



**MEETING OF THE  
TEMPLE CITY COUNCIL**

**MUNICIPAL BUILDING**

**2 NORTH MAIN STREET**

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

**THURSDAY, MARCH 6, 2014**

**2:30 P.M.**

**WORKSHOP AGENDA**

1. Discuss, as may be needed, Regular Meeting agenda items for the meeting posted for Thursday, March 6, 2014.
2. Receive briefing on FY14 Neighborhood Revitalization Program.
3. Discuss the City's strategic plan, and various strategic and budget related policy issues to include but not limited to:
  - Water Sewer Master Plan
  - Fiscal & Budgetary Policies - Fund Balance
  - City Boards & Commissions

5:00 P.M.

**MUNICIPAL BUILDING**

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

**TEMPLE CITY COUNCIL**

**REGULAR MEETING AGENDA**

**I. CALL TO ORDER**

1. Invocation
2. Pledge of Allegiance

**II. 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. PROCLAMATIONS & SPECIAL RECOGNITIONS**

3. (A) Professional Social Work Month March, 2014

**IV. PUBLIC APPEARANCES**

4. Receive comments from [Amy Yearwood](#) regarding proposed amendments to the City of Temple Ordinance to allow for Vietnamese Pot Bellied Pigs.

**V. CONSENT AGENDA**

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

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

**Minutes**

- (A) [February 20, 2014 Special Called and Regular Meeting](#)

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

- (B) [2014-7236-R](#): Consider adopting a resolution ratifying a construction contract with Matous Construction of Belton for the emergency repair of Clarifier #3 at the Conventional Water Treatment Plant in the amount of \$62,000.
- (C) [2014-7237-R](#): Consider adopting a resolution authorizing a construction contract with T.W. Hicks, Inc. of Lake Dallas for the installation of epoxy flooring at the Fleet Services building in the amount of \$69,224.50
- (D) [2014-7238-R](#): Consider adopting a resolution authorizing a FY 2014 annual contract for Low Voltage Electrical Services to Bluebonnet Electrical Services of Temple in the estimated amount of \$25,000.
- (E) [2014-7239-R](#): Consider adopting a resolution authorizing a demolition contract with Empire Environmental Group, LLC of Balch Springs for the demolition of nine (9) residential structures funded through the Community Development Block Grant (CDBG) in the amount of \$31,079.14.
- (F) [2014-7240-R](#): Consider adopting a resolution authorizing the purchase of ten marked police vehicles from Caldwell Country Ford-Chevrolet of Caldwell, utilizing a BuyBoard contract, in the amount of \$378,363.98.

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

- (G) [2014-4633](#): SECOND READING – Consider adopting an ordinance establishing school zones and setting speed limits and crosswalks within the school zones to conform to school schedules.
- (H) [2014-4645](#): SECOND READING - Consider adopting an ordinance establishing a speed limit of 20 mph on North Main Street from East Downs Avenue to East French Avenue.
- (I) [2014-4646](#): SECOND READING - Z-FY-14-18: Consider adopting an ordinance authorizing a rezoning from Agricultural District (AG) to Planned Development District – General Retail (PD-GR) to allow residential and nonresidential uses on 103.07 +/- acres being part of the Redding Roberts Survey, Abstract 692, Bell County, Texas, located at the northwest corner of FM 1741 (South 31st Street) and FM 93.
- (J) [2014-4647](#): SECOND READING - Consider adopting an ordinance designating a tract of land consisting of approximately 163.606 acres located at 10501 Northwest HK Dodgen Loop, Temple, Texas, as City of Temple Tax Abatement Reinvestment Zone Number Twenty-Eight for commercial/industrial tax abatement.
- (K) [2014-4641](#): SECOND READING – Z-FY-13-29: Consider adopting an ordinance authorizing a rezoning from Agricultural District (AG) to Single-Family Two District (SF-2) on 26.88 + / - acres, being part of the Nancy Chance Survey, Abstract No. 5, Bell County, Texas, located South of Poison Oak Road, east of South Pea Ridge Road.

### **Misc.**

- (L) **2014-7241-R:** Consider adopting a resolution ratifying the submittal of a grant application to the Pedigree Shelter Renovation Project: See What Good Food Can Do program, for the opportunity to receive \$5,000 to \$10,000 worth of shelter renovations, as well as a possible in-kind donation of Pedigree dog food.
- (M) **2014-7242-R:** Consider adopting a resolution supporting Central Texas Housing Consortium, Temple Housing Authority (THA), Housing Programs with a City contribution of \$30,000 and authorizing execution of a Memorandum of Agreement with the Central Texas Housing Consortium.
- (N) **2014-7243-R:** Consider adopting a resolution authorizing budget amendments for fiscal year 2013-2014.

## **VI. REGULAR AGENDA**

### **RESOLUTIONS**

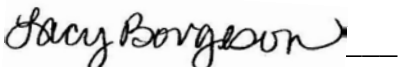
- 6. **2014-7244-R:** Consider adopting a resolution authorizing a tax abatement agreement with Wilsonart LLC, covering increases in the taxable value of real property for a 163.606 acre tract of land (Tax Abatement Reinvestment Zone Number 28) located at 10501 Northwest HK Dodgen Loop, Temple, Texas.
- 7. **2014-7245-R:** Consider adopting a resolution appointing members to the following City boards and commissions:
  - (A) Building and Standards Commission – one alternate member to fill expiring term through March 1, 2016
  - (B) Building Board of Appeals – one member to fill expiring term through March 1, 2018
  - (C) Development Standards Advisory Board – one member to fill expiring term through March 1, 2017
  - (D) Electrical Board – two members to fill expiring terms through March 1, 2017
  - (E) Tree Board – one member to fill an expiring term through March 1, 2017
  - (G) Zoning Board of Adjustment – two members to fill expiring terms through March 1, 2016

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

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I hereby certify that a true and correct copy of this Notice of Meeting was posted in a public place at 2:55 PM, on February 28, 2014.

\_\_\_\_\_

Lacy Borgeson,  
City Secretary





## COUNCIL AGENDA ITEM MEMORANDUM

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03/06/14  
Item #4  
Regular Agenda  
Page 1 of 1

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

Daniel A. Dunn, Mayor

**ITEM DESCRIPTION:** Receive comments from Amy Yearwood regarding proposed amendments to the City of Temple Ordinance to allow for Vietnamese Pot Bellied Pigs.

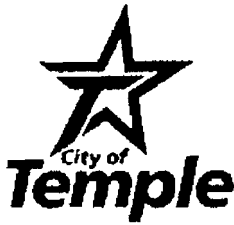
**STAFF RECOMMENDATION:** Receive comments as presented in item description.

**ITEM SUMMARY:** Ms. Amy Yearwood submitted a Request for Placement on the City Council Agenda, please see attached the forms.

**FISCAL IMPACT:** None

**ATTACHMENTS:**

[Request for placement on agenda](#)



FEB 11 2014

CITY OF TEMPLE, TEXAS

CITY COUNCIL MEETINGS

REQUEST FOR PLACEMENT ON AGENDA

\_\_Priority

NAME OF PRESENTER: Amy Yearwood

ADDRESS: 8911 Oak Hills Drive, Temple, TX 76502

TELEPHONE NO. 254-780-6652

DATE REQUESTED TO APPEAR BEFORE THE COUNCIL: (Note - The City Council meets the first and third Thursdays of each month.) March 6, 2013

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

to allow Vietnamese Pot Bellied Pig, Sus Scrofa  
Domestica, in the limits of the City of Temple.

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

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

[Signature]  
SIGNATURE OF PRESENTER

2/13/14  
DATE

For Office Use:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## **Proposed Changes To The City Ordinance**

### **Sec. 6-9. Rabies**

(a) Vaccination Against Rabies. The owner of each dog, cat, or **pot-bellied pig** kept within the City of Temple shall have every such dog, cat, or **pot-bellied pig** vaccinated against rabies by the time the dog, cat, or **pot-bellied pig** is four (4) months of age and once each year thereafter. It shall be unlawful for any person to own or keep a dog, cat, or **pot-bellied pig** within the city limits unless the same has been vaccinated against rabies.

(b) Issuance of tags and certificate. Upon vaccinating any dog, cat, or **pot-bellied pig**, the veterinarian performing such vaccination shall deliver to the animal's owner a numbered metal tag and a certificate of vaccination. A record shall be made by the veterinarian and kept for at least two (2) years showing the date of issuance and serial number of each tag issued, the name and address of the dog, cat, or **pot-bellied pig's** owner and a brief description of the dog, cat, or **pot-bellied pig** vaccinated.

(c) Vaccination tag as evidence. It shall be unlawful for an owner to allow a dog, cat, or **pot-bellied pig** over the age of four (4) months to be at large without wearing a current metal vaccination tag issued by a veterinarian during the preceding twelve (12) months. It shall be prima facie evidence of vaccination against rabies that a dog, cat, or **pot-bellied pig** is wearing attached to its collar a current metal vaccination tag.

(d) Accounting for tags and fees. It shall be unlawful for any person to cause a dog, cat, or **pot-bellied pig** to wear attached to its collar, or otherwise, a vaccination tag issued for any other dog, cat, or **pot-bellied pig**.

### **Sec. 6-13. Additional Regulations**

(b) Keeping of Swine. It shall be unlawful for any person to keep swine within the limits of the City of Temple, Texas, except that swine may be kept in a pen or enclosure situated upon a tract of land containing at least ten (10) acres which is zoned "agricultural" and, further, provided the pen or enclosure is located a distance not less than five hundred (500) feet from the nearest property line of tract upon which the swine are kept and maintained. **Vietnamese Pot-Bellied Pigs (Sus Scrofa Domestica) may be kept as house pets. These house pets must be vaccinated against rabies and be issued tags and certificates of vaccinations.**



## **COUNCIL AGENDA ITEM MEMORANDUM**

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03/06/14  
Item #5(A)  
Consent Agenda  
Page 1 of 1

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

Lacy Borgeson, City Secretary

**ITEM DESCRIPTION: Approve Minutes:**

(A) February 20, 2014 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:**

February 20, 2014 Special Called and Regular Meeting – to be provided



## COUNCIL AGENDA ITEM MEMORANDUM

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03/06/14  
Item #5(B)  
Consent Agenda  
Page 1 of 1

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

Nicole Torralva, P. E., Public Works Director  
Damon B. Boniface, Director of Water Production Services

**ITEM DESCRIPTION:** Consider adopting a resolution ratifying a construction contract with Matous Construction of Belton for the emergency repair of Clarifier #3 at the Conventional Water Treatment Plant in the amount of \$62,000.

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

**ITEM SUMMARY:** Clarifiers at the conventional water treatment plant serve a vital component to the water treatment process in providing adequate supply of water to the City during high demand time. Clarifier #3 is currently out of service, which reduces the Conventional Water Treatment capacity by 7 million gallons per day.

In order to understand the necessary repairs to the clarifiers, staff engaged DO2 Plant Maintenance, Inc. to tear down and evaluate the dysfunctional clarifier drive gear. DO2 is able to repair the drive gear at a cost of \$10,340. However, additional work is needed to re-level the internal components of the clarifier.

Due to the time sensitivity of getting the clarifier back up and running before the peak demand summer months, staff did not believe that there was time to go through a competitive sealed bid process, and as such, contacted three (3) contractors for quotes to perform the additional necessary work. Only Matous Construction responded to the request for quotes, and staff believes there proposed priced is reasonable. Accordingly, due to the significant risk of health and safety should the clarifier not be back up and running by May, staff proceeded with a contract with Matous.

The work to get Clarifier #3 up and running is underway with an anticipated completion day by April 30, 2014.

**FISCAL IMPACT:** A budget adjustment is being present to Council in the amount of \$72,340 allocating funds from the Water & Sewer Unreserved Retained Earnings account, 520-0000-373-0412 to the Clarifier #3 – Emergency Repair account 520-5122-535-6310, project 101123, to fund the two contracts to repair Clarifier #3 at the Conventional Water Treatment Plant.

**ATTACHMENTS:**

[Budget Adjustment  
Resolution](#)

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

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

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

			+		-	
ACCOUNT NUMBER	PROJECT #	ACCOUNT DESCRIPTION	INCREASE		DECREASE	
520-5122-535-63-10	101123	Clarifier #3 - Emergency Repair	\$ 72,340			
520-0000-373-04-12		W&S Unreserved Retained Earnings			\$ 72,340	
		<b>DO NOT POST</b>				
<b>TOTAL.....</b>			<b>\$ 72,340</b>		<b>\$ 72,340</b>	

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

To appropriate additional funds for emergency repair work to be performed on Clarifier #3 at the Conventional Water Treatment Plant in the total amount of \$72,340.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒

Yes

☐

No

DATE OF COUNCIL MEETING

3/6/2014

WITH AGENDA ITEM?

☒

Yes

☐

No

Department Head/Division Director

Date

☐

Approved

☐

Disapproved

Finance

Date

☐

Approved

☐

Disapproved

City Manager

Date

☐

Approved

☐

Disapproved

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, RATIFYING AN EMERGENCY CONTRACT WITH MATOUS CONSTRUCTION OF BELTON, TEXAS, FOR EMERGENCY REPAIR OF CLARIFIER #3 AT THE CONVENTIONAL WATER TREATMENT PLANT, IN THE AMOUNT OF \$62,000; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, clarifiers at the conventional water treatment plant serve as a vital component to the water treatment process in providing adequate supply of water to the City during high demand times – by having clarifier #3 out of service, this reduces the conventional water treatment capacity by 7 million gallons per day;

**Whereas**, staff engaged DO2 Plant Maintenance, Inc. to tear down and evaluate the dysfunctional clarifier drive gear – DO2 is able to repair the drive gear at a cost of \$10,340, however additional work is needed to re-level the internal components of the clarifier;

**Whereas**, due to the time sensitivity of getting the clarifier up and running before peak demand season, three (3) quotes were received by contractors contacted by staff and only Matous Construction responded to the request for quotes;

**Whereas**, due to the significant risk of health and safety, staff chose to award the emergency contract to Matous Construction of Belton, Texas in the amount of \$62,000;

**Whereas**, Matous Construction of Belton, Texas was contacted, and staff authorized Matous Construction to being the emergency repair work;

**Whereas**, funds are available for this emergency repair, but a budget amendment to the fiscal year 2013-2014 budget needs to be approved to transfer the funds to the Emergency Repair Account No. 520-5122-535-6310, Project No. 101123; and

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

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

**Part 1:** The City Council authorizes the City Manager, or his designee, to ratify an emergency contract with Matous Construction of Belton, Texas, after approval as to form by the City Attorney, for the emergency repair of Clarifier #3 at the Conventional Water Treatment Plant, in the amount of \$62,000.

**Part 2:** The City Council authorizes an amendment to the fiscal year 2013-2014 budget, substantially in the form of the copy attached hereto as Exhibit 'A.'

**Part 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 **6<sup>th</sup>** day of **March**, 2014.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Jonathan Graham  
City Attorney





## COUNCIL AGENDA ITEM MEMORANDUM

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03/06/14  
Item #5(C)  
Consent Agenda  
Page 1 of 1

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

Brynn Myers, Assistant City Manager  
Ashley Williams, Sustainability and Grant Manager

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a construction contract with T.W. Hicks, Inc. of Lake Dallas for the installation of epoxy flooring at the Fleet Services building in the amount of \$69,224.50.

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

**ITEM SUMMARY:** In an effort to properly service the 450-plus City-owned vehicles and equipment maintained by Fleet Services, the installation of epoxy flooring is needed to improve the floor conditions and maintenance requirements. The proposed floor epoxy will be installed in the new bay area and the existing bay areas, to include the connecting corridor, covering approximately 19,750 sf. In order to appropriately complete the project new 4" rubber floor base molding will be installed, covering 975 lf.

As shown on the attached bid tabulation, staff is recommending the bid presented by H. W. Hicks, Inc of Lake Dallas as follows:

Total Base Bid: \$57,867.50  
Alternate #1 (new rubber floor base): \$4,293.00  
Alternate #2 (maintenance pit cleaning/painting): \$3,388.00  
Alternate #3 (joint filler/prep): \$3,676.00  
**TOTAL PROJECT COST: \$69,224.50**

Staff previously presented Phase 1 and 2 improvements to the fleet services building, approved October and December 2013, and construction is currently underway. It is anticipated that all renovations to the Fleet Services facility will be complete by the beginning of June 2014.

**FISCAL IMPACT:** Currently, \$144,884.55 is available in account 361-2400-519-6807, project 100999, to fund the construction contract with T.W. Hicks, Inc. in the amount of \$69,224.50.

**ATTACHMENTS:**

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

Tabulation of Bids Received  
on February 25, 2014 at 2:30 p.m.  
Epoxy Floor Finishing of Fleet Services Facility  
Bid #24-02-14

BIDDERS				
	TW Hicks, Inc. Lake Dallas, TX	Concord Commercial Service Inc Balch Springs, TX	Diana-Shield LLC Troy, MI	Majestic Svcs Inc. Austin, TX
Description				
Total Base Bid	\$57,867.50	\$108,040.00	\$98,552.50	\$55,000.00
Alternate 1	\$4,293.00	\$4,198.00	\$2,788.50	\$7,312.50
Alternate 2	\$3,388.00	\$2,717.00	\$850.00	\$7,280.00
Alternate 3	\$3,676.00	\$4,024.00	\$6,400.00	\$7,500.00
<b>Total</b>	<b>\$69,224.50</b>	<b>\$118,979.00</b>	<b>\$108,591.00</b>	<b>\$77,092.50</b>
Exceptions	Yes	No	No	No
Acknowledged Addendum	Yes	Yes	Yes	Yes
Bid Bond	5%	5%	5%	5%
Bond Requirement Affidavit	Yes	Yes	Yes	Yes
Credit Check Authorization	No	Yes	Yes	Yes

BIDDERS				
	Tarrant Paint & Stain LLC Watauga, TX	Ralston Painting Contractors, Inc. Rogers, TX	All Star Stained Concrete	Desco Floor System Fortville, IN
Description				
Total Base Bid	\$148,125.00	\$62,100.00	\$76,037.50	\$44,937.00
Alternate 1	\$1,755.00	\$2,535.00	\$1,218.00	\$3,412.00
Alternate 2	\$1,100.00	\$1,000.00	\$1,750.00	\$2,500.00
Alternate 3	\$2,200.00	\$5,000.00	\$9,760.00	\$2,500.00
<b>Total</b>	<b>\$153,180.00</b>	<b>\$70,635.00</b>	<b>\$88,765.50</b>	<b>\$53,349.00</b>
Exceptions	No	No	No	No
Acknowledged Addendum	Yes	Yes	Yes	Yes
Bid Bond	Not on our form	Cashiers Check	No	No
Bond Requirement Affidavit	Yes	No	No	No
Credit Check Authorization	Yes	Yes	No	No

Recommended for Council Award

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONSTRUCTION CONTRACT WITH T.W. HICKS, INC., OF LAKE DALLAS, TEXAS, FOR THE INSTALLATION OF EPOXY FLOORING AT THE FLEET SERVICES BUILDING, IN THE AMOUNT OF \$69,224.50, AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, in an effort to properly service the 450-plus city-owned vehicles and equipment maintained by Fleet Services, the installation of epoxy flooring is needed to improve the floor conditions and maintenance requirements;

**Whereas**, the epoxy flooring will be installed in the new and existing bay areas, to include the connecting corridor, covering approximately 19,750 square feet;

**Whereas**, Phase I and II of the improvements to the fleet services building were awarded in October and December, 2013 and it is anticipated that all renovations will be complete by the beginning of June 2014;

**Whereas**, staff recommends awarding the construction contract to T.W. Hicks, Inc., of Lake Dallas, Texas in the amount of \$69,224.50;

**Whereas**, funds are available in Account No. 361-2400-519-6807, Project No. 100999 for this construction contract; and

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

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

**Part 1:** The City Council authorizes the City Manager, or his designee, to execute a construction contract with T.W. Hicks, Inc., of Lake Dallas, Texas, after approval as to form by the City Attorney, for installation of epoxy flooring at the Fleet Services Building, in the amount of \$69,224.50.

**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 **6<sup>th</sup>** day of **March**, 2014.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Jonathan Graham  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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3/06/14  
Item #5(D)  
Consent Agenda  
Page 1 of 1

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

Belinda Mattke, Director of Purchasing

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a FY 2014 annual contract for Low Voltage Electrical Services to Bluebonnet Electrical Services of Temple in the estimated amount of \$25,000.

**ITEM SUMMARY:** On September 5, 2013, Council authorized an annual contract for low voltage electrical services to Durbin Electric. In January, 2014, the City was notified that Durbin Electric was dissolving as a company. Accordingly, the City solicited new bids for the low voltage services.

On February 4, 2014, three (3) bids for low voltage electrical services were received. The bids are shown on the attached bid tabulation sheet.

As allowed by Chapter 252 of the Local Government Code, the bid was advertised to be awarded to the bidder that provided the best value to the City taking into consideration the price, experience and reputation of bidder providing like-kind service to other businesses or public entities, and skilled staffing available to deliver services in a timely basis as defined in the bid.

A bid evaluation committee was formed to evaluate the three bids. It is the committee's unanimous recommendation to award the low voltage electrical services to Bluebonnet Electrical Services. Bluebonnet offered the lowest labor rates and their staffing is the same as under Durbin Electric, of which staff has been very pleased with their services.

The proposed contract will commence immediately and go through September 30, 2014. The contract is renewable for four (4) additional one-year periods, if agreed to by both parties.

**FISCAL IMPACT:** Departments have budgeted for low voltage electrical services in several departmental accounts. Cumulatively in FY 2014, the departments have expended \$9,935 in low voltage electrical repairs. It is estimated that an additional \$25,000 in low voltage electrical repairs for the remainder of FY 2014.

### **ATTACHMENTS:**

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

Tabulation of Bids Received  
on February 4, 2014 at 2:00 p.m.  
General Low-Voltage Electrical Services (Re-bid)  
Bid # 13-18-14

	Bidders		
	AC Electric Services 254-760-1610 Rogers, TX	Bluebonnet Electrical Services 254-771-2775 Temple, TX	T. Morales Company Electric & Controls Ltd 254-793-4344 Florence, TX
Description			
Material (Cost plus %)	15%	15%	15%
Rental Equipment (Cost plus %)	15%	15%	15%
Labor - Sub-Contractors (Only Used if Pre-Approved by City)	15%	N/A	15%
Labor Licensed Master Electrician (Straight time)	\$60.00	\$57.00	\$64.50
Labor Licensed Master Electrician (Overtime)	\$90.00	\$85.50	\$96.75
Labor Licensed Journeyman (Straight time)	\$60.00	\$55.00	\$64.50
Labor Licensed Journeyman (Overtime)	\$90.00	\$82.50	\$96.75
Labor Apprentice (Straight time)	\$32.00	\$32.00	\$38.00
Labor Apprentice (Overtime)	\$48.00	\$48.00	\$57.00
Company Owned Equipment (per hour)	Trencher - \$25/hour Backhoe - \$45/hour	Bucket Truck w/operator-\$135/hr - 2hr min Trencher/rider - \$30/hour - 2hr min Trencher/walk behind - \$20/hour - 2hr min skidster - \$30/hour - 2hr min Mini-track hoe - \$30/hour - 2hr min	Bucket Truck - \$100/hour without operator
Exceptions	No	No	No
Local Preference	No	No	No
Credit Check Authorization Form	Yes	Yes	Yes

**Recommended for Council Award**

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING AN ANNUAL CONTRACT WITH BLUEBONNET ELECTRICAL SERVICES OF TEMPLE, TEXAS, FOR FISCAL YEAR 2013-2014, FOR LOW VOLTAGE ELECTRICAL SERVICES, IN THE ESTIMATED ANNUAL AMOUNT OF \$25,000; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on September 5, 2013, City Council authorized an annual contract for low voltage electrical services to Durbin Electric of Temple, Texas – in January 2014, the City was notified that Durbin Electric was dissolving as a company and therefore the City solicited new bids for low voltage services;

**Whereas**, as allowed by Chapter 252 of the Local Government Code, the bid was advertised to be awarded to the bidder that provided the best value to the City, taking into consideration the price, experience and reputation of the bidder providing like-kind services to other businesses or public entities, and skilled staffing available to deliver services in a timely manner;

**Whereas**, an evaluation committee was formed to evaluate the bids and the committee recommends awarding the annual low voltage electrical services contract to Bluebonnet Electrical Services of Temple, Texas – their staffing is the same as under Durbin Electric and staff has been very pleased with their services;

**Whereas**, this contract will commence immediately and expire on October 1, 2014 – this contract is renewable for four (4) additional one-year periods if so agreed to by both parties;

**Whereas**, departments which utilize this contract, have budgeted funds in the adopted fiscal year 2013-2014 budget; and

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

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

**Part 1:** The City Council authorizes the City Manager, or his designee, to execute an annual contract with Bluebonnet Electric Services of Temple, Texas, after approval as to form by the City Attorney, for low voltage electrical services for fiscal year 2013-2014, in the estimated annual amount of \$25,000.

