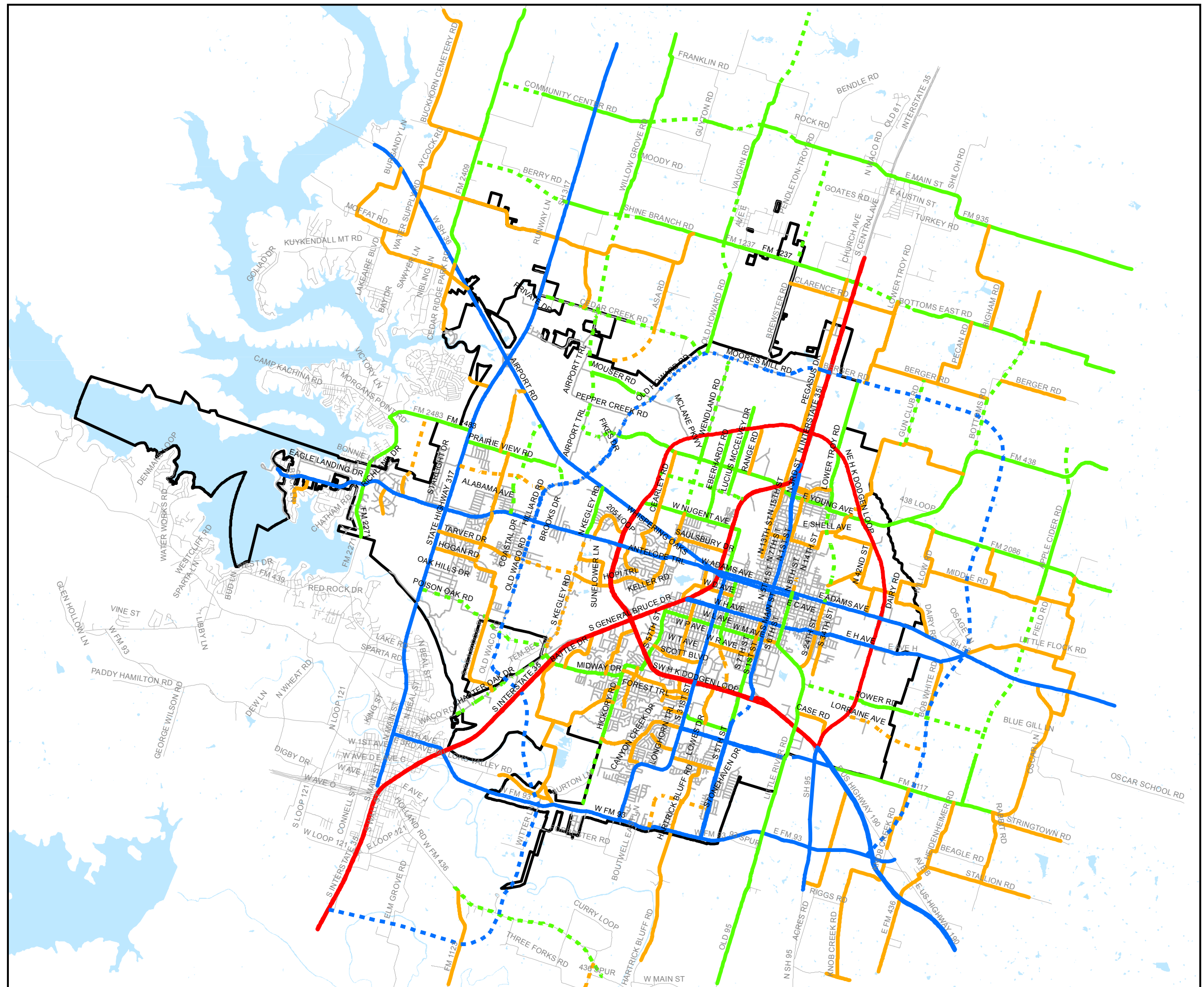
THOROUGHFARE CLASS

-  Expressway
-  Major Arterial
-  Proposed Major Arterial
-  Minor Arterial
-  Proposed Minor Arterial
-  Collector
-  Proposed Collector
-  Temple City Limits



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.

