

MEETING OF THE TEMPLE CITY COUNCIL

MUNICIPAL BUILDING

2 NORTH MAIN STREET

3rd FLOOR – CONFERENCE ROOM

THURSDAY, DECEMBER 19, 2013

3:30 P.M.

WORKSHOP AGENDA

- 1. Discuss, as may be needed, Regular Meeting agenda items for the meeting posted for Thursday, December 19, 2013.
- 2. Receive presentation by Blazer Development on a proposed tax credit housing project.
- 3. Executive Session: Pursuant to Chapter 551, Government Code, §551.074 Personnel Matter The City Council will meet in executive session to discuss the employment, evaluation, duties and work plans of the City Manager, Director of Finance, City Attorney, City Secretary, and Municipal Court Judge. No final action will be taken.

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

- Invocation
- 2. Pledge of Allegiance

II. PUBLIC COMMENTS

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

III. CONSENT AGENDA

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

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

Minutes

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

Contracts, Leases, & Bids

(B) 2013-7187-R: Consider adopting a resolution ratifying an agreement with the United States Marshals Service for the transfer of real property, located at 504 West Avenue O, Belton, to the City of Temple, pursuant to asset forfeiture proceedings in the federal court system.

- (C) 2013-7188-R: Consider adopting a resolution authorizing a professional services agreement with Kasberg, Patrick & Associates, LP, (KPA) for professional services required to provide a sidewalk extension from the Pepper Creek Hike & Bike Trail to the intersection of Old Howard Road and Central Pointe Pkwy in the Corporate Campus Park in an amount not to exceed \$93,700.
- (D) 2013-7189-R: Consider adopting a resolution authorizing a professional services agreement with Kasberg, Patrick & Associates, LP for professional services required to design and prepare plans, specifications, estimates, bidding and construction phase services for enhancements to the Pepper Creek Trail in an amount not to exceed \$235,100.
- (E) 2013-7190-R: Consider adopting a resolution authorizing a single year funding agreement with the Temple Economic Development Corporation (TEDC) to market the Tax Increment Financing Reinvestment Zone Number One (Zone) in the amount of \$199,650.
- (F) 2013-7191-R: Consider adopting a resolution authorizing a professional services agreement with Kasberg, Patrick & Associates, LP, (KPA) for professional services required to provide site certifications for all developable property owned by the City and/or the Temple Economic Development Corporation (TEDC) in the amount of \$70,750.
- (G) 2013-7192-R: Consider adopting a resolution authorizing a Chapter 380 Strategic Investment Zone "matching grant" agreement with GJT Future Management, Fish Bowl Pet Express for redevelopment improvements located at 17 North 2nd Street within the MLK Jr. Boulevard Strategic Investment Zone corridor in an amount not to exceed \$33,000.
- (H) 2013-7193-R: Consider adopting a resolution authorizing a services agreement with Triple S Fuels/Petroleum of Austin for the purchase of on-site fuel through September 30, 2015, in the estimated annual amount of \$45,000.
- (I) 2013-7194-R: Consider adopting a resolution authorizing a construction contract with Majestic Services, Inc of Austin, for the renovation at the Fleet Services building to construct a storage building, complete mechanical and electrical upgrade and expand the training room in the amount of \$293,676.

Ordinances – First Reading:

(J) 2013-4627: FIRST READING – Z-FY-14-08: Consider adopting an Ordinance authorizing a zoning change from Agricultural District (AG) to Single-Family Three District (SF-3) on 54.097+/- acres and from Agricultural District (AG) to Office Two District (O-2) on 2.315 ± acres, being part of the Baldwin Robertson Survey, Abstract No. 17, Bell County, Texas, located along the north side of Prairie View Road, east of North Pea Ridge Road.

<u>Ordinances – Second & Final Reading</u>

- (K) 2013-4623: SECOND READING Z-FY-13-33: Consider adopting an ordinance authorizing a zoning change from Light Industrial (LI) to Heavy Industrial (HI) with a Conditional Use Permit to operate a heat kiln and wood chipper on 19.68 ± acres of the Nancy Ferguson Survey, Abstract No. 322, in Bell County Texas, located at 1407 Industrial Boulevard.
- (L) 2013-4624: SECOND READING Z-FY-14-02: Consider adopting an ordinance authorizing a zoning change from a combination of Light Industrial (LI) and Commercial District (C) to Multiple Family Dwelling One (MF-1) District to Lots 3 and 4, Block 12, Northwest Hills, 1st Extension Replat of Blocks 11 & 12, addressed as 2201 and 2205 Valley Forge Avenue.
- (M) 2013-4625: SECOND READING –Z-FY-14-03: Consider adopting an ordinance authorizing a Conditional Use Permit to allow the sale of alcoholic beverages for onpremise consumption where sales will be more than 50% and less than 75% of the gross revenue for The Patio On Main Restaurant/Bar, on Lot 15, Block 21, Temple Original Town, located at 12 South Main Street.
- (N) 2013-4626: SECOND READING Consider adopting an ordinance reestablishing a comprehensive economic development policy for the City of Temple which includes the City's criteria and guidelines for tax abatement, tax increment financing, enterprise zones, and strategic investment zones.

Misc.

- (O) 2013-7195-R: Consider adopting a resolution authorizing payment of the TCEQ Water System Fee to the Texas Commission on Environmental Quality (TCEQ) for operations of Temple's water treatment plants, in the amount of \$64,755.85.
- (P) 2013-7196-R: Consider adopting a resolution authorizing payment of the Consolidated Water Quality (CWQ) Assessment Fee to the Texas Commission on Environmental Quality (TCEQ) for operations of Temple's wastewater treatment plants, in the cumulative amount of \$94,722.
- (Q) 2013-7197-R: Consider adopting a resolution approving the annual report of the Tax Increment Financing Reinvestment Zone No. 1 for fiscal year 2012-2013.
- (R) 2013-7198-R: Consider adopting a resolution authorizing budget amendments for fiscal year 2013-2014.

IV. REGULAR AGENDA

ORDINANCES - FIRST READING - PUBLIC HEARING:

4. 2013-4628: FIRST READING – PUBLIC HEARING: Consider adopting an ordinance amending the calculation method for the certification pay for the certification of Paramedic/EMT in the Fire Department.

- 5. 2013-4628: FIRST READING PUBLIC HEARING Z-FY-14-04: Consider adopting an ordinance authoring a zoning change from TMED T4 District (T4) to Planned Development (T4) District on Lot 3, Block 7, Eugenia Terrace, addressed as 1605 South 5th Street.
- 6. 2013-4629: FIRST READING PUBLIC HEARING A-FY-12-08: Consider an Ordinance authorizing abandonment and conveyance of two existing alleys, each with a width of 20 feet and depth of 300 feet, located between the north right-of-way line of East Adams Avenue and the south right-of-way line of East Calhoun Avenue and reserving a public drainage and utility easement in the entire abandoned rights-of-way.

RESOLUTIONS

- 7. 2013-7199-R: Consider adopting a resolution designating the Chair of the Tax Increment Financing Reinvestment Zone No. 1 Board of Directors for 2014.
- 8. 2013-7200-R: Consider adopting a resolution authorizing the conveyance of a 7.11 acre parcel of City-owned land located at 5901 Airport Road, Temple, Texas and also located within Bioscience Park, to the Temple Economic Development Corporation.

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 2:30 PM, on December 13, 2013.

Lacy Borgeson, TRMC City Secretary

I certify that this Notice of Meeting Ag	genda 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

12/19/13 Item #3(A) Consent Agenda Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Lacy Borgeson, City Secretary

ITEM DESCRIPTION: Approve Minutes:

(A) December 5, 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:

December 5, 2013 Special Called and Regular Meeting -to be provided



COUNCIL AGENDA ITEM MEMORANDUM

12/19/13 Item #3(B) Consent Agenda Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

David Blackburn, City Manager

<u>ITEM DESCRIPTION</u>: Consider adopting a resolution ratifying an agreement with the United States Marshals Service for the transfer of real property, located at 504 West Avenue O, Belton, to the City of Temple, pursuant to asset forfeiture proceedings in the federal court system.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

<u>ITEM SUMMARY:</u> In March, 2010, officers from the Temple Police Department's narcotics unit executed a search warrant at 504 West Avenue O in Belton. Arrests were made and the property was seized as it was being used as part of a drug distribution operation. The case was prosecuted through the federal court system. All appeals have been heard and the case has been finalized, making the property a forfeited asset that can be transferred for the use of the police department.

The area is zoned "commercial highway", and the intended use of the property is consistent with other property uses in the vicinity. Neighboring buildings operate as a recycling center and an auto repair shop. Another neighboring property is vacant, but was previously a used car lot.

The regulations under the federal asset forfeiture program require the department to maintain and use the property for a minimum of five years. The plans for this property extend well beyond that requirement.

FISCAL IMPACT: To transfer ownership of the property to the department and the City of Temple, the federal government must be paid for its share of the assessed value of the property, plus costs for managing the property while under seizure proceedings, and back taxes. The fees to transfer the property are:

TOTAL:	\$41,079.87
Property taxes up to the point of Final Forfeiture:	\$5,015.37
Federal Share:	\$18,700.00
Government Expenses through November 2013:	\$17,364.50

12/19/13 Item #3(B) Consent Agenda Page 2 of 2

A budget adjustment is being presented to Council appropriating funds in the amount of \$41,080 from Reserved for Seized Funds {Federal}, account 110-0000-313-0330, to OCU Seized Funds/Federal, account 110-2031-521-6231, project 101116 to fund the transfer of this property.

ATTACHMENTS:

Budget Adjustment Resolution

BUDGET ADJUSTMENT FORM

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

Adjustments should be rounded to the nearest \$1.

ACCOUNT NUMBER	PROJECT #	ACCOUNT DESCRIPTION	IN	CREASE		DECREASE
110-2031-521-62-31	101116	OCU Seized funds/Federal	\$	41,080		
110-0000-313-03-30		Reserved for Seized Funds		,		41,080
					+	
					+	
					-	
TOTAL			\$	41,080		\$ 41,080
建筑是是农村的 公司的				N. F. A.	S. S.	bell a kindle
EXPLANATION OF ADJ account are available.	USTMENT	REQUEST- Include justification for increase	s AND	reason why	fund	s in decreased
Federal seized funds are need Temple PD narcotic's unit in M department.	led to purcha larch, 2010.	se the property at 504 West Ave. O, in Belton, ^T The property is now a forfeited asset that can b	Texas. e trans	This proper ferred for th	ty wa e use	as seizedby the e of the police
DOES THIS REQUEST REQUEST REQUEST REQUEST REQUESTING		X 12/19/2013	Yes		No	
WITH AGENDA ITEM?		х	Yes		No	
Lang O. Shi	E	11-24-2	013			oved
Department Head/Division	Director	Date			Disa	pproved
Finance		Date		. —		oved pproved
City Manager		Date			(5) 6	oved pproved

RESOLUTION NO.	
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A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, RATIFYING AN AGREEMENT WITH THE UNITED STATES MARSHALS SERVICE FOR THE TRANSFER OF REAL PROPERTY LOCATED AT 504 WEST AVENUE O, BELTON, TEXAS, TO THE CITY OF TEMPLE, PURSUANT TO ASSET FORFEITURE PROCEEDINGS IN THE FEDERAL COURT SYSTEM; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, in March 2010, officers from the Temple Police Department's narcotics unit executed a search warrant at 504 West Avenue O in Belton, Texas – arrests were made and property was seized as it was being used as part of a drug distribution operation;

Whereas, the case was prosecuted through the federal court system, all appeals have been heard and the case has been finalized, making the property a forfeited asset that can be transferred to the City of Temple;

Whereas, the area is zoned 'commercial highway' and the intended use of the property is consistent with other property uses in the vicinity;

Whereas, the regulations under the federal asset forfeiture program require the department to maintain and use the property for a minimum of five years – plans for this property extend beyond that required time;

Whereas, to transfer ownership of the property to the City of Temple, the federal government must be paid for its share of the assessed value of the property, plus costs for managing the property while under seizure proceedings and taxes;

Whereas, funds are available for this transfer, but an amendment to the fiscal year 2013-2014 budget needs to be approved to transfer the funds to Account No. 110-2031-521-6231, Project No. 101116; 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:

<u>Part 1:</u> The City Council authorizes the City Manager, or his designee, to ratify an agreement with the United States Marshals Service, after approval as to form by the City Attorney, for the transfer of real property located at 504 West Avenue O, Belton, Texas, to the City of Temple, pursuant to asset and forfeiture proceedings in the Federal Court System.

<u>Part 2:</u> 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.

<u>Part 3:</u> 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 5th day of September, 2013.

	THE CITY OF TEMPLE, TEXAS
	DANIEL A. DUNN, Mayor
ATTEST:	APPROVED AS TO FORM:
Lacy Borgeson City Secretary	Jonathan Graham City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

12/19/13 Item #3(C) Consent Agenda Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

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

<u>ITEM DESCRIPTION:</u> Consider adopting a resolution authorizing a professional services agreement with Kasberg, Patrick & Associates, LP, (KPA) for professional services required to provide a sidewalk extension from the Pepper Creek Hike & Bike Trail to the intersection of Old Howard Road and Central Pointe Pkwy in the Corporate Campus Park in an amount not to exceed \$93,700.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

<u>ITEM SUMMARY:</u> The 2013-2018 RZ Master Plan includes a trail connection from the terminus of the Pepper Creek Hike & Bike Trail, at the Bioscience Park, to the Airport Business Park entrance, at the intersection of Old Howard Road and Center Pointe Pkwy in northwest Temple (Map attached). KPA proposes to design a 12'-wide sidewalk paralleling Old Howard Rd along its east side. The attached Proposal outlines tasks and costs necessary to provide the services.

The consultant services recommended under this resolution include the following tasks and costs:

Surveying	\$	7,000
Design	\$	36,800
Bidding	\$	6,500
Construction Administration	\$	22,600
Onsite Representation	<u>\$</u>	20,800

TOTAL \$ 93,700

On December 11, 2013, the RZ Board approved a recommendation to Council to authorize this contract. The proposed timeline for the design phase of the project is 120 days.

12/19/13 Item #3(C) Consent Agenda Page 2 of 2

<u>FISCAL IMPACT:</u> Funding in the amount of \$750,000 is available within the Reinvestment Zone Financing/Project Plans, Line 155, in account 795-9800-531-6865, project 101002 to fund this professional services agreement with Kasberg, Patrick & Associates in the amount of \$93,700.

ATTACHMENTS:

Engineer's Proposal Project Map Resolution



KASBERG, PATRICK & ASSOCIATES, LP

CONSULTING ENGINEERS Texas Firm F-510

RICK N. KASBERG, P.E.

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

THOMAS D. VALLE, P.E.

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

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

December 2, 2013

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

Re:

Temple Reinvestment Zone

Bioscience Trail Connection to Airport Park

Dear Mr. Bond:

At the request of the City of Temple and the Temple Reinvestment Zone, we are submitting this proposal for the above referenced project. The project consists of developing plans, specifications, bidding, construction administration and on-site services for the extension of the trail from the north side of Airport Road (Highway 36) to the intersection of Research Parkway and Central Pointe Parkway/Industrial Boulevard. 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 proposal does not include any landscaping or irrigation design or construction. The design phases for the project can be completed in one-hundred twenty days from the notice to proceed. Our preliminary opinion of probable construction cost for this project is \$655,000.

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. At this time we believe all of the improvements are within existing rights-of-way. If during the design process it is determined rights-of-way or easements are required, we will submit a proposal for those services. The timeline for design is one hundred twenty calendar days from the notice to proceed.

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

Mr. Don Bond, P.E., CFM December 2, 2013 Page 2

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 will be preliminarily established by KPA and reviewed by the City of Temple and the Temple Reinvestment Zone.
- B. Geometric Design Develop geometric design for the proposed trail. Geometric design will include horizontal and vertical design with connections to Airport Road (Highway 36) and the intersection of Research Parkway and Central Pointe Parkway/Industrial Boulevard.
- C. Trail Design Develop a section for the trail to be constructed on the east side of Research Parkway. Trail design shall meet ADA standards.
- D. Drainage Develop hydrology and hydraulics for the project to create positive drainage to existing conveyance systems. Drainage improvements will be designed to convey storm water from the proposed trail to existing systems.
- E. Details and Standards Develop details and standards for bidding of the project to meet City of Temple standards.
- F. The project will be submitted for review and approval with TDLR.
- G. Review the design with the Temple Reinvestment Zone for comments and approval.

III. Bidding

- A. Provide a signed and sealed Opinion of Probable Cost the City of Temple Project Manager.
- 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.

IV. 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. Perform a monthly evaluation of the contractor's performance on the City of Temple form and submit to the City of Temple Project Manager.
- E. 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.
- F. Submit a recommendation for acceptance of infrastructure to the City of Temple Project Manager.
- G. Develop record drawings based on information supplied by the contractor.

V. On-Site Representation

- A. Perform daily on-site representation an average of 3 hours per day.
- B. Prepare and submit weekly logs of construction activities.

The following scope of work for the Bioscience Trail Connection to Airport Park Project can be completed for the lump sum price of \$93,700. Below is a breakdown of project costs by individual item. We are pleased to submit this proposal and look forward to the benefit it will bring the City of Temple.

Bioscience Trail Connection to Airport Park

Design Surveys	\$ 7,000.00
Civil Design	\$ 36,800.00
Bidding	\$ 6,500.00
Construction Administration	\$ 22,600.00
On-Site Representation	\$ 20,800.00
TOTAL	\$ 93,700.00

Sincerely,

R. David Patrick, P.E., CFM

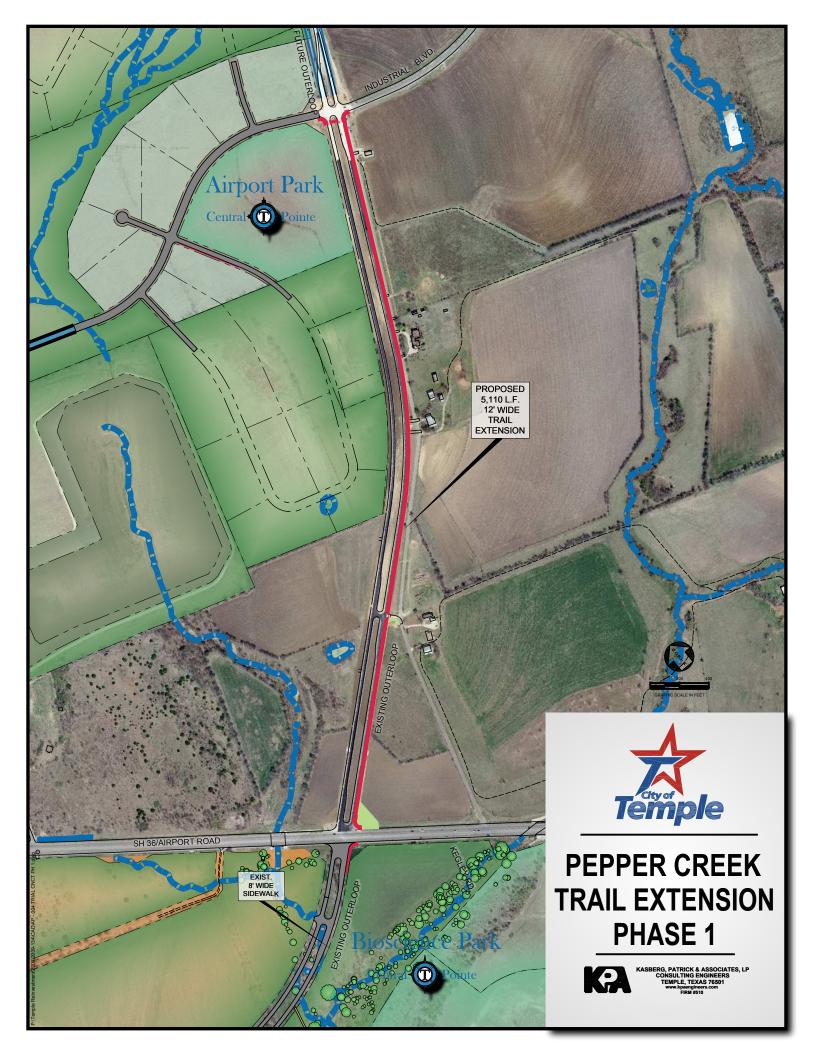
xc: File

ATTACHMENT "C"

Charges for Additional Services

City of Temple Bioscience Trail Connection to Airport Park

POSITION	MULTIPLIER	SALARY COST/RATES
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



A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH KASBERG, PATRICK & ASSOCIATES, LP, OF TEMPLE, TEXAS, TO PROVIDE A SIDEWALK EXTENSION FROM THE PEPPER CREEK HIKE & BIKE TRAIL TO THE INTERSECTION OF OLD HOWARD ROAD AND CENTRAL POINTE PARKWAY, IN THE CORPORATE CAMPUS PARK, IN AN AMOUNT NOT TO EXCEED \$93,700; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the 2013-2018 Reinvestment Zone Master Plan includes a trail connection from the terminus of the Pepper Creek Hike & Bike Trail at the Bioscience Park, to the Airport Business Park entrance at the intersection of Old Howard Road and Center Pointe Parkway in Northwest Temple;

Whereas, Kasberg, Patrick & Associates, LP proposes to design a 12 foot wide sidewalk paralleling Old Howard Road along its east side;

Whereas, funds are available for this project in the Reinvestment Zone No. 1 Financing/Project Plans, Line 155, Account No. 795-9800-531-6865, Project No. 101002; 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:

<u>Part 1:</u> The City Council authorizes the City Manager, or his designee, to execute a professional services agreement with Kasberg, Patrick & Associates, L.P., after approval as to form by the City Attorney, to provide a sidewalk extension from the Pepper Creek Hike & Bike Trail to the intersection of Old Howard Road and Central Pointe Parkway in the Corporate Campus Park, in an amount not to exceed \$93,700.

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

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

	THE CITY OF TEMPLE, TEXAS
	DANIEL A. DUNN, Mayor
ATTEST:	APPROVED AS TO FORM:
Lacy Borgeson	Jonathan Graham
City Secretary	City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

12/19/13 Item #3(D) Consent Agenda Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Ken Cicora, Director of Parks and Leisure Services

ITEM DESCRIPTION: Consider adopting a resolution authorizing a professional services agreement with Kasberg, Patrick & Associates, LP for professional services required to design and prepare plans, specifications, estimates, bidding and construction phase services for enhancements to the Pepper Creek Trail in an amount not to exceed \$235,100.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

<u>ITEM SUMMARY:</u> This Reinvestment Zone No. 1 Master Plan includes funding for enhancements to the Pepper Creek Trail. Kasberg, Patrick and Associates has submitted a proposal to design and prepare plans, specifications, estimates, bidding and construction phase services for enhancements to the Pepper Creek Trail in the amount of \$235,100. The Pepper Creek Trail Enhancement project consists of developing a parking facility off of Research Parkway, pocketed landscaping, irrigation, lights, signage and trail markers.

The Pepper Creek Trail has developed into the premier hike trail in Temple. Not only is it utilized daily by dozens of hikers and joggers, many fund raising 5 and 10 k runs take place on the trail. The trail has become even more popular with the connection to the Scott and White Health Plan having been completed.

Kasberg, Patrick and Associates will develop 100% final design, bid and provide construction phase services for the project.

The scope of work for the Pepper Creek Trail Enhancements includes:

•	Design Surveys	\$	8,500
•	Landscape Design	\$	39,800
•	Civil Design	\$	84,600
•	Electrical Design	\$	21,800
•	Bidding	\$	7,500
•	Construction Administration	\$	37,600
•	On-Site Representation	<u>\$</u>	35,300
	Tota	al <u>\$2</u>	235,100

12/19/13 Item #3(D) Consent Agenda Page 2 of 2

On December 11, 2013, the RZ Board approved a recommendation to Council to authorize this professional services agreement.

FISCAL IMPACT: Funding for this professional services agreement with KPA in the amount of \$235,100 is available in the Reinvestment Zone No.1 Financing/Project Plans, Line 207, account 795-9800-531-6867, project 101005.

ATTACHMENTS:

Engineer's Proposal Resolution



KASBERG, PATRICK & ASSOCIATES, LP

CONSULTING ENGINEERS
Texas Firm F-510

RICK N. KASBERG, P.E.

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

THOMAS D. VALLE, P.E.

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

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

October 4, 2013

Mr. Ken Cicora Director of Parks & Leisure Services 1909 Curtis B. Elliott Dr. Temple, TX 76501

Re:

City of Temple - Temple Reinvestment Zone

Pepper Creek Trail Enhancements

Dear Mr. Cicora:

At the request of the City of Temple Reinvestment Zone #1 (TRZ), we are submitting this proposal for the above referenced project. The project consists of developing a parking facility off of Research Parkway, pocketed landscaping, irrigation, lights, signage and trail markers. 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 design phase for the project can be completed in one hundred eighty days from the notice to proceed. Our preliminary opinion of probable construction cost for this project is \$1,505,000.

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 will be in City of Temple or TEDC Property and therefore will not require any acquisition of rights-of-way or easements.

Mr. Ken Cicora October 4, 2013 Page 2

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. Review existing survey data previously developed for the Pepper Creek Trail Project.
- C. Survey previously constructed Pepper Creek Trail infrastructure to develop survey grade maps to be utilized in mapping systems for the trail.
- D. Conduct detailed surveys for parking facility off of Research Parkway.

II. Civil Design

- A. Geometric Design Perform geometric design for a 25 30 car parking facility for the Pepper Creek Trail. The facility will be located off of Research Parkway. Sight distance for a 45 MPH design speed will be utilized in the design. After the geometric design is complete, a schematic drawings will be produced and reviewed with City Staff and the TRZ for approval.
- B. Parking Facility Design Utilizing geotechnical data from prior projects in the area, a pavement cross section will be developed. Access and egress connections to Research Parkway will be designed according to AASHTO standards. Design for the parking facility will include parking, striping and signage as well as horizontal and vertical geometry.
- C. Sidewalk/Trail Design Develop a section for the sidewalk/trail to meet City of Temple standards. The sidewalk/trail will be developed to connect the parking facility to the existing Pepper Creek Trail. Sidewalk design shall meet ADA standards. All required retaining walls and handrail will be designed with the project. Meetings with City Staff will be held to discuss improvements and coordination.
- D. Drainage Develop hydrology and hydraulics for the project to create positive drainage to existing conveyance systems from all infrastructure.
- E. Details and Standards Develop details and standards for bidding of the project to meet City of Temple standards.
- F. Emergency Call Stations Design and coordinate locations for emergency call stations for the entire trail.
- G. Signage Prepare on schematic drawings proposed locations for signage (location and type) for review with City Staff and the TRZ. Signs will include kiosk and location type signage that illustrates the Pepper Creek Trail and its amenities based off the survey data off the trail. A system for designating distance markers will be developed and reviewed with City Staff.

The system will be incorporated into Pepper Creek Trail and the kiosk and location maps. Substructure design for all signs will be completed and incorporated into the plans.

III. Landscape Design

- A. Prepare landscape design for Pepper Creek Trail. The design team will create a schematic drawing to illustrate proposed locations for landscaping pockets. A field review will be conducted with City Staff as well as other interested stakeholders (TRZ) to verify locations for pocket landscaping. Discussions will include amenities, tree and vegetation types, etc.
- B. Prepare an irrigation design for the proposed landscape design, including areas to be grassed.
- C. Develop kiosk and location signage for the trail system.

IV. Electrical Design

- A. Develop electrical design for the project to support trail lighting and emergency call stanchions.
- B. Develop electrical details and standards to support the electrical design.

V. Bidding

- A. After the project publically advertises, solicit contractors to bid the project.
- B. Chair the Pre-Bid Conference and develop notes for the project based on questions asked by potential bidders.
- C. 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.
- D. 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.
- E. Attend the TRZ Project Group Meeting, TRZ Board Meeting and City Council for award of the project.

VI. 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. Develop record drawings based on information supplied by the contractor.

VII. On-Site Representation

- A. Perform daily on-site representation an average of 3 hours per day.
- B. Prepare and submit weekly logs of construction activities.

The following scope of work for the Pepper Creek Trail Enhancements Project can be completed for the lump sum price of \$235,100. Below is a breakdown of project costs by individual task. We are pleased to submit this proposal and look forward to the benefit it will bring the City of Temple.

PEPPER CREEK TRAIL ENHANCEMENTS

Design Surveys	\$ 8,500.00
Landscape Design	\$ 39,800.00
Civil Design	\$ 84,600.00
Electrical Design	\$ 21,800.00
Bidding	\$ 7,500.00
Construction Administration	\$ 37,600.00
On-Site Representation	\$ 35,300.00
TOTAL PEPPER CREEK TRAIL ENHANCEMENTS	\$ 235,100.00

Sincerely,

R. David Patrick, P.E., CFM

xc: File

ATTACHMENT "C"

Charges for Additional Services

City of Temple Pepper Creek Trail Enhancements

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH KASBERG, PATRICK & ASSOCIATES, LP, OF TEMPLE, TEXAS, TO DESIGN AND PREPARE PLANS, SPECIFICATIONS, ESTIMATES, BIDDING AND CONSTRUCTION PHASE SERVICES FOR ENHANCEMENTS TO THE PEPPER CREEK TRAIL, IN AN AMOUNT NOT TO EXCEED \$235,100; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the Reinvestment Zone Number 1 Master Plan includes funding for enhancements to the Pepper Creek Trail – these enhancements consist of developing a parking facility off of Research Parkway, pocketed landscaping, irrigation, lights, signage and trail markers;

Whereas, the Pepper Creek Trail has developed into the premier hike trail in Temple and is not only utilized daily by dozens of hikers and joggers, but many fund raising events take place on the trail;

Whereas, funds are available for this project in the Reinvestment Zone No. 1 Financing/Project Plans, Line 207, Account No. 795-9800-531-6867, Project No. 101005; 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:

<u>Part 1:</u> The City Council authorizes the City Manager, or his designee, to execute a professional services agreement with Kasberg, Patrick & Associates, L.P., after approval as to form by the City Attorney, to design and prepare plans, specifications, estimates, bidding and construction phases services for enhancements to the Pepper Creek Trail, in an amount not to exceed \$235,100.

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

PASSED AND APPROVED this the 19th day of December, 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

12/19/13 Item #3(E) Consent Agenda Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

David Blackburn, City Manager

<u>ITEM DESCRIPTION</u>: Consider adopting a resolution authorizing a single year funding agreement with the Temple Economic Development Corporation (TEDC) to market the Tax Increment Financing Reinvestment Zone Number One (Zone) in the amount of \$199,650.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: This item is to authorize the annual funding to TEDC for the current fiscal to market development in the Zone.

TEDC's obligation per the agreement will be to promote Economic Development within the Zone.

FISCAL IMPACT: Funding for the agreement in the amount of \$199,650 is included in the Zone's Financing Plan for FY 2014, in account 795-9500-531-2627. Absent the execution of a formal agreement, the Zone has continued to compensate TEDC annually for marketing services as authorized in the Financing Plan in the amounts listed below:

FY 2013 - \$181,500

FY 2012 - \$165,000

FY 2011 - \$150,000

FY 2010 - \$100,000

ATTACHMENTS:

Resolution

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A SINGLE YEAR FUNDING AGREEMENT WITH THE TEMPLE ECONOMIC DEVELOPMENT CORPORATION TO MARKET THE TAX INCREMENT FINANCING REINVESTMENT ZONE NUMBER ONE, IN THE AMOUNT OF \$199,650; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City of Temple and the Temple Economic Development Corporation ('TEDC') have worked together marketing the Tax Increment Financing Reinvestment Zone Number One ('Zone') in the past without an agreement;

Whereas, staff recommends entering into an agreement with the Temple Economic Development Corporation which outlines TEDC's obligation to promote economic development within the Zone;

Whereas, funding is available for this agreement in the Reinvestment Zone Number One Financing Plan, Account No. 795-9500-531-2627; 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:

<u>Part 1:</u> The City Council authorizes the City Manager to enter into an agreement with the Temple Economic Development Corporation, after approval as to form by the City Attorney, outlining the obligations of TEDC to promote economic development within the Zone.

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

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

	THE CITY OF TEMPLE, TEXAS
	DANIEL A. DUNN, MAYOR
ATTEST:	APPROVED AS TO FORM:
Lacy Borgeson	Jonathan Graham
City Secretary	City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

12/19/13 Item #3(F) Consent Agenda Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

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

<u>ITEM DESCRIPTION:</u> Consider adopting a resolution authorizing a professional services agreement with Kasberg, Patrick & Associates, LP, (KPA) for professional services required to provide site certifications for all developable property owned by the City and/or the Temple Economic Development Corporation (TEDC) in the amount of \$70,750.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

<u>ITEM SUMMARY:</u> The Texas Economic Development Council conducts a program to register properties available for sale that are ready for development. The Texas Sites That Are Ready (STAR) Documented Sites program requires sites to meet a specific set of criteria to merit registration. Registration with the Texas STAR program will elevate the visibility and marketability of various City and TEDC-owned sites. KPA proposes to develop certification sheets for these sites, including documentation of those eligible for the Texas STAR program. The attached Proposal outlines tasks and costs necessary to provide the services.

The consultant services recommended under this resolution include the following tasks and costs:

Site Review and Development	\$ 62,000
Environmental Phase 1	\$ 31,200
Environmental Natural Resources Review	\$ 40,800
Brokers Opinion of Value	\$ 7,500

TOTAL \$ 141,500

On December 11, 2013, the RZ Board approved a recommendation to Council to authorize this contract. The proposed timeline for the design phase of the project is 300 days. The Temple Economic Development Corporation will be sharing in the cost of this professional services agreement. TEDC will fund 50% of the cost of the site certifications for all developable property.

12/19/13 Item #3(F) Consent Agenda Page 2 of 2

FISCAL IMPACT: Funding for the professional services agreement with KPA for the City's share of \$70,750 is available in the Reinvestment Zone No. 1 Financing/Project Plans, Line 50, in account 795-9500-531-2616.

ATTACHMENTS:

Engineer's Proposal Resolution



KASBERG, PATRICK & ASSOCIATES, LP

CONSULTING ENGINEERS

Texas Firm F-510

RICK N. KASBERG, P.E.

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

THOMAS D. VALLE, P.E.

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

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

September 17, 2013

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

Re:

City of Temple, Texas

Temple Reinvestment Zone - Site Certification

Dear Mr. Blackburn:

At the request of the City of Temple, Temple Economic Development Corporation and The Temple Reinvestment Zone (TRZ), we are submitting this proposal for the above referenced project. The project consists of developing site certification sheets with backup supporting documentation for the property currently owned by the City of Temple or the Temple Economic Development Corporation (TEDC) with in the TRZ. The final product will be a developed single certification sheet for each property with individual site documents supporting the certification of the site. The program will be developed to allow qualifying sites to be registered with the Texas Economic Development Council in their Texas STAR (Sites That Are Ready) Documented Sites program. The intent is to develop the certified site program such that TEDC will have a data set for each site to market sites. Hard copies will be delivered to the City of Temple, Temple Economic Development Corporation and The Temple Reinvestment Zone.

The Texas Economic Development Council STAR program contains criteria that must be met in order to meet the STAR program. The criteria are as follows:

1. Size: At least 25 contiguous, buildable acres, above 100-year flood plain, free of impediments to development such as soil contaminants, wetlands, flood plain, protected species and/or cultural resources. – Sites that are less than 25 contiguous acres will be reviewed to see if combining of sites will create the required 25 contiguous acres. The environmental portion of the proposal will review soil contaminants, wetlands, flood plain, protected species and/or cultural resources. The Natural Resources component of this item goes beyond the base investigations of a Phase I Environmental Assessment (ESA). This proposal will conduct a limited screening for Waters of the U.S., including wetlands. Waters of the US are regulated through the US Army Corps of Engineers (ASACE) pursuant to Section 404 of the Clean Water Act. Please note that the USACE is the final authority in determining the presence of Water of the US and establishing their boundaries. The investigation in this proposal will be the professional opinion of Terracon (Sub consultant) and will not be submitted to the USACE.

The review will utilize available published resources. Literature and published listings will be conducted to identify the potential occurrence of any state or federally listed threatened and endangered species (T&E) with in a one-mile radius of the site. The search will include information from the US Fish and Wildlife Services' (USFWS) website and the Natural Diversity Database. A field investigation will then be performed to assess whether the site contains suitable habitat for any of the listed T&E species. The T&E species or their suitable habitat will be identified on site by observation. If no T7E species or their suitable habitat(s) are observed, a brief summary of our findings will be provided. Cultural Resources investigations will consist of a review and investigation on the Texas Historical Commission (THC) and the Texas Archeological research Laboratory (TARL) databases. In addition, research and review of the TARL archives will be conducted for determination of any archeological surveys in the vicinity of the sites and what, if any, significant resources were identified. These investigations will allow the evaluation for the subject sites to contain significant cultural resources. Any potential cultural resources observed during the site investigation will be noted. Although no field excavations will be conducted, letter reports will be submitted to the THC requesting project review.

