



**MEETING OF THE
TEMPLE CITY COUNCIL**

MUNICIPAL BUILDING

2 NORTH MAIN STREET

3rd FLOOR – CONFERENCE ROOM

THURSDAY, AUGUST 21, 2014

2:30 P.M.

WORKSHOP AGENDA

1. Discuss, as may be needed, Regular Meeting agenda items for the meeting posted for Thursday, August 21, 2014.
2. Discuss the proposed FY 2014-2015 budget and related issue, to include the various strategic and budget related policy issues to include, but not limited to, receiving an overview briefing of the FY2015 Preliminary Budget.
3. Receive third quarter financial results for Fiscal Year 2014.
4. Discuss the City's purchasing procedures relating to annual contract bidding and renewals.
5. Discuss the Drainage Master Plan.
6. Discuss possible amendment to the 2008 Economic Development Agreement between the City of Temple, Temple Economic Development Corporation, Gulf States Toyota, Inc., and GST Realty – Temple, L.P. and 2010 First Amendment to the Economic Development Agreement between the City of Temple, Temple Economic Development Corporation, Gulf States Toyota, Inc., and GST Realty – Temple, L.P.

Executive Session: Pursuant to Chapter 551, Government Code, §551.087, the City Council may enter into executive session to discuss or deliberate regarding commercial or financial information received from Gulf States Toyota, Inc. regarding the proposed amendment to the 2008 Economic Development Agreement noted above.

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. PUBLIC HEARING

3. **PUBLIC HEARING** – Conduct the second of two public hearings to receive comments on the proposed tax rate of 58.64 cents per \$100 valuation for fiscal year 2015 (2014 tax year), and announce meeting to adopt the proposed tax rate on August 28, 2014.

IV. 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.

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

Minutes

- (A) [July 3, 2014 Special Called and Regular Meeting](#)
- (B) [July 17, 2014 Special Called and Regular Meeting](#)
- (C) [August 7, 2014 Special Called and Regular Meeting](#)

Contracts, Leases, & Bids

- (D) [2014-7393-R](#): Consider adopting a resolution authorizing a construction contract with M&C Fonseca Construction Company, Inc. (M&C), of Granite Shoals, TX, for construction of a new 12" diameter water line along Lamar Street from 7th Street to the corridor between 15th and 17th Streets in an amount not to exceed \$431,922.50, as well as, declare an official intent to reimburse the expenditures with the issuance of 2014 Utility Revenue Bonds.
- (E) [2014-7394-R](#): Consider adopting a resolution authorizing an asbestos abatement and demolition contract with Sierra Contracting Corporation of Round Rock for the asbestos removal and demolition of 15 South MLK Jr. Drive and 2122 South 15th Street in the amount of \$52,800.
- (F) [2014-7395-R](#): Consider adopting a resolution authorizing a construction contract with Lochridge Priest, of Temple, to replace seven (7) HVAC units at City Hall, in the amount of \$103,542; and request reimbursement funding from Oncor's – Take a Load Off Texas incentive program for work completed.
- (G) [2014-7396-R](#): Consider adopting a resolution authorizing a professional services agreement with Clark & Fuller PLLC, of Temple for engineering services including design, surveying, and construction administration required for water and wastewater line replacement between 2nd and 4th Streets (north of Adams Ave) from Barton to French in an amount not to exceed \$87,074.17.
- (H) [2014-7397-R](#): Consider adopting a resolution authorizing a professional services agreement with Rabroker & Associates, P.C. (R&A) for engineering design services required to provide emergency back-up power for the six (6) potable water booster pump stations (BPSs), for a lump sum amount of \$69,300.
- (I) [2014-7398-R](#): Consider adopting a resolution authorizing a professional services agreement with McCreary & Associates, Inc. of Dallas, for the design, bidding, and construction administration for improvements to replace existing main electrical Motor Control Console-4(MCC-4) located at the Water Treatment Plant Administration Building in an amount not to exceed \$67,000.
- (J) [2014-7399-R](#): Consider adopting a resolution authorizing a professional services agreement with McCreary & Associates, Inc. of Dallas, for the design, bidding, and construction administration for improvements to the existing Supervisory Control and Data Acquisition (SCADA) system in an amount not to exceed \$53,000.
- (K) [2014-7400-R](#): Consider adopting a resolution authorizing the purchase of two .262 acre utility easements for installation of a water line for the Charter Oak water line project.
- (L) [2014-7401-R](#): Consider adopting a resolution authorizing a lease agreement with William Wilson, for lease of space in the E. Rhodes and Leona B. Carpenter Foundation Building (the Temple Public Library).

Misc.

- (M) [2014-7402-R](#): Consider adopting a resolution accepting the Downtown Temple Strategic Master Plan.
- (N) [2014-7403-R](#): Consider adopting a resolution approving third quarter financial results for Fiscal Year 2014.

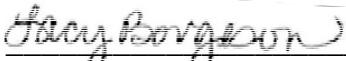
VII. REGULAR AGENDA

RESOLUTIONS

- 5. [2014-7404-R](#): Consider adopting a resolution authorizing a Chapter 380 Strategic Investment Zone “matching grant” agreement with BJ’s Restaurants, Inc. for redevelopment improvements located at 602 East Central Avenue within the Adams, Central, and C Avenues Strategic Investment Zone corridor in an amount not to exceed \$45,000.

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

I hereby certify that a true and correct copy of this Notice of Meeting was posted in a public place at 2:10 PM, on Friday, August 15, 2014.



Lacy Borgeson, TRMC
City Secretary



COUNCIL AGENDA ITEM MEMORANDUM

08/21/14

Item #3

Regular Agenda

Page 1 of 5

DEPT./DIVISION SUBMISSION & REVIEW:

David Blackburn, City Manager

Traci L. Barnard, Director of Finance

ITEM DESCRIPTION: PUBLIC HEARING – Conduct the second of two public hearings to receive comments on the proposed tax rate of 58.64 cents per \$100 valuation for fiscal year 2015 (2014 tax year), and announce meeting to adopt the proposed tax rate on August 28, 2014.

STAFF RECOMMENDATION: Conduct a public hearing but no action is required.

ITEM SUMMARY: At the August 7, 2014 regular meeting, Council discussed the proposed tax rate of 58.64 cents per \$100 valuation and adopted a resolution scheduling the adoption of the proposed tax rate for August 28, 2014, and setting public hearings for August 15, 2014 and August 21, 2014 on the proposed tax rate for FY 2014-2015. On August 8, 2014 the "Notice of Proposed (Exceeds) Tax Rate" was published.

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

The FY 2014-2015 budget was prepared with a preliminary total tax rate of 58.64 cents per \$100 valuation and a preliminary tax base of \$3,751,044,298 (estimated 5% increase from prior year). The preliminary tax rate was based on the FY 2014 rate of 58.64 cents.

On July 21, 2014, the Chief Appraiser certified the tax roll of \$3,699,245,668 (a 3.55% increase from prior year). On July 30, 2014, the Chief Appraiser calculated a final effective tax rate of 57.42 cents. Changes in the tax rate components as compared to the preliminary budget filed June 27, 2014 are as follows:

Comparing proposed tax rate of 58.64 cents to the *preliminary* rate of 58.64 cents as proposed in the budget filed on June 27, 2014:

	PRELIMINARY FY 2015	PROPOSED FY 2015	Increase (Decrease)	Effective Tax Rate	% FY 2015 > ETR
Proposed Tax Rate					
M&O (Maintenance & Operation)	\$ 0.3300	\$ 0.3300	\$ -		
I&S (Interest & Sinking - Debt)	0.2564	0.2564	-		
	<u>\$ 0.5864</u>	<u>\$ 0.5864</u>	<u>\$ -</u>	\$ 0.5742	<u>2.12%</u>

An adjustment of the certified taxable value (\$3,699,245,668) from the preliminary taxable value (\$3,699,245,668); and an decrease in the frozen tax levy to \$1,915,929 from a preliminary levy of \$1,923,898 will result in a net increase to the M&O revenue by \$458,469 as compared to the preliminary budget filed on June 27, 2014. The increase in the certified taxable value as compared to the preliminary taxable value with a lower proposed debt rate will result in a net increase in the I&S debt revenue by \$174,868.

Comparing the proposed tax rate of 58.64 cents to the *current FY 2014 adopted* tax rate of 58.64 cents:

	FY 2014	PROPOSED FY 2015	Increase (Decrease)
Proposed Tax Rate			
M&O (Maintenance & Operation)	\$ 0.3324	\$ 0.3300	\$ (0.0024)
I&S (Interest & Sinking - Debt)	0.2540	0.2564	0.0024
	<u>\$ 0.5864</u>	<u>\$ 0.5864</u>	<u>\$ 0.0000</u>

Example 1 – Annual Property Tax - \$100,000 Taxable Value:

With the proposed tax rate of 58.64 cents per \$100 valuation, the cost to a homeowner with a taxable value of \$100,000 would increase by \$0 per year (\$0 per month) if there was no change in taxable value from the prior year.

Example 2 – Annual Property Tax - Average Taxable Value for City of Temple:

The preceding tax year's average taxable value of a residence homestead in Temple was \$97,958. In the current tax year, the average taxable value a residence homestead in Temple is \$100,044. With the proposed tax rate of 58.64 cents per \$100 valuation, there would be an annual increase of \$12.23 in taxes (\$1.02 per month).