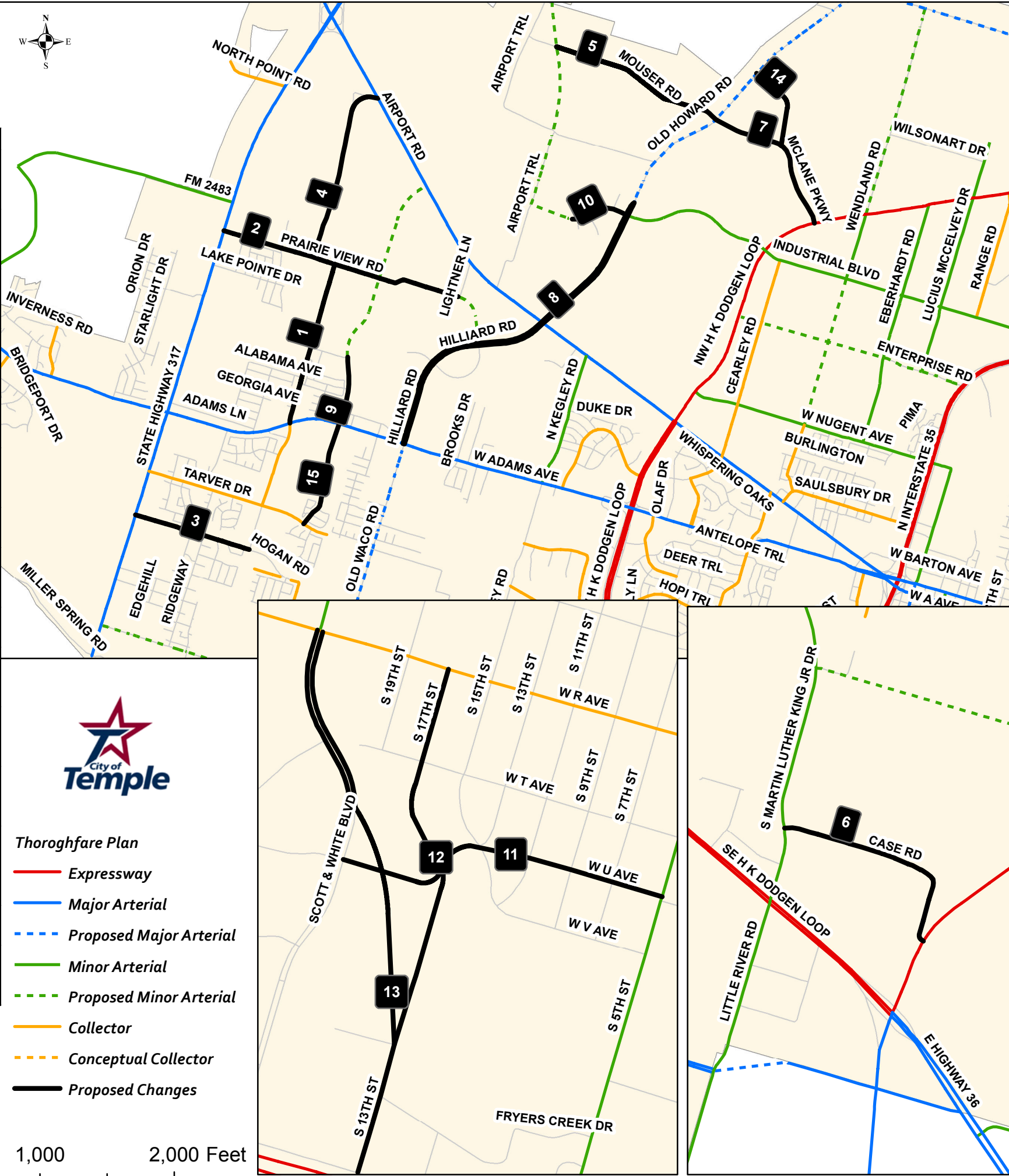
City of Temple
GIS Department
7/26/2013



Proposed Thoroughfare Plan Update

Thoroughfare Plan Proposed Amendments/Corrections

#	Name/ Classification	Action	Segment Description	Reason for Change
1	North Pea Ridge Road – Identified as an existing Collector	Reclassified as a proposed Collector	Section from Prairie View Road to FM 2305	This has not yet been improved
2	Prairie View Road Identified as an existing Minor Arterial	Reclassified as a proposed Minor Arterial	Entire length	This has not yet been improved
3	Hogan Road – Identified as an existing Collector	Reclassified as a proposed Collector	From SH 317 to Pea Ridge Road	This road has not yet been improved
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8	Hilliard Road – Identified as a proposed Major Arterial	Reclassified as a Major Arterial	Section from FM 2305 to just past the intersection of Central Pointe Road	This section has already been constructed.
9	Westfield – Proposed Minor Arterial	Reclassified as a Minor Arterial	From FM 2305 to Stonehollow Drive	This section has already been constructed.
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11	Avenue U- Identified as a Local Road	Added Extension/ Connection as a Collector	Proposed as a Collector from 1 st Street to Scott and White Boulevard	Adopted as part of Reinvestment Zone Plan
12	13 / 17 th St – Identified as a Local Road	Added Extension/ Connection as a Collector	Proposed as a Collector from Avenue T to HK Dodgen Loop	Adopted as part of Reinvestment Zone Plan
13	Scott and White Boulevard- Proposed Collector	Removed	Section from Avenue R to South HK Dodgen Loop	North-South connectivity realignment along 13 th /17 th St. Existing S&W Blvd will remain
14	New Segment-	Added as a proposed Collector	From Old Howard Road to McLane Parkway	New unnamed segment
15	New Segment	Added as a proposed Minor Arterial	From Adams Avenue to Tarver Drive	Extension of Westfield Blvd. south of Adams