- 2. **Price per Acre**: A price per acre or leasing price is required to certify and publish a site. The proposal will utilize a Broker's opinion of value to develop a price per acre for all sites in the TRZ owned by the City of Temple or TEDC.
- 3. **Property Control/Ownership**: Control of the site through option, purchase or other legally binding agreement must be obtained and maintained as a condition of certification. It is required the property can be obtained free and clear of encumbrances. Property ownership will be established by the Bell County records utilizing the BellCad program.
- 4. **Zoning:** The site must be zoned (or capable of being rezoned with no problem within 180 days) or otherwise cleared for industrial applications. If zoned, a zoning district description and map are required. Zoning for each site will be identified and documented.
- 5. **Flood:** At least 25 contiguous, buildable acres must be above the 100-year flood plain. Alternatively, the applicant may provide a plan by which construction footprints can be elevated above the plain and meet FEMA standards. Maps for each site will be developed to illustrate the 100-year flood plain as currently depicted by effective FEMA maps.
- 6. **Potable Water:** Delivery within 180 days of notification, either by line or by well, a minimum of 50,000 gallons of potable water per day. If an existing source of potable water is not available (existing line is more than 1,500 feet from the site), certification will require submission of a formal cost estimate, construction plan and funding source to meet the minimum level of service within a timetable of 180 days or less. Exhibits will be developed to illustrate water utilities adjacent to or in the vicinity of each site. The size and capacity (from record information) of the water line will be shown. If the site requires water utilities to be extended to the site, an opinion of probable cost and schedule will be developed.
- 7. Wastewater: Provide a minimum of 50,000 gallons per day of available sanitary sewer capacity within 180 days of notification. If existing capacity is not available (existing line is more than 1,500 feet from the site), certification will require submission of a formal cost estimate, construction plan, and funding source to meet the minimum level of service within a timetable of 180 days or less. Exhibits will be developed to illustrate wastewater utilities

- adjacent to or in the vicinity of each site. The size and capacity (from record information) of the wastewater line will be shown. If the site requires wastewater utilities to be extended to the site, an opinion of probable cost and schedule will be developed.
- 8. Electricity: Identify service provider or providers that can deliver 3-Phase service to the site within 180 days of execution. If existing capacity is not available at the site, certification will require submission of a formal cost estimate, construction plan and funding source to meet the minimum level of service within a timetable of 180 days or less. The service provider will be identified. A meeting request will be sent to review the electrical service available to the site. If the site does not have the required electrical service, we will ask the provider to provide a formal cost estimate and construction plan to provide the electrical service.
- 9. Natural Gas: Natural gas must be available within 1,500 feet of the site or available within 180 days of notification. If natural gas is not available (existing line is more than 1,500 feet from the site), certification will require submission of a formal cost estimate, construction plan, and funding source to meet the minimum level of service within a timetable of 180 days or less. The service provider will be identified. A meeting request will be sent to review the natural gas service available to the site. If the site does not have the required natural gas service, we will ask the provider to provide a formal cost estimate and construction plan to provide the natural gas service.
- 10. General Road Access: The roads accessing the site must be able to support vehicles with a maximum gross weight of 80,000 pounds, such as semi-trucks and trailers. Exhibits will be developed to illustrate roadway access to each site. The street classification will be identified. If the site does not meet the requirement for access, an opinion of probable cost and schedule will be developed.
- 11. **Listing:** The property owner must agree to have the site published by the Texas Economic Development Council as part of the Texas Star Documented Sites Program. All sites under this proposal are owned by either the City of Temple or TEDC. The owner and Bell County Property ID number will be identified.
- 12. Phase I Environmental Assessment: The site must have undergone a Phase I environmental assessment as a prerequisite for being considered for documented sites program. The Phase 1 Environmental Assessment must be less than 10 years old from the date of submission for non-active sites (agricultural, fallow or forested lands) and less than 5 years old for sites engaged in active commerce within the last five years. Phase 1 Environmental Site Assessments (ESA)will be performed with the procedures included in ASTM E 1527-05, Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process and the Texas Economic Development Council minimum criteria for the STAR Documented Sites program. The ESA will serve to assist in developing information to identify recognized environmental conditions (RECs) in connection with the sites. Phase I ESA will only be conducted for the sites that have not been previously studied or that the site's ESA is out of date with the STAR program.
- 13. **Remediated Sites:** If there are unresolved environmental issues, the site cannot be certified until a No Further Action letter or its equivalent from the Texas Commission on Environmental Quality (TCEQ) is provided or remediation efforts have been completed and documented according to TCEQ standards. The investigations will develop information

regarding any sites that have documented remediation requirements. If any sites are found to need certification of "No Further Action" or remediation efforts a separate proposal will be drafted for those services.

In addition to the above information, the following will be identified:

- 1. Flood Zone Identification Each site will be reviewed with the current effective FEMA Flood Plain Map to identify the current flood zone, if any on the property.
- 2. Elevation change and slope Each site will be reviewed to identify the MSL elevation change on the site and general slope(s) for the site. Current aerial topographic data (Stackhouse Maps) will be utilized to develop this information. There will not be an actual survey of each site.
- 3. Soil Data Surface soil types will be identified for each site utilizing the USGS soil survey information. Soil borings from previous projects will be utilized for soil identification. Exhibits will be developed to illustrate the location of the borings in relation to the specific property. No specific borings will done on any site with this proposal.
- 4. Transportation Access Each site will be reviewed for location to IH35, Draughon-Miller Central Texas Regional Airport, Killeen/Ft. Hood Regional Airport, Waco Regional Airport, Austin/Bergstrom International Airport and the Temple Rail Park.
- 5. Fiber Optic/Buried Cable Each site will be reviewed for existing fiber optic and/or buried cable infrastructure.
- 6. Population Data Population data will be identified for the City of Temple and for the MSA.
- 7. Community Information Community information for each site will be identified to include distance from each site to the nearest fire station, distance from each site to the nearest police station, distance from each site to the nearest hospital, building codes, living cost index and sales tax.

The Environmental Phase I portion of the proposal includes the following:

- 1. Airport Park Properties 8,9,10,11,14,20,21 and 22
- 2. Bioscience Park Properties 14, 19 and 20
- 3. Temple Industrial Park Properties 2,3,4,5,7,9,10,11,12,13,14,15,16,24,30,31,32 and 33
- 4. Corporate Campus Properties 1,2,3,4,5,6,7,8,9,10,11,12,13,14 and 15
- 5. Synergy Park Properties 6 and 11

The Natural Resources portion of the proposal includes the following:

- 1. Airport Park Properties 8,9,10,11,14,20,21 and 22
- 2. Bioscience Park Properties 1,2,3,4,5,6,7,8,9,10,12,13,14,19,20 and 21
- 3. Temple Industrial Park Properties 2,3,4,5,7,9,10,11,12,13,14,15,16,18,19,20,,21,24,25,26,30,31,32,33,40 and 60
- 4. Corporate Campus Properties 1,2,3,4,5,6,7,8,9,10,11,12,13,14 and 15
- 5. Synergy Park Properties 6 and 11

The scope of work referenced above for the Site Certification Project can be completed in three hundred days from the notice to proceed for the lump sum price of \$141,500. It is our understanding the cost for this project will be split between TEDC and the TRZ. Below is a breakdown of project costs by individual item. We are pleased to submit this proposal and look forward to the benefit it will bring the City of Temple.

TRZ Site Certification Project

Site Review and Development	\$ 62,000.00
Environmental Phase I	\$ 31,200.00
Environmental Natural Resources Review	\$ 40,800.00
Brokers Opinion of Value	\$ 7,500.00
TOTAL	\$ 141,500.00

Sincerely,

R. David Patrick, P.E., CFM

XC: File

ATTACHMENT "C"

Charges for Additional Services

City of Temple TRZ Site Certification Project

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

RESOLUTION NO.	
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A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH KASBERG, PATRICK & ASSOCIATES, LP, OF TEMPLE, TEXAS, TO PROVIDE SITE CERTIFICATIONS FOR ALL DEVELOPABLE PROPERTY OWNED BY THE CITY OF TEMPLE AND/OR THE TEMPLE ECONOMIC DEVELOPMENT CORPORATION, IN THE AMOUNT OF \$70,750; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the Texas Economic Development Council conducts a program to register properties available for sale that are ready for development;

Whereas, the Texas Sites That Are Ready (STAR) Documented Sites program requires sites to meet a specific set of criteria to merit registration – registration with the Texas STAR program will elevate the visibility and marketability of various sites owned by the City of Temple and the Temple Economic Development Corporation (TEDC);

Whereas, the site certification services recommended total \$141,500, of which the Temple Economic Development Corporation will be sharing in the cost of this agreement – TEDC will fund 50% of the cost of the site certifications for all developable property;

Whereas, funds are available for the City of Temple's share of this project in the Reinvestment Zone No. 1 Financing/Project Plans, Line 50, Account No. 795-9500-531-2616; and

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

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

- <u>Part 1:</u> The City Council authorizes the City Manager, or his designee, to execute a professional services agreement with Kasberg, Patrick & Associates, L.P., after approval as to form by the City Attorney, to provide site certifications for all developable property owned by the City of Temple and/or the Temple Economic Development Corporation.
- <u>Part 2</u>: The City of Temple and the Temple Economic Development Corporation will each bear 50% of the cost of the site certification total of \$141,500, in the amount of \$70,750 each.
- <u>Part 3:</u> It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the **19**th day of **December**, 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

12/19/13 Item #3(G) Regular Agenda Page 1 of 2

DEPT. / DIVISION SUBMISSION & REVIEW:

Kim Foutz, Assistant City Manager

<u>ITEM DESCRIPTION:</u> Consider adopting a resolution authorizing a Chapter 380 Strategic Investment Zone "matching grant" agreement with GJT Future Management, Fish Bowl Pet Express for redevelopment improvements located at 17 North 2nd Street within the MLK Jr. Boulevard Strategic Investment Zone corridor in an amount not to exceed \$33,000.

STAFF RECOMMENDATION: Adopt resolution as presented in the item description, as the proposed incentives are consistent with the incentive guidelines for the MLK Jr. Boulevard Strategic Investment zone adopted by City Council.

<u>ITEM SUMMARY:</u> This agreement outlines the obligations and representations of GJT Future Management, Fish Bowl Pet Express and also defines the City's incentive package for GJT Future Management, Fish Bowl Pet Express located at 17 North 2nd Street within the MLK Jr. Boulevard Strategic Investment Zone.

The agreement and resolution will allow GJT Future Management, Fish Bowl Pet Express to receive a Chapter 380 SIZ 1:1 matching grant of up to \$15,000 match for façade improvements; up to \$2,500 match for sign improvements; up to \$10,000 for sidewalks; up to \$1,000 in landscape improvements; and up to \$2,500 for demolition. This results in a maximum eligible grant match of \$31,000 plus waiver of permits and fees of up to \$2,000. Based on initial investment estimates, eligible expenses will result in a \$27,265 match plus waiver of permits and fees (up to \$2,000).

GJT Future Management, Fish Bowl Pet Express's total project investment is \$232,000 in internal renovations, façade improvements, sidewalks, lighting, and sign improvements. This building was recently purchased for owner occupancy and in July through October, 2013 approximately \$35,000 of improvements were made to the building. Improvements must be started by February 1, 2014 and completed by February 1, 2015. The applicant has agreed to:

- Install a new roof
- Remove existing metal awning and sign and return the elevation of the building to the original design
- Remove and replace multiple outdated signage
- Add exterior lighting

- Grind, repair, clean, and refinish sidewalks on 2nd Street and Adams Avenue
- Add safety railing for ADA
- Replace cracked windows
- Replace Air Conditioning Unit with High Efficiency Units
- Remove existing ceiling grid inside retail store, exposing original ceiling
- Replace existing lighting with High Efficiency LED lighting
- Scrape, repair cracks, prime and paint the exterior of the building
- Replace garage door

FISCAL IMPACT: The total maximum grant match by the City is \$31,000 plus waiver of permits and fees not to exceed \$2,000. A total of \$348,460 has been appropriated for the Strategic Investment Zone matching grant incentives for FY 2014 which includes a carry forward amount of \$248,460 from prior years. Currently, \$158,460 is available in account 110-1500-515-2695. If this grant is approved, a balance of \$125,460 will remain available for future grants.

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

ATTACHMENTS:

Location Map & Façade Resolution

Location Map – 17 N. 2nd Street and Adams Avenue



Location Map – 17 N. 2nd Street and Adams Avenue



Proposed Facade



NORTH ELEVATION - PROPOSED



RESOLUTION NO.	
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A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CHAPTER 380 STRATEGIC INVESTMENT ZONE 'MATCHING GRANT' AGREEMENT WITH GJT FUTURE MANAGEMENT, FISH BOWL PET EXPRESS, FOR REDEVELOPMENT IMPROVEMENTS LOCATED AT 17 NORTH 2ND STREET, LOCATED WITHIN THE MLK JR. BOULEVARD STRATEGIC INVESTMENT ZONE CORRIDOR, IN AN AMOUNT NOT TO EXCEED \$33,000; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, GJT Future Management, Fish Bowl Pet Express is located at 17 North 2nd Street, which is located within the MLK Jr. Boulevard Strategic Investment Zone corridor which makes it eligible to receive a matching grant incentive from the City which is authorized by Ordinance No. 2008-4218, passed by the Temple City Council on June 5, 2008, and amending Ordinance No. 2009-4285 passed on March 5, 2009;

Whereas, staff recommends entering into a Chapter 380 Strategic Investment Zone 'matching grant' agreement which will outline the obligations and representations of GJT Future Management, Fish Bowl Pet Express and will define the City's incentive package, as outlined in Exhibit A attached - the City's total match may not exceed \$33,000;

Whereas, GJT Future Management, Fish Bowl Pet Express's total project includes internal renovations, façade improvements, sidewalks, lighting, and sign improvements - GJT Future Management, Fish Bowl Pet Express's agreement includes:

- Installation of a new roof;
- Removal of existing metal awning and sign and return the elevation of the building to the original design;
- Remove and replace multiple outdated signage;
- Add exterior lighting;
- Grind, repair, clean and refinish sidewalks on 2nd Street and Adams Avenue;
- Replace cracked windows;
- Replace air conditioning unit with high efficiency units;
- Remove existing ceiling grid inside retail store, exposing original ceiling;
- Replace existing lighting with high efficiency LED lighting;
- Scrape, repair cracks, prime and paint the exterior of the building;
- Replace garage door;

Whereas, the total project investment by GJT Future Management, Fish Bowl Pet Express is \$232,000 and improvements must be started by February 1, 2014 and completed by February 1, 2015;

Whereas, funds are available for this matching grant incentive in Account No. 110-1500-515-2695 - if this grant is approved, a balance of \$123,460 will remain for future grants; and

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

Now, Therefore, be it Resolved by the City Council of the City of Temple, Texas, That:

<u>Part 1:</u> The City Council authorizes the City Manager, or his designee, to execute a Chapter 380 'matching grant' agreement with GJT Future Management, Fish Bowl Pet Express, after approval as to form by the City Attorney, for redevelopment improvements at 17 North 2nd Street which is located within the MLK Jr. Boulevard Strategic Investment Zone corridor, in an amount not to exceed \$33,000., which includes the following:

- Installation of a new roof;
- Removal of existing metal awning and sign and return the elevation of the building to the original design;
- Remove and replace multiple outdated signage;
- Add exterior lighting;
- Grind, repair, clean and refinish sidewalks on 2nd Street and Adams Avenue;
- Replace cracked windows;
- Replace air conditioning unit with high efficiency units;
- Remove existing ceiling grid inside retail store, exposing original ceiling;
- Replace existing lighting with high efficiency LED lighting;
- Scrape, repair cracks, prime and paint the exterior of the building;
- Replace garage door.

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

PASSED AND APPROVED this the 19th day of **December**, 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

12/19/13 Item #3(H) Consent Agenda Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Belinda Mattke, Director of Purchasing

ITEM DESCRIPTION: Consider adopting a resolution authorizing a services agreement with Triple S Fuels/Petroleum of Austin for the purchase of on-site fuel through September 30, 2015, in the estimated annual amount of \$45,000.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

<u>ITEM SUMMARY:</u> Sammons Golf Links and the Draughon-Miller Central Texas Regional Airport each have two fuel tanks, one tank of unleaded fuel and one tank of diesel. In addition, the City has 12 diesel generators located throughout the City that require periodic fueling.

As shown on the attached bid tabulation, on December 10, 2013, one (1) bid was received from Triple S Fuels/Petroleum for supplying on-site fuel. Triple S is the current contracted vendor for on-site fuel, and they are supplying fuel at a rate of 18¢ and 20¢ over OPIS price (Oil Price Information Service) for unleaded and diesel, respectively. Triple S's new proposed rate is 23¢ and 25¢ over OPIS for unleaded and diesel, respectively. The 5¢ per gallon rate increase will result in an increased fuel cost of approximately \$600 per year based on FY13's annual consumption of approximately 12,000 gallons of fuel.

Staff has been pleased with the service provided by Triple S over the past several years and recommends award of the contract to Triple S.

The proposed services agreement will commence on January 1, 2014, and continue through September 30, 2015, with the option for two (2) additional two-year renewal periods if agreeable to the City and Triple S.

<u>FISCAL IMPACT:</u> On-site fuel is budgeted in several adopted departmental FY 2014 operating budgets (account 2115). Estimated annual expenditures based on FY 2013 expenditures are in the in the amount of \$45,000.

ATTACHMENTS:

Bid Tabulation Resolution

Tabulation of Bids Received on December 10, 2013 at 10:00 a.m. On-Site Fuel Services Bid # 13-10-14

	В	Bidders		
	Triple S Fuels P# 512-385-2020 (ext 113) Austin, Texas			
Description	Price per Gallon + or - (based on OPIS)	Taxes if Applicable		
Regular Unleaded Gasoline	\$0.23	\$0.00271		
Grade 2-0 Diesel	\$0.25	\$0.201		
Texas Dyed Diesel	\$0.25	\$0.001		
Generator Fill Fee	\$175.00/site			
Generator No Hold Fee	\$15	\$150.00/site		
Petroleum Produced Delivery Fee (PPDE)	.0013/gallon			
Minimum Unleaded	400 gallons			
Minimum Diesel	300 gallons			
Exceptions	Yes			
Local Preference	No			
Credit Check Authorization Form	Yes			

Exceptions -- Not able to fill Wilson Recreation Center generator due to distance to the generator from the drive. City Hall is questionable as well.

Note: Highlighted bid is recommended for Council approval.

RESOLUTION NO.	
KESULUHUN NU.	

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A TWO-YEAR SERVICES AGREEMENT WITH TRIPLE S FUELS/PETROLEUM OF AUSTIN, TEXAS, FOR THE PURCHASE OF ON-SITE FUEL FOR SAMMONS GOLF LINKS AND THE DRAUGHON-MILLER CENTRAL TEXAS REGIONAL AIRPORT, IN THE ESTIMATED ANNUAL AMOUNT OF \$45,000; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, Sammons Golf Links and the Draughon-Miller Central Texas Regional Airport each have two fuel tanks – one tank of unleaded fuel and one tank of diesel fuel;

Whereas, in addition, the City has 12 diesel generators located throughout the City that require periodic fueling;

Whereas, Triple S's proposed rate is 23ϕ and 25ϕ over OPIS for unleaded and diesel, respectively – the 5ϕ per gallon increase over last year's rates will result in an increased fuel cost of approximately \$600 per year;

Whereas, Triple S is the current contract vendor for on-site fuel and staff has been pleased with the services provided by the Triple S over the past several years and recommends award of this agreement to Triple S;

Whereas, the proposed services agreement will commence on January 1, 2014 and continue through September 30, 2015 with the option for two (2) additional two-year renewal option periods, if agreeable by both parties;

Whereas, on-site fuel is budgeted in several departmental accounts in the adopted fiscal year 2014 operating budgets; 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:

<u>Part 1:</u> The City Council authorizes a two-year services agreement with Triple S Fuels/Petroleum of Austin, Texas, for the purchase of on-site fuel for Sammons Golf Links and the Draughon-Miller Central Texas Regional Airport, with the option for two (2) additional two-year renewal option periods, in the estimated annual amount of \$45,000.

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

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

PASSED AND APPROVED this the 19th day of **December**, 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

12/19/13 Item #3(I) Consent Agenda Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

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

<u>ITEM DESCRIPTION:</u> Consider adopting a resolution authorizing a construction contract with Majestic Services, Inc of Austin, for the Phase 2 renovations of the Fleet Services building to construct a storage building, complete mechanical and electrical upgrade and expand the training room in the amount of \$293,676.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

<u>ITEM SUMMARY:</u> In an effort to properly service the 450 plus City-owned vehicles and equipment maintained by Fleet Services, the addition of a 1,500 sf storage area is needed to house extra parts and equipment. In October 2013, Council authorized Phase 1 of the project, which consists of converting 2,300 sf of existing exterior storage into an additional service bay, basically eliminating the facility's storage area.

To accommodate the expanding fuel types being used by fleet, specifically Natural Gas, the maintenance bays are required to be brought up to code. The upgrades in Phase 2 of this project focus on mechanical and electrical needs, in order to provide a safe area for mechanics to work on vehicles.

Additionally, renovations are needed to accommodate expanding fleet operations and staff. The current training room (approximately 330 sf) was sized for a smaller amount of staff members, which has grown to 17 employees from 12 when built. Therefore, a larger training area is needed (approximately 667 sf).

As shown on the attached bid tabulation, staff is recommending the bid presented by Majestic Services, Inc of Austin, as follows:

Total Base Bid: \$211,800

Alternate #1 (training room): \$22,901

Alternate #2 (gas detection system): \$58,975

TOTAL PROJECT COST: \$293,676

Staff does not recommend approving the bid for Alternate #3 - refinish flooring with an epoxy seal. Staff will be reevaluating this feature and may consider re-bidding at a later time. Construction would involve the replication of the existing façade and interior spaces to match the existing fleet building.

12/19/13 Item #3(I) Consent Agenda Page 2 of 2

Phase 1 of this project was approved by Council in October 2013, and construction is currently underway by Majestic Services, the same vendor that is being recommended for these Phase 2 renovations. It is anticipated that all renovations to the Fleet Services facility will be complete by the middle of April, 2014.

FISCAL IMPACT: Currently, \$449,805.56 is available in account 361-2400-519-6807, project #100999 to fund the construction contract with Majestic Services, Inc. in the amount of \$293,676.

ATTACHMENTS:

Bid Tabulation Resolution

Tabulation of Bids Received on December 10, 2013 at 2:00 p.m. City of Temple Fleet Services Addition Phase II

Г				
	Bidders			
	Majestic Services Inc	Chaney-Cox Construction	Gerald Nunn Electric LLC	
	-	Inc.		
	Austin, TX	Temple, TX	Florence, TX	
Description				
Total Base Bid	\$211,800.00	\$309,000.00	\$259,447.00	
Alternate #1	\$22,901.00	\$42,000.00	\$44,772.00	
Alternate #2	\$58,975.00	\$54,000.00	\$68,386.00	
Alternate #3	\$115,690.00	\$50,000.00	\$41,600.00	
Acknowledge Addendum	Yes	Yes	Yes	
Bid Bond	5%	5%	5%	
Bond Requirement Affidavit	Yes	Yes	Yes	
Credit Check Authorization	Yes	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 PHASE II RENOVATIONS OF THE FLEET SERVICES BUILDING, IN THE AMOUNT OF \$293,676; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, in an effort to properly services the over 450 City-owned vehicles and equipment maintained by Fleet Services, the addition of a 1,500 square foot storage area is needed to house extra parts and equipment;

Whereas, in October 2013, City Council authorized Phase I of the project, which consisted of converting 2,300 square feet of existing storage into an additional service bay, eliminating the facilities storage area;

Whereas, besides renovations to the training room, and in order to accommodate the expanding fuel types being used by fleet, specifically Natural Gas, the maintenance bays are required to be brought up to code – the upgrades in Phase II of this project focus on mechanical and electrical needs in order to provide a safe area for mechanics to work on vehicles;

Whereas, Majestic Services, Inc. is the vendor currently authorized for the Phase I renovation project and staff recommends using their services for Phase II renovations;

Whereas, funds are budgeted in Account No. 361-2400-519-6807, Project No. 100999 for Phase II renovations of the Fleet Services building; 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:

<u>Part 1:</u> The City Council authorizes the City Manager, or his designee, to execute a contract with Majestic Services, Inc., of Austin, Texas, after approval as to form by the City Attorney, for Phase II renovations of the Fleet Services building, in the amount of \$293,676.

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

PASSED AND APPROVED this the 19th day of December, 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

12/19/13 Item #3(J) Consent Agenda Page 1 of 5

DEPT./DIVISION SUBMISSION & REVIEW:

Tammy Lyerly, Senior Planner

ITEM DESCRIPTION: FIRST READING – Z-FY-14-08: Consider adopting an Ordinance authorizing a zoning change from Agricultural District (AG) to Single-Family Three District (SF-3) on 54.097+/-acres and from Agricultural District (AG) to Office Two District (O-2) on 2.315 ± acres, being part of the Baldwin Robertson Survey, Abstract No. 17, Bell County, Texas, located along the north side of Prairie View Road, east of North Pea Ridge Road.

P&Z COMMISSION RECOMMENDATION At its meeting on December 3, 2013, the Planning and Zoning Commission voted 6/0 to recommend approval of a zoning change from Agricultural District (AG) to Single-Family Three District (SF-3) on 54.097+/- acres and from Agricultural District (AG) to Office Two District (O-2) on 2.315 ± acres. Chair Sears and Commissioner Magaña were absent.

<u>STAFF RECOMMENDATION:</u> Consider adopting ordinance as presented in item description on first reading, and schedule a second reading and public hearing for final adoption on January 16, 2014.

Staff recommends approval of the requested zone change to SF-3 District for the following reasons:

- Based on staff's direction from City Council at its November 21, 2013, workshop regarding Single Family developments in areas, such as this, with Agricultural/Rural classifications, staff anticipates future changes to the Future Land Use and Character Map for Suburban Residential uses in this area that would bring the applicant's request into compliance with anticipated development in this area;
- 2. The request complies with the Thoroughfare Plan. Although, Prairie View Road is not built to its designated minor arterial capacity and the projected Westfield Boulevard arterial is not yet built, both roads are in the design phase for improvements;
- 3. Public facilities are partially available to the subject property. City utility maps do not show sewer lines near the subject property, but sewer service will be included with the future Westfield Boulevard extension.

Staff recommends approval of the requested zone change to **O-2 District** for the following reasons:

 Based on staff's direction from City Council at its November 21, 2013 workshop regarding Single Family developments in areas, such as this, with Agricultural/Rural classifications, staff anticipates future changes to the Future Land Use and Character Map for Suburban Commercial uses in this area along arterials and at intersections with other arterials in the area that would bring the applicant's request into compliance with anticipated development in this area;

- 2. The request complies with the Thoroughfare Plan;
- 3. Public facilities are partially available to the subject property; and
- 4. Infrastructure improvements are planned for this area.

<u>ITEM SUMMARY:</u> The applicant requests a zoning change from Agricultural District (AG) to Single-Family Three District (SF-3) on 54.097+/- acres and from Agricultural District (AG) to Office Two District (O-2) on 2.315 ± acres.

The subject property is located on the north side of Prairie View Road, east of North Pea Ridge Road. Prairie View Road is currently in the preliminary design phase for future improvements to upgrade it to its recommended minor arterial classification, per the City's Thoroughfare Plan. Those improvements are estimated for 2015/2016. The location of the applicant's proposed O-2 District coincides with the future extension of the minor arterial, Westfield Boulevard. Construction is currently in progress across the street on the south side of Prairie View Road for a future Belton ISD middle school.

The City of Temple Comprehensive Plan recommends a classification of **Agricultural/Rural** for the subject property. It is intended for those areas within the City limits that do not yet have adequate public facilities and services and may, therefore have on-site utilities. This classification is meant to protect areas in active farm and /or ranch use. According to **Chapter 4**, **Growth Management & Capacity** of the Comprehensive Plan, a much larger minimum lot size is recommended than the City's current one-acre minimum to manage premature growth in such areas and maintain the rural character. **Residential development at very low intensities is permitted if it is clustered, with significant open space preservation.**

The SF-3 zoning district permits single-family detached residences and related accessory structures and provides single-family development at <u>urban densities</u> in locations well served by public utilities and roadways. The district should have adequate thoroughfare access and be relatively well connected with community and neighborhood facilities such as schools, parks, and shopping areas and transit services.

Due to densities associated with SF-3 developments, the applicant's requested SF-3 District does not comply with the property's Agricultural/Rural classification. The Urban Estates District is most suitable for the property's Agricultural/Rural classification. The Urban Estates District is more ideal for low density residential developments without sewer and is compatible with the adjacent rural/residential properties. The applicant's requested SF-3 District and O-2 District do not comply with the property's Agricultural/Rural land use classification, but anticipated changes will allow Suburban Residential uses and Suburban Commercial uses in the subject area.

The following residential uses are **permitted by right** in the **proposed Single Family Three (SF-3)** zoning district:

- Industrialized housing;
- Single Family Detached Dwelling;
- Place of worship; and
- Fire Station

Prohibited uses include Home for the aged, apartment, patio home, single-family attached dwelling, duplex, and townhouse, among others.

Dimensional standards for **Single Family Three (SF-3)** are as follows:

- Minimum lot size 4,000 sq ft
- Minimum Lot Width 40'
- Minimum Lot Depth 100'
- Front Yard Setback 15'
- Side Yard Setback (interior) 5'
- Side Yard Setback (corner yard) 15
- Rear Yard Setback 10'

The O-2 zoning district permits a variety of low, mid and high rise office development. Apartments are allowed. Buildings in the O-2 District may be built to any legal height. Office buildings over 40 feet in height must provide additional yard space.

The O-2 zoning district is intended to allow for office uses in an area that is primarily business or high density residential. This district provides for professional, financial, medical and other office services and may include corporate offices and major employment centers. Uses in this district generally have low traffic generation characteristics and do not require high visibility to conduct business.

A rezoning from the AG to the O-2 zoning district would allow many uses that would not have been allowed before. Those uses include, but are not limited to, the following:

Residential uses Nonresidential uses

Single Family Attached Office

Single Family Detached Home for the aged

Townhouse Hospital
Duplex Hotel or motel
Triplex Restaurant

Prohibited uses include building material sales, contractor storage or equipment yard, mini-storage warehouse, welding or machine shop, and alcohol beverage sales for off-premise consumption in beer and wine store or package store, among others.

<u>SURROUNDING PROPERTY AND USES:</u> 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>	Current Land Use
Site	Agricultural/Rural	AG	Agricultural /Undeveloped Land
North	Agricultural/Rural	AG	Agricultural /Undeveloped Land
South	Suburban Residential	AG	Agricultural/Rural Residential/BISD
East	Agricultural/Rural	AG	Agricultural/Rural Residential
West	Agricultural/Rural	AG	Agricultural/Undeveloped Land

<u>COMPREHENSIVE PLAN COMPLIANCE:</u> The proposed rezoning relates to the following goals,

objectives or maps of the Comprehensive Plan and Sidewalk and Trails Plan:

	Policy, Goal, Objective or Map	Site Conditions	Compliance
CP	Map 3.1 - Future Land Use and Character (FLUP)	The subject property is classified as Agricultural/Rural. The applicant's requested SF-3 District is more characteristic of urban densities, and does not comply with the low-density characteristics of Agricultural/Rural. The applicant's requested O-2 District does not comply with the Agricultural/Rural classification.	No
		Prairie View Road is identified as a proposed Minor Arterial, but is not built to its capacity yet. Proposed improvements for Prairie View Road are in the preliminary design phase, with final design phase estimated in September, and improvements anticipated in 2015.	
СР	Map 5.2 - Thoroughfare Plan	Westfield Boulevard, a designated Minor Arterial, is projected to bisect the applicant's property along the edge of the applicant's requested O-2 District.	Partially
		Necessary thoroughfare upgrades to support the applicant's requested development densities are not currently in place.	
СР	Goal 4.1 - Growth and development patterns should be consistent with the City's infrastructure and public service capacities	A 12-inch water line runs along the north right-of-way of Prairie View Road. The City utility map does not show existing sewer lines in the vicinity.	Partially

Document	Policy, Goal, Objective or Map	Site Conditions	Compliance
STP	Temple Trails Master Plan Map & sidewalks	The Temple Trails Master Plan reflects a proposed Local Connector Trail along the north right-of-way of Prairie View Road. Per UDC section 8.2.3, sidewalks are required on both sides of arterials and one side of collector streets. Sidewalks are required to be installed at the time of development. A 6-foot wide sidewalk is required along both sides of arterials, such as Prairie View Road.	No. Sidewalks do not exist at this time in this area.

CP = Comprehensive Plan STP = Sidewalk and Trails Plan

<u>PUBLIC NOTICE:</u> Nine 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 December 10, 2013, three notices were returned in favor of the request and no notices were returned in opposition.

The newspaper printed notice of the Planning and Zoning Commission public hearing on November 20, 2013, in accordance with state law and local ordinance.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

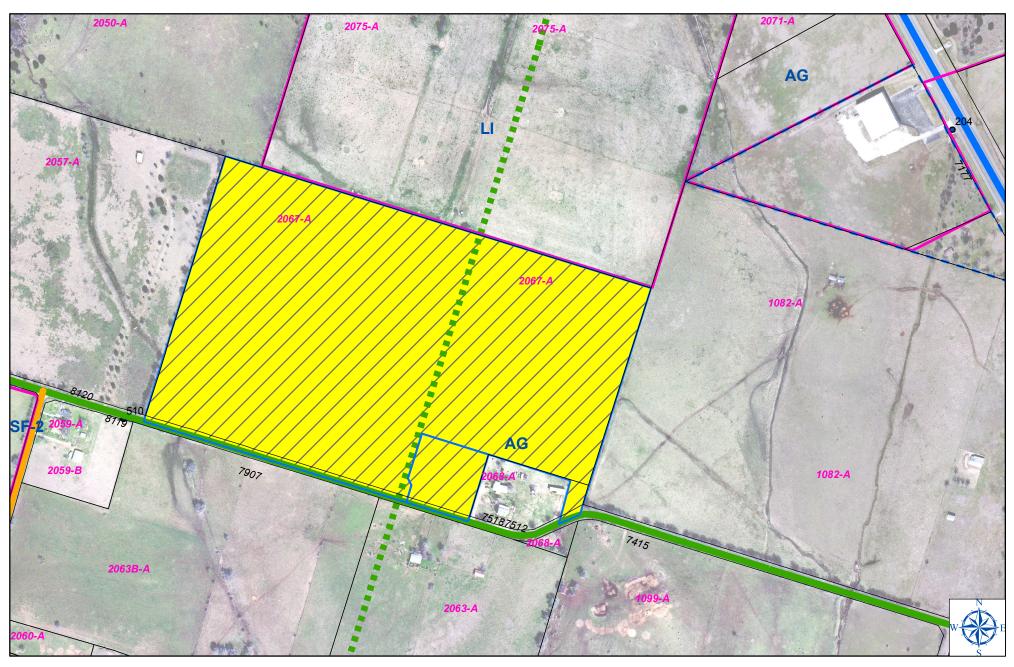
Surrounding Property Pictures
Zoning and Location Map
Future Land Use and Character Map
Notification Map
Response Letters
Ordinance

<u>SURROUNDING PROPERTY AND USES:</u>
The following table shows the subject property, existing zoning and current land uses:

Direction	Zoning	Current Land Use	Photo
Subject Property	AG	Agricultural / Undeveloped Land	PROPOSED LAND USE CASE ACT 14-08 For Information_call (254) 298-5668
East	AG	Agricultural / Rural Residential	Prairie View Rd.
West	AG	Agricultural / Undeveloped Land	Prairie View Rd.

Direction	Zoning	Current Land Use	Photo
South	AG	Agricultural Land/ Rural Residential/ BISD	Prairie View Rd. Prairie View Rd.
North	LI and AG	Agricultural Land/ Undeveloped Land	

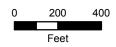






129utblock Number **Azba**ress

Block Number Lot Number

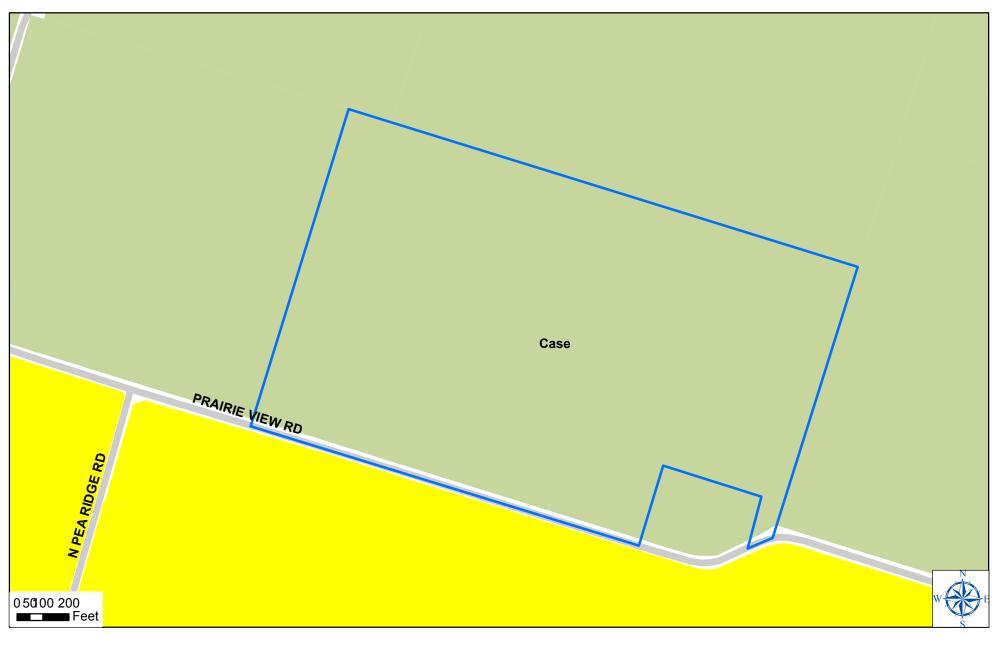


11/26/2013 City of Temple GIS

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



Z-FY-14-08 AG to Single Family-Three (SF-3) & Office-Two (O-2) Prairie View Road



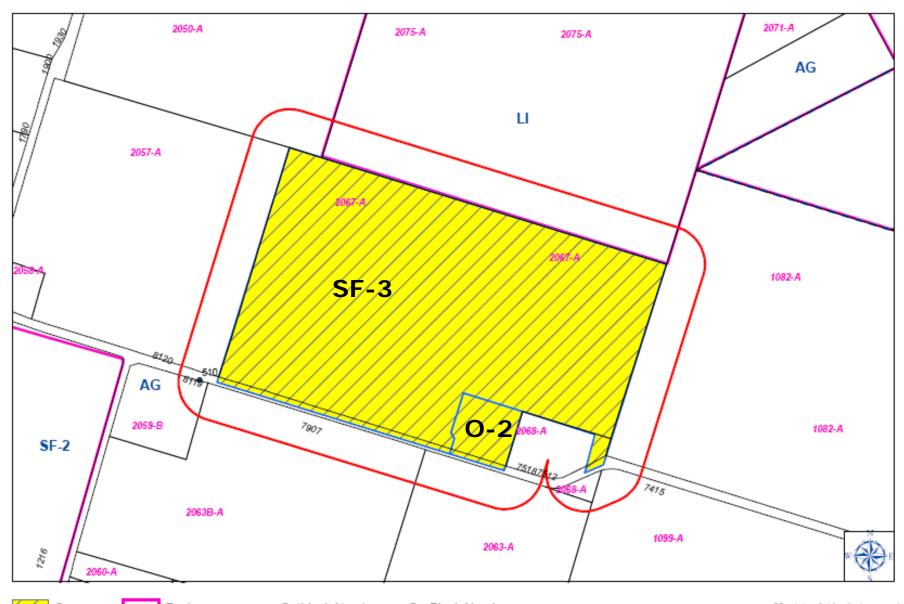




GIS products are for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. They do not represent an on-the-ground survey and represent only the approximate relative location of property boundaries and other features



Z-FY-14-08 AG to Single Family-3 (SF-3) & Office Two (O-2) Prairie View Road





Zoning Subdivision

1234-A Outblock Number 1234 Address

 Block Number 1 Lot Number



11/12/2013

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

Kiella Land Investments Ltd P.O. Box 1344 Temple, Texas 76503-1344

Zoning Application Number: Z-FY-14-08 Project Manager: Tammy Lyerly

Zone Change Request: Agricultural District (AG) to Single-Family Three District (SF3) and from Agricultural District (AG) to Office Two District (O2)

Location: On the north side of Prairie View Road east of North Pea Ridge Road

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:

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

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

Print Name

Number of Notices Mailed: 9 Date Mailed: November 20, 2013



RESPONSE TO PROPOSED ZONE CHANGE REQUEST CITY OF TEMPLE

Hugh D. Shine P.O. Box 793 Temple, Texas 76503-793

December 3, 2013

Zoning Application Number: <u>Z-FY-14-08</u> Project Manager: <u>Tammy Lyerly</u> Zone Change Request: Agricultural District (AG) to Single-Family Three District (SF3) and from Agricultural District (AG) to Office Two District (O2) Location: On the north side of Prairie View Road east of North Pea Ridge Road 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 (V) approval () denial of this request. Comments: HUGH D. SHWE Signature Please mail or hand-deliver this comment form to the address shown below, no later than

Number of Notices Mailed: 9 Date Mailed: November 20, 2013

Room 102

City of Temple

Planning Department

Municipal Building Temple, Texas 76501



RESPONSE TO PROPOSED ZONE CHANGE REQUEST CITY OF TEMPLE

RECEIVED

Belton Independent School District P.O. Box 269 Belton, Texas 76513-269



Zoning Application Number: <u>Z-FY-14-08</u> Project Manager: <u>Tammy Lyerly</u>

Zone Change Request: Agricultural District (AG) to Single-Family Three District (SF3) and from Agricultural District (AG) to Office Two District (O2)

Location: On the north side of Prairie View Road east of North Pea Ridge Road

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 <u>possible</u> rezoning of the property described on the attached notice, and provide any additional comments you may have.