**Part2:** 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 **6<sup>th</sup>** day of **March**, 2014.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Jonathan Graham  
City Attorney





## **COUNCIL AGENDA ITEM MEMORANDUM**

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03/06/14

Item #E

Consent Agenda

Page 1 of 2

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

Brynn Myers, Assistant City Manager

Belinda Mattke, Director of Purchasing

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a demolition contract with Empire Environmental Group, LLC of Balch Springs for the demolition of nine (9) residential structures funded through the Community Development Block Grant (CDBG) in the amount of \$31,079.14.

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

**ITEM SUMMARY:** Included in the City's Community Development Block Grant (CDBG) Action Plan is funding for demolition with the focus of eliminating spot blight.

On February 25, 2014, competitive sealed bids were opened for the demolition of the following residential structures:

- 521 East Avenue H
- 602 South 16th Street
- 812 East Avenue C
- 1002 South Main Street
- 1009 South 20th Street
- 1302 South 12th Street
- 2005 North 7th Street
- 616 South 6th Street (add alternate 1)
- 1020 South 10th Street (add alternate 2)

As shown on the attached bid tabulation, the low bidder for this project is Empire Environmental Group, LLC. Empire has provided demolition services to the City previously and the City found them to be a responsible bidder. Accordingly, staff recommends award of these demolitions to Empire Environmental Group, LLC.

**FISCAL IMPACT:** Currently, \$118,283.37 is available in the Community Development Block Grant, account 260-6100-571-2698 to fund the demolition contract with Empire Environmental Group, LLC in the amount of \$31,079.14.

**ATTACHMENTS:**

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

Tabulation of Bids Received  
on February 25, 2014 at 3:15 p.m.  
Demolition of Nine (9) Residential Properties (CDBG Funded)  
Bid # 61-04-14

Description	Bidders			
	Majestic Services, Inc Austin, TX	JR Ramon & Sons, Inc. San Antonio, TX	A1 Demolition, Inc. Elm Mott, TX	Sierra Contracting Corp. Round Rock, TX
521 E. Ave H	\$7,099.00	\$2,300.00	\$5,000.00	\$2,900.00
602 S. 16th St.	\$8,200.00	\$6,800.00	\$5,000.00	\$2,800.00
812 E Ave C	\$7,429.00	\$5,600.00	\$5,000.00	\$3,200.00
1002 S. Main St	\$7,980.00	\$6,000.00	\$5,000.00	\$5,500.00
1009 S. 20th St.	\$7,429.00	\$5,400.00	\$5,000.00	\$3,800.00
1302 S.12th St.	\$9,300.00	\$5,000.00	\$5,000.00	\$3,800.00
2005 N. 7th St.	\$8,529.00	\$6,100.00	\$5,000.00	\$5,000.00
<b>Total Base Bid</b>	<b>\$55,966.00</b>	<b>\$37,200.00</b>	<b>\$35,000.00</b>	<b>\$27,000.00</b>
Add Alternate 1 - 616 S. 6th St.	\$9,079.00	\$7,000.00	\$5,000.00	\$5,000.00
Add Alternate 2 - 1020 S. 10th St.	\$6,880.00	\$4,650.00	\$5,000.00	\$3,800.00
<b>Total Bid with Alternates</b>	<b>\$71,925.00</b>	<b>\$48,850.00</b>	<b>\$45,000.00</b>	<b>\$35,800.00</b>
Exceptions	No	Yes	No	No
Bid Bond	5%	5%	5%	Not on our form
Bond Requirement Affidavit	Yes	Yes	No	Yes
Credit Check Authorization	Yes	Yes	Yes	Yes
Statement of Bidder's Qualifications	Yes	Yes	Yes	Yes
Contractor Certifications	Yes	Yes	Yes	Yes
Noncollusion Affidavit of Prime Bidder	Yes	Yes	Yes	Yes
Business Certification for Business Concerns Seeking Section 3 Preference in Contracting	No	No	No	No
Employee Certification for Business Concerns Seeking Section 3 Preference in Contracting	No	No	No	No

Description	Bidders			
	Empire Environmental Group, LLC Balch Springs, TX	Midwest Wrecking Co. of TX Fort Worth, TX	Lloyd D. Nabors Demolitions, LLC Hutchins, TX	Temple Fence/Fences by Farr Temple, TX
521 E. Ave H	\$1,686.03	\$5,260.00	\$6,900.00	\$2,279.00
602 S. 16th St.	\$4,371.19	\$7,900.00	\$7,100.00	\$5,313.00
812 E Ave C	\$2,185.59	\$5,850.00	\$6,700.00	\$2,656.00
1002 S. Main St	\$5,276.65	\$7,900.00	\$6,800.00	\$5,313.00
1009 S. 20th St.	\$3,059.83	\$5,200.00	\$6,800.00	\$3,718.00
1302 S.12th St.	\$3,634.33	\$6,700.00	\$6,122.00	\$4,507.00
2005 N. 7th St.	\$4,995.64	\$8,900.00	\$6,800.00	\$6,375.00
<b>Total Base Bid</b>	<b>\$25,209.26</b>	<b>\$47,710.00</b>	<b>\$47,222.00</b>	<b>\$30,161.00</b>
Add Alternate 1 - 616 S. 6th St.	\$3,684.29	\$8,400.00	\$6,800.00	\$6,375.00
Add Alternate 2 - 1020 S. 10th St.	\$2,185.59	\$6,300.00	\$5,500.00	\$3,454.00
<b>Total Bid with Alternates</b>	<b>\$31,079.14</b>	<b>\$62,410.00</b>	<b>\$59,522.00</b>	<b>\$39,990.00</b>
Exceptions	No	No	No	No
Bid Bond	5%	5%	5%	Cashier's Check
Bond Requirement Affidavit	Yes	Yes	Yes	No
Credit Check Authorization	Yes	Yes	Yes	Yes
Statement of Bidder's Qualifications	Yes	Yes	Yes	Yes
Contractor Certifications	Yes	Yes	Yes	Yes
Noncollusion Affidavit of Prime Bidder	Yes	Yes	Yes	Yes
Business Certification for Business Concerns Seeking Section 3 Preference in Contracting	No	No	No	No
Employee Certification for Business Concerns Seeking Section 3 Preference in Contracting	No	No	No	No

**Recommended for Council Award**

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A DEMOLITION CONTRACT WITH EMPIRE ENVIRONMENTAL GROUP, LLC, OF BALCH SPRINGS, TEXAS, FOR THE DEMOLITION OF 9 RESIDENTIAL STRUCTURES FUNDED THROUGH THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), IN THE AMOUNT OF \$31,079.14; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas,** included in the City's Community Development Block Grant (CDBG) Action Plan is funding for demolition with the focus on eliminating spot blight;

**Whereas,** on February 25, 2014, the City received sealed competitive bids for the demolition of the following 9 residential structures;

521 East Avenue H	602 South 16 <sup>th</sup> Street
812 East Avenue C	1002 South Main Street
1009 South 20 <sup>th</sup> Street	1302 South 12 <sup>th</sup> Street
2005 North 7 <sup>th</sup> Street	616 South 6 <sup>th</sup> Street (add alternate 1)
1020 South 10 <sup>th</sup> Street (add alternate 2)	

**Whereas,** the Staff recommends accepting the bid received by Empire Environmental Group, LLC of Balch Springs, Texas, in the amount of \$31,079.14 for demolition of the above nine (9) residential structures – Empire has provided demolition services to the City previously and staff have found them to be a responsible vendor;

**Whereas,** funding from the Community Development Block Grant is available for this project in Account No 260-6100-571-2698; and

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

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

**Part 1:** The City Council authorizes the City Manager, or his designee, to execute a demolition contract with Empire Environmental Group, LLC of Balch Springs, Texas, after approval as to form by the City Attorney, for the demolition of the following 9 residential structures utilizing the Community Development Block Grant (CDBG), in the amount of \$31,079.14:

521 East Avenue H	602 South 16 <sup>th</sup> Street
812 East Avenue C	1002 South Main Street
1009 South 20 <sup>th</sup> Street	1302 South 12 <sup>th</sup> Street
2005 North 7 <sup>th</sup> Street	616 South 6 <sup>th</sup> Street (add alternate 1)
1020 South 10 <sup>th</sup> Street (add alternate 2)	

**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 **6<sup>th</sup>** day of **March**, 2014.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Jonathan Graham  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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03/06/14  
Item #5(F)  
Consent Agenda  
Page 1 of 1

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

Gary O. Smith, Chief of Police Department

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing the purchase of ten marked police vehicles from Caldwell Country Ford-Chevrolet of Caldwell, utilizing a BuyBoard contract, in the amount of \$378,363.98.

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

**ITEM SUMMARY:** In accordance with the vehicle replacement schedule, ten marked police vehicles are due for replacement this year. The Police Department seeks approval to purchase eight (8) marked 2014 Ford Explorers and two (2) 2014 Chevrolet Tahoe PPVs.

**SUSTAINABILITY IMPACT:** Each vehicle scheduled for replacement has been evaluated to ensure the most sustainable and fuel efficient vehicle that will meet the needs of the department is being purchased. The proposed vehicles meet the sustainability requirements of the City fleet. No OEM options exist for alternative fuel applications, post purchase conversions are possible.

**FISCAL IMPACT:** Funding in the amount of \$440,000 is available in account 110-2031-521-62-13 project 101045, to fund the purchase of the ten marked police vehicles from Caldwell Country Ford-Chevrolet.

### **ATTACHMENTS:**

[Lifecycle Cost Analysis](#)

[Resolution](#)

## Lifecycle Cost Analysis

### Sustainability and Grant Office Bid Review

Vehicle Description Engine	2014 Ford Explorer-Interceptor 6 cyl	2014 Chevrolet Tahoe PPV 8 cyl (AFM)	2014 Chevrolet Caprice PPV 8 cyl (AFM)	2014 Chevrolet Caprice PPV 6 cyl	2014 Chevrolet Impala PPV 6 cyl
Capital Cost (\$)	\$36,908	\$41,392	\$35,763	\$35,763	\$27,218
Annual miles (mi)	8,994	8,994	8,994	8,994	8,994
Life-cycle (yrs)	7	7	7	7	7
MPG (historical)	15	11	11	13	14
Warranty	3 yr / 36k	5 yr / 100k	5 yr / 100k	5 yr / 100k	5 yr / 100k
Fuel Type	Regular	Regular	Regular	Regular	Regular
Depreciation	\$30,045.22	\$33,695.40	\$29,113.43	\$29,113.43	\$16,932.56
Operating Cost	\$17,754.16	\$22,790.80	\$22,274.54	\$19,368.79	\$18,227.24
<i>Fuel</i>	\$13,850.76	\$18,887.40	\$18,887.40	\$15,981.65	\$14,840.10
<i>Maintenance</i>	\$3,336.77	\$3,336.77	\$2,839.41	\$2,839.41	\$2,839.41
<i>Repairs</i>	\$566.62	\$566.62	\$547.73	\$547.73	\$547.73
Fuel Tax Tag**	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Subtotal</b>	<b>\$47,799.38</b>	<b>\$56,486.20</b>	<b>\$51,387.97</b>	<b>\$48,482.21</b>	<b>\$35,159.80</b>
<b>GRAND TOTAL</b>	<b>\$84,707.00</b>	<b>\$97,877.71</b>	<b>\$87,150.97</b>	<b>\$84,245.21</b>	<b>\$62,377.80</b>
<b>LIFE-CYCLE COST PER MILE</b>	<b>\$1.35</b>	<b>\$1.55</b>	<b>\$1.38</b>	<b>\$1.34</b>	<b>\$0.99</b>

\*\*Dependent on fuel type

<b>Additional Comments:</b>	*Best option for specified application	*\$1,798 more cost expected over life of vehicle than Explorer - Interceptor	*Caprice is not sufficient for application	*Caprice is not sufficient for application	*Higher than average maintenance costs expected *Impala is not sufficient for application
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RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF TEN (10) MARKED POLICE VEHICLES FROM CALDWELL COUNTRY FORD-CHEVROLET OF CALDWELL, TEXAS, THROUGH THE BUYBOARD LOCAL GOVERNMENT ONLINE PURCHASING COOPERATIVE, IN THE AMOUNT OF \$378,363.98; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, in accordance with the vehicle replacement schedule, ten (10) marked police vehicles are due for replacement this year;

**Whereas**, staff recommends the purchase of the following vehicles from Caldwell Country Ford-Chevrolet of Caldwell, Texas, utilizing the BuyBoard Local Government Online Purchasing Cooperative, in the amount of \$378,363.98:

- eight (8) marked 2014 Ford Explorers;
- two (2) 2014 Chevrolet Tahoe PPV's;

**Whereas**, each vehicle scheduled for replacement has been evaluated to ensure the most sustainable and fuel efficient vehicle that will meet the needs of the department is being purchased – the proposed vehicles meet the sustainability requirements of the City fleet

**Whereas**, funding for the purchase of these ten (10) vehicles is included in Account No. 110-2031-521-6213, Project No. 101045; and

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

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

**Part 1:** The City Council authorizes the purchase of the following vehicles from Caldwell Country Ford-Chevrolet of Caldwell, Texas, utilizing the BuyBoard Local Government Online Purchasing Cooperative, in the amount of \$378,363.98:

- eight (8) marked 2014 Ford Explorers;
- two (2) 2014 Chevrolet Tahoe PPV's;

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



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

PASSED AND APPROVED this the **6<sup>th</sup>** day of **March**, 2014.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Jonathan Graham  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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03/06/14  
Item#5(G)  
Consent Agenda  
Page 1 of 1

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

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

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

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

**ITEM SUMMARY:** In August of 2013 the City adopted an ordinance establishing school crosswalks and setting speed limits within school zones as agreed upon by the City and TISD. TISD has requested that a new school zone be established for Hector P. Garcia Elementary on North 50<sup>th</sup> Street from approximately 1,400 LF north of Adams Avenue to Lavendusky Road, reducing the speed limit from 30 mph to 20 mph from 6:30 am to 8:30 am and 2:45 pm to 4:30 pm on school days, consistent with existing school zones already in place around this campus.

**FISCAL IMPACT:** Not Applicable.

**ATTACHMENTS:**

[List of School Crossings](#)  
[Proposed School Zone Maps for New School Zone Map Ordinance](#)

**City of Temple  
School Zones**

Schools	Cones	Flags	Zone Times
<b>Cater Elementary</b> <b>4111 Lark Trail</b> A. Crossing guard works Crosswalk in school parking area B. School Zone is on Lark Trail in front of School	Yes	Yes	
<b>Emerson Elementary</b> <b>1400 E Ave B</b> A. Crossing Guard works Crosswalk Works E Ave B and S 24th ST	Yes	Yes	
<b>Hector P. Garcia Elementary</b> <b>2525 Lavendusky Dr</b> A. No Crosswalk B. Flasing lights on Lavendusky just West of HK Dodgen Lp and just east of S 50th. C. School Zone is on N 50th Street from W Adams Avenue to Lavensdusky	No	No	<b>Flashing Lights</b>  <b>06:30 to 08:30</b> <b>14:45 to 16:30</b>  <b>School Zone Times</b>  <b>06:30 to 08:30</b> <b>14:45 to 16:30</b>
<b>Jefferson Elementary</b> <b>400 W. Walker Ave</b> A. Crossing Guards (2) Works Crosswalk At N 3rd St and W. Walker Ave B. Crossing Guard works Crosswalk at N 3rd ST and Industrial Blvd this is a controlled signal light. C. Flashing lights on N 3rd St are North of W. Walker Ave and North of W Shell Ave.	Yes	Yes	<b>Flashing Lights</b>  <b>06:30 to 08:30</b> <b>14:45 to 16:30</b>
<b>Kennedy-Powell Elementary</b> <b>3707 W. Nugent Ave</b> A. Crossing Guard will work Crosswalks W. Nugent Ave and Cearley Rd. B. Flashing lights on W. Nugent Ave west and east of Cearley Rd	Yes	Yes	<b>Flashing Lights</b>  <b>06:30 to 08:30</b> <b>14:45 to 16:30</b>
<b>Dickson Elementary</b> <b>1100 S 33rd St</b> A. One way south from W Ave K to W Ave L			<b>One Way Time as Posted</b> <b>7:00 to 8:30</b> <b>14:00 to 15:00</b>
<b>Meridith-Dunbar</b> <b>1717 E Ave J</b> A. Crossing Guard will work Crosswalks at S 30th St and E. Ave J B. Flashing lights on S 30th St C. One Way on E Ave J from S 30th St to S 34th St at posted times	Yes	Yes	<b>Flashing Lights</b>  <b>06:30 to 08:30</b> <b>14:45 to 16:30</b>  <b>One Way Time as Posted</b> <b>7:00 to 8:30</b> <b>14:00 to 15:00</b>

**City of Temple  
School Zones**

Schools	Cones	Flags	Zone Times
<b>Raye Allen Elementary</b> <b>5015 S 5th St</b> A. Crossing Guards will work Crosswalks on S 5th St B. Flashing lights on S 5th St north and south of school	Yes	Yes	<b>Flashing Lights</b>  <b>06:30 to 08:30</b> <b>14:45 to 16:30</b>
<b>Scott Elementary</b> <b>2301 W Ave P</b> A. Crossing Guard will work Crosswalk on W Ave P B. Crossing Guard will work Crosswalk on W Ave M @ S 45th St. C. Flashing lights on W Ave P east of S 49th St and west of S 39th St.	Yes	Yes	<b>Flashing Lights</b>  <b>06:30 to 08:30</b> <b>14:45 to 16:30</b>
<b>Thornton Elementary</b> <b>2900 Pin Oak Dr</b> A. Crossing Guard will work Crosswalk on Pin Oak @ East Dr. B. One way on Pin Oak from East Dr. to Mesquite at posted times	Yes	Yes	<b>School Zone Signs</b> <b>07:30 to 8:30</b> <b>14:30 to 16:00</b>  <b>One Way Time as Posted</b> <b>7:30 to 8:30</b> <b>14:30 to 16:00</b>
<b>Western Hills Elementary</b> <b>600 Arapaho</b> A. Crossing Guard will work Crosswalk on Apache @ Deer Tr B. Crossing Guard will work Crosswalk on Apache @ Gila C. Flashing lights on Apache North of Deer Tr. South of Gila.	Yes	Yes	<b>Flashing Lights</b>  <b>06:30 to 08:30</b> <b>14:45 to 16:30</b>
<b>Bonham Middle School</b> <b>4600 Midway Dr</b> A. Flashing Lights on Midway Dr. east and west of school.			<b>Flashing Lights</b>  <b>07:00 to 08:30</b> <b>15:00 to 16:30</b>
<b>Lamar Middle School</b> <b>2120 N 1st St</b> A. Flashing lights on N 3rd St are North of W. Walker Ave and North of W Shell Ave. B. One way on N 1st St from W Park Ave to W. Virginia Ave at posted times			<b>Flashing Lights</b>  <b>06:30 to 08:30</b> <b>14:45 to 16:30</b> <b>One Way Time as Posted</b> <b>7:30 to 8:30</b> <b>15:00 to 16:00</b>

**City of Temple  
School Zones**

Schools	Cones	Flags	Zone Times
<b>Travis Middle School</b> <b>1500 S 19th St</b> A. Crossing Guard will work Crosswalk on W Ave M @ S 19th St B. One way on S 19th St from W Ave R to W Ave M C. Flashing lights on W Ave M from S 15th to S 23rd D. Flashing lights on W Ave R from S 15th to S 25th E. Flashing lights on S 25th from W Ave R to just south of W Ave M			<b>One Way Time as Posted</b> <b>6:30 to 8:30</b> <b>14:30 to 16:00</b>
			<b>Flashing lights</b> <b>6:30 to 8:30</b> <b>14:30 to 16:30</b>
<b>Temple High School</b> <b>415 N 31st St</b> A. Flashing Lights on N 31st St north of W Barton Ave and North of W Houston Ave			<b>Flashing Lights</b>  <b>07:00 to 16:00</b>
<b>Temple High School Campus</b> <b>1414 W Barton Ave</b> A. School Zone on Barton from N 31st St to North 27th St			<b>School Zone Signs</b>  <b>07:00 to 16:30</b>
<u><b>B.I.S.D</b></u>  <b>Lakewood Elementary</b> <b>11200 FM 2305</b> A. Flashing lights on FM 2305 in front of school			<b>Flashing Lights</b>  <b>6:45 to 8:15</b> <b>14:30 to 16:15</b>
<b>Joe M. Pirtle Elementary</b> <b>714 South Pea Ridge Rd</b> A. Flashing lights on South Pea Ridge in from of school			<b>Flashing Lights</b>  <b>6:45 to 8:15</b> <b>14:30 to 16:15</b>
<b>High Point Elementary</b> <b>Star light Drive</b> A. School Zone on FM 2483 just west of Hwy 317 B. School Zone on Starlight Dr just north of Orion Drive			<b>School Zone Signs and</b> <b>Flashing lights</b> <b>6:45 to 8:15</b> <b>14:30 to 16:15</b>
<b>Tarver Elementary</b> <b>7949 Shone Hollow Dr</b> A. School Zone on Stone Hollow Dr in front of school. B. School Zone on Prairie Lark on northside of school B. School Zone on on Westfield on southside of school			<b>School Zone Signs</b>  <b>6:45 to 8:15</b> <b>14:30 to 16:15</b>
<b>Lake Belton Middle School</b> <b>8815 Tarver</b> A. Flashing lights on Tarver in front of school.  B. School zone on Cedar Ln from Tarver to just north of school			<b>Flashing Lights</b>  <b>6:45 to 8:15</b> <b>14:30 to 16:15</b>
			<b>School Zone Signs</b>  <b>6:45 to 8:15</b> <b>14:30 to 16:15</b>



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.

LAVENDUSKY DR

LAVENDUSKY DR

N H K DODGEN LOOP

**Proposed  
School Zone**

N 50TH ST

E ADAMS AVE



10 February 2014  
1 inch = 300 feet



ORDINANCE NO. 2014-4633

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

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

**Whereas**, TISD has requested that a new school zone be established for Hector P. Garcia Elementary on North 50<sup>th</sup> Street from approximately 1,400 linear feet north of Adams Avenue to Lavendusky Road, reducing the speed limit from 30 mph to 20 mph from 6:30 am to 8:30 am and 2:45 pm to 4:30 pm on school days, consistent with existing school zones already in place around this campus; and

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

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

**Part 1:** The City Council finds that the school zone be established for Hector P. Garcia Elementary School on North 50<sup>th</sup> Street from approximately 1,400 linear feet north of Adams Avenue to Lavendusky Road, reducing the speed limit from 30 mph to 20 mph from 6:30 am to 8:30 am and from 2:45 pm to 4:30 pm on school days, consistent with existing school zones already in place around this campus, more fully shown on Exhibit ‘A’ which is attached hereto and made a part hereof for all purposes.

**Part 2:** It shall be unlawful for any person to drive or operate a motor vehicle, bicycle, or other vehicle of any kind, whether or not motor powered, on that portion of the roadways described above under the conditions described herein, at a speed greater than is reasonable and prudent under the circumstances then existing, but any speed in excess of the reasonable and prudent prima facie maximum speed limits as set forth in Part 1 hereof shall be prima facie evidence that such speed is not reasonable or prudent and that it is unlawful.

**Part 3:** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are to the extent of such conflict hereby repealed.

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



## COUNCIL AGENDA ITEM MEMORANDUM

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03/06/14  
Item #5(H)  
Consent Agenda  
Page 1 of 1

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

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

**ITEM DESCRIPTION:** SECOND READING - Consider adopting ordinance establishing a speed limit of 20 mph on North Main Street from East Downs Avenue to East French Avenue.

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

**ITEM SUMMARY:** The City of Temple Street Services Division has conducted a traffic study on North Main Street between Downs and French Avenue (the area in front of the post office). The study has found that the 85<sup>th</sup> percentile speed was 34 mph and that there is a high amount of pedestrian volume. There is currently a crosswalk in front of the post office which is heavily used. After conducting the traffic study, staff is proposing a reduction in the speed limit on North Main Street from Downs Avenue to French Avenue from 30 mph to 20 mph.

**FISCAL IMPACT:** Not Applicable

**ATTACHMENTS:**

[Area Map](#)  
[Ordinance](#)



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.



