



**MEETING OF THE  
TEMPLE CITY COUNCIL**

**MUNICIPAL BUILDING**

**2 NORTH MAIN STREET**

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

**THURSDAY, JULY 17, 2014**

**3:00 P.M.**

**WORKSHOP AGENDA**

1. Discuss, as may be needed, Regular Meeting agenda items for the meeting posted for Thursday, July 17, 2014.
2. Discuss Charter Amendments.
3. Discuss the proposed FY 2014-2015 budget and related issue, to include the various strategic and budget related policy issues to include, but not limited to, receiving an overview briefing of the FY2015 Preliminary Budget.
  - Transportation Capital Improvement Plan
  - Waste Water Capital Improvement Plan
4. Discuss interim appointment of an interim City Manager and any other interim appointments that may be necessary.

*Executive Session: Chapter 551, Government Code, §551.074 – Personnel Matter – to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.*

**5:00 P.M.**

**MUNICIPAL BUILDING**

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

**JOINT MEETING**

**TEMPLE CITY COUNCIL**

**&**

**CITY OF TEMPLE EMPLOYEE BENEFITS TRUST**

**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. PUBLIC APPEARANCE:**

3. Receive comments from Eric Johnson regarding a health concern and a fire danger in the Windmill Farms Subdivision.

**IV. PUBLIC HEARING:**

4. [2014-7359-R](#): PUBLIC HEARING – Conduct a final public hearing and consider adopting a resolution approving the Community Development Block Grant (CDBG) 2014-2015 Annual Action Plan and Budget, including the funding recommendations for public service agencies from the Community Services Advisory Board.

## **V. PROCLAMATIONS & SPECIAL RECOGNITIONS**

5. Recognition of the 2014 Junior Fire Cadet Program

## **VI. 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.

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

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

- (A) [2014-7360-R](#): Consider adopting a resolution authorizing a contract with Brockway, Gersbach, Franklin and Niemeier, P.C. to perform the annual City of Temple audit for an amount not to exceed \$70,500.
- (B) [2014-7361-R](#): Consider adopting a resolution authorizing adjustments to the Water/Wastewater Capital Improvement Program for FY 2014.
- (C) [2014-7362-R](#): Consider adopting a resolution authorizing a professional services agreement with Clark & Fuller PLLC, of Temple for engineering services including design, surveying, and construction administration required for wastewater line replacement in the alley between 21<sup>st</sup> and 23<sup>rd</sup> Streets from Avenue K to Avenue N in an amount not to exceed \$37,090.14.
- (D) [2014-7363-R](#): Consider adopting a resolution authorizing a professional services agreement with Clark & Fuller PLLC, of Temple for engineering services including design, surveying, and construction administration required for wastewater line replacement in the Avenue M to Avenue N & Dunbar area in the amount not to exceed \$80,390.99.
- (E) [2014-7364-R](#): Consider adopting a resolution authorizing a professional services agreement with BSP Engineering, Inc of Temple, Texas for professional engineering services including design and surveying of the 2014 Temple Waterline Replacement Project which includes South 26<sup>th</sup> Street and East Avenue B, North 21<sup>st</sup> street from West Adams Avenue to West French Avenue, and Dunbar Road and East Avenue N in an amount not to exceed \$141,426.
- (F) [2014-7365-R](#): Consider adopting a resolution authorizing a renewal lease agreement with Bechtel Power Corporation for lease of approximately 23.30 acres of City-owned land located on the east side of Panda Drive.
- (G) [2014-7366-R](#): Consider adopting a resolution authorizing an Interlocal Agreement with Bell County for the Bell County Crime Coalition project that is administered by the Bell County Juvenile Probation Department.

- (H) [2014-7367-R](#): Consider adopting a resolution authorizing an Interlocal Agreement with the Belton Independent School District to provide school locations for after school latchkey programming.
- (I) [2014-7368-R](#): Consider adopting a resolution ratifying the purchase of 1802 South 19th Street, legally described as Lot One (1), Block One (1), Anderson-Hendler Addition, First Extension an addition to the City of Temple, Bell County, Texas, according to the map or plat of record in Cabinet A, Slide 101-A, Plat Records of Bell County, Texas in the amount of \$103,544.43 and for the payment of 2014 property taxes on the property currently estimated in the amount of \$2,676.66.
- (J) [2014-7369-R](#): Consider adopting a resolution authorizing a contract with CCG Systems, Inc. of Norfolk, Virginia, for the purchase and installation of a fleet management information system in the amount of \$155,700.

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

- (K) [2014-4677](#): SECOND READING – Z-FY-14-33: Consider an ordinance adopting a site plan, amending Ordinance No. 2005-4025, originally approved July 7, 2005 Planned Development (General Retail) District, and amended by Ordinance No. 2007-4125, February 15, 2007 and further amended by Ordinance 2007-4175, October 18, 2007, on 3.967 acres, in the Baldwin Robertson survey, Abstract No 17, located at 9108 West Adams Avenue.
- (L) [2014-4676](#): SECOND READING - Consider adopting and ordinance authorizing an amendment to the Tax Increment Financing Reinvestment Zone No. 1 Financing and Project Plans to appropriate additional funds for Downtown Improvements in FY 2014.
- (M) [2014-7370-R](#): Consider adopting a resolution authorizing a construction contract with Legends Landscapes, LLC, to construct the Downtown Rail Safety Zone improvements in an amount not to exceed \$527,380.55.

### **Misc.**

- (N) [2014-7371-R](#): Consider adopting a resolution authorizing budget amendments for fiscal year 2013-2014.

## **VII. REGULAR AGENDA**

### **RESOLUTIONS**

- 7. [2014-7372-R](#): P-FY-14-32: Consider adopting a resolution authorizing a Preliminary Plat for Dove Meadows, a 31.883 +/- acre, 108-lot, 4-block subdivision, with a developer requested exception to Section 8.3 of the Unified Development Code (UDC) related to public parkland dedication, situated in the Nancy Chance Survey, Abstract No. 5, Bell County, Texas, located between South Pea Ridge Road and Old Waco Road, south of Poison Oak Road.



## **ORDINANCES – FIRST READING/ PUBLIC HEARING**

8. FIRST READING – PUBLIC HEARING. Consider adopting an ordinance:
  - (A) [2014-4678](#): Amending Chapter 7, “Buildings,” of the Code of Ordinances of the City of Temple Texas; and
  - (B) [2014-4679](#): Amending Chapter 10, “Electrical Code,” of the Code of Ordinances of the City of Temple, Texas.
9. [2014-7373-R](#): Consider adopting a resolution amending Resolution No. 94-641-R which created the Temple Public Safety Advisory Board to reflect a reduction in membership and quorum requirements.
10. [2014-7374-R](#): Consider adopting a resolution dissolving the Community Services Advisory Board.

## **VIII. OTHER ITEMS**

11. [2014-7375-R](#): Consider adopting a resolution appointing an interim City Manager and other interim appointments as needed or necessary.

## **IX. AGENDA – CITY OF TEMPLE EMPLOYEE BENEFITS TRUST**

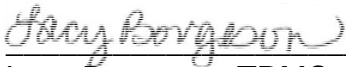
12. [2014-7376-R](#): Conduct a meeting of the City of Temple Employee Benefits Trust to allow employees to purchase work site supplemental policies for:
  - (A) Accident Critical Illness, and Short Term Disability from Lincoln Financial
  - (B) Cancer from Guardian
  - (C) Hospital Indemnity from MetLife
  - (B) Flexible Spending Account (FSA), Dependent Spending Account (DSA), and Cafeteria 125 Administration by Discovery Benefits

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

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



Lacy Borgeson, TRMC  
City Secretary



## COUNCIL AGENDA ITEM MEMORANDUM

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07/17/14  
Item #3  
Regular Agenda  
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**DEPT./DIVISION SUBMISSION & REVIEW:**

Daniel A. Dunn, Mayor

**ITEM DESCRIPTION:** Receive comments from Eric Johnson regarding a health concern and a fire danger in the Windmill Farms Subdivision.

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

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

**FISCAL IMPACT:** None

**ATTACHMENTS:**

[Request for placement on agenda](#)



CITY OF TEMPLE, TEXAS

CITY COUNCIL MEETINGS

REQUEST FOR PLACEMENT ON AGENDA

\_\_Priority

NAME OF PRESENTER: ERIC JOHNSON

ADDRESS: 708 EVERGREEN FARM DR

TELEPHONE NO. 254-228-9981

DATE REQUESTED TO APPEAR BEFORE THE COUNCIL: (Note – The City Council meets the first and third Thursdays of each month.) JULY 17, 2014

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

SERIOUS DRAINAGE DITCH CONCERNS IN THE WINDMILL FARMS SUBDIVISION  
CITY PROPERTY HAS NOT BEEN TAKEN CARE OF IN OVER A YEAR, ALL  
WHILE CITY EMPLOYEES CONTINUE TO ACKNOWLEDGE THE PROPERTY IS  
THEIR RESPONSIBILITY.

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

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

  
SIGNATURE OF PRESENTER

10 JUL 14  
DATE

For Office Use:

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## COUNCIL AGENDA ITEM MEMORANDUM

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Item #4  
Regular Agenda  
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**DEPT./DIVISION SUBMISSION & REVIEW:**

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

**ITEM DESCRIPTION:** PUBLIC HEARING – Conduct a final public hearing and consider adopting a resolution approving the Community Development Block Grant (CDBG) 2014-2015 Annual Action Plan and Budget, including the funding recommendations for public service agencies from the Community Services Advisory Board.

**STAFF RECOMMENDATION:** Conduct public hearing and adopt resolution as presented in item description.

**ITEM SUMMARY:**

**2014-2015 Annual Action Plan and Budget**

The Annual Action Plan reflects the City of Temple's funding priorities and identifies the projects proposed to receive Federal funds under the Community Development Block Grant ('CDBG') program. The City of Temple anticipates we will receive \$390,268 for our 2014 CDBG allocation (FY 2015). These funds enhance the City's community development programs, supporting safe, well-planned residential and business districts. Over 70% of the funding allocated to CDBG activities benefit low to moderate income persons.

The City of Temple also plans to reallocate \$19,559 through the 2014 Action Plan in order to assist us with meeting the goals identified in the 2010-2014 Consolidated Plan.

2013-14 CDBG Funding	Program Income Received	Prior Funding Reallocation	Total
\$390,268	\$0	\$19,559	\$409,827

The proposed allocation of funds is as follows:

Public Services	\$54,600
Infrastructure Improvements	\$192,227
Demolition	\$85,000
General Administration	\$78,000
<b>Total</b>	<b>\$409,827</b>

**Public Services - \$54,600**

The Community Services Advisory Board (CSAB) spent many hours over several meetings sifting through the 5 requests received totaling \$103,669 while debating the merits of each agency and the needs of the community. Public Service Agencies recommended for funding in 2014-2015 are:

1. Bell County Human Services (Temple HELP Center) \$18,600
2. Families in Crisis, Inc. \$12,000
3. Hill County Community Action Association (Meals on Wheels) \$14,000
4. Family Promise of East Bell County, Inc. \$10,000

**Infrastructure Improvements - \$192,227**

Multiple infrastructure projects are proposed for 2014-2015

The first project, Wilson Park Playground will continue work started with 2013 CDBG funding and will complete the project. This project will provide much needed updates to the playground equipment, parking lot, shade structure and may also include ADA improvements to the existing parking area and a new picnic pavilion.

Other small improvements to park land and facilities will be considered that will fulfill the objectives identified by the City in the five-year Consolidated Plan. The projects will be small in nature and developed after the finalization of the Wilson Park project; using the remaining CDBG funding.

**Demolition - \$85,000**

Demolition of vacant and dilapidated structures will be conducted to address blighted conditions on a spot basis in locations to be determined based on code violations. This is a continuation of a project focus from previous years. It is recommended that \$85,000 be allocated from 2014-15 CDBG funds for this program.

**Administration - \$78,000**

It is recommended that \$78,000 be allocated for the City's administration of the CDBG Program.

This presentation and public hearing for the proposed 2014-2015 Annual Action Plan and Budget was preceded by a 30-day public comment period.

**FISCAL IMPACT:** The allocation amount of \$390,268 in FY 2014-2015 CDBG funds along with the reprogramming of \$19,559 in additional funds available for a total of \$409,827 are to be allocated as recommended.

**ATTACHMENTS:**

[Resolution](#)



## COUNCIL AGENDA ITEM MEMORANDUM

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Item #6(A)  
Consent Agenda  
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### **DEPT./DIVISION SUBMISSION & REVIEW:**

Traci L. Barnard, Director of Finance

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a contract with Brockway, Gersbach, Franklin and Niemeier, P.C. to perform the annual City of Temple audit for an amount not to exceed \$70,500.

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

**ITEM SUMMARY:** This item is to engage the audit firm of Brockway, Gersbach, Franklin and Niemeier, P.C. to perform the annual audit of the City of Temple. This will be the fifth year of a five year contract for audit services. Staff anticipates the audit will be completed and presented to Council in February 2015.

Per the Local Government Code Section 252.022, professional services are exempt from the competitive bidding rules.

**FISCAL IMPACT:** \$70,500 is proposed in the FY 2014-2015 preliminary budget filed on June 27, 2014. The fee for FY 2014 audit is impacted by the implementation of new GASB pronouncements and new governmental sampling guidelines which will, by definition, increase the audit risk.

### **ATTACHMENTS:**

[Engagement Letter](#)  
[Resolution](#)



July 1, 2014

Honorable Mayor and  
Members of the City Council  
Temple, Texas

We are pleased to confirm our understanding of the services we are to provide City of Temple, Texas for the year ended September 30, 2014. We will audit the financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information, including the related notes to the financial statements, which collectively comprise the basic financial statements, of City of Temple, Texas as of and for the year ended September 30, 2014. Accounting standards generally accepted in the United States of America provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement City of Temple, Texas' basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to City of Temple, Texas' RSI in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited:

- 1) Management's Discussion and Analysis
- 2) Budgetary Comparison Schedules
- 3) GASB – Required Supplementary Pension and OPEB Schedules

We have also been engaged to report on supplementary information other than RSI that accompanies City of Temple, Texas' financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America and will provide an opinion on it in relation to the financial statements as a whole:

- 1) Combining and Individual Fund Statements and Schedules
- 2) Schedule of Expenditures of Federal Awards



Honorable Mayor and  
Members of the City Council  
Temple, Texas  
Page two

The following other information accompanying the financial statements will not be subjected to the auditing procedures applied in our audit of the financial statements, and our auditor's report will not provide an opinion or any assurance on that other information.

1) Introductory Section

2) Statistical Data

### **Audit Objectives**

The objective of our audit is the expression of opinions as to whether your basic financial statements are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles and to report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as a whole. The objective also includes reporting on—

- Internal control related to the financial statements and compliance with the provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a material effect on the financial statements in accordance with *Government Auditing Standards*.
- Internal control related to major programs and an opinion (or disclaimer of opinion) on compliance with laws, regulations, and the provisions of contracts or grant agreements that could have a direct and material effect on each major program in accordance with the Single Audit Act Amendments of 1996 and OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*.

The reports on internal control and compliance will each include a paragraph that states that the purpose of the report is solely to describe (1) the scope of testing of internal control over financial reporting and compliance and the result of that testing and not to provide an opinion on the effectiveness of internal control over financial reporting or on compliance, (2) the scope of testing internal control over compliance for major programs and major program compliance and the result of that testing and to provide an opinion on compliance but not to provide an opinion on the effectiveness of internal control over compliance, and (3) that the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering internal control over financial reporting and compliance and OMB Circular A-133 in considering internal control over compliance and major program compliance. The paragraph will also state that the report is not suitable for any other purpose.

Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America; the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; the Single Audit Act Amendments of 1996; and the provisions of OMB Circular A-133, and will include tests of accounting records, a determination of major program(s) in accordance with OMB Circular A-133, and other procedures we consider necessary to enable us to express such opinions and to render the required reports. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinions or add emphasis-of-matter or other-matter paragraphs. If our opinions on the financial statements or the Single Audit compliance opinions are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or to issue a report as a result of this engagement.



### **Management Responsibilities**

Management is responsible for the basic financial statements, schedule of expenditures of federal awards, and all accompanying information as well as all representations contained therein. Management is also responsible for identifying government award programs and understanding and complying with the compliance requirements, and for preparation of the schedule of expenditures of federal awards in accordance with the requirements of OMB Circular A-133. As part of the audit, we will assist with preparation of your financial statements, schedule of expenditures of federal awards, and related notes. You will be required to acknowledge in the written representation letter our assistance with preparation of the financial statements and schedule of expenditures of federal awards and that you have reviewed and approved the financial statements, schedule of expenditures of federal awards, and related notes prior to their issuance and have accepted responsibility for them. You agree to assume all management responsibilities for any nonaudit services we provide; oversee the services by designating an individual, preferably from senior management, who possesses suitable skill, knowledge, or experience; evaluate the adequacy and results of the services; and accept responsibility for them.

Management is responsible for establishing and maintaining effective internal controls, including internal controls over compliance, and for evaluating and monitoring ongoing activities, to help ensure that appropriate goals and objectives are met and that there is reasonable assurance that government programs are administered in compliance with compliance requirements. You are also responsible for the selection and application of accounting principles; for the preparation and fair presentation of the financial statements in conformity with U.S. generally accepted accounting principles; and for compliance with applicable laws and regulations and the provisions of contracts and grant agreements.

Management is also responsible for making all financial records and related information available to us and for ensuring that management is reliable and financial information is reliable and properly recorded. You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, (2) additional information that we may request for the purpose of the audit, and (3) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence.

Your responsibilities also include identifying significant vendor relationships in which the vendor has responsibility for program compliance and for the accuracy and completeness of that information. Your responsibilities include adjusting the financial statements to correct material misstatements and confirming to us in the written representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the entity complies with applicable laws, regulations, contracts, agreements, and grants. Additionally, as required by OMB Circular A-133, it is management's responsibility to follow up and take corrective action on reported audit findings and to prepare a summary schedule of prior audit findings and a corrective action plan.



You are responsible for preparation of the schedule of expenditures of federal awards in conformity with OMB Circular A-133. You agree to include our report on the schedule of expenditures of federal awards in any document that contains and indicates that we have reported on the schedule of expenditures of federal awards. You also agree to include the audited financial statements with any presentation of the schedule of expenditures of federal awards that includes our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the schedule of expenditures of federal awards in accordance with OMB Circular A-133; (2) that you believe the schedule of expenditures of federal awards, including its form and content, is fairly presented in accordance with OMB Circular A-133; (3) that the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the schedule of expenditures of federal awards.

You are also responsible for the preparation of the other supplementary information, which we have been engaged to report on, in conformity with U.S. generally accepted accounting principles. You agree to include our report on the supplementary information in any document that contains and indicates that we have reported on the supplementary information. You also agree to include the audited financial statements with any presentation of the supplementary information that includes our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the supplementary information in accordance with GAAP; (2) that you believe the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (3) that the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying for us previous financial audits, attestation engagements, performance audits, or other studies related to the objectives discussed in the Audit Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions, for the report, and for the timing and format for providing that information.

#### **Audit Procedures—General**

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. We will plan and perform the audit to obtain reasonable rather than absolute assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the entity or to acts by management or employees acting on behalf of the entity. Because the determination of abuse is subjective, *Government Auditing Standards* do not expect auditors to provide reasonable assurance of detecting abuse.



Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements or noncompliance may exist and not be detected by us, even though the audit is properly planned and performed in accordance with U.S. generally accepted auditing standards and *Government Auditing Standards*. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements or major programs. However, we will inform the appropriate level of management of any material errors, any fraudulent financial reporting, or misappropriation of assets that come to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential, and of any material abuse that comes to our attention. We will include such matters in the reports required for a Single Audit. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We will request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will require certain written representations from you about the financial statements and related matters.

#### **Audit Procedures—Internal Control**

Our audit will include obtaining an understanding of the entity and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

As required by OMB Circular A-133, we will perform tests of controls over compliance to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each major federal award program. However, our tests will be less in scope than would be necessary to render an opinion on those controls and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to OMB Circular A-133.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies or material weaknesses. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards, *Government Auditing Standards*, and OMB Circular A-133.

#### **Audit Procedures—Compliance**

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of City of Temple, Texas' compliance with provisions of applicable laws, regulations, contracts, and agreements, including grant agreements. However, the objective of those procedures will not be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.



OMB Circular A-133 requires that we also plan and perform the audit to obtain reasonable assurance about whether the auditee has complied with applicable laws and regulations and the provisions of contracts and grant agreements applicable to major programs. Our procedures will consist of tests of transactions and other applicable procedures described in the *OMB Circular A-133 Compliance Supplement* for the types of compliance requirements that could have a direct and material effect on each of City of Temple, Texas' major programs. The purpose of these procedures will be to express an opinion on City of Temple, Texas' compliance with requirements applicable to each of its major programs in our report on compliance issued pursuant to OMB Circular A-133.

### **Engagement Administration, Fees, and Other**

We may from time to time, and depending on the circumstances, use third-party service providers in serving your account. We may share confidential information about you with these service providers, but remain committed to maintaining the confidentiality and security of your information. Accordingly, we maintain internal policies, procedures, and safeguards to protect the confidentiality of your personal information. In addition, we will secure confidentiality agreements with all service providers to maintain the confidentiality of your information and we will take reasonable precautions to determine that they have appropriate procedures in place to prevent the unauthorized release of your confidential information to others. In the event that we are unable to secure an appropriate confidentiality agreement, you will be asked to provide your consent prior to the sharing of your confidential information with the third-party service provider. Furthermore, we will remain responsible for the work provided by any such third-party service providers.

We understand that your employees will prepare all cash, accounts receivable, or other confirmations we request and will locate any documents selected by us for testing.

At the conclusion of the engagement, we will complete the appropriate sections of the Data Collection Form that summarizes our audit findings. It is management's responsibility to submit the reporting package (including financial statements, schedule of expenditures of federal awards, summary schedule of prior audit findings, auditors' reports, and corrective action plan) along with the Data Collection Form to the federal audit clearinghouse. We will coordinate with you the electronic submission and certification. If applicable, we will provide copies of our report for you to include with the reporting package you will submit to pass-through entities. The Data Collection Form and the reporting package must be submitted within the earlier of 30 days after receipt of the auditors' reports or nine months after the end of the audit period, unless a longer period is agreed to in advance by the cognizant or oversight agency for audits.

The audit documentation for this engagement is the property of Brockway, Gersbach, Franklin & Niemeier, P.C. and constitutes confidential information. However, pursuant to authority given by law or regulation, we may be requested to make certain audit documentation available to federal agency or its designee, a federal agency providing direct or indirect funding, or the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of Brockway, Gersbach, Franklin & Niemeier, P.C. personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of five years after the report release date or for any additional period requested by the City. If we are aware that a federal awarding agency, pass-through entity, or auditee is contesting an audit finding, we will contact the party(ies) contesting the audit finding for guidance prior to destroying the audit documentation.



Honorable Mayor and  
Members of the City Council  
Temple, Texas  
Page seven

We expect to begin our audit on approximately July, 2014 and to issue our reports no later than February, 2015. Steve Niemeier is the engagement partner and is responsible for supervising the engagement and signing the reports or authorizing another individual to sign them. Our fee for these services will be at our standard rates, except we agree that our gross fee, including expenses, will not exceed \$ 70,500. Our standard hourly rates vary accordingly to the degree of responsibility involved and the experience level of the personnel assigned to your audit. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. In accordance with our firm policies, work may be suspended if your account becomes 30 days or more overdue and may not be resumed until your account is paid in full. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed upon written notification of termination, even if we have not completed our report(s). You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket costs through the date of termination. The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs.

*Government Auditing Standards* require that we provide you with a copy of our most recent external peer review report and any letter of comment, and any subsequent peer review reports and letters of comment received during the period of the contract. Our 2012 peer review report accompanies this letter.

We appreciate the opportunity to be of service to City of Temple, Texas and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Sincerely,



Stephen H. Niemeier, CPA  
Brockway, Gersbach, Franklin & Niemeier, P. C.

RESPONSE:

This letter correctly sets forth the understanding of the City of Temple, Texas

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

BUMGARDNER, MORRISON & COMPANY, L.L.P.

*BMC*

JOSEPH B. BUMGARDNER, CPA  
(1911-2002)  
JACK R. MORRISON, SR., CPA  
(1922-1997)

CERTIFIED PUBLIC ACCOUNTANTS

CHRISTOPHER E. KREJCI, CPA  
JEROME G. KOTZUR, CPA  
G. DENNIS SHAY, CPA, CFP®  
PAULA G. LESKE, CPA  
MICHAEL E. WENSKE, CPA

MEMBERS:  
AMERICAN INSTITUTE OF CERTIFIED PUBLIC ACCOUNTANTS  
TEXAS SOCIETY OF CERTIFIED PUBLIC ACCOUNTANTS  
AICPA PRIVATE COMPANIES PRACTICE SECTION  
AICPA TAX DIVISION

September 28, 2012

JACK C. FITZGERALD, CPA  
JACK R. MORRISON, JR., CPA

**System Review Report**

To the Shareholders of Brockway, Gersbach, Franklin & Niemeier, PC  
and the Peer Review Committee of the Texas Society of Certified Public Accountants

We have reviewed the system of quality control for the accounting and auditing practice of Brockway, Gersbach, Franklin & Niemeier, PC (the firm) in effect for the year ended April 30, 2012. Our peer review was conducted in accordance with the Standards for Performing and Reporting on Peer Reviews established by the Peer Review Board of the American Institute of Certified Public Accountants. The firm is responsible for designing a system of quality control and complying with it to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Our responsibility is to express an opinion on the design of the system of quality control and the firm's compliance therewith based on our review. The nature, objectives, scope, limitations of, and the procedures performed in a System Review are described in the standards at [www.aicpa.org/prsummary](http://www.aicpa.org/prsummary).

As required by the standards, engagements selected for review included engagements performed under the *Government Auditing Standards* and audits of employee benefit plans.

In our opinion, the system of quality control for the accounting and auditing practice of Brockway, Gersbach, Franklin & Niemeier, PC in effect for the year ended April 30, 2012, has been suitably designed and complied with to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of *pass*, *pass with deficiency(ies)* or *fail*. Brockway, Gersbach, Franklin & Niemeier, PC has received a peer review rating of *pass*.

*Bumgardner, Morrison & Company, LLP*

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONTRACT WITH BROCKWAY, GERSBACH, FRANKLIN AND NIEMEIER, P.C., TO PERFORM THE ANNUAL CITY OF TEMPLE AUDIT, IN AN AMOUNT NOT TO EXCEED \$70,500; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, City staff recommends engaging the audit firm of Brockway, Gersbach, Franklin and Niemeier, P.C., to perform the annual audit for the City of Temple;

**Whereas**, this will be the fifth year of a 5-year contract for audit services – staff anticipates the audit will be completed and presented to Council in February, 2015;

**Whereas**, per Local Government Code Section 252.022, professional services are exempt from the competitive bidding rules;

**Whereas**, funds have been budgeted in the preliminary fiscal year 2014-2015 proposed budget filed June 27, 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 Council authorizes the City Manager, or his designee, to execute an agreement with Brockway, Gersbach, Franklin and Niemeier, P.C., after approval as to form by the City Attorney, to perform the annual audit for the City of Temple, in an amount not to exceed \$70,500.

**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 17<sup>th</sup> day of **July**, 2014.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

ATTEST:

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Lacy Borgeson  
City Secretary

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Jonathan Graham  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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07/17/14  
Item #6(B)  
Consent Agenda  
Page 1 of 2

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

Nicole Torralva, Public Works Director

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing adjustments to the Water/Wastewater Capital Improvement Program for FY 2014.

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

**ITEM SUMMARY:** As part of the of City's annual budgeting process, a Water/Wastewater Capital Improvement Program is adopted, outlining specific projects to meet identified needs. The capital improvement plan for FY 2014 has been significantly modified, with additional projects immediately needed. Available funding currently exists through Water & Sewer Unreserved Funds to update the existing capital improvement plan for FY 2014 to include these additional projects.

**FISCAL IMPACT:** Council is being presented a budget adjustment to allocate funding in the amount of \$8,106,391 from Water & Sewer Unreserved Funds, account 520-0000-373-0411, to fund multiple water and wastewater projects. Projects are detailed below.

Project Description	Account #	Project #	Amount
Charter Oak WL from WTP to Loop 363 (ROW)	520-5900-535-6110	100608	\$ 1,000,000
Bird Creek Interceptor (ROW/Easements)	520-5900-535-6110	101213	1,000,000
WWL Rplc – South 23 <sup>rd</sup> St	520-5900-535-6361	101107	289,000
WWL Rplc – Barton Ave to E French Ave	520-5900-535-6361	101192	350,000
WWL Rplc – N 5 <sup>th</sup> St to Jackson Creek	520-5900-535-6361	101193	375,000
W/WWL Rplc – 2 <sup>nd</sup> & 4 <sup>th</sup> ; Ave C to Adams Ave	520-5900-535-6521	101186	642,000
WL Improvments – S 22 <sup>nd</sup> St from Ave H to Ave I	520-5900-535-6357	101194	325,000



WWL Rplc – S 18 <sup>th</sup> St from Ave H South	520-5900-535-6361	101195	280,000
WWL Rplc – S 20 <sup>th</sup> St from Ave H to Dead End	520-5900-535-6361	101196	415,000
Water/Wastewater Master Plan Update	520-5900-535-2616	101197	600,000
WWL Rplc – Ave M to Ave N & Dunbar Trunk	520-5900-535-6361	101203	80,391
WTP – Airport & Range Road Tank Rehabilitation	520-5900-535-6522	101198	1,000,000
TCIP Utilities – Outer Loop (Adams to Jupiter)	520-5900-535-6521	101121	1,400,000
T-B WWTP Expansion – Headworks & Aeration	520-5900-535-6310	101086	350,000
<b>Total Projects</b>			<b>\$ 8,106,391</b>

**ATTACHMENTS:**

[Budget Adjustment  
Resolution](#)

FY 2014

**BUDGET ADJUSTMENT FORM**

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

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

		+		-	
ACCOUNT NUMBER	PROJECT #	ACCOUNT DESCRIPTION	INCREASE	DECREASE	
520-5900-535-61-10	100608	Charter Oak WL from WTP to Loop 363 (ROW)	\$1,000,000		
520-5900-535-61-10	101213	Bird Creek Interceptor (ROW/Easements)	1,000,000		
520-5900-535-63-61	101107	WWL Rplc - South 23rd Street	289,000		
520-5900-535-63-61	101192	WWL Rplc - Barton Ave to E French Ave	350,000		
520-5900-535-63-61	101193	WWL Rplc - N 5th St to Jackson Creek	375,000		
520-5900-535-65-21	101186	W / WWL Rplc - 2nd & 4th; Ave C to Adams Ave	642,000		
520-5900-535-63-57	101194	WL Improv - S 22nd St from Ave H to Ave I	325,000		
520-5900-535-63-61	101195	WWL Rplc - S 18th St from Ave H South	280,000		
520-5900-535-63-61	101196	WWL Rplc - S 20th St from Ave H to Dead End	415,000		
520-5900-535-26-16	101197	Water / Wastewater Master Plan Update	600,000		
520-5900-535-63-61	101203	WWL Rplc - Ave M to Ave N & Dunbar Trunk	80,391		
520-5900-535-65-22	101198	WTP - Airport & Range Road Tank Rehabilitation	1,000,000		
520-5900-535-65-21	101121	TCIP Utilities - Outer Loop (Adams to Jupiter)	1,400,000		
520-5900-535-63-10	101086	T-B Plant Expansion - Headworks & Aeration	350,000		
520-0000-373-04-11		Water & Sewer Unreserved Ret Earnings		8,106,391	
		<b>DO NOT POST</b>			
<b>TOTAL.....</b>			<b>\$8,106,391</b>	<b>\$8,106,391</b>	

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

To allocate funds from Water/Wastewater Unreserved Retained Earnings to several water/wastewater projects based on Council's approval of the revised Water/Wastewater Capital Improvement Program.

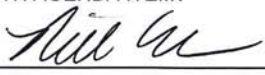
DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒ Yes☐ No

DATE OF COUNCIL MEETING

7/17/2014

WITH AGENDA ITEM?

☒ Yes☐ No
  
 Department Head/Division Director

 7/10/14  
 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 ADJUSTMENTS TO THE WATER/WASTEWATER CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEAR 2014; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, as part of the City's annual budgeting process, a Water/Wastewater Capital Improvement Project is adopted which outlines specific projects to meet identified needs;

**Whereas**, the capital improvement plan for fiscal year 2014 has been significantly modified with additional projects needed immediately as follows:

- Charter Oak Waterline from the WTP to Loop 363 (ROW);
- Bird Creek Interceptor;
- Wastewater Line Replacement – South 23<sup>rd</sup> Street;
- Wastewater Line Replacement – Barton Avenue to E. French Avenue;
- Wastewater Line Replacement – North 5<sup>th</sup> Street to Jackson Creek;
- Water/Wastewater Line Replacement – 2<sup>nd</sup> & 4<sup>th</sup> and Avenue C to Adams Avenue;
- Waterline Improvements – South 22<sup>nd</sup> Street from Avenue H to Avenue I;
- Wastewater Line Replacement – South 18<sup>th</sup> Street from Avenue H south;
- Wastewater Line Replacement – South 20<sup>th</sup> Street from Avenue H to dead end;
- Water/Wastewater Master Plan Update;
- Wastewater Line Replacement – Avenue M to Avenue N & Dunbar Trunk;
- Water Treatment Plant – Airport & Range Road Tank Rehabilitation;
- TCIP Utilities – Outer Loop (Adams to Jupiter);
- Temple-Belton Wastewater Treatment Plant Expansion – Headworks & Aeration;

**Whereas**, funding currently exists through the Water & Sewer Unreserved Funds to update the existing capital improvement plan for fiscal year 2014 which includes additional projects;

**Whereas**, funds are available in various accounts to fund the multiple water and wastewater projects, but an amendment to the fiscal year 2013-2014 budget needs to be approved to transfer the funds into the appropriate accounts; 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 adjustments to the Water/Wastewater Capital Improvement Program for fiscal year 2014 for the following projects:

- Charter Oak Waterline from the WTP to Loop 363 (ROW);
- Bird Creek Interceptor;
- Wastewater Line Replacement – South 23<sup>rd</sup> Street;
- Wastewater Line Replacement – Barton Avenue to E. French Avenue;
- Wastewater Line Replacement – North 5<sup>th</sup> Street to Jackson Creek;
- Water/Wastewater Line Replacement – 2<sup>nd</sup> & 4<sup>th</sup> and Avenue C to Adams Avenue;

- Waterline Improvements – South 22<sup>nd</sup> Street from Avenue H to Avenue I;
- Wastewater Line Replacement – South 18<sup>th</sup> Street from Avenue H south;
- Wastewater Line Replacement – South 20<sup>th</sup> Street from Avenue H to dead end;
- Water/Wastewater Master Plan Update;
- Wastewater Line Replacement – Avenue M to Avenue N & Dunbar Trunk;
- Water Treatment Plant – Airport & Range Road Tank Rehabilitation;
- TCIP Utilities – Outer Loop (Adams to Jupiter);
- Temple-Belton Wastewater Treatment Plant Expansion – Headworks & Aeration;

**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 17<sup>th</sup> day of **July**, 2014.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Jonathan Graham  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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07/17/14  
Item #6(C)  
Consent Agenda  
Page 1 of 2

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

Nicole Torralva, P.E., Public Works Director  
Thomas Brown, Utility Services Director

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a professional services agreement with Clark & Fuller PLLC, of Temple for engineering services including design, surveying, and construction administration required for wastewater line replacement in the alley between 21<sup>st</sup> and 23<sup>rd</sup> Streets from Avenue K to Avenue N in an amount not to exceed \$37,090.14.