FISCAL IMPACT:

Changes from the preliminary tax rate and base used to calculate the filed budget on June 27, 2014 to the proposed rate with the certified tax roll as presented August 15, 2014 are as follows:

	Filed Budget 6/28/13	Proposed Budget 8/9/13	Increase/ (Decrease)
Tax Base*	\$3,483,874,044	\$3,589,339,096	\$105,465,052
Tax Rate:			
M&O	33.00¢	33.24¢	0.24¢
I&S	25.64¢	25.40¢	(0.24¢)
Total Tax Rate	58.64¢	58.64¢	0.00¢
Tax Levy:			
M&O	\$10,332,339	\$10,733,526	\$401,187
Frozen Taxes	1,795,796	1,857,709	61,913
I&S	8,027,914	8,201,912	173,998
Total Tax Levy*	\$20,156,049	\$20,793,147	\$637,098
Budget:			
M&O at 99% Collection	\$12,006,853	\$12,465,322	\$458,469
I&S at 100.5% Collection	8,068,054	8,242,922	174,868
Total Tax Budget	\$20,074,907	\$20,708,244	\$633,337

*Excludes Reinvestment Zone No. 1

FY 2015
GENERAL FUND PROPOSED BUDGET
SCHEDULE OF ADJUSTMENTS AFTER FILING PROPOSED BUDGET

	Proposed Budget		
	Filed Copy as of 6-27-14	Current as of 8-21-14	Increase (Decrease)
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	(1,828,639)	(1,828,639)	-
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)	(889,270)	(889,270)	-
Excess Revenues Over (Under) Expenditures for FY 2015	\$ (2,717,909)	\$ (2,717,909)	\$ -
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	-
	\$ 2,717,909	\$ 2,717,909	\$ -
Explanation of Changes from Filed Budget to Proposed Budget @ 8/21/2014:			
^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		\$ (264,657)	
^B Expenditure Changes:			
Removed (2) two automobiles for Police - School Resource Program		(92,400)	
Adjusted salary and benefit estimate		(130,838)	
Adjusted seperation pay allocation estimate		(23,919)	
Decreased contingency for adjustment from preliminary to certified tax roll		(17,500)	
Total Expenditures Changes		\$ (264,657)	
Net Revenue Over (Under) Expenditures		\$ -	

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 8-21-14	
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 @ 8/21/2014:

^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>
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ATTACHMENTS:

[Historical Tax Rate Information](#)



COUNCIL AGENDA ITEM MEMORANDUM

08/21/14
Item #4(A-C)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Lacy Borgeson, City Secretary

ITEM DESCRIPTION: Approve Minutes:

- (A) July 3, 2014 Special Called and Regular Meeting
- (B) July 17, 2014 Special Called and Regular Meeting
- (C) August 7, 2014 Special Called and Regular Meeting

STAFF RECOMMENDATION: Approve minutes as presented in item description.

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

FISCAL IMPACT: N/A

ATTACHMENTS:

July 3, 2014 Special Called and Regular Meeting Minutes
July 17, 2014 Special Called and Regular Meeting Minutes
August 7, 2014 Special Called and Regular Meeting Minutes

TEMPLE CITY COUNCIL

JULY 3, 2014

The City Council of the City of Temple, Texas conducted a Regular Meeting on Thursday, July 3, 2014 at 4:00 PM in the 3rd Floor Conference Room, Municipal Building, 2 North Main Street.

Present:

Councilmember Perry Cloud
Councilmember Timothy Davis
Councilmember Russell T. Schneider
Mayor Daniel A. Dunn

- 1. Discuss, as may be needed, Regular Meeting agenda items for the meeting posted for Thursday, July 3, 2014.**

Ms. Myers gave a brief overview to the Council with regards to item 4(E) on the Consent Agenda. She noted the maximum funding will be \$74,000 with the \$37,000 reimbursed by the program.

- 2. Discuss the proposed FY 2014-2015 budget and related issue, to include the various strategic and budget related policy issues to include, but not limited to, receiving an overview briefing of the FY2015 Preliminary Budget.**

Mr. Blackburn reviewed the FY 2015 preliminary budget. He noted the remaining calendar dates associated with the process; "Fence Posts" and Strategic Plan; Funds Overview; and the Budget Highlights. FY 15 Fence Posts, (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; and (6) Align strategic, financial, and tactical plans. Mr. Blackburn noted the FY 2015 Budget is a balanced budget under the policies and parameters discussed in earlier planning sessions with the City Council. It 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. Mr. Blackburn then discussed the revenues and expenditures for the General Fund; Water & Sewer; as well as the Unreserved Fund Balance.

Next, he discussed the Police Services and noted the FY15 Preliminary

Budget recommends the addition of six positions and six reclassifications. To include, two Patrol Officers; two School Resource Officers; one Detective; one POPs Officer; and six Officers reclassified to Corporals.

The preliminary budget also recommends three addition firefighter positions for the Fire Department to allow us to continue to maintain our ALS service level.

It is also being recommended to add eight additional positions for Public Works; three Solis Waste Automated Route Drivers; one Solid Waste Maintenance Worker; three person Drainage Crew; and one Traffic Signal Technician. The Parks Department all is being recommended for two additional positions, an Assistant Aquatics Coordinator, and a Food and Beverage Specialist.

Mr. Blackburn stated the City is a service-delivery organization and the 'product' we provide to our community is 'services'.

Next he discussed Improving Infrastructure within the Transportation CIP. The preliminary budget recommends several additional high-priority projects identified as a result of changes within the community such as, new developments, new school campus activities, changing traffic patterns, and conditions of existing pavement. We are recommending a phased approach which groups projects in 3-year packages at \$9,000,000 (averaging \$3,000,000 per year). With this there is no recommendation to the tax rate.

In conclusion Mr. Blackburn stated there is no change in the property tax rate as it is being proposed at 58.64 cents for FY 2015. He recommended scheduling one more budget presentation at the workshop set for July 17, 2014 with regards to TCIP and Water/ Wastewater CIP recommendations.

Mayor Dunn asked for additional presentations on FY 15 Preliminary budgets with regards to Police and Fire on July 24th as well.

The City Council of the City of Temple, Texas conducted a Regular Meeting on Thursday, July 3, 2014 at 5:00 PM in the Council Chambers, Municipal Building, 2nd Floor, 2 North Main Street.

Present:

Councilmember Perry Cloud
Councilmember Timothy Davis
Councilmember Russell T. Schneider
Mayor Daniel A. Dunn

I. CALL TO ORDER

1. Invocation

Associate Pastor of Immanuel Baptist Church, Matt Dugan voiced the invocation.

2. Pledge of Allegiance

Parker Dugan, led the Pledge of Allegiance.

II. PUBLIC COMMENTS:

James Dean Zeptner - 402 South 26th Street addressed the Council. He noted he would like to have the Google car start mapping the East side of Temple. This could be very useful as we plan for the future. Mr. Zeptner also mentioned his visit to Fire Station #2 and discussed some issues with regards to the alleys that were expressed by some of the Firemen. We need to be able to get the trucks down the alleyways.

Eva Garcia & Joe Martinez, Sr. with the League of United Latin American Citizens (LULAC) addressed the Council. Mr. Martinez stated there are no issues with Judy Martinez and LULAC. He asked that Judy stop being blamed for the recall issues. Ms. Garcia, 201 West King read the letter provided to the Council from Deputy State Director of Texas LULAC, Marcelo Tafoya.

Jim Trantum, PO Box 1150 Temple, Texas addressed the Council. He stated it is unclear as to what was approved last Council meeting with regards to his appeal for a 35 foot sign. Mr. Trantum requested a letter from the Legal Department with justification as to what was approved.

Mr. Chris Coleman, 206 North 7th Street addressed the Council with regards to Citizens Defending American Vets. He welcomed all to the 'march' being held at the VA Hospital. Mr. Coleman also mentioned the City's ordinance on fireworks; and stated it us an unjust law.

III. PROCLAMATIONS & SPECIAL PROCLAMATIONS**3. Recognize July as National Parks and Recreation Month.**

Mayor Dunn presented this proclamation to Kevin Beavers

IV. CONSENT AGENDA**4. Consider adopting a resolution approving the Consent Agenda items and the appropriate resolutions for each of the following:**

(A) June 19, 2014 Special Called and Regular Meeting Contracts, Leases, & Bids

(B) 2014-7355-R: Consider adopting a resolution authorizing an Interlocal Agreement with the Temple Independent School District to add two School Resource Officers to the Temple Police Department.

(C) 2014-4674: SECOND READING: Consider adopting an ordinance establishing school crosswalks and setting speed limits within school zones to conform to school schedules.

(D) 2014-4675: SECOND READING - Z-FY-14-32: Consider adopting an ordinance to take action on a zoning from Agricultural District (AG) to Planned Development-Neighborhood Service (PD-NS) District to expand an existing boat storage facility on 2.94 +/- acres being a part of the S.P. Terry Survey, Abstract Number 813, situated in Bell County, Texas, located at 13271 FM 2305.

(E) 2014-7356-R: Consider adopting a resolution authorizing submission of an application for funding through the Funder's Network, Partners for Places grant program in an amount not to exceed \$100,000, with \$50,000 reimbursed through grant funding, to execute a home rehabilitation program as part of the Eastside Redevelopment Plan.

(F) 2014-7357-R: Consider adopting a resolution ratifying the application and receipt of grant funds from the Texas State Library and Archives Commission, Edge Implementation Reimbursement Program in the amount of \$5,000 for the purchase of equipment and supplies that support the improvement of public access technology in public libraries.

(G) 2014-7358-R: Consider adopting a resolution setting the date, time and place of public hearings on the proposed FY 2014-2015 budget for August 7, 2014 and August 28, 2014 at 5:00 p.m. in the City Council Chambers.

Motion by Councilmember Perry Cloud adopt resolution approving the Consent Agenda; with exception of item 4(E). seconded by Councilmember Timothy Davis.

Motion passed unanimously.

(E) 2014-7356-R: Consider adopting a resolution authorizing submission of

an application for funding through the Funder's Network, Partners for Places grant program in an amount not to exceed \$100,000, with \$50,000 reimbursed through grant funding, to execute a home rehabilitation program as part of the Eastside Redevelopment Plan.

Ms. Brynn Myers, Assistant City Manager presented this item to the Council. She noted this is a good fit for the East Temple Redevelopment Plan. Ms. Myers clarified the dollar match. She noted, the grant program in an amount not to exceed \$74,000 with a \$37,000 reimbursed through the program.

Motion by Councilmember Perry Cloud adopt resolution as presented by Ms. Myers Motion did not require second.

V. REGULAR AGENDA

ORDINANCES- SECOND READING/ PUBLIC HEARING

- 5. (A) 2014-4672: SECOND READING - PUBLIC HEARING: Consider ordinances Designating the Adams, Central, and C Avenues Strategic Investment Zone as Tax Abatement Reinvestment Zone Number Twenty-Nine for Commercial/Industrial Tax Abatement and as a Strategic Investment Zone and authorizing a number of other SIZ economic development incentives for property redevelopment; and**

(B) 2014-4673: Amending the City's Comprehensive Economic Development Ordinance (Ord. No. 2013-4626) to reflect the inclusion of the Adams, Central, and C Avenues Strategic Investment Zone as Tax Abatement Reinvestment Zone Number Twenty-Nine.