W FRENCH AVE

E FRENCH AVE

N 1ST ST

N MAIN ST

W ELM AVE

N 2ND ST

W DOWNS AVE

E DOWNS AVE



3 February 2014  
1 inch = 100 feet

ORDINANCE NO. 2014-4645

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, PROVIDING FOR REASONABLE AND PRUDENT PRIMA FACIE MAXIMUM SPEED LIMIT OF 20 MILES PER HOUR ON NORTH MAIN STREET FROM EAST DOWNS AVENUE TO EAST FRENCH AVENUE WITHIN TEMPLE CITY LIMITS; PROVIDING A REPEALER; PROVIDING FOR A PENALTY FOR VIOLATIONS NOT TO EXCEED \$500 FOR EACH VIOLATION; PROVIDING AN EFFECTIVE DATE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, an engineering and traffic investigation has been conducted to determine the reasonable and prudent prima facie maximum speed for motor vehicles North Main Street between Downs Avenue and French Avenue, within the city limits;

**Whereas**, the study has found that the 85<sup>th</sup> percentile speed was 34 mph and there is a high amount of pedestrian volume – a crosswalk is located in front of the post office which is heavily used;

**Whereas**, staff recommends reducing the speed limit on North Main Street (in front of the post office) from Downs Avenue to French Avenue from 30 mph to 20 mph;

**Whereas**, these traffic investigations and engineering studies have determined the reasonable and safe prima facie maximum speed limits, as more fully described herein; and

**Whereas**, the City Council has considered the matter and deems it in the public interest to approve these speed limits for the benefit of the citizens for the promotion of the public health, welfare, and safety.

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

**Part 1:** The City Council finds that the reasonable and prudent prima facie maximum speed limit for vehicular traffic on North Main Street from East Downs Avenue to East French Avenue is 20 miles per hour.

**Part 2:** It shall be unlawful for any person to drive or operate a motor vehicle, bicycle, or other vehicle of any kind, whether or not motor powered, on that portion of the roadways described above under the conditions described herein, at a speed greater than is reasonable and prudent under the circumstances then existing, but any speed in excess of the reasonable and prudent prima facie maximum speed limits as set forth in Part 1 hereof shall be prima facie evidence that such speed is not reasonable or prudent and that it is unlawful.





## **COUNCIL AGENDA ITEM MEMORANDUM**

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03/06/14  
Item #5(I)  
Consent Agenda  
Page 1 of 6

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

Tammy Lyerly, Senior Planner

**ITEM DESCRIPTION:** SECOND READING – Z-FY-14-18: Consider adopting an ordinance authorizing a rezoning from Agricultural District (AG) to Planned Development District –General Retail (PD-GR) to allow residential and nonresidential uses on 103.07 +/- acres being part of the Redding Roberts Survey, Abstract 692, Bell County, Texas, located at the northwest corner of FM 1741 (South 31st Street) and FM 93.

**P&Z COMMISSION RECOMMENDATION** At its meeting on January 21, 2014, the Planning and Zoning Commission voted 6/0 to recommend approval of the requested rezoning from Agricultural District (AG) to General Retail District (GR). Vice-Chair Rhoads was absent. There are two vacancies on the P&Z Commission.

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

Staff recommends approval for a rezoning from Agricultural District (AG) to Planned Development (General Retail) District with the following reasons and with the listed conditions:

1. The request complies with the Future Land Use and Character Map;
2. The request complies with the Thoroughfare Plan;
3. Public facilities are available to the subject property; and
4. Consideration of the attached Planned Development site plan exhibits

#### **Planned Development (General Retail) District Conditions:**

1. Uses and development will be according to the attached Planned Development site plan exhibits.
2. Development will be subject to the regulations of the General Retail District, the base zoning district for this Planned Development.
3. All nonresidential development will require screening with 6-foot high wooden privacy fencing and shrubs or trees to shield business activities from adjacent single family residential uses and they have elected to provide a fence between multifamily apartments and single-family homes.
4. Multifamily apartments with a maximum height of three stories are only allowed in Tracts A1 and A2, as shown on the attached Planned Development site plan exhibit.

5. General retail and neighborhood services uses are limited to Tracts C1, C2, and C3, as shown on the attached Planned Development site plan exhibit.
6. A convenience store is limited to Tract B (2.94 acres), as shown on the attached Planned Development site plan exhibit.
7. Tracts D1 and D2 are limited to single-family uses, as shown on the attached site plan.
8. The proposed Planned Development is subject to the Temple Trails Master Plan, which reflects a proposed 12-foot wide Citywide Spine Trail along the railroad.
9. The proposed Planned Development is subject to the required 6-foot wide sidewalks required along West FM 93 and South 31<sup>st</sup> Street, both arterials (UDC Section 8.2.3-Sidewalks and Trails).

Staff would like to work with the applicant in proposing enhanced screening with masonry added to fencing and placement of trees adjacent to residential areas for enhanced buffering of business activities. Staff also encourages the use of sidewalks throughout the development for connectivity, especially for proposed park areas.

**ITEM SUMMARY:** This request is associated with a plat (P-FY-14-11) currently being reviewed through DRC. The applicant's requested rezoning from Agricultural District (AG) to Planned Development (General Retail) District is to allow future development of residential and nonresidential uses.

The applicant proposes a mix of nonresidential uses along the street frontage of South 31<sup>st</sup> Street, including a convenience store at its intersection with FM 93. The applicant also proposes apartments with a maximum height of three stories along the street frontage of FM 93. **Although apartments are not allowed in the General Retail zoning district, apartments will be added to the proposed Planned Development's conditions as allowable uses.** The applicant proposes single-family residential development within the interior portion of the Planned Development.

During the public hearing at the Planning and Zoning Commission meeting on January 21, 2014, surrounding property owners expressed concerns regarding:

- Traffic concerns (left-hand turns/signalization) associated with a proposed convenience store at the intersection of West FM 93 and South 31<sup>st</sup> Street (FM 1741);
- Ingress/egress issues associated with nonresidential uses;
- Types of uses allowed in the nonresidential areas of the Planned Development; and
- Potential intrusions of restaurants with drive-thru services

A Planned Development is a flexible overlay zoning district designed to respond to unique development proposals, special design considerations and land use transitions by allowing evaluation of land use relationships to surrounding areas through development plan approval (UDC Section 3.4.1).

In reviewing a Planned Development, the City Council may require additional standards deemed necessary to create a reasonable transition to, and protection of, adjacent property and public areas, including but not limited to, access and circulations, signs, parking, building design, location and height, light and air, orientation, building coverage, outdoor lighting, landscaping, homeowners or property owners associations, open space, topography and screening (UDC Section 3.4.2.C).

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

<u>Direction</u>	<u>FLUP</u>	<u>Zoning</u>	<u>Current Land Use</u>
Site	Suburban Commercial & Suburban Residential	AG	Undeveloped
North	Suburban Residential	AG	Undeveloped
South	Suburban Residential & Public Institutional	AG	Undeveloped
East	Suburban Commercial, Suburban Residential, & Estate Residential	SF-1, SF-3, NS, & GR	Undeveloped
West	Suburban Commercial & Suburban Residential	AG	Undeveloped

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

<b>Document</b>	<b>Policy, Goal, Objective or Map</b>		<b>Compliance</b>
CP	Map 3.1 - Future Land Use and Character (FLUP)	The applicant's property south of the railroad tracks is designated Suburban Commercial. The applicant's requested Planned Development (General Retail) District complies with this designation.  The applicant's property north of the railroad tracks is designated as Suburban Residential. The applicant's requested Planned Development (General Retail) District complies with this designation.	Yes
CP	Map 5.2 - Thoroughfare Plan	The property fronts South 31 <sup>st</sup> Street and FM 93, which are both identified as major arterials. The requested Planned Development (General Retail) District is appropriate along major arterials.	Yes
CP	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 west right-of-way of South 31 <sup>st</sup> Street. An 8-inch water line runs along the north right-of-way of West FM 93.  An 8-inch and 12-inch sewer line runs along the west right-of-way of South 31 <sup>st</sup> Street.	Yes
STP	Temple Trails Master Plan Map & sidewalks	The Temple Trails Master Plan reflects a proposed 12-foot wide Citywide Spine Trail along the railroad. The plan also reflects a proposed 8-foot wide Local Connector Trail along South 31 <sup>st</sup> Street, which staff designated for the east side of South 31 <sup>st</sup> Street.	This is not shown on the PD site plan, but would be addressed during the platting process.

CP = Comprehensive Plan      STP = Sidewalk and Trails Plan

According to the City of Temple Comprehensive Plan, **the property's Suburban Residential land use classification on the north side of the railroad tracks** is characterized by mid-size single family lots, allowing for greater separation between dwellings and more emphasis on green space versus streets and driveways. **With the applicant's proposal to place single family residential uses within this area, the requested Planned Development (General Retail) District complies with this land use classification.**

**The property's Suburban Commercial land use classification on the south side of the railroad tracks** is appropriate for office, retail and services uses adjacent to and abutting residential neighborhoods and in other areas where the community's image and aesthetic value is to be promoted, such as at "gateways" and high-profile corridor locations. Therefore, it limits the floor area ratio and requires a higher landscape surface ratio than in the Auto Urban Commercial district. **The applicant's requested Planned Development (General Retail) District complies with this land use classification.**

#### **DEVELOPMENT REGULATIONS (GR):**

Here are the development regulations for the **General Retail District (GR)**, the "base zoning district" for the proposed Planned Development. Dimensional standards for **nonresidential** development in the GR District are as follows:

- Minimum lot size – N/A
- Minimum Lot Width – N/A
- Minimum Lot Depth – N/A
- Front Yard Setback – 15 feet
- Side Yard Setback – 10 feet
- Rear Yard Setback – 0 feet (10 feet adjacent to residential zoning)

Dimensional standards for **residential** development in the GR District are as follows:

- Minimum lot size – 5,000 Sq. Ft.
- Minimum Lot Width – 50 feet
- Minimum Lot Depth – 100 feet
- Front Yard Setback – 15 feet
- Side Yard Setback – 10% of lot width with 5-feet min.
- Side Yard Setback (corner) – 15 feet
- Rear Yard Setback – 10 feet

**Standard development regulations require a 6-foot wide sidewalk along Major Arterials, such as South 31<sup>st</sup> Street, per UDC Section 8.2.3-Sidewalks.**

The requested GR zoning district is the standard retail district and allows most retail uses including retail sales, restaurants, grocery stores, department stores, or offices and residential uses except apartments. **Since the applicant proposes Multifamily apartments along FM 93, apartment uses are listed as allowable uses within the conditions of this proposed Planned Development (General Retail) District.**

The GR zoning district is intended to serve larger service areas than neighborhoods. This district should be located at the intersection of major arterials and should provide total on-site traffic maneuvering such that traffic entering and exiting the facility should have room to turn, stack and park within the confines of the retail facility. **Adjoining zoning districts should be carefully selected to reduce environmental conflicts.**

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

Residential uses

Single Family Detached  
Duplex  
Home for the Aged  
Townhouse

Nonresidential uses

Office  
Restaurants (with or without drive-ins)  
Hotel or Motel  
Food or Beverage sales store without fuel sales (by right)  
Food or Beverage sales store with fuel sales (with limitations) (UDC  
Section 5.3.21 addresses additional setback requirements for fuel

pumps)

**Prohibited uses** include HUD-Code manufactured homes and land lease communities, boat sales or storage, welding or machine shop, storage warehouse, and building material sales, among others.

**If approved, the proposed Planned Development will be subject to the attached Planned Development site plan exhibits, as well as the aforementioned list of Planned Development conditions listed in the Staff Recommendations.**

The Planning and Zoning Commission and the City Council shall review the Planned Development according to the following criteria:

**PLANNED DEVELOPMENT REVIEW CRITERIA (UDC Section 3.4.5):**

In determining whether to approve, approve with conditions or deny a Planned Development application, the review bodies must consider the following criteria.

- A. The plan complies with all provisions of the Design and Development Standards Manual, this UDC and other ordinances of the City.
- B. The environmental impact of the development relating to the preservation of existing natural resources on the site and the impact on the natural resources of the surrounding properties and neighborhood is mitigated.
- C. The development is in harmony with the character, use and design of the surrounding area.
- D. Safe and efficient vehicular and pedestrian circulation systems are provided.
- E. Off-street parking and loading facilities are designed to ensure that all such spaces are usable and are safely and conveniently arranged.
- F. Streets are designed with sufficient width and suitable grade and location to accommodate prospective traffic and to provide access for firefighting and emergency equipment to buildings.
- G. Streets are coordinated so as to compose a convenient system consistent with the Thoroughfare Plan of the City.

- H. Landscaping and screening are integrated into the overall site design:
  - 1. To provide adequate buffers to shield lights, noise, movement or activities from adjacent properties when necessary; and
  - 2. To complement the design and location of buildings.
- I. Open space areas are designed to ensure that such areas are suitable for intended recreation and conservation uses.
- J. Water, drainage, wastewater facilities, garbage disposal and other utilities necessary for essential services to residents and occupants are provided.

**PUBLIC NOTICE:**

Twenty-two 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, January 27, 2014 at 5:00 pm, three notices were returned in support of the proposed rezoning and three notices were returned in opposition to the proposed change.

The Temple Deerfield Homeowners Association did not return its mailed response letter, but individual HOA members outside the 200-foot boundary submitted four response letters in opposition to the request and one response letter in support of the request.

The newspaper printed notice of the Planning and Zoning Commission public hearing on January 10, 2014, in accordance with state law and local ordinance.

**FISCAL IMPACT:** Not Applicable

**ATTACHMENTS:**




[Subject and Surrounding Property Photos](#)  
[Zoning and Location Map](#)  
[Future Land Use and Character Map](#)  
[Buffer Notification Map](#)  
[Returned Property Owner Responses](#)  
[Planned Development Site Plan Exhibits](#)  
[Ordinance](#)



# **SURROUNDING PROPERTY AND USES:**

The following table shows the subject property, existing zoning and current land uses:

Direction	Zoning	Current Land Use	Photo
Subject Property	AG	Agricultural / Undeveloped Land	
East	SF-1, SF-3, NS, and GR	Single Family and Undeveloped Nonresidential uses	
			

Direction	Zoning	Current Land Use	Photo
West	AG	Agricultural / Undeveloped Land	
South	AG	Church Uses	
			

Direction	Zoning	Current Land Use	Photo
North	AG	Agricultural Land/ Undeveloped Land	

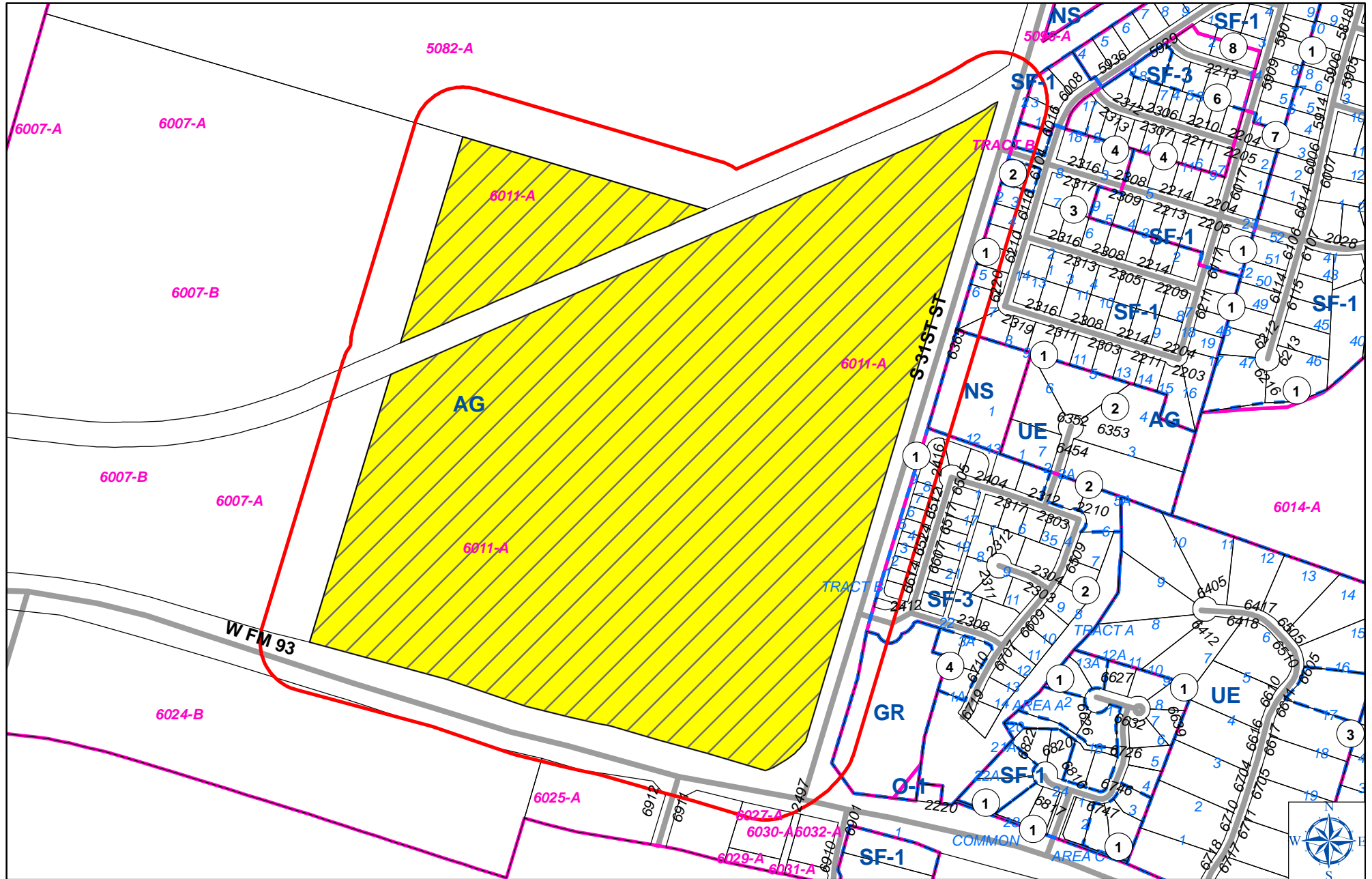












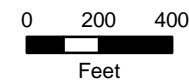
**Z-FY-14-18**

**AG to Planned Development -GR**

**NW Corner W FM 93 & S 31st St.**



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



1/2/2014  
City of Temple GIS  
tlyerly

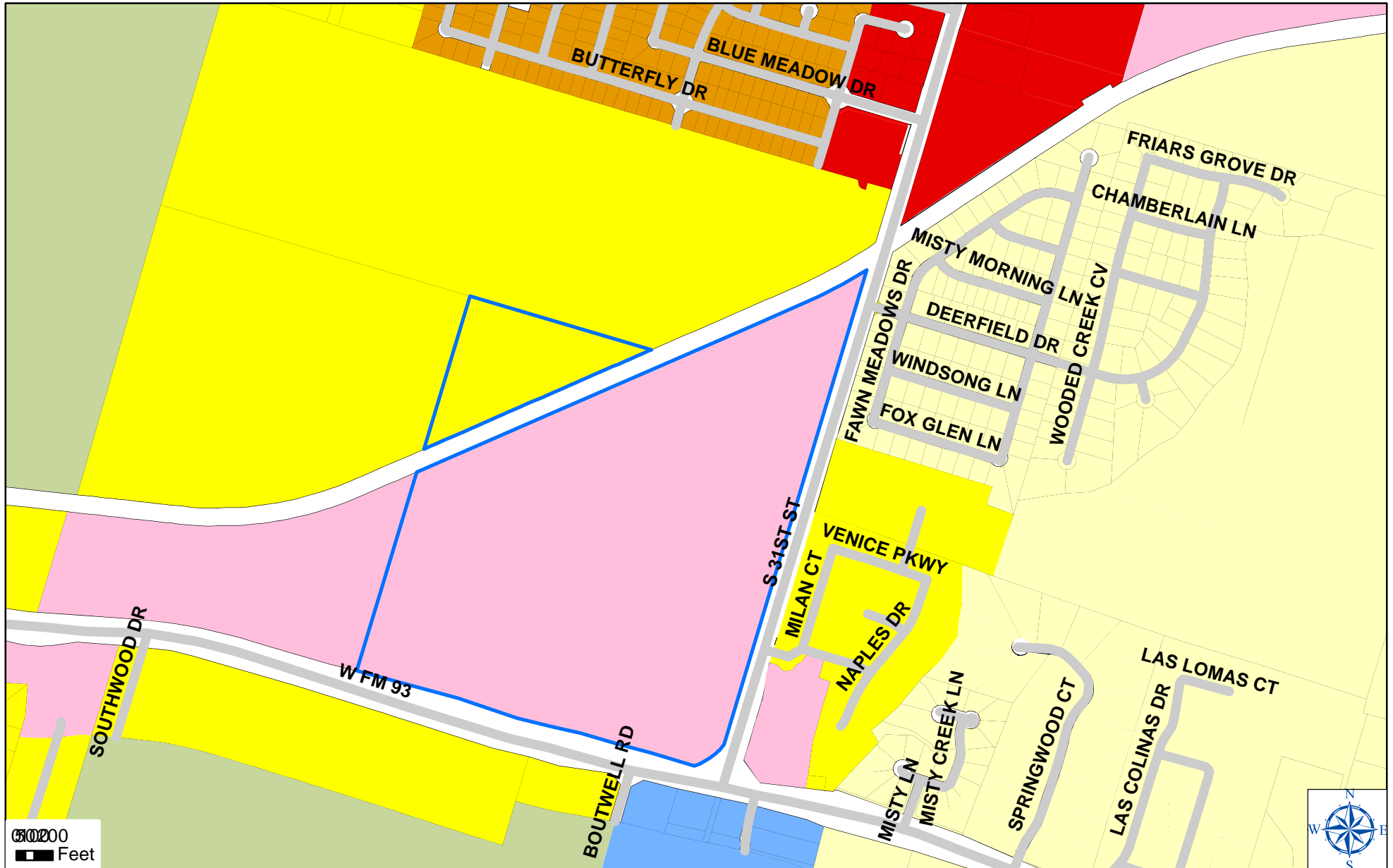
GIS products are for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. They do not represent an on-the-ground survey and represent only the approximate relative location of property boundaries and other features.



**Z-FY-14-18**

AG to Planned Development-GR

NW Corner W FM 93 & S 31st St.



### Future Land Use

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

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1/13/2014  
City of Temple GIS

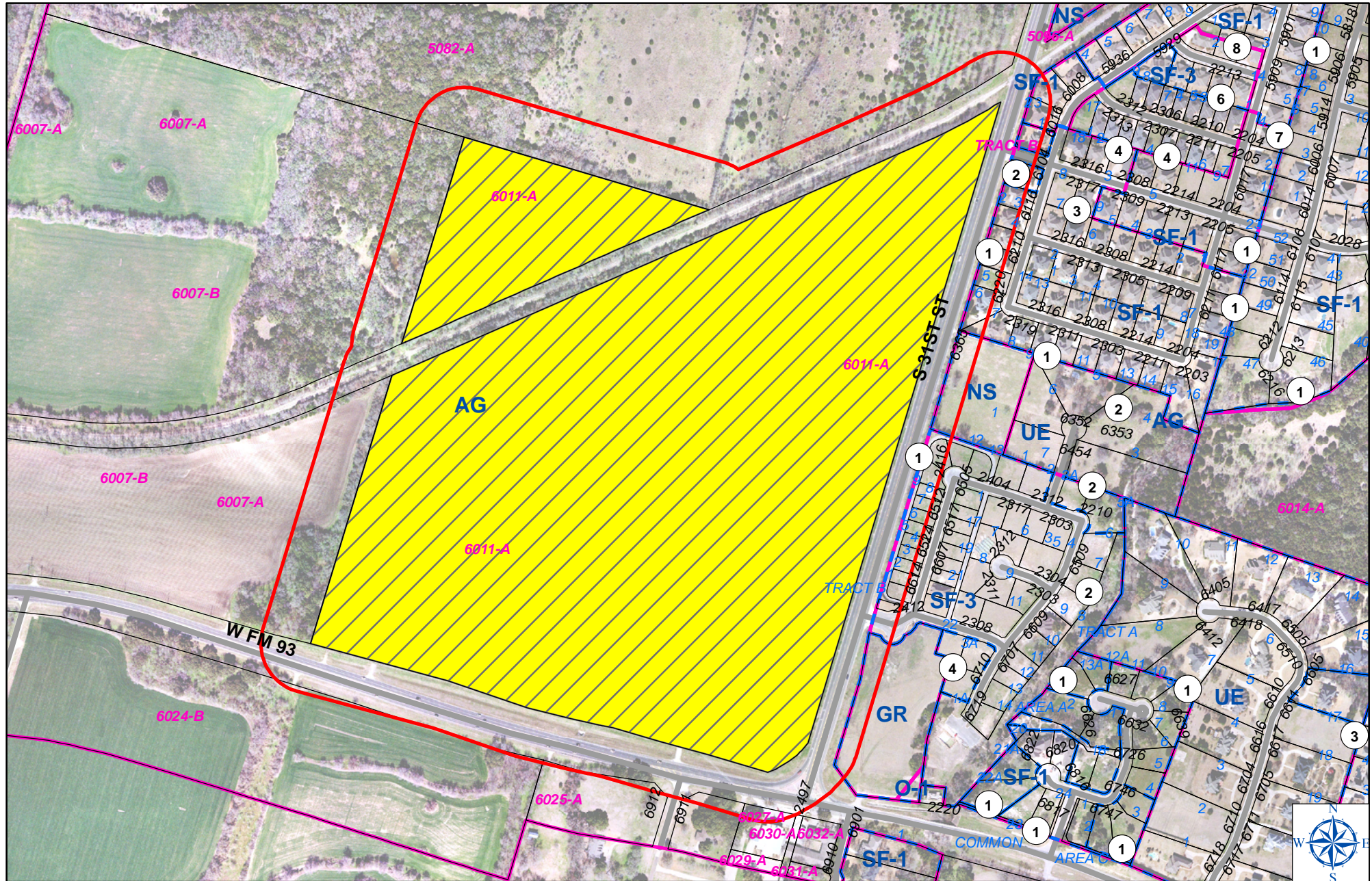












**Z-FY-14-18**

AG to Planned Development -GR

NW Corner W FM 93 & S 31st St.