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

**ITEM SUMMARY:** Wastewater lines in this area between 21<sup>st</sup> and 23<sup>rd</sup> Streets from Avenue K to Avenue N are 50 plus years old, consisting of clay tile pipe with cracks, roots, and broken pipe. Due to the deteriorating infrastructure and increasing needs associated with development of TISD and RWYC campus', these pipes must now be replaced to improve maintenance problems and ensure continuous service in these areas.

In an effort to address system needs, this project was identified in the recently updated Capital Improvement Project list. The project will result in replacement of nearly 1,200 feet of wastewater lines. Sequencing and timing of various components of the project will be considered further during the design process.

As identified in the attached proposal letter the proposed timeline for design of the project will take approximately 110 days. Per the attachment, engineering services are broken down as follows:

**Basic Services**

Design Surveying / Construction Staking	\$ 7,350.00
Civil Design	\$ 21,390.14
Bidding	\$ 500.00
Construction Administration	\$ 1,100.00
	<b>\$ 30,340.14</b>

**Special Services**

On-Site Representation	\$ 6,750.00
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**TOTAL** **\$ 37,090.14**

The engineer's opinion of probable cost for construction of the project is approximately \$252,000, resulting in a total estimated project cost of \$288,740.

**FISCAL IMPACT:** In an agenda item related to Water & Sewer CIP, Council is being presented a budget adjustment allocating Water & Sewer Retained Earnings to fund multiple projects in the amount of \$8,106,391. One of the projects in that allocation is for the Waste Water Line Replacement – South 23<sup>rd</sup> Street, in the amount of \$289,000.

After approval of that budget adjustment, funds in the amount of \$289,000 will be available for the Waste Water Line Replacement – South 23<sup>rd</sup> Street, account 520-5900-535-6361, project 101107, to fund the professional services agreement with Clark & Fuller PLLC in the amount not to exceed \$37,090.14.

**ATTACHMENTS:**

[Engineer's Proposal](#)  
[Project Map](#)  
[Resolution](#)



June 3, 2014

City of Temple  
Director of Public Works  
Nicole Torralva, P.E.  
3210 E. Ave. H, Bldg. A  
Temple, TX 76501

Re: Professional Services Proposal for the 2014 City of Temple 23<sup>rd</sup> Street Wastewater Line Improvements Project

Dear Mrs. Torralva,

We would like to thank the City of Temple for the opportunity to submit a preliminary opinion of probable cost and engineering fee proposal for the 2014 City of Temple 23<sup>rd</sup> Street Wastewater Line Improvements Project. (Please refer to attached maps and documents for further information).

This project will consist of approximately 1,122 linear feet of new 8" PVC Pressure Rated Sanitary Sewer Main construction to replace existing utility mains that are aging and beginning to fail.

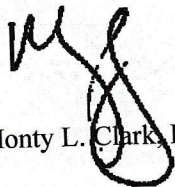
Clark & Fuller, PLLC will complete design topography surveys, new sanitary sewer main designs, construction document preparation, provide construction administration, daily on-site project representation and inspection services, and post construction record drawings.

The proposed timeline for the project design phase is 90 calendar days from the authorization of notice to proceed. Furthermore we estimate the contractor's time to construct to be 110 calendar days.

Clark & Fuller, PLLC, hereinafter Engineer, proposes to the City of Temple, hereinafter Client, Professional Engineering, Inspection, and Surveying Services for a Lump Sum Amount not to exceed \$37,090.14. We estimate the total cost of construction to be \$251,648.65 and we estimate the total cost of construction including professional services and contingencies to be \$288,738.79. (Please refer to attached Maps, Exhibits, and the Preliminary Opinion of Probable Cost for an itemized breakdown and scope of services.)

Please contact us if you require additional information or have further questions regarding this proposal.

Sincerely,



Monty L. Clark, P.E., CPESC





**EXHIBIT "A"**  
**Professional Services Proposal for 2014 City of Temple**  
**23<sup>rd</sup> Street Wastewater Line Improvements Project**

**Scope of Professional Services**

<b>Surveying Services:</b>	<b>\$ 7,350.00</b>
<ul style="list-style-type: none"><li>• Provide Project Elevation Benchmark</li><li>• Locate Existing Rights of Ways and Property Boundaries</li><li>• Prepare Design Topography Surveys</li><li>• Provide Construction Staking<ul style="list-style-type: none"><li>○ Final Manhole Locations</li></ul></li></ul>	
<b>Civil Engineering Design Phase:</b>	<b>\$ 21,390.14</b>
<ul style="list-style-type: none"><li>• Research Existing Utilities</li><li>• Prepare Final Design Construction Documents</li><li>• Technical Specifications</li><li>• Provide Engineers Opinion of Construction Cost and Probable Days to Complete Project Construction</li><li>• Attend and Facilitate Project Coordination with the City Staff</li><li>• Attendance at Property Owner/Neighborhood Meetings</li><li>• Provide Miscellaneous Maps and Exhibit Drawings</li></ul>	
<b>Project Bidding Phase:</b>	<b>\$ 500.00</b>
<b>Construction Phase:</b>	<b>\$ 1,100.00</b>
<ul style="list-style-type: none"><li>• Attend and facilitate a Pre-Construction Meeting</li><li>• Review all Contractor Submittals</li><li>• Provide Construction Administration and Project "Site" Visits to assist contractor with field construction questions</li><li>• Assist the City of Temple with Construction Questions and Respond to Requests for Information (RFI's)</li><li>• Review Contractor Applications for Payment and insure conformance with percentage of construction complete</li><li>• Execute Necessary Change Orders</li><li>• Attend Final Project Inspection</li><li>• Provide Final Inspection Punch List</li><li>• Prepare Record Drawings</li></ul>	
<b>Daily Onsite Construction Inspection Services</b>	<b>\$ 6,750.00</b>
<ul style="list-style-type: none"><li>• Provide Daily On-Site Project Representation and Inspection Services</li></ul>	



## ***PROFESSIONAL FEE SCHEDULE***

Licensed Professional Engineer	\$ 110.00/hr.
Design Technician	\$ 70.00/hr.
CADD Technician	\$ 60.00/hr.
CADD Draftsman	\$ 50.00/hr.
Clerical	\$ 35.00/hr.
Licensed Professional Land Surveyor	\$ 105.00/hr.
Field Crew & Total Station	\$ 130.00/hr.
Survey Research and Schematic Production	\$ 90.00/hr.
Daily On-Site Inspection Services	\$ 40.00/hr.
Landscape Designer	\$ 80.00/hr.





**PRELIMINARY OPINION OF PROBABLE COST**  
**City of Temple -23rd Street Wastewater Line Replacement Project**  
**Located in Temple, Texas**

Date: 6-3-14

**Mobilization, Site Prep, and Traffic Control**

Item Description	Unit	Unit Cost	Quantity	Total
1. Site Preparation and Clearing (incl. sod/landsc. removal & replace)	STA.	\$ 650.00	11.5	\$ 7,475.00
2. Site Mobilization, Bonding, and Insurance	L.S.	\$ 19,750.00	100%	\$ 19,750.00
3. Traffic Control Plan & Implementation	L.S.	\$ 4,250.00	100%	\$ 4,250.00
4. Erosion Control Plan & Implementation	L.S.	\$ 2,850.00	100%	\$ 2,850.00
<b>SUBTOTAL:</b>				<b>\$ 34,325.00</b>

**New Sanitary Sewer Main**

Item Description	Unit	Unit Cost	Quantity	Total
1. Sawcut, Remove, and Replace HMAc Pavement	S.Y.	\$ 48.00	81	\$ 3,888.00
2. Remove and Replace Gravel Alley	S.Y.	\$ 18.75	1398	\$ 26,212.50
3. Demolish and Remove Existing Sanitary Sewer Manhole	EA.	\$ 950.00	4	\$ 3,800.00
4. 8" PVC SDR 26 "Pressure Rated" Sanitary Sewer Main	L.F.	\$ 68.00	1122	\$ 76,296.00
5. Connection to Existing Sanitary Sewer Main	EA.	\$ 975.00	4	\$ 3,900.00
6. 4' Dia. Precast Concrete Manhole with 32" Ring and Lid Assembly	EA.	\$ 3,875.00	4	\$ 15,500.00
7. Miscellaneous 4" Sanitary Sewer Service Replacement	L.F.	\$ 28.00	200	\$ 5,600.00
8. New Sanitary Sewer Service and Service Connection	EA.	\$ 1,500.00	34	\$ 51,000.00
9. Testing per COT & TCEQ Requirements	L.S.	\$ 3,250.00	100%	\$ 3,250.00
10. Trench Safety Plan and Implementation	L.S.	\$ 4,250.00	100%	\$ 4,250.00
11. Miscellaneous Pavement Striping	L.S.	\$ 750.00	100%	\$ 750.00
<b>SUBTOTAL:</b>				<b>\$ 194,446.50</b>

**SUBTOTAL CONSTRUCTION: \$ 228,771.50**  
**10% CONSTRUCTION CONTINGENCY: \$ 22,877.15**  
**TOTAL CONSTRUCTION: \$ 251,648.65**





## PRELIMINARY OPINION OF PROBABLE COST

City of Temple -23rd Street Wastewater Line Replacement Project  
Located in Temple, Texas

Date: 6-3-14

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**PRELIMINARY OPINION OF PROBABLE COST TO CONSTRUCT UTILITIES** **\$ 251,648.65**

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### PROFESSIONAL CIVIL ENGINEERING AND SURVEYING SERVICES

Design, Analysis, and Construction Document Preparation	\$ 21,390.14
8.5% Professional Civil Engineering Services	\$ 4,850.00
Professional Surveying Services (Topographic Survey)	\$ 500.00
Bid Document Preparation, Bidding Assistance, Advertising	\$ 2,500.00
Construction Staking (New Utilities)	\$ 1,100.00
Construction Administration (As Required) & Record Drawings	\$ 6,750.00
Inspection Services	

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**TOTAL PROFESSIONAL CIVIL ENGINEERING AND SURVEYING SERVICES: \$ 37,090.14**

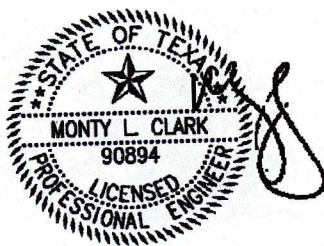
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**TOTAL CONSTRUCTION AND PROFESSIONAL SERVICES: \$ 288,738.79**

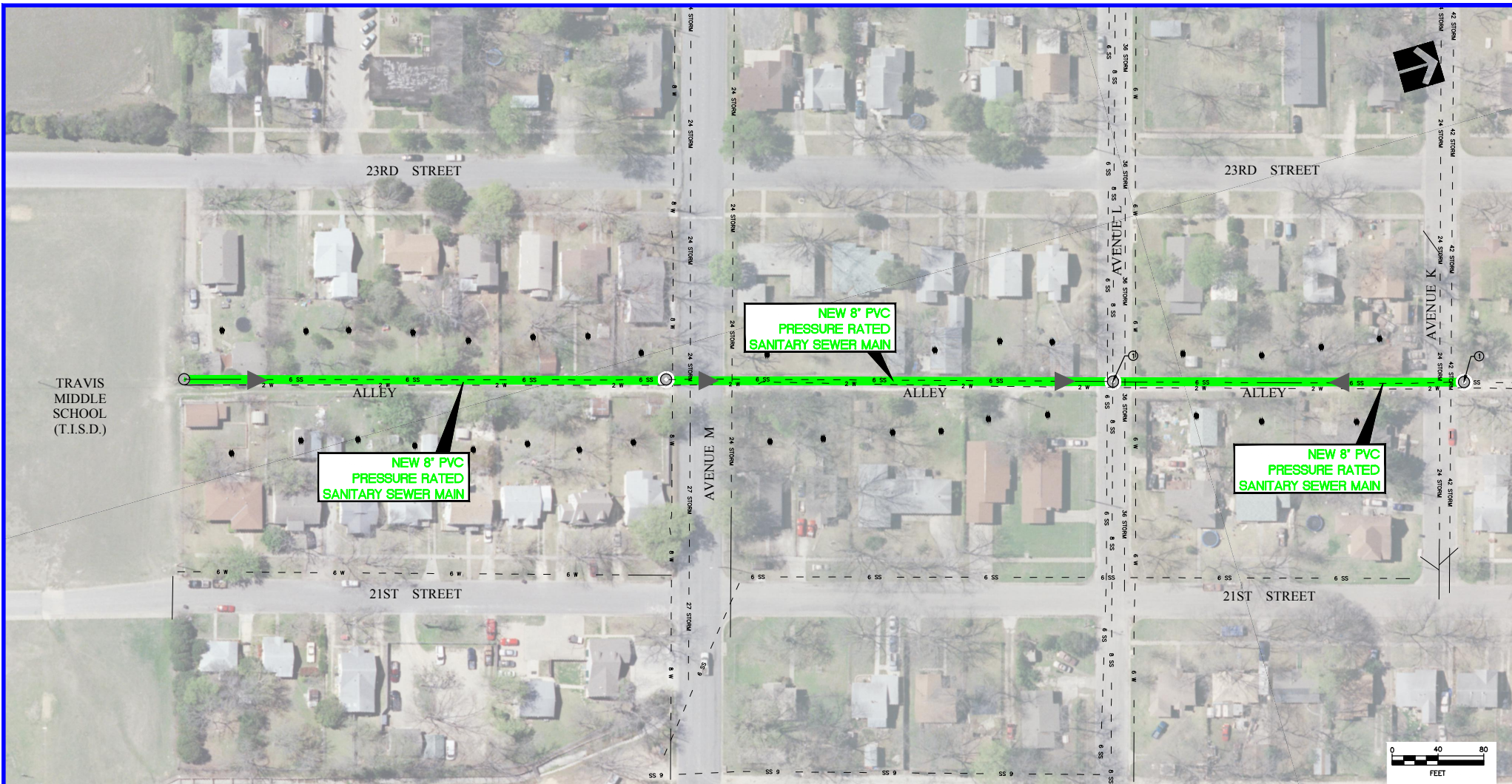
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6/3/2014





## 2014 CITY OF TEMPLE 23RD STREET WASTEWATER LINE IMPROVEMENTS PROJECT

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH CLARK & FULLER, PLLC, OF TEMPLE, TEXAS, FOR ENGINEERING SERVICES INCLUDING DESIGN, SURVEYING AND CONSTRUCTION ADMINISTRATION REQUIRED FOR WASTEWATER LINE REPLACEMENT IN THE ALLEY BETWEEN 21<sup>ST</sup> AND 23<sup>RD</sup> STREETS, FROM AVENUE K TO AVENUE N, IN AN AMOUNT NOT TO EXCEED \$37,090.14; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, wastewater lines in the area between 21<sup>st</sup> and 23<sup>rd</sup> Streets from Avenue K to Avenue N are 50-plus years old and consist of clay tile pipe with cracks, roots and broken pipe;

**Whereas**, due to the deteriorating infrastructure and increasing needs associated with development of Temple Independent School District and the Ralph Wilson Youth Center campus', these pipes must now be replaced to improve maintenance and ensure continuous services in these areas;

**Whereas**, in an effort to address system needs, this project was identified in the recently updated Capital Improvement Project list and will result in replacement of nearly 1,200 feet of wastewater lines;

**Whereas**, funds are available in Account No. 520-5900-535-6361, Project No. 101107; and

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

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

**Part 1:** The City Council authorizes the City Manager, or his designee, to execute a professional services agreement with Clark & Fuller, PLLC of Temple, Texas, after approval as to form by the City Attorney, for engineering services including design, surveying and construction administration required for wastewater line replacement in the alley between 21<sup>st</sup> and 23<sup>rd</sup> Streets, from Avenue K to Avenue N, in an amount not to exceed \$37,090.14.

**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 **17<sup>th</sup>** day of **July**, 2014.

THE CITY OF TEMPLE, TEXAS

---

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Jonathan Graham  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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07/17/14  
Item #6(D)  
Consent Agenda  
Page 1 of 2

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

Nicole Torralva, P.E., Public Works Director  
Thomas Brown, Utility Services Director

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a professional services agreement with Clark & Fuller PLLC, of Temple for engineering services including design, surveying, and construction administration required for wastewater line replacement in the Avenue M to Avenue N & Dunbar area in the amount not to exceed \$80,390.99.

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

**ITEM SUMMARY:** For many years the Utility Services Division has experienced numerous wastewater system issues in the Avenue M, Avenue N, and Dunbar areas, which have escalated over the past two months. As a result of deteriorating infrastructure, cracks, roots and broken pipe are now running beneath homes and through the syphon line under the railroad tracks to Avenue I. Wastewater lines throughout this area are clay tile and cast iron sewer mains nearing the end of their useful lives. Those pipes must now be replaced to improve maintenance problems and ensure continuous service to the area.

As a result of immediate issues and in an effort to ensure continuing service, Public Works Utility Services recently dispatched the In-House Construction Crew to the area to replace approximately 300 feet of cast iron line, including 50 feet crossing a drainage channel. Issues still exist under the railroad tracks and in the Dunbar area where the 12" sewer main runs under the houses and needs to be relocated. If the sewer main is not replaced, it could fail and leave the area without sewer service, including medical facilities. This project was identified in the recently updated capital improvement project list.

As identified in the attached proposal letter, the proposed timeline for design of the project will take approximately 110 days. Per the attachment, engineering services are broken down as follows.

**Basic Services**

Design Surveying / Construction Staking	\$ 13,750.00
Civil Design	\$ 48,540.99
Bidding	\$ 500.00
Construction Administration	\$ 1,950.00
Railroad Crossing Application	\$ 2,400.00
	<b>\$ 67,140.99</b>

**Special Services**

On-Site Representation	<u>\$ 13,250.00</u>
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<b>TOTAL</b>	<b><u>\$ 80,390.99</u></b>
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The engineer's opinion of probable cost for construction of the project is approximately \$571,070, resulting in a total estimated project cost of \$651,460.

**FISCAL IMPACT:** In an agenda item related to Water & Sewer CIP, Council is being presented a budget adjustment allocating Water & Sewer Retained Earnings to fund multiple projects in the amount of \$8,106,391. One of the projects in that allocation is for the Waste Water Line Replacement – Avenue M to Avenue N & Dunbar Trunk, in the amount of \$80,391.

After approval of that budget adjustment, funds in the amount of \$80,391 will be available for the Waste Water Line Replacement – Avenue M to Avenue N & Dunbar Trunk, account 520-5900-535-6361, project 101203, to fund the professional services agreement with Clark & Fuller PLLC in the amount not to exceed \$80,390.99.

**ATTACHMENTS:**

[Engineer's Proposal](#)  
[Project Map](#)  
[Resolution](#)



June 5, 2014

City of Temple  
Director of Public Works  
Nicole Torralva, P.E.  
3210 E. Ave. H, Bldg. A  
Temple, TX 76501

Re: Professional Services Proposal for the 2014 City of Temple – Dunbar to Avenue I Sanitary Sewer Main Replacement and Street Overlay Project

Dear Mrs. Torralva,

We would like to thank the City of Temple for the opportunity to submit a preliminary opinion of probable cost and professional engineering and surveying services fee proposal for the 2014 City of Temple – Dunbar to Avenue I Sanitary Sewer Main Replacement and Street Overlay Project. (Please refer to attached maps and documents for further information).

This project will consist of approximately 2,220 linear feet of new 12" Sanitary Sewer Main to replace an existing sanitary sewer main and sanitary sewer siphon that is aging and beginning to fail. 120 linear feet of new 24" Steel Pipe Encasement is to be constructed beneath the existing B.N.S.F. Railway and will require coordination and submission of Civil Engineers Documents for permitting purposes. In addition, approximately 2,185 linear feet of existing residential streets are to be "overlayed" with 1-1/2 inches of new asphalt road surface.

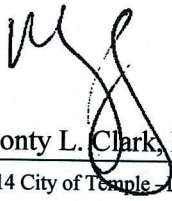
Clark & Fuller, PLLC will assist the City of Temple with preparation of the railroad crossing application, submission, and coordination. In addition, Clark & Fuller, PLLC will complete design topography surveys, new sanitary sewer main designs, construction document preparation, provide construction administration, and post construction record drawings. At the City of Temple's request, Clark & Fuller, PLLC can also provide daily on-site project representation and inspection services.

The proposed timeline for the project design phase is 110 calendar days from the authorization of notice to proceed. Furthermore we estimate the contractor's time to construct to be 190 calendar days.

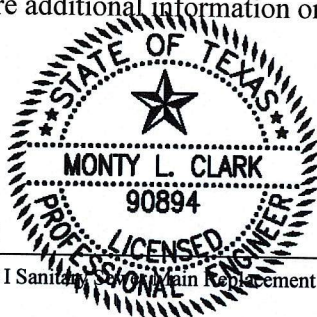
Clark & Fuller, PLLC, hereinafter Engineer, proposes to the City of Temple, hereinafter Client, Professional Engineering, Inspection, and Surveying Services for a Lump Sum Amount not to exceed \$80,390.99. We estimate the total cost of construction to be \$571,070.50 and we estimate the total cost of construction including professional services and contingencies to be \$651,461.49. (Please refer to attached Maps, Exhibits, and the Preliminary Opinion of Probable Cost for an itemized breakdown and scope of services.)

Please contact us if you require additional information or have further questions regarding this proposal.

Sincerely,



Monty L. Clark, P.E., CPESC



**EXHIBIT "A"**

**Additional Services Proposal for the 2014 City of Temple – Dunbar to Avenue I  
Sanitary Sewer Main Replacement and Street Overlay Project**

**Scope of Professional Services**

**Surveying Services: \$ 13,750.00**

- Provide Project Elevation Benchmark
- Locate Existing Rights of Ways and Property Boundaries
- Prepare Design Topography Surveys
- Provide Construction Staking
  - Final Manhole Locations

**Civil Engineering Design Phase: \$ 48,540.99**

- Research Existing Utilities
- Prepare Final Design Construction Documents
- Technical Specifications
- Provide Engineers Opinion of Construction Cost and Probable Days to Complete Project Construction
- Attend and Facilitate Project Coordination with the City Staff
- Attendance at Property Owner/Neighborhood Meetings
- Provide Miscellaneous Maps and Exhibit Drawings (if required)

**Railroad Crossing Application Services: \$ 2,400.00**

- Prepare Railroad Crossing Application and Documentation
- Submission of Application to Reviewing Party (One Time)
- Attend and Facilitate Project Coordination with BNSF and the City Staff
- Attendance at Meetings
- Provide Miscellaneous Maps and Exhibit Drawings (if required)

**Project Bidding Phase: \$ 500.00**

**Construction Phase: \$ 1,950.00**

- Attend and facilitate a Pre-Construction Meeting
- Review all Contractor Submittals
- Provide Construction Administration and Project "Site" Visits to assist contractor with field construction questions
- Assist the City of Temple with Construction Questions and Respond to Requests for Information (RFI's)
- Review Contractor Applications for Payment and insure conformance with percentage of construction complete
- Execute Necessary Change Orders
- Attend Final Project Inspection
- Provide Final Inspection Punch List
- Prepare Record Drawings

**Daily Onsite Construction Inspection Services \$ 13,250.00**

- Provide Daily On-Site Project Representation and Inspection Services

## ***PROFESSIONAL FEE SCHEDULE***

Licensed Professional Engineer	\$ 110.00/hr.
Design Technician	\$ 70.00/hr.
CADD Technician	\$ 60.00/hr.
CADD Draftsman	\$ 50.00/hr.
Clerical	\$ 35.00/hr.
Licensed Professional Land Surveyor	\$ 105.00/hr.
Field Crew & Total Station	\$ 130.00/hr.
Survey Research and Schematic Production	\$ 90.00/hr.
Daily On-Site Inspection Services	\$ 40.00/hr.





## PRELIMINARY OPINION OF PROBABLE COST

**2014 City of Temple -Dunbar to Avenue I Sanitary Sewer Main Replacement & Street Overlay Project**  
 Located in Temple, Texas

Date: 6-4-14

### Mobilization, Site Prep, and Traffic Control

Item Description	Unit	Unit Cost	Quantity	Total
1. Site Preparation and Clearing (incl. sod/landsc. removal & replace)	STA.	\$ 450.00	45	\$ 20,250.00
2. Site Mobilization, Bonding, and Insurance	L.S.	\$ 32,500.00	100%	\$ 32,500.00
3. Traffic Control Plan & Implementation	L.S.	\$ 4,750.00	100%	\$ 4,750.00
4. Erosion Control Plan & Implementation	L.S.	\$ 3,750.00	100%	\$ 3,750.00
5. Remove and Replace Existing Intruder Resistant Chain Link Fence	L.F.	\$ 22.00	80	\$ 1,760.00

**SUBTOTAL: \$ 63,010.00**

### New Sanitary Sewer Main

Item Description	Unit	Unit Cost	Quantity	Total
1. Sawcut, Remove, and Replace HMAc Pavement	S.Y.	\$ 48.00	104	\$ 4,992.00
2. Sawcut, Remove, and Replace Reinforced Concrete Pavement	S.Y.	\$ 80.00	74	\$ 5,920.00
3. Remove and Replace Existing 8" Gravel Pavement	S.Y.	\$ 12.00	488	\$ 5,856.00
4. 2" HMAc Overlay and Street Preparation	S.Y.	\$ 11.50	6798	\$ 78,177.00
5. Demolish and Remove Existing Sanitary Sewer Manhole	EA.	\$ 950.00	8	\$ 7,600.00
6. 12" PVC SDR 26 Sanitary Sewer Main	L.F.	\$ 75.00	2220	\$ 166,500.00
7. 8" PVC SDR 26 Sanitary Sewer Main	L.F.	\$ 60.00	80	\$ 4,800.00
8. Connection to Existing Sanitary Sewer Main	EA.	\$ 1,850.00	7	\$ 12,950.00
9. 5' Dia. Precast Concrete Manhole with 32" Ring and Lid Assembly	EA.	\$ 5,350.00	1	\$ 5,350.00
10. 4' Dia. Precast Concrete Manhole with 32" Ring and Lid Assembly	EA.	\$ 4,250.00	14	\$ 59,500.00
11. 24" Steel Pipe Encasement via Bore	L.F.	\$ 385.00	120	\$ 46,200.00
12. Sanitary Sewer Service and Service Connection	EA.	\$ 1,800.00	16	\$ 28,800.00
13. Bypass Pumping & Dewatering	L.S.	\$ 14,500.00	100%	\$ 14,500.00
14. Testing per COT & TCEQ Requirements	L.S.	\$ 6,500.00	100%	\$ 6,500.00
15. Trench Safety Plan and Implementation	L.S.	\$ 8,500.00	100%	\$ 8,500.00

**SUBTOTAL: \$ 456,145.00**

**SUBTOTAL CONSTRUCTION: \$ 519,155.00**  
**10% CONSTRUCTION CONTINGENCY: \$ 51,915.50**

**TOTAL CONSTRUCTION: \$ 571,070.50**



## PRELIMINARY OPINION OF PROBABLE COST

2014 City of Temple -Dunbar to Avenue I Sanitary Sewer Main Replacement & Street Overlay Project  
Located in Temple, Texas

Date: 6-4-14

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### PRELIMINARY OPINION OF PROBABLE COST TO CONSTRUCT UTILITIES

\$ 571,070.50

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#### PROFESSIONAL CIVIL ENGINEERING AND SURVEYING SERVICES

##### *Design, Analysis, and Construction Document Preparation*

8.5% Professional Civil Engineering Services	\$ 48,540.99
Professional Surveying Services (Topographic Survey)	\$ 9,800.00
Bid Document Preparation, Bidding Assistance, Advertising	\$ 500.00
Railroad Crossing Application Preparation, Submission, & Coordination	\$ 2,400.00
Construction Staking (New Utilities)	\$ 3,950.00
Construction Administration (As Required) & Record Drawings	\$ 1,950.00
Inspection Services	\$ 13,250.00

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TOTAL PROFESSIONAL CIVIL ENGINEERING AND SURVEYING SERVICES: \$ 80,390.99

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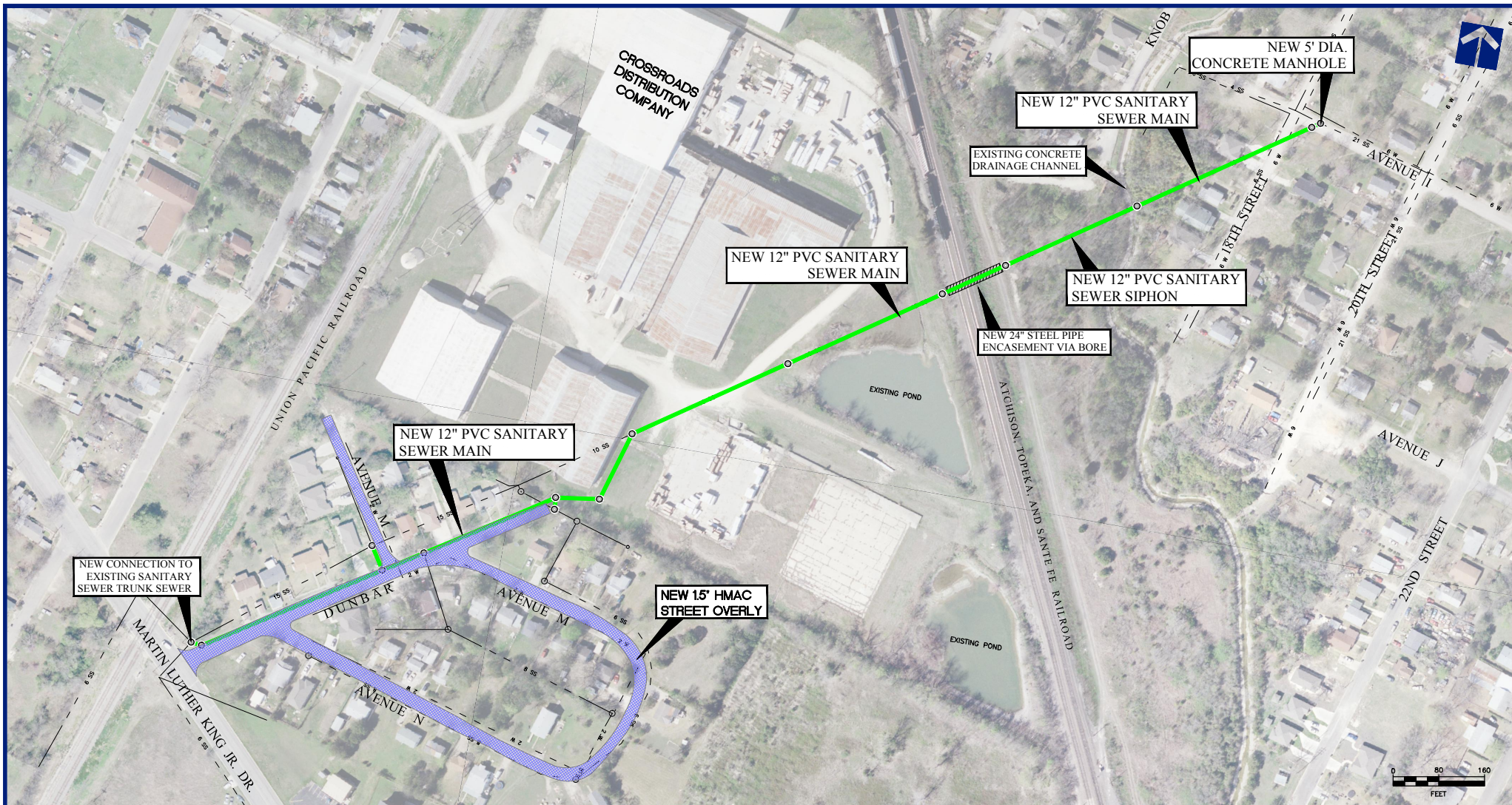
TOTAL CONSTRUCTION AND PROFESSIONAL SERVICES: \$ 651,461.49

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6/4/2014







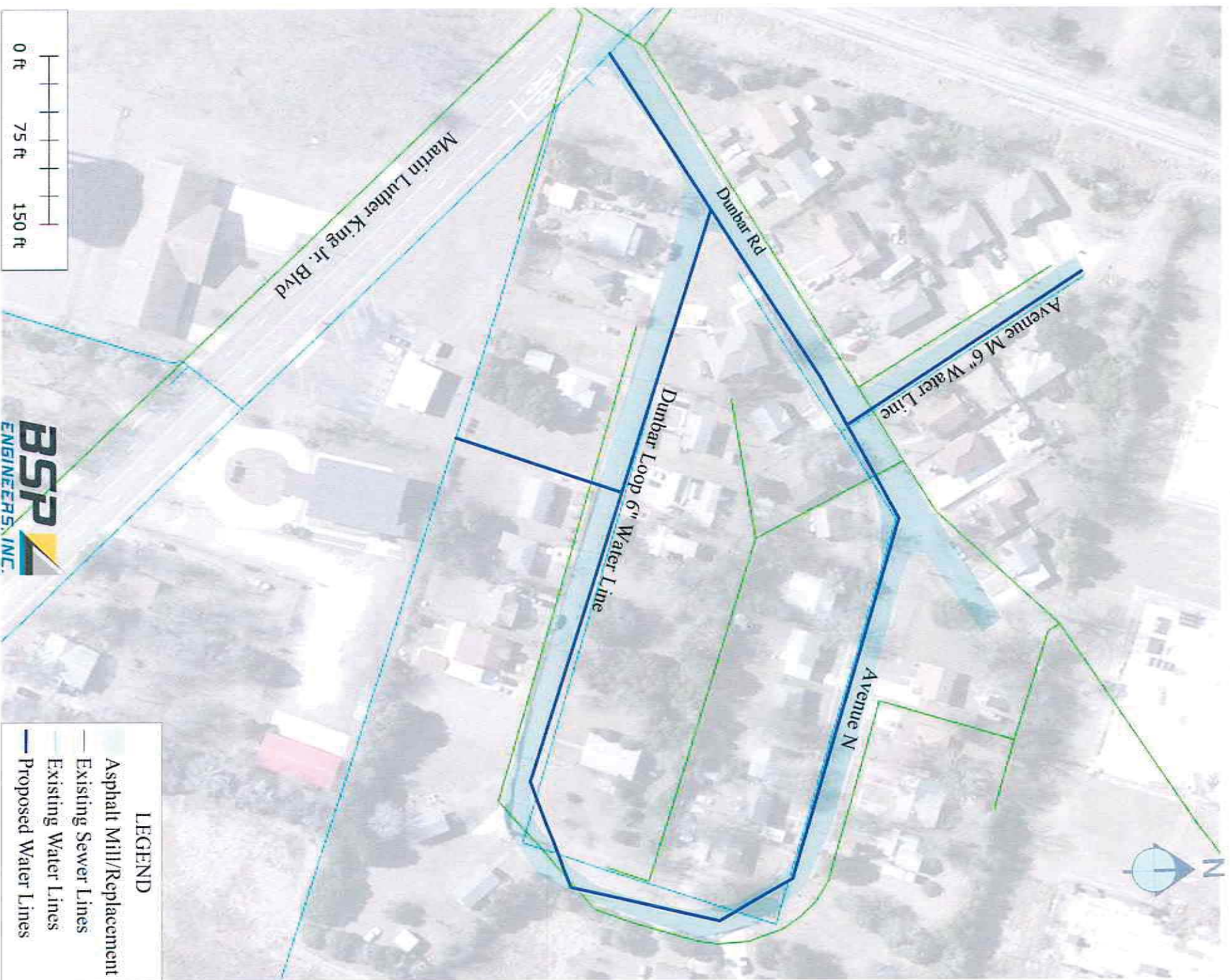
# City of Temple 2014 Water Main Improvements

## N 21st Street





# City of Temple 2014 Water Main Improvements Dunbar and Avenue N



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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH CLARK & FULLER, PLLC, OF TEMPLE, TEXAS, FOR ENGINEERING SERVICES INCLUDING DESIGN, SURVEYING AND CONSTRUCTION ADMINISTRATION REQUIRED FOR WASTEWATER LINE REPLACEMENT IN THE AVENUE M TO AVENUE N AND DUNBAR AREA, IN AN AMOUNT NOT TO EXCEED \$80,390.99; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, for many years, the Utility Services Division of Public Works has experienced numerous wastewater system issues in the Avenue M, Avenue N and Dunbar areas which have escalated over the past two months;

**Whereas**, as a result of deteriorating infrastructure, cracks, roots and broken pipe are now running beneath homes and through the syphon line under the railroad tracks to Avenue I – wastewater lines in this area are clay tile and cast iron sewer mains which are nearing the end of their useful lives;

**Whereas**, in an effort to ensure continuing service to these areas, an in-house construction crew replaced approximately 300 feet of cast iron line, including 50 feet crossing a drainage channel, however, issues still exist under the railroad tracks and in the Dunbar area;

**Whereas**, funds are available in Account No. 520-5900-535-6361, Project No. 101203; and

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

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

**Part 1:** The City Council authorizes the City Manager, or his designee, to execute a professional services agreement with Clark & Fuller, PLLC of Temple, Texas, after approval as to form by the City Attorney, for engineering services including design, surveying and construction administration required for wastewater line replacement in the Avenue M to Avenue N and Dunbar area, in an amount not to exceed \$80,390.99.