Jonathan Graham, City Attorney presented this item to the Council. There are two parts to this item. The first part is to designate the Adams, Central and C Avenues Strategic Investment Zone. This gives the City authority to participate, but fund availability will be based on annual appropriations. The abatement agreement is for commercial and industrial property; a five year, 100% abatement on the increased value of eligible real and personal property with minimum thresholds of \$50,000 or more investment on Real Property; \$100,000 or more investment on Personal Property; and 5-52 full time jobs.

Part two is the designation of zone number 29 requires an amendment to the City's Comprehensive Economic Development Ordinance (No. 2013-4626). The Adams, Central

and C Avenues SIZ includes parcels fronting both the north and south side of Adams and Central from the boundary of the MLK SIZ zone east to 22nd Street, the parcels fronting the north side of Adams from 22nd Street east to Fowler Road, and the parcels fronting both the north and south side of East Avenue C from the MLK SIZ zone boundary to East D Avenue.

Councilmember Schneider noted these corridors are invested in by tax dollars. The goal is for revitalization of the designated areas; and I believe it's working.

Mayor Dunn declared the public hearing open with regards to agenda item 5(A) &(B) and asked if anyone wished to address this item.

Mr. James Dean Zeptner, 402 South 26th Street addressed the Council with regards to this item. He inquired on the whether streets and sidewalks in this corridor would be upgraded?

Mayor Dunn noted if repairs are within the specific area designated. We are beginning to see the program work. This is a great thing for the community.

There being no further, Mayor Dunn declared the public hearing closed.

Motion by Councilmember Timothy Davis adopt ordinance on second and final reading. seconded by Councilmember Perry Cloud.

Motion passed unanimously.

ORDINANCES- FIRST READING/ PUBLIC HEARING

- 6. 2014-4676: FIRST READING - PUBLIC HEARING: Consider adopting and ordinance authorizing an amendment to the Tax Increment Financing Reinvestment Zone No. 1 Financing and Project Plans to appropriate additional funds for Downtown Improvements in FY 2014.**

Traci Barnard, Director of Finance gave a brief summary of Amendments to the plan; specifically line 401 (Downtown Improvements) and line 700 (Equity). Ms. Barnard also noted that on 05/15/14, Financing Plan was amended to recognize an additional \$754,141 of tax increment revenue. There is currently \$144,986 of the tax increment funds that can be allocated to the Downtown Rail Safety Zones.

The increase to Line 401 is due to bids received for Downtown Rail Safety Zones. The current bid is \$527,381; current available funding is \$472,597; additional dollars need is \$54,784 for construction. Staff is recommending to allocate \$92,000 for construction, ROW and 5% contingency.

Mayor Dunn declared the public hearing open with regards to agenda item 6 and asked if anyone wished to address this item. There being none, Mayor Dunn declared the public hearing closed.

Motion by Councilmember Perry Cloud adopt ordinance, with second and final reading set for July 17, 2014. seconded by Councilmember Russell T. Schneider.

Motion passed unanimously.

- 7. 2014-4677: FIRST READING - PUBLIC HEARING - Z-FY-14-33: Consider an ordinance adopting a site plan, amending Ordinance No. 2005-4025, originally approved July 7, 2005 Planned Development (General Retail) District, and amended by Ordinance No. 2007-4125, February 15, 2007 and further amended by Ordinance 2007-4175, October 18, 2007, on 3.967 acres, in the Baldwin Robertson survey, Abstract No 17, located at 9108 West Adams Avenue.**

Tammy Lyerly, Planner presented this item to the Council. The applicant is Monty Clark for H&S Holdings, Inc. This is to approve the site plan for an existing planned development district, and is associated with the Final Plat of Adams Island Commercial, approved by P&Z on May 15, 2014. The property's Planned Development District did not include a Planned Development Site Plan when approved with ordinance 2005-4025 by the Council. At this time the applicant is proposing a conceptual site plan for marketing of the property to prospective buyers. The prospective buyers or developers will be subject to all UDC, Engineering/ Drainage, Building, and Fire Codes during the building permit review process.

Staff recommends amending the original Planned Development by approving the proposed site plan for the following reasons; (1) the PD site plan focuses on tree preservation and overall exceeds the 5% landscaping plan requirements for nonresidential development, per the UDC; (2) all sites shown on the PD site plan must meet all applicable UDC, Engineering/ Drainage, Building Codes, and Fire Codes during the building permit process, regardless of any approved site plan.

At its June 16, 2014, meeting the P&Z voted 6/0 to recommend approval of Z-FY-14-33 amending the original Planned Development with proposed site plan per Staff's recommendation. Commissioners Pitts, Staats, and Mikeska-Reed were absent.

Ms. Lyerly noted there were three notices mailed out with one returned in favor and zero in opposition.

Mayor Dunn declared the public hearing open with regards to agenda item 7 and asked if anyone wished to address this item.

Rachael Knighton, 504 West Calhoun, Temple, asked if this property was already zoned for something specific?

Ms. Lyerly noted it is zoned for General Retail.

Monty Clark, engineer for the project stated it is reasonable to have individual detention ponds and not a regional for this area.

There being no further comments, Mayor Dunn declared the public hearing closed.

Motion by Councilmember Timothy Davis adopt ordinance, with second and final reading set for July 17, 2014. seconded by Councilmember Russell T. Schneider.

Motion passed unanimously.

At this time City Manager, David Blackburn announced his intent to retire and offered his resignation as City Manger effective close of business on Thursday, August 28, 2014. He read a prepared statement of which was provided to each of the Councilmembers. Mr. Blackburn was hired as the City Manager in April 2005.

Mayor Dunn stated Mr. Blackburn has brought great opportunities and a great future to the community.

Councilmember Schneider thanked Mr. Blackburn for his time and services. Noted he is a strong leader; and has given so much to everyone in the community.

Councilmember Cloud also thanked Mr. Blackburn and stated the City has experienced tremendous growth his leadership due his vision.

Councilmember Davis also thanked Mr. Blackburn for his leadership.

Daniel A. Dunn, Mayor

ATTEST:

Lacy Borgeson
City Secretary

TEMPLE CITY COUNCIL

JULY 17, 2014

The City Council of the City of Temple, Texas conducted a Regular Meeting on Thursday, July 17, 2014 at 3:00 PM in the 3rd Floor Conference Room, Municipal Building, 2 North Main Street.

Present:

Councilmember Perry Cloud
Councilmember Timothy Davis
Councilmember Russell T. Schneider
Mayor Daniel A. Dunn

1. Discuss, as may be needed, Regular Meeting agenda items for the meeting posted for Thursday, July 17, 2014.

Mr. Blackburn noted that Item 6(B) - the adjustment to the WWCIP program for FY2014 is for \$8.1 million; and it is a companion item for 6(C) and 6(D).

2. Discuss Charter Amendments.

Mr. Graham presented this to the Council. The Charter Review Committee was comprised of 27 members of which were appointed by the Council; with Mr. David Yielding as Chair and Tanya Mikeska-Reed as Co-Chair. The Committee divided into three subcommittee; with each subcommittee having 5 Articles out of the current 15 Article Charter to review.

Subcommittee A: Bob Browder, Chair; Tony Jeter, Co-Chair; Harry Adams; Manuel Alaniz; Rosa hernandez; Dan Jones; Dewayne McBride; Larry Wilkerson. They reviewed Articles 1, 4, 11, 12, & 13

Subcommittee B: John Kiella, Chair; Sonjanette Crossley, Co-Chair; C.J. Grisham; Mike Pilkington; Karen Matous; Y.V. Rao; Jason Parks; Bruce Walker; Bill Leak. This group reviewed Articles 2, 5, 7, 8, & 14.

Subcommittee C: Michelle Fettig, Chair; Roscoe Harrison, Co-Chair; Thomas Baird; Alesia Dawson; Jan Janczak; Arti Polchinski; Dorothy Powell; and Richard Schneider. They reviewed Articles 3, 6, 9, 10 & 15.

Mr. Graham then reviewed each Article and noted the recommended changes.

Article 1: Corporate Name - No substantive changes; only minor clean up and updating of text.

Article 2: Municipal Boundaries -Clean up of entire Article; and combine two sections 2.1.

Article 3: Corporate Powers - the Current Article 3 includes a list of City Powers; several sections were deleted or combined in recognition that City Powers are primarily governed by State Law; and other substantive changes.

Article 4: Municipal Government - Substantial discussions were had with regards to this Article. Several substantive changes are being recommended. Moving the Mayor's election to the 3rd year; 2:2:1 format for 3 year election cycle; and adopt term limits for mayor and councilmembers; 3 successive terms for any position in the future, "3+1" years for incumbents; filling an unexpired term; compensation at \$0 with exception for benefits to the Elected official; requirements for petition or filing fee; Section 4.9 as it relates to dual office or conflicts of interest; and forfeiting of term.

Article 5: Recall - added language disallowing recall within 180 days of the end of the existing term; Committee is proposing 60 days to obtain signatures required on a petition.

Article 6: Initiative & Referendum - revisions to language for the powers of the initiative or referendum

Article 7: City Manager, Article 8: Finance, & Article 9: Municipal Court - No substantive changes; only clean up of text.

Article 10: Franchise & Special Privileges - there was much discussion on the types of utilities or services that are required to obtain a franchise. Section 10.2 was amended; 10.4 "Transfer of Franchise" - subcommittee recommends changing this to a simple majority of the council; and requiring only 2 readings instead of 3.

Article 11, 12, and 13 - are all technical articles related to Taxation, Budget and Bonds. This was reviewed by the City Attorney, Director of Finance and our bond counsel who recommends non-substantive changes; but shorten all articles as they reflect State law.

Article 14: Elections - cleanup of Article, as this is governed by State Law and the Texas State Election Code.

Article 15: General Provisions - cleanup of entire Article; adding that a review of the Charter be at least once every 10 years; Section 15.7 - adding no waiver of immunity; and Section 15.8 - adds a section which allows Council to renumber or rearrange sections in the Charter.

Mr. Graham, noted the Charter election can only be ordered by ordinance.

In order to call the election for November 4, 2014, the first reading of the ordinance will be on August 7th with the second reading no later than August 18th. Staff is recommending the final reading to be on August 14th. Each proposition must cover only one subject matter and voters will vote separately on each proposed amendment.

