



**MEETING OF THE
TEMPLE CITY COUNCIL**

MUNICIPAL BUILDING

2 NORTH MAIN STREET

3rd FLOOR – CONFERENCE ROOM

THURSDAY, APRIL 17, 2014

3:00 P.M.

WORKSHOP AGENDA

1. Discuss, as may be needed, Regular Meeting agenda items for the meeting posted for Thursday, April 17, 2014.
2. Receive update from Bryan Smith with Criterion Management Group regarding the Hawn Hotel property.
3. Discuss the City's strategic plan, and various strategic and budget related policy issue to include but not limited to:
 - Summit Fitness Center
 - Sammons Golf Course

5:00 P.M.

MUNICIPAL BUILDING

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

TEMPLE CITY COUNCIL

REGULAR MEETING AGENDA

I. CALL TO ORDER

1. Invocation
2. Pledge of Allegiance

II. 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. Recognize Officer Bradley Perrin for his prompt action and assistance on April 10, 2014.

IV. ANNEXATION PUBLIC HEARING

4. **PUBLIC HEARING** – Receive Municipal Service Plan and conduct a public hearing to receive comments on the possible annexation of a proposed Lakewood Ranch subdivision on a 136.576 acre tract of land, located to the north of the Highlands and west of the Windmill Farms subdivisions abutting the city limits boundary to the north and west situated within part of the John J. Simmons Survey, Abstract No. 737 and the George V. Lindsey Survey, Abstract No. 513, Bell County, Texas.

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) [April 3, 2014 Special Called and Regular Meeting](#)
- (B) [April 4, 2014 Special Called Meeting](#)

Contracts, Leases, & Bids

- (C) [2014-7284-R](#): Consider adopting a resolution authorizing an asbestos abatement contract with Empire Environmental Group, LLC of Balch Springs, Texas for the asbestos abatement of one commercial structure funded through the Community Development Block Grant (CDBG) in the amount of \$57,000.
- (D) [2014-7285-R](#): Consider adopting a resolution authorizing a contract with Signature Offset of Boulder, CO, for the printing of the play-by-play brochures in an estimated amount of \$27,869.58 for the initial contract period which will go through September 30, 2015.
- (E) [2014-7286-R](#): Consider adopting a resolution authorizing a construction contract with Vanguard Contractors, LP of Temple for the construction of Phase II of the Fire Training Center in the amount of \$2,157,000.
- (F) [2014-7287-R](#): Consider adopting a resolution authorizing a construction contract with Bell Contractors, Inc., (Bell) of Belton for construction activities required to extend water and sewer utilities to North Loop 363 and I-35 in an amount not to exceed \$1,483,182.90.
- (G) [2014-7288-R](#): Consider adopting a resolution authorizing a construction contract with K&S Backhoe Services, Inc., (K&S) of Gatesville for construction activities required to replace water and sewer mains in Western Hills in an amount not to exceed \$1,496,622.96, as well as, declare an official intent to reimburse the expenditures with the issuance of 2014 Utility Revenue Bonds.
- (H) [2014-7289-R](#): Consider adopting a resolution authorizing execution of a Memorandum of Agreement with the Central Texas Housing Consortium, Temple Housing Authority.
- (I) [2014-7290-R](#): Consider adopting a resolution authorizing a Chapter 380 Agreement with Temple Economic Development Corporation (TEDC) for conveyance of a 6.00 acre parcel of City-owned land located in Synergy Park, Temple, Texas to TEDC.
- (J) [2014-7291-R](#): Consider adopting a resolution authorizing the purchase of a storage area network with Dell Marketing LP, of Round Rock utilizing the State of Texas DIR contract in the amount of \$69,938.
- (K) [2014-7292-R](#): Consider adopting a resolution authorizing the purchase of sewer line chemical root control services for FY 2014 from Duke's Root Control, Inc. of Syracuse, New York, utilizing a BuyBoard contract in the estimated annual amount of \$65,000.

- (L) [2014-7293-R](#): Consider adopting a resolution authorizing the purchase of 40 metal refuse containers for the Solid Waste Division from Rolloffs USA., Durant, OK, through the H-GAC Contract (#RH08-12) in the amount of \$48,184.
- (M) [2014-7294-R](#): Consider adopting a resolution authorizing the purchase of a yearly Small Municipality Government Enterprise License Agreement and maintenance contract with Environmental Systems Research Institute (ESRI) in the amount of \$50,000.
- (N) [2014-7295-R](#): Consider adopting a resolution authorizing the City Manager to execute a lease agreement between the City of Temple and Dr. Scott Irvine upon the Federal Aviation Administration approval permitting the Lessee to lease a 160' X 100' plot of land and construct a 70' X 60' private aircraft hangar at the Draughon-Miller Central Texas Regional Airport.
- (O) [2014-7296-R](#): Consider adopting a resolution authorizing submission of an application for funding through the U.S. Department of Transportation, National Infrastructure Investment Grant (TIGER VI) in the amount of \$12,000,000, with \$10,000,000 reimbursed to the City through federal funding, to execute the construction of the bridge and improvement projects along Central Avenue and 1st Street.
- (P) [2014-7297-R](#): Consider adopting a resolution authorizing the grant application for the Bureau of Justice Assistance Bulletproof Vest Partnership Program of 2014 for the purchase of ballistic vests and replacements for the Police Department in the amount of \$18,196, with \$9,098 of required City matching funds.
- (Q) [2014-7298-R](#): Consider adopting a resolution authorizing a one (1) year renewal to the contract with World Fuel Services Corporation of Florida (f.k.a. Western Petroleum Company), to supply aviation bulk fuels and other business support to operate an exclusive fuel dealership at the Draughon-Miller Central Texas Regional Airport.

Ordinances – Second & Final Reading

- (R) [2014-4652](#): SECOND READING - Z-FY-14-20: Consider adopting an ordinance authorizing a zoning change from Agricultural District (AG) to Commercial District (C) on 5.01 +/- acres, situated in the Maximo Moreno Survey, Abstract 14, Bell County Texas, located on the north side of East Adams Avenue, addressed as 2312 East Adams Avenue.

Misc.

- (S) [2014-7299-R](#): A-FY-13-13: Consider adopting a resolution to release the public utility easement the City reserved in a Deed Without Warranty (Document No. 2013-48981) pursuant to Ordinance No. 2013-4592, to protect existing utilities pending relocation from the abandoned alley through Block 8, Freeman Heights Addition, City of Temple.
- (T) [2014-7300-R](#): Consider adopting a resolution authorizing funding from the Child Safety Fees for the 2014 Junior Fire Cadet Program in the amount of \$20,869.
- (U) [2014-7301-R](#): Consider adopting a resolution of support for downtown redevelopment.

- (V) [2014-7302-R](#): Consider adopting a resolution dissolving the Transit Advisory Committee.
- (W) [2014-7303-R](#): Consider adopting a resolution authorizing budget amendments for fiscal year 2013-2014.

VI. REGULAR AGENDA

ORDINANCES

6. [2014-4654](#): PUBLIC HEARING - FIRST READING - A-FY-13-12: Consider adopting an ordinance authorizing the abandonment and conveyance of a 95' X 80' section of South 9th Street right-of-way, being a 0.17-acre portion of land, as measured from the south right-of-way line with West G Ave, situated between Block 39, Moores Addition and Block 62, Original Town of Temple as more fully described in the attached exhibit for development of the Salvation Army's Center of Hope Transitional Shelter.
7. [2014-4655](#): FIRST READING – PUBLIC HEARING: Consider adopting an ordinance authorizing amendments to the City of Temple's Water Conservation Plan.

RESOLUTIONS

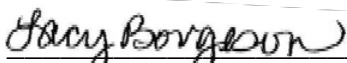
8. [2014-7304-R](#): P-FY-13-46: Consider adopting a resolution authorizing approval of the Final Plat of Shiloh Terrace, Phase Four, a 28.84 +/- acre, 3-block, 43-lot, residential subdivision with requested exceptions to Unified Development Code regarding park fees; extension of streets; and Residential Subdivision Entrances, as well Chapter 12 Fire Prevention and Protection, regarding number of required entrances, of which is located north of Sparta Road and west of Water Works Road in Temple's western E.T.J.

BOARD APPOINTMENTS:

9. [2014-7305-R](#): Consider adopting a resolution establishing a Charter Review Committee, appointing the Committee membership, including a Chairperson and Vice-Chairperson, and charging the Committee to perform a comprehensive review of the City Charter.

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

I hereby certify that a true and correct copy of this Notice of Meeting was posted in a public place at 2:20 PM, on April 11, 2014.



Lacy Borgeson, TRMC
City Secretary



COUNCIL AGENDA ITEM MEMORANDUM

04/17/14

Item #4

Regular Agenda

Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Brian Chandler, Director of Planning

ITEM DESCRIPTION: PUBLIC HEARING – Receive Municipal Service Plan and conduct a public hearing to receive comments on the possible annexation of a proposed Lakewood Ranch subdivision on a 136.576 acre tract of land, located to the north of the Highlands and west of the Windmill Farms subdivisions abutting the city limits boundary to the north and west situated within part of the John J. Simmons Survey, Abstract No. 737 and the George V. Lindsey Survey, Abstract No. 513, Bell County, Texas.

STAFF RECOMMENDATION: Receive staff presentation on the Municipal Service Plan, as required by State law, hold public hearing and take no action at this time. The second hearing is scheduled as a special meeting of the City Council, Monday, April 21, 2014 at 8:30 a.m. in the City Council Chambers.

ITEM SUMMARY: John R. Kiella, Kiella Land Investments Management, LLC, filed a petition on March 6, 2014 seeking voluntary annexation of 136.576 acres into the City of Temple. Voluntary annexation is governed by Section 43.028 of the Texas Local Government Code and applies only to the annexation of an area that is:

1. Less than one-half mile in width,
2. Contiguous to the annexing municipality, and
3. Vacant and without residents or on which fewer than three qualified voters reside.

On April 3, 2014, the City Council adopted a resolution directing City staff to create a Municipal Service Plan and public hearing schedule to consider the annexation of the subject property.

The proposed schedule includes a First Reading at City Council on May 15, 2014 and a Second Reading on June 5, 2014 for consideration of approval of the annexation request. The applicant has requested to zone the property Single Family-2 (SF-2), which would be considered by Planning and Zoning Commission at its May 5, 2014 meeting and by City Council at the same time as the annexation request.

FISCAL IMPACT: Future development and improvements to the property will add value to the Ad Valorem Tax Base. The Municipal Service Plan does not contain any proposal to extend water or wastewater services to the area, or any other new physical facilities to serve this small tract.

ATTACHMENTS:

[Municipal Service Plan](#)

[Field Notes of Proposed Annexation Area](#)

[Survey of Proposed Annexation Area](#)

**CITY OF TEMPLE
ANNEXATION SERVICE PLAN—VOLUNTARY ANNEXATION
LAKEWOOD RANCH**

For a 136.576 acre tract of land, located to the north of the Highlands and west of the Windmill Farms subdivisions abutting the city limits boundary to the north and west situated within part of the John J. Simmons Survey, Abstract No. 737 and the George V. Lindsey Survey, Abstract No. 513, Bell County, Texas. and being more particularly described as Exhibit “A” (Field Notes) and depicted as Exhibit “B” (Survey) of the Annexation Ordinance (2014-####).

SERVICES TO BE PROVIDED ON THE EFFECTIVE DATE OF ANNEXATION

1. POLICE PROTECTION

The City will provide protection to the newly-annexed tract at the same or similar of service now being provided to other areas of the City, with the same or similar topography, land use and population density.

2. FIRE PROTECTION AND AMBULANCE SERVICE

The City will provide fire protection from Station 7 to the newly-annexed area at the same or similar level of service now being provided to other areas of the City with the same or similar topography, land use and population density. The City will provide First Responder services through its Fire Department and contract for emergency medical services (EMS) through the Scott & White Hospital System.

3. SOLID WASTE COLLECTION

Upon payment of any required deposits and the agreement to pay lawful service fees and charges, solid waste collection will be provided to the newly-annexed area to the extent that the City has access to the area to be serviced. Private contractors currently providing sanitation collecting services in the area may continue to do so for up to two years.

4. MAINTENANCE OF WATER AND WASTEWATER FACILITIES

Any and all water or wastewater facilities owned or maintained by the City at the time of the proposed annexation shall continue to be maintained by the City. Any and all water or wastewater facilities which may be acquired subsequent to the annexation of the proposed area shall be maintained by the City, to the extent of its ownership. Any and all water or wastewater facilities outside the extent of the ownership of the City, and owned by other water or wastewater treatment providers shall continue to be allowed to provide those services to the newly-annexed tract.

5. MAINTENANCE OF ROADS AND STREETS

Any and all public roads, streets or alleyways which have been dedicated to the City, or which are owned by the City, shall be maintained to the same degree and extent that other roads, streets and alleyways are maintained in areas with similar topography, land use and population density. Any and all lighting of roads, streets and alleyways which may be positioned in a right-of-way, roadway or utility company easement shall be maintained by the applicable utility company servicing the City, pursuant to the rules, regulations and fees of such utility.

6. MAINTENANCE OF PUBLIC PARKS, PLAYGROUNDS AND SWIMMING POOLS

The City Council is not aware of the existence of any public parks, playgrounds or swimming pools now located in the area proposed for annexation. In the event any such parks, playgrounds or swimming pools do exist and are public facilities, the City, will maintain such areas to the same extent and degree that it maintains parks, playgrounds and swimming pools and other similar areas of the City now incorporated in the City.

7. MAINTENANCE OF MUNICIPALLY-OWNED FACILITY, BUILDING OR MUNICIPAL SERVICE

The City Council is not aware of the existence of any publicly-owned facility, building or other municipal service now located in the area proposed for annexation. In the event any such publicly-owned facility, building or municipal service does exist and are public facilities, the City will maintain such areas to the same extent and degree that it maintains publicly-owned facilities, buildings or municipal services of the City now incorporated in the City.

8. INSPECTIONS

The City will provide building inspection services upon approved building permits from the City to the newly-annexed tract at the same or similar level of service now being provided to other areas of the City with the same or similar topography, land use and population density.

9. CODE ENFORCEMENT

The City will provide code enforcement services to the newly-annexed tract at the same or similar level of service now being provided to other areas of the City with the same or similar topography, land use and population density.

10. MOWING

The City will provide right-of-way mowing services adjacent to the newly-annexed tract at the same or similar level of service now being provided to other areas of the City with the same or similar topography, land use and population density.

CAPITAL IMPROVEMENTS

1. POLICE PROTECTION, FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES

The City Council finds and determines it to be unnecessary to acquire or construct any capital improvements for the purposes of providing police protection, fire protection, or emergency medical services. The City Council finds and determines that it has at the present time adequate facilities to provide the same type, kind and level of protection and service which is presently being administered to other areas already incorporated in the City with the same or similar topography, land use and population density.

2. ROADS AND STREETS

The City will undertake to provide the same degree of road and street lighting as is provided in areas of the same or similar topography, land use and population density within the present corporate limits of the City. Maintenance of properly dedicated roads and streets will be consistent with the maintenance provided by the City to other roads and streets in areas of similar topography, land use and sub development of the annexed property. Developers will be required, pursuant to the ordinances of the City to provide internal and peripheral streets and to construct those streets in accordance with the specifications required by the City for the properly dedicated street. City participation in capital expenditures will be in accordance with city policies.

3. WATER AND WASTEWATER FACILITIES

The City of Temple has water facilities within the boundaries of the voluntary annexation, and proposes no other extension of water facilities to the area, taking into consideration the existing land use, and topography and population density relative to areas within the existing City Limits which do not have water services.

Currently, there are no wastewater treatment providers within the boundaries of the voluntary annexation and property owners rely on on-site sewage facilities (septic systems). Other areas of the City of Temple with similar topography, land use, and population density as those found in the boundaries of the voluntary annexation also rely on on-site sewage facilities for wastewater infrastructure. For this reason and in accordance with Local Government Code Section 43.056(g), the City proposes no extensions of wastewater facilities within the boundaries of the voluntary annexation.

4. CAPITAL IMPROVEMENTS

Notwithstanding any other provision of this service plan, a landowner within the newly annexed area will not be required to fund capital improvements as necessary for municipal services in a manner inconsistent with Chapter 395 of the Local Government Code, unless otherwise agreed to by the landowner.

SPECIFIC FINDINGS

The City Council finds and determines that this proposed Service Plan will not provide any fewer services, and it will not provide a lower level of service in the area proposed to be annexed than were in existence in the proposed area at the time immediately preceding the annexation process.

Because of the differing characteristics of topography, land utilization and population density, the service levels which may ultimately be provided in the newly annexed area may differ somewhat from services provided in other areas of the City. These differences are specifically dictated because of differing characteristics of the property and the City will undertake to perform consistent with this contract so as to provide the newly-annexed area with the same type, kind and quality of service presently enjoyed by the citizens of the City who reside in areas of the same or similar topography, land utilization and population density.

BEING a 136.576 acre tract situated in the JOHN J. SIMMONS SURVEY, ABSTRACT No. 737, Bell County, Texas and the GEORGE W. LINDSEY SURVEY, ABSTRACT No. 513, Bell County, Texas and being a part or portion of that certain 23.856 acre tract (TRACT 2) described in a Special Warranty Deed dated October 1, 2012 from Edward William Clinite, Trustee of the Esta Laperle Clinite Descendants Separate Trust to Kiella Land Investments, Ltd., a Texas limited partnership and being of record in Document No. 2012-00042201, Official Public Records of Bell County, Texas and being a part or portion of that certain 112.763 acre tract of land described in a Special Warranty Deed dated October 1, 2012 from Clinite-Miller, Inc., a Texas corporation to Kiella Land Investments, Ltd., a Texas limited partnership and being of record in Document No. 2012-00042199, Official Public Records of Bell County, Texas and being a part or portion of that certain 35.000 acre tract of land described in a Special Warranty Deed dated May 17, 2012 from Clinite-Miller, Inc., a Texas corporation to Kiella Land Investments, Ltd., a Texas limited partnership and being of record in Document No. 2012-00020165, Official Public Records of Bell County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a $\frac{1}{2}$ " iron rod found being the northeast corner of the said 112.763 acre tract and being an interior ell corner in the west boundary line of that certain 54.98 acre tract of land described as Windmill Farms, Phase II according to the map or plat of record in Cabinet D, Slide 243-B, Plat Records of Bell County, Texas for corner;

THENCE S. $17^{\circ} 03' 51''$ W., 693.17 feet with the east boundary line of the said 112.763 acre tract to a $\frac{1}{2}$ " iron rod with cap stamped "RPLS 2475" found being the northeast corner of the said 35.000 acre tract for corner;

THENCE S. $17^{\circ} 02' 53''$ W., 1332.16 feet departing the said 112.763 acre tract and with the east boundary line of the said 35.000 acre tract and with the west boundary line of the said Windmill Farms Phase II and continuing with the west boundary line of that certain tract of land described in a Deed to Whitis Investments, Ltd and being of record in Volume 5397, Page 167, Official public Records of Bell County, Texas and continuing with the west boundary line of that certain tract of land described as Windmill Farms, Phase One according to the map or plat of record in Cabinet D, Slide 72-D, Plat Records of Bell County, Texas to a point for corner;

THENCE N. $74^{\circ} 37' 47''$ W., 1595.06 feet departing the east boundary line of the said 35.000 acre tract and the west boundary line of the said Windmill Farms, Phase One and over and across the said 35.000 acre tract and continuing over and across the aforementioned 112.763 acre tract to a point being in a west boundary line of the said 112.763 acre tract and being in the east boundary line of that certain 23.210 acre tract of land (TRACT 1) described in a Special Warranty Deed dated October 1, 2012 from Edward William Clinite, Trustee of the Esta Laperle Clinite Descendants Separate Trust to Kiella Land Investments, Ltd., a Texas limited partnership and being of record in Document No. 2012-00042201, Official Public Records of Bell County, Texas for corner;

THENCE with the west and south boundary lines of the said 112.763 acre tract and with the east and north boundary lines of the said 23.210 acre tract (TRACT 1) the following three (3) calls:

- 1) N. $16^{\circ} 40' 00''$ E., 313.53 feet to a point being the most easterly northeast corner of the said 23.210 acre tract for corner;
- 2) N. $39^{\circ} 38' 38''$ W., 243.18 feet to a point being the most northerly northeast corner of the said 23.210 acre tract for corner;

- 3) N. 72° 08' 42" W., 1777.46 feet to a ½" iron rod found being the southwest corner of the said 112.763 acre tract and being the northwest corner of the said 23.210 acre tract and being in the east boundary line of that certain 25.000 acre tract of land described in a Executor's Special Warranty Deed dated April 2, 2008 from Edward William Clinite, Independent Executor and as Trustee of any Trusts Created under the Last Will and Testament of LaVerne Miller, Deceased to Kiella Land Investments, Ltd., a Texas limited partnership and being of record in Document No. 2008-00016748, Official Public Records of Bell County, Texas for corner;

THENCE N. 17° 52' 20" E., 712.25 feet with the east boundary line of the said 25.000 acre tract and with the west boundary line of the said 112.763 acre tract to a ½" iron rod with cap stamped "RPLS 2475" found being the northeast corner of the said 25.000 acre tract and being the southeast corner of that certain 23.856 acre tract (TRACT 2) described in said Document No. 2012-00042201, Official Public Records of Bell County, Texas for corner;

THENCE N. 54° 57' 16" E., 5.79 feet departing the said east and west boundary lines and over and across the said 112.763 acre tract to a point for corner;

THENCE N. 24° 20' 30" W., 17.60 feet over and across the said 112.763 acre tract and continuing over and across the said 23.856 acre tract to a point for corner;

THENCE continuing over and across the said 23.856 acre tract the following five (5) calls:

- 1) S. 54° 23' 10" W., 24.76 feet to a point for corner;
- 2) N. 17° 46' 25" E., 2.98 feet to a point for corner;
- 3) S. 54° 23' 42" W., 1.00 feet to a point for corner;
- 4) N. 37° 15' 50" E., 15.29 feet to a point for corner;
- 5) N. 50° 38' 46" E., 30.44 feet to a point for corner;

THENCE N. 83° 00' 00" E., 60.00 feet over and across the said 23.856 acre tract and continuing over and across the said 112.763 acre tract to a point for corner;

THENCE continuing over and across the said 112.763 acre tract the following four (4) calls:

- 1) S. 07° 00' 00" E., 25.13 feet to a point for corner;
- 2) N. 69° 17' 09" E., 176.16 feet to a point for corner;
- 3) N. 56° 51' 22" E., 198.63 feet to a point for corner;
- 4) N. 25° 57' 06" E., 186.43 feet to a ½" iron rod found at a fence corner post being the most southerly southwest corner of that certain 50 acre tract of land described in a Warranty Deed dated July 28, 1987 from J. F. Cross, Individually and as Independent Executor of the Estate of Celestine J. Cross to Jerry Don Cross and being of record in Volume 2327, Page 549, Official Public Records of Bell County, Texas and being in the north boundary line of the said 112.763 acre tract for corner;

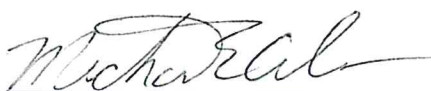
THENCE with the north and west boundary lines of the said 112.763 acre tract and with the south and east boundary lines of the said 50 acre tract the following two (2) calls:

- 1) S. $72^{\circ} 22' 32''$ E., 976.99 feet (calls S. $72^{\circ} 22' 30''$ E., 976.99 feet) to a $\frac{1}{2}$ " iron rod found at a fence corner post being the southeast corner of the said 50.0 acre tract for corner;
- 2) N. $16^{\circ} 02' 23''$ E., 281.40 feet (calls N. $16^{\circ} 02' 23''$ E., 281.40 feet) to a $\frac{1}{2}$ " iron rod found at a fence corner post being the southwest corner of that certain 37.5 acre tract of land described in a Warranty Deed dated January 30, 1991 from J. F. Cross, individually and as Executor of the Estate of Celestine Cross to Jerry Don Cross and being of record in Volume 2700, Page 437, Official Public Records of Bell County, Texas for corner;

THENCE S. $73^{\circ} 16' 22''$ E., 2085.93 feet departing the said 50.0 acre tract and with the south boundary line of the said 37.5 acre tract (calls S. 71° E., 747 varas) and continuing with the north boundary line of the said 112.763 acre tract (calls S. $73^{\circ} 16' 22''$ E., 2085.93 feet) to a $\frac{1}{2}$ " iron rod found being the occupied southeast corner of the said 37.5 acre tract and being an exterior ell corner in the west boundary line of the aforementioned Windmill Farms Phase II for corner;

THENCE S. $73^{\circ} 28' 23''$ E., 148.62 feet (calls S. $73^{\circ} 28' 23''$ E., 148.91 feet) departing the said 37.5 acre tract and continuing with the said north boundary line and with the said west boundary line to the Point of BEGINNING and containing 136.576 acres of land.

I, Michael E. Alvis, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that these field notes are a correct representation of a survey made on the ground.

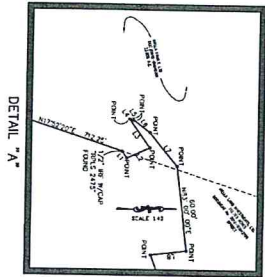

 Michael E. Alvis, R.P.L.S. #5402
 March 5, 2014



THIS PROJECT IS REFERENCED TO THE CITY OF TEMPLE COORDINATE SYSTEM, AN EXTENSION OF THE TEXAS COORDINATE SYSTEM OF 1983, CENTRAL ZONE. ALL DISTANCES ARE HORIZONTAL SURFACE DISTANCES UNLESS NOTED AND ALL BEARINGS ARE GRID BEARINGS.

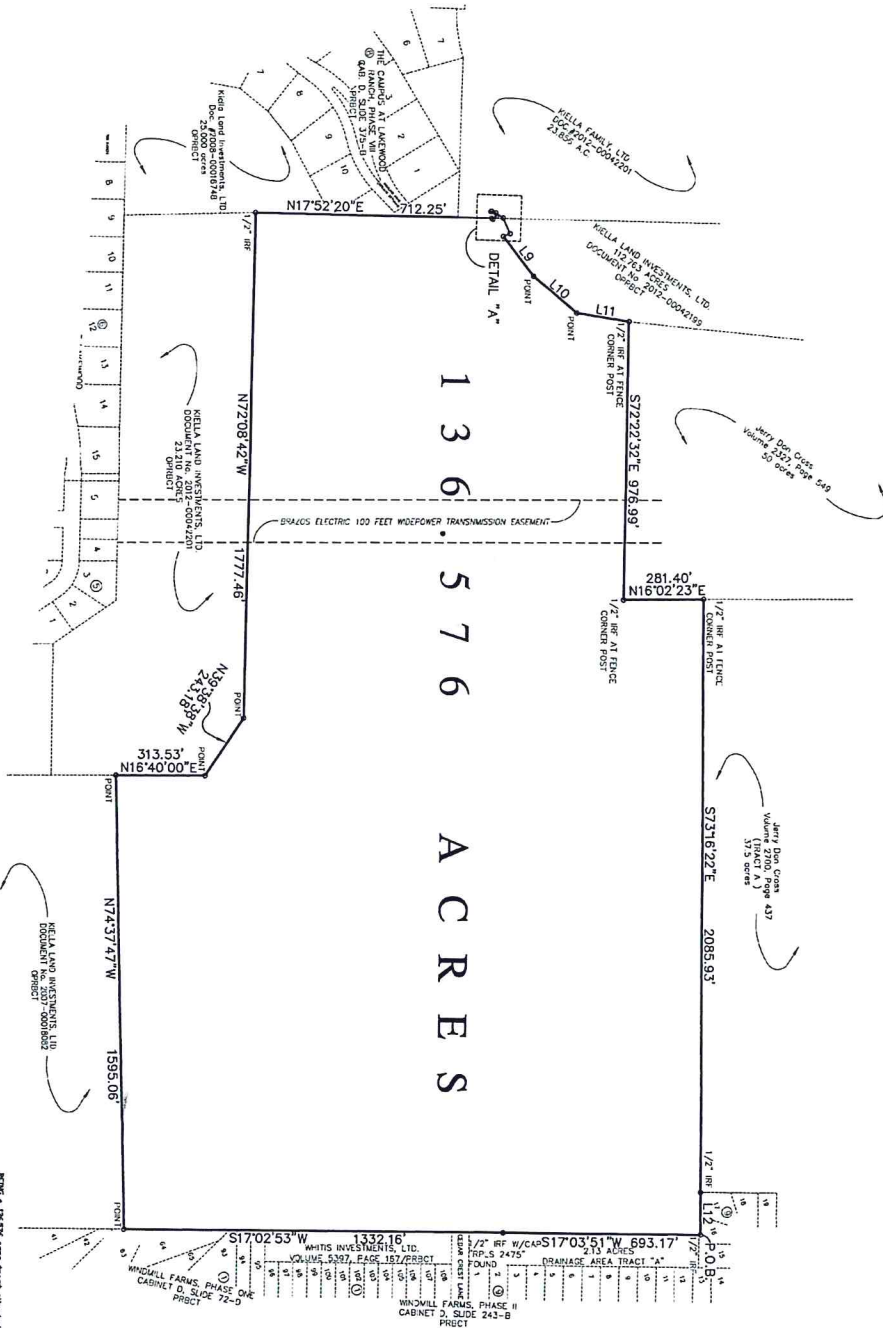
ALL COORDINATE VALUES ARE REFERENCED TO CITY MONUMENT NUMBER 506
 THE THETA ANGLE AT SAID CITY MONUMENT IS $01^{\circ} 29' 04''$
 THE COMBINED CORRECTION FACTOR (CCF) IS 0.999852
 PUBLISHED CITY COORDINATES ARE X = 3,198,199.05 Y = 10,383,950.33
 THE TIE FROM THE ABOVE CITY MONUMENT TO THE POINT OF BEGINNING (POB) IS
 N. $21^{\circ} 53' 15''$ E., 4123.65 FEET.
 GRID DISTANCE = SURFACE DISTANCE X CCF
 GEODETIC NORTH = GRID NORTH + THETA ANGL

Line #	Length	Bearing
L1	57.2	N64° 37' 16"E
L2	17.6	N64° 29' 30"W
L3	24.6	S54° 23' 10"W
L4	2.0	N77° 46' 29"E
L5	1.0	S54° 23' 42"W
L6	12.2	N77° 15' 50"E
L7	20.4	N50° 39' 46"E
L8	23.1	S37° 50' 09"E
L9	17.6	N63° 17' 09"E
L10	19.6	N64° 31' 28"E
L11	18.4	N65° 37' 06"E
L12	14.6	S77° 28' 23"E



STATE OF TEXAS: I, MICHAEL E. ADAMS, Registered Professional Surveyor, No. 5402, do hereby certify that this survey was made by me or under my direct supervision and that I am a duly Licensed Surveyor in the State of Texas. In witness whereof, my hand and seal this 11th day of March, 2014.

Michael E. Adams
Michael E. Adams, R.P.S., No. 5402



DATE: March 4, 2014
DRN. BY: JTH
REV.: 2014-03-10
FILE/LB: DATA COL.
JOB NO.: 13-078
SHEET: 1 OF 1
COMPUTER: 13-078
12789-D
FILE NO.

136.576 ACRES

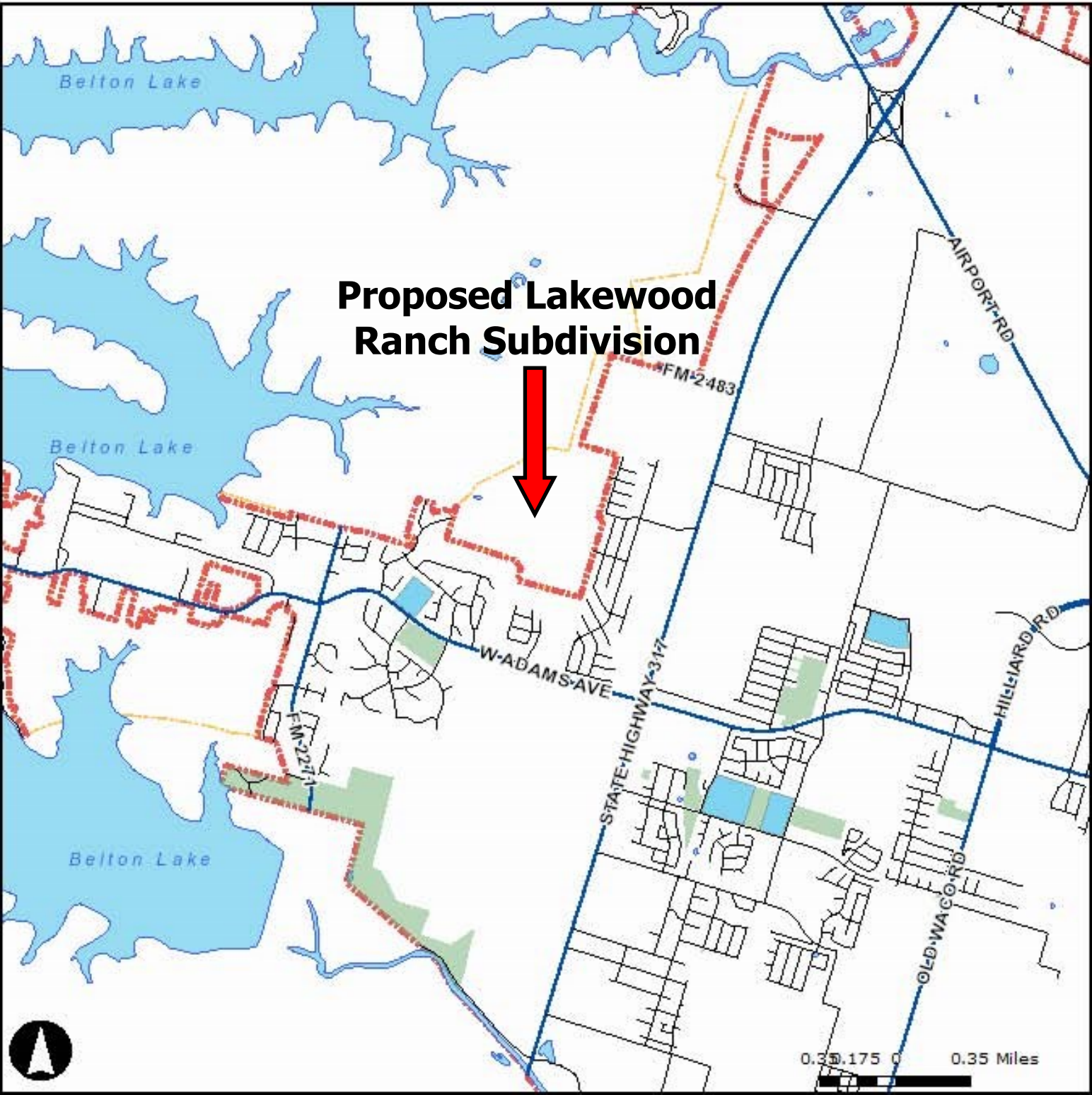
OUT OF AND A PART OF
JOHN A. SIMONS SURVEY, ABSTRACT No. 777, Bell County, Texas
and the GEORGE V. LINDBER SURVEY, ABSTRACT No. 513, Bell
County, Texas

DEVELOPED BY:
KIALLA DEVELOPMENT, INC.
P.O. BOX 1344
TEMPLE, TEXAS 76503

FROM F-1659

TURLEY
ENGINEERING • PLANNING • SURVEYING
CONSTRUCTION MANAGEMENT
TURLEY ASSOCIATES, INC.
301 N. 3rd ST. TEMPLE, TEXAS 76501 (254) 773-2400
E-MAIL: matt@turley-inc.com FAX NO. (254) 773-3998

Lakewood Ranch Location Map





COUNCIL AGENDA ITEM MEMORANDUM

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Consent Agenda
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DEPT./DIVISION SUBMISSION & REVIEW:

Lacy Borgeson, City Secretary

ITEM DESCRIPTION: Approve Minutes:

- (A) April 3, 2014 Special Called and Regular Meeting
- (B) April 4, 2014 Special Called Meeting

STAFF RECOMMENDATION: Approve minutes as presented in item description.

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

FISCAL IMPACT: N/A

ATTACHMENTS:

April 3, 2014 Special Called and Regular Meeting – to be provided
April 4, 2014 Special Called Meeting –to be provided



COUNCIL AGENDA ITEM MEMORANDUM

04/17/14
Item #5(C)
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 an asbestos abatement contract with Empire Environmental Group, LLC of Balch Springs, Texas for the asbestos abatement of one commercial structure funded through the Community Development Block Grant (CDBG) in the amount of \$57,000.

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 asbestos abatement and demolition with the focus of eliminating spot blight.

On April 8, 2014, competitive sealed bids were opened for the asbestos abatement of the following commercial structure:

3000 Avenue F (Tudor Nursing Home)

As part of this project, the City will also enter into an agreement not to exceed \$15,400 with Austin Environmental, Inc. of Bryan to provide asbestos air monitoring, and asbestos project management services for these abatements in compliance with the Texas Dept. of State Health Services Texas Asbestos Health Protection Rules (TAC 295.34), and EPA National Emissions Standards for Hazardous Air Pollutants (40 CFR Part 61, subpart M) asbestos requirements.

As shown on the attached bid tabulation, the low bidder for this project is Empire Environmental Group, LLC of Balch Springs, Texas. Staff recommends award of this abatement to the lowest bidder.

The City has previously done business with Empire Environmental for demolition work, the City has not previously awarded any asbestos abatement contracts to this company. As such, reference checks were conducted and staff finds them to be a responsible vendor.

Once abated, this structure is scheduled for demolition. The demolition portion of the project will be bid separately in the upcoming weeks.

FISCAL IMPACT: Funding from the Community Development Block Grant in the amount of \$88,620.52 is available in account #260-6100-571-2698.

ATTACHMENTS:

[Bid Tabulation
Resolution](#)

Tabulation of Bids Received
on April 8, 2014 at 2:00 p.m.
Asbestos Abatement of Commercial Property located at 300 W Ave F (CDBG)
Bid# 61-05-14

Description	Bidders					
	Empire Environmental Group, LLC Balch Springs, TX	Five Star Environmental Inc. Mesquite, TX	Clean Air Remediation Service Mesquite, TX	Alamo 1 San Antonio, TX	Inland Environmental LTD Kingwood, TX	GenTech Construction Company LLC Houston, TX
Base Bid	\$57,000.00	\$80,000.00	\$79,894.90	\$95,000.00	\$187,376.64	\$93,500.00
Acknowledged Addendum	Yes	Yes	Yes	Yes	Yes	Yes
Bid Bond	5%	Not on our form	5%	5%	5%	5%
Bond Requirement Affidavit	Yes	Yes	Yes	Yes	Yes	Yes
Credit Check Authorization	Yes	Yes	Yes	Yes	No	Yes
Statement of Bidder's Qualifications	Yes	Yes	Yes	No	Yes	Yes
Contractor Certification	Yes	Yes	Yes	No	Yes	Yes
Non Collusion Affidavit	Yes	Yes	Yes	No	Yes	Yes
Business Certification for Business Concerns Seeking Section 3 Preference in Contracting	No	No	No	No	No	No
Employee Certification for Business Concerns Seeking Section 3 Preference in Contracting	No	No	No	No	No	No

Description	Bidders					
	Intercon Environmental, Inc. Mansfield, TX	Olmos Abatement Inc. Manor, TX	1 Priority Environmental Services, Inc. Ft. Worth, TX	AF Environmental Solutions Ft Worth, TX	AAR Inc. Liberty Hill, TX	
Base Bid	\$74,064.00	\$94,700.00	\$90,341.04	\$65,000.00	\$57,700.00	
Acknowledged Addendum	Yes	Yes	Yes	Yes	Yes	
Bid Bond	5%	Not on our form	5%	5%	5%	
Bond Requirement Affidavit	Yes	Yes	Yes	Yes	Yes	
Credit Check Authorization	Yes	Yes	Yes	Yes	Yes	
Qualifications	Yes	Yes	Yes	Yes	Yes	
Contractor Certification	Yes	No	Yes	Yes	Yes	
Non Collusion Affidavit	Yes	Yes	Yes	Yes	Yes	
Business Certification for Business Concerns Seeking Section 3 Preference in Contracting	No	No	No	No	No	
Employee Certification for Business Concerns Seeking Section 3 Preference in Contracting	No	No	No	No	No	

Approval

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONTRACT WITH EMPIRE ENVIRONMENTAL GROUP, LLC OF BALCH SPRINGS, TEXAS, TEXAS FOR ASBESTOS ABATEMENT OF ONE COMMERCIAL STRUCTURE FUNDED THROUGH THE COMMUNITY DEVELOPMENT BLOCK GRANT, IN THE AMOUNT OF \$57,000; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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

Whereas, on April 8, 2014, competitive sealed bids were opened for the asbestos abatement of a commercial structure located at 3000 Avenue F (Tudor Nursing Home) – once abated, this structure is scheduled for demolition;

Whereas, as part of this project, the City will also enter into an agreement with Austin Environmental, Inc., of Bryan, Texas, to provide asbestos air monitoring, and asbestos project management services for this abatement in compliance with the Texas Department of State Health Services, Texas Asbestos Health Protection Rules (TAC 295.34), and EPA National Emissions Standards for Hazardous Air Pollutants (40 CFR Part 61, subpart M) asbestos requirements;

Whereas, after review of the sealed bids, staff recommends award of this abatement contract to Empire Environmental Group, LLC, of Balch Springs, Texas, in the amount of \$57,000 - while the City has not previously done business with Empire Environmental, references were checked and staff finds them to be a responsible vendor;

Whereas, funds for this asbestos contract are budgeted in the Community Development Block Grant 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 contract with Empire Environmental Group, LLC, of Balch Springs, Texas, after approval as to form by the City Attorney, for asbestos abatement of one commercial structure located at 3000 Avenue F (Tudor Nursing Home), in the amount of \$57,000.