**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 **17<sup>th</sup>** day of **July**, 2014.

THE CITY OF TEMPLE, TEXAS

---

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Jonathan Graham  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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07/17/14  
Item #6(E)  
Consent Agenda  
Page 1 of 2

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

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

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a professional services agreement with BSP Engineering, Inc of Temple, Texas for professional engineering services including design and surveying of the 2014 Temple Waterline Replacement Project which includes South 26<sup>th</sup> Street and East Avenue B, North 21<sup>st</sup> Street from West Adams Avenue to West French Avenue, and Dunbar Road and East Avenue N in an amount not to exceed \$141,426.

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

**ITEM SUMMARY:** For several years, the Public Works Utility Services Division has experienced numerous operational waterline issues in several areas in Temple. These areas include South 26<sup>th</sup> Street and E. Avenue B, North 21<sup>st</sup> street from West Adams Avenue to West French Avenue, Dunbar Road and East Avenue N. These areas contain undersized cast iron lines with lead-poured joints (6" in size or less). The project will provide larger distribution lines and installation of valves and hydrants, substantially upgrading both water and fire service in these areas.

This project will replace 5,845 feet of 2" and 6" diameter cast iron pipe with new 6" and 8"-diameter PVC pipe. The proposed timeline for design of this project is 115 days. Per the attachment, the professional engineering services are broken down as follows:

#### **Basic Services**

Design Topographic Survey	\$ 13,300
Parcel/Owner Identification and Address	\$ 6,500
Preparation of Construction Documents	\$ 81,426
Contract Bidding Phase	\$ 3,500
Project Representation	\$ 2,900
Construction Surveying	\$ 8,500
Inspection Services	<u>\$ 25,300</u>

**Total** **\$141,426**

The engineer's opinion of probable cost for construction of this project is \$975,843.

**FISCAL IMPACT:** Funding in the amount of \$1,111,270 is available in the Capital Building & Grounds / Water Line Improvements, account # 520-5260-535-6357, project # 101090, to fund the professional services agreement with BSP Engineering, Inc. in an amount not to exceed \$141,426.

**ATTACHMENTS:**

[Engineer's Proposal](#)  
[Project Map](#)  
[Resolution](#)





15 West Central Avenue  
Temple, Texas 76501  
Phone: 254.774.9611  
Fax: 254.774.9676  
www.beachengineers.com

July 3, 2014

City of Temple  
Department of Public Works  
Mrs. Nicole Torralva, PE  
Public Works Director  
3210 E. Ave. H, Bldg. A, Ste 130  
Temple, TX 76501

RE: REVISED Professional Engineering Proposal for  
City of Temple, 2014 Waterline Improvement Projects

Dear Mrs. Torralva,

As per staff's request, we have prepared our professional services fee proposal for Engineering Services required for the above referenced project. Scope of work to conform to the attached GIS Exhibits and Preliminary Opinion of Probable Cost:

**BASIC SERVICES:**

The BASIC SERVICES shall include Professional Engineering and Topography Surveys, and Project Representation as required to prepare the design and construction drawings, and all other information as required to supplement project Bid manual.

We propose to complete all services for a lump sum Professional Fee of

**\$ 141,426.00.** The fee is divided as follows: These amounts shall be invoiced monthly based upon the percent complete through invoice date.

Design Topography Survey	\$ 13,300.00
Parcel / Owner Identification and address (Survey as needed)	\$ 6,500.00
Preparation of Construction Documents (50% Complete)	\$ 32,713.00
Preparation of Construction Documents (100% Complete)	\$ 48,713.00
Contract Bidding Phase	\$ 3,500.00



**BASIC SERVICES: CONTINUED**

Project Representation	\$ 2,900.00
<ul style="list-style-type: none"> <li>• Pre-construction Meeting</li> <li>• Additional (3) Meetings as required for project coordination</li> <li>• Pay request Review and Certification</li> <li>• Preparation of no design Change Orders</li> <li>• Final Walk-through</li> </ul>	
Construction Surveying	\$ 8,500.00
<ul style="list-style-type: none"> <li>• Calculation and Preparation of all Construction Layout points</li> <li>• Provide a one-time construction stake-out of water main</li> <li>• Preparation of Cut Sheets</li> </ul>	
Inspection Services	\$ 25,300.00
<ul style="list-style-type: none"> <li>• Daily Inspections (Estimated at 2.5 hours per day x 160 days)</li> <li>• Weekly Construction Reports</li> <li>• Photos taken during the Construction Process</li> <li>• Pay Request Review and Quantity Verification</li> <li>• Construction Progress Meetings with Contractor as required</li> </ul>	

**PROJECT DELIVERABLES:**

- (2) Contract Drawings - 50% Complete Review Sets 11x17
- (25) – 100% Complete hardcopy sets 11x17 Construction Drawings
- (1) Mylar set 11x17
- Opinion of Probable Cost signed and sealed by Texas registered professional engineer
- Bid Exhibit including itemized Bid Items
- Bid Tabulation including review and Contractor recommendation
- Record Drawings prepared on Mylar and electronic files on CD

**PROJECT SCHEDULE:**

## Time Required

Design Topography Survey	30 Cal Days
Preparation of Documents (50% Complete)	35 Cal Days
Preparation of Documents (100% Complete)	50 Cal Days
Contract Bidding Phase	60 Cal Days
Construction Phase	160 Cal Days

**ADDITIONAL SERVICES:**

The following are estimated ADDITIONAL SERVICES associated with the above referenced BASIC SERVICES:

Easement Preparation (None Anticipated)	\$ Hourly
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After you have had the opportunity to review this proposal, we are prepared to discuss the specifics of the outlined services and fees.

Sincerely,

A handwritten signature in black ink that reads "Anthony D. Beach". The signature is written in a cursive, flowing style.

Anthony D. Beach, P.E.  
BSP Engineers, Inc.  
F-7587  
[www.bspengineers.com](http://www.bspengineers.com)

Attachments: (3) Project Site Plans, Preliminary Opinion of Probable Cost



# City of Temple 2014 Water Main Improvements

## 26th and Avenue B





# City of Temple 2014 Water Main Improvements

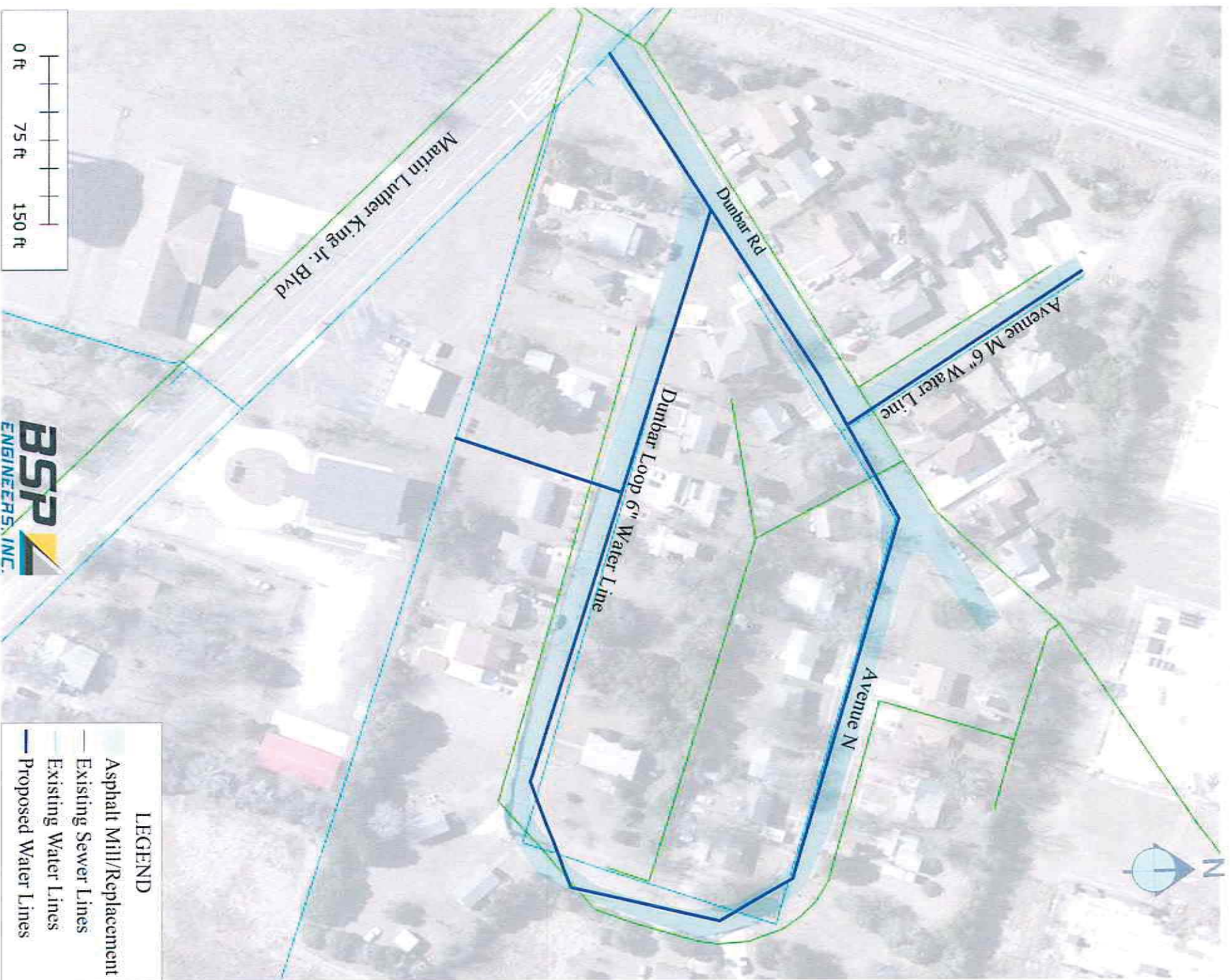
## N 21st Street



**BSP**  
ENGINEERS, INC.



# City of Temple 2014 Water Main Improvements Dunbar and Avenue N





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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH BSP ENGINEERING, INC., OF TEMPLE, TEXAS, FOR ENGINEERING SERVICES INCLUDING THE DESIGN AND SURVEYING OF THE 2014 TEMPLE WATERLINE REPLACEMENT PROJECT, IN AN AMOUNT NOT TO EXCEED \$141,426.00; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, for several years, the Public Works Utility Services Division has experienced numerous operational waterline issues in several areas of Temple – these areas include South 26<sup>th</sup> Street and East Avenue B, North 21<sup>st</sup> Street from West Adams Avenue to West French Avenue, Dunbar Road and East Avenue N;

**Whereas**, these areas contain undersized cast iron lines with lead-poured joints – the project will provide larger distribution lines and installation of valves and hydrants, substantially upgrading both water and fire service lines in these areas;

**Whereas**, the project will replace approximately 5,845 feet of 2-inch and 6-inch diameter cast iron pipe with new 6-inch and 8-inch diameter PVC pipe;

**Whereas**, funding is available for this professional services agreement in Account No. 520-5260-535-6357, Project No. 101090; and

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

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

**Part 1:** The City Council authorizes the City Manager, or his designee, to execute a professional services agreement with BSP Engineering, Inc., of Temple, Texas, after approval as to form by the City Attorney, for engineering services including design and surveying of the 2014 Temple Waterline Replacement Project which includes South 26<sup>th</sup> Street and East Avenue B, North 21<sup>st</sup> Street from West Adams Avenue to West French Avenue, and Dunbar Road and East Avenue N, in an amount not to exceed \$141,426.

**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 17<sup>th</sup> day of **July**, 2014.

THE CITY OF TEMPLE, TEXAS

---

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Jonathan Graham  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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07/17/14  
Item #6(F)  
Consent Agenda  
Page 1 of 1

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

Jonathan Graham, City Attorney

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a renewal lease agreement with Bechtel Power Corporation for lease of approximately 23.30 acres of City-owned land located on the east side of Panda Drive.

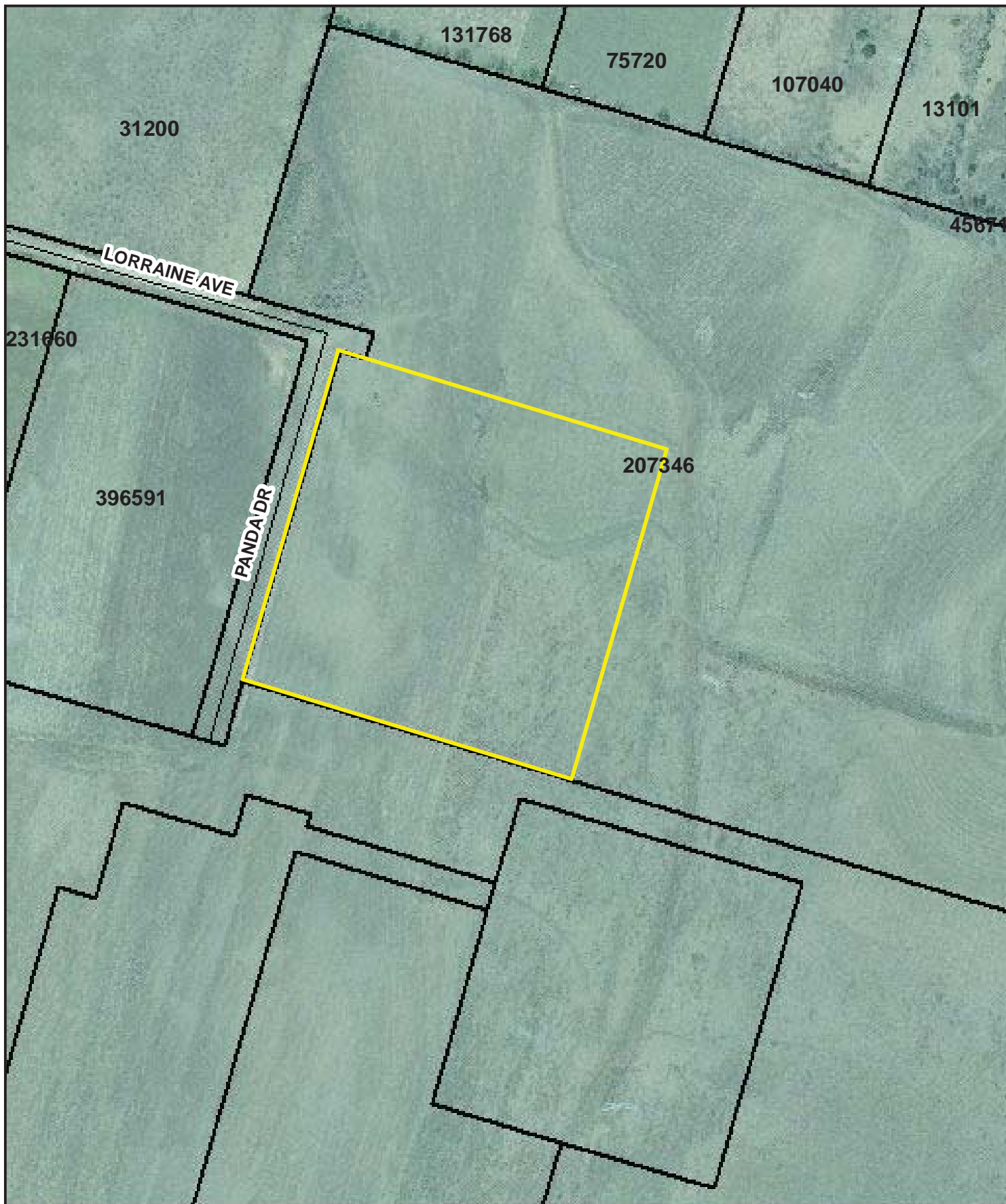
**STAFF RECOMMENDATION:** Adopt resolution as presented in item description.

**ITEM SUMMARY:** Bechtel Power Corporation is currently leasing approximately 23.30 acres of City-owned property located on the east side of Panda Drive, as depicted in the attached Exhibit A. Bechtel uses the property for the purpose of storing equipment and machinery being utilized in the construction of the Panda power plant. The original lease term will expire on September 5, 2014. Bechtel has requested to renew the lease for another year. The new lease period will run from September 6, 2014 to September 5, 2015. Bechtel will pay \$50.00 per acre, per year, for a total rent payment of \$1,165.

**FISCAL IMPACT:** The City will receive \$1,165 in annual lease revenue from Bechtel Power Corporation which will be deposited into account 795-0000-461-0253.

### **ATTACHMENTS:**

[Map](#)  
[Resolution](#)



**Bechtel: Part of Parcel  
County #:207346**

Acreage: 23.30



1 inch = 382 feet

City of Temple  
GIS Department  
7/3/2013

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



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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A LEASE RENEWAL AGREEMENT WITH BECHTEL POWER CORPORATION OF APPROXIMATELY 23.30 ACRES OF CITY-OWNED LAND LOCATED ON THE EAST SIDE OF PANDA DRIVE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas,** Bechtel Power Corporation is currently leasing approximately 23.30 acres of City-owned property located on the east side of Panda Drive to be used for the purpose of storing equipment and machinery being utilized in the construction of the Panda power plant;

**Whereas,** the original lease term will expire on September 5, 2014 and Bechtel has requested to renew the lease for another year – the new lease period will run from September 6, 2014 through September 5, 2015;

**Whereas,** Bechtel will pay the City of Temple \$50 per acre, per year, for a total rent payment of \$1,665 per year and this annual lease revenue to be deposited in Account No. 795-0000-461-0253; 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 renewal agreement between the City of Temple and Bechtel Power Corporation, after approval as to form by the City Attorney, for the lease of approximately 23.30 acres of City-owned land located on the east side of Panda Drive for the purpose of storing equipment and machinery being utilized in the construction of the Panda power plant, in the annual rent amount of \$1,165.

**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 17<sup>th</sup> day of **July**, 2014.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Jonathan Graham  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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07/17/14  
Item #6(G)  
Consent Agenda  
Page 1 of 1

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

Gary O. Smith, Chief of Police

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing an Interlocal Agreement with Bell County for the Bell County Crime Coalition project that is administered by the Bell County Juvenile Probation Department.

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

**ITEM SUMMARY:** This agreement will allow Temple Police Officers assigned to investigate juvenile crimes to work with Bell County Juvenile Probation Officers in making home visits of children on court-ordered probation within the City of Temple. This program has been in place for a number of years. The program provides reimbursement for the overtime pay incurred by officers performing home visits after normal business hours.

The goal of this program is to team Juvenile Police Officers with Juvenile Probation Officers to monitor and reduce technical violations of court imposed sanctions through home visits, curfew checks, and drug screening for juveniles on court ordered probation.

The term of this contract will commence on August 1, 2014 and will end on July 31, 2015.

**FISCAL IMPACT:** There is no requirement upon the City of Temple to provide any funding to this program. All expenditures with regard to the payment of Temple Police Officers will be reimbursed by Bell County.

Revenue and associated expenditures for the FY 2014 portion of this agreement were included in the FY 2014 budget. The revenue and associated expenditures for the FY 2015 portion of this agreement are included in the FY 2015 preliminary budget that was filed June 27, 2014.

### **ATTACHMENTS:**

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING AN INTERLOCAL AGREEMENT WITH BELL COUNTY FOR THE BELL COUNTY CRIME COALITION PROJECT THAT IS ADMINISTERED BY THE BELL COUNTY JUVENILE PROBATION DEPARTMENT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas,** the Bell County Crime Coalition project is administered by the Bell County Juvenile Probation Department – this agreement will allow Temple Police Officers assigned to investigate juvenile crimes to work with Bell County Juvenile Probation Officers in making home visits of children on court ordered probation within the City of Temple;

**Whereas,** the goal of this program is to team juvenile police officers with juvenile probation officers to monitor and reduce technical violations of court imposed sanctions through home visits, curfew checks, and drug screening for juveniles on court ordered probation;

**Whereas,** the City is required to enter into a cooperative working agreement with Bell County to participate in this program – the term of this contract is from August 1, 2014 to July 31, 2015;

**Whereas,** the City will not be required to provide any funding for the program, and all expenditures with regard to the payment of Temple police officers will be reimbursed by Bell County; 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 Manager, or his designee, is authorized to execute an Interlocal Agreement with Bell County for the Bell County Crime Coalition project that is administered by the Bell County Juvenile Probation Department, after approval as to form by the City Attorney.

**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 17<sup>th</sup> day of July, 2014.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Jonathan Graham  
City Attorney





## COUNCIL AGENDA ITEM MEMORANDUM

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07/17/14  
Item #6(H)  
Consent Agenda  
Page 1 of 1

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

Kevin Beavers, Parks and Leisure Services Director

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing an Interlocal Agreement with the Belton Independent School District to provide school locations for after school latchkey programming.

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

**ITEM SUMMARY:** We are requesting City Council approval to enter into an Interlocal Agreement with the Belton Independent School District (B.I.S.D.). The agreement would allow the Parks and Leisure Services Department to continue to provide an after school program at four (4) B.I.S.D. schools that are located in the Temple city limits.

In 2009 Temple Parks and Leisure Services was awarded the contract to provide “Latch Key Program Management Services” at Tarver, Pirtle, and Lakewood Elementary Schools. In 2013 High Point Elementary was added to the latch key program. During the 2013-14 school year the Temple Parks and Leisure Services Department provided an after school program for two hundred and sixty (260) 5 to 13 year olds, Monday through Friday, from 3 pm to 6 pm.

The term of this agreement will be from July 1, 2014 through June 30, 2015, at which time the parties may extend or renegotiate the agreement by mutual consent.

Additionally, B.I.S.D. has agreed to waive all facility usage fees during the time the program is being offered, thus allowing the program to be offered at an affordable rate for the participants.

This agreement with B.I.S.D. helps meet the City Council goal of jointly partnering with school districts to provide services and programs.

**FISCAL IMPACT:** None

**ATTACHMENTS:**

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING AN INTERLOCAL AGREEMENT WITH THE BELTON INDEPENDENT SCHOOL DISTRICT TO PROVIDE AFTER-SCHOOL LATCHKEY PROGRAMMING; AND PROVIDING AN OPEN MEETINGS CLAUSE.

---

**Whereas,** the Parks and Leisure Services Department requests authorization to enter into an Interlocal Agreement with the Belton Independent School District (BISD) to provide after school latchkey programs at four BISD school located in the Temple city limits;

**Whereas,** in 2009, the Parks and Leisure Services Department was awarded the contract to provide “Latch Key Program Management Services” at Tarver, Pirtle and Lakewood Elementary Schools – in 2013, High Point Elementary School was added to the latch key program;

**Whereas,** during school year 2013-2014, the Temple Parks and Leisure Services Department provided an after school program for two hundred sixty (260) 5 to 13 year olds, Monday through Friday, from 3pm to 6pm;

**Whereas,** BISD has agreed to waiver all facility usage fees during the time the program is being offered, allowing the program to be offered at an affordable rate for the participants;

**Whereas,** the term of the agreement would be from July 1, 2014, through June 30, 2015, at which time the parties may extend or renegotiate the agreement by mutual consent; and

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

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

**Part 1:** The City Council authorizes the City Manager, or his designee, to execute an Interlocal Agreement with the Belton Independent School District, after approval as to form by the City Attorney, to provide after school latchkey programming from July 1, 2014 through June 20, 2015.

**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 17<sup>th</sup> day of **July**, 2014.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Jonathan Graham  
City Attorney





## **COUNCIL AGENDA ITEM MEMORANDUM**

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07/17/14  
Item #6(I)  
Consent Agenda  
Page 1 of 1

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

Jonathan Graham, City Attorney  
Nicole Torralva, P.E., Public Works Director

**ITEM DESCRIPTION:** Consider adopting a resolution ratifying the purchase of 1802 South 19<sup>th</sup> Street, legally described as Lot One (1), Block One (1), Anderson-Hendler Addition, First Extension, an addition to the City of Temple, Bell County, Texas, according to the map or plat of record in Cabinet A, Slide 101-A, Plat Records of Bell County, Texas in the amount of \$103,544.43 and for the payment of 2014 property taxes on the property currently estimated in the amount of \$2,676.66.

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

**ITEM SUMMARY:** On March 20, 2014, the City Council authorized the purchase of 1802 South 19<sup>th</sup> Street for right-of-way needed to construct the Avenue R intersection improvements. The purchase price authorized by Council was \$102,294. The City closed on the property on June 18, 2014 and the total purchase price with closing costs totaled \$103,544.43. In addition, the City agreed to pay the 2014 property taxes on the property currently estimated in the amount of \$2,676.66. The property taxes will be due in October, 2014. Staff is asking Council to ratify the purchase of 1802 South 19<sup>th</sup> Street for the corrected amount of \$103,544.43 and authorize the payment of the property taxes currently estimated in the amount of \$2,676.66.

**FISCAL IMPACT:** Funds are available in the Reinvestment Zone No. 1 Financing and Project Plans, Line 500, account 795-9500-531-6553, project 100696 to fund these additional costs related to the property acquisition.

**ATTACHMENTS:**

[March 20, 2014 Agenda Item Resolution](#)



## COUNCIL AGENDA ITEM MEMORANDUM

03/20/14  
Item #7(S)  
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 the purchase of 1802 South 19<sup>th</sup> Street, legally described as Lot One (1), Block One (1), Anderson-Hendler Addition, First Extension, an addition to the City of Temple, Bell County, Texas, according to the map or plat of record in Cabinet A, Slide 101-A, Plat Records of Bell County, Texas in the amount of \$102,294 for right-of-way (ROW) required to construct the Avenue R Intersection Improvements, ~~contingent on a supporting vote by the Reinvestment Zone Board.~~

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

**ITEM SUMMARY:** On May 5, 2011, Council authorized a professional services agreement with Kasberg, Patrick & Associates, LP, (KPA) to provide survey and design services for improvements of intersections of Avenue R with Scott & White Boulevard/25<sup>th</sup> Street and 19<sup>th</sup> Street in an amount not to exceed \$50,000. This project is within the TMED and is shown on the attached Project Map.

On June 6, 2013, Council authorized a contract amendment with KPA to revise the plans to include roadway design (west of 25<sup>th</sup> Street, from 25<sup>th</sup> street to 19<sup>th</sup> Street, and east of 19<sup>th</sup> street), prepare metes and bounds for proposed ROW, bid the project, perform construction administration, and provide on-site representation in an amount not to exceed \$117,400.

The revised preliminary OPC for the project is \$1.95 million, which includes a 10% construction contingency and an estimated \$200,000 for rights-of-way.

The acquisition of 1802 South 19<sup>th</sup> Street is required for the project and the acquisition includes a residential structure. The property is owned by Monroe and Cecelia Jimenez. Mr. and Mrs. Jimenez have signed a Memorandum of Understanding in which they agreed to accept \$102,294 for purchase of the property. The amount of \$102,294 represents the 2013 Bell County Appraisal District value for the property.

Staff will request the RZ to vote in support of this potential Council resolution at their next regularly scheduled board meeting.

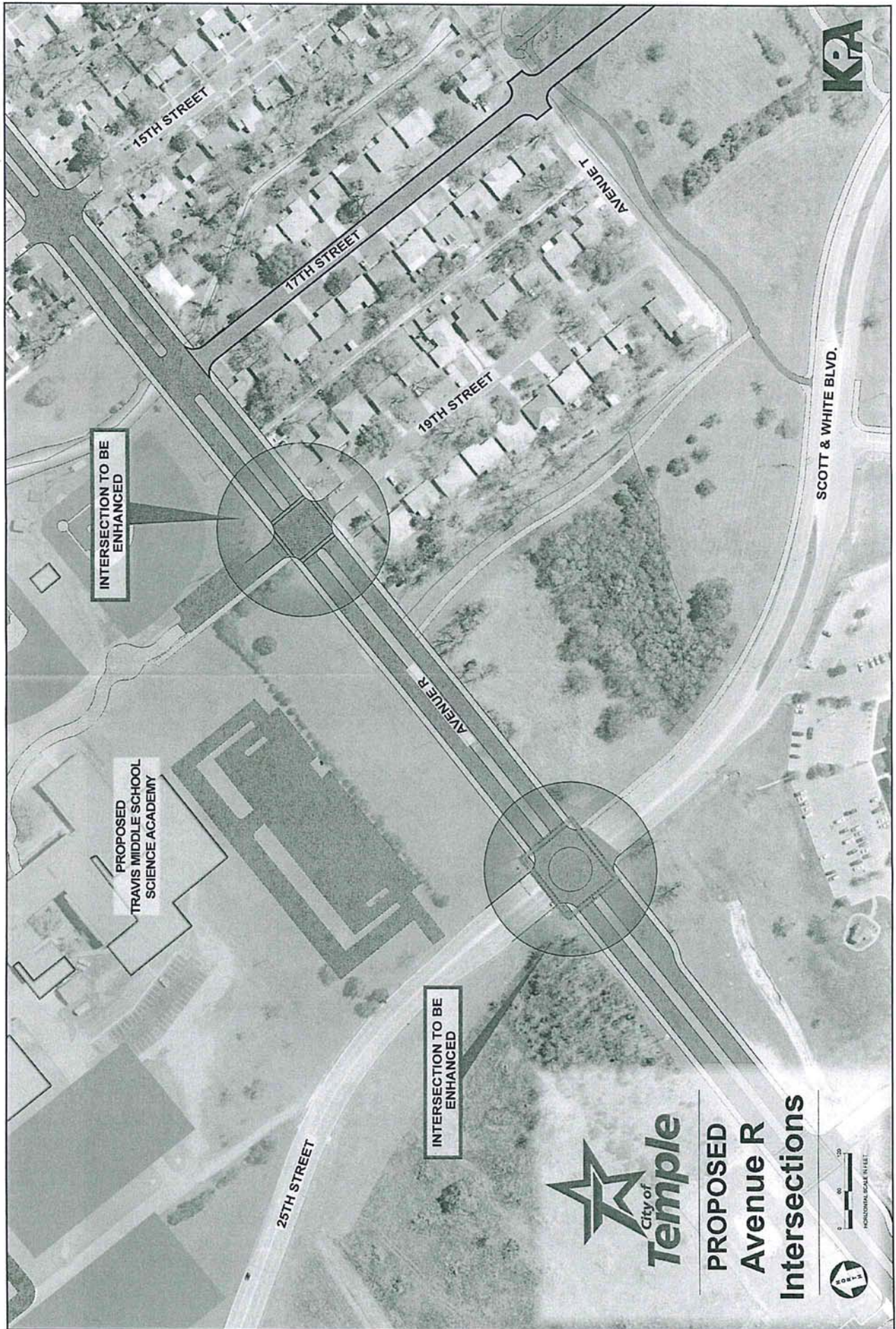
**FISCAL IMPACT:** Funds are available in the Reinvestment Zone No. 1 Financing and Project Plans, Line 500, account 795-9500-531-6553, project 100696 to fund this contract amendment.