3. **Discuss the proposed FY 2014-2015 budget and related issue, to include the various strategic and budget related policy issues to include, but not limited to, receiving an overview briefing of the FY2015 Preliminary Budget.**

Transportation Capital Improvement Plan Waste Water Capital Improvement Plan

Nicole Torralva, Director of Public Works presented this overview to the Council. She discussed the Guiding Principles; Master Planning; Cost Sharing Programs for utilities; Historical Projects; Current Projects; Proposed Projects; Major Treatment Plant Projects; and future recommended projects. Temple's diverse and expanding water and wastewater system serves over 80,000 customers; wholesale, industrial, commercial, and residential.

We currently have 2 water treatment plants (41 MGD), 600 miles of transmission and distribution lines, 400 miles of wastewater collection mains, 10 miles of reclaim water lines, and 2 wastewater treatment plants (17.5 MGD).

Due to timing, the discussion for Transportation Capital Improvement Plan will be delayed until the next meeting, July 24th.

At this time approximately 4:37 pm, Mayor Dunn announced the Temple City Council would enter into executive session; and there would be an action item associated this session at the Regular Meeting.

4. **Discuss interim appointment of an interim City Manager and any other interim appointments that may be necessary.**

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

The City Council of the City of Temple, Texas conducted a Regular Meeting on Thursday, July 17, 2014 at 5:00 PM in the Council Chambers, Municipal Building, 2nd Floor, 2 North Main Street.

Present:

Councilmember Perry Cloud

Councilmember Timothy Davis
Councilmember Russell T. Schneider
Mayor Daniel A. Dunn

I. CALL TO ORDER

1. Invocation

Thomas Pechal, Temple Fire & Rescue voiced the Invocation.

2. Pledge of Allegiance

Jr. Fire Cadets let the Pledge of Allegiance.

II. PUBLIC COMMENTS:

John Coleman, 206 North 7th, Temple, addressed the Council and discussed the resolution he provided earlier. He is requesting that the City of Temple not house illegal immigrants.

Chris Coleman, 206 North 7th Street, Temple also addressed the Council with regards to the housing of immigrants, and stated he was in opposition of such. He asked the City Council to prohibit this action into our city as it will cause caos.

Victor Alexander, 111 Woodland Trail addressed the council with regards of creating a sanctuary for the enflux of immigrants. They are not fleeing from South America violence.

James Peterson was announced by the Mayor; but Mr. Peterson did not wish to speak at this time.

Lydia Alaniz, 620 South 6th Street, Temple, addressed her concerns with the proposed FY 2015 budget. She believes there is very little being allocated to District 1 and 2. Where are the funds that are supposed to be for the continuation of the revitalization program for east Temple? What funds are being allocated? She requested that this be provided to her in writing.

Lott Hughes, 920 Shurbert Drive, Temple address concerns relating to mowing of property within Windmill Farms subdivision. He noted there is a drainage ditch that has not been mowed in over a year. There have been continuous efforts to reach out to the City to mow and no progress has been made. This is a fire hazard. What is the city going to do to fix this problem?

James Dean Zeptner, 402 South 26th Street, Temple address the Council and spoke about fire station #2 and their needs. There are many safety needs; but there are only 3 housed at this station and this is a concern. Please hire 3 more people to run this station as it is open 24 hours. Other stations have 4 man crews. Mr. Zeptner also noted signs at 24th and Avenue A, back entrance at Emerson School, needs to be replaced or removed. He also mentioned the manhole on 24th and Avenue D, hinges are broken and there's a gap in the street.

Micheal Medrano, 310 West Avenue N, Temple address concerns with FY 14-15 buget related to Transportation. What is being allocated to maintain the streets in Districts 1 and 2? He requested a copy of TCIP; Pavement conditions of PCA? We are excited about Panda. But how much of the property taxes will be allocated to Districts 1 and 2? Who represented District 2 during the FY 15 budget process?

CJ Grisham, 4365 Airport Trail, Temple addressed the Council. He stated there is an ignorance as to what started this country. He asked the City of Temple to to adopt the resolution presented this day to keep the immigrants out. He noted there are two locations in Central Texas set up to house illegal immigrants.

Janie Valencia, 403 North 10th Street, addressed the Council. She stated we are talking about children. These children need us to help them. You need to have compassion for them as they do not have a choice or a voice.

Mr. Joey Agee, 908 Evergreen Farm of Windmill Farms Addition addressed concerns with the overgrown, un-mowed drainage ditch. There have been many opportunities to take care of this and the city has not done so until this matter was placed on the agenda this evening.

Royce Buchannon, 212 Starlight Drive stated he was presented this evening to represent Ms. Mary Jennifer Baker. There are concerns with the weeds and the maintenance of this area. It has become a fire hazard and there is not a fire break. The ditch immediately behind has overgrown vegetation; and according to section 16-3 of code of ordinance, this is a public health nuisance.

Wes Tettters, 4 South Main Street addressed the Council. He stated he is very proud to be in Temple. He thanked Temple Fire and Police for their assistance during his fire at the restaurant. He then commented to others in the chambers; stating you don't have to live here, you choose to live here. Please quit putting down this town and the council.

III. PUBLIC APPEARANCE:

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

Mr. Johnson, HOA President voiced his concerns on this matter. He provided photographs to the Council. He noted WMB and DR Horton submitted plans that were approved by the City. There is a gap as these fences should not have been placed in the easements. This is not something the residents should have to fix. There are 41 homes adjacent to the ditch, and this has become a hazard. Mr. Johnson asked the City of Temple to take responsibility of this matter.

Mayor Dunn apologized for the issues; and noted he spoke with staff and realized this issues at hand. We are wokring on a solution and asked that he work with staff on this matter.

Mr. Johnson asked that someone contact him?

V. PROCLAMATIONS & SPECIAL RECOGNITIONS

5. Recognition of the 2014 Junior Fire Cadet Program

At this time Mayor Dunn asked that we recognized the Jr. Fire Cadets that are in the audience and that attended camp this summer.

Thomas Pechal recognized each those in attendance.

IV. PUBLIC HEARING:

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

Brynn Myers, Assistant City Manager presented this to the Council. The Annual Action Plan reflects the City's funding priorities and identifies the projects proposed to receive funds under the CDBG program. Funds are allocated to enhance the City's community development program, providing for activities that support suitable, accessible and sustainable residential and business districts, benefitting low and moderate income persons.

This year the City will receive \$390,286 for its 2014-2015 CDBG Allocation, this is a 4.5% decrease in funding from 2013. The City plans to reallocate \$19,559 from previous years to the 2014-2015 Action Plan for a total of \$409,827 in funding. Ms. Myers noted the adopted action plan is be submitted to HUD by August 15, 2014; the year begins on October 1, 2014.

There were two public hearings held during the development of this

year's action plan; they were on April 3, 2014 and on April 7, 2014. The general concerns that were expressed were interest in Park facility upgrades at specific locations, and in programs that provide funding directly to homeowners for home repairs. There were two more public hearings during the comment period, both on June 5th and June 25th and no comments were received at those meetings.

Mayor Dunn declared the public hearing open with regards to agenda item 4 and asked if anyone wished to address this item. There being none, Mayor Dunn declared the public hearing closed.

Motion by Councilmember Timothy Davis adopt resolution as presented seconded by Councilmember Perry Cloud.

Motion passed unanimously.

VI. CONSENT AGENDA

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

(A) 2014-7360-R: Consider adopting a resolution authorizing a contract with Brockway, Gersbach, Franklin and Niemeier, P.C. to perform the annual City of Temple audit for an amount not to exceed \$70,500.

(B) 2014-7361-R: Consider adopting a resolution authorizing adjustments to the Water/Wastewater Capital Improvement Program for FY 2014.

(C) 2014-7362-R: Consider adopting a resolution authorizing a professional services agreement with Clark & Fuller PLLC, of Temple for engineering services including design, surveying, and construction administration required for wastewater line replacement in the alley between 21st and 23rd Streets from Avenue K to Avenue N in an amount not to exceed \$37,090.14.

(D) 2014-7363-R: Consider adopting a resolution authorizing a professional services agreement with Clark & Fuller PLLC, of Temple for engineering services including design, surveying, and construction administration required for wastewater line replacement in the Avenue M to Avenue N & Dunbar area in the amount not to exceed \$80,390.99.

(E) 2014-7364-R: Consider adopting a resolution authorizing a professional services agreement with BSP Engineering, Inc of

Temple, Texas for professional engineering services including design and surveying of the 2014 Temple Waterline Replacement Project which includes South 26th Street and East Avenue B, North 21st street from West Adams Avenue to West French Avenue, and Dunbar Road and East Avenue N in an amount not to exceed \$141,426.

(F) 2014-7365-R: Consider adopting a resolution authorizing a renewal lease agreement with Bechtel Power Corporation for lease of approximately 23.30 acres of City-owned land located on the east side of Panda Drive.

(G) 2014-7366-R: Consider adopting a resolution authorizing an Interlocal Agreement with Bell County for the Bell County Crime Coalition project that is administered by the Bell County Juvenile Probation Department.

(H) 2014-7367-R: Consider adopting a resolution authorizing an Interlocal Agreement with the Belton Independent School District to provide school locations for after school latchkey programming.

(I) 2014-7368-R: Consider adopting a resolution ratifying the purchase of 1802 South 19th Street, legally described as Lot One (1), Block One (1), Anderson-Hendler Addition, First Extension an addition to the City of Temple, Bell County, Texas, according to the map or plat of record in Cabinet A, Slide 101-A, Plat Records of Bell County, Texas in the amount of \$103,544.43 and for the payment of 2014 property taxes on the property currently estimated in the amount of \$2,676.66.

(J) 2014-7369-R: Consider adopting a resolution authorizing a contract with CCG Systems, Inc. of Norfolk, Virginia, for the purchase and installation of a fleet management information system in the amount of \$155,700.

(K) 2014-4677: SECOND READING - Z-FY-14-33: Consider an ordinance adopting a site plan, amending Ordinance No. 2005-4025, originally approved July 7, 2005 Planned Development (General Retail) District, and amended by Ordinance No. 2007-4125, February 15, 2007 and further amended by Ordinance 2007-4175, October 18, 2007, on 3.967 acres, in the Baldwin Robertson survey, Abstract No 17, located at 9108 West Adams Avenue.

(L) 2014-4676: SECOND READING - Consider adopting and ordinance authorizing an amendment to the Tax Increment Financing Reinvestment Zone No. 1 Financing and Project Plans

to appropriate additional funds for Downtown Improvements in FY 2014.