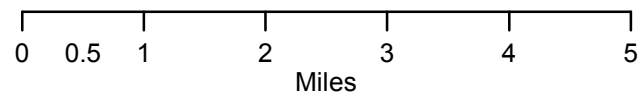




Proposed Thoroughfare Plan

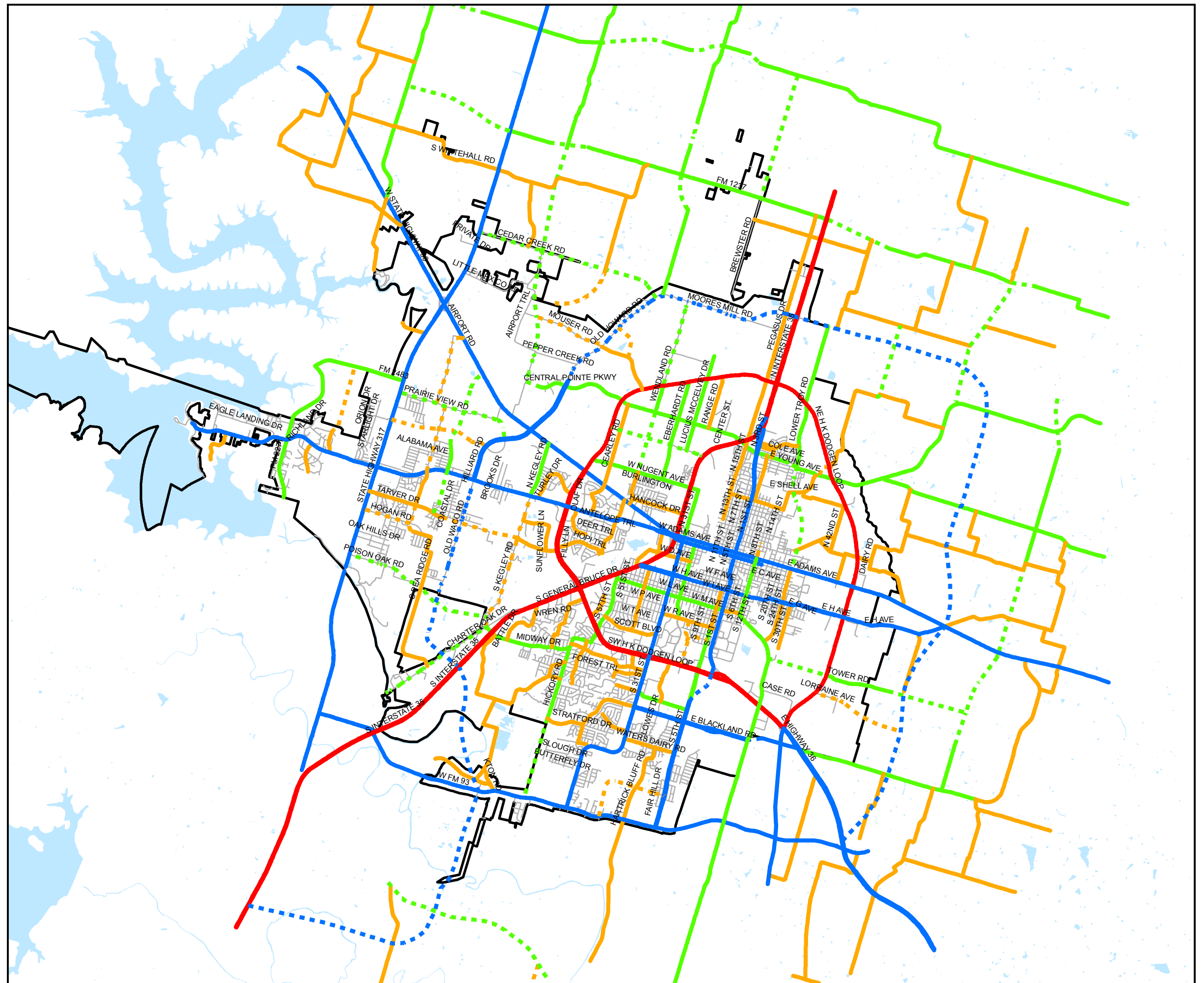
THOROUGHFARE CLASS

- Expressway
- Major Arterial
- - - Proposed Major Arterial
- Minor Arterial
- - - Proposed Minor Arterial
- Collector
- - - Proposed Collector



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City of Temple
GIS Department
10/9/2013





July 11, 2013

Beverly Mesa-Zendt
Assistant Director of Planning
City of Temple

RE: Proposed Thoroughfare Plan Update

Dear Beverly:

Thank you for the overview you provided regarding the Temple Thoroughfare Plan (Map) to our group. You made it clear that the current Map is somewhat dated and needs to be updated to bring it in line with what is currently on the ground.

We are glad to be able to help you outside our normal vetting practice on this issue as we believe that the changes that you are making are necessary and will do no harm to the local building community. Therefore, on behalf of the subcommittee that met with you today including TABA President Will Sears, Mike Pilkington, John Kiella, Jason Carothers, David Patterson, and myself; TABA would like to provide you with this letter supporting your efforts to complete the Map update before you end your career with the City of Temple.