	I recommend	(V) approval	() denial of this request.
Comments:			
•			
W. A. Carrier and the second			
)		And the Control of th

Signature

Print Name

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

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

RECEIVED

DEC 0 2 2013

City of Temple
Planning & Development

ORDINANCE NO.	

(PLANNING NO. Z-FY-14-08)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A ZONING CHANGE FROM AGRICULTURAL DISTRICT (AG) TO SINGLE FAMILY THREE DISTRICT (SF-3), ON APPROXIMATELY 54.097 ACRES, AND FROM AGRICULTURAL DISTRICT (AG) TO OFFICE TWO DISTRICT (O-2) ON APPROXIMATELY 2.315 ACRES, BEING PART OF THE BALDWIN ROBERTSON SURVEY, ABSTRACT NO 17, BELL COUNTY, TEXAS, LOCATED ALONG THE NORTH SIDE OF PRAIRIE VIEW ROAD, EAST OF NORTH PEA RIDGE ROAD; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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

<u>Part 1</u>: The City Council approves a rezoning from Agricultural District (AG) to Single Family Two District (SF-2) on approximately 54.097 acres, and from Agricultural District (AG) to Office Two District (O-2) on approximately 2.315 acres, being part of the Baldwin Robertson Survey, Abstract No. 17, Bell County, Texas, located along the north side of Prairie View Road, east of North Pea Ridge Road, more fully described in Exhibit A, attached hereto and made a part hereof for all purposes.

<u>Part 2:</u> The City Council directs the Director of Planning to make the necessary changes to the City Zoning Map accordingly.

<u>Part 3</u>: 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.

<u>Part 4</u>: 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.

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

PASSED AND APPROVED on First Reading and Public Hearing on the **19**th day of **December**, 2013.

PASSED AND APPROVED on Second Reading on the 16th day of January, 2014.

	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

12/19/13 Item #3(K) Consent Agenda Page 1 of 4

DEPT./DIVISION SUBMISSION & REVIEW:

Phillip Melton, Planning Intern

ITEM DESCRIPTION: SECOND READING - Z-FY-13-33: Consider adopting an ordinance authorizing a zoning change from Light Industrial (LI) to Heavy Industrial (HI) with a Conditional Use Permit to operate a heat kiln and wood chipper on 19.68 ± acres of the Nancy Ferguson Survey, Abstract No. 322, in Bell County Texas, located at 1407 Industrial Boulevard.

<u>PLANNING & ZONING COMMISSION RECOMMENDATION:</u> At its November 4, 2013 meeting, the Planning and Zoning Commission voted 6 to 0 to recommend approval of the zoning change from Light Industrial (LI) to Heavy Industrial (HI) with a Conditional Use Permit for the above described property.

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

Based on the following, staff recommends approval for a zoning change from LI to HI with a Conditional Use Permit to operate a heat kiln and wood chipper for the following reasons:

- 1. The proposed zoning and Conditional Use Permit is consistent with the Future Land Use Map which identifies this area as Industrial;
- 2. The request complies with the Thoroughfare Plan;
- 3. The proposed zoning is compatible with the surrounding uses;
- 4. Public facilities are available to serve the subject property; and,
- 5. Adequate buffering will be installed

<u>ITEM SUMMARY:</u> The property is located on the south side of Industrial Boulevard adjacent and east of the Burlington Northern Santa Fe Railroad. The property is addressed as 1407 Industrial Boulevard. The applicant is requesting both a zoning change from LI to HI and a Conditional Use Permit to operate a heat kiln and a wood chipper. According to the City of Temple Comprehensive Plan / Future Land Use Plan, the subject property is designated Industrial. A plat for the site is currently under review that divides the site into two lots. The zoning change and CUP is only for the northern lot with frontage on Industrial Blvd. and is outside of the I-35 Overlay.

ZONING CHANGE: The applicant is requesting a zoning change from LI to HI. HI zoning provides for the most intensive uses within the community and is intended for those industrial uses that may need to be buffered. Lots should be large to contain air, noise, odor, and vibration pollution to a reasonable amount. Residential uses are not allowed and HI zoning is intended to be located away from all residential development.

The HI zoning district allows an asphalt batching plant permitted by right and recycling operations subject to limitations; all other industrial uses would require a conditional use permit. Allowed non-industrial uses include, but are not limited to, offices, restaurants, and retail sales. Prohibited uses include, but are not limited to, residential uses, hospitals, elementary and secondary schools, and hotels.

<u>CONDITIONAL USE PERMIT:</u> The applicant proposes to establish a business that utilizes a heat kiln and wood chipper. No other uses, other than those permitted by right and those specifically identified in this Conditional Use Permit, are authorized. This use is not listed on the Use Table in the Unified Development Code and would fall under the "Industrial uses other than listed" category which would require a Conditional Use Permit in a Heavy Industrial zoning district. The applicant has also indicated on the site plan that open storage will be utilized on site (see attached site plan for designated open storage area) and privacy fencing is required to buffer the use from adjacent uses. The applicant has submitted a site plan in accordance to UDC Section 3.5.2B.

Unless expressly identified in writing in the ordnance, the site must meet all UDC standards. The following conditions for the use are outlined in the Conditional Use Permit ordinance:

Kiln Size: The heat kiln will be limited to 15' tall and will be located on the east side of the site behind the 90,000 SF building.

Site Clean Up: The subject property currently has multiple deteriorating buildings that will be removed or brought to code as outlined on the site plan. To mitigate additional fire, health and safety risks, debris, such as but not limited, to tires, scrap wood, metal, and other garbage will be removed. The site will be cleaned up and buildings removed or brought to code, as per the site plan, prior to the certificate of occupancy being issued.

Landscaping and Buffering: 3" caliper Live Oak trees will be planted 30' on center along the southern and east property lines as a buffer for the I35 Corridor as noted on the site plan. A solid wood privacy fence will also be constructed along the southern side of the open storage area to screen the site from the I35 Corridor as noted on the site plan.

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

CP	Map 3.1 - Future Land Use and	Industrial is identified for the subject	
	Character (FLUP)	property as well as identified in all four	Υ
		directions from the subject property.	
		The subject property is located South of	
СР	Map 5.2 - Thoroughfare Plan	Industrial Blvd. and East of the BNSF	Υ
	Wap 6.2 Thoroughlare Flair	railroad. It has primary frontage on Industrial	•
		Blvd which is identified as a Minor Arterial.	
		Sufficient utilities are in place to	
	Goal 4.1 - Growth and	accommodate the proposed use of the	
	development patterns should be	property. The property is served by a 14"	
CP	consistent with the City's	water line along Industrial Blvd. and an 8"	Y
	infrastructure and public service	waterline along the east side of the property.	
	capacities	An 8" sewer line is available to the property	
		from Industrial Blvd.	
STP	Temple Trails Master Plan Map	No existing or proposed trails were identified	
	& sidewalks	in the Trails Master Plan Map along the	Υ
		subject property's frontage Industrial Blvd.	

CP = Comprehensive Plan STP = Sidewalk and Trails Plan

<u>DEVELOPMENT REGULATIONS</u>: The only established dimensional standards in Heavy Industrial are corner side yard setbacks which must be a minimum of 10'. As per UDC 4.6, the maximum building height may be any legal limit that other laws and ordinances do not prohibit.

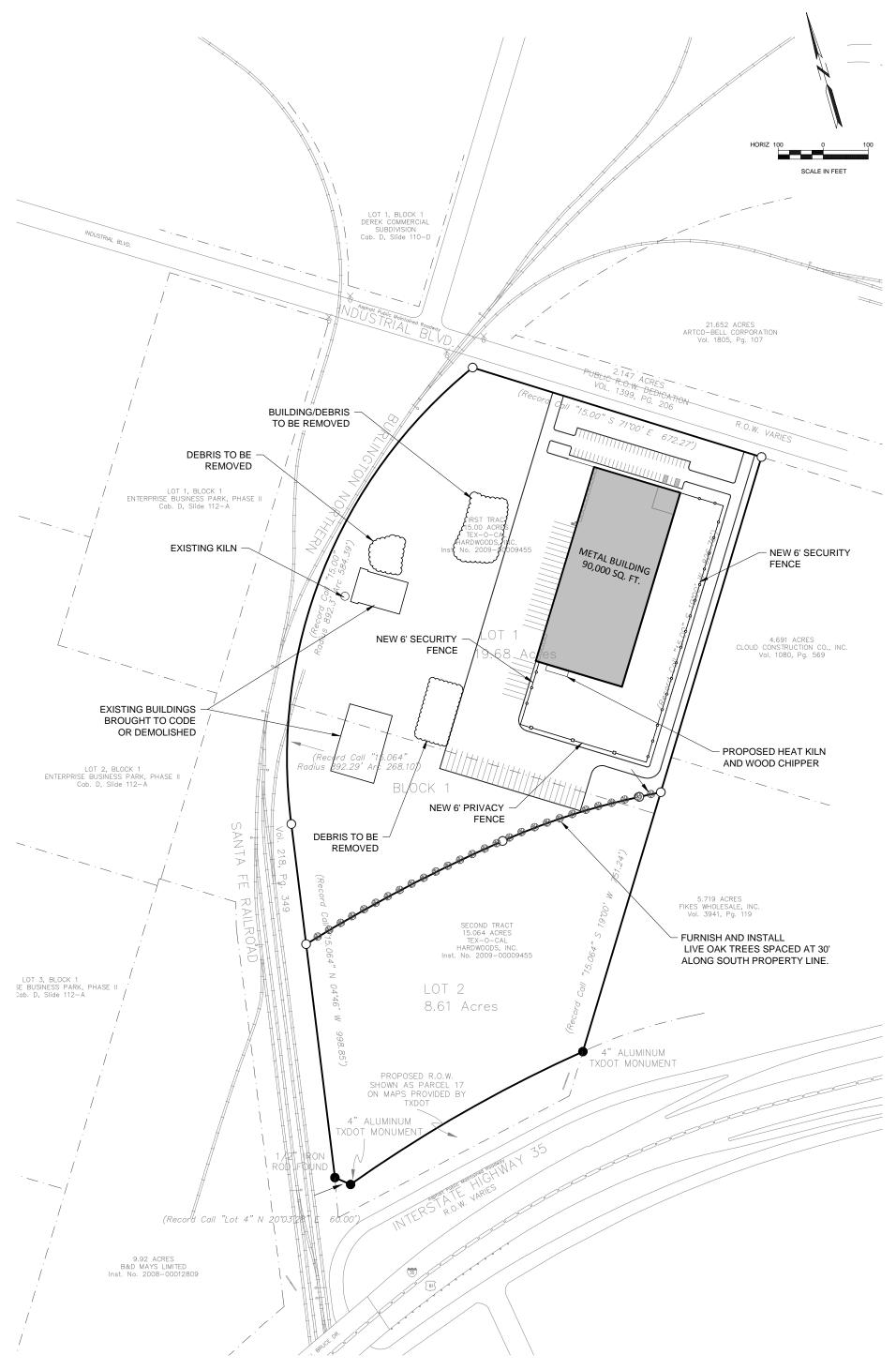
Per UDC Section 7.5.4B parking would be required according to whichever is greater of the following parking ratios: 1 parking space per 2 employees or 1 parking space per 1,000 of gross floor area. As the site will have a 90,000 SF building, a minimum of 90 parking spaces would be required, and more would be required if over 180 employees were employed on site.

<u>PUBLIC NOTICE:</u> Six notices of the 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, November 19, 2013, 1 notice had been returned in favor of the proposed zoning change and Conditional Use Permit and no notices for denial had been received.

FISCAL IMPACT: Not Applicable

12/19/13 Item #3(K) Consent Agenda Page 4 of 4

ATTACHMENTS: Site Photos Zoning Map
Future Land Use and Character Map
Buffer Notification Map Returned Property Owner Notices PZ Excerpts Ordinance .



CONDITIONAL USE PERMIT EXHIBIT



Subject Property, from Industrial Blvd.; currently unoccupied



North: Across Industrial Blvd.; industrial use



South: Undeveloped; zoned LI



East: Vacant lot; industrial use



West: BNSF Railroad and undeveloped; zoned LI



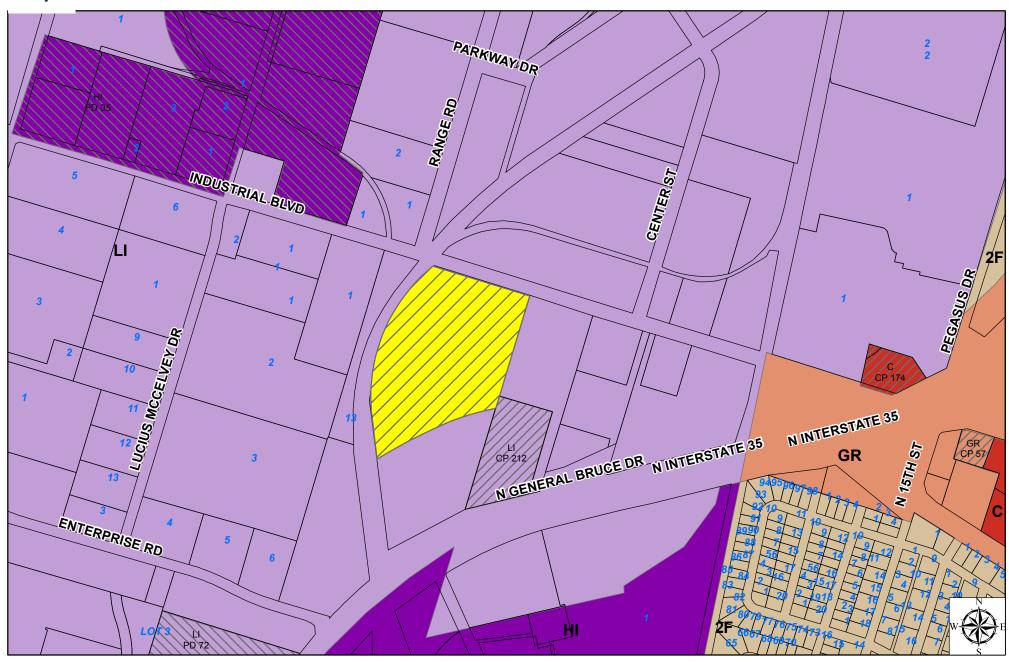
On site: To be demolished



On site: To be brought up to code or demolished



On site: To be cleaned up



Case Zoning

Parcel

Subdivisions 1234-A Outblocks

1234 Addresses

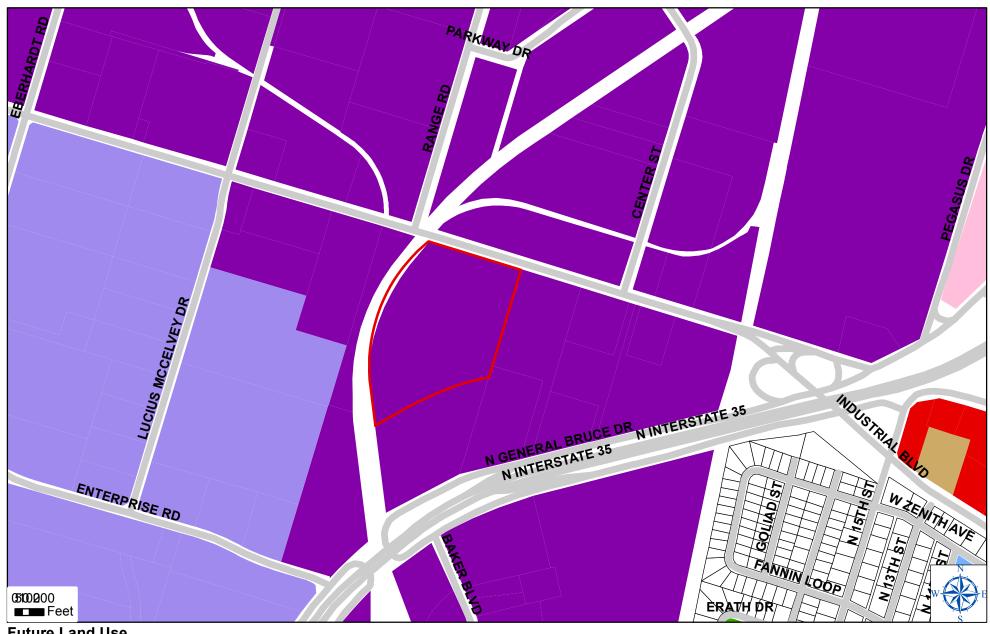
Blocks

Lots

0500200 Feet

Future Land Use

1407 Industrial Blvd.

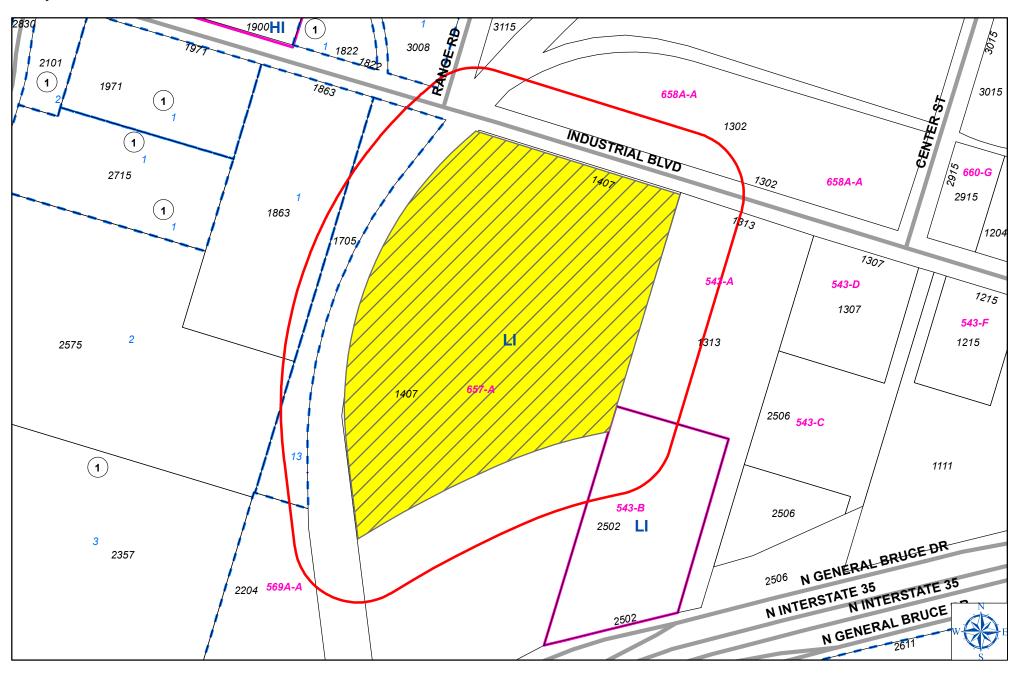


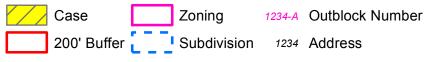
Future Land Use

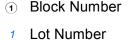


GIS products are for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. They do not represent an on-the-ground survey and represent only the approximate relative location of property boundaries and other features

Rezone: LI to HI with Conditional Use Permit 1407 Industrial Blvd









GIS products are for informational purposes and may not have been prepared for or be suitable for legal, englineering, 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

Fikes Wholesale Inc. P.O. Box 1287 Temple, Texas 76503-1287

Zoning Application Number: <u>Z-FY-13-33</u> Project Manager: <u>Phillip Melton</u>

Location: South side of Industrial Boulevard, adjacent to and east of BNSF Railroad

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:				
	- 1			
	¥ The second sec			
	20	*		
		2		

Signature

Print Name

Please mail or hand-deliver this comment form to the address shown below, no later than November 4, 2013

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

RECEIVED

OCT 2 8 2013

City of Temple
Planning & Development

Number of Notices Mailed: 6

Date Mailed: October 24, 2013

EXCERPTS FROM THE

PLANNING & ZONING COMMISSION MEETING

TUESDAY, NOVEMBER 4, 2013

ACTION ITEMS

Item 4: Z-FY-13-33 – Hold a public hearing to discuss and recommend action on a zone change from Light Industrial District (LI) to Heavy Industrial District (HI) with a Conditional Use Permit (CUP) for a Heat Kiln and Wood Chipper on ± 19.68 acres, being part of the Nancy Ferguson Survey, Abstract No. 322, Bell County, Texas, located on the south side of Industrial Boulevard, adjacent to and east of the Burlington Northern Santa Fe (BNSF) Railroad. (Applicant: David Neman for Arthur Brashear)

Mr. Phillip Melton, Planning Intern, stated this item would go to City Council for first reading on December 5, 2013 and second reading on December 19, 2013.

The applicant is asking for a zone change to Heavy Industrial (HI) with a required Conditional Use Permit (CUP) to operate a kiln and wood chipper operation. A kiln and wood chipper operation is not listed in the Use Table therefore, a rezoning to HI with a CUP is required. The subject property is located in the Industrial Park and the City of Temple's Comprehensive Plan / Future Land Use Plan identifies the property as Industrial. The plat is currently under review.

HI would allow the most intensive uses and should be located away from residential areas.

Allowed and restricted uses are given.

The following conditions to the permit would apply:

Kiln height is limited to 15 feet and according to the site plan, it will be located behind the 90,000 square foot building.

Site Clean-Up: The following will be required before a Certificate of Occupancy will be issued:

- 1. Existing cinder block buildings will be brought up to code or removed;
- 2. Existing Metal buildings will be removed; and
- 3. Tires, scrap, garbage, and debris will be removed.

<u>Landscaping and Buffering</u>: 3 inch caliper Live Oak trees 30 feet on center will be planted along the southern and eastern property lines and a solid privacy fence will be installed along the south side and a portion of the east side of open storage.

Surrounding properties include industrial use to the north, undeveloped land and Light Industrial (LI) to the south, undeveloped lot, industrial use, and LI to the east, and the railroad, undeveloped land, and LI to the west.

<u>Development Regulations</u>: Per UDC Section 7.5.4B the greater of the following parking ratios apply:

1 parking space per 2 employees; or

1 parking space per 1,000 of gross floor area

All other UDC standards apply

Six notices were mailed out and one notice was returned in favor and zero notices were in opposition.

Staff recommends approval for a zone change from Light Industrial (LI) to Heavy Industrial (HI) and a Conditional Use Permit (CUP) to operate a heat kiln and wood chipper for the following reasons:

The proposed zoning and CUP is consistent with the Future Land Use Plan which identifies this area as Industrial:

The request complies with the Thoroughfare Plan;

The proposed zoning and CUP is compatible with the surrounding uses;

Public facilities are available to serve the property; and,

Adequate buffering will be installed.

Chair Sears opened the public hearing.

There being no speakers, the public hearing was closed.

Commissioner Staats made a motion to approve Item 4, Z-FY-13-33, as presented, and Commissioner Jones made a second.

Motion passed: (6:0)

Commissioners Magana and Crisp absent

ORDINANCE NO.	

(PLANNING NO. Z-FY-13-33)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A ZONING CHANGE FROM LIGHT INDUSTRIAL (LI) TO HEAVY INDUSTRIAL (HI) WITH A CONDITIONAL USE PERMIT TO OPERATE A HEAT KILN AND WOOD CHIPPER, ON APPROXIMATELY 19.68 ACRES, BEING PART OF THE NANCY FERGUSON SURVEY, ABSTRACT NO 322, IN BELL COUNTY, TEXAS, LOCATED AT 1407 INDUSTRIAL BOULEVARD; 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:

<u>Part 1</u>: The City Council approves 1) a rezoning from Light Industrial (LI) to Heavy Industrial (HI), and 2) a Conditional Use Permit to allow a heat kiln and wood chipper, on approximately 19.68 acres, being part of the Nancy Ferguson Survey, Abstract No. 322, in Bell County, Texas, located at 1407 Industrial Boulevard, more fully described in Exhibit A, attached hereto and made a part hereof for all purposes.

- <u>Part 2:</u> The City Council directs the Director of Planning to make the necessary changes to the City Zoning Map accordingly.
- <u>Part 3:</u> The owners/applicants, their employees, lessees, agents or representatives, hereinafter called "permittee" shall comply with the following developmental standards and conditions of operation:
- (a) The heat kiln will be limited to 15' tall and will be located on the east side of the site behind the 90,000 square foot building.
- (b) The City Council may deny or revoke a conditional use permit if it affirmatively determines that the issuance of the same is (a) incompatible with the surrounding uses of property, or (2) detrimental or offensive to the neighborhood or contrary to the health, safety, and general welfare of the City and its inhabitants.
- (c) A conditional use permit issued under this section runs with the property and is not affected by a change in the owner or lessee of a permitted establishment.
- (d) All conditional use permits issued under this section will be further conditioned that the same may be canceled, suspended or revoked in accordance with the revocation clause set forth in Section 7-609.
- <u>Part 4</u>: 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.

<u>Part 5</u>: 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.

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

PASSED AND APPROVED on First Reading and Public Hearing on the **5**th day of **December**, 2013.

PASSED AND APPROVED on Second Reading on the 19th day of December, 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

12/19/13 Item #3(L) Consent Agenda Page 1 of 3

DEPT. / DIVISION SUBMISSION & REVIEW:

Mark Baker, Planner

<u>ITEM DESCRIPTION:</u> SECOND READING – Z-FY-14-02: Consider adopting an ordinance authorizing a zoning change from a combination of Light Industrial (LI) and Commercial District (C) to Multiple Family Dwelling One (MF-1) District to Lots 3 and 4, Block 12, Northwest Hills, 1st Extension Replat of Blocks 11 & 12, addressed as 2201 and 2205 Valley Forge Avenue.

<u>PLANNING & ZONING COMMISSION RECOMMENDATION:</u> At its November 4, 2013 meeting, the Planning & Zoning Commission voted 6 to 0 to recommended approval of the requested zoning change from Light Industrial (LI) & Commercial (C) zoning districts to Multi-Family Dwelling-1 (MF-1) as recommended by staff.

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

Based on the following discussion, staff recommends approval for a zoning change from LI and C to MF-1 for the following reasons:

- 1. Although the proposed zoning does not comply with the Future Land Use Map which identifies this area as Neighborhood Conservation, it is consistent with the adjacent multi-family uses to the north and the west and the multi-family character of the area;
- 2. The request complies with the Thoroughfare Plan;
- 3. The proposed zoning is compatible with the surrounding uses; and
- 4. Public facilities are available to serve the subject property.

ITEM SUMMARY: According to the City of Temple Comprehensive Plan / Future Land Use Plan (FLUP), the subject property is within the designated Neighborhood Conservation District. The Neighborhood Conservation district is for existing and established residential neighborhoods. The purpose of this district is to establish standards consistent with those at the time of development (i.e. lot size, setbacks etc.) so as to not create nonconforming situations and to ensure that any infill activity or redevelopment maintains the neighborhood character. The surrounding area is primarily developed with variety of duplex, apartment and single family uses with commercial, multi-family, single-family and industrial zoning in place.

This collection of single-family, multi-family, commercial and industrially-zoned parcels have one significant characteristic in common which is the presence of existing multi-family housing units. The requested multi-family zoning allows the continuation of the single-family detached/attached housing units, duplex and apartments and will help protect those uses from the encroachment industrial uses, especially the single-family uses across the street from the subject property. The combination of existing zoning and existing land uses paints a patchwork of non-compliance with the FLUP and any new zoning district will have a degree of non-compliance. The current Light Industrial and Commercial zoning districts do not equally allow the same single family and multi-family uses that the MF-1 district does. Although the zoning request does not fully comply with the FLUP, staff recommends approval as this zoning designation is compatible with the adjacent land use and will continue some of the multi-family residential pattern of development. If approved, the FLUP will need to be updated.

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

Residential uses
Multiple Family Dwelling (Apartment)
Industrialized Housing
Family or Group Home

Nonresidential uses
Child Care (Family Home)
Park or Playground
Fire Station

Prohibited uses include HUD-Code manufactured homes and land lease communities, All commercial and industrial uses are prohibited, except these uses allowed by an approved conditional use permit. The uses include but are not limited to: temporary asphalt concrete batching plants, a sewage pumping station 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>	Zoning		Current Land Use
Site	Neighborhood Conservation		LI	Undeveloped
North	Neighborhood Conservation	on	2F & SF-3	Existing SF & MF Uses
South	Neighborhood Conservation	on	LI & C	Peanut Gallery Pre-School
East	Parks and Open Space	LI	Sa	aulsbury Community Garden
West	Neighborhood Conservation	on	C & MF-2	Existing multi-family uses

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

Documen t	Policy, Goal, Objective or Map		Compliance
СР	Map 3.1 - Future Land Use and Character (FLUP)	Neighborhood Conservation is identified for the subject property as well as identified for the immediate and surrounding area. Although the MF-1 zoning is not a compatible zoning district, the allowed uses are compatible and consistent with the Surrounding uses and zoning designations in the immediate area.	N
СР	Map 5.2 - Thoroughfare Plan	The subject property will take access from Valley Forge Ave which is a local street.	Y
СР	Goal 4.1 - Growth and development patterns should be consistent with the City's infrastructure and public service capacities	, , ,	Y
STP	Temple Trails Master Plan Map & sidewalks	No existing or proposed trails were identified in the Master Plan Map along the subject property's frontage of Valley Forge Ave.	Υ

CP = Comprehensive Plan STP = Sidewalk and Trails Plan

<u>DEVELOPMENT REGULATIONS:</u> Standard residential setbacks for two-family dwellings in the MF-1 district are:

Minimum lot size - 4,000
Minimum Lot Width - 60'
Minimum Lot Depth - 100'
Front Yard Setback - 25'

Side Yard Setback - 10% of Lot Width (Min 5')

Corner Side Setback - 15'

Rear Yard Setback - 10'

<u>PUBLIC NOTICE:</u> Eleven notices of the Planning and Zoning Commission public hearing were sent out to property owners within 200-feet of the subject property as required by State law and City Ordinance. As of Monday November 18, 2013 at 4:00 PM, One notice for approval and one notice for disapproval have been received.

The newspaper printed notice of the Planning and Zoning Commission public hearing on October 24, 2013, in accordance with state law and local ordinance.

12/19/13 Item #3(L) Consent Agenda Page 3 of 3

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

Site and Surrounding Property Photos
Zoning and Location Map
Future Land Use and Character Map
Buffer Notification Map
Returned Property Notices
PZ Excerpts
Ordinance

Site & Surrounding Property Photos



Site: Undeveloped - Looking South (Light Industrial & Commerical Zoning)



East: Saulsbury Community Garden (Light Industrial Zoning)







West: Scattered Mixed residential uses (Commercial & Multi Family-2 Zoning)

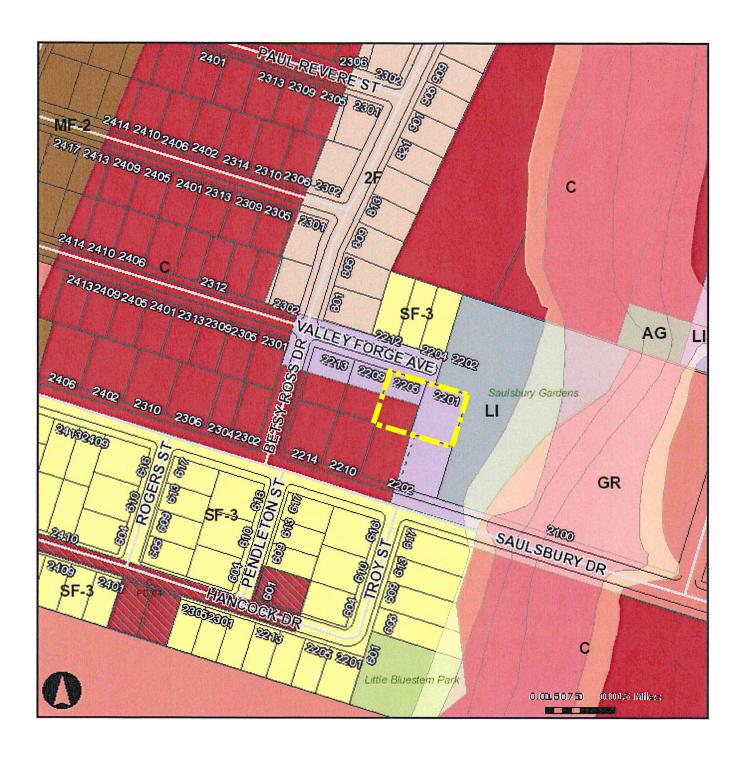


North: Detached Single-Family Homes (Single Family-3 Zoning)



South: Looking south across subject property toward the Peanut Gallery Preschool (Light Industrial Zoning)

Zoning and Location Map



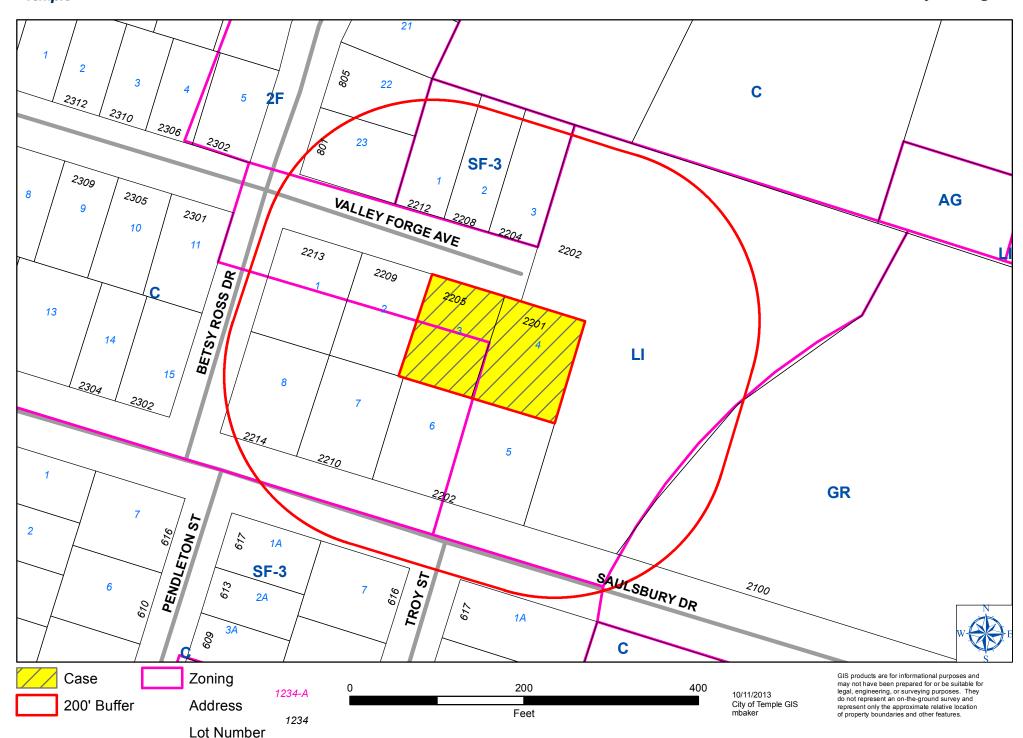
Zone Change LI & C to MF-1 2201 & 2205 Valley Forge Ave







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RESPONSE TO PROPOSED ZONE CHANGE REQUEST CITY OF TEMPLE

Nautilus Holdings LP P.O. Box 1364 Salado, Texas 76571

Project Manager: Mark Baker Zoning Application Number: <u>Z-FY-14-02</u>

Location: 2201 and 2205 Valley Forge Avenue

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.

() denial of this request.