(M) 2014-7370-R: Consider adopting a resolution authorizing a construction contract with Legends Landscapes, LLC, to construct the Downtown Rail Safety Zone improvements in an amount not to exceed \$527,380.55.

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

Motion by Councilmember Perry Cloud adopt resolution approving the Consent Agenda. seconded by Councilmember Russell T. Schneider.

Motion passed unanimously.

VII. REGULAR AGENDA

RESOLUTIONS

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

Mark Baker, City Planner presented this case to the Council. The applicant is Turley Associates on behalf of RTC Construction. The preliminary plat was reviewed by the DRC on June 4, 2014 and deemed administratively complete on June 26, 2014. This property is zoned Single-Family and General Agriculture. In March 2014 (ordinance 2014-4641), the Council approved the zoning and the AG was retained along the 5 acre tract fronting Old Waco Road.

The proposed plat is for the creation of, one new Arterial Street (Poison Oak Road) and seven Local Streets (Dove Meadows, Inca Dove Drive, Turtle Dove Drive, Golden Heart Drive, White Wing Drive, Emerald Dove Court, and Diamond Dove Drive). There is a 15" sewer line on the south property boundary; and an 8" water line in South Pea Ridge and a 3" line in Old Waco. The sidewalk and trail improvements on Old Waco are part of a TCIP improvement project.

There are Roadway Dedication Requirements that Mr. Baker discussed with the Council. Both South Pea Ridge and Poison Oak are being provided in their entirety for the Functional Street Section. In terms of Old Waco Road, the applicant is providing a 10 foot dedication and accommodation for an additional 31.5 feet. There is a balance that is anticipated to be handled through future negotiations.

Mr. Baker then discussed the exceptions to UDC 8.3 - Public Parkland Dedication. In lieu of Public Parkland Dedication, a 0.542 acre tract is being requested for a private park (Tract A) and maintained by the HOA. This park will include a playscape (phase I), landscaping (phase I & II), and a trail (phase II). The playscape value is \$40,000, which exceeds the Park Fee for the development (\$23,850). This exception has been accepted by the Parks and Leisure Services Department.

Staff recommends approval of the preliminary plat of Dove Meadows and the developer requested exceptions to the UDC Section 8.3 related to public parkland dedication.

Planning and Zoning heard this case on July 7, 2014; and voted 8/0 to approve per staff's recommendation.

Motion by Councilmember Timothy Davis adopt resolution as presented seconded by Councilmember Perry Cloud.

Motion passed unanimously.

ORDINANCES

8. FIRST READING - PUBLIC HEARING. Consider adopting an ordinance:

(A) 2014-4678: Amending Chapter 7, "Buildings," of the Code of Ordinances of the City of Temple Texas; and

(B) 2014-4679: Amending Chapter 10, "Electrical Code," of the Code of Ordinances of the City of Temple, Texas.

Brynn Myers, Assistant City Manager presented this item. She provided the Council with background on the Building Board of Appeals. It was created in Chapter 7 of the City Code; 9 members to include architects or engineers, master plumbers, persons from building industry, and at-large positions. Each

term is 4 years; and the board is charged with reviewing and making recommendations to the Council on various uniform codes, as well as hear appeals on cases.

The Electrical Board was created in Chapter 10, and is comprised of 10 members. This includes 2 master electricians, 1 journeyman electrician, representative from electric distributor, representative from construction industry, architect/ engineer/ representative from insurance industry, and an attorney. These are 3 year terms; and the board is charged with reviewing uniform codes as well as hear appeals with regards to the Electrical Official of the City.

At this time Staff is proposing to dissolve the Electrical Board, and its responsibilities be assumed by the Building Board of Appeals. With this Staff is also recommending that the membership of the Building Board of Appeals be expanded from 9 to 13 members to accommodate acceptance of duties. The four additional members must include 2 licensed master electricians, 1 licensed journeyman electrician, and 1 representative of the electric distributor. It is also recommended that the Building Board of Appeals assume the duties of the Historic Preservation Board.

Mayor Dunn declared the public hearing open with regards to agenda item 8(A&B) and asked if anyone wished to address this item. There being none, Mayor Dunn declared the public hearing closed.

Motion by Councilmember Russell T. Schneider adopt ordinance with second and final reading set for August 7, 2014 seconded by Councilmember Perry Cloud.

Motion passed unanimously.

9. **2014-7373-R: Consider adopting a resolution amending Resolution No. 94-641-R which created the Temple Public Safety Advisory Board to reflect a reduction in membership and quorum requirements.**
10. **2014-7374-R: Consider adopting a resolution dissolving the Community Services Advisory Board.**

Jonathan Graham, City Attorney presented both items 9 and 10 to the Council. The Public Safety Advisory Board was created in 1994 by resolution. The purpose for this board was to assist City Council in matters of crime abatement, fire prevention,

EMS, communications, and emergency management. The board is comprised of 15 members serving 3 year terms. Currently, there are four vacancies on the board and the positions have been vacant for several months; and therefore it has been difficult achieving a quorum.

Staff is recommending that the four vacant positions be eliminated and the total number of board members reduced to 11; making the quorum requirement 6 verses 8 members.

Next, Ms. Myers discussed item 10 with regards to the Community Services Advisory Board. Originally this was created to support decisions of the CDBG process and HOME program. It was comprised of 9 members serving 3 year terms. The board meets on an as-needed basis, usually during the spring of each year to review Public Service Agency funding applications. The current 5 Year Consolidated Plan with CDBG is coming to an end and the City will be developing a new Consolidated Plan over the next few months.

At this time Staff recommends that the Community Services Advisory Board be dissolved; and be replaced with a Community Services Advisory Committee and appointments be made by the Council each Spring (or as needed) to assist with the CDBG Annual Action Plan process.

Motion by Councilmember Perry Cloud adopt resolution as presented seconded by Councilmember Timothy Davis.

Motion passed unanimously.

VIII. OTHER ITEMS

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

Mayor Dunn presented this item. He noted had the opportunity to discuss this earlier in executive session and decided that Jonathan Graham would be appointed at the Interim City Manager. In doing this it requires an Interim City Attorney be appointed. It is the Council desire to appoint Ms. Kayla Landeros as the Interim City Attorney.

Motion by Councilmember Russell T. Schneider adopt resolution appointing Jonathan Graham as Interim City Manager and Kayla Landeros as Interim City Attorney. seconded by Councilmember Perry Cloud.

Motion passed unanimously.

IV. AGENDA - CITY OF TEMPLE EMPLOYEE BENEFITS TRUST

12. 2014-7376-R: Conduct a meeting of the City of Temple Employee Benefits Trust to allow employees to purchase work site supplemental policies for:

(A) Accident Critical Illness, and Short Term Disability from Lincoln Financial

(B) Cancer from Guardian

(C) Hospital Indemnity from MetLife

(D) Flexible Spending Account (FSA), Dependent Spending Account (DSA), and Cafeteria 125 Administration by Discovery Benefits

Denny Hainley presented this item the Trust. She explained that with this method, we are able to get the best value for our employees. Everything remains the same or better.

Mr. Dunn asked for a motion of the Trust. Mr. Davis moved to adopt as presented, and seconded by Mr. Cloud.

Daniel A. Dunn, Mayor

ATTEST:

Lacy Borgeson
City Secretary

TEMPLE CITY COUNCIL

AUGUST 7, 2014

The City Council of the City of Temple, Texas conducted a Regular Meeting on Thursday, August 7, 2014 at 3:00 PM in the 3rd Floor Conference Room, Municipal Building, 2 North Main Street.

Present:

Councilmember Perry Cloud
Councilmember Timothy Davis
Mayor Pro Tem Russell T. Schneider
Councilmember Judy Morales
Mayor Daniel A. Dunn

1. Discuss, as may be needed, Regular Meeting agenda items for the meeting posted for Thursday, August 7, 2014.

Mr. Blackburn noted item 8 on the regular agenda (Westfield Change Order), will require additional staff work and will be ready on August 15th. He also mentioned item 7(F) with regards to the contract with James Construction for police services. Contact has been made with James, but have not received responses as of yet.

Mayor Dunn mentioned item 7(H) with regards to unfunded mandates and immigration. He stated this will simply stated that the City will not be favorable to unfunded mandates with regards to illegal immigration.

Councilmember Morales, stated she understands the issue at hand but feels as though this is a negative reflection for the City of Temple. Wants everyone to work together.

Mr. Graham mentioned item 4, with regards to the Charter Amendment Election. He addressed the Code of Conduct that was established in 2003. This needs to be reviewed and updated and brought back to the Council for direction. He also reviewed other propositions being proposed.

2. Discuss the Downtown Master Plan.

Ms. Myers presented this item to the Council and Staff. She noted the objective is to (1) provide a framework plan to help guide city leaders, property owners and future developers in the creation of an overall unified

plan made up of a variety of urban districts; (2) identify the best land use options and to provide a cohesive urban design strategy to unify the district; and (3) to give guidance regarding future capital improvement projects and potential development & redevelopment area. The Planning Principles used in this process are culture, walkability, historic significance, and activity.

She then provided some background. The Master Plan was funded through the Reinvestment Zone; with TBG Partners and KPA Engineers assisting with the development of the Plan. In October 2013 there was a group created for a Design Charrette for the Downtown Master Plan. The participants were asked to partake in gathering feedback on specific assets, issues, and opportunity sites.

Ms. Myers provided several maps depicting the area and the use and needs. At this time Staff recommends accepting the draft Plan on August 21st.

At this time, approximately 4:07 pm, Mayor Dunn announced that the Temple City Council would enter into an executive session. No action associated with this item at this time.

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.

The City Council of the City of Temple, Texas conducted a Regular Meeting on Thursday, August 7, 2014 at 5:00 PM in the Council Chambers, Municipal Building, 2nd Floor, 2 North Main Street.

Present:

Councilmember Perry Cloud
Councilmember Timothy Davis
Mayor Pro Tem Russell T. Schneider
Councilmember Judy Morales
Mayor Daniel A. Dunn

I. CALL TO ORDER

1. Invocation

Reverend Sheldon Rhodes, with Greater Zion Church of God in Christ voiced the Invocation.

2. Pledge of Allegiance

Kevin Beavers, Director of Parks and Leisure Services Department led the Pledge of Allegiance.

At this time Mayor Dunn recognized Fire Chief Mitch Randle.