Further, we propose that updates to the Map occur on a more frequent basis. An annual update is what we would recommend until a process can be developed to allow for maps to be updated as road projects are completed or re-classified.

During our discussion, it seemed that there may also be a need to explore the addition of a new designation to the types of roads that are classified as part of the Thoroughfare Plan. TABA would be amenable to working with the City to explore the possibility of adding a classification to bridge the gap between a "collector" road and an "arterial" road. During the discussion, it seemed some "collector" roads in the City are carrying traffic more suited to "arterials". We offer our assistance in working with the City to figure out how to resolve this issue.

Thanks again for the meeting. Please do not hesitate to contact me at 254-773-0445, should you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Troy Glasson".

Troy Glasson
Executive Officer
Temple Area Builders Association

**EXCERPTS FROM THE
PLANNING & ZONING COMMISSION MEETING
MONDAY, SEPTEMBER 16, 2013**

ACTION ITEMS

Item 3: Z-FY-13-31: Hold a public hearing to discuss and recommend action on an amendment to Ordinance 2008-4230, the Choice '08, City of Temple Comprehensive Plan, Chapter 5, to amend the Thoroughfare Plan.

Mr. Phillip Melton, Planning Intern, stated Staff was proposing amendments to the Thoroughfare Plan related to the Transportation Capital Improvement Plan (TCIP) and Reinvestment Zone (RZ) No. 1 Master Plan.

The current Thoroughfare Plan was adopted as part of the Comprehensive Plan in 2008 and last submitted in October 2012.

There are 15 proposed changes:

The first four are not yet improved to their respective classifications and are shown as existing on the current Thoroughfare Plan. These will be shown as proposed rather than existing thoroughfares. These include sections of North Pea Ridge Road, Prairie View Road and Hogan Road.

The next three thoroughfares are not currently functioning nor planned to function as currently classified. Proposed updates would reduce their classification to a lower classification. These include Mouser Road, Case Road and McLane Parkway.

Segments 8 through 10 are currently shown as proposed thoroughfares but have been constructed since the last Thoroughfare Plan update. Proposed updates reclassify these as existing rather than proposed thoroughfares. These include Hilliard Road, Westfield, and Central Pointe Parkway.

Segments 11 through 13 are thoroughfares that have been upgraded or downgraded in classification. These changes were adopted as part of RZ No. 1 Master Plan. Proposed updates reflect these changes into the Thoroughfare Plan. These include Avenue U, 13th and 17th Streets and Scott and White Boulevard.

Segments 14 and 15 are new thoroughfare segments that would be added to the Thoroughfare Plan in accordance with RZ No. 1 Master Plan. Segment 14 connects Old Howard Parkway to McLane Parkway and Segment 15 connects Old Howard Road to Wendland Road.

Staff recommends approval of the Thoroughfare Plan and also recommends annual review of the Thoroughfare Plan to ensure it represents current and projected transportation needs.

Chair Sears opened the public hearing.

Mr. John Kiella, 11122 Whiterock Drive, Temple, Texas, stated on the RZ one, Segment 15, they were working with HEB and they had that as a proposed collector; HEB might want that as a private road.

Ms. Kim Foutz, Acting Director of Planning and Assistant City Manager, suggested that if there were any question about it that that portion was not passed right now. This can always come back and be added at a later time. Staff would rather it not be added until at such time the issue is more secured.

Mr. Kiella stated the homebuilders were behind all the other changes but requested Segment 15 be pulled for now.

There being no further speakers, Chair Sears closed the public hearing.

Commissioner Jones made a motion to approve Item 3, Z-FY-13-31, with the exclusion of Segment 15, and Commissioner Johnson made a second.

Motion passed: (8:0)

Vice-Chair Rhoads absent

ORDINANCE NO. _____

[PLANNING. Z-FY-13-31]

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING AN AMENDMENT TO ORDINANCE 2008-4230, THE *CHOICES* '08, CITY OF TEMPLE COMPREHENSIVE PLAN, CHAPTER 5, TO AMEND THE THOROUGHFARE PLAN MAP; 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: On September 4, 2008, the City of Temple adopted the *Choices* '08, City of Temple Comprehensive Plan and with that plan, the City adopted a thoroughfare plan map which addressed transportation and was intended as a guide for roadway network expansion and improvement.

Part 2: Care was taken in the development of the plan to ensure that designated routes follow existing roadway alignments, parcel boundaries, and topography as much as possible; however, available funding, changing development patterns, city grown, right-of-way availability, and subsequent roadway realignments necessitate occasional revisions to ensure the map reflects current and projected transportation patterns and connectivity.

Part 3: The City Council approves an amendment to Ordinance 2008-4230, the *Choices* '08, City of Temple Comprehensive Plan, Chapter 5, to amend the thoroughfare plan map, more fully described in Exhibit A, attached hereto and made a part hereof for all purposes.

Part 4: The City Council directs the Director of Planning to make the necessary changes to the Future Land Use Map accordingly.