Actual \$ 103,544.43

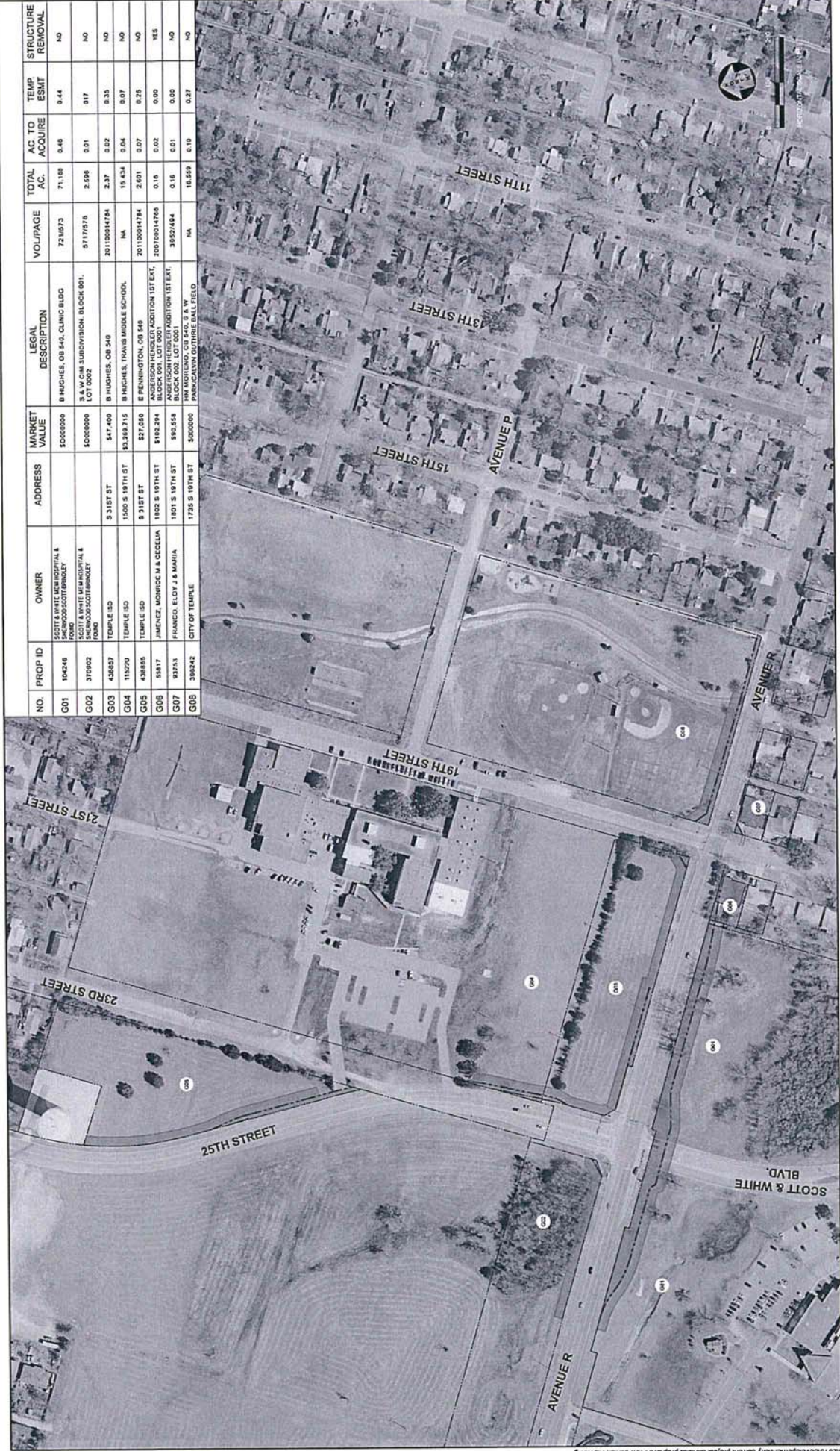
**ATTACHMENTS:**

Project Map  
ROW Acquisition Layout  
Jimenez MOU  
Resolution









**LEGEND**

- EXISTING STRUCTURE IN CONTACT
- EXISTING PROPERTY LINE
- EXISTING STRUCTURE
- PROPOSED ROW
- EXISTING PROPERTY LINE
- PROPOSED EASEMENT

**CITY OF TEMPLE, TEXAS**  
**AVENUE R IMPROVEMENTS**  
**PROPERTY LAYOUT**

**K&A**  
© 2013 K&A Engineering, P.C. & Associates, LP  
K&A Firm Registration Number F-510

NO.	PROP ID	OWNER	ADDRESS	MARKET VALUE	LEGAL DESCRIPTION	VOL/PAGE	TOTAL AC.	AC TO ACQUIRE	TEMP EMT	STRUCTURE REMOVAL
G01	104246	SCOTT & WHITE HOSPITAL & FOUNDATION	1500 S 19TH ST	\$5000000	8 HUGHES, OB 844, CLING BLDG	721873	71.188	0.48	0.44	NO
G02	319952	SCOTT & WHITE HOSPITAL & FOUNDATION	1801 S 19TH ST	\$5000000	3 & W CM SUBDIVISION, BLOCK 001, LOT 002	9117576	2.599	0.01	0.01	NO
G03	438837	TEMPLE ISD	9187 ST	\$47,460	8 HUGHES, OB 240	20100914784	2.37	0.02	0.35	NO
G04	113570	TEMPLE ISD	1500 S 19TH ST	\$3,289,715	8 HUGHES, THAVIS MIDDLE SCHOOL	NA	18.424	0.04	0.07	NO
G05	438835	TEMPLE ISD	9187 ST	\$27,650	E PENNINGTON, OB 240	20100914784	2.601	0.07	0.26	NO
G06	58817	JANICE MONROE M & CECILIA	1802 S 19TH ST	\$192,394	ANDERSON HENDERSON ADDITION, 1ST EXL, BLOCK 001, LOT 001	200700914785	0.18	0.02	0.00	YES
G07	93753	FRANCO, ELOY J & MARIA	1801 S 19TH ST	\$90,558	ANDERSON HENDERSON ADDITION, 1ST EXL, BLOCK 002, LOT 001	3952484	0.16	0.01	0.00	NO
G08	396242	CITY OF TEMPLE	1735 S 19TH ST	\$5000000	1M MOBILE, OB 540, 8 & W, ANDERSON HENDERSON, 1ST EXL, BLOCK 002, LOT 001	NA	18.559	0.10	0.27	NO





# Stateside

Right of Way Services

616 North Main Street, Suite 104  
Temple, Texas 76501  
www.statesiderow.com

February 14, 2014

The Monroe M. Jimenez and Cecelia R. Jimenez Revocable Living Trust  
Monroe M. Jimenez, Trustee  
Cecelia R. Jimenez, Trustee  
8200 Pritchard Road  
Temple, Texas 76501-7324

**Re: City of Temple Ave. R Project, 1802 S. 19<sup>th</sup> Street, Temple, Texas**

Dear Owners:

You have indicated a willingness to sign a deed for your property referenced above which is legally described as Lot One (1), Block One (1), Anderson-Hendler Addition, First Extension, an addition to the City of Temple, Bell County, Texas, according to the map or plat of record in Cabinet A, Slide 101-A, Plat Records of Bell County, Texas.

It is important to confirm this agreement in order to avoid any possible misunderstanding as to the details of the purchase or the process by which the City of Temple (City) will make payment. The payment of **ONE HUNDRED TWO THOUSAND TWO HUNDRED NINETY FOUR AND 00/100- DOLLARS (\$102,294.00)** as herein agreed will constitute full payment to be made by the City for the property to be conveyed to the City.

The City and owner(s) have agreed to the following provisions.

1. The City has agreed to request City Council's approval of total just compensation in the amount of \$102,294.00, the Bell County Appraisal District's assessed value, contingent upon the owner(s) signing all necessary documents to convey the property to the City.
2. The owner(s) will request and obtain necessary documents from the lien holder, Compass Bank, according to Schedule C, Item 6, (i) and (ii) of the Title Commitment.
3. Owner(s) have the right to retain and remove any improvements prior to closing.  
Improvements to be retained should be listed below:  
Ceiling Fans
4. The owner(s) will provide a Certification of Trust acceptable to the title company for examination and possible further requirements.
5. The owner(s) will provide the title company with a properly executed Affidavit as to Marital Status.
6. The owner(s) will provide the title company with a properly executed Affidavit of Debts and Liens.




Grantors covenant and agree to remove the above-described improvements from said land by the 31 day March, 2014, subject, however, to such extensions of time as may be granted by Grantee, its successor and assigns, in writing; and if, for any reason, Grantors fail or refuse to remove same within said period of time prescribed, then, without any further consideration, the title to all or any part of such improvements not so removed shall pass to and vest in the Grantee, its successors and assigns, forever.

Until payment is made by the City, title and possession of the property to be conveyed remains with you. You shall bear all risk of loss to any and all such property prior to such payment.

The payment of the amount herein stated and the terms provided constitute the only promises, consideration and conditions of this purchase; and no other promises, consideration or conditions have been signified or implied. The City, without cost to the owner, will pay the cost of recording all instruments conveying title to the City.

It is suggested that you carefully review the proposed Deed and satisfy yourself (selves) as to its provisions. With your signing of this agreement and execution of the deed the City will proceed with the issuance of payment which will be made out jointly to you and to Central Title Company. This company has been designated as the City's closing agent and is responsible to see that the City obtains clear title. They will not endorse the check and make payment until clear title is secured.

Sincerely,



Lisa G. Roberts  
Right of Way Agent  
Stateside Right of Way Services, LLC

I (We) fully understand the City's proposal as contained in this agreement and hereby acknowledge receipt of the Texas Attorney General's Landowners Bill of Rights.

Monroe M. Jimenez  
Monroe M. Jimenez

\_\_\_\_\_  
SSN

\_\_\_\_\_  
Date

Cecelia R. Jimenez  
Cecelia R. Jimenez

\_\_\_\_\_  
SSN

\_\_\_\_\_  
Date

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF 1802 SOUTH 19<sup>TH</sup> STREET, TEMPLE, TEXAS, FOR RIGHT-OF-WAY REQUIRED TO CONSTRUCT THE AVENUE R INTERSECTION IMPROVEMENTS, ~~CONTINGENT ON A SUPPORTING VOTE BY THE REINVESTMENT ZONE BOARD~~, IN THE AMOUNT OF \$102,294; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on May 5, 2011, City Council authorized a professional services agreement with Kasberg, Patrick & Associates, LP (KPA), to provide survey and design services for improvements to the intersections at Avenue R and Scott & White Boulevard and 25<sup>th</sup> Street and 19<sup>th</sup> Street;

**Whereas**, on June 6, 2013, City Council authorized a contract amendment with KPA to revise the plans to include roadway design (west of 25<sup>th</sup> Street, from 25<sup>th</sup> to 19<sup>th</sup> Streets, and east of 19<sup>th</sup> Street), prepare metes and bounds for the proposed ROW, bid the project, perform construction administration, and provide on-site representation;

**Whereas**, the acquisition of 1802 South 19<sup>th</sup> Street is required for the project and the acquisition includes a residential structure owned by Monroe and Cecelia Jimenez;

**Whereas**, Mr. and Mrs. Jimenez have signed a Memorandum of Understanding in which they agree to accept \$102,294 for the purchase of the property – this amount represents the 2013 Bell County Appraisal District value for the property;

~~**Whereas**, staff will request the Reinvestment Zone Board vote in support of this potential Council resolution at their regularly scheduled board meeting; and~~

**Whereas**, funding is available in Account No. 795-9500-531-6553, Project No. 100696 to fund the right-of-way purchase; 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 1802 South 19<sup>th</sup> Street, Temple, Texas, legally described as Lot One (1), Block One (1), Anderson-Hendler Addition, First Extension, an addition to the City of Temple, Bell County, Texas, according to the map or plat of record in Cabinet A, Slide 101-A, Plat Records of Bell County, Texas for right-of-way required to construct the Avenue R Intersection Improvements, ~~contingent on a supporting vote by the Reinvestment Zone Board~~, in the amount of \$102,294.

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

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
Acting City Attorney



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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, RATIFYING THE PURCHASE OF 1802 SOUTH 19<sup>TH</sup> STREET, LEGALLY DESCRIBED AS LOT ONE (1), BLOCK ONE (1), ANDERSON-HENDLER ADDITION, FIRST EXTENSION, AN ADDITION TO THE CITY OF TEMPLE, BELL COUNTY, TEXAS, IN THE AMOUNT OF \$103,544.43 AND AUTHORIZING PAYMENT OF 2014 PROPERTY TAXES ON THE PROPERTY, CURRENTLY ESTIMATED IN THE AMOUNT OF \$2,676.66; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on March 20, 2014, Council awarded the purchase of 1802 South 19<sup>th</sup> Street for right-of-way needed to construct Avenue R intersection improvements – the purchase price authorized was \$102,294;

**Whereas**, the City closed on the property June 18, 2014 and the total purchase price with closing costs totaled \$103,544.43 – the City agreed to pay the 2014 property taxes on the property currently estimated in the amount of \$2,676.66;

**Whereas**, staff recommends Council ratify the purchase of 1802 South 19<sup>th</sup> Street for the corrected amount of \$103,544.43 and authorize the payment of the 2014 property taxes, which will be due in October, in the currently estimated amount of \$2,676.66;

**Whereas**, funds are available in the Reinvestment Zone Number One Financing and Project Plan, Line 500, Account No. 795-950-531-6553, Project No. 100696, to fund the additional costs related to this property acquisition; 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 ratifies the purchase of 1802 South 19<sup>th</sup> Street, legally described as Lone One (1), Block One (1), Anderson-Hendler Addition, First Extension, an addition to the City of Temple, Bell County, Texas, according to the map or plat of record in Cabinet A, Slide 101-A, Plat Records of Bell County, Texas, in the amount of \$103,544.43 and for payment of the 2014 property taxes on the property currently estimated in the amount of \$2,676.66.

**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 17<sup>th</sup> day of **July**, 2014.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Jonathan Graham  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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07/17/14  
Item #6(J)  
Consent Agenda  
Page 1 of 2

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

Alan DeLoera, Information Technology Director

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a contract with CCG Systems, Inc. of Norfolk, Virginia, for the purchase and installation of a fleet management information system in the amount of \$155,700.

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

**ITEM SUMMARY:** The City has been using a solution called Naviline Fleet for Fleet Management for the past nine years but the software, while it has served its purpose, is an older technology that has not been efficient in processing and reporting Fleet Services transactions.

To streamline the entire Fleet Management process for our employees and customers we are proposing replacing this aging technology with a web-based fleet management information system called *FASTER* Web, which is designed and sold by CCG Systems, Inc.. The Faster Fleet product will provide more efficient workflow, enterprise fleet management, integrated barcoding, and will interface with our current Financial Software.

This software will enable a more efficient workflow, easier navigation and a fully integrated work floor process. The software will allow staff to create a customized workflow that will best fit the needs of our City Fleet Services.

*FASTER* Fleet Management Systems provide fully-featured comprehensive capabilities in the areas of:

- Asset Management from initial acquisition planning through disposal.
- Parts Inventory Management and Parts Tracking which encompasses the entire procurement process from order and receipt through issues including warranty replacements, core tracking/returns, and vendor credits through the accounting system.
- Maintenance and labor tracking based on work order process flow including customer service tools that enable you to provide higher levels of service and preventive maintenance tools for managing PM's.
- Flexible Accounting and Billing Tracking of all costs and vendors related to assets as well as billable dollars and customer accounts.

- Fuel Management with the ability to collect and store fuel transactions by manual process, electronic upload or integrated web services depending on the capabilities of your fuel provider.
- Robust and flexible System Administration and Usability features are incorporated throughout the *FASTER* system.

The true value of *FASTER* is the business intelligence it provides to run our operation efficiently and successfully. *FASTER* Web provides robust and varied business intelligence features that extend well beyond standard reports based on fleet and business best practices. *FASTER* also offers powerful, comprehensive searching for fast onscreen viewing of data; data export capabilities; the ability to create our own custom reports and a Dashboard providing easily accessible at-a-glance information on your key performance indicators.

Staff researched and evaluated many different software options. This evaluation process included the observation of active software solutions at other fleet services operations. Through this evaluation process, staff concluded that *FASTER* offered the best solution and value for the City's fleet operations.

CCG Systems has been awarded General Services Administration Contract #GS-35F-0251U, which supports \$86,898 of the purchase value. The remaining \$68,802 of the purchase includes custom integration work (\$24,000), other enhancement modules (\$21,552), data services (\$6,000), and annual software support (\$17,250) that are only available through CCG Systems, Inc.

**FISCAL IMPACT:** Currently, funding in the amount of \$160,000 is available in account 110-5938-519-6221 to fund the purchase of Faster Fleet Management Software with CCG Systems, Inc. in the amount of \$155,700.

<u>Description</u>	<u>Account #</u>	<u>Project #</u>	<u>Amount</u>
Fleet Management Software	110-5938-519-6221	100878	\$ 150,000
Bar Code Interfacing	110-5938-519-6221	101032	10,000
<b><u>Total Funds Available</u></b>			<b><u>\$ 160,000</u></b>

**ATTACHMENTS:**  
[Resolution](#)



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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONTRACT WITH CCG SYSTEMS, INC., OF NORFOLK, VIRGINIA, FOR THE PURCHASE AND INSTALLATION OF A FLEET MANAGEMENT INFORMATION SYSTEM, IN THE AMOUNT OF \$155,700; AND PROVIDING AN OPEN MEETINGS CLAUSE.

---

**Whereas,** the City has been using software called Naviline Fleet for fleet management for the past nine years - the software is older technology that has not been efficient in processing and reporting Fleet Services transactions;

**Whereas,** to streamline the entire fleet management process, staff recommends replacing Naviline Fleet with a web-based fleet management information system called *FASTERWeb*, which is designed and sold by CCG Systems, Inc., of Norfolk, Virginia – this product will provide more efficient workflow, enterprise fleet management, integrate barcoding, and will interface with the City’s current financial software;

**Whereas,** staff researched and evaluated many different software options and believes *FASTERWeb* provides the best solution and value for the City’s fleet operations, and recommends the purchase of this software from CCG Systems, Inc., of Norfolk, Virginia, in the amount of \$155,700;

**Whereas,** funding for this software purchase is available in Account No. 110-5938-519-6221; 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 CCG Systems, Inc., of Norfolk, Virginia, after approval as to form by the City Attorney, for the purchase and installation of a fleet management information system, in the amount of \$155,700.

**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 17<sup>th</sup> day of **July**, 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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07/17/14  
Item #6(K)  
Consent Agenda  
Page 1 of 2

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

Tammy Lyerly, Senior Planner

**ITEM DESCRIPTION:** SECOND READING – Z-FY-14-33: Consider an ordinance adopting a site plan, amending Ordinance No. 2005-4025, originally approved July 7, 2005 Planned Development (General Retail) District, and amended by Ordinance No. 2007-4125, February 15, 2007 and further amended by Ordinance 2007-4175, October 18, 2007, on 3.967 acres, in the Baldwin Robertson survey, Abstract No 17, located at 9108 West Adams Avenue.

**PLANNING AND ZONING COMMISSION RECOMMENDATION:** At its June 16, 2014, meeting the Planning and Zoning Commission voted 6/0 to recommend approval of Z-FY-14-33, amending the original Planned Development (Ordinance No. 2005-4025), with the proposed site plan. Commissioners Pitts, Staats, and Mikeska-Reed were absent.

**STAFF RECOMMENDATION:** Based on the following, staff recommends amending the original Planned Development by approving the proposed site plan:

1. The Planned Development site plan focuses on tree preservation and overall exceeds the 5% landscaping plan requirements for non-residential development, per the Unified Development Code (UDC).
2. All sites shown on the Planned Development site plan must meet all applicable Unified Development Codes (UDC), Engineering/Drainage, Building Codes, and Fire Codes during the building permit process, regardless of any approved site plan.

**ITEM SUMMARY:** This Planned Development site plan request is associated with property recently platted as the Final Plat of Adams Island Commercial (P-FY-14-24). The Planning and Zoning Commission approved the plat at its May 15, 2014 meeting with Resolution No. 2014-0261-R.

The original Planned Development (General Retail) District for this property, approved by Ordinance No. 2005-4025, did not include a Planned Development site plan for this portion on the Planned Development. The applicants propose a Planned Development site plan that is “conceptual” in nature to aid in marketing the property to prospective buyers. Prospective buyers or developers would be subject to all Unified Development Codes (UDC), Building Codes, Engineering/Drainage, and Fire Codes during the building permit review process.

**PUBLIC NOTICE:** Three notices of the Planning and Zoning Commission public hearing were sent out to property owners within 200-feet of the subject property. As of Thursday June 12, 2014 at 2:00 PM, one response notification letter was returned in approval of the request. One response notification letter was returned without a recommendation of “approval” or “disapproval” of the request, but it cited potential traffic and flooding concerns.

The newspaper printed notice of the Planning and Zoning Commission public hearings for Z-FY-14-33 on June 5, 2014, in accordance with state law and local ordinance.

**FISCAL IMPACT:** Not Applicable

**ATTACHMENTS:**

[Zoning and Location Map](#)

[Aerial](#)

[Notification Map](#)

[Notification Response Letters](#)

[Proposed Planned Development Site Plan](#)

[Ordinance No 2005-4025 \(original PD-GR Zoning\)](#)

[Ordinance](#)

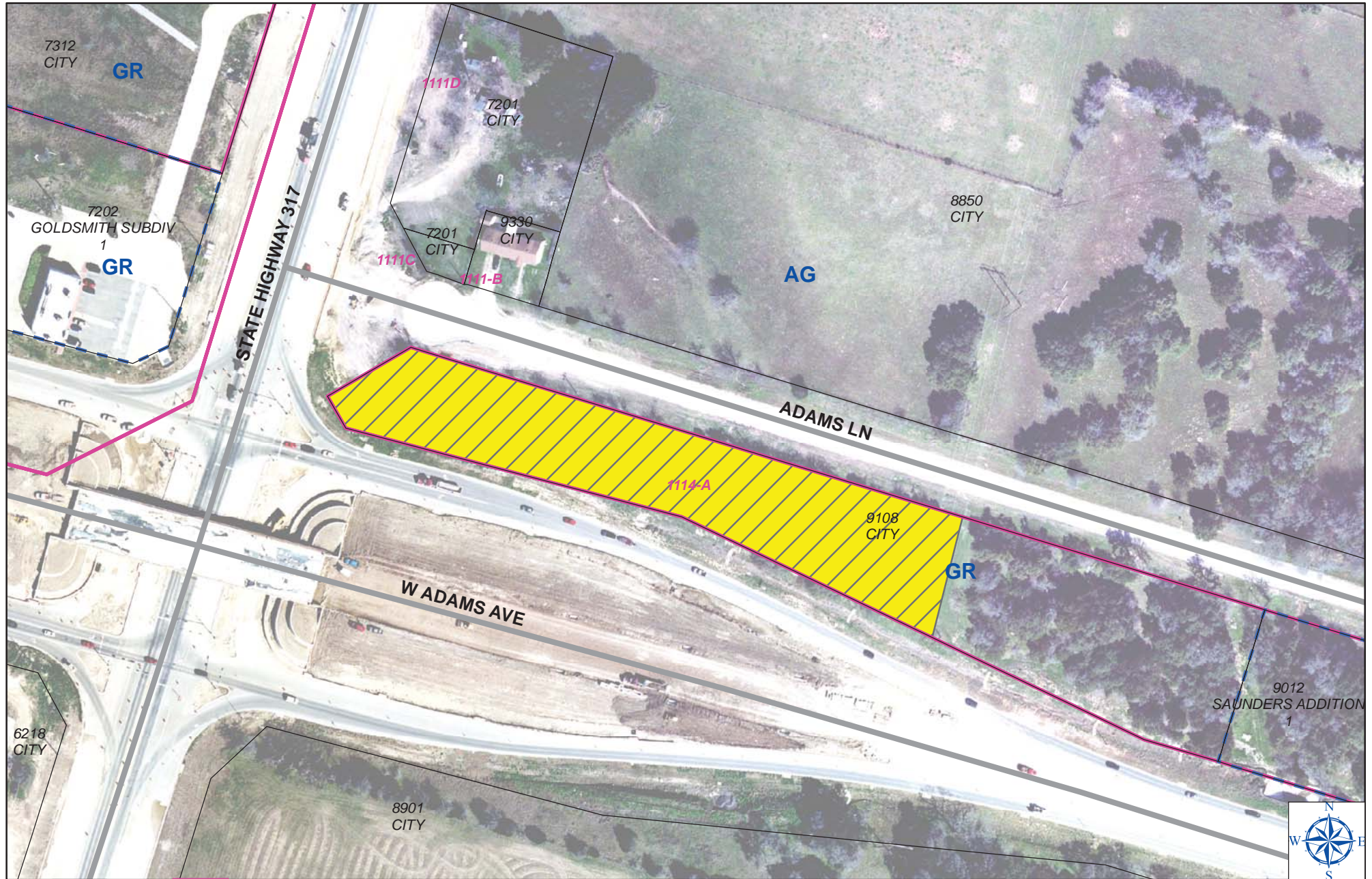




Z-FY-14-33

# Planned Development Site Plan

9108 W Adams Ave



Zoning

1234-A

Outblock Number



Subdivision

Address

1234

Lot Number

①

1



6/12/2014  
City of Temple GIS  
tylerly

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.





Google earth

feet  
meters







**Z-FY-14-33**

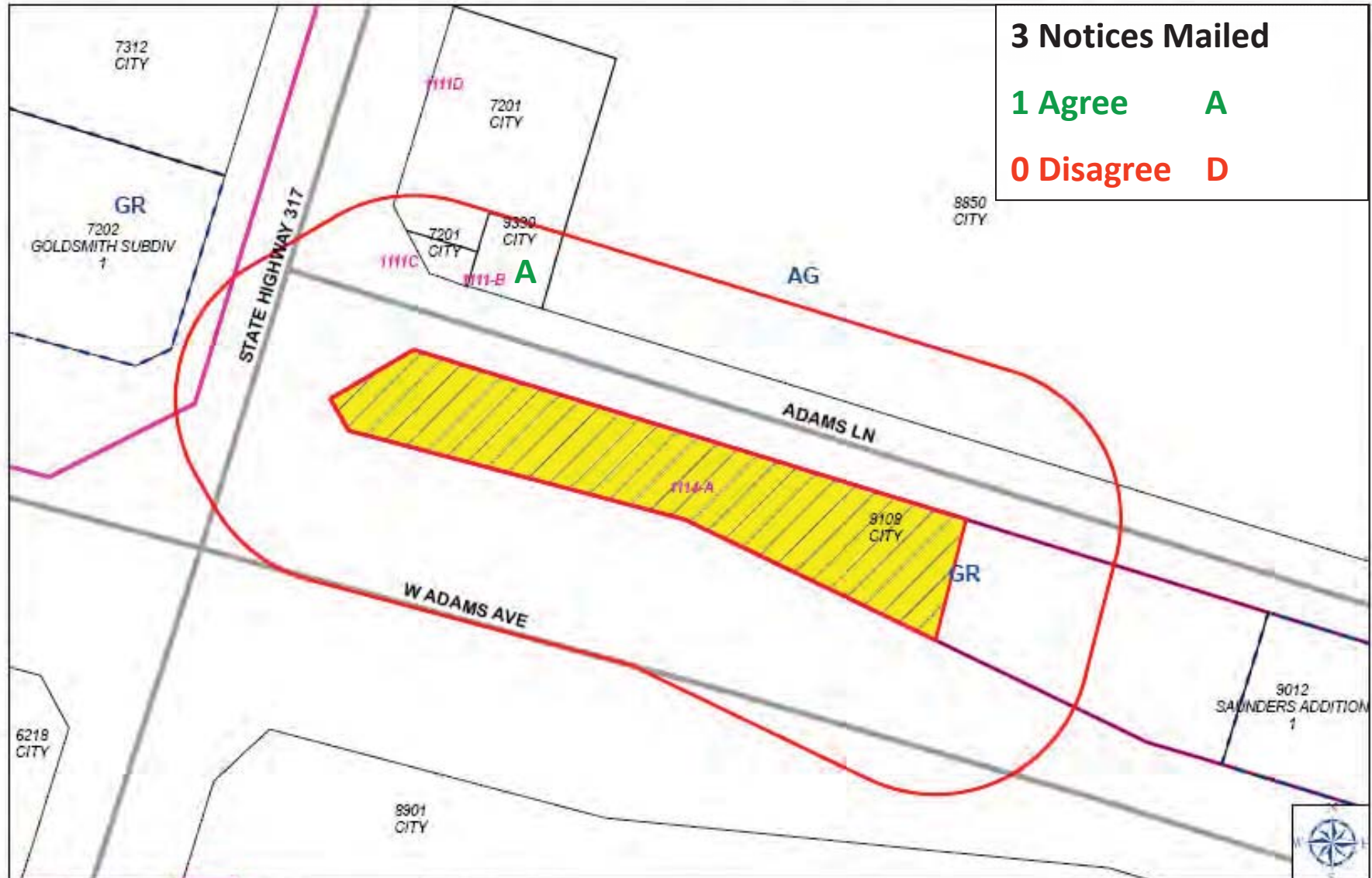
## Planned Development Site Plan





9108 W Adams Ave

**3 Notices Mailed**

**1 Agree      A**

**0 Disagree    D**



 Case	 Zoning	Outblock Number
 200' Buffer	 Subdivision	Address
		Lot Number

1234-A  
1234



0 200 400  
Feet

5/29/2014  
City of Temple GIS  
flyer

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  
SITE PLAN REVIEW  
CITY OF TEMPLE

Texvestments LLC  
1719 West Avenue M, Suite C  
Temple, Texas 76504

Zoning Application Number: Z-FY-14-33

Project Manager: Tammy Lyerly

Location: **9108 West Adams Avenue**

The proposed site plan review 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 site plan review of the property described on the attached notice, and provide any additional comments you may have.

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

Comments:

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Ron Vest  
Signature

ROSS VEST  
Print Name

Please mail or hand-deliver this comment form to the address shown below, no later than June 16, 2014

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

**RECEIVED**  
JUN 12 2014  
City of Temple  
Planning & Development

Number of Notices Mailed: 3

Date Mailed: June 5, 2014



RESPONSE TO PROPOSED  
SITE PLAN REVIEW  
CITY OF TEMPLE

Marlene Lastovica Etal  
8850 Adams Lane  
Temple, Texas 76502

Zoning Application Number: Z-FY-14-33

Project Manager: Tammy Lyerly

Location: 9108 West Adams Avenue

The proposed site plan review 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 site plan review of the property described on the attached notice, and provide any additional comments you may have.

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

Comments:

Problems on West Adams - Traffic awful  
Adams Lane needs to be retopped  
worn out from traffic before Adams west opened  
Adams Lane floods since Windmill Addition  
Windmill flood control - washes into farm and  
floods into Adams Lane when we get rain -  
We need rain however 2007 proved the flood control at  
Windmill addition doesn't work. I was told rain would be parrel to  
Hwy 317 - then down Adams Lane - Not So -

Marlene B. Lastovica  
Signature

Marlene B. Lastovica  
Print Name

Please mail or hand-deliver this comment form to the address shown below, no later than  
June 16, 2014

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

With the  
New Belton Middle  
School to open Fall 2014  
Wow I like  
traffic

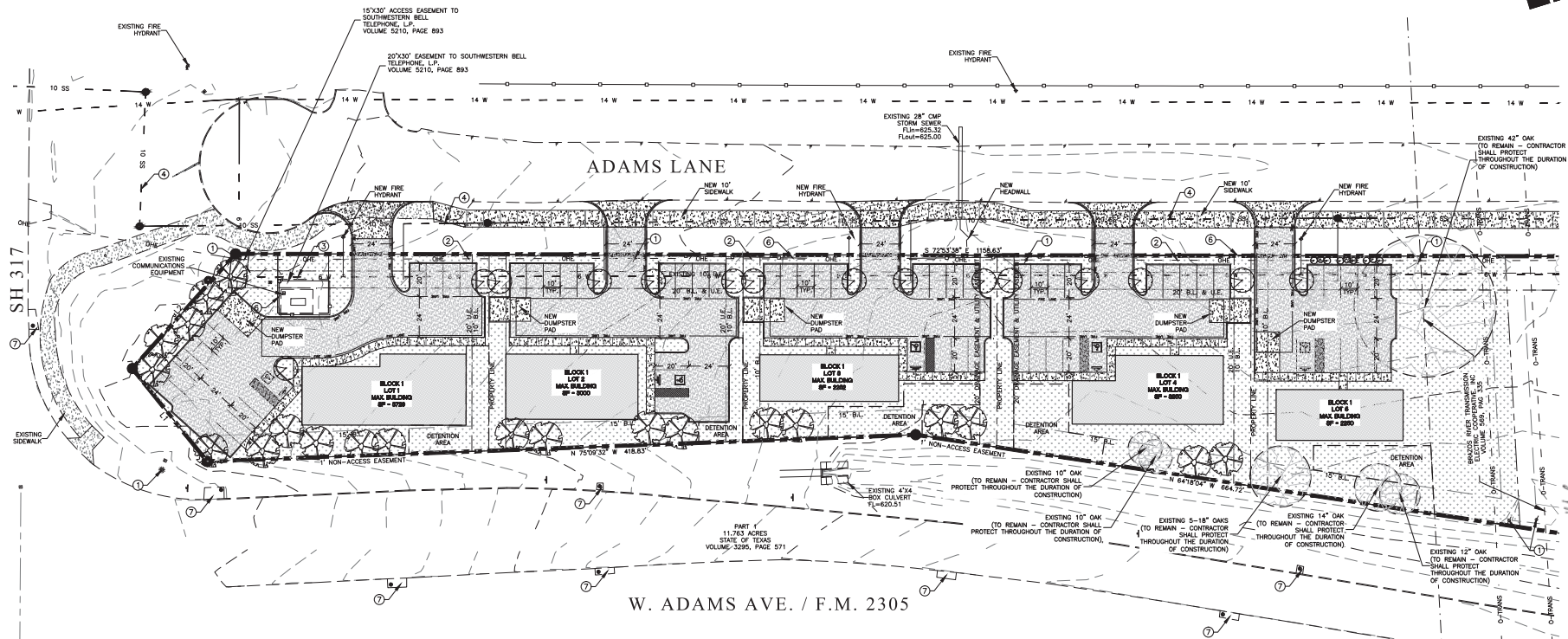
Number of Notices Mailed: 3

Date Mailed: June 5, 2014

RECEIVED

City of Temple  
Planning & Development





#### GENERAL NOTES

- STORM DRAINAGE SHALL BE DESIGNED IN ACCORDANCE WITH THE CITY OF TEMPLE'S DRAINAGE ORDINANCE.
- EACH INDIVIDUAL LOT/PROPERTY SHALL BE RESPONSIBLE FOR PROVIDING ON-SITE DETENTION PER LATEST CITY OF TEMPLE DCIM.
- BASED ON INFORMATION AVAILABLE FROM THE FIRM RATE MAP NUMBER 4802700330E, DATED SEPTEMBER 26, 2008, THE SUBJECT PROPERTY APPEARS WITHIN THE "SPECIAL FLOOD HAZARD AREA" AND APPEARS TO BE SITUATED IN ZONE A. (REFER TO SUBDIVISION PLAN FOR LOCATION).
- SITE LANDSCAPING TO BE DESIGNED BY INDIVIDUAL DEVELOPER AT THE TIME INDIVIDUAL SITE DEVELOPMENT OCCURS.
- HANDICAP ACCESSIBLE SPACES SHOWN ARE PRELIMINARY AND MAY BE MOVED PENDING INDIVIDUAL SITE GRADING DESIGN.
- BUILDING MASONRY WILL MEET OR EXCEED CITY OF TEMPLE BUILDING MATERIAL REQUIREMENTS.
- PUD SITE APPROVAL DOES NOT EXEMPT DEVELOPER FROM PROVIDING CONSTRUCTION DRAWINGS AND DESIGN CONFORMING TO THE UNIFIED DEVELOPMENT CODE.

#### LANDSCAPE REQUIREMENTS - ADAMS LANE

TOTAL SQ. FT.	TOTAL SQ. FT.	% REQUIRED	TOTAL PROVIDED	L.F. FRONTAGE	TREES REQUIRED	TREES EXISTING	TREES NEW	SHRUBS NEW
1	22,002.00	1,100.10	7,715.63	246.9	6	0	6	6
2	16,961.14	848.06	5,463.54	150.1	4	0	4	4
3	16,289.82	814.49	6,435.80	150.1	4	0	4	4
4	16,695.59	834.78	7,686.10	150.1	4	0	4	4
5	22,829.16	1,141.46	14,875.45	150.1	4	0	1	9

#### LANDSCAPE REQUIREMENTS - W. ADAMS AVENUE

TOTAL SQ. FT.	TOTAL SQ. FT.	% REQUIRED	TOTAL PROVIDED	L.F. FRONTAGE	TREES REQUIRED	TREES EXISTING	TREES NEW
1	22,002.00	1,100.10	7,715.63	236.9	6	0	6
2	16,961.14	848.06	5,463.54	150.1	4	0	4
3	16,289.82	814.49	6,435.80	150.6	4	0	4
4	16,695.59	834.78	7,686.10	151.7	4	2	2
5	22,829.16	1,141.46	14,875.45	161.0	4	7	0

#### LANDSCAPE NOTES

- PRIOR TO BEGINNING CONSTRUCTION, THE CONTRACTOR SHALL COORDINATE DEMOLITION OF EXISTING STRUCTURES, PAVEMENT SECTIONS, VEGETATION, ETC. WITH OWNER.
- EXISTING UTILITIES WERE LOCATED BY FIELD RESEARCH/OBSERVATION. PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL FIELD VERIFY UTILITY LOCATIONS AND COORDINATE UTILITY REMOVAL AND RELOCATION WITH OWNER AND APPROPRIATE UTILITY COMPANY.
- PRIOR TO INSTALLATION, LANDSCAPE CONTRACTOR SHALL COORDINATE THE TYPE AND LOCATION OF NEW GRASS, TREES AND SHRUBBERY WITH OWNER.
- NO REQUIRED LANDSCAPING SHALL BE PLANTED IN SUCH A MANNER TO ADVERSELY AFFECT DRAINAGE OR UTILITY EASEMENTS.
- ALL AREAS NOT COVERED BY IMPERVIOUS SURFACES SHALL HAVE NEW GRASS SOD, GRASS SEEDING, MULCH, WASHED GRAVEL, ROCK, SAND OR OTHER DECORATIVE COVERS.
- TURF AREAS TO BE SODDED OR HYDROMULCHED SHALL BE BERMUDA, BUFFALO GRASS OR OTHER CITY OF TEMPLE APPROVED GRASS.
- PROPOSED NEW TREES SHALL BE OF SPECIES ON THE CITY OF TEMPLE APPROVED TREE LIST.
- THE DEVELOPER CAN EXCHANGE TREES FOR (3) SHRUBS (MIN. 5 GALLON) TO MEET THE LANDSCAPE REQUIREMENTS AND NOT INTERFERE WITH THE UTILITIES.
- EXISTING TREES CALLED OUT ON ABOVE PLAN SHALL BE PRESERVED AND PROTECTED THROUGHOUT THE DURATION OF CONSTRUCTION.