II. PUBLIC COMMENTS:

Travis Hall, 3414 Forest Trail, address the Council with regards to Code Enforcement issues with weeds, grass, brush and other objectionable material on this property located at 1307 South 39th Street.

James Dean Zeptner, 402 South 26th Street expressed his appreciation for the efforts of the City to begin cleaning up the area neighborhoods.

Chris Jones (CLEAT), 400 West 14th Street, Austin, addressed the Council with the regards to the newly restructured Temple Police Association.

Janie Valencia, 403 North 10th Street, addressed her concerns with refugee children.

John Coleman, 206 North 7th Street, addressed the Council with regards to the resolution (item 7H) related to illegal immigration in the City of Temple.

III. ELECTION ITEMS

3. 2014-7378-R: Consider adopting a resolution electing a Mayor Pro Tem for the City of Temple.

It was recommended that Councilmember Schneider be appointed at Mayor Pro Tem.

Motion by Councilmember Perry Cloud adopt resolution appointing Councilmember Schneider as the Mayor Pro Tem. seconded by Councilmember Timothy Davis.

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.

Jonathan Graham, City Attorney presented this item to the Council. He discussed each of the 20 proposed amendments. He specifically noted that the City currently has a Code of Conduct of which

Council requested in the earlier workshop that we establish a working group with staff and community to provide recommendation; and then bring back to the council for direction.

Mr. Graham then discussed the charter amendments. He noted that 80-90% of the propositions fall under proposition 1, which is clean up language.

Proposition 1: Shall the City Charter be amended throughout to remove obsolete, redundant or unnecessary language, to modernize terms, to reflect current titles of departments and offices, to make grammatical and spelling corrections, and to repeal provisions inconsistent with State or Federal law?

Proposition 2: Shall the City Charter be amended to require voter approval of the acquisition, sale or lease of any public utility with a cost in excess of \$10,000,000?

Proposition 3: Shall the City Charter be amended to provide that the Mayor is elected in a separate election and to extend his current term by one year to create staggered terms?

Proposition 4: Shall the City Charter be amended to provide that Councilmembers may serve no more than three consecutive terms as a Councilmember or as Mayor, provided that Councilmembers and the Mayor serving at the time of this amendment may serve no more than four consecutive terms?

Proposition 5: Shall the City Charter be amended to provide that a candidate for Mayor or Councilmember must pay a filing fee of \$100 or submit a petition with 25 signatures of qualified voters of their district or the City as applicable, as a condition of being a candidate?

Proposition 6: Shall the City Charter be amended so that a vacancy of 1 year or less in the office of a Councilmember, other than the position of Mayor, may be filled by appointment of the City Council?

Proposition 7: Shall the City Charter be amended to provide that Councilmembers are no longer compensated, but that the City may continue to provide them certain benefits?

Proposition 8: Shall the City Charter be amended to provide that Councilmembers are not barred from holding other public employment except where prohibited by the State Constitution or State law, and to clarify that all elected and appointed officials, and employees of the City are subject to State law regarding conflicts of interest?

Proposition 9: Shall the City Charter be amended to provide that the

City Council may adopt a code of conduct, and that a Councilmember shall forfeit his office if, during his current term, he lacks the qualifications of office; is convicted of a felony, class A or B misdemeanor, or a crime of moral turpitude; violates State law regarding dual office holding; or misses three consecutive regular Council meetings without first being excused by Council?

Proposition 10: Shall the City Charter be amended to clarify that the appointment of all employees of the City is subject to State law regarding nepotism?

Proposition 11: Shall the City Charter be amended to provide that signatures placed on a petition to recall a Councilmember will not be counted if placed on the petition more than 60 days prior to filing of the petition?

Proposition 12: Shall the City Charter be amended to provide that a recall petition may not be filed against a Councilmember or the Mayor during the last 180 days of his term of office?

Proposition 13: Shall the City Charter be amended to provide that the powers of initiative and referendum do not extend to ordinances or resolutions regarding the budget, any capital improvement program, the appropriation of money, issuing of bonds, setting of utility rates, levying of taxes, annexation, salaries of City officers or employees, zoning amendments, or any other subject prohibited by this Charter or State law?

Proposition 14: Shall the City Charter be amended to provide that an ordinance or resolution adopted by initiative or referendum may only be repealed or amended by another initiative or referendum pursuant to Section 6.4 of the Charter, or repealed or amended after the expiration of six years and by a 4/5 vote of the City Council?

Proposition 15: Shall the City Charter be amended to clarify what uses of public streets, easements and property require a franchise to compensate the public for a private commercial use of such property?

Proposition 16: Shall the City Charter be amended to allow the passage of an ordinance granting a franchise with two readings?

Proposition 17: Shall the City Charter be amended to allow the passage of an ordinance authorizing the transfer, lease or assignment of a franchise with a majority vote of the City Council?

Proposition 18: Shall the City Charter be amended to require that the Charter be reviewed for possible amendments by the City Council not less than once every ten years?

Proposition 19: Shall the City Charter be amended to clarify that no section of the Charter is intended to waive any immunity from lawsuit, liability or damages enjoyed by the City or its officials, employees and agents under State or Federal law?

Proposition 20: Shall the City Charter be amended to allow the City Council to renumber, rearrange and make similar non-substantive changes to the Charter?

Mr. Graham elaborated on Proposition 11 with regards to recall petition and time of filing. He noted that signatures are good for only 30 days in our current charter. The recommendation by the committee is to allow signature valid for 60 days. State Election Code provision provides that if a charter had been adopted prior to 1985, then the Charter controls; but if changed or spoken, State law controls and that is for 6 months.

Councilmember Cloud thanked everyone involved with the Charter review process.

Mayor Dunn declared the public hearing open with regards to item 3 and asked if anyone wished to address this item.

Mr. John Coleman, 206 North 7th Street, inquired on Proposition 11 as to whether that was for referendums?

Mr. Graham stated there is a different percentage, but would be happy to follow up on this question.

Chris Jones, CLEAT, inquired on the proposition for petition for salary of employees. He stated there may be a state law within the LGC that speaks on salaries.

Mr. Graham stated we would review this; but one exists than State Law would trump the Charter.

Bill Rowton West Avenue T, asked about Proposition 11. He wanted to know why what was recommended by the Committee was already being changed by the Council.

Mr. Graham, reminded Mr. Rowton that the Committee understood they were only making recommendations to the Council. This was a floor amendment and we are still reviewing.

There being no further comments, Mayor Dunn declared the public hearing closed.

Motion by Councilmember Judy Morales adopt ordinance on first reading, with second and final reading set for August 15, 2014.

Councilmember Davis voted no, while all others were in favor. seconded by Mayor Pro Tem Russell T. Schneider.

Councilmember Timothy Davis voted nay. The other Councilmembers voted aye. The motion passed.

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.

Mr. Blackburn presented the FY 15 proposed budget to the Council. He discussed improving the infrastructure of the TICP; and recommended a \$121 million dollar, ten year program. He then reviewed the projects; to include development, school and traffic patterns. This is a phased approach, with groups of projects in 3 year packages. No current tax rate impact due to phased approach. The phased approach does anticipate a 3 cent tax rate impact in FY 2017; but phased approach will allow for annual evaluation and adjustment between now and then.

He then discussed the water/ sewer infrastructure improvements. Our City is more than a century old. The recommendations is that we need to continue to improve our existing system. FY15 proposes \$26,500,000 to continue the water and sewer capital program. There is no rate change being proposed for water sewer or drainage utilities in FY 15 (rates proposed and adopted in FY 13 fully fund the FY 15 recommendations).

Police Service, this is a multi-year plan and has been in place for several years to address staffing issues. There is very little disagreement on the need for more police officers. The question that remains is how many and how do you do this? The used to receive grants; but the process has changed and we no longer are eligible for them with the criteria that is used by the state or federal government. The FY 15 recommends to add 6 new positions and 6 reclassifications.

Temple Fire and Rescue, the FY 15 budget recommends the addition of three firefighter positions to allow us to continue to maintain our ALS service level. They currently respond to more than 10,000 fire and EMS calls; most of which is for EMS services.

Public Works; this is a \$33 million dollar budget. This is an increase of 7.16% increase over FY 14 budget. The FY 15 budget recommends 8 new positions in the department.

Parks and Leisure Services, it is being recommended for 2 new positions. This will include an Assistant Aquatics Coordinator, as well as a Food and Beverage Specialist for the Mayborn Events.

Mr. Blackburn also mentioned that he is recommending Compensation Plan, revised longevity program, performance pay, and reclassification.

Motion by Councilmember Perry Cloud adopt resolution setting the proposed tax rate of \$0.5864 per \$100 in value and scheduling the adoption of the proposed tax rate for the August 28, 2014 Special City Council meeting. seconded by Councilmember Judy Morales.

Motion passed unanimously.

Motion by Councilmember Timothy Davis adopt resolution setting the public hearings on the proposed tax rate of \$0.5864 per \$100 in value for 8:30 am August 15, 2014 Special City Council Meeting, and 5:00 pm on August 21, 2014 Regular City Council meeting. seconded by Councilmember Perry Cloud.

Motion passed unanimously.

V. PUBLIC APPEARANCE

6. Receive comments from James Zeptner regarding 8th Street and Adams.

Mr. Zeptner addressed his concerns with the area of Adams and N. 8th Street. He provided several photographs of the sidewalks in the area.

VI. CONSENT AGENDA

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

(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 Converjint 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.

(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.

(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.

Motion by Mayor Pro Tem Russell T. Schneider adopt resolution approving the Consent agenda with exception of item 7(H). seconded by Councilmember Perry Cloud.

Motion passed unanimously.

(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.

Motion by Mayor Pro Tem Russell T. Schneider adopt resolution seconded by Councilmember Perry Cloud.

Motion passed unanimously.

Councilmember Morales noted this impacts all of us, both immigrants and refugees.

Mayor Dunn also commented that we are all effected by this; but this is a Federal and State issue. This resolution states the City will not look favorably upon and unfunded mandates with regards to illegal immigration.

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.**

Mayor Dunn stated this item will require additional staff time and therefore will be tabled until August 15th.

