



**MEETING OF THE
TEMPLE CITY COUNCIL**

MUNICIPAL BUILDING

2 NORTH MAIN STREET

3rd FLOOR – CONFERENCE ROOM

THURSDAY, AUGUST 7, 2014

3:00 P.M.

WORKSHOP AGENDA

1. Discuss, as may be needed, Regular Meeting agenda items for the meeting posted for Thursday, August 7, 2014.
2. Discuss the Downtown Master Plan.
3. Discuss proposed right of way acquisitions on multiple Transportation Capital Improvement Projects.

Executive Session – Pursuant to Section 551.072 of the Texas Government Code, the City Council may meet in executive session to discuss the purchase, exchange, lease or value of real property relating to City projects, the public discussion of which would have a detrimental effect on negotiations with a third party.

5:00 P.M.

MUNICIPAL BUILDING

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

TEMPLE CITY COUNCIL

REGULAR MEETING AGENDA

I. CALL TO ORDER

1. Invocation
2. Pledge of Allegiance

II. PUBLIC COMMENTS:

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

III. ELECTION ITEMS

3. [2014-7378-R](#): Consider adopting a resolution electing a Mayor Pro Tem for the City of Temple.
4. [2014-4680](#): FIRST READING – PUBLIC HEARING – Consider adopting an ordinance ordering a Charter Amendment election for November 4, 2014 to submit to voters several proposed charter amendments.

IV. BUDGET ITEMS

5. (A) [PUBLIC HEARING](#) - Receive presentation by the City Manager and conduct a public hearing on the proposed 2014-2015 operating budget.

(B) [2014-7379-R](#): Discuss proposed tax rate and consider adopting a resolution scheduling the adoption of the proposed tax rate for August 28, 2014.

V. PUBLIC APPEARANCE

6. Receive comments from [James Zeptner](#) regarding 8th Street and Adams.

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.

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

Contracts, Leases, & Bids

- (A) [2014-7380-R](#): Consider adopting a resolution ratifying a services agreement with ASA District 17 for officiating/scorekeeping services as contracted for various sporting events in the estimated annual amount of \$47,000.
- (B) Consider adopting a resolution authorizing an:
 - (1) [2014-7381-R](#): "Operation, Maintenance, and Management Agreement" between the City of Temple, City of Belton and the Brazos River Authority for operation and maintenance of the Temple Belton Wastewater Treatment Plant and Belton Main Lift Station.
 - (2) [2014-7382-R](#): "Operation, Maintenance, and Management Agreement" between the City of Temple and Brazos River Authority for operation and maintenance of the Doshier Farm Wastewater Treatment Plant and the City of Temple lift stations.
 - (3) [2014-7383-R](#): "Administration and Management Agreement" between the City of Temple, City of Belton, and the Brazos River Authority for the administration of the Temple and Belton Industrial Pretreatment Programs.
- (C) [2014-7384-R](#): Consider adopting a resolution authorizing change order #1 to the construction contract with McLean Construction (McLean), of Killeen, for construction activities required to build the Temple-Belton Wastewater Treatment Plant 24" effluent pipeline in an amount not to exceed \$145,247.
- (D) [2014-7385-R](#): Consider adopting a resolution authorizing the City Manager or the Director of Finance to act on behalf of the City to review pricing offers submitted for the supply of electricity for the Temple-Belton Wastewater Treatment Plant and the Shallowford Lift Station, and when deemed to be in the best interest of the City, enter into a contract for a period commencing in November 2014 and going through meter read dates in May 2019.
- (E) [2014-7386-R](#): Consider adopting a resolution authorizing the purchase of a Door Access Control system with Convergent Technologies of Austin, utilizing TCPN Proposal R5167-TX-1922 in an amount of \$39,570.
- (F) [2014-7387-R](#): Consider adopting a resolution ratifying a Services Agreement with James Construction Group, LLC to provide Temple police officers for traffic control services and use of police vehicles on the I-35 Reconstruction Project.

Ordinances – Second & Final Reading

(G) SECOND READING – 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.

Misc.

- (H) [2014-7388-R](#): Consider adopting a resolution urging the Federal government to enforce immigration laws and opposing unfunded mandates related to housing illegal immigrants.
- (I) [2014-7389-R](#): Consider adopting a resolution authorizing the repayment of Community Development Block Grant funds for the installation of flooring and a scoreboard at Clarence Martin Gym, in the amount of \$55,203.80 and reprogramming these funds to be used for park improvement projects.
- (J) [2014-7390-R](#): Consider adopting a resolution authorizing budget amendments for fiscal year 2013-2014.

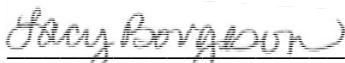
VII. REGULAR AGENDA

RESOLUTIONS

- 8. [2014-7391-R](#): Consider adopting a resolution authorizing a City-initiated change order to the Westfield Boulevard and Wastewater Extension construction contract with R.T. Schneider Construction Company, Ltd., of Belton (RTS) to add 800 feet of roadway to serve ongoing development in the amount of \$345,398.92.

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

I hereby certify that a true and correct copy of this Notice of Meeting was posted in a public place at 10:40 AM, on Monday, August 4, 2014.



Lacy Borgeson, TRMC
City Secretary



COUNCIL AGENDA ITEM MEMORANDUM

08/07/14
Item #3
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DEPT./DIVISION SUBMISSION & REVIEW:

Daniel A. Dunn, Mayor

ITEM DESCRIPTION: Consider adopting a resolution electing a Mayor Pro Tem for the City of Temple.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Section 4.6 of the City Charter states....“the City Council shall elected one of its members as a vice-chairman, who shall be known as Mayor Pro Tem, and who shall have and exercise all powers of Mayor in the absence of, or during the disability, from any cause, of the Mayor. The Mayor and Mayor Pro Tem shall hold their office (unless sooner removed as provided herein) until the first meeting of the City Council held after the next regular Municipal Election and their successors have been elected and qualified.”

In order to comply with the Charter requirement, it is recommended the City Council elect a Mayor Pro Tem at this meeting.

FISCAL IMPACT: None

ATTACHMENTS:
[Resolution \(To Be Provided\)](#)



COUNCIL AGENDA ITEM MEMORANDUM

08/07/14
Item #4
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DEPT. /DIVISION SUBMISSION & REVIEW:

Jonathan Graham, City Attorney

ITEM DESCRIPTION: FIRST READING – PUBLIC HEARING – Consider adopting an ordinance ordering a Charter Amendment election for November 4, 2014 to submit to voters several proposed charter amendments.

STAFF RECOMMENDATION: Conduct public hearing and adopt ordinance as presented in item description on first reading, and schedule second reading and final adoption for August 14, 2014.

ITEM SUMMARY: On April 17, 2014, the City Council appointed a 27 member Charter Review Committee that was charged with undertaking a comprehensive review of the City Charter and submitting any proposed Charter amendments to the City Council. On June 24, 2014, the Charter Review Committee completed its review and adopted several proposed amendments. A draft of the amended Charter and overview of the proposed amendments were presented to Council on July 17, 2014.

A called Charter election must be held on the first uniform election date after the election is ordered. That date is November 4, 2014. The election must be ordered by ordinance and cannot occur earlier than the 30th day after the date the ordinance is adopted. Pursuant to Section 3.005 of the Texas Election Code, the election may not be ordered later than the 78th day before the date of the election. In order to meet the requirements of the Texas Election Code, the first reading of the ordinance calling the election will be held on August 7, 2014 and the second reading will be held on August 14, 2014.

Several propositions will be included on the ballot and a copy of the propositions is attached to the draft ordinance. The propositions include, but are not limited to, the following items:

- Performing general cleanup of the entire Charter to remove obsolete, redundant or unnecessary language, to modernize terms, to reflect current titles of departments or offices, to make grammatical or spelling corrections, and to repeal provisions inconsistent with State or Federal law;
- Moving the election of the Mayor to the third year in the election cycle and adding one year to the Mayor's current term;
- Implementing term limits for the Mayor and all Councilmembers;

- Requiring a candidate for Mayor or Councilmember to either pay a filing fee of \$100 or submit a petition with 25 signatures from qualified voters of their district or the City as applicable;
- Allowing for filling a vacancy in the office of a Councilmember by appointment if there are 180 days or less left on the unexpired term;
- Discontinuing compensation of Councilmembers;
- Clarifying that Councilmembers are subject to the dual office holding provisions of the Texas Constitution and the common law doctrine of incompatibility and that Councilmembers, officers, and employees of the City must comply with Texas Local Government Code, Chapter 171 as it relates to conflicts of interest; and
- Requiring forfeiture of office in certain situations.

FISCAL IMPACT: Staff is working with County to acquire a cost estimate for the Charter Amendment election. The City will only pay for costs of legal publications, programming and actual costs for the City's ballots. Funds have been allocated in account 110-1400-551-2517 in the Proposed FY 2015 budget for this special election.

ATTACHMENTS:

[Ordinance \(To Be Provided\)](#)



COUNCIL AGENDA ITEM MEMORANDUM

08/07/14
Item #5
Regular Agenda
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DEPT./DIVISION SUBMISSION & REVIEW:

David Blackburn, City Manager
Traci Barnard, Director of Finance

ITEM DESCRIPTION: (A) PUBLIC HEARING - Receive presentation by the City Manager and conduct a public hearing on the proposed 2014-2015 operating budget.
(B) Discuss proposed tax rate and consider adopting a resolution scheduling the adoption of the proposed tax rate for August 28, 2014.

STAFF RECOMMENDATION: (A) Receive presentation and conduct public hearing. Final action is to be taken by the Council at the August 28th meeting; (B) Adopt resolution as presented in item description.

ITEM SUMMARY: (A) **Budget- Public Hearing** - The City Manager's recommended budget was filed in accordance with the City Charter on June 27, 2014. Council has met for budget related work sessions on July 10th, 17th, 24th, and 31st

This is the initial public hearing on the proposed 2014-2015 budget, and complies with the State and Charter requirements that must be met before the budget can be adopted by the Council. A supplemental second public hearing on the budget will be conducted at the August 28th Special Council meeting, prior to budget adoption.

(B) Proposed Tax Rate – Resolution setting date for adoption - The proposed tax rate will be presented and discussed at the 8:30 am meeting, prior to adoption of a resolution scheduling the adoption of the proposed tax rate for August 28th.

These proposed meeting dates and publication schedules comply with the Truth-In-Taxation requirements set forth by State Law and the City Charter.

FISCAL IMPACT:

(A) Budget: The proposed FY 2015 budget as filed on June 27, 2014:

	Adopted Budget FY 2014	Filed Budget FY 2015	% Increase/ (Decrease)
Revenues/Other Sources			
General Fund	\$ 60,684,031	\$ 63,013,669	3.84%
Water & Wastewater Fund	31,050,159	32,996,802	6.27%
Debt Service Fund	9,574,980	9,967,445	4.10%
Hotel/Motel Tax Fund	1,752,700	1,840,500	5.01%
Federal/State Grant Fund	408,865	390,268	-4.55%
Drainage Fund	1,078,803	1,117,803	3.62%
Internal Service Fund	100,000	-	-100.00%
Reinvestment Zone No. 1 Fund	4,861,829	4,920,938	1.22%
Total Revenues/Other Sources	\$ 109,511,367	\$ 114,247,425	4.32%

	Adopted Budget FY 2014	Filed Budget FY 2015	% Increase/ (Decrease)
Expenditures/Transfers			
General Fund	\$ 64,009,031 ⁽¹⁾	\$ 65,731,578 ⁽²⁾	2.69%
Water & Wastewater Fund	30,020,581	32,996,802	9.91%
Debt Service Fund	9,876,523	10,476,985	6.08%
Hotel/Motel Tax Fund	1,882,700	1,840,500	-2.24%
Federal/State Grant Fund	408,865	390,268	-4.55%
Drainage Fund	1,214,183	1,264,803	4.17%
Internal Service Fund	100,000	-	-100.00%
Reinvestment Zone No. 1 Fund	5,855,297	5,639,739	-3.68%
Total Expenditures/Transfers	\$ 113,367,180	\$ 118,340,675	4.39%

⁽¹⁾ Includes the use of \$3,325,000 of Undesignated Fund Balance - Capital Projects to fund Capital of \$1,400,000, TEDC Matrix allocation of \$1,825,000, and Strategic Investment Zone of \$100,000.

⁽²⁾ Includes the use of \$2,717,909 in Undesignated Fund Balance - Capital Projects to fund Capital of \$1,737,909, TEDC Matrix allocation of \$880,000, and Strategic Investment Zone of \$100,000.

Changes from the preliminary budget filed on June 27, 2014 to the proposed budget as presented August 7, 2014, with a proposed tax rate of 58.64¢. Adjustments are as indicated on the attached documents.

	Adopted Budget FY 2014	Proposed Budget FY 2015	% Increase/ (Decrease)
Revenues/Other Sources			
General Fund	\$ 60,684,031	\$ 62,749,012	3.40%
Water & Wastewater Fund	31,050,159	32,996,802	6.27%
Debt Service Fund	9,574,980	9,846,470	2.84%
Hotel/Motel Tax Fund	1,752,700	1,840,500	5.01%
Federal/State Grant Fund	408,865	390,268	-4.55%
Drainage Fund	1,078,803	1,117,803	3.62%
Internal Service Fund	100,000	-	-100.00%
Reinvestment Zone No. 1 Fund	4,861,829	4,920,938	1.22%
Total Revenues/Other Sources	\$ 109,511,367	\$ 113,861,793	3.97%

	Adopted Budget FY 2014	Proposed Budget FY 2015	% Increase/ (Decrease)
Expenditures/Transfers			
General Fund	\$ 64,009,031 ⁽¹⁾	\$ 65,466,921 ⁽²⁾	2.28%
Water & Wastewater Fund	30,020,581	32,996,802	9.91%
Debt Service Fund	9,876,523	10,348,690	4.78%
Hotel/Motel Tax Fund	1,882,700	1,840,500	-2.24%
Federal/State Grant Fund	408,865	390,268	-4.55%
Drainage Fund	1,214,183	1,264,803	4.17%
Internal Service Fund	100,000	-	-100.00%
Reinvestment Zone No. 1 Fund	5,855,297	5,639,739	-3.68%
Total Expenditures/Transfers	\$ 113,367,180	\$ 117,947,723	4.04%

⁽¹⁾ Includes the use of \$3,325,000 of Undesignated Fund Balance - Capital Projects to fund Capital of \$1,400,000, TEDC Matrix allocation of \$1,825,000, and Strategic Investment Zone of \$100,000.

⁽²⁾ Includes the use of \$2,717,909 in Undesignated Fund Balance - Capital Projects to fund Capital of \$1,737,909, TEDC Matrix allocation of \$880,000, and Strategic Investment Zone of \$100,000.