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

0 200 400  
Feet

1/2/2014  
City of Temple GIS  
tlyerly

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**

Patrick Mullins  
P.O. Box 706  
Temple, Texas 76503-706

**Zoning Application Number:** Z-FY-14-18

**Project Manager:** Tammy Lyerly

**Location:** At the northwest corner of FM 1741 (South 31<sup>st</sup> Street) and West FM 93

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

I recommend ☒ approval ( ) denial of this request.

**Comments:**

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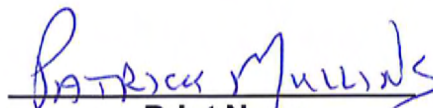
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Signature

  
Print Name

**Please mail or hand-deliver this comment form to the address shown below, no later than  
January 21, 2014**

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

**RECEIVED**  
JAN 14 2014  
City of Temple  
Planning & Development

Number of Notices Mailed: 22

Date Mailed: January 10, 2014



**RESPONSE TO PROPOSED  
ZONE CHANGE REQUEST  
CITY OF TEMPLE**

Michael & Diana Beadnell  
6524 Milan Court  
Temple, Texas 76502

**Zoning Application Number:** Z-FY-14-18

**Project Manager:** Tammy Lyerly

**Location:** At the northwest corner of FM 1741 (South 31<sup>st</sup> Street) and West FM 93

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

I recommend ☒ approval ( ) denial of this request.

**Comments:**

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Diana Beadnell  
Signature

Diana Beadnell  
Print Name

**Please mail or hand-deliver this comment form to the address shown below, no later than  
January 21, 2014**

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

**RECEIVED**  
JAN 14 2014  
City of Temple  
Planning & Development

Number of Notices Mailed: 22

Date Mailed: January 10, 2014





**RESPONSE TO PROPOSED  
ZONE CHANGE REQUEST  
CITY OF TEMPLE**

Gene & Janetta Bingham  
2408 Venice Parkway  
Temple, Texas 76502

**Zoning Application Number:** Z-FY-14-18

**Project Manager:** Tammy Lyerly

**Location:** At the northwest corner of FM 1741 (South 31<sup>st</sup> Street) and West FM 93

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

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

**Comments:**

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Signature

GENE H. BINGHAM  
Print Name

**Please mail or hand-deliver this comment form to the address shown below, no later than  
January 21, 2014**

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

**RECEIVED**

**JAN 22 2014**

City of Temple  
Planning & Development

Number of Notices Mailed: 22

Date Mailed: January 10, 2014



RESPONSE TO PROPOSED  
ZONE CHANGE REQUEST  
CITY OF TEMPLE

Willard L. Hubbard, Jr.  
6920 Boutwell Drive  
Temple, Texas 76502

Zoning Application Number: Z-FY-14-18

Project Manager: Tammy Lyerly

Location: At the northwest corner of FM 1741 (South 31<sup>st</sup> Street) and West FM 93

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

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

Comments:

*I live directly across from Hwy 93, from this property, my wife & I have resided here for 43 years - to have a store/beer joint in their front yard with the noise 24/7 and trash being blown by the wind on to across property 24/7 is not something that we want. We don't need any retail development in this neighborhood, as 31st street offers plenty of available stores to the public. Also our safety is a concern with the number of people coming and going at all hours of the day & night from a retail business*

*Lee Hubbard*  
Signature

LEE HUBBARD  
Print Name

Please mail or hand-deliver this comment form to the address shown below, no later than **January 21, 2014**

*I was out of the country when this letter came & the meeting on Jan. 21, 2014*

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

**RECEIVED**

JAN 31 2014

City of Temple  
Planning & Development





**RESPONSE TO PROPOSED  
ZONE CHANGE REQUEST  
CITY OF TEMPLE**

Ray & Phyllis Miller  
6116 Fawn Meadows Drive  
Temple, Texas 76502

**Zoning Application Number:** Z-FY-14-18

**Project Manager:** Tammy Lyerly

**Location:** At the northwest corner of FM 1741 (South 31<sup>st</sup> Street) and West FM 93

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:**

YOU SHOULD EXPLAIN WHAT YOUR CODES MEAN AS IN (PDGR) MEANING  
PLANNED DEVELOPMENT GENERAL RETAIL. ALSO IS THERE ANY SINGLE OR  
MULTI FAMILY HOUSING INCLUDED IN THIS AND THE PROPOSED  
DEVELOPER. THE LACK OF INFORMATION IS THE REASON FOR DENIAL AT  
THIS TIME

Ray D. Miller  
Signature

RAY D. MILLER  
Print Name

**Please mail or hand-deliver this comment form to the address shown below, no later than  
January 21, 2014**

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

**RECEIVED**

JAN 21 2014

City of Temple  
Planning & Development

Number of Notices Mailed: 22

Date Mailed: January 10, 2014



RESPONSE TO PROPOSED  
ZONE CHANGE REQUEST  
CITY OF TEMPLE

Daren Etux Karomy Harmel  
6016 Fawn Meadows Drive  
Temple, Texas 76502

Zoning Application Number: Z-FY-14-18

Project Manager: Tammy Lyerly

Location: **At the northwest corner of FM 1741 (South 31<sup>st</sup> Street) and West FM 93**

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. *(unless modified)*

Comments:

*and North  
of portion  
of retail  
area* Include traffic light at 31<sup>st</sup> and Deerfield that allows safe  
ingress/egress from Deerfield Estates and Creeks at Deerfield  
and allows users of Trail to cross 31<sup>st</sup> at that  
location. See attached!!

*Daren Harmel*

Signature

DAREN HARMEL

Print Name

Please mail or hand-deliver this comment form to the address shown below, no later than  
January 21, 2014

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

RECEIVED

JAN 21 2014

City of Temple  
Planning & Development

Number of Notices Mailed: 22

Date Mailed: January 10, 2014



Trail crossing

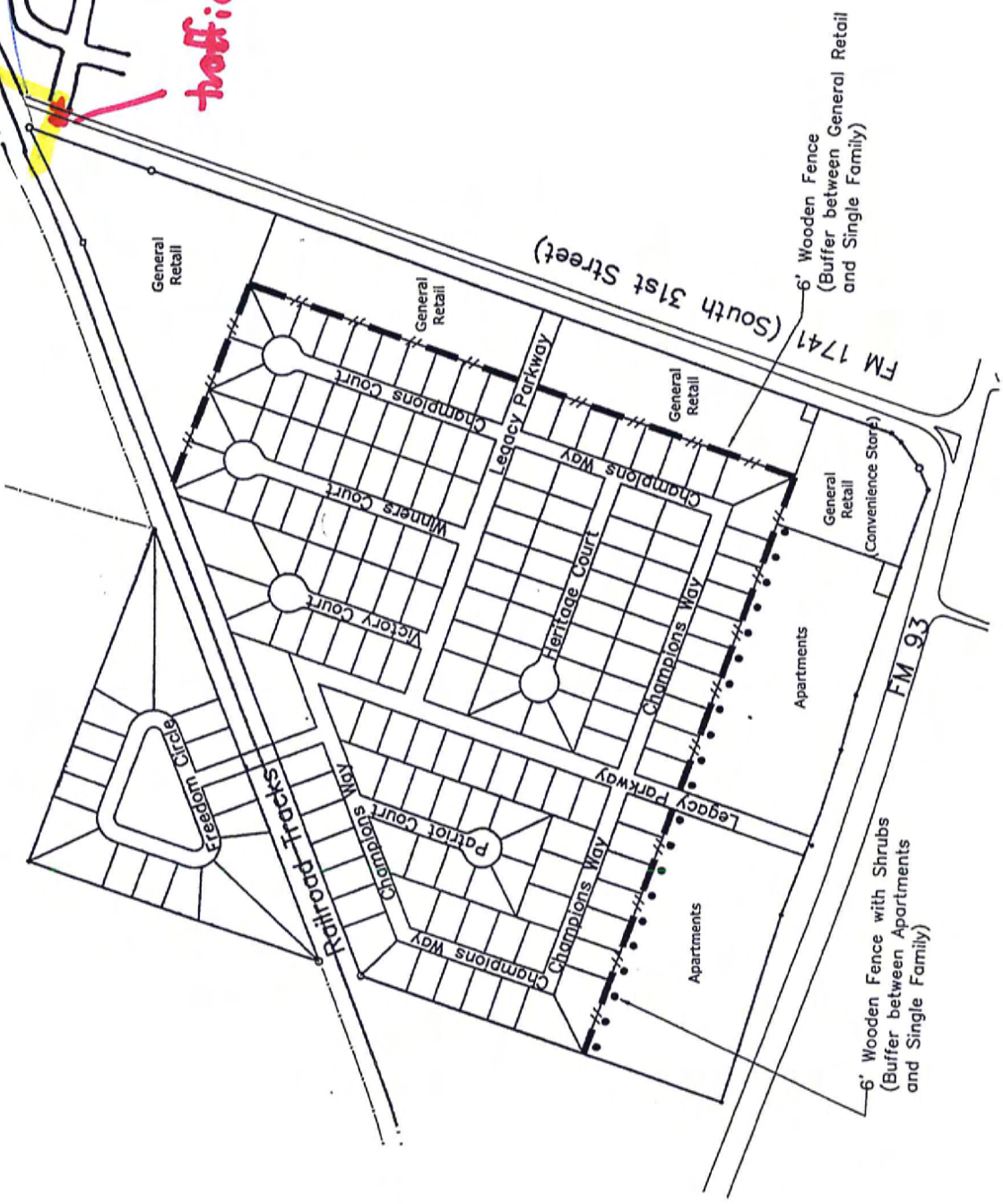
200ft

Deerfield Drive

traffic light



In addition to improve  
development will meet in  
UDC.





RESPONSE TO PROPOSED  
ZONE CHANGE REQUEST  
CITY OF TEMPLE

Temple Deerfield Homeowners Association  
2400 South 57<sup>th</sup> Street  
Temple, Texas 76504

Zoning Application Number: Z-FY-14-18

Project Manager: Tammy Lyerly

Location: At the northwest corner of FM 1741 (South 31<sup>st</sup> Street) and West FM 93

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:

ONLY FOR THE BUILDING OF HOMES  
AND A CONVENIENCE STORE ON THE  
CORNER OF 31ST AND HWY 93

Alvin Fine  
Signature

ALVIN FINE  
Print Name

Please mail or hand-deliver this comment form to the address shown below, no later than  
January 21, 2014

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

**RECEIVED**

**JAN 21 2014**

City of Temple  
Planning & Development

Number of Notices Mailed: 22

Date Mailed: January 10, 2014





RESPONSE TO PROPOSED  
ZONE CHANGE REQUEST  
CITY OF TEMPLE

Temple Deerfield Homeowners Association  
2400 South 57<sup>th</sup> Street  
Temple, Texas 76504

Zoning Application Number: Z-FY-14-18

Project Manager: Tammy Lyerly

Location: At the northwest corner of FM 1741 (South 31<sup>st</sup> Street) and West FM 93

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

I recommend ( ) approval

(X) denial of this request. (UNLESS MODIFIED)

Comments:

NEED DETAIL ON TRAFFIC MGMT. @ 31<sup>st</sup> & 93  
NEED DETAIL OF INTENDED PRODUCT @ C-1, C-2, C-3  
WILL C-1, 2 & 3 REPLICATE BENTWOOD OR PLAZA 31  
SPECIFICALLY OPPOSE CONVENIENCE STORES @ 31<sup>st</sup>  
& HWY 93 WITHOUT SIGNIFICANT MODIFICATION OF  
TRAFFIC MANAGEMENT (ATTACHMENT)

  
Signature

5924 LAWN MEADOWS

JOHN SCHANAPELT  
Print Name

Please mail or hand-deliver this comment form to the address shown below, no later than  
January 21, 2014

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

RECEIVED

JAN 21 2014

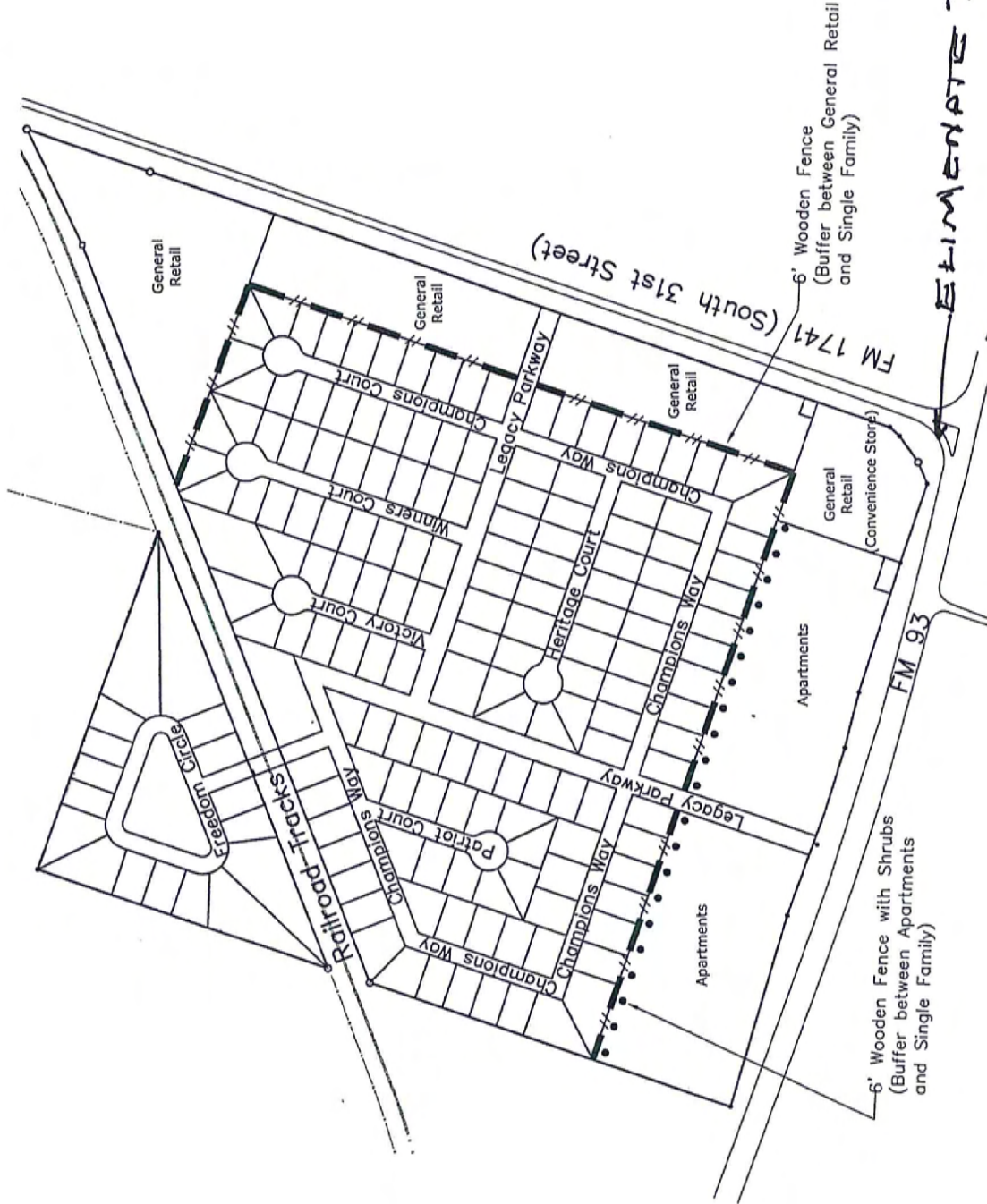
City of Temple  
Planning & Development

Number of Notices Mailed: 22

Date Mailed: January 10, 2014



In addition to improve  
development will meet for  
UDC.



ELIMINATE RIGHT TURN  
TWO LANE TRAFFIC  
WEST ON 93





**RESPONSE TO PROPOSED  
ZONE CHANGE REQUEST  
CITY OF TEMPLE**

Temple Deerfield Homeowners Association  
2400 South 57<sup>th</sup> Street  
Temple, Texas 76504

Zoning Application Number: Z-FY-14-18

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

Comments:

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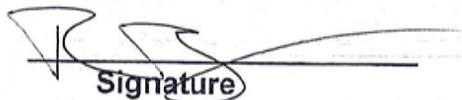
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Signature

Rosser Rositzky  
Print Name

Please mail or hand-deliver this comment form to the address shown below, no later than  
January 21, 2014

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

**RECEIVED**

**JAN 21 2014**

City of Temple  
Planning & Development

Number of Notices Mailed: 22

Date Mailed: January 10, 2014



RESPONSE TO PROPOSED  
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CITY OF TEMPLE

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

Comments:

Insufficient information - anything goes it  
looks like

Signature

Richard L. Bress

Print Name

Please mail or hand-deliver this comment form to the address shown below, no later than  
January 21, 2014

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

**RECEIVED**

JAN 23 2014

City of Temple  
Planning & Development

Number of Notices Mailed: 22

Date Mailed: January 10, 2014





RESPONSE TO PROPOSED  
ZONE CHANGE REQUEST  
CITY OF TEMPLE

Temple Deerfield Homeowners Association  
2400 South 57<sup>th</sup> Street  
Temple, Texas 76504

Zoning Application Number: Z-FY-14-18 Project Manager: Tammy Lyerly

Location: **At the northwest corner of FM 1741 (South 31<sup>st</sup> Street) and West FM 93**

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:

My concern is the increased traffic  
along both 31st & FM 93.

Richard Sawyer  
Signature

Richard Sawyer  
Print Name

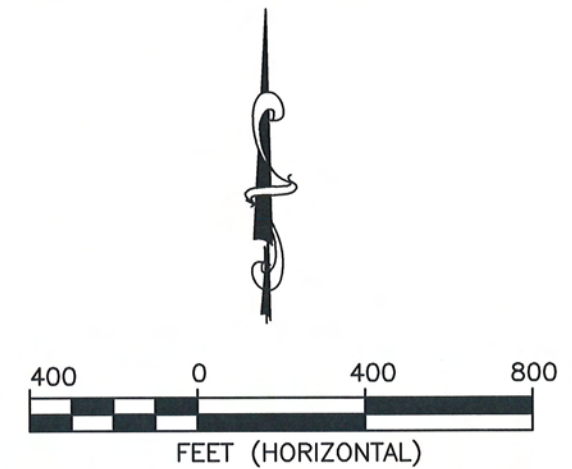
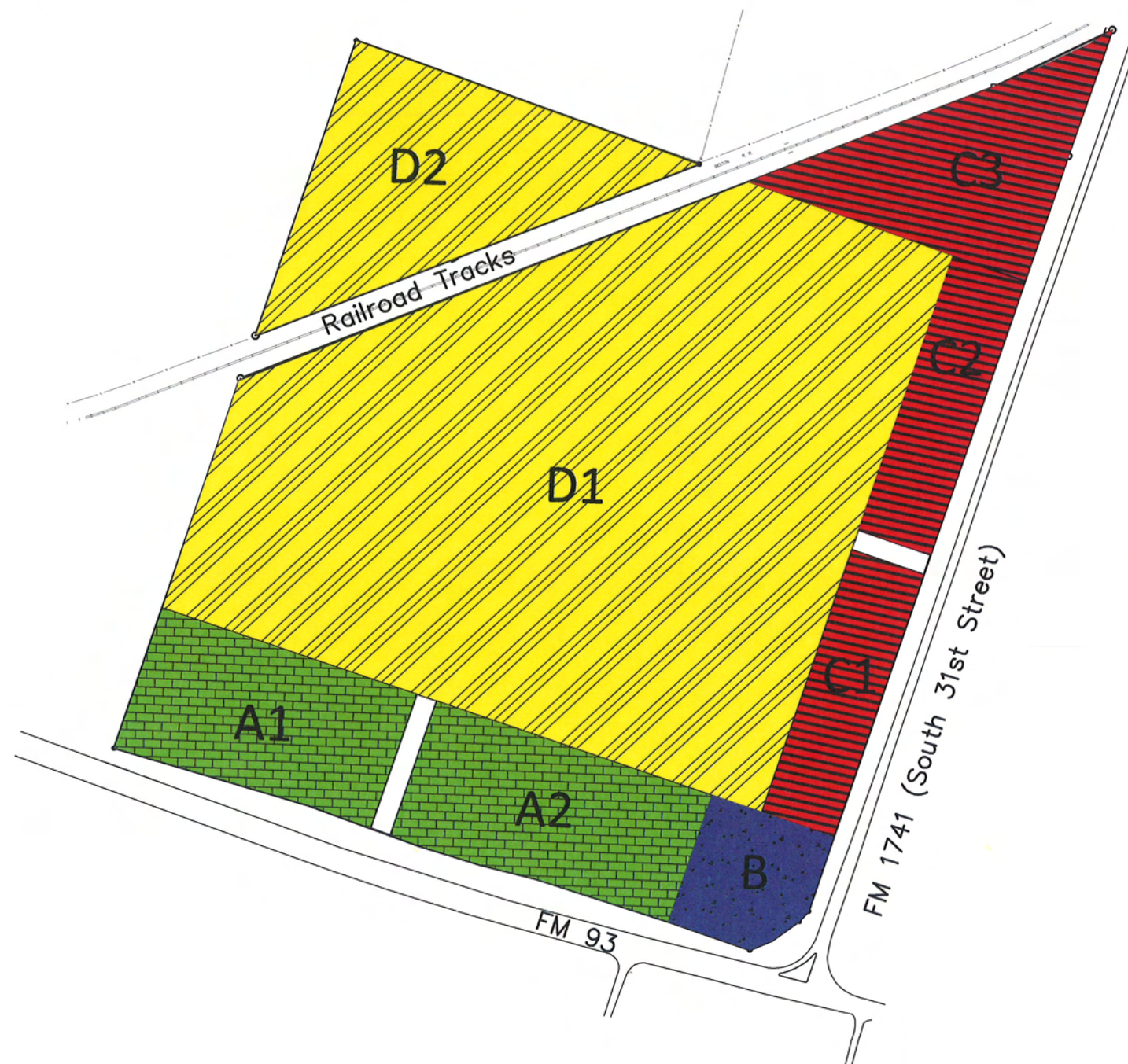
Please mail or hand-deliver this comment form to the address shown below, no later than  
January 21, 2014

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

Number of Notices Mailed: 22

Date Mailed: January 10, 2014



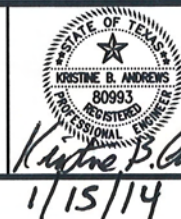


#### Development Schedule

- Phase 1  
Estimated to begin within 1 year.  
Tracts D1 and D2
- Phase 2  
Estimated to begin within 1 to 3 years.  
Tracts B, C1 and C2
- Phase 3  
Estimated to begin within 3 to 5 years.  
Tracts A1, A2 and C3
- Tract A1 and A2  
Multi-family apartments  
Max height is 3 stories  
Will have a wooden fence between multi-family and single family tracts.
- Tract B  
Convenience Store  
2.94 acres
- Tract C1, C2 and C3  
General retail to include neighborhood services
- Tract D1 and D2  
Single family residential lots

Comprehensive Engineering Solutions, Inc.  
Registered Engineering Firm, State of Texas, No. 1071  
319 South First St., Suite A ♦ Temple, Texas 76504  
Voice: (254) 742-2050 ♦ Fax: (254) 742-2055

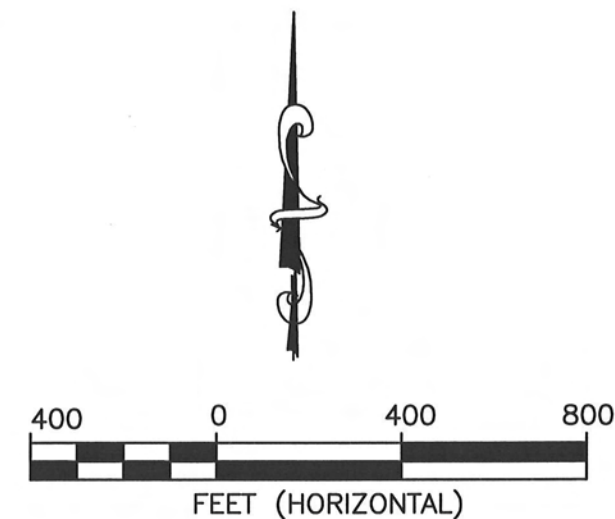
#### REVISIONS:

PLANNED DEVELOPMENT – LEGACY RANCH  
CITY OF TEMPLE  
Bell County, Texas

Vertical Scale: 1" = 400'  
Horizontal Scale: 1" = 400'  
Filename: Planned\_Development.dwg  
Plot Date: 1/15/14  
Drawn By: KBA  
Project No: 13-1003  
Designed By: KBA

SHEET 1 OF 1



Notes

In addition to improvements noted on this Conceptual Plan, development will meet landscaping requirements of the City of Temple UDC.