#### PARKING CALCULATOR

LOT NO.	BUILDING SQ. FT.	PARKING REQUIRED	SPACES REQUIRED	SPACES PROVIDED
1	3729	1/250	15	15
2	3030	1/250	12	12
3	2252	1/250	9	13
4	3250	1/250	13	14
5	2250	1/250	9	11

#### LEGEND

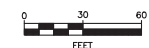
	NEW HMA PAVEMENT
	NEW REINFORCED CONCRETE PAVEMENT
	NEW LANDSCAPE AREAS

#### LINE TABLE

LINE	BEARING	DISTANCE
L1	N 21°47'29" W	70.38'
L2	N 58°57'00" E	91.07'
L3	N 72°59'10" W	99.63'

#### KEYED NOTES

- CAUTION!!! EXISTING POWER POLE/LIGHT POLE
- CAUTION!!! OVERHEAD ELECTRIC
- EXISTING WATER MAIN/METER
- EXISTING SANITARY SEWER
- EXISTING STORM SEWER
- EXISTING FENCING
- EXISTING TXDOT CURB INLET



Date:	Revisions
6/11/14	REVISIONS MADE TO INCORPORATE CITY OF CITY OF TEMPLE COMMENTS.

**DRAWING STATUS**  
 THIS DRAWING IS THE PROPERTY OF CLARK & FULLER, INC. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF CLARK & FULLER, INC. ANY VIOLATION OF THIS NOTICE SHALL BE CONSIDERED COMPLETE.

**ADAMS ISLAND COMMERCIAL**  
 NEW SITE DEVELOPMENT  
 TEMPLE, TEXAS



**CLARK & FULLER**  
 CIVIL ENGINEERING • DESIGN • PLANNING  
 211 North Main Street, Temple, TX 76788  
 254.893.8888 • www.clarkandfuller.com • E-2500

Project No.: 141451.00  
 Plot Date: 6-11-14  
 Drawn By: ECB  
 Designed By: MLC

**SP.1**



AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING A ZONING CHANGE FROM AGRICULTURAL DISTRICT (A) TO PLANNED DEVELOPMENT GENERAL RETAIL DISTRICT (PD-GR) ON LAND COMMONLY REFERRED TO AS OUTBLOCKS 1114-A, B, & E, CITY ADDITION AND OUTBLOCK 1115-A, CITY ADDITION, LOCATED ON THE NORTH SIDE OF FM 2305, EAST OF SH 317 IN THE CITY OF TEMPLE, TEXAS, IN ACCORDANCE WITH SECTIONS 7-500 THROUGH 7-509 OF THE COMPREHENSIVE ZONING ORDINANCE; AMENDING THE WEST TEMPLE COMPREHENSIVE PLAN TO REFLECT NEIGHBORHOOD AND COMMUNITY RETAIL USES; PROVIDING CONDITIONS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

---

**Whereas**, the owner of the property commonly referred to as Outblocks 1114-A, B, & E, City Addition, and Outblock 1115-A, City Addition, located on the north side of FM 2305, east SH 317 in the City of Temple, Texas, has requested a zoning change from Agricultural District (A) to Planned Development General Retail District (PD-GR); and

**Whereas**, the City Council, after notice and a public hearing, finds that it is 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 approves a zoning change from Agricultural District (A) to Planned Development General Retail District (PD-GR) on property commonly referred to as Outblocks 1114-A, B, & E, City Addition, and Outblock 1115-A, City Addition, located on the north side of FM 2305, east SH 317 in the City of Temple, Texas, more fully described in Exhibit A, attached hereto and made a part hereof for all purposes.

**Part 2:** The City Council approves an amendment to the West Temple Comprehensive Plan to reflect neighborhood and community retail uses.

**Part 3:** In accordance with Sections 7-500 through 7-509 of the Comprehensive Zoning Ordinance of the City of Temple, Texas, Ordinance No. 91-2101, is amended by changing the zoning classification of the property described in Part 1 above, to Planned Development General Retail (PD-GR), and shall comply with all applicable sections of the Code of Ordinances of the City of Temple, Texas, and all local, State and Federal laws and regulations as they may now read or hereafter be amended, including but not limited to the following conditions:



- (a) The development standards of the property shall conform to requirements of the General Retail District; and
- (b) Prior to the issuance of a building permit, the property owner must submit an amendment to the planned development and a site plan to the Planning & Zoning Commission and the City Council.

These conditions shall be expressed conditions of any building permit issued for construction on the property which may be enforced by the City of Temple by an action either at law or in equity, including the right to specifically enforce the requirements of the ordinance, and these requirements shall run with the land.

**Part 4:** The City Council directs the Director of Planning to make the necessary changes to the City Zoning Map accordingly.

**Part 5:** It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such phrase, clause, sentence, paragraph or section.

**Part 6:** This ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

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

PASSED AND APPROVED on First Reading on the 16<sup>th</sup> day of June, 2005.

PASSED AND APPROVED on Second Reading on the 7<sup>th</sup> day of July, 2005.

THE CITY OF TEMPLE, TEXAS



ATTEST:

Clydette Entzminger  
Clydette Entzminger  
City Secretary

William A. Jones, III  
WILLIAM A. JONES, III, Mayor

APPROVED AS TO FORM:

Jonathan Graham  
Jonathan Graham  
City Attorney

ORDINANCE NO. 2014-4677

(PLANNING NO. Z-FY-14-33)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, ADOPTING A SITE PLAN AND AUTHORIZING AN AMENDMENT TO ORDINANCE NO. 2005-4025, ORIGINALLY APPROVED AS PLANNED DEVELOPMENT (GENERAL RETAIL) DISTRICT, ON APPROXIMATELY 3.967 ACRES, IN THE BALDWIN ROBERTSON SURVEY, ABSTRACT NO. 17, LOCATED AT 9108 WEST ADAMS AVENUE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

---

**Whereas**, this Planned Development site plan request is associated with property recently platted as the Final Plat of Adams Island Commercial which was approved by the Planning and Zoning Commission on May 15, 2014;

**Whereas**, the original Planned Development (General Retail) District for this property, approved by Ordinance No. 2005-4025, amended by Ordinance No. 2006-4125 and further amended by Ordinance No. 2007-4175, did not include a Planned Development site plan for this portion of the Planned Development – the applicants propose a site plan that is conceptual in nature to aid in marketing the property to prospective buyers;

**Whereas**, the Planned Development site plan focuses on tree preservation and overall exceeds the 5% landscaping plan requirements for non-residential development, per the Unified Development Plan (UDC);

**Whereas**, all sites on the Planned Development site plan are subject to all UDC, Building Codes, Engineering/Drainage, and Fire Codes during the building permit review process; and

**Whereas**, the City Council, after notice and a public hearing, finds that it is in the public interest to authorize this action.

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

**Part 1:** The City Council adopts a site plan and approves an amendment to Ordinance No. 2005-4025, originally approved as Planned Development (General Retail) District, on approximately 3.967 acres, in the Baldwin Robertson Survey, Abstract No. 17, located at 9108 West Adams Avenue, more fully described in the site plan attached hereto as Exhibit ‘A.’

**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 **3<sup>rd</sup>** day of **July**, 2014.

PASSED AND APPROVED on Second Reading on the **17<sup>th</sup>** day of **July**, 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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07/17/14  
Item #6(L)  
Consent Agenda  
Page 1 of 1

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

Traci L. Barnard, Director of Finance

**ITEM DESCRIPTION:** SECOND READING – Consider adopting an ordinance authorizing an amendment to the Tax Increment Financing Reinvestment Zone No. 1 Financing and Project Plans to appropriate additional funds for Downtown Improvements in FY 2014.

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

**ITEM SUMMARY:** At their June 25, 2014 regular meeting, the Reinvestment Zone No. 1 Board approved the recommendation of this amendment. Below is a summary of the proposed Financing and Project Plans amendment.

### **Appropriating additional funds needed for the Downtown Rail Safety Zones:**

**Line 401 – Downtown Improvements:** Bids were received for the Downtown Rail Safety Zones in the amount of \$527,381. There is currently \$472,597 available for the project. An additional \$54,784 is needed to fund the construction contract. Funds are also needed for ROW in the amount of \$9,980. In addition, we recommend adding 5% contingency to the project budget. The total recommended amendment for additional construction funding, ROW and project contingency is \$92,000 to Line 401.

**Line 700 – Fund Balance:** On April 23, 2014, the Financing and Project Plans were amended to recognize additional tax increment received in FY 2014 of \$754,141. There is currently \$144,986 of the tax increment funds remaining that can be allocated to the Downtown Rail Safety Zones.

**FISCAL IMPACT:** The proposed amendment allocates \$92,000 within the FY 2014 Financing/Project Plans to Line 401, Downtown Improvements, from Line 700, Fund Balance, as described above. A budget adjustment is presented for Council approval appropriating the additional \$92,000 to account 795-9500-531-6528, project 100697.

### **ATTACHMENTS:**

[Budget Adjustment](#)  
[Financing Plan](#)  
[Summary Financing Plan with Detailed Project Plan](#)  
[Budget Adjustment](#)  
[Ordinance](#)

FY 2014

## BUDGET ADJUSTMENT FORM

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

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

+

—

<b>ACCOUNT NUMBER</b>	<b>PROJECT #</b>	<b>ACCOUNT DESCRIPTION</b>	<b>INCREASE</b>		<b>DECREASE</b>	
<b>795-9500-531-65-28</b>	<b>100697</b>	Downtown Impr {Rail Safety Zones}	\$   92,000			
<b>795-0000-358-11-10</b>		Unreserved Fund Balance			\$   92,000	
		<i><b>Do not post</b></i>				
<b>TOTAL.....</b>			\$   92,000		\$   92,000	

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

To appropriate funds as recommended by the Reinvestment Zone No. 1 Board at its 06/25/14 meeting and as approved on second reading by Council on 07/17/14.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

**X**

Yes

7

No

DATE OF COUNCIL MEETING

7/17/2014

WITH AGENDA ITEM?

x

☒ Yes

10

No

Department Head/Division Director

Date \_\_\_\_\_


Approved

Disapproved

Finance

Date \_\_\_\_\_


Approved

Disapproved

City Manager

Date \_\_\_\_\_


Approved

Disapproved



**FINANCING PLAN**  
**Page 1 of 5**

DESCRIPTION		Y/E 9/30/14 Year 32	Y/E 9/30/15 Year 33	Y/E 9/30/16 Year 34	Y/E 9/30/17 Year 35	Y/E 9/30/18 Year 36	Y/E 9/30/19 Year 37	Y/E 9/30/20 Year 38	Y/E 9/30/21 Year 39	Y/E 9/30/22 Year 40
1	"Taxable Increment"	\$ 153,016,117	\$ 157,254,113	\$ 322,383,715	\$ 340,364,509	\$ 424,792,743	\$ 429,040,670	\$ 433,331,077	\$ 437,664,368	\$ 468,734,522
1	FUND BALANCE, Begin	\$ 30,501,761	\$ 2,258,801	\$ 1,540,000	\$ 2,231,355	\$ 2,249,891	\$ 2,203,758	\$ 2,171,570	\$ 2,171,955	\$ 2,185,242
2	Adjustments to Debt Service Reserve	1,765,643	-	-	-	-	-	-	-	-
3	Fund Balance Available for Appropriation	\$ 32,267,404	\$ 2,258,801	\$ 1,540,000	\$ 2,231,355	\$ 2,249,891	\$ 2,203,758	\$ 2,171,570	\$ 2,171,955	\$ 2,185,242
SOURCES OF FUNDS:										
4	Tax Revenues	5,602,698	4,908,567	13,233,921	13,777,927	16,158,502	16,307,892	16,458,775	16,611,168	17,096,375
6	Allowance for Uncollected Taxes	(72,728)	(73,629)	(198,509)	(206,669)	(242,378)	(244,618)	(246,882)	(249,168)	(256,446)
8	Interest Income-Other	50,000	50,000	50,000	50,000	50,000	40,000	40,000	30,000	10,000
10	Grant Funds	-	-	-	-	-	-	-	-	-
12	License Fee - Central Texas Railway	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000
14	Other Revenues	563,000	-	-	-	-	-	-	-	-
17	Bond Issue	-	-	-	-	-	-	-	-	-
20	Total Sources of Funds	\$ 6,178,970	\$ 4,920,938	\$ 13,121,412	\$ 13,657,258	\$ 16,002,124	\$ 16,139,274	\$ 16,287,893	\$ 16,428,000	\$ 16,885,929
25	TOTAL AVAILABLE FOR APPROPRIATION	\$ 38,446,374	\$ 7,179,739	\$ 14,661,413	\$ 15,888,613	\$ 18,252,015	\$ 18,343,031	\$ 18,459,464	\$ 18,599,956	\$ 19,071,171
USE OF FUNDS:										
DEBT SERVICE										
26	2003 Bond Issue (\$11.740)	-	-	-	-	-	-	-	-	-
27	2008 Bond Issue (\$16.010 mil)	-	-	-	-	-	-	-	-	-
27	2009 Bond Refunding	1,479,969	1,499,769	1,508,775	1,510,150	1,488,750	1,485,000	-	-	-
28	2008 Bond Issue-Taxable (\$10.365 mil)	1,240,495	1,239,233	1,240,854	1,240,096	1,241,957	1,241,173	1,237,744	1,241,670	1,242,422
29	Debt Service - 2011A Issue (Refunding)	914,900	914,450	913,550	912,200	908,350	915,950	2,497,800	2,497,550	2,494,950
30	Debt Service - 2012 Issue (Refunding)	17,700	17,700	82,700	76,400	79,600	77,650	80,050	77,250	78,750
31	Debt Service - 2013 Issue (\$25.260 mil)	906,910	924,894	924,894	2,034,894	2,047,694	2,048,344	2,047,944	2,046,494	2,031,494
32	Issuance Costs	-	-	-	-	-	-	-	-	-
33	Refunding Bonds Proceeds	-	-	-	-	-	-	-	-	-
34	Payment to Refunding Bond Agent	-	-	-	-	-	-	-	-	-
32	Bond Discount	-	-	-	-	-	-	-	-	-
35	Paying Agent Services	1,200	1,200	1,200	1,200	1,200	1,200	1,200	1,200	1,200
40	Subtotal-Debt Service	4,561,174	4,597,246	4,671,973	5,774,940	5,767,551	5,769,317	5,864,738	5,864,164	5,848,816
OPERATING EXPENDITURES										
50	Prof Svcs/Proj Mgmt	212,638	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,100
53	Legal/Audit	1,200	1,200	1,200	1,300	1,300	1,300	1,300	1,300	1,300
54	Zone Park Maintenance [mowing, utilities, botanical supplies]	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000
55	Zone Park Maintenance [maintenance]	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000
56	Rail Maintenance	211,799	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
58	Road/Signage Maintenance	233,077	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
60	Contractual Payments [TEDC - Marketing]	199,650	219,615	241,577	253,655	266,338	279,655	293,638	308,320	323,736
62	TISD-Reimbursement [per contract]	25,000	26,250	26,250	26,250	27,563	27,563	27,563	28,941	28,941
65	Subtotal-Operating Expenditures	1,058,364	797,065	819,027	831,205	845,201	858,518	872,501	888,561	904,077
70	TOTAL DEBT & OPERATING EXPENDITURES	\$ 5,619,538	\$ 5,394,311	\$ 5,491,000	\$ 6,606,145	\$ 6,612,752	\$ 6,627,835	\$ 6,737,239	\$ 6,752,725	\$ 6,752,893
80	Funds Available for Projects	\$ 32,826,836	\$ 1,785,428	\$ 9,170,413	\$ 9,282,468	\$ 11,639,264	\$ 11,715,196	\$ 11,722,225	\$ 11,847,231	\$ 12,318,279
PROJECTS										
150	Temple Industrial Park	9,900,000	-	-	-	-	-	-	-	-
200	Corporate Campus Park	2,954,680	-	-	-	-	-	-	-	-
250	Bioscience Park	2,503,658	-	-	-	-	-	-	-	-
350	Northwest Loop 363 Improvements (TxDOT commitment)	-	-	-	-	-	-	-	-	-
400	Synergy Park	1,132,475	-	-	-	-	-	-	-	-
450	Downtown	1,633,978	245,428	661,696	688,896	807,925	815,395	822,939	830,558	854,819
500	TMED	11,097,857	-	-	-	-	-	-	-	-
510	Airport Park	1,345,387	-	-	-	-	-	-	-	-
610	Public Improvements	-	-	6,277,362	6,343,681	8,627,581	8,728,231	8,727,331	8,831,431	9,247,881
	Subtotal-Projects	30,568,035	245,428	6,939,058	7,032,577	9,435,506	9,543,626	9,550,270	9,661,989	10,102,700
TOTAL USE OF FUNDS		\$ 36,187,573	\$ 5,639,739	\$ 12,430,058	\$ 13,638,722	\$ 16,048,258	\$ 16,171,461	\$ 16,287,509	\$ 16,414,714	\$ 16,855,593
709	FUND BALANCE, End	\$ 2,258,801	\$ 1,540,000	\$ 2,231,355	\$ 2,249,891	\$ 2,203,758	\$ 2,171,570	\$ 2,171,955	\$ 2,185,242	\$ 2,215,579

FINANCING PLAN  
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	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032
DESCRIPTION	41	42	43	44	45	46	47	48	49	50
1 "Taxable Increment"	\$ 495,321,867	\$ 522,175,086	\$ 549,296,836	\$ 708,089,805	\$ 721,740,703	\$ 755,238,110	\$ 762,790,491	\$ 770,418,396	\$ 778,122,580	\$ 785,903,806
1 FUND BALANCE, Begin	\$ 2,215,579	\$ 2,254,384	\$ 2,177,155	\$ 2,194,905	\$ 2,231,850	\$ 2,204,168	\$ 2,242,295	\$ 2,247,036	\$ 2,219,511	\$ 2,258,260
2 Adjustments to Debt Service Reserve	-	-	-	-	-	-	-	-	-	-
3 Fund Balance Available for Appropriation	\$ 2,215,579	\$ 2,254,384	\$ 2,177,155	\$ 2,194,905	\$ 2,231,850	\$ 2,204,168	\$ 2,242,295	\$ 2,247,036	\$ 2,219,511	\$ 2,258,260
SOURCES OF FUNDS:										
4 Tax Revenues	17,526,945	17,961,821	18,401,045	20,475,466	20,749,563	21,271,025	21,471,540	21,674,059	21,878,606	22,085,196
6 Allowance for Uncollected Taxes	(262,904)	(269,427)	(276,016)	(307,132)	(311,243)	(319,065)	(322,073)	(325,111)	(328,179)	(331,278)
8 Interest Income-Other	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
10 Grant Funds	-	-	-	-	-	-	-	-	-	-
12 License Fee - Central Texas Railway	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000
14 Other Revenues	-	-	-	-	-	-	-	-	-	-
17 Bond Issue	-	-	-	-	-	-	-	-	-	-
20 Total Sources of Funds	\$ 17,310,041	\$ 17,738,394	\$ 18,171,029	\$ 20,214,334	\$ 20,484,320	\$ 20,997,960	\$ 21,195,467	\$ 21,394,948	\$ 21,596,427	\$ 21,799,918
25 TOTAL AVAILABLE FOR APPROPRIATION	\$ 19,525,619	\$ 19,992,778	\$ 20,348,184	\$ 22,409,239	\$ 22,716,169	\$ 23,202,128	\$ 23,437,762	\$ 23,641,984	\$ 23,815,938	\$ 24,058,178
USE OF FUNDS:										
DEBT SERVICE										
26 2003 Bond Issue (\$11.740)	-	-	-	-	-	-	-	-	-	-
27 2008 Bond Issue (\$16.010 mil)	-	-	-	-	-	-	-	-	-	-
27 2009 Bond Refunding	-	-	-	-	-	-	-	-	-	-
28 2008 Bond Issue-Taxable (\$10.365 mil)	-	-	-	-	-	-	-	-	-	-
29 Debt Service - 2011A Issue (Refunding)	-	-	-	-	-	-	-	-	-	-
30 Debt Service - 2012 Issue (Refunding)	-	-	-	-	-	-	-	-	-	-
31 Debt Service - 2013 Issue (\$25.260 mil)	2,030,094	2,026,694	2,038,413	2,051,613	2,059,113	2,061,713	2,061,713	2,069,113	2,073,513	2,084,913
32 Issuance Costs	-	-	-	-	-	-	-	-	-	-
33 Refunding Bonds Proceeds	-	-	-	-	-	-	-	-	-	-
34 Payment to Refunding Bond Agent	-	-	-	-	-	-	-	-	-	-
32 Bond Discount	-	-	-	-	-	-	-	-	-	-
35 Paying Agent Services	-	-	-	-	-	-	-	-	-	-
40 Subtotal-Debt Service	2,030,094	2,026,694	2,038,413	2,051,613	2,059,113	2,061,713	2,061,713	2,069,113	2,073,513	2,084,913
OPERATING EXPENDITURES										
50 Prof Svcs/Proj Mgmt	175,100	175,100	175,100	175,100	175,100	175,100	175,100	175,100	175,100	175,100
52 Legal/Audit	1,300	1,300	1,300	1,300	1,300	1,300	1,300	1,300	1,300	1,300
54 Zone Park Maintenance (mowing, utilities, botanical supplies)	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000
55 Zone Park Maintenance (maintenance)	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000
56 Rail Maintenance	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
58 Road/Signage Maintenance	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
60 Contractual Payments (TEDC - Marketing)	339,922	356,919	374,764	393,503	413,178	433,837	455,529	478,305	502,220	527,331
62 TISD-Reimbursement [per contract]	28,941	30,388	30,388	30,388	31,907	31,907	31,907	33,502	33,502	33,502
65 Subtotal-Operating Expenditures	920,263	938,707	956,552	975,291	996,485	1,017,144	1,038,836	1,063,207	1,087,122	1,112,233
70 TOTAL DEBT & OPERATING EXPENDITURES	\$ 2,950,357	\$ 2,965,401	\$ 2,994,965	\$ 3,026,904	\$ 3,055,598	\$ 3,078,857	\$ 3,100,549	\$ 3,132,320	\$ 3,160,635	\$ 3,197,146
80 Funds Available for Projects	\$ 16,575,262	\$ 17,027,377	\$ 17,353,219	\$ 19,382,335	\$ 19,660,571	\$ 20,123,271	\$ 20,337,213	\$ 20,509,664	\$ 20,655,303	\$ 20,861,032
PROJECTS										
150 Temple Industrial Park	-	-	-	-	-	-	-	-	-	-
200 Corporate Campus Park	-	-	-	-	-	-	-	-	-	-
250 Bioscience Park	-	-	-	-	-	-	-	-	-	-
350 Northwest Loop 363 Improvements (TxDOT commitment)	-	-	-	-	-	-	-	-	-	-
400 Synergy Park	-	-	-	-	-	-	-	-	-	-
450 Downtown	876,347	898,091	920,052	1,023,773	1,037,478	1,063,551	1,073,577	1,083,703	1,093,930	1,104,260
500 TMED	-	-	-	-	-	-	-	-	-	-
510 Airport Park	-	-	-	-	-	-	-	-	-	-
610 Public Improvements	13,444,531	13,952,131	14,238,262	16,126,712	16,418,925	16,817,425	17,016,600	17,206,450	17,303,112	17,590,337
Subtotal-Projects	14,320,878	14,850,222	15,158,314	17,150,485	17,456,403	17,880,976	18,090,177	18,290,153	18,397,042	18,694,597
TOTAL USE OF FUNDS	\$ 17,271,235	\$ 17,815,623	\$ 18,153,280	\$ 20,177,389	\$ 20,512,001	\$ 20,959,833	\$ 21,190,726	\$ 21,422,473	\$ 21,557,677	\$ 21,891,743
709 FUND BALANCE, End	\$ 2,254,384	\$ 2,177,155	\$ 2,194,905	\$ 2,231,850	\$ 2,204,168	\$ 2,242,295	\$ 2,247,036	\$ 2,219,511	\$ 2,258,260	\$ 2,166,435

FINANCING PLAN  
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	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042
DESCRIPTION	51	52	53	54	55	56	57	58	59	60
1 "Taxable Increment"	\$ 793,762,844	\$ 801,700,472	\$ 809,717,477	\$ 817,814,652	\$ 825,992,799	\$ 834,252,726	\$ 842,595,253	\$ 851,021,206	\$ 859,531,418	\$ 868,126,732
1 FUND BALANCE, Begin	\$ 2,166,435	\$ 2,240,473	\$ 2,260,311	\$ 2,250,093	\$ 2,208,600	\$ 2,238,074	\$ 2,238,942	\$ 2,209,726	\$ 2,252,575	\$ 2,167,727
2 Adjustments to Debt Service Reserve	-	-	-	-	-	-	-	-	-	-
3 Fund Balance Available for Appropriation	\$ 2,166,435	\$ 2,240,473	\$ 2,260,311	\$ 2,250,093	\$ 2,208,600	\$ 2,238,074	\$ 2,238,942	\$ 2,209,726	\$ 2,252,575	\$ 2,167,727
SOURCES OF FUNDS:										
4 Tax Revenues	22,293,851	22,504,596	22,717,445	22,932,425	23,149,554	23,368,854	23,590,347	23,814,054	24,039,999	24,268,202
6 Allowance for Uncollected Taxes	(334,408)	(337,569)	(340,762)	(343,986)	(347,243)	(350,533)	(353,855)	(357,211)	(360,600)	(364,023)
8 Interest Income-Other	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
10 Grant Funds	-	-	-	-	-	-	-	-	-	-
12 License Fee - Central Texas Railway	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000
14 Other Revenues	-	-	-	-	-	-	-	-	-	-
17 Bond Issue	-	-	-	-	-	-	-	-	-	-
20 Total Sources of Funds	\$ 22,005,443	\$ 22,213,027	\$ 22,422,683	\$ 22,634,439	\$ 22,848,311	\$ 23,064,321	\$ 23,282,492	\$ 23,502,843	\$ 23,725,399	\$ 23,950,179
25 TOTAL AVAILABLE FOR APPROPRIATION	\$ 24,171,879	\$ 24,453,500	\$ 24,682,994	\$ 24,884,532	\$ 25,056,911	\$ 25,302,395	\$ 25,521,434	\$ 25,712,569	\$ 25,977,974	\$ 26,117,906
USE OF FUNDS:										
DEBT SERVICE										
26 2003 Bond Issue (\$11.740)	-	-	-	-	-	-	-	-	-	-
27 2008 Bond Issue (\$16.010 mil)	-	-	-	-	-	-	-	-	-	-
27 2009 Bond Refunding	-	-	-	-	-	-	-	-	-	-
28 2008 Bond Issue-Taxable (\$10.365 mil)	-	-	-	-	-	-	-	-	-	-
29 Debt Service - 2011A Issue (Refunding)	-	-	-	-	-	-	-	-	-	-
30 Debt Service - 2012 Issue (Refunding)	-	-	-	-	-	-	-	-	-	-
31 Debt Service - 2013 Issue (\$25.260 mil)	2,092,913	-	-	-	-	-	-	-	-	-
32 Issuance Costs	-	-	-	-	-	-	-	-	-	-
33 Refunding Bonds Proceeds	-	-	-	-	-	-	-	-	-	-
34 Payment to Refunding Bond Agent	-	-	-	-	-	-	-	-	-	-
32 Bond Discount	-	-	-	-	-	-	-	-	-	-
35 Paying Agent Services	-	-	-	-	-	-	-	-	-	-
40 Subtotal-Debt Service	2,092,913	-	-	-	-	-	-	-	-	-
OPERATING EXPENDITURES										
50 Prof Svcs/Proj Mgmt	175,100	175,100	175,100	175,100	175,100	175,100	175,100	175,100	175,100	175,100
52 Legal/Audit	1,300	1,300	1,300	1,300	1,300	1,300	1,300	1,300	1,300	1,300
54 Zone Park Maintenance (mowing, utilities, botanical supplies)	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000
55 Zone Park Maintenance (maintenance)	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000
56 Rail Maintenance	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
58 Road/Signage Maintenance	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
60 Contractual Payments (TEDC - Marketing)	553,698	581,383	610,452	640,974	673,023	706,674	742,008	779,108	818,064	858,967
62 TISD-Reimbursement [per contract]	35,177	35,177	35,177	36,936	36,936	36,936	38,783	38,783	38,783	40,722
65 Subtotal-Operating Expenditures	1,140,275	1,167,960	1,197,029	1,229,310	1,261,359	1,295,010	1,332,191	1,369,291	1,408,247	1,451,089
70 TOTAL DEBT & OPERATING EXPENDITURES	\$ 3,233,188	\$ 1,167,960	\$ 1,197,029	\$ 1,229,310	\$ 1,261,359	\$ 1,295,010	\$ 1,332,191	\$ 1,369,291	\$ 1,408,247	\$ 1,451,089
80 Funds Available for Projects	\$ 20,938,691	\$ 23,285,541	\$ 23,485,965	\$ 23,655,221	\$ 23,795,552	\$ 24,007,385	\$ 24,189,243	\$ 24,343,278	\$ 24,569,727	\$ 24,666,817
PROJECTS										
150 Temple Industrial Park	-	-	-	-	-	-	-	-	-	-
200 Corporate Campus Park	-	-	-	-	-	-	-	-	-	-
250 Bioscience Park	-	-	-	-	-	-	-	-	-	-
350 Northwest Loop 363 Improvements (TxDOT commitment)	-	-	-	-	-	-	-	-	-	-
400 Synergy Park	-	-	-	-	-	-	-	-	-	-
450 Downtown	1,114,693	1,125,230	1,135,872	1,146,621	1,157,478	1,168,443	1,179,517	1,190,703	1,202,000	1,213,410
500 TMED	-	-	-	-	-	-	-	-	-	-
510 Airport Park	-	-	-	-	-	-	-	-	-	-
610 Public Improvements	17,583,525	19,900,000	20,100,000	20,300,000	20,400,000	20,600,000	20,800,000	20,900,000	21,200,000	21,200,000
Subtotal-Projects	18,698,218	21,025,230	21,235,872	21,446,621	21,557,478	21,768,443	21,979,517	22,090,703	22,402,000	22,413,410
TOTAL USE OF FUNDS	\$ 21,931,405	\$ 22,193,189	\$ 22,432,901	\$ 22,675,931	\$ 22,818,837	\$ 23,063,453	\$ 23,311,708	\$ 23,459,994	\$ 23,810,247	\$ 23,864,499
709 FUND BALANCE, End	\$ 2,240,473	\$ 2,260,311	\$ 2,250,093	\$ 2,208,600	\$ 2,238,074	\$ 2,238,942	\$ 2,209,726	\$ 2,252,575	\$ 2,167,727	\$ 2,253,407



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	2043 61	2044 62	2045 63	2046 64	2047 65	2048 66	2049 67	2050 68	2051 69	2052 70
DESCRIPTION										
1 "Taxable Increment"	\$ 876,808,000	\$ 885,576,080	\$ 894,431,840	\$ 903,376,159	\$ 912,409,920	\$ 921,534,019	\$ 930,749,360	\$ 940,056,853	\$ 949,457,422	\$ 958,951,996
1 FUND BALANCE, Begin	\$ 2,253,407	\$ 2,236,191	\$ 2,254,784	\$ 2,206,704	\$ 2,193,448	\$ 2,214,376	\$ 2,166,602	\$ 2,251,408	\$ 2,167,814	\$ 2,212,475
2 Adjustments to Debt Service Reserve	-	-	-	-	-	-	-	-	-	-
3 Fund Balance Available for Appropriation	\$ 2,253,407	\$ 2,236,191	\$ 2,254,784	\$ 2,206,704	\$ 2,193,448	\$ 2,214,376	\$ 2,166,602	\$ 2,251,408	\$ 2,167,814	\$ 2,212,475
SOURCES OF FUNDS:										
4 Tax Revenues	20,567,723	20,761,204	20,956,621	21,153,991	21,353,336	21,554,674	21,758,026	21,963,409	22,170,847	22,380,363
6 Allowance for Uncollected Taxes	(308,516)	(311,418)	(314,349)	(317,310)	(320,300)	(323,320)	(326,370)	(329,451)	(332,563)	(335,705)
8 Interest Income-Other	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
10 Grant Funds	-	-	-	-	-	-	-	-	-	-
12 License Fee - Central Texas Railway	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000
14 Other Revenues	-	-	-	-	-	-	-	-	-	-
17 Bond Issue	-	-	-	-	-	-	-	-	-	-
20 Total Sources of Funds	\$ 20,305,207	\$ 20,495,786	\$ 20,688,272	\$ 20,882,681	\$ 21,079,036	\$ 21,277,354	\$ 21,477,656	\$ 21,679,958	\$ 21,884,284	\$ 22,090,658
25 TOTAL AVAILABLE FOR APPROPRIATION	\$ 22,558,614	\$ 22,731,977	\$ 22,943,055	\$ 23,089,386	\$ 23,272,484	\$ 23,491,730	\$ 23,644,258	\$ 23,931,366	\$ 24,052,098	\$ 24,303,133
USE OF FUNDS:										
DEBT SERVICE										
26 2003 Bond Issue (\$11.740)	-	-	-	-	-	-	-	-	-	-
27 2008 Bond Issue (\$16.010 mil)	-	-	-	-	-	-	-	-	-	-
27 2009 Bond Refunding	-	-	-	-	-	-	-	-	-	-
28 2008 Bond Issue-Taxable (\$10.365 mil)	-	-	-	-	-	-	-	-	-	-
29 Debt Service - 2011A Issue (Refunding)	-	-	-	-	-	-	-	-	-	-
30 Debt Service - 2012 Issue (Refunding)	-	-	-	-	-	-	-	-	-	-
31 Debt Service - 2013 Issue (\$25.260 mil)	-	-	-	-	-	-	-	-	-	-
32 Issuance Costs	-	-	-	-	-	-	-	-	-	-
33 Refunding Bonds Proceeds	-	-	-	-	-	-	-	-	-	-
34 Payment to Refunding Bond Agent	-	-	-	-	-	-	-	-	-	-
32 Bond Discount	-	-	-	-	-	-	-	-	-	-
35 Paying Agent Services	-	-	-	-	-	-	-	-	-	-
40 Subtotal-Debt Service	-	-	-	-	-	-	-	-	-	-
OPERATING EXPENDITURES										
50 Prof Svcs/Proj Mgmt	175,100	175,100	175,100	175,100	175,100	175,100	175,100	175,100	175,100	175,100
52 Legal/Audit	1,300	1,300	1,300	1,300	1,300	1,300	1,300	1,300	1,300	1,300
54 Zone Park Maintenance (mowing, utilities, botanical supplies)	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000
55 Zone Park Maintenance (maintenance)	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000
56 Rail Maintenance	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
58 Road/Signage Maintenance	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
60 Contractual Payments (TEDC - Marketing)	901,915	947,011	994,362	1,044,080	1,096,284	1,151,098	1,208,653	1,269,085	1,332,540	1,399,167
62 TISD-Reimbursement [per contract]	40,722	40,722	42,758	42,758	42,758	44,896	44,896	44,896	47,141	47,141
65 Subtotal-Operating Expenditures	1,494,037	1,539,133	1,588,520	1,638,238	1,690,442	1,747,394	1,804,949	1,865,381	1,931,080	1,997,708
70 TOTAL DEBT & OPERATING EXPENDITURES	\$ 1,494,037	\$ 1,539,133	\$ 1,588,520	\$ 1,638,238	\$ 1,690,442	\$ 1,747,394	\$ 1,804,949	\$ 1,865,381	\$ 1,931,080	\$ 1,997,708
80 Funds Available for Projects	\$ 21,064,577	\$ 21,192,844	\$ 21,354,536	\$ 21,451,148	\$ 21,582,043	\$ 21,744,336	\$ 21,839,309	\$ 22,065,984	\$ 22,121,018	\$ 22,305,425
PROJECTS										
150 Temple Industrial Park	-	-	-	-	-	-	-	-	-	-
200 Corporate Campus Park	-	-	-	-	-	-	-	-	-	-
250 Bioscience Park	-	-	-	-	-	-	-	-	-	-
350 Northwest Loop 363 Improvements (TxDOT commitment)	-	-	-	-	-	-	-	-	-	-
400 Synergy Park	-	-	-	-	-	-	-	-	-	-
450 Downtown	1,028,386	1,038,060	1,047,831	1,057,700	1,067,667	1,077,734	1,087,901	1,098,170	1,108,542	1,119,018
500 TMED	-	-	-	-	-	-	-	-	-	-
510 Airport Park	-	-	-	-	-	-	-	-	-	-
610 Public Improvements	17,800,000	17,900,000	18,100,000	18,200,000	18,300,000	18,500,000	18,500,000	18,800,000	18,800,000	19,000,000
Subtotal-Projects	18,828,386	18,938,060	19,147,831	19,257,700	19,367,667	19,577,734	19,587,901	19,898,170	19,908,542	20,119,018
TOTAL USE OF FUNDS	\$ 20,322,423	\$ 20,477,193	\$ 20,736,351	\$ 20,895,937	\$ 21,058,108	\$ 21,325,127	\$ 21,392,850	\$ 21,763,552	\$ 21,839,623	\$ 22,116,726
709 FUND BALANCE, End	\$ 2,236,191	\$ 2,254,784	\$ 2,206,704	\$ 2,193,448	\$ 2,214,376	\$ 2,166,602	\$ 2,251,408	\$ 2,167,814	\$ 2,212,475	\$ 2,186,407