I recommend (approval Comments:

Signature

Please mail or hand-deliver this comment form to the address shown below, no later RECEIVED than November 4, 2013

City of Temple Planning Department Room 102

Municipal Building Temple, Texas 76501 NOV 0 1 2013

Print Name

City of Temple Planning & Development

Date Mailed: October 24, 2013 Number of Notices Mailed: 11



RESPONSE TO PROPOSED ZONE CHANGE REQUEST CITY OF TEMPLE

Janie Solis & Stephanie Rodriguez 2208 Valley Forge Avenue Temple, Texas 76504

Zoning Application Number:	Z-FY-14-02	Project Manager:	Mark Baker

to the surroundings in this area, we do

Location: 2201 and 2205 Valley Forge Avenue

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:

tel contitude addi	na more hous	sing. Donot	feel Safe.	•
Whendrams stright, a	Windy dono	+ Safer It Wi	1) be	
Would in Unis alea				-
				- x

Please mail or hand-deliver this comment form to the address shown below, no later than November 4, 2013 RECEIVED

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

NOV 0 4 2013

Janie Solis (Doris Jean Solis)

City of Temple Planning & Development

Number of Notices Mailed: 11

Date Mailed: October 24, 2013

EXCERPTS FROM THE

PLANNING & ZONING COMMISSION MEETING

TUESDAY, NOVEMBER 4, 2013

ACTION ITEMS

Item 6: <u>Z-FY-14-02</u> – Hold a public hearing to discuss and recommend action on a zone change from a combination of Light Industrial (LI) and Commercial District (C) to Multiple Family Dwelling One (MF-1) District to Lots 3 and 4, Block 12, Northwest Hills, 1st Extension Replat of Blocks 11 & 12, addressed as 2201 and 2205 Valley Forge Avenue. (Applicant: Pat Dauphinais for Duane Hoffmann)

Mr. Baker stated this item would go to City Council on December 5, 2013 for first reading and December 19, 2013 for second reading.

The applicant was requesting a zone change from LI and Commercial (C) to Multi-Family-One (MF-1). The subject properties are Lots 3 & 4, Block 12 Northwest Hills subdivision. The City of Temple's Comprehensive Plan / Future Land Use Plan identifies the property as Neighborhood Conservation District.

There is a six-inch water line in Valley Forge fronting the property and a six-inch sewer line in Valley Forge fronting the property.

Surrounding properties include duplex and detached single family residential uses to the north, a pre-school to the south, mixed multi-family residential uses to the west, and the Saulsbury Community Garden to the east.

The property is identified in the Future Land Use Plan as within the Neighborhood Conservation District which is for existing and established residential neighborhoods. The purpose of the district is to establish standards consistent with those at the time of development such as lot size and setbacks. The request to the MF-1 zoning does not completely comply with the Future Land Use Plan.

Allowed and prohibited uses are given along with development regulations.

Eleven notices were mailed out and one was returned in favor and one was returned in opposition.

Staff recommendation considerations:

Is the proposed land consistent with the Comprehensive Plan / Future Land Use Map?

Do surrounding uses seem compatible and similar to the proposed zoning?

Do surrounding zoning designations seem compatible or similar to the proposed rezoning?

Staff recommendation:

Staff recommends Approval of the request for a zone change from "LI" & "C" to "MF-1" for the following reasons:

Although the proposed zoning does not comply with the Future Land Use Plan Map which identifies this area as Neighborhood Conservation, it is consistent with the multifamily uses to the north and the west and the multi-family character of the area;

The request complies with the Thoroughfare Plan;

The proposed zoning is compatible with the surrounding uses; and

Public facilities are available to serve the subject property.

Chair Sears opened the public hearing.

Mr. Pat Dauphinais, 605 Willow Stone Place, Gypsum, Colorado, stated he would like to put duplexes on the property.

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

Commissioner Johnson made a motion to approve Item 6, Z-FY-14-02, as presented, and Commissioner Pitts made a second.

Motion passed: (6:0)
Commissioners Magaña and Crisp absent

ORDINANCE NO		
(PLANNING NO. Z-FY-14-02)		

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A REZONING FROM LIGHT INDUSTRIAL (LI) AND COMMERCIAL DISTRICT (D) TO MULTIPLE FAMILY DWELLING ONE (MF-1) DISTRICT ON LOTS 3 AND 4, BLOCK 12, NORTHWEST HILLS, 1ST EXTENSION REPLAT OF BLOCKS 11 AND 12, LOCATED AT 2201 AND 2205 VALLEY FORGE AVENUE; 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:

<u>Part 1</u>: The City Council approves a permanent zoning from Light Industrial (LI) and Commercial District (C) to Multiple Family Dwelling One (MF-1) on lots 3 and 4, block 12, Northwest Hills, 1st Extension Replay of blocks 11 and 12, located at 2201 and 2205 Valley Forge Avenue, more fully described in Exhibit A, attached hereto and made a part hereof for all purposes.

- <u>Part 2:</u> The City Council directs the Director of Planning to make the necessary changes to the City Zoning Map accordingly.
- <u>Part 3</u>: 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.
- <u>Part 4</u>: 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.
- <u>Part 5</u>: 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 ${\bf 5}^{\rm th}$ day of **December**, 2013.

PASSED AND APPROVED on Second Reading on the 19th day of **December**, 2013.

	THE CITY OF TEMPLE, TEXAS
	DANIEL A. DUNN, Mayor
ATTEST:	APPROVED AS TO FORM:
Lacy Borgeson	Jonathan Graham
City Secretary	City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

12/19/13 Item #3(M) Consent Agenda Page 1 of 3

DEPT./DIVISION SUBMISSION & REVIEW:

Phillip Melton, Planning Intern

<u>ITEM DESCRIPTION:</u> SECOND READING –Z-FY-14-03: Consider adopting an ordinance authorizing a Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption where sales will be more than 50% and less than 75% of the gross revenue for The Patio On Main Restaurant/Bar, on Lot 15, Block 21, Temple Original Town, located at 12 South Main Street.

PLANNING & ZONING COMMISSION RECOMMENDATION: At its November 4, 2013 meeting, the Planning and Zoning Commission voted 6 to 0 to recommend approval of the Conditional Use Permit for the sale of alcoholic beverages for on-premise consumption for the above described property.

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

Staff recommends approval of the requested Conditional Use where less than 75% of the gross revenue will be from the sale of alcoholic beverages with on-premise consumption for the following reasons:

- 1. The request is compatible with the Future Land Use and Character Map;
- 2. The request complies with the Thoroughfare Plan;
- 3. Public facilities are available to serve the property; and
- 4. The applicant has demonstrated compliance with the specific standards in Section 5.3.15 of the UDC.

ITEM SUMMARY: The subject property is located on the west side of South Main Street in between Central Avenue and A Avenue. The property is addressed 12 South Main Street. The applicant proposes establishing a business where it is anticipated that less than 75% of the gross revenue will be from the sale of alcoholic beverages with on-premise consumption. The site is developed, built to property lines, and is zoned Central Area (CA). In the CA district, if revenue from beer and wine sales is less than 75% or when all alcoholic beverage sales are below 50%, the use is permitted by right. Since the applicant is proposing sales of alcoholic beverages that will amount to more than 50%, but less than 75%, of the gross revenue, a conditional use permit is required.

Establishments with alcoholic beverage sales for on-premise consumption are subject to the standards in Section 5.3.15 of the UDC. A number of the standards applicable to this property have been identified and are discussed as follows:

Traffic Generation / Area Overcrowding: The property is developed and has been used previously as a church. Although there are several businesses operating in the immediate area, it is not anticipated that there will be a substantial increase to traffic generation or overcrowding.

Licensing from Texas Alcoholic Beverage Commission: The applicant must comply with applicable licensing and permit provisions of the Alcoholic Beverage Code. This will be required within 6 months from the date of the issuance of the conditional use permit.

Security: The applicant has indicated that security cameras will be provided inside as well as security personnel on site.

Parking: The CA zoning district allows on-street parking. There are 28 on-street parking spaces along the block South Main Street. A public parking lot with 20 parking spaces is also located directly across Main St. from the site that could provide additional parking.

Distance from Sensitive Uses: As provided by UDC Section 5.5.15C, the property is not located within 300 from a place of worship, elementary or secondary school, public hospital, public park, or any residentially zoned or developed lot. The closest distance to any of these listed uses, as measured in a straight, direct line from the property line of the establishment to the nearest property line, is to Fred Springer Park at a distance of approximately 676 feet.

The applicant has provided, as required per UDC Section 3.5.2B, a site plan. Staff has reviewed the use permit and the site plan which were considered by the DRC during their October 21, 2013 meeting. Based on the proposal, no issues were identified during the meeting. The attached site plan will be included in the Ordinance if the conditional use permit is approved by City Council.

<u>DEVELOPMENT REGULATIONS</u>: Although there are dimensional standards for residential uses in the CA zone, there are no established dimensional standards for non-residential uses. As per UDC 4.6, the maximum building height may be any legal limit that other laws and ordinances do not prohibit. The subject property is currently developed with a building footprint which extends to the property line on all sides.

On-site parking is typically waived in favor of on-street parking per UDC Section 7.5C.

<u>PUBLIC NOTICE:</u> 13 notices of the 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 Friday November 19, 2013, 3 notices had been returned in favor of the use permit and no notices for denial had been received.

12/19/13 Item #3(M) Consent Agenda Page 3 of 3

FISCAL IMPACT: Not Applicable

ATTACHMENTS:
Site Photos Aerial Map Floor Plan **Buffer Notification Map** Returned Property Owner Notice PZ Excerpts Ordinance .



Subject Property, currently unoccupied



North: Boxing Gym and resturant



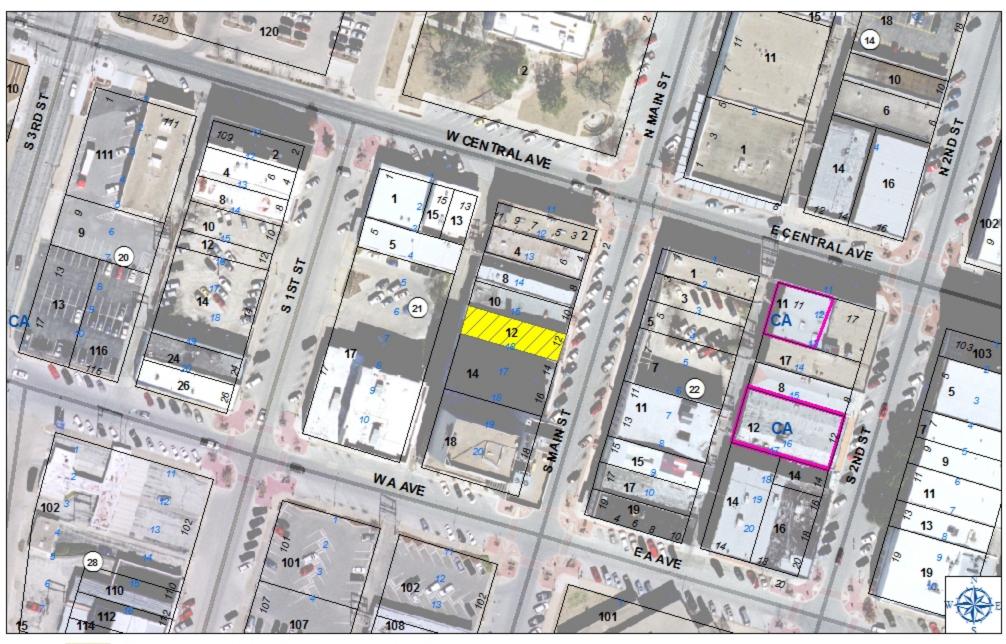
South: Unoccupied and the ExtraCo Bank Building



East: Public Parking and an amusement use (Ballroom)

Alcohol Conditional Use Permit

12 S. Main Street



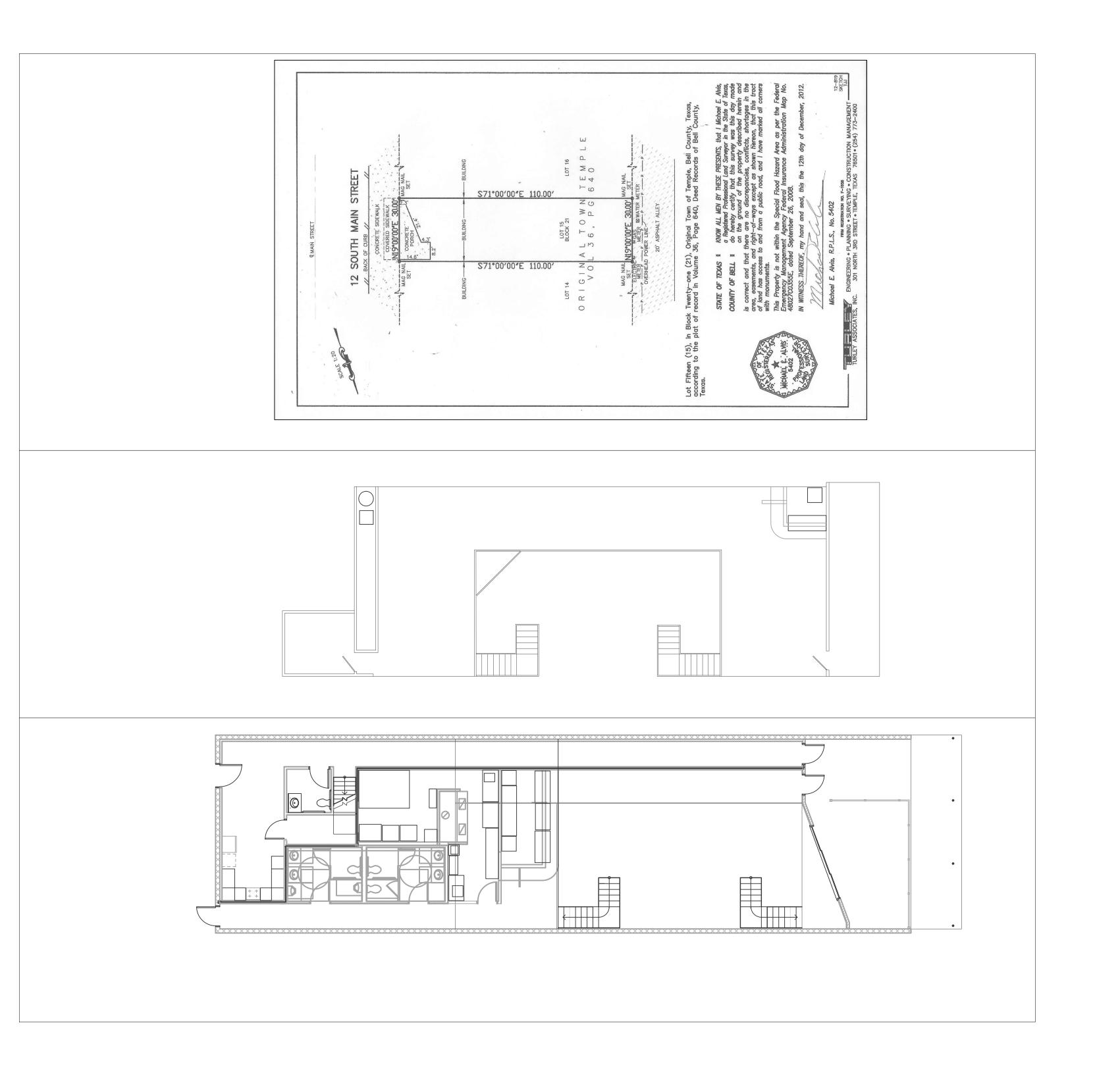
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Block Number Address 1234-A Outblock Number Lot Number

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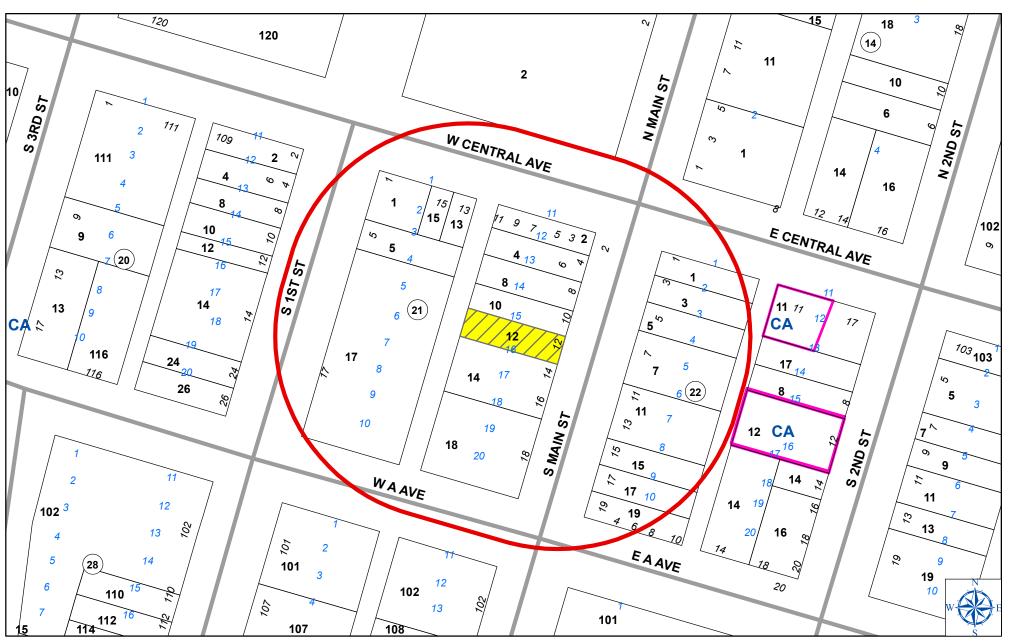
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Alcohol Conditional Use Permit

12 S. Main Street



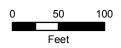
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Zoning
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Block Number

1234-A

Address 1234

Outblock Number
Lot Number



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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 CONDITIONAL USE PERMIT CITY OF TEMPLE

Main One South LP 1 South Main Street Temple, Texas 76701

Zoning Application Number: Z-FY-14-03 **Project Manager: Phillip Melton** Location: 12B South Main Street The proposed request for a Conditional Use Permit is the area shown in hatched marking on the attached map. The Conditional Use Permit will allow the sale of alcoholic beverages for on-premise consumption in a restaurant. 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 Conditional Use Permit for the property described on the attached notice, and provide any additional comments you may have. I recommend (√) approval () denial of this request. Comments: (Signature)

Please mail or hand-deliver this comment form to the address shown below, no later than November 4, 2013.

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

RECEIVED

OCT 2 8 2013

City of Temple
Planning & Development

Number of Notices Mailed: 13 Date Mailed: October 24, 2013



RESPONSE TO PROPOSED CONDITIONAL USE PERMIT CITY OF TEMPLE

Temple Economic Development Corp 1 South 1st Street Temple, Texas 76701

Zoning Application Number: <u>Z-FY-</u>	<u>14-03</u> Project Manager	: Phillip Melton
Location: 12B South Main Street		
The proposed request for a Condit marking on the attached map. Th alcoholic beverages for on-premise property within 200 feet of the reques use this form to indicate whether you for the property described on the atta you may have.	ne Conditional Use Permit was consumption in a restaurant. Is sted change, your opinions are are in favor of the possible Conched notice, and provide any	ill allow the sale of Because you own we welcomed. Please anditional Use Permit
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Comments:		
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later than <u>November 4, 2013</u> .	City of Temple	RECEIVED

Date Mailed: October 24, 2013 Number of Notices Mailed: 13

Room 201

Planning Department

Municipal Building

Temple, Texas 76501

OCT 2 9 2013

City of Temple Planning & Development



RESPONSE TO PROPOSED CONDITIONAL USE PERMIT CITY OF TEMPLE

Extraco Banks – Temple Downtown c/o Gary Millelr, Accounting P.O. Box 7832 Waco, Texas 76714-7832

Zoning Application Number: Z-FY	-14-03 Project Mar	nager: Phillip Melton
Location: 12B South Main Street		
The proposed request for a Condi- marking on the attached map. The alcoholic beverages for on-premise property within 200 feet of the reque- use this form to indicate whether you for the property described on the atta- you may have.	ne Conditional Use Perr consumption in a restaunisted change, your opinion are in favor of the possibached notice, and provide	nit will allow the sale of urant. Because you own ns are welcomed. Please ole Conditional Use Permit
I recommend (i) approval ()	denial of this request.	
Comments:		
(Signature)	·	Dillard B. Barr (Print Name
Please mail or hand-deliver this co	omment form to the add	ress shown below, no
later than <u>November 4, 2013</u> .	City of Temple	RECEIVED
	Planning Departmen Room 201	NOV 1 2 2013

Number of Notices Mailed: 13 Date Mailed: October 24, 2013

Municipal Building

Temple, Texas 76501

City of Temple

Planning & Development

EXCERPTS FROM THE

PLANNING & ZONING COMMISSION MEETING

TUESDAY, NOVEMBER 4, 2013

ACTION ITEMS

Item 7: Z-FY-14-03 — Hold a public hearing to discuss and recommend action on a Conditional Use Permit (CUP) to allow the sale of alcoholic beverages for on-premise consumption where sales will be more than 50% and less than 75% of the gross revenue for The Patio On Main Restaurant/Bar, on Lot 15, Block 21, Temple Original, located at 12B South Main Street. (Applicant: James Stewart)

Mr. Melton stated the applicant proposes a business where less than 75% of the gross revenue is from the sales of alcoholic beverages with on-premise consumption. The City of Temple Comprehensive Plan / Future Land Use Plan identify the property as Urban Center District. In the Central Area (CA) Zoning, a CUP is required and subject to these standards in UDC Section 5.3.15.

Traffic Generation / Area Overcrowding
Licensing from Texas Alcoholic Beverage Commission
Security
Parking
Distance from Sensitive Uses

Traffic Generation / Area Overcrowding: No additional traffic or concerns for area overcrowding are anticipated.

Licensing from Texas Alcoholic Beverage Commission: Applicant must comply with applicable licensing and permit provisions of the Alcoholic Beverage Code within 6 months from the date of the issuance of the C.U.P

Security: Security cameras are proposed as well as security personnel

<u>Parking</u>: The CA zoning district generally waives on-site parking in favor of on-street parking. There are a number of parking opportunities within the immediate location and a public parking lot across Main St. available for use.

<u>Distance from Sensitive Uses</u>: The property is not located within 300' from a place of worship, elementary or secondary school, public hospital, public park or any residentially zoned or developed lot.

Public facilities are available to serve the site.

Surrounding properties include unoccupied adjacent to site and occupied (Extraco Bank Building) to the south, boxing gym adjacent to the site and restaurant to the north, and public parking and indoor amusement (Ballroom) to the east.

Thirteen notices were received and zero notices were returned in favor or in opposition.

Staff recommends Approval of the requested Conditional Use Permit where more than 75% of the gross revenue will be from the sale of alcoholic beverages with on-premise consumption for the following reasons:

The request is compatible with the Future Land Use and Character Map which identify this area as Urban Center;

The request complies with the Thoroughfare Plan;

Public facilities are available to serve the property; and

The applicant has demonstrated compliance with the specific standards in Section 5.3.15 of the UDC.

Chair Sears opened the public hearing.

There being no speakers, the public hearing was closed.

Vice-Chair Rhoads made a motion to approve Item 7, **Z-FY-14-03**, as presented, and Commissioner Jones made a second.

Motion passed: (6:0)

Commissioners Magańa and Crisp absent

ORDINANCE NO.	

[PLANNING NO. Z-FY-14-03]

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING A CONDITIONAL USE PERMIT TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION, WHERE SALES WILL BE MORE THAN 50% AND LESS THAN 75% OF THE TOTAL GROSS REVENUE FOR THE PATIO ON MAIN RESTAURANT/BAR, LOCATED AT 12 SOUTH MAIN STREET; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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

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

Whereas, the City Council of the City of Temple, Texas, after public notice as required by law, has at a public hearing, carefully considered all the evidence submitted concerning the establishment at 12 South Main Street, and has heard the comments and evidence presented by all persons supporting or opposing this matter at said public hearing, and after examining the location and the zoning classification of the establishment finds that the proposed use of the premises substantially complies with the comprehensive plan and the area plan adopted by the City Council.

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

<u>Part 1</u>: The City Council approves a Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption where sales will be more than 50%, and less than 75% of the gross revenue for The Patio On Main Restaurant/Bar, located at 12 South Main Street, more fully described in Exhibit A, attached hereto and made a part hereof for all purposes.

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

(a) The sale and consumption of alcoholic beverages shall occur only within the designated area, in accordance with the site plan attached as Exhibit B.

- (b) The permittee must design and operate the establishment in such a manner that the proposed use or actual use of the premises shall not substantially increase traffic congestion or create overcrowding in the establishment or the immediately surrounding area.
- (c) The permittee must comply with applicable licensing and permit provisions of the Alcoholic Beverage Code within six (6) months from the date of the issuance of the conditional use permit by the City Council, such limitation in time being subject to review and possible extension by the City.
- (d) The permittee bears the burden of showing that the establishment does not exceed the limitation on gross receipts from sales of alcoholic beverages applicable to its conditional use permit. The permittee must maintain accounting records of the sources of its gross revenue and allow the City to inspect such records during reasonable business hours.
- (e) The permittee must demonstrate that the granting of the permit would not be detrimental to the public welfare of the citizens of the City.
- (f) The permittee must, at all times, provide an adequate number of employees for security purposes to adequately control the establishment premises to prevent incidents of drunkenness, disorderly conduct and raucous behavior. The permittee shall consult with the Chief of Police, who shall act in an advisory capacity to determine the number of qualified employees necessary to meet his obligations hereunder.
- (g) The establishment must provide adequate parking spaces to accommodate its members and their guests. Provided, however, the number of parking spaces shall never be less than those required for similar uses in that zoning district where the establishment is located.
- (h) The permittee must operate the establishment in such a manner as to prevent excessive noise, dirt, litter and odors in the establishment or in the surrounding area and operate the establishment in such a manner as to minimize disturbance to surrounding property owners.
- (i) The City Council may deny or revoke a conditional use permit if it affirmatively determines that the issuance of the same is (a) incompatible with the surrounding uses of property, or (2) detrimental or offensive to the neighborhood or contrary to the health, safety, and general welfare of the City and its inhabitants.
- (j) A conditional use permit issued under this section runs with the property and is not affected by a change in the owner or lessee of a permitted establishment.
- (k) All conditional use permits issued under this section will be further conditioned that the same may be canceled, suspended or revoked in accordance with the revocation clause set forth in Section 7-609.

<u>Part 3</u>: The declarations, determinations and findings declared, made and found in the preamble of this ordinance are hereby adopted, restated and made a part of the operative provisions hereof.

<u>Part 4</u>: 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.

<u>Part 5</u>: 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.

<u>Part 6</u>: 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 $\mathbf{5}^{th}$ day of **December**, 2013.

PASSED AND APPROVED on Second Reading on the 20th day of December, 2013.

	THE CITY OF TEMPLE, TEXAS
	DANIEL A. DUNN, Mayor
ATTEST:	APPROVED AS TO FORM:
Lacy Borgeson	Jonathan Graham
City Secretary	City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

12/19/13 Item #3(N) Consent Agenda Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Jonathan Graham, City Attorney

ITEM DESCRIPTION: SECOND READING – Consider adopting an ordinance reestablishing a comprehensive economic development policy for the City of Temple which includes the City's criteria and guidelines for tax abatement, tax increment financing, enterprise zones, and strategic investment zones.

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

<u>ITEM SUMMARY:</u> In January, 2012, the City Council adopted Ordinance No. 2011-4504 which sets forth the City of Temple's criteria and guidelines for tax abatement, tax increment financing, enterprise zones, and strategic investment zones. Chapter 312 of the Texas Tax Code which authorizes a taxing unit's ability to enter into tax abatement agreements states that a taxing unit's criteria and guidelines are effective for two years from the date adopted. The City's current ordinance was effective on January 5, 2012 therefore it must be renewed at this time.

FISCAL IMPACT:

ATTACHMENTS:

Ordinance

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF TEMPLE, TEXAS, ESTABLISHING A COMPREHENSIVE ECONOMIC DEVELOPMENT POLICY FOR THE CITY OF TEMPLE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City of Temple is committed to establishing long-term economic vitality, an essential key to the growth of any community, by responding and preparing for challenges and changes in an environment characterized by ongoing competition for sustained economic advantage and identity;

Whereas, in an effort to enrich an already substantial diversity of economic activity, the City of Temple desires to establish an *Economic Development Policy* consolidating the City's existing and newly-proposed economic development policies into one comprehensive document;

Whereas, the City has established criteria and guidelines governing tax abatement within the City pursuant to Chapter 312 of the Tax Code, and by ordinance has designated two tax abatement reinvestment zones;

Whereas, the City has by ordinance created a tax increment financing reinvestment zone pursuant to Chapter 311 of the Tax Code, and used the tax increments accrued in said zone to construct public improvements intended to spur economic development of the zone;

Whereas, Article 3, Section 52-a of the State Constitution, authorizes the Legislature to provide for the creation of programs for the making of loans and grants of public money for the public purposes of development and diversification of the economy of the State;

Whereas, the Legislature, in Tex. Rev. Civ. Stat. Ann. art. 835s, has authorized home rule cities to acquire land and buildings for the purpose of leasing the land or improvements thereto to private companies for use in manufacturing or other commercial activity;

Whereas, the Legislature, in Chapter 380 of the Local Government Code, has authorized home rule cities to establish programs for making loans and grants of public money to promote State or local economic activity within their boundaries; and

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

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

Part 1: That a comprehensive *Economic Development Policy* is hereby adopted by the City of Temple, Texas to read as follows:

ECONOMIC DEVELOPMENT POLICY

FOR THE CITY OF TEMPLE, TEXAS

ADOPTED DECEMBER 19, 2013

I. Criteria and Guidelines Governing Tax Abatement.

A. Definitions.

- 1."Abatement" means the full or partial exemption from ad valorem taxes of certain real property in a reinvestment zone designated by the City for economic development purposes.
 - 2."Agreement" means a contract between a property owner or lessee and the City.
- 3. "Base year value" means the assessed value of eligible property on January 1st of the year of the execution of the tax abatement Agreement or if the terms of abatement defer the commencement of the tax abatement, the base year value shall be in the value on January 1st of the year the tax abatement begins, plus the agreed upon value of eligible property improvements made after January 1 but before the execution of the Agreement.
- 4. "**Deferred Maintenance**" means those improvements necessary for continued operation but which do not improve productivity or alter any process technology. Exterior improvements (e.g., painting, installing, repairing, removing or replacing a facade) to the exteriors of buildings in the Downtown Development Area which are designed to improve visual appearance of property are not deferred maintenance.
- 5. "**Downtown Development Area**" is an approximately 43 block area of downtown Temple as shown by the map and description attached hereto as Exhibit "A."
- 6. "Eligible Facilities" means those new, expanded or modernized buildings and structures, including fixed machinery and equipment, which are reasonably likely as a result of granting abatement, to contribute to the retention or expansion of primary employment or to attract major investment in the reinvestment zone that would be a benefit to the property and that would contribute to the economic development within the City Eligible Facilities in all commercial/industrial tax abatement reinvestment zones include manufacturing, distribution and storage facilities, office buildings, transportation facilities, and entertainment complex. Additional Eligible Facilities in reinvestment zones established in the Downtown Development Area include retail stores, apartment buildings, restaurants and entertainment facilities (excluding sexually oriented businesses).
- 7. **"Expansion"** means the addition of buildings, structures, machinery, equipment or payroll for purposes of increasing production capacity.
- 8. "Facility" means property improvements completed or in the process of construction which together comprise an integral whole.

- 9. "Modernization" means a complete or partial demolition of Facilities and the complete or partial reconstruction or installation of a Facility of similar or expanded production capacity. Modernization may result from the construction, alteration, or installation of buildings, structures, machinery or equipment, or both. Modernization in the Downtown Development area includes painting of exterior walls, restoring, removing or installing a façade, adding balconies or decorative art and related exterior improvements designed to visually improve the exterior or a building or block.
- 10. "New Facility" means a property previously undeveloped which is placed into service by means other than or in conjunction with Expansion and Modernization.
- 11. "**Productive Life**" means the number of years a property improvement is expected to be in service for a facility.
- 12. "**South 1**st **SIZ incentive area**" is an area comprised of approximately a 74 block area, which includes South 1st Street from Adams Avenue to South Loop 363 and portions of several adjacent streets including portions of South 2nd Street, South 3rd Street and South 5th Street, as shown by the map and description attached hereto as Exhibit "S1."
- 13. "Avenue G/H SIZ incentive area" is an area consisting of Avenues F, G, H & I from South 1st Street to South 25th Street, as shown by the map and description attached hereto as Exhibit "S2."
- 14. "North 3rd Street SIZ incentive area" is an area consisting of two tracts of land centered on North 1st Street; Area A is bounded on the west by North 7th Street [from Central to French] and on the east from Adams—where it adjoins the South 1st SIZ incentive area—north to French Avenue, and North 3rd Street, and Area B is an irregular shaped area on North 3rd Street running north-south roughly from Munroe Avenue to Industrial Boulevard, as shown by the map and description attached hereto as Exhibit "S3."
- 15. "**MLK SIZ incentive area"** is an area on the east side of downtown Temple roughly bound on the north by Calhoun Street, on the east by MLK, on the south by Avenue H, and on the west by the BNSF tracks and 2nd Avenue, as shown by the map and description attached hereto as Exhibit "S4."

B. Statement of Purpose.

The City is committed to the promotion of high quality commercial and industrial development in all parts of the City, and an ongoing improvement of the quality of life of its citizens. These objectives may be served by the enhancement and expansion of the local economy. The City will consider, on a case-by-case basis granting property tax abatement as a stimulus for economic development in accordance with the criteria and guidelines established herein. Nothing herein shall imply or suggest that the City is under any obligation to provide tax abatement to any applicant, that any applicant has a property right or interest in tax abatement, or that the City is precluded from considering other options which may be in the best interest of the City.

C. Designation of Tax Abatement Reinvestment Zones.

The City will consider designating areas within the City limits or extraterritorial jurisdiction of the City as commercial-industrial tax abatement reinvestment zones which meet one or more of the criteria for designation of a reinvestment zone under Section 312.202 of the Tax Code, and where the property owner meets the minimum qualifications to qualify for a tax abatement under Part I.D. 1.b. of this Policy. Designation of an area as a tax abatement reinvestment zone is a prerequisite to entering into a tax abatement agreement with the owner of the property in a particular area. Property located within a City created (and State-approved) Enterprise Zone is eligible for consideration for tax abatement agreements without the necessity of separate designation as a tax abatement reinvestment zone.

D. Abatement Authorized.

- **1. Eligible Facilities**. Upon application, the City will consider granting tax abatement on Eligible Facilities as hereinafter provided.
- a. <u>Creation of New Value</u>. The City will consider granting tax abatement only for the additional value of eligible property improvements made subsequent to, and specified in, an abatement agreement between the City and the property owner or lessee, subject to such limitations as the City may require.
- b. <u>New and Existing Eligible Facilities</u>. The City will consider granting abatement for new Eligible Facilities and for improvements to existing Eligible Facilities for purposes of Modernization and Expansion.
- c. <u>Eligible Property</u>. The City will consider granting abatement to the value of real property improvements (buildings, structures, fixed [permanently attached] machinery and equipment, site improvements, related fixed improvements necessary to the operation and administration of the Facility), and personal property (excluding inventory or supplies) with a Productive Life of ten years or more.
- d. <u>Ineligible Property</u>. The following types of property shall remain fully taxable and ineligible for tax abatement: land, supplies, inventory, housing, Deferred Maintenance, property to be rented or leased except as provided in subpart (5) below, and other property which has a Productive Life of less than ten years.
- e. <u>Owned/Leased Facilities</u>. If a Leased Facility is granted abatement, the agreement shall be executed with the lessor and the lessee.

2. Standards for Tax Abatement.

- a. <u>Minimum Standards</u>. The City will consider tax abatement only on eligible facilities which meet at least two of the following criteria.
 - (1) The project involves a minimum increase in property value of three hundred percent (300%) for construction of a new facility, or fifty percent

- (50%) for expansion of an existing facility, with an overall new investment of at least \$1 million in taxable assets. For eligible facilities in any reinvestment zone within the Downtown Development Area or within the South 1st, North 3rd, Avenue G/H or MLK SIZ incentive areas, the project must involve either a minimum increase in property value of one hundred and fifty percent (150%) for construction of a new facility, or twenty-five percent (25%) for expansion of an existing facility, with an overall new investment of at least \$50,000 in taxable assets.
- (2) The project makes a substantial contribution to redevelopment efforts, special area plans, or strategic economic development programs by enhancing either functional or visual characteristics, e.g., historical structures, traffic circulation, parking facades, materials, signs.
- (3) The project has high visibility, image impact, or is of a significantly higher level of development quality.
- (4) The project is an area which might not otherwise be developed because of constraints of topography, ownership patterns, site configuration, etc.
- (5) The project can serve as a prototype and catalyst for other development of a higher standard.
- (6) The project stimulates desired concentrations of employment or commercial activity.
- (7) The project generates greater employment than would otherwise be achieved, e.g., commercial/industrial versus manufacturing versus warehousing.
- (8) For eligible facilities in any reinvestment zone within the Downtown Development Area, the project improves the aesthetic appearance of the neighborhood, brings new jobs to the Downtown area, increases the availability of public parking, or increases the amount of green space (landscaping).
- b. Terms of Abatement/Minimum Required Investment. The City will consider executing tax abatement agreements with a term of five years provided that the applicant agrees to make the minimum investment in real property improvements, personal property improvements, or job creation specified herein. An applicant requesting tax abatement shall agree as a condition of any tax abatement ultimately approved by the City Council to expend a certain minimum amount of funds on real or personal property improvements, or to provide a certain number of jobs, as provided below:

Percentage	Minimum Required Real	or Personal Property Investment or	Job Creation
of increased value to be abated	Eligible Real Property Improvements	Eligible Personal Property*	Job Creation [†]
25%	\$250,000-\$400,000	\$1,000,000-\$1,600,000	25-30 jobs
30%	400,001-550,000	1,600,001-2,200,000	31-35 jobs
35%	550,001-700,000	2,200,001-2,800,000	36-40 jobs
40%	700,001-850,000	2,800,001-3,400,000	41-45 jobs
45%	850,001-1,000,000	3,400,001-4,000,000	46-50 jobs
50%	1,000,001-1,300,000	4,000,001-5,200,000	51-55 jobs
55%	1,300,001-1,600,000	5,200,001-6,400,000	56-60 jobs
60%	1,600,001-1,900,000	6,400,001-7,600,000	61-65 jobs
65%	1,900,001-2,200,000	7,600,001-8,800,000	66-70 jobs
70%	2,200,001-2,500,000	8,800,001-10,000,000	71-75 jobs
75%	2,500,001-3,500,000	10,000,001-14,000,000	76-85 jobs
80%	3,500,001-4,500,000	14,000,001-18,000,000	86-95 jobs
85%	4,500,001-5,500,000	18,000,001-22,000,000	96-105 jobs
90%	5,500,001-6,500,000	22,000,001-26,000,000	106-115 jobs
95%	6,500,001-7,500,000	26,000,001-30,000,000	116-125 jobs
100%	7,500,001-10,000,000	30,000,001-40,000,000	126-175 jobs

Percentage of increased value	Inside the Downtown Development Area, MLK SIZ Incentive Area or the South 1 st Street SIZ Incentive Area Minimum Required Real or Personal Property Investment or Job Creation		
To be abated	Eligible Real Property Improvements	Eligible Personal Property*	Job Creation
100%	\$50,000 or more	\$100,000 or more	5-25 jobs

Percentage of increased	Inside the Avenue H SIZ Incentive Area Minimum Required Real or Personal Property Investment or Job Creation		
value To be abated	Eligible Real Property Improvements	Eligible Personal Property*	Job Creation
100%	\$35,000 or more	\$60,000 or more	5-25 jobs

Percentage of increased value	Inside the North 3 rd Street SIZ Incentive Area Area A and Area B Minimum Required Real or Personal Property Investment or Job Creation		
To be abated	Eligible Real Property Improvements	Eligible Personal Property*	Full Time Job Creation
100%	\$50,000 or more	\$100,000 or more	10-25 full time jobs

The City may consider approving tax abatement agreements with a term longer than five years, but not more than ten years, where a project involves an investment in real property in excess of \$10,000,000 (\$250,000 in the Downtown Development Area, MLK, South 1st and Avenue G/H SIZ incentive zones) or in eligible personal property of more than \$40,000,000 (\$1,000,000 in the Downtown Development Area or the South 1st, Avenue G/H, North 3rd or MLK SIZ incentive zones) or the creation of more than 175 (25 in the Downtown Development Area, the South 1st, Avenue G/H, North 3rd or MLK SIZ incentive areas) new full time jobs, **or where the City deems** a project critical to the development of the City because of the nature of the project or industry, or the types of jobs being created or retained.