Part 5: 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 6: 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 7: It is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

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

PASSED AND APPROVED on Second Reading and Public Hearing on the 7th day of **November, 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

10/17/13
Item #6
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DEPT./DIVISION SUBMISSION & REVIEW:

Kim Foutz, Assistant City Manager

ITEM DESCRIPTION: Consider adopting a resolution authorizing the East Temple Redevelopment Plan.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The East Temple Redevelopment Plan was established to engage residents, businesses, and the larger community in building a thriving East Temple that is characterized by neighborhood, vitality, and civic pride and contributes to the overall economic vitality and life of the City.

This process began in the fall of 2012 with several meetings and discussions with stakeholders and workshops presented to City Council.

The process produced a draft East Temple Redevelopment Plan identified 6 Focus Areas, 17 Goals, and 49 Objectives. The Focus Areas are:

- Existing Residential Redevelopment;
- Residential, Commercial, & Mixed Used Infill Development;
- Workforce Development;
- Existing Commercial/ Industrial Redevelopment;
- Greenfield Residential Development; and
- Streetscape, Public Realm, & Parks.

The East Temple Redevelopment Plan also prioritized the approach to the focus areas, goals and objectives by categorizing them into one of three timelines: short-term (1-5 years), mid-term (5-10 years), or long term (10+ years).

While the East Temple Redevelopment Plan should be viewed as significant and important as a planning guide for the City Council, City staff and the community, it should not be viewed as a resource allocation document. The East Temple Redevelopment Plan should be utilized for what it is... a planning tool. As a planning tool, it should be reviewed and utilized each year during the development of the annual budget. Staff would anticipate that the Plan will change and be modified as time and budgets will influence such.

Above noted, the FY2014 Budget has included several program areas and initiatives that are in concert with this draft East Temple Redevelopment Plan. An example of one of the program areas and initiatives included in the FY2014 Budget is an additional code enforcement officer (approximately \$70,000) to help coordinate multiple goals and objectives listed in Focus Area 1 (Existing Residential Redevelopment). Another example is Focus Area 5, Greenfield Residential Development...where \$500,000 has been appropriated for incentivizing a greenfield residential development.

FISCAL IMPACT: As mentioned in the item narrative, the FY 2014 budget includes appropriations in the amount of \$687,420 for the following program areas:

- Neighborhood Improvement and Clean up: \$20,000
- Public Infrastructure Assistance : \$500,000
- Commercial/Industrial Redevelopment: \$100,000 (All SIZ Corridors)
- Proactive Code Enforcement: \$67,420

Future fiscal impacts relating to this Plan will be dependent upon annual budget authorizations and appropriations.

ATTACHMENTS:

[East Temple Redevelopment Implementation Plan](#)
Resolution



East Temple Redevelopment Plan

Implementation Plan

Priority Legend	
Short Term (ST)	1-5 years
Mid-Term (MT)	5-10 years
Long Term (LT)	10+ years

	Description	Priority/ Timing	Responsible Party
Focus Area 1: EXISTING RESIDENTIAL REDEVELOPMENT			
Goal 1: Instill neighborhood pride, self-sufficiency & pride of ownership through open communication, education; and enhanced awareness			
A.	Increase awareness of available programs and opportunities (Brush with Kindness, Adopt-A-Block/Street programs, Extreme Makeover etc.)	ST	Private Entities, City, Non-Profits, KTB
B.	Partner with other entities to provide residents education on code enforcement and beautification strategies (ex: create a resource guide on how to report a violation, how to abate a violation; outline of code enforcement process)	ST	City, KTB
C.	Partner with Habitat for Humanity and Temple Housing Authority to provide homeowner education and counseling (credit repair, budgeting, home repair, basic maintenance, good neighbor training, home safety). Include marketing and awareness plan	ST	Habitat for Humanity; Temple Housing Authority
Goal 2: Pursue targeted neighborhood clean-up and beautification activities that create partnerships and opportunities for individual property owners			
A.	Consider creating an "Extreme Neighborhood/Street Makeover Program" which encourages residents to participate in revitalizing their own neighborhood through public and private improvements: <ul style="list-style-type: none"> a. Include welcoming block party, discounted products and services, volunteers for clean-up, repair programs, tree planting, and infrastructure repair b. Partner with faith based organizations, community organizations, local businesses, schools, and colleges (ex; Citizens for Progress, NAACP, LULAC, United Way Agencies) to conduct neighborhood clean-up activities to include removal of refuse, debris, and junk vehicles along with landscaping/yard maintenance 	ST	Private Entities, Non-Profits, Habitat for Humanity, KTB, County Community Service Correctional Division, Municipal Court Judge. Faith based orgs, volunteers
B.	Partner with Keep Temple Beautiful's Adopt a Street/Block Program to maintain clean and debris free streets and public areas	ST (already under-way)	KTB, community residents, volunteers
Goal 3: Inspire neighborhood residents to pursue home repair activities and partnerships that enhance individual property values and improve overall appearance			