FINANCING PLAN  
Page 5 of 5

	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062
DESCRIPTION	71	72	73	74	75	76	77	78	79	80
1 "Taxable Increment"	\$ 968,541,516	\$ 978,226,931	\$ 988,009,200	\$ 997,889,292	\$ 1,007,868,185	\$ 1,017,946,867	\$ 1,028,126,336	\$ 1,038,407,599	\$ 1,048,791,675	\$ 1,059,279,592
1 FUND BALANCE, Begin	\$ 2,186,407	\$ 2,188,232	\$ 2,214,077	\$ 2,264,622	\$ 2,238,032	\$ 2,229,818	\$ 2,240,263	\$ 2,166,983	\$ 2,204,792	\$ 2,253,487
2 Adjustments to Debt Service Reserve	-	-	-	-	-	-	-	-	-	-
3 Fund Balance Available for Appropriation	\$ 2,186,407	\$ 2,188,232	\$ 2,214,077	\$ 2,264,622	\$ 2,238,032	\$ 2,229,818	\$ 2,240,263	\$ 2,166,983	\$ 2,204,792	\$ 2,253,487
SOURCES OF FUNDS:										
4 Tax Revenues	22,591,969	22,805,694	23,021,555	23,239,576	23,459,775	23,682,177	23,906,803	24,133,676	24,362,817	24,594,251
6 Allowance for Uncollected Taxes	(338,880)	(342,085)	(345,323)	(348,594)	(351,897)	(355,233)	(358,602)	(362,005)	(365,442)	(368,914)
8 Interest Income-Other	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
10 Grant Funds	-	-	-	-	-	-	-	-	-	-
12 License Fee - Central Texas Railway	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000
14 Other Revenues	-	-	-	-	-	-	-	-	-	-
17 Bond Issue	-	-	-	-	-	-	-	-	-	-
20 Total Sources of Funds	\$ 22,299,089	\$ 22,509,609	\$ 22,722,232	\$ 22,936,982	\$ 23,153,878	\$ 23,372,944	\$ 23,594,201	\$ 23,817,671	\$ 24,043,375	\$ 24,271,337
25 TOTAL AVAILABLE FOR APPROPRIATION	\$ 24,485,496	\$ 24,697,841	\$ 24,936,308	\$ 25,201,605	\$ 25,391,910	\$ 25,602,762	\$ 25,834,464	\$ 25,984,654	\$ 26,248,167	\$ 26,524,825
USE OF FUNDS:										
DEBT SERVICE										
26 2003 Bond Issue (\$11.740)	-	-	-	-	-	-	-	-	-	-
27 2008 Bond Issue (\$16.010 mil)	-	-	-	-	-	-	-	-	-	-
27 2009 Bond Refunding	-	-	-	-	-	-	-	-	-	-
28 2008 Bond Issue-Taxable (\$10.365 mil)	-	-	-	-	-	-	-	-	-	-
29 Debt Service - 2011A Issue (Refunding)	-	-	-	-	-	-	-	-	-	-
30 Debt Service - 2012 Issue (Refunding)	-	-	-	-	-	-	-	-	-	-
31 Debt Service - 2013 Issue (\$25.260 mil)	-	-	-	-	-	-	-	-	-	-
32 Issuance Costs	-	-	-	-	-	-	-	-	-	-
33 Refunding Bonds Proceeds	-	-	-	-	-	-	-	-	-	-
34 Payment to Refunding Bond Agent	-	-	-	-	-	-	-	-	-	-
32 Bond Discount	-	-	-	-	-	-	-	-	-	-
35 Paying Agent Services	-	-	-	-	-	-	-	-	-	-
40 Subtotal-Debt Service	-	-	-	-	-	-	-	-	-	-
OPERATING EXPENDITURES										
50 Prof Svcs/Proj Mgmt	175,100	175,100	175,100	175,100	175,100	175,100	175,100	175,100	175,100	175,100
52 Legal/Audit	1,300	1,300	1,300	1,300	1,300	1,300	1,300	1,300	1,300	1,300
54 Zone Park Maintenance (mowing, utilities, botanical supplies)	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000
55 Zone Park Maintenance (maintenance)	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000
56 Rail Maintenance	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
58 Road/Signage Maintenance	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
60 Contractual Payments (TEDC - Marketing)	1,469,125	1,542,581	1,619,710	1,700,696	1,785,731	1,875,017	1,968,768	2,067,206	2,170,567	2,279,095
62 TISD-Reimbursement [per contract]	47,141	49,498	49,498	49,498	51,973	51,973	51,973	54,572	54,572	54,572
65 Subtotal-Operating Expenditures	2,067,666	2,143,479	2,220,608	2,301,594	2,389,104	2,478,390	2,572,141	2,673,178	2,776,539	2,885,067
70 TOTAL DEBT & OPERATING EXPENDITURES	\$ 2,067,666	\$ 2,143,479	\$ 2,220,608	\$ 2,301,594	\$ 2,389,104	\$ 2,478,390	\$ 2,572,141	\$ 2,673,178	\$ 2,776,539	\$ 2,885,067
80 Funds Available for Projects	\$ 22,417,830	\$ 22,554,361	\$ 22,715,700	\$ 22,900,011	\$ 23,002,807	\$ 23,124,372	\$ 23,262,323	\$ 23,311,476	\$ 23,471,628	\$ 23,639,757
PROJECTS										
150 Temple Industrial Park	-	-	-	-	-	-	-	-	-	-
200 Corporate Campus Park	-	-	-	-	-	-	-	-	-	-
250 Bioscience Park	-	-	-	-	-	-	-	-	-	-
350 Northwest Loop 363 Improvements (TxDOT commitment)	-	-	-	-	-	-	-	-	-	-
400 Synergy Park	-	-	-	-	-	-	-	-	-	-
450 Downtown	1,129,598	1,140,285	1,151,078	1,161,979	1,172,989	1,184,109	1,195,340	1,206,684	1,218,141	1,229,713
500 TMED	-	-	-	-	-	-	-	-	-	-
510 Airport Park	-	-	-	-	-	-	-	-	-	-
610 Public Improvements	19,100,000	19,200,000	19,300,000	19,500,000	19,600,000	19,700,000	19,900,000	19,900,000	20,000,000	20,200,000
Subtotal-Projects	20,229,598	20,340,285	20,451,078	20,661,979	20,772,989	20,884,109	21,095,340	21,106,684	21,218,141	21,429,713
TOTAL USE OF FUNDS	\$ 22,297,264	\$ 22,483,764	\$ 22,671,686	\$ 22,963,573	\$ 23,162,092	\$ 23,362,499	\$ 23,667,481	\$ 23,779,862	\$ 23,994,680	\$ 24,314,780
709 FUND BALANCE, End	\$ 2,188,232	\$ 2,214,077	\$ 2,264,622	\$ 2,238,032	\$ 2,229,818	\$ 2,240,263	\$ 2,166,983	\$ 2,204,792	\$ 2,253,487	\$ 2,210,045

## Summary Financing Plan with Detailed Project Plan

Project Plan - 06/29/14 - to Zone Board

## PROJECT PLAN

SUMMARY FINANCING PLAN									
	2014	2015	2016	2017	2018	2019	2020	2021	2022
1 Beginning Available Fund Balance, Oct 1	\$ 30,501,761	\$ 2,258,801	\$ 1,540,000	\$ 2,231,355	\$ 2,249,891	\$ 2,203,758	\$ 2,171,570	\$ 2,171,955	\$ 2,185,242
20 Total Sources of Funds	6,178,970	4,920,938	13,121,412	13,657,258	16,002,124	16,139,274	16,287,893	16,428,000	16,885,929
2 Adjustments to Debt Service Reserve	1,765,643	-	-	-	-	-	-	-	-
25 Net Available for Appropriation	38,446,374	7,179,739	14,661,413	15,888,613	18,252,015	18,343,031	18,459,464	18,599,956	19,071,171
50/52 General Administrative Expenditures	213,838	176,200	176,200	176,300	176,300	176,300	176,300	176,300	176,400
54 Zone Park Maintenance (mowing, utilities, botanical supplies)	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000
55 Zone Park Maintenance (maintenance)	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000
56 Rail Maintenance	211,799	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
58 Road/Signage Maintenance	233,077	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
60 Contractual Payments (TEDC - Marketing)	199,650	219,615	241,577	253,655	266,338	279,655	293,638	308,320	323,736
62 TISD-Reimbursement [per contract]	25,000	26,250	26,250	26,250	27,563	27,563	27,563	28,941	28,941
26 Debt Service - 2003 Issue (\$11.740 mil)	-	-	-	-	-	-	-	-	-
27 Debt Service - 2009 Issue (Refunding)	1,479,969	1,499,769	1,508,775	1,510,150	1,488,750	1,485,000	-	-	-
28 Debt Service - 2008 Taxable Issue (\$10.365 mil)	1,240,495	1,239,233	1,240,854	1,240,096	1,241,957	1,241,173	1,237,744	1,241,670	1,242,422
29 Debt Service - 2011A Issue (Refunding)	914,900	914,450	913,550	912,200	908,350	915,950	2,497,800	2,497,550	2,494,950
30 Debt Service - 2012 Issue (Refunding)	17,700	17,700	82,700	76,400	79,600	77,650	80,050	77,250	78,750
31 Debt Service - 2013 Issue (\$25.260 mil)	906,910	924,894	924,894	2,034,894	2,047,694	2,048,344	2,047,944	2,046,494	2,031,494
32 Issuance Costs	-	-	-	-	-	-	-	-	-
32 Bond Discount	-	-	-	-	-	-	-	-	-
33 Paying Agent Services	1,200	1,200	1,200	1,200	1,200	1,200	1,200	1,200	1,200
70 Total Debt & Operating Expenditures	5,619,538	5,394,311	5,491,000	6,606,145	6,612,752	6,627,835	6,737,239	6,752,725	6,752,893
80 Funds Available for Projects	\$ 32,826,836	\$ 1,785,428	\$ 9,170,413	\$ 9,282,468	\$ 11,639,264	\$ 11,715,196	\$ 11,722,225	\$ 11,847,231	\$ 12,318,279
PROJECT PLAN									
	2014	2015	2016	2017	2018	2019	2020	2021	2022
<b>TEMPLE INDUSTRIAL PARK:</b>									
100 Northern "Y" Phase I	200,000	-	-	-	-	-	-	-	-
101 Trans-Load Grading (full site) (East)	185,000	-	-	-	-	-	-	-	-
102 Ladder Track Phase II	-	-	-	-	-	-	-	-	-
103 Pepper Creek Main Stem Regional Detention Pond	850,000	-	-	-	-	-	-	-	-
104 Research Pkwy (IH 35 to Wendland Ultimate)	2,705,000	-	-	-	-	-	-	-	-
105 Research Pkwy (Wendland to McLane Pkwy)	5,960,000	-	-	-	-	-	-	-	-
106 Northeast Utilities @ IH 35/Loop 363	-	-	-	-	-	-	-	-	-
150 Total North Zone/Rail Park (including Enterprise Park)	9,900,000	-	-	-	-	-	-	-	-
<b>CORPORATE CAMPUS PARK:</b>									
155 Bioscience Trail Connection to Airport	750,000	-	-	-	-	-	-	-	-
156 McLane Pkwy/Research Pkwy Connection	704,680	-	-	-	-	-	-	-	-
157 Research Pkwy (McLane Pkwy to Central Point Pkwy)	1,500,000	-	-	-	-	-	-	-	-
200 Total Corporate Campus Park	2,954,680	-	-	-	-	-	-	-	-
<b>BIO-SCIENCE PARK:</b>									
204 Pepper Creek Trail Connection to S&W	29,258	-	-	-	-	-	-	-	-
205 Bioscience Park Service Road & Utility Extensions	724,400	-	-	-	-	-	-	-	-
207 Trail Landscaping, Irrigation and Lights	1,750,000	-	-	-	-	-	-	-	-
250 Total Bio-Science Park	2,503,658	-	-	-	-	-	-	-	-
350 Northwest Loop 363 Improvements (TxDOT commitment)	-	-	-	-	-	-	-	-	-
<b>SYNERGY PARK:</b>									
351 Lorraine Drive (Southeast Industrial Park) - [\$1.5M total project cost]	22,475	-	-	-	-	-	-	-	-
352 Entry Enhancement	500,000	-	-	-	-	-	-	-	-
353 Lorraine Drive/Panda Drive Asphalt	610,000	-	-	-	-	-	-	-	-
354 Improvements/Contingency for Synergy Park	-	-	-	-	-	-	-	-	-
400 Total Synergy Park	1,132,475	-	-	-	-	-	-	-	-
<b>DOWNTOWN:</b>									
401 Downtown Improvements [1999 Ordinance]	1,208,978	245,428	661,696	688,896	807,925	815,395	822,939	830,558	854,819
402 Rail Safety Zone Study	-	-	-	-	-	-	-	-	-
403 Lot Identification & Signage	-	-	-	-	-	-	-	-	-
404 Santa Fe Plaza	300,000	-	-	-	-	-	-	-	-
405 Downtown Master Plan	125,000	-	-	-	-	-	-	-	-
406 MLK Park	-	-	-	-	-	-	-	-	-
450 Total Downtown	1,633,978	245,428	661,696	688,896	807,925	815,395	822,939	830,558	854,819
<b>TMED:</b>									
451 TMED - 1st Street @ Temple College - STEP Grant Match	59,046	-	-	-	-	-	-	-	-
452 Master Plan Integration 2010	1,550	-	-	-	-	-	-	-	-
453 TMED - 1st Street @ Loop 363 Design/Construction - Design only	71,420	-	-	-	-	-	-	-	-
454 TMED - Friars Creek Trail 5th Street to S&W Blvd. - [\$1.9M total project cost - DOE Grant of \$400K]	195,881	-	-	-	-	-	-	-	-
455 Avenue R - S&W Blvd, Ave R - 19th Intersections	1,962,640	-	-	-	-	-	-	-	-
456 Ave U from S&W Blvd to 1st St & 13th to 17th connector from Ave R to Loop 363	19,122	-	-	-	-	-	-	-	-
457 South 1st Street Improvements from the Temple College Apartments to Ave O	-	-	-	-	-	-	-	-	-
458 Loop 363 Frontage Rd (UPRR to 5th TIRZ portion)	6,326,548	-	-	-	-	-	-	-	-
459 Monumentation	520,000	-	-	-	-	-	-	-	-
460 Ave U TMED Ave. to 1st Street	1,275,000	-	-	-	-	-	-	-	-
461 TMED Master Plan (Health Care Campus)	125,000	-	-	-	-	-	-	-	-
462 TMED Master Plan & Thoroughfare Plan	55,000	-	-	-	-	-	-	-	-
463 Friars Creek Trail to Ave. R Trail	486,650	-	-	-	-	-	-	-	-
464 Veteran's Memorial Blvd. Phase II	-	-	-	-	-	-	-	-	-
500 Total TMED	11,097,657	-	-	-	-	-	-	-	-
<b>AIRPORT PARK:</b>									
501 Gateway Entrance Projects	-	-	-	-	-	-	-	-	-
502 Airport Corporate Hangar Development/Improvements	25,387	-	-	-	-	-	-	-	-
503 Fuel Farm Loop Roadway	110,000	-	-	-	-	-	-	-	-
504 Airport Terminal Access Enhancement	115,000	-	-	-	-	-	-	-	-
505 Airport Entry Landscaping & Signage	230,000	-	-	-	-	-	-	-	-
506 Northwest Airport Parking & Entrance	865,000	-	-	-	-	-	-	-	-
507 East Airport Commercial Facility Improvements	-	-	-	-	-	-	-	-	-
508 Corporate Hangar Phase II	-	-	-	-	-	-	-	-	-
550 Total Airport Park	1,345,387	-	-	-	-	-	-	-	-
610 Public Improvements	-	-	6,277,362	6,343,681	8,627,581	8,728,231	8,727,331	8,831,431	9,247,881
<b>Total Planned Project Expenditures</b>	<b>30,568,035</b>	<b>245,428</b>	<b>6,939,058</b>	<b>7,032,577</b>	<b>9,435,506</b>	<b>9,543,626</b>	<b>9,550,270</b>	<b>9,661,989</b>	<b>10,102,700</b>
700 Available Fund Balance at Year End	\$ 2,258,801	\$ 1,540,000	\$ 2,231,355	\$ 2,249,891	\$ 2,203,758	\$ 2,171,570	\$ 2,171,955	\$ 2,185,242	\$ 2,215,579



ORDINANCE NO. 2014-4676

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING AN AMENDMENT TO THE TAX INCREMENT FINANCING REINVESTMENT ZONE NO. 1 FINANCING AND PROJECT PLANS TO APPROPRIATE ADDITIONAL FUNDS FOR DOWNTOWN IMPROVEMENTS IN FISCAL YEAR 2014; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; DECLARING FINDINGS OF FACT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, the City Council (the "Council") of the City of Temple, Texas, (the "City") created Reinvestment Zone Number One, City of Temple, Texas (the "Zone") by Ordinance No. 1457 adopted on September 16, 1982;

**Whereas**, the Council adopted a Project Plan and Reinvestment Zone Financing Plan for the Zone by Ordinance No. 1525 adopted on December 22, 1983, and thereafter amended such plans by Ordinance No. 1664 adopted on June 20, 1985, Ordinance No. 1719 adopted on November 21, 1985, Ordinance No. 1888 adopted on December 21, 1987, Ordinance No. 1945 adopted on October 20, 1988; Ordinance No. 1961 adopted on December 1, 1988; Ordinance No. 2039 adopted on April 19, 1990; Ordinance No. 91-2119 adopted on December 5, 1991; Ordinance No. 92-2138 adopted on April 7, 1992; Ordinance No. 94-2260 adopted on March 3, 1994; Ordinance No. 95-2351 adopted on June 15, 1995; Ordinance No. 98-2542 adopted on February 5, 1998; Ordinance No. 98-2582 adopted on November 19, 1998; Ordinance No. 99-2619 adopted on March 18, 1999; Ordinance No. 99-2629 adopted on May 6, 1999; Ordinance No. 99-2631 adopted on May 20, 1999; Ordinance No. 99-2647 adopted on August 19, 1999; Ordinance No. 99-2678 adopted on December 16, 1999; Ordinance No. 2000-2682 adopted on January 6, 2000; Ordinance No. 2000-2729 adopted on October 19, 2000; Ordinance No. 2001-2772 adopted on June 7, 2001; Ordinance No. 2001-2782 adopted on July 19, 2001; Ordinance No. 2001-2793 adopted on September 20, 2001; Ordinance No. 2001-2807 on November 15, 2001; Ordinance No. 2001-2813 on December 20, 2001; Ordinance No. 2002-2833 on March 21, 2002; Ordinance No. 2002-2838 on April 18, 2002; Ordinance No. 2002-3847 on June 20, 2002; Ordinance No. 2002-3848 on June 20, 2002; Ordinance No. 2002-3868 on October 17, 2002; Ordinance No. 2003- 3888 on February 20, 2003; Ordinance No. 2003-3894 on April 17, 2003; Ordinance No 2003-3926 on September 18, 2003; Ordinance No. 2004-3695 on July 1, 2004; Ordinance No. 2004-3975 on August 19, 2004; Ordinance No. 2004-3981 on September 16, 2004; Ordinance No. 2005-4001 on May 5, 2005; Ordinance No. 2005-4038 on September 15, 2005; Ordinance No. 2006-4051 on January 5, 2006; Ordinance No. 2006-4076 on the 18<sup>th</sup> day of May, 2006; Ordinance No. 2006-4118; Ordinance No. 2007-4141 on the 19<sup>th</sup> day of April, 2007; Ordinance No. 2007-4155 on July 19, 2007; Ordinance No. 2007-4172 on the 20<sup>th</sup> day of September, 2007; Ordinance No. 2007-4173 on October 25, 2007; Ordinance No. 2008-4201 on the 21<sup>st</sup> day of February, 2008; and Ordinance No. 2008-4217 the 15<sup>th</sup> day of May, 2008; Ordinance No. 2008-4242 the 21<sup>st</sup> day of August, 2009; Ordinance No. 2009-4290 on the 16<sup>th</sup> day of April, 2009; Ordinance No. 2009-4294 on the 21<sup>st</sup> day of May, 2009; Ordinance No. 2009-4316 on the 17<sup>th</sup> day of September, 2009; Ordinance No. 2009-4320 on the 15<sup>th</sup> day of October, 2009; Ordinance No. 2010-4338 on the 18<sup>th</sup> day of February, 2010; Ordinance No. 2010-4371 on the 19<sup>th</sup> day of August, 2010; Ordinance No.

2010-4405 on November 4, 2010; Ordinance No. 2011-4429 on March 17, 2011; Ordinance No. 2011-4455 on July 21, 2011; Ordinance No. 2011-4477 on October 20, 2011; Ordinance No. 2012-4540 on June 21, 2012; and Ordinance No. 2012-4546 on July 19, 2012; Ordinance No. 2012-4554 on September 20, 2012; Ordinance No. 2012-4566 on November 15, 2012; Ordinance No. 2013-4595 on June 20, 2013; Ordinance No. 2014-4665 on May 15, 2014; Ordinance No. 2014-4676;

**Whereas**, the Board of Directors of the Zone has adopted an additional amendment to the Reinvestment Zone Financing and Project Plans for the Zone and forwarded such amendment to the Council for appropriate action;

**Whereas**, the Council finds it necessary to amend the Reinvestment Zone Financing and Project Plans for the Zone to include financial information as hereinafter set forth;

**Whereas**, the Council finds that it is necessary and convenient to the implementation of the Reinvestment Zone Financing and Project Plans, including the additional amendment, to establish and provide for an economic development program within the meaning of Article III, Section 52-a of the Texas Constitution ("Article III, Section 52-a"), Section 311.010(h) of the Texas Tax Code and Chapter 380 of the Texas Local Government Code to develop and diversify the economy of the Zone, eliminate unemployment and underemployment in the Zone and develop or expand transportation, business and commercial activity in the Zone including programs to make grants and loans of Zone assets or from the tax increment fund of the Zone in an aggregate amount not to exceed the amount of the tax increment produced by the City and paid into the tax increment fund for the Zone for activities that benefit the Zone and stimulate business and commercial activity in the Zone as further determined by the City;

**Whereas**, the Council further finds that the acquisition of the land and real property assembly costs as described in the additional amendment to the Reinvestment Zone Financing and Project Plans are necessary and convenient to the implementation of the Reinvestment Zone Financing and Project Plans and will help develop and diversify the economy of the Zone, eliminate unemployment and underemployment in the Zone and develop or expand transportation, business and commercial activity in the Zone by providing land for development of future business and commercial activity, attracting additional jobs within the City and attracting additional sales and other taxes within the City; and

**Whereas**, the Council finds that such amendment to the Reinvestment Zone Financing and Project Plans is feasible and conforms to the Comprehensive Plan of the City, and that this action will promote economic development within the City of Temple.

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

**Part 1: Findings.** The statements contained in the preamble of this ordinance are true and correct and are adopted as findings of fact hereby.

**Part 2: Reinvestment Zone Financing and Project Plans.** The amendment to the Tax Increment Financing Reinvestment Zone No. 1 Financing Plan, heretofore adopted by the Board of Directors of the Zone and referred to in the preamble of this ordinance, is hereby approved and adopted, as set forth in the Amendments to Reinvestment Zone Number 1, City of Temple, Texas, attached hereto as Exhibits A and B.

**Part 3: Plans Effective.** The Financing Plan and Project Plans for the Zone heretofore in effect shall remain in full force and effect according to the terms and provisions thereof, except as specifically amended hereby.

**Part 4: Copies to Taxing Units.** The City Secretary shall provide a copy of the amendment to the Reinvestment Zone Financing and Project Plans to each taxing unit that taxes real property located in the Zone.

**Part 5: Economic Development Program.** The Council hereby establishes an economic development program for the Zone in accordance with Article III, Section 52-a of the Texas Constitution, Section 311.010(h) of the Texas Tax Code and Chapter 380 of the Texas Local Government Code to develop and diversify the economy of the Zone, eliminate unemployment and underemployment in the Zone and develop or expand transportation, business and commercial activity in the Zone including a program to make grants and loans of Zone assets or from the tax increment fund of the Zone in accordance with the provisions of Article III, Section 52-a, Chapter 311 of the Texas Tax Code and Chapter 380 of the Texas Local Government Code as directed and authorized by the Council. The Council hereby further directs and authorizes the Board of Directors of the Zone to utilize tax increment reinvestment zone bond proceeds to acquire the land and pay other real property assembly costs as set forth in the additional amendment attached hereto to help develop and diversify the economy of the Zone and develop or expand business and commercial activity in the Zone in accordance with Article III, Section 52-a, Chapter 311 of the Texas Tax Code and Chapter 380 of the Texas Local Government Code.

**Part 6: Severability.** 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 7: Effective Date.** 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 8: Open Meetings.** 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 Meeting Act.



PASSED AND APPROVED on First Reading and Public Hearing on the **3<sup>rd</sup>** day of **July**, 2014.

PASSED AND APPROVED on Second Reading on the **17<sup>th</sup>** day of **July**, 2014.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Jonathan Graham  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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07/17/14  
Item #6(M)  
Consent Agenda  
Page 1 of 2

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

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

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a construction contract with Legends Landscapes, LLC, to construct the Downtown Rail Safety Zone improvements in an amount not to exceed \$527,380.55.

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

**ITEM SUMMARY:** On March 21, 2011, the City contracted with Kasberg, Patrick & Associates, LP (KPA), to develop options to create a Downtown Rail Safety Zone, allowing BNSF locomotives to operate without the use of horns. Their report recommended closing the South 1<sup>st</sup> Street crossing (just south of downtown) and constructing supplemental safety measures at the South Main Street and MLK crossings (Map attached). On October 18, 2012, Council directed Staff to implement the report.

On April 4, 2013, Council authorized a professional services agreement with KPA to design, bid, and provide construction phase services for the recommended street closure and safety measures in an amount not to exceed \$98,000.

On November 21, 2013, Council authorized closing the BNSF crossing on South 1<sup>st</sup> Street to vehicular traffic in accordance with KPA's recommendations and railroad policies and procedures.

On May 15, 2014, Council ratified two agreements with BNSF to close the South 1<sup>st</sup> Street railroad crossing and install signal improvements at South Main Street and MLK. According to the agreements, BNSF will contribute an estimated \$108,309 of signal improvements, and the City will contribute an estimated \$433,236 of signal improvements.

The City opened construction bids on June 3, 2014. Two bids, tabulated in the attachment provided, were submitted in the amounts of \$527,380.55 and \$590,887. KPA's attached letter recommends awarding construction to the low bidder, Legends Landscapes, LLC.

On June 25, 2014, the Reinvestment Zone #1 Board resolved to recommend that Council award a construction contract as recommended by KPA.

**FISCAL IMPACT:** A Financing and Project Plan amendment is being presented to Council that will fund the additional amount needed for this construction contract. Once the plans are amended, funding will be available in Line 401, account 795-9500-531-6528, project 100697, Downtown Improvements, to fund the construction contract in the amount of \$527,380.55.

**ATTACHMENTS:**

[Map](#)  
[Bid Tabulation](#)  
[Recommendation Letter](#)  
[Resolution](#)





**PROPOSED  
CLOSED  
RAIL CROSSING**

**PROPOSED  
6' WIDE  
MEDIANS**

**PROPOSED  
10' WIDE  
MEDIANS**

**DOWNTOWN  
SAFETY ZONES**



LEGEND



PROPOSED  
QUIET ZONE




BID TABULATION  
CITY OF TEMPLE  
DOWNTOWN RAIL SAFETY ZONE  
3210 E Avenue H Building C  
June 3rd, 2014; 2:00 PM