If a request for tax abatement is justified on the basis of the purchase and maintenance of eligible personal property or on the creation of jobs, the applicant must agree to maintain the personal property or jobs for a period of not less than twice the period for which tax abatement is granted. For example, if an applicant requests and receives 75% tax abatement for five years based on the purchase and maintenance of eligible personal property, the applicant must agree in the tax abatement agreement, subject to recapture of all abated taxes, to maintain the personal property on the property tax roll for not less than ten years.

^{*}Personal property with a useful life of less than ten years is not eligible for tax abatement. Personal property on site prior to the effective date of the tax abatement agreement is not eligible. Supplies and inventory are ineligible for tax abatement under this policy and State law.

[†] As used herein, the creation of jobs refers to the creation of a job paying not less than \$10 per hour, the approximate median salary for employees in Bell County. To qualify for a level of tax abatement, e.g., 25%, based on the creation of a specific number of jobs, you must commit to hiring the required effective number of employees by the end of year 2 of the agreement. To calculate the effective number of jobs created: (1) calculate the total annual payroll created (based on the number of employees you will hire at various annual salaries); (2) divide this annual payroll by \$20,640 (our calculated annual salary for a \$10/hr employee); and (3) round this figure to the nearest whole integer.

- c. <u>Additional or Enhancement Factors</u>. In addition to the minimum investment or job creation criteria listed in (2) above, the following factors, among others, shall be considered in determining whether to grant Tax Abatement, and if so, in what percentage of value to be abated and the duration:
 - (1) value of land and existing improvements, if any;
 - (2) type and value of proposed improvements;
 - (3) productive life of proposed improvements;
 - (4) number of existing jobs to be retained by proposed improvements;
 - (5) number, salary, and type of new jobs to be created by proposed improvements;
 - (6) amount of local payroll to be created;
 - (7) whether the new jobs to be created will be filled by persons residing or projected to reside within the City;
 - (8) amount of local sales taxes to be generated directly;
 - (9) the costs, if any, to be incurred by the City to provide facilities or services directly resulting from the new improvements;
 - (10) the amount of ad valorem taxes to be paid the City during the Abatement period considering the existing values, the percentage of new value abated, the Abatement period, and the projected property value after expiration of the Abatement period;
 - (11) population growth that occurs directly as a result of new improvements;
 - (12) the types and value of public improvements, if any, to be constructed and paid for by the applicant seeking Abatement;
 - (13) the extent to which the proposed improvements compete with existing businesses:
 - (14) the positive or negative impact on the opportunities of existing businesses;
 - (15) the attraction of other new businesses to the area;
 - (16) the overall compatibility with the City's zoning and subdivision regulations, and over-all comprehensive plan; and
 - (17) whether the project is environmentally compatible with the community (no appreciable negative impact on quality-of-life perceptions).

Each Eligible Facility shall be reviewed on its merits utilizing the factors provided above. After such review, abatement may be denied entirely or may be granted to the extent deemed appropriate after full evaluation.

- **3. Abatement barred in certain circumstances**. Neither a reinvestment zone nor an abatement agreement shall be authorized, if the City Council determines that:
- a. there would be a substantial adverse effect on the provision of government service or tax base;
- b. the applicant has insufficient financial capacity to meet the requirements of the proposed abatement agreement;
- c. planned or potential use of the property would constitute a hazard to public safety, health, or morals;
- d. approval of a reinvestment zone or abatement agreement would violate State or Federal laws or regulations; or
 - e. there exists any other valid reason for denial deemed appropriate by the City.

- **4. Property subject to Taxation**. From the execution of an Abatement Agreement to the end of the effective abatement period under the Agreement, taxes shall be payable as follows:
 - a. the value of ineligible property (Part I.D.1.d.) shall be fully taxable;
- b. the base year value of existing eligible property as determined each year shall be fully taxable;
- c. the additional value of new eligible property shall be taxed in the manner and for the period provided for in the Abatement Agreement; and
- d. the additional value of new, eligible property shall be fully taxable at the end of the Abatement period.

5. Application for Tax Abatement.

- a. Any present or potential owner of taxable property in the City of Temple, Texas, may request the creation of a tax abatement reinvestment zone and tax abatement by filing a written request with the City. The application shall then be forwarded to the City Manager for review. After processing the application, the City Manager shall make a recommendation to the City Council of the City for final disposition.
- b. The application shall consist of a completed application form, which shall provide detailed information on the items described in Part I.D.2. above; a map and property description; and a time schedule for undertaking and completing the planned improvements. In the case of Modernization, a statement of the assessed value of the facility, separately stated for real and personal property, shall be given for the tax year immediately proceeding the application. The application form may require such financial and other information as may be deemed appropriate for evaluating the financial capacity and other factors of the applicant.
- c. The City shall give notice as provided by the Tax Code, i.e., written notice to the presiding officer of the governing body of each taxing unit in which the property to be subject to the agreement is located, no later than the seventh day before the date the City Council considers approval of a tax abatement agreement.
- d. The City shall not establish a reinvestment zone for the purpose of Abatement if it finds that the request for the abatement was filed after the commencement of construction of a New Facility, or alteration, Modernization, Expansion of an existing Facility.

6. Tax Abatement Agreements

- a. After preliminary approval of an application, the City shall formally pass a resolution authorizing an Agreement with the owner (and lessee, where applicable) of the Facility, which Agreement shall include, but not be limited to:
 - (1) The kind, number, and location of all proposed improvements of the property;
 - (2) A provision for access to and authorize inspection of the property by municipal employees to ensure that the improvements or repairs are made according to the specifications and conditions of the Agreement;

- (3) Limits for the uses of the property consistent with the general purpose of encouraging development or redevelopment of the zone during the period the property tax exemptions are in effect;
- (4) Provide for recapturing property tax revenue lost as a result of the Agreement if the owner of the property fails to make the improvements or repairs as provided by the Agreement;
- (5) Each term agreed to by the owner of the property;
- (6) A requirement that the owner of the property annually certify to the governing body of each taxing unit that the owner is in compliance with each applicable term of the Agreement;
- (7) Provide that the City Council may cancel or modify the Agreement if the property fails to comply with the Agreement;
- (8) The percentage of value to be abated each year; and
- (9) The commencement date and the termination date of Abatement.
- b. To be effective, a tax abatement agreement must be approved by the affirmative vote of a majority of the members of the City Council at a regularly scheduled meeting of the City Council.
- c. Agreements shall normally be approved or disapproved within sixty (60) days from the date the applicant filed a properly completed application for tax abatement with the City Manager.

7. Recapture of Abated Taxes Upon Default.

- a. In the event that the company or individual:
 - (1) allows its ad valorem taxes owed the City to become delinquent and fails to timely and properly follow the legal procedures for their protest or contest, or
 - (2) violates any of the terms and conditions of the Abatement Agreement, and fails to cure during the Cure Period hereinafter described,
 - (3) the Agreement then may be terminated, and the company or individual whose Agreement is terminated shall repay, as liquidated damages, all taxes previously abated by virtue of the Agreement to the City within thirty (30) days of the termination.
- b. Should the City determine that the company or individual is in default according to the terms and conditions of its Agreement, the City shall notify the company or individual of such default in writing at the address stated in the Agreement, and if such is not cured within thirty (30) days from the date of such notice ("Cure Period"), then the Agreement may be terminated.

8. Administration.

- a. The Chief Appraiser of the Bell County Appraisal District will annually determine an assessment of the real and personal property comprising the reinvestment zone. Each year, the company or individual receiving abatement shall furnish the Appraiser with such information as may be necessary for the Abatement. Once value has been established, the Chief Appraiser will notify the City of the amount of the assessment.
- b. An abatement agreement shall stipulate that employees or designated representatives of the City will have access to the reinvestment zone during the term of the Abatement to inspect the Facility to determine if the terms and conditions of the agreement are being met. All inspections will be made only after the giving of twenty-four (24) hours prior notice and will only be conducted in such manner as to not unreasonably interfere with the construction or operation of the Facility. All inspections will be made with one or more representatives of the company or individual and in accordance with its safety standards.
- c. Upon completion of construction, the designated representative of the City shall annually evaluate each Facility receiving Abatement to insure compliance with the agreement, and a formal report shall then be made to the City Council of Temple regarding the findings of the evaluation.

9. Assignment of Tax Abatement Agreements.

Abatement may be transferred and assigned by the holder to a new owner or lessee of the same Facility upon the approval by resolution of the City subject to the financial capacity of the assignee and provided that all conditions and obligations in the Abatement Agreement are guaranteed by the execution of a new contractual Agreement with the City. No assignment or transfer shall be approved if the parties to the existing Agreement, the new owner or new lessee, are liable to any jurisdiction for outstanding taxes or other obligations. Approval of assignments will not be unreasonably withheld.

10. Sunset Provision.

These tax abatement criteria and guidelines are effective upon the date of their adoption and will remain in force for two years, unless amended by three-quarters vote of the City Council, at which time all reinvestment zones and tax abatement agreements created pursuant to these provisions will be reviewed to determine whether the goals have been achieved. Based on that review, the criteria and guidelines may be modified, renewed or eliminated.

II. Availability of Tax Increment Financing of Public Improvements.

A. Existence of tax increment financing district.

The City of Temple has previously created Tax Increment Financing District Number One. To be designated as a tax increment financing reinvestment zone (TIFRZ), an area must meet the criteria established for reinvestment zones under Section 311.005 of the Tax Code. Designation of an area of the City as an enterprise zone under Texas Government Code, Chapter 2303, the Texas Enterprise Zone Act, qualifies an area automatically for designation as a tax increment financing reinvestment zone.

B. Development agreements.

The City will consider entering into development agreements with the owners of property within a TIFRZ where construction of a public improvement(s), e.g., a street, sewer or water line, bridge, railroad spur, or drainage project, using tax increment funds is likely to result in the significant expansion or modernization of an existing facility, the construction of a major new facility, the creation of a significant number of new jobs, or otherwise accomplishes one of the major goals of Chapter 311 of the Tax Code. The City Council may by ordinance or resolution, with the advice and recommendation of the Board of Directors of Tax Increment Financing Reinvestment Zone Number One, may establish minimum criteria for consideration of development agreements.

III. Additional Economic Incentives within the City

A. Designation of Enterprise Zone.

The City has nominated an area of the City for designation as an enterprise zone by the State of Texas, acting through its Department of Commerce, under Texas Government Code, Chapter 2303 (the Texas Enterprise Zone Act). Pending approval of the area as an enterprise zone by the State, the City will consider granting several types of economic incentives with the enterprise zone.

1. Sales and use tax refunds.

- a. <u>Minimum qualifications</u>. To encourage development of the Enterprise Zone, the City will consider granting sales and use tax rebates to businesses within the Enterprise Zone which:
 - (1) meet the definition of "qualified businesses" for purposes of Texas Government Code §2303.402;
 - (2) meet the qualifications for, and receive designation by the State as an enterprise project as provided for in Texas Government Code, Chapter 2303.
- b. <u>Eligible taxes</u>. The City may agree to a refund of its sales and use taxes paid by qualified business designated as an enterprise project on the purchase, lease, or rental of equipment or machinery for use in an enterprise zone or on the purchase of material for use in remodeling, rehabilitating, or constructing a structure in the Enterprise Zone.
- c. <u>Agreement required</u>. The City will, by development agreement, consider refunding up to one-half (1/2) of the *eligible* sales and use tax paid by a qualified business and enterprise project for a period of up to three (3) years.
- d. <u>Documentation required.</u> A qualified business and enterprise project entitled to a refund of sales and use tax under this Section by agreement shall pay the entire amount of State and local sales and use taxes at the time of purchase. A qualified business and enterprise project entitled to a refund of sales and use tax by agreement may request a refund once each year in writing. A qualified business and enterprise project entitled to a refund of sales and use tax by agreement must provide documentation necessary to support a refund claim in a form prescribed by the City's Director of Finance.

2. Waiver of permit fees.

By resolution, the City Council may adopt a policy to waive certain building, permit, license or development fees to qualified businesses which have been designated as enterprise projects within the Enterprise Zone. The City Council, or where applicable the City Manager, is authorized to waive building, permit, license or development fees up to \$10,000 as part of a Chapter 380 agreement approved under Part III, B(2) of this ordinance.

B. Other economic incentives within the City.

- 1. Pursuant to authority delegated by the Legislature to cities under Chapter 380 of the Local Government Code, and as authorized by Article 3, Section 52-a of the Texas Constitution, the City will consider making loans or grants of public funds or property, or the selling or leasing City property at or below the fair market value of said property, to promote State or local economic development and to stimulate business and commercial activity within the City.
- 2. Upon application, the City may consider one or more of the following economic tools to encourage economic development:
 - (a) The City may purchase tracts of land in the City to encourage economic development if it determines that assembly of smaller tracts into larger tracts will promote the sale or development of property over the long term. The City may also purchase land to sell or lease to a qualified business in the City, if it determines that a qualified business meets the minimum requirements for additional incentives set out below.
 - (b) To promote economic development within the City, the City Manager is authorized to execute Chapter 380 agreements involving grants of public funds, or the transfer of land with value, providing personnel and services of the municipality, up to \$25,000 within the South 1st SIZ incentive area, the Avenue G/H SIZ incentive area, the North 3rd SIZ Incentive area, or the MLK SIZ incentive area, subject to the availability of funds appropriated annually for that purpose.
 - (c) To promote economic development within the City, the City Manager is authorized to execute Chapter 380 agreements involving grants of public funds, or the transfer of land with value, providing personnel and services of the municipality, up to \$10,000 within any of the City's other Strategic Investment Zones, as designated in City Resolution No. 2007-4965-R.To promote economic development within the City, the City Manager is authorized to execute Chapter 380 agreements involving grants of public funds, or the transfer of land with value, providing personnel and services of the municipality, up to \$7,500 in any part of the City not covered by one of the City's Strategic Investment Zones, as designated in City Resolution No. 2007-4965-R.
 - (d) The City Manager shall provide the City Council with a quarterly report listing and describing the terms and conditions of any Chapter 380 agreements approved under Part III, B(2) of this ordinance in the preceding quarter.
 - (e) The City may sell or lease City-owned property to private developers, if the City Council determines that the property is not needed for any other public purpose, and that sale of the property to a private developer will result in capital improvements or the creation of new jobs within the City. The City will generally sell or lease public property at its fair market value, but will consider making a one-time grant to an applicant, or selling or leasing property at less than fair market value, according to the following formula:

Additional Incentives within the City		
Value of grant, or value of reduction in lease payments or sale price	agree to the following mir improvements to real prop	ntive, a qualified business must nimum investment in both perty (new construction or and the creation of new jobs
Not to exceed \$150,000	Not less than \$7.5 million	Not less than 125 new jobs
Not to exceed \$300,000	Not less than \$15 million	Not less than 250 new jobs
Not to exceed \$450,000	Not less than \$22.5 million	Not less than 375 new jobs
Not to exceed \$600,000	Not less than \$28 million	Not less than 500 new jobs

Incentives under Chapter 380 of the Local Government Code where the investment and number of jobs exceed the chart above will be individually negotiated. The City Council may on a case by case basis consider approving chapter 380 agreements involving grants of public funds, or the transfer of land with value, providing personnel and services of the municipality, with a value of greater than \$7,500 but less than \$150,000.

C. Incentives in Certain Strategic Investment Zones (SIZ)

- 1. <u>Authority.</u> Pursuant to Article 3, Section 52-a of the Texas Constitution, Chapter 380 of the Texas Local Government Code, and Section III.B of the City's Economic Development Policy ordinance, the City will consider offering additional economic incentives for development within certain of the City's Strategic Investment Zones. If property is located within the boundaries of more than one Strategic Investment Zone which has available incentives, an applicant may apply for incentives under either incentive program (but not more than one), subject to the applicable rules of eligibility.
 - 2. <u>Purpose.</u> The City desires to encourage the redevelopment of certain of its Strategic Investment Zones by offering economic development incentives (SIZ grants) within those corridors to property owners who meet certain criteria.
- 3. <u>Application Process.</u> Applications for SIZ grants are available through the City Manager's office. Applications may be picked up at any time, but the City only approves new applications for SIZ grants four times a year: December, March, June & September. Completed applications for SIZ grants must be filed as follows:

For consideration in:	Completed Application Due No Later Than:
December	November 10 th
March	February 10 th May 10 th
June	May 10 th
September	August 10 th

4. Types of Grants.

- a. Façade Improvement Grants. (commercial or industrial property only) The City will consider making grants (the amount varies depending on the eligible SIZ incentive corridor) on a 1:1 matching basis for the replacement or upgrade of an existing façade with an eligible masonry product to an eligible property, or to remove an existing façade to expose the original façade. Eligible masonry materials for a replacement façade under this subsection include brick, stone, stucco, EIFS, roughfaced block, fiber cement siding products, such as HardiPlank® and such other materials that the City may approve from time to time. A list of eligible materials for the eligible SIZ incentive corridors (See Section 6 below) are maintained in the Construction Safety Office, 1st Floor, the Municipal Building, 2 North Main Street. Façade improvement costs eligible for reimbursement with a façade improvement grant include demolition costs (including labor), landfill costs, and material and construction (including labor) costs, but specifically *exclude* design costs.
- **b. Sign Improvement Grants**. (commercial property only) The City will consider making grants (the amount varies depending on the eligible SIZ incentive corridor) on a 1:1 matching basis for the installation of new ground-mounted, monument type (building mounted signs within TMED) signs on eligible properties or the replacement of a dilapidated sign. To be eligible, the base or footing of the sign must be concrete or metal. Sign improvement costs eligible for reimbursement with a sign improvement grant include demolition costs (including labor), landfill costs, and City-approved material and construction (including labor) costs, but specifically *exclude* design costs.
- c. Landscaping Improvement Grants. (commercial or industrial property only) The City will consider making grants (the amount varies depending on the eligible SIZ incentive corridor) on a 1:1 matching basis for the installation of new or additional landscaping to an eligible property. To be eligible the landscaping must exceed the City's landscaping requirements for the area, as the same may be established from time to time. If an irrigation system is installed, or already exists, and will be maintained by the applicant, the maximum amount of the landscaping grant is greater than if no irrigation system exists. Landscaping improvement costs eligible for reimbursement with a landscaping improvement grant include ground preparation costs (including labor), materials (trees, shrubs, soil and amendments thereto and other decorative hardscape such as arbors, art, and walls or fences) and material and construction (including labor) costs, curbed islands, but specifically *exclude* design costs. The City will also consider making grants of trees from the City's tree farm if requested by the applicant as part of a landscaping improvement grant application.
- **d. Asbestos Survey or Abatement Grants**. (commercial or industrial property only) The City will consider a grant (the amount varies depending on the eligible SIZ incentive corridor) on a 1:1 matching basis for owner-initiated asbestos survey of a building and for asbestos abatement for a building on eligible property. Asbestos survey and abatement grant eligible costs include professional fees, labor costs, select demolition/removal costs, and replacement materials.

- e. Demolition Grants. (residential, commercial or industrial property) When requested by an applicant the City will consider in its sole discretion, demolishing buildings, signs or parking lots, and disposing of the same at the City's cost, when the City has the capacity and equipment to do so. The City will not demolish buildings where the City in its sole discretion determines that there is a reasonable probability that the building contains asbestos, unless the applicant has obtained an asbestos survey and abated asbestos, where necessary, prior to demolition of the structure. In lieu of doing the demolition work with its own crews, the City will also consider a grant on a 1:1 matching basis for the demolition of existing buildings, signs, or parking lots on eligible property. Where the applicant is performing the demolition and seeking a demolition grant, eligible costs include the labor and landfill costs, and equipment rental, but exclude any design costs.
- **f. Sidewalk Improvement Grants**. (residential, commercial or industrial property) The City will consider grants (the amount varies depending on the eligible SIZ incentive corridor) on a 1:1 matching basis for the construction of new sidewalks, curb and guttering or the replacement of existing sidewalks or curb and guttering on eligible property. Sidewalk improvement costs eligible for reimbursement with a sidewalk improvement grant include demolition costs (where applicable) (including labor), landfill costs, and material and construction (including labor) costs and equipment rental, but specifically *exclude* design costs.
- **g.** Waiver of Platting, Zoning and Permit Fees. (commercial or industrial property only) The City will consider waiving platting, zoning, and building permit fees for eligible projects. The City *cannot* waive water and wastewater tap fees.
- h. Code Compliance Grant. (residential only) The City will consider grants on a 1:4 (City/Property Owner) matching basis for the construction of real property improvements necessary to bring a structure in one of the approved SIZ incentive zones listed in subpart 6 below in to City Code compliance. To receive a grant under this subsection, the property owner must substantiate actual expenditures necessary to meet an existing City code by the property owner of \$4 dollars for every \$10f code upgrade grant sought from the City up to the maximum grant as shown in subsection 5 below. For example, to receive a code grant of \$5,000 from the City, the property owner would have to demonstrate actual expenditures by the property owner of \$20,000 that are necessary to meet existing City code requirements.
- 5. <u>Maximum Amount of Grants.</u> The chart below shows the types and dollar amounts of grants available in each of the current SIZ incentive zone corridors. An applicant can request consideration for up to the maximum for each type of grant applicable to his/her property and application, but the total amount that an applicant can receive for any particular application and property is limited by the size of the applicant's actual investment.

TYPE OF GRANT	South 1 st Street	Avenue G/H
Façade	\$15,000	\$10,000
Sign	\$2,500	\$1,500

Landscaping	\$5,000 or \$10,000 (higher amt w/ irrigation)	\$2,500 or \$3,500 (higher amt w/ irrigation)
Asbestos	\$1,000 + \$3,000 (survey + abatement)	\$1,000+ \$3,000 (survey + abatement)
Demolition	\$2,500	\$2,500
Sidewalk	\$10,000	\$5,000
Fee Waiver	\$2,000	\$2,000
Code Compliance (Residential)	n/a	\$5,000
Theoretical Maximum Grant (lesser of the sum of individual grants and 33% of total investment if project < \$100K or 25% if total investment is ≥ \$100K)	\$46,000	\$33,500
Required Minimum Investment	\$20K Commercial/\$10K Residential	\$20K Commercial/\$10K Residential

TYPE OF GRANT	North 3 rd Street	MLK, Jr. Boulevard
Façade	\$15,000	\$15,000
Sign	\$2,500	\$2,500
Landscaping	\$5,000 or \$10,000	\$5,000 or \$10,000
	(higher amt w/ irrigation)	(higher amt w/ irrigation)
Asbestos	\$1,000 + \$3,000	\$1,000 + \$3,000
	(survey + abatement)	(survey + abatement)
Demolition	\$2,500	\$2,500
Sidewalk	\$10,000	\$10,000
Fee Waiver	\$2,000	\$2,000
Code Upgrade (Residential)	n/a	\$5,000
Theoretical Maximum Grant (lesser of the sum of individual grants and 33% of total investment if project < \$100K or 25% if total investment is ≥ \$100K)	\$46,000	\$46,000
Required Minimum Investment	\$20K Commercial or Industrial	\$20K Commercial/\$10K Residential

The total maximum grant (the sum of all of the individual grants the project is eligible for) is the lesser of: (1) the sum of the individual grants, AND (2) 33% of the applicant's total investment where the investment is less than \$100,000, OR 25% of the applicant's total investment where the investment is greater than \$100,000. Total

investment is measured at the time the project is completed, and is subject to verification by the City.

The chart also shows the minimum required investment by a property owner for consideration of a SIZ grant.

- 6. <u>SIZ Incentive Zones; Eligible Property.</u> To be eligible for a SIZ incentive grant under subsection 5 above, the applicant must be the owner or a lessee of property lying within the boundaries of one of the City's SIZ Incentive Zones. The current SIZ Incentive Zones are:
 - South 1st SIZ incentive area (Boundary Map—attached as Exhibit "S1")
 - Avenue G/H SIZ incentive area (Boundary Map—attached as Exhibit "S2")
 - North 3rd SIZ incentive area (Parts A & B) (Boundary Map—attached as Exhibit "S3")
 - Martin Luther King SIZ incentive area (Boundary Map—attached as Exhibit "S4")
- 7. **Application Form.** To be eligible for the grants described in Part C an applicant must submit an application and receive approval from the City prior to commencing the work for which a grant or assistance by the City is sought. Applications must be submitted on a form provided by the City, be fully and accurately completed, and signed by the owner(s) [and the lessee(s), where applicable] of the property. Forms are available in the **City Manager's Office** (c/o Assistant City Manager) and in the office of **Keep Temple Beautiful**, 100 West Adams, Suite 302, Temple, TX 76501, and must be submitted to the City Manager's office for review and potential approval by the City. A completed application must contain a rendering of all proposed improvements and a written description of the same. Where the proposed scope of work requires professional work by an engineer or architect, the plans must be sealed by an engineer or architect prior to the issuance of building permits, as applicable.
- 8. **Evaluation of Applications.** In evaluating whether to recommend an application for a grant under Part C for consideration by the City Council, the Staff will review and evaluate all SIZ incentive applications using the following criteria:
- (a) the extent to which the property for which a grant is sought is blighted or fails to meet City codes or regulations in one or more aspects (20 points)
- (b) whether the proposed redevelopment is at a higher level than which exists on other properties in the SIZ incentive corridor in which the property is situated (15 points);
- (c) whether the applicant has the financial resources to complete the improvements described in the application (10 points);
- (d) whether the property is unlikely to redevelop without an incentive by the City (20 points);
- (e) whether the proposed use of the property is in keeping with the future uses of property identified in the City's Comprehensive Plan or a master plan adopted by the City Council (8 points);
- (f) whether the development is in an overlay that requires higher standards than in other parts of the City (5 points);

- (g) whether the development remedies deteriorated existing city infrastructure (10 points);
- (h) whether the development implements elements of the City Master Plan including sidewalk, trail, or parks master plan (7 points); and
- (i) whether there is a known occupant/tenant for the proposed development (5 points).

Applications receiving a score of less than 75 points will not be recommended by the Staff for approval by the City Council. Where the amounts being requested in any quarter exceed the amount of uncommitted funds available for SIZ incentive grants, the City Council may take the rating system into consideration when deciding which applications, if any, to approve.

- 9. **Evaluation of application.** Upon receipt of an application for a grant under Part 3(a), the City Manager shall cause the application to be evaluated using the criteria established in Part 8 above, and submit the application and the Staff's recommendation to approve or deny the request, in whole or part, to the City Council for their consideration.
- 10. Approval of grants; duration of approval. The City Council may approve a request for a grant under Part C in whole or in part, or deny the same. Provided that the City Manager is authorized to approve Chapter 380 agreements providing SIZ incentive grants as provided in Part III(B) of this ordinance.
- 11. No Vested Right to Receive a Grant. The existence of the grant program established in Section C does not create any vested rights to receive a grant or convey a property interest to any person to receive a grant. The award or denial of a grant under this Ordinance shall be at the sole discretion of the City Council. The City Council shall annually appropriate funds for the administration of the grant program in this ordinance, and the granting of funds under the programs established by this ordinance are subject to the availability of funds appropriated for that purpose in any given fiscal year.
- 12. Compliance with Terms of a Grant; payment to recipient. A recipient of a grant from the City must enter into a Chapter 380 development agreement with the City prior to receiving any grant funds or in-kind services by the City. The agreement shall provide that the applicant agrees to: (1) complete the work described in the application in a timely fashion; (2) give the City the right to inspect the work described in the development agreement and the financial records associated with the same during reasonable business hours; (3) perform all of the work described in the grant application in accordance with all applicable City codes and regulations; and (4) to maintain those improvements in the future. The failure by an applicant for a grant to satisfy all of the terms and conditions of the development agreement shall relieve the City of any obligation to provide grant funds under this Ordinance or as described in the development agreement. The Staff is authorized to grant extensions of up to ninety (90) days in the completion date.

Payment to grantees shall be made within thirty (30) days of the work described in the development agreement being completed, inspected and a certificate of occupancy issued by the City. When the recipient of a SIZ grant fails to complete a project by the

date provided for completion in his Chapter 380 agreement with the City, inclusive of any extension approved by the Staff (up to ninety days), the amount of the grant provided for in the Chapter 380 agreement shall be reduced by 5% for each thirty days that the project lacks completion. Completion under this section means the inspection and acceptance of any public improvements by the City and the issuance of a certificate of occupancy (where applicable) by the City.

D. Additional economic incentives in Downtown Development Area.

- 1. Pursuant to authority delegated by the Legislature to cities under Chapter 380 of the Local Government Code, and as authorized by Article 3, Section 52-a of the Texas Constitution, the City will consider making loans or grants of public funds or property, or the selling or leasing City property at or below the fair market value of said property, to promote State or local economic development and to stimulate business and commercial activity in the Downtown Development Area (as shown on Exhibit "A").
- 2. Upon application, the City of Temple will consider one or more of the following economic tools to encourage economic development in the Downtown Development Area:
- (a) The City may purchase tracts of land in the Downtown Development Area to encourage economic development if it determines that assembly of smaller tracts into larger tracts will promote the sale or development of property over the long term. The City may also purchase land to sell or lease to a qualified business in the Downtown Development Area, if it determines that a qualified business meets the minimum requirements for additional incentives set out below.
- (b) The City may sell or lease City-owned property to private developers, if the City Council determines that the property is not needed for any other public purpose, and that sale of the property to a private developer will result in capital improvements or the creation of new jobs in the Downtown Development Area. The City will generally sell or lease public property at its fair market value, but will consider making a one-time grant to an applicant, or selling or leasing property at less than fair market value, according to the following formula:

Additional Incentives in the Downtown Development Area		
Value of grant, or value of reduction in lease payments or sale price or surplus property	must agree to the followi improvements to real expansion of existing fac (25% of the holders of w	al incentive, a qualified business ng minimum investment in <u>either</u> property (new construction or cility) <u>or</u> the creation of new jobs which must be residents of zone or ally disadvantaged).
Not to exceed \$6,000	Not less than \$70,000	Not less than 3 new jobs
Not to exceed \$8,000	Not less than \$100,000	Not less than 5 new jobs
Not to exceed \$10,000	Not less than \$175,000	Not less than 10 new jobs

Not to exceed \$15,000	Not less than \$225,000	Not less than 15 new jobs
Not to exceed \$18,000	Not less than \$300,000	Not less than 20 new jobs

- 3. In order for a proposal to be considered for the Additional Incentives under this subsection, an applicant is required to submit a business plan detailing sufficient information to evaluate the development and the opportunities for success. A development agreement will provide clauses that insure the return of monetary or real incentives granted for a project in the event that the project is not undertaken within a specified time.
- <u>Part 2:</u> 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.
- <u>Part 3:</u> 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.
- <u>Part 4:</u> 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 5th day of **December**, 2013.

PASSED AND APPROVED on Second and Final Reading on the **19th** day of **December**, 2013.

	THE CITY OF TEMPLE, TEXAS	
	DANIEL A. DUNN Mayor	
ATTEST:	APPROVED AS TO FORM:	
Lacy Borgeson	Jonathan Graham	
City Secretary	City Attorney	



COUNCIL AGENDA ITEM MEMORANDUM

12/19/13 Item #3(O) Consent Agenda Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Nicole Torralva, P.E., Public Works Director

<u>ITEM DESCRIPTION:</u> Consider adopting a resolution authorizing payment of the TCEQ Water System Fee to the Texas Commission on Environmental Quality (TCEQ) for operations of Temple's water treatment plants, in the amount of \$64,755.85.

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

<u>ITEM SUMMARY:</u> The Texas Commission on Environmental Quality (TCEQ) requires Public Water Systems within the State of Texas to pay a Water System Fee for services provided by the commission to public water systems annually, as outlined in 30 TAC Chapter 290.51. This fee provides for general revenue in support of TCEQ's public water system activities.

This year, the TCEQ Water System Fee associated with permitted operations of the City's water treatment plant operation is \$64,755.85. Payment of this fee is due within 30 days of receipt of the invoice, and must be paid promptly.

FISCAL IMPACT: Funds are budgeted and available in account 520-5110-535-2616 to pay of the TCEQ Water System Fee in the amount of \$64,755.85.

ATTACHMENTS:

Resolution

RESOLUTION NO
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING PAYMENT OF THE TCEQ WATER SYSTEM FEE TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY FOR OPERATIONS OF TEMPLE'S WATER TREATMENT PLANTS, IN THE AMOUNT OF \$64,755.85; AND PROVIDING AN OPEN MEETINGS CLAUSE.
Whereas, the Texas Commission on Environmental Quality (TCEQ) requires public water systems within the State of Texas to pay a water system fee for services provided by the commission t public water systems annually, as outlined in 30 TAC Chapter 290.51 – this fee provides for general revenue in support of TCEQ's public water system activities;
Whereas , this year, TCEQ Water System Fee associated with permitted operations of the City's water treatment plant operation is \$64,755.85 and is due within 30 days of receipt of the invoice;
Whereas, funds are budgeted for this fee in Account No. 520-5110-535-2616; and
Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.
Now, Therefore, Be it Resolved by the City Council of the City of Temple, Texas, That:
<u>Part 1:</u> The City Council authorizes payment of the TCEQ Water System fee to the Texas Commission on Environmental Quality for operations of Temple's water treatment plants, in the amount of \$64,755.85.
Part 2: It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.
PASSED AND APPROVED this the 19 th day of December, 2013.
THE CITY OF TEMPLE, TEXAS
DANIEL A. DUNN, Mayor

APPROVED AS TO FORM:

Lacy Borgeson City Secretary Jonathan Graham City Attorney

ATTEST:



COUNCIL AGENDA ITEM MEMORANDUM

12/19/13 Item #3(P) Consent Agenda Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Nicole Torralva, P.E., Public Works Director

<u>ITEM DESCRIPTION:</u> Consider adoption a resolution authorizing payment of the Consolidated Water Quality (CWQ) Assessment Fee to the Texas Commission on Environmental Quality (TCEQ) for operations of Temple's wastewater treatment plants, in the cumulative amount of \$94,722.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

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

This year, the TCEQ CWQ fee associated with permitted operations of the Doshier WWTP and Temple-Belton WWTP is \$41,586 and \$53,136, respectively. Payment of these fees are due within 30 days of receipt of the invoice, and must be paid promptly.

FISCAL IMPACT: The FY 2014 Budget includes funding in accounts 520-5521-535-2616 and 520-5522-535-2616 to fund the Consolidated Water Quality fee.

<u>ATTACHMENTS:</u>

Resolution

RESOLUTION NO	
---------------	--

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING PAYMENT OF THE CONSOLIDATED WATER QUALITY (CWQ) ASSESSMENT FEE TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) FOR OPERATIONS OF TEMPLE'S WASTEWATER TREATMENT PLANTS, IN THE CUMULATIVE AMOUNT OF \$94,722; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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

Whereas, this year, the Texas Commission on Environmental Quality Consolidated Water Quality fee is associated with permitted operations of the Doshier Wastewater Treatment Plant and the Temple-Belton Wastewater Treatment Plant in the amount of \$41,586 and \$53,136, respectively;

Whereas, payment of these fees are due within 30 days of receipt of the invoice and must be paid promptly;

Whereas, funding is available in Account No. 520-5521-535-2616 and 520-5522-535-2616 to fund the Consolidated Water Quality fee; 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:

<u>Part 1:</u> The City Council authorizes payment of the Consolidated Water Quality Assessment Fee to the Texas Commission on Environmental Quality (TCEQ) for operations of Temple's wastewater treatment plants, in the cumulative amount of \$94,722.

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

PASSED AND APPROVED this the 19th day of December, 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

12/19/13 Item #3(Q) Consent Agenda Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Traci L. Barnard, Director of Finance

<u>ITEM DESCRIPTION:</u> Consider adopting a resolution approving the annual report of the Tax Increment Financing Reinvestment Zone No. 1 for fiscal year 2012-2013.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

<u>ITEM SUMMARY:</u> This item is to comply with the State law requiring submission of an annual report to the taxing units within the Reinvestment Zone No. 1 (Zone).