Comprehensive Engineering Solutions, Inc.  
Registered Engineering Firm, State of Texas, No. 1071  
319 South First St., Suite A ♦ Temple, Texas 76504  
Voice: (254) 742-2050 ♦ Fax: (254) 742-2055

REVISIONS:




CONCEPTUAL PLAN – LEGACY RANCH  
CITY OF TEMPLE  
Bell County, Texas

Vertical Scale: 1" = 400'  
Horizontal Scale: 1" = 400'  
Filename: PD\_Conceptual Plan.dwg  
Plot Date: 1/15/14  
Drawn By: KBA  
Project No: 13-1003  
Designed By: KBA

SHEET 1 OF 1



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

(PLANNING NO. Z-FY-14-18)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A ZONING CHANGE FROM AGRICULTURAL DISTRICT (AG) TO PLANNED DEVELOPMENT DISTRICT – GENERAL RETAIL (PD-GR) TO ALLOW RESIDENTIAL AND NONRESIDENTIAL USES ON APPROXIMATELY 103.27 ACRES, BEING PART OF THE REDDING ROBERTS SURVEY, ABSTRACT NO. 692, BELL COUNTY, TEXAS, AND LOCATED AT THE NORTHWEST CORNER OF FM 1741 (SOUTH 31<sup>ST</sup> STREET) AND FM 93; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

---

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

**Part 1:** The City Council approves a rezoning from Agricultural District (AG) to Planned Development – General Retail (PD-GR) to allow residential and nonresidential uses on approximately 103.07 acres, being part of the Redding Roberts Survey, Abstract No. 692, Bell County, Texas, and located at the northwest corner of FM 1741 (South 31<sup>st</sup> Street) and FM 93, outlined in the map attached hereto as Exhibit ‘A,’ and made a part hereof for all purposes.

**Part 2:** The Planned Development – General Retail District (PD-GR) is subject to the following conditions listed below and depicted in the site plan attached as Exhibit ‘B,’ and made a part hereof for all purposes:

- Uses and development will be according to the attached Planned Development site plan exhibits;
- Development will be subject to the regulations of the General Retail District, the base zoning district for the Planned Development;
- All nonresidential development will require screening with 6-foot high wooden privacy fencing and shrubs or trees to shield business activities from adjacent single family residential uses;
- Multifamily developments must provide 6-foot high privacy fencing adjacent to single-family homes;
- Multifamily apartments with a maximum height of three stories are only allowed in Tracts A1 and A2, as shown on the attached Planned Development site plan exhibit;
- General retail and neighborhood services uses are limited to Tracts C1, C2, and C3, as shown on the attached Planned Development site plan exhibit;
- A convenience store is limited to Tract B (2.94 acres), as shown on the attached Planned Development site plan exhibit;
- Tracts D1 and D2 are limited to single-family uses, as shown on the attached site plan;



## COUNCIL AGENDA ITEM MEMORANDUM

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03/06/14  
Item #5(J)  
Consent Agenda  
Page 1 of 1

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

Jonathan Graham, City Attorney

**ITEM DESCRIPTION:** SECOND READING - Consider adopting an ordinance designating a tract of land consisting of approximately 163.606 acres located at 10501 Northwest HK Dodgen Loop, Temple, Texas, as City of Temple Tax Abatement Reinvestment Zone Number Twenty-Eight for commercial/industrial tax abatement.

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

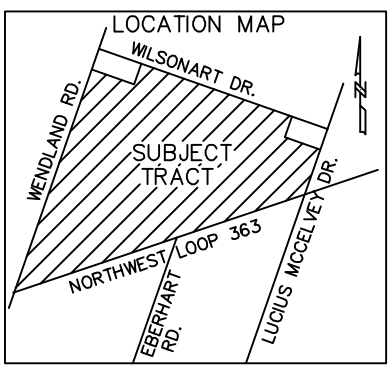
**ITEM SUMMARY:** The proposed ordinance designates a tract of land consisting of approximately 163.606 acres and described as Tax Abatement Reinvestment Zone Number Twenty-Eight, located at 10501 HK Dodgen Loop, Temple, Texas, as a commercial/industrial tax abatement reinvestment zone, as depicted in the attached survey.

The tract proposed for designation as a tax abatement reinvestment zone is the current location for Wilsonart International. Wilsonart plans to construct a new Customer Center which will serve as the headquarters for Wilsonart Americas. The designation of a tax abatement reinvestment zone lasts for five years and is a prerequisite for entering into a tax abatement agreement with a future economic development prospect. We anticipate bringing a tax abatement agreement for the Wilsonart improvements on March 6, 2014.

**FISCAL IMPACT:** None at this time.

### **ATTACHMENTS:**

[Survey](#)  
[Ordinance](#)



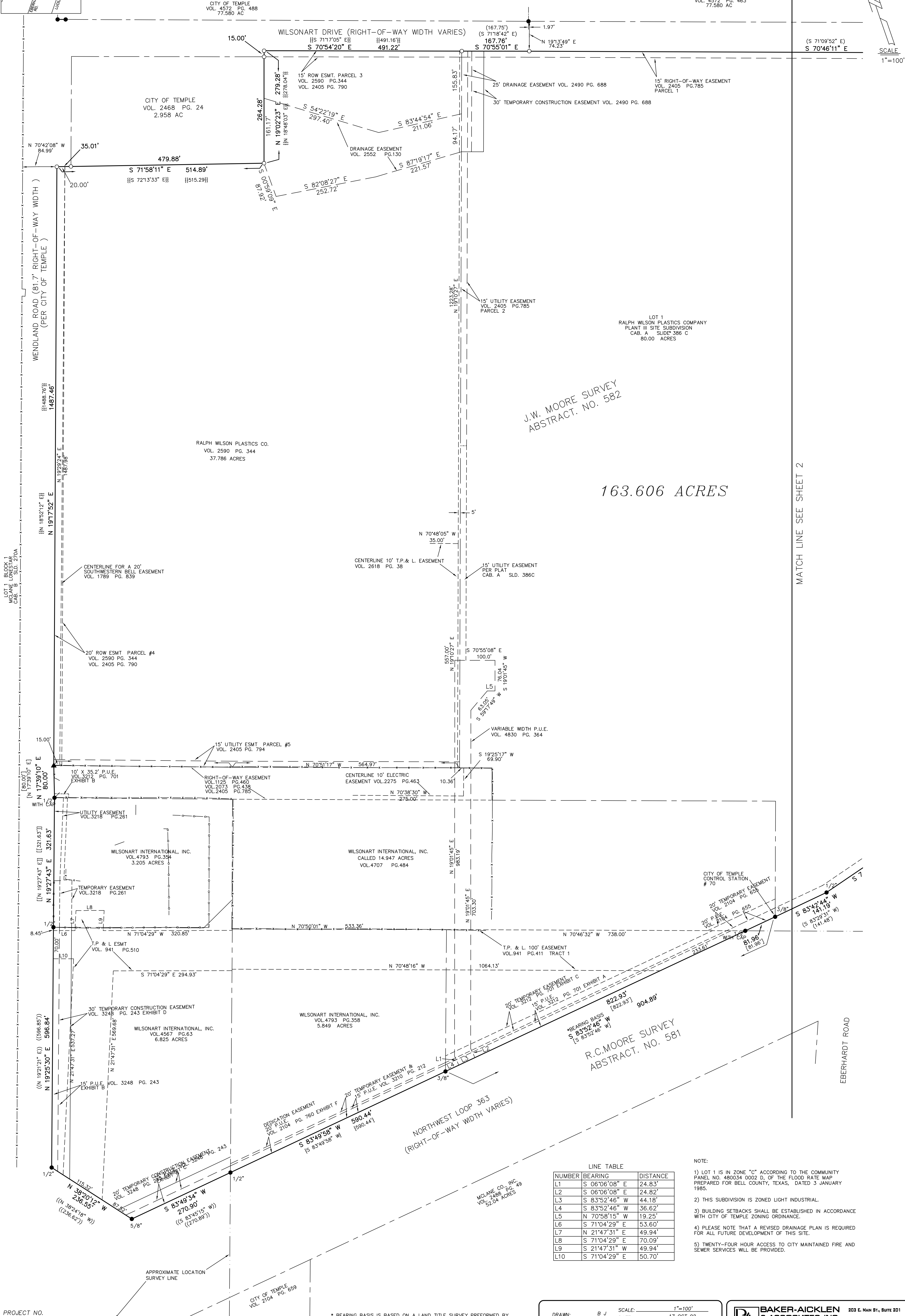
# WILSONART INTERNATIONAL TEMPLE NORTH CAMPUS

BEING A REPLAT OF RALPH WILSON PLASTICS COMPANY PLANT III SITE SUBDIVISION, CAB. A, SLD. 386C AND THOSE CERTAIN TRACTS, A 37.786 ACRE TRACT OF LAND AS DESCRIBED IN THAT DEED TO RALPH WILSON PLASTICS CO. RECORDED IN VOL. 2590, PG. 344, A 14.997 ACRE TRACT OF LAND AS DESCRIBED IN THAT DEED TO RALPH WILSON PLASTICS CO. IN VOL. 3234, PG. 677, A 3.205 ACRE TRACT OF LAND AS DESCRIBED IN THAT DEED TO WILSONART INTERNATIONAL INC. VOL. 4793, PG. 354, A 14.947 ACRE TRACT OF LAND AS DESCRIBED IN THAT DEED TO WILSONART INTERNATIONAL INC. VOL. 4707, PG. 484, A 6.825 ACRE TRACT OF LAND AS DESCRIBED IN THAT DEED TO WILSONART INTERNATIONAL INC. VOL. 4567, PG. 63, AND A 5.849 ACRE TRACT OF LAND AS DESCRIBED IN THAT DEED TO WILSONART INTERNATIONAL INC. VOL. 4793, PG. 358.

CITY OF TEMPLE  
VOL. 4572 PG. 488  
77.580 AC

CITY OF TEMPLE  
VOL. 4572 PG. 463  
77.580 AC

SCALE  
1"=100'



163.606 ACRES

J.W. MOORE SURVEY  
ABSTRACT. NO. 582

R.C. MOORE SURVEY  
ABSTRACT. NO. 581

LINE TABLE		
NUMBER	BEARING	DISTANCE
L1	S 06°06'08" E	24.83'
L2	S 06°06'08" E	24.82'
L3	S 83°52'46" W	44.18'
L4	S 83°52'46" W	36.62'
L5	N 70°58'15" W	19.25'
L6	S 71°04'29" E	53.60'
L7	N 21°47'31" E	49.94'
L8	S 71°04'29" E	70.09'
L9	S 21°47'31" W	49.94'
L10	S 71°04'29" E	50.70'

- NOTE:
- LOT 1 IS IN ZONE "C" ACCORDING TO THE COMMUNITY PANEL NO. 480034 0002 D, OF THE FLOOD RATE MAP PREPARED FOR BELL COUNTY, TEXAS, DATED 3 JANUARY 1985.
  - THIS SUBDIVISION IS ZONED LIGHT INDUSTRIAL.
  - BUILDING SETBACKS SHALL BE ESTABLISHED IN ACCORDANCE WITH CITY OF TEMPLE ZONING ORDINANCE.
  - PLEASE NOTE THAT A REVISED DRAINAGE PLAN IS REQUIRED FOR ALL FUTURE DEVELOPMENT OF THIS SITE.
  - TWENTY-FOUR HOUR ACCESS TO CITY MAINTAINED FIRE AND SEWER SERVICES WILL BE PROVIDED.

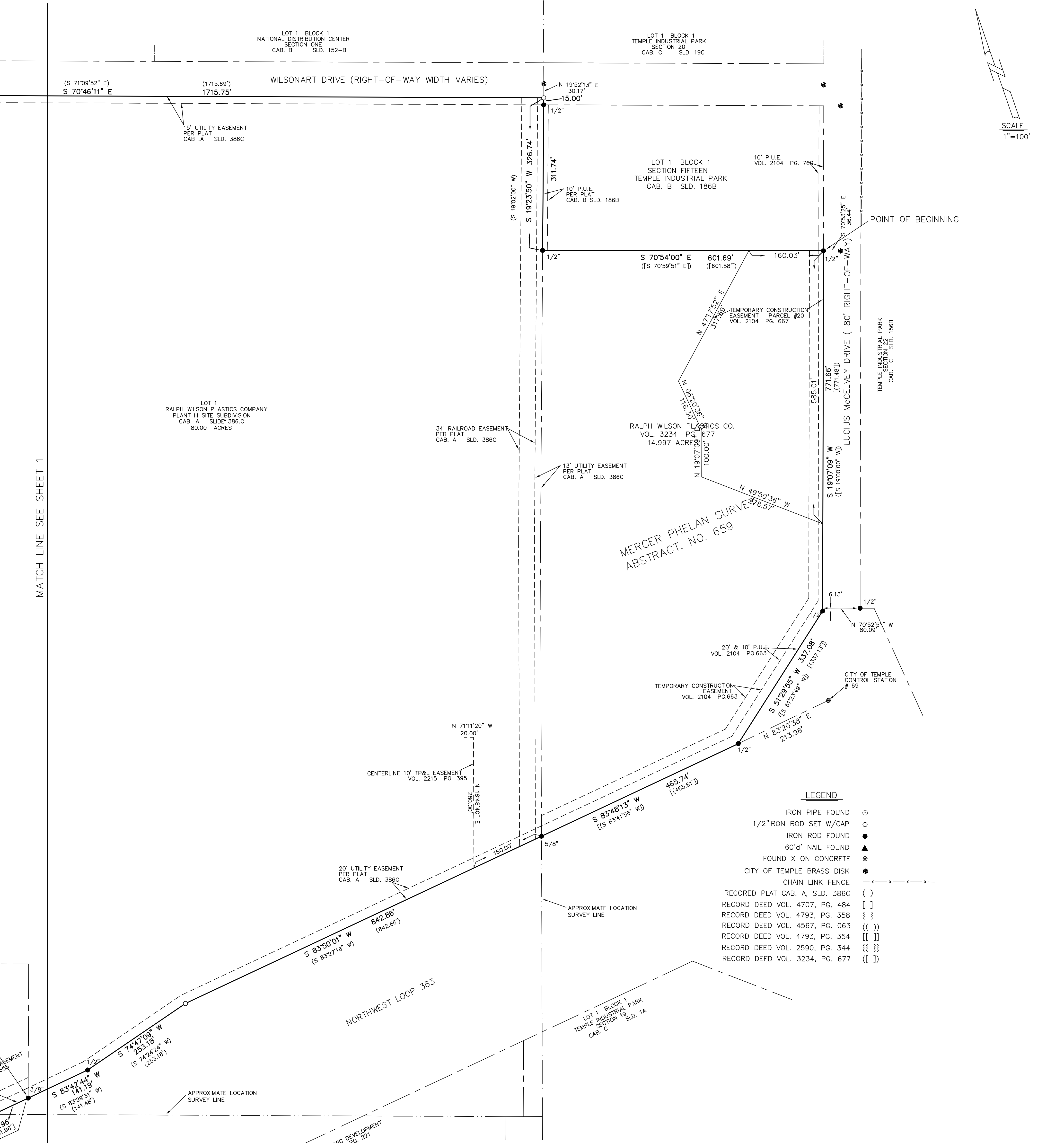
PROJECT NO.  
0979-2-003-12  
SHEET NO.  
1 OF 3

\* BEARING BASIS IS BASED ON A LAND TITLE SURVEY PERFORMED BY  
BAKER-AICKLEN AND ASSOC., INC. ON 21 MAY 2002.

DRAWN: B J  
REVIEWED: D S  
SCALE: 1"=100'  
DATE: 17 OCT 02  
XREF FILE(S):

BAKER-AICKLEN & ASSOCIATES, INC.  
ENGINEERS/SURVEYORS  
203 E. MAIN ST., SUITE 201  
ROUND ROCK, TEXAS 78664  
(512) 244-9620





I, THE UNDERSIGNED, OWNER OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HERE IN AS "WILSONART INTERNATIONAL TEMPLE NORTH CAMPUS", BEING 163.607 ACRES OF LAND, PART OF THE J.W. MOORE SURVEY, ABSTRACT NO. 582, THE R.C. MOORE SURVEY, ABSTRACT NO. 581 AND THE MERCER PHELAN SURVEY, ABSTRACT NO. 659 BELL COUNTY, TEXAS AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATES TO THE USE OF THE PUBLIC FOREVER, ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS AND PUBLIC PLACES AS SHOWN HEREON.

GAIL PEEK  
VICE PRESIDENT AND GENERAL COUNSEL  
WILSONART INTERNATIONAL, INC.

STATE OF TEXAS  
COUNTY OF BELL

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2002 A.D.  
BY GAIL PEEK, VICE PRESIDENT AND GENERAL COUNSEL OF WILSONART INTERNATIONAL, INC. A TEXAS CORPORATION, ON BEHALF OF SAID CORPORATION.

NOTARY PUBLIC FOR THE STATE OF TEXAS

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

WILLIAM L. JOHNSON, R.P.L.S. #5425 \_\_\_\_\_ DATE \_\_\_\_\_

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

KENNETH C. AICKLEN, P.E. NO. 47318 \_\_\_\_\_ DATE \_\_\_\_\_

I, THE UNDERSIGNED CITY ENGINEER OF THE CITY OF TEMPLE, HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION ORDINANCE AND HEREBY RECOMMEND APPROVAL.

CITY ENGINEER \_\_\_\_\_ DATE \_\_\_\_\_

I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO THE WATER AND WASTEWATER MASTER PLANS AND APPLICABLE ORDINANCES AND HEREBY RECOMMEND APPROVAL.

WATER AND WASTEWATER SUPERINTENDENT \_\_\_\_\_ DATE \_\_\_\_\_

I, THE UNDERSIGNED, DIRECTOR OF PLANNING OF THE CITY OF TEMPLE, HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE CITY OF TEMPLE, IT QUALIFIES FOR ADMINISTRATIVE PLAT APPROVAL AS PROVIDED IN THIS ORDINANCE, AND IT IS HEREBY APPROVED.

DIRECTOR OF PLANNING \_\_\_\_\_ DATE \_\_\_\_\_

I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF "WILSONART INTERNATIONAL TEMPLE NORTH CAMPUS", BEING 163.606 ACRES OF LAND, PART OF THE J.W. MOORE SURVEY, ABSTRACT NO. 582, R.C. MOORE SURVEY, ABSTRACT NO. 581 AND THE MERCER PHELAN SURVEY, ABSTRACT NO. 659 BELL COUNTY, TEXAS, WAS APPROVED BY THE CITY OF TEMPLE ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_ A.D. SAID ADDITION SHALL BE SUBJECT TO ALL THE REQUIREMENTS OF THE SUBDIVISION ORDINANCE OF THE CITY OF TEMPLE, TEXAS.

WITNESS MY HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_ A.D.

CITY SECRETARY \_\_\_\_\_ DATE \_\_\_\_\_

FILED FOR RECORD THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_ A.D. IN CABINET \_\_\_\_\_ SLIDE \_\_\_\_\_ PLAT RECORDS OF BELL COUNTY, TEXAS.

TAX CERTIFICATES

THE BELL COUNTY TAX APPRAISAL DISTRICT, THE TAXING AUTHORITY FOR ALL ENTITIES IN BELL COUNTY, TEXAS DOES HEREBY CERTIFY THAT THERE ARE CURRENTLY NO DELINQUENT TAXES DUE OR OWING ON THE PROPERTY DESCRIBED BY THIS PLAT.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_ A.D.

BELL COUNTY TAX APPRAISAL DISTRICT  
BY: \_\_\_\_\_

WILSONART INTERNATIONAL TEMPLE NORTH CAMPUS

BEING A REPLAT OF RALPH WILSON PLASTICS COMPANY PLANT III SITE SUBDIVISION, CAB. A, SLD. 386C AND THOSE CERTAIN TRACTS, A 37.786 ACRE TRACT OF LAND AS DESCRIBED IN THAT DEED TO RALPH WILSON PLASTICS CO. RECORDED IN VOL. 2590, PG. 344, A 14.997 ACRE TRACT OF LAND AS DESCRIBED IN THAT DEED TO RALPH WILSON PLASTICS CO. IN VOL. 3234, PG. 677, A 3.205 ACRE TRACT OF LAND AS DESCRIBED IN THAT DEED TO WILSONART INTERNATIONAL INC. VOL. 4793, PG. 354, A 14.947 ACRE TRACT OF LAND AS DESCRIBED IN THAT DEED TO WILSONART INTERNATIONAL INC. VOL. 4707, PG. 484, A 6.825 ACRE TRACT OF LAND AS DESCRIBED IN THAT DEED TO WILSONART INTERNATIONAL INC. VOL. 4567, PG. 63, AND A 5.849 ACRE TRACT OF LAND AS DESCRIBED IN THAT DEED TO WILSONART INTERNATIONAL INC. VOL. 4793, PG. 358.