2013-144-40

					BIDDER INFORMATION			
					Legend Landscapes, LLC 3513 SW HK Dodgen Loop, Suite 201 Temple, TX 76502		RM Rodriguez Construction, LP 5116 S. General Bruce Dr., Suite A Temple, TX 76502	
Bid Proposal Number		Unit	Approximate Quantity	Bid Data Description	Unit Price	Extended Amount	Unit Price	Extended Amount
General Items								
1	500	1	LS	Mobilization, Bonds and Insurance, not-to-exceed 5% of the Total Amount Bid	\$ 25,200.00	\$ 25,200.00	\$ 20,000.00	\$ 20,000.00
2	506	1	LS	Implement and Administer Stormwater Pollution Prevention Plan for S.1st, Main and MLK Streets in accordance with TCEQ requirements	2,820.00	2,820.00	2,000.00	2,000.00
3	As Needed	1	LS	Provide DVD containing Video of the Project Sites Before the Start and After Completion of Construction on the Project	470.00	470.00	1,500.00	1,500.00
4	COT	1	LS	Provide Project Record Drawings	564.00	564.00	700.00	700.00
5	BNSF	1	LS	Provide Railroad Protective Insurance Meeting the Requirements of Working Within the BNSF Right-of-Way	6,768.00	6,768.00	1,500.00	1,500.00
6	BNSF	1	LS	For Obtaining BNSF Right-Of-Way Entry Agreement	2,256.00	2,256.00	2,500.00	2,500.00
7	432	120	SY	Furnish and Install Concrete Rip Rap	65.00	7,800.00	74.00	8,880.00
South First Street Closing								
8	502	1	LS	Prepare & Implement Detour and Traffic Control Plan for South First Street	2,692.00	2,692.00	20,500.00	20,500.00
9	COT 402	250	LF	Saw Cut existing HMAc	2.80	700.00	10.00	2,500.00
10	110	350	CY	Unclassified Excavation of South 1st Street to a depth of 18-inches including saw cutting, demo and remove existing pavement, base and subgrade	21.00	7,350.00	34.00	11,900.00
11	BNSF	1	LS	Providing Flagging Services while Working Within 25-Foot of the Center Line of BNSF Tracks as Required by BNSF	15,040.00	15,040.00	15,000.00	15,000.00
12	104	305	LF	Demo, remove existing curb and gutter	12.00	3,660.00	10.00	3,050.00
13	110	155	SY	Demo and remove existing concrete sidewalk	13.75	2,131.25	14.00	2,170.00
14	132	300	CY	Place Select Backfill to within 4-inches from finish grade for S.1st Street	29.00	8,700.00	44.00	13,200.00
15	132	645	SY	Place 4-inches of topsoil to finish grade for S.1st Street	3.10	1,999.50	12.00	7,740.00
16	529	275	LF	6-inch Concrete Curb and Gutter per Standard City detail	21.75	5,981.25	50.00	13,750.00
17	529	25	LF	Concrete Curb Cut	21.75	543.75	30.00	750.00
18	247	250	SY	Furnish & Place 10-inch Crushed Limestone Base Material	25.00	6,250.00	23.00	5,750.00
19	340	28	TN	2-inc Type C HMAc Pavement with Prime and Tack Coat	343.00	9,604.00	290.00	8,120.00
20	340	62	TN	4-5/8-inch Type B HMAc Pavement with Prime and Tack Coat	263.20	16,318.40	225.00	13,950.00
21	350	3300	SY	CMS-1P Asphalt Emulsion Pavement Rejuvenator (0.11 gal/sy Application Rate)	3.50	11,550.00	3.00	9,900.00
22	350	3300	SY	Black Copper Slag Sand (0.6 lbs/sy Application Rate)	3.50	11,550.00	2.00	6,600.00
23	164	1300	SY	Common Bermuda Grass (solid sod), including watering to sustain growth	6.25	8,125.00	15.00	19,500.00
24		1	EA	100 Gallon Live Oak including watering to sustain growth	1,336.00	1,336.00	4,000.00	4,000.00
25	COT	1500	SF	Concrete Pavers including Concrete Base per detail	14.75	22,125.00	15.00	22,500.00
26	636 644	2	EA	Permanent Traffic Signage According to Signage Plan	490.00	980.00	800.00	1,600.00
27	666	350	LF	4-inch Double Yellow Thermo Plastic Striping per Striping Plan	12.60	4,410.00	12.00	4,200.00
28	528	1	LS	Obtain Plan & Permit, Furnish and Install Landscape irrigation for grassed area comprising 4,900 Square Feet	6,564.00	6,564.00	10,500.00	10,500.00
29	506	10	LF	Furnish, Install, Maintain and Remove Curb Inlet Protection	49.00	490.00	10.00	100.00
30	506	1	EA	Furnish, Install, Maintain and Remove Grate Inlet Protection	292.00	292.00	250.00	250.00
31	506	125	LF	Furnish, Install, Maintain and Remove Silt Fence	2.80	350.00	2.20	275.00
32	530	1	EA	Install 30-foot Concrete Driveway	4,880.00	4,880.00	7,500.00	7,500.00
33	BNSF	280	LF	Relocate Existing Black Metal Fence	16.00	4,480.00	20.00	5,600.00
34	BNSF	100	LF	Furnish and Install Extension of Existing Black Metal Fence	91.00	9,100.00	25.00	2,500.00
35		1	LS	Field Locate and Mark Property Line by Registered Land Surveyor for Relocating Fence	1,880.00	1,880.00	2,500.00	2,500.00
36		32	LF	steel plated 2'-wide concrete flume	107.00	3,424.00	85.00	2,720.00
37	COT	1000	SF	Concrete Pavers including Concrete Base per detail	14.75	14,750.00	16.00	16,000.00
Main Street Rail Crossing Safety Zone								
38	502	1	LS	Prepare & Implement Detour and Traffic Control Plan for Main Street	2,692.00	2,692.00	14,000.00	14,000.00
39	529	220	LF	6-foot Wide, 8-inch High Concrete Center Median including curb & gutter and base material, measured along running centerline stations	66.50	14,630.00	58.00	12,760.00
40	COT	1100	SF	Center Median Brick Pavers including sand cushion	8.40	9,240.00	9.00	9,900.00
41	104	35	SY	Demo and remove existing concrete driveways	17.00	595.00	54.00	1,890.00
42	104	80	LF	Demo, remove existing curb and gutter	12.00	960.00	19.00	1,520.00
43	110	37	SY	Demo and remove existing concrete sidewalk	13.75	508.75	41.00	1,517.00
44	COT 402	660	LF	Saw Cut existing HMAc	2.80	1,848.00	10.00	6,600.00
45	529	375	LF	6-inch Concrete Curb and Gutter per Standard City detail	21.75	8,156.25	16.00	6,000.00
46	531	2	EA	Furnish and install ADA Ramps including all appurtenances	1,198.00	2,396.00	2,400.00	4,800.00
47	636 644	120	SY	6-ft Concrete Sidewalk	60.90	7,308.00	60.00	7,200.00
48	636 644	6	EA	Permanent Traffic Signage According to Signage Plan	490.00	2,940.00	300.00	1,800.00
49	666	900	LF	4-inch White Thermo Plastic Channelizing Striping Including Gore per Striping Plan	3.50	3,150.00	3.20	2,880.00
50	666	125	LF	4-inch Double Yellow Thermo Plastic Striping per Striping Plan	7.00	875.00	7.00	875.00
51	666	50	LF	4-inch White Gore Thermo Plastic Chevron Striping per Striping Plan measured by running centerline stationing	7.00	350.00	7.00	350.00
52	666	100	LF	4-inch Yellow Gore Thermo Plastic Striping per Striping Plan measured by running centerline stationing	7.00	700.00	7.00	700.00
53	666	2	EA	Right Turn Only Pavement Arrow Thermo Plastic Striping per Striping Plan measured by running centerline stationing	525.00	1,050.00	470.00	940.00
54	666	2	EA	Straight and Left Turn Pavement Arrow Thermo Plastic Striping per Striping Plan measured by running centerline stationing	525.00	1,050.00	470.00	940.00
55	666	275	LF	4-inch Thermo Plastic White SKIP Striping per Striping Plan	1.10	302.50	1.00	275.00
56	666	2	EA	White Railroad Crossing White Thermo Plastic Striping including 3-24" bars and cross bucks per Striping Plan and detail	1,120.00	2,240.00	1,000.00	2,000.00
57	350	3650	SY	CMS-1P Asphalt Emulsion Pavement Rejuvenator (0.11 gal/sy Application Rate)	3.50	12,775.00	3.00	10,950.00
58	350	3650	SY	Black Copper Slag Sand (0.6 lbs/sy Application Rate)	3.50	12,775.00	2.00	7,300.00
59	110	175	CY	Unclassified Excavation, Demo and Remove Existing Pavement, Rail, buried Ties and all appurtenances to depth of 24-inches as Shown on the Plans	36.50	6,387.50	66.00	11,550.00
60	BNSF	1	LS	Providing Flagging Services while Working Within 25-Foot of the Center Line of BNSF Tracks as Required by BNSF	12,032.00	12,032.00	12,000.00	12,000.00
61	247	625	SY	Furnish & Place 10-inch Crushed Limestone Base Material	25.00	15,625.00	22.00	13,750.00
62	340	35	TN	Furnish and Place 2-inch HMAc Type C Pavement with Prime and Tack Coat	343.00	12,005.00	290.00	10,150.00
63	340	80	TN	4-5/8-inch Type B HMAc Pavement with Prime and Tack Coat	263.20	21,056.00	225.00	18,000.00
64	340	260	TN	Furnish and Place 17-3/8-inch Crushed Limestone Base Material	42.00	10,920.00	42.00	10,920.00
65	530	2	EA	Install 30-foot Concrete Driveway	1,966.40	3,932.80	7,500.00	15,000.00
66	420	55	SY	Install 30-foot Concrete Valley Gutter	77.00	4,235.00	70.00	3,850.00
67	506	250	LF	Furnish, Install, Maintain and Remove Silt Fence	2.80	700.00	3.00	750.00
68	506	25	LF	Furnish, Install, Maintain and Remove Curb Inlet Protection	49.00	1,225.00	10.00	250.00
69	506	1	EA	Furnish, Install, Maintain and Remove Grate Inlet Protection	292.00	292.00	150.00	150.00
70	506	450	SY	Common Bermuda Grass (hydromulch), including watering to sustain growth	2.70	1,215.00	12.00	5,400.00
Martin Luther King Drive Rail Crossing Safety Zone								
71	502	1	LS	Prepare & Implement Traffic Control Plan for MLK Street	2,692.00	2,692.00	14,000.00	14,000.00
72	529	260	LF	6-foot Wide, 8-inch High Concrete Center Median including curb & gutter and base material, measured along running centerline stations	68.00	17,680.00	60.00	15,600.00
73	528	1300	SF	Center Median Brick Pavers including sand cushion	8.40	10,920.00	9.00	11,700.00
74	COT 402	600	LF	Saw Cut existing HMAc	2.80	1,680.00	10.00	6,000.00
75	247	280	SY	Furnish & Place 10-inch Crushed Limestone Base Material	25.00	7,000.00	48.00	13,440.00
76	340	12	TN	Furnish and Place 2-inch HMAc Type C Pavement with Prime and Tack Coat	343.00	4,116.00	145.00	1,740.00
77	340	28	TN	4-5/8-inc Type B HMAc Pavement with Prime and Tack Coat	263.20	7,369.60	145.00	4,060.00
78	636 634	4	EA	Permanent Traffic Signage According to Signage Plan	490.00	1,960.00	800.00	3,200.00
79	666	1200	LF	4-inch Thermo Plastic White SKIP Striping per Striping Plan	1.10	1,320.00	1.00	1,200.00
80	666	600	LF	4-inch White Thermo Plastic Channelizing Striping Including Gore per Striping Plan	3.50	2,100.00	3.00	1,800.00
81	666	225	LF	4-inch Double Yellow Thermo Plastic Striping per Striping Plan	7.00	1,575.00	7.00	1,575.00
82	666	100	LF	4-inch Yellow Gore Thermo Plastic Striping per Striping Plan measured by running centerline stationing	7.00	700.00	7.00	700.00
83	666	4	EA	White Railroad Crossing White Thermo Plastic Striping including 3-24" bars and cross bucks per Striping Plan and detail	1,120.00	4,480.00	1,000.00	4,000.00
84	350	5750	SY	CMS-1P Asphalt Emulsion Pavement Rejuvenator (0.11 gal/sy Application Rate)	3.50	20,125.00	3.00	17,250.00
85	350	5750	SY	Black Copper Slag Sand (0.6 lbs/sy Application Rate)	3.50	20,125.00	2.00	11,500.00
86	BNSF	1	LS	Providing Flagging Services while Working Within 25-Foot of the Center Line of BNSF Tracks as Required by BNSF	12,032.00	12,032.00	14,000.00	14,000.00
87	506	45	LF	Furnish, Install, Maintain and Remove Curb Inlet Protection	49.00	2,205.00	10.00	450.00
TOTAL BID AMOUNT - (Items 1 - 87)						\$ 527,380.55		\$ 590,887.00

Did Bidder Acknowledge Addenda No. 1?	YES	YES
Did Bidder Acknowledge Addenda No. 2?	YES	YES
Did Bidder provide Bid Security?	YES	YES

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

  
Michael C. Newman, PE, CFM  
Kasberg, Patrick & Associates, LP  
Date 6/4/2014







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

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

**RICK N. KASBERG, P.E.**  
**R. DAVID PATRICK, P.E., CFM**  
**THOMAS D. VALLE, P.E.**  
**GINGER R. TOLBERT, P.E.**  
**ALVIN R. "TRAE" SUTTON, III, P.E., CFM**

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

June 6, 2014

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

Re: City of Temple, Texas  
Downtown Rail Safety Zone

Dear Mr. Bond:

Bids were received by the City of Temple at 2:00 P.M. on Tuesday, June 3, 2014 for the above referenced project. There were two (2) sealed bids received and a detailed bid tabulation of these bids is attached for your use.

The Downtown Rail Safety Zone Project will provide enhanced transportation facilities, particularly at two active railroad street crossings and will permanently close the South 1<sup>st</sup> Street railroad crossing. Through this construction project, the two remaining active railroad street crossings located at South Main and Martin Luther King Streets will have improved safety features with the installation of 6 foot wide, approximately 100 foot long, 8-inch high concrete curb median islands, associated pavement striping and signage. The center median island will be located in such a way as to impede vehicular traffic from going around lowered railroad crossing gates when they are activated by passing trains. Per agreement with the BNSF Railroad Company, after construction completion of this safety improvement project and within compliance of the agreement, the City will be allowed to post "No Train Horn" signs at these crossings.

This rail safety zone project will consist of approximately 480 linear feet of 8-inch high concrete curb and gutter, 3,400 square feet of center median and sidewalk pavers, 12,700 square yards of pavement rejuvenation emulsion and 12,700 square yards of black copper slag sand, 102 square yards of 6-foot wide concrete sidewalk, 2 ADA compliant pedestrian ramps, 3,925 linear feet of pavement striping, traffic control signage, street excavation, topsoil, grass sodding, concrete driveway, as well as other miscellaneous construction activities.

The Engineer's Opinion of Probable Cost was \$425,070. The Opinion of Probable Cost was developed using recent bids from other projects. The low, successful bidder is Legends Landscapes, LLC; 3513 S.W. HK Dodgen Loop, Suite 201; Temple, Texas 76502 in the total amount of \$527,380.55. The difference between the Engineer's Opinion of Probable Cost and the low bid can



Don Bond, P.E.  
June 6, 2014  
Page Two

be attributable to a low bidder turn out. Prior to bid opening, there were six perspective general contractors listed as plan holders before bids were opened, but only one-third chose to submit a bid for the project. This may be indicative that a number of contractors are busy with existing contracts, which is not easy to predict. While the nature of the project does not necessarily include unusual construction practices, this project requires close coordination and meeting special requirements with the BNSF railroad company. The low response of contractors was not foreseen and by the very nature of only two competitors, final bid submissions can attribute to varied prices from past projects.

Legends Landscapes has provided construction services on several road projects for TxDOT as well as different municipalities across the State, including the 1<sup>st</sup> Street Improvements – Phase I located at the intersection of 1<sup>st</sup> Street and Marvin Felder Drive. Based on the past and current project construction experience with Legends Landscapes, LLC, on other roadway projects in Temple and other local cities in central Texas, we would recommend award of the construction contract of the Downtown Rail Safety Zone project to Legends Landscapes, LLC of Temple, Texas in the total bid amount of **\$527,380.55**.

Please call if you should have any further questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael C. Newman", with a long horizontal flourish extending to the right.

Michael C. Newman, P.E., CFM  
Senior Project Manager

xc: Nicole Torralva, P.E., Director of Public Works, City of Temple  
Don Bond, P.E., City Engineer, City of Temple  
Belinda Mattke, City of Temple, Director of Purchasing  
Charles O'Daniel, Legends Landscapes, LLC, Temple, Texas  
2014-144-40

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONSTRUCTION CONTRACT WITH LEGENDS LANDSCAPES, LLC OF TEMPLE, TEXAS, TO CONSTRUCT THE DOWNTOWN RAIL SAFETY ZONE IMPROVEMENTS, IN AN AMOUNT NOT TO EXCEED \$527,380.55; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on March 21, 2011, the City contracted with Kasberg, Patrick & Associates, LP (KPA), to develop options to create a Downtown Rail Safety Zone, allowing BNSF locomotives to operate without the use of horns – their report recommended closing the South 1<sup>st</sup> Street crossing and constructing supplemental safety measures at the South Main Street and MLK crossings;

**Whereas**, on October 18, 2012, Council directed staff to implement the report and on April 4, 2013, a professional services agreement with KPA was authorized for the design, bidding and construction phases for the recommended street closure and safety measures;

**Whereas**, vehicular traffic across the BNSF crossing on South 1<sup>st</sup> Street was closed on November 21, 2013 in accordance with KPA's recommendations and railroad policies and procedures;

**Whereas**, on June 3, 2014, the City received two bids for the construction of the Downtown Rail Safety Zone Improvements and staff and KPA recommend awarding construction to Legends Landscapes, LLC of Temple, Texas, in the amount of 527,380.55;

**Whereas**, funding is available in the Financing and Project Plan, Line 401, Account No. 795-9500-531-6528, Project No. 100697; 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 Legends Landscapes, LLC of Temple, Texas, after approval as to form by the City Attorney, to construct the Downtown Rail Safety Zone Improvements, in an amount not to exceed \$527,380.55.

**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 17<sup>th</sup> day of **July**, 2014.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Jonathan Graham  
City Attorney





## COUNCIL AGENDA ITEM MEMORANDUM

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07/17/14  
Item #6(N)  
Consent Agenda  
Page 1 of 1

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

Traci Barnard, Director of Finance

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

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

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

**FISCAL IMPACT:** The total amount of budget amendments is \$17,414,153.

**ATTACHMENTS:**

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

**CITY OF TEMPLE**  
**BUDGET AMENDMENTS FOR FY 2014 BUDGET**  
**July 17, 2014**

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
110-1300-515-2623		Other Contracted Services	\$ 17,752	
110-0000-461-0424		Sale of Assets		\$ 17,752
To appropriate revenue and expenditure related to online auctions. This BA covers expenditures incurred as of 06/30/14.				
110-1940-519-2228		Equipment-PEG Expenditures	\$ 17,000	
110-0000-315-1900		Reserved for Public Education Channel		\$ 17,000
To fund Council Chamber renovations. This purchase is in support of the City's public access channel.				
365-2800-532-6861	101166	Camera Hardware/Video Detection - Traffic Signals	\$ 55,000	
365-3400-531-6527	100955	Street Overlay		\$ 55,000
To allocate funds needed to purchase camera and hardware for video detection on traffic signals.				
365-3400-531-6859	100970	Westfield Blvd Improvements	\$ 5,751	
365-2800-532-6810	100957	Traffic Signal - SH 317 @ Prairie View		\$ 5,751
To allocate additional funds needed for testing services on the road construction for Westfield Blvd Improvements.				
365-1500-515-1112		Professional	\$ 65,179	
365-1500-515-1220		Retirement	\$ 11,537	
365-1500-515-1221		Medicare	\$ 946	
365-1500-515-1222		Health Insurance	\$ 4,549	
365-1500-515-1223		Workers Compensation	\$ 327	
365-1500-515-1224		Unemployment Insurance	\$ 270	
365-1500-515-1225		Dental Insurance	\$ 97	
365-1500-515-1226		Life Insurance	\$ 97	
365-1500-515-1227		AD&D Insurance	\$ 21	
365-1500-515-1228		Long Term Disability	\$ 154	
365-3400-531-6527	100955	Street Overlay		\$ 73,457
365-2800-532-6810	100956	Traffic Signal		\$ 1,915
365-2800-532-6810	100504	Traffic Signal		\$ 594
365-2800-532-6810	100957	Traffic Signal		\$ 7,211
To allocate funding for Project Engineer. Position is being funded with bond proceeds from TCIP.				
430-5700-580-7550		Payment to Refunding Escrow Agent	\$ 16,796,900	
430-5700-580-7312		Bond Issuance Costs	\$ 92,088	
430-5700-580-7314		Original Issue Discount	\$ 88,929	
430-5700-580-7211		Bond Interest		\$ 305,976
430-0000-490-1575		Refunding Bond Proceeds		\$14,760,000
430-0000-490-1518		Bond Premium		\$ 1,911,941
To appropriate the 2014 GO Refunding Bonds. Transaction was closed on 06/25/14. This budget adjustment accounts for the revenue from the bond issue and the amount paid to the refunding escrow agent.				

**CITY OF TEMPLE**  
**BUDGET AMENDMENTS FOR FY 2014 BUDGET**  
**July 17, 2014**

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
520-5240-535-6221	101229	Computer Software	\$ 14,400	
520-5000-535-6532		Water & Sewer Contingency		\$ 14,400
To appropriate funds to be used to purchase backflow prevention/monitoring software.				
110-23xx-540-1xxx		Solid Waste Overtime	\$ 126,243	
110-23xx-540-1xxx		Solid Waste Over Hire	\$ 66,224	
110-0000-444-2053		Solid Waste/Roll off revenue		\$ 192,467
To appropriate additional funding need to cover overtime and over hires in the Solid Waste department. Revenue related to roll off activity is available to cover these increased expenditures.				
110-11xx-511-1xxx		City Manager	\$ 22,546	
110-60xx-513-1xxx		Administrative Services		\$ 22,546
110-42xx-513-1xxx		Assistant City Manager	\$ 28,143	
110-1500-515-6536		Contingency - Compensation		\$ 28,143
To appropriate and reallocate funding for the City Manager, Assistant City Manager, and Administrative Services due to changes within those departments.				
<b>TOTAL AMENDMENTS</b>			<b>\$ 17,414,153</b>	<b>\$17,414,153</b>



**CITY OF TEMPLE**  
**BUDGET AMENDMENTS FOR FY 2014 BUDGET**  
**July 17, 2014**

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
GENERAL FUND				
		Beginning <b>Contingency</b> Balance	\$	498,072
		Added to Contingency Sweep Account		89,700
		Carry forward from Prior Year		-
		Taken From Contingency		(360,053)
		Net Balance of Contingency Account	\$	227,719
		Beginning <b>Judgments &amp; Damages</b> Contingency	\$	40,000
		Added to Contingency Judgments & Damages from Council Contingency		-
		Taken From Judgments & Damages		(15,831)
		Net Balance of Judgments & Damages Contingency Account	\$	24,169
		Beginning <b>Compensation</b> Contingency	\$	288,000
		Added to Compensation Contingency		-
		Taken From Compensation Contingency		(244,840)
		Net Balance of Compensation Contingency Account	\$	43,160
		<b>Net Balance Council Contingency</b>	\$	295,048
		Beginning Balance <b>Budget Sweep</b> Contingency	\$	-
		Added to Budget Sweep Contingency		-
		Taken From Budget Sweep		-
		Net Balance of Budget Sweep Contingency Account	\$	-
WATER & SEWER FUND				
		Beginning <b>Contingency</b> Balance	\$	50,000
		Added to Contingency Sweep Account		-
		Taken From Contingency		(49,574)
		Net Balance of Contingency Account	\$	426
		Beginning <b>Compensation</b> Contingency	\$	50,000
		Added to Compensation Contingency		-
		Taken From Compensation Contingency		(37,900)
		Net Balance of Compensation Contingency Account	\$	12,100
		<b>Net Balance Water &amp; Sewer Fund Contingency</b>	\$	12,526

**CITY OF TEMPLE**  
**BUDGET AMENDMENTS FOR FY 2014 BUDGET**  
July 17, 2014

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
		<b>HOTEL/MOTEL TAX FUND</b>		
		Beginning <b>Contingency</b> Balance	\$	29,107
		Added to Contingency Sweep Account		-
		Carry forward from Prior Year		-
		Taken From Contingency		(13,745)
		Net Balance of Contingency Account	\$	15,362
		Beginning <b>Compensation</b> Contingency	\$	7,500
		Added to Compensation Contingency		-
		Taken From Compensation Contingency		(7,500)
		Net Balance of Compensation Contingency Account	\$	-
		<b>Net Balance Hotel/Motel Tax Fund Contingency</b>	<b>\$</b>	<b>15,362</b>
		<b>DRAINAGE FUND</b>		
		Beginning <b>Contingency</b> Balance	\$	-
		Added to Contingency Sweep Account		-
		Carry forward from Prior Year		-
		Taken From Contingency		-
		Net Balance of Contingency Account	\$	-
		Beginning <b>Compensation</b> Contingency	\$	7,500
		Added to Compensation Contingency		-
		Taken From Compensation Contingency		(7,500)
		Net Balance of Compensation Contingency Account	\$	-
		<b>Net Balance Drainage Fund Contingency</b>	<b>\$</b>	<b>-</b>
		<b>FED/STATE GRANT FUND</b>		
		Beginning <b>Contingency</b> Balance	\$	-
		Carry forward from Prior Year		237,553
		Added to Contingency Sweep Account		-
		Taken From Contingency		(217,954)
		Net Balance of Contingency Account	<b>\$</b>	<b>19,599</b>

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

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

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

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

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

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

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

PASSED AND APPROVED this the 17<sup>th</sup> day of **July**, 2014.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Jonathan Graham  
City Attorney





## COUNCIL AGENDA ITEM MEMORANDUM

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07/17/14  
Item #7  
Regular Agenda  
Page 1 of 3

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

Mark Baker, Planner

**ITEM DESCRIPTION:** P-FY-14-32: Consider adopting a resolution authorizing a Preliminary Plat for Dove Meadows, a 31.883 +/- acre, 108-lot, 4-block subdivision, with a developer requested exception to Section 8.3 of the Unified Development Code (UDC) related to public parkland dedication, situated in the Nancy Chance Survey, Abstract No. 5, Bell County, Texas, located between South Pea Ridge Road and Old Waco Road, south of Poison Oak Road.

**PLANNING & ZONING COMMISSION RECOMMENDATION:** At its July 7, 2014 meeting, the Planning & Zoning Commission voted 8 to 0 to recommend approval of the preliminary plat for Dove Meadows subdivision and the developer requested exception to UDC Section 8.3 related to public parkland dedication.

**STAFF RECOMMENDATION:** Staff recommends approval of the Preliminary Plat of Dove Meadows Subdivision and the developer requested exception to UDC Section 8.3 related to public parkland dedication per the attached Letter of Exception.

**ITEM SUMMARY:** The Development Review Committee reviewed the Preliminary Plat of Dove Meadows on June 4, 2014. It was deemed administratively complete on June 26, 2014. Approximately 26.88 +/- acres of the subject property was rezoned on March 6, 2014, per Ordinance No. 2014-4641, to Single-Family Dwelling 2 (SF-2) with 5 +/- acres remaining General Agriculture. This remainder, which contains two non-residential lots fronting along Old Waco Road, are anticipated to be considered for rezoning for non-residential uses at some point in the future.

The Development Review Committee reviewed the Preliminary Plat of Dove Meadows on June 4, 2014. It was deemed administratively complete on June 25, 2014.

The preliminary plat will propose the creation of seven new local streets as follows:

1. Dove Meadows Blvd.,
2. Inca Dove Drive,
3. Turtle Dove Cove,

4. Golden Heart Drive,
5. White Wing Drive,
6. Emerald Dove Court and,
7. Diamond Dove Drive

The preliminary plat will also provide needed dedication for the expansion of Old Waco Road, as well as realignment of Poison Oak Road, an arterial. Additionally, the plat proposes dedication for future expansion of South Pea Ridge Road, a collector street.

City staff has been working closely with the applicant to ensure that the plat accommodates the functional right-of way (ROW) for future roadway expansion. The functional ROW generally exceeds the ROW dedications required by the Unified Development Code (UDC) and are shown as follows:

<u>Street</u>	<u>Per Code</u>	<u>Functional ½ Street Section</u>	<u>Dedicated (per plat)</u>
South Pea Ridge	55'	35' (70' total)	35'
Poison Oak Road	70'	50' (100' total)	50'
Old Waco Road	70'	81.5' (163' total)	10' – An additional 31.5' will be accommodated by the plat but not dedicated.

With regard to Old Waco Road, the total anticipated deficiency will be acquired through future negotiations on both sides of the street.

In addition, the re-alignment of Poison Oak Road is proposed along the northern boundary of the subdivision. This proposed alignment will require an amendment to the Thoroughfare Plan.

South Pea Ridge is identified as a collector, a 4-foot sidewalk is required. Poison Oak Road is identified as a proposed arterial which requires a 6-foot sidewalk and Old Waco road is identified as the "Outer Loop" which requires a 6-foot sidewalk. Notes on the preliminary plat are provided indicating the requirement. The sidewalk along Old Waco Road will need to be upsized at some point to accommodate a spine trail but will not be noted on the plat at this time. Upsizing involves expanding to a 10 to 12-foot concrete trail, which the City may fund the difference.

Sewer is available to the subject property by a 15-inch sewer line on the southern property boundary. Water is available through an 8-inch waterline in South Pea Ridge Road and a 3-inch waterline in Old Waco Road.

The developer is requesting an exception, per the attached letter, to UDC Section 8.3, relative to the requirements for public parkland dedication. In lieu of public parkland dedication to the City of Temple, the developer proposes to use Tract A as a private park. The private park will consist of 0.542 acres and will be owned and maintained by a Homeowners Association. Further, it will be provided with improvements which include a playscape, landscape and a walking path. The playscape will be installed with Phase I along with some landscaping. The playscape value with impact absorbing materials and edging is approximately \$40,000. Alone this exceeds the required

park fee for the development which was identified as \$23,850. In addition, the developer has indicated that the walking trail will be installed with phase II and will also include some landscaping. Parks & Leisure Services staff has reviewed the request and is in agreement and recommends in favor of the proposed exception.

The City Council is the preliminary plat authority since the applicant has requested an exception UDC Section 8.3, related to public parkland dedication.

**FISCAL IMPACT:** Not Applicable

**ATTACHMENTS:**

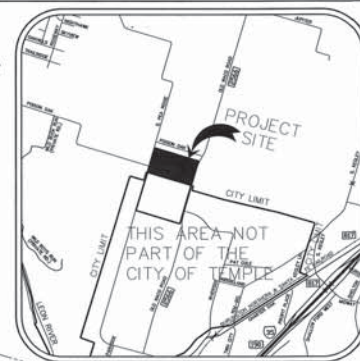
[Preliminary Plat](#)  
[Utility Plan](#)  
[Letter of Exception](#)  
[Proposed Park Exhibit](#)  
[Resolution](#)



NOTE: This project is referenced to the City of Temple Coordinate System, an extension of the North American Datum 1983 Central Texas State Plane. All distances are horizontal surface distances unless noted, and all bearings are grid bearings.  
 Published City Coordinates are N=1067096.98, E=3204661.24.  
 The tie from the above City Monument to the Point of BEGINNING (POB) is N.01°59'25"E, 6307.28 feet.  
 Side Distance= Surface Distance X COF  
 Geodetic North- Grid North + theta angle.

LIJ CHANG, LLC, 74.35 ACRES TRACT ONE  
 DOCUMENT NO. 2009-00043224

- NOTES:
1. ALL CORNERS ARE 1/2" IRON ROD WITH CAP STAMPED "RPLS 2475" SET, UNLESS OTHERWISE SPECIFIED.
  2. 2.105 ACRE TRACT AND 2.013 ACRE TRACT ARE ZONED AGRICULTURAL. ALL REMAINING LOTS ARE ZONED SF-2.
  3. ZONING SF-2 REQUIRES MINIMUM 25' FRONT BUILDING SETBACK, 5' INTERIOR SIDE BUILDING SETBACK, 15' STREET SIDE BUILDING SETBACK, AND 10' REAR BUILDING SETBACK.
  4. UTILITY EASEMENTS ARE 10' WIDE ALONG ALL STREET RIGHT-OF-WAYS, UNLESS OTHERWISE SPECIFIED. ALL UTILITY EASEMENTS ARE PUBLIC EASEMENTS, UNLESS OTHERWISE SPECIFIED.
  5. 6' WIDE SIDEWALK IS REQUIRED ALONG OLD WACO ROAD.
  6. 4' WIDE SIDEWALK IS REQUIRED ALONG SOUTH PEA RIDGE ROAD.
  7. 6' WIDE SIDEWALK IS REQUIRED ALONG POISON OAK ROAD.
  8. THIS TRACT IS NOT WITHIN THE SPECIAL FLOOD HAZARD AREA AS PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY FEDERAL INSURANCE ADMINISTRATION MAP NO. 480270335E, DATED SEPTEMBER 26, 2008.
  9. THE DEVELOPER DEDICATES 10' OF RIGHT-OF-WAY ALONG OLD WACO ROAD AS SHOWN TO THE CITY OF TEMPLE WITH FINAL PLAT. FURTHER, THE DEVELOPER WILL RESERVE AN ADDITIONAL 31.5' OF LAND ALONG OLD WACO ROAD FOR FUTURE RIGHT-OF-WAY NEGOTIATIONS. UTILITY EASEMENTS ON 2.105 ACRE TRACT AND 2.013 ACRE TRACT WILL BE PLATTED AT A LATER TIME.



VICINITY MAP

STATE OF TEXAS  
 COUNTY OF BELL

RTC CONSTRUCTION, LTD., OWNER OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS DOVE MEADOWS, A SUBDIVISION IN THE CITY OF TEMPLE, TEXAS AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES AS SHOWN HEREON.

RTC CONSTRUCTION, LTD., A TEXAS LIMITED PARTNERSHIP  
 RTC VENTURES, INC., A TEXAS CORPORATION, GENERAL PARTNER

GLYNN CUMMINGS, AUTHORIZED AGENT

STATE OF TEXAS  
 COUNTY OF BELL

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE \_\_\_\_ DAY OF \_\_\_\_ 2014 BY GLYNN CUMMINGS, AUTHORIZED AGENT OF RTC VENTURES, INC., A TEXAS CORPORATION AND GENERAL PARTNER OF RTC CONSTRUCTION, LTD., A TEXAS LIMITED PARTNERSHIP.

NOTARY PUBLIC

STATE OF TEXAS  
 COUNTY OF BELL

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



*Jennifer Ryken*  
 JENNIFER RYKEN, P.E.  
 NO. 106277

STATE OF TEXAS  
 COUNTY OF BELL

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



*Michael E. Alvis*  
 MICHAEL E. ALVIS, R.P.L.S.  
 NO. 5402

APPROVED FOR PREPARATION OF FINAL PLAT:

DATED THIS \_\_\_\_ DAY OF \_\_\_\_ 2014.

CHAIRMAN, PLANNING AND ZONING COMMISSION

PRELIMINARY PLAT FOR INSPECTION PURPOSES ONLY

## PRELIMINARY PLAT OF: DOVE MEADOWS

108 LOTS, 4 BLOCKS

TRACT A - 0.542 ACRE - PARKLAND  
 TRACT B - 0.737 ACRE - DETENTION AREA  
 TRACTS A AND B TO BE OWNED AND MAINTAINED BY HOMEOWNER'S ASSOCIATION

7.973 ACRES DEDICATED STREET  
 RIGHT-OF-WAY TO CITY OF TEMPLE  
 NANCY CHANCE SURVEY, ABSTRACT NO. 5  
 A SUBDIVISION IN THE CITY OF TEMPLE, BELL COUNTY, TEXAS  
 31.883 ACRES MORE FULLY DESCRIBED BY METES AND BOUNDS BY SEPARATE FIELD NOTES PREPARED AND ATTACHED TO DEDICATION INSTRUMENT.



Curve #	Length	Bearing	Chord
C1	23.32	S60°01'00"W	23.31
C2	22.67	S75°00'00"W	21.34
C3	43.77	S75°00'00"W	43.00
C4	44.84	S75°00'00"W	44.02
C5	27.72	S75°00'00"W	27.53
C6	23.32	S60°01'00"W	23.31
C7	31.42	S60°01'00"W	28.38
C8	23.32	S60°01'00"W	23.31
C9	23.32	S75°00'00"W	23.31
C10	47.30	S75°00'00"W	46.39
C11	44.58	S75°00'00"W	43.78
C12	55.98	S75°00'00"W	54.39
C13	23.32	S60°01'00"W	23.31
C14	21.49	S60°01'00"W	20.53
C15	23.31	S60°01'00"W	23.30
C16	53.25	S75°00'00"W	51.88
C17	44.58	S75°00'00"W	43.78
C18	46.57	S75°00'00"W	45.39
C19	24.38	S75°00'00"W	24.25
C20	23.31	S60°01'00"W	23.30
C21	31.34	S60°01'00"W	28.33
C22	26.87	S60°01'00"W	26.13
C23	59.50	S75°00'00"W	58.25
C24	36.88	S75°00'00"W	36.71
C25	36.32	S75°00'00"W	36.38
C26	36.88	S75°00'00"W	36.71

Curve #	Length	Bearing	Chord
C27	59.76	S75°00'00"W	58.45
C28	36.87	S60°01'00"W	36.13
C29	36.87	S60°01'00"W	36.13
C30	50.14	S75°00'00"W	50.78
C31	36.32	S75°00'00"W	36.38
C32	36.02	S75°00'00"W	35.08
C33	36.32	S75°00'00"W	36.38
C34	50.14	S75°00'00"W	50.78
C35	36.87	S60°01'00"W	36.13
C36	30.32	S75°00'00"W	30.10
C37	57.88	S75°00'00"W	57.73
C38	114.82	S75°00'00"W	113.67
C39	140.43	S75°00'00"W	138.17
C40	26.87	S75°00'00"W	26.64
C41	54.17	S75°00'00"W	54.08
C42	54.17	S75°00'00"W	54.08
C43	54.17	S75°00'00"W	54.08
C44	54.17	S75°00'00"W	54.08
C45	54.17	S75°00'00"W	54.08
C46	54.17	S75°00'00"W	54.08
C47	62.87	S75°00'00"W	62.84
C48	75.84	S75°00'00"W	75.72
C49	75.84	S75°00'00"W	75.72
C50	75.84	S75°00'00"W	75.72
C51	75.84	S75°00'00"W	75.72
C52	75.84	S75°00'00"W	75.72

PRELIMINARY PLAT OF:

DOVE MEADOWS  
 A SUBDIVISION IN THE  
 NANCY CHANCE SURVEY, ABSTRACT NO. 5  
 CITY OF TEMPLE, BELL COUNTY, TEXAS

PREPARED FOR:  
 GLYNN CUMMINGS  
 2624 BUTTERFLY DRIVE  
 TEMPLE, TEXAS 76702-7918

### REVISIONS

DATE	CITY COMMENTS	JRG
04/23/14		

DATE: 04/23/14  
 DRN. BY: JRG  
 REF.: 12735-D

FIELD BOOK -  
 JOB NO.: 13742  
 SHEET 1 OF 1  
 COMPUTER Dwg. NO.: 13742

12774-D  
 DRAWING NUMBER







## **TURLEY ASSOCIATES, INC.**

301 NORTH THIRD STREET • TEMPLE, TEXAS 76501 • (254) 773-2400  
F-1658 FAX • (254) 773-3998

June 25, 2014

City of Temple  
Parks and Leisure Services  
2 North Main St. Suite 201  
Temple, TX 76501

**RE: Dove Meadows Preliminary Plat**

To whom it concerns:

On behalf of our client, Turley Associates, Inc. respectfully requests that Parks and Leisure Services support a variance to the UDC Section 8.3 concerning parkland dedication. In lieu of parkland dedication to the City of Temple, the developer proposes to use Tract A of the preliminary plat as a private park that will be owned and maintained by the Home Owner's Association.

Tract A is 0.542 acres and the developer will make improvements to include a playscape, landscaping and a walking path. The playscape will be installed with Phase 1 of the subdivision along with some landscaping. The playscape value with impact absorbing materials and edging is approximately \$40,000.00. This alone exceeds the required park fee for the development which totals \$23,850.00. The developer has also stated that he will install a walking trail with Phase 2 of the subdivision. This trail will be constructed of a material to be determined at a later time. Phase 2 will include additional landscaping.