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

PASSED AND APPROVED this the 17th day of **April**, 2014.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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Consent Agenda
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DEPT./DIVISION SUBMISSION & REVIEW:

Kevin Beavers, Interim Director of Parks and Leisure Services
Belinda Mattke, Director of Purchasing

ITEM DESCRIPTION: Consider adopting a resolution authorizing a contract for the printing of the play-by-play brochures with Signature Offset of Boulder, CO, in the estimated amount of \$27,869.58 for the initial contract period which will go through September 30, 2015.

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

ITEM SUMMARY: On September 20, 2012, the City Council authorized an annual contract for the design and printing of the play-by-play brochures to Color Visual Concepts, Inc. of Temple. On September 5, 2013, the City Council authorized a one-year extension to the contract as allowed by the original bid. On February 21, 2014, we received notification from Color Visual Concepts that they were closing the business. They had designed the spring edition, but were unable to complete the printing. Therefore, staff acquired quotes for the printing of the spring edition and purchasing prepared a bid for these services.

On March 25, 2014, the City received three (3) bids for the design and printing of the play-by-play brochures. The bids are shown on the attached bid tabulation sheet.

The Play-by-Play brochure is created quarterly to promote activities happening throughout the City. Staff estimates that 12,000 copies of the brochure will be distributed via mail to residents quarterly and 3,000 copies will be distributed to facilities around town.

The bid was comprised of options for different paper/printing options. The bid also included a price for additional 1,000 copies and a price for additional pages if additional quantities and pages are required. In the past, additional copies have not been needed.

The printer is asked to mail 12,000 copies to post office and the City utilizes its bulk permit for mailing. This cost is an estimated 28.9 cents per brochure depending on the weight of the brochure and the number of brochures mailed. This postage cost is paid directly to the USPS by the City. The additional 3,000 copies are mailed/delivered to the parks office for distribution around town. Estimated cost for postage during the initial contract period is \$20,770.56. \$6,923.52 is available in the Fiscal Year 2014 operating budget, and \$13,847.04 has been requested in the Fiscal Year 2015 operating budget.

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 price, design capabilities, reputation and quality of the bidder's products and services, and quality of printing. In addition, the bid was advertised to be awarded by sections:

- Graphic Design
- Printing (Option 1, 2, 3 & 4)

A bid evaluation committee was formed to evaluate the three bids. The printing price for Option 1 was best from Signature Offset of Boulder, CO. Thus, it is the committee's unanimous recommendation to award Option 1 of the printing section to Signature Offset of Boulder, CO.

The City has not done business with Signature Offset of Boulder, CO. Therefore, references were checked and after receiving favorable responses the City finds them to be a responsible vendor.

The bid also included a price per edition for graphic design services. The City only received one (1) bid for the design services, which was from Integ of Temple. The committee felt the fees of \$2,500 per edition were reasonable for the design services. Therefore, it is the committee's unanimous recommendation to award the design services section to Integ of Temple, TX. The City has done business with Integ in the past and finds them to be a responsible bidder. Cost for the design services is \$15,000 for the initial contract period. \$5,000 is available in the Fiscal Year 2014 operating budget, and \$10,000 has been requested in the Fiscal Year 2015 operating budget.

The proposed contract(s) shall commence immediately upon award and shall continue through September 30, 2015. The contracts are renewable for four (4) additional one-year periods, if agreed to by both parties.

FISCAL IMPACT: Funding is available for the printing, design, and postage for the Play-by-Play brochures as shown below:

	Account	FY 2014	FY 2015 {requested}	Total
Printing	110-4100-551-2511	\$9,289.86	\$18,579.72	\$27,869.58
Design	110-4100-551-2511	\$5,000.00	\$10,000.00	\$15,000.00
Postage	110-4100-551-2128	\$6,932.52	\$13,847.04	\$20,770.56

Staff has requested funding in the Fiscal Year 2015 budget to satisfy the funding requirements related to this agreement.

ATTACHMENTS:

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

Tabulation of Bids Received
on March 25, 2014 at 2:30 p.m.
Design & Printing of Play-by-Play Brochures
Bid # 32-02-14

	Bidders					
	Signature Offset P# 303-443-3800 Boulder, CO		Liberty Press P# 800-296-6402 Springville, UT		Integ P# 254-778-9148 Temple, TX	
Graphics Design	Quarterly Price	Yearly Price	Quarterly Price	Yearly Price	Quarterly Price	Yearly Price
Price Per Edition for Graphics Design of Brochures	No Bid		No Bid		\$2,500.00	\$10,000.00
Price Per Additional 4-Page for Graphic Design Services	No Bid		No Bid		\$220.00	
Printing-Option 1 (4pg cover-80# gloss full color & inside pages-hibrite newsprint/full color)	Quarterly Price	Yearly Price	Quarterly Price	Yearly Price	Quarterly Price	Yearly Price
Price for Printing Brochure 4-Times Per Year	\$4,644.93	\$18,579.72	\$7,146.00	\$28,584.00	\$7,676.00 (48 pages) \$7,110.00 (40 pages)	\$30,704.00 \$28,440.00
Price Per Thousand Over the 15,000 copies	\$138.79		\$221.00		\$511.73/\$474.08	
Price Per Additional 4-Page	\$155.75		\$701.00		N/A	
Printing-Option2 (4pg cover-80# glossfull color & inside pages-60# Offset White/full color)	Quarterly Price	Yearly Price	Quarterly Price	Yearly Price	Quarterly Price	Yearly Price
Price for Printing Brochure 4-Times Per Year	\$8,311.66	\$33,246.64	\$9,606.00	\$38,424.00	\$9,096.00 (48 pages)	\$36,384.00
Price Per Thousand Over the 15,000 copies	\$352.58		\$370.00		\$606.40	
Price Per Additional 4-Page	\$380.89		\$514.00		\$0.047	
Printing-Option 3 (4pg cover-80# gloss/full color & inside pages-hibrite newsprint/B&W with 1 additional color print)	Quarterly Price	Yearly Price	Quarterly Price	Yearly Price	Quarterly Price	Yearly Price
Price for Printing Brochure 4-Times Per Year	\$4,425.93	\$17,703.72	\$5,872.00	\$23,488.00	\$6,961.00 (48 pages) \$6,386.00 (40 pages)	\$27,844.00 \$25,544.00
Price Per Thousand Over the 15,000 copies	\$135.14		\$216.00		\$464.06/\$425.73	
Price Per Additional 4-Page	\$131.60		\$284.00		N/A	
Printing-Option 4 (4pg cover-80# gloss/full color & inside pages-60# Offset White/B&W with 1 additional color)	Quarterly Price	Yearly Price	Quarterly Price	Yearly Price	Quarterly Price	Yearly Price
Price for Printing Brochure 4-Times Per Year	\$7,698.08	\$30,792.32	\$8,860.00	\$35,440.00	\$11,951.00	\$47,804.00
Price Per Thousand Over the 15,000 copies	\$324.57		\$370.00		\$796.73	
Price Per Additional 4-Page	\$374.15		\$1,027.00		\$0.06	
Estimated cost of postage per edition based on current postage rates	\$3,461.76	\$13,847.04	\$3,409.00	\$13,636.00	To be determined	
Recommended for Council Award (6 quarters)	\$27,869.58				\$15,000.00	
Delivery	Yes		Yes		Yes	
Exceptions?	Yes		No		Yes	
Local Preference	No		No		No	
Credit Check Authorization	Yes		Yes		Yes	

Recommended for Council Award
Recommended for Administrative Approval by City
Manager

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONTRACT WITH SIGNATURE OFFSET OF BOULDER, COLORADO, FOR THE PRINTING OF THE PLAY-BY-PLAY BROCHURES, IN THE ESTIMATED AMOUNT OF \$27,869.58; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on September 20, 2012, City Council authorized an annual contract for the design and printing of the play-by-play brochures to Color Visual Concepts, Inc., of Temple, Texas – on September 5, 2013, City Council authorized a one-year extension to the contract, as allowed by the original bid;

Whereas, on February 21, 2014, staff received notification from Color Visual Concepts, Inc. that they were closing their business – they had already designed the spring edition, but were unable to complete the printing;

Whereas, on March 25, 2014, three (3) bids were received for the design and printing of the play-by-play brochures – these brochures are created quarterly to promote activities happening throughout the City;

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 price, design capabilities, reputation and quality of services – a committee was formed to evaluate the bids and staff recommends award of the printing to Signature Offset of Boulder, Colorado;

Whereas, the City has not done business with Signature Offset previously, therefore references were checked and after receiving favorable responses, the City finds them to be a responsible vendor;

Whereas, the proposed contract shall commence immediately upon award and shall continue through September 30, 2015 with the option for four (4) additional one-year renewal periods, if agreed to by both parties;

Whereas, funding is available in Account No. 110-4100-551-2511 and Account No. 110-4100-551-2128; 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 a contract with Signature Offset of Boulder, Colorado, after approval as to form by the City Attorney, for the printing of the Play-by-Play brochures, in the estimated amount of \$27, 869.58.

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

PASSED AND APPROVED this the **17th** day of **April**, 2014.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

ATTEST:

Lacy Borgeson
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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Consent Agenda
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DEPT./DIVISION SUBMISSION & REVIEW:

Belinda Mattke, Director of Purchasing
Craig Maatta, Interim Fire Chief

ITEM DESCRIPTION: Consider adopting a resolution authorizing a construction contract with Vanguard Contractors, LP of Temple for the construction of Phase II of the Fire Training Center in the amount of \$2,157,000.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: On May 10, 2008, the citizens of Temple authorized the issuance of General Obligation Bonds in the amount of \$13,995,000 for public safety facilities and projects. Projects completed to date are as follows: construction of a new Central Fire Station, construction of a new Fire Station No. 8 with Training Center/Emergency Operations Center (Fire Training Center Phase I), the purchase of 4 fire engines, and the purchase of 2 quick response vehicles.

On November 15, 2012, Council authorized a design services contract with Architectural Edge, Inc for the architectural and engineering services needed to construct Phase II of the Fire Training Center behind the previously constructed Training Center/Emergency Operations Center on the Airport grounds. Phase II includes the construction of a 4-story training/burn tower with 6,030 sf of enclosed space and an additional 2,320 sf of training space on the roof and balconies, an ancillary 3,500 sf shower/storage facility, and all the necessary infrastructure to support the facility, including a bridge across the drainage creek, roads, and utility infrastructure.

As shown on the attached bid tabulation, on April 3, 2014, three (3) bids were received for the construction of Phase II of the Fire Training Center. The bid was structured with a base bid for the 4-story burn tower along with four (4) add alternate bids for a 3,500 sf shower/storage facility, additional forced entry doors, a pull down ceiling, and the addition of moveable partitions.

It is staff's recommendation to award the base bid along with the add alternate bid #1 for the shower/storage facility to Vanguard Contractors, LP of Temple in the amount of \$2,157,000. Staff has worked with Vanguard and several previous projects and has found them to be a responsive and responsible contractor.

It is anticipated that construction will commence in May 2014 and the project will be complete by January 31, 2015.

FISCAL IMPACT: Funding in the amount of \$2,508,360.28 is designated in the 2009 General Obligation Bond in account 363-2200-522-6851, project # 100896, for the construction of Phase II of Fire Training Center. After funding the proposed construction contract in the amount of \$2,157,000, \$351,360.28 will be remain available to fund burn props needed for the burn building.

ATTACHMENTS:

[BidTabulation](#)

[Resolution](#)

Tabulation of Bids Received
on April 3, 2014 at 2:30 p.m.
Fire Training Drill Field
Bid# 22-02-14

	Bidders		
	MW Builders Temple, TX	Vanguard Contractors, LP Temple, TX	Chaney Cox Construction, Inc. Temple, TX
Description			
Total Base Bid	\$1,967,000.00	\$1,815,000.00	\$2,291,000.00
Unit Price - 24" x 120' Pier	\$35.00	\$39.00	\$50.00
Unit Price - 24" x 36' Pier	\$35.00	\$39.00	\$50.00
Unit Price - 30" x 150' Pier	\$60.00	\$56.00	\$60.00
Unit Price - 30" x 45' Pier	\$60.00	\$56.00	\$60.00
Alternate 1-3,500 sf accessory structure	\$417,000.00	\$342,000.00	\$407,000.00
Alternate 2-forced entry doors	\$38,000.00	\$37,000.00	\$37,000.00
Alternate 3-pull down ceiling	\$10,000.00	\$6,600.00	\$8,000.00
Alternate 4-movable partitions	\$36,000.00	\$21,300.00	\$14,100.00
Acknowledge Addendum	Yes	Yes	Yes
Bid Bond	5%	5%	5%
Bond Requirement Affidavit	Yes	Yes	Yes
Credit Check Authorization	Yes	Yes	Yes

Recommended for Council award

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONSTRUCTION CONTRACT WITH VANGUARD CONTRACTORS, LP, OF TEMPLE, TEXAS, FOR THE CONSTRUCTION OF PHASE II OF THE FIRE TRAINING CENTER, IN THE AMOUNT OF \$2,157,000; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on May 10, 2008, the citizens of Temple authorized the issuance of General Obligation Bonds in the amount of \$13,995,000 for public safety facilities and projects;

Whereas, projects completed with those bonds to date are as follows:

- 1) Construction of Central Fire Station;
- 2) Construction of Fire Station 8 with Training Center/Emergency Operations Center ;
- 3) Purchase of four (4) fire engines; and
- 4) Purchase of two (2) Quick Response Vehicles;

Whereas, on November 15, 2012, City Council authorized a design services contract with Architectural Edge, Inc., for the architectural and engineering services needed to construction Phase II of the Fire Training Center located on the Airport grounds;

Whereas, Phase II includes the construction of a 4-story training/burn tower with 6,030 square feet of enclosed space, an additional 2,320 square feet of training space on the roof and balconies, an ancillary 3,500 square foot shower/storage facility and all necessary infrastructure to support the facility, including a bridge across the drainage creek, roads and utility infrastructure;

Whereas, staff recommends awarding the base bid, along with add alternate bid #1 for the shower/storage facility to Vanguard Contractors, LP, of Temple, Texas, in the amount of \$2,157,000 – staff has worked with Vanguard on several previous projects and has found them to be a responsive and responsible contractor;

Whereas, funding for the construction of Phase II of the Fire Training Center is designated in the 2009 General Obligation Bond Account No. 363-2200-522-6851, Project No. 100896; 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 Vanguard Contractors, LP, of Temple, Texas, after approval as to form by the City Attorney, for the construction of Phase II of the Fire Training Center, in the amount of \$2,157,000.

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

PASSED AND APPROVED this the **17th** day of **April**, 2014.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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Consent Agenda
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DEPT./DIVISION SUBMISSION & REVIEW:

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

ITEM DESCRIPTION: Consider adopting a resolution authorizing a construction contract with Bell Contractors, Inc., (Bell) of Belton for construction activities required to extend water and sewer utilities to North Loop 363 and I-35 in an amount not to exceed \$1,483,182.90.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Water and sewer utilities are required to support development at North Loop 363 and I35. On April 30, 2013, the City entered into a Chapter 380 Economic Development Agreement with Buc-ee's, Ltd. As part of this agreement, the City is obligated to design, engineer, and construct, certain public utilities improvements to service property located at North Loop 363 and I-35. The utilities are to include water and sanitary sewer service. The City must construct the utilities and make them available for connection by Buc-ee's no later than September 1, 2014. On May 16, 2013, Council authorized a professional services agreement with Clark & Fuller, PLLC (C&F), for engineering services required to design water and wastewater utility extensions.

On March 18, 2014, three bids for construction of the project were received ranging from \$1,483,182.90 to \$1,683,385 (see attached Bid Tabulation). The engineer's OPC for this project was \$2,553,413. Clark & Fuller recommends awarding the contract to the low bidder, Bell (Recommendation attached).

Services authorized under this contract will construct 5412 linear feet of 12" sewer main, 5,343 linear feet of 12" force main, and 4,464 linear feet of 12" water main, and 941 linear feet of 20" bored encasement.

Construction time allotted for this project is 215 calendar days.

FISCAL IMPACT: Currently, funding in the amount of \$2,245,381.35 is available in account 520-5900-535-6521, project 100986, to fund this construction contract in an amount not to exceed \$1,483,182.90 with Bell Contractors, Inc.

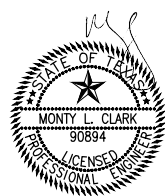
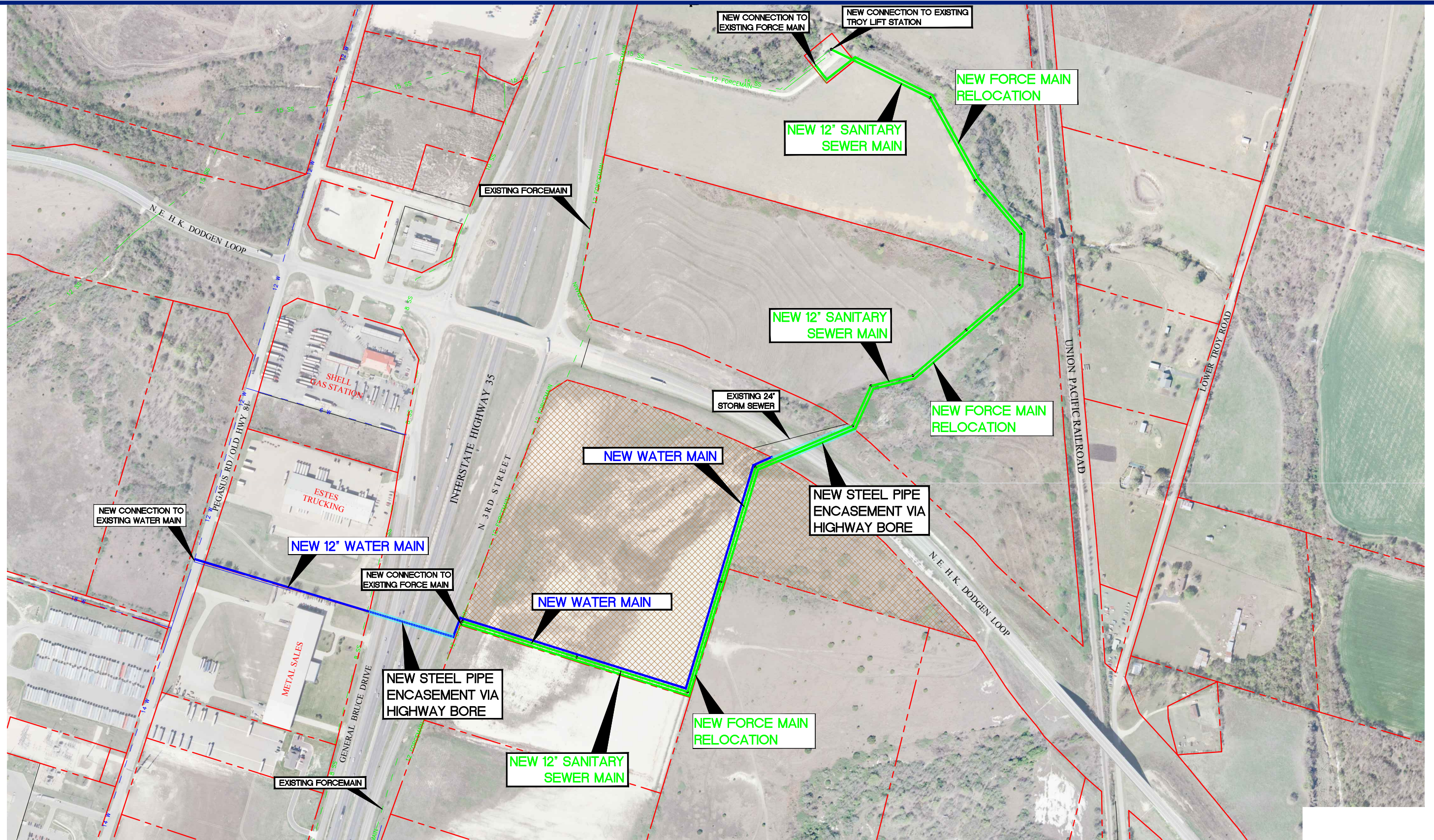
ATTACHMENTS:

[Project Map](#)

[Bid Tabulation](#)

[Engineer's Letter of Recommendation](#)

[Resolution](#)



5-7-13

PROPOSED NORTH LOOP 363 - IH35 WATER AND SEWER EXTENSIONS



Bid Tabulation Sheet

North Loop 363 & IH 35 Utility Extension

Bid Date: March 18, 2014

	Base Bid			Bell Contractors, Inc.		McLean Construction, Inc.		Rockin Q Construction, Inc.	
No.	Item Description	Est. Quan.	UOM	Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost
Base Bid									
1	Site R.O.W. Preparation & Clearing	76	STA	\$ 370.00	\$ 28,120.00	\$ 309.00	\$ 23,484.00	\$ 1,000.00	\$ 76,000.00
2	Mobilization, Bonds, Permits, & Insurance	100%	LS	\$ 46,500.00	\$ 46,500.00	\$ 50,384.00	\$ 50,384.00	\$ 50,000.00	\$ 50,000.00
3	Provide New HMA Pavement Section	24	SY	\$ 37.00	\$ 888.00	\$ 57.70	\$ 1,384.80	\$ 35.00	\$ 840.00
4	Provide Reinforced Concrete Curb and Gutter	20	LF	\$ 31.20	\$ 624.00	\$ 29.00	\$ 580.00	\$ 20.00	\$ 400.00
5	Provide Intruder Resistant Chain Link Fencing	205	LF	\$ 12.60	\$ 2,583.00	\$ 32.50	\$ 6,662.50	\$ 45.00	\$ 9,225.00
6	Remove and Replace 5 Strand Barbed Wire Fencing	40	LF	\$ 3.40	\$ 136.00	\$ 4.50	\$ 180.00	\$ 6.00	\$ 240.00
7	Provide Disconnect, Cap, and Abandon Existing Utilities	100%	LS	\$ 4,700.00	\$ 4,700.00	\$ 5,919.00	\$ 5,919.00	\$ 5,000.00	\$ 5,000.00
8	Provide Bypass Pumping	100%	LS	\$ 11,000.00	\$ 11,000.00	\$ 16,569.00	\$ 16,569.00	\$ 5,000.00	\$ 5,000.00
9	Provide New Traffic Control Plan & Implementation	100%	LS	\$ 4,800.00	\$ 4,800.00	\$ 2,753.00	\$ 2,753.00	\$ 3,000.00	\$ 3,000.00
10	Provide New Trench Safety Plan & Implementation	100%	LS	\$ 34,100.00	\$ 34,100.00	\$ 1,002.00	\$ 1,002.00	\$ 3,000.00	\$ 3,000.00
11	Provide New Storm Water Pollution Prevention Plan & Implementation	100%	LS	\$ 18,700.00	\$ 18,700.00	\$ 1,710.00	\$ 1,710.00	\$ 20,000.00	\$ 20,000.00
Total Base Bid									
North Loop 363 & IH 35 Utility Extension				\$ 152,151.00		\$ 110,628.30		\$ 172,705.00	
New Sanitary Sewer Main Construction									
12	Provide Cored Connection to Existing Sanitary Sewer Manhole	1	EA	\$ 460.00	\$ 460.00	\$ 1,511.00	\$ 1,511.00	\$ 2,000.00	\$ 2,000.00
13	Provide 4' Diameter Precast Eccentric Concrete Manhole	9	EA	\$ 9,300.00	\$ 83,700.00	\$ 3,331.00	\$ 29,979.00	\$ 4,000.00	\$ 36,000.00
14	Provide 4' Diameter Precast Eccentric Watertight Concrete Manhole	4	EA	\$ 2,700.00	\$ 10,800.00	\$ 2,677.00	\$ 10,708.00	\$ 4,000.00	\$ 16,000.00
15	Provide New 12" PVC SDR 26 Sanitary Sewer Main	5412	LF	\$ 59.50	\$ 322,014.00	\$ 65.50	\$ 354,486.00	\$ 75.00	\$ 405,900.00
16	Provide New 20" Steel Pipe Encasement via Roadway Bore	270	LF	\$ 390.00	\$ 105,300.00	\$ 440.80	\$ 119,016.00	\$ 360.00	\$ 97,200.00
17	Provide New End of Line Cleanout	2	EA	\$ 740.00	\$ 1,480.00	\$ 1,033.00	\$ 2,066.00	\$ 1,700.00	\$ 3,400.00
18	Provide All Testing	100%	LS	\$ 4,000.00	\$ 4,000.00	\$ 1,869.00	\$ 1,869.00	\$ 3,000.00	\$ 3,000.00
Total Phase - Sanitary Sewer Main									
North Loop 363 & IH 35 Utility Extension				\$ 527,754.00		\$ 519,635.00		\$ 563,500.00	
New Force Main Construction									
19	Provide Connection to Existing Sanitary Sewer Force Main	2	EA	\$ 3,300.00	\$ 6,600.00	\$ 1,653.00	\$ 3,306.00	\$ 2,000.00	\$ 4,000.00
20	Provide New 12" PVC SDR 21 Class 200 Sanitary Sewer Force Main	5343	LF	\$ 32.00	\$ 170,976.00	\$ 43.60	\$ 232,954.80	\$ 45.00	\$ 240,435.00
21	Provide New 6" Class 250 Ductile Iron Sanitary Sewer Force Main	15	LF	\$ 56.90	\$ 853.50	\$ 45.20	\$ 678.00	\$ 70.00	\$ 1,050.00
22	Provide New 20" Steel Pipe Encasement via Roadway Bore	270	LF	\$ 360.00	\$ 97,200.00	\$ 388.30	\$ 104,841.00	\$ 365.00	\$ 98,550.00
23	Provide New 12"x6" MJxFLG Tee	1	EA	\$ 1,300.00	\$ 1,300.00	\$ 795.00	\$ 795.00	\$ 1,500.00	\$ 1,500.00
24	Provide New 12" MJ Gate Valve	2	EA	\$ 1,800.00	\$ 3,600.00	\$ 2,055.00	\$ 4,110.00	\$ 1,900.00	\$ 3,800.00
25	Provide New 6" FLG Gate Valve	2	EA	\$ 840.00	\$ 1,680.00	\$ 830.00	\$ 1,660.00	\$ 1,100.00	\$ 2,200.00
26	Provide New 12" MH 45 Degree Bend	17	EA	\$ 1,200.00	\$ 20,400.00	\$ 700.00	\$ 11,900.00	\$ 1,400.00	\$ 23,800.00
27	Provide New 12" MH 22.5 Degree Bend	2	EA	\$ 1,100.00	\$ 2,200.00	\$ 680.00	\$ 1,360.00	\$ 1,300.00	\$ 2,600.00
28	Provide New 12" MJ 11.25 Degree Bend	1	EA	\$ 1,100.00	\$ 1,100.00	\$ 671.00	\$ 671.00	\$ 1,300.00	\$ 1,300.00
29	Provide New 56" FLG 90 Degree Bend	1	EA	\$ 570.00	\$ 570.00	\$ 540.00	\$ 540.00	\$ 830.00	\$ 830.00
30	Provide New 6" FLG Check Valve and Concrete Vault	2	EA	\$ 6,900.00	\$ 13,800.00	\$ 4,889.00	\$ 9,778.00	\$ 8,000.00	\$ 16,000.00
31	Provide New 6" FLG 45 Degree Bend	2	EA	\$ 530.00	\$ 1,060.00	\$ 551.00	\$ 1,102.00	\$ 800.00	\$ 1,600.00
32	Provide New 6" Bypass Pumping Station	1	EA	\$ 5,100.00	\$ 5,100.00	\$ 2,648.00	\$ 2,648.00	\$ 1,200.00	\$ 1,200.00
33	Provide New Vacuum Air Release Valve	1	EA	\$ 17,600.00	\$ 17,600.00	\$ 5,676.00	\$ 5,676.00	\$ 14,000.00	\$ 14,000.00
34	Provide New Bollards	4	EA	\$ 160.00	\$ 640.00	\$ 423.00	\$ 1,692.00	\$ 360.00	\$ 1,440.00
35	Provide All Testing	100%	LS	\$ 4,300.00	\$ 4,300.00	\$ 1,633.00	\$ 1,633.00	\$ 3,000.00	\$ 3,000.00
Total Phase - Force Main Construction									
North Loop 363 & IH 35 Utility Extension				\$ 348,979.50		\$ 385,344.80		\$ 417,305.00	
Bid Alternate #3 New Water Main Construction									
36	Provide Conenction to Existing Water Main	1	EA	\$ 3,300.00	\$ 3,300.00	\$ 2,229.00	\$ 2,229.00	\$ 1,200.00	\$ 1,200.00
37	Provide New 12" PVC C900 Class 150 Water Main	4464	LF	\$ 36.10	\$ 161,150.40	\$ 42.70	\$ 190,612.80	\$ 50.00	\$ 223,200.00
38	Provide New 6" PVC C900 Class 150 Water Main	10	LF	\$ 23.90	\$ 239.00	\$ 33.50	\$ 335.00	\$ 30.00	\$ 300.00
39	Provide New 4" PVC Water Service	5	LF	\$ 23.80	\$ 119.00	\$ 29.40	\$ 147.00	\$ 28.00	\$ 140.00
40	Provide New 20" Steel Pipe Encasement via Roadway Bore	401	LF	\$ 390.00	\$ 156,390.00	\$ 392.10	\$ 157,232.10	\$ 400.00	\$ 160,400.00
41	Provide New 12"x12" MJ Tapping Sleeve and Valve Assembly	1	EA	\$ 6,400.00	\$ 6,400.00	\$ 5,105.00	\$ 5,105.00	\$ 6,000.00	\$ 6,000.00
42	Provide New 12"x12" MJ Tee	6	EA	\$ 1,200.00	\$ 7,200.00	\$ 899.00	\$ 5,394.00	\$ 1,400.00	\$ 8,400.00
43	Provide New 12"x6" MJ Tee	3	EA	\$ 750.00	\$ 2,250.00	\$ 756.00	\$ 2,268.00	\$ 975.00	\$ 2,925.00
44	Provide New 12" MJ Gate Valve	12	EA	\$ 2,300.00	\$ 27,600.00	\$ 2,050.00	\$ 24,600.00	\$ 1,900.00	\$ 22,800.00
45	Provide New 6" MJ Gate Valve	3	EA	\$ 1,100.00	\$ 3,300.00	\$ 933.00	\$ 2,799.00	\$ 1,000.00	\$ 3,000.00
46	Provide New 12" MJ 45 Degree Bend	25	EA	\$ 660.00	\$ 16,500.00	\$ 695.00	\$ 17,375.00	\$ 870.00	\$ 21,750.00
47	Provide New 12" MJ 11.25 Degree Bend	1	EA	\$ 490.00	\$ 490.00	\$ 503.00	\$ 503.00	\$ 700.00	\$ 700.00
48	Provide New 6"x4" MJ Reducer	1	EA	\$ 150.00	\$ 150.00	\$ 342.00	\$ 342.00	\$ 450.00	\$ 450.00
49	Provide New 12" MJ Plug	5	EA	\$ 230.00	\$ 1,150.00	\$ 473.00	\$ 2,365.00	\$ 550.00	\$ 2,750.00
50	Provide New 6" MJ Plug	1	EA	\$ 140.00	\$ 140.00	\$ 334.00	\$ 334.00	\$ 450.00	\$ 450.00
51	Provide New 4" MJ Plug	1	EA	\$ 120.00	\$ 120.00	\$ 291.00	\$ 291.00	\$ 425.00	\$ 425.00
52	Provide New End of Line Flush Assembly	2	EA	\$ 2,400.00	\$ 4,800.00	\$ 3,028.00	\$ 6,056.00	\$ 2,255.00	\$ 4,510.00
53	Provide New Standard Fire Hydrant Assembly	10	EA	\$ 3,700.00	\$ 37,000.00	\$ 3,785.00	\$ 37,850.00	\$ 4,200.00	\$ 42,000.00
54	Provide New Parallel Fire Hydrant Assembly	1	EA	\$ 4,000.00	\$ 4,000.00	\$ 3,706.00	\$ 3,706.00	\$ 4,700.00	\$ 4,700.00
55	Provide New Connection to Existing Fire Service	1	EA	\$ 5,000.00	\$ 5,000.00	\$ 1,481.00	\$ 1,481.00	\$ 3,775.00	\$ 3,775.00
56	Provid New Connection to Existing Irrigation Service	1	EA	\$ 3,200.00	\$ 3,200.00	\$ 934.00	\$ 934.00	\$ 2,000.00	\$ 2,000.00
57	Provide New Connection to Existing Domestic Water Service and Meter	2	EA	\$ 1,600.00	\$ 3,200.00	\$ 1,454.00	\$ 2,908.00	\$ 4,000.00	\$ 8,000.00
58	Provide New Vacuum Air Release Valve	1	EA	\$ 6,300.00	\$ 6,300.00	\$ 5,501.00	\$ 5,501.00	\$ 7,000.00	\$ 7,000.00
59	Provide All Testing	100%	LS	\$ 4,300.00	\$ 4,300.00	\$ 2,912.00	\$ 2,912.00	\$ 3,000.00	\$ 3,000.00
Total Phase - Water Main Construction									
North Loop 363 & IH 35 Utility Extension				\$ 454,298.40		\$ 473,279.90		\$ 529,875.00	
Total Base Bid & Sanitary Sewer, Force, and Water Main Construction				\$ 1,483,182.90		\$ 1,488,888.00		\$ 1,683,385.00	



215 North Main Street
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March 19, 2014

City of Temple
Salvador Rodriguez, P.E.
3210 E. Ave H, Bldg A
Temple, Texas 76501

Re: City of Temple - North Loop 363 & IH 35 Utility Extensions Project

Dear Mr. Rodriguez,

On March 18th, we received three (3) bids for the North Loop 363 & IH 35 Utility Extensions Project. We have reviewed each of the bids for accuracy and completeness. Bell Contractors, Inc. submitted a Bid totaling \$1,483,182.90 making them the apparent low bidder. *Please see the enclosed Bid Tabulation Sheet and Bid Schedule Breakout for detailed information.*

The City of Temple's construction budget for this project is \$2,553,413.00 and we are recommending that you award the contract to Bell Contractors, Inc. We believe, through personal experience, that Bell Contractors, Inc. is qualified and is capable of providing the North Loop 363 & IH 35 Utility Extensions as required in this project.

We believe that Bell Contractors, Inc. is a proven company with many successfully completed projects and we look forward to working with them on this project.

Sincerely,

Monty Clark, P.E., CPESC

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONSTRUCTION CONTRACT WITH BELL CONTRACTORS, INC., OF BELTON, TEXAS, FOR THE EXTENSION OF WATER AND SEWER UTILITIES TO NORTH LOOP 363 AND I-35, IN THE AMOUNT OF \$1,483,182.90; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on April 30, 2013, the City entered into a Chapter 380 Economic Development Agreement with Buc-ee's, Ltd. and as part of that agreement, the City is obligated to design, engineer, and construct certain public utilities improvements to service property located at North Loop 363 and I-35;

Whereas, the utilities are to include water and sanitary sewer services and the City must construct the utilities and make them available for connection by Buc-ee's no later than September 1, 2014;

Whereas, on May 16, 2013, City Council authorized a professional services agreement with Clark & Fuller, PLLC for engineering services required to design water and wastewater utility extensions;

Whereas, on March 18, 2014, three (3) bids were received for construction of the project - staff and Clark & Fuller, PLLC recommend awarding the contract to the low bidder, Bell Contractors, Inc., of Belton, Texas, in an amount not to exceed \$1,483,182.90;

Whereas, funding is available in Account No. 520-5900-535-6521, Project No. 100986 to fund 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 Bell Contractors, Inc., of Belton, Texas, after approval as to form by the City Attorney, for construction activities required to extend water and sewer utilities to North Loop 363 and I-35, in an amount not to exceed \$1,483,182.90.

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

PASSED AND APPROVED this the **17th** day of **April**, 2014.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

04/17/14
Item #5(G)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

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

ITEM DESCRIPTION: Consider adopting a resolution authorizing a construction contract with K&S Backhoe Services, Inc., (K&S) of Gatesville for construction activities required to replace water and sewer mains in Western Hills in an amount not to exceed \$1,496,622.96, as well as, declare an official intent to reimburse the expenditures with the issuance of 2014 Utility Revenue Bonds.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Residential streets within the Western Hills subdivision in west Temple are in need of reconstruction. Years of shrink and swell of the underlying highly expansive clay soils have compromised the subgrade and base, and the asphalt has cracked and subsided, requiring frequent and costly maintenance. Geronimo Drive and Antelope, Chisholm, and Deer Trails are most in need of reconstruction. A map is attached for reference.

The Transportation Capital Improvements Plan budgeted money for reconstruction of streets in Western Hills. Prior to investing capital in rebuilding the streets, the existing utilities will be replaced to reduce the likelihood of utility repairs or leaks damaging the new road surfaces.

On April 4, 2013, Council authorized a professional services agreement with Clark & Fuller, PLLC (C&F), for engineering services required to design the reconstruction of residential streets within the subdivision. Design of water and wastewater utilities was included.

Services authorized under this contract will construct 3810 linear feet of new sewer mains ranging in diameter from 8" to 12", 20 manholes, and associated appurtenances and services. This contract also will authorize the construction of 6,434 linear feet of 8" water main and associated appurtenances and services.

On March 25, 2014, three bids were received ranging from \$1,496,622.96 to \$2,345,678 (see attached Bid Tabulation). The engineer's OPC for this project was \$1,664,897. Clark & Fuller recommends awarding the contract to the low bidder, K&S (Recommendation attached).

Construction time allotted for this project is 215 calendar days.

FISCAL IMPACT: Council authorized this project as part of the Capital Improvement Plan in the FY 2014 Budget. This project will be funded with the proposed 2014 Utility Revenue Bonds to be issued Fall 2014. Funds in the amount of \$1,800,000 will be made available in account 561-5200-535-6950, project 100967, to fund this construction contract in the amount of \$1,496,622.96 with K&S Backhoe, Inc.