The attached report discloses the financial condition of the Zone as of 9/30/2013, as well as the tax collections by taxing entity.

The financial information contained in this report was presented to the Reinvestment Zone No. 1 Board at the December 11, 2013, board meeting. The annual report will be mailed to the chief executive officer of each taxing unit that levies property taxes on real property in the Reinvestment Zone and to the State Comptroller as required by state law.

FISCAL IMPACT: Attached is the annual report of the Tax Increment Financing Reinvestment Zone No. 1 for fiscal year 2012-2013.

ATTACHMENTS:

Annual Report Resolution

Reinvestment Zone No. 1 Annual Report

For the year ended September 30, 2013

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CITY OF TEMPLE, TEXAS REINVESTMENT ZONE NO. 1 BALANCE SHEET September 30, 2013 and 2012

	2013	2012
ASSETS		
Current assets:		
Investments	\$ 5,146,895	\$ 5,441,817
Receivables (net of allowance for estimated		
uncollectible):		
Accounts receivable	4,038	2,087
Ad valorem taxes	42,468	43,869
Due from other governmentsairport grant	50,000	-
Total current assets	5,243,401	5,487,773
Restricted assets:		
Reserve for debt service	1,955,799	3,717,664
Bond proceeds	25,584,155	1,151,936
Total restricted assets	27,539,954	4,869,600
Total assets	\$ 32,783,355	\$ 10,357,373
LIABILITIES AND FUND BALANCES		
Current liabilities:		
Vouchers and contracts payable	\$ 87,817	\$ 142,882
Retainage payable	36,532	57,966
Deferred revenues	42,468	43,869
Total current liabilities	166,817	244,717
Liabilities from restricted assets:		
Vouchers and contracts payable	119,756	11,731
Retainage payable	39,222	-
Total liabilities from restricted assets	158,978	11,731
Total liabilities	325,795	256,448
Fund Balance:		
Restricted for:		
Debt service	1,955,799	3,717,664
Construction	25,425,177	1,140,205
Committed to:		
Reinvestment Zone No. 1 Projects	5,076,584	5,243,056
Total fund balance	32,457,560	10,100,925
Total liabilities and fund balances	\$ 32,783,355	\$ 10,357,373

CITY OF TEMPLE, TEXAS REINVESTMENT ZONE #1 SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE - ACTUAL AND BUDGET

For the year ended September 30, 2013

(With comparative amounts for the year ended September 30, 2012)

		2013		2012	Analytical
			Variance Favorable		Increase (Decrease)
	Actual	Budget	(Unfavorable)	Actual	Prior yr.
REVENUES:					
Taxes	\$ 4,770,918	\$ 4,786,213	\$ (15,295)	\$ 4,475,690	\$ 295,228
Interest	17,802	50,000	(32,198)	35,366	(17,564)
Payment in lieu of taxes	-	-	-	1,300,000	(1,300,000)
Leases	14,963	-	14,963	6,715	8,248
Miscellaneous reimbursements	-	563,000	(563,000)	206,639	(206,639)
License and permits	55,615	36,000	19,615	40,226	15,389
Grants [State]	50,000	50,000		50,000	
Total revenues	4,909,298	5,485,213	(575,915)	6,114,636	(1,205,338)
EXPENDITURES:					
Administrative					
Professional	140,918	218,405	77,487	130,409	10,509
Other contracted services	161,224	175,000	13,776	150,000	11,224
Temple Medical Education District (TMED)	-	1,550	1,550	1,617	(1,617)
Downtown non-capital improvements	194,912	249,941	55,029	33,500	161,412
NW Loop 363 Improvements (TxDot)-ROW	129,350	129,350	-	770,000	(640,650)
Contractual obligation - TEDC	181,500	181,500	-	165,000	16,500
Intergovernmental:					
Reimbursement to TISD	23,000	25,000	2,000	25,000	(2,000)
Total administrative expenditures	830,904	980,746	149,842	1,275,526	(444,622)
Capital Improvements					
General Administrative Expenditures					
General Rail Spur Improvements	101,783	213,582	111,799	36,273	65,510
General Roadway Improvements	-	133,077	133,077	125,749	(125,749)
Temple Industrial Park					
Research Parkway	-	8,665,000	8,665,000	-	-
Pepper Ck Main Stem Reg Detention Pond	-	850,000	850,000	-	-
Corporate Campus Park					
Bioscience Trail Connection to Airport	-	750,000	750,000	-	-
McLane Pkwy/Research Pkwy Connection	5,320	710,000	704,680	-	5,320
Research Pkwy (McLane to Central Point Pkwy)	-	1,500,000	1,500,000	-	-
Bioscience Park					
Bioscience Service Road & Utility Impr	16,960	741,360	724,400	58,640	(41,680)
Pepper Ck Trail Connection to S&W	537,115	566,373	29,258	163,627	373,488
Bioscience Trail Landscaping, Irrigation & Lights	-	1,750,000	1,750,000	-	-
Synergy Park					
Southeast Industrial Park	46,850	69,325	22,475	19,575	27,275
Entry Enhancements	, -	500,000	500,000	, -	-
Lorraine Drive/Pand Drive Ashphalt	-	610,000	610,000	-	-
		,	-,		(Continued)

(Continued)

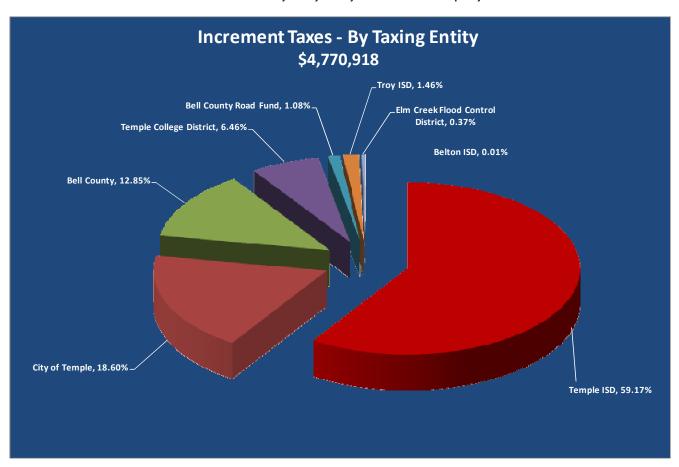
For the year ended September 30, 2013 (With comparative amounts for the year ended September 30, 2012)

		2013		2012	Analytical
			Variance		Increase
	Actual	Dudmat	Favorable	Antoni	(Decrease)
TMED	Actual	Budget	(Unfavorable)	Actual	Prior yr.
TMED TMED 1st Street @TC {STEP grant match}	\$ 379,404	\$ 438,450	\$ 59,046	\$ 28,184	\$ 351,220
TMED - 1st Street @ Loop 363	205,356	φ 430,430 276,776	φ 55,040 71,420	98,144	107,212
TMED - Friar's Creek Trail 5th to S&W	1,011,062	1,206,943	195,881	288,510	722,552
Avenue R Intersections	43,001	2,005,641	1,962,640	29,859	13,142
Ave U - S&W Blvd to 1st Street & 13th/17th con	•	27,583	5,422	248,567	(226,406)
South 1st Street Impr from TC Apts to Ave O	200.560	200,560	-	240,007	200,560
Loop 363 Frontage Road {UPRR to 5th}	123,452	6,450,000	6,326,548	_	123,452
Monumentation	120,402	520,000	520,000	_	120,402
Ave U TMED Ave to 1st Street	_	1,275,000	1,275,000	_	_
TMED Master Plan	_	125,000	125,000	_	_
TMED Master Plan & Thouroughfare Plan	_	55,000	55,000		_
Friar's Creek Trail to Avenue R Trail	13,350	500,000	486,650	_	13,350
Airport Improvements	13,330	300,000	400,000	_	13,330
Airport Improvements Airport Corporate Hangar Development	139,712	165,099	25,387	1,905,822	(1,766,110)
Airport Improvements	100,712	1,320,000	1,320,000	1,505,022	(1,700,110)
Downtown Improvements	_	1,320,000	1,320,000	_	_
Downtown Improvements Downtown Improvements	332,220	1,076,741	744,521		332,220
Other Projects	332,220	1,070,741	744,321	_	332,220
Outer Loop (from Wendland to IH 35 N)	_	_	_	36,105	(36,105)
Gateway I35 Entrance	_	1,250	1,250	48,750	(48,750)
Total capital improvements	3,178,306	32,702,760	29,524,454	3,087,805	90,501
Total capital improvements	0,170,000	02,702,700	20,024,404	0,007,000	30,001
Debt Service					
Bond principal	2,570,000	2,570,000	-	2,645,000	(75,000)
Bond interest	1,181,010	1,181,010	-	1,159,010	22,000
Bond issuance costs	104,694	104,695	1	166,702	(62,008)
Fiscal agent fees	781	1,200	419	1,037	(256)
Total debt service	3,856,485	3,856,905	420	3,971,749	(115,264)
Total expenditures	7,865,695	37,540,411	29,674,716	8,335,080	(469,385)
Excess (deficiency) of revenues					
over expenditures	(2,956,397)	(32,055,198)	29,098,801	(2.220.444)	(735,953)
over experiantures	(2,930,397)	(32,033,196)	29,090,001	(2,220,444)	(733,933)
Other financing sources (uses):					
Refunding bonds issued	-	-	-	10,885,000	(10,885,000)
Original issue premium	652,695	652,695	-	1,021,712	(369,017)
Bond discount	(599,663)	(599,663)	-	-	(599,663)
Payment to refunded bond escrow agent	-	-	-	(11,748,311)	11,748,311
Bond proceeds	25,260,000	25,260,000	-	- -	25,260,000
Total other financing sources	25,313,032	25,313,032		158,401	25,154,631
Execuse (deficiency) of revenues and					
Excess (deficiency) of revenues and					
other financing sources over	22,356,635	(6 740 166)	20 000 001	(2 062 042)	24 410 670
expenditures	22,300,030	(6,742,166)	29,098,801	(2,062,043)	24,418,678
Fund balance, beginning of period	10,100,925	10,100,925	-	12,162,968	(2,062,043)
Fund balance, end of period	\$ 32,457,560	\$ 3,358,759	\$ 29,098,801	\$ 10,100,925	\$ 22,356,635

For the Tax Year 2012/Fiscal Year Ending September 30, 2013

	Appraised		%
	Taxable		of Total
Taxing Jurisdiction	Value	Tax Collections (1)	Collected
Temple ISD	\$ 173,435,003	\$2,823,134	59.17%
City of Temple	151,316,739	887,321	18.60%
Bell County	145,552,170	613,066	12.85%
Temple College District	151,383,472	308,217	6.46%
Bell County Road Fund	172,306,087	51,519	1.08%
Troy ISD	4,242,214	69,588	1.46%
Elm Creek Flood Control District	53,607,676	17,530	0.37%
Belton ISD	32,153	543	0.01%
	·	\$ 4,770,918	100.00%

⁽¹⁾ Tax collections include the amount collected from the current year levy and any amount collected from prior years.



CITY OF TEMPLE, TEXAS REINVESTMENT ZONE NO. 1 SCHEDULE OF FIXED ASSETS

For the year ending September 30, 2013 and 2012

	2013	2012
Land	\$ 6,416,484	\$ 6,416,484
Buildings	1,103,036	1,103,036
Machinery & Equipment	42,559	42,559
Infrastructure	50,128,683	49,865,306
Construction in Progress	6,329,329	3,644,245
Total Fixed Assets	64,020,091	61,071,630
Less: Accumulated Depreciation	(15,129,349)	(12,628,036)
Net Fixed Assets	\$ 48,890,742	\$ 48,443,594

CITY OF TEMPLE, TEXAS
REINVESTMENT ZONE NO. 1

SCHEDULE OF OUTSTANDING BONDS (PRINCIPAL & INTEREST) - AS OF SEPTEMBER 30, 2013

	Percent o	Percent of Debt Retired	TIRZ Revenue	General	General	General	Combo Tax &	
Fiscal	Annual	Cummulative	Bonds, Taxable	Obligation Bonds	Obligation Bonds	Obligation Bonds	Revenue Bonds	
Year	%	%	Series 2008	Series 2009	Series 2011A	Series 2012	Series 2013	Total
2014	%6E'9	%68.9	\$ 1,240,495	\$ 1,479,969	\$ 914,900	\$ 17,700	\$ 906,910	\$ 4,559,974
2015	6.44%	12.83%	1,239,232	1,499,769	914,450	17,700	924,894	4,596,045
2016	6.55%	19.38%	1,240,855	1,508,775	913,550	82,700	924,894	4,670,774
2017	8.09%	27.47%	1,240,096	1,510,150	912,200	76,400	2,034,894	5,773,740
2018	8.08%	35.55%	1,241,957	1,488,750	908,350	79,600	2,047,694	5,766,351
2019	8.08%	43.63%	1,241,173	1,485,000	915,950	77,650	2,048,344	5,768,117
2020	8.22%	51.85%	1,237,744	ı	2,497,800	80,050	2,047,944	5,863,538
2021	8.22%	%90.09	1,241,670	1	2,497,550	77,250	2,046,494	5,862,964
2022	8.19%	68.26%	1,242,422	ı	2,494,950	78,750	2,031,494	5,847,616
2023	2.84%	71.10%	1	1	1	1	2,030,094	2,030,094
2024	2.84%	73.94%	1	ı	1	ı	2,026,694	2,026,694
2025	2.86%	%08.92	1	ı	1	ı	2,038,412	2,038,412
2026	2.88%	%89.62	1	ı	1	ı	2,051,612	2,051,612
2027	2.89%	82.56%	ı	ı	1	ı	2,059,112	2,059,112
2028	2.89%	85.45%	ı	ı	1	ı	2,061,712	2,061,712
2029	2.89%	88.34%	1	ı	1	ı	2,061,712	2,061,712
2030	2.90%	91.24%	1	1	1	1	2,069,112	2,069,112
2031	2.91%	94.15%	1	ı	1	ı	2,073,512	2,073,512
2032	2.92%	%20.26	•	1	•	1	2,084,912	2,084,912
2033	2.93%	100.00%	ı	1	1	ı	2,092,913	2,092,913
Total:			\$ 11,165,644	\$ 8,972,413	\$ 12,969,700	\$ 587,800	\$ 37,663,359	\$ 71,358,916

CITY OF TEMPLE, TEXAS
REINVESTMENT ZONE NO. 1 - VALUES FOR BASE AND INCREMENT (CAPTURED APPRAISED VALUE)
For the Tax Year 2012/FY 2013 As of 10/1/2012

		ORIGINAL ZONI	bi	E	EXPANDED ZONE	E		TOTAL		
Taxing Jurisdiction	Tax Increment Base	Captured Appraised Value ⁽¹⁾	TOTAL	Tax Increment Base	Captured Appraised Value	TOTAL	Tax Increment Base	Captured Appraised Value	TOTAL	Levy
Temple ISD	\$ 97,186,149	\$ 97,186,149 \$ 173,435,003	\$ 270,621,152				\$ 97,186,149	\$ 173,435,003	\$ 97,186,149 \$ 173,435,003 \$ 270,621,152	\$ 2,826,991
City of Temple	97,765,552	144,295,338	242,060,890	267,979,786	7,021,401	275,001,187	275,001,187 365,745,338	151,316,739	517,062,077	887,321
Bell County	97,765,552	145,552,170	243,317,722				97,765,552	145,552,170	243,317,722	613,066
Temple College District	97,765,552	144,362,071	242,127,623	267,979,786	7,021,401	275,001,187	275,001,187 365,745,338	151,383,472	517,128,810	308,217
Bell County Road Fund	97,765,552	172,306,087	270,071,639				97,765,552	172,306,087	270,071,639	51,520
Troy ISD	8,146,123	4,242,214	12,388,337				8,146,123	4,242,214	12,388,337	70,951
Elm Creek Flood Control District	28,984,337	53,607,676	82,592,013				28,984,337	53,607,676	82,592,013	17,530
Belton ISD	18,028	32,153	50,181				18,028	32,153	50,181	553

⁽¹⁾ Note: Captured Appraised Value for each taxing entity will vary based on exemptions allowed, participation in tax abatements and varying geographical boundaries.

DEFINITIONS:	

Original Zone - Includes Zone Boundaries as originally created in 1982 and expanded in 1999.

Expanded Zone - TMED area as expanded in 2010. City of Temple - 11/04/10; Temple College - 01/24/11; Bell County - 12/03/12.

Tax Increment Base - Total taxable value of all real property taxable by the unit and located in a reinvestment zone for the year in which the zone was designated.

Captured Appraised Value - The captured appraised value of real property taxable by a taxing unit for a year is the total taxable value of all real property taxable by the unit and located in a reinvestment zone for that year less the tax increment base of the unit.





City of Temple, Texas TIF Reinvestment Zone #1 Financing Plan											FI	NANCING	PLAN
Financing Plan - 05/29/13 to Zone Board	{A}	{B}	{C}	{D}	{E}							Pa	ge 1 of 5
		E	FY 2013 Open Encumbrances & & Carry ad	As currently opted FY			N						V.T. 222.02
DESCRIPTION	Y/E 9/30/13 Year 31	9/30/2013 Actual	Forwards	2014 Year 31	Y/E 9/30/14 Year 32	Y/E 9/30/15 Year 33	Y/E 9/30/16 Year 34	Y/E 9/30/17 Year 35	Y/E 9/30/18 Year 36	Y/E 9/30/19 Year 37	Y/E 9/30/20 Year 38	Y/E 9/30/21 Year 39	Y/E 9/30/22 Year 40
"Taxable Increment"	\$ 151,501,569 \$	151,316,739 \$	- \$	153,016,117	\$ 153,016,117	\$ 157,254,113 \$	322,383,715 \$	340,364,509 \$	424,792,743 \$	429,040,670 \$	433,331,077 \$	437,664,388 \$	468,734,522
f FUND BALANCE, Begin	\$ 6,383,261 \$	6,383,261 \$	- \$	1,272,354	\$ 30,501,761	\$ 2,205,815 \$	1,598,333 \$	2,178,369 \$	2,196,905 \$	2,150,771 \$	2,118,584 \$	2,118,969 \$	2,132,255
 2 Adjustments to Debt Service Reserve 3 Fund Balance Available for Appropriation 	1,761,865 \$ 8,145,126 \$	1,761,865 8,145,126 \$	- - \$	1,765,643 3,037,997	\$ 1,765,643 32,267,404	- \$ 2,205,815 \$	1,598,333 \$	2,178,369 \$	2,196,905 \$	2,150,771 \$	2,118,584 \$	2,118,969 \$	2,132,255
	1					, , , ,	, ,	, , ,	, , , .	, , ,		, , ,	, ,
SOURCES OF FUNDS: 4 Tax Revenues	4,780,654	4,770,918	_	4,848,557	4,848,557	4,908,567	13,233,921	13,777,927	16,158,502	16,307,892	16,458,775	16,611,168	17,096,375
6 Allowance for Uncollected Taxes	(71,710)	4,770,910	_	(72,728)	(72,728)	(73,629)	(198,509)	(206,669)	(242,378)	(244,618)	(246,882)	(249,168)	(256,446)
8 Interest Income-Other	50,000	17,802		50,000	50,000	50,000	50,000	50,000	50,000	40,000	40,000	30,000	10,000
10 Grant Funds	50,000	50,000	-	-		-	-	-	-	-	-	-	-
12 License Fee - Central Texas Railway	36,000	55,615	-	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000
14 Other Revenues	563,000	14,963	563,000	-	563,000	-	-	-	-	-	-	-	-
17 Bond Issue	25,275,000	25,912,695	-	-		-	-	-	-	-	-	-	-
20 Total Sources of Funds	\$ 30,682,944 \$	30,821,993 \$	563,000 \$	4,861,829	\$ 5,424,829	\$ 4,920,938 \$	13,121,412 \$	13,657,258 \$	16,002,124 \$	16,139,274 \$	16,287,893 \$	16,428,000 \$	16,885,929
25 TOTAL AVAILABLE FOR APPROPRIATION	\$ 38,828,070 \$	38,967,119 \$	563,000 \$	7,899,826	\$ 37,692,233	\$ 7,126,753 \$	14,719,745 \$	15,835,627 \$	18,199,029 \$	18,290,045 \$	18,406,477 \$	18,546,969 \$	19,018,185
USE OF FUNDS:]												
DEBT SERVICE													
26 2003 Bond Issue {\$11.740}	619,200	619,200	-	-	-	-	-	-	-	-	-	-	-
27 2008 Bond Issue {\$16.010 mil}	-	-	-	-	-	-	-	-	-	-	-	-	-
27 2009 Bond Refunding	1,474,569	1,474,569	-	1,479,969	1,479,969	1,499,769	1,508,775	1,510,150	1,488,750	1,485,000	-	-	-
28 2008 Bond Issue-Taxable (\$10.365 mil)	1,239,641	1,239,641	-	1,240,495	1,240,495	1,239,233	1,240,854	1,240,096	1,241,957	1,241,173	1,237,744	1,241,670	1,242,422
29 Debt Service - 2011A Issue {Refunding}	399,900	399,900	-	914,900	914,900	914,450	913,550	912,200	908,350	915,950	2,497,800	2,497,550	2,494,950
30 Debt Service - 2012 Issue {Refunding}	17,700	17,700	•	17,700	17,700	17,700	82,700	76,400	79,600	77,650	80,050	77,250	78,750
31 Debt Service - 2013 Issue 32 Issuance Costs	- 120,000	- 104,694	-	797,755	797,755	813,575 -	813,575 -	1,978,575 -	1,975,275	1,976,575 -	1,975,275	1,977,925	1,979,375
33 Refunding Bonds Proceeds	120,000	104,034					-	-	-	-	-	-	-
34 Payment to Refunding Bond Agent	_	_	_	_	_	_	-	-	_	_	-	-	_
32 Bond Discount	-	599,663	-	-									
35 Paying Agent Services	1,200	781	-	1,200	1,200	1,200	1,200	1,200	1,200	1,200	1,200	1,200	1,200
40 Subtotal-Debt Service	3,872,210	4,456,148	-	4,452,019	4,452,019	4,485,927	4,560,654	5,718,621	5,695,132	5,697,548	5,792,069	5,795,595	5,796,697
OPERATING EXPENDITURES													
50 Prof Svcs/Proj Mgmt	217,205	139,718	36,438	175,000	212,638	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,100
52 Legal/Audit	1,200	1,200	1,200	1,200	1,200	1,200	1,200	1,300	1,300	1,300	1,300	1,300	1,300
54 Zone Park Maintenance [mowing, utilities, botanical supplies]	150,000	150,000	-	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000
55 Zone Park Maintenance [maintenance]	25,000	11,224	.	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000
56 Rail Maintenance	213,582	101,783	111,799	100,000	211,799	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
58 Road/Signage Maintenance 60 Contractual Payments [TEDC - Marketing]	133,077 181,500	- 181,500	133,077 -	100,000 199,650	233,077 199,650	100,000 219,615	100,000 241,577	100,000 253,655	100,000 266,338	100,000 279,655	100,000 293,638	100,000 308,320	100,000 323,736
62 TISD-Reimbursement [per contract]	25,000	23,000	- -	25,000	25,000	26,250	26,250	26,250	27,563	27,563	27,563	28,941	28,941
65 Subtotal-Operating Expenditures	946,564	608,425	282,514	775,850	1,058,364	797,065	819,027	831,205	845,201	858,518	872,501	888,561	904,077
70 TOTAL DEBT & OPERATING EXPENDITURES	\$ 4,818,774 \$	5,064,573 \$	282,514 \$	5,227,869	\$ 5,510,383	\$ 5,282,992 \$	5,379,681 \$	6,549,826 \$	6,540,333 \$	6,556,066 \$	6,664,570 \$	6,684,156 \$	6,700,774
an Francis Assillable (B)	.	00.000.510	000 100	0.074.075	00.404.05	h 4040==: :	0.040.00= ±	0.005.00	44.050.000	44 700 050 5	44 744 000 0	44.000.000	40.047
80 Funds Available for Projects	\$ 34,009,296 \$	33,902,546 \$	280,486 \$	2,671,957	\$ 32,181,850	\$ 1,843,761 \$	9,340,065 \$	9,285,801 \$	11,658,696 \$	11,/33,979 \$	11,741,908 \$	11,862,813 \$	12,317,411
PROJECTS													
150 Temple Industrial Park	9,515,000	- F 220	9,515,000	385,000	9,900,000	-	-	-	-	-	-	-	-
200 Corporate Campus Park	2,960,000 3,057,733	5,320 554,075	2,954,680 2,503,658		2,954,680 2,503,658	-	-	-	-	-	-	-	-
250 Bioscience Park 350 Northwest Loop 363 Improvements (TxDOT commitment)	129,350	129,350	2,503,658	-	2,303,038		-	-	-	-	-	-	-
400 Synergy Park	1,179,325	46,850	1,132,475		1,132,475	-	-	-	-	-	-	-	-
450 Downtown	1,326,682	527,132	799,550	242,428	1,041,978	245,428	661,696	688,896	807,925	815,395	822,939	830,558	854,819
500 TMED	13,082,503	1,998,346	11,097,857	-	11,097,857		-	-	-	-	-	-	
510 Airport Park	1,486,349	139,712	1,345,387	-	1,345,387	-	-	-	-	-	-	-	-
610 Public Improvements	-	<u> </u>	<u> </u>	-	-	-	6,500,000	6,400,000	8,700,000	8,800,000	8,800,000	8,900,000	9,300,000
Subtotal-Projects	32,736,942	3,400,785	29,348,607	627,428	29,976,035	245,428	7,161,696	7,088,896	9,507,925	9,615,395	9,622,939	9,730,558	10,154,819
TOTAL USE OF FUNDS	\$ 37,555,716 \$	8,465,358 \$	29,631,121 \$	5,855,297	\$ 35,486,418	\$ 5,528,420 \$	12,541,377 \$	13,638,722 \$	16,048,258 \$	16,171,461 \$	16,287,509 \$	16,414,714 \$	16,855,593
700 FUND BALANCE, End	\$ 1,272,354 \$	30,501,761 \$	(29,068,121) \$	2,044,529	\$ 2,205,815	\$ 1,598,333 \$	2,178,369 \$	2,196,905 \$	2,150,771 \$	2,118,584 \$	2,118,969 \$	2,132,255 \$	2,162,592

City of Temple, Texas

TIF Reinvestment Zone #1 Financing Plan
Financing Plan - 05/29/13 to Zone Board

DESCRIPTION	2023 41	2024 42	2025 43	2026 44	2027 45	2028 46	2029 47	2030 48	2031 49	2032 50
"Taxable Increment"	\$ 495,321,867 \$	522,175,086 \$	549,296,836 \$	708,089,805 \$	721,740,703 \$	755,238,110 \$	762,790,491 \$	770,418,396 \$	778,122,580 \$	785,903,80
FUND BALANCE, Begin	\$ 2,162,592 \$	2,201,398 \$	2,124,169 \$	2,141,918 \$	2,178,863 \$	2,151,182 \$	2,189,308 \$	2,194,050 \$	2,166,525 \$	2,205,27
Adjustments to Debt Service Reserve Fund Balance Available for Appropriation	\$ 2,162,592 \$	2,201,398 \$	2,124,169 \$	- 2,141,918 \$	2,178,863 \$	- 2,151,182 \$	2,189,308 \$	2,194,050 \$	2,166,525 \$	2,205,27
SOURCES OF FUNDS:										
Tax Revenues	17,526,945	17,961,821	18,401,045	20,475,466	20,749,563	21,271,025	21,471,540	21,674,059	21,878,606	22,085,19
Allowance for Uncollected Taxes	(262,904)	(269,427)	(276,016)	(307,132)	(311,243)	(319,065)	(322,073)	(325,111)	(328,179)	(331,27
Interest Income-Other	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,00
Grant Funds	-	-	-	-	-	-	-	-	-	-
License Fee - Central Texas Railway	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,0
Other Revenues	-	-	-	-	-	-	-	-	-	-
Bond Issue Total Sources of Funds	\$ 17,310,041 \$	17,738,394 \$	18,171,029 \$	20,214,334 \$	20,484,320 \$	20,997,960 \$	21,195,467 \$	21,394,948 \$	21,596,427 \$	21,799,9
TOTAL AVAILABLE FOR APPROPRIATION		19,939,791 \$	20,295,198 \$	22,356,252 \$	22,663,183 \$	23,149,141 \$	23,384,775 \$	23,588,998 \$	23,762,951 \$	24,005,19
]	10,000,000	,, +	,, +	,,			,,	,,,,-	
USE OF FUNDS:										
DEBT SERVICE 2003 Bond Issue {\$11.740}		_	_	_	_	_	_	_	_	_
2008 Bond Issue {\$11.740} 2008 Bond Issue {\$16.010 mil}	-	-	-	-	-	-	-	-	-	-
2009 Bond Refunding	-	-	-	-	-	-	-	-	-	-
2008 Bond Issue-Taxable {\$10.365 mil}	-	-	-	-	-	-	-	-	-	-
Debt Service - 2011A Issue {Refunding}	-	-	-	-	-	-	-	-	-	-
Debt Service - 2012 Issue {Refunding}	-	-	-	-	-	-	-	-	-	-
Debt Service - 2013 Issue	1,974,625	1,978,825	1,976,675	1,978,325	1,978,038	1,979,138	1,978,313	1,975,563	1,976,625	1,975,2
Issuance Costs	-	-	-	-	-	-	-	-	-	-
Refunding Bonds Proceeds	-	-	-	-	-	-	-	-	-	-
Payment to Refunding Bond Agent	-	-	-	-	-	-	-	-	-	-
Bond Discount Paying Agent Services	_	_		_	_			_	_	_
Subtotal-Debt Service	1,974,625	1,978,825	1,976,675	1,978,325	1,978,038	1,979,138	1,978,313	1,975,563	1,976,625	1,975,25
OPERATING EXPENDITURES										
Prof Svos/Proj Mgmt	175,100	175,100	175,100	175,100	175,100	175,100	175,100	175,100	175,100	175,10
Legal/Audit	1,300	1,300	1,300	1,300	1,300	1,300	1,300	1,300	1,300	1,30
Zone Park Maintenance [mowing, utilities, botanical supplies]	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,00
Zone Park Maintenance [maintenance]	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,0
Rail Maintenance	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,00
Road/Signage Maintenance	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,00
Contractual Payments [TEDC - Marketing]	339,922	356,919	374,764	393,503	413,178	433,837	455,529	478,305	502,220	527,33
TISD-Reimbursement [per contract]	28,941	30,388	30,388	30,388	31,907	31,907	31,907	33,502	33,502	33,5
Subtotal-Operating Expenditures	920,263	938,707	956,552	975,291	996,485	1,017,144	1,038,836	1,063,207	1,087,122	1,112,23
TOTAL DEBT & OPERATING EXPENDITURES	\$ 2,894,888 \$	2,917,532 \$	2,933,227 \$	2,953,616 \$	2,974,523 \$	2,996,282 \$	3,017,149 \$	3,038,770 \$	3,063,747 \$	3,087,48
Funds Available for Projects	\$ 16,577,745 \$	17,022,260 \$	17,361,971 \$	19,402,637 \$	19,688,660 \$	20,152,860 \$	20,367,627 \$	20,550,227 \$	20,699,204 \$	20,917,70
PROJECTS	-									
Temple Industrial Park	-	-	-	-	-	-	-	-	-	-
Corporate Campus Park	-	-	-	-	-	-	-	-	-	-
Bioscience Park	-	-	-	-	-	-	-	-	-	-
Northwest Loop 363 Improvements (TxDOT commitment) Synergy Park	-	-	-	-	-	-	-	-	-	-
Downtown	- 876,347	- 898,091	920,052	- 1,023,773	- 1,037,478	- 1,063,551	1,073,577	1,083,703	1,093,930	1,104,26
TMED	-	-	-	-	-	-	-	-	-	-, 101,21
Airport Park	-	-	-	-	-	-	-	-	-	-
Public Improvements	13,500,000	14,000,000	14,300,000	16,200,000	16,500,000	16,900,000	17,100,000	17,300,000	17,400,000	17,700,0
Subtotal-Projects	14,376,347	14,898,091	15,220,052	17,223,773	17,537,478	17,963,551	18,173,577	18,383,703	18,493,930	18,804,20
TOTAL HOE OF FINIDO	Φ 47.074.005 Φ	17,815,623 \$	18,153,280 \$	20,177,389 \$	20,512,001 \$	20,959,833 \$	21,190,726 \$	21,422,473 \$	21,557,677 \$	21,891,74
TOTAL USE OF FUNDS	\$ 17,271,235 \$	17,013,023 φ	10,133,200 φ	20,177,309 φ	20,312,001 φ	20,939,033	Ζ1,130,720 ψ	21,422,470 Ψ	21,337,077 φ	21,001,7

DESCRIPTION		2033 51	2034 52	2035 53	2036 54	2037 55	2038 56	2039 57	2040 58	2041 59	2042 60
/ "Taxable Increment"	¢						834,252,726 \$				868,126,732
raxable increment	<u> </u>	793,762,844 \$	801,700,472 \$	809,717,477 \$	817,814,652 \$	825,992,798 \$	834,252,726 \$	842,595,253 \$	851,021,206 \$	859,531,418 \$	000,120,73
FUND BALANCE, Begin	\$	2,113,449 \$	2,187,487 \$	2,207,324 \$	2,197,107 \$	2,155,614 \$	2,185,088 \$	2,185,956 \$	2,156,740 \$	2,199,589 \$	2,114,74
 Adjustments to Debt Service Reserve Fund Balance Available for Appropriation 	\$	2,113,449 \$	2,187,487 \$	2,207,324 \$	2,197,107 \$	2,155,614 \$	2,185,088 \$	2,185,956 \$	2,156,740 \$	2,199,589 \$	2,114,74
SOURCES OF FUNDS:											
4 Tax Revenues	_	22,293,851	22,504,596	22,717,445	22,932,425	23,149,554	23,368,854	23,590,347	23,814,054	24,039,999	24,268,20
6 Allowance for Uncollected Taxes		(334,408)	(337,569)	(340,762)	(343,986)	(347,243)	(350,533)	(353,855)	(357,211)	(360,600)	(364,02
8 Interest Income-Other		10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
10 Grant Funds		-	-	-	-	-	-	-	-	-	-
12 License Fee - Central Texas Railway		36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,00
14 Other Revenues		-	-	-	-	-	-	-	-	-	-
17 Bond Issue	_	-	-	-	-	-	-	-	-	-	-
Total Sources of Funds	_\$	22,005,443 \$	22,213,027 \$	22,422,683 \$	22,634,439 \$	22,848,311 \$	23,064,321 \$	23,282,492 \$	23,502,843 \$	23,725,399 \$	23,950,179
TOTAL AVAILABLE FOR APPROPRIATION)N <u>\$</u>	24,118,892 \$	24,400,514 \$	24,630,008 \$	24,831,545 \$	25,003,925 \$	25,249,409 \$	25,468,448 \$	25,659,583 \$	25,924,988 \$	26,064,920
USE OF FUNDS:											
DEBT SERVICE	_										
26 2003 Bond Issue {\$11.740}		-	-	-	-	-	-	-	-	-	-
27 2008 Bond Issue {\$16.010 mil}		-	-	-	-	-	-	-	-	-	-
27 2009 Bond Refunding		-	-	-	-	-	-	-	-	-	-
28 2008 Bond Issue-Taxable {\$10.365 mil}		-	-	-	-	-	-	-	-	-	-
Debt Service - 2011A Issue {Refunding}		-	-	-	-	-	-	-	-	-	-
pobt Service - 2012 Issue {Refunding} Debt Service - 2013 Issue		- 1,976,438	-	-	-	-	-	-	-	-	-
Debt Service - 2013 Issue Service - 2013 Issue		1,970,430	_	_	_	_	_	_	_	_	_
33 Refunding Bonds Proceeds		_	_	_	_	-	_	-	_	_	_
Payment to Refunding Bond Agent		_	_	_	_	_	_	_	_	_	_
32 Bond Discount											
35 Paying Agent Services		-	-	-	-	-	-	-	-	-	-
Subtotal-Debt Service		1,976,438	•	-	-	-	•	-	-	-	-
OPERATING EXPENDITURES											
50 Prof Svcs/Proj Mgmt		175,100	175,100	175,100	175,100	175,100	175,100	175,100	175,100	175,100	175,100
52 Legal/Audit		1,300	1,300	1,300	1,300	1,300	1,300	1,300	1,300	1,300	1,300
Zone Park Maintenance [mowing, utilities, botanical supplies]		150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000
55 Zone Park Maintenance [maintenance]		25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000
56 Rail Maintenance		100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
58 Road/Signage Maintenance		100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
60 Contractual Payments [TEDC - Marketing] 62 TISD-Reimbursement [per contract]		553,698 35,177	581,383 35,177	610,452 35,177	640,974 36,936	673,023 36,936	706,674 36,936	742,008 38,783	779,108 38,783	818,064 38,783	858,967 40,722
Subtotal-Operating Expenditures		1,140,275	1,167,960	1,197,029	1,229,310	1,261,359	1,295,010	1,332,191	1,369,291	1,408,247	1,451,089
70 TOTAL DEBT & OPERATING EXPENDITURE	S \$	3,116,713 \$	1,167,960 \$	1,197,029 \$	1,229,310 \$	1,261,359 \$	1,295,010 \$	1,332,191 \$	1,369,291 \$	1,408,247 \$	1,451,089
	· <u>· · </u>	-,,		-,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	-,, -	1,=01,000 +	1,=-0,010 +	-,, +		-,, +	.,,
Funds Available for Projects	\$	21,002,179 \$	23,232,554 \$	23,432,979 \$	23,602,235 \$	23,742,565 \$	23,954,399 \$	24,136,257 \$	24,290,292 \$	24,516,741 \$	24,613,831
PROJECTS	_										
50 Temple Industrial Park		-	-	-	-	-	-	-	-	-	-
000 Corporate Campus Park		-	-	-	-	-	-	-	-	-	-
50 Bioscience Park		-	-	-	-	-	-	-	-	-	-
Northwest Loop 363 Improvements (TxDOT commitment)		-	-	-	-	-	-	-	-	-	-
90 Synergy Park		1 114 602	1 105 000	1 125 972	1 146 601	1 157 479	1 160 440	1 170 517	1 100 702	1 202 000	1 010 410
50 Downtown 50 TMED		1,114,693	1,125,230	1,135,872	1,146,621	1,157,478	1,168,443	1,179,517	1,190,703	1,202,000	1,213,410
in ined		-	-	-	-	-	-	-	-	-	-
210 Public Improvements		17,700,000	19,900,000	20,100,000	20,300,000	20,400,000	20,600,000	20,800,000	20,900,000	21,200,000	21,200,000
Subtotal-Projects		18,814,693	21,025,230	21,235,872	21,446,621	21,557,478	21,768,443	21,979,517	22,090,703	22,402,000	22,413,410
TOTAL USE OF FUNDS	\$	21,931,405 \$	22,193,189 \$	22,432,901 \$	22,675,931 \$	22,818,837 \$	23,063,453 \$	23,311,708 \$	23,459,994 \$	23,810,247 \$	23,864,499
	<u>Ψ</u>										
700 FUND BALANCE, End	\$	2,187,487 \$	2,207,324 \$	2,197,107 \$	2,155,614 \$	2,185,088 \$	2,185,956 \$	2,156,740 \$	2,199,589 \$	2,114,741 \$	2,200,421