(B) Tax Rate: The proposed tax rate for FY 2015 is 58.64¢. This rate is comprised of two components, maintenance and operations (M&O) of 33.00¢ and the interest & sinking (I&S) rate of 25.64¢. The proposed tax rate represents a 2.12% increase above the effective tax rate of 57.42¢. The current FY 2014 tax rate is 58.64¢.

	2014	2015	+/-
I&S Rate	\$ 0.2540	\$ 0.2564	\$ 0.0024
M&O Rate	0.3324	0.3300	(0.0024)
Total Rate	0.5864	0.5864	-

The effective tax rate is the calculated rate that would provide the same amount of revenue received in the previous year on properties taxed in both years.

Note: The tax rate proposed in the budget document filed on June 27, 2014 was 58.64¢. The rate was developed based on estimates. Subsequent to the budget filing, staff received the Certified Roll and the Effective Tax Rate calculations.

ATTACHMENTS:

[FY 2014-2015 Budget Message](#)
[Schedule of Adjustments](#)
[Resolution](#)

June 27, 2014

Honorable Mayor and City Council,

I am pleased to present the Fiscal Year 2014-2015 Preliminary Budget (FY 2015 Budget) for the City of Temple totaling \$118,340,675 for all funds.

The emphasis and focus of this FY 2015 Budget, as with previous budgets, is on providing and delivering services that our residents are asking for. Whether it is improving our streets and roads, or enhancing public safety, or providing a place where residents can check out books, or providing places where residents can swim or walk along a trail or play ball, or whether it is simply picking up the trash, the City continues to provide multiple services to our residents. That is what we do and who we are... a service delivery organization that is responsive to the needs and desires of the community we serve.

"Temple Tomorrow", our strategic plan, identifies four (4) strategic focus areas:

- 1) Serving Our Community
- 2) Improving Our Infrastructure
- 3) Expanding the Tax Base
- 4) Growing the Health and Biosciences Industries

All four (4) focus areas provide the foundation for our planning, budgeting, and work plans. Accordingly, the FY 2015 Budget, as with past budgets, continues to allocate resources with all four (4) of these strategic focus areas in mind.

Two focus areas I would like to highlight in the FY 2015 Budget relate to 'Serving Our Community' and 'Improving our Infrastructure.' With regard to 'Serving Our Community,' the FY 2015 Budget continues the priority and the

planning process to increase and enhance our public safety services. Detailed later in this transmittal letter, the FY 2015 Budget adds additional police officer and firefighter positions. While the addition of these positions is necessary and beneficial to our service delivery in public safety, they are also simply a continuation of steps in a multi-year process.

I would also like to highlight the focus area relating to 'Improving Our Infrastructure.' The FY 2015 Budget includes the third year of a multi-year transportation capital improvement program and recommends expansion of the program from the original scope of work to include funding for additional projects that have been identified as high-priority needs since the original program began. Originally a \$60,180,000, six-year program, the FY 2015 Budget recommends expanding the FY 2013-2018 Transportation CIP ("TCIP") to a ten-year, \$121,660,000 program. The TCIP is a result of our recent assessments and reports on both the condition of our transportation infrastructure and the need to improve our mobility. The project areas identified in the TCIP are intended to address both the need to improve our existing transportation infrastructure and provide new capacity and connectivity.

Budget Development & Background

Budget Process – The budget is now a year round process and the framework for the development of this budget began in late 2013 with the City Manager working on timelines and issue identification. Through late 2013 and early 2014, the Manager worked with Finance to develop the budget calendar and process for the FY 2015 Budget.

In January, the City Manager held a planning retreat with Departments to identify and discuss issues for the upcoming budget. In February, the

City Manager and Finance staff met with Departments to conduct a status review of current year budget and performance indicators and provide initial direction regarding issues identified in the planning retreat.

Throughout the months of February through May, the City Council held a series of strategic planning work sessions to discuss various strategic issues and review and, as might be needed, update the City's strategic plan, "Temple Tomorrow: Strategic Vision and Plan." The "Temple Tomorrow" Plan establishes the mission and vision of the City, identifies four (4) major areas of focus, and establishes the City's goals and objectives. The areas of focus identified in the Plan are: Expand the Tax Base, Grow Health and Bioscience, Improve Our Infrastructure, and Serve our Community. These focus areas and their associated goals and objectives guided the development of the FY 2015 Budget. During the planning work sessions, Council also reviewed the budget calendar and parameters and received information regarding potential budget issues identified by staff.

The City has invested almost \$60,000,000 over the past 5 years in improving and extending our water and sewer infrastructure. The FY 2015 Budget includes an additional \$43,860,000 over the next 5 years to continue this work. Our utility infrastructure, no less so than our transportation infrastructure, is extremely important to our ability to deliver services in one of our core mission areas. I believe our strategic plan, our strategic focus areas, and our community expectations relative to the services we provide, should reflect this.

From February through the delivery of the FY 2015 Budget, staff has worked countless hours on preparing, reviewing, researching and responding to questions from Finance and the Manager relating to the programs and services this Preliminary Budget recommends.

Budget Approach – The FY 2015 Budget continues the 'activity-based' perspective that began in FY 2010. Each Department was asked to identify each and every activity that they provide. They were also asked to identify the cost for providing each activity. This 'activity-based' approach allows for better identification of the services and service levels that we provide.

Budget 'Fence Posts' – This year's budget, as with every budget I have presented you, has been developed within the framework of the strategic plan priorities adopted by the City Council and the budget parameters, or 'fence posts', that were briefed to the Council at the February 20 and May 15, 2014 work sessions. Those 'fence posts' are:

1. Maintain fiscal soundness
2. Maintain core services
3. Maintain tax rate
4. Continue to improve infrastructure
5. Continue to improve employee compensation and benefits
6. Alignment of strategic, financial & tactical plans

The FY 2015 Preliminary Budget is within these parameters. I would like to highlight that, while we are continuing the most aggressive capital improvement program in the history of our city, this budget contains no increase in the property tax rate.

Financial Highlights

As indicated in the opening sentence of this transmittal letter, the FY 2015 Budget authorizes and allocates a total of \$118,340,675. Of this amount, \$110,572,544 is allocated for the operations and maintenance budget which includes debt service and transfers and \$7,778,131 is allocated for routine capital for the general operating budget which includes

equipment and public infrastructure projects. In accordance with current fiscal and financial policies, \$1,528,929 of the routine capital is funded with fund balance or retained earnings. The breakdown of this amount is as follows:

\$1,488,179 – General Fund

\$ 40,750 – Hotel/Motel Tax Fund

As in previous years, the FY 2015 Budget is a balanced budget under the policies and parameters discussed in earlier planning sessions with the City Council.

In addition, \$52,505,000 is included for capital improvements programs (CIP).

- Multi-year Non-Routine Capital Recommended for Utility Revenue Bond Funding (U.R. CIP) - \$26,500,000
- Multi-year Non-Routine Capital Recommended for Certificate of Obligation Bond Funding (C.O. CIP) - \$26,005,000

City Manager's Highlights

With the above background in mind, I would like to highlight a few areas of general priority and significance in the FY 2015 Budget.

Serving our Community –

The FY 2015 Budget includes the continuation of a multi-year plan to enhance public safety services through the addition of police and fire services.

In FY 2011, we added 1 police officer (a school resource officer position). In FY 2012, we added 2 more police officers (additions to the traffic unit). In FY 2013, we added 2 police officers for the purpose of enhancing our Criminal Investigations Division ('CID'). In FY 2014 we added 2 police officers to our patrol division.

The FY 2015 Budget recommends the addition of 6 more police positions to increase staffing in the patrol, CID, problem-oriented policing ('POPS') unit, and school resource officer ('SRO') programs.

In FY 2012, we added 3 positions in the Fire Department to assist with opening Station 8. In FY 2013, we added 3 additional firefighters. The FY 2015 Budget recommends the addition of 3 more firefighter positions to address paramedic coverage and other emergency response needs.

In regard to our Parks & Leisure Services Department, the FY 2015 Preliminary Budget provides for \$3,296,452 in overall spending in Parks. Of that, \$521,223 is allocated for capital improvement projects and repair and maintenance in our Parks. The FY 2015 Budget also recommends the addition of an Assistant Aquatics Coordinator position to support maintenance and operations of our water park, pools, and splash pads and a Food and Beverage Specialist position to assist with events at the Mayborn Center. The Department's two fee-supported facilities, Summit Recreation Center and the Sammons Golf Course, are presented in the FY 2015 Preliminary Budget at a recovery rate of 90% and 95%, respectively.

You have heard me say many times that our most important asset isn't our brick and mortar, it isn't our trucks or tools....it is our people. Our ability to provide and deliver services is dependent upon our employees.

With regard to new positions being recommended, in addition to the public safety and parks and recreation positions detailed above, the FY 2015 Budget also recommends adding an Equipment Operator in Code Enforcement to allow us to perform some demolition work in-house. The cost for this position is off-set with an equal reduction in contracted demolition costs.

An additional Systems Analyst and Network Analyst is also recommended for FY 2015. These positions would assist in implementing new technology initiatives throughout various city departments.

Establishing the three current Automated Route Operator overhire positions as permanent positions is also recommended along with the addition of a Maintenance Worker in the Solid Waste division.

The FY 2015 Budget also recommends the addition of a Traffic Signal Communication Technician to assist in the maintenance of traffic signals and school flashers and an additional three-person drainage crew to provide additional maintenance services for our drainage system.

With regard to focusing on our primary assets, our people, the FY 2015 Budget also provides \$447,000 for a Compensation Study implementation for the general government pay plans. These pay plan adjustments are based on an updated study which included multiple factors in comparison to market cities such as sales tax revenue, population, per capita income, and geographic proximity. The pay plan adjustments vary between the three general government pay plans based upon the market data.

The offering of group health insurance is a key and critical benefit for the organization. The City has provided for a group health insurance plan for many years. In FY 2014, as a result of a competitive solicitation process, the City entered into a two-year contract with Scott & White Health Plan for a fully-insured medical and prescription plan with a guarantee that the premium increase for FY 2015 would not exceed 9%. As an element of the agreement, Scott & White Health Plan has also begun implementing an onsite VitalityCare program, which will provide for preventative care services to employees. Accordingly, the FY 2015 Budget

recommends continued funding for the second year of fully-insured plan.

The FY 2015 Budget also recommends a revised employee longevity program to recognize employee's years of continuous service. The recommended program would provide a longevity incentive for employees who have achieved five consecutive years of service and would increase on a graduated scale for each additional five years of service up to a maximum of 25 years.

Finally, the FY 2015 Budget recommends \$225,000 for performance pay for General Government employees.

Improving our Infrastructure –

In FY 2010, Temple's Street Department completed a comprehensive Pavement Condition Assessment ('PCA') for all city streets and alleys. The PCA found the overall condition of our streets to be in good condition. The PCA, and a 2012 Mobility Report which included a listing of street projects, also found significant challenges ahead for the City to maintain the overall good condition of the majority of our streets. The reports identified almost \$1 billion dollars in maintenance and project needs. The streets project listing alone identified approximately \$200 million in projects. Also recommended was a more comprehensive street maintenance program that includes more aggressive approaches for crack seal, seal coat, overlay, and reconstruction.

The FY 2011 Budget funded the first phase of a multi-year approach to work toward recommended maintenance strategy. The first phase of that strategy was the establishment of a five member year-round crack sealing crew. The second phase, an enhanced seal coat program in the amount of \$1,000,000 from unreserved fund balance designated for capital

expenditures was funded in the FY 2012 Budget. This funding allowed for approximately 60 additional lane miles of streets to be seal coated.

With the completion of the 2012 Mobility Report, a better, more comprehensive view of our transportation needs and issues was provided. This report provides a compilation of existing master plans, transportation studies, thoroughfare plans, capital improvement projects, inspection reports, and local policies related to Temple's transportation system and identifies specific transportation project recommendations to address needs in the categories of connectivity, congestion, capacity, condition, and multi-modal options.

The FY 2013 Budget proposed a multi-year capital improvement program (TCIP) to focus on reconstruction, capacity, and connectivity transportation projects. All total, \$60,180,000 worth of transportation projects were recommended in the original scope of work to be completed over a six year period. The cost for this transportation initiative to the tax rate was 1.25 cents in FY 2013. The FY 2013 and FY 2014 Budgets included the first two years of this multi-year program.

The FY 2015 Budget includes the third year of the TCIP and recommends expansion of the program from the original scope of work to a ten-year, \$121,660,000 program in order to fund several additional projects that have been identified as high priority needs since the original program began as a result of changes within the community such as new developments, new school campus activities, changing traffic patterns, and condition of existing pavements. The TCIP is a dynamic program that has, and will continue to, evolve and change in response to community needs.

A key element in the TCIP is a recognition that, in addition to building new roads to increase

capacity and connectivity, we also need to take care of the streets and roads that we have built. This is something we call the 'Legacy Pavement Preservation Program'. Taking care of existing infrastructure is the most cost effective way to manage and maintain the system, as the more infrastructure deteriorates, the more costly it is to restore serviceability. The Legacy Pavement Preservation Program enhances pavement performance, extends pavement life, decreases lifetime roadway costs, reduces user delays, and provides improved safety and mobility.

The implementation and financing plan recommended for the TCIP is a phased approach which groups projects in three-year packages with design and right-of-way acquisition funded first and, in most cases, construction funded in the following package. Each three-year package also includes \$9,000,000 for the Legacy Pavement Preservation Program – an average of \$3,000,000 each year.

This phased approach allows us to allocate construction funds only when projects are ready, minimize and stabilize the tax rate impact, maximizes opportunity for tax base growth; and allows us to balance debt amortization.

The phased approach recommended results in no impact to the tax rate this year. It is anticipated, based on several assumptions, that the tax rate impact for this program of work will be 3.00 cents in FY 2017. The phasing of projects and associated financing enables evaluation of the program from year to year and allows us to pause or adjust the program as needed.

Financial Highlights by Fund

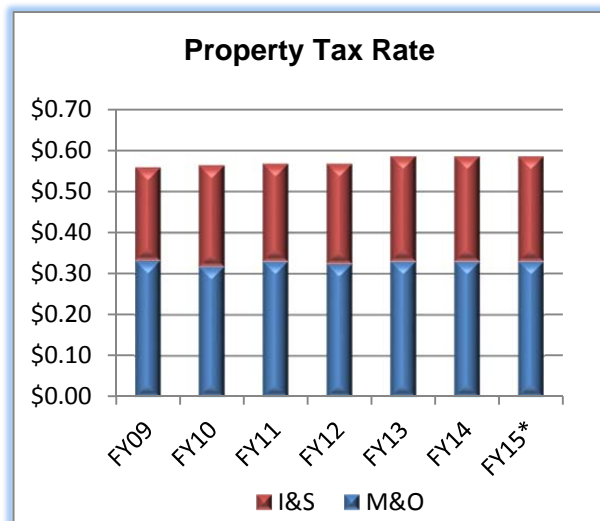
General Fund Revenues – Total revenues for the FY 2015 General Fund Budget are presented at \$63,013,669, an increase of 3.84%

compared to the FY 2014 Adopted Budget. The three largest sources of revenue for the General Fund are sales tax, property tax, and solid waste charges.