Daniel A. Dunn, Mayor

ATTEST:

Lacy Borgeson
City Secretary



COUNCIL AGENDA ITEM MEMORANDUM

08/21/14
Item #4(D)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

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

ITEM DESCRIPTION: Consider adopting a resolution authorizing a construction contract with M&C Fonseca Construction Company, Inc. (M&C), of Granite Shoals for construction of a new 12" diameter water line along Lamar Street from 7th Street to the corridor between 15th and 17th Streets in an amount not to exceed \$431,922.50, as well as, declare an official intent to reimburse the expenditures with the issuance of 2014 Utility Revenue Bonds.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: For several years, the Public Works Utility Services Division has responded to water line leaks on Lamar Street. This old cast-iron water line with lead-poured joints is a critical connection between pump stations and storage tanks (see Project Map), and failure during high demand periods significant problems. This project will upgrade the transmission main and improve water service and fire protection in the area. This project will replace 2,100 linear feet of 12"-diameter cast-iron pipe with 12"-diameter PVC pipe. Also, five 6"-diameter wastewater lines in the right-of-way will be replaced with 8"-diameter PVC pipe. By advancing the replacement of these wastewater lines, the City will avoid the necessity to repave the street when upgrading the wastewater lines in the future.

On August 7, 2014, six bids were received. Per the attached Bid Tabulation, M&C submitted the low bid on the project in the amount of \$431,922.50. The opinion of probable construction cost was \$474,404.

Bury-AUS, Inc., checked references and recommend awarding construction to the low bidder, M&C, in their attached letter. Construction time allotted for the project is 180 days.

FISCAL IMPACT: Council authorized this project as part of Capital Improvement Plan in the FY 2014 Budget. This project will be funded with the proposed 2014 Utility Revenue Bonds to be issued Fall 2014. Funds in the amount of \$800,000 will be made available in account 561-5200-535-6949, project 101082, to fund this construction contract with M&C Fonseca Construction Company, Inc. in an amount not to exceed \$431,922.50

ATTACHMENTS:

[Engineer's Letter of Recommendation](#)
[Bid Tabulation](#)
[Project Map](#)
[Resolution](#)

August 7, 2014

Ms. Nicole Torralva, P.E.
Public Works Director
City of Temple
3210 East Ave. H, Building A, Suite 130
Temple, Texas 76501

Re: Letter of Recommendation
Lamar Street Waterline Replacement
Temple, Bell County, Texas

Dear Ms. Torralva:

On August 7, 2014, The City of Temple received six (6) bids for the above referenced project. The apparent low bidder was M&C Fonseca with a bid for the total amount of \$431,922.50.

In doing the Bid Tabulation, Bury-AUS, Inc. notice two (2) discrepancies in the Bids. These two (2) line items were corrected on the tabulation sheet and highlighted. Neither of the corrections affected the rankings of the Contractors.

M&C Fonseca appears to be a responsible bidder that is capable of performing the specified work in a satisfactory manner. Bury-AUS, Inc. has worked with this Contractor and recommends that The City of Temple award the Lamar Street Waterline Replacement project to M&C Fonseca for the total bid of \$431,922.50.

Attached is the Bid Tabulation for the above referenced project. If you have any questions please call me at 512.328.0011.

Sincerely,



Aldo Sotelo, P.E.
PROJECT MANAGER

Enclosures: Bid Tabulation

221 West Sixth Street
Suite 600
Austin, Texas 78701

P 512.328.0011
F 512.328.0325

Austin
San Antonio
Dallas
Houston
Temple

Bury-AUS, Inc.
BID TABULATION SHEET

OWNER: City of Temple
 PROJECT: Lamar Street Waterline

Bury-AUS PROJ. NO.: 100805-10006
 BIDS OPENED: August 7, 2014

CERTIFICATION:

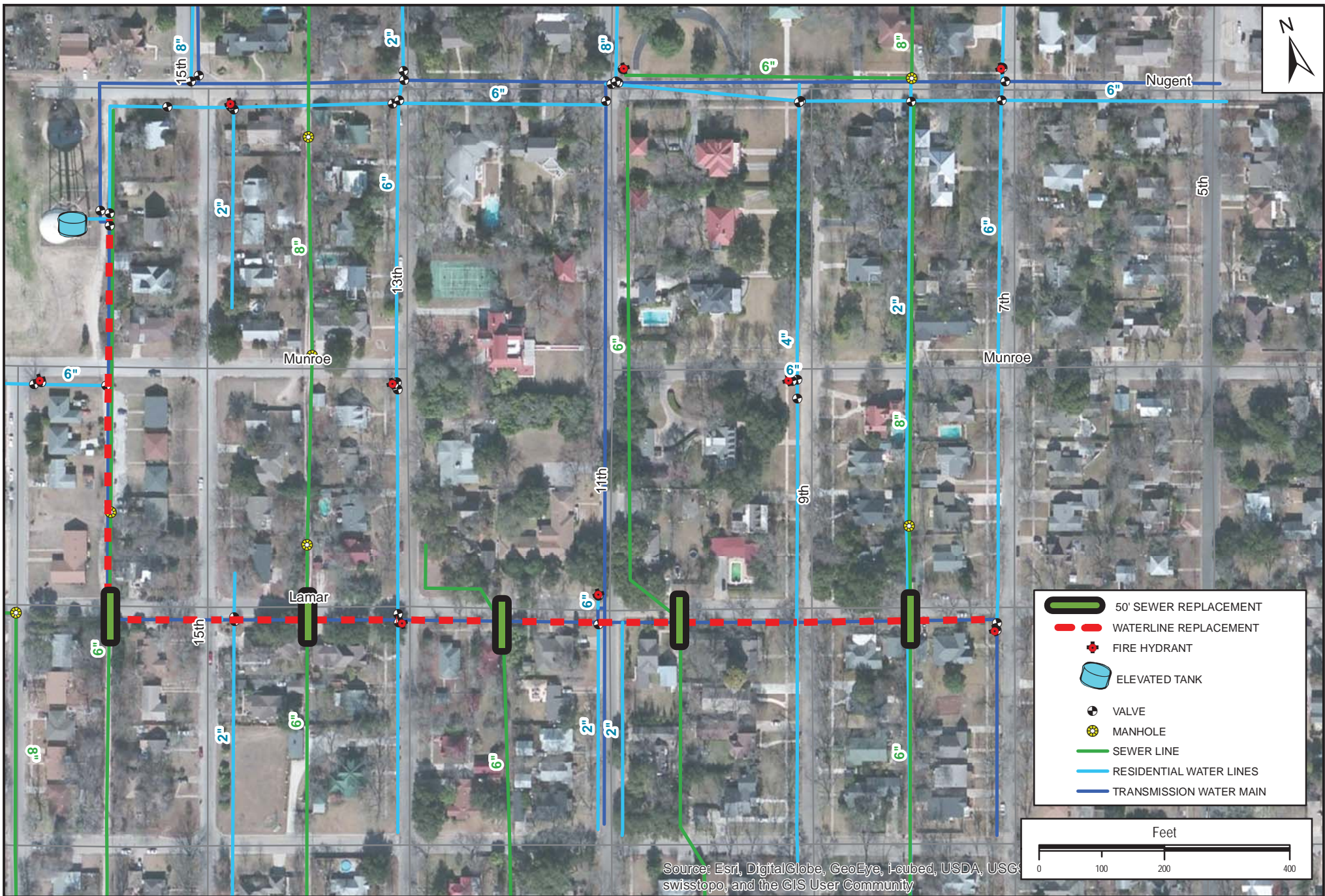
I CERTIFY THAT THIS IS A TRUE RECORD OF BIDS RECEIVED.