	Description	Priority/ Timing	Responsible Party
A.	Identify and partner with program providers where program recipients share in the responsibility of costs and/or labor	ST	Habitat for Humanity, repair recipients
B.	Partner with Habitat for Humanity on their Brush with Kindness Program, an exterior home preservation program for homeowners Offers exterior painting, landscaping, weather stripping, insulation, handicap ramps, and minor repair including roof repair, siding and trim; gutters, window and trim, doors and fencing. a. Partner with Hill Country Community Action for weatherization improvements including insulation, windows, and doors	ST	Habitat for Humanity, KTB, volunteers, repair recipients, Hill Country Community Action
C.	Partner with traveling outside groups for volunteers and repairs (World Changes, church, organizations, and other group work camp programs)	MT	Non-Profit groups
D.	Ensure that repairs preserve the history, character, and culture of the neighborhood while implementing sustainable improvements	MT	City or University project
Goal 4: Pursue policies, codes, and programs that address and mitigate the conditions and causes of blight			
A.	Address vacant lot dumping a. Revise bulk item pickup policy (address lots/structures that do not have utility service)	ST	City Solid Waste Dept
B.	Improve zoning compatibility and buffering of uses a. Evaluate existing zoning and review and update the future land use map to reflect overall plans for area redevelopment b. Rezone areas where uses are incompatible with overall area plans c. Evaluate and enhance buffering requirements for incompatible uses i. Identify and recommend incentives for increased compliance d. Address zoning (use) violations, especially for uses requiring Conditional Use Permits	ST	City Planning Dept
C.	Enhance process and enforcement of nuisance codes a. Consider the following process changes i. Streamlined procedures and timelines ii. Increase penalties/fees iii. Add positive reinforcement component i.e. leave a code checklist door hanger and then when compliance has been achieved leave another door hanger which says "Thank you for doing your part" b. Eliminate short term approaches to enforcement and pursue long term solutions (i.e. reconsider practices such as Parks Department mowing vacant lots) c. Consider program changes i. Evaluate potential for creating a 311 reporting number for the community to report violations ii. Evaluate city/owner contract for code compliance iii. Include owner designated compliance timeline to encourage voluntary compliance (ex: contract signed during initial personal site visit)	ST	City Code Enforcement Dept, KTB & stakeholder input
D.	Evaluate and enhance property maintenance codes	ST	
E.	Provide a safe, inviting environment by creating quality public spaces and infrastructure (lighting, curb, gutters, sidewalk repair, street signs) a. Develop strategy for and prioritize infrastructure investment areas	ST	City Public Works Dept

	Description	Priority/ Timing	Responsible Party
Goal 5: Preserve and enhance affordable and well maintained housing stock and encourage 100% occupancy			
A.	Address vacant boarded up homes <ul style="list-style-type: none"> a. Create a vacant building registry <ul style="list-style-type: none"> i. Create inventory of vacant houses ii. Contact information maintenance plan, inspection, fee, tax status iii. Address how long structures may remain boarded b. Develop and adopt new securement requirements c. Continue Demolition Program d. Continue and improve Demolition Lien Forgiveness Program 	ST	City Code Enforcement Dept
B.	Pursue tax foreclosure of existing, distressed houses and sell to investors, non-profits, and Community Housing Development Corporations via a Development Agreement to renovate homes and combine with Lien Forgiveness Program. Investor may sell or lease. <ul style="list-style-type: none"> a. Utilize Habitat for Humanity resale shop for repair materials. b. Partner with Hill Country Community Action for weatherization improvements including insulation, windows, and doors 	ST	Investors, Non-Profits, City, Habitat for Humanity, CHODO, Hill Country Community Action
C.	Pursue programs that expand homeownership opportunities for renovated and existing homes <ul style="list-style-type: none"> a. Partner with the Temple Housing Authority and other identified sources to direct First Time Homebuyer Down Payment Assistance Programs to these projects b. Pursue other programs that will facilitate existing home re-sale 	ST	Identification of partners pending; on-going discussions with Temple Housing Authority
D.	Define & adopt housing design standards <ul style="list-style-type: none"> a. Designed for maintenance and code compliance b. Design standard that is complementary to existing homes 	ST	Temple Housing Authority input, city Planning Dept, Developers, Investors
Focus Area 2: RESIDENTIAL, COMMERCIAL AND MIXED USED INFILL DEVELOPMENT			
Goal 6: Define desired character of housing infill development			
A.	Define character of the area through neighborhood planning	MT	City, developers, University project
B.	Focus on recruiting affordable, attractive, and diverse housing <ul style="list-style-type: none"> a. Define housing types <ul style="list-style-type: none"> i. Single family development is highly preferred; multi-family uses, especially duplexes, are not desired; condo and townhome development may be considered b. Target workforce housing and core population – demonstration project suggested c. Target some projects that add housing diversification – demonstration project suggested d. Utilize buyer and developer mixture of incentives 	MT	TEDC, City
C.	Define and implement housing design standards <ul style="list-style-type: none"> a. Homes designed for maintenance and code compliance b. Homes designed with positive curb appeal c. Design standard that is complementary to existing homes and area <ul style="list-style-type: none"> i. Limit the number of design “palettes” to two or three ii. New development should relate to surrounding buildings in terms of size, materials, and repeating elements. Unique, contrasting buildings should be allowed where 	MT	Temple Housing Authority input, city Planning Dept, Developers, Investors, University Project