Property Tax – In the FY 2015 Budget, property tax accounts for 20.34% of the General Fund budgeted revenues and is the second largest revenue source of the General Fund. The preliminary tax rate for FY 2015 is proposed at 58.64¢ per \$100 valuation, **which is the same tax rate as FY 2014.**

I think it is worth noting that the tax rate proposed for FY 2015 is lower than the tax rate that was set in 2001. I think this speaks volumes about our economic development policies and strategies.

This rate is based on preliminary appraisal of \$3,751,044,298 (net taxable value not adjusted for frozen values). The tax rate is comprised of two components, the Maintenance and Operations rate (M&O) and the Interest Sinking rate (I&S). This year's proposed tax rate is 33.00¢ for the M&O rate and 25.64¢ for the I&S rate.



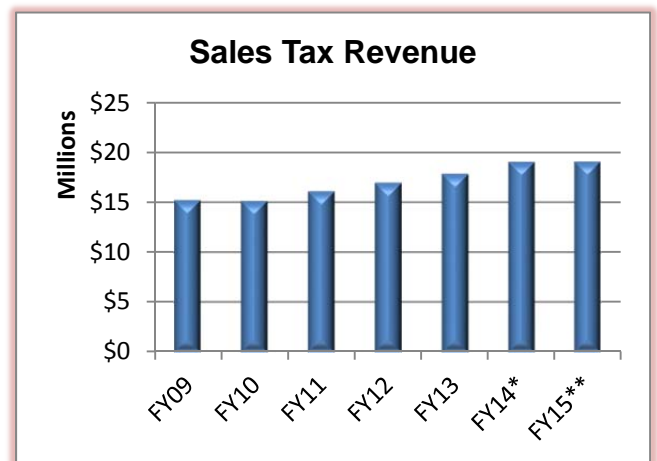
*FY 2015 Proposed Tax Rate

The certified appraisal roll for Ad Valorem taxes will not be available from the Appraisal District of

Bell County until late July. Therefore, the proposed tax rate is based on assumptions and may require adjustments prior to the final adoption of the budget to reflect the current parameters set forth by Council.

Sales Tax – While much attention is focused on the property tax rate number, our single largest source of revenue for the General Fund continues to be sales tax revenue. In the FY 2015 Budget, sales tax is projected to account for 30.31% of the General Fund budgeted revenues and continues to be the single largest revenue source of the General Fund.

The FY 2015 Budget estimates \$19,100,000 in sales tax revenue, a 4.37% increase in sales tax revenue over budgeted FY 2014 sales tax revenue.



*Forecasted for FY 2014

**Budgeted for FY 2015

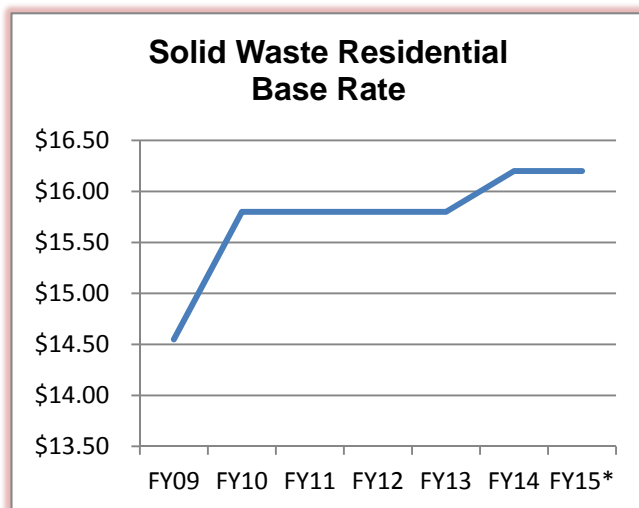
Solid Waste Rates – Charges associated with solid waste services represent the third largest source of revenue for the General Fund and are projected to account for 14.27 % of total General Fund revenues. \$8,993,691 in solid waste revenue is projected for FY 2015, representing a 3.33% increase from the FY 2014 solid waste revenue adopted budget of \$8,703,942. The FY

2015 Budget recommends no increase to residential or commercial solid waste rates.



*Forecasted for FY 2014

**Budgeted for FY 2015



*FY 2015 Proposed Residential Base Rate

General Fund Expenditures – Total expenditures for the FY 2015 General Fund Budget are presented at \$65,731,578, an increase of 2.69% compared to the FY 2014 Adopted Budget. As noted above, a significant emphasis in the FY 2015 Budget that has contributed to this increase includes the following:

- Additional police staffing
- Additional fire staffing
- General Government Compensation Plans
- Longevity program updates

The FY 2015 Budget continues to provide funding to Public Service Agencies ('PSAs'). As you are aware, our PSAs provide much needed services to the community and our support to them 'leverages' their resources with ours. The FY 2015 Budget recommends \$549,555 in funding for sixteen organizations. Many of these organizations are funded through the City's General Fund. Organizations whose services are eligible for funding by hotel/motel tax revenues are funded through the City's Hotel/Motel Tax Fund.

One of the strategic focus areas identified in our Strategic Plan is to 'expand the tax base'. In order for us to continue to meet the demands for current service, and in order for us to meet the needs of projected growth and development, it is critical that this objective be met. As Council will recall, the FY 2008 Budget included a funding commitment to a 'matrix incentive pool' at \$800,000. This 'matrix incentive pool' was intended to provide funding for economic development incentives relating to economic development agreements with new and/or expanding businesses. The FY 2015 Budget continues that commitment and includes a \$880,000 'placeholder' investment to maintain and replenish the matrix funding level.

Capital Improvement Program – The City of Temple continues to manage the largest capital improvement program in the history of the community. As of March 31, 2014, a total of \$176,943,322 has been allocated for various capital projects including such improvements as water and sewer infrastructure, transportation

infrastructure, parks improvements, and public safety infrastructure.

Funding sources for these projects can be identified in eight major areas:

- Utility Revenue Bonds
- General Obligation Bonds
- Certificates of Obligation
- General Operating Budget Funding
- Limited Tax Notes
- TxDOT Pass Through Finance Agreement
- Grants
- Reinvestment Zone No. 1

Within the Capital Improvement Projects section of this document, the specific projects recommended are listed within three categories. The categories are routine capital, multi-year non-routine capital, and projects identified for future funding.

Water and Wastewater Fund – Total revenues for the FY 2015 Water and Wastewater Fund Budget are presented at \$32,996,802, an increase of 6.27% compared to the FY 2014 Adopted Budget.

Expenses, capital improvements, and debt service for the FY 2015 Water and Wastewater Fund Budget are presented at \$32,996,802, an increase of 9.91% compared with prior year. Cost drivers for this increase include: 1) updating our cost accounting recovery methodology in FY 2013; 2) cash capital outlays; and 3) debt service associated with the water and sewer CIP. The capital improvements include the allocation of \$26,500,000 to continue the long-term replacement program of water and sewer infrastructures and equipment needs. A 6.39% rate increase was approved in the FY 2013 Budget to support these operational and capital programs.

Hotel/Motel Tax Fund – Total revenues for the Hotel/Motel Fund Budget are presented at \$1,840,500, an increase of 5.01% compared to the FY 2014 Adopted Budget. Expenditures for the Hotel/Motel Fund Budget are presented at \$1,840,500, a decrease of 2.24% compared to the FY 2014 Adopted Budget. Funding for the Mayborn Center, Tourism/Marketing, and Railroad & Heritage Museum are funded through the Hotel/Motel Tax Fund. Public Service Agencies whose services are eligible for funding by hotel/motel tax revenues are also funded through the Hotel/Motel Tax Fund.

In FY 2013, the City resumed the management and operation of the Temple Railroad and Heritage Museum previously operated by the non-profit.

Federal and State Grant Fund – Total revenues and expenditures for Federal and State Grant Fund Budget are presented at \$390,268, a decrease of 4.55% compared to the FY 2014 Adopted Budget. Total revenues include the award of the Community Development Block Grant (CDBG) at \$390,268. The proposed allocation of CDBG funds are as follows:

- Public service agencies - \$54,600
- Demolition - \$85,000
- Wilson Park improvements - \$192,227
- General administration - \$58,441

Drainage Fund – Total revenues are presented at \$1,117,803, a 3.62% increase from prior year. Expenditures are presented at \$1,264,803, an increase of 4.17% compared to the FY 2014 Adopted Budget. The expenditures of the drainage fund represent personnel, operational, and capital cost related to maintenance of existing drainage systems.

Conclusion

I have attempted to provide you with a brief synopsis of the Preliminary Budget for FY 2015. Developing the budget is a team effort that requires participation and input by citizens, City Council and City staff. My thanks to all of the Department and Division Heads who helped put this Preliminary Budget together. Their ability to respond, many times on short notice, to my inquiries and requests for additional information was appreciated and helpful.

I also want to extend a special word of appreciation to Director of Finance, Traci Barnard and her staff for the many hours of work and effort they put in toward the development of this Preliminary Budget. Of special note is the work done by Assistant Director of Finance Melissa Przybylski, Senior Accountant Stacey Hawkins, and Senior Accountant Jennifer Emerson. I also need to recognize Assistant City Manager Brynn Myers for her work and input into the development of this Preliminary FY 2015 Budget. Quite simply, this document could not have been produced without them.

I look forward to the coming weeks of discussion, review, and direction by Council.

Respectfully Submitted,



David Blackburn | City Manager

FY 2015

GENERAL FUND PROPOSED BUDGET

SCHEDULE OF ADJUSTMENTS AFTER FILING PROPOSED BUDGET

	Proposed Budget		Increase (Decrease)
	Filed Copy as of 6-27-14	Current as of 8-7-14	
Projected Revenues	\$ 63,013,669	\$ 62,749,012	\$ (264,657) ^A
Proposed Budget Expenditures	64,842,308	64,577,651	(264,657) ^B
Excess Revenues Over (Under) Expenditures	<u>(1,828,639)</u>	<u>(1,828,639)</u>	<u>-</u>
Transfers In (Out):			
Less: Transfer Out To Debt Service Fund -			
Solid Waste/CNG	(751,300)	(751,300)	-
Landfill CO's	(137,970)	(137,970)	-
Total Transfer In (Out)	<u>(889,270)</u>	<u>(889,270)</u>	<u>-</u>
Excess Revenues Over (Under) Expenditures for FY 2015	<u>\$ (2,717,909)</u>	<u>\$ (2,717,909)</u>	<u>\$ -</u>
Recommended Use of Undesignated Fund Balance-Capital Projects			
-TEDC Matrix Funding	\$ 880,000	\$ 880,000	\$ -
-Capital Equipment Funding	1,487,909	1,487,909	-
-Capital Replacement - Garbage Trucks	250,000	250,000	-
-Strategic Investment Zone Funding	100,000	100,000	-
	<u>\$ 2,717,909</u>	<u>\$ 2,717,909</u>	<u>\$ -</u>

Explanation of Changes from Filed Budget to Proposed Budget @ 8/7/2014:

^A **Revenue Changes:**

Required adjustment from preliminary to certified tax roll	\$ (172,257)
Removed (2) two automobiles for Police - School Resource Program	(92,400)
Total Revenue Changes	<u>\$ (264,657)</u>

^B **Expenditure Changes:**

Removed (2) two automobiles for Police - School Resource Program	(92,400)
Adjusted salary and benefit estimate	(130,838)
Adjusted separation pay allocation estimate	(23,919)
Decreased contingency for adjustment from preliminary to certified tax roll	(17,500)
Total Expenditures Changes	<u>\$ (264,657)</u>

Net Revenue Over (Under) Expenditures

\$ -

FY 2015

WATER & WASTEWATER FUND PROPOSED BUDGET

SCHEDULE OF ADJUSTMENTS AFTER FILING PROPOSED BUDGET

	Proposed Budget		Increase (Decrease)
	Filed Copy as of 6-27-14	Current as of 8-7-14	
Projected Revenues	\$ 32,996,802	\$ 32,996,802	\$ -
Proposed Budget Expenses	32,996,802	32,996,802	-
Net Revenues	\$ -	\$ -	\$ -
Transfers In (Out):			
Less: Transfer Out To	-	-	-
Total Transfer In (Out)	-	-	-
Net Revenues for FY 2015	\$ -	\$ -	\$ -

FY 2015

DEBT SERVICE FUND PROPOSED BUDGET

SCHEDULE OF ADJUSTMENTS AFTER FILING PROPOSED BUDGET

	Proposed Budget		Increase (Decrease)
	Filed Copy as of 6-27-14	Current as of 8-7-14	
Projected Revenues	\$ 9,078,175	\$ 8,957,200	\$ (120,975) ^A
Proposed Budget Expenditures	10,476,985	10,348,690	(128,295) ^B
Excess Revenues Over (Under) Expenditures	<u>\$ (1,398,810)</u>	<u>\$ (1,391,490)</u>	<u>7,320</u>
Transfers In (Out):			
Plus: Transfer In From General Fund -			
Solid Waste/CNG	751,300	751,300	
Landfill CO's	137,970	137,970	-
Total Transfer In (Out)	<u>889,270</u>	<u>889,270</u>	<u>-</u>
Excess Revenues Over (Under) Expenditures for FY 2015	<u>\$ (509,540)</u>	<u>\$ (502,220)</u>	<u>\$ 7,320</u>
Recommended Use of Undesignated Fund Balance	509,540	502,220	(7,320) ^A
	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

Explanation of Changes from Filed Budget to Proposed Budget @ 8/7/2014:

^A **Revenue Changes:**

Required adjustment from preliminary to certified tax roll	\$ (120,975)
Decreased recommended use of Undesignated Fund Balance	\$ (7,320)
Total Revenue Changes	<u>\$ (128,295)</u>

^B **Expenditure Changes:**

Decreased interest to be paid on Combination Tax and Revenue, COs - Series 2015	\$ (128,295)
Total Expenditures Changes	<u>\$ (128,295)</u>
Net Revenue Over (Under) Expenditures	<u>\$ -</u>

FY 2015

HOTEL/MOTEL TAX FUND PROPOSED BUDGET

SCHEDULE OF ADJUSTMENTS AFTER FILING PROPOSED BUDGET

	Proposed Budget		Increase (Decrease)
	Filed Copy as of 6-27-14	Current as of 8-7-14	
Projected Revenues	\$ 1,840,500	\$ 1,840,500	\$ -
Proposed Budget Expenditures	1,840,500	1,840,500	-
Excess Revenues Over (Under) Expenditures	\$ -	\$ -	-
Transfers In (Out):			
Less: Transfer Out To	-	-	-
Total Transfer In (Out)	-	-	-
Excess Revenues Over (Under) Expenditures for FY 2015	\$ -	\$ -	\$ -