DESCRIPTION

FOR A 163.606-ACRE TRACT OF LAND SITUATED IN THE J. W. MOORE SURVEY, ABSTRACT NO. 582, THE R. C. MOORE SURVEY, ABSTRACT NO. 581 AND THE MERCER PHELAN SURVEY ABSTRACT NO. 659 IN BELL COUNTY, TEXAS, SAID 163.606-ACRE TRACT BEING ALL OF LOT ONE, RALPH WILSON PLASTICS COMPANY PLANT III SITE SUBDIVISION ACCORDING TO THE PLAT RECORDED THEREOF IN CABINET A, SLIDE 386C OF THE PLAT RECORDS OF SAID COUNTY, A CALLED 14.997 ACRE TRACT LAND AS DESCRIBED IN THAT DEED TO RALPH WILSON PLASTICS CO. BY INSTRUMENT RECORDED IN VOLUME 3234, PAGE 677 OF THE DEED RECORDS OF SAID COUNTY, A CALLED 14.947-ACRE TRACT OF LAND AS DESCRIBED IN THAT DEED TO WILSONART INTERNATIONAL, INC. BY INSTRUMENT RECORDED IN VOLUME 4707. PAGE 484 OF THE DEED RECORDS OF SAID COUNTY, A CALLED 5.849-ACRE TRACT OF LAND AS DESCRIBED IN THAT DEED TO WILSONART INTERNATIONAL, INC. BY INSTRUMENT RECORDED IN VOLUME 4793, PAGE 358 OF THE DEED RECORDS OF SAID COUNTY, A CALLED 3.205-ACRE TRACT OF LAND AS DESCRIBED IN THAT DEED TO WILSONART INTERNATIONAL, INC. BY INSTRUMENT RECORDED IN VOLUME 4793, PAGE 354 OF THE DEED RECORDS OF SAID COUNTY, A CALLED 6.825-ACRE TRACT OF LAND AS DESCRIBED IN THAT DEED TO WILSONART INTERNATIONAL, INC. BY INSTRUMENT RECORDED IN VOLUME 4567, PAGE 63 OF THE DEED RECORDS OF SAID COUNTY AND A CALLED 37.786-ACRE TRACT OF LAND AS DESCRIBED IN THAT DEED TO RALPH WILSON PLASTICS CO. BY INSTRUMENT RECORDED IN VOLUME 2590, PAGE 344 OF THE DEED RECORDS OF SAID COUNTY, SAID 163.606 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ⅝"iron rod found at the northeast corner of said 14.997-Acre tract and at the southeast corner of Lot 1, Block 1 Section Fifteen Temple Industrial Park according to the plat thereof recorded in Cabinet B, Slide 186B of the Plat Records of said county, said point being also in the west right-of-way line of Lucius McCelvey Drive (80' right-of-way width), for a northeast corner hereof;

THENCE with the east boundary line of said 14.997-Acre tract and the said west right-of-way line of Lucius McCelvey Drive, S19°07'09"W a distance of 771.66 feet to a ⅝" iron rod found for a corner hereof;

THENCE the said east boundary line of the 14.997-Acre tract and the transition of said west right-of-way line of Lucius McCelvey Drive and the north right-of-way line of Northwest Loop 363 (right-of-way width varies), S51°29'55"W a distance of 337.08 feet to a ⅝" iron rod found for a corner hereof;

THENCE with the south boundary line of said 14.997-Acre tract and the north right-of-way line of said Northwest Loop 363, S83°48'13"W a distance of 465.74 feet to a 5/8" iron rod found at the southwest corner of said 14.997-Acre tract, and at the southeast corner of said Lot 1, Ralph Wilson Plastics Company Plant III Site Subdivision, for an angle point of this tract;

THENCE with and the south boundary line of said Lot 1, Ralph Wilson Plastics Company Plant III Site Subdivision and the said north right-of-way line of said Northwest Loop 363 the following three (3) courses and distances:

1. S83°50'01"W a distance of 842.86 feet to a ⅝" iron rod set with cap for an angle point of this tract;
2. S74°47'09"W a distance of 253.18 feet to a ⅝" iron rod found for an angle point of this tract, and
3. S83°42'44"W a distance of 141.19 feet to a 3/8" iron rod found at the southwest corner of said Lot 1, Ralph Wilson Plastics Company Plant III Site Subdivision, being also the southeast corner of said 14.947-Acre tract for an angle point of this tract;

THENCE with the south boundary line of said 14.947-Acre tract and the north right-of-way line of said Northwest Loop 363, S83°52'46"W a distance of 81.96 feet pass a ⅝" iron rod round with cap, in all a total of 904.89 feet to a 3/8" iron rod found at the southwest corner of said 14.947 Acre tract, said point being also at the southeast corner of said 5.849 Acre tract for an angle point of this tract;

THENCE with the south boundary line of said 5.849 Acre tract and the north right-of-way line of said Northwest Loop 363, S83°49'58"W a distance of 590.44 feet to a ⅝" iron rod found at the southwest corner of said 5.849-Acre tract, said point being also at the southeast corner of said 6.825 Acre tract for an angle point of this tract;

THENCE with the south boundary line of said 6.825-Acre tract and the north right-of-way line of said Northwest Loop 363, S83°49'34"W a distance of 270.90 feet to a 5/8" iron rod found at a south corner hereof;

THENCE with the southwest boundary line of said 6.825-Acre tract and the transition of the north right-of-way line of said Northwest Loop 363 and the east right-of-way line of Wendland Road (right-of-way width varies), N38°20'12"W a distance of 236.55 feet to a ⅝" iron rod found for a southwest corner hereof;

THENCE with the west boundary line of said 6.825-Acre tract and the east right-of-way line of said Wendland Road, N19°25'30"E a distance of 596.84 feet to a ⅝" iron rod found for the northwest corner of said 6.825-Acre tract, said point being also at the southwest corner of said 3.205-Acre tract for an angle point of this tract;

THENCE with the west boundary line of said 3.205-Acre tract and the east right-of-way line of said Wendland Road, N19°27'43"E a distance of 321.63 feet to a ⅝" iron rod found with cap at the northwest corner of said 3.205-Acre tract and at the southwest corner of said 14.947-Acre tract for an angle point of this tract;

THENCE with the west boundary line of said 14.947-Acre tract and the east right-of-way line of said Wendland Road, N17°39'10"E for a distance of 80.00 feet to a nail found at the northwest corner of said 14.947-Acre tract and being also at the southwest corner of said 37.786 Acre tract for an angle point of this tract;

THENCE with the west and north boundary line of said 37.786 Acre tract and the east right-of-way line of said Wendland Road the following two (2) courses and distances:

1. N19°17'52"E a distance of 1487.46 feet to a ⅝" iron rod set with cap for a northwest corner hereof, and
2. S71°58'11"E a distance of 35.01 feet to a ⅝"iron rod set with cap on a north boundary line of said 37.786-Acre tract, said point being at the southwest corner of 2.958-Acre tract of land as described in that deed to City of Temple by instrument recorded in Volume 2468, Page 24 of the deed records of said county for a corner hereof;

THENCE with a north and west boundary lines of said 37.786 Acre tract and the south and east boundary lines of said 2.958-Acre tract the following two (2) courses and distances:

1. S71°58'11"E a distance of 479.88 feet to a ⅝" iron rod set with cap for an inside ell corner hereof, and
2. N19°02'23"E a distance of 264.28 feet to a ⅝" iron rod set with cap on a west boundary line of said 37.786-Acre tract, being also at the northeast corner of said 2.958 Acre tract and the south boundary line of Wilsonart Drive (right-of-way varies) for a corner hereof;

THENCE with the west and north boundary lines of said 37.786-Acre tract and the south right-of-way line of said Wilsonart Road the following two (2) courses and distances:

1. N19°02'23E a distance of 15.00 feet to a ⅝" iron rod set with cap for a northwest corner hereof, and
2. S70°54'20"E a distance of 491.22 feet to a ⅝" iron rod set with cap for the northeast corner of said 37.786-Acre tract, being also at the northwest corner of said Lot 1, Ralph Wilson Plastics Company Plant III Site Subdivision, for an angle point of this tract;

THENCE with the north and east boundary lines of said Lot 1, Ralph Wilson Plastics Company Plant III Site Subdivision and the south right-of-way line of said Wilsonart Drive the following three (3) courses and distances:

1. S70°55'01"E a distance of 167.76 feet to a ⅝" iron set with cap for an angle point of this tract;
2. S70°46'11"E a distance of 1715.75 feet to a ⅝" iron rod set with cap for a northeast corner hereof, and
3. S19°23'50"W a distance of 15.00 feet to a ⅝" iron rod found at an east boundary line of said Lot 1, Ralph Wilson Plastics Company Plant III Site Subdivision, also being the northwest corner of side Lot 1, Section Fifteen Temple Industrial Park, for a corner hereof;

THENCE with the east boundary line of said Lot 1, Ralph Wilson Plastics Company Plant III Site Subdivision and the west boundary line of side Lot 1 Section Fifteen Temple Industrial Park, S19°23'50"W for a distance of 311.74 feet to a ⅝" iron rod found at the southwest corner of said Lot 1, Block 1 Section Fifteen Temple Industrial Park and at the northwest corner of said 14.997-Acre tract for an inside ell corner hereof;

THENCE with the north boundary line of said 14.997-Acre tract and the south boundary line of said Lot 1, Section Fifteen Temple Industrial Park, S70°54'00"E for a distance of 601.69 feet to the POINT OF BEGINNING hereof and containing 163.606 Acres of land.



ORDINANCE NO. 2014-4647

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, DESIGNATING A CERTAIN TRACT OF LAND CONSISTING OF APPROXIMATELY 163.606 ACRES OF LAND LOCATED AT 10501 NW H.K. DODGEN LOOP, TEMPLE, BELL COUNTY, TEXAS, AS TAX ABATEMENT REINVESTMENT ZONE NUMBER TWENTY-EIGHT FOR COMMERCIAL/INDUSTRIAL TAX ABATEMENT; ESTABLISHING THE BOUNDARIES THEREOF AND OTHER MATTERS RELATING THERETO; DECLARING FINDINGS OF FACT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, the City Council of the City of Temple, Texas (the "City"), desires to promote the development or redevelopment of a certain contiguous geographic area within its jurisdiction by creation of a reinvestment zone for commercial/industrial tax abatement, as authorized by Section 312.201 of the Texas Tax Code (hereinafter the "Code");

**Whereas**, the City held such public hearing after publishing notice of such public hearing, and giving written notice to all taxing units overlapping the territory inside the proposed reinvestment zone;

**Whereas**, the City at such hearing invited any interested person, or his attorney, to appear and contend for or against the creation of the reinvestment zone, the boundaries of the proposed reinvestment zone, whether all or part of the territory described in the ordinance calling such public hearing should be included in such proposed reinvestment zone, the concept of tax abatement; and

**Whereas**, the proponents of the reinvestment zone offered evidence, both oral and documentary, in favor of all of the foregoing matters relating to the creation of the reinvestment zone, and opponents of the reinvestment zone appeared to contest creation of the reinvestment zone.

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

**Part 1:** The facts and recitations contained in the preamble of this ordinance are hereby found and declared to be true and correct.

**Part 2:** The City Council, after conducting such hearings and having heard such evidence and testimony has made the following findings and determinations based on the testimony presented to it:

A. Designates a certain tract of land consisting of approximately 163.606 acres of land located at 10501 NW H.K. Dodgen Loop, Temple, Bell County, Texas, as Tax Abatement Reinvestment Zone Number Twenty-Eight;

B. That creation of Tax Abatement Reinvestment Zone Number Twenty-Eight will result in benefits to the City and to the land included in the zone after the term of any agreement executed hereunder, and the improvements sought are feasible and practical;



## COUNCIL AGENDA ITEM MEMORANDUM

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03/06/14  
Item #5(K)  
Consent Agenda  
Page 1 of 4

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

Mark Baker, Planner

**ITEM DESCRIPTION:** SECOND READING – Z-FY-13-29: Consider adopting an ordinance authorizing a rezoning from Agricultural District (AG) to Single-Family Two District (SF-2) on 26.88 + / - acres, being part of the Nancy Chance Survey, Abstract No. 5, Bell County, Texas, located South of Poison Oak Road, east of South Pea Ridge Road.

**PLANNING & ZONING COMMISSION RECOMMENDATION:** At its January 21, 2014 meeting, the Planning and Zoning Commission (P&Z) voted 3 to 3. Despite the tie vote, the City Attorney has determined that the P&Z action is still sufficient to move the case forward to City Council.

As part of the meeting, roadway and infrastructure plans for the immediate area of Poison Oak, South Pea Ridge and Old Waco Road adjacent to the proposed project site were discussed.

Horizontal roadway design and width, construction responsibilities and relocation of infrastructure are addressed with the subdivision plat process. While the Thoroughfare Plan (attached) shows Poison Oak Road as a proposed minor arterial and S. Pea Ridge Road as an existing collector, Staff has found that none of the roads in the immediate area are funded through 2019 on the Transportation Capital Improvements Plan (TCIP) project listing. However, portions of the Outer Loop (Old Waco Road) farther north of the site are on the list. Per Sec. 8.5.1(Perimeter Streets) of the Unified Development Code (UDC), the developer will be responsible at the platting stage for right-of-way dedication for adjacent street improvements.

Current as well as alternative alignments of Poison Oak have been discussed. Any alternatives will require an amendment to the Thoroughfare Plan and would need to go before the Planning and Zoning Commission and City Council before being considered as part of any anticipated plat.

The applicant has worked closely with staff to identify acreage that is suitable for single-family residential development, which resulted in the “carving-out” of a  $\pm$  5-acre strip of this AG-zoned parcel for future non-residential rezoning consideration along Old Waco Road consistent with the Future Land Use Plan (FLUP) as additionally discussed in the Item Description. In light of concerns expressed during the meeting, issues related to infrastructure and circulation are typically addressed at the platting stage.

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

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

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

**ITEM SUMMARY:** According to the City of Temple Comprehensive Plan / FLUP, the subject property is within the designated Suburban Residential District. The Suburban Residential district is for mid-sized single-family lots, allowing for greater separation between dwellings and more emphasis on green spaces versus the streets and driveways that predominate in an auto-urban setting. While it should be noted that 5.2 +/- acres of the subject property is within the Suburban Commercial FLUP designation, the 5.2 +/- acre piece is not being considered for zoning at this time and will remain zoned Agriculture (AG). While a portion of the proposed SF-2 is within the Suburban Commercial district, staff has been working with the applicant to provide an adequate acreage and depth to accommodate future non-residential development along Old Waco Road. The applicant has also been made aware of the dedication requirements for the widening of Old Waco Road. The remaining 5.2 +/- acres will accommodate both the dedication requirements as well as adequate for development of uses within a non-residential zoning district which are consistent with Suburban Commercial district. The dedication requirements will be addressed when the property is platted or triggered with the building permit. Therefore, the current zoning request complies with the Suburban Residential district and the intent of the FLUP with regard to the adjacent Suburban Commercial.

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

**Residential uses**

Family or Group Home  
Industrialized Housing

**Nonresidential uses**

Farm or Ranch  
Park or Playground  
Fire Station  
Gas line Regulating Station

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

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

<u>Direction</u>	<u>FLUP</u>	<u>Zoning</u>	<u>Current Land Use</u>
Site	Suburban Residential	AG	Undeveloped
North	Suburban Residential	AG/ SF-2	Existing SF uses (Wind Crest Subdivision)
South	Suburban Residential	ETJ	Undeveloped/ Scattered SF uses
East	Suburban Commercial	AG	Scattered SF uses on acreage (Old Waco Road Subdivision)
West	Suburban Residential	AG	Scattered SF uses on acreage

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

<b>Document</b>	<b>Policy, Goal, Objective or Map</b>	<b>Compliance?</b>
CP	Map 3.1 - Future Land Use and Character (FLUP)	Yes
CP	Map 5.2 - Thoroughfare Plan	Yes
CP	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	Yes

CP = Comprehensive Plan      STP = Sidewalk and Trails Plan

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

The portion of the property being requested for rezoning is entirely within the Suburban Residential district. The Suburban Residential District is for mid-size single family lots, allowing for greater separation between dwellings and more emphasis on green spaces versus the streets and driveways that predominate in an auto-urban setting. The SF-2 zoning request is consistent with the FLUP district. The remainder of the property is within the Suburban Commercial district which is not under consideration at this time.

**Thoroughfare Plan (CP Map 5.2)**

The portion of the property under consideration has frontage along South Pea Ridge Road. South Pea Ridge Road has been identified as a collector street. South Pea Ridge will be built to collector standards when final right-of-way dedication and design is completed in the future.

**Availability of Public Facilities (CP Goal 4.1)**

Sewer is available to the subject property by a 15" line on the southern property boundary. Water is available through an 8" waterline in S. Pea Ridge Road.

Temple Trails Master Plan Map and Sidewalks Ordinance

According to the Trails Master Plan Map, no trails have been identified along S. Pea Ridge Road.

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

Min Lot Size	5,000 S.F
Min Lot Width	50'
Min Lot Depth	100'
Front	25'
Side	5'
Side (corner)	15'
Rear	10'

Per UDC Section 8.2.3, sidewalks are required on one side of the road for collector streets. The sidewalk will be installed at the time of development, and will be noted on the plat.

**PUBLIC NOTICE:** Twelve 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 January 27, 2014 at 5:00 PM, no notices for approval and 3 notices for disapproval of the zone change have been received.

The newspaper printed notice of the public hearing on December 26, 2013, in accordance with state law and local ordinance.

**FISCAL IMPACT:** Not Applicable

**ATTACHMENTS:**

[Site and Surrounding Property Photos](#)  
[Zoning and Location Map](#)  
[Future Land Use and Character Map](#)  
[Localized area of the Thoroughfare Plan](#)  
[Buffer Notification Map](#)  
[Returned Property Owner Notices](#)  
[Letters and photos from Neighbors](#)  
[Ordinance](#)



# Site & Surrounding Property Photos

(Site Photo taken in Dec 2013 - all others taken in August 2013)



**Site: Undeveloped - Looking East (AG)**



**East: Scattered Single-Family Residences on Acreage (AG)  
(Old Waco Road Subdivision)**





**West: Scattered Single-Family Residences on Acreage (AG)**



**North: Developed SF Uses (Wind Crest Subdivision - SF-2)**



**South: Scattered Single-Family uses on acreage (ETJ)**

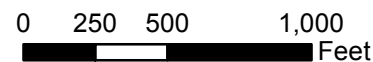
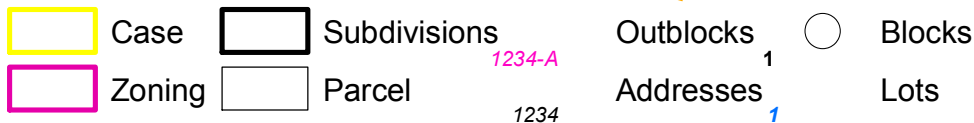
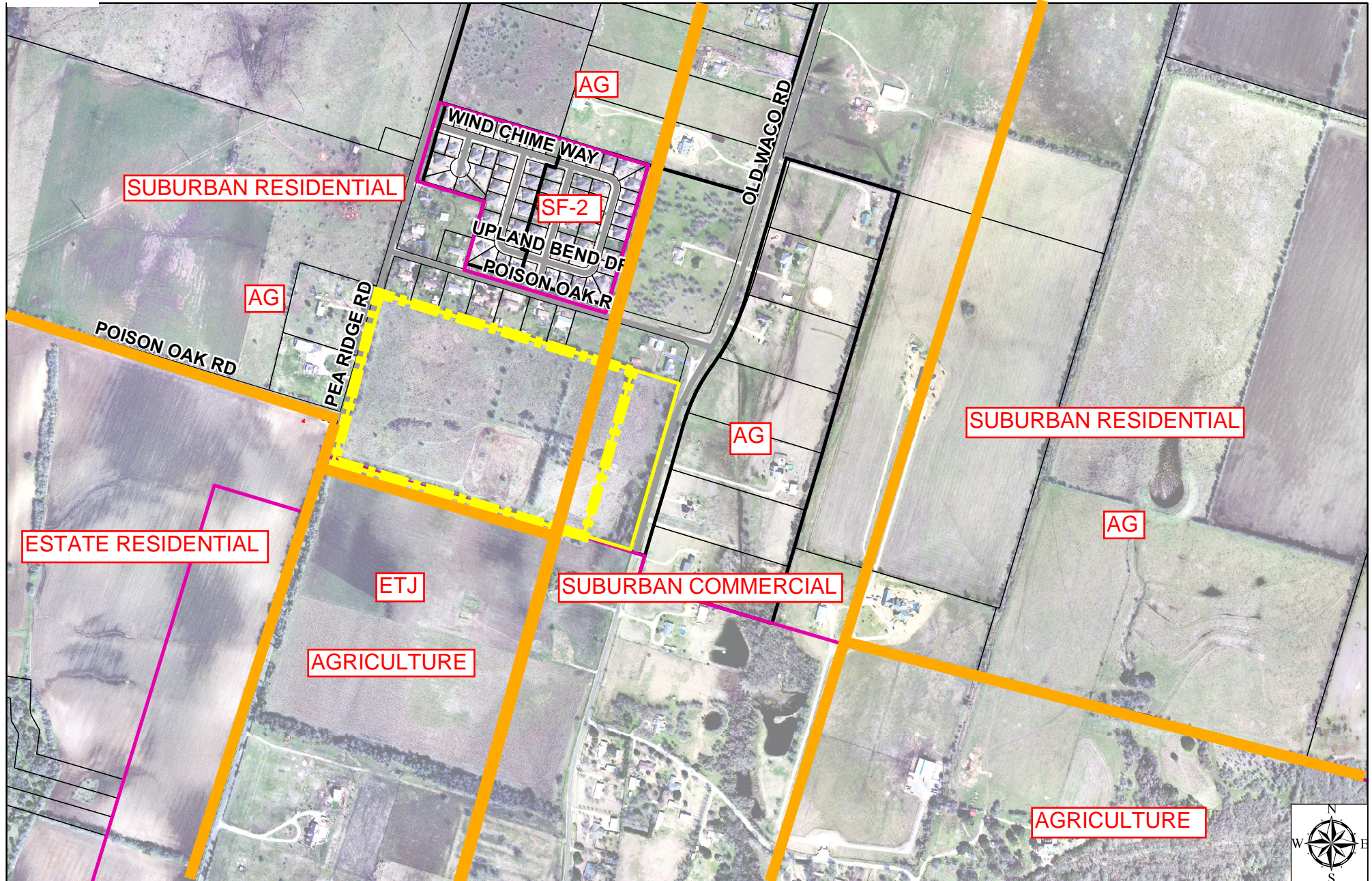