Property	DESCRIPTION		2043 61	2044 62	2045 63	2046 64	2047 65	2048 66	2049 67	2050 68	2051 69	2052 70
Public Security Public Secur	"Taxable Increment"	\$	876.808.000 \$	885.576.080 \$	894.431.840 \$	903.376.159 \$	912.409.920 \$	921.534.019 \$	930.749.360 \$	940.056.853 \$	949.457.422 \$	958,951,99
Page		\$										2,159,48
Control or Protection	•				-	-	-	-	-	-		-
Part	Fund Balance Available for Appropriation	_ \$	2,200,421 \$	2,183,205 \$	2,201,797 \$	2,153,718 \$	2,140,462 \$	2,161,389 \$	2,113,616 \$	2,198,421 \$	2,114,827 \$	2,159,48
Part	SOURCES OF FUNDS:											
March Control Contro	Tax Revenues		20,567,723	20,761,204	20,956,621	21,153,991	21,353,336	21,554,674	21,758,026	21,963,409	22,170,847	22,380,36
Continues Cont	Allowance for Uncollected Taxes											(335,70
Part			10,000		10,000	10,000	10,000		10,000	10,000	10,000	10,00
Control price Control pric												-
Part	•		36,000						36,000			36,00
Total Sources of Funds												
DEST SERVICE		\$	20,305,207 \$		20,688,272 \$		21,079,036 \$				21,884,284 \$	22,090,6
Page	TOTAL AVAILABLE FOR APPRO	PRIATION \$	22,505,628 \$	22,678,991 \$	22,890,069 \$	23,036,399 \$	23,219,498 \$	23,438,743 \$	23,591,271 \$	23,878,379 \$	23,999,112 \$	24,250,14
Page	USE OF FUNDS:											
Management Man												
March Stands (Strict mid)			-	-	-	-	-	-	-	-	-	-
2008 Bond Refunding	7 2008 Bond Issue {\$16.010 mil}		-	-	-	-	-	-	-	-	-	-
Debt Service - 2011 A lasson (Pellurding)			-	-	-	-	-	-	-	-	-	-
Decis Service - 2012 Isause (Refunding) Decis Service - 2013 Isaus Season Costs Season C	2008 Bond Issue-Taxable {\$10.365 mil}		-	-	-	-	-	-	-	-	-	-
Part	Debt Service - 2011A Issue {Refunding}		-	-	-	-	-	-	-	-	-	-
Healmania Cookes	Debt Service - 2012 Issue {Refunding}		-	-	-	-	-	-	-	-	-	-
Part	Debt Service - 2013 Issue											
Permit Defunding Bond Agent Permit Defunding Bond Discound Permit Defunding Bond Discound Discound Discound Permit Defunding Bond Discound Discou	2 Issuance Costs		-	-	-	-	-	-	-	-	-	-
Bond Discount Paying Agent Services Subblata Debt Service Subblata Deb	-		-	-	-	-	-	-	-	-	-	-
Polyton Device Poly			-	-	-	-	-	-	-	-	-	-
Prof System												
Poet SveeProj Mgmt			-				-				-	-
Post Capital 175,100	Subtotal-Debt Service		-	<u> </u>	<u> </u>	-	-	-	<u> </u>	-	-	<u>-</u>
Lagual-Audit 1.300												
Zone Park Maintenance [maintenance [maintenance] 150,000 150												175,10
Panda Marintenance [maintenance]												
Rall Amintenance 100,000 100,0		iesj										
Road/Signage Maintenance 100,000												
Contractual Payments TEDC - Marketing 901.915 907.011 909.362 1,044.080 1,096.284 1,151.080 1,208.653 1,269.085 44,095 44,												
Number N												
Subtotal-Operating Expenditures												47,14
Funds Available for Projects 21,011,591 21,139,857 21,301,549 21,301,549 21,398,162 21,529,056 21,691,350 21,786,323 22,012,998 22,068,031 22,252,44	-	_								1,865,381		1,997,70
PROJECTS Temple Industrial Park	TOTAL DEBT & OPERATING EXPEN	IDITURES \$	1,494,037 \$	1,539,133 \$	1,588,520 \$	1,638,238 \$	1,690,442 \$	1,747,394 \$	1,804,949 \$	1,865,381 \$	1,931,080 \$	1,997,70
7 Temple Industrial Park	Funds Available for Projects	\$	21,011,591 \$	21,139,857 \$	21,301,549 \$	21,398,162 \$	21,529,056 \$	21,691,350 \$	21,786,323 \$	22,012,998 \$	22,068,031 \$	22,252,43
7 Temple Industrial Park	PROJECTS											
Corporate Campus Park	7 Temple Industrial Park		-	-	-	-	-	-	-	-	-	-
Bioscience Park Northwest Loop 363 Improvements (TxDOT commitment) Synergy Park Downtown Dow	O Corporate Campus Park O Corporate Campus Park		-	-	-	-	-	-	-	-	-	-
9 Synergy Park	0 Bioscience Park		-	-	-	-	-	-	-	-	-	-
Downtown 1,028,386 1,038,060 1,047,831 1,057,700 1,067,667 1,077,734 1,087,901 1,098,170 1,108,542 1,119,000 1	Northwest Loop 363 Improvements (TxDOT commitment)	-	-	-	-	-	-	-	-	-	-
TMED	0 Synergy Park		-	-	-	-	-	-	-		-	-
Airport Park	0 Downtown		1,028,386	1,038,060	1,047,831	1,057,700	1,067,667	1,077,734	1,087,901	1,098,170	1,108,542	1,119,01
Public Improvements Subtotal-Projects 17,800,000 18,900,000 18,100,000 18,500,000 18,500,000 18,500,000 18,500,000 18,500,000 18,800,000 18,800,000 18,800,000 18,800,000 18,800,000 18,800,000 19,00	0 TMED		-	-	-	-	-	-	-	-	-	-
Subtotal-Projects 18,828,386 18,938,060 19,147,831 19,257,700 19,367,667 19,577,734 19,587,901 19,898,170 19,908,542 20,119,000 TOTAL USE OF FUNDS \$ 20,322,423 \$ 20,477,193 \$ 20,736,351 \$ 20,895,937 \$ 21,058,108 \$ 21,325,127 \$ 21,392,850 \$ 21,763,552 \$ 21,839,623 \$ 22,116,700	0 Airport Park		-									-
TOTAL USE OF FUNDS \$ 20,322,423 \$ 20,477,193 \$ 20,736,351 \$ 20,895,937 \$ 21,058,108 \$ 21,325,127 \$ 21,392,850 \$ 21,763,552 \$ 21,839,623 \$ 22,116,7	Public Improvements											19,000,00
	Subtotal-Projects	_	18,828,386	18,938,060	19,147,831	19,257,700	19,367,667	19,577,734	19,587,901	19,898,170	19,908,542	20,119,01
FUND BALANCE, End \$ 2,183,205 \$ 2,201,797 \$ 2,153,718 \$ 2,140,462 \$ 2,161,389 \$ 2,113,616 \$ 2,198,421 \$ 2,114,827 \$ 2,159,489 \$ 2,133,4	TOTAL USE OF FUNDS	\$	20,322,423 \$	20,477,193 \$	20,736,351 \$	20,895,937 \$	21,058,108 \$	21,325,127 \$	21,392,850 \$	21,763,552 \$	21,839,623 \$	22,116,72
	o FUND BALANCE, End	\$	2,183,205 \$	2,201,797 \$	2,153,718 \$	2,140,462 \$	2,161,389 \$	2,113,616 \$	2,198,421 \$	2,114,827 \$	2,159,489 \$	2,133,42

City of Temple, Texas

DESCRIPTION	2053 71	2054 72	2055 73	2056 74	2057 75	2058 76	2059 77	2060 78	2061 79	2062 80
"Taxable Increment"	\$ 968,541,516 \$	978,226,931 \$	988,009,200 \$	997,889,292 \$	1,007,868,185 \$	1,017,946,867 \$	1,028,126,336 \$	1,038,407,599 \$	1,048,791,675 \$	1,059,279,59
= FUND BALANCE, Begin	\$ 2,133,421 \$	2,135,246 \$	2,161,090 \$	2,211,636 \$	2,185,046 \$	2,176,832 \$	2,187,277 \$	2,113,997 \$	2,151,806 \$	2,200,50
Adjustments to Debt Service Reserve	φ 2,100, 4 21 φ						2,107,277 ψ -	2,113,337 ψ -		
Fund Balance Available for Appropriation	\$ 2,133,421 \$	2,135,246 \$	2,161,090 \$	2,211,636 \$	2,185,046 \$	2,176,832 \$	2,187,277 \$	2,113,997 \$	2,151,806 \$	2,200,5
SOURCES OF FUNDS:										
Tax Revenues	22,591,969	22,805,694	23,021,555	23,239,576	23,459,775	23,682,177	23,906,803	24,133,676	24,362,817	24,594,2
Allowance for Uncollected Taxes	(338,880)	(342,085)	(345,323)	(348,594)	(351,897)	(355,233)	(358,602)	(362,005)	(365,442)	(368,9
Interest Income-Other	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,0
Grant Funds	-	-	-	-	-	-	-	-	-	00.4
License Fee - Central Texas Railway Other Revenues	36,000	36,000	36,000	36,000	36,000	36,000	36,000 -	36,000	36,000	36,0
Bond Issue	_	_	_	_	-	_	_	-	-	
Total Sources of Funds	\$ 22,299,089 \$	22,509,609 \$	22,722,232 \$	22,936,982 \$	23,153,878 \$	23,372,944 \$	23,594,201 \$	23,817,671 \$	24,043,375 \$	24,271,3
TOTAL AVAILABLE FOR APPROPRIATION_	\$ 24,432,510 \$	24,644,854 \$	24,883,322 \$	25,148,618 \$	25,338,924 \$	25,549,776 \$	25,781,478 \$	25,931,668 \$	26,195,181 \$	26,471,8
USE OF FUNDS:										
DEBT SERVICE										
2003 Bond Issue {\$11.740}	-	-	-	-	-	-	-	-	-	
2008 Bond Issue {\$16.010 mil}	-	-	-	-	-	-	-	-	-	
2009 Bond Refunding	-	-	-	-	-	-	-	-	-	
2008 Bond Issue-Taxable {\$10.365 mil}	-	-	-	-	-	-	-	-	-	
Debt Service - 2011A Issue (Refunding)	-	-	-	-	-	-	-	-	-	
Debt Service - 2012 Issue {Refunding}	-	-	-	-	-	-	-	-	-	
Debt Service - 2013 Issue Issuance Costs										
	-	-	-	-	-	-	-	-	-	
Refunding Bonds Proceeds Payment to Refunding Bond Agent	_	_	_	_	_	_	_	_	_	
Payment to Refunding Bond Agent Bond Discount										
Paying Agent Services	-	-	-	-	-	-	-	-	-	
Subtotal-Debt Service	-	-	-	-	-	-	-	-	-	
OPERATING EXPENDITURES										
Prof Svcs/Proj Mgmt	175,100	175,100	175,100	175,100	175,100	175,100	175,100	175,100	175,100	175,
Legal/Audit	1,300	1,300	1,300	1,300	1,300	1,300	1,300	1,300	1,300	1,3
Zone Park Maintenance [mowing, utilities, botanical supplies]	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,
Zone Park Maintenance [maintenance]	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,0
Rail Maintenance	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,0
Road/Signage Maintenance	100,000	100,000	100,000	100,000	100,000 1,785,731	100,000	100,000	100,000	100,000 2,170,567	100,0
Contractual Payments [TEDC - Marketing] TISD-Reimbursement [per contract]	1,469,125 47,141	1,542,581 49,498	1,619,710 49,498	1,700,696 49,498	51,973	1,875,017 51,973	1,968,768 51,973	2,067,206 54,572	2,170,567 54,572	2,279,0 54,9
Subtotal-Operating Expenditures	2,067,666	2,143,479	2,220,608	2,301,594	2,389,104	2,478,390	2,572,141	2,673,178	2,776,539	2,885,0
TOTAL DEBT & OPERATING EXPENDITURES	\$ 2,067,666 \$	2,143,479 \$	2,220,608 \$	2,301,594 \$	2,389,104 \$	2,478,390 \$	2,572,141 \$	2,673,178 \$	2,776,539 \$	2,885,0
Funds Available for Projects	\$ 22,364,844 \$	22,501,375 \$	22,662,714 \$	22,847,024 \$	22,949,820 \$	23,071,386 \$	23,209,337 \$	23,258,490 \$	23,418,642 \$	23,586,7
· -	φ 22,304,044 φ	22,301,373 \$	22,002,714 \$	22,047,024 \$	22,949,020 \$	23,071,300 ş	23,203,337 \$	23,230,490 \$	23,410,042 \$	23,360,
PROJECTS Tomple Indicatrial Park										
Temple Industrial Park Corporate Campus Park	-	-	-	-	-	-	-	-	-	
Bioscience Park	-	- -	-	-	-	- -	- -	-	-	
Northwest Loop 363 Improvements (TxDOT commitment)	_	-	_	_	_	-	_	_	_	
Synergy Park	-	-	-	-	-	-	-	-	-	
Downtown	1,129,598	1,140,285	1,151,078	1,161,979	1,172,989	1,184,109	1,195,340	1,206,684	1,218,141	1,229,7
7 TMED	-	-	-	-	-	-	-	-	-	,
	_	-	-	-	-	-	-	-	-	
Airport Park	=									00 000
	19,100,000	19,200,000	19,300,000	19,500,000	19,600,000	19,700,000	19,900,000	19,900,000	20,000,000	20,200,0
		19,200,000 20,340,285	19,300,000 20,451,078	19,500,000 20,661,979	19,600,000 20,772,989	19,700,000 20,884,109	19,900,000 21,095,340	19,900,000 21,106,684	20,000,000 21,218,141	20,200,0
7 Airport Park 7 Public Improvements 8 Subtotal-Projects TOTAL USE OF FUNDS	19,100,000									

	nmary Financing Plan with Detailed Project Plan					PROJEC	CT PLAN	
roject	Plan - 05/29/13 - to Zone Board	{A}	{B}	{C}	{D}	{E}	Page 1 of 2	
	SUMM	ARY FINANCIN	G PLAN					
		2013	FY 2013 Actual	FY 2013 Open Encumbrances & Carry Forwards	As currently adopted FY 2014	2014	2015	2016
1	Beginning Available Fund Balance, Oct 1	\$ 6,383,261	\$ 6,383,261		\$ 1,272,354			\$ 1,598,33
20	Total Sources of Funds	30,682,944	30,821,993	563,000	4,861,829	5,424,829	4,920,938	13,121,41
2 25	Adjustments to Debt Service Reserve Net Available for Appropriation	1,761,865 38,828,070	1,761,865 38,967,119	563,000	1,765,643 7,899,826	1,765,643 37,692,233	7,126,753	14,719,74
0/52	General Administrative Expenditures	218,405	140,918	37,638	176,200	213,838	176,200	176,2
54	Zone Park Maintenance [mowing, utilities, botanical supplies]	150,000	150,000	-	150,000	150,000	150,000	150,0
55 56	Zone Park Maintenance [maintenance] Rail Maintenance	25,000 213,582	11,224 101,783	111,799	25,000 100,000	25,000 211,799	25,000 100,000	25,0 100,0
58 50	Road/Signage Maintenance Contractual Payments (TEDC - Marketing)	133,077 181,500	181,500	133,077	100,000 199,650	233,077 199,650	100,000 219,615	100,0 241,5
2	TISD-Reimbursement [per contract]	25,000	23,000	-	25,000	25,000	26,250	26,
26 27	Debt Service - 2003 Issue {\$11.740 mil} Debt Service - 2009 Issue {Refunding}	619,200 1,474,569	619,200 1,474,569		1,479,969	1,479,969	- 1,499,769	1,508,
28 29	Debt Service - 2008 Taxable Issue {\$10.365 mil} Debt Service - 2011A Issue {Refunding}	1,239,641 399,900	1,239,641 399,900		1,240,495 914,900	1,240,495 914,900	1,239,233 914,450	1,240,8 913,5
30 31	Debt Service - 2012 Issue {Refunding} Debt Service - 2013 Issue	17,700	17,700	-	17,700 797,755	17,700 797,755	17,700 813,575	82, 813,
32	Issuance Costs	120,000	104,694		-	-	-	010,
32 33	Bond Discount Paying Agent Services	1,200	599,663 781		1,200	- 1,200	- 1,200	1,3
70	Total Debt & Operating Expenditures	4,818,774	5,064,573	282,514	5,227,869	5,510,383	5,282,992	5,379,0
80	Funds Available for Projects	\$ 34,009,296	\$ 33,902,546	\$ 280,486	\$ 2,671,957	\$ 32,181,850	\$ 1,843,761	\$ 9,340,0
		PROJECT PLAN	N	FY 2013 Open				
				Encumbrances & Carry	As currently adopted			
	TEMPLE INDUSTRIAL PARK:	2013	FY 2013 Actual	Forwards	FY 2014	2014	2015	2016
00	Northern "Y" Phase I			-	200,000	200,000	-	
01 02	Trans-Load Grading (full site) (East) Ladder Track Phase II				185,000	185,000		
)3)4	Pepper Creek Main Stem Regional Detention Pond Research Pkwy (IH 35 to Wendland Ultimate)	850,000 2,705,000		850,000 2,705,000		850,000 2,705,000	-	
)5	Research Pkwy (Wendland to McLane Pkwy)	5,960,000		5,960,000		5,960,000	1	
06 50	Northeast Utilities @ IH 35/Loop 363 Total North Zone/Rail Park (including Enterprise Park)	9,515,000		9,515,000	385,000	9,900,000		
	CORPORATE CAMPUS PARK:							
5	Bioscience Trail Connection to Airport	750,000	-	750,000	-	750,000	-	
i6 7	McLane Pkwy/Research Pkwy Connection Research Pkwy (McLane Pkwy to Central Point Pkwy)	710,000 1,500,000	5,320	704,680 1,500,000		704,680 1,500,000		
10	Total Corporate Campus Park	2,960,000	5,320	2,954,680	-	2,954,680	-	
14	BIOSCIENCE PARK:	566,373	537,115	29,258		29,258		
15	Pepper Creek Trail Connection to S&W Bioscience Park Service Road & Utility Extensions	741,360	16,960	724,400		724,400		
07 50	Trail Landscaping, Irrigation and Lights Total Bio-Science Park	1,750,000 3,057,733	554,075	1,750,000 2,503,658	-	1,750,000 2,503,658		
50	Northwest Loop 363 Improvements (TxDOT commitment)	129,350	129,350					
	SYNERGY PARK:	720,000	725,000					
	Lorraine Drive (Southeast Industrial Park) - [\$1.5M total project cost]	69,325	46,850	22,475	-	22,475	-	
52 53	Entry Enhancement Lorraine Drive/Panda Drive Asphalt	500,000 610,000		500,000 610,000		500,000 610,000		
54	Improvements/Contingency for Synergy Park Total Synergy Park	1,179,325	46,850	1,132,475	-	1,132,475	-	
		1,179,323	40,000	1,132,413		1,132,473	-	
01	Downtown Improvements [1999 Ordinance]	843,202	468,652	374,550	242,428	616,978	245,428	661
12	Rail Safety Zone Study Lot Identification & Signage	3,150 55,330	3,150 55,330					
4	Santa Fe Plaza	300,000	-	300,000		300,000	-	
)5)6	Downtown Master Plan MLK Park	125,000		125,000		125,000		
50	Total Downtown	1,326,682	527,132	799,550	242,428	1,041,978	245,428	661
51	TMED: TMED - 1st Street @ Temple College - STEP Grant Match	438,450	379,404	59,046		59,046		
2	Master Plan Integration 2010	1,550	379,404	1,550		1,550		
53	TMED - 1st Street @ Loop 363 Design/Construction - Design only TMED - Friars Creek Trail 5th Street to S&W Blvd [\$1.9M total project cost - DOE	276,776	205,356	71,420		71,420	-	
54	Grant of \$400K] Avenue R - S&W Blvd, Ave R - 19th Intersections	1,206,943 2,005,641	1,011,062 43,001	195,881 1,962,640		195,881 1,962,640		
6	Ave U from S&W Blvd to 1st St & the 13th to 17th connector from Ave R to Loop 363	27,583	22,161	19,122		19,122	-	
57 58	South 1st Street Improvements from the Temple College Apartments to Ave O Loop 363 Frontage Rd (UPRR to 5th TIRZ portion)	200,560 6,450,000	200,560 123,452	6,326,548		6,326,548		
i9 i0	Monumentation Ave U TMED Ave. to 1st Street	520,000 1,275,000	-	520,000 1,275,000		520,000 1,275,000		
31	TMED Master Plan (Health Care Campus)	125,000	-	125,000		125,000	-	
62 63	TMED Master Plan & Thoroughfare Plan Friars Creek Trail to Ave. R Trail	55,000 500,000	13,350	55,000 486,650	-	55,000 486,650		
34 00	Veteran's Memorial Blvd. Phase II Total TMED	13,082,503	1,998,346	11,097,857		11,097,857	-	
	AIRPORT PARK:							
1	Gateway Entrance Projects	1,250			-		-	
12	Airport Corporate Hangar Development/Improvements Fuel Farm Loop Roadway	165,099 110,000	139,712	25,387 110,000		25,387 110,000		
14	Airport Terminal Access Enhancement Airport Entry Landscaping & Signage	115,000 230,000		115,000 230,000	-	115,000 230,000		
06	Northwest Airport Parking & Entrance	865,000		865,000		865,000		
07 08	East Airport Commercial Facility Improvements Corporate Hangar Phase II						- :	
50	Total Airport Park	1,486,349	139,712	1,345,387		1,345,387	-	
10	Public Improvements	-			-		-	6,500
	Total Planned Project Expenditures	32,736,942	3,400,785	29,348,607	627,428	29,976,035	245,428	7,161,
nn	Available Fund Balance at Year End	\$ 1,272,354	\$ 30 501 761	\$ (29,068,121)	\$ 2,044,520	\$ 2,205,815	\$ 1,598,333	\$ 2,178,
20		- 1,272,004	2 00,001,701	J (20,000,121)	, L,074,029	2,200,015	+ 1,000,000	,110

1011 * 1	05/29/13 - to Zone Board				·	Page 2 of 2	
Begi	inning Available Fund Balance, Oct 1 \$	2017 2,178,369 \$	2018 2,196,905 \$	2019 2,150,771 \$	2020 2,118,584 \$	2021 2,118,969 \$	2022 2,132,2
Total	I Sources of Funds	13,657,258	16,002,124	16,139,274	16,287,893	16,428,000	16,885,9
	stments to Debt Service Reserve Available for Appropriation	15,835,627	18,199,029	18,290,045	18,406,477	18,546,969	19,018,1
	eral Administrative Expenditures	176,300	176,300	176,300	176,300	176,300	176,4
	erar Administrative Experiolitires Park Maintenance [mowing, utilities, botanical supplies]	150,000	150,000	150,000	150,000	150,000	150,0
	e Park Maintenance [maintenance] Maintenance	25,000 100,000	25,000 100,000	25,000 100,000	25,000 100,000	25,000 100,000	25,0 100,0
Road	d/Signage Maintenance	100,000	100,000	100,000	100,000	100,000	100,0
	rractual Payments (TEDC - Marketing) D-Reimbursement [per contract]	253,655 26,250	266,338 27,563	279,655 27,563	293,638 27,563	308,320 28,941	323, 28,
Debt	Service - 2003 Issue {\$11.740 mil}	-	-	-	-	-	
	: Service - 2009 Issue {Refunding} : Service - 2008 Taxable Issue (\$10.365 mil)	1,510,150 1,240,096	1,488,750 1,241,957	1,485,000 1,241,173	1,237,744	1,241,670	1,242,
	t Service - 2011A Issue {Refunding} t Service - 2012 Issue {Refunding}	912,200 76,400	908,350 79,600	915,950 77,650	2,497,800 80,050	2,497,550 77,250	2,494,9 78,
Debt	Service - 2013 Issue	1,978,575	1,975,275	1,976,575	1,975,275	1,977,925	1,979,
	ance Costs d Discount			-	-	-	
Payin	ng Agent Services	1,200	1,200	1,200	1,200	1,200	1,
	Il Debt & Operating Expenditures ds Available for Projects \$	6,549,826 9,285,801 \$	6,540,333 11,658,696 \$	6,556,066 11,733,979 \$	6,664,570 11,741,908 \$	6,684,156 11,862,813 \$	6,700, 12,317,
			1	1	1		
		2017	2018	2019	2020	2021	2022
	IPLE INDUSTRIAL PARK:	2011			2020		2022
Trans	hern "Y" Phase I s-Load Grading (full site) (East)				-		
	der Track Phase II	-					
Rese	per Creek Main Stem Regional Detention Pond earch Pkwy (IH 35 to Wendland Ultimate)		-	-		-	
	earch Pkwy (Wendland to McLane Pkwy) heast Utilities @ IH 35/Loop 363	-	-	-	-	-	
	otal North Zone/Rail Park (including Enterprise Park)	-	•	•	-	-	
	RPORATE CAMPUS PARK:						
	cience Trail Connection to Airport ane Pkwy/Research Pkwy Connection			-			
Rese	earch Pkwy (McLane Pkwy to Central Point Pkwy)	-	-	-	-	-	
10	otal Corporate Campus Park	<u> </u>	•	•	-	-	
	SCIENCE PARK: per Creek Trail Connection to S&W						
Bioso	cience Park Service Road & Utility Extensions			-	-		
	Landscaping, Irrigation and Lights tal Bio-Science Park	-	-	-	-	-	
	hwest Loop 363 Improvements (TxDOT commitment)		-	-		-	
Lorra	ERGY PARK: aine Drive (Southeast Industrial Park) - [\$1.5M total project cost]	-	-	-	-	-	
	y Enhancement aine Drive/Panda Drive Asphalt			-			
Impro	ovements/Contingency for Synergy Park tal Synergy Park	-	-	-	-	-	
	VNTOWN:						
	ntown Improvements [1999 Ordinance] Safety Zone Study	688,896	807,925	815,395	822,939	830,558	854,
Lot lo	dentification & Signage	-	-	-	-		
	a Fe Plaza ntown Master Plan			-			
MLK	Park	688.896	807,925	815,395	822,939	830,558	854
TME	_	000,090	807,925	615,395	622,939	830,338	034
	D - 1st Street @ Temple College - STEP Grant Match	-	-	-	-		
	ter Plan Integration 2010 D - 1st Street @ Loop 363 Design/Construction - Design only			-			
TME	D - Friars Creek Trail 5th Street to S&W Blvd [\$1.9M total project cost - DOE						
Aven	nt of \$400K] nue R - S&W Blvd, Ave R - 19th Intersections			-		-	
	U from S&W Blvd to 1st St & the 13th to 17th connector from Ave R to Loop 363 th 1st Street Improvements from the Temple College Apartments to Ave O	-	-	-	-	-	
Loop	363 Frontage Rd (UPRR to 5th TIRZ portion)	-	-	-	-	-	
	umentation U TMED Ave. to 1st Street	-	-	-	-	-	
TME	D Master Plan (Health Care Campus)		-	-	-		
	D Master Plan & Thoroughfare Plan s Creek Trail to Ave. R Trail	-	-	-		-	
Veter	ran's Memorial Blvd. Phase II	-	-		-	-	
	PORT PARK:				<u></u>		
Gate	way Entrance Projects rt Corporate Hangar Development/Improvements	-	-	-	-	-	
Fuel F	Farm Loop Roadway	-	-	-		-	
	rt Terminal Access Enhancement rt Entry Landscaping & Signage		-	-		-	
North	west Airport Parking & Entrance	-	-	-	-	-	
	Airport Commercial Facility Improvements orate Hangar Phase II						
	otal Airport Park	-	-	-	-	•	
Publi	ic Improvements	6,400,000	8,700,000	8,800,000	8,800,000	8,900,000	9,300
Tota	Il Planned Project Expenditures	7,088,896	9,507,925	9,615,395	9,622,939	9,730,558	10,154,

A RESOLUTION	OF THE CITY	COUNCIL	OF THE CITY	OF TEMPLE,
TEXAS, APPROV	ING THE ANN	UAL REPOR	T OF THE CITY	Y OF TEMPLE

TAX INCREMENT FINANCING REINVESTMENT ZONE NUMBER ONE FOR FISCAL YEAR 2012-2013, TO EACH TAXING ENTITY IN THE REINVESTMENT ZONE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

municipality;

RESOLUTION NO.

Whereas, Section 311.016 of the Tax Increment Financing Act requires that the governing body of a municipality submit to the chief executive officer of each taxing unit that levies property tax on real property in a reinvestment zone created by the municipality, a report

Whereas, a copy of the report must also be sent to the Texas Attorney General and State Comptroller;

on the status of the zone on or before the 90th day following the end of the fiscal year of the

Whereas, the Staff recommends approval of the City of Temple Tax Increment Financing Reinvestment Zone Number One Annual Report for 2012-2013 which meets all the mandated requirements for submission, including a balance sheet and income statement of September 30, 2013; debt service retirement schedules; and a schedule of tax increment base and captured appraised values; 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 approves the City of Temple Tax Increment Financing Reinvestment Zone Number One Annual Report for the fiscal year 2012-2013, a copy of which is attached hereto and made a part of this Resolution for all purposes as Exhibit A, and the Director of Finance is hereby directed to submit the report to the chief executive officer of each taxing unit that levies property tax on real property in the City of Temple Tax Increment Financing Reinvestment Zone Number One. A copy of the report shall also be sent to the Attorney General.

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

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

	THE CITY OF TEMPLE, TEXAS
	DANIEL A. DUNN, Mayor
ATTEST:	APPROVED AS TO FORM:
Lacy Borgeson	Jonathan Graham
City Secretary	City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

12/19/13 Item #3(R) 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.

<u>ITEM SUMMARY:</u> 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 \$52,010.

ATTACHMENTS:

Budget Amendments Resolution

CITY OF TEMPLE BUDGET AMENDMENTS FOR FY 2014 BUDGET December 19, 2013

ACCOUNT #	DDO ICCT #	DESCRIPTION		APPROPE		
ACCOUNT #	PROJECT #	DESCRIPTION Posignated for Capital Projects (Finance)		Debit		Credit
110-0000-352-1345 110-1500-515-2695		Designated for Capital Projects (Finance) Contracted Srvs/Neighborhood Rehab	\$	12,587	\$	12,587
		Budget adjustment to move funds into Unallocated Fund Balance since				
		RJ Development LLS was paid during fiscal year 2013. At close of FY 2013	,			
		money was carried forward for this program participant but request for				
		their payment came in during Period 14 of FY 2013.				
110-3810-519-2636		Electric Utilities (Fleet)	\$	10,000		
110-1500-515-6532		Contingency/Cont. Fund Balance			\$	10,000
		Budget adjustment appropriating additional funds to the "Electric Utilities"				
		account needed for the cost of electric service to the CNG fueling station.				
		The costs for electric utility service were not included in the FY 14 Budget				
		for the CNG fueling station.				
561-5000-535-6532		Contingency	\$	29,423		
561-5400-535-6920		WW Line Extension - FM 2305 to FM 2271			\$	1,00
561-5100-535-6904		Tank Refurbishment			\$	97
561-5200-535-6940		Utility Relocation - NW LP 363			\$	27,450
		Budget adjustment to move remaining funds for completed projects				
		into Contingency Fund.				
		TOTAL AMENDMENTS	\$	52,010	\$	52,010
		GENERAL FUND Beginning Contingency Balance			\$	498,07
		Added to Contingency Sweep Account			Φ	89,70
		Carry forward from Prior Year				-
		Taken From Contingency				(181,73
		Net Balance of Contingency Account			\$	406,03
		Beginning Judgments & Damages Contingency			\$	40,00
		Added to Contingency Judgments & Damages from Council Contingency				-
		Taken From Judgments & Damages				(1,00
		Net Balance of Judgments & Damages Contingency Account			\$	39,00
		Beginning Compensation Contingency			\$	288,00
		Added to Compensation Contingency				-
		Taken From Compensation Contingency				-
		Net Balance of Compensation Contingency Account			\$	288,00
		Net Balance Council Contingency			\$	733,03
		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			\$	50,00
		Added to Contingency Sweep Account				-
		Taken From Contingency				-
		Net Balance of Contingency Account			\$	50,00
		4				

CITY OF TEMPLE BUDGET AMENDMENTS FOR FY 2014 BUDGET December 19, 2013

ACCOUNT # PROJECT # DESCRIPTION Debit Credit			Al Al	PPROPR	IAT	IONS
Added to Compensation Contingency Taken From Compensation Contingency Net Balance of Compensation Contingency Account Net Balance Water & Sewer Fund Contingency HOTEL/MOTEL TAX 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 Added to Compensation Contingency Taken From Contingency Taken From Contingency Net Balance of Contingency Taken From Contingency Taken From Compensation Contingency Net Balance of Compensation Contingency Taken From Compensation Contingency Taken From Compensation Contingency Taken From Compensation Contingency Net Balance of Compensation Contingency Taken From Compensation Contingency Net Balance of Compensation Contingency Taken From Compensation Contingency Sa6,607 DRAINAGE FUND Beginning Contingency Balance Added to Contingency Sweep Account Carry forward from Prior Year Taken From Contingency Net Balance of Contingency Net Balance of Contingency Taken From Contingency Added to Compensation Contingency Taken From Compensation Contingency Net Balance of Compensation Contingency Net Balance of Compensation Contingency Taken From Compensation Contingency Net Balance of Compensation Contingency Net Balance of Compensation Contingency Taken From Compensation Contingency Net Balance of Compensation Contingency Taken From Compensation Contingency Net Balance of Compensation Contingency Net Balance of Compensation Contingency Taken From Compensation Contingency Taken	ACCOUNT #	PROJECT #	DESCRIPTION	bit		Credit
Added to Compensation Contingency Taken From Compensation Contingency Account Net Balance of Compensation Contingency Beginning Contingency Balance Added to Contingency Sweep Account Carry forward from Prior Year Taken From Contingency Added to Contingency Account Beginning Contingency Account Carry forward from Prior Year Taken From Contingency Net Balance of Contingency Added to Compensation Contingency Added to Compensation Contingency Added to Compensation Contingency Taken From Contingency Net Balance of Contingency Added to Compensation Contingency Taken From Compensation Contingency Net Balance of Compensation Contingency Taken From Compensation Contingency Net Balance of Compensation Contingency Spanning Contingency Balance Added to Compensation Contingency Net Balance of Contingency Account Carry forward from Prior Year Taken From Contingency Net Balance of Contingency Added to Compensation Contingency Taken From Compensation Contingency Net Balance of Compensation Contingency Taken From Compensation Contingency Net Balance of Compensation Contingency Taken From Compensation Contingency Net Balance of Compensation Contingency			Beginning Compensation Contingency		\$	50,000
Net Balance of Compensation Contingency Net Balance Water & Sewer Fund Contingency HOTEL/MOTEL TAX FUND Beginning Contingency Balance Added to Contingency Sweep Account Carry forward from Prior Year Taken From Compensation Contingency Net Balance of Contingency Account Beginning Compensation Contingency Added to Compensation Contingency Taken From Compensation Contingency Net Balance of Compensation Contingency Net Balance of Compensation Contingency Taken From Compensation Contingency Net Balance of Compensation Contingency Net Balance Of Compensation Contingency Net Balance Of Compensation Contingency DRAINAGE FUND Beginning Contingency Sweep Account Carry forward from Prior Year Taken From Contingency Net Balance of Contingency Added to Compensation Contingency Taken From Compensation Contingency Net Balance of Compensation Contingency Taken From Compensation Contingency Net Balance of Compensation Contingency Taken From Compensation Contingency Net Balance of Compensation Contingency Taken From Compensation Contingency Net Balance of Compensation Contingency Net Balance of Compensation Contingency Taken From Compensation Contingency Net Balance of Co			Added to Compensation Contingency			-
Net Balance Water & Sewer Fund Contingency HOTEL/MOTEL TAX FUND Beginning Contingency Balance Added to Contingency Sweep Account Carry forward from Prior Year Taken From Contingency Net Balance of Contingency Added to Compensation Contingency Added to Compensation Contingency Taken From Compensation Contingency Added to Compensation Contingency Net Balance of Compensation Contingency Net Balance of Compensation Contingency Net Balance Hotel/Motel Tax Fund Contingency DRAINAGE FUND Beginning Contingency Balance Added to Contingency Balance Added to Contingency Sweep Account Carry forward from Prior Year Taken From Contingency Net Balance of Contingency Net Balance of Contingency Account S Beginning Contingency Net Balance of Contingency Account S Beginning Compensation Contingency Net Balance of Compensation Contingency Taken From Compensation			Taken From Compensation Contingency			-
HOTEL/MOTEL TAX FUND Beginning Contingency Balance Added to Contingency Sweep Account Carry forward from Prior Year Taken From Contingency Net Balance of Contingency Added to Compensation Contingency Taken From Compensation Contingency Taken From Compensation Contingency Taken From Compensation Contingency Taken From Compensation Contingency Net Balance of Compensation Contingency Net Balance of Compensation Contingency Solution Net Balance Hotel/Motel Tax Fund Contingency Beginning Contingency Balance Added to Contingency Sweep Account Carry forward from Prior Year Taken From Contingency Net Balance of Contingency Account Beginning Compensation Contingency Net Balance of Contingency Added to Compensation Contingency Net Balance of Contingency Taken From Compensation Contingency Net Balance of Compensation Contingency Net Balance Drainage Fund Contingency Solution Net Balance Drainage Fund Contingency Solution			Net Balance of Compensation Contingency Account		\$	50,000
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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:

<u>Part 1:</u> 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 19th day of December, 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

12/19/13 Item #4 Regular Agenda Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Brynn Myers, Director of Administrative Services

<u>ITEM DESCRIPTION:</u> FIRST READING – PUBLIC HEARING: Consider adopting an ordinance amending the calculation method for the certification pay for the certification of Paramedic/EMT in the Fire Department.