FY 2015
FEDERAL/STATE GRANT FUND PROPOSED BUDGET
SCHEDULE OF ADJUSTMENTS AFTER FILING PROPOSED BUDGET

	Proposed Budget		Increase (Decrease)
	Filed Copy as of 6-27-14	Current as of 8-7-14	
Projected Revenues	\$ 390,268	\$ 390,268	\$ -
Proposed Budget Expenditures	390,268	390,268	-
Excess Revenues Over (Under) Expenditures for FY 2015	\$ -	\$ -	\$ -

FY 2015

DRAINAGE FUND PROPOSED BUDGET

SCHEDULE OF ADJUSTMENTS AFTER FILING PROPOSED BUDGET

	Proposed Budget		Increase (Decrease)
	Filed Copy as of 6-27-14	Current as of 8-7-14	
Projected Revenues	\$ 1,117,803	\$ 1,117,803	\$ -
Proposed Budget Expenditures	1,264,803	1,264,803	-
Excess Revenues Over (Under) Expenditures	<u>\$ (147,000)</u>	<u>\$ (147,000)</u>	<u>-</u>
Transfers In (Out):			
Less: Transfer Out To	<u>-</u>	<u>-</u>	<u>-</u>
Total Transfer In (Out)	<u>-</u>	<u>-</u>	<u>-</u>
Excess Revenues Over (Under) Expenditures for FY 2015	<u>\$ (147,000)</u>	<u>\$ (147,000)</u>	<u>\$ -</u>
Recommended Use of Undesignated Fund Balance-Capital Projects			
-Capital Project Funding	<u>147,000</u>	<u>147,000</u>	<u>-</u>
	<u>\$ 147,000</u>	<u>\$ 147,000</u>	<u>\$ -</u>

FY 2015

**REINVESTMENT ZONE NO. 1 FUND PROPOSED BUDGET
SCHEDULE OF ADJUSTMENTS AFTER FILING PROPOSED BUDGET**

	Proposed Budget ¹		Increase (Decrease)
	Filed Copy as of 6-27-14	Current as of 8-7-14	
Projected Revenues	\$ 4,920,938	\$ 4,920,938	\$ -
Proposed Budget Expenditures	5,639,739	5,639,739	-
Excess Revenues Over (Under) Expenditures for FY 2015	<u>\$ (718,801)</u>	<u>\$ (718,801)</u>	<u>\$ -</u>

¹ - As amended in Financing Plan approved by Council on May 15, 2014

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, SCHEDULING THE ADOPTION OF THE PROPOSED TAX RATE FOR AUGUST 28, 2014; DECLARING FINDINGS OF FACTS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, Chapter 26 of the Property Tax Code requires all taxing entities to comply with truth-in-taxation laws in adopting their tax rates in an effort to make taxpayers aware of tax rate proposals and, in certain cases, to roll back or limit a tax increase;

Whereas, the City Manager's recommended budget was filed in accordance with the City Charter on June 27, 2014;

Whereas, the proposed tax rate for fiscal year 2015 is 58.64¢ and is comprised of two components – maintenance and operations of 33.00¢ and the interest and sinking rate of 25.64¢;

Whereas, the proposed tax rate represents a 2.12% increase above the effective tax rate of 57.42¢ - the current fiscal year 2014 tax rate is 58.64¢; and

Whereas, the City Council has determined that it is in the public interest to schedule the adoption of the proposed tax rate for August 28, 2014.

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

Part 1: The City Council sets the proposed tax rate at 58.64¢ per \$100 of assessed property valuation, and schedules the adoption of the proposed tax rate for 8:30 a.m. on August 28, 2014, in the City Council Chambers on the second floor of the Municipal Building located at Main and Central in Temple, Texas.

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

PASSED AND APPROVED this the 7th day of **August**, 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

08/07/14
Item #6
Regular Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Daniel A. Dunn, Mayor

ITEM DESCRIPTION: Receive comments from James Zeptner regarding 8th Street and Adams.

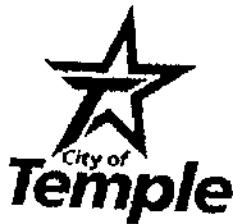
STAFF RECOMMENDATION: Receive comments as presented in item description.

ITEM SUMMARY: Mr. James Zeptner 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

NAME OF PRESENTER: James Dean Zepner _Priority

ADDRESS: 402 S 26th

TELEPHONE NO. 254-541-7889

DATE REQUESTED TO APPEAR BEFORE THE COUNCIL: (Note - The City Council meets the first and third Thursdays of each month.) 8-7-14

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.) 8th St & AVHMS

AT & T Market Cover | 7-29-14 Ride a Round
People without Recycling bins | 7-11-713520gr
Tires - People who pop | Trash in Road

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.

James Dean Zepner
SIGNATURE OF PRESENTER

7-30-14
DATE

For Office Use:



COUNCIL AGENDA ITEM MEMORANDUM

08/07/14
Item #7(A)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Kevin Beavers, Parks and Leisure Services Director

ITEM DESCRIPTION: Consider adopting a resolution ratifying a services agreement with ASA District 17 for officiating/scorekeeping services as contracted for various sporting events in the estimated annual amount of \$47,000.

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

ITEM SUMMARY: In September 2013, the Parks and Leisure Services Department contracted with ASA District 17 to provide officiating and scorekeeping services for adult league sports for FY 2014. ASA District 17 provides officials for softball and kickball leagues, and scorekeepers for basketball/sports tournaments and the Corporate Challenge.

Prior to FY 2013, very few official payments ran through ASA District 17. Instead, payments were made directly to the officials. However, starting in FY 2013, the majority of all official payments began running through the association, and the association in turn pays the contracted officials. This approach is much simpler for the City as it prevents the need for the City to process payment to a multitude of individual officials.

Staff overlooked the need for Council approval of the agreement with ASA District 17 in FY 2013 and FY 2014. As such, we are asking Council to ratify the agreement for FY2014, and staff will return to Council after adoption of the FY 2015 budget for authorizing the execution of a services agreement with ASA District 17 for FY 2015.

FISCAL IMPACT: The City spent \$57,087 in FY13 and has spent \$31,414 thus far in FY 2014 for officiating services through ASA District 17. Staff estimates that approximately \$15,000 of additional official fees will be incurred for the remainder of FY14 for summer and fall athletic leagues, as well as Corporate Challenge events. Funds are budgeted in 110-3291-551-2513 (\$9,200) and 110-3292-551-2513 (\$77,462) to pay ASA District 17 for softball officiating services as well as other sports officiating services.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, RATIFYING AN AGREEMENT WITH ASA DISTRICT 17 FOR OFFICIATING AND SCOREKEEPING SERVICES AS CONTRACTED FOR VARIOUS SPORTING EVENTS, IN THE ESTIMATED ANNUAL AMOUNT OF \$47,000; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, in September 2013, the Parks and Leisure Services Department contracted with ASA District 17 to provide officiating and scorekeeping services for adult league sports for fiscal year 2014;

Whereas, ASA District 17 provides officials for softball and kickball leagues and scorekeepers for basketball/sports tournaments, as well as for the Corporate Challenge;

Whereas, prior to fiscal year 2013, very few official payments ran through ASA District 17 and instead, payments were made directly to the officials – starting fiscal year 2013, the majority of all official payments began running through the association and the association in turn, pays the contracted officials;

Whereas, staff overlooked the need for Council approval of the agreement with ASA District 17 in fiscal year 2014 and fiscal year 2014 and as such, staff recommends that Council ratify the agreement for fiscal year 2014 and after the adoption of the fiscal year 2015 budget, staff will return to authorize an agreement with ASA District 17 for fiscal year 2015;

Whereas, funds are budgeted in Account Nos. 110-3291-551-2513 and 110-3292-551-2513 to pay for officiating services; and

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

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

Part 1: The City Council authorizes the City Manager, or his designee, to ratify an agreement with ASA District 17 for officiating and scorekeeping services as contracted for various sporting events, after approval as to form by the City Attorney, in an estimated annual amount of \$47,000.

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

PASSED AND APPROVED this the 7th day of **August**, 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

08/07/14
Item #7(B)
Consent Agenda
Page 1 of 3

DEPT./DIVISION SUBMISSION & REVIEW:

Jonathan Graham, City Attorney
Nicole Torralva, Public Works Director

ITEM DESCRIPTION: Consider adopting a resolution authorizing an:

(1) "Operation, Maintenance, and Management Agreement" between the City of Temple, City of Belton and the Brazos River Authority for operation and maintenance of the Temple-Belton Wastewater Treatment Plant and Belton Main Lift Station.

(2) "Operation, Maintenance, and Management Agreement" between the City of Temple and Brazos River Authority for operation and maintenance of the Doshier Farm Wastewater Treatment Plant and the City of Temple lift stations.

(3) "Administration and Management Agreement" between the City of Temple, City of Belton, and the Brazos River Authority for administration of the Temple and Belton Industrial Pretreatment Programs.

STAFF RECOMMENDATION: Adopt resolutions as presented in item description.

ITEM SUMMARY: Currently, the City of Temple contracts with CH2M HILL for operation and maintenance of the Doshier Farm Wastewater Treatment Plant ("Doshier") and the City's lift stations. CH2M HILL also operates the City's Industrial Pretreatment Program. The City's contract with CH2M HILL will expire on September 30, 2014.

The City of Temple and the City of Belton currently contract with the Brazos River Authority ("BRA") for operation and maintenance of the Temple Belton Wastewater Treatment Plant ("TBP"). The Cities' contract with BRA will also expire on September 30, 2014.

In March of this year, Temple and Belton jointly released a Request for Proposals for the operation, maintenance, and management of the TBP, Doshier, Temple's lift stations, Belton's Main Lift Station and the Cities' Industrial Pretreatment Programs. The Cities received three responses to the RFP. CH2M HILL, BRA and U.S. Water Services Corporation submitted responses. The Cities formed a committee of staff members to review the responses. After a review of the proposals, the committee short listed and interviewed both BRA and CH2M HILL, ultimately recommending negotiating all contracts with the BRA.

(A) The "Operation, Maintenance, and Management Agreement" for the operation and maintenance of TBP will be signed by Temple, Belton and the BRA. The TBP is jointly owned by Temple (75% ownership) and Belton (25% ownership). The services to be provided by the BRA include general operation and maintenance of the TBP, the composting facility and reclaimed water facility located at the plant, as well as operation of Belton's Main Lift Station.

On or before May 1st of each year, BRA will provide the Cities with an annual budget which will include an estimate of all operation and maintenance expenses plus a management fee of 3%. The budget will be calculated based on the estimated amount of wastewater to be delivered to the TBP in the next fiscal year. The Cities must approve the proposed budget by July 15th of each year. Operation and maintenance expenses and the maintenance fee will be allocated to the Cities based upon the annual flow percentages of each City. Any capital expenses (costs of capital improvements) will be allocated to the Cities based on ownership - 75% to Temple and 25% to Belton. Payments to BRA will be made monthly by each City and will equal 1/12 of the approved annual budget.

The initial term of the agreement will be 5 years. Upon mutual agreement of the parties, the agreement may be extended for two additional 5 year periods.

(B) The "Operation, Maintenance, and Management Agreement" for the operation and maintenance of Doshier and Temple's lift stations will be signed by Temple and BRA. Similar to the agreement for operation and maintenance of TBP, BRA will provide general operation and maintenance services to the City.

On or before May 1st of each year, BRA will provide the City with an annual budget which will include an estimate of all operation and maintenance expenses plus a management fee of 3%. The budget will be calculated based on the estimated amount of wastewater to be delivered to Doshier in the next fiscal year. The City must approve the proposed budget by July 15th of each year. Payments to BRA will be made monthly and will equal 1/12 of the approved annual budget.

The initial term of the agreement will be 5 years. Upon mutual agreement of the parties, the agreement may be extended for two additional 5 year periods.

(C) The "Administration and Management Agreement" for administration of the Cities' Industrial Pretreatment Programs (IPP) will be signed by Temple, Belton, and BRA. The Cities' Industrial Pretreatment Programs monitor wastewater discharges into the publicly owned treatment system by certain users of the system to ensure that such discharges are in accordance with State and Federal regulations, as well as City ordinances. BRA will administer and coordinate the program for the Cities. It will interact with permitted industries within the Cities to ensure that all regulations are met and that the quality of wastewater discharged into the system is acceptable under each of the individual permits.

On or before May 1st of each year, BRA will provide the City with an annual budget which will include an estimate of all operation and maintenance expenses plus a management fee of 3%. Currently, Belton has only one permitted industry and Temple has 11 permitted industries. Four Temple

industries and the one Belton industry drain to the TBP. Initially, expenses and the management fee related to operation of the Cities' IPP at TBP will be allocated 80% to Temple and 20% to Belton. This allocation will be reevaluated after each fiscal year. The Cities must approve the proposed budget by July 15th of each year. Payments to BRA will be made monthly by each City and will equal 1/12 of the approved annual budget.

The initial term of the agreement will be 1 year. Upon mutual agreement of the parties, the agreement may be extended for 4 additional 1 year periods.

Staff recommends moving forward with execution of all three agreements.

- (A) **FISCAL IMPACT:** Fiscal year 2015 expenditures related to the operation and maintenance of the Temple-Belton Wastewater Treatment Plant and Belton Man Lift Station are estimated at a total of \$1,264,476 in which the City of Temple's share is \$976,959. The portion that the City of Temple will be responsible for is based upon the annual flow percentage. It is also recommended that the Temple-Belton Wastewater Treatment Plant have a funding level of \$160,000 for repair and replacement items. The costs of capital improvements will be allocated to the Cities based on ownership, with the City of Temple being responsible for 75% which is \$120,000 of total costs. Funding for these expenditures has been accounted for in the FY 2015 Proposed Budget, account 520-5522-535-2652.
- (B) Fiscal year 2015 expenditures related to the operation and maintenance of Doshier and Temple's lift stations are estimated at a total of \$795,532. It is also recommended that Doshier have a funding level of \$100,000 for repair and replacement items. Funding for these expenditures has been accounted for in the FY 2015 Proposed Budget, account 520-5521-535-2655.
- (C) Fiscal year 2015 expenditures related to the City of Temple's Industrial Pretreatment Programs are estimated at a total of \$101,471 (\$48,014 for the Temple-Belton Wastewater Treatment Plant and \$53,457 for Doshier). City of Temple is only responsible for 80% of the costs incurred for the Temple-Belton Wastewater Treatment Plant which is the amount reflected above. Funding for these expenditures has been accounted for in the FY 2015 Proposed Budget, account 520-5522-535-2652.