**Z-FY-13-29**

# Zoning and Location Map

South of Poison Oak Rd  
East of S. Pea Ridge Rd



12/9/2013  
City of Temple GIS

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

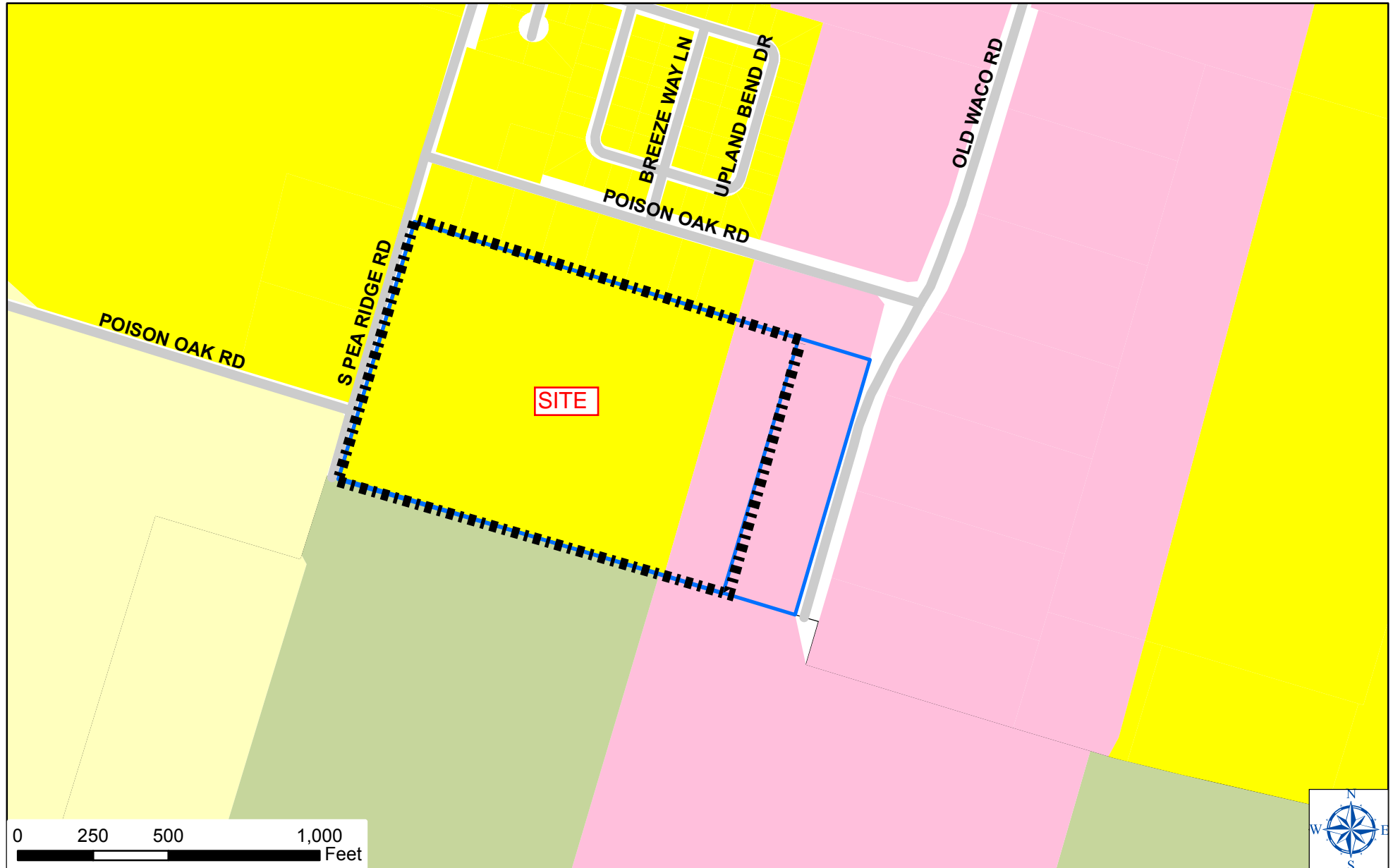




Z-FY-13-29

AG to SF-2

South of Poison Oak Rd  
East of S. Pea Ridge Rd



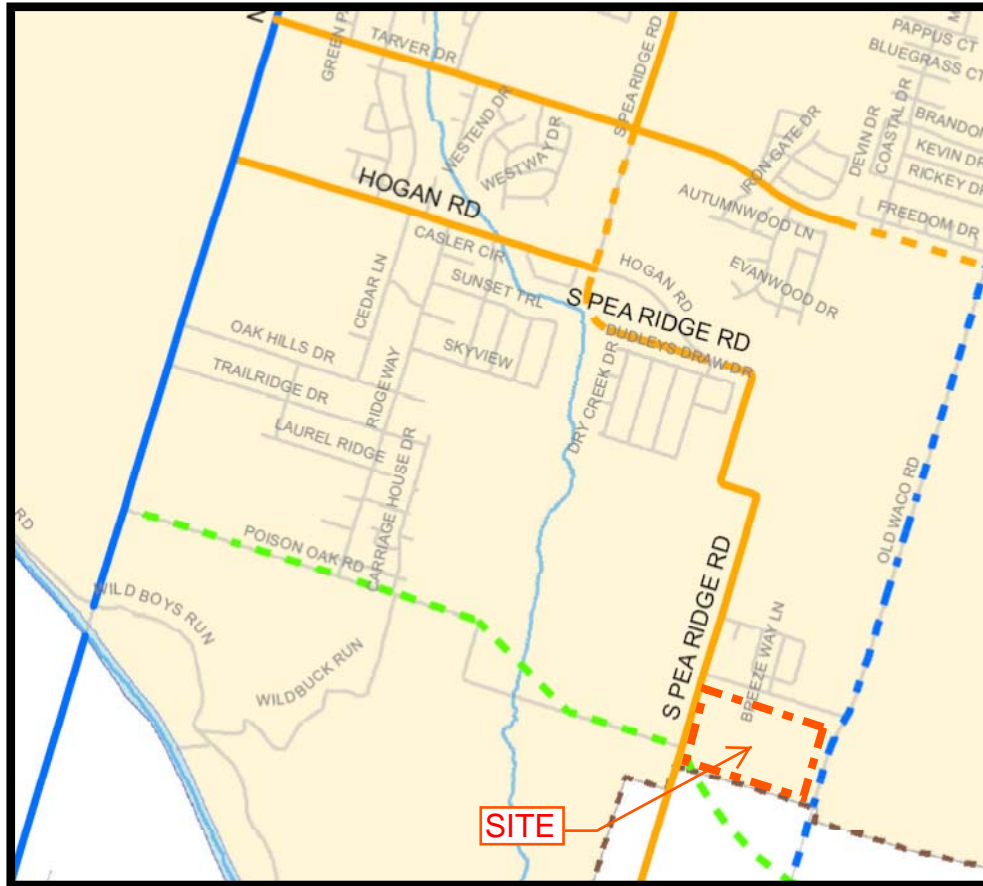
### Future Land Use

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

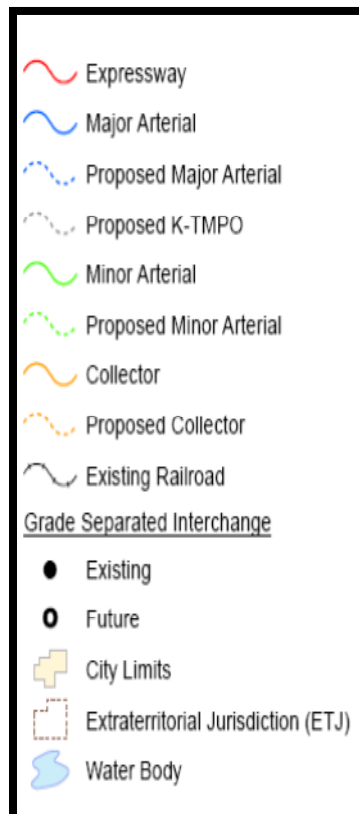
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12/9/2013  
City of Temple GIS

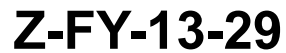
# Localized Area of Thoroughfare Plan



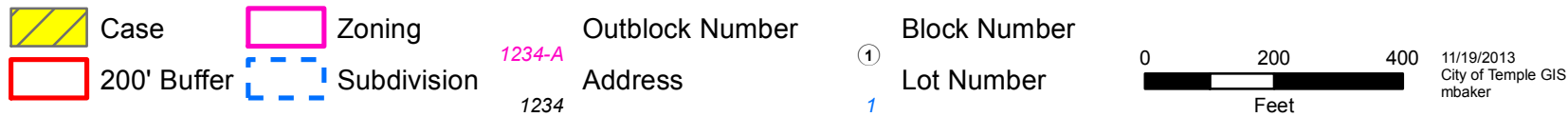
Map Legend (Map not to scale)







South of Poison Oak Rd  
& East of S. Pea Ridge Rd.



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

Charles A. O'Daniel  
7315 Poison Oak Road  
Temple, Texas 76502

Zoning Application Number: Z-FY-13-29

Project Manager: Mark Baker

Location: South of Poison Oak Road, east of South 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 (X) denial of this request.

**Comments:**

without knowing the specifics regarding intended lot sizes, number of homes, quality of homes, and the impact this new construction will have on our current infrastructure, I cannot approve additional homes in this area of Temple. The homes built to the north of my house about 8-10 years ago are not of high quality and have attracted a lower class of residence to a once peaceful and beautiful country side. Also, the City has done nothing to improve the roads to this area and they continue to fail. Roads such as Old Waco and Pea Ridge are in the same state they were in 20 yrs ago. The City and local residence should consider this, not just profit from allowing this to occur.

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 02 2013  
City of Temple  
Planning & Development



**RESPONSE TO PROPOSED  
ZONE CHANGE REQUEST  
CITY OF TEMPLE**

Rebecca Anne Burrow  
7211 Poison Oak Road  
Temple, Texas 76502

**Zoning Application Number:** Z-FY-13-29

**Project Manager:** Mark Baker

**Location:** South of Poison Oak Road, east of South 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

(X) denial of this request.

**Comments:**

*My family and I have lived at this residence for 22 years. The only way I would approve this request is if the proponent/Builder would provide a privacy fence/wall along the back of our property so that we can continue to enjoy the privacy of country living we have enjoyed for so many years.*

*Rebecca Burrow*  
Signature

*Rebecca A. Burrow*  
Print Name

Please mail or hand-deliver this comment form to the address shown below, no later than January 6, 2014

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

**RECEIVED**

**JAN 06 2014**

City of Temple  
Planning & Development

Number of Notices Mailed: 12

Date Mailed: December 23, 2013





**RESPONSE TO PROPOSED  
ZONE CHANGE REQUEST  
CITY OF TEMPLE**

Bobby L. Etux Peggy Lawton *BOBBY LAWTON ALBIN & PEGGY BASS ALBIN*  
8355 Poison Oak Road Unit A  
Temple, Texas 76502

**Zoning Application Number:** Z-FY-13-29

**Project Manager:** Mark Baker

**Location:** South of Poison Oak Road, between South Pea Ridge Road & Old Waco 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 (X) denial of this request.

**Comments:**

The great increase in traffic from high density housing adjacent to narrow country roads with no shoulders would create safety problems. In consideration of the people already living along these roads and all who already must travel these roads, this request should be denied and not reconsidered until such time when Old Waco Road, Pea Ridge Road and Poison Oak Road are improved to more adequately accomodate the present use of the roads as well as to provide greater safety for the additional traffic from any potential housing development.

Peggy Bass Albin  
Signature

Peggy Bass Albin

Print Name

Please mail or hand-deliver this comment form to the address shown below, no later than January 6, 2014

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

**RECEIVED**

**JAN 06 2014**

City of Temple  
Planning & Development

Number of Notices Mailed: 12

Date Mailed: December 23, 2013

January 16, 2014

City of Temple  
Attn: Planning and Zoning Commission  
2 North Main Street  
Temple, Texas 76501

Re: Land Use Case #Z-FY-13-29

Dear Commissioners:

Thank you for your service to our City. Temple, for years, has been blessed by excellent civic participation among its business leaders, and as your friends and neighbors, we greatly appreciate the time and effort you invest, on a volunteer basis, in our community.

Leadership such as yours has fostered unprecedented growth in Temple, which serves as a testament to the desirability of our community as a great place to work and live. That same growth, however, can result in growing pains, and that is the impetus for this letter.

The property at issue in Land Use Case #Z-FY-13-29 is a portion of a 32 acre tract owned by RTC Construction, which, in turn, is owned by Glen Cummings. The tract is located between Old Waco Road and Pea Ridge Road, just south of Poison Oak. Heading from State Highway 317, Poison Oak arrives at a "T" intersection with Pea Ridge. The subject property is directly across from the intersection. Mr. Cummings has requested a zoning change, addressing the western 26 acres of the tract, seeking to change it from its present zoning for agricultural use to "SF-2."

As you are aware, SF-2 is the least restrictive single-family attached dwelling zoning designation available under the Unified Development Code of the City of Temple. As such, SF-2 permits:

- A minimum lot size of 5,000 sq/ft (0.115 acres)
- A minimum lot width of 50.00 ft
- A minimum lot depth of 100.00 ft
- A minimum front yard setback of 25 ft (no improvements within 25 feet of public road)
- A minimum side yard setback of 5 ft (thus, a minimum of 10 feet between houses)
- A maximum building coverage of 50% of the lot area
- A maximum height of 2.5 stories

Mr. Cummings' stated intent is to submit a plat providing for 100+ lots on 26 acres. Taking into account the roads and easements necessary to develop a tract, this development will be substantially denser than the prevailing character of the surrounding properties. By comparison, the properties listed in the attached spreadsheet, representative of newer construction in this area, average **one single-family house per 24.125 acres**. That equates to **1.078 houses per 26 acres**. Thus, Mr. Cummings' development will be **92.76x denser than the existing development** on these properties. The type of house commonly



built in a development such as this typically costs between \$90,000 and \$150,000, depending on heated area of the house and the quality of materials used. While that does not comport with the character of the properties on the spreadsheet (estate-sized tracts between five and sixty-five acres with first quality homes), and while there would exist no UE or even SF-1 zoning to serve as a transition between the subject tract and the properties listed in the attachment, the more disturbing issue is one of safety.

In the face of rapid growth of West Temple over the last twenty years, the City has been unable to provide infrastructure to support the growth. In the late nineties, Adams Avenue was known as FM 2305, consisted of two lanes, and was bordered on either side by cornfields and cow pastures. It is now home to thousands of people, and is probably the most rapidly developing corridor in the City of Temple. Adams has been widened, but it remains the only major east-west thoroughfare in an increasingly urbanized area. It funnels enormous amounts of traffic from not only the neighborhoods immediately surrounding Adams, but also between the city center and the highly developed area surrounding Lake Belton. As high-density developments continue to spring up from the cropland, several small roads that were originally designed and constructed to follow fence lines between farms and ranches have become increasingly crowded and dangerous. Vehicles traveling between Belton or IH-35 and the new neighborhoods, looking to avoid the lights and congestion on Adams, are diverting from Adams to Poison Oak, Pea Ridge and Old Waco. These roads are simply incapable of handling the increased volume. The City has repeated time and again that the improvement of infrastructure in the area is a priority, but time and again, other projects (such as the north loop, Old Howard Road, and a bevy of recreational projects) have depleted the City's coffers. Meanwhile, the development continues.

We do not wish to stop progress. Temple must continue to develop and grow. However, growth should not go unchecked...that is precisely why we have zoning ordinances: to foster responsible growth which, among other things, protects citizens from unsafe infrastructure and encourages investment. Squeezing 100 lots onto 26 acres bounded by Pea Ridge, Poison Oak and Old Waco is, frankly, not responsible. The undersigned are each opposed to the rezoning of any property south of Poison Oak to anything less restrictive than Urban Estate (half-acre minimum size; 80' minimum width), and even with those changes, we believe development should be paused until the City of Temple can safely accommodate such growth by funding and completing the expansion of Old Waco Road, Pea Ridge Road and Poison Oak Road.

Thank you for your consideration.

Respectfully,



Printed Name:

Sarah Sewell

Address:

8355 Poison  
Oak Rd.



Printed Name:

Stephen Sewell

Address:

8355 Poison  
Oak Rd.

Debbie Lange  
Printed Name: Debbie Lange  
Address: 8355 Poison Oak #9

Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_

Laura Chaput  
Printed Name: Laura Chaput  
Address: 8355 - C Poison Oak Rd

Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_

Ann Munroe  
Printed Name: Ann Munroe  
Address: 3900 S. Pea Ridge Rd

Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_

Kami Cargile  
Printed Name: Kami Cargile  
Address: 8355 Poison Oak Rd #8

Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_

John Cargile  
Printed Name: John Cargile  
Address: 8355 Poison Oak #8

Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_

Peggy Albin  
Printed Name: PEGGY ALBIN  
Address: 8355 POISON OAK #A

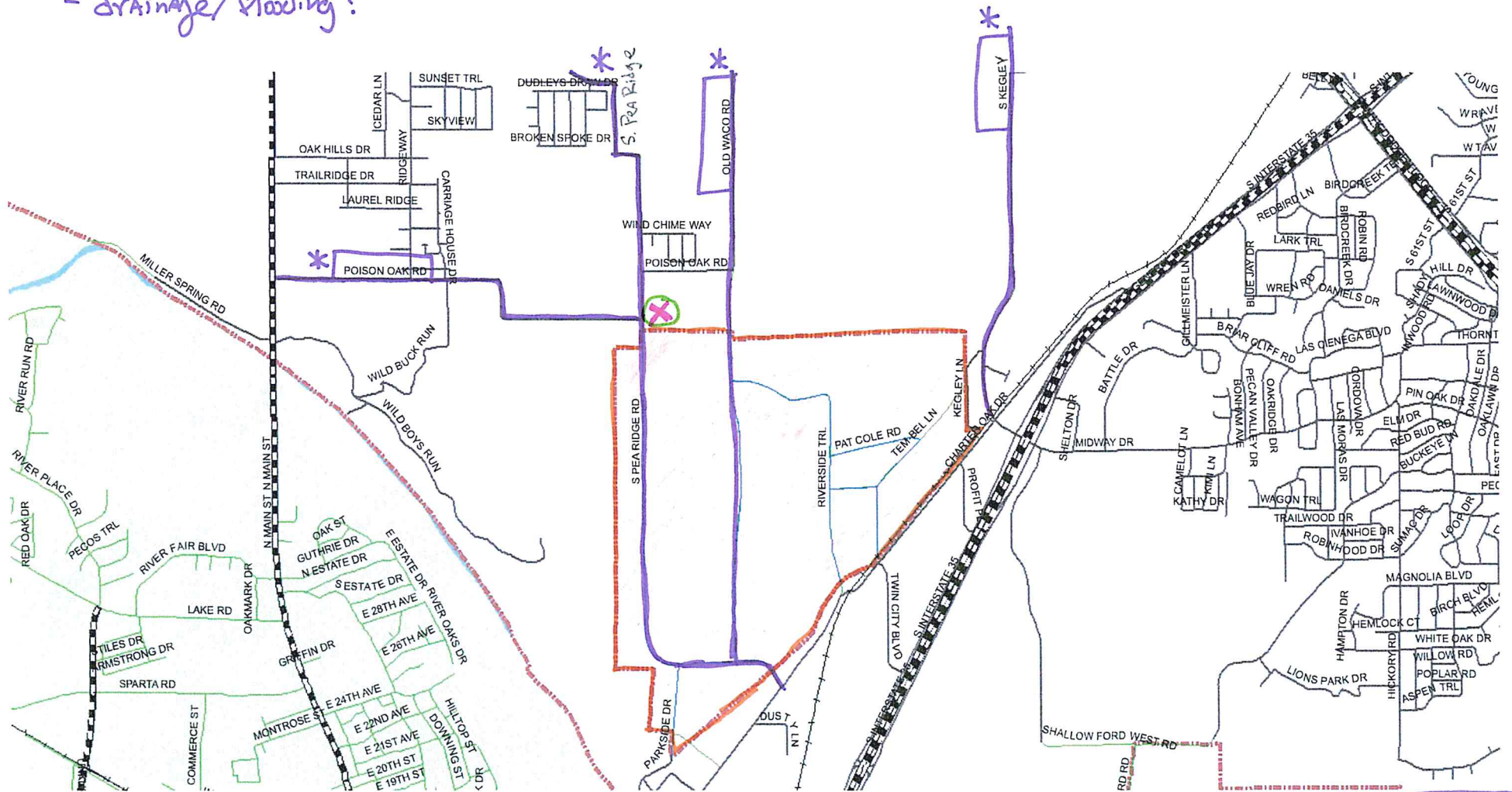
Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_

Kenny Cummings  
Printed Name: Kenny Cummings  
Address: 2616 5th Pea Ridge Rd

Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_



- Main Roads in poor condition AND unsafe for increased traffic load
- neglected infrastructure related to bizarre county island? Why is this not annexed?
  - law enforcement?
  - drainage/flooding?

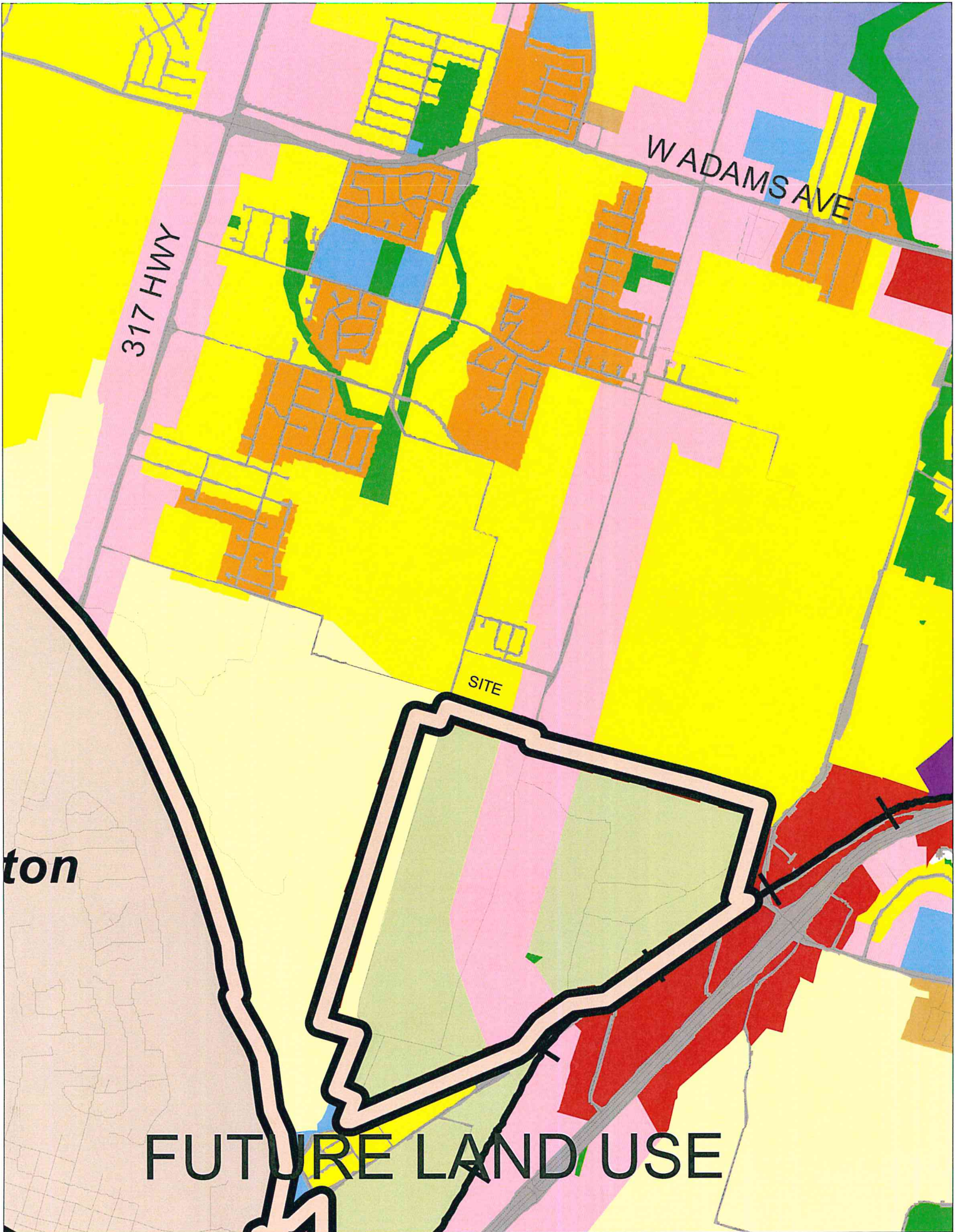


What is master plan for growth?

- long term health of this area
- safety → roads, law enforcement
- quality of life relating to desirable urban character

\* Can the city afford to properly support growth + development with appropriate investments towards infrastructure or does urban development need to be minimized until the city can provide service



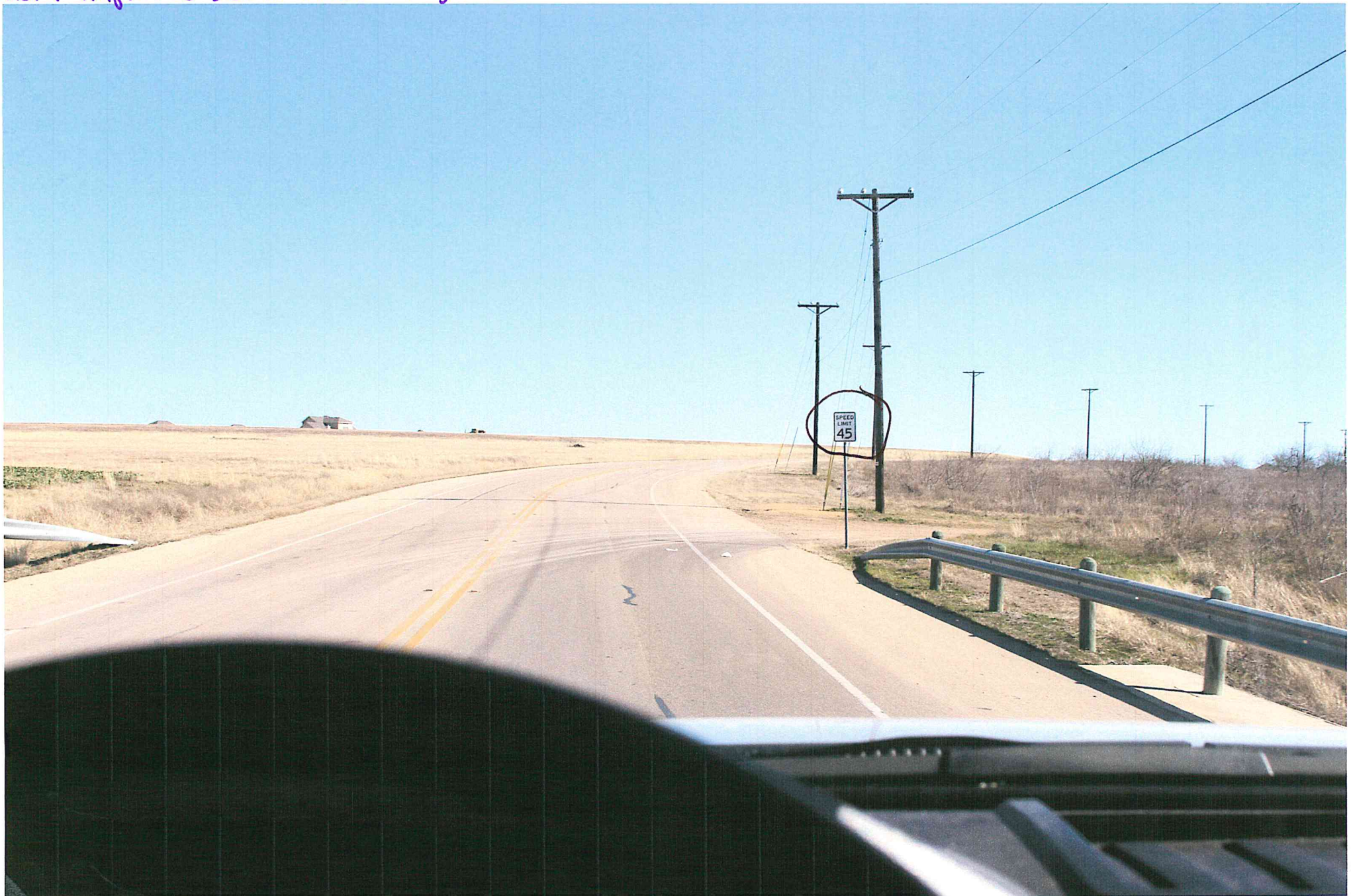




S. Pea Ridge 45 mph

center line to shoulder

short improved section near Hogan Rd.