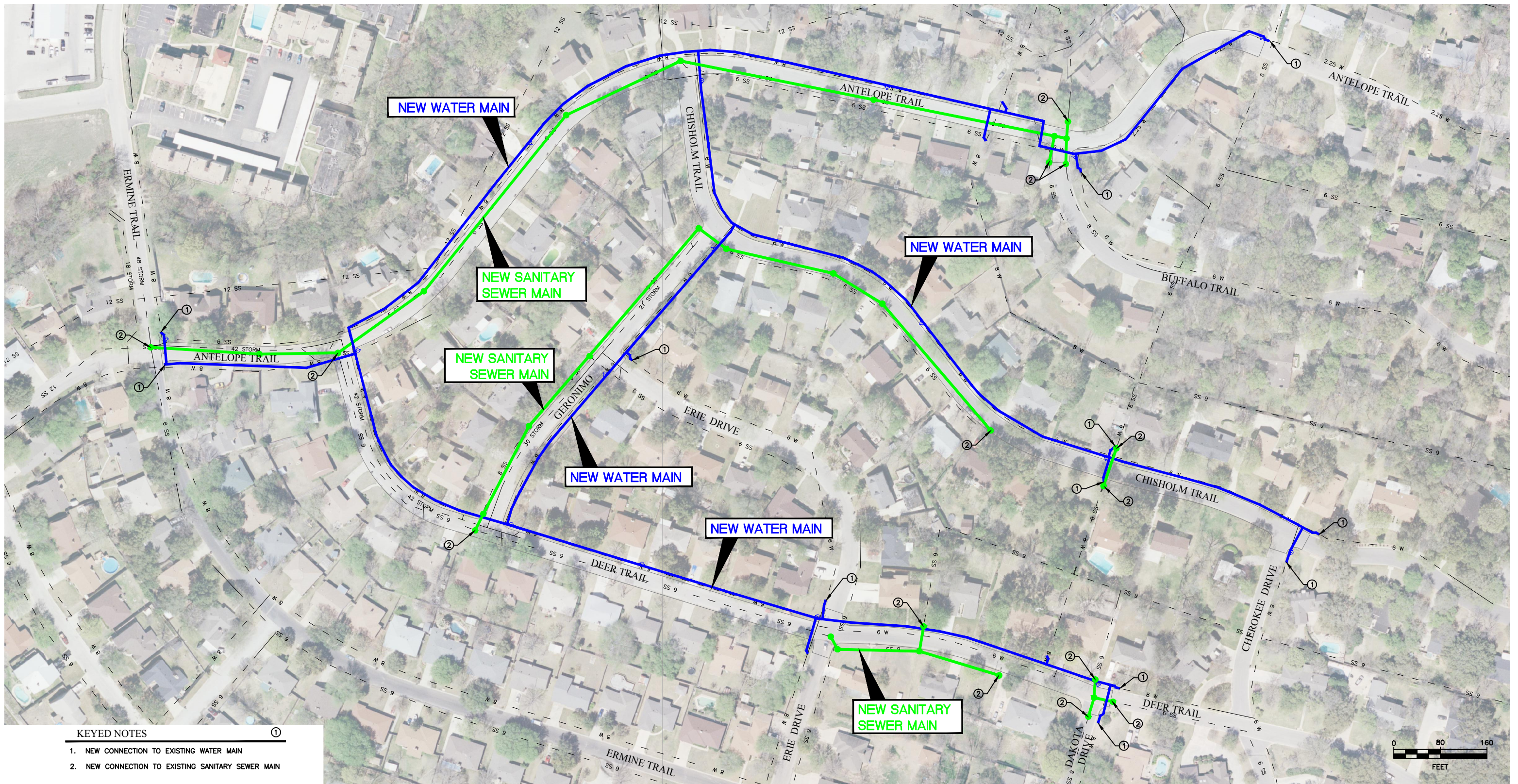
ATTACHMENTS:

[Project Map](#)

[Bid Tabulation](#)

[Engineer's Letter of Recommendation](#)

[Resolution](#)



KEYED NOTES

1. NEW CONNECTION TO EXISTING WATER MAIN
2. NEW CONNECTION TO EXISTING SANITARY SEWER MAIN

①

**2013 WESTERN HILLS
ROADWAY AND UTILITY
REPLACEMENT PROJECT**

LEGEND:

- NEW PVC WATER MAIN
- ◆ NEW STANDARD FIRE HYDRANT ASSEMBLY
- NEW SANITARY SEWER MAIN
- NEW 4' DIAMETER ECCENTRIC CONCRETE MANHOLE

Bid Tabulation Sheet

Western Hills Roadway & Utility Improvement Project

Bid Date: March 25, 2014

No.	Base Bid			K&S Backhoe Services, Inc.		Bell Contractors, Inc.		McLean Construction, Inc.	
	Item Description	Est. Quan.	UOM	Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost
	Base Bid								
1	Site R.O.W. Preparation & Clearing	65	STA	\$ 425.75	\$ 27,673.75	\$ 410.00	\$ 26,650.00	\$ 3,944.00	\$ 256,360.00
2	Mobilization, Bonds, Permits, & Insurance	100%	LS	\$ 39,635.00	\$ 39,635.00	\$ 34,000.00	\$ 34,000.00	\$101,557.00	\$ 101,557.00
3	Saw Cut, Remove, and Replace HMA/Pavement Section	5086	SY	\$ 47.00	\$ 239,042.00	\$ 27.00	\$ 137,322.00	\$ 74.90	\$ 380,941.40
4	Provide Bypass Sanitary Sewer Pumping	100%	LS	\$ 19,800.00	\$ 19,800.00	\$ 20,300.00	\$ 20,300.00	\$ 57,508.00	\$ 57,508.00
5	Provide Reinforced Concrete Pavement Sections	105	SY	\$ 82.00	\$ 8,610.00	\$ 38.10	\$ 4,000.00	\$ 90.00	\$ 9,450.00
6	Provide Disconnect, Cap, and Abandon Existing Utilities	100%	LS	\$ 15,576.00	\$ 15,576.00	\$ 11,300.00	\$ 11,300.00	\$ 4,935.00	\$ 4,935.00
7	Provide New Traffic Control Plan & Implementation	100%	LS	\$ 7,800.00	\$ 7,800.00	\$ 39,000.00	\$ 39,000.00	\$ 2,875.00	\$ 2,875.00
8	Provide New Trench Safety Plan & Implementation	100%	LS	\$ 12,600.00	\$ 12,600.00	\$ 17,400.00	\$ 17,400.00	\$ 1,029.00	\$ 1,029.00
9	Provide New Storm Water Pollution Prevention Plan & Implementation	100%	LS	\$ 7,800.00	\$ 7,800.00	\$ 10,600.00	\$ 10,600.00	\$ 1,089.00	\$ 1,089.00
Total Base Bid									
Western Hills Roadway & Utility Improvement Project					\$ 378,536.75		\$ 300,572.00		\$ 815,744.40
New Sanitary Sewer Main Construction									
10	Demolish and Remove Existing Sanitary Sewer Manhole	20	EA	\$ 1,092.00	\$ 21,840.00	\$ 850.00	\$ 17,000.00	\$ 2,482.00	\$ 49,640.00
11	Provide 4' Diameter Precast Eccentric Concrete Manhole	20	EA	\$ 3,393.00	\$ 67,860.00	\$ 5,900.00	\$ 118,000.00	\$ 2,807.00	\$ 56,140.00
12	Provide Connection to Existing Sanitary Sewer Main	20	EA	\$ 770.00	\$ 15,400.00	\$ 1,900.00	\$ 38,000.00	\$ 823.00	\$ 16,460.00
13	Provide New Internal Drop Connection	2	EA	\$ 1,098.00	\$ 2,196.00	\$ 860.00	\$ 1,720.00	\$ 1,501.00	\$ 3,002.00
14	Provide New 6" End of Line Cleanout	1	EA	\$ 2,070.00	\$ 2,070.00	\$ 570.00	\$ 570.00	\$ 1,067.00	\$ 1,067.00
15	Provide New 12" PVC SDR 26 Sanitary Sewer Main	1820	LF	\$ 118.94	\$ 216,470.80	\$ 130.00	\$ 236,600.00	\$ 217.60	\$ 396,032.00
16	Provide New 10" PVC SDR 26 Sanitary Sewer Main	110	LF	\$ 102.55	\$ 11,280.50	\$ 120.00	\$ 13,200.00	\$ 117.90	\$ 12,969.00
17	Provide New 8" PVC SDR 26 Sanitary Sewer Main	1775	LF	\$ 88.72	\$ 157,478.00	\$ 80.50	\$ 142,887.50	\$ 122.30	\$ 217,082.50
18	Provide New 8" PVC SDR Class 160 "Pressure Rated" Sanitary Sewer Main	105	LF	\$ 83.33	\$ 8,749.65	\$ 69.80	\$ 7,329.00	\$ 121.90	\$ 12,799.50
19	Provide New 4" Sanitary Sewer Service and Service Connection	61	EA	\$ 1,125.00	\$ 68,625.00	\$ 2,000.00	\$ 122,000.00	\$ 1,320.00	\$ 80,520.00
20	Provide Miscellaneous 4" Sanitary Sewer Service Pipe	1000	LF	\$ 36.00	\$ 36,000.00	\$ 23.50	\$ 23,500.00	\$ 41.20	\$ 41,200.00
21	Provide All Testing	100%	LS	\$ 8,400.00	\$ 8,400.00	\$ 6,800.00	\$ 6,800.00	\$ 7,356.00	\$ 7,356.00
Total Phase - Sanitary Sewer Main									
Western Hills Roadway & Utility Improvement Project					\$ 616,369.95		\$ 727,606.50		\$ 894,268.00
New Water Main Construction									
22	Provide Connection to Existing Water Main	16	EA	\$ 1,756.50	\$ 28,104.00	\$ 3,100.00	\$ 49,600.00	\$ 1,351.00	\$ 21,616.00
23	Provide New 8" PVC C900 Class 150 Water Main	6434	LF	\$ 37.39	\$ 240,567.26	\$ 38.20	\$ 245,778.80	\$ 48.80	\$ 313,979.20
24	Provide New 20" Steel Pipe Encasement	28	LF	\$ 178.50	\$ 4,998.00	\$ 530.00	\$ 14,840.00	\$ 156.30	\$ 4,376.40
25	Provide New 8"x8" MJ Tee	17	EA	\$ 670.00	\$ 11,390.00	\$ 530.00	\$ 9,010.00	\$ 719.00	\$ 12,223.00
26	Provide New 8" MJ Gate Valve	31	EA	\$ 1,150.00	\$ 35,650.00	\$ 1,400.00	\$ 43,400.00	\$ 1,293.00	\$ 40,083.00
27	Provide New 8" MJ 45 Degree Bend	53	EA	\$ 400.00	\$ 21,200.00	\$ 810.00	\$ 42,930.00	\$ 610.00	\$ 32,330.00
28	Provide New 8" MJ 22.5 Degree Bend	6	EA	\$ 383.00	\$ 2,298.00	\$ 350.00	\$ 2,100.00	\$ 608.00	\$ 3,648.00
29	Provide New 8" MJ 11.25 Degree Bend	1	EA	\$ 378.00	\$ 378.00	\$ 340.00	\$ 340.00	\$ 602.00	\$ 602.00
30	Provide New 8"x6" MJ Reducer	5	EA	\$ 372.00	\$ 1,860.00	\$ 270.00	\$ 1,350.00	\$ 575.00	\$ 2,875.00
31	Provide New 8"x4" MJ Reducer	1	EA	\$ 372.00	\$ 372.00	\$ 260.00	\$ 260.00	\$ 568.00	\$ 568.00
32	Remove and Salvage Existing Fire Hydrant Assembly	10	EA	\$ 468.00	\$ 4,680.00	\$ 760.00	\$ 7,600.00	\$ 1,998.00	\$ 19,980.00
33	Provide New Standard Fire Hydrant Assembly	12	EA	\$ 4,267.00	\$ 51,204.00	\$ 4,900.00	\$ 58,800.00	\$ 4,188.00	\$ 50,256.00
34	Provide New Domestic Water Service	97	EA	\$ 975.00	\$ 94,575.00	\$ 1,500.00	\$ 145,500.00	\$ 1,301.00	\$ 126,197.00
35	Provide All Testing	100%	LS	\$ 4,440.00	\$ 4,440.00	\$ 6,800.00	\$ 6,800.00	\$ 6,932.00	\$ 6,932.00
Total Phase - Water Main Construction									
Western Hills Roadway & Utility Improvement Project					\$ 501,716.26		\$ 628,308.80		\$ 635,665.60
Total Base Bid & Sanitary Sewer and Water Main Construction					\$ 1,496,622.96		\$ 1,656,487.30		\$ 2,345,678.00



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Firm Registration No: F-10384

March 25, 2014

City of Temple
Don Bond, P.E.
3210 E. Ave H, Bldg A
Temple, Texas 76501

Re: 2013 Western Hills Roadway and Utility Improvements Project

Dear Mr. Bond,

On March 25th, we received three (3) bids for the Western Hills Roadway and Utility Improvements Project. We have reviewed each of the bids for accuracy and completeness. K&S Backhoe Services, Inc. submitted a Bid totaling \$1,496,622.96 making them the apparent low bidder. *Please see the enclosed Bid Tabulation Sheet and Bid Schedule Breakout for detailed information.*

The engineer's opinion of probable cost for this project is \$1,664,897 and we are recommending that you award the contract to K&S Backhoe Services, Inc. We believe, through personal experience, that K&S Backhoe Services, Inc. is qualified and is capable of providing the Western Hills Roadway and Utility Improvements as required in this project.

We believe that K&S Backhoe Services, Inc. is a proven company with many successfully completed projects and we look forward to working with them on this project.

Sincerely,

Monty Clark, P.E., CPESC

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONSTRUCTION CONTRACT WITH K & S BACKHOE SERVICES, INC., OF GATESVILLE, TEXAS, FOR CONSTRUCTION ACTIVITIES REQUIRED TO REPLACE WATER AND SEWER MAINS IN THE WESTERN HILLS SUBDIVISION, IN AN AMOUNT NOT TO EXCEED \$1,496,622.96; DECLARING OFFICIAL INTENT TO REIMBURSE CERTAIN EXPENDITURES WITH THE ISSUANCE OF 2014 UTILITY REVENUE BONDS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the Transportation Capital Improvements Plan has budgeted money for reconstruction of streets in the Western Hills subdivision in west Temple - Geronimo Drive, Antelope, Chisholm and Deer Trails are most in need of reconstruction;

Whereas, due to years of shrink and swell of the underlying and highly expansive clay soils, the asphalt has cracked and subsided, requiring frequent and costly maintenance;

Whereas, on April 4, 2014, City Council authorized a professional services agreement with Clark & Fuller, PLLC for engineering services required to design the reconstruction of residential streets within the Western Hills Subdivision – the design of water and wastewater utilities was included;

Whereas, services authorized under this contract will include construction of 3810 linear feet of new sewer mains ranging in diameter from 8 inches to 12 inches, 20 manholes, and associated appurtenances and services – this contract will also authorize the construction of 6434 linear feet of 8 inch water main and associated services;

Whereas, on March 25, 2014, three (3) bids were received for this project – staff and Clark & Fuller, PLLC recommend awarding this contract to the low bidder, K&S Backhoe, Inc. of Gatesville, Texas, in an amount not to exceed \$1,496,622.96;

Whereas, the City of Temple anticipates the issuance of one or more series of obligations, the interest on which will be excludable from gross income under Section 103 of the Internal Revenue Code of 1986, as amended, in order to finance all or a portion of this project;

Whereas, certain expenditures relating to the Project will be paid prior to the issuance of the Obligations and the City hereby certifies that such expenditures have not been made prior to the date of passage of this Resolution - upon issuance of the Obligations, the City desires to reimburse these prior expenditures with proceeds of the Obligations;

Whereas, Section 1.150.2 of the Treasury Regulations provides that an expenditure on the Project may not be reimbursed from Obligation proceeds unless, along with other requirements, the City declares official intent to reimburse the expenditure prior to the date that the expenditure to be reimbursed was paid; and

Whereas, Council authorized this project as part of the Capital Improvement Plan in the fiscal year 2014 budget – this project will be funded with the proposed 2014 Utility Revenue Bonds to be issued in the fall of 2014 and funds will be made available in Account No. 561-5200-535-6950, Project No. 100967 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 K&S Backhoe Services, Inc., of Gatesville, Texas, after approval as to form by the City Attorney, for construction activities required to replace water and sewer mains in the Western Hills subdivision, in an amount not to exceed \$1,496,622.96, as well as declare an official intent to reimburse the expenditure with the issuance of 2014 Utility Revenue Bonds.

Part 2: This Resolution is a declaration of official intent under Section 1.150.2 of the Treasury Regulations by the City that it reasonably expects to reimburse the expenditures described in Part 1 with proceeds of debt to be incurred by the City, such debt to be issued on or before eighteen (18) months after the date of (i) the date the first expenditure is paid; or (ii) the date on which the property is placed in service, but in no event three years after the first expenditure is paid.

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

PASSED AND APPROVED this the 17th day of April, 2014.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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DEPT./DIVISION SUBMISSION & REVIEW:

Brynn Myers, Assistant City Manager

ITEM DESCRIPTION: Consider adopting a resolution authorizing execution of a Memorandum of Agreement with the Central Texas Housing Consortium, Temple Housing Authority.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: At its March 6, 2014 meeting, the Temple City Council authorized the execution of a Memorandum of Agreement (MOA) with the Central Texas Housing Consortium, Temple Housing Authority (THA) to provide down payment assistance grants to qualified low and moderate income homebuyers with the following provisions:

- THA will be responsible for qualifying the recipients.
- 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.

Subsequent to Council's approval of the above provisions, THA has requested that the funding level allowed for each individual grant be increased from \$2,500 to \$5,000 to be provided to 6 homebuyers. This increase is requested due to a change in the allocation system for grant funding from the Texas Department of Housing and Community Affairs which reduces the consistency of funding availability. THA is not requesting an increase to the overall funding request of \$30,000 that was granted at the March 6, 2014 Council Meeting or to any other terms of the MOA.

FISCAL IMPACT: Funding in the amount of \$30,000 is available in account 351-6100-571-2661 for funding the Memorandum of Agreement with the Central Texas Housing Consortium, Temple Housing Authority.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING EXECUTION OF A MEMORANDUM OF AGREEMENT WITH THE CENTRAL TEXAS HOUSING CONSORTIUM, TEMPLE HOUSING AUTHORITY; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on March 6, 2014, City Council authorized the execution of a Memorandum of Agreement (MOA) with the Central Texas Housing Consortium, Temple Housing Authority (THA) to provide down payment assistance grants to qualified low and moderate income homebuyers with the following provisions:

- THA will be responsible for qualifying the recipients;
- 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 summarizing the distribution of the City funds;
- THA will ensure the homes meet building codes and TDHCA requirements, as applicable;

Whereas, subsequent to Council's approval of the above provisions, THA has requested that the funding level allowed for each individual grant be increased from \$2,500 to \$5,000 to be provided to 6 homebuyers – this increase is requested due to a change in the allocation system for grant funding from TDHCA which reduces the consistency of funding availability;

Whereas, funding in the amount of \$30,000 is available in 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 approves the contribution of \$30,000 to Temple Housing Authority be disbursed by Temple Housing Authority to 6 homebuyers at a funding level of \$5,000 each which will be used for City of Temple housing projects.

Part 2: 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 3: It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the 17th day of **April**, 2014.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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DEPT./DIVISION SUBMISSION & REVIEW:

Jonathan Graham, City Attorney

ITEM DESCRIPTION: Consider adopting a resolution authorizing a Chapter 380 Agreement with Temple Economic Development Corporation (TEDC) for conveyance of a 6.00 acre parcel of City-owned land located in Synergy Park, Temple, Texas to TEDC.

STAFF RECOMMENDATION: Adopt resolution presented in item description.

ITEM SUMMARY: The Temple Economic Development Corporation has requested that the City convey to it 6.00 acres of City-owned land located in Synergy Park in southeast Temple. The property is to be used for business development purposes, which will include job creation and additional tax value. The prospective economic development on the site will be an industrial development. The conveyance will be addressed through a Chapter 380 Development Agreement between the City and TEDC.

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

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CHAPTER 380 DEVELOPMENT AGREEMENT WITH TEMPLE ECONOMIC DEVELOPMENT CORPORATION FOR CONVEYANCE OF AN APPROXIMATELY 6.00 ACRE PARCEL OF CITY-OWNED LAND LOCATED IN SYNERGY PARK, TEMPLE, TEXAS, FOR BUSINESS DEVELOPMENT PURPOSES; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the Temple Economic Development Corporation (TEDC) has requested that the City convey to it, an approximately 6.00 acre parcel of City-owned land located in Synergy Park in southeast Temple;

Whereas, the property is to be used for business development purposes, which will include job creation and additional tax value – the prospective economic development on the site will be an industrial development;

Whereas, the conveyance will be addressed through a Chapter 380 Development Agreement between the City of Temple and TEDC; 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 a Chapter 380 Development Agreement with Temple Economic Development Corporation for the conveyance of an approximately 6.00 acre parcel of City-owned land located in Synergy Park, Temple, Texas, more fully described in Exhibit A, attached hereto and made a part hereof for all purposes, for business development purposes.

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

PASSED AND APPROVED this the 17th day of **April** 2014.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN MAYOR

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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DEPT./DIVISION SUBMISSION & REVIEW:

Alan DeLoera, Information Technology Director

ITEM DESCRIPTION: Consider adopting a resolution authorizing the purchase of a storage area network with Dell Marketing LP, of Round Rock utilizing the State of Texas DIR contract in the amount of \$69,938.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Information Technology Department currently maintains approximately 60 Terabytes of Critical data throughout the city. This data includes all of our city applications, databases and file storage for all employees and departments.

As the volume, velocity and value of the city's data grows, so can the cost and complexity of storage. Through a workload-driven approach, we want to redefine the economics of enterprise storage by leveraging performance of storage to better address critical workloads and employ data center and virtualization strategies to achieve lower cost of ownership, faster response and built-in protection. The City storage needs have grown by an average of 20-25% annually.

The benefits a storage area network includes simplifying storage administration and also tends to enable more effective disaster recovery processes. It also allows us to conduct more effective capacity planning as well as improves application availability, redundancy and reduces backup times.

FISCAL IMPACT: Currently, \$70,000 is available in account 110-5919-519-6218, project 101035, to fund the purchase of a storage area network with Dell Marketing LP in the amount of \$69,938.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF A STORAGE AREA NETWORK FROM DELL MARKETING, LP OF ROUND ROCK, TEXAS, UTILIZING A STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES CONTRACT, IN THE AMOUNT OF \$69,938; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the Information Technology Department currently maintains approximately 60 terabytes of critical data throughout the City – this data includes all city applications, databases and file storage for all employees and all departments;

Whereas, as the volume, velocity and value of the City’s data grows, so can the cost and complexity of storage – through a workload-driven approach, we want to redefine the economics of enterprise storage by leveraging performance of storage to better address critical workloads and employ data center and virtualization strategies to achieve a lower cost of ownership, faster response and built-in protection;

Whereas, the City’s storage needs have grown by an average of 20-25% annually and the benefits of a storage area network will simplify storage administration to enable a more effective disaster recovery processes, allow for more capacity planning, improve application availability and reduce redundancy and backup times;

Whereas, staff recommends the purchase of a storage area network with Dell Marketing, LP of Round Rock, Texas, utilizing a State of Texas Department of Information Resource (DIR) contract, in the amount of \$69,938;

Whereas, funds are available for this purchase in Account No. 110-5919-519-6218, Project No. 101035; 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 a storage area network with Dell Marketing, LP of Round Rock, Texas, utilizing a State of Texas Department of Information Resource (DIR) contract, in the amount of \$69,938.

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 17th day of **April**, 2014.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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DEPT./DIVISION SUBMISSION & REVIEW:

Nicole Torralva P.E., Public Works Director
Belinda Mattke, Director of Purchasing

ITEM DESCRIPTION: Consider adopting a resolution authorizing the purchase of sewer line chemical root control services for FY 2014 from Duke's Root Control, Inc. of Syracuse, New York, utilizing a BuyBoard contract in the estimated annual amount of \$65,000.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: For many years, the City of Temple has utilized chemical root control to manage and minimize the growth of roots in the sanitary sewer system. In older sanitary sewer systems, roots from trees and vegetation enter the system through cracks in the pipes in an attempt to find a source of water. These roots grow, eventually making any existing cracks in the system bigger, which in turn results in further deterioration of the lines and blockages in the system. Chemical root control, when applied in targeted areas, can substantially reduce roots from blocking the system and help keep lines open.

Public Works is requesting to purchase these root control services utilizing a BuyBoard contract at the following established prices:

Jet Power II Grease Liquefier, for 5-115 gallons	\$32.00 / gallon
Jet Power II Grease Liquefier, for 120 plus gallons	\$25.00 / gallon
Razoroooter II, 6" Diameter Pipe, Sewer Line	
Chemical Root Control Services, MH to MH	\$ 1.34 / LF
Razoroooter II, 8" Diameter Pipe, Sewer Line	
Chemical Root Control Services, MH to MH	\$ 1.34 / LF
Razoroooter II, 10" Diameter Pipe, Sewer Line	
Chemical Root Control Services, MH to MH	\$ 1.34 / LF
Razoroooter I2, 8" Diameter Pipe, Sewer Line	
Chemical Root Control Services, MH to MH	\$ 1.34 / LF

It is known that the chemicals utilized by Duke's Root Control do not impact either wastewater treatment plant. Staff has been pleased with the services provided by Duke's Root Control and recommends purchase through the BuyBoard for FY 2014.

FISCAL IMPACT: Funding in the amount of \$65,000 is available in account 520-5440-535-2616 for these services, which were adopted in the FY 14 budget.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF SEWER LINE CHEMICAL ROOT CONTROL SERVICES FROM DUKE'S ROOT CONTROL, INC., OF SYRACUSE, NEW YORK, FOR FISCAL YEAR 2014, UTILIZING A BUYBOARD CONTRACT, IN THE ESTIMATED ANNUAL AMOUNT OF \$65,000; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, for many years, the City has utilized chemical root control to manage and minimize the growth of roots in the sanitary sewer system;

Whereas, in older sanitary sewer systems, roots from trees and vegetation enter the system through cracks in the pipes in attempt to find a source of water - these roots grow, eventually making any existing cracks in the system bigger, which results in deterioration of the lines and blockages in the system;

Whereas, chemical root control, when applied in targeted areas, can substantially reduce roots from blocking the system and help keep the sanitary sewer lines open;

Whereas, staff is requesting the purchase of root control services from Duke's Root Control, Inc., of Syracuse, New York, in the estimated annual amount of \$65,000, utilizing a BuyBoard contract – staff has done business with Duke's in the past and has been pleased with the services provided;

Whereas, funding is available in Account No. 520-5440-535-2616 for these services; 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 sewer line chemical root control services from Duke's Root Control, Inc., of Syracuse, New York, for fiscal year 2014, utilizing a BuyBoard Contract, in the estimated annual amount of \$65,000.

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 17th day of **April**, 2014.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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DEPT./DIVISION SUBMISSION & REVIEW:

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

ITEM DESCRIPTION: Consider adopting a resolution authorizing the purchase of 40 metal refuse containers for the Solid Waste Division from Rolloffs USA., Durant, OK, through the H-GAC Contract (#RH08-12) in the amount of \$48,184.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Replacement containers are needed in the side load, front load and roll-off metal collections systems. This purchase provides for 10 – 3cyd side load containers, 24 – 4cyd front load containers, and 2 – 20cyd and 4 – 40cyd roll-off containers.

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

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

Description	Account #	Budget	Proposed Expenditure
Sideload Metal Containers	110-2360-540-22-11	\$ 5,140	\$ 5,140
Frontload Metal Containers	110-2350-540-22-11	\$13,950	\$13,946
Roll-off Metal Containers	110-2370-540-22-11	\$29,100	\$29,098
Total		\$48,190	\$48,184

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF 40 METAL REFUSE CONTAINERS FOR THE SOLID WASTE DIVISION, FROM ROLLOFFS USA, OF DURANT, OKLAHOMA, UTILITIZING THE HOUSTON-GALVESTON AREA COUNCIL INTERLOCAL COOPERATIVE CONTRACT (HGAC #RH08-12), IN THE AMOUNT OF \$48,184; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, replacement containers are needed in the sideload and frontload and roll-off metal collection systems – this purchase will provide for tem (10) 3 cubic yard sideload containers, twenty-four (24) 4 cubic yard frontload containers, and two (2) 20 cubic yard and four(4) cubic yard roll-off containers;

Whereas, staff recommends purchasing 40 metal refuse containers for the Solid Waste Division utilizing the Houston-Galveston Area Council Interlocal Cooperative Contract (HGAC #RH08-12), in the amount of \$48,184;

Whereas, staff has done business with Rolloffs USA of Durant, Oklahoma in the past and finds them to be a responsible vendor;

Whereas, funds are available in Account Nos. 110-2360-540-2211 (Sideload Containers), 110-2350-540-2211 (Frontload Containers) and Account No. 110-2370-540-2211 (Roll-off Containers); 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 40 metal refuse containers for the Solid Waste Division utilizing the Houston-Galveston Area Council Interlocal Cooperative Contract (HGAC #RH08-12), in the amount of \$48,184.

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

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

PASSED AND APPROVED this the 17th day of **April**, 2014.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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DEPT./DIVISION SUBMISSION & REVIEW:

Alan DeLoera, Information Technology Director

ITEM DESCRIPTION: Consider adopting a resolution authorizing the purchase of a yearly Small Municipality Government Enterprise License Agreement and maintenance contract with Environmental Systems Research Institute (ESRI) in the amount of \$50,000.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The Information Technology, Public Works, Parks, Police, Police and Fire currently use Geographical Information Systems Software from Environmental Systems Research Institute (ESRI) that integrates hardware, software, and data for capturing, managing, analyzing, and displaying all forms of geographically referenced information. GIS allows us to view, understand, question, interpret, and visualize data in many ways that reveal relationships, patterns, and trends in the form of maps, globes, reports, and charts.

GIS is used for Crime, Water/Sewer, transportation, parcel, 911, planning, zoning, parks, infrastructure, political boundary, topographical, hydrological and census analysis and management. The GIS software is used for information sharing on our City website.

The City currently pays approximately \$28,000 per year in maintenance for the current licenses that are installed but we also buy licenses on a yearly basis as this technology is adopted and in many years we have spent over \$50,000 to purchase maintenance and extra licenses. This Enterprise Licensing Agreement will allow the City to take advantage of unlimited licensing and maintenance which will provide the following benefits:

- A lower cost per unit for licensed software
- Substantially reduced administrative and procurement expenses
- Maintenance on all ESRI software deployed under this agreement
- Complete flexibility to deploy software products when and where needed

Environmental Systems Research Institute (ESRI) is the sole provider of maintenance for the ArcGIS applications software.

FISCAL IMPACT: A budget adjustment is being present to Council for authorization allocating funds in the amount of \$15,000 from Designated Capital - Utility Funds, account 520-0000-373-0411, and \$25,100 from Designated Capital – Technology Funds, account 110-0000-351-0943. In conjunction with the budget adjustment being presented to Council, the City has been issued a credit of \$9,904 by Environmental Systems Research Institute, which allows for total funding in the amount of \$50,004. Funding will be appropriated in the accounts below.

Description	Account #	Project #	Amount
Credit on account from ESRI	N/A	N/A	\$ 9,904
Dues and subscriptions	351-1900-519-2515	101128	\$ 25,100
Dues and subscriptions	520-5000-535-2515	101128	\$ 7,500
Maintenance contract	520-5000-535-2338	N/A	\$ 7,500
Total Funding			\$ 50,004

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.

+

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ACCOUNT NUMBER	PROJECT #	ACCOUNT DESCRIPTION	INCREASE	DECREASE
351-1900-519-25-15	101128	Dues & Subscriptions	25,100	
351-0000-490-25-82		Transfer In - Desg Capital Proj Fund	25,100	
110-0000-351-09-43		Designated Capital - Technology Funds		25,100
110-9100-591-81-51		Transfer Out - Desg Capital Proj Fund	25,100	
520-5000-535-23-38		Maintenance Contract	7,500	
520-5000-535-25-15	101128	Dues & Subscriptions	7,500	
520-0000-373-04-11		Unreserved Water & Sewer Funds		15,000
		DO NOT POST		
TOTAL.....			\$ 90,300	\$ 40,100

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

The IT Department will be moving to ESRI ArcGIS Enterprise License Agreement which will allow for unlimited licenses of ArcGIS for City Employees.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒ Yes☐ No

DATE OF COUNCIL MEETING

4/17/2014

WITH AGENDA ITEM?

☒ Yes☐ No

Department Head/Division Director

4/4/2014

Date

☒ Approved
☐ Disapproved

Finance

Date

☐ Approved
☐ Disapproved

City Manager

Date

☐ Approved
☐ Disapproved

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF A YEARLY SMALL MUNICIPALITY GOVERNMENT ENTERPRISE LICENSE AGREEMENT AND MAINTENANCE CONTRACT WITH ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE, IN THE AMOUNT OF \$50,000; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the Information Technology, Public Works, Parks, Police and Fire Departments currently use Geographical Information Systems (GIS) Software that integrates hardware, software and data for capturing, managing, analyzing and displaying all forms of geographically referenced information;

Whereas, GIS is used for crime, water/sewer, transportation, parcel, 911, planning, zoning, parks, infrastructure, political boundaries, topographical, hydrological and census analysis and management and is used for information sharing on our City website;

Whereas, the City currently pays approximately \$28,000 per year in maintenance for the current licenses not including licenses which are purchased as new technology is adopted;

Whereas, this Enterprise License Agreement will allow the City to take advantage of unlimited licensing and maintenance – ESRI is the sole provider of maintenance for the ArcGIS applications software;

Whereas, funds are available for this purchase, but an amendment to the fiscal year 2013-2014 budget needs to be approved to transfer the funds to Account Nos. 351-1900-519-2515, 520-5000-535-2515 and 520-5000-535-2338; 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 a yearly Small Municipality Government Enterprise License Agreement and Maintenance Contract with Environmental Systems Research Institute, in the amount of \$50,000.

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

Part 3: The City Council authorizes an amendment to the fiscal year 2013-2014 budget, substantially in the form of the copy attached hereto as Exhibit 'A.'

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

PASSED AND APPROVED this the **17th** day of **April**, 2014.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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DEPT./DIVISION SUBMISSION & REVIEW:

Sharon Rostovich, Airport Director

ITEM DESCRIPTION: Consider adopting a resolution authorizing the City Manager to execute a lease agreement between the City of Temple and Dr. Scott Irvine upon the Federal Aviation Administration approval permitting the Lessee to lease a 160' X 100' plot of land and construct a 70' X 60' private aircraft hangar at the Draughon-Miller Central Texas Regional Airport.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The Airport's T-hangers are full with a long waiting list. Dr. Scott Irvine plans to purchase a single engine aircraft and wishes to construct a 70' X 60' insulated metal hangar with bi-fold doors on a 160' X 100' plot of land located between WilsonArt hangar and the Airport aircraft wash rack. There were no objections from the neighboring tenants of the proposed hangar location. The Federal Aviation Administration is in the process of reviewing the proposed site from an airspace utilization standpoint and the Texas Department of Transportation, Aviation Division is reviewing the site from an environmental standpoint. *Approval from both FAA and TxDOT Aviation must be secured prior to any construction on the Airport.*

The term of the land lease shall be for twenty years and will commence upon FAA and TxDOT Aviation approval.

FISCAL IMPACT: The Airport will receive fair market value for unimproved land of .10 cents per square foot per year in the amount of \$1,600. Lessee's rental rates may be adjusted at the end of each lease year computed accordingly to the Consumer Price Index (CPI).

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A LEASE AGREEMENT BETWEEN THE CITY OF TEMPLE AND DR. SCOTT IRVINE, UPON APPROVAL OF THE FEDERAL AVIATION ADMINISTRATION, PERMITTING THE LEASE OF A PLOT OF LAND TO CONSTRUCT A PRIVATE HANGAR AT THE DRAUGHON-MILLER CENTRAL TEXAS REGIONAL AIRPORT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the airport's t-hangars are full and have an extensive waiting list – Dr. Scott Irvine plans to purchase a single engine aircraft and wishes to construct a 70 x 60 insulated metal hangar with bifold doors on a 160 x 100 plot of land located between the WilsonArt hangar and the airport craft wash rack;

Whereas, the Federal Aviation Administration is in the process of reviewing the proposed site from an airspace utilization standpoint and the Texas Department of Transportation, Aviation Division is reviewing the site from an environmental standpoint – approval from both the FAA and TxDOT Aviation Division must be secured prior to any construction;

Whereas, the land lease term will be for twenty (20) years and will commence upon FAA and TxDot Aviation approval;

Whereas, the airport will receive fair market value for unimproved land of .10 cents per square foot per year in the amount of \$1,600 and rental rates may be adjusted at the end of each lease year according to the Consumer Price Index; 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 lease agreement between the City of Temple and Dr. Scott Irvine, upon the Federal Aviation Administration approval permitting Dr. Irvine to lease a 160 x 100 plot of land and construct a 70 x 60 private aircraft hangar at the Draughon-Miller Central Texas Regional Airport.

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

PASSED AND APPROVED this the 17th day of April, 2014.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

04/17/14
Item #5(O)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

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

ITEM DESCRIPTION: Consider adopting a resolution authorizing submission of an application for funding through the U.S. Department of Transportation, National Infrastructure Investment Grant (TIGER VI) in the amount of \$12,000,000, with \$10,000,000 reimbursed to the City through federal funding, to execute the construction of the bridge and improvement projects along Central Avenue and 1st Street.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The U.S. Department of Transportation has announced a matching discretionary grant program entitled “National Infrastructure Investment Grant” (TIGER VI). TIGER VI is intended to provide funding for capital investments in surface transportation infrastructure for projects that have significant impact on a metropolitan area or region.

Distribution of funding will be allocated to public transportation/infrastructure and multi-modal facility projects.

The final application is due April 28, 2014. Applications will be evaluated by an established DOT application team.

The project scope involves the following elements:

- Improvements to the downtown Central Avenue bridge;
- Construction of multi-modal transportation options along Central Avenue and 1st Street;
- Development of 1st Street as a connector from downtown to the Linear Trail greenbelt;
- Downtown gateway improvements along Central Avenue and landscaping/streetscape installation; and
- Implementation of the Downtown Master Plan.

Staff is requesting that RZ fund \$2,000,000 as the grant match. This match is twenty percent (20%) of the project total of \$12,000,000, with \$10,000,000 being requested from the DOT.

These overall efforts will create a more-inclusive and integrated community development, which centers on improved and increased transportation options that encourage livability, connect housing to jobs, build a clean energy economy, reduce transportation costs, and provide safer conditions for pedestrians, bicyclists and motorists.

FISCAL IMPACT: If the grant is awarded, funds would be required to be obligated by June 2016 and expended by September 2021. A future Financing Plan amendment would be required in FY 2016 to fund the Reinvestment Zone No. 1 grant match of \$2,000,000.

ATTACHMENTS:

[Map of project area](#)
[Resolution](#)



**DOWNTOWN TEMPLE
TIGER GRANT**

- 1 CENTRAL AVENUE
BRIDGE IMPROVEMENTS
- 2 CENTRAL AVENUE
BRIDGE TO MLK / 8TH ST.
- 3 1st St. IMPROVEMENTS



RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE CITY MANAGER TO SUBMIT A GRANT APPLICATION FOR FUNDING THROUGH THE U.S. DEPARTMENT OF TRANSPORTATION, NATIONAL INFRASTRUCTURE INVESTMENT GRANT (TIGER VI) IN THE AMOUNT OF \$12,000,000, WITH \$10,000,000 BEING REIMBURSED TO THE CITY THROUGH FEDERAL FUNDING; ACCEPTING ANY FUNDS THAT MAY BE RECEIVED THROUGH THIS GRANT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the U.S. Department of Transportation has announced a matching discretionary grant program entitled, “National Infrastructure Investment Grant” (TIGER VI), which is intended to provide funding for capital investments in surface transportation infrastructure for projects that have significant impact on a metropolitan area or region;

Whereas, distribution of funding will be allocated to public transportation/infrastructure and multi-modal facility projects – final application is due April 28, 2014;

Whereas, staff recommends submitting a grant application to execute the following project scope elements:

1. Improvements to the downtown Central Avenue bridge;
2. Construction of multi-modal transportation options along Central Avenue and 1st Street;
3. Development of 1st Street as a connector from downtown to the Linear Trail greenbelt;
4. Downtown gateway improvements along Central Avenue and landscaping/streetscape installation; and
5. Implementation of the Downtown Master Plan;

Whereas, these overall efforts will create a more inclusive and integrated community development, which centers on improved and increased transportation options that encourage livability, connect housing to jobs, build a clean energy economy, reduce transportation costs, and provides safer conditions to pedestrians, bicyclists and motorists;

Whereas, staff requests that the Reinvestment Zone fund \$2,000,000 as the 20% grant match being requested from the U.S. Department of Transportation;, amounting to a \$8,950,000 grant match. There is a local match requirement of at least 47% of the project total of \$18,950,000, with \$10,000,000 being requested from the Department of Transportation; 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 submit a grant application to the U.S. Department of Transportation, National Infrastructure Investment Grant (TIGER VI), which provides funding for capital improvements in surface transportation infrastructure for projects that have significant impact on a metropolitan area or region, such as:

1. Improvements to the downtown Central Avenue bridge;
2. Construction of multi-modal transportation options along Central Avenue and 1st Street;
3. Development of 1st Street as a connector from downtown to the Linear Trail greenbelt;
4. Downtown gateway improvements along Central Avenue and landscaping/streetscape installation; and
5. Implementation of the Downtown Master Plan.

Part 2: The City Manager, or his designee, is authorized to execute any documents which may be necessary to apply for this grant, and accepts any funds that may be received for this grant, after approval as to form by the City Attorney.

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

PASSED AND APPROVED this the 17th day of **June**, 2014.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

04/17/14
Item #5(P)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Gary Smith, Chief of Police

ITEM DESCRIPTION: Consider adopting a resolution authorizing the grant application for the Bureau of Justice Assistance Bulletproof Vest Partnership Program of 2014 for the purchase of ballistic vests and replacements for the Police Department in the amount of \$18,196, with \$9,098 of required City matching funds.

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

ITEM SUMMARY: The Temple Police Department desires approval to apply and accept grant funds available through the Department of Justice, Bureau of Justice Assistance Bulletproof Vest Partnership Program. If awarded, this will be the 13th grant received from this program. The grant requires a City match of 50% of the cost associated with the purchase of new ballistic vests. The Police Department buys vests on a yearly basis and budgets for the matching funds required by the grant.