	Description	Priority/ Timing	Responsible Party
	no clear building type or style characterizes the immediate area.		
Goal 7: Attract infill development on vacant lots			
A.	<p>Pursue infill activities that facilitate and incentivize private sector development</p> <ol style="list-style-type: none"> Strategically select vacant lots that may be acquired by means of tax foreclosure. Public acquisition should occur where there is a need to remove blighted property or where large land assembly opportunities might facilitate a large redevelopment opportunity. Utilize acquired tracts to facilitate development deals for context sensitive housing or commercial development. Assist with appropriate rezoning of lots Combine efforts with revised Lien Forgiveness Program Evaluate, create, and implement additional incentives to attract developers Explore offering other incentives in conjunction with the development community. Pursue expanding homeownership opportunities by partnering with the Temple Housing Authority and other identified sources to direct First Time Homebuyer Down payment Assistance Programs to newly constructed houses 	MT	Developers, Housing Authority, City
Goal 8: Recruit and incentivize a moderately sized mixed use demonstration project			
A.	<p>Focus on MLK, 4th and 6th streets from Adams to the railroad track</p> <ol style="list-style-type: none"> Address adequacy of land available for development Include right-of-way areas 	ST	Developer(s) and City
B.	<p>Create development plan (with developer if already identified)</p> <ol style="list-style-type: none"> Character of plan should include internal pocket park(s); xeriscaping landscaping with no grass; driveways served by alleyways, streetscapes, and community area Include a variety of housing both for sale and lease (single family cottage style homes, patio homes, and townhomes with character appears to be bigger homes) Housing designed to create “community” atmosphere (small front yard setbacks, porches, and pedestrian oriented) 	ST	Developer, City, University project, RZ
C.	<p>Develop marketing and recruitment plan</p> <ol style="list-style-type: none"> Develop marketing materials Recruit based upon targeted/desirable business list (personal service/ nail/ beauty barber, family restaurants, fast food, Laundromats/dry cleaners, family & youth oriented business, resale shops, gas station, bill pay, grocery, emergency clinic) 	ST	Developer, TEDC, City
D.	<p>Develop and provide enhanced incentives for area</p> <ol style="list-style-type: none"> Assist with infrastructure for alleys, utilities, and themed landscape and streetscape Coordinate and partner with developer through Development Agreement Provide fast track permitting and zoning process Partner with the Temple Housing Authority or other sources to direct First Time Homebuyer Down payment Assistance Program to new homes in the development 	ST	Developer, City, Temple Housing Authority, RZ

	Description	Priority/ Timing	Responsible Party
E.	Provide connectivity from the mixed use development to the Whistlestop area	MT	RZ Board
Focus Area 3: WORKFORCE DEVELOPMENT/ CAREER TRAINING/ BUSINESS TRAINING			
Goal 9: Facilitate small business start-ups and expansion with strengthened business support and model			
A.	<p>Enhance training for existing and start-up businesses interested in East Temple</p> <ul style="list-style-type: none"> a. Explore partnership opportunities and program with the Entrepreneur Center of Central Texas and Small Business Development Center <ul style="list-style-type: none"> i. Explore East Temple off-site (in addition to downtown center) counseling ii. Explore off-site business incubator for manufacturing and distribution in East Temple b. Leverage other existing resources (ex: Chamber of Commerce membership, training programs, and East Temple Merchants Association) c. If pursued, create marketing plan to support the program 	LT	Entrepreneurship. Center, SBDC, Chamber of Commerce
B.	<p>Explore gap financing options</p> <ul style="list-style-type: none"> a. Explore traditional private sector and not-for-profit partnerships for loans <ul style="list-style-type: none"> i. SBA-7A program ii. SBA 504 loans through the Central TX Development Corp. iii. Real estate loans: bank 50% loan, SBA 40% loan, and business owners of 10% down payment b. Explore non-traditional lending opportunities for businesses that cannot qualify for traditional lending <ul style="list-style-type: none"> i. PeopleFund loans and NeighborWorks ii. Revolving loan fund through existing or new non-profit iii. Micro Enterprise Program that provides special seed funding to lower income entrepreneurs and very small businesses c. If pursued, create marketing plan to support the program 	LT	Private Sector Banks, Non-Traditional Providers PeopleFund, NeighborWorks
Goal 10: Explore creating a career training/workforce training center			
A.	<ul style="list-style-type: none"> a. Explore partnership opportunities and programs with Workforce Development, Temple College Workforce Development, and TISD. <ul style="list-style-type: none"> i. Explore ways to enhance graduation rates for high school dropouts through these programs ii. Create career training and certification programs for high school drop-outs and graduates who are not college ready 	ST	Workforce Solutions, Temple College, TISD, other agencies providing training
Focus Area 4: EXISTING COMMERCIAL/INDUSTRIAL REDEVELOPMENT			
Goal 11: Assist existing and prospective businesses to improve the appearance of their building and site.			
A.	<p>Develop incentives program for building rehabilitation</p> <ul style="list-style-type: none"> a. Consider mirroring the existing Strategic Investment Zone program but with enhanced incentives <ul style="list-style-type: none"> i. Establish program guidelines and adopt related ordinance 	ST and On-going	City in cooperation with investors, KTB