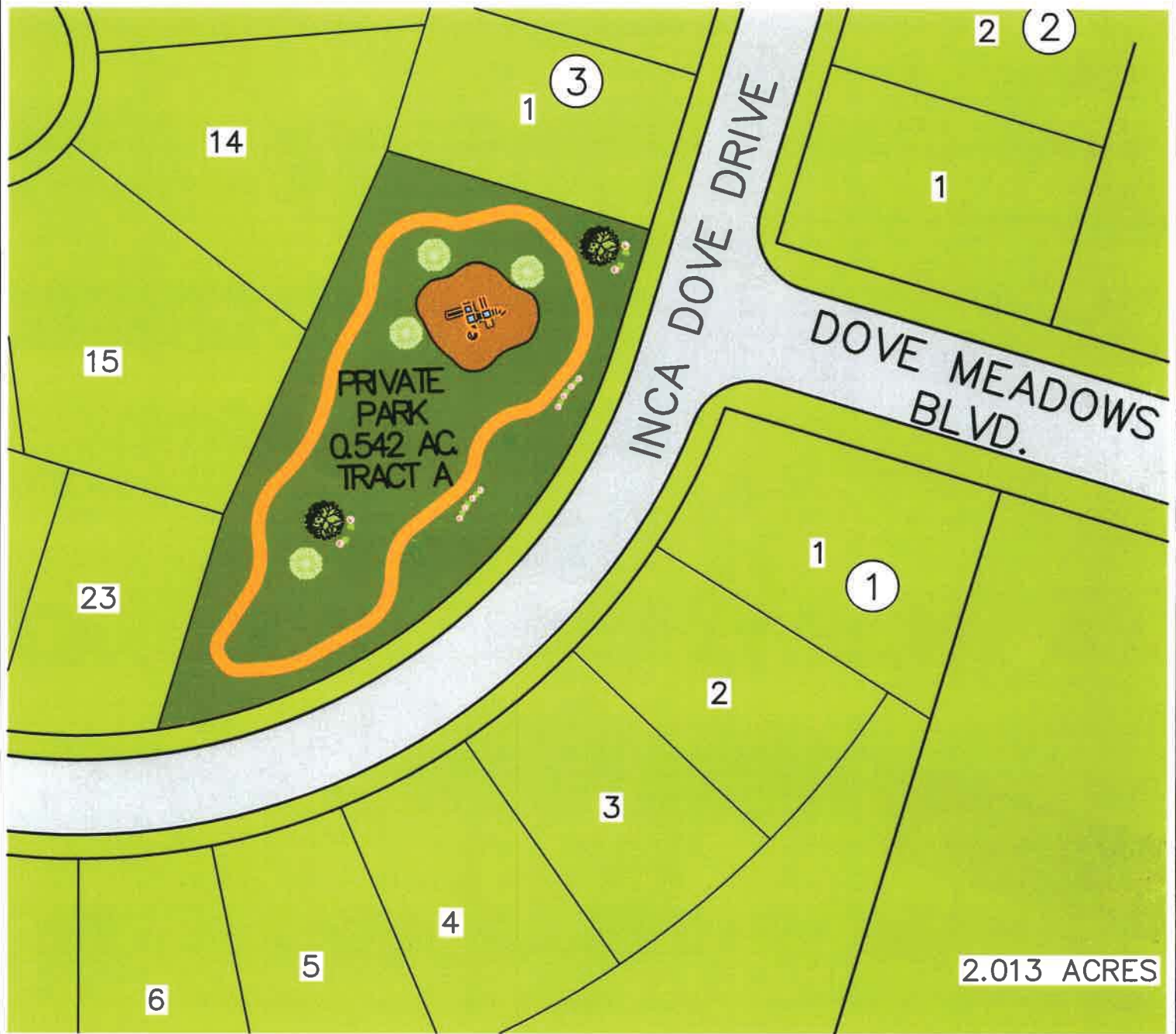
Attached please find a conceptual plan for the proposed private park. Please feel free to contact our office with any questions.

Sincerely,  
**TURLEY ASSOCIATES, INC.**

A handwritten signature in blue ink that reads "Jennifer Ryken". The signature is fluid and cursive, with the first letters of the first and last names being capitalized.

Jennifer Ryken, P.E., C.F.M.  
Project Engineer





# CONCEPTUAL NEIGHBORHOOD PARK DOVE MEADOWS

A SUBDIVISION IN THE CITY OF TEMPLE  
BELL COUNTY, TEXAS



PLAYSCAPE



PROPOSED VEGETATION



WALKING PATH



TURLEY ASSOCIATES, INC.

ENGINEERING • PLANNING • SURVEYING • CONSTRUCTION MANAGEMENT  
301 NORTH 3RD STREET • TEMPLE, TEXAS 76501 • (254) 773-2400

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

(PLANNING NO. P-FY-14-32)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING THE PRELIMINARY PLAT FOR DOVE MEADOWS, AN APPROXIMATELY 31.883 ACRE, 108 LOT, 4 BLOCK SUBDIVISION WITH REQUESTED EXCEPTIONS TO SECTION 8.3 OF THE UNIFIED DEVELOPMENT CODE, LOCATED BETWEEN SOUTH PEA RIDGE ROAD AND OLD WACO ROAD, SOUTH OF POISON OAK ROAD; AND PROVIDING AN OPEN MEETINGS CLAUSE.

---

**Whereas**, on July 7, 2014, the Planning and Zoning Commission recommended approval of the Preliminary Plat for Dove Meadows subdivision, an approximately 31.883 acre, 108 lot, 4 block subdivision with requested exceptions to section 8.2 of the Unified Development Code Section related to public parkland dedication, situated in the Nancy Chance Survey, Abstract No. 5, Bell County, Texas, located between South Pea Ridge Road and Old Waco Road, south of Poison Oak Road;

**Whereas**, the preliminary plat will also provide needed dedication for the expansion of Old Waco Road, as well as realignment of Poison Oak Road, an arterial;

**Whereas**, the City Council has considered the matter and deems it in the public interest to approve the Preliminary Plat for Dove Meadows subdivision, 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 Preliminary Plat for Dove Meadows subdivision, an approximately 31.883 acre, 108 lot, 4 block subdivision with requested exceptions to Section 8.2 of the Unified Development Code Section related to public parkland dedication, situated in the Nancy Chance Survey, Abstract No. 5, Bell County, Texas, located between South Pea Ridge Road and Old Waco Road, south of Poison Oak Road.

**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 17<sup>th</sup> day of July, 2014.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, MAYOR

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Jonathan Graham  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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07/17/14  
Item #8(A&B)  
Regular Agenda  
Page 1 of 2

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

Jonathan Graham, City Attorney  
Brynn Myers, Assistant City Manager

### **ITEM DESCRIPTION:** FIRST READING – PUBLIC HEARING. Consider adopting an ordinance:

- (A) Amending Chapter 7, “Buildings,” of the Code of Ordinances of the City of Temple Texas; and
- (B) Amending Chapter 10, “Electrical Code,” of the Code of Ordinances of the City of Temple, Texas.

**STAFF RECOMMENDATION:** Conduct a public hearing, and adopt ordinance as presented in item description on first reading with second and final reading set for August 7, 2014.

### **ITEM SUMMARY:**

(A) **Amendments to Chapter 7** – Code revisions include general cleanup of the Chapter. The revisions also expand the membership of the Building Board of Appeals from 9 members to 13 members. As discussed below with regards to Chapter 10 revisions, Staff is proposing that the Electrical Board be dissolved and its responsibilities assumed by the Building Board of Appeals. To acknowledge this acceptance of responsibility, the Building Board of Appeals will increase its members by four members which members must include two licensed master electricians, one licensed journeyman electrician, and one representative of the electric distributor. Seven members of the Board will constitute a quorum. The Building Board of Appeals is also assuming the duties of the Historic Preservation Board. The Building and Standards Commission has historically been the board tasked with handling historic preservation requests, however staff now feels that the Building Board of Appeals is the better board to handle such requests.

There are currently 7 members of the Electrical Board. Three of the member’s terms will expire this year – Robert Bass (master electrician), Melissa Bragg (attorney), and Jeff Byrd (general contractor). The remaining members are Willie Leos (Oncor representative), Craymon Myers (master electrician), Tonya Degges (architect), and Kenneth Malina (journeyman electrician). The amendments propose that Council will appoint 4 additional members to the Building Board of Appeals which would include two licensed master electricians, one licensed journeyman electrician, and one representative of the electric distributor. The four additional members will serve one year terms to create the necessary stagger, but after the initial year will serve four year terms as set forth in 7-2(b).



(B) **Amendments to Chapter 10** – Code revisions include general cleanup of the Chapter. Article IX will be amended to state that the separate Electrical Board is dissolved and the functions of the Electrical Board as set forth in Chapter 10 are assigned to and will be performed by the Building Board of Appeals.

**FISCAL IMPACT:** N/A

**ATTACHMENTS:**

[Ordinance](#)

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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AMENDING CHAPTER 10, "ELECTRICAL CODE," OF THE CODE OF ORDINANCES OF THE CITY OF TEMPLE; PROVIDING A REPEALER; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, revisions to Chapter 10 include general cleanup of the Chapter and Article IX will be specifically amended to state that the duties of the Electrical Board are assigned to and will be performed by the Building Board of Appeals;

**Whereas**, in order to acknowledge this acceptance of responsibility, the Building Board of Appeals will increase its members by four members which must include two licensed master electricians, one licensed journeyman electrician, and one representative of the electric distributor; and

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

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

**Part 1:** The City Council amends Chapter 10 of the Code of Ordinances to provide for general cleanup of the Chapter and assignment of the duties of the Electrical Board to the Building Board of Appeals, as outlined in Exhibit A, attached hereto and incorporated herein for all purposes.

**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 **17<sup>th</sup>** day of **July**, 2014.

PASSED AND APPROVED on Second Reading on the **7<sup>th</sup>** day of **August**, 2014.

THE CITY OF TEMPLE, TEXAS

---

DANIEL A. DUNN, MAYOR

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Jonathan Graham  
City Attorney



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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AMENDING CHAPTER 7, "BUILDINGS," OF THE CODE OF ORDINANCES OF THE CITY OF TEMPLE; PROVIDING A REPEALER; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

---

**Whereas**, revisions to Chapter 7 of the Code of Ordinances of the City of Temple include general cleanup of the Chapter and expansion of the membership of the Building Board of Appeals from 9 members to 13 members;

**Whereas**, staff proposes that the Electrical Board be dissolved and its responsibility be assumed by the Building Board of Appeals – in order to acknowledge this acceptance of responsibility, the Building Board of Appeals will increase its members by four members which must include two licensed master electricians, one licensed journeyman electrician, and one representative of the electric distributor;

**Whereas**, there are currently 7 members of the Electrical Board, with three members' terms expiring this year – the amendments propose that Council will appoint 4 additional members to the Building Board of Appeals which then 7 members of the Board would constitute a quorum;

**Whereas**, the Building Board of Appeals will also assume the duties of the Historic Preservation Board ;

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

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

**Part 1:** The City Council amends Chapter 7 “Buildings” of the Code of Ordinances to provide for general cleanup of the Chapter and expansion of the membership of the Building Board of Appeals from 9 members to 13 members, as outlined in Exhibit A, attached hereto and incorporated herein for all purposes.

**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 **17<sup>th</sup>** day of **July**, 2014.

PASSED AND APPROVED on Second Reading on the **7<sup>th</sup>** day of **August**, 2014.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, MAYOR

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Jonathan Graham  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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07/17/14

Item #9

Consent Agenda

Page 1 of 1

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

Jonathan Graham, City Attorney

Gary O. Smith, Chief of Police

**ITEM DESCRIPTION:** Consider adopting a resolution amending Resolution No. 94-641-R which created the Temple Public Safety Advisory Board to reflect a reduction in membership and quorum requirements.

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

**ITEM SUMMARY:** The Temple Public Safety Advisory Board was created through Resolution No. 94-641-R. In the resolution, the Board was established to consist of 15 members who must be residents of the City of Temple. Eight members constitute a quorum.

Currently, there are four vacant positions on the Board and the positions have been vacant for several months. Staff is requesting that the four positions be eliminated and the total number of Board members reduced to 11. The quorum requirement would also be reduced from 8 members to 6 members.

**FISCAL IMPACT:** N/A

**ATTACHMENTS:**

[Resolution No. 94-641-R](#)

[Resolution](#)



RESOLUTION NO. 94-641-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, REPEALING A RESOLUTION PASSED ON SEPTEMBER 1, 1983, RESTRUCTURING THE TEMPLE LAW ENFORCEMENT ADVISORY BOARD TO CURRENT FORMAT; ESTABLISHING A NEW BOARD, ENTITLED, THE "*TEMPLE PUBLIC SAFETY ADVISORY BOARD*;" AND PROVIDING AN OPEN MEETINGS CLAUSE.

---

**Whereas**, on the 1st day of September, 1983, the City Council of the City of Temple established to current format, the Temple Law Enforcement Advisory Board for the general purpose of assisting the City Council in matters of crime abatement, but was, under no circumstances, to be considered a civilian board of review for action taken by policemen in specific situations; and

**Whereas**, it is the desire of the City Council to expand the Board's advisory capacity to include all areas of public safety, including law enforcement, fire emergency medical service, communications, and emergency management and to change the name of the Board to the *Temple Public Safety Advisory Board*; 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 Resolution passed by the City Council of the City of Temple, Texas, on the 1st day of September, 1983, restructuring the Temple Law Enforcement Advisory Board to current format, is repealed.

**Part 2:** A new board, entitled, the *Temple Public Safety Advisory Board* (the "Board") is hereby created.

**Part 3:** The Board shall have the general purpose of assisting the City Council in matters of crime abatement, fire prevention and suppression, emergency medical services, communications, and emergency management and shall make recommendations as to departmental personnel, staff, programs and such other duties as may from time to time be assigned to it by the City Council. However, it is not the purpose of the City Council to establish by this Resolution a civilian board of review for actions taken by members of public safety departments in specific situations.

**Part 4:** The Board shall also have the following purposes:

- (a) To keep abreast of legislation, whether federal or state, providing for aid to local public safety agencies and from time to time to advise the City Council regarding same and to assist the City Council in obtaining such aid as the Council may decide to avail itself;

- (b) To advise the City Council upon ways and means to strengthen and improve public safety efforts in the City of Temple; and
- (c) To advise the City Council upon the needs of the Police Department, Fire Department, Communications Department, the Prosecution, the Municipal Court, the needs in Emergency Management, and from time to time to make recommendations on the manner and means of alleviating the needs and problems of these departments.

**Part 5:** The Board shall consist of fifteen (15) residents of the City of Temple. Ex-officio members shall be the Chief of Police and the Fire Chief.

**Part 6:** Eight (8) members shall constitute a quorum. The votes of a majority of the members of the Board (excluding Ex Officio members) shall be necessary to act on any matter.

**Part 7:** The Board shall select one of its members chairman and shall adopt its own rules and methods of procedure. The committee shall select a time and place of meeting as it shall see fit and meetings shall be open to the public unless, in the opinion of the chairman and in conformity with the law, some meeting or portion thereof should be closed to the public.

**Part 8:** The members of the Board shall be appointed by the City Council for three (3) year terms. In the instance of the initial appointments under this resolution, four (4) of the current members shall be reappointed for one (1) year, six (6) of the current members shall be reappointed for two (2) years, and five (5) new members shall be appointed for three (3) years. Thereafter, all members shall be appointed for three (3) years.


**Part 9:** That it is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the 3rd day of February, 1994.


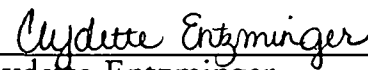
THE CITY OF TEMPLE, TEXAS

  
J.W. PERRY, Mayor

APPROVED AS TO FORM:

  
Jonathan Graham  
City Attorney

ATTEST:

  
  
Clydette Entzminger  
City Secretary

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AMENDING RESOLUTION NO. 94-641-R WHICH CREATED THE TEMPLE PUBLIC SAFETY ADVISORY BOARD, TO REFLECT A REDUCTION IN MEMBERSHIP AND QUORUM REQUIREMENTS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

---

**Whereas**, the Temple Public Safety Advisory Board was created through Resolution No. 94-641-R;

**Whereas**, the Resolution established the Board which consists of 15 members who must be residents of the City of Temple - 8 members would constitute a quorum;

**Whereas**, currently, there are 4 vacant positions on the Board and the positions have been vacant for several months – staff is requesting the 4 vacant member positions be eliminated and the total number of members be reduced from 15 to 11, making a quorum requirement of 6 members; 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:** Resolution No. 94-641-R is amended to reduce the membership of the Public Safety Advisory Board from 15 members to 11 members and reducing the quorum requirements from 8 members to 6 members.

**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 17<sup>th</sup> day of **July**, 2014.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Jonathan Graham  
City Attorney





## COUNCIL AGENDA ITEM MEMORANDUM

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07/17/14  
Item #10  
Consent Agenda  
Page 1 of 1

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

Jonathan Graham, City Attorney  
Brynn Myers, Assistant City Manager

**ITEM DESCRIPTION:** Consider adopting a resolution dissolving the Community Services Advisory Board.

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

**ITEM SUMMARY:** The Community Services Advisory Board (CSAB) was created by Resolution No. 92-234-R. The stated purpose of the CSAB was to assess the public services being provided by various agencies within the City, to recommend funding levels to those agencies by the City from the CDBG annual budget, and with creation of the HOME program in 2004, to evaluate selection criteria and process for the HOME program. The CSAB currently consists of 9 members.

The CSAB was initially created to help administer a much more robust CDBG program and later assist with the HOME program. The HOME program has not been in existence for several years and the CDBG program has changed drastically since the organization of the Board. Funding levels have decreased over the last few years which have resulted in less evaluation required by the CSAB. The CSAB currently meets in the spring to review PSA applications for CDBG funding and the number of meetings required for that process is up to the Board.

While the CSAB has served a beneficial purpose to the City since its creation, other factors, as explained above, have diminished the duties of the Board. Staff recommends dissolving the CSAB at this time, but also recommends Council consider appointing a committee each spring or as needed to assist with the review of PSA applications for CDBG funding. The appointments could be limited in time and scope for that particular purpose and then dissolved, rather than serving as a standing committee.

**FISCAL IMPACT:** N/A

**ATTACHMENTS:**

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS,  
DISSOLVING THE COMMUNITY SERVICES ADVISORY BOARD; AND  
PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, the Community Services Advisory Board (CSAB) was created by Resolution No. 92-234-R and states the purpose of the board is to assess the public services being provided by various agencies within the City, to recommend funding levels to those agencies by the City from the Community Development Block Grant (CDBG) annual budget, and with the creation of the HOME program in 2004, to evaluate selection criteria and processes for the HOME program;

**Whereas**, the CSAB currently consists of nine (9) members and was initially created to help administer a much more robust CDBG program and later assist with the HOME program – the HOME program has not been in existence for several years and the CDBG program has changed drastically since the organization of the Board;

**Whereas**, funding levels over the last few years have decreased, which has resulted in less evaluation required by the CSAB – while the CSAB has served a beneficial purpose to the City since its creation other factors have diminished the duties of the Board;

**Whereas**, staff recommends dissolving the CSAB at this time, but also recommends Council consider appointing a committee each spring, or as needed, to assist with the review of the Public Service Agency applications for CDBG funding – these appointments could be limited in time and scope for that particular purpose and then dissolved, rather than serving as a standing committee; 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 Community Services Advisory Board and intends to appoint a committee each spring, or as needed, to assist with the review of the Public Service Agency applications for CDBG funding.

**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 17<sup>th</sup> day of July, 2014.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Jonathan Graham  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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07/17/14  
Item #11  
Regular Agenda  
Page 1 of 1

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

Mayor Daniel A. Dunn

**ITEM DESCRIPTION:** Consider adopting a resolution appointing an interim City Manager and other interim appointments as needed or necessary.

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

**ITEM SUMMARY:** On July 3, 2014, Mr. Blackburn submitted his letter of intent to retire as the City Manager effective close of business on Thursday, August 28, 2014. The Council will make recommendations to appoint an interim City Manager, as well other interim staff appointments that might be needed.

**FISCAL IMPACT:**

**ATTACHMENTS:**

[Resolution](#)



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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPOINTING AN INTERIM CITY MANAGER AND OTHER INTERIM STAFF APPOINTMENTS AS NEEDED OR NECESSARY; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on July 3, 2014, Mr. David Blackburn submitted his letter of intent to retire as the City Manager of the City of Temple effective close of business Thursday, August 28, 2014;

**Whereas**, the City Council will make recommendations to appoint an interim City Manager as well as other interim staff appointments that may be needed; 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 confirms the appointment of an interim City Manager and other interim staff appointments as needed or necessary.

**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 17<sup>th</sup> day of **July**, 2014.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Jonathan Graham  
City Attorney



## EMPLOYEE BENEFITS TRUST AGENDA ITEM MEMORANDUM

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07/17/14  
Item #12  
Regular Agenda  
Page 1 of 2

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

Denny Hainley, Benefits Specialist  
Human Resources Department

**ITEM DESCRIPTION:** Conduct a meeting of the City of Temple Employee Benefits Trust to allow employees to purchase work site supplemental policies for:

- (A) Accident Critical Illness, and Short Term Disability from Lincoln Financial
- (B) Cancer from Guardian
- (C) Hospital Indemnity from MetLife
- (B) Flexible Spending Account (FSA), Dependent Spending Account (DSA), and Cafeteria 125 Administration by Discovery Benefits

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

**ITEM SUMMARY:** Financial Benefit Services (FBS) is the current vendor of worksite benefits and National Benefit Services (NBS) is the current administrator of the Cafeteria 125 plan. As in the past, current benefits were purchased through a Request for Proposal (RFP) from a single vendor. The implementation of an on-line enrollment platform presented the City with the opportunity to offer its employees worksite benefits based on the best value of each individual product.

The City's consultant, Burke Sunday of Gallagher Benefits Services received 6 responses to the request to replicate the current benefits offered. The results of the vendor were reviewed by Mr. Sunday and staff. The recommended vendors will provide an equal or greater benefit to the employee's with lower cost or minimal increase. Discovery Benefits will offer employees enhanced management of their FSA and DSA.

Staff recommends that the Trustees authorize a two year contract, October 1, 2014-September 30, 2016, with each vendor for worksite benefits and Cafeteria 125 management.

**ACTION REQUIRED:** The Mayor shall recess the Council meeting and convene a meeting of the trustees of the City of Temple Employee Benefits Trust. The Trustees (all Councilmember's) will conduct the business of the Trust as shown on the Trust Agenda, including awarding contracts to the various vendors. Once business has been concluded, the Mayor will adjourn the Trust meeting and

reconvene the Council meeting. No action is required of the Council on this item. All action is performed by the Trustees.

**FISCAL IMPACT:** There is no cost to the City for these services.

**ATTACHMENTS:**

[Temple Worksite Benefit Analysis Narrative](#)  
[Voluntary Benefits Response Analysis](#)  
[Resolution](#)



# City of Temple

## Worksite Benefit Analysis Narrative

### ✓ Critical Illness

The recommendation is to place with coverage with Lincoln Financial. Lincoln's overage benefit offer is better than the current coverage with Loyal American Life. The distinct difference is that Loyal American Life includes "first occurrence" language and Lincoln does not. LAL will only pay for one (1) first occurrence. Lincoln will not term the policy if a person has "category" exhaustion. The participant will continue to have access to every other category of coverage.

### ✓ Short Term Disability

There are two (2) carriers for consideration – both are slightly higher than the current carrier – American Public Life. The two (2) carriers are UNUM and Lincoln. UNUM has the price advantage over Lincoln. Lincoln offers three (3) week survivor benefit versus the current two (2) weeks – and none for UNUM. Lincoln offers a C-Section benefit of eight (8) weeks of benefits. Finally, UNUM is an "individual" short-term product – where Lincoln is a "group" short term disability product.

### ✓ Cancer

The recommendation is to place this line of coverage with Guardian. Guardian's overall benefit offering is better than the current coverage with American Public Life. Additionally, Guardian offers two plan options – Value and Advantage. For comparative and analysis purposes the Guardian Advantage Plan is superior to the APL offering. The Guardian Value Plan offers employee access to a lower cost cancer plan option.

### ✓ Accident

The recommendation is to place this line of coverage with Lincoln. Lincoln's overall benefit offer is better than the current coverage with American Public Life. An example – Lincoln provides \$75,000 of AD&D for an employee versus \$20,000 of coverage with APL. Another example the hospital admission benefit for Lincoln is \$1,000 versus \$400 for APL.

### ✓ Hospital Indemnity

The recommendation is to place the coverage with MetLife. MetLife's overall benefit offer is better than the current coverage with American Public Life. MetLife's coverage type is 24 hour coverage versus off the job coverage for APL.

## Disclaimers

- The intent of this analysis is to provide you with general information regarding the status of, and/or potential concerns related to your current employee benefits environment. It does not necessarily fully address all of your specific issues. It should not be construed as, nor is it intended to provide legal advice. Questions regarding specific issues should be addressed by your general counsel or an attorney who specializes in this practice area.
- This analysis is for illustrative purposes and is not a guarantee of future expenses, claims, costs, managed care savings, etc. There are many variables that can affect future health care costs including utilization patterns, catastrophic claims, changes in plan design, health care trend increases, etc. This analysis does not amend, extend, or alter the coverage provided by the actual insurance policies and contracts. Please see your policy or contact us for specific information for further details in this regard.
- This proposal is an outline of the coverage proposed by the carrier(s), based on information provided by your company. It does not include all of the terms, coverage's, exclusions, limitations, and conditions of the actual contract language. The policies and contracts themselves must be read for those details. Policy forms for your reference will be made available upon request.
- This analysis contains a financial cost summary and an outline of key policy provisions. Although cost is an important factor in placing coverage with a stop loss carrier, key policy provisions are also critical to the selection process and they may represent additional financial liability. For example, a stop loss policy that supersedes a client's plan document language could have a negative financial impact on the Plan. Although most stop loss carriers will agree to cover medically necessary and generally accepted practices and procedures, there may be other limitations which should be considered prior to policy acceptance.
- GBS and certain of its insurance carrier markets from time to time enter into arrangements providing for additional compensations to be paid to GBS by such carrier generally with respect to the total volume of premium or insurance coverage's written through GBS with that carrier (i.e.: all insurance policies with that carrier where GBS is the broker). It is not clear at this time what these fees and/or commissions retained by GBS, GBS affiliates, such as excess and surplus lines brokers, wholesalers, reinsurance intermediaries, and similar parties, may earn and retain commissions and/or fees in the course of providing insurance products.
- Gallagher Benefit Services, Inc., has provided this timeline as a resource to help identify and clarify submission requirements and dates for this project. Although the timeline was created to be as comprehensive as possible, it should not be assumed that the information is all-inclusive and error-free, nor is the sequence of events outlined in exact chronological order. All information is provided for informational and educational purposes only and is not intended to provide legal, investment, tax or accounting advice and should not be relied upon in that regard. Your financial and tax situation may be unique and therefore you should independently consult your attorney and accountant regarding any legal and tax implications.

# City of Temple

## Worksite Benefits Analysis

### Critical Illness

Benefit Amount	< 20	20-24	25-29	30-34	35-39	40-44	45-49	50-54	55-59	60-64	65-69	70-74
\$10,000 w/100% Reoccur												
American Public (wo/C)	\$5.60	\$5.60	\$5.60	\$8.04	\$8.04	\$14.00	\$14.00	\$22.60	\$22.60	\$34.16	\$34.16	\$34.16
American Public (w/C)	\$9.08	\$9.08	\$9.08	\$13.64	\$13.64	\$25.00	\$25.00	\$41.36	\$41.36	\$63.60	\$63.60	\$63.60
Guardian	\$3.55	\$3.75	\$4.05	\$4.95	\$6.55	\$9.65	\$14.55	\$20.35	\$27.35	\$36.55	\$53.65	\$53.65
Reliance Standard	\$3.40	\$3.40	\$3.40	\$5.60	\$7.30	\$11.14	\$18.88	\$28.88	\$39.20	\$55.55	\$79.20	\$101.70
Lincoln (S/NS) (w/ C)	\$6.02	\$6.02	\$6.02	\$11.22	\$11.22	\$21.87	\$21.87	\$40.01	\$40.01	\$68.24	\$68.24	
Lincoln (S/NS) (w/o C)	\$3.94	\$3.94	\$3.94	\$6.63	\$6.63	\$12.04	\$12.04	\$20.74	\$20.74	\$35.12	\$35.12	
UNUM (NS)(w/C)	\$5.90	\$5.90	\$6.60	\$9.20	\$12.70	\$18.40	\$25.70	\$34.50	\$46.20	\$59.10	\$68.70	\$123.10
UNUM (S)(w/C)	\$9.00	\$9.00	\$11.00	\$16.40	\$24.50	\$36.60	\$51.50	\$69.90	\$90.50	\$108.50	\$116.80	\$188.20
UNUM (NS)(wo/C)	\$3.60	\$3.60	\$3.80	\$5.10	\$7.00	\$10.20	\$13.80	\$18.50	\$24.90	\$33.10	\$40.00	\$77.30
UNUM (S)(wo/C)	\$5.30	\$5.30	\$6.10	\$9.30	\$13.60	\$20.80	\$28.60	\$37.50	\$48.10	\$61.15	\$66.90	\$116.80
MetLife (C inc)	\$3.97	\$3.97	\$4.21	\$5.83	\$8.43	\$12.81	\$19.62	\$29.54	\$42.58	\$61.98	\$94.68	\$140.02

### Short Term Disability (7/7)

	<40	40-49	50-59	60+					
(Per \$100 of Covered Benefit)									
American Public	\$3.85	\$4.21	\$4.80	\$6.08					
	<25	25-29	30-34	35-39	40-44	45-49	50-54	55-59	60+
Guardian	\$5.30	\$6.80	\$8.80	\$7.30	\$7.10	\$7.70	\$9.70	\$11.50	\$13.90
Reliance Standard	DNQ	DNQ	DNQ	DNQ	DNQ	DNQ	DNQ	DNQ	DNQ
Lincoln	\$5.30	\$5.30	\$5.30	\$5.30	\$5.30	\$5.30	\$5.30	\$5.30	\$5.30
UNUM	\$4.18	\$4.18	\$4.18	\$4.18	\$4.18	\$4.18	\$5.25	\$5.25	\$5.25
	<25	25-29	30-34	35-39	40-44	45-49	50-54	55-59	60+
MetLife (14/14)	\$5.30	\$5.50	\$5.70	\$5.10	\$5.50	\$6.80	\$8.40	\$10.30	\$12.22

### Cancer

(Level 2 w/ ICU)	EE	EE/SP				
American Public	\$30.72	\$56.12				
Guardian	\$28.01	\$59.01	\$16.54	\$34.22	(Value Plan)	(Advantage Plan exceed current)
Reliance Standard	DNQ	DNQ				
Lincoln	DNQ	DNQ				
UNUM	DNQ	DNQ				
MetLife						

# City of Temple

## Worksite Benefits Analysis

Accident	Low Plan		High Plan	
Low Level 2/2 Units High Plan Leve 4/4 Units	EE	EE/SP	EE	EE/SP
American Public	\$20.72	\$35.00	\$28.12	\$50.12
Guardian (24 Hr Cov)	\$22.29	\$36.09	\$28.98	\$46.32
Reliance Standard (Non Occ)	\$15.10	\$24.77	\$30.45	\$49.47
Lincoln (Non Occ)	\$13.64	\$19.83	DNQ	DNQ
UNUM (Non Occ)	\$7.84	\$12.56	DNQ	DNQ
MetLife	\$11.59	\$17.36	\$22.23	\$33.26

### Hospital Indemnity

	EE 18-54	EE 55-59	EE 60+	
American Public (Off Job Only)	\$34.40	\$45.12	\$54.24	
Guardian	DNQ	DNQ	DNQ	
Reliance Standard	DNQ	DNQ	DNQ	
Lincoln	DNQ	DNQ	DNQ	
	EE 17-49	EE 50-59	EE 60-64	EE 65+
UNUM	\$28.90	\$40.41	\$51.35	\$63.77
MetLife (Low) (24 Hr)	\$18.36	\$18.36	\$18.36	\$18.36
MetLife (High) (24 Hr)	\$37.32	\$37.32	\$37.32	\$37.32

### Short Term Disability (14/14)

	<40	40-49	50-59	60+					
(Per \$100 of Covered Benefit)									
American Public	\$3.34	\$3.61	\$4.14	\$5.21					
	<25	25-29	30-34	35-39	40-44	45-49	50-54	55-59	60+
Guardian	DNQ	DNQ	DNQ	DNQ	DNQ	DNQ	DNQ	DNQ	DNQ
Reliance Standard	DNQ	DNQ	DNQ	DNQ	DNQ	DNQ	DNQ	DNQ	DNQ
Lincoln	\$4.40	\$4.40	\$4.40	\$4.40	\$4.40	\$4.40	\$4.40	\$4.40	\$4.40
UNUM	\$3.06	\$3.06	\$3.06	\$3.06	\$3.06	\$3.06	\$4.08	\$4.08	\$4.08
	<25	25-29	30-34	35-39	40-44	45-49	50-54	55-59	60+
MetLife (14/14)	\$5.30	\$5.50	\$5.70	\$5.10	\$5.50	\$6.80	\$8.40	\$10.30	\$12.22



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

A RESOLUTION OF THE CITY OF TEMPLE, TEXAS, EMPLOYEE BENEFITS TRUST, AUTHORIZING THE PURCHASE OF WORKSITE SUPPLEMENTAL POLICIES; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, Financial Benefit Services (FBS) is the current vendor of worksite benefits and National Benefit Services (NBS) is the current administrator of the Cafeteria 125 plan;

**Whereas**, worksite supplemental policies are available for and through the following vendors:

- Accidental Critical Illness and Short Term Disability from Lincoln Financial;
- Cancer from Guardian;
- Hospital Indemnity from MetLife;
- Flexible Spending Account (FSA), Dependent Spending Account (DSA) and Cafeteria 125 Administration by Discovery Benefits;

**Whereas**, current benefits were purchased through a Request for Proposal from a single vendor and the implementation of an on-line enrollment platform presented the City with the opportunity to offer its employees with worksite benefits based on the best value of each individual product;

**Whereas**, the City's consultant, Burke Sunday of Gallagher Benefits Services, received six (6) responses to the request to replicate the current benefits offered – the recommended vendors will provide an equal or greater benefit to the City's employees with lower cost or minimal increase;

**Whereas**, Discovery Benefits will offer employees enhanced management of their FSA and DSA;

**Whereas**, staff recommends that the Trustees authorize a two (2) year contract with Lincoln Financial, Guardian, MetLife, and Discovery Benefits for worksite supplemental policies; and

**Whereas**, the City of Temple Employee Benefits Trust has considered the matter and deems it in the public interest to authorize this action.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF TEMPLE, TEXAS, EMPLOYEE BENEFITS TRUST, THAT:**

**Part 1:** The City of Temple Employee Benefits Trust authorizes a two (2) year contract for the purchase of worksite supplemental policies for and through the following vendors:

- Accidental Critical Illness and Short Term Disability from Lincoln Financial;
- Cancer from Guardian;
- Hospital Indemnity from MetLife;
- Flexible Spending Account (FSA), Dependent Spending Account (DSA) and Cafeteria 125 Administration by Discovery Benefits;

**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 **17<sup>th</sup>** day of **July**, 2014.

CITY OF TEMPLE, TEXAS, EMPLOYEE  
BENEFITS TRUST

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DANIEL A. DUNN, Trustee

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Jonathan Graham  
City Attorney