Poison Oak Rd  
width 16' 8"

poorly marked 30mph  
2 90° turns

no center line, no shoulder, floods  
eroded, poorly maintained





Drainage System for S. Pea Ridge Area

\* Floods over Poison Oak several times a year, closing road - when our properties flood





Kidgeway Dr. (Carriage House neighborhood) off Poison Oak

30 mph

width: 34'





Poison OAK Rd @ 317 | poorly marked 80 mph | no center line, no shoulder  
width 16' 8" | 2 90° turns | floods  
eroded, poorly maintained





S. Pea Ridge 140 mph  
width: 18' 4" no center line, no shoulders, ditches for drainage  
4 90° turns





S. Kea Ridge  
width 18' 4"

45 mph

4 90 turns, no other way the other





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

(PLANNING NO. Z-FY-13-29)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A ZONING CHANGE FROM AGRICULTURAL DISTRICT (AG) TO SINGLE-FAMILY TWO DISTRICT (SF-2) ON APPROXIMATELY 26.88 ACRES, BEING PART OF THE NANCY CHANCE SURVEY, ABSTRACT NO. 5, BELL COUNTY, TEXAS, AND LOCATED SOUTH OF POISON OAK ROAD, EAST OF SOUTH PEA RIDGE ROAD; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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

**Part 1:** The City Council approves a rezoning from Agricultural District (AG) to Single-Family Two District (SF-2) on approximately 26.88 acres, being part of the Nancy Chance Survey, Abstract No. 5, Bell County, Texas, and located south of Poison Oak Road, east of South Pea Ridge Road, outlined in the map attached hereto as Exhibit A, and made a part hereof for all purposes.

**Part 2:** The City Council directs the Director of Planning to make the necessary changes to the City Zoning Map accordingly.

**Part 3:** It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such phrase, clause, sentence, paragraph or section.

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

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

PASSED AND APPROVED on First Reading and Public Hearing on the 6<sup>th</sup> day of February, 2014.

PASSED AND APPROVED on Second Reading on the **20<sup>th</sup>** day of **February**,  
2014.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Jonathan Graham  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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03/06/14  
Item #5(L)  
Consent Agenda  
Page 1 of 1

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

Walter Hetzel, Animal Services Director  
Ashley Williams, Sustainability and Grant Manager

**ITEM DESCRIPTION:** Consider adopting a resolution ratifying the submittal of a grant application to the Pedigree Shelter Renovation Project: See What Good Food Can Do program, for the opportunity to receive \$5,000 to \$10,000 worth of shelter renovations, as well as a possible in-kind donation of Pedigree dog food.

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

**ITEM SUMMARY:** On February 28, 2014 the City submitted a grant application to the Pedigree Shelter Renovation Project: See What Good Food Can Do program. The program is intended to provide \$5,000 to \$10,000 worth of shelter renovations, as well as possible in-kind donation of Pedigree dog food. If awarded the shelter renovations will take place between April and October 2014.

Distribution of funding will be allocated to governments and organizations who are open admission shelters. The final application was submitted February 28, 2014.

The project scope is open to the following, as designated by the grant application: (1) interior/exterior painting; (2) handmade dog toys; (3) raised dog beds; (4) outdoor exercise pen installation; (5) shade screens for outdoor pens; (6) chain link fence repair; (7) kennel repair; (8) coyote roll installation; (9) general landscaping; (10) bench installation; (11) storage shed installation; and (12) shelving installation. Staff ranked these options based on the most need, with high priority on interior painting, kennel repair, chain link fence repair, and general landscape. Staff submitted improved lighting and door frame repair under the other recommendations.

**FISCAL IMPACT:** If awarded the grant the funds would be used for a variety of shelter renovation projects. There is no City match required.

**ATTACHMENTS:**

[Resolution](#)



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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE CITY MANAGER TO RATIFY THE SUBMITTAL OF A GRANT APPLICATION TO THE PEDIGREE SHELTER RENOVATION PROJECT FOR CERTAIN SHELTER RENOVATIONS AND IN-KIND DONATIONS OF PEDIGREE DOG FOOD; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, the Pedigree Shelter Renovation Project: See What Good Food Can Do program is intended to provide \$5,000 to \$10,000 worth of shelter renovations, as well as possible in-kind donations of Pedigree dog food;

**Whereas**, on February 24, 2014, the City submitted a grant application to the Pedigree Shelter Renovation Project – if awarded the shelter renovations will take place between April and October 2014;

**Whereas**, distribution of funding will be allocated to governments and organizations who are open admission shelters;

**Whereas**, there is no City match associated with this grant project – if awarded, the funds will be used for a variety of shelter renovation projects; and

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

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

**Part 1:** The City Council authorizes the submission and ratification of a grant application for the Pedigree Shelter Renovation Project: See What Good Food Can Do program which is intended to provide \$5,000 to \$10,000 worth of shelter renovations, as well as possible in-kind donations of Pedigree dog food.

**Part 2:** The City Council authorizes the City Manager, or his designee, to execute any documents, after approval as to form by the City Attorney, that may be needed for purposes of the grant application, and authorized the City Manager, or his designee, to and accept any grant funds that may be awarded.

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

PASSED AND APPROVED this the **6<sup>th</sup>** day of **March**, 2014.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Jonathan Graham  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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03/06/14  
Item #5(M)  
Consent Agenda  
Page 1 of 1

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

David Blackburn, City Manager

**ITEM DESCRIPTION:** Consider adopting a resolution supporting Central Texas Housing Consortium, Temple Housing Authority (THA), Housing Programs with a City contribution of \$30,000 and authorizing execution of a Memorandum of Agreement with the Central Texas Housing Consortium.

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

**ITEM SUMMARY:** THA received \$35,000 in down payment assistance funding from the City of Temple in January of 2012. With those funds, THA has provided \$2,500 each to 11 qualified homebuyers. THA currently has \$7,500 remaining with \$5,000 of that amount committed.

THA currently has a Reservation System Participant Agreement for Home Buyer Assistance with TDHCA scheduled to expire in July of this year. They have been communicating with HOME staff and plan to request either an extension or new agreement at the appropriate time.

Due to the varying level of activity, THA would like to continue the flexibility in using City of Temple funding between their in 'in-house' program and TDHCA grants as needed by qualified homebuyers.

As with previous years, THA will be responsible for qualifying the recipients. Furthermore, the Memorandum of Agreement (MOA) provides:

- The City will contribute the \$30,000 in lump sum to be disbursed to 12 homebuyers at a funding level of \$2,500 each.
- The funds will be used for City of Temple housing projects.
- THA will provide quarterly reports to the City of summarizing the distribution of the City funds.
- THA will ensure the homes meet building codes and TDHCA requirements, as applicable.

**FISCAL IMPACT:** A budget adjustment is presented for Council's approval allocating \$30,000 from Designated Capital Projects-Unallocated, account 110-0000-352-13-45 to Temple Housing Authority - Down Payment Assistance Program, account 351-6100-571-2661.

### **ATTACHMENTS:**

[Budget Adjustment  
Resolution](#)



FY 2014**BUDGET ADJUSTMENT FORM**

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

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

+

-

ACCOUNT NUMBER	PROJECT #	ACCOUNT DESCRIPTION	INCREASE		DECREASE	
351-6100-571-26-61		Afford Housing - THA	\$ 30,000			
351-0000-490-25-82		Transfer In	30,000			
110-9100-591-81-51		Transfer Out - Desg Cap Proj	30,000			
110-0000-352-13-45		Desg Cap Proj - Unallocated			30,000	
		<b><i>Do not post</i></b>				
<b>TOTAL.....</b>			<b>\$ 90,000</b>		<b>\$ 30,000</b>	

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

To appropriate funding for the Central Texas Housing Consortium's down payment assistance program and TDHCA grant match.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒

Yes

☐

No

DATE OF COUNCIL MEETING

3/6/2014

WITH AGENDA ITEM?

☒

Yes

☐

No

\_\_\_\_\_  
Department Head/Division Director\_\_\_\_\_  
Date☐

Approved

☐

Disapproved

\_\_\_\_\_  
Finance\_\_\_\_\_  
Date☐

Approved

☐

Disapproved

\_\_\_\_\_  
City Manager\_\_\_\_\_  
Date☐

Approved

☐

Disapproved

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, SUPPORTING CENTRAL TEXAS HOUSING CONSORTIUM, TEMPLE HOUSING AUTHORITY, HOUSING PROGRAMS WITH A CITY CONTRIBUTION OF \$30,000 AND AUTHORIZING THE EXECUTION OF A MEMORANDUM OF AGREEMENT WITH THE CENTRAL TEXAS HOUSING CONSORTIUM; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, Temple Housing Authority (THA) received \$35,000 in down payment assistance funding from the City of Temple in January of 2012 – with those funds, THA has provided \$2,500 each to 11 qualified homebuyers;

**Whereas**, THA currently has a Reservation System Participant Agreement for Home Buyer Assistance with Texas Department of Housing and Community Affairs (TDHCA) scheduled to expire in July of this year – they have communicated with staff and plan to request either an extension or new agreement at the appropriate time;

**Whereas**, due to the varying level of activity, THA would like to continue the flexibility in using City of Temple funding between their ‘in-house’ program and TDHCA grants as needed by qualified homebuyers, and as with previous years, THA will be responsible for qualifying the recipients;

**Whereas**, the Memorandum of Agreement shall provide the following:

- The City will contribute \$30,000 in lump sum to THA to be disbursed by THA to 12 homebuyers at a funding level of \$2,500 each;
- The funds will be used for City of Temple housing projects;
- THA will provide quarterly reports to the City, summarizing the distribution of funds;
- THA will ensure the homes meet building codes and TDHCA requirements, as applicable;

**Whereas**, funds are available to support this agreement, but a budget amendment to the fiscal year 2013-2014 budget needs to be approved to transfer the funds to Account No. 351-6100-571-2661; 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 expresses full support for the Central Texas Housing Consortium, Temple Housing Authority (THA), Housing Programs with a City contribution of \$30,000.

**Part 2:** The City Council approves the contribution of \$30,000 to Temple Housing Authority be disbursed by Temple Housing Authority to 12 homebuyers at a funding level of \$2,500 each which will be used for City of Temple housing projects.

**Part 3:** The City Council authorizes the City Manager to execute a Memorandum of Agreement with the Temple Housing Authority, after approval as to form by the City Attorney.

**Part 4:** The City Council authorizes an amendment to the fiscal year 2013-2014 budget, substantially in the form of the copy attached hereto as Exhibit 'A.'

**Part 5:** 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 **6<sup>th</sup>** day of **March**, 2014.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Jonathan Graham  
City Attorney





## COUNCIL AGENDA ITEM MEMORANDUM

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03/06/14  
Item #5(N)  
Consent Agenda  
Page 1 of 1

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

Traci Barnard, Director of Finance

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

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

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

**FISCAL IMPACT:** The total amount of budget amendments is \$242,954.

**ATTACHMENTS:**

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

**CITY OF TEMPLE**  
**BUDGET AMENDMENTS FOR FY 2014 BUDGET**  
**March 6, 2014**

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
110-3700-524-2515		Dues & Subscription (Code Enforcement)	\$ 360	
110-2055-521-2616		Professional (Police Dept/Traffic Enforcement)		\$ 360
This budget adjustment reallocates funds from the Police Department to the Code Enforcement to cover the cost of DMV systems to run license plate inquiries.				
110-3293-551-2120		Education/Recreation	\$ 8,000	
110-0000-445-1590		Special Events Classes		\$ 8,000
Additional funds are needed in the education/recreation account for contest supplies. The additional revenues from the 5K/10K racing events offset the expenses. Racing events held so far this year have brought in an additional \$8,000 versus last year at this time.				
110-3300-519-2584		EDC - Matrix Component	\$ 185,462	
110-3300-519-2584		EDC - O&M Funding Component		\$ 7,669
110-0000-352-1345		Des Capital Projects - Unallocated		\$ 177,793
Per the 2007 Funding and Operating Agreement between the City of Temple and the Temple Economic Development Corporation (TEDC), the City shall contribute a portion of its annual revenue from sales tax to TEDC. The City's contribution shall include a "Base Contribution" which is comprised of two components: (1) an "Operating Expense Component" and (2) an "Incentive Matrix Component". This budget adjustment reduces the appropriation for the FY 2014 "Operating Expense Component" and increases the appropriation for the "Incentive Matrix Component" to TEDC as a result of an adjustment to the amount of economic development incentives paid by TEDC. Funds are available in Designated Capital Projects - Unallocated.				
365-1500-515-1112		Professional	\$ 19,096	
365-1500-515-1220		Retirement/Pension	\$ 3,380	
365-1500-515-1221		Medicare	\$ 277	
365-1500-515-1222		Health Insurance	\$ 1,516	
365-1500-515-1223		Worker Compensation	\$ 51	
365-1500-515-1224		Unemployment Insurance	\$ 135	
365-1500-515-1225		Dental Insurance	\$ 32	
365-1500-515-1226		Life Insurance	\$ 28	
365-1500-515-1227		AD&D Insurance	\$ 6	
365-1500-515-1228		Long Term Disability	\$ 45	
365-3400-531-6532		Contingency/Con. Fund Balance		\$ 24,566
561-5000-535-1112		Professional	\$ 19,096	
561-5000-535-1220		Retirement/Pension	\$ 3,380	
561-5000-535-1221		Medicare	\$ 277	
561-5000-535-1222		Health Insurance	\$ 1,516	
561-5000-535-1223		Worker Compensation	\$ 51	
561-5000-535-1224		Unemployment Insurance	\$ 135	
561-5000-535-1225		Dental Insurance	\$ 32	
561-5000-535-1226		Life Insurance	\$ 28	
561-5000-535-1227		AD&D Insurance	\$ 6	
561-5000-535-1228		Long Term Disability	\$ 45	
561-5000-535-6532		Contingency/Con. Fund Balance		\$ 24,566
Funding for the CIP Project Coordinator position. 50% of this position is being funded with TCIP project funds and 50% is funded with utility revenue bonds.				

**CITY OF TEMPLE**  
**BUDGET AMENDMENTS FOR FY 2014 BUDGET**  
**March 6, 2014**

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
TOTAL AMENDMENTS			\$ 242,954	\$ 242,954
GENERAL FUND				
		Beginning <b>Contingency</b> Balance	\$	498,072
		Added to Contingency Sweep Account		89,700
		Carry forward from Prior Year		-
		Taken From Contingency		(181,736)
		Net Balance of Contingency Account	\$	406,036
		Beginning <b>Judgments &amp; Damages</b> Contingency	\$	40,000
		Added to Contingency Judgments & Damages from Council Contingency		-
		Taken From Judgments & Damages		(1,000)
		Net Balance of Judgments & Damages Contingency Account	\$	39,000
		Beginning <b>Compensation</b> Contingency	\$	288,000
		Added to Compensation Contingency		-
		Taken From Compensation Contingency		(216,697)
		Net Balance of Compensation Contingency Account	\$	71,303
		<b>Net Balance Council Contingency</b>	\$	516,339
		Beginning Balance <b>Budget Sweep</b> Contingency	\$	-
		Added to Budget Sweep Contingency		-
		Taken From Budget Sweep		-
		Net Balance of Budget Sweep Contingency Account	\$	-
WATER & SEWER FUND				
		Beginning <b>Contingency</b> Balance	\$	50,000
		Added to Contingency Sweep Account		-
		Taken From Contingency		(49,574)
		Net Balance of Contingency Account	\$	426
		Beginning <b>Compensation</b> Contingency	\$	50,000
		Added to Compensation Contingency		-
		Taken From Compensation Contingency		-
		Net Balance of Compensation Contingency Account	\$	50,000
		<b>Net Balance Water &amp; Sewer Fund Contingency</b>	\$	50,426
HOTEL/MOTEL TAX FUND				
		Beginning <b>Contingency</b> Balance	\$	29,107
		Added to Contingency Sweep Account		-
		Carry forward from Prior Year		-
		Taken From Contingency		(3,745)
		Net Balance of Contingency Account	\$	25,362
		Beginning <b>Compensation</b> Contingency	\$	7,500
		Added to Compensation Contingency		-
		Taken From Compensation Contingency		(7,500)
		Net Balance of Compensation Contingency Account	\$	-
		<b>Net Balance Hotel/Motel Tax Fund Contingency</b>	\$	25,362
DRAINAGE FUND				
		Beginning <b>Contingency</b> Balance	\$	-
		Added to Contingency Sweep Account		-
		Carry forward from Prior Year		-
		Taken From Contingency		-
		Net Balance of Contingency Account	\$	-



**CITY OF TEMPLE**  
**BUDGET AMENDMENTS FOR FY 2014 BUDGET**  
**March 6, 2014**

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
		Beginning <b>Compensation</b> Contingency		\$ 7,500
		Added to Compensation Contingency		-
		Taken From Compensation Contingency		(7,500)
		Net Balance of Compensation Contingency Account		\$ -
		<b>Net Balance Drainage Fund Contingency</b>		\$ -
		<b>FED/STATE GRANT FUND</b>		
		Beginning <b>Contingency</b> Balance		\$ -
		Carry forward from Prior Year		237,553
		Added to Contingency Sweep Account		-
		Taken From Contingency		(217,954)
		Net Balance of Contingency Account		\$ 19,599

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.

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

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

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

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

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

PASSED AND APPROVED this the 6<sup>th</sup> day of **March**, 2014.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Jonathan Graham  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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03/06/14  
Item #6  
Regular Agenda  
Page 1 of 2

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

Jonathan Graham, City Attorney

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a tax abatement agreement with Wilsonart LLC, covering increases in the taxable value of real property for a 163.606 acre tract of land (Tax Abatement Reinvestment Zone Number 28) located at 10501 Northwest HK Dodgen Loop, Temple, Texas.

*Executive Session: Pursuant to Section 551.087 of the Government Code, the City Council may meet in executive session to discuss either commercial or financial information that the City has received from a business prospect that the City wishes to locate, stay or expand within the City limits and with which the City is conducting economic development negotiations, or to deliberate the offer of a financial or other incentive to a business prospect the public discussion of which would adversely affect ongoing economic development negotiations.*

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

**ITEM SUMMARY:** The proposed resolution authorizes the City Manager to execute an agreement with Wilsonart LLC ("Wilsonart"), which if approved gives the company 10 years of declining tax abatement on the increased taxable value of real property improvements on a 163.606 acre tract of land located at 10501 Northwest HK Dodgen Loop.

The proposed agreement covers approximately 163.606 acres of land that has been designated as City of Temple Tax Abatement Reinvestment Zone Number 28. The site will be the location of a new "Customer Center" that will serve as the headquarters for Wilsonart Americas. Wilsonart will also construct related improvements as part of an overall master development plan for the Wilsonart Temple North Campus. **The tax abatement applies only to new real property improvements.**

Wilsonart timely filed an application to receive tax abatement on improvements to real property as described above. The City Council has previously approved an ordinance designating the property on which the improvements will be located as a tax abatement reinvestment zone. Wilsonart estimates that its investment will be in the neighborhood of \$10 million. The actual value of the improvements, and the value of our tax abatement, is dependent on an appraisal by the Bell County Appraisal District.



The City's Economic Development Policy sets out the criteria and guidelines for granting tax abatement. The renovations proposed meet the minimum criteria established for tax abatement consideration. The proposed improvements fall within the definition of "eligible facilities" in the criteria. The application indicates real property improvements which meet the criteria for granting tax abatement for ten years at 80% for Year 1, 60% for Year 2, 40% for Year 3, and 20% for Years 4-10.

The Staff has provided the other taxing entities involved with notice and a copy of the proposed agreement. Under State law, the other taxing entities will have 90 days to elect to enter into an agreement with identical terms. The proposed agreement is drafted for the signature of each taxing entity, but will be effective between Wilsonart and any of the taxing entities which sign the agreement even if not all sign.

Additionally, the agreement has all of the other terms required by Chapter 312 of the Texas Tax Code for tax abatement agreements, including provisions: (1) listing the kind and number of improvements; (2) providing for inspections of the facility by the taxing entities; (3) requiring compliance with State and local laws; (4) recapturing abated taxes in the event of a default under the agreement; and (5) requiring Wilsonart to annually certify to all the taxing entities that it is in compliance with all of the terms and conditions of the agreement.

Wilsonart's application meets the standards for granting tax abatement on the increase in real property improvements established by the City's Criteria and Guidelines for tax abatement. The City Council has discretion whether to approve an application for tax abatement and to increase the percentage of tax abatement over the recommended percentage specified in the matrix in the City's Criteria and Guidelines for tax abatement. The agreement should add to the continued development of the City's commercial growth, which would not have occurred in the absence of tax abatement.

**FISCAL IMPACT:** The tax abatement agreement would have the potential of abating approximately \$187,648 over the life of the agreement (80% for Year 1, 60% for Year 2, 40% for Year 3, and 20% for Years 4-10) using the City's current tax rate of \$0.5864 per \$100 value based on an estimated increase in the appraised real property improvements of \$10 million.

**ATTACHMENTS:**

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A TAX ABATEMENT AGREEMENT WITH WILSONART, LLC, COVERING INCREASES IN THE TAXABLE VALUE OF REAL PROPERTY ON AN APPROXIMATELY 163.606 ACRE TRACT OF LAND LOCATED AT 10501 NW H.K. DODGEN LOOP; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, the City adopted a Resolution dated June 15, 1989, stating that it elects to be eligible to participate in tax abatement;

**Whereas**, on February 3, 2011, the City Council adopted Ordinance No. 2011-4423, establishing a comprehensive economic development policy for the City of Temple, which policy includes criteria and guidelines for granting tax abatement within the City of Temple in accordance with Chapter 312 of the Tax Code;

**Whereas**, Wilsonart, LLC is the owner of an approximately 163.606 acre tract of land located within the City's Tax Abatement Reinvestment Zone Number Twenty-Eight, and has requested that the City consider approving 100% tax abatement and ten years of declining tax abatement (80% for Year 1, 60% for Year 2, 40% for year 3, and 20% for Years 4-10) on the increased taxable value of real property improvements to said Property;

**Whereas**, the contemplated use of the property by Wilsonart, LLC, as hereinafter described, and the contemplated improvements to said Property in the form and amounts set forth in the agreement, are consistent with encouraging economic development, and in accordance with the criteria and guidelines for tax abatement in the City's Economic Development Policy;

**Whereas**, as required by law the City has notified the other taxing entities of its intent to enter into the agreement; and

**Whereas**, the City Council has considered the matter and finds that the proposed tax abatement with Wilsonart, LLC, is in compliance with State law and the City's *Guidelines and Criteria* governing tax abatement, and that the proposed real property improvements said company are feasible and likely to attract major investment and expand employment within the City.

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

**Part 1:** The City Manager, or his designee, is authorized to execute a tax abatement agreement on the increased taxable value of real property improvements between the City of Temple and Wilsonart, LLC, after approval as to form by the City Attorney, governing an approximately 163.606 acre tract of land located at 10501 NW H.K. Dodgen Loop, 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 **6<sup>th</sup>** day of **March**, 2014.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Jonathan Graham  
City Attorney





## **COUNCIL AGENDA ITEM MEMORANDUM**

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03/06/14  
Item #7  
Regular Agenda  
Page 1 of 1

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

Lacy Borgeson, City Secretary

**ITEM DESCRIPTION:** Consider adopting a resolution appointing members to the following City boards and commissions:

- (A) Building and Standards Commission – one alternate member to fill expiring term through March 1, 2016
- (B) Building Board of Appeals – one member to fill expiring term through March 1, 2018
- (C) Development Standards Advisory Board – one member to fill expiring term through March 1, 2017
- (D) Electrical Board – two members to fill expiring terms through March 1, 2017
- (E) Tree Board – one member to fill an expiring term through March 1, 2017
- (G) Zoning Board of Adjustment – two members to fill expiring terms through March 1, 2016

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

**ITEM SUMMARY:** In accordance with the City Council adopted policies governing the appointment and training of citizens to City boards, appointments to the above stated boards are to be made with an effective date of March 1, 2011.

Please see the attached board summary forms, which list current board members, purpose, membership requirements, term and meeting time/place for the boards. Also attached is a summary listing of all applications received for board appointments. Individual board application forms on file for these boards have already been provided. New application forms received will be forwarded to the Council as received by the City Secretary.

**FISCAL IMPACT:** N/A

### **ATTACHMENTS:**

[Board Summary Forms & Applications - to be provided](#)