FISCAL IMPACT: If awarded the grant, the City will receive \$9,098 in grant funds. The City's match will be \$9,098. Total funding for the purchase of 22 vests will be \$18,196.

Funds have been requested in the Police Department's FY 2015 proposed operating budget, account 110-2031-521-2113, Clothing and Uniforms for the City's required match.

The grant funds are reimbursed to the City after the purchase is completed.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A GRANT APPLICATION WITH THE BUREAU OF JUSTICE ASSISTANCE BULLETPROOF VEST PARTNERSHIP PROGRAM OF 2014, FOR THE PURCHASE OF BALLISTIC VESTS AND REPLACEMENTS FOR THE TEMPLE POLICE DEPARTMENT, IN THE AMOUNT OF \$18,196, WITH \$9,098 REQUIRED IN CITY MATCHING FUNDS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the Temple Police Department desires to submit an application to the Bureau of Justice Assistance Bulletproof Vest Program to purchase ballistic vests and replacement vests;

Whereas, the grant requires a City match of 50% of the cost associated with the purchase of new ballistic vests;

Whereas, if awarded the grant, this will be the City's 13th grant received from this program and the City will receive \$18,196 in grant funds, which will purchase approximately 22 ballistic vests - the City's 50% match will be \$9,098;

Whereas, funds are appropriated in the Police Department's fiscal year 2014-2015 budget in Account No. 110-2031-521-2113 - the grant funds are reimbursed to the City after the purchase is completed; 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 an application to the Bureau of Justice Assistance Bulletproof Vest Partnership Program of 2014 for the purchase of ballistic vests and replacements for the Temple Police Department, in the amount of \$18,196 with a City match of \$9,098.

Part 2: The City Manager, or his designee, is authorized to execute any documents which may be necessary to apply, accept funds, implement or renew this grant, after approval as to form by the City Attorney.

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

PASSED AND APPROVED this the **17th** day of **April**, 2014.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

04/17/14
Item #4(Q)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Sharon Rostovich, Airport Director

ITEM DESCRIPTION: Consider adopting a resolution authorizing a one (1) year renewal to the contract with World Fuel Services Corporation of Florida (f.k.a. Western Petroleum Company), to supply aviation bulk fuels and other business support to operate an exclusive fuel dealership at the Draughon-Miller Central Texas Regional Airport.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The fuel contract for supplying aviation fuels for the Airport was executed in January 2009 with Western Petroleum Company. The World Fuel Services Corporation purchased Western Petroleum Company in 2011. The contract allows for three (3) one year renewal options upon conclusion of the initial five (5) year term which expired December 31, 2013.

World Fuel Services has provided reliable, quality fuel service at a competitive price throughout the initial term of the contract.

Staff recommends a one (1) year contract extension through December 31, 2014.

FISCAL IMPACT: The FY 2014 Budget for Airport included an amount of \$2,048,000 for the purchase of aviation fuels. Allocation of fuel costs are listed below.

Description	Account Number	Amount
Jet Fuel	110-3624-560-2710	\$ 1,800,000
AvGas	110-3624-560-2711	\$ 248,000
Total FY 2014 Budget		\$ 2,048,000

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A ONE YEAR RENEWAL TO THE CONTRACT WITH WORLD FUEL SERVICES CORPORATION OF FLORIDA (f/k/a WESTERN PETROLEUM COMPANY), TO SUPPLY AVIATION BULK FUELS AND OTHER BUSINESS SUPPORT TO OPERATE AN EXCLUSIVE FUEL DEALERSHIP AT THE DRAUGHON-MILLER CENTRAL TEXAS REGIONAL AIRPORT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the fuel contract for supplying aviation fuels for the airport was executed in January 2009 with Western Petroleum Company – World Fuel Services Corporation purchased Western Petroleum Company in 2011;

Whereas, the contract allowed for three (3) one-year renewal options upon conclusion of the initial five (5) year term, which expired on December 31, 2014;

Whereas, staff recommends a one (1) year renewal to the contract with World Fuel Services Corporation of Florida (f/k/a Western Petroleum Company) to supply aviation bulk fuels and other business support to operate an exclusive fuel dealership at the airport through December 31, 2014;

Whereas, aviation fuel was budgeted in the Airport's fiscal year 2014 budget in Account No: 110-3624-560-2710 (Jet Fuel) and Account No. 110-3624-560-2711 (AvGas); and

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

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

Part 1: The City Council authorizes the City Manager, or his designee, to execute a one (1) year renewal to the contract with World Fuel Services Corporation of Florida (f/k/a Western Petroleum Company) to supply aviation bulk fuels and other business support to operate an exclusive fuel dealership at the Draughon-Miller Central Texas Regional Airport through December 31, 2014.

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

PASSED AND APPROVED this the 17th day of April, 2014.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

04/17/14
Item #5(R)
Consent Agenda
Page 1 of 4

DEPT. / DIVISION & REVIEW:

Mark Baker, Planner

ITEM DESCRIPTION: SECOND READING - Z-FY-14-20: Consider adopting an ordinance authorizing a zoning change from Agricultural District (AG) to Commercial District (C) on 5.01 +/- acres, situated in the Maximo Moreno Survey, Abstract 14, Bell County Texas, located on the north side of East Adams Avenue, addressed as 2312 East Adams Avenue.

PLANNING & ZONING COMMISSION RECOMMENDATION: At its March 3, 2014 meeting, the Planning & Zoning Commission (P&Z) voted 9 to 0 to recommend approval of the requested zoning from AG to C.

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

Based on the following, staff recommends approval for the rezoning request from AG to C:

1. The proposed zoning partially complies with the FLUP which identifies this area as Auto-Urban Commercial & 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: The subject property, see Exhibit A, is within both, the Auto-Urban Commercial & Suburban Residential Districts according to the Comprehensive Plan / FLUP. While the Auto-Urban Commercial District is for the majority of areas identified for commercial use and would support a Commercial (C) zoning designation, the Suburban Residential district is for mid-sized single-family lots and does not comply.

While, the portion of the property that is within the Suburban Residential District is not in compliance with the request, it does not lend itself to future residential development either. The northern portion of the property contains FEMA designated floodplain which limits residential development. Additionally, if the residentially-designated portion of the property were to be zoned and developed for residential uses, access would be problematic. Future access would need to go through the commercial development fronting on East Adams Avenue, taken across the FEMA floodway toward the north or toward the east through existing un-platted residentially developed property.

Therefore, while the current zoning request is not completely in compliance with the FLUP, due to the presence of the floodplain and access issues, the property lends itself to commercial zoning. If the request is approved, the FLUP will need to be updated.

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

Residential uses

Single Family (Attached & Detached)
Industrialized Housing
Home for the aged
Duplex

Nonresidential uses

Mini Storage
Retail & Service Uses
Truck Stop
Fuel sales

Prohibited uses include HUD-Code manufactured homes and land lease communities, triplex and apartments. A number of uses are allowed by an approved conditional use permit (temporary asphalt concrete batching plants, outdoor auto parts sales).

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	Auto Urban Commercial & Suburban Residential	AG	Undeveloped
North	Suburban Residential	AG	Undeveloped
South	Auto Urban Commercial	C, AG, GR	Commercial Uses
East	Auto Urban Commercial, Suburban Commercial & Suburban Residential	AG, C	Rehab Center & Commercial Uses
West	Auto Urban Commercial & Suburban Residential	AG	Cabinet Shop

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

Document	Policy, Goal, Objective or Map	Compliance?
CP	Map 3.1 - Future Land Use and Character (FLUP)	Partially
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 property is within both the Auto-Urban Commercial and the Suburban Residential districts. The requested commercial zoning designation only complies with the Auto-Urban Commercial district. The Suburban Residential district is for zoning that provides mid-sized residential lots. Due to issues related to a designated FEMA floodway result in residential zoning on this property being problematic. The property as a whole would be better suited for Commercial zoning.

Thoroughfare Plan (CP Map 5.2)

The portion of the property under consideration has frontage along East Adams Ave. East Adams Ave has been identified as a major arterial. Any needed right-of-way dedication and design will be determined with the plat, since the property is currently un-platted. A 6' sidewalk will be required and will be noted on the final plat.

Availability of Public Facilities (CP Goal 4.1)

Sewer is available to the subject property by a 24" line that is within and cuts across the northern portion of the property. Water is available through a 6" waterline in East Adams Ave.

Temple Trails Master Plan Map and Sidewalks Ordinance

According to the Trails Master Plan Map, a City-wide spine trail is identified in East Adams Ave. Final location and design will be addressed with the final plat.

DEVELOPMENT REGULATIONS: Standard non-residential setbacks in the C district are:

Min Lot Size	N/A
Min Lot Width	N/A
Min Lot Depth	N/A
Front	30' from centerline (Special Setback per UDC Section 4.4.4.F.1D)
Side	0'
Side (corner)	10'
Rear	0'

Per UDC Section 8.2.3, sidewalks are required on arterial 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 March 24, 2014 at 5:00 PM, one notice with no recommendation had been received.

The newspaper printed notice of the public hearing on February 20, 2014, in accordance with state law and local ordinance.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

Site and Surrounding Property Photos
Zoning and Location Map (Exhibit A)
FEMA Flood Map
Future Land Use and Character Map
Localized area of the Thoroughfare Plan
Localized area of the Trails Plan
Utility Map
Notification Map
Returned Property Owner Notice
Ordinance

Site & Surrounding Property Photos



Site: Undeveloped - Looking North (AG)



East: Scattered Developed Non-Residential Uses (C)



West: Scattered Developed Commercial Uses (C)



North: Undeveloped & FEMA Floodplain (AG)



**North: FEMA Floodplain (AG)
(As viewed looking west from North 50th Street)**



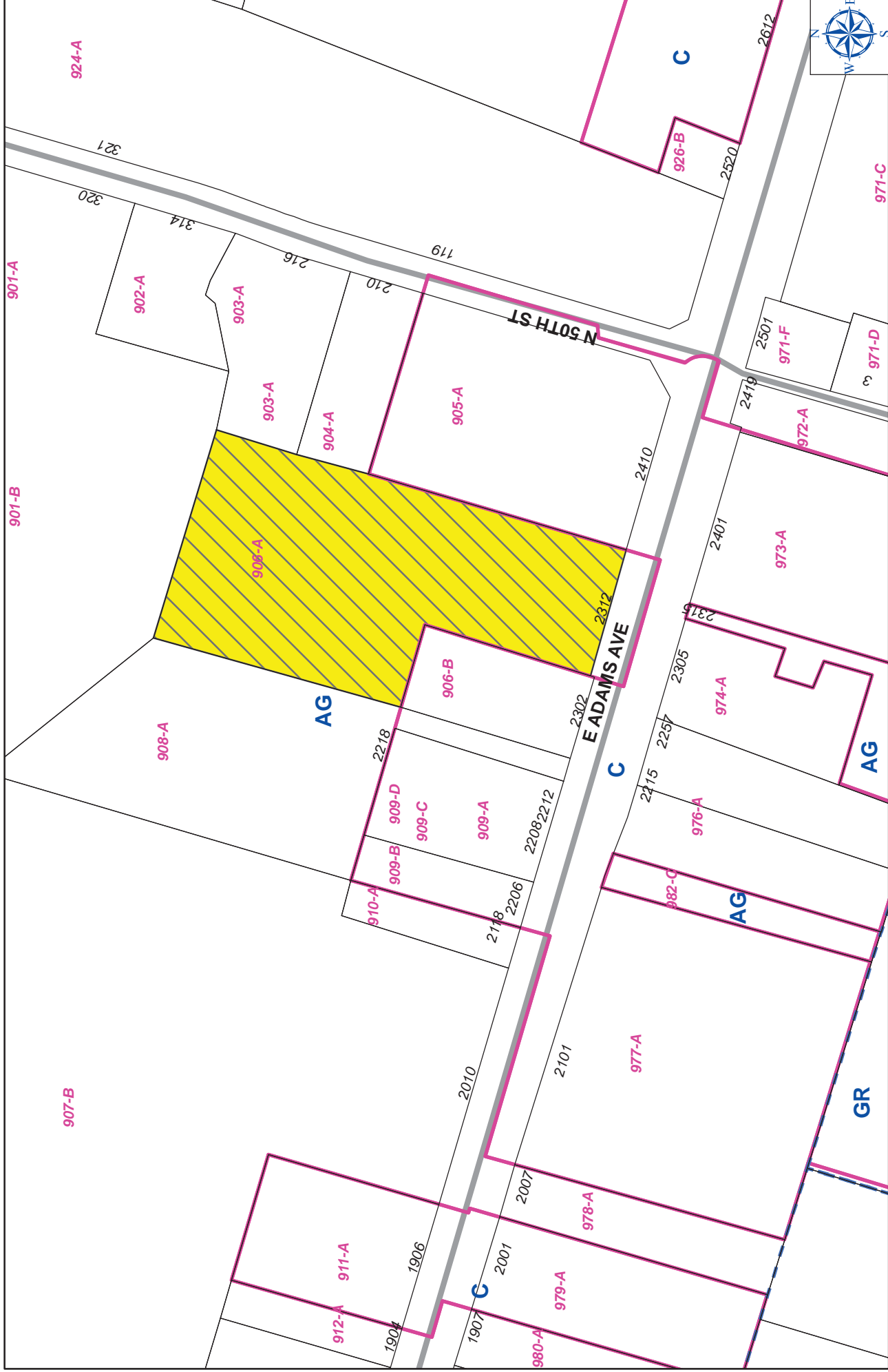
South: Scattered Developed Commercial Uses (C)



Z-FY-14-20

Zoning & Location Map

2312 E. Adams Ave



**Case**

**Zoning**

**Subdivision**

Outblock Number
1234-A

Address
1234

Block Number
1

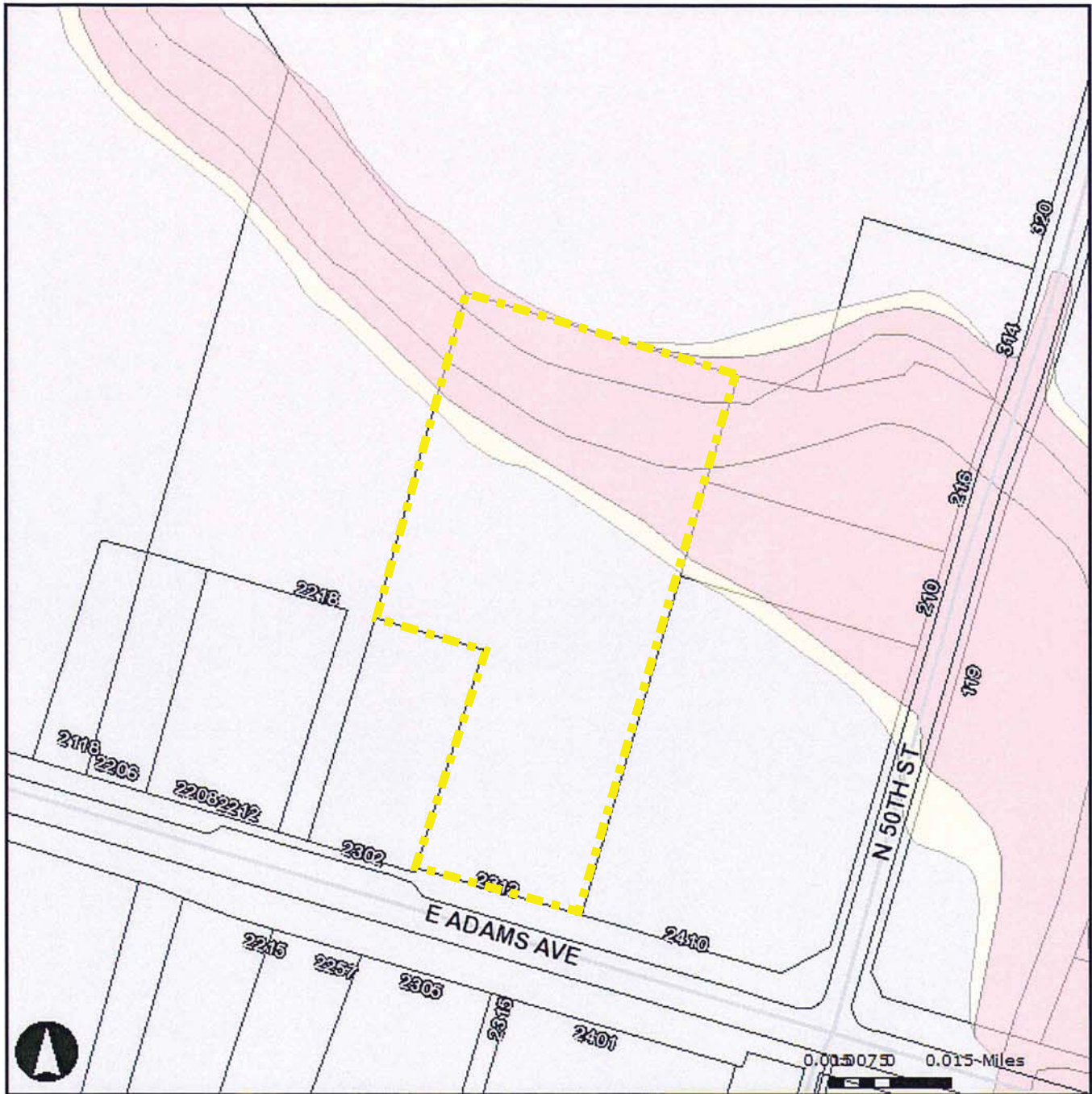
Lot Number
1

Scale
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Metadata
3/21/2014
City of Temple GIS
mbaker

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

FEMA FLOOD MAP

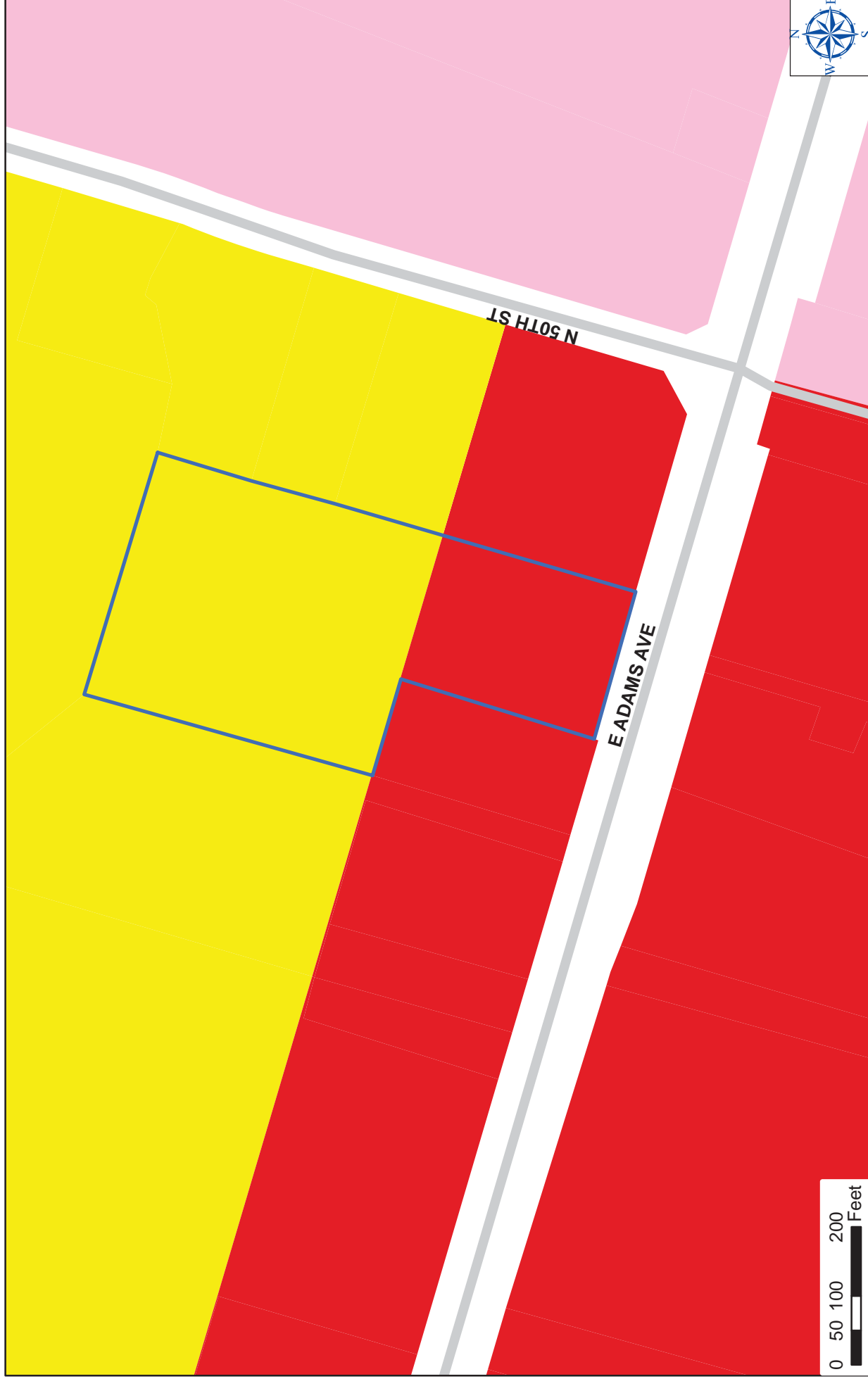




Z-FY-14-20

Rezone AG to C

2312 E. Adams Ave



Future Land Use

- Neighborhood Conservation
- Estate Residential
- Suburban Residential

- Auto-Urban Residential
- Auto-Urban Multi-Family
- Auto-Urban Mixed Use

- Auto-Urban Commercial
- Suburban Commercial
- Urban Center

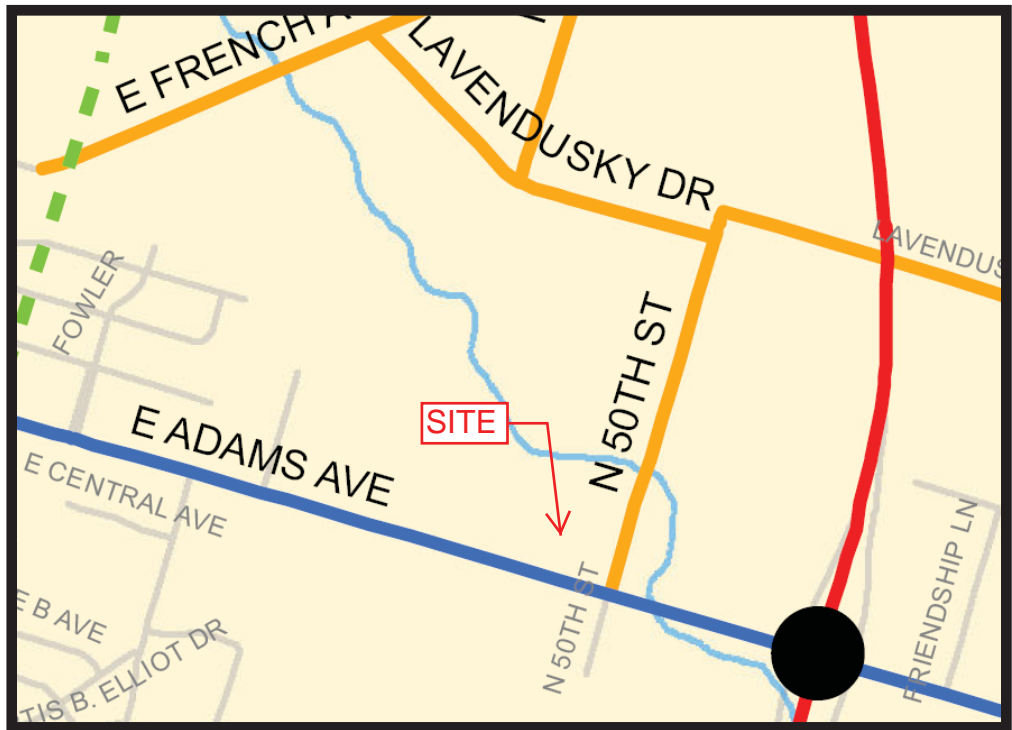
- Temple Medical Education District
- Industrial
- Business Park

- Public Institutional
- Parks & Open Space
- Agricultural/Rural

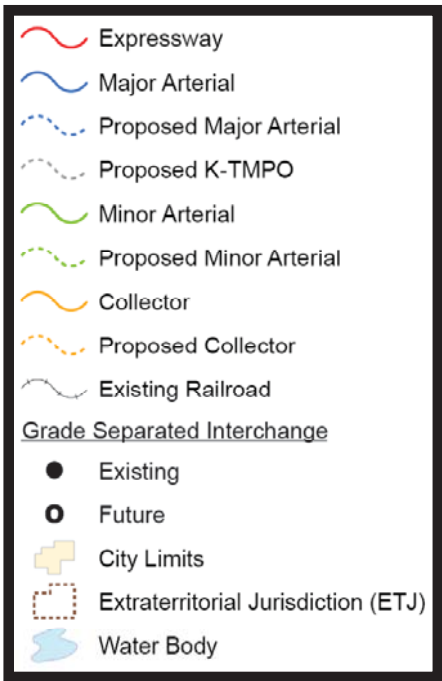
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1/31/2014
City of Temple GIS

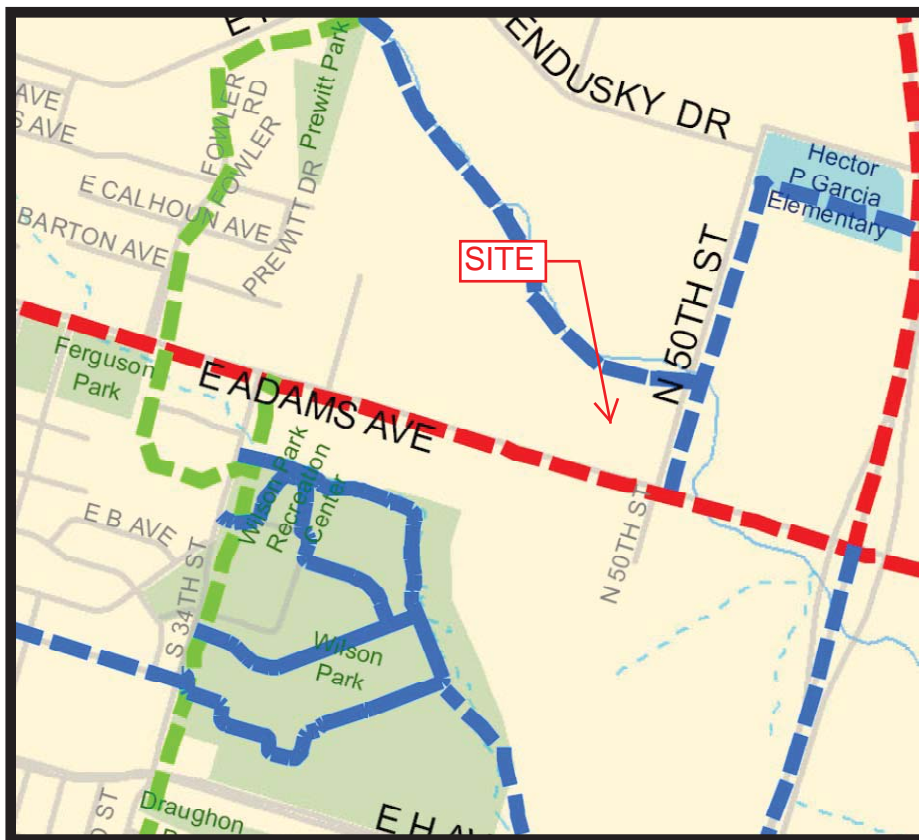
Localized Area of the Thoroughfare Plan



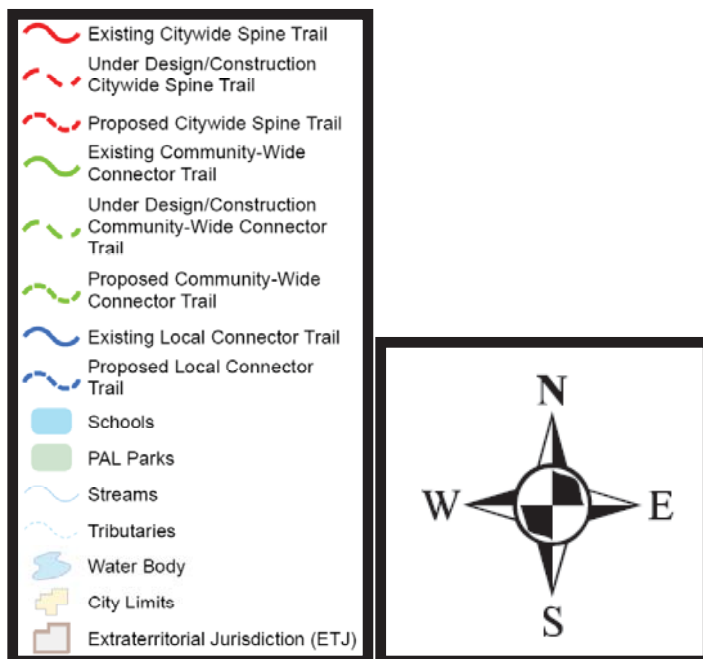
Map Legend (Map not to scale)

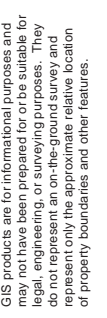


Localized Area of the Trails Plan



Map Legend (Map not to scale)



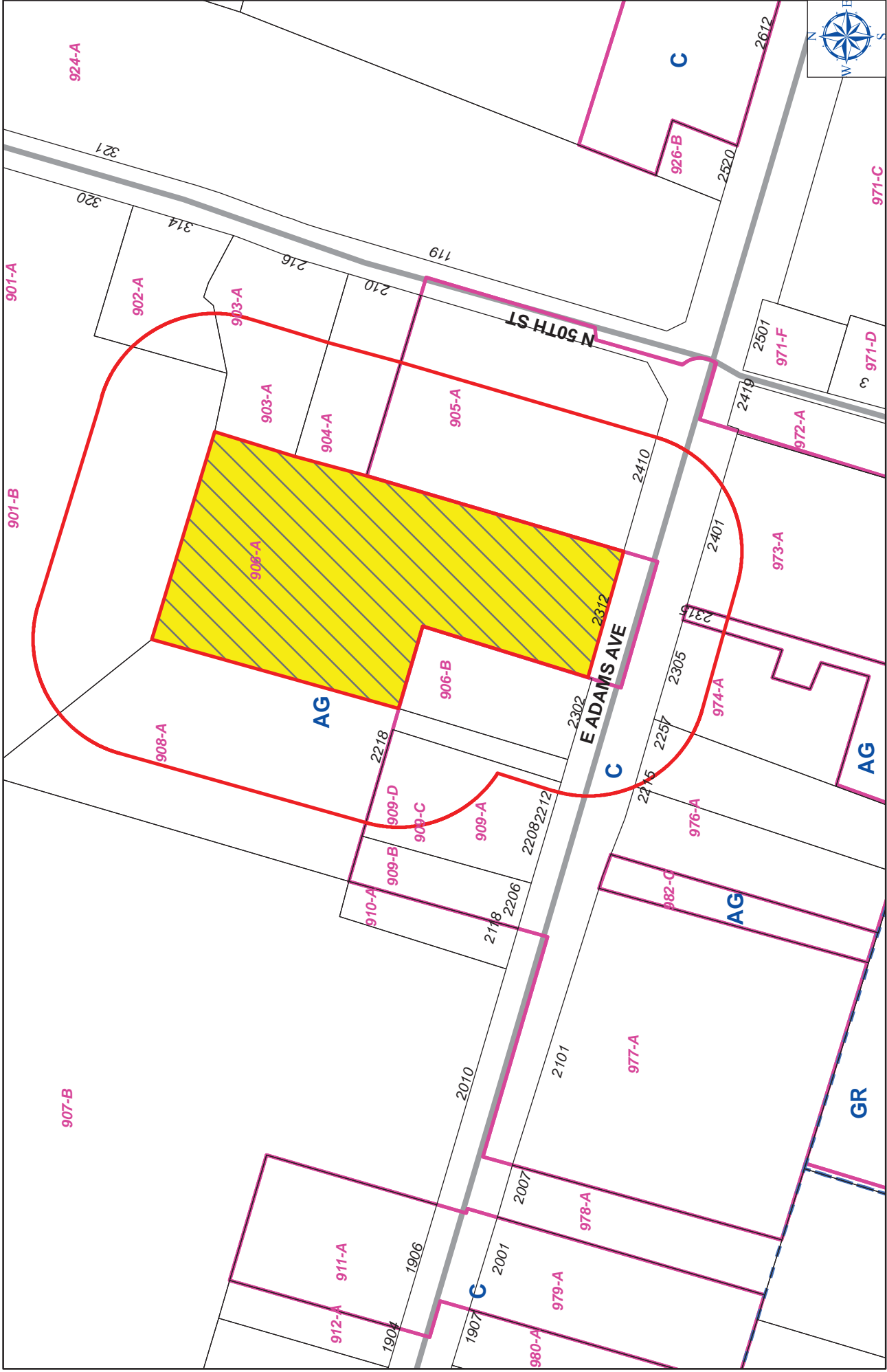




Z-FY-14-20

Notification Map

2312 E. Adams Ave



 Case

 200' Buffer

 Zoning

 Subdivision

Outblock Number

1234-A

Address

1234

Block Number

0

Lot Number

1

0

200

400

Feet

2/10/2014

City of Temple GIS

mbaker

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



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

Francisco Mendez
3891 SH 53
Temple, Texas 76501

Zoning Application Number: Z-FY-14-20

Project Manager: Mark Baker

Location: 2312 East Adams Avenue

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

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

Comments:

Francisco Mendez
Signature

Francisco Mendez
Print Name

Please mail or hand-deliver this comment form to the address shown below, no later than March 3, 2014

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

RECEIVED

MAR 11 2014

City of Temple
Planning & Development

ORDINANCE NO. _____

(PLANNING NO. Z-FY-14-20)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A ZONING CHANGE FROM AGRICULTURAL DISTRICT (AG) TO COMMERCIAL DISTRICT (C) ON APPROXIMATELY 5.01 ACRES, SITUATED IN THE MAXIMO MORENO SURVEY, ABSTRACT NO. 14, BELL COUNTY, TEXAS, AND LOCATED ON THE NORTH SIDE OF EAST ADAMS AVENUE, ADDRESSED AS 2312 EAST ADAMS AVENUE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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

Part 1: The City Council approves a rezoning from Agricultural District (AG) to Commercial District (C) on approximately 5.01 acres situated in the Maximo Moreno Survey, Abstract No. 14, Bell County, Texas, and located on the north side of East Adams Avenue, and addressed as 2312 East Adams Avenue, 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 3rd day of April, 2014.

PASSED AND APPROVED on Second Reading on the **17th** day of **April**, 2014.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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Page 1 of 1

DEPT. / DIVISION SUBMISSION & REVIEW:

Mark Baker, Planner

ITEM DESCRIPTION: A-FY-13-13: Consider adopting a resolution to release the public utility easement the City reserved in a Deed Without Warranty (Document No. 2013-48981) pursuant to Ordinance No. 2013-4592, to protect existing utilities pending relocation from the abandoned alley through Block 8, Freeman Heights Addition, City of Temple.

STAFF RECOMMENDATION: Adopt a resolution as presented in item description releasing an existing easement for the relocation of existing utilities conveyed from a closed alley, as further described below and depicted in the referenced attachments.

ITEM SUMMARY: Per Ordinance 2013-4592, the applicant, the Bousquet Group engineering firm, on behalf of 1519 Central LLC, requested to abandon mid-block alleyway, a 20' wide by 300' long parcel of land as described above for the development of a proposed 14,820 square foot Walgreens store. As part of that resolution, an easement was reserved for the relocation of utilities prior to development.

The Final Plat, showing the abandoned alley was approved by the Planning and Zoning Commission on March 3rd. The plat will not be recorded until the easement is released by resolution.

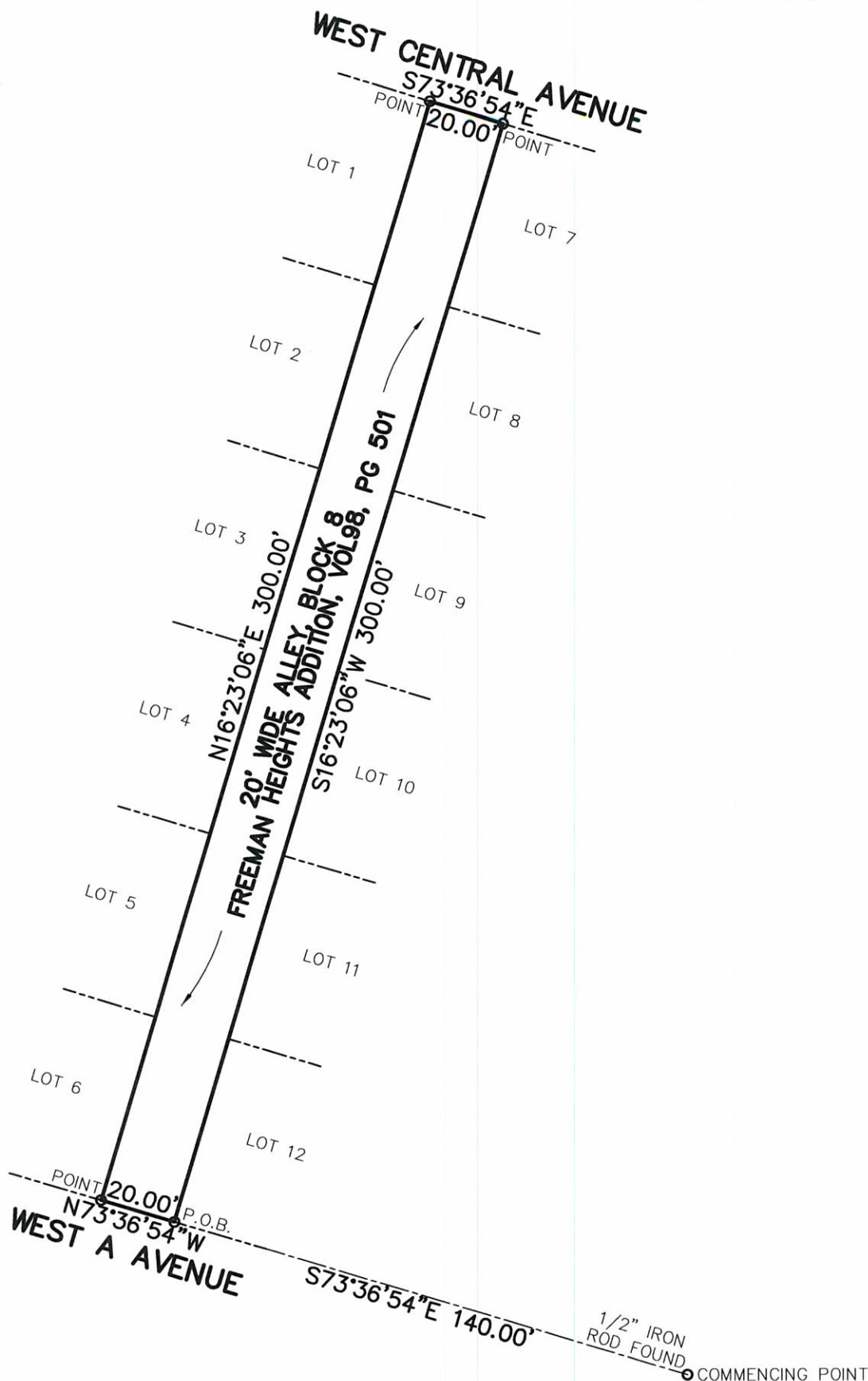
At this time, all affected utility providers, Atmos Energy, AT&T and Time Warner Cable have confirmed that by all relocation work will be completed by April 15, 2014. However, Time-Warner has indicated that there is some removal of equipment which will be concluded by April 25, 2014. This equipment removal does not require the presence of an easement.

Once the easement release information has been provided on the plat, the plat can be circulated for signatures and recorded. This has been agreed upon with the applicant.

FISCAL IMPACT: N/A.

ATTACHMENTS:

[Surveyors Sketch](#)
[Resolution](#)



BEING a 0.138 acre tract of land situated in the City of Temple, Bell County, Texas and being all of a 20 feet wide alley located in Block 8, Freeman Heights Addition to the City of Temple, Bell County, Texas and being more particularly described by metes and bounds herein attached.

STATE OF TEXAS I KNOW ALL MEN BY THESE PRESENTS, that I Michael E. Alvis, a Registered Professional Land Surveyor in the
COUNTY OF BELL State of Texas, do hereby certify that this survey was this day made on the ground of the property described herein and is correct.

IN WITNESS THEREOF, my hand and seal, this the 2nd day of April, 2013.