STAFF RECOMMENDATION: Conduct a public hearing and adopt ordinance as presented in item description on first reading, and schedule a second reading and final adoption for January 16, 2014.

ITEM SUMMARY: Chapter 143.44 of the Local Government Code requires that the Council establish certification pay by ordinance. As part of the implementation of the updated Civil Service-Fire Pay Schedules based on a Compensation/Market Study conducted in 2013, staff recommends a change to the calculation method for the Fire-Paramedic certification pay. Currently, the Fire-Paramedic certification is calculated as 12% of the Firefighter Step 2 base salary. Staff proposes to change the calculation to a flat monthly amount. This calculation method is consistent with how most other certifications pay amounts within the department and the organization are calculated. The proposed certification amount for Fire-Paramedic is \$397.346 per month which is equal to the current certification amount and will result in no change to the certification pay of qualified personnel.

FISCAL IMPACT: The proposed certification amount for Fire-Paramedic is \$397.346 per month which is equal to the current certification amount and will result in no change to the certification pay of qualified personnel.

ATTACHMENTS:

Ordinance for Certification Pay

ORDINANCE NO.	

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AMENDING THE CALCULATION METHOD FOR THE CERTIFICATION PAY OF PARAMEDIC/EMT IN THE FIRE 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 certification pay by ordinance;

Whereas, as part of the implementation of the updated Civil Service-Fire Pay Schedules based on a Compensation/Market Study conducted in 2013, staff recommends a change to the calculation method for the Fire-Paramedic certification pay;

Whereas, currently, the Fire-Paramedic certification is calculated as 12% of the Firefighter Step 2 base salary - staff proposes to change the calculation to a flat monthly amount which is consisted with how most other certification pay amounts within the department and the organization are calculated;

Whereas, the proposed certification amount for Fire-Paramedic is \$397.35 per month which is equal to the current certification amount and will result in no change to the certification pay of qualified personnel; 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:

<u>Part 1:</u> The City Council authorizes amending the calculation method for the certification pay for Paramedic-EMT in the Fire Department from 12% of the Firefighter Step 2 base salary to a flat monthly rate of \$397.35.

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

PASSED AND APPROVED on First Reading and Public Hearing on the 19th day of **December**, 2013.

PASSED AND APPROVED on Second Reading on the 16th day of January, 2014.

	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

12/19/13 Item #5 Regular Agenda Page 1 of 4

DEPT./ DIVISION SUBMISSION & REVIEW:

Phillip Melton, Planning Intern

<u>ITEM DESCRIPTION</u> FIRST READING – PUBLIC HEARING - Z-FY-14-04: Consider adopting an ordinance authoring a zoning change from TMED T4 District (T4) to Planned Development (T4) District on Lot 3, Block 7, Eugenia Terrace, addressed as 1605 South 5th Street.

PLANNING & ZONING COMMISSION RECOMMENDATION: At its November 18, 2013 meeting, the Planning and Zoning Commission failed to second a motion to approve the zone change from TMED T4 District (T4) to Planned Development (T4) District. The failed motion resulted in a recommendation of denial by the Planning and Zoning Commission for the requested zone change.

STAFF RECOMMENDATION: Conduct a public hearing and adopt ordinance as presented in item description on first reading, and schedule a second reading and final adoption for January 16, 2014.

Staff recommends approval of the zone change from T4 to PD(T4) for the following reasons:

- 1. The request complies with the Thoroughfare, Plan;
- 2. Public facilities are available to serve the property; and,
- 3. The development allows the developer to complete development already on the block.

<u>ITEM SUMMARY:</u> The applicant is requesting a zoning change from TMED T4 District to Planned Development-T4 District for the purpose of constructing a triplex. The development will occur on a 5,250 square foot site with one 2,733 square foot triplex. The developer has proposed the following development components more fully depicted in the attached development plan documents.

There is no mechanism to provide the requested relief from the following TMED T4 zoning standards in UDC Section 6.3 and a PD would be required, all other TMED T4 standards would apply:

- Multiple-family dwellings are not permitted in T4; the developer is proposing constructing a triplex;
- Maximum impervious lot coverage of 70%; the developer proposes 73% coverage;
- Parking required to be located in the second or third layer of the principal frontage and accessible by rear alleys; the developer proposes parking in the first layer with no alley access;
- Rear alley ROW dedication; no ROW dedication is proposed;
- Minimum landscaped area of 30%; the developer proposes 27% landscaped area;
- No on street parking allowed; the developer proposes 3 on street parking spaces;
- Sidewalks required to extend the full length of the development; the developer has indicated on the site plan area for future sidewalk extension but no constructed sidewalk;
- Porches required to be made of painted wood, concrete, or metal; the developer has proposed a porch made of brick and stone;
- Building frontage required to face the street; the proposed building is facing south instead of towards 5th Street to the west.

Landscaping

TMED T4 zoning requires a total of 30% of the site to be landscaped. The proposed triplex and other impervious improvements cover 75% of the lot and only a total of 25% of the site will be landscaped. To offset these requirements the applicant has proposed providing additional landscaping on an adjoining lot by adding a parking lot island which would increase the total landscaped area to 27%. The applicant has proposed the following improvements:

- A landscaped frontage with 2 Live Oak trees will be planted along 5th street per TMED landscaping standards in UDC Section 6.3.11;
- Along the west side of the site, between the building and the future sidewalk, Dwarf Nandinas and Crepe Myrtles will be planted;
- A landscaped parking island will be added to an existing parking lot, planted with Dwarf Nandinas, to provide additional landscaping;
- The landscaped areas on the south and west sides of the site will be planted in ground cover according to TMED Standards in UDC Section 6.3.11;
- Existing trees on the north and east sides of the site will remain in place.

Building Materials and Architecture

According to the development plans, the applicant has proposed the following:

- Brick and stone as façade material, with cementious siding limited to less than 10% of each side;
- Windows accented in stone or brick to meet the 4" trim requirement;
- Windows facing the street will have shutters;
- All units have different façade materials to have the distinct characteristics;
- Corners will be accented with stone or brick vertically from the foundation to the eve.

Screening

Shrubs from the approved TMED list will be used to screen the parking lot from the street. Additionally, shrubs will be planted adjacent to 5th Street on the south side of the parking lot, off site, to provide a screen for the lot.

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

Document	Policy, Goal, Objective or Map	Compliance?
СР	Map 3.1 - Future Land Use and Character (FLUP)	No
СР	Map 5.2 - Thoroughfare Plan	Yes
СР	Goal 4.1 - Growth and development patterns should be consistent with the City's infrastructure and public service capacities	Yes
STP	Temple Trails Master Plan Map and Sidewalks Ordinance	No

CP = Comprehensive Plan STP = Sidewalk and Trails Plan

Future Land Use and Character Plan (FLUP) (CP Map 3.1)

The Land Use and Character Map identifies this area as the Temple Medical Education District which is designed to develop an "urban village" feel. As the use and the building orientation does not meet the TMED zoning standards nor contribute to an "urban village" feel, the development is not compatible with the Future Land Use Plan.

However, the block where this site is located currently has 20 duplexes owned by the same developer and this development would be a completion of the block. Staff would not be in support for any future requests that do not comply with the TMED standards outside of the block which this site is located.

Thoroughfare Plan (CP Map 5.2)

The Thoroughfare Plan identifies 5th Street as a Collector. This thoroughfare provides sufficient capacity to accommodate the proposed use.

Availability of Public Facilities (CP Goal 4.1)

An 8" water line runs along 5th Street at the frontage of the property, and a 6" sewer line runs along the rear of the property. These facilities are sufficient for the proposed use.

Temple Trails Master Plan Map and Sidewalks Ordinance

No trails currently exist or are planned on or near the site, however, 6' sidewalk would be required per TMED standards in UDC Section 6.3.11. While the developer is proposing to set aside the area needed to build the sidewalk there are no plans to construct the sidewalk. As there are no plans to construct the sidewalk, the PD is not compatible with the Trails Master Plan Map and Sidewalk Ordinance.

<u>DEVELOPMENT REGULATIONS:</u> The proposed development will meet all TMED T4 District standards in UDC Section 6.3 unless expressly identified in the ordinance.

<u>PUBLIC NOTICE:</u> 13 notices of the public hearing were sent out to property owners within 200-feet of case Z-FY-14-04 as required by state law and local ordinance. As of December 5, 2013, no notices were returned in support and or in opposition of the requested zoning change.

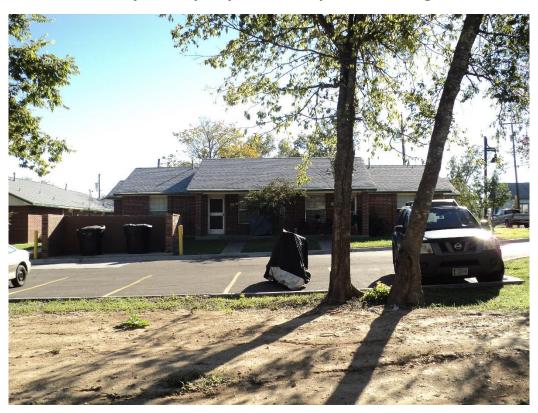
FISCAL IMPACT: Not Applicable

ATTACHMENTS:

Surrounding Properties and Uses Zoning and Location Map Site Plan Architecture Drawings Surrounding Property Owner Notification Map Ordinance



Subject Property: Undeveloped, T4 Zoning



South: Residential Duplex; T4 Zoning



East: Residential duplex, T5-E Zoning



North: Single Family Residential, T4 Zoning



West: Single Family Residential, T4 Zoning





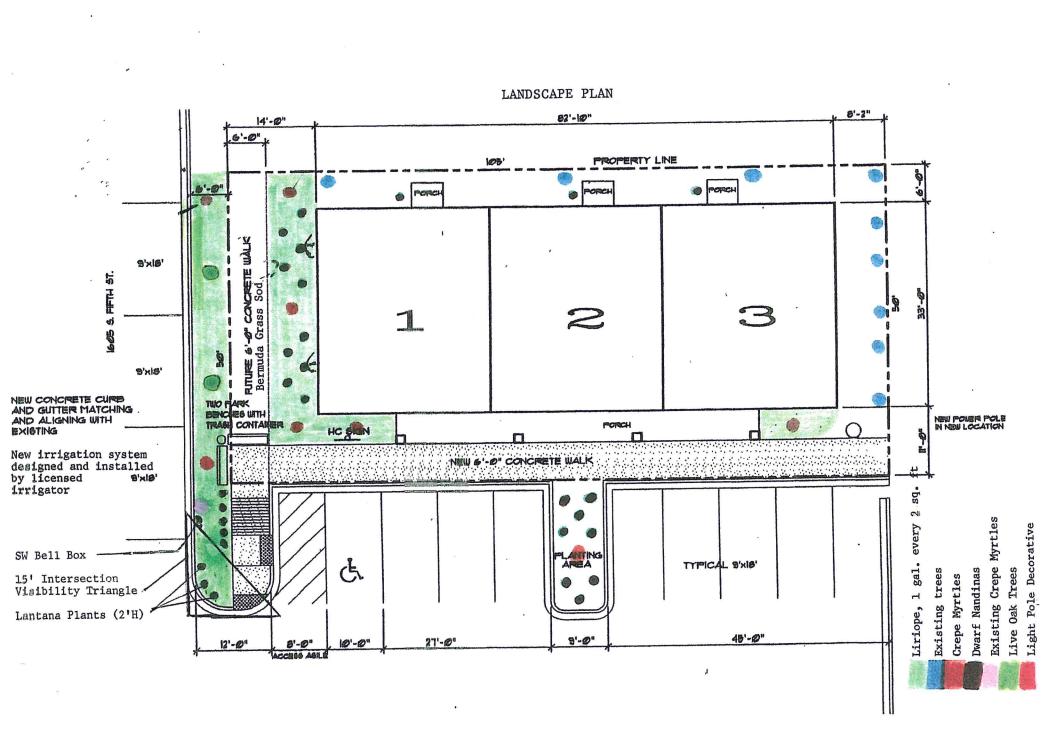
Subject Property Parcel

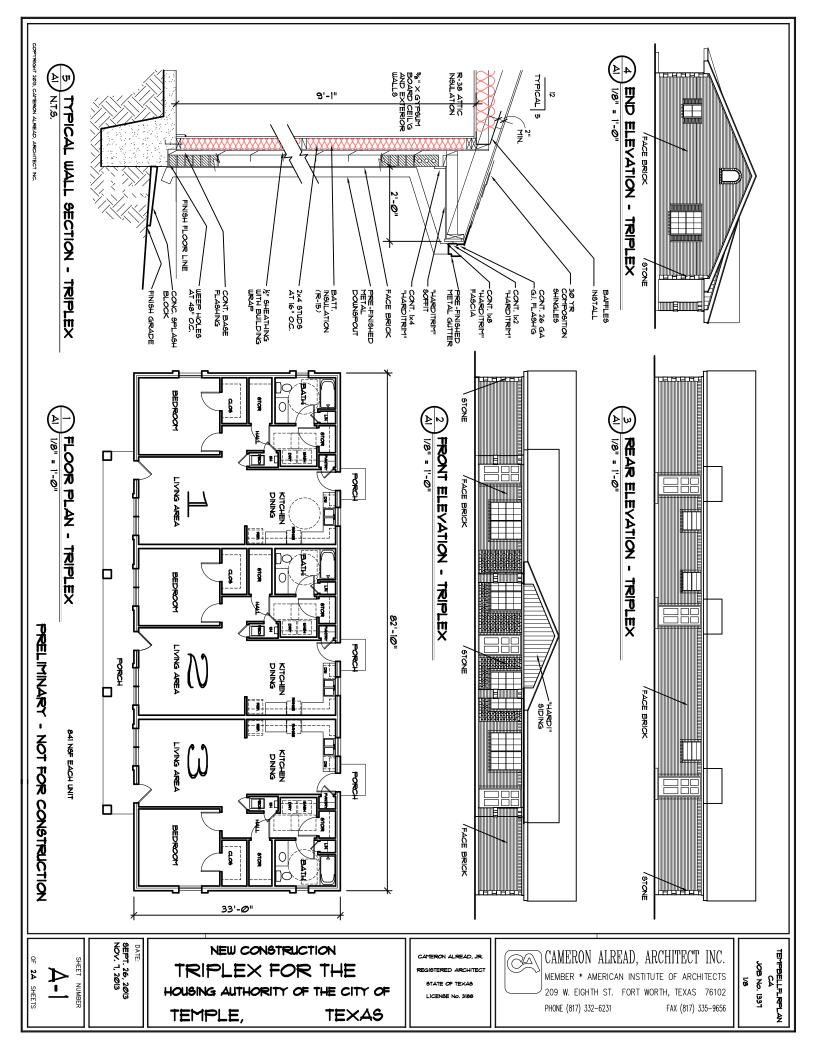
Subdivisions

Zoning

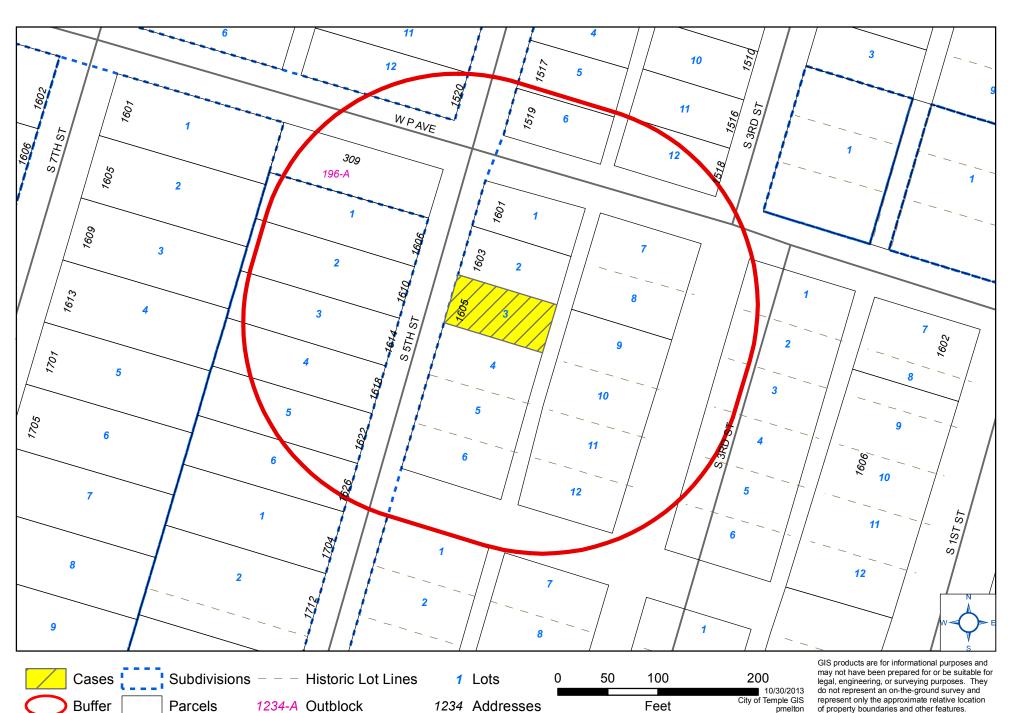
Feetcity of Temple GIS

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.









ORDINANCE NO.	
(PLANNING NO. Z-FY-14-04)	

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A ZONING CHANGE FROM TMED T4 DISTRICT (T4) TO PLANNED DEVELOPMENT DISTRICT (T4) ON LOT 3, BLOCK 7, EUGENIA TERRACE, ADDRESSED AS 1605 SOUTH $5^{\rm TH}$ STREET; 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:

<u>Part 1</u>: The City Council approves a rezoning from TMED T4 District (T4) to Planned Development District (T4) on Lot 3, Block 7, Eugenia Terrace and addressed as 1605 South 5th Street, more fully described in Exhibit A, attached hereto and made a part hereof for all purposes. The Planned Development District (T4) is subject to all TMED Standards except for:

- Triplex construction is allowed
- On street parking, parking in the first layer, and alley access
- Building orientation

The Planned Development District (T4) will incorporate the following standards:

- Windows will be accented in stone or brick and windows facing the street will have shutters
- Each unit will be constructed with different façade materials and corners will be accented
- Landscaping and screening will meet the TMED standards more fully described in Exhibit B

<u>Part 2:</u> The City Council directs the Director of Planning to make the necessary changes to the City Zoning Map accordingly.

<u>Part 3</u>: 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.

<u>Part 4</u>: 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.

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

PASSED AND APPROVED on First Reading and Public Hearing on the **19**th day of **December**, 2013.

PASSED AND APPROVED on Second Reading on the 16th day of January, 2014.

	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

12/19/13 Item #6 Regular Agenda Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Brian Chandler, Planning Director Kim Foutz, Assistant City Manager

ITEM DESCRIPTION: FIRST READING – PUBLIC HEARING – A-FY-12-08: Consider an Ordinance authorizing abandonment and conveyance of two existing alleys, each with a width of 20 feet and depth of 300 feet, located between the north right-of-way line of East Adams Avenue and the south right-of-way line of East Calhoun Avenue and reserving a public drainage and utility easement in the entire abandoned rights-of-way.

STAFF RECOMMENDATION: Conduct public hearing and consider the ordinance as presented, on first reading and schedule second reading and final consideration for January 16, 2014.

<u>ITEM SUMMARY:</u> First United Methodist Church owns the property on both sides of the subject alleys. The church requests the alley abandonments to facilitate safer management of vehicle and pedestrian traffic flows, and improve future maintenance and repair of the roadway. If approved, the abandoned alleyways would be used to access church parking lots, buildings, and the entire church campus.

The alleys are located between the north right-of-way line of East Adams Avenue and the south right-of-way line of East Calhoun Avenue and are more fully described below:

<u>Tract 1</u>: The alleyway situated in Block 7 of Original Town of Temple, Bell County, Texas, recorded in Volume 36, Page 640, of the real property records of Bell County, Texas; said alley being a strip of land generally 20 feet by 300 feet and running generally in a north-south direction, bounded on its south end by the north line of East Adams Avenue and on its north end by the south line of East Barton Avenue. THE EAST LINE OF said strip of land is located 110 feet west of and parallel to the west line of North 4th Street.

<u>Tract 2</u>: The alleyway situated in Block 7 of Moore's Addition, City of Temple, Bell County, Texas, a plat of record filed in Volume 114, Page 416, of the real property records of Bell County, Texas; said alley being a strip of land generally 20 feet by 300 feet and running generally in a north-south direction, bounded on its south end by the north line of East Barton Avenue and on its north end by the south line of East Calhoun Avenue. THE EAST LINE OF said strip of land is located 110 feet west of and parallel to the west line of North 4th Street. Note that the North 237.47 feet of this alleyway is contained within Lot 2, Block 1, First United Methodist Church Addition, a plat of record filed in Cabinet D, Slide 245A, of the real property records of Bell County, Texas.

Planning staff contacted all utility providers, including the Public Works Department, regarding the proposed alley abandonment. Since there are existing buried and aerial services in the alleys, the utility providers have requested the alleys be converted into unobstructed utility easements to allow full access to their service lines. There are no objections to the abandonment request as long as the requested easements are retained. Staff requests a public drainage and utility easement in the entire abandoned rights-of-way to protect existing service lines.

Staff is seeking authorization to convey the abandoned alley ways to First United Methodist Church. Pursuant to Texas Local Government Code § 253.013, the conveyance would be at no cost to the Church. The governing body of a City with a population greater than 65,000 and less than 90,000 that is located in a county in which part, but not all of a military installation is located, may donate surplus property owned by the City that is of negligible or negative value if the governing body finds the following facts to be true:

- (1) The property is not improved, including by having a structure on it or by being paved;
- (2) Ownership of the property does not provide any identifiable positive benefit to the City in relation to the City's current needs;
- (3) Ownership of the property is not likely to provide any identifiable positive benefit to the City in relation to the City's future needs; and
 - (4) The cost of maintaining the property is of substantial burden to the City.

All of the above are true with regards to the property in question. With respect to item (1) above, the Public Works Department has inspected the alleys in question, and it is in such poor condition, that we believe that the alley is not suitable for use as an alley in its present condition and should be found NOT to be improved or paved at this time. The ordinance makes this specific finding to allow the conveyance under Section 253.013. Therefore, the City may donate the abandoned alley ways to the adjacent property owner. In this case the adjacent property owner is First United Methodist Church.

FISCAL IMPACT:

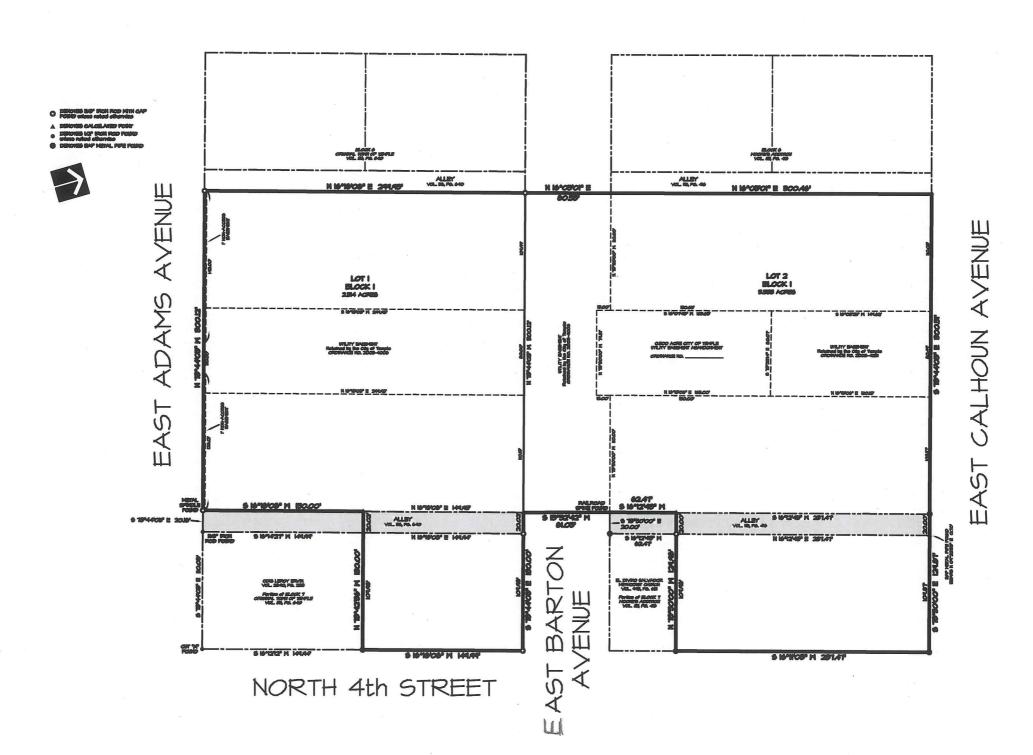
ATTACHMENTS:

Aerial Abandonment Exhibit Ordinance

City of Temple



PROPOSED ALLEY ABANDONMENT EXHIBIT



ORDINANCE NO.	

(A-FY-12-08)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, ABANDONING AND CONVEYING TWO EXISTING ALLEYS, EACH WITH A WIDTH OF 20 FEET AND A DEPTH OF 300 FEET, LOCATED BETWEEN THE NORTH RIGHT-OF-WAY LINE OF EAST ADAMS AVENUE AND THE SOUTH RIGHT-OF-WAY LINE OF EAST CALHOUN AVENUE AND RESERVING A PUBLIC DRAINAGE AND UTILITY EASEMENT IN THE ENTIRE ABANDONED RIGHTS-OF-WAY; DECLARING FINDINGS OF FACT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the alleys in question are located between the north right-of-way line of East Adams Avenue and the south right-of-way line of East Calhoun Avenue, as outlined below:

<u>Tract 1</u>: The alleyway situated in Block 7 of Original Town of Temple, Bell County, Texas, recorded in Volume 36, Page 640, of the real property records of Bell County, Texas; said alley being a strip of land generally 20 feet by 300 feet and running generally in a north-south direction, bounded on its south end by the north line of East Adams Avenue and on its north end by the south line of East Barton Avenue. THE EAST LINE OF said strip of land is located 110 feet west of and parallel to the west line of North 4th Street.

<u>Tract 2</u>: The alleyway situated in Block 7 of Moore's Addition, City of Temple, Bell County, Texas, a plat of record filed in Volume 114, Page 416, of the real property records of Bell County, Texas; said alley being a strip of land generally 20 feet by 300 feet and running generally in a north-south direction, bounded on its south end by the north line of East Barton Avenue and on its north end by the south line of East Calhoun Avenue. THE EAST LINE OF said strip of land is located 110 feet west of and parallel to the west line of North 4th Street. Note that the North 237.47 feet of this alleyway is contained within Lot 2, Block 1, First United Methodist Church Addition, a plat of record filed in Cabinet D, Slide 245A, of the real property records of Bell County, Texas;

Whereas, staff has contacted all utility providers, including the Public Works Department, regarding the proposed alley abandonment and since there are existing buried and aerial services in the alleys, the utility providers have requested the alleys be converted into unobstructed utility easements to allow full access to their service lines;

Whereas, staff requests a public drainage and utility easement in the entire abandoned rights-of-way to protect existing service lines and request authorization to convey the abandoned alley ways to First United Methodist Church;

Whereas, First United Methodist Church owns the property on both sides of the subject alleys – the church requests the alley abandonments and conveyance of the abandoned alleys to the Church in order to facilitate safer management of vehicle and pedestrian traffic flows and improve future maintenance and repair of the roadway;

Whereas, pursuant to Texas Local Government Code §253.013, the conveyance would be at no cost to the Church if the Council finds that the (1) property is not improved, including having a structure on it or by being paved, (2) ownership of the property does not provide any identifiable positive benefit to the City in relation to the City's current needs, (3) ownership of the property is not likely to provide any identifiable positive benefit to the City in relation to the City's future needs; and (4) the cost of maintaining the property is of substantial burden to the city;

Whereas, with respect to item (1) above, the Public Works Department has inspected the alleys in question, and they are in such poor condition, that the alleys are not suitable for use and should not be found to be improved or paved at this time; 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:

<u>Part 1</u>: The City Council abandons and conveys two existing alleys, each with a width of 20 feet and a depth of 300 feet, located between the north right-of-way line of East Adams Avenue and the south right-of-way line of East Calhoun Avenue, as outlined below:

<u>Tract 1</u>: The alleyway situated in Block 7 of Original Town of Temple, Bell County, Texas, recorded in Volume 36, Page 640, of the real property records of Bell County, Texas; said alley being a strip of land generally 20 feet by 300 feet and running generally in a north-south direction, bounded on its south end by the north line of East Adams Avenue and on its north end by the south line of East Barton Avenue. THE EAST LINE OF said strip of land is located 110 feet west of and parallel to the west line of North 4th Street.

Tract 2: The alleyway situated in Block 7 of Moore's Addition, City of Temple, Bell County, Texas, a plat of record filed in Volume 114, Page 416, of the real property records of Bell County, Texas; said alley being a strip of land generally 20 feet by 300 feet and running generally in a north-south direction, bounded on its south end by the north line of East Barton Avenue and on its north end by the south line of East Calhoun Avenue. THE EAST LINE OF said strip of land is located 110 feet west of and parallel to the west line of North 4th Street. Note that the North 237.47 feet of this alleyway is contained within Lot 2, Block 1, First United Methodist Church Addition, a plat of record filed in Cabinet D, Slide 245A, of the real property records of Bell County, Texas.

<u>Part 2</u>: The City Council reserves a public drainage and utility easement in the entire abandoned alley to protect existing water, wastewater and utility lines, and 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, First United Methodist Church, which when done, shall be and become a binding act and deed of the City of Temple.

Part 3: Pursuant to Texas Local Government Code §253.013, the City Council finds that (1) the property is not improved, based on the poor condition of the pavement in the alleys, (2) ownership of the property does not provide any identifiable positive benefit to the City in relation to the City's current needs, (3) ownership of the property is not likely to provide any identifiable positive benefit to the City in relation to the City's future needs, and (4) the cost of maintaining the property is of substantial burden to the City, therefore the City Council approves the donation of the abandoned alleyways to the adjacent property owner, which is First United Methodist Church.

<u>Part 4</u>: 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.

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

PASSED AND APPROVED on First Reading and Public Hearing on the 19th day of **December**, 2013.

PASSED AND APPROVED on Second Reading the 16th day of January, 2014.

	THE CITY OF TEMPLE, TEXAS
	DANIEL A. DUNN, Mayor
ATTEST:	ATTEST:
Lacy Borgeson	 Jonathan Graham
City Secretary	City Attorney

	Notary Public State of Texas	
	as acknowledged before me on the day of f the City of Temple, Texas.	_, 2013, by
COUNTY OF BELL	§	
STATE OF TEXAS	§	



COUNCIL AGENDA ITEM MEMORANDUM

12/19/13 Item #7 Regular Agenda Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Lacy Borgeson, City Secretary

<u>ITEM DESCRIPTION:</u> Consider adopting a resolution designating the Chair of the Tax Increment Financing Reinvestment Zone No. 1 Board of Directors for 2014.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

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

Steve Wright is currently serving as Chair of the TIF RZ No. 1 Board of Directors. Please see the attached board member list.

We recommend the Council designate one member of the board to serve as Chair for a one year term beginning January 1, 2014.

FISCAL IMPACT: N/A

ATTACHMENTS:

RZ No. 1 Board Member List Resolution - to be provided

REINVESTMENT ZONE NUMBER ONE

TERM EXPIRATION: SEPTEMBER - 2 YEAR TERMS APPOINTED BY: C.C., TJC, BELL COUNTY, & TISD

MEMBER	DATE APPOINTED	EXPIRATION YEAR	ADDRESS	PHONE NUMBER
John Howe john@omegabuilders.com	09/12	2014	11104 Lake Whitney Dr. Temple, TX 76502	773-9966W 541-3090 M 780-1101 H
Pat Patterson Pat.patterson@patcoconstructionllc.com	09/11	2015	2116 West Avenue H Temple, TX 76504	771-2228 W 760-6062 C
Larry Neal arcneal@hot.rr.com	12/20 Unxp term	2015	4609 Willowood Lane Temple, TX 76504	778-1466 - W 773-7564 - H 913-8498 - C
Tyler Johnson tyler.johnson@BBVAcompass.com	10/13	2015	H: 5114 Waterford Ct. Temple, 76502 M: 1004 Marlandwood Rd, Temple, 76502	770-5121 – O (214)404-9753 – C
Bob Browder (Temple College Rep. appt.02/13) bobbrowder@bcswlaw.com	10/08 Appt by TC 02/13	2015	4101 Briar Cliff Road Temple, TX 76502	774-8333 ext 255 W 778-8956 H 760-6164 C
Wendell Williams wwilliams@cnbtemple.com	09/11	2015	104 Coleta Court Belton, TX 76512	743-6960 W 913-1806 C
Hugh Shine hughdshine@yahoo.com	09/12	2014	P.O. Box 793 Temple, TX 76503	742-1885 W 774-9685 H 760-6007 C
Kenny Paysse Kenny@paysseins.com	09/12	2014	3409 Whispering Oak Temple, Texas 76502	778-7892 H/W 493-2000 M
Steve Wright, Chair (TISD Rep.) steve@wrightbuilders.com	6/06 appt.by TISD	2015	Wright Builders 5640 Kegley Place Ln Temple, TX 76502	778-4495 W 541-5124 M
Thomas Baird thomasbaird@bcswlaw.com	06/11	2015	15 N. Main Temple, TX 76501	743-7310 W 913-2170 M
Commissioner, Bill Schumann (Bell Co. Rep.) *unexp term Bill.schumann@co.bell.tx.us	01/13 appt.by Bell Co.	2015	101 E Central Avenue Belton, 76513 Mailing: POB 768 Belton, 76513	254-933-5103 W
Steve Wolfe swolfe@extracobanks.com	09/12	2014	2810 Wickersham Dr. Temple, TX 76502	774-5819 W 771-5386 H 718-8361 C 774-5848 F
John Kiella (BISD Rep.) jkiella@kiella.com	09/05	2014	P O Box 1344 Temple, TX 76503	778-0085 W 774-7231 Fax 541-3360 M
Gary Schmidt (Troy ISD Rep.) gschmidt@cnb-temple.com	02/2000	2014	Central National Bank P O Box 4107 Temple, TX 76505	743-6965 W 938-2429 H 770-3186 Fax
Edward Coufal (Elm Crk) edwardc@cpetem.com	05/05	2015	8576 FM 3117 Temple, Texas 76501	721-9696 773-9916 W

REINVESTMENT ZONE NUMBER ONE

Created pursuant to Section 311.004(a)(2) of the Tax Increment Financing Act; Ordinance 1457, December 16, 1982. Purpose: Make recommendations to the City Council concerning the administration of the Zone. The board df directors exercise powers necessary to implement the project plan which is delegated by ordinance of the Council. Membership:15 directors - 9 appointed by the Council;1 director each of every taxing entity with levies taxes within the Zone, currently: TC, TISD, BISD, Troy ISD, Bell County and Elm Creek Water District. To be eligible for appointment to the board an individual must be a qualified voter of the municipality or be at least 18 years of age and own real property in the zone, whether or not the individual resides in the municipality. Term: 2 years



COUNCIL AGENDA ITEM MEMORANDUM

12/19/13 Item #8 Regular Agenda Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Jonathan Graham, City Attorney

<u>ITEM DESCRIPTION:</u> Consider adopting a resolution authorizing the conveyance of a 7.11 acre parcel of City-owned land located at 5901 Airport Road, Temple, Texas and also located within Bioscience Park, to the Temple Economic Development Corporation.

STAFF RECOMMENDATION: Adopt resolution presented in item description.

<u>ITEM SUMMARY:</u> The City Manager has requested that the City convey this land to the Temple Economic Development Corporation ('TEDC') for business development purposes, which will include job creation and additional tax value. The City Manager and TEDC President have discussed the proposed transaction and both are agreeable to the conveyance. The prospective economic development on the site will be a mixed-use retail development.

Recommend authorizing the City Manager to convey the 7.11 acre tract of land to TEDC.

<u>FISCAL IMPACT</u>: At the present time, the property is exempt from property taxes, and it will remain so under the ownership of TEDC. When the property is conveyed for an industrial purpose it will be added back to the property tax rolls.

The City's cost value for the 7.11 acres is \$14,113.82. This value is based on the cost of the land.

ATTACHMENTS:

Resolution

RESOLUTION NO.	
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A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE CONVEYANCE OF AN APPROXIMATELY 7.11 ACRE PARCEL OF CITY-OWNED LAND LOCATED AT 5901 AIRPORT ROAD, TEMPLE, TEXAS, LOCATED WITHIN THE BIOSCIENCE PARK, TO THE TEMPLE ECONOMIC DEVELOPMENT CORPORATION; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City Manager has requested that the City of Temple convey this approximately 7.11 acre parcel of City-owned land to the Temple Economic Development Corporation for business development purposes, which will include job creation and additional tax value;

Whereas, the proposed economic development on the site will be a mixed-use retail development; 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:

<u>Part 1:</u> The City Council authorizes the conveyance of an approximately 7.11 acre parcel of City-owned land located at 5901 Airport Road, Temple, Texas, located within the Bioscience Park, to the Temple Economic Development Corporation for business development purposes, more fully described in Exhibit A, attached hereto and made a part hereof for all purposes.

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

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

	THE CITY OF TEMPLE, TEXAS
	DANIEL A. DUNN, MAYOR
ATTEST:	APPROVED AS TO FORM:
Lacy Borgeson City Secretary	Jonathan Graham City Attorney