It is anticipated that the City of Temple will recognize a significant savings and improved efficiencies by utilizing one operator for our operations and maintenance at the TBP, Doshier Plant, and lift stations

ATTACHMENTS:
[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING AN OPERATION, MAINTENANCE AND MANAGEMENT AGREEMENT BETWEEN THE CITY OF TEMPLE, CITY OF BELTON AND THE BRAZOS RIVER AUTHORITY FOR OPERATION AND MAINTENANCE OF THE TEMPLE-BELTON WASTEWATER TREATMENT PLANT AND BELTON MAIN LIFT STATION; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City of Temple and the City of Belton currently contract with the Brazos River Authority (BRA) for operation and maintenance of the Temple-Belton Wastewater Treatment Plant (TBP) and the Cities' contract with BRA will expire on September 30, 2014;

Whereas, in March of 2014, Temple and Belton jointly released a Request for Proposals for the operation, maintenance and management of the TBP, Doshier Farm Wastewater Treatment Plant, Temple's lift stations, Belton's Main Lift Station and the Cities' Industrial Pretreatment Programs and received three responses - a committee was formed to review the proposals and interviewed two of the three vendors, ultimately recommending negotiations with the BRA;

Whereas, the Operation, Maintenance and Management Agreement for the operation and maintenance of TBP will be signed by Temple, Belton and the BRA – the services to be provided by the BRA include general operation and maintenance of the TBP, the composting facility and reclaimed water facility located at the plant, as well as operation of Belton's Main Lift Station;

Whereas, on or before April 15th of each year, BRA will provide the Cities with an annual budget which will include an estimate of all operations and maintenance expenses, plus a management fee of 3% - the Cities must approve the proposed budget by July 15th of each year and payments to BRA will be made monthly by each City and will equal 1/12 of the approved annual amount;

Whereas, operation and maintenance expenses and the maintenance fee will be allocated to the Cities based on the annual flow percentages of each City – any capital expenses will be allocated to the Cities based on ownership (75% to Temple and 25% to Belton);

Whereas, the initial term of the agreement will be 5 years – upon mutual agreement of the parties, the agreement may be extended for two additional 5 year periods;

Whereas, fiscal year 2015 expenditures related to the operation and maintenance of the TBP are funded in the fiscal year 2015 Proposed Budget, Account No. 520-5522-535-2652; 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 enter into an Operation, Maintenance and Management Agreement between the City of Temple, City of Belton and the Brazos River Authority, after approval as to form by the City Attorney, for operation and maintenance of the Temple-Belton Wastewater Treatment Plant and Belton Main Lift Station.

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 7th day of **August**, 2014.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Jonathan Graham
City Attorney

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING AN OPERATION, MAINTENANCE AND MANAGEMENT AGREEMENT BETWEEN THE CITY OF TEMPLE AND THE BRAZOS RIVER AUTHORITY FOR OPERATION AND MAINTENANCE OF DOSHIER FARM WASTEWATER TREATMENT PLANT AND THE CITY'S LIFT STATIONS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, currently, the City of Temple contracts with CH2M HILL for operation and maintenance of the Doshier Farm Wastewater Treatment Plant (Doshier) and the City's lift stations - CH2M HILL also operates the City's Industrial Pretreatment Program and the contract for all of those services will expire on September 30, 2014;

Whereas, in March of 2014, Temple and Belton jointly released a Request for Proposals for the operation, maintenance and management of the Temple-Belton Wastewater Treatment Plant, Doshier, Temple's lift stations, Belton's main lift station and the Cities' Industrial Pretreatment Programs and received three responses - a committee was formed to review the proposals and interviewed two of the three vendors, ultimately recommending negotiations with the BRA;

Whereas, the Operation, Maintenance and Management Agreement for the operation and maintenance of Doshier and Temple's lift stations will be signed by Temple and BRA – the services to be provided by the BRA include general operation and maintenance of Doshier and Temple's lift stations;

Whereas, on or before April 15th of each year, BRA will provide the City with an annual budget which will include an estimate of all operations and maintenance expenses, plus a management fee of 3% - the City must approve the proposed budget by July 15th of each year and payments to BRA will be made monthly and will equal 1/12 of the approved annual amount;

Whereas, the initial term of the agreement will be 5 years – upon mutual agreement of the parties, the agreement may be extended for two additional 5 year periods;

Whereas, fiscal year 2015 expenditures related to the operation and maintenance of Doshier and Temple's lift stations are funded in the fiscal year 2015 Proposed Budget, Account No. 520-5521-535-2655; 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:

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING AN ADMINISTRATION AND MANAGEMENT AGREEMENT BETWEEN THE CITY OF TEMPLE, CITY OF BELTON AND THE BRAZOS RIVER AUTHORITY FOR THE ADMINISTRATION OF THE CITIES' INDUSTRIAL PRETREATMENT PROGRAMS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, currently, the City of Temple contracts with CH2M HILL for the administration of the City's Industrial Pretreatment Program (IPP) and the contract for those services will expire on September 30, 2014 – the City of Belton contracts with the Brazos River Authority for the administration of its IPP;

Whereas, in March of 2014, Temple and Belton jointly released a Request for Proposals for the operation, maintenance and management of the Temple-Belton Wastewater Treatment Plant, Doshier Farm Wastewater Treatment Plant, Temple's lift stations, Belton's main lift station and the Cities' IPP and received three responses - a committee was formed to review the proposals and interviewed two of the three vendors, ultimately recommending negotiations with the BRA;

Whereas, the Administration and Management Agreement for the administration of the Cities' IPP will be signed by Temple, Belton and the BRA – the Cities' IPP monitors wastewater discharges into the publicly owned treatment system by certain users of the system to ensure that such discharges are in accordance with State and Federal regulations, as well as City ordinances;

Whereas, BRA will administer and manage the program for the Cities and will interact with permitted industries within the Cities to ensure that all regulations are met and that the quality of wastewater discharged into the system is acceptable under each of the individual permits;

Whereas, on or before April 15th of each year, BRA will provide the Cities' with an annual budget which will include an estimate of all operations and maintenance expenses, plus a management fee of 3% - currently Belton has only one permitted industry which drains into the TBP and Temple has 11 permitted industries which drain into the TBP and Doshier;

Whereas, initially, the expenses and the management fee related to operation of the of the Cities' IPP at TBP will be allocated 80% to Temple and 20% to Belton – this allocation will be reevaluated after each fiscal year and both Cities must approve the proposed budget by July 15th of each year with payments to BRA being made monthly by each City equaling 1/12 of the approved annual amount;

Whereas, the initial term of the agreement will be 1 year – upon mutual agreement of the parties, the agreement may be extended for four additional 1 year periods;

Whereas, fiscal year 2015 expenditures related to the City of Temple's Industrial Pretreatment Program are funded in the fiscal year Proposed Budget, Account No. 520-5522-535-2652; 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 enter into an Administration and Management Agreement between the City of Temple, City of Belton and the Brazos River Authority, after approval as to form by the City Attorney, for the operation and maintenance of the Cities' Industrial Pretreatment Programs.

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 7th day of **August**, 2014.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Jonathan Graham
City Attorney

Part 1: The City Manager, or his designee, is authorized to enter into an Operation, Maintenance and Management Agreement between the City of Temple and the Brazos River Authority, after approval as to form by the City Attorney, for operation and maintenance of Doshier Farm Wastewater Treatment Plant and the City's lift stations.

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 7th day of **August**, 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

08/07/14
Item #7(C)
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 change order #1 to the construction contract with McLean Construction (McLean), of Killeen, for construction activities required to build the Temple-Belton Wastewater Treatment Plant 24" effluent pipeline in an amount not to exceed \$145,247.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The City has agreed to provide the Panda Temple Power Plant (Panda) with reclaimed water from the Temple-Belton Wastewater Treatment Plant (TBP). Delivery of this water requires a pump station and approximately 45,000 linear feet of pipeline. The attached Map depicts three phases: Phase I – pump station at TBP, Phase II – pipeline from Little River Road to Panda, Phase III – pipeline from TBP to Little River Road (Map attached).

On November 7, 2013, Council authorized a professional services agreement with Kasberg, Patrick & Associates, LP, (KPA) for Phase III design and bidding services in an amount not to exceed \$749,200. On February 20, Council authorized a construction contract with McLean for Phase III construction in an amount not to exceed \$5,505,505.10. On March 20, Council also authorized amending KPA's contract with \$538,700 for surveys, construction administration, and inspection.

The attached change order includes the following items:

- At the juncture of Phases II and III are a gate valve and a 90-degree bend that are called out in Phase III construction plans. Since the Contractor for Phase II began construction at this location prior to McLean Construction, it is recommended that the Phase II contractor install the valve and bend. Therefore, a deduction to the Phase III contract is needed.
- A deduction of 315 linear feet of pipe installed by open cut at South 31st Street is recommended.
- An addition of 315 linear feet of pipe installed by Directional Drill to avoid trees at South 31st Street is recommended.
- An addition of 40 linear feet of pipe due to TxDOT requiring the Phase II and III connection point to move east of Old Hwy 95 is recommended.

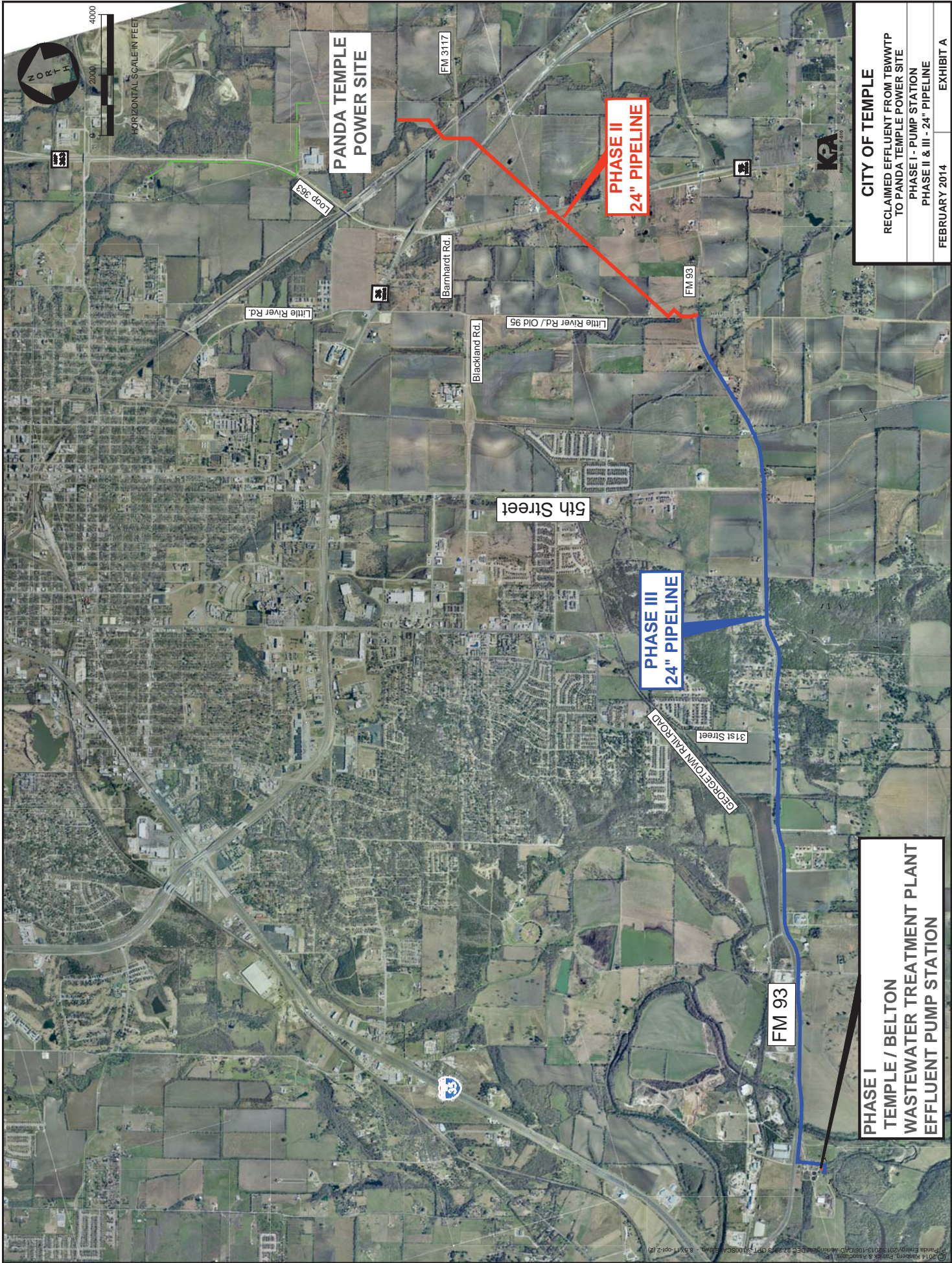
- An addition of 50 linear feet of 36" Encasement by Bore to extend bores at various locations to avoid conflicts with trees and water lines
- Removal of an existing fence encroaching on TxDOT ROW, and placement of temporary and final fencing is recommended.
- Additional depth and fittings to avoid vertical conflict with existing fiber optic lines at railroad bores is recommended.
- Relocation of Centrovision Fiber Optic Line along FM93 from South 5th Street to Hartrick Bluff Road to avoid existing Oncor poles is recommended.

Per the attached letter, KPA recommends approving the change order. Staff also recommends approving the change order.

FISCAL IMPACT: Currently, funding in the amount of \$272,289 is available in account 562-5200-535-6947, project 101097, to fund change order #1 to the construction contract with McLean Construction in an amount not to exceed \$145,247.