Michael E. Alvis, R.P.L.S., No. 5402

REVISED: 5/21/13
JOB NO: 13-257



ENGINEERING • PLANNING • SURVEYING
CONSTRUCTION MANAGEMENT
TURLEY ASSOCIATES, INC.
301 N. 3rd ST. TEMPLE, TEXAS (254) 773-2400

JEFF G. MALLET &
COMPANY INC.

DATE: 04/02/13	SCALE: 1:40	DWN. BY: TJJ
REFERENCE:	F.B. & L.B.:	
SHEET 1 OF 1	FILE NO: 12674-A	

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, RELEASING AN EXISTING PUBLIC UTILITY EASEMENT THAT THE CITY RESERVED IN A DEED WITHOUT WARRANTY TO PROTECT EXISTING UTILITIES PENDING RELOCATED FROM THE ABANDONED ALLEY THROUGH BLOCK 8, FREEMAN HEIGHTS ADDITION, CITY OF TEMPLE, TEXAS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, per Resolution 2013-4592-R, the applicant, the Bousquet Group, on behalf of 1519 Central LLC, has requested the abandonment of a mid-block alleyway, a 20 foot wide by 300 foot long parcel of land described as block 8, Freeman Heights Addition, City of Temple, Texas, for the development of a proposed 14,820 square foot Walgreens store;

Whereas, as part of that Resolution, an easement was reserved for the relocation of utilities prior to the development;

Whereas, the final plat, showing the abandoned alley, was approved by the Planning and Zoning Commission on March 3, 2014 – that plat will not be recorded until the easement is released;

Whereas, all affected utility providers (Atmos Energy, AT&T and Time Warner Cable) have confirmed that all relocation work will be completed no later than April 15, 2014 – however, Time Warner Cable has indicated that there is some removal of equipment which will be concluded no later than April 25, 2014; 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 of Temple, Texas, releases an existing public utility easement that the City reserved in a Deed Without Warranty (Document No. 2013-48981) pursuant to Ordinance No. 2013-4592, to protect existing utilities pending relocation from the abandoned alley through Block 8, Freeman Heights Addition, City of Temple, Texas.

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

PASSED AND APPROVED this the 17th day of April, 2014.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Jonathan Graham
City Attorney

STATE OF TEXAS §
COUNTY OF BELL §

This instrument was acknowledged before me on the ____ day of _____, 2014, by **Daniel A. Dunn**, Mayor of the city of Temple, Texas, on behalf of the City.

Notary Public, State of Texas



COUNCIL AGENDA ITEM MEMORANDUM

04/17/14
Item #5(T)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Craig Maatta, Interim Fire Chief

ITEM DESCRIPTION: Consider adopting a resolution authorizing funding from the Child Safety Fees for the 2014 Junior Fire Cadet Program in the amount of \$20,869.

STAFF RECOMMENDATION: Adopt resolution as presented in item description

ITEM SUMMARY: Under the authority of the Texas Transportation Code, in 2001, the Bell County Commissioners Court imposed a \$1.50 per vehicle Child Safety registration fee to be collected by our County Tax Assessor-Collector. The City of Temple's allocation is based on population. These funds must be used for a school crossing guard program if the City operates one. Since the City does not operate a crossing guard program, the funds may be spent on programs designed to enhance child safety, health or nutrition, including child abuse prevention and intervention and drug and alcohol abuse prevention.

I am recommending that \$28,286 of the child safety fees collected be provided to the 2014 Junior Fire Cadet Program. Firefighters serve as instructors to youngsters between the ages of 9 to 13. The cadets participate in hands-on activities such as confidence building, ladders, fire hose, and CPR/first-aid. Students learn the importance of setting goals, working as a team, ethics, and respect of self and others. The goal of the program is to give kids the opportunity to improve themselves. Guest speakers explain the importance of exercise, proper nutrition, and staying in school. The Temple Independent School District has partnered with the department and has provided a campus for the program since 2002.

The department started the program in the summer of 1999 with 31 boys and girls attending the four-week long class. We quickly learned the value of this program by seeing the young faces in the classroom and feeling the difference firefighter's role models in their lives. It is impossible to put an exact value on the benefits of this program but we do know that we enrich the lives of all the people participating in the program. Funding will be used to operate the class which will last for three weeks, and one day. The proposed dates of the class are June 6 – 27, 2014. We anticipate a class of 60 participants.

FISCAL IMPACT: A budget adjustment is presented for Council's approval appropriating \$20,869 to account 110-0000-452-0164, from the Child Safety Fees collected by the County on behalf of the City, to Temple Fire and Rescue's overtime account and associated benefit accounts, 110-2221-522-11-19, 12-20, 12-21 & 12-23, in the amount of \$13,793; food account, 110-2221-522-21-12, in the amount of \$876; office supply account, 110-2221-522-21-10, in the amount of \$275, and Contributions and Prizes, account 110-2221-522-25-10 in the amount of \$5,925.

If funding for this expenditure is approved, there will be \$5,785.55 available in Child Safety Funds for future eligible expenditures.

ATTACHMENTS:

[Budget Adjustment
Resolution](#)



Temple Fire & Rescue 2014 Junior Fire Cadet Program Budget

- Proposed dates of program: June 6, 2014 to June 27, 2014 (16 Days)
- Program is Monday - Friday, from 8 a.m. to noon
- "A, B, C" Instructor O/T calculated from 7:30 a.m. to 12:30 p.m. (5 hours day)
- Over time rates provided courtesy of Finance Department
- Program projected to serve 60 youth from ages 9 to 13 years
- Food items listed below will come from account #110-2221-522-21-12
- Office Supplies listed below will come from account #110-2221-522-21-10
- All other supplies listed below will come from account #110-2221-522-25-10

Supplies

Description	# of units	Cost per unit	Total
T-shirts	120	\$ 4.85	\$ 582
Draw String back packs	72	\$ 8.45	\$ 608
Confidence Building Course	60	\$ 25.00	\$ 1,500
Food for Program			\$ 695
Paper goods (cups, plates, napkins) for program			\$ 181
Office Supplies (notebooks, paper, glue sticks, pencils)			\$ 275
Plaques/Awards for Honor Cadets			\$ 175
CPR Supplies			\$ 850
Activity Supplies			\$ 250
Incidentals			\$ 400
Vehicle Rental of 15 passenger van for Activity trips, 6 days	2	\$130.00 /day	\$1,560

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING FUNDING FROM THE CHILD SAFETY FEES FOR THE 2014 JUNIOR FIRE CADET PROGRAM, IN THE AMOUNT OF \$20,869; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, under the authority of the Texas Transportation Code, in 2001, the Bell County Commissioners Court imposed a \$1.50 per vehicle Child Safety registration fee to be collected by our County Tax Assessor-Collector - the City of Temple's allocation is based on population;

Whereas, these funds must be used for a school crossing guard program if the City operates one - since the City does not operate a crossing guard program, the funds may be spent on programs designed to enhance child safety, health or nutrition, including child abuse prevention and intervention and drug and alcohol abuse prevention;

Whereas, the Junior Fire Cadet Program provides children between the ages of 9 and 13 the opportunity to participate in hands-on activities such as confidence building, ladders, fire hose, and CPR/first-aid;

Whereas, the students learn the importance of setting goals, working as a team, ethics, and respect of self and others - the goal of the program is to give kids the opportunity to improve themselves;

Whereas, funds will be used to operate the 2014 Junior Fire Cadet Program which will last for three weeks and one day - an estimated 60 participants have signed up for the class;

Whereas, an amendment to the fiscal year 2013-2014 budget needs to be approved to transfer the funds to Account No. 110-0000-452-0164; 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 funding from the Child Safety Fees to be designated to the 2014 Junior Fire Cadet Program for the operation of the class for approximately 60 participants, in the amount of \$20,869.

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

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

PASSED AND APPROVED this the 17th day of **April**, 2014.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Jonathan Graham
City Attorney

COUNCIL AGENDA ITEM MEMORANDUM

04/17/14
Item #5(U)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Brynn Myers, Assistant City Manager

ITEM DESCRIPTION: Consider adopting a resolution of support for downtown redevelopment.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The City of Temple along with other public and private sector partners have been engaged in multiple efforts to address revitalization and redevelopment of downtown Temple and it has been recognized that such will not occur in the absence of vision and a plan.

On September 5, 2013, the City Council authorized a professional services contact with Kasberg, Patrick and Associates, in partnership with TBG Partners, to develop a framework plan to help guide the City Council, Reinvestment Zone, property owners, future developers, and the community as a whole in the redevelopment of downtown Temple.

A three-day stakeholder charrette and workshop process was held in October 2013 which led to the development of a draft Downtown Strategic Plan that was presented to the City Council on April 3, 2014.

The draft Downtown Strategic Plan identifies the Santa Fe Plaza area as one of the key districts for downtown redevelopment and includes a concept for the Santa Fe Depot area which would include mixed use development, to include business and economic centers of activity.

The City of Temple has made a significant investment in the legacy building and facilities in and around the Santa Fe Depot. The draft Plan encourages the City of Temple and Tax Reinvestment Zone Number One to continue the efforts of revitalization and redevelopment of downtown Temple.

FISCAL IMPACT: None

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS,
SUPPORTING THE REVITALIZATION AND REDEVELOPMENT OF
DOWNTOWN TEMPLE, TEXAS; AND PROVIDING AN OPEN MEETINGS
CLAUSE.

Whereas, the City of Temple, along with other public and private sector partners, have engaged in multiple efforts to address revitalization and redevelopment of downtown Temple and it has been recognized that such will not occur in the absence of vision and a plan;

Whereas, at its September 5, 2013 meeting, the City Council authorized a professional services contract with Kasberg, Patrick and Associates, LP of Temple, Texas, in partnership with TBG Partners, of Austin, Texas, to develop a framework plan to help guide the City Council, Reinvestment Zone, property owners, future developers and community as a whole, in the redevelopment of downtown Temple;

Whereas, a three-day stakeholder charrette and workshop process was held in October 2013 which led to the development of a draft Downtown Strategic Plan that was presented to the City Council on April 3, 2014 and identifies the Santa Fe Plaza area as one of the key districts for redevelopment;

Whereas, the City has made a significant investment in the legacy building and facilities in and around the Santa Fe Depot and the draft Downtown Strategic Plan encourages the City of Temple and Tax Reinvestment Zone Number One to continue the efforts of revitalization and redevelopment of downtown Temple; 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 supports the revitalization and redevelopment of downtown Temple, Texas.

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

PASSED AND APPROVED this the 17th day of April, 2014.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

04/17/14
Item #5(V)
Consent Agenda
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DEPT./DIVISION SUBMISSION & REVIEW:

Jonathan Graham, City Attorney

ITEM DESCRIPTION: Consider adopting a resolution dissolving the Transit Advisory Committee.

STAFF RECOMMENDATION: Adopt resolution presented in item description.

ITEM SUMMARY: The Transit Advisory Committee was created by Resolution No. 2000-2812-R. The stated purpose of the TAC was to review transit operations and make suggestions for service enhancements as well as make advisory policy recommendations to the City Council based on the Committee's review. The TAC currently consists of five (5) members and the work of the TAC since its creation has been beneficial to the Council and the citizens of Temple.

However, regional attention to transit issues has decreased the need for the TAC. The City Manager received letters from two members of the TAC explaining that the group has received less participation in the last few months due to the creation of the Central Texas Regional Transit Advisory Group (CTRTAG). CTRTAG focuses on public transit services within the entire region which provides benefit to the City of Temple. Several members of the TAC also serve on the CTRTAG. Because of the existence of CTRTAG, the need for a separate City committee no longer exists.

For the reasons stated above, Staff recommends dissolving the Transit Advisory Committee at this time.

FISCAL IMPACT: N/A

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS,
DISSOLVING THE TRANSIT ADVISORY COMMITTEE; AND PROVIDING
AN OPEN MEETINGS CLAUSE.

Whereas, the Transit Advisory Committee (TAC) was created by Resolution No. 2000-2812-R and stated the purpose as reviewing transit operations and making suggestions for service enhancements as well as making advisory policy recommendations to Council based on the Committee's review;

Whereas, the TAC currently consists of five (5) members – the work of the TAC has been beneficial to the Council and the citizens of Temple;

Whereas, regional attention to transit issues has decreased the need for the TAC and the City Manager has received letters from two members of the TAC explaining that the group has received less participation in the last few months due to the creation of the Central Texas Regional Transit Advisory Group (CTRTAG);

Whereas, CTRTAG focuses on public transit services within the entire region which provides benefit to the City of Temple – several members of the TAC also serve on the CTRTAG;

Whereas, staff believes that because of the existence of CTRTAG, the need for a separate City committee no longer exists and therefor recommends dissolving the Transit Advisory Committee at this time; 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 dissolves the Transit Advisory Committee.

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

PASSED AND APPROVED this the 17th day of April, 2014.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

04/17/14
Item #5(W)
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DEPT./DIVISION SUBMISSION & REVIEW:

Traci Barnard, Director of Finance

ITEM DESCRIPTION: Consider adopting a resolution authorizing budget amendments for fiscal year 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 \$6,329,125.

ATTACHMENTS:

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

CITY OF TEMPLE
BUDGET AMENDMENTS FOR FY 2014 BUDGET
April 17, 2014

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
110-4000-555-2510		Contribution/Prizes	\$ 350	
110-4000-555-2523		Other Contracted Services	\$ 250	
110-0000-461-0841		Donations		\$ 600
To appropriate donations received by the Library for the Summer Reading Program.				
240-7000-551-2221		Computer Equipment	\$ 2,682	
240-0000-445-1137		Museum Donations		\$ 2,682
To appropriate donation received from the Railroad and Pioneer Museum to purchase a large format printer for the Museum. The funds were received by the City on 04/02/14.				
110-3240-551-2513		Special Services	\$ 11,500	
110-3240-551-2120		Education/Recreation	\$ 2,000	
110-3240-551-2129		Advertising/Marketing	\$ 1,500	
110-0000-445-1590		Special Events/Classes		15000
Additional funds are needed to cover instructor payments, program expenses, and for advertising and marketing to help increase participation and program awareness. Additional revenues as result of increased number of programs offered and higher enrollment will offset the expenses.				
430-5700-580-7550		Payment to escrow agent	\$ 6,255,309	
430-5700-580-7312		Bond issuance costs	\$ 16,000	
430-0000-354-0520		Reserved for Debt Defeasance-Debt Service		\$ 5,554,350
430-0000-354-0520		Reserved for Debt Defeasance-General Fund contribution		\$ 716,959
To appropriate fund balance for defeasance of Limited Tax Notes to be deposited into escrow to be used to legally pay off the debt. \$5,554,350 of the funds are a result of settlement proceeds (\$5,350,000) and remaining funds from the original issue (\$204,350). The remaining amount needed is being funded as a transfer from the General Fund approved by Council on 03/20/14.				
520-5122-535-6310	100912	Capital Buildings & Grounds	\$ 6,749	
520-0000-373-0411		Water & Sewer Unreserved Ret Earnings		\$ 6,749
To appropriate funds to cover 2 change orders with Matous Construction for the replacement of actuators and a valve at the Conventional Water Treatment Plant.				
110-2031-521-6231	101129	OCU Seized Funds-Federal	\$ 25,000	
110-0000-313-0330		Reserved for Federal Seized Funds		\$ 25,000
To appropriate funds for the professional services contract with Architectural Edge for a storage facility needed by the Police Department.				
240-7000-551-2616	100915	Professional	\$ 7,785	
240-0000-358-1110		Hotel/Motel Unreserved Fund Balance		\$ 7,785
To appropriate funds for the professional services contract amendment #3 with TemTex Engineering for onsite representation for repairs to the Santa Fe Depot foundation.				
TOTAL AMENDMENTS			\$ 6,329,125	\$ 6,329,125

CITY OF TEMPLE
BUDGET AMENDMENTS FOR FY 2014 BUDGET
April 17, 2014

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
GENERAL FUND				
		Beginning Contingency 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 Judgments & Damages Contingency	\$	40,000
		Added to Contingency Judgments & Damages from Council Contingency		-
		Taken From Judgments & Damages		(10,831)
		Net Balance of Judgments & Damages Contingency Account	\$	29,169
		Beginning Compensation Contingency	\$	288,000
		Added to Compensation Contingency		-
		Taken From Compensation Contingency		(216,697)
		Net Balance of Compensation Contingency Account	\$	71,303
		Net Balance Council Contingency	\$	506,508
		Beginning Balance Budget Sweep Contingency	\$	-
		Added to Budget Sweep Contingency		-
		Taken From Budget Sweep		-
		Net Balance of Budget Sweep Contingency Account	\$	-
		WATER & SEWER FUND		
		Beginning Contingency Balance	\$	50,000
		Added to Contingency Sweep Account		-
		Taken From Contingency		(49,574)
		Net Balance of Contingency Account	\$	426
		Beginning Compensation Contingency	\$	50,000
		Added to Compensation Contingency		-
		Taken From Compensation Contingency		(23,500)
		Net Balance of Compensation Contingency Account	\$	26,500
		Net Balance Water & Sewer Fund Contingency	\$	26,926

CITY OF TEMPLE
BUDGET AMENDMENTS FOR FY 2014 BUDGET
April 17, 2014

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
		HOTEL/MOTEL TAX FUND		
		Beginning Contingency 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 Compensation Contingency	\$	7,500
		Added to Compensation Contingency		-
		Taken From Compensation Contingency		(7,500)
		Net Balance of Compensation Contingency Account	\$	-
		Net Balance Hotel/Motel Tax Fund Contingency	\$	25,362
		DRAINAGE FUND		
		Beginning Contingency Balance	\$	-
		Added to Contingency Sweep Account		-
		Carry forward from Prior Year		-
		Taken From Contingency		-
		Net Balance of Contingency Account	\$	-
		Beginning Compensation Contingency	\$	7,500
		Added to Compensation Contingency		-
		Taken From Compensation Contingency		(7,500)
		Net Balance of Compensation Contingency Account	\$	-
		Net Balance Drainage Fund Contingency	\$	-
		FED/STATE GRANT FUND		
		Beginning Contingency 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.

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

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

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

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

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

PASSED AND APPROVED this the 17th day of **April**, 2014.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

04/17/14
Item #6
Regular Agenda
Page 1 of 2

DEPT. / DIVISION SUBMISSION & REVIEW:

Mark Baker, Planner

ITEM DESCRIPTION: FIRST READING – PUBLIC HEARING - A-FY-13-12: Consider adopting an ordinance to abandon and authorize conveyance of a 95' X 80' section of South 9th Street right-of-way, being a 0.17-acre portion of land, as measured from the south right-of-way line with West G Ave, situated between Block 39, Moores Addition and Block 62, Original Town of Temple as more fully described in the attached exhibit for development of the Salvation Army's Center of Hope Transitional Shelter.

STAFF RECOMMENDATION: Adopt ordinance as presented in item description, with set second reading and final adoption set for May 1, 2014.

Staff recommends approval of the applicant's requested abandonment of a portion of 9th Street as submitted and described in the item description.

ITEM SUMMARY: The applicant, The Salvation Army, has submitted a request for the abandonment of a portion of 9th Street, approximately 7,600 square feet of its intersection with West G Avenue to allow for the construction of the Salvation Army's Center of Hope emergency shelter facility.

The City has a 6" water line within the right-of-way which extends the full length of 9th Street. Water service will be retained for the remainder of 9th Street from a connection to an existing 6" waterline in West H Avenue.

Public Works has indicated that relocation of the water line has been completed and no further utilities are within the right of way proposed to be abandoned.

Private utility providers servicing the area were notified and indicated no private utilities are located within the easement.

No objections were raised by the providers and they concurred with the abandonment. The Utility Division within the Public Works/Engineering Department confirmed that the existing utility easement does not contain an active line within the boundaries of the subdivision.

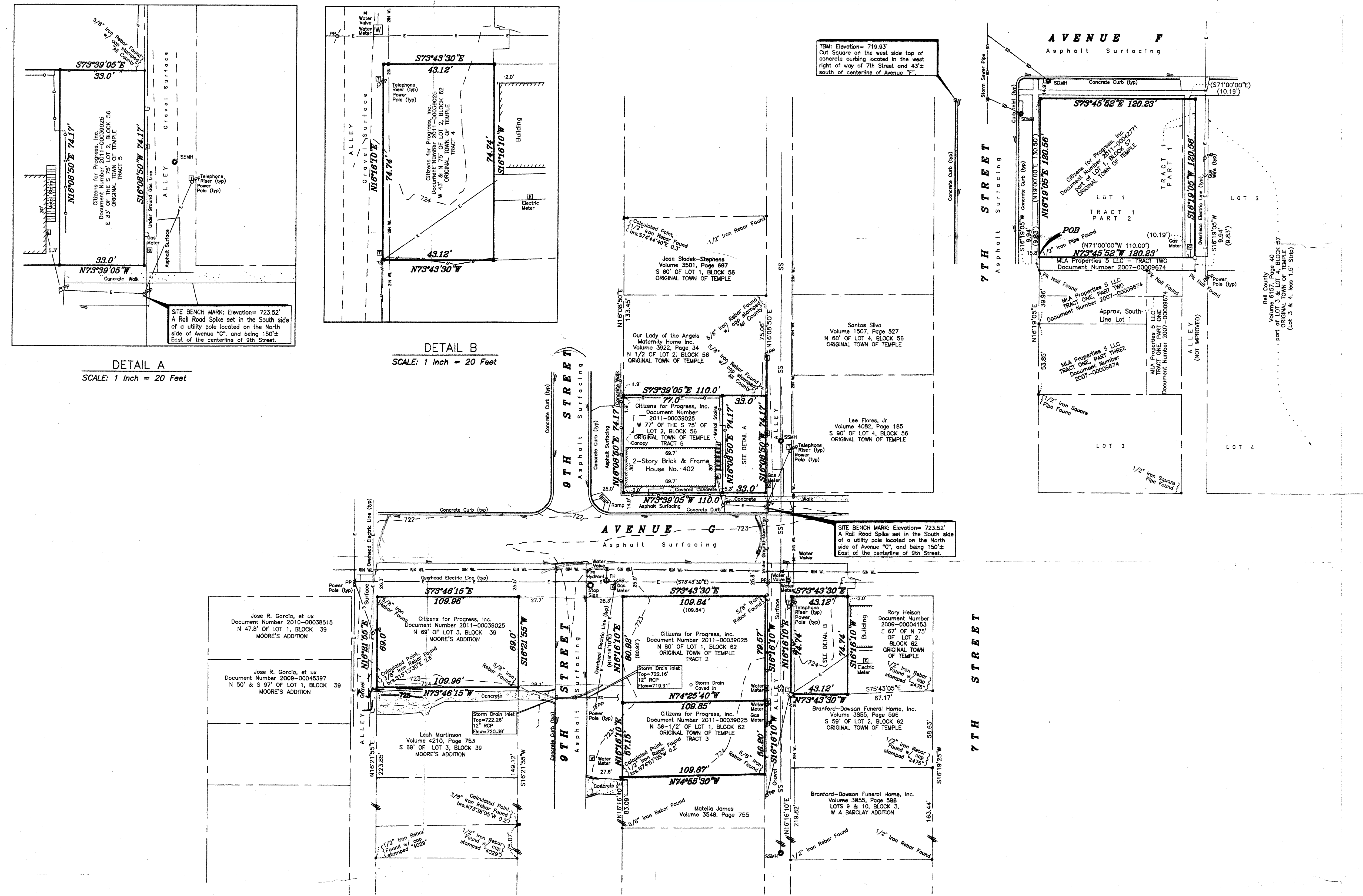
The abandonment is for the development of the Salvation Army's McLane Center of Hope transitional housing facility. The facility requires a conditional use permit which is currently under review and scheduled for recommendation by the Planning & Zoning Commission on April 21st. The conditional use permit is anticipated for 1st reading during the May 1st City Council meeting.

FISCAL IMPACT: If approved, the Salvation Army will be allowed to purchase the abandoned 0.17-acre portion of South 9th Street right-of-way at the fair market value of \$6,100, according to the attached appraisal report.

ATTACHMENTS:

[Surveyors Sketch \(Exhibit A\)](#)
[Appraisal Report](#)
[Ordinance](#)

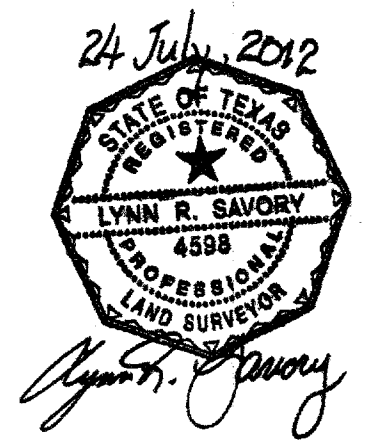
Exhibit A



- LEGEND:**
- Asphalt Surfacing
 - Electric Line
 - Electric Meter
 - Fire Hydrant
 - Gas Line
 - Gas Meter
 - Power Pole
 - Reinforce Concrete Pipe
 - Sanitary Sewer Line
 - Sanitary Sewer Manhole
 - Stop Sign
 - Storm Drain Inlet
 - Storm Drain Line
 - Storm Drain Manhole
 - Telephone Riser
 - Water Line
 - Water Meter
 - Water Valve

- NOTES:**
- All Property Corners are 5/8" Iron Rebar Set with yellow plastic cap stamped Ron Carroll, RPLS 2025, unless otherwise stated.
 - Calculated Point
 - Mag Nail set in Concrete
 - Point of Beginning
- * Basis of Bearing: The bearings shown hereon are related to Geodetic or True North based on GPS observations, processed to the Texas Coordinate System using the NAD 83 Datum, Texas Central Zone as referenced to the NGS CORS Base Station "Temple College" in Temple, Texas whose published coordinate value is N=10,366,800.419 E=3,229,830.945
- See attached field notes for Part of Block 57.
- Symbols may be exaggerated for clarification purposes only.
- Restrictive Covenants identified in the instrument found recorded as Document Number 2011-00039025 of the Official Public Records of Bell County, Texas AFFECT Parcels Two, Three, Four, Five, Six and Seven as set out and described in Schedule "A" of that Commitment for Title Insurance having a G.F. or File Number 11-3215, Effective date April 30, 2012, prepared by Fidelity National Title Insurance Company.
- Restrictive Covenants identified in the instrument found recorded as Document Number 2011-00042771 of the Official Public Records of Bell County, Texas AFFECT Parcel One, as set out and described in Schedule "A" of that Commitment for Title Insurance having a G.F. or File Number 11-3215, Effective date April 30, 2012, prepared by Fidelity National Title Insurance Company.
- The location of subsurface Utility lines shown hereon are based on a combination of tying the visible evidence available combined with record information provided by individual utility providers and the City of Temple.
- Topographic information shown hereon was only obtained for those Parcels lying South of Avenue "G", and is based on an on the ground survey of this area.
- The vertical/topographic information shown hereon is based on (or tied to) the North American Vertical Datum of 1988 (NAVD88). The source of the elevations is static GPS observations.
- A Site Bench Mark is described as follows: A Rail Road Spike set in the South side of a utility pole located on the North side of Avenue "G", and being +/-150' East of the centerline of 9th Street. Elevation = 723.52'
- TO ANYONE USING THIS DRAWING CONCERNING DIMENSIONS SHOWN
The survey work for this project is on Grid Coordinates (NAD83), Texas Coordinate System-Central Zone, obtained from GPS observations. The distances shown are surface distances. The Combined Correction Factor (CCF) for this project is 0.999851220.
- The research for the land boundary property line of this tract has been provided by this surveyor or his associates. All other research for documents such as, but not limited to, easements, deed restrictions, restrictive covenants, leases, etc. are the responsibility of the clients Title Company or other third parties other than this surveyor or company.
- Copyright © 2012, Ronald Carroll Surveyors, Inc., All Rights Reserved.
This survey was provided solely for the use of Citizens for Progress, Inc.

Sketch showing part of the MAXIMO MORENO SURVEY, Abstract Number 14 and being the West 77 feet of the South 75 feet of Lot 2, Block 56, the East 33 feet of the South 75 feet of Lot 2, Block 56, part of Lot 1, Block 57, the North 80 feet of Lot 1, Block 62, the South 56.5 feet of Lot 1, Block 62, the West 43 feet of the North 75 feet of Lot 2, Block 62 of the ORIGINAL TOWN OF TEMPLE, an addition situated in Temple, Bell County, Texas, as it appears upon the map recorded in Volume 36, Page 640 of the Bell County Deed Records, and being the North 69 feet of Lot 3, Block 39 of MOORE'S ADDITION AND MOORE'S RAILROAD ADDITION, an addition situated in Temple, Bell County Texas as it appears upon the map recorded in Volume 115, Page 416 of the Bell County Deed Records. To the best of my knowledge there are no apparent easements or visible encroachments, except as shown above as determined on the ground.
Surveyed June 12, 2012.
RONALD CARROLL SURVEYORS, INC.



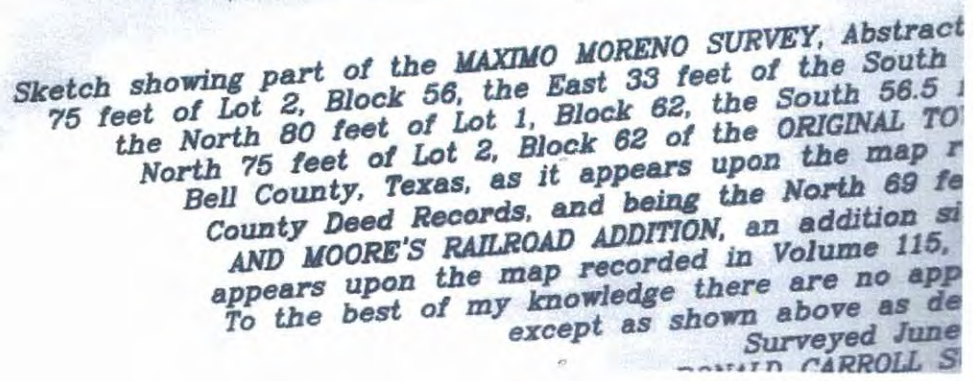
Salvation Army

Sketch showing part of the MAXIMO MORENO SURVEY, Abstract Number 14 and being the West 77 feet of the South 75 feet of Lot 2, Block 56, the East 33 feet of the South 75 feet of Lot 2, Block 56, part of Lot 1, Block 57, the North 80 feet of Lot 1, Block 62, the South 56.5 feet of Lot 1, Block 62, the West 43 feet of the North 75 feet of Lot 2, Block 62 of the ORIGINAL TOWN OF TEMPLE, an addition situated in Temple, Bell County, Texas.

RONALD CARROLL SURVEYORS, INC.
5302 South 31st Street - Temple, Texas 76502
Phone: (254) 773-1447 Fax: (254) 773-1728

FOR: Citizens for Progress, Inc.	FIELD BOOK: "NO. PG"	DRAWN BY: MJA	DATE: 7/9/2012
DISK: S:\Data RCS Job Database	DRAWING NAME: 12063-BD-Salvation.dwg	JOB#:	12063
DISK: N=10,373,055.12	E=3,230,817.91		

Amended July 24, 2012 to show correction to north arrow on sketch.



Restricted-Use Appraisal

of

S. 9th St. and W. Ave. G
Temple, TX 76504

As Of:

March 7, 2013

Prepared For:

The Salvation Army, C/O Captain Bill Shafer
120 S. 21st St.
Temple, TX 76504 (bshafer1964@yahoo.com)

Prepared By:

Hal Dunn & Associates, Steven Grant Gryseels & Harold P. Dunn
5106 S. General Bruce Dr., Suite 200, Temple, TX 76502
254-773-2222 (Phone), 254-742-1615 (Fax)
GrantGryseels@yahoo.com, HalDunn_Associates@yahoo.com

Borrower N/A

Property Address S. 9th St. and W. Ave. G

City Temple County Bell State TX Zip Code 76504

Lender/Client The Salvation Army, C/O Captain Bill Shafer Address 120 S. 21st St., Temple, TX 76504 (bshafer1964@yahoo.com)

Hal Dunn and Associates
Telephone 254-773-2222
Fax 254-742-1615

5106 S. General Bruce Dr., Suite 200
Temple, TX 76502

March 7, 2013

The Salvation Army
C/O Captain Bill Shafer
120 S. 21st St.
Temple, TX 76504
bshafer1964@yahoo.com

Attention (Intended User): The Salvation Army, C/O Captain Bill Shafer

Re: Restricted-Use Evaluation of Market Value of property at the south intersection of S. 9th St. and W. Ave. G, Temple, TX 76504

In accordance with your request, I have physically-inspected the above-referenced property, and developed this report in order to estimate its market value. I have done research into various factors that influence its market value. The report of that analysis is attached. The objective/purpose of this report is to estimate the market value of the property described in this report, as-is, in unencumbered fee-simple title of ownership.

The intended use of this report is for our client to make financial decisions regarding the subject property. This report will establish a market value of the real estate for the exclusive use of our client. The purpose of this report is to provide an opinion of market value along with relevant analysis and data for our client. This report was prepared for utilization solely by our client in making financial decisions regarding the subject property. I have performed no appraisal or other specified service as an appraiser or in any other capacity regarding the property that is the subject of this report within the three-year period immediately preceding the acceptance of this assignment.

This report is based on a physical analysis of the site, a locational analysis of the neighborhood and city, and an economic analysis of the market for properties such as the subject. This report determined the highest and best use of the subject, completed or analyzed the three approaches to value (when appropriate), and has reconciled the appropriate approaches to value into a final estimate of market value. The appraisal was developed and the report was prepared in accordance with the Uniform Standards of Professional Appraisal Practice. According to the Uniform Standards of Professional Appraisal Practice, this report fulfills the requirements of a Restricted-Use Appraisal Report.

The market value conclusions reported are as of the effective date stated in the body of the report, and are contingent upon the certification and limiting conditions attached.

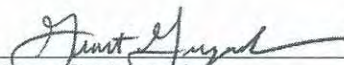
The existence of any hazardous substances, including and without limitation to asbestos, radon gas, petroleum leakage, or agricultural chemicals, or any other environmental conditions, which may or may not be present on or within the property, were not called to the attention of the broker nor did this broker become aware of such during the inspection of the subject. This broker has no knowledge of the existence of such materials, unless otherwise noted. This broker is not qualified to detect or test for such substances or conditions. If such substances exist on the subject property, the finding and removal of those could be quite costly and could substantially affect the value of the property. The final values predicted on the assumption that there is no such condition on, near, or within the property, or within such proximity thereto that it would cause a loss of value. No responsibility is assumed for any such conditions, or for expertise including engineering knowledge required to discover them. A title commitment, or qualified engineer, surveyor, or other professional would be required to make easement, encroachment, land size, drainage, available utilities, road frontage, deed restriction, flood plain, soil condition, environmental condition, and other condition determinations regarding the subject property.

After consideration of the data, discussion, and analysis contained within this report and subject to the Assumptions and Limiting Conditions, it is concluded that the market value of the subject property, with an estimated marketing period and exposure time of 180 to 365 days, as of March 7, 2013, is:

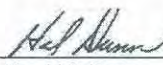
\$6,100 (Six thousand, one hundred dollars)

It has been a pleasure to assist you. Please do not hesitate to contact us if we can be of additional service to you.

Appraiser Name


Steven Grant Gryseels

Supervisor Name


Harold P. Dunn

Definition of Market Value:**(Source: The Appraisal of Real Estate, 11th Edition by the Appraisal Institute)****Market Value:**

The most probable price, as of a specified date, in cash, or in terms equivalent to cash, or in other precisely revealed terms, for which the specified property rights should sell after reasonable exposure in a competitive market under all conditions requisite to a fair sale, with the buyer and seller each acting prudently, knowledgeably, and for self-interest, and assuming that neither is under undue duress.

Fundamental assumptions and conditions presumed in this definition are:

1. Buyer and seller are motivated by self-interest.
2. Buyer and seller are well informed, well advised, and are acting prudently in what they consider their own best interests.
3. The property is exposed for a reasonable time on the open market.
4. Payment is made in cash in United States dollars, or in terms of financial arrangements comparable thereto.
5. The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

Purpose of Assignment:

The purpose of this report is to present this appraiser's concluded opinion of the market value of the fee-simple estate (Full ownership of the complete bundle of rights; Unencumbered by any other interest or estate, subject only to the limitations imposed by the government powers of escheat, eminent domain, taxation, and police power) of the subject property as of the effective date of this report, along with a summary of the data and rationale that support this conclusion for the exclusive use of our client, who is under no restrictions regarding the distribution of this report to other interested parties of choice.

Date of Market Value and Date of Inspection:

The market value estimate is made based upon knowledge and data available on March 7, 2013. The subject property was physically inspected on March 7, 2013.

Neighborhood:

The neighborhood consists of various commercial, industrial, and residential properties. This neighborhood has a fair to average appeal to the marketplace. Property values in this neighborhood are expected to remain stable in the foreseeable future. The subject has an estimated marketing period and exposure time of 180 to 365 days, based on sales of comparable properties and assuming reasonable and proper marketing of the subject. See the Quickfacts and Neighborhood Data summaries in the addenda of this report.

Legal Description:

There is no legal description for the subject property.

History of the Subject Property:

The subject property is a portion of an asphalt-paved, publicly-maintained roadway in the city of Temple. This report is needed by the client to make financial decisions regarding the subject property. No current listings, options, or agreements of sale of the subject property were discovered or observed over the course of this appraisal. **Your appraiser has been specifically asked to estimate the market value of the portion of land/street (outlined and highlighted in the survey which can be seen in the addenda of this report) as if it were a vacant lot.**

Hypothetical Conditions and Extraordinary Assumptions:

Your appraiser has been specifically asked to estimate the market value of the portion of land/street (outlined and highlighted in the survey which can be seen in the addenda of this report) as if it were a vacant lot. **Therefore, this appraisal is being made under the hypothetical condition that the subject property is a vacant lot in this exact location.**

This appraisal will be made assuming that there are no adverse easements, encroachments, environmental conditions, deed restrictions, drainage issues, flood plain issues, soil conditions, and other adverse site features and conditions on the subject property.

The neighboring properties are zoned *Commercial*, therefore this evaluation will consider the subject property as if it were zoned *Commercial*.

The subject property will be assumed to be served with public water, sewer, and electricity.

Description of the Land and Zoning:

The neighboring properties are zoned *Commercial*, therefore this evaluation will consider the subject property as if it were zoned *Commercial*. See the Zoning Map in the addenda of this report.

The subject property is not located within the flood hazard area (See Flood Map in the addenda of this report).

The subject land is of level to gently-sloping topography. The subject property is located in Census Tract 207.02. **Based on the survey, the subject property measures approximately 80' x 95' which is approximately 7,600 square feet (See survey in the addenda of this report).** The subject property will be assumed to be served with public water, sewer, and electricity. The subject property currently consists of a portion of an asphalt-paved, two-way, publicly-maintained roadway, and utility easements.

Highest and Best Use:

Highest and best use may be defined as the reasonably probable and legal use which is physically possible, appropriately supported, financially feasible, and that results in the highest value. It is the most profitable likely use to which a property can be used. The opinion of such use may be based upon the highest and most profitable continuous use to which the property is adapted and needed, or likely to be in demand, in the reasonably near future.

As implied in its definition, the highest and best use of a property must be:

1. Legally permissible;
2. Physically possible;
3. A use for which there is a demand in the area;
4. Financially feasible;
5. Reasonably probable and not speculative nor conjectural;
6. Profitable;
7. Deliver to the land the highest net return for the longest period of time, or be maximally productive.

This appraisal is based on a hypothetical situation. Under those hypothetical conditions and extraordinary assumptions, we will consider the following: Based on the location of the subject property, the hypothetical zoning of the subject property, and the uses of surrounding properties, it is the opinion of your appraiser that the highest and best use of the subject property is Commercial.

SCOPE OF THE APPRAISAL ASSIGNMENT

The following steps and procedures were completed in processing this appraisal assignment:

(This report will only include an abbreviation of these steps; some calculations and figures are only in the work file)

- 1.) Definition of the objective/purpose of the appraisal.
- 2.) Inspection of the subject neighborhood.
- 3.) Inspection of the subject property.
- 4.) Gather economic data which pertains to the subject property, neighborhood, and region.
- 5.) Determine the highest and best use of the subject property.
- 6.) Determine the appraisal techniques which are appropriate for the subject property.
- 7.) Process Sales Comparison Approach for estimate of as-is land value for the hypothetical subject lot.
 - A.) Select comparable's.
 - B.) Analyze comparable's by comparing them to the subject property; Make appropriate adjustments to the comparable's for factors that affect land value, and use this analysis to estimate the market value of the subject land based on a price per square foot or price per acre basis.
- 8.) Reconcile value indications from the applicable approaches into a concluded subject market value.

Approaches to Value:

The only applicable approach for estimating the market value of the subject property as if it were a vacant lot is the Sales Comparison Approach. The Sales Comparison Approach will be briefly analyzed to determine an estimated market value of the subject land as a whole.