	Description	Priority/ Timing	Responsible Party
	<ul style="list-style-type: none"> ii. Include properties on East Adams, Avenue C, MLK, and Central Avenue iii. Include lower thresholds to qualify; consider higher match participation rate iv. Reconsider and enhance demolition policy v. Market program b. Prepare an inventory of existing commercial building (vacant, occupied, available, condition). <ul style="list-style-type: none"> i. A detailed property database with contact information should be compiled to get a complete picture of the ownership structure. This should be followed up with discussions with targeted property owners on potential buy out, lease back, co- investment, or other potential deal structures. 		
B.	Recruit businesses to the area <ul style="list-style-type: none"> a. Recruit based upon targeted/desirable business list (personal service/ nail/ beauty barber, family restaurants, fast food, Laundromats/dry cleaners, family & youth oriented business, resale shops, gas station, bill pay, grocery, emergency clinic) 	On-going	TEDC, Retail, ED Group
C.	Partner with the private sector to redevelop existing, vacant buildings to create culturally diverse destination spots. <ul style="list-style-type: none"> a. Example: Private investor turns Katy Depot into a unique restaurant, art gallery, etc. b. Examples: Expand Super Mercado Guanajuato grocery and bakery; mobile food courts, community gardens 	MT	Entrepreneurship Center, PeopleFund, TEDC, Existing businesses, Master Gardener Clun
D.	Improve/expand Code Enforcement on commercial buildings <ul style="list-style-type: none"> a. Create more awareness and education for commercial property codes b. Apply same approaches as identified for residential redevelopment 	ST	City Code Enforcement Dept.
Goal 12: Address existing blight and other conditions that contribute to neighborhood decline and commercial vitality			
A,	Address revitalization of targeted deteriorating multi-family and commercial buildings <ul style="list-style-type: none"> a. Example: Partner with Housing Authority or Community Development Corporation to rehabilitate Wayman Manor b. Pursue grants 	MT	Temple Housing Authority, Community Development Corporation, private investor
B.	Address outdoor storage	MT	City Code Enforcement Dept.
C.	Address buffering between residential and commercial/industrial uses	MT	City Planning Dept.
Focus Area 5: GREENFIELD RESIDENTIAL DEVELOPMENT			
Goal 13: Recruit and incentivize a residential development demonstration project			
A.	Identify target areas	ST	Developer input
B.	Create development plan (with developer if already identified) that will provide for new housing types, densities, and character not currently available in East Temple	ST	Developer, City, TEDC
C.	Develop marketing and recruitment plan and execute	ST	TEDC, Developer, City

	Description	Priority/ Timing	Responsible Party
D.	Develop and provide enhanced incentives targeted areas <ol style="list-style-type: none"> Assist with infrastructure roads, utilities, and themed landscape and streetscape Coordinate and partner with developer through Development Agreement Provide fast track permitting and zoning process Partner with the Temple Housing Authority or other sources to direct First Time Homebuyer Down payment Assistance Program to new homes in the development 	ST	Housing Authority, Developer, City
Focus Area 6: STREETSCAPE/PUBLIC REALM/ PARKS			
Goal 14: Develop Streetscapes and Gateways to create a sense of place			
A.	Develop streetscape design guidelines and concepts. Guidelines should address: lighting, landscaping and signage and establish a hierarchy of locations for streetscapes	LT	University class project, KTB
B.	Develop Gateway/Corridor Plan. Plan should address structures and pillars with signage and should identify and prioritize gateways by level of importance and impact	LT	University class project, KTB
C.	Pursue funding for construction/improvements	LT	City, RZ, KTB
D.	Pursue funding for incentives for voluntary improvements that meet design standards by the private sector.	LT	City
Goal 15: Evaluate and develop recreational facilities that meet the needs of the area			
A.	Consider installing football field(s) which are open to the public	MT	City Parks Dept
OTHER CONSIDERATIONS			
Goal 16: Consider creating additional, targeted programs related to security and crime			
A.	Explore creating a police substation or other area supportive program.	ST	City Police Dept
B.	Consider creating and implementing an education program addressing crime image versus reality	LT	Non-Profits
Goal 17: Consider creating a cultural, history and arts master plan			
A.	Develop master plan	LT	University class project



COUNCIL AGENDA ITEM MEMORANDUM

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DEPT./DIVISION SUBMISSION & REVIEW:

Daniel A. Dunn, Mayor

ITEM DESCRIPTION: Consider adopting a resolution appointing one member to the Reinvestment Zone No. 1 Board of Directors to fill an expiring term through September 1, 2015.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

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

FISCAL IMPACT: N/A

ATTACHMENTS:
Board Summary