ATTACHMENTS:

[Project Map](#)
[Engineer's Letter](#)
[Change Order](#)
[Resolution](#)



**PHASE I
TEMPLE / BELTON
WASTEWATER TREATMENT PLANT
EFFLUENT PUMP STATION**

**PHASE III
24" PIPELINE**

**PHASE II
24" PIPELINE**

**PANDA TEMPLE
POWER SITE**

CITY OF TEMPLE
RECLAIMED EFFLUENT FROM TBWWTP
TO PANDA TEMPLE POWER SITE
PHASE I - PUMP STATION
PHASE II & III - 24" PIPELINE
FEBRUARY 2014 EXHIBIT A



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

July 28, 2014

Ms. Sharon Carlos, E.I.T.
3210 E. Avenue H
Building A
Temple, Texas 76501

Re: City of Temple, Texas
Temple-Belton Wastewater Treatment Plant
24" Reclaimed Effluent Pipeline - Phase III

Dear Ms. Carlos:

This letter is in reference to Change Order No. 1 for the referenced project. The Change Order includes a total addition of \$145,247.00 to the contract amount of \$5,505,505.10. The Change Order items and their justification are as follows:

1. Additions to the Contract

- a. Item 13 (24" CI 200 DIP). The additional 40 linear feet of pipe was required due to a change in the connection point with the Phase II project. During the TxDOT permitting phase, the connection point (beginning of Phase II and end of Phase III) was moved approximately 40 feet to the east at TxDOT's suggestion. This was required to get the permit for Phase II approved. The timing of this modification did not allow for the Phase III plans to accurately reflect it.
- b. Item 16 (36" Steel Encasement by Bore). The additional 50 linear feet of bore encompasses minor additions (3-10 feet) at multiple bores throughout the eastern portion of the project. These additions were required to avoid conflicts with buried water services and/or extend beyond the actual dripline of a tree. The extensions beyond the dripline of the tree are due to TxDOT permit requirements. If the actual dripline exceeds that shown on the plans, then the actual dripline must be bored.
- c. CO1-1 (24" Directional Drill @ S. 31st Street). The directional drill at 31st Street was lengthened on both the east and west ends. The west end was to avoid a clump of trees. The trees were originally noted as hackberries. However, in discussions with TxDOT during construction, it was determined that the trees could not be open cut. Likewise, the configuration on the east end required a small amount of open cut to bring the directional drill into alignment along the edge of the TxDOT right of way. The portion of open cut was not able to be made due to the dripline of a single oak tree. As such, the directional drill was pushed to the east, past a driveway where the open cut could be accomplished.
- d. CO1-2 (Temporary Fencing at Ralston Property). The existing fenceline of the Ralston property encroaches on the TxDOT Right of Way. The fence is to be relocated to the property line.
- e. CO1-3 (Additional Depth/Fittings to avoid fiber conflict at UPRR). Exploratory excavation of the existing fiber line within the Union Pacific RR determined that the line was deeper than originally shown on the plans. The associated bore was lowered. The cost is for fittings and additional excavation required to bring the line back to the proposed grade.

- f. CO1-4 (Relocate Centrovision Fiber Line). There is an existing, buried Centrovision fiber cable installed from 5th Street to Hartrick Bluff. The line was not marked during the survey period. As such, the fiber line was not accounted for in the design period. During the construction period, the line was marked and several meetings were held with the City, McLean Construction and Centrovision. The existing line is in conflict with the proposed reclaimed line for approximately 3,000 linear feet in this area. The cost includes the installation of new fiber line overhead (on Oncor power poles) and the removal of the existing fiber line and conduit. If this line had been marked in the design phase, then the relocation would have been included in the original contract as is the case for water and wastewater lines found to be in conflict.

2. Deletions to the Contract

- a. CO1-5 (Delete 90° Bend and Valve). A bend and gate valve were installed at the interface of Phases II and III. Both were originally included in the Phase III project, however, due to the construction schedules these items were installed in the Phase II project. A similar change order was approved for the Phase II project which increased the quantities of the bend and valve accordingly.
- b. Item 12 (24" CI 250 DIP). This reduction in linear footage corresponds to the value by which the directional drill (Item CO1-1) was increased. The lengthening of the directional drill required less ductile iron pipe installation.

As noted above, the total Change Order cost is \$145,247.00, which is approximately 2.6% of the total contract amount of \$5,505,505.10. Please contact us should you have any questions or comments concerning any of these items.

Sincerely,



Thomas D. Valle, P.E.

TDV/

xc: 2013-147-40

KASBERG, PATRICK & ASSOCIATES, LP
CONSULTING ENGINEERS
TEMPLE, TEXAS

7/22/2014

CHANGE PROPOSAL REQUEST (CPR) LOG

Project: **TBWWTP 24" Reclaimed Effluent Pipeline Phase III**

Project No. **2013-147-40**

Contractor: **McLean Construction**

Owner: **City of Temple**

#	DESCRIPTION	Date	AMOUNT		NUMBER OF DAYS		ACTION TAKEN		CHANGE ORDER NO.	NOTES
			Requested	Recommended	Requested	Approved	DATE	A/D/V		
001	⁽¹⁾ Move Valve & 90° from Phase III to Phase II Construction project. BI 22 -- 24" 90 Bend (Decrease Qty by 1) BI 23 -- 24" Gate Valve, Vertical (Decrease Qty by 1)	2/14/14	(\$15,117.00)	(\$15,117.00)						
			(\$1,541.00)	(\$1,541.00)						
			(\$13,576.00)	(\$13,576.00)						
002	BI 12 -- Deduct 315 LF of 24" CI 250 DIP associated with extension of Directional Drill @ S. 31st Street. (-315 LF @ \$83.50/LF)		(\$24,570.00)	(\$26,302.50)						
003	BI 13 -- Add 40 LF of 24" CI 200 DIP due to TxDOT requiring the Phase II connection point to move to the east of Old 95. 40 LF @ 78/LF		\$3,120.00	\$3,120.00						
004	Add 315 LF to 24" Directional Drill at S. 31st Street to avoid open cutting trees at east and west ends (TxDOT Meeting). 315 LF @ \$360/LF		\$113,400.00	\$113,400.00						
005	BI 16 -- Add 50 LF of 36" Encasement by Bore to extend bores at various locations to avoid conflicts with trees and water lines. 50LF @ \$503.70/LF		\$25,185.00	\$25,185.00						
006	Existing Fence encroaching on TxDOT ROW just east of Railroad. Remove Fence, Place Temporary and then Final Fencing. 75 LF @ \$22.50/ LF		\$1,687.50	\$1,687.50						
007	Additional depth and fittings to avoid vertical conflict with existing fiber lines at railroad bores. 100% Lump Sum @ \$3,238 / LS		\$3,238.00	\$3,238.00						
008	Relocate Centrovision Fiber Line Between 5th Street and Hartrick Bluff Road along FM 93 to Existing Oncor Poles (Centrovision to Relocate Fiber Line/Mclean Construction to Remove PVC Line)		\$40,036.00	\$40,036.00						
Change Order No. 1			\$146,979.50	\$145,247.00						

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING CHANGE ORDER NO. 1 TO THE CONSTRUCTION CONTRACT WITH MCLEAN CONSTRUCTION OF KILLEEN, TEXAS, FOR CONSTRUCTION ACTIVITIES REQUIRED TO BUILD THE TEMPLE-BELTON WASTEWATER TREATMENT PLANT 24-INCH EFFLUENT PIPELINE, IN AN AMOUNT NOT TO EXCEED \$145,247; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City has agreed to provide the Panda Temple Power Plant (Panda) with reclaimed water from the Temple-Belton Wastewater Treatment Plant (TBP) and delivery of this water requires a pump station and approximately 45,000 linear feet of pipeline;

Whereas, on November 7, 2013, Council authorized a professional services agreement with Kasberg, Patrick & Associates, LP (KPA) for Phase III design and bidding services – on February 20, 2014, Council authorized a construction contract with McLean for Phase III construction required to build the TBP in an amount not to exceed \$5,505,505.10;

Whereas, the change order will include the following items:

- installation of gate valve and a 90-degree bend at the juncture of Phases II and III;
- a deduction of 315 linear feet of pipe installed by open cut at S. 31st Street;
- an addition of 315 linear feet of pipe to avoid trees at S. 31st Street;
- an addition of 40 linear feet of pipe to move connection point east of Old Hwy 95;
- an addition of 50 linear feet of 36" encasement to extend bores at various locations to avoid conflicts with trees and water lines;
- removal of an existing fence encroaching on TxDOT ROW, and placement of temporary and final fencing;
- additional depth and fittings to avoid vertical conflict with existing fiber optic lines at railroad bores;
- relocation of Centrovision Fiber Optic Line along FM93 from S. 5th Street to Hartrick Bluff Road to avoid existing Oncor poles;

Whereas, staff and KPA recommends approving the change order to the construction contract with McLean Construction of Killeen, Texas for construction activities required to build the TBP 24-inch effluent pipeline, in an amount not to exceed \$145,247;

Whereas, funding is available to fund Change Order No. 1 in Account No. 532-5200-535-6947, Project No. 101097; 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 Change Order No. 1 with McLean Construction of Killeen, Texas for the following construction activities required to build the TBP 24-inch effluent pipeline, in an amount not to exceed \$145,247:

- installation of gate valve and a 90-degree bend at the juncture of Phases II and III;
- a deduction of 315 linear feet of pipe installed by open cut at S. 31st Street;
- an addition of 315 linear feet of pipe to avoid trees at S. 31st Street;
- an addition of 40 linear feet of pipe to move connection point east of Old Hwy 95;
- an addition of 50 linear feet of 36" encasement to extend bores at various locations to avoid conflicts with trees and water lines;
- removal of an existing fence encroaching on TxDOT ROW, and placement of temporary and final fencing;
- additional depth and fittings to avoid vertical conflict with existing fiber optic lines at railroad bores;
- relocation of Centrovision Fiber Optic Line along FM93 from S. 5th Street to Hartrick Bluff Road to avoid existing Oncor poles;

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 7th day of **August**, 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

08/07/14
Item #7(D)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Traci Barnard, Director of Finance
Belinda Mattke, Director of Purchasing

ITEM DESCRIPTION: Consider adopting a resolution authorizing the City Manager or the Director of Finance to act on behalf of the City to review pricing offers submitted for the supply of electricity for the Temple-Belton Wastewater Treatment Plant and the Shallowford Lift Station, and when deemed to be in the best interest of the City, enter into a contract for a period commencing in November 2014 and going through meter read dates in May 2019.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: There are currently two (2) electrical services at the Temple-Belton Wastewater Treatment Plant (TBP), one (1) electric service at the Shallowford Lift Station, and one (1) electric service at the Main Belton Lift Station that currently under contract by the Brazos River Authority (BRA). BRA's contract for these electric services does not expire until November 2014 without incurring costly early termination fees.

Starting in November 2014, it is the City of Temple and the City of Belton staff recommendation for the City of Temple to contract for the electricity of the TBP, and then invoice the City of Belton for their pro-rata share based on flows. By the Cities contracting the electricity, it will eliminate the addition of the 3% management fee that would be charged by BRA if BRA contracted for the electric service.

The City of Temple is currently under contract with Constellation for its electricity through May 2016 at a base energy charge of 4.84¢ per kWh, and beginning in May 2016 through May 2019, the City is under contract with Hudson Energy at a base energy charge of 4.45¢ per kWh. The latest contract with Hudson was authorized by Council on January 16, 2014. It would be beneficial if the Cities could add the TBP meters to the existing contracts with Constellation and Hudson Energy; however, due to a 5% add/delete clause in the contracts, we are unable to do this due to the TBP usage exceeding 5% of the City of Temple current usage.

Due to the fluctuation of natural gas prices and the regulatory environment in general, electricity rates have gone up since the beginning of calendar year 2014 when the City locked in a rate of 4.45¢ per kWh. However, based on the mild summer thus far, Texas Energy Aggregation, LLC (TEA), the City of Temple's consultant for electricity procurements, advised staff that it would be very beneficial if the City could lock in a rate sooner rather than later for the TBP and the Shallowford Lift Station. Accordingly, TEA obtained a quote from Hudson Energy at a base energy charge of 4.82¢ per kWh for a contract that would commence in November 2014 and go through the end of the City's existing contract with Hudson that expires in May 2019. TEA deemed this offer to be a great offer based on the current market rate being closer to 5¢ per kWh.

Based on electricity offers being very short term, staff proceeded with executing an agreement with Hudson on July 30, 2014, for the supply of electricity commencing in November 2014 thru May 2019.

Per the Local Government Code 252.022(a)(15), electricity is exempt from the competitive sealed bidding rules. This is relevant based on the fact that TEA will only solicit pricing from REP's that they deem to be reputable and competitive energy providers.

FISCAL IMPACT Under the current contract with BRA, the electricity for the TBP and the Shallowford Lift Stations are included in the contracted budget and reimbursed by Cities. The expected annual expense for electricity based on an estimated annual usage of 3,900,000 kWh will be approximately \$370,000, including regulatory delivery charges, for the TBP. The City of Belton will be invoiced their pro-rata share of this cost based on flows.

It is expected that the annual expense for electricity for the Shallowford Lift Station based on an estimated annual usage of 600,000 kWh will be approximately \$57,000.

Funding in the amount of \$427,000 for the expected annual expense of electricity has been accounted for in the FY 2015 Proposed Budget, account 520-5522-535-2636.

ATTACHMENTS:
[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE CITY MANAGER OR THE DIRECTOR OF FINANCE TO ACT ON BEHALF OF THE CITY TO REVIEW PRICING OFFERS SUBMITTED FOR THE SUPPLY OF ELECTRICITY FOR THE TEMPLE-BELTON WASTEWATER TREATMENT PLANT AND THE SHALLOWFORD LIFT STATION, AND WHEN DEEMED TO BE IN THE BEST INTERESTS OF THE CITY, ENTER INTO A CONTRACT FOR A PERIOD COMMENCING IN NOVEMBER 2014 AND CONTINUING THROUGH METER READ DATES IN MAY 2019; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, there are currently two electrical services at the Temple-Belton Wastewater Treatment Plant (TBP), one services the Shallowford Lift Station and the other services the Main Belton Lift Station - both are currently under contract by the Brazos River Authority (BRA) which does not expire until November 2014 without incurring costly early termination fees;

Whereas, starting November 2014, it is staff's recommendation for the City of Temple to contract for the electricity of the TBP and lift stations and then invoice the City of Belton for their pro-rata share based on flows – by the cities contracting the electricity, it will eliminate the addition of the 3% management fee that would be charged by BRA if it contracted for the electric service;

Whereas, in accordance with the agreement between the City of Temple and the City of Belton with respect to the operation of the TBP, the City of Belton is currently evaluating this recommendation and the City of Temple staff will not proceed with procuring the electricity until agreement is received from the City of Belton;

Whereas, the City of Temple is currently under contract with Constellation for its electricity through May 2016 at a base energy rate of 4.84¢ per kwh, and beginning May 2016 through May 2019, the City is under contract with Hudson Energy at a base energy charge of 4.45¢ per kwh;

Whereas, based on the guidance from Texas Energy Aggregation, LLC (TEA) with regarding to timing the acquisition of the electricity agreement, it is staff's recommendation to enter into an electricity service agreement for the TBP and the Shallowford Lift Station for a period beginning for meter reads after November 2014 and going through May 2019 - the November 2014 date coincides with the conclusion of the BRA electricity agreement and the May 2019 coincides with the conclusion of the City of Temple Hudson Energy contract;

Whereas, beginning in May 2019, the TBP meters and the Shallowford Lift Station meter will roll into a new contract encompassing all of the City of Temple electric meters – the rates for this commodity are typically only valid for a few hours after bids close and it is necessary to obtain pre-authorization from Council to enter into a contract with retail electric providers;

Whereas, per the Local Government Code 252.022(a)(15), electricity is exempt from the competitive sealed bidding rules – this is relevant based on the fact that TEA will only solicit pricing from retail electric provider’s that they deem to be reputable and competitive energy providers.