This approach utilizes sales of comparable properties to conclude a value estimate for the subject property. This involves comparing the sales to the subject property, and making the required adjustments for factors that affect the value of the land. This approach is based on the idea that a property's value may be equated with the cost of acquiring an equally desirable substitute/alternative property. Relying upon the principle of substitution, this approach estimates value by a comparison of the subject with comparable properties. Differences between the comparable's and the subject are considered. A value from the Sales Comparison Approach is then concluded from the values indicated by the adjusted price per square foot or price per acre of the comparable properties.

Sales Comparison Approach:

The Sales Comparison Approach will consider the price per square foot of the comparable properties, and adjustments will be considered for factors and features that affect market value.

Comparable's can be seen below, along with their MLS listing in the addenda of this report. I am aware of reasonably comparable sales in the subject marketplace such as the following:

Comparable Sales:

<u>Location in Temple</u>	<u>Date of Sale</u>	<u>Size</u>	<u>Sales Price</u>	<u>Zoning</u>
701 S. 19th St.	01/30/2013	14,300 SF	\$10,000 (\$0.70/SF)	C
306 S. 25th St.	08/14/2012	10,500 SF	\$5,500 (\$0.52/SF)	2F
1211 N. 2nd St.	01/27/2012	6,000 SF	\$7,500 (\$1.25/SF)	SF1

The subject and comparable's size, location, and zoning were taken into consideration. Adjustments were considered and analyzed for each comparable respectively. Comparable 1 is by far the most similar to the subject, and was given the most consideration after an upward adjustment of 10% for size.

Based upon my analysis of the comparable land sales, the subject property is considered to have a land market value of \$0.80 per square foot or \$6,100 (Rounded).

Overall Conclusion:

Indicated market values of the subject property are as follows:

Sales Comparison Approach	\$6,100
Total Estimated Market Value of the Subject	\$6,100

Based upon my knowledge of the subject marketplace, and after consideration of the data, discussion, and analysis contained within this report (Subject to the Assumptions and Limiting Conditions), it is concluded that the market value of the subject property, with an estimated marketing period and exposure time of 180 to 365 days, as of March 7, 2013, is:

\$6,100 (Six thousand, one hundred dollars)

Borrower N/A

Property Address S. 9th St. and W. Ave. G

City Temple

County

Bell

State

TX

Zip Code

76504

Lender/Client The Salvation Army, C/O Captain Bill Shafer

Address 120 S. 21st St., Temple, TX 76504 (bshafer1964@yahoo.com)



View down 9th St. facing north toward Ave. G



Angle view from 9th St. facing northeast toward Ave. G



Angle view from Ave. G, facing southeast down 9th St.



Street view of Ave. G, facing east; subject property on the right



Angle view from Ave. G, facing southwest down 9th St.



Street view of Ave. G, facing west; subject property on the left

Hal Dunn & Associates
SITE LOCATION MAP

File No. 23913-SGG
Case No.

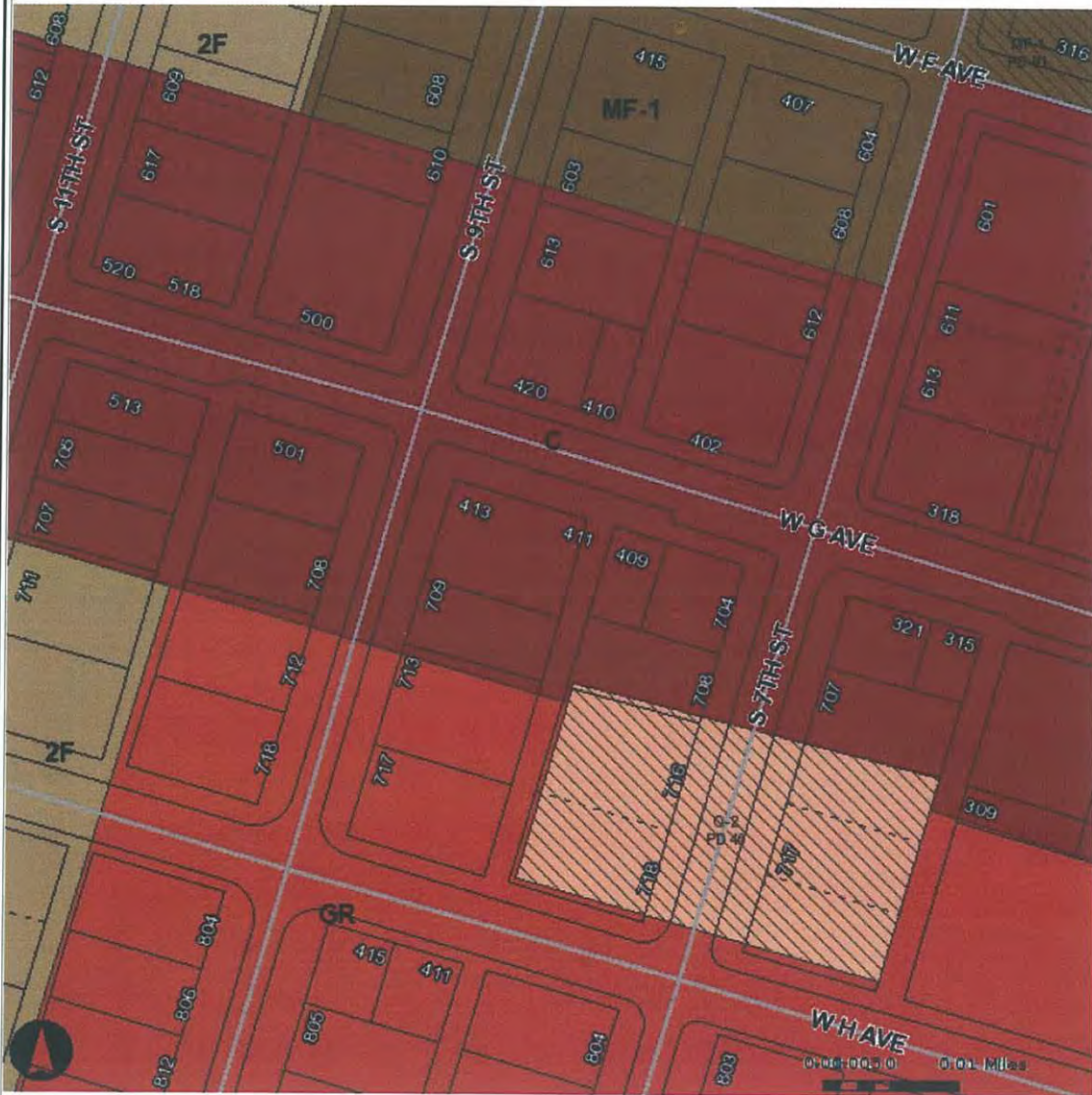
Borrower N/A

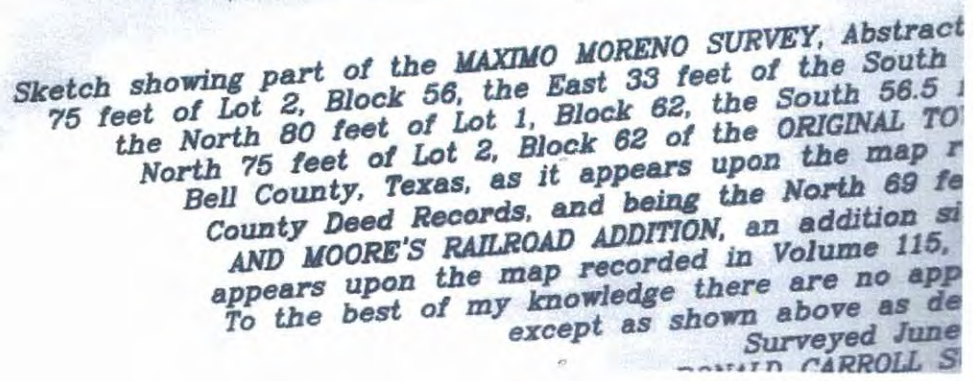
Property Address S. 9th St. and W. Ave. G

City Temple County Bell State TX Zip Code 76504

Lender/Client The Salvation Army, C/O Captain Bill Shafer Address 120 S. 21st St., Temple, TX 76504 (bshafer1964@yahoo.com)



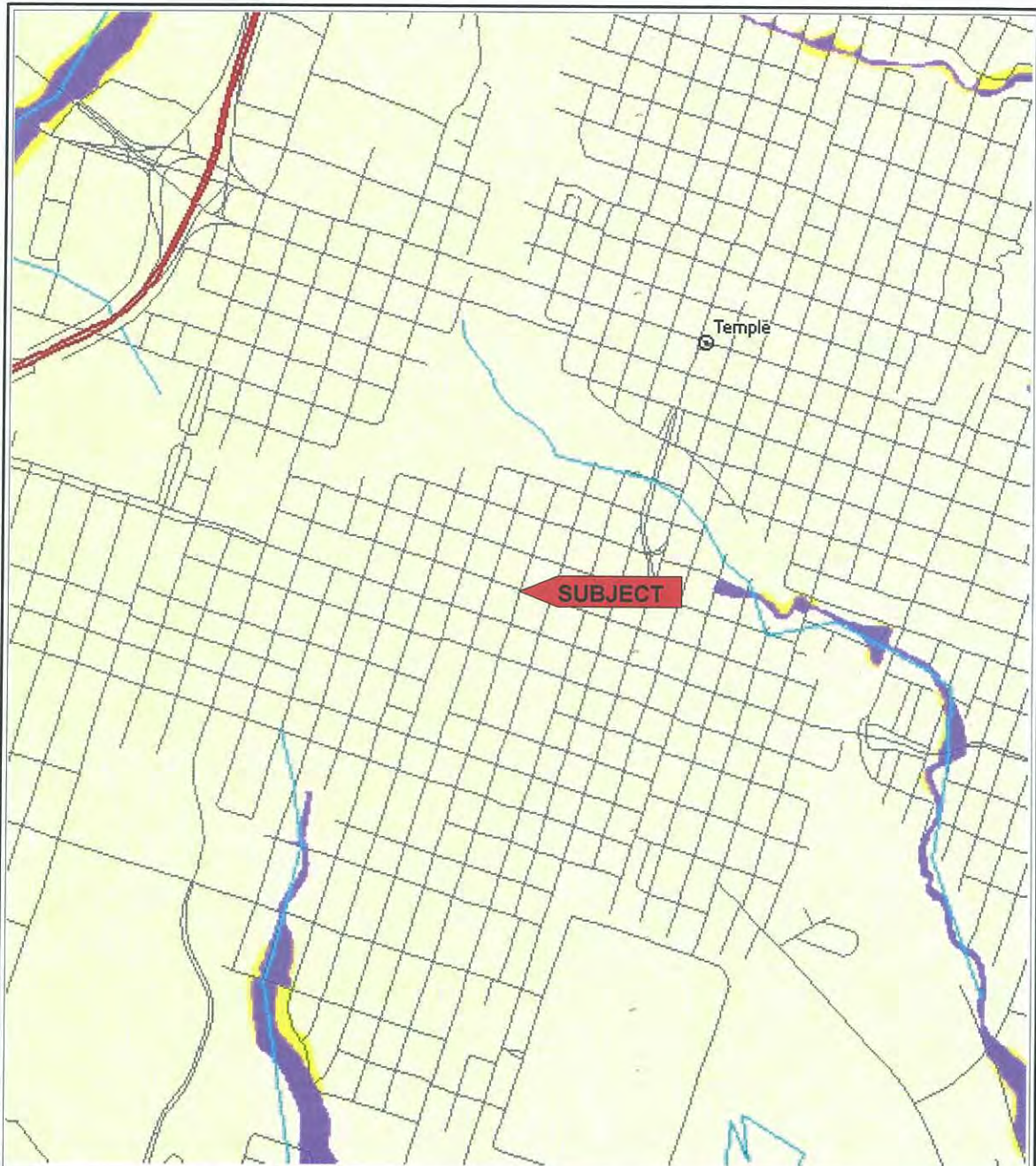




Hal Dunn & Associates
FLOOD MAP ADDENDUM

File No. 23913-SGG
Case No.

Borrower N/A
Property Address S. 9th St. and W. Ave. G
City Temple County Bell State TX Zip Code 76504
Lender/Client The Salvation Army, C/O Captain Bill Shafer Address 120 S. 21st St., Temple, TX 76504 (bshafer1964@yahoo.com)



Flood Map Legends

Flood Zones

- Areas inundated by 500-year flooding
- Areas outside of the 100 and 500 year flood plains
- Areas inundated by 100-year flooding
- Areas inundated by 100-year flooding with velocity hazard
- Floodway areas
- Floodway areas with velocity hazard
- Areas of undetermined but possible flood hazard
- Areas not mapped on any published FIRM

Flood Zone Determination

SFHA (Flood Zone): **Out**
Within 250 ft. of multiple flood zone? **No**
Community: **480034**
Community Name: **TEMPLE, CITY OF**
Zone: **X** Panel: **480034 0355E** Panel Date: **09/26/2008**
FIPS Code: **48027** Census Tract: **0207.02**
This Flood Report is for the sole benefit of the Customer that ordered and paid for the Report and is based on the property information provided by the customer. That customer's use of this report is subject to the terms agreed by that customer when accessing this product. No third party is authorized to use or rely on this report for any purpose. NEITHER FIRST AMERICAN FLOOD DATA SERVICES NOR THE SELLER OF THIS REPORT MAKES ANY REPRESENTATIONS OR WARRANTIES TO ANY PARTY CONCERNING THE CONTENT ACCURACY OR COMPLETENESS OF THIS REPORT INCLUDING ANY WARRANTY OR MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. Neither FAFDS nor the seller of this Report shall have any liability to any third party for any use or misuse of this Report.

ALL FIELDS DETAIL



MLS #	97068	Coverage	Mostly Open
Status	SOLD	Acreage	>1
Type	Commercial Land	Financing	New Loan
Address	701 S 19th Street	Zoning	Commercial
Address 2		SchoolDist	Temple
City	Temple		
State	TX		
Zip	76501		
Area	Temple Central 2		
Class	LAND		
Asking Price	\$10,000		
Sale/Rent	For Sale		
IDX Include	Yes		

GENERAL

Seller Concessions \$		Client Hit Count	53
Agent Hit Count	45	Number of Acres	0.33
Price Per Acre		Agent	Margo Wyatt - Home: (254) 718-0692
Listing Office 1	<u>RODNEY DUNN COMPANY, INC -</u> <u>Main: (254) 774-7355</u>	Listing Agent 2	
Listing Office 2		Subagent Code	0
Buyers Agent Code	5	VCR Y/N	No
Owners Name	Steven & Jaqueline Sanders	Owner Phone	
Expiration Date		Subdivision	Jones & Moores Addition
Lot Size	110 x 130	Lot/Block	LOT PT1(N 130' OF 1)/BL15
Addition	Jones & Moores Addition	Legal	LOT PT1(N 130' OF 1) BLOCK 15 of Jones & Moores Addition
Property ID#	685	Living Quarters Size	n/a
Out Buildings	n/a	Improves	n/a
Directions	At the corner of W. Avenue G and S. 19th	Internet Remarks	Level Commercial Lot, 1/3 Acre
Map		Sign Y/N	Yes
Lockbox Location	No Lockbox	Off Market Date	1/30/2013
Associated Document Count	0	Seller Cost \$	
Search By Map		Tax ID	
VOW Include	Yes	VOW Address	Yes
VOW Comment	Yes	VOW AVM	Yes
Update Date	1/30/2013	Status Date	1/30/2013
HotSheet Date	1/30/2013	Price Date	1/30/2013
Input Date	5/18/2012 4:34:00 PM	Original Price	\$20,000
Buyer Cost \$		Buyers Name	
Days On Market	256		

FEATURES

TOPOGRAPHY	ROAD SURFACE	RESTRICTIONS	POSSESSION
Level/Flat	Hardtop	Zoned	Negotiable
DOCUMENTS/FILE	SELLER SUBDIVIDE	UTILITIES AVAILABLE	HOW SHOW
Legal Description	No	Electricity	Show Anytime
MINERALS-SUBJECT TO	WATER	Natural Gas	
No Slr Res.	City/Meter Available	Telephone	
ROAD FRONTAGE		TV Cable	
State/County			

FINANCIAL

Addendum

SOLD STATUS

How Sold	Cash	Contract Date	1/14/2013
Closing Date	1/30/2013	Sold Price	\$10,000
Selling Agent 1	Margo Wyatt - Home: (254) 718-0692	Selling Office 1	RODNEY DUNN COMPANY, INC - Main: (254) 774-7355
Selling Agent 2		Selling Office 2	
Sold Remarks		Concessions/Addendums	Seller pd for new survey

REMARKS

Seller is not under pressure to sell but will consider all offers.

ALL FIELDS DETAIL



MLS #	96319	Coverage	Scattered Trees
Status	SOLD	Acreage	None
Type	City Residential Lots	Financing	New Loan
Address	306 S 25th Street	Zoning	Multi-Family
Address 2		SchoolDist	Temple
City	Temple		
State	TX		
Zip	76504		
Area	Temple South		
Class	LAND		
Asking Price	\$10,500		
Sale/Rent	For Sale		
IDX Include	Yes		

GENERAL

Seller Concessions \$		Client Hit Count	25
Agent Hit Count	26	Number of Acres	0.24
Price Per Acre		Agent	DAVID JIRASEK - Home: (254) 718-7600
Listing Office 1	JIRASEK REALTY - Main: (254) 770-0996	Listing Agent 2	JEREMY JIRASEK - Cel: (254) 541-8895
Listing Office 2	JIRASEK REALTY - Main: (254) 770-0996	Subagent Code	0
Buyers Agent Code	3	VCR Y/N	No
Owners Name	Johnnie Blohm Attaway	Owner Phone	
Expiration Date		Subdivision	Freeman Heights
Lot Size	75' x 140'	Lot/Block	S 1/2 of 9 & Lot 10 Blk29
Addition	Freeman Heights	Legal	S 1/2 of 9 & Lot 10 Blk 29 Freeman Heights
Property ID#	4196	Living Quarters Size	
Out Buildings		Improves	
Directions	25th Street, between Ave C & D	Internet Remarks	2 Family Vacant Lot
Map		Sign Y/N	Yes
Lockbox Location	N/A	Off Market Date	8/14/2012
Associated Document Count	0	Seller Cost \$	
Search By Map		Tax ID	
VOW Include	Yes	VOW Address	Yes
VOW Comment	Yes	VOW AVM	Yes
Update Date	8/24/2012	Status Date	8/24/2012
HotSheet Date	8/24/2012	Price Date	8/24/2012
Input Date	3/16/2012 5:46:00 PM	Original Price	\$10,500
Buyer Cost \$		Buyers Name	Mohler
Days On Market	151		

FEATURES

TOPOGRAPHY	ROAD FRONTAGE	RESTRICTIONS
Level/Flat	State/County	Zoned
DOCUMENTS/FILE	ROAD SURFACE	POSSESSION
Legal Description	Hardtop	Closing
Aerial Photos	SOIL TYPE	HOW SHOW
	Blackland	Show Anytime

FINANCIAL

Addendum

SOLD STATUS

How Sold	Cash	Contract Date	7/12/2012
Closing Date	8/14/2012	Sold Price	\$5,500
Selling Agent 1	DAVID JIRASEK - Home: (254) 718-7600	Selling Office 1	JIRASEK REALTY - Main: (254) 770-0996
Selling Agent 2	JEREMY JIRASEK - Cel: (254) 541-8895	Selling Office 2	JIRASEK REALTY - Main: (254) 770-0996
Sold Remarks		Concessions/Addendums	

REMARKS

75' x 140' Two-Family zoned vacant lot.

ADDITIONAL PICTURES**DISCLAIMER**

The information contained in this document was obtained from the Homeowner, Official Governmental Records or other Third-Party Sources and has not been verified by the Temple-Belton Board of REALTORS or any of its Members. It is highly recommended that any prospective purchaser have an independent verification of any information presented herein before making a decision to purchase.

ALL FIELDS DETAIL



MLS #	94052	Coverage	Scattered Trees
Status	SOLD	Acreage	3+
Type	City Residential Lots	Financing	New Loan
Address	1211 N 2	Zoning	Residential
Address 2		SchoolDist	Temple
City	Temple		
State	TX		
Zip	76501		
Area	Temple Central 3		
Class	LAND		
Asking Price	\$7,500		
Sale/Rent	For Sale		
IDX Include	Yes		

GENERAL

Seller Concessions \$		Client Hit Count	23
Agent Hit Count	3	Number of Acres	0.15
Price Per Acre		Agent	TIFFANI J FOXX - CELL: (254) 421-1000
Listing Office 1	COVINGTON REAL ESTATE INC - Main: (254) 939-3800	Listing Agent 2	
Listing Office 2		Subagent Code	0
Buyers Agent Code	500	VCR Y/N	No
Owners Name	Walter D. Jr. & Jules Haster	Owner Phone	
Expiration Date		Subdivision	Northpark
Lot Size	50 x 120	Lot/Block	Pt 3,(N 50' of 3) BLK 06
Addition		Legal	Lot PT 3, (N 50' of 3) Blk 006 North Park
Property ID#	46818	Living Quarters Size	
Out Buildings		Improves	
Directions	North Temple to 3rd street right on Lamar	Internet Remarks	
Map		Sign Y/N	
Lockbox Location	none	Off Market Date	1/27/2012
Associated Document Count	2	Seller Cost \$	
Search By Map		Tax ID	
VOW Include	Yes	VOW Address	Yes
VOW Comment	Yes	VOW AVM	Yes
Update Date	1/31/2012	Status Date	1/31/2012
HotSheet Date	1/31/2012	Price Date	11/30/2011
Input Date	8/10/2011 1:33:00 PM	Original Price	\$12,000
Buyer Cost \$		Buyers Name	
Days On Market	169		

FEATURES

ROAD FRONTAGE	WATER	UTILITIES AVAILABLE	POSSESSION
State/County	City/Meter Available	Electricity	Closing
FENCING		Natural Gas	HOW SHOW
Partial Fence		Telephone	Show Anytime
SELLER SUBDIVIDE		TV Cable	
No			

FINANCIAL

Addendum

SOLD STATUS

How Sold	Cash	Contract Date	1/13/2012
Closing Date	1/27/2012	Sold Price	\$7,500
Selling Agent 1	LAVERNE PICK - cell: (254) 760-1588	Selling Office 1	COVINGTON REAL ESTATE INC - Main: (254) 939-3800
Selling Agent 2		Selling Office 2	
Sold Remarks		Concessions/Addendums	none

REMARKS

RESIDENTIAL lot, already has utilities available. Some trees great homesite

ADDITIONAL PICTURES

MSA Code: 28660	State Code: 48	County Code: 027	Tract Code: 0207.02
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Summary Census Demographic Information

Tract Income Level	Moderate	Tract Population	2172
Underserved or Distressed Tract	No	Tract Minority %	73.07
2012 FFIEC Estimated MSA/MD/non-MSA/MD Median Family Income	\$56,700	Minority Population	1587
2012 Est. Tract Median Family Income	\$35,948	Owner-Occupied Units	220
2010 Tract Median Family Income	\$34,728	1- to 4-Family Units	657
Tract Median Family Income %	63.40		

Census Income Information

Tract Income Level	Moderate	Tract Median Family Income %	63.40
2010 MSA/MD/statewide non-MSA/MD Median Family Income	\$54,774	2010 Tract Median Family Income	\$34,728
2012 FFIEC Estimated MSA/MD /non-MSA/MD Median Family Income	\$56,700	2012 Estimated Tract Median Family Income	\$35,948
% below Poverty Line	16.26	2010 Tract Median Household Income	\$29,573

Census Population Information

Tract Population	2172	Tract Minority Population	1587
Tract Minority %	73.07	American Indian Population	13
Number of Families	443	Asian/Hawaiian/Pacific Islander Population	12
Number of Households	607	Black Population	462
Non-Hispanic White Population	585	Hispanic Population	1046
		Other/Two or More Races Population	54

Census Housing Information

Total Housing Units	754	Owner-Occupied Units	220
1- to 4- Family Units	657	Renter Occupied Units	387
Median House Age (Years)	49	Vacant Units	
Inside Principal City?	---	Owner Occupied 1- to 4- Family Units	210

Temple (city), Texas

People QuickFacts	Temple	Texas
Population, 2011 estimate	67,188	25,631,778
Population, 2010 (April 1) estimates base	66,130	25,145,561
Population, percent change, April 1, 2010 to July 1, 2011	1.6%	1.9%
Population, 2010	66,102	25,145,561
Persons under 5 years, percent, 2010	8.4%	7.7%
Persons under 18 years, percent, 2010	26.4%	27.3%
Persons 65 years and over, percent, 2010	13.8%	10.3%
Female persons, percent, 2010	52.2%	50.4%
White persons, percent, 2010 (a)	68.1%	70.4%
Black persons, percent, 2010 (a)	16.9%	11.8%
American Indian and Alaska Native persons, percent, 2010 (a)	0.6%	0.7%
Asian persons, percent, 2010 (a)	2.1%	3.8%
Native Hawaiian and Other Pacific Islander, percent, 2010 (a)	0.1%	0.1%
Persons reporting two or more races, percent, 2010	3.3%	2.7%
Persons of Hispanic or Latino origin, percent, 2010 (b)	23.7%	37.6%
White persons not Hispanic, percent, 2010	55.5%	45.3%
Living in same house 1 year & over, percent, 2007-2011	84.1%	82.1%
Foreign born persons, percent, 2007-2011	8.5%	16.2%
Language other than English spoken at home, percent age 5+, 2007-2011	17.5%	34.4%
High school graduate or higher, percent of persons age 25+, 2007-2011	86.3%	80.4%
Bachelor's degree or higher, percent of persons age 25+, 2007-2011	24.7%	26.1%
Veterans, 2007-2011	7,447	1,618,413
Mean travel time to work (minutes), workers age 16+, 2007-2011	16.3	24.8
Housing units, 2010	28,422	9,977,436
Homeownership rate, 2007-2011	59.9%	64.5%
Housing units in multi-unit structures, percent, 2007-2011	31.8%	24.0%
Median value of owner-occupied housing units, 2007-2011	\$110,900	\$126,400
Households, 2007-2011	23,944	8,667,807
Persons per household, 2007-2011	2.66	2.79

Per capita money income in the past 12 months (2011 dollars), 2007-2011	\$26,310	\$25,548
Median household income, 2007-2011	\$47,955	\$50,920
Persons below poverty level, percent, 2007-2011	12.9%	17.0%

Business QuickFacts	Temple	Texas
Total number of firms, 2007	3,916	2,164,852
Black-owned firms, percent, 2007	S	7.1%
American Indian- and Alaska Native-owned firms, percent, 2007	S	0.9%
Asian-owned firms, percent, 2007	S	5.3%
Native Hawaiian and Other Pacific Islander-owned firms, percent, 2007	F	0.1%
Hispanic-owned firms, percent, 2007	10.3%	20.7%
Women-owned firms, percent, 2007	22.8%	28.2%
Manufacturers shipments, 2007 (\$1000)	1,604,189	593,541,502
Merchant wholesaler sales, 2007 (\$1000)	3,972,377	424,238,194
Retail sales, 2007 (\$1000)	1,133,818	311,334,781
Retail sales per capita, 2007	\$19,169	\$13,061
Accommodation and food services sales, 2007 (\$1000)	132,985	42,054,592

Geography QuickFacts	Temple	Texas
Land area in square miles, 2010	69.01	261,231.71
Persons per square mile, 2010	957.9	96.3
FIPS Code	72176	48
Counties		

(a) Includes persons reporting only one race.

(b) Hispanics may be of any race, so also are included in applicable race categories.

D: Suppressed to avoid disclosure of confidential information

F: Fewer than 100 firms

FN: Footnote on this item for this area in place of data

NA: Not available

S: Suppressed; does not meet publication standards

X: Not applicable

Z: Value greater than zero but less than half unit of measure shown

Source U.S. Census Bureau: State and County QuickFacts. Data derived from Population Estimates, American Community Survey, Census of Population and Housing, County Business Patterns, Economic Census, Survey of Business Owners, Building Permits, Consolidated Federal Funds Report, Census of Governments
Last Revised: Thursday, 10-Jan-2013 10:48:13 EST

Affidavit of Appraiser - Certification of Non-Influence

The appraiser named respectfully submits and represents to the following:

I hereby acknowledge to the best of my ability the following:

1. There have been no written or verbal communications or conversations between the mortgage lender or any staff person thereof and myself, my assistant, or any other staff member working on my behalf during the completion of this particular assignment or review assignment regarding a predetermined value for the subject property of this assignment.
2. I acknowledge that I have not been influenced, coerced, extorted, or bribed regarding the outcome of this appraisal report, nor am I knowingly aware of being recommended by any staff member, director, or agent of the mortgage lender's loan production staff, including the loan officer, to complete this assignment.
3. I certify that I have been engaged to provide a complete order with the information required for me to agree and complete a full appraisal assignment that meets USP AP guidelines and standards. Included on their order form was the originating lender's company name and address for purposes of inclusion on the appraisal report. No individual names from lender's staff, including loan officer name, was provided to me. No preliminary estimation of value, loan amount, or any similar information was provided to me or communicated to me or any staff person within my company. With respect to a Purchase Transaction, the Purchase Agreement (Sales Contract) was made available in its entirety (as required by USPAP Standard Rule 1- Sa). In the event the loan is an FHA transaction, I understand that the lender may require my identity, including my State Certification number; however, no attempt was made to coerce or influence the outcome of this appraisal report.
4. I acknowledge that I have completed this assignment and have only acted with the highest integrity and in a manner considered ethical to my profession, and consistent both with USPAP standards and the Appraiser Independence Requirements rules and regulations.
5. I acknowledge that I am not an employee of nor affiliated with the mortgage lender, and that I am not a staff appraiser to any entity that is either wholly or partially owned by the lender/investor or by any entity that is owned in whole or in part by a "Settlement Services" provider. By including this document within this appraisal report, I acknowledge to the best of my ability that all of the above statements are valid and true, I have honestly agreed with them, and that I have no objections or reservations to their contrary.

Privacy Notice

Appraisers, along with all providers of personal financial services, are now required by federal law to inform their clients of the policies of the firm with regard to the privacy of client nonpublic personal information. As professionals, we understand that your privacy is very important to you and are pleased to provide you with this information.

Types of Nonpublic Personal Information We Collect

In the course of performing appraisals, we may collect what is known as "nonpublic personal information" about you. This information is used to facilitate the services that we provide to you and may include the information provided to us by you directly or received by us from others with your authorization.

Parties to Whom We Disclose Information

We do not disclose any nonpublic personal information obtained in the course of our engagement with our clients to nonaffiliated third parties except as necessary or as required by law. By way of example, a necessary disclosure would be to our employees, and in certain situations, to unrelated third party consultants who need to know that information to assist us in providing appraisal services to you. All of our employees and any third party consultants we employ are informed that any information they see as part of an appraisal assignment is to be maintained in strict confidence within the firm.

A disclosure required by law would be a disclosure by us that is ordered by a court of competent jurisdiction with regard to a legal action to which you are a party.

Confidentiality and Security

We will retain records relating to professional services that we have provided to you for a reasonable time so that we are better able to assist you with your needs. In order to protect your nonpublic personal information from unauthorized access by third parties, we maintain physical, electronic and procedural safeguards that comply with our professional standards to insure the security and integrity of your information.

Please feel free to call us at any time if you have any questions about the confidentiality of the information that you provide to us.

USPAP COMPLIANCE ADDENDUM

File No. 23913-SGG
Case No.

Borrower/Client <u>N/A</u>			
Address <u>S. 9th St. and W. Ave. G</u>			
City <u>Temple</u>	County <u>Bell</u>	State <u>TX</u>	Unit No. _____ Zip Code <u>76504</u>
Lender/Client <u>The Salvation Army, C/O Captain Bill Shafer</u>			

APPRAISAL AND REPORT IDENTIFICATION

This Appraisal Report is one of the following types:

- ☐ Self Contained (A written report prepared under Standards Rule 2-2(a), pursuant to the Scope of Work, as disclosed elsewhere in this report.)
- ☐ Summary (A written report prepared under Standards Rule 2-2(b), pursuant to the Scope of Work, as disclosed elsewhere in this report.)
- ☒ Restricted Use (A written report prepared under Standards Rule 2-2(c), pursuant to the Scope of Work, as disclosed elsewhere in this report, restricted to the stated intended use by the specified client or intended user.)

COMMENTS ON THE STANDARDS RULE 2-3

I certify that, to the best of my knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The report analyses, opinions, and conclusions are limited only by the reported assumptions and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- I have no (or the specified) present or prospective interest in the property that is the subject of this report and no (or specified) personal interest with respect to the parties involved.
- ☒ I have performed **NO** services, as an appraiser or in another other capacity, regarding the property that is the subject of the report within the three-year period immediately preceding acceptance of this assignment.
- ☐ I **HAVE** performed services, as an appraiser or in another capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment. Those services are described in the comments below.
- I have no bias with respect to the property that is the subject of this report or the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- My analyses, opinions, and conclusions were developed and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.
- I ☒ have or ☐ have not made a personal inspection of the property that is the subject of this report.
- No one provided significant real property appraisal assistance to the person signing this certification. (If there are exceptions, the name of each individual providing significant real property appraisal assistance is stated elsewhere in this report.)

COMMENTS ON APPRAISAL AND REPORT IDENTIFICATION

Note any USPAP related issues requiring disclosure and any State mandated requirements:

MARKETING TIME AND EXPOSURE TIME FOR THE SUBJECT PROPERTY

- ☒ A reasonable marketing time for the subject property is 180-365 day(s) utilizing market conditions pertinent to the appraisal assignment.
- ☒ A reasonable exposure time for the subject property is 180-365 day(s).

APPRAISER

SUPERVISORY APPRAISER (ONLY IF REQUIRED)

Signature

Name Steven Grant GryseelsDate of Signature March 7, 2013State Certification # 1335811-G

or State License # _____

State TXExpiration Date of Certification or License 02/28/2014Effective Date of Appraisal March 7, 2013

Signature

Name Harold P. DunnDate of Signature March 7, 2013State Certification # 1324607-G

or State License # _____

State TXExpiration Date of Certification or License 03/31/2013

Supervisory Appraiser Inspection of Subject Property:

☐ Did Not ☒ Exterior Only from street ☐ Interior and Exterior

**Definition of Market Value
Ordinary Assumptions and Limiting Conditions
Certification**

DEFINITION OF MARKET VALUE:

The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale of a specified date and the passing of title from seller to buyer under conditions whereby: (1) buyer and seller are typically motivated; (2) both parties are well informed or well advised, and each acting in what he considers his own best interest; (3) a reasonable time is allowed for exposure in the open market; (4) payment is made in terms of U.S. dollars or in terms of financial arrangements comparable thereto; and (5) the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

ORDINARY ASSUMPTIONS AND LIMITING CONDITIONS:

1. The appraiser will not be responsible for matters of a legal nature that affect either the property being appraised or the title to it. The appraiser assumes that the title is good and marketable and, therefore, will not render any opinions about the title. The property is appraised on the basis of it being under responsible ownership.
2. If the appraiser has provided a sketch in the appraisal report, the sketch shows approximate dimensions and is included only to assist the reader of the report in visualizing the property and understanding the appraiser's determination of its size.
3. If the appraiser has examined the available flood maps that are provided by the Federal Emergency Management Agency (or other data sources) and has noted in the appraisal report that the subject site is (or is not) located in an identified Special Flood Hazard Area, as the appraiser is not a surveyor, he or she makes no guarantees, express or implied, regarding this determination.
4. The appraiser will not give testimony or appear in court because he or she made an appraisal of the property in question, unless required to do so by a court.
5. The appraiser has noted in the appraisal report any significant adverse conditions (such as needed repairs, depreciation, the presence of hazardous wastes, toxic substances, etc.) observed during the inspection of the subject property or that he or she became aware of during the normal research involved in performing the appraisal. Unless otherwise stated in the appraisal report, the appraiser has no knowledge of any hidden or unapparent conditions of the property or adverse environmental conditions (including the presence of hazardous wastes, toxic substances, etc.) that would make the property more or less valuable, and has assumed that there are no such conditions and makes no guarantees or warranties, express or implied, regarding the condition of the property. The appraiser will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because the appraiser is not an expert in the field of environmental hazards, the appraisal report must not be considered as an environmental assessment of the property.
6. The appraiser obtained the information, estimates, and opinions that were expressed in the appraisal report from sources that he or she considers to be reliable and believes them to be true and correct. The appraiser does not assume responsibility for the accuracy of such items that were furnished by other parties.
7. The appraiser will not disclose the contents of the appraisal report except as provided for in the Uniform Standards of Professional Appraisal Practice.
8. The appraiser has based his or her appraisal report and valuation conclusion for an appraisal that is subject to satisfactory completion, repairs, or alterations on the assumption that completion of the improvements will be performed in a workmanlike manner.
9. I have agreed to enter into this assignment as requested by the client named in the report for the use specified by the client which is stated in the report, which calls for things that are different from the work that would otherwise be required by the specific guidelines of the USPAP. The client has agreed that the performance of this limited appraisal service is appropriate for their intended use.

Other:

CERTIFICATION:

I certify that, to the best of my knowledge and belief:

1. The statements of fact contained in this report are true and correct.
2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, unbiased professional analyses, opinions, and conclusions.
3. I have no (or the specified) present or prospective interest in this property that is the subject of this report, and I have no (or the specified) personal interest or bias with respect to the parties involved.
4. My compensation is not contingent upon the reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent event.
5. My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Practice.
6. I have (or have not) as indicated on the report made a personal inspection of the property that is the subject of this report. If more than one person has signed the report, each person has indicated on the report whether they did or did not make an inspection of the appraisal property.
7. Unless otherwise indicated below, no one provided me with significant professional assistance in the completion of this appraisal assignment.

SUPERVISORY APPRAISER'S CERTIFICATION:

If a supervisory appraiser signed the appraisal report, he or she certifies and agrees that: I directly supervise the appraiser who prepared the appraisal report, have reviewed the appraisal report, agree with the statements and conclusions of the appraiser, agree to be bound by the appraiser's certifications, and am taking full responsibility for the appraisal and the appraisal report.

APPRAISER

Signature

Name Steven Grant Gryseels

Date Report Signed March 7, 2013

☒ Did ☐ Did Not Inspect Property

Cert./Lic. # 1335811-G St TX Exp: 02/28/2014

SUPERVISORY APPRAISER

Signature

Name Harold P. Dunn

Date Report Signed March 7, 2013

☒ Did ☐ Did Not Inspect Property

Cert./Lic. # 1324607-G St TX Exp: 03/31/2013

**QUALIFICATIONS
OF
S. GRANT GRYSEELS**

Mr. Steven Grant Gryseels became a State Certified General Real Estate Appraiser on February 7, 2006. He has been engaged in the analysis and appraisal of real estate since January of 2003, appraising various types of real estate under the sponsorship of Harold P. Dunn, State Certified General Appraiser. Mr. Gryseels has appraised various types of real estate including single-family and multi-family residences, apartments, various commercial/office/retail buildings, subdivisions, raw land, and farm/ranch properties.

EDUCATIONAL BACKGROUND:

Mr. Gryseels graduated in 2002, with a Bachelor of Business Administration degree in Finance from Baylor University.

TEXAS REAL ESTATE APPRAISER CERTIFICATION:

State Certified General Real Estate Appraiser: TX-1335811-G, effective February 7, 2006.

FHA CERTIFICATION:

FHA certified on October 30, 2006.

CURRENT STATUS:

Mr. Gryseels is an associate of Hal Dunn & Associates Realty and Appraisal Company which is engaged in the valuation of all types of real estate throughout the Central Texas area. Mr. Gryseels responsibilities include research, inspection, and report preparation on various types of appraisal assignments which this company completes.

APPRAISAL COURSES COMPLETED:

Real Estate Principles: Baylor University, 12/15/01, Semester Course
Real Estate Appraisal: Baylor University, 05/15/02, Semester Course
USPAP: Leonard Hawes Real Estate School, 05/08/03, 15 Hours
Appraisal 0211: Austin Institute of Real Estate, 12/13/03, 30 Hours
Appraising Residential Properties: Lon Morris College, 01/28/05, 30 Hours
Income Property Appraisal: Texas A&M Commerce, 09/06/05, 30 Hours
USPAP: Foundation of Real Estate Appraisers, 11/04/05, 15 Hours
USPAP: Champions School of Real Estate, 01/16/08, 7 Hours
AQE Residential Report Writing: Champions School of Real Estate, 01/17/08, 15 Hours
Residential Cost Approach: Champions School of Real Estate, 01/17/08, 7 Hours
USPAP 2010-2011 Update: Champions School of Real Estate, 02/09/10, 7 Hours
Commercial Appraisal: Champions School of Real Estate, 01/26/10, 3.5 Hours
FHA & VA Appraisal: Champions School of Real Estate, 01/28/10, 7 Hours
Supervising Appraisal Trainees: Champions School of Real Estate, 01/28/10, 3.5 Hours
Mortgage Fraud: Champions School of Real Estate, 02/03/10, 7 Hours
USPAP 2012-2013 Update: Champions School of Real Estate, 01/31/12, 7 Hours
Foreclosure Basics for Appraisers: Champions School of Real Estate, 01/23/12, 7 Hours
Appraisal of 2-4 Family & MF: Champions School of Real Estate, 01/20/12, 7 Hours
Challenging Assignments: Champions School of Real Estate, 02/01/12, 7 Hours

Appraiser License Certificate

File No. 23913-SGG
Case No.