Whereas, the City of Belton will be invoiced for their pro-rata share of costs based on flows;

Whereas, funds are available for the expected annual expense of electricity in the FY2015 Proposed Budget in Account No. 520-5522-535-2636; 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 the Director of Finance to act on behalf of the City to review pricing offers submitted for the supply of electricity for the Temple-Belton Wastewater Treatment Plant and the Shallowford Lift Station, after approval as to form by the City Attorney, and when deemed to be in the best interests of the City, enter into a contract for a period commencing in November 2014 and continuing through meter read dates in May 2019.

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 7th day of **August**, 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

08/07/14
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Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Alan DeLoera, Information Technology Director

ITEM DESCRIPTION: Consider adopting a resolution authorizing the purchase of a Door Access Control system with Convergent Technologies of Austin, TX, utilizing TCPN Proposal R5167-TX-1922 in an amount of \$39,570.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The City of Temple Municipal Building has many City Administrative offices including the Information Technology's Data Center and Human Resources offices and as with network security of our data systems it is equally important to have an automated secure access control system in place. This project would encompass the seven outside entrances into City Hall which will allow the City to determine authorized points of entry by creating access restrictions. With this system, authorized individuals can access certain areas within specified hours. Ideal for workplace situations, employers can grant limited access to employees without increasing the risk for theft or damage to assets and inventory. This will also help by eliminating the hassles of keyed entry. By installing an Internal Control Systems electronic access system we will save time and money by not having to re-key facilities. With traditional keyed locks, we incur costs each time a key employee comes on board. And it can be difficult to offer different levels of access to different people. Access control gives the City the ability to quickly upgrade or downgrade access, reducing concerns about the wrong person accessing sensitive parts of the building. This access control system will also provide us the capability to integrate future video, alarm and fire systems.

FISCAL IMPACT: A budget adjustment is being presented for Council's approval to appropriate \$26,000 of Technology funds to account 351-1900-519-6218, project 101236, and \$13,570 from Account 110-5924-519-6310, Project 101026, to account 110-5919-519-6218, project 101236 for the purchase of the access control system.

<u>Description</u>	<u>Account #</u>	<u>Project #</u>	<u>Amount</u>
Door Access Control system	351-1900-519-6218	101236	\$ 26,000
Door Access Control system	110-5919-519-6218	101236	13,570
<u>Total Funds Available</u>			<u>\$ 39,570</u>

ATTACHMENTS:

[Budget Adjustment
Resolution](#)

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

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

Adjustments should be rounded to the nearest \$1.

			+		-	
ACCOUNT NUMBER	PROJECT #	ACCOUNT DESCRIPTION	INCREASE		DECREASE	
351-1900-519-62-18	101236	Computer Hardware	26,000			
351-0000-490-25-82		Transfer In - Desg Capital Proj Fund	26,000			
110-0000-351-09-43		Designated Capital - Technology Funds			26,000	
110-9100-591-81-51		Transfer Out - Desg Capital Proj Fund	26,000			
110-5919-519-62-18	101236	Computer Hardware	13,570			
110-5924-519-63-10	101026	Buildings & Grounds			13,570	
		DO NOT POST				
TOTAL.....			\$ 91,570		\$ 39,570	

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

This budget adjustment appropriates funds to purchase Badge Reader access controls on Outside doors in City Hall.


DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒ Yes☐ No

DATE OF COUNCIL MEETING

8/7/2014

WITH AGENDA ITEM?

☒ Yes☐ No

Department Head/Division Director

7/28/2014

Date

☒ Approved☐ Disapproved

Finance

Date

☐ Approved☐ Disapproved

City Manager

Date

☐ Approved☐ Disapproved

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF A DOOR ACCESS CONTROL SYSTEM WITH CONVERGINT TECHNOLOGIES OF AUSTIN, TEXAS, UTILIZING TCPN PROPOSAL R5167-TX-1922, IN THE AMOUNT OF \$39,570; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City of Temple Municipal Building has many administrative offices which are vital to the City and as such, it is important to have controlled access to this building;

Whereas, the project would encompass the seven outside entrances to City Hall which will allow the City to determine authorized points of entry by creating access restrictions during specified hours;

Whereas, this system will eliminate the hassle of keyed entry which will save the City time and money by not having to re-key the facility every time a new employee is hired and will provide the capability to integrate future video, alarm and fire systems into the building;

Whereas, staff recommends the purchase of a door access control system with Convergent Technologies of Austin, Texas, utilizing TCPN Proposal R5167-TX-1922, in an amount of \$39,570;

Whereas, funds are available for this purchase but an amendment to the fiscal year 2013-2014 budget needs to be approved to transfer the funds to Account No. 351-1900-519-6218, Project No. 101236, Account No. 110-5924-519-6310, Project No. 101026 and Account No. 110-5919-519-6218, Project No. 101236; and

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

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

Part 1: The City Council authorizes the purchase of a door access control system with Convergent Technologies of Austin, Texas, utilizing TCPN Proposal R5167-TX-1922, in an amount of \$39,570.

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

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

PASSED AND APPROVED this the 7th day of **August**, 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

08/07/14
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Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Jonathan Graham, City Attorney

ITEM DESCRIPTION: Consider adopting a resolution ratifying a Services Agreement with James Construction Group, LLC to provide Temple police officers for traffic control services and use of police vehicles on the I-35 Reconstruction Project.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: James Construction Group, LLC ("James") is the general contractor on TXDOT's I-35 Reconstruction Project. James has requested the services of the Temple Police Department, specifically, traffic control services which includes use of police vehicles, be provided on the I-35 project. All police officers working on the project will be under the supervision and control of the Temple Police Department. James will reimburse the City for overtime salary and benefits paid to the police officers. James will also pay the City \$20.00 per hour, per vehicle used on the project. The agreement is for a term of one year.

Previously, Temple police officers were providing traffic control services to James on an independent contractor basis. James would work directly with the police officer and would pay the City for use of a police vehicle. Because of the continuous nature of the work and the fact that the I-35 reconstruction project will be ongoing for the next few years, it was determined that a Services Agreement with the City would be beneficial to the City, its officers, and James. In order to not disrupt James's work on the project, a Services Agreement was executed last week and Staff is now seeking ratification of that agreement.

FISCAL IMPACT: Based on the average hours worked over the last five months, it is estimated that the City will be reimbursed \$72,500 by James Construction for the overtime incurred during August and September 2014. A budget adjustment is being presented for Council's approval appropriating revenue and the associated expenditure to the Police Department's operating budget to cover the additional overtime to be incurred while providing the traffic control services for James Construction.

ATTACHMENTS:

[Budget Adjustment
Resolution](#)

FY **2014**

BUDGET ADJUSTMENT FORM

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

Adjustments should be rounded to the nearest \$1.

			+	-	
ACCOUNT NUMBER	PROJECT #	ACCOUNT DESCRIPTION	INCREASE	DECREASE	
110-2011-521-11-19		Police Overtime - James Construction	\$ 72,500		
110-0000-442-07-18		Police Revenue - Overtime	72,500		
TOTAL.....			\$ 145,000	\$ -	

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

To appropriate revenue to be received by James Construction for reimbursement of overtime costs incurred by officers providing traffic control services.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒

Yes

☐

No

DATE OF COUNCIL MEETING

8/7/2014

WITH AGENDA ITEM?

☒

Yes

☐

No

Department Head/Division Director

Date

☐

Approved

Disapproved

Finance

Date

☐

Approved

Disapproved

City Manager

Date

☐

Approved

Disapproved

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, RATIFYING A SERVICES AGREEMENT WITH JAMES CONSTRUCTION GROUP, LLC, OF TEMPLE, TEXAS, TO PROVIDE TEMPLE POLICE OFFICERS FOR TRAFFIC CONTROL SERVICES AND USE OF POLICE VEHICLES ON THE I-35 RECONSTRUCTION PROJECT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, James Construction Group, LLC (James) is the general contractor on TxDOT's I-35 Reconstruction Project – James has requested the services of the Temple Police Department, specifically traffic control services which includes the use of police vehicles to be provided on the I-35 project;

Whereas, all police officers working on this project will be under the supervision and control of the Temple Police Department and James will reimburse the City for overtime salary and benefits paid to the police officers and pay the City \$20.00 per hour, per vehicle used on the project;

Whereas, Previously, Temple police officers were providing traffic control services to James on an independent contractor basis and James would work directly with the police officer and pay the City for use of the police vehicle;

Whereas, due to the continuous nature of the work and the fact that the I-35 reconstruction project will be ongoing for the next few years, it was determined that a Services Agreement with the City would be beneficial to the City, its officers, and James – this agreement is for a term of one year;

Whereas, in order to not disrupt construction work on the I-35 Reconstruction Project, a Services Agreement has been executed and staff is now seeking ratification of that agreement;

Whereas, based on the average hours worked over the last five months, it is estimated that the City will be reimbursed \$72,500 by James Construction for the overtime incurred during August and September 2014;

Whereas, a budget adjustment is being presented for Council's approval appropriating revenue and the associated expenditure to the Police Department's operating budget to cover the additional overtime to be incurred while providing the traffic control services for James Construction; 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 a Services Agreement with James Construction Group, LLC of Temple, Texas, which has been approved as to form by the City Attorney, which provides Temple police officers for traffic control services and the use of police vehicles on the I-35 Reconstruction Project.

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 7th day of **August**, 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

08/07/14
Item #7(G)
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DEPT./DIVISION SUBMISSION & REVIEW:

Jonathan Graham, City Attorney
Brynn Myers, Assistant City Manager

ITEM DESCRIPTION: SECOND READING – 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: Adopt an 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.

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

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

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, MAYOR

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

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

PASSED AND APPROVED on Second Reading on the **7th** day of **August**, 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

08/07/14
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Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Mayor Daniel A. Dunn

ITEM DESCRIPTION: Consider adopting a resolution urging the Federal government to enforce immigration laws and opposing unfunded mandates related to housing illegal immigrants.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Amid recent community concerns about an influx of illegal immigrants into Texas, and the possibility that the Federal government may seek to house illegal immigrants in Texas cities during the process of determining the status of those individuals. The proposed resolution urges Federal officials to take prompt and effective action to stem the flow of illegal immigration. The proposed resolution also expresses the City's opposition to housing illegal immigrants in Temple.

FISCAL IMPACT: None

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, URGING THE FEDERAL GOVERNMENT TO ENFORCE IMMIGRATION LAWS; OPPOSING UNFUNDED MANDATES RELATED TO THE HOUSING OF ILLEGAL IMMIGRANTS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City of Temple, Texas is greatly concerned about illegal immigration into the United States;

Whereas, a secure national border is the responsibility of the Federal Government;

Whereas, without a secure border, Texas communities spend uncompensated local taxpayer dollars to protect the health and safety of their citizens;

Whereas, individuals illegally crossing the borders of the United States overwhelm border security and weaken the already inadequate border enforcement;

Whereas, the Federal Government has proposed placing illegal immigrants in holding facilities around the country; and

Whereas, local governments are already strained by unfunded mandates.

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

Part 1: The City Council finds that the housing of illegal immigrants in Temple, Texas, is not in the best interest of the City.

Part 2: The City Council urges our state and federal elected officials to take prompt action to end the influx of illegal immigrants of all ages across our national border.

Part 3: The City Council encourages the federal government to provide additional resources to prevent illegal immigration.

PASSED AND APPROVED this the 7th day of **August**, 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

08/07/14
Item #7(I)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Brynn Myers, Assistant City Manager

Ashley Williams, Sustainability and Grant Manager

ITEM DESCRIPTION: Consider adopting a resolution authorizing the repayment of Community Development Block Grant funds for the installation of flooring and a scoreboard at Clarence Martin Gym, in the amount of \$55,203.80 and reprogramming these funds to be used for park improvement projects.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: In 2012, Community Development Block Grant (CDBG) funds were used to install flooring and a scoreboard at Clarence Martin Gym, in the amount of \$55,203.80. Under the use of CDBG funds the building was intended to be used as a gym that would be freely opened to the public more than 50% of the time, specifically serving low and moderately income persons. Since that time the use of the gym has been through rentals and reservations, a use which does not qualify as meeting one of the national objectives of the CDBG program.

City staff has explored options to program the facility in a way which would meet a CDBG national objective, however the options did not favor the actual and future use of the facility. Staff recommends maintaining the current use of the facility and repaying the funds to the City's CDBG program through HUD.

Under the City's CDBG Community Engagement Plan, this reprogramming of funds does not trigger a substantial amendment, therefore, no public hearings are required. Funds will be reprogrammed into the CDBG program and used for FY 15 park projects, as identified and suggested by the public in the FY 14-15 Annual Action Plan.

FISCAL IMPACT: Reimburse \$55,203.80 to the CDBG program, according to program guidelines, for work completed at Clarence Martin Gym in 2012. A budget adjustment is presented for your approval appropriating \$55,204 to account 351-110-513-26-23, Other Contract Services from account 110-0000-352-13-45, Designated Capital Projects-Unallocated and appropriating \$55,204 of reprogrammed CDBG funds to account 260-6100-571-65-16, Park Improvements.

ATTACHMENTS:

[Budget Adjustment
Resolution](#)

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

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

Adjustments should be rounded to the nearest \$1.

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ACCOUNT NUMBER	PROJECT #	ACCOUNT DESCRIPTION	INCREASE		DECREASE	
351-1100-513-26-23		Other Contract Services	\$ 55,204			
351-0000-490-25-82		Transfer In	55,204			
110-9100-591-81-51		Transfer Out-Desg Cap Proj	55,204			
110-0000-352-13-45		Desg Cap Proj - Unallocated			55,204	
260-0000-431-01-31		CDBG Federal Grant Revenue	55,204			
260-6100-571-65-16	101124	Park Improvements	55,204			
TOTAL.....			\$ 276,020		\$ 55,204	

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

Appropriate funds for the repayment of CDBG funds for the Clarence Martin Gym project. Appropriate CDBG funds reprogrammed for park projects.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒

Yes

☐

No

DATE OF COUNCIL MEETING

8/7/2014

WITH AGENDA ITEM?

☒

Yes

☐

No

Department Head/Division Director

Date

☐

Approved

☐

Disapproved

Finance

Date

☐

Approved

☐

Disapproved

City Manager

Date

☐

Approved

☐

Disapproved

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE REPAYMENT OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR THE INSTALLATION OF FLOORING AND A SCOREBOARD AT CLARENCE MARTIN GYM, IN THE AMOUNT OF \$55,203.80 AND REPROGRAMING THESE FUNDS TO BE USED FOR PARK IMPROVEMENT PROJECTS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, in 2012, Community Development Block Grant (CDBG) funds were used to install flooring and a scoreboard at Clarence Martin Gym, in the amount of \$55,203.80;

Whereas, under the use of CDBG funds, the building was intended to be used as a gym that would be freely opened to the public more than 50% of the time, specifically serving low and moderately incomed persons – since that time, the use of the gym has been through rentals and reservations, a use which does not qualify as meeting one of the national objectives of the CDBG program;

Whereas, staff has explored options to program the facility in a way which would meet a CDBG national objectives, however the options did not favor the actual and future use of the facility and therefore staff recommends maintaining the current use of the facility and repaying the funds to the City’s CDBG program through HUD;

Whereas, under the City’s CDBG Community Engagement Plan, this reprogramming of funds does not trigger a substantial amendment and funds will be reprogrammed into the CDBG program and used for fiscal year 2015 park projects, as identified and suggested by the public in the fiscal year 2014-2015 Annual Action Plan;

Whereas, an amendment to the fiscal year 2013-2014 budget needs to be approved appropriating the funds into Account No. 351-110-513-2623, Other Contracted Services from Account No. 110-000-352-1345, Designated Capital Projects-Unallocated and appropriating of the reprogrammed CDBG funds into Account NO. 260-6100-571-6516, Park Improvements; 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 repayment of Community Development Block Grant funds for the installation of flooring and a scoreboard at Clarence Martin Gym, in the amount of \$55,203.80 and reprogramming these funds to be used for park improvement projects.

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

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

PASSED AND APPROVED this the 7th day of **August**, 2014.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

APPROVED AS TO FORM:

ATTEST:

Lacy Borgeson
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

08/07/14
Item #7(J)
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 \$9,870.

ATTACHMENTS:

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

CITY OF TEMPLE
BUDGET AMENDMENTS FOR FY 2014 BUDGET
August 7, 2014

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
110-2020-521-2533		DARE Expenditures	\$ 370	
110-0000-442-0723		DARE Donations		\$ 370
To appropriate revenues received from GREAT camp registration fees and donations for GREAT camps.				
110-2100-529-2117		Janitorial Supplies	\$ 2,000	
110-0000-461-0841		Donations - Animal Shelter		\$ 2,000
To appropriate donations received for the Animal Shelter to be used to purchase janitorial supplies for the Shelter.				
110-3270-551-2513		Special Services - Instructor Fees	\$ 2,500	
110-0000-445-1590		Special Events - Classes		\$ 2,500
To appropriate revenues generated from classes to be used to cover the additional costs of class instructors.				
110-2330-540-2511		Printing/Publications	\$ 2,000	
110-2330-540-2211		Capital < \$5,000 - Instruments & Special Equipment	\$ 3,000	
110-0000-444-2057		Solid Waste Revenue - Other		\$ 5,000
To appropriate revenue received from Balcones for community education and outreach for the Residential Recycling program. Funds will be used to purchase recycling bins for offices/ outdoor events and recycling signs.				
TOTAL AMENDMENTS			\$ 9,870	\$ 9,870

CITY OF TEMPLE
BUDGET AMENDMENTS FOR FY 2014 BUDGET
August 7, 2014

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

CITY OF TEMPLE
BUDGET AMENDMENTS FOR FY 2014 BUDGET
August 7, 2014

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

RESOLUTION NO. _____

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

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

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

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

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

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

PASSED AND APPROVED this the 7th day of **August**, 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

08/07/14

Item #8

Regular 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 City-initiated change order to the Westfield Boulevard and Wastewater Extension construction contract with R.T. Schneider Construction Company, Ltd., of Belton (RTS) to add 800 feet of roadway to serve ongoing development in the amount of \$345,398.92.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The City adopted a Transportation Capital Improvement Program which includes extending Westfield Boulevard from Stone Hollow Drive to Airport Road in two phases: Phase 1, Stone Hollow Drive to Prairie View Road and an associated wastewater line; and Phase 2, Prairie View Road to Airport Road. A Project Map is attached. Phase 2 is identified as a project for FY 2018 to FY 2020, but recent development activity warrants accelerating construction of the southernmost 800 feet to the entrance of Northgate Subdivision.

In February of 2013, the City executed a professional services agreement with Turley Associates, Inc., in the amount of \$255,225.05 for design- through construction-phase services (not including inspection) of Phase 1. Professional Services Amendment #1 included design modifications to the roadway cross-section in the amount of \$15,797.50. In November, the City amended the professional services agreement in the amount of \$44,420 for inspection and executed a construction contract with RTS for Phase 1 in the amount of \$1,586,277.47.

On March 20 of this year, Council authorized a professional services agreement with Turley Assoc. in the amount of \$412,209.64 for Phase 2 design- through construction-phase services (including inspection). On June 5, Council authorized a cost-sharing agreement in the form of a developer participation agreement with West Tanglefoot Development, Inc., to upsize 1,027 feet of water line extension in Northgate Subdivision from 8" to 12" in an amount not to exceed amount \$29,970.

The City requested the attached Change Order in response to the platting of Northgate Subdivision, also shown on the Project Map. It proposes a contract increase of \$345,398.92, or 21.8% of the original contract amount. Turley Assoc. reviewed the change order and recommend approval in their attached letter. Construction of this phase of the roadway will facilitate development in line with proposed capital project improvements.

Completion of this work in conjunction with construction of Westfield to the south will eliminate additional mobilization charges and minimize additional administrative and management costs for extending the roadway at a later date.

The proposed time to construct the ordered change is 120 days.

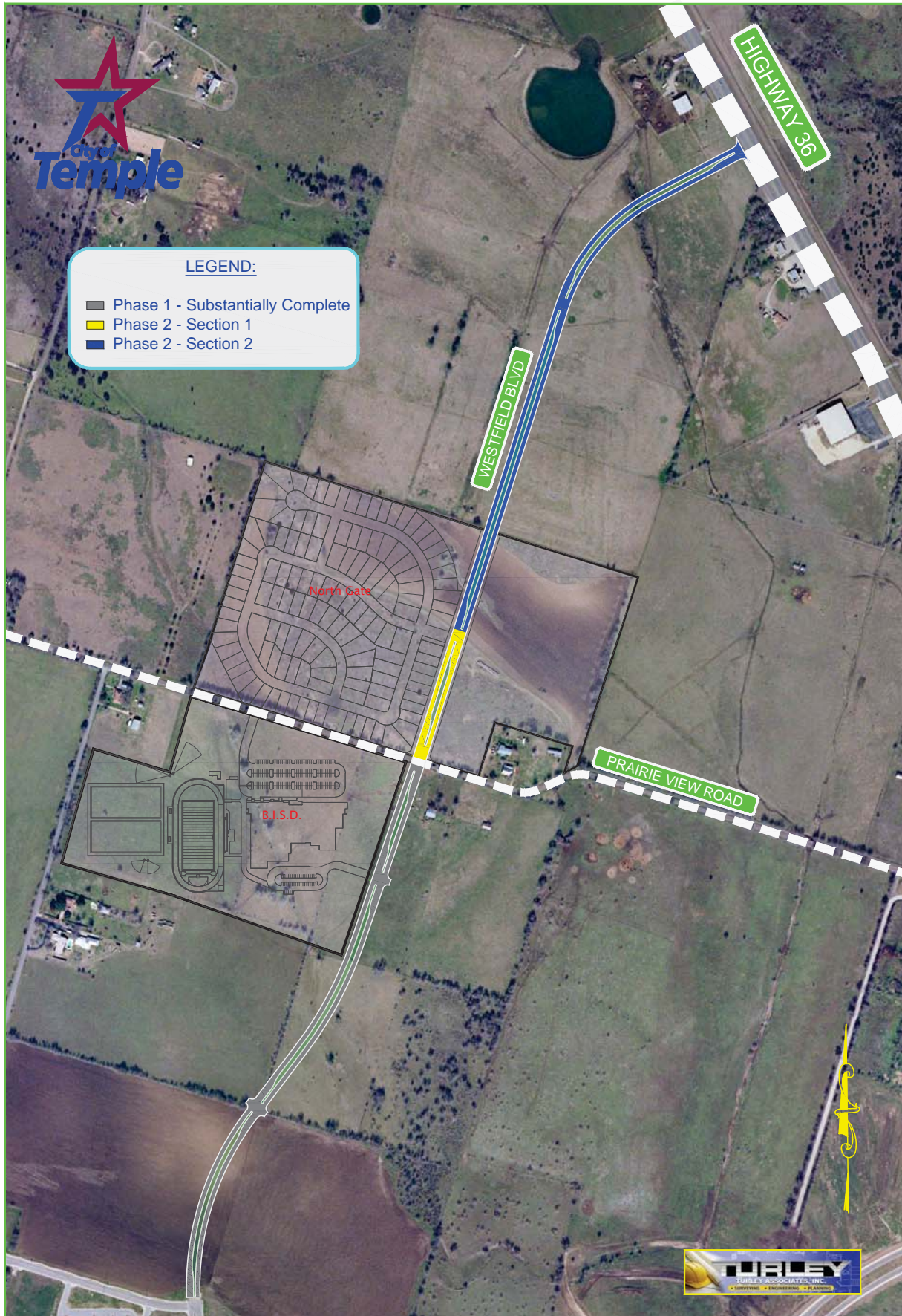
Original Contract Amount	\$ 1,586,277.47
Previous Net Change in Contract Amount	\$ 0
Net Change in Contract Amount	\$ 345,398.92
Revised Contract Amount	\$ 1,931,676.39
Original Contract Time	210 Days
Net Change in Contract Time	120 Days
Revised Contract Time	330 Days
Original Final Completion Date	August 1, 2014
Revised Final Completion Date	November 29, 2014

FISCAL IMPACT: Council is being presented the attached Budget Adjustment in the amount of \$345,399 allocating funds from the South Pea Ridge Road Improvements project, account 365-3400-531-6860, project 100971, to the Westfield Boulevard Improvements project, account 365-3400-531-6859, project 100970, to fund change order # 1 with RTS in the amount of \$345,398.92.

ATTACHMENTS:

[Project Map](#)
[Engineer's Letter of Recommendation](#)
[Budget Adjustment](#)
[Resolution](#)

Westfield Boulevard Extension





TURLEY ASSOCIATES, INC.

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

July 28, 2014

City of Temple
Attn: Nicole Torralva, P.E.
3210 E. Ave H, Bldg. A
Temple, TX 76501

RE: City of Temple, Westfield Blvd., Phase II, Section I- Change Order #1

Dear Mrs. Torralva,

We have reviewed the change order for the above referenced project. RT Schneider Construction Co., LTD. submitted a price of \$345,398.92. Please see the enclosed Change Order Tabulation sheet and change order Breakdown for the detailed information. Westfield Blvd. Phase II, Section I is an extension of Westfield Blvd. Phase I which is currently under construction. The bid submitted by RT Schneider Construction Co., LTD is a change order to the original contract for Westfield Blvd. Phase I.

The original contract amount for Westfield Phase I is \$1,586,277.47. RT Schneider Construction Co., LTD's change order in the amount of \$345,398.92 is 21.7% of the original contract amount.

We are recommending that you approve change order # 1 and grant a contract extension of 120 days to RT Schneider Construction Co., LTD. We believe that based on the quality of work completed on Westfield Blvd. Phase I and several years of personal experience, RT Schneider Construction Co., LTD is qualified and is capable of providing the roadway extension as required in this project.

Sincerely,

A handwritten signature in blue ink that reads "Victor D. Turley". The signature is fluid and cursive, with the first name "Victor" and last name "Turley" clearly legible.

Victor D. Turley, P.E., R.P.L.S.

VDT/ag

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

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

Adjustments should be rounded to the nearest \$1.

+

-

ACCOUNT NUMBER	PROJECT #	ACCOUNT DESCRIPTION	INCREASE	DECREASE
365-3400-531-68-59	100970	Westfield Blvd Improvements	\$ 345,399	
365-3400-531-68-60	100971	South Pea Ridge Road Improvements		345,399
TOTAL.....			\$ 345,399	\$ 345,399

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

This budget adjustment will fund changer order # 1 with R.T. Schneider Construction Company, Ltd. In the amount of \$345,398.92.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒

Yes

☐

No

DATE OF COUNCIL MEETING

8/7/2014

WITH AGENDA ITEM?

☒

Yes

☐

No

Department Head/Division Director

Date

☐

Approved

☐

Disapproved

Finance

Date

☐

Approved

☐

Disapproved

City Manager

Date

☐

Approved

☐

Disapproved

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CITY INITIATED CHANGE ORDER TO THE WESTFIELD BOULEVARD AND WASTEWATER EXTENSION CONSTRUCTION CONTRACT WITH R.T. SCHNEIDER CONSTRUCTION COMPANY, LTD., OF BELTON, TEXAS, TO ADD 800 FEET OF ROADWAY TO SERVE ONGOING DEVELOPMENT, IN THE AMOUNT OF \$345,398.92; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City adopted a Transportation Capital Improvement Program which includes extending Westfield Boulevard from Stone Hollow Drive to Airport Road in two phases – Phase 1 consisted of Stone Hollow Drive to Prairie View Road and an associated wastewater line and Phase 2 consisted of Prairie View Road to Airport Road;

Whereas, Phase 2 is identified as a project for fiscal year 2018-2020, but recent development activity warrants accelerating construction of the southernmost 800 feet to the entrance of Northgate Subdivision;

Whereas, in February 2013, the City executed a professional services agreement with Turley Associates, Inc. for Phase 1 design through construction phase services (excluding inspection) - in November 2013, the City amended the professional services agreement adding the inspection and executed a construction contract with R.T. Schneider Construction Company, Ltd. (RTS), of Belton, Texas;

Whereas, on March 20, 2014, Council authorized a professional services agreement with Turley Associates, Inc. for Phase 2 design through construction phase services (including inspection) - on June 5, 2014, Council authorized a cost-sharing agreement in the form of a developer participation agreement with West Tanglefoot Development, Inc. to upsize 1,027 feet of water line extension in the Northgate Subdivision from 8-inches to 12-inches;

Whereas, the City initiated the change order in response to the platting of Northgate Subdivision and it proposes a contract increase of \$345,398.92, or 21.8% of the original contract amount - staff and Turley Associates, Inc. have reviewed the change order and recommend approval of this change order in which construction of this phase of the roadway will facilitate development in line with proposed capital improvements;

Whereas, funds are available but an amendment to the fiscal year 2013-2014 budget needs to be approved to transfer funds into Account No. 365-3400-531-6859, Project No. 100970; 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 City initiated change order to the Westfield Boulevard and Wastewater Extension construction contract with R.T. Schneider Construction Company, Ltd., of Belton, Texas, to add 800 feet of roadway to serve ongoing development, in the amount of \$345,398.92.

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

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

PASSED AND APPROVED this the 7th day of **August**, 2014.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Jonathan Graham
City Attorney