You may wish to laminate the pocket identification card to preserve it.

HAROLD P DUNN
P O BOX 4215
TEMPLE, TX 76505

The person named on the reverse is licensed by the Texas Appraiser Licensing and Certification Board.

Inquiry as to the status of this license may be made to:

Texas Appraiser Licensing and Certification Board
P.O. Box 12188
Austin, Tx 78711-2188
www.talcb.state.tx.us
(512) 459-2232 (TREC)
Fax(512) 465-3995

Texas Appraiser Licensing and Certification Board P.O. Box 12188 Austin, Texas 78711-2188

Certified General Real Estate Appraiser

Number: TX 1324607 G

Issued: 03/16/2011

Expires: 03/31/2013

Appraiser: HAROLD P DUNN

Having provided satisfactory evidence of the qualifications required by the Texas Appraiser Licensing and Certification Act, Texas Occupations Code, Chapter 1103, is authorized to use this title, Certified General Real Estate Appraiser.

Douglas E. Oldmixon
Douglas E. Oldmixon
Commissioner

Texas Appraiser Licensing and Certification Board

P.O. Box 12188 Austin, Texas 78711-2188

Certified General Real Estate Appraiser

Number: TX 1324607 G

Issued: 03/16/2011

Expires: 03/31/2013

Appraiser: HAROLD P DUNN

Having provided satisfactory evidence of the qualifications required by the Texas Appraiser Licensing and Certification Act, Texas Occupations Code, Chapter 1103, is authorized to use this title, Certified General Real Estate Appraiser.

Douglas E. Oldmixon
Douglas E. Oldmixon
Commissioner

QUALIFICATIONS
OF
HAL DUNN

Hal Dunn has been engaged in the analysis and appraisal of real estate since 1985. Prior to this, he was associated with the development and property management of real estate for two years. Previously, he was associated with a savings and loan association engaged in real estate finance for eight years. Mr. Dunn has appraised various types of real estate including single-family residences, apartments, office buildings, financial institutions, retail and commercial facilities, subdivisions, raw land, farm and ranch properties.

COLLEGE EDUCATION:

Graduated from Texas A&M University with a Bachelor of Business Administration in 1971.

PROFESSIONAL AFFILIATIONS:

Texas Association of Realtors; National Association of Realtors
Temple-Belton Board of Realtors; Waco Association of Realtors, and
Fort Hood Area Association of Realtors
Temple Area Home Builders Association

PROFESSIONAL CERTIFICATION AND LICENSE:

Mr. Dunn has provided satisfactory evidence of the qualifications required by Section 22 of the Real Estate License Act (Article 6573a.V.T.C.S.) and of Chapter 544 of the rules of the Texas Real Estate Commission. He is authorized to use the title State Certified General Real Estate Appraiser, holds License No. TX-1324607-G and certified for FHA appraisals. Mr. Dunn has held a Real Estate Broker's license for more than twenty years.

CURRENT STATUS:

Mr. Dunn is the owner of Hal Dunn & Associates Appraisal & Realty Company that is engaged in the valuation of all types of real estate throughout the Central Texas area. Mr. Dunn's responsibilities include research, inspection and report preparation on various types of appraisal assignments completed by this company. Additionally he reviews all of the work of the seven appraisers and/or apprentices associated with this firm. Mr. Dunn is also engaged in the listing and sale of real estate. He has also participated in updating the real estate industry of Bell County changes effecting FHA requirements.

COUNTIES SERVED:

Bell, Coryell, Falls, McLennan, and Milam Counties.

REFERENCES:

Extraco Mortgage Company
3615 South 31st Street
Temple, TX 76502
Telephone No.: 254-774-5500

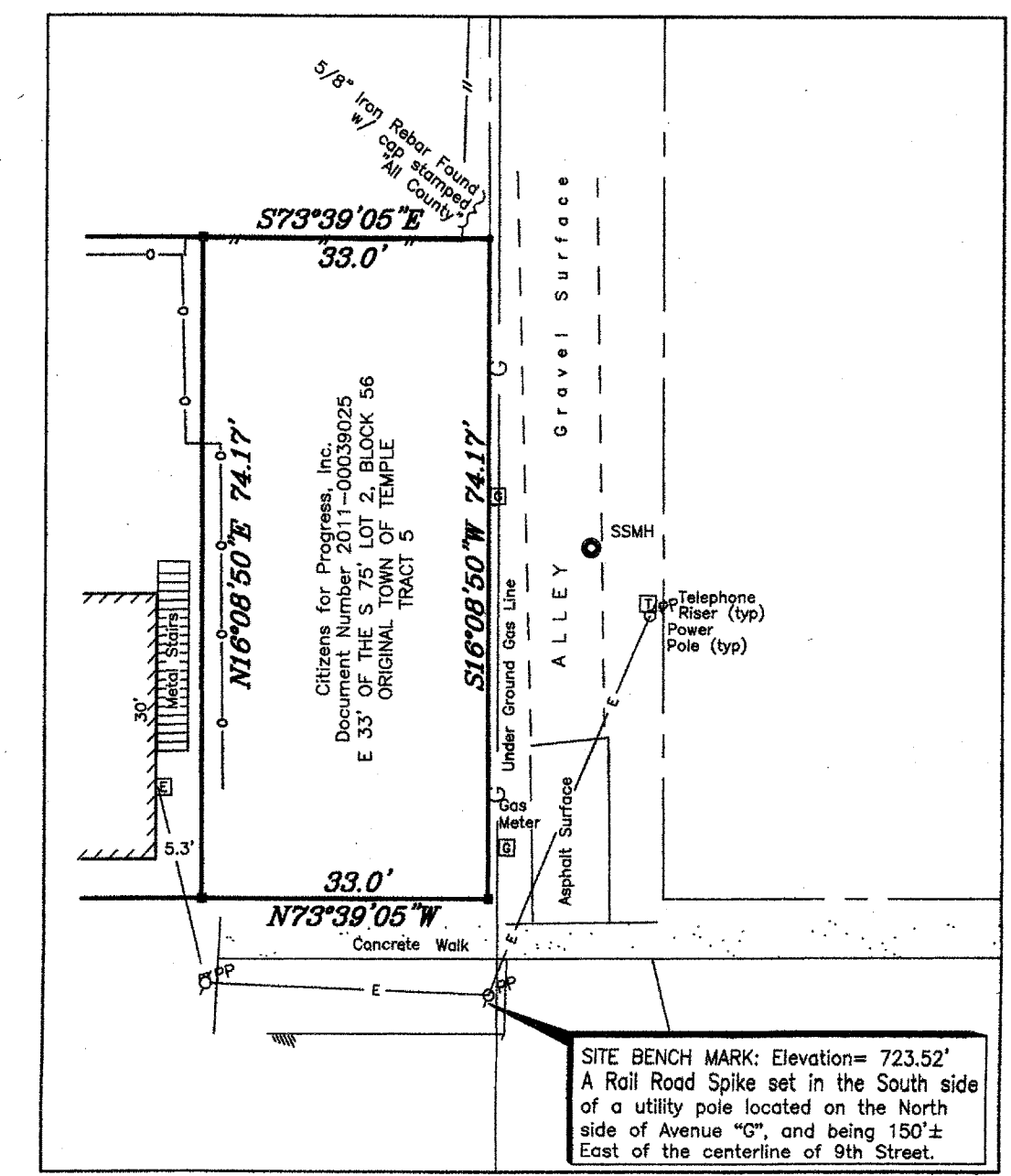
First Texas Bank
300 East 1st Street
Belton, TX 76513
Telephone No. 254-939-3701

Cornerstone Mortgage Company
3820 West Adams
Temple, TX 76504
Telephone No.: 254-791-3400

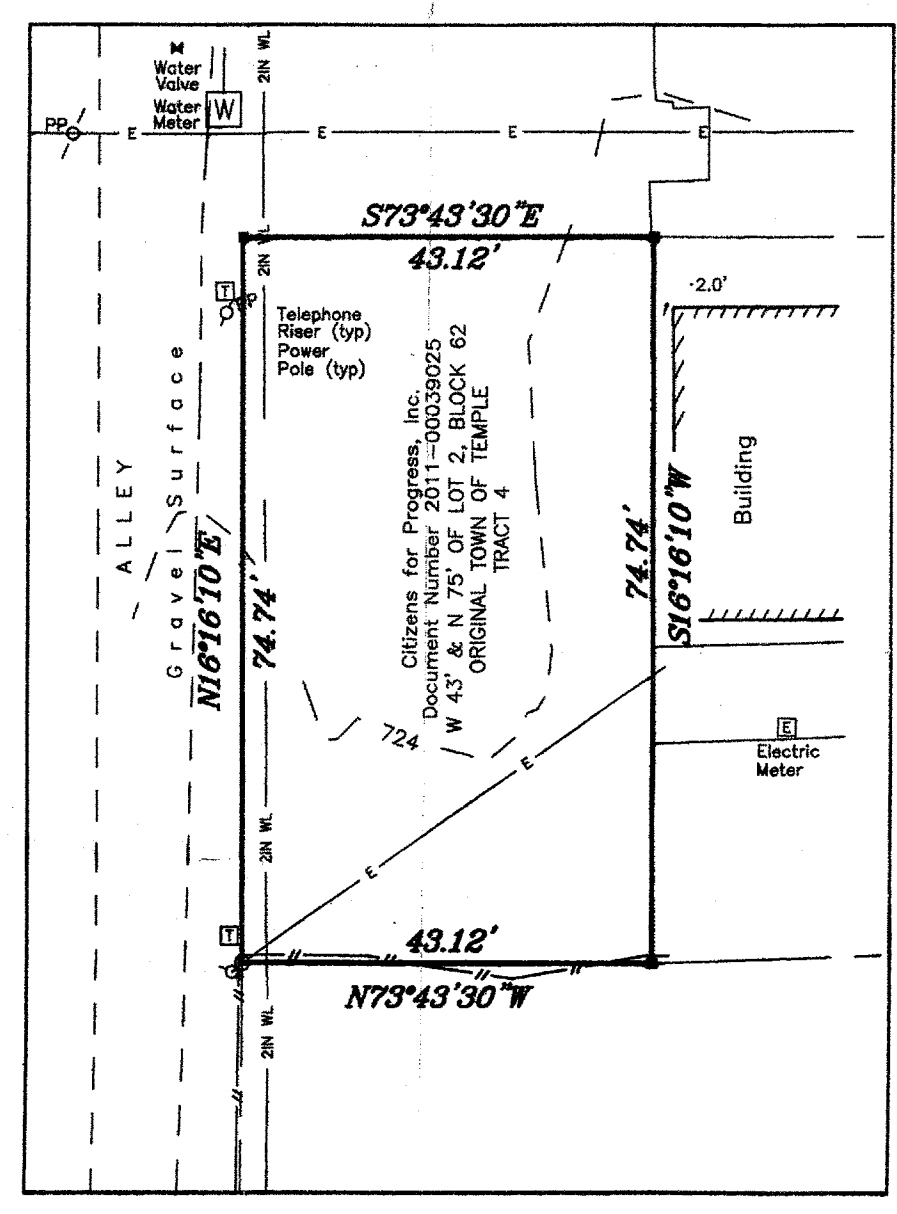
First State Bank
5550 SW H. K. Dodgen Loop
Temple, TX 76504
Telephone No.: 254-771-5550

Central National Bank
938 Canyon Creek Drive
Temple, TX 76502
Telephone No. 254-743-6950

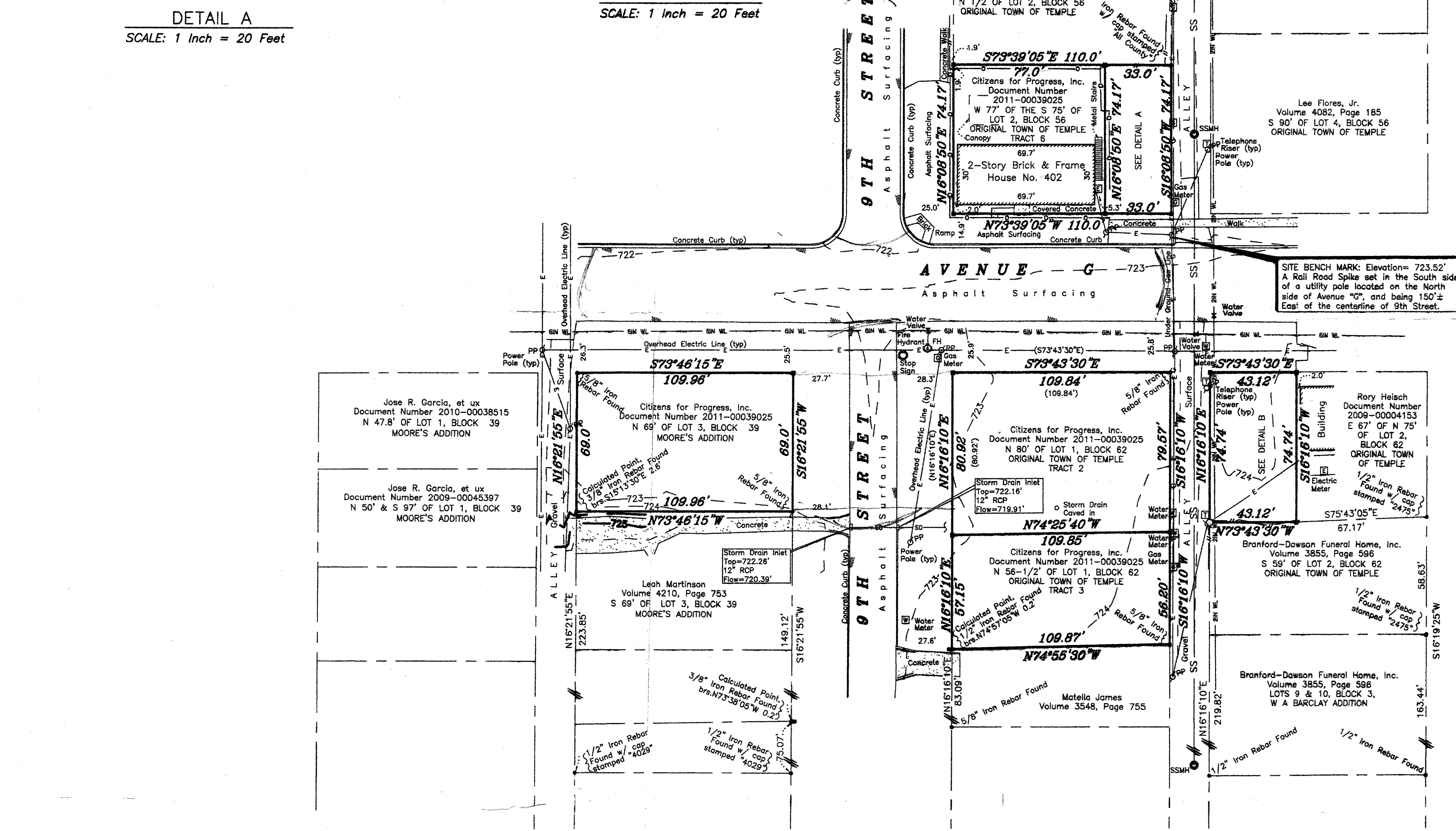
City Bank Mortgage
2210 E. Central Texas Expwy. #108
Killeen, TX 76543
Telephone No.: 254-933-0008



DETAIL A
SCALE: 1 Inch = 20 Feet



DETAIL B
SCALE: 1 Inch = 20 Feet



Sketch showing part of the MAXIMO MORENO SURVEY, Abstract Number 14 and being the West 77 feet of the South 75 feet of Lot 2, Block 56, the East 33 feet of the South 75 feet of Lot 2, Block 56, part of Lot 1, Block 57, the North 80 feet of Lot 1, Block 62, the South 56.5 feet of Lot 1, Block 62, the West 43 feet of the North 75 feet of Lot 2, Block 62 of the ORIGINAL TOWN OF TEMPLE, an addition situated in Temple, Bell County, Texas, as it appears upon the map recorded in Volume 36, Page 640 of the Bell County Deed Records, and being the North 69 feet of Lot 3, Block 39 of MOORE'S ADDITION AND MOORE'S RAILROAD ADDITION, an addition situated in Temple, Bell County Texas as it appears upon the map recorded in Volume 115, Page 416 of the Bell County Deed Records. To the best of my knowledge there are no apparent easements or visible encroachments, except as shown above as determined on the ground. Surveyed June 12, 2012. RONALD CARROLL SURVEYORS, INC.

- LEGEND:
- Asphalt Surfacing
 - Electric Line
 - Electric Meter
 - Fire Hydrant
 - Gas Line
 - Gas Meter
 - Power Pole
 - Reinforce Concrete Pipe
 - Sanitary Sewer Line
 - Sanitary Sewer Manhole
 - Stop Sign
 - Storm Drain Inlet
 - Storm Drain Line
 - Storm Drain Manhole
 - Telephone Riser
 - Water Line
 - Water Meter
 - Water Valve

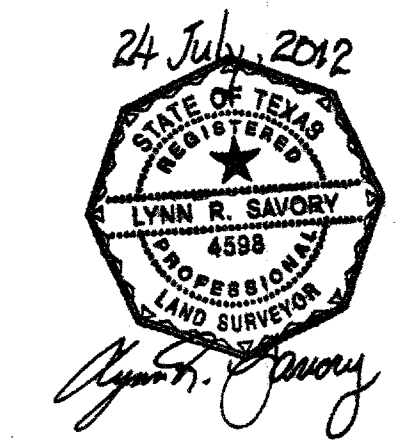
- NOTES:
- All Property Corners are 5/8" Iron Rebar Set with yellow plastic cap stamped Ron Carroll, RPLS 2025, unless otherwise stated.
 - Calculated Point
 - Mag Nail set in Concrete
 - Point of Beginning
 - Basis of Bearing: The bearings shown hereon are related to Geodetic or True North based on GPS observations, processed to the Texas Coordinate System using the NAD 83 Datum, Texas Central Zone as referenced to the NGS CORS Base Station "Temple College" in Temple, Texas whose published coordinate value is N=10,366,800.419 E=3,229,830.945
 - See attached field notes for Part of Block 57.
 - Symbols may be exaggerated for clarification purposes only.
 - Restrictive Covenants identified in the instrument found recorded as Document Number 2011-00039025 of the Official Public Records of Bell County, Texas AFFECT Parcels Two, Three, Four, Five, Six and Seven as set out and described in Schedule "A" of that Commitment for Title Insurance having a G.F. or File Number 11-3215, Effective date April 30, 2012, prepared by Fidelity National Title Insurance Company.
 - Restrictive Covenants identified in the instrument found recorded as Document Number 2011-00042771 of the Official Public Records of Bell County, Texas AFFECT Parcel One, as set out and described in Schedule "A" of that Commitment for Title Insurance having a G.F. or File Number 11-3215, Effective date April 30, 2012, prepared by Fidelity National Title Insurance Company.
 - The location of subsurface Utility lines shown hereon are based on a combination of tying the visible evidence available combined with record information provided by individual utility providers and the City of Temple.
 - Topographic information shown hereon was only obtained for those Parcels lying South of Avenue "G", and is based on an on the ground survey of this area.
 - The vertical/topographic information shown hereon is based on (or tied to) the North American Vertical Datum of 1988 (NAVD88). The source of the elevations is static GPS observations.
 - A Site Bench Mark is described as follows: A Rail Road Spike set in the South side of a utility pole located on the North side of Avenue "G", and being +/-150' East of the centerline of 9th Street. Elevation = 723.52'
 - TO ANYONE USING THIS DRAWING CONCERNING DIMENSIONS SHOWN: The survey work for this project is on Grid Coordinates (NAD83), Texas Coordinate System-Central Zone, obtained from GPS observations. The distances shown are surface distances. The Combined Correction Factor (CCF) for this project is 0.999851220.
 - The research for the land boundary property line of this tract has been provided by this surveyor or his associates. All other research for documents such as, but not limited to, easements, deed restrictions, restrictive covenants, leases, etc. are the responsibility of the clients Title Company or other third parties other than this surveyor or company.
 - Copyright © 2012, Ronald Carroll Surveyors, Inc., All Rights Reserved. This survey was provided solely for the use of Citizens for Progress, Inc.

Salvation Army

Sketch showing part of the MAXIMO MORENO SURVEY, Abstract Number 14 and being the West 77 feet of the South 75 feet of Lot 2, Block 56, the East 33 feet of the South 75 feet of Lot 2, Block 56, part of Lot 1, Block 57, the North 80 feet of Lot 1, Block 62, the South 56.5 feet of Lot 1, Block 62, the West 43 feet of the North 75 feet of Lot 2, Block 62 of the ORIGINAL TOWN OF TEMPLE, an addition situated in Temple, Bell County, Texas.

RONALD CARROLL SURVEYORS, INC.
5302 South 31st Street - Temple, Texas 76502
Phone: (254) 773-1447 Fax: (254) 773-1728

FOR:	Citizens for Progress, Inc.	FIELD BOOK:	"NO. PG"	DRAWN BY:	MJA	DATE:	7/9/2012
DISK:	S:\Data RCS Job Database	DRAWING NAME:	12063-BD-Salvation.dwg	JOB#:			12063
DISK:	N=10,373,055.12	E=3,230,817.91					



Amended July 24, 2012 to show correction to north arrow on sketch.

ORDINANCE NO. _____

(PLANNING NO. A-FY-13-12)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE ABANDONMENT AND CONVEYANCE OF A SECTION OF SOUTH 9TH STREET RIGHT-OF-WAY, BEING AN APPROXIMATELY 0.17 ACRE SECTION OF RIGHT-OF-WAY, SITUATED BETWEEN BLOCK 39, MOORES ADDITION AND BLOCK 62, ORIGINAL TOWN OF TEMPLE, FOR DEVELOPMENT OF THE SALVATION ARMY'S CENTER OF HOPE TRANSITIONAL SHELTER; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the applicant, The Salvation Army, has submitted a request for the abandonment of a portion of 9th Street, approximately 7,600 square feet of its intersection with West Avenue G to allow for the construction of the Salvation Army's Enter of Home emergency shelter facility;

Whereas, the City has a 6-inch water line within the right-of-way which extends the full length of 9th Street – water services will be retained for the remainder of 9th Street from a connection to an existing 6-inch waterline on West Avenue H;

Whereas, the Public Works department has indicated that relocation of the water line has been completed and no further utilities are within the right of way proposed to be abandoned – private utility providers servicing the area were notified and indicated no private utilities are located within the easement;

Whereas, no objections were raised by the providers and they concurred with the abandonment – the Utility Division of Public Works confirmed that the existing utility easement does not contain an active line within the boundaries of the subdivision; and

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

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

Part 1: The City Council abandons and conveys an approximately 0.17 acre section of right-of-way, situated between block 39, Moores Addition and block 62, Original Town of Temple, for development of the Salvation Army's Center of Hope Transitional Shelter.

Part 2: The City Council authorizes the Mayor of the City of Temple, Texas to execute a Deed Without Warranty conveying the rights and interests a 95-foot by 90-foot section of South 9th Street right-of-way, being an approximately 0.17 acre portion of land, as measured from the south right-of-way lien with West Avenue G, situated between block

38, Moores Addition and block 62, Original Town of Temple, to the Salvation Army, which when done, shall be and become a binding act and deed of the City of Temple.

Part 3: If any portion of this ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are declared to be severable.

Part 4: 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 **17th** day of **April**, 2014.

PASSED AND APPROVED on Second Reading on the **1st** day of **May**, 2014.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Jonathan Graham
City Attorney

STATE OF TEXAS §
COUNTY OF BELL §

This instrument was acknowledged before me on the ____ day of _____, 2014, by **Daniel A. Dunn**, Mayor of the city of Temple, Texas, on behalf of the City.

Notary Public, State of Texas



COUNCIL AGENDA ITEM MEMORANDUM

04/17/14

Item #7

Regular Agenda

Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Brynn Myers, Assistant City Manager

Ashley Williams, Sustainability and Grant Manager

ITEM DESCRIPTION: FIRST READING – PUBLIC HEARING: Consider adopting an ordinance authorizing amendments to the City of Temple's Water Conservation Plan.

STAFF RECOMMENDATION: Adopt ordinance as presented in item description, with set second reading and final adoption set for May 1, 2014.

ITEM SUMMARY: Title 30, Texas Administrative Code, Chapter 288 requires wholesale public water suppliers and retail public water suppliers serving 3,300 connections or more to adopt and submit Water Conservation plans to the Texas Commission on Environmental Quality. In March 2000, the Temple City Council adopted the City's initial Water Conservation & Drought Contingency Plan. The City's plan provides a mechanism for conservation of available water supply, protection of the integrity of water supply facilities, and protection of the public health, safety and welfare.

The proposed update considers use and loss over the past five-years and provides new goals for the next ten-years, based on two five- year periods. The proposed goals are based off of a one-percent (1%) reduction in water loss per year. The goals are as follows:

- To reduce the consumption of water,
- To reduce the loss and waste of water,
- To reduce summertime peak demand,
- To improve efficiency in the use of water,
- To increase recycling and/or reuse of water, and
- To extend the life of current water suppliers.

The plan identifies the requirements that need to be addressed, in accordance with the Texas Administrative Code, and recommends the development of the plan for a public water system. The plan recommends implementation efforts to improve water conservation across the City. Through the establishment of the above listed goals, conservation may be achieved in a practical manner, which is not costly but rather achievable and sustainable.

FISCAL IMPACT: There is no direct fiscal impact with regard to expenditures for this ordinance.

ATTACHMENTS:

[Ordinance](#)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, ADOPTING AN UPDATE TO THE CITY OF TEMPLE'S WATER CONSERVATION PLAN; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, Title 30, Texas Administrative Code, Chapter 288 requires wholesale public water suppliers and retail public water suppliers serving 3,300 connections or more to adopt and submit Water Conservation plans to the Texas Commission on Environmental Quality;

Whereas, in March 2000, City Council adopted the City's initial Water Conservation and Drought Contingency Plan which provides a mechanism for the conservation of available water supply, protection of the integrity of water supply facilities, and protection of the public health, safety, and welfare;

Whereas, the proposed plan update considers use and loss over the past five years and provides new goals for the next ten years, based on two five-year periods – these goals are based off of a one-percent (1%) reduction in water loss per year as outlined below:

- To reduce the consumption of water;
- To reduce the loss and waste of water;
- To reduce summertime peak demand;
- To improve efficiency in the use of water;
- To increase recycling and/or reuse of water; and
- To extend the life of current water suppliers;

Whereas, the proposed plan updates identify the requirements that need to be addressed, in accordance with the Texas Administrative Code, and recommends the development of the plan for a public water system;

Whereas, through the establishment of the above listed goals, conservation may be achieved in a practical manner, which are not costly but rather achievable and sustainable; and

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

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

Part 1: The City Council adopts an update to the City of Temple's Water Conservation Plan which recommends considers use and loss over the past five years and provides new goals for the next ten years, based on two five-year periods – these goals are based off of a one-percent (1%) reduction in water loss per year as outlined below:

- To reduce the consumption of water;
- To reduce the loss and waste of water;
- To reduce summertime peak demand;
- To improve efficiency in the use of water;
- To increase recycling and/or reuse of water; and
- To extend the life of current water suppliers;

Part 2: All ordinances or parts of ordinances in conflict with the provisions of this ordinance are to the extent of such conflict hereby repealed.

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 and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such invalid 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 **17th** day of **April, 2014**.

PASSED AND APPROVED on Second Reading on the **1st** day of **May, 2014**.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, MAYOR

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

04/17/14

Item #8

Regular Agenda

Page 1 of 3

DEPT./DIVISION SUBMISSION & REVIEW:

Tammy Lyerly, Senior Planner

ITEM DESCRIPTION: P-FY-13-46: Consider adopting a resolution authorizing approval of the Final Plat of Shiloh Terrace, Phase Four, a 28.84 +/- acre, 3-block, 43-lot, residential subdivision with requested exceptions to Unified Development Code regarding park fees; extension of streets; and Residential Subdivision Entrances, as well Chapter 12 Fire Prevention and Protection, regarding number of required entrances, of which is located north of Sparta Road and west of Water Works Road in Temple's western E.T.J.

PLANNING AND ZONING COMMISSION RECOMMENDATION: At its March 17, 2014, meeting, the Planning and Zoning Commission voted 6/0 to recommend approval of the Final Plat of Shiloh Terrace, Phase Four with requested exceptions, listed above in the item description. Commissioners Jones, Crisp, and Fettig were absent.

STAFF RECOMMENDATION: Staff recommends approval of the Final Plat of Shiloh Terrace, Phase Four, with the applicant's requested exceptions listed in the item description.

ITEM SUMMARY: The Development Review Committee reviewed the Final Plat of Shiloh Terrace, Phase Four on September 25, 2013, November 20, 2013, and March 5, 2014. It was deemed administratively complete on March 10, 2014.

The Final Plat of Shiloh Terrace, Phase Four is a 3-block, 43-lot, residential subdivision, located in the western E.T.J., north of Sparta Road and west of Water Works Road. It is the last phase of Shiloh Terrace Estates. The applicant acquired this remaining portion of Shiloh Terrace Estates and had no association with the development of the subdivision's previous phases. He requests the following exceptions to the Unified Development Code (UDC) and Fire Prevention Code.

The applicant requests an exception to Unified Development Code Section 8.3: Park Land Dedication to allow the waiving of required park fees, as allowed in previous phases of Shiloh Terrace Estates.

UDC Section 8.3 C: General Requirements in the Extraterritorial Jurisdiction states that park land dedication is not required in the City's ETJ if all of the following circumstances exist:

1. The area proposed for development is more than one mile from the existing city limits;
2. The proposed subdivision will create fewer than nine lots; and
3. The City has not set forth plans to annex the area proposed for development in the City's Municipal Annexation Plan.

Although the proposed plat exceeds nine lots, staff supports the applicant's request to waive the required park fees in the sum of \$9,675 (\$225 per 43 residential lots).

The applicant also requests an exception to Unified Development Code Section 8.2.1.D.4b: Projection of Streets to waive the required extension of streets.

The plat does not meet UDC Section 8.2 1.D Street Layout -4b Projection of Streets: Subdivision must provide for the location of a reasonable number of street openings to adjoining properties. Such an opening must occur a minimum of every 1,000 feet or in alignment with existing or proposed subdivision streets along each boundary of the subdivision. An exception in accordance with the procedure set forth in 3.6.7 may be granted to this requirement if a natural or manmade barrier, such as a thoroughfare or railroad prevents its implementation.

Due to the proposed plat being surrounded by adjacent platted properties and its location adjacent Ft. Hood Military Reserve to the west, the applicant is unable to extend a street in any direction. The applicant has provided a stub to the adjacent undeveloped property to the east for the subdivision's second point of access in the future.

The applicant also requests an exception to Unified Development Code Section 8.2.1.D.3: Residential Subdivision Entrances and Chapter 12 Fire Prevention and Protection, Article IV. Revisions of International Fire Code 2009. Section 12-10.C to waive the minimum required three entrances for this development.

Water Works Road is the only entrance into the entire Shiloh Terrace Development. The Final Plat of Shiloh Terrace, Phase Four proposes 43 residential lots. This proposed plat, along with the previous three phases of Shiloh Terrace, exceeds 150 residential lots and warrants a minimum of three entrances.

The applicant has provided a stub to adjacent undeveloped property for a possible future street that may be able to connect back to Water Works Roads. The Fire Department supports the exception as the applicant has made concessions for future connection and that this is an extension of an existing condition.

Water will be provided to the subdivision through proposed 6-inch water lines. This development will be serviced by septic system.

City Council is the final plat authority since the applicant requests exceptions to the Unified Development Code and Fire Prevention and Protection Code.

FISCAL IMPACT: NA

ATTACHMENTS:

Letter of Request for Exceptions
439 Water Supply Corporation Letter
Plat
Topo/Utility Sheet
Resolution

Mitchell & Associates, Inc.

Engineering & Surveying

February 13, 2014

Ms. Tammy A. Lyerly
Senior Planner
City of Temple - Planning Department
2 North Main
Temple, Texas 76501

Re: Shiloh Terrace, Phase 4 Final Plat
Request for Exceptions

Dear Ms. Lyerly,

Please let this letter serve as a request for exceptions to the UDC as follows:

- **UDC Section 8.3 Park Land Dedication**
 - This plat is located in the ETJ and will request an exception as granted in the previous phases. This project is located approximately 0.5 miles south of the south shore of Belton Lake, which is the City Limits line in that area.
- **UDC Section 8.2.1.D Street Layout-4b Projection of Streets**
 - This subdivision is surrounded by platted land to the north, south, and partially on the east. It is bounded by Ft. Hood Military Reserve to the west. It would be unlikely that a street would extend in any of these directions. A stub has been provided to the adjacent undeveloped property to the east that shall serve as the subdivisions only plausible second point of access in the future.
- **UDC Section 8.2.1.D Street Layout-3. Residential Subdivision Entrances and Chapter 12 Fire Prevention and Protection, Article IV. Revisions of International Fire Code 2009. Section 12-10.c)**
 - The applicant has acquired what is the remaining piece of property for Shiloh Terrace Estates. Shiloh Terrace Estates was developed by a different developer with no affiliation to the applicant. Due to pre-existing conditions it is not feasible for the applicant to go back and re-design previously constructed subdivision improvements. Therefore, we would like to request an exception to the total number of entrances based on the fact that our client has made his best effort to secure as many entrances as possible to this development. He has also provided a stub for a future street, should the adjacent tract develop, that can provide an additional connection back to Water Works Road.

Should you have any further concerns or require any additional information regarding this request, please feel free to contact us at any time.

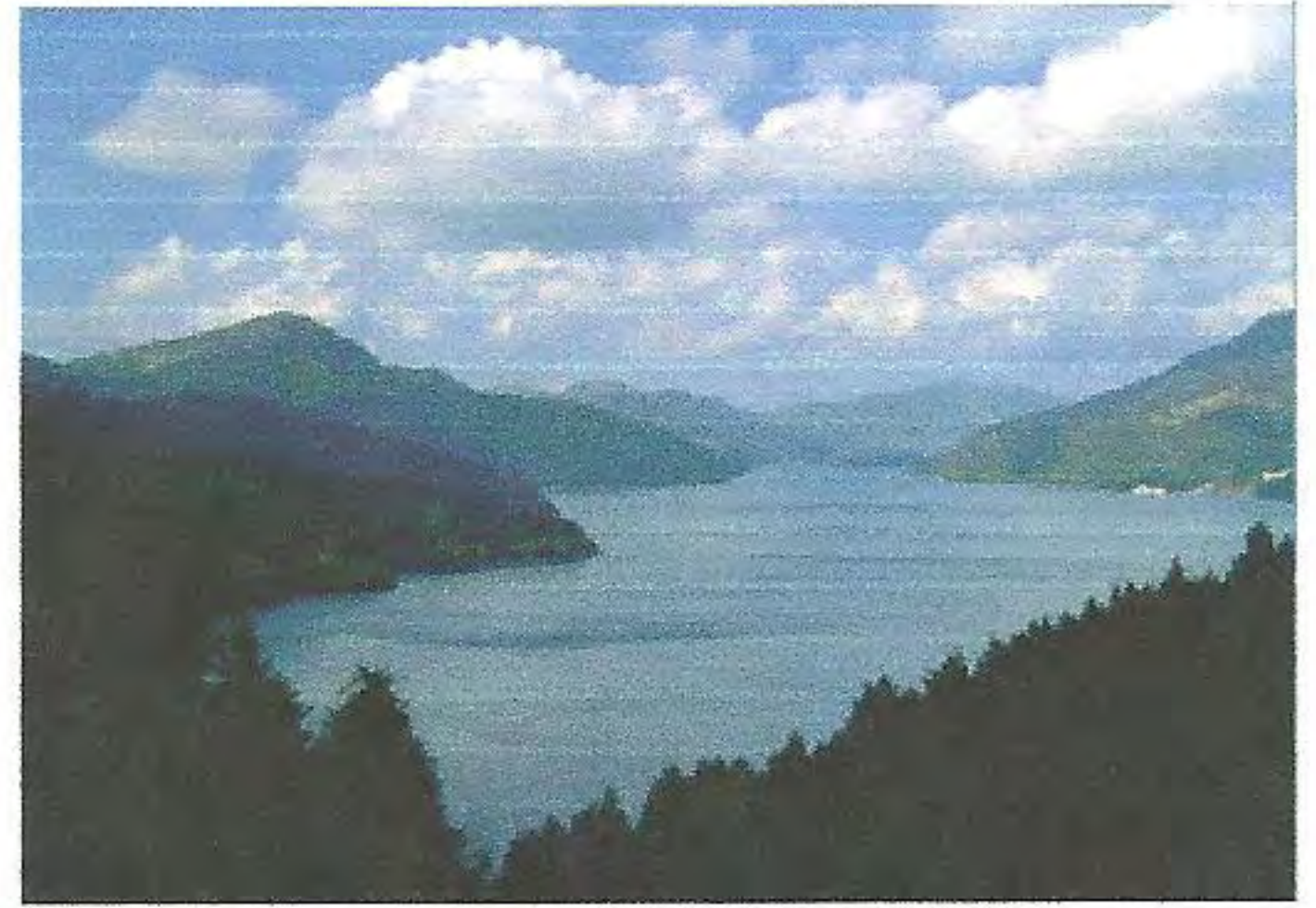
Respectfully,



David A. Olson, P.E., CFM
Project Manager

439 WATER SUPPLY CORPORATION

5041 WEST DRIVE, BELTON, TEXAS 76513
PHONE: 254-933-2133 FAX: 254-933-2509



October 2, 2013

Mitchell & Associates, Inc.
Attn: David Olson, P.E., CFM
102 North College St.
Killeen, TX. 76541

RE: Shiloh Terrace Phase 4

This letter will confirm the availability of water for the proposed Shiloh Terrace Phase 4 subdivision, according to the plat furnished.

439 Water Supply Corporation has the necessary capacity to serve the proposed lots.

439 Water Supply Corporation's flow capacity in this area meets or exceeds state requirements for fire protection support.

If you have any questions or require additional information, please call the office.

Sincerely,

Don Smale, Director of Operations
439 Water Supply Corporation
don@439watersupply.com

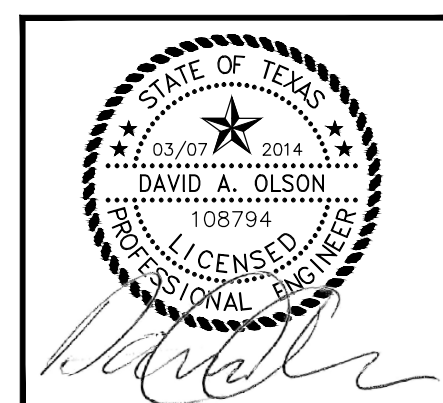
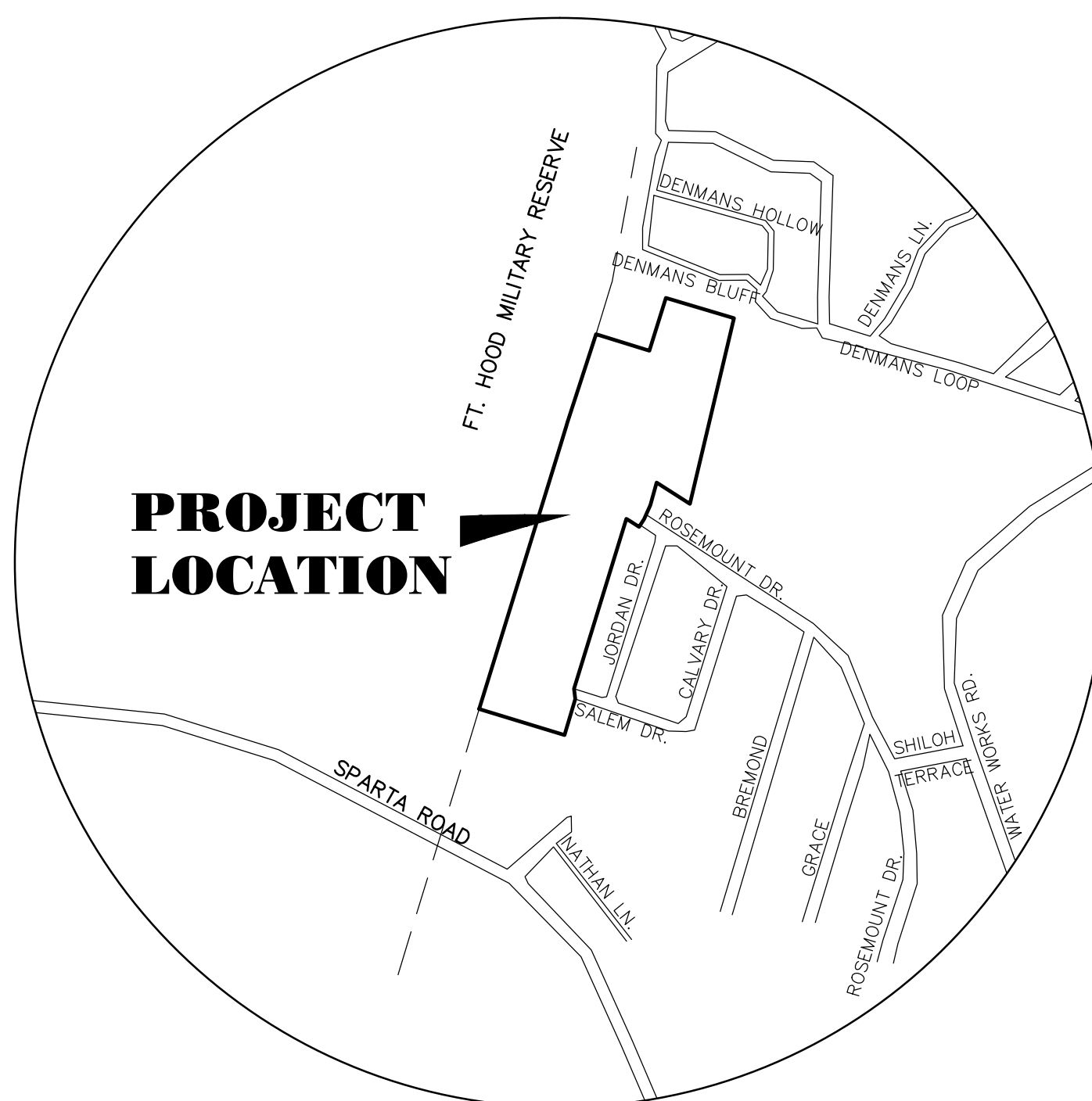
In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, age, disability, religion, sex, and familial status. (Not all prohibited bases apply to all programs). To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD).

SHILOH TERRACE PHASE FOUR

P1	COVER SHEET
P2	FINAL PLAT
W1	WATER LAYOUT
D1	EXISTING DRAINAGE AREA MAP
D2	PROPOSED DRAINAGE AREA MAP

- | | |
|-------------|--|
| C100 | SALEM DR. STA. (5+00 - END) |
| C101 | ROSEMOUNT DR. STA. (6+00 - 9+60.11) |
| C102 | ROSEMOUNT DR. STA. (9+60.11- 14+00) |
| C103 | ROSEMOUNT DR. STA. (14+00 - END) |
| C104 | CANAAN DR. STA. (0+00 - 6+00) |
| C105 | CANAAN DR. STA. (6+00 - END) |
| C106 | ZION DR. STA. (0+00 - END) |

- CD1 CITY OF TEMPLE WATER DETAILS (1 OF 2)**
CD2 CITY OF TEMPLE WATER DETAILS (2 OF 2)

[illegible]

VICINITY MAP
SCALE: N.T.S.

MITCHELL & ASSOCIATES, INC.

ENGINEERING & SURVEYING
102 N. COLLEGE STREET
KILLEEN, TEXAS 76541

PHONE: (254) 634-5541 FAX: (254) 634-2141
TEXAS BOARD OF PROFESSIONAL ENGINEERS FIRM REGISTRATION NO. 3241
T. B. P. L. S. FIRM REGISTRATION NO. 100204-00



STATE OF TEXAS §

COUNTY OF BELL §

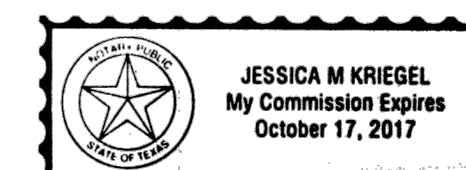
Shiloh Terrace Group, LLC, a Texas limited liability company, owner of the land shown on this plat and designated herein as SHILOH TERRACE, PHASE FOUR, a subdivision in the Extraterritorial Jurisdiction of the City of Temple, Bell County, Texas, and whose name is subscribed hereto, does hereby dedicate for the use of the public forever all streets, alleys, parks, watercourses, drains, easements, and public places shown hereon within the plat boundaries of this subdivision.

WITNESS the execution hereof, on this 7th day of MARCH, 2014

James Herring, President

Before me, the undersigned authority, on this day personally appeared James Herring known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 7th day of MARCH 2014.




 NOTARY PUBLIC STATE OF TEXAS
 My Commission Expires: 10/17/17

In approving this plat, the Commissioners' Court of Bell County, Texas, it is understood that the building of all streets, roads, and other public thoroughfares and any bridges or culverts necessary to be constructed or placed is the responsibility of the owners of the tract of land covered by this plat in accordance with the plans and specifications prescribed by the Commissioners' Court of Bell County, Texas. Said Commissioners' Court assumes no obligation to build any of the streets, roads, or other public thoroughfares shown on this plat or of constructing any of the bridges or drainage improvements in connection therewith. The County will assume no responsibility for drainage ways or easements in the subdivision, other than those draining or protecting the public road system and streets. The County assumes no responsibility for the accuracy of representation by other parties in this plat. Flood plain data, in particular, may change depending on the subsequent development.

All roadways and easements as shown on this plat are free of liens.

This Final plat has been submitted to and considered by the Planning and Zoning Commission of the City of Temple, Texas, and is hereby approved by such commission.

Dated this day of , 20 .

CHAIRMAN, PLANNING AND ZONING COMMISSION

SECRETARY, PLANNING AND ZONING COMMISSION

This Final plat has been submitted to and considered by the City Council of the City of Temple, Texas, and is hereby approved by such council.

Dated this day of , 20 .

SECRETARY, CITY OF TEMPLE

I hereby certify this plat was approved this _____ day of _____, 20__ by the Bell County Commissioners' Court and may be filed for record in the Plat Records of Bell County, by the County Clerk.

COUNTY JUDGE

Witness my hand this _____ day of _____, 20____.

NOTARY PUBLIC, STATE OF TEXAS
My Commission Expires:

KNOW ALL MEN BY THESE PRESENTS,

That I, Rex D. Haas, Registered Professional Land Surveyor, do hereby certify that I did prepare this plat from an actual and accurate survey of the land, that the corner monuments shown hereon were properly placed under my personal supervision in accordance with the subdivision regulations of the County of Bell, Texas, and this subdivision is within the County Limits of Bell County, Texas.



Rex D. Haas
Registered Professional Land Surveyor, No. 4378

I, the undersigned, a registered sanitarian in the State of Texas, hereby certify that this subdivision has been reviewed for compliance with applicable state and county regulations governing On-Site Sewage Facilities and is hereby recommend for approval.

Signature: _____ Date: _____

Title: Bell County Public Health District

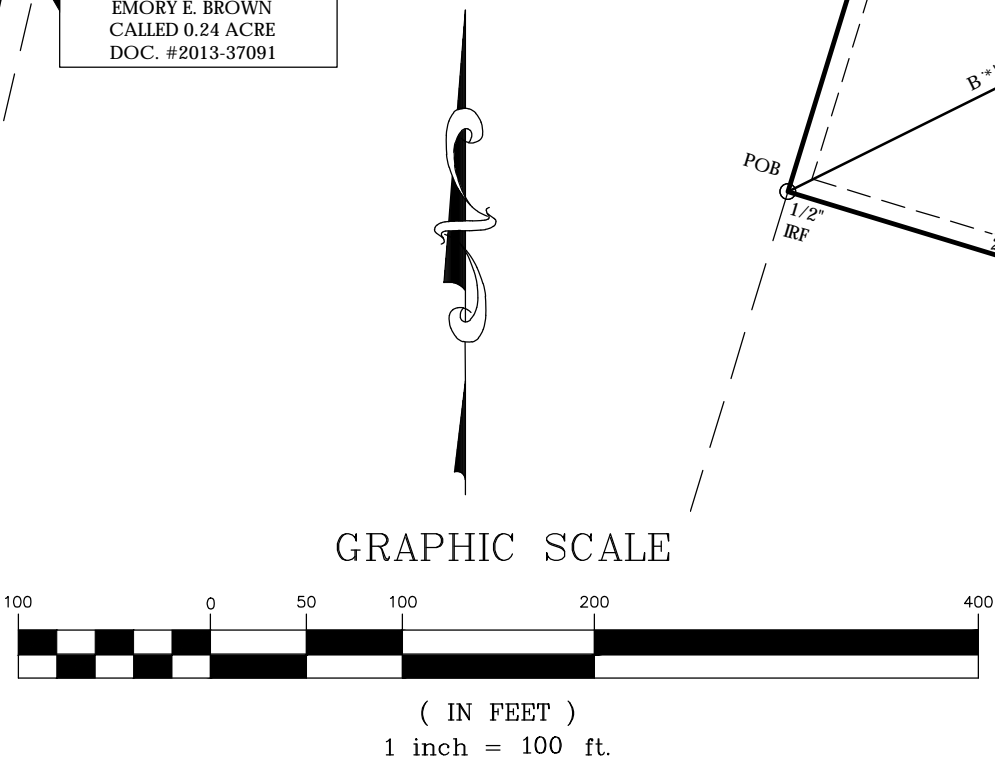
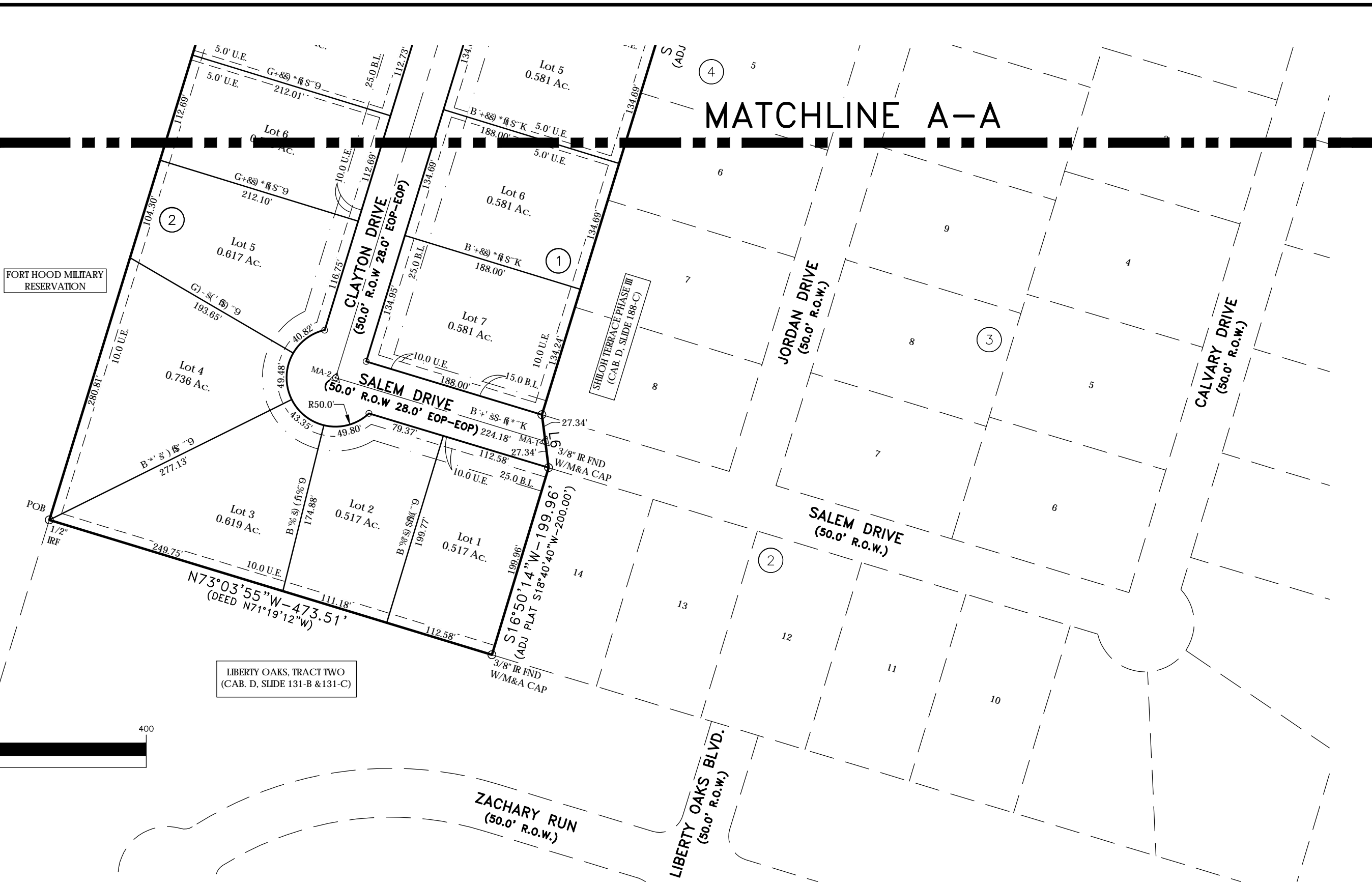
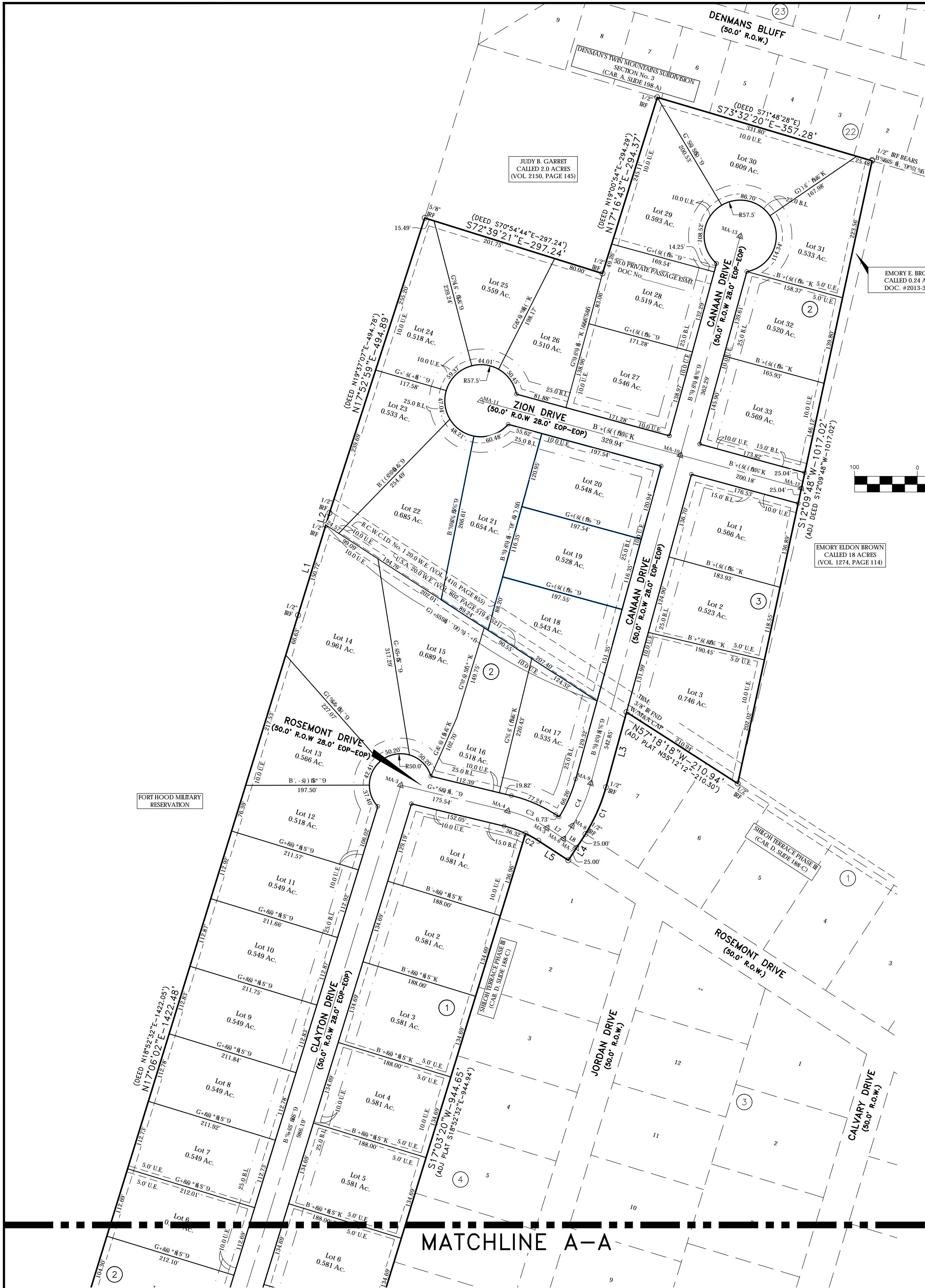
The Bell County Tax Appraisal District, the taxing authority for all entities in Bell County, Texas does hereby certify that there are currently no delinquent taxes due or owing on the property described by this plat.

Dated this _____ day of _____, A.D. 2013

BELL COUNTY TAX APPRAISAL DISTRICT

BY: _____

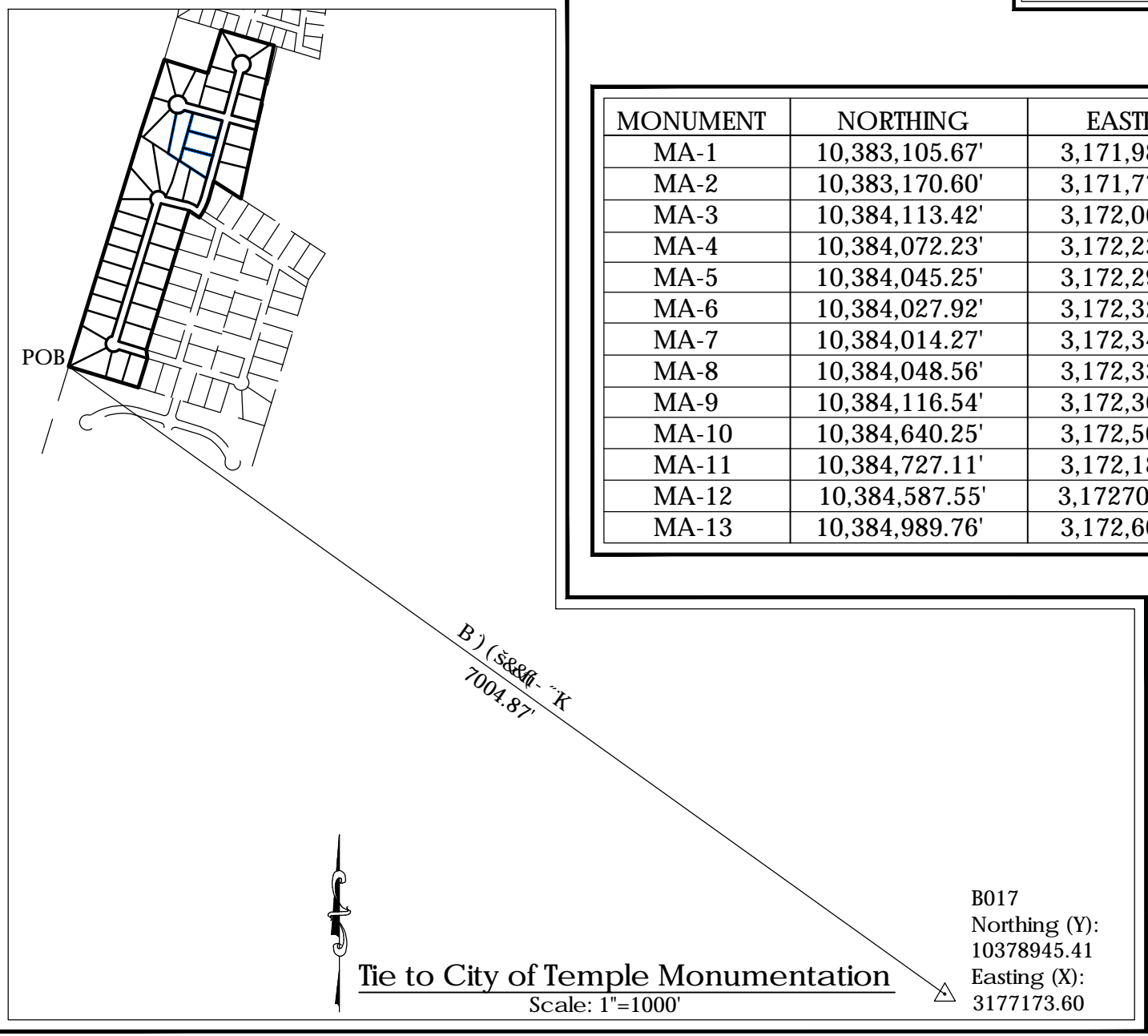
FILED FOR RECORD this _____ day of _____, 20_____. In Year _____,
Plat # _____, Plat Records of Bell County, Texas. Dedication Instrument
_____, Official Public Records of Real Property, Bell County, Texas.



CURVE TABLE					
CURVE	CHORD	ARC LENGTH	RADIUS	DELTA	RECORD CALLS
C1	G+SS(%) ("K1", 30.88)	81.92	274.11'	±SS 88°	HS-D6(HQ) 8'-8" K1, 30.88'
C2	B+SS(%) ("K1", 23.52)	23.52	175.00'	±SS 88°	HS-D6(HQ) 8'-8" K1, 23.52'
C3	G+SS(%) ("K1", 68.69)	68.69	200.00'	±SS 88°	HS-D6(HQ) 8'-8" K1, 68.69'
C4	B+SS(%) ("K1", 74.51)	74.51	249.11'	±SS 88°	HS-D6(HQ) 8'-8" K1, 74.51'

LINE TABLE			
LINE	BEARING	LENGTH	RECORD CALLS
L1	B+SS(%) ("K1", 150.72')	150.72'	
L2	B+SS(%) ("K1", 20.01')	20.01'	HS-D6(HQ) 8'-8" K1, 20.01'
L3	C+SS(%) ("K1", 124.26')	124.26'	HS-D6(HQ) 8'-8" K1, 124.26'
L4	G+SS(%) ("K1", 50.00')	50.00'	HS-D6(HQ) 8'-8" K1, 50.00'
L5	B+SS(%) ("K1", 57.03')	57.03'	HS-D6(HQ) 8'-8" K1, 57.03'
L6	G+SS(%) ("K1", 54.69')	54.69'	HS-D6(HQ) 8'-8" K1, 54.69'
L7	Q+SS(%) ("K1", 31.74')	31.74'	
L8	Q+SS(%) ("K1", 25.00')	25.00'	

- NOTES:**
- All interior lot corners marked with 1/2" ir & cap stamped "M & Assoc, Killeen" set after construction completed.
 - All property corners marked with a 1/2" ir & cap stamped "M & Assoc, Killeen" set unless otherwise specified.
 - This subdivision will be served by on site sewerage facilities (OSS). The Bell County Health Department must approve any on site sewerage facilities installation prior to construction.
 - All bearings are grid bearings referenced to the Texas State Plane Coordinate System, Central Zone, NAD 83.
 - All coordinate values are referenced to City Monument No. B017.
 - The theta angle at City Monument number B017 is 2°58' 00".
 - Combined Correction Factor (CCF) is 0.999858.
 - Published City Coordinates for City Monument number B017 are Northing (Y) = 10,378,945.41 and Easting (X) = 3,177,173.60.
 - The tie from City Monument number B017 to the southwest Weibull Creek (WBC) (UWYghUWigB) (SSSSS - K Z+SSS, +ZYH
 - Grid Distance = surface distance times CCF.
 - Geodetic North = grid north + theta angle.
 - EOA= Edge of Asphalt
IR = iron rod
FND= found
U.E. = public utility easement
W.E. = water easement
B.L. = building setback line
TBM = temporary bench mark
P.O.B = point of beginning
PAV. = pavement
 - Street Information:
13.1. Rosemont Drive - 50' ROW/28' Pavement
Area = 0.38 ac.
Length = 301 LF
13.2. Salem Drive - 50' ROW/28' Pavement
Area = 0.29 ac.
Length = 224 LF
13.3. Zion Drive - 50' ROW/28' Pavement
Area = 0.73 ac.
Length = 530 LF
13.4. Canaan Drive - 50' ROW/28' Pavement
Area = 1.30 ac.
Length = 1,004 LF
13.5. Clayton Drive - 50' ROW/28' Pavement
Area = 1.20 ac.
Length = 986 LF



MONUMENT	NORTHING	EASTING
MA-1	10,383,105.67'	3,171,986.88'
MA-2	10,383,170.60'	3,171,772.32'
MA-3	10,384,113.42'	3,172,061.56'
MA-4	10,384,072.23'	3,172,232.20'
MA-5	10,384,045.25'	3,172,295.01'
MA-6	10,384,027.92'	3,172,321.60'
MA-7	10,384,014.27'	3,172,342.55'
MA-8	10,384,048.56'	3,172,335.05'
MA-9	10,384,116.54'	3,172,364.88'
MA-10	10,384,640.25'	3,172,507.77'
MA-11	10,384,727.11'	3,172,189.47'
MA-12	10,384,587.55'	3,172,700.89'
MA-13	10,384,989.76'	3,172,603.14'

PROPERTY OWNER/DEVELOPER:
Shiloh Terrace Group, LLC
1507 W. Stan Schlueter Loop,
Ste. 103
Killeen, TX 76549

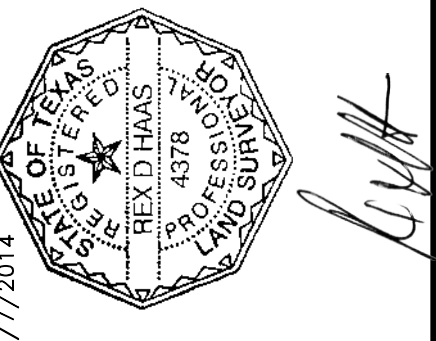
SURVEYOR/ENGINEER:
Mitchell & Associates, Inc.
P.O. BOX 1088
Killeen, Texas 76540

RE: PLAN FOR LOCATION 3/8" IR FND ELEV: 763.22 E: 317942.171			
2	JAN. 2014	CITY COMMENTS	GJM
1	FEB. 2014	CITY COMMENTS	GJM
No.	DATE	REMARKS	BY
REVISIONS			

SHILOH TERRACE
PHASE FOUR
TEMPLE ETJ, BELL COUNTY, TEXAS

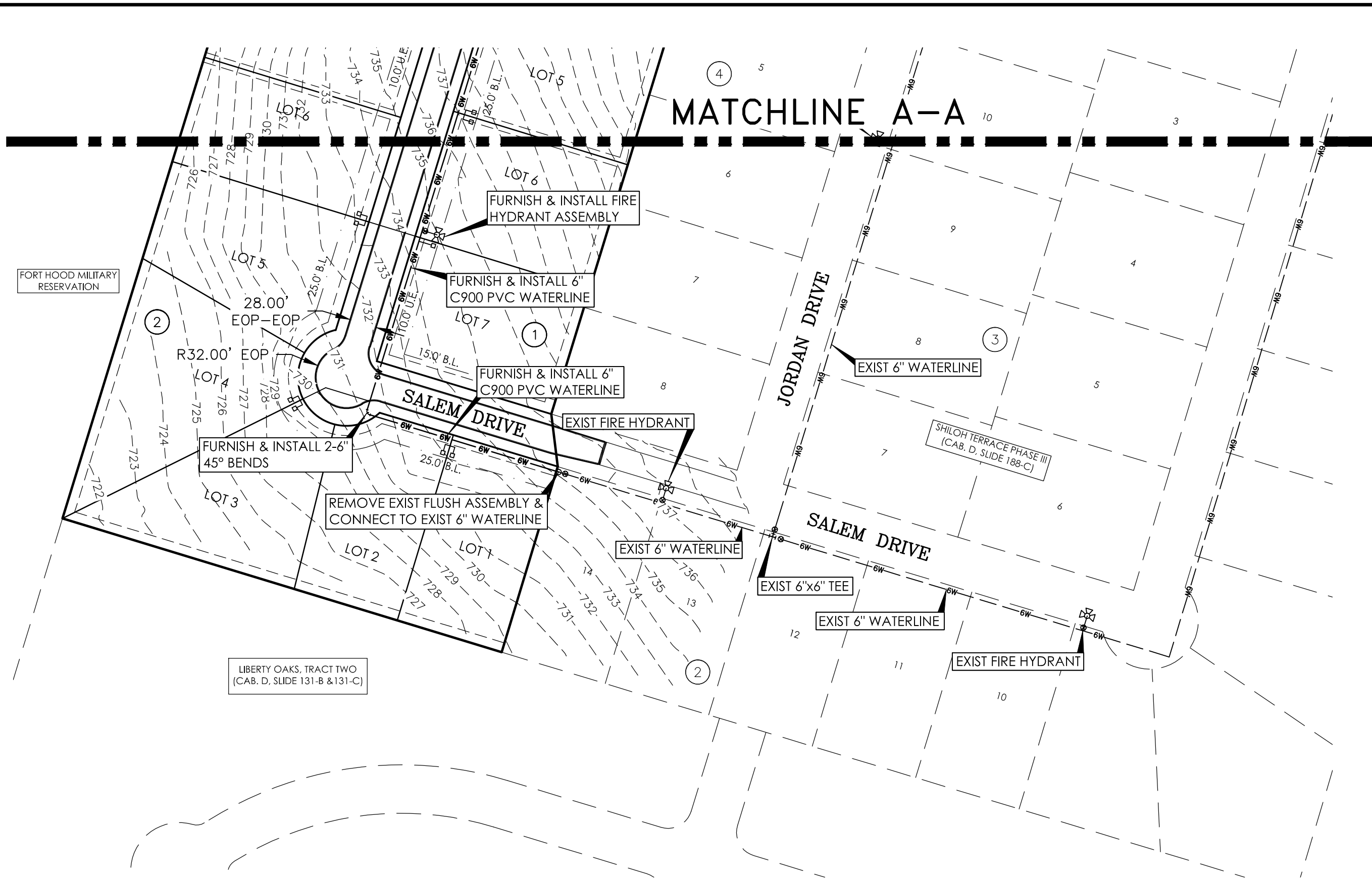
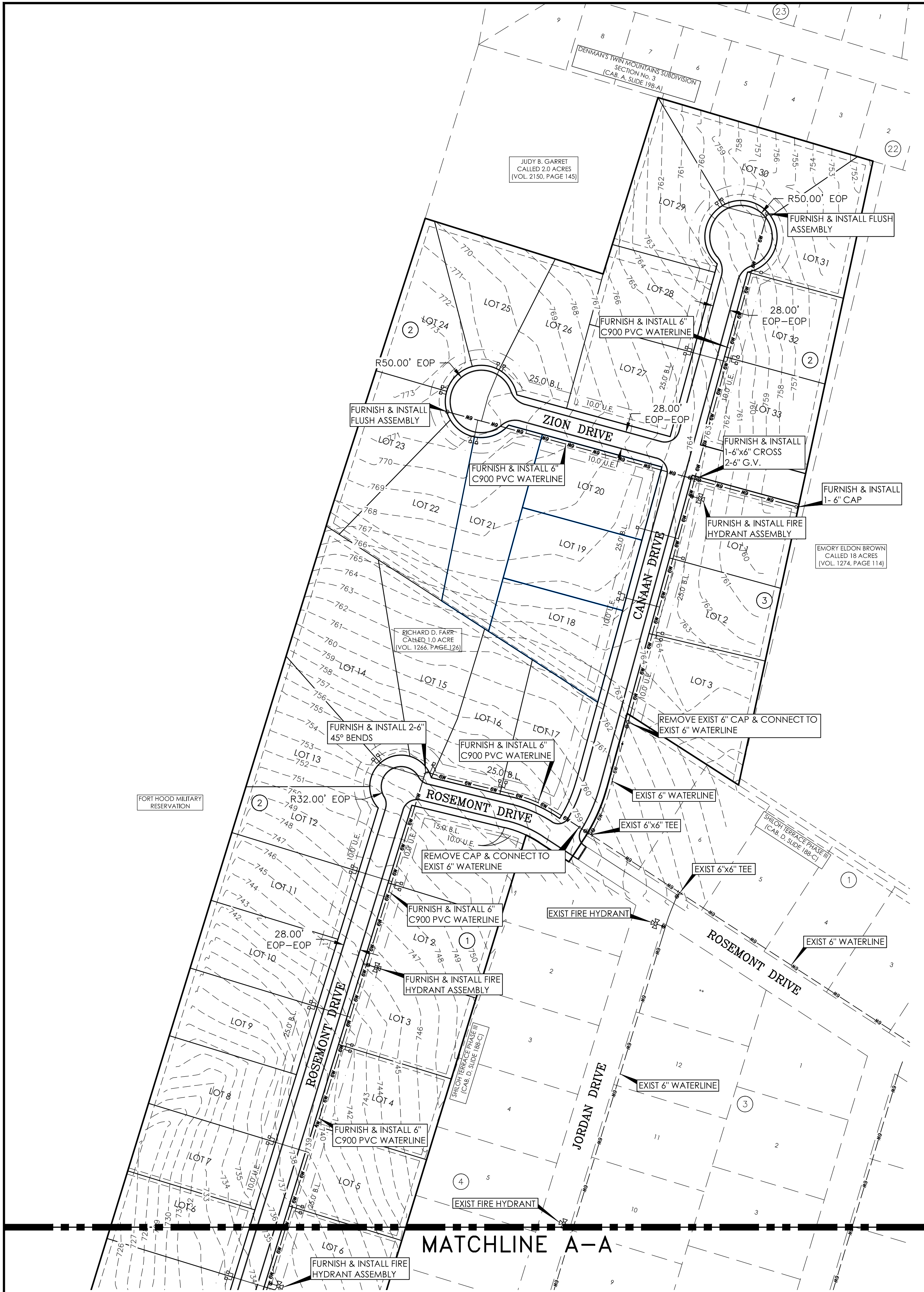
FINAL PLAT

SHEET TITLE



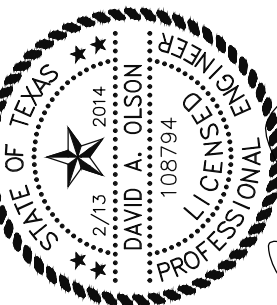
MITCHELL & ASSOCIATES, INC. ENGINEERING & SURVEYING 102 N. COLLEGE KILLEEN, TEXAS 76541 PHONE: (254) 634-5541 FAX: (254) 634-2141 T. B. P. S. FIRM REGISTRATION NO. 10204-00 TEXAS BOARD OF PROFESSIONAL ENGINEERS FIRM REGISTRATION NO. 3241			
DWG No.	DATE	SCALE	AREA
13-119-0	NOV 2013	AS SHOWN	28.84 AC.
DRAWN BY:	DATE:	SCALE:	AREA:
GJM	NOV 2013	AS SHOWN	28.84 AC.





SHILOH TERRACE
PHASE FOUR
TEMPLE ET/J, BELL COUNTY, TEXAS

TOPO & UTILITY PLAN



MITCHELL & ASSOCIATES, INC.
ENGINEERING & SURVEYING
102 N. COLLEGE
KILLEEN, TEXAS 76541
PHONE: (254) 634-5541
FAX: (254) 634-2141
T. B. P. L. S. FIRM REGISTRATION NO. 10804-00



DWG No.	DATE	SCALE	FB/ALB	AS SHOWN	AREA
13-119-D	NOV 2013	AS SHOWN	**	3 BLOCKS	28.84 AC.

No.	DATE	REVISIONS	BY
1	FEB 2014	CITY COMMENTS	GJM

SEE SHEET P1 FOR SURVEY CONTROL DATA



SHEET TITLE

RESOLUTION NO. _____

(PLANNING NO. P-FY-13-46)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING THE FINAL PLAT OF SHILOH TERRACE, PHASE FOUR, AN APPROXIMATELY 28.84 ACRE, 3 BLOCK, 43 LOT, RESIDENTIAL SUBDIVISION WITH REQUESTED EXCEPTIONS TO THE UNIFIED DEVELOPMENT CODE, SECTION 8.3, SECTION 8.2.1.D.4B, SECTION 8.2.1.D.3 AND CHAPTER 12 FIRE PREVENTION AND PROTECTION ARTICLE IV, LOCATED NORTH OF SPARTA ROAD AND WEST OF WATER WORKS ROAD IN TEMPLE'S WESTERN EXTRATERRITORIAL JURISDICTION; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on March 17, 2014, the Planning and Zoning Commission recommended approval of the Final Plat of Shiloh Terrace, Phase Four, an approximately 28.84 acre, 3 block, 43 lot, residential subdivision with requested exceptions to the Unified Development Code Section 8.3: Park Land Dedication regarding park fees, Section 8.2.1.D.4b: Projection of Streets regarding extension of streets; and Section 8.2.1.D.3: Residential Subdivision Entrances and Chapter 12 Fire Prevention and Protection, Article IV;

Whereas, the applicant acquired this remaining portion of Shiloh Terrace Estates and had no association with the development of the subdivision's previous phases;

Whereas, the City Council has considered the matter and deems it in the public interest to approve the Final Plat of Shiloh Terrace, Phase Four, with requested exceptions.

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

Part 1: The City Council approves the Final Plat of Shiloh Terrace, Phase Four, an approximately 28.84 acre, 3 block, 43 lot, residential subdivision with requested exceptions to the Unified Development Code Section 8.3: Park Land Dedication regarding park fees, Section 8.2.1.D.4b: Projection of Streets regarding extension of streets; and Section 8.2.1.D.3: Residential Subdivision Entrances and Chapter 12 Fire Prevention and Protection, Article IV.

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

PASSED AND APPROVED this the 17th day of April, 2014.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, MAYOR

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

04/17/14
Item #9
Regular Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Daniel A. Dunn, Mayor

ITEM DESCRIPTION: Consider adopting a resolution establishing a Charter Review Committee, appointing the Committee membership, including a Chairperson and Vice-Chairperson, and charging the Committee to perform a comprehensive review of the City Charter.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: In recent months, it has become apparent that a comprehensive review of the City Charter is needed. The last comprehensive review of the Charter was completed in 2000. The proposed resolution establishes a twenty-seven member Charter Review Committee to undertake a review of the City Charter and present suggested amendments to the Council for its consideration. Five members will be appointed from each single member district. Seven members will be appointed by the Mayor at large. The resolution also designates a Chairperson and Vice-Chairperson to lead the Committee.

The Committee is charged with undertaking a comprehensive review of the City Charter. The Committee must also draft and present suggested Charter amendments to the Council. The Committee's review must be completed and suggested amendments presented to the City Council by July 15, 2014. This will allow sufficient time for the City Council to review the recommendations and to call as anticipated a special election for November 4, 2014 for voters to consider amending the City Charter.

The Committee will post notices of full Committee meetings and the meetings will be open to the public.

FISCAL IMPACT: None

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, ESTABLISHING A CHARTER REVIEW COMMITTEE, APPOINTING THE COMMITTEE MEMBERSHIP, INCLUDING A CHAIRPERSON AND VICE-CHAIRPERSON, AND CHARGING THE COMMITTEE TO PERFORM A COMPREHENSIVE REVIEW OF THE CITY CHARTER; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, in recent months, it has become apparent that a comprehensive review of the City Charter is needed, as the last comprehensive review was completed in 2000;

Whereas, the establishment of a twenty-seven (27) member Charter Review Committee will review the City Charter and present suggested amendments to the Council for its consideration;

Whereas, five (5) members will be appointed from each single member district, seven (7) members will be appointed by the Mayor at large and there shall be a designated Chairperson and Vice-Chairperson to lead the committee;

Whereas, the Committee is charged with undertaking a comprehensive review of the City Charter and the Committee will draft and present suggested Charter amendments to the City Council – the Committee’s review must be completed and suggested amendments presented to the City Council by July 15, 2014;

Whereas, this timeline will allow sufficient time for the City Council to review the recommendations and call as anticipated, a special election for November 4, 2014 for voters to consider amending the City Charter – the Committee will post notices of full Committee meetings and these meetings will be open to the public; 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 establishes a Charter Review Committee, appoints the Committee membership, including a Chairperson and Vice-Chairperson, and charges the Committee with undertaking a comprehensive review of the City Charter and making recommendations for amendments to the City Charter, no later than July 15, 2014.

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

PASSED AND APPROVED this the 17th day of **April**, 2014.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Jonathan Graham
City Attorney