Aldo J. Sotelo
 Aldo Sotelo, PE



CONTRACTOR ADDRESS				M&C Fonseca Construction Co., Inc.		Bell Contractors Inc.		Skyblue Utilities, Inc.		TTG Utilities, LP		Pipe Works Constructors LLC		McLean Construction	
				1901 Prairie Creek Rd Granite Shoals, TX 78654		3082 W. HWY 190 Belton, TX 76513		981 B Dilley St. Kingsland, TX 78639		231 Memorial Drive Gatesville, TX 76528		6448 HWY 290 East #D-109 Austin, TX 78723		4101 Trimmer Rd. Killeen, TX 76542	
ITEM NO.	DESCRIPTION	UNIT	QTY.	UNIT PRICE	COST	UNIT PRICE	COST	UNIT PRICE	COST	UNIT PRICE	COST	UNIT PRICE	COST	UNIT PRICE	COST
1	Mobilization, Bonds and Insurance, not-to-exceed 5% of the Base Bid Amount, Complete For	Lump Sum	1	\$20,500.00	\$20,500.00	\$24,300.00	\$24,300.00	\$15,680.00	\$15,680.00	\$13,750.00	\$13,750.00	\$25,000.00	\$25,000.00	\$29,298.00	\$29,298.00
2	Submit Trench Safety Plan prepared and signed by P.E., in Conformance with State Law and OSHA, Complete For	Lump Sum	1	\$3,500.00	\$3,500.00	\$1,100.00	\$1,100.00	\$1,680.00	\$1,680.00	\$950.00	\$950.00	\$1,000.00	\$1,000.00	\$2,697.00	\$2,697.00
3	Implement and Follow Trench Safety Plan (Pipe), Complete For	Linear Foot	2064	\$1.50	\$3,096.00	\$1.30	\$2,683.20	\$1.12	\$2,311.68	\$1.35	\$2,786.40	\$2.00	\$4,128.00	\$3.50	\$7,224.00
4	For Preparing and Submitting a Traffic Control Plan prepared and signed by a P.E., Complete in Place For	Lump Sum	1	\$5,000.00	\$5,000.00	\$1,500.00	\$1,500.00	\$1,904.00	\$1,904.00	\$2,500.00	\$2,500.00	\$1,000.00	\$1,000.00	\$2,594.00	\$2,594.00
5	Implement and Administer Barricade, Signing and Traffic Safety Plan (Vehicular and Pedestrian), Complete For	Lump Sum	1	\$3,000.00	\$3,000.00	\$13,000.00	\$13,000.00	\$4,480.00	\$4,480.00	\$23,250.00	\$23,250.00	\$5,000.00	\$5,000.00	\$24,702.00	\$24,702.00
6	Provide Project Record Drawings (As Bults), Complete For	Lump Sum	1	\$2,000.00	\$2,000.00	\$1,900.00	\$1,900.00	\$784.00	\$784.00	\$2,250.00	\$2,250.00	\$1,000.00	\$1,000.00	\$2,344.00	\$2,344.00
7	Provide Videos and Photographs of Right-of-Way Pre-Construction Site Conditions for the Total Project, Complete For	Lump Sum	1	\$2,500.00	\$2,500.00	\$740.00	\$740.00	\$1,120.00	\$1,120.00	\$1,750.00	\$1,750.00	\$2,500.00	\$2,500.00	\$1,719.00	\$1,719.00
8	Provide and Install 18-Inch Diameter SDR 26 PVC Encasement Pipe, Complete in Place For	Linear Foot	90	\$85.00	\$7,650.00	\$48.40	\$4,356.00	\$99.78	\$8,980.20	\$85.00	\$7,650.00	\$65.00	\$5,850.00	\$99.50	\$8,955.00
9	Provide and Install 12-Inch Diameter C-900 Class 150 PVC Waterline by Open Cut, Complete in Place For	Linear Foot	2064	\$34.00	\$70,176.00	\$80.60	\$166,358.40	\$88.25	\$182,148.00	\$73.35	\$151,394.40	\$138.00	\$284,832.00	\$81.00	\$167,184.00
10	Provide and Install 6-Inch Diameter C-900 Class 150 PVC Waterline by Open Cut, Complete in Place For	Linear Foot	93	\$25.00	\$2,325.00	\$63.10	\$5,868.30	\$25.66	\$2,386.38	\$50.50	\$4,696.50	\$100.00	\$9,300.00	\$54.50	\$5,068.50
11	Provide and Install 4-Inch Diameter C-900 Class 150 PVC Waterline by Open Cut, Complete in Place For	Linear Foot	38	\$28.00	\$1,064.00	\$60.00	\$2,280.00	\$23.25	\$883.50	\$47.65	\$1,810.70	\$98.00	\$3,724.00	\$39.00	\$1,482.00
12	Provide and Install 2-Inch Diameter SCH 80 PVC Waterline by Open Cut	Linear Foot	10	\$32.00	\$320.00	\$95.60	\$956.00	\$45.99	\$459.90	\$87.60	\$876.00	\$100.00	\$1,000.00	\$73.50	\$735.00
13	For Furnishing and Installing 12-Inch Gate Valve, Complete in Place For	Each	7	\$2,450.00	\$17,150.00	\$2,500.00	\$17,500.00	\$2,488.64	\$17,420.48	\$2,450.00	\$17,150.00	\$2,300.00	\$16,100.00	\$2,557.00	\$17,899.00
14	For Furnishing and Installing 6-Inch Gate Valve, Complete in Place For	Each	9	\$1,400.00	\$12,600.00	\$1,100.00	\$9,900.00	\$1,014.47	\$9,130.23	\$965.00	\$8,685.00	\$1,200.00	\$10,800.00	\$1,217.00	\$10,953.00
15	For Furnishing and Installing 4-Inch Gate Valve, Complete in Place For	Each	1	\$1,100.00	\$1,100.00	\$830.00	\$830.00	\$856.80	\$856.80	\$850.00	\$850.00	\$1,050.00	\$1,050.00	\$975.00	\$975.00
16	For Furnishing and Installing Standard Fire Hydrant, Complete in Place For	Each	5	\$3,950.00	\$19,750.00	\$4,100.00	\$20,500.00	\$4,415.54	\$22,077.70	\$5,200.00	\$26,000.00	\$4,250.00	\$21,250.00	\$5,033.00	\$25,165.00

CONTRACTOR ADDRESS				M&C Fonseca Construction Co., Inc.		Bell Contractors Inc.		Skyblue Utilities, Inc.		TTG Utilities, LP		Pipe Works Constructors LLC		McLean Construction	
				1901 Prairie Creek Rd. Granite Shoals, TX 78654		3082 W. HWY 190 Belton, TX 76513		981 B Dilley St. Kingsland, TX 78639		231 Memorial Drive Gainesville, TX 76528		6448 HWY 290 East #D-109 Austin, TX 78723		4101 Trimmer Rd. Killeen, TX 76542	
ITEM NO	DESCRIPTION	UNIT	QTY	UNIT PRICE	COST	UNIT PRICE	COST	UNIT PRICE	COST	UNIT PRICE	COST	UNIT PRICE	COST	UNIT PRICE	COST
17	For Removing Existing Fire Hydrant, Complete For	Each	3	\$750.00	\$2,250.00	\$910.00	\$2,730.00	\$280.00	\$840.00	\$700.00	\$2,100.00	\$500.00	\$1,500.00	\$2,689.00	\$8,067.00
18	For Furnishing and Installing Air/Vacuum Release Valve, Complete in Place For	Each	1	\$4,500.00	\$4,500.00	\$4,300.00	\$4,300.00	\$3,588.48	\$3,588.48	\$6,000.00	\$6,000.00	\$5,000.00	\$5,000.00	\$4,096.00	\$4,096.00
19	For Connecting to Existing Waterline at STA 9+95 with HIMAX Couplings, Complete in Place For	Lump Sum	1	\$2,700.00	\$2,700.00	\$6,100.00	\$6,100.00	\$3,534.72	\$3,534.72	\$7,120.00	\$7,120.00	\$4,500.00	\$4,500.00	\$6,855.00	\$6,855.00
20	For Connecting to Existing Waterline at STA 12+62 with HIMAX Couplings, Complete in Place For	Lump Sum	1	\$2,700.00	\$2,700.00	\$2,200.00	\$2,200.00	\$4,534.88	\$4,534.88	\$3,985.00	\$3,985.00	\$4,000.00	\$4,000.00	\$2,896.00	\$2,896.00
21	For Connecting to Existing Waterline at STA 18+03 with HIMAX Couplings, Complete in Place For	Lump Sum	1	\$2,700.00	\$2,700.00	\$1,700.00	\$1,700.00	\$4,499.04	\$4,499.04	\$4,025.00	\$4,025.00	\$2,500.00	\$2,500.00	\$4,034.00	\$4,034.00
22	For Connecting to Existing Waterline at STA 20+55 with HIMAX Couplings, Complete in Place For	Lump Sum	1	\$2,700.00	\$2,700.00	\$2,400.00	\$2,400.00	\$6,179.60	\$6,179.60	\$4,350.00	\$4,350.00	\$4,000.00	\$4,000.00	\$3,310.00	\$3,310.00
23	For Connecting to Existing Waterline at STA 23+76 with HIMAX Couplings, Complete in Place For	Lump Sum	1	\$2,700.00	\$2,700.00	\$7,200.00	\$7,200.00	\$11,329.36	\$11,329.36	\$24,425.00	\$24,425.00	\$6,500.00	\$6,500.00	\$6,565.00	\$6,565.00
24	For Connecting to Existing Waterline at STA 26+89 with HIMAX Couplings, Complete in Place For	Lump Sum	1	\$2,700.00	\$2,700.00	\$2,300.00	\$2,300.00	\$4,673.76	\$4,673.76	\$4,800.00	\$4,800.00	\$4,000.00	\$4,000.00	\$4,562.00	\$4,562.00
25	For Connecting to Existing Waterline at STA 30+13 with HIMAX Couplings, Complete in Place For	Lump Sum	1	\$2,700.00	\$2,700.00	\$5,100.00	\$5,100.00	\$9,330.16	\$9,330.16	\$8,350.00	\$8,350.00	\$4,000.00	\$4,000.00	\$4,086.00	\$4,086.00
26	For Cutting and Plugging Existing Waterline, Complete For	Each	16	\$450.00	\$7,200.00	\$780.00	\$12,480.00	\$280.00	\$4,480.00	\$500.00	\$8,000.00	\$200.00	\$3,200.00	\$1,535.00	\$24,560.00
27	For Closing Existing Valve, Removing Stem and Plug Valve Box, Complete For	Each	8	\$450.00	\$3,600.00	\$360.00	\$2,880.00	\$308.00	\$2,464.00	\$150.00	\$1,200.00	\$200.00	\$1,600.00	\$1,038.00	\$15,504.00
28	For Reconnecting Existing Waterline for Residential Single Service, per Detail Sheet 15, Complete in Place For	Each	13	\$1,100.00	\$14,300.00	\$2,300.00	\$29,900.00	\$1,116.90	\$14,519.70	\$850.00	\$11,050.00	\$1,200.00	\$15,600.00	\$1,728.00	\$22,464.00
29	For Reconnecting Existing Waterline for Residential Double Service, per Detail Sheet 15, Complete in Place For	Each	4	\$1,700.00	\$6,800.00	\$2,600.00	\$10,400.00	\$1,646.40	\$6,585.60	\$1,200.00	\$4,800.00	\$1,500.00	\$6,000.00	\$2,222.00	\$8,888.00
30	Provide and Install 6-Inch Diameter SDR 35 PVC Sanitary Sewer Line, Complete in Place For	Linear Foot	222	\$35.00	\$7,770.00	\$70.70	\$15,695.40	\$84.87	\$18,841.14	\$62.00	\$13,764.00	\$48.00	\$10,656.00	\$92.00	\$20,424.00
31	Provide and Install 8-Inch Diameter SDR 35 PVC Sanitary Sewer Line, Complete in Place For	Linear Foot	73	\$42.00	\$3,066.00	\$74.00	\$5,402.00	\$93.78	\$6,845.94	\$65.00	\$4,745.00	\$50.00	\$3,650.00	\$94.50	\$6,898.50
32	For Removing Existing 6-Inch Diameter Sanitary Sewer Line, Complete For	Linear Foot	117	\$35.00	\$4,095.00	\$36.90	\$4,317.30	\$15.20	\$1,778.40	\$21.25	\$2,486.25	\$10.00	\$1,170.00	\$50.00	\$5,850.00
33	Provide and Install 4-Foot Diameter Sanitary Sewer Manhole, Complete in Place For	Each	4	\$3,800.00	\$15,200.00	\$3,900.00	\$15,600.00	\$5,109.76	\$20,439.04	\$3,500.00	\$14,000.00	\$2,000.00	\$8,000.00	\$3,052.00	\$12,208.00
34	Provide and Install 4-Foot Diameter Dog House Sanitary Sewer Manhole, Complete in Place For	Each	1	\$4,200.00	\$4,200.00	\$4,600.00	\$4,600.00	\$5,684.32	\$5,684.32	\$3,675.00	\$3,675.00	\$2,000.00	\$2,000.00	\$3,754.00	\$3,754.00
35	For Abandoning Existing Sanitary Sewer Manhole, Complete For	Each	2	\$1,200.00	\$2,400.00	\$1,600.00	\$3,200.00	\$1,077.44	\$2,154.88	\$500.00	\$1,000.00	\$500.00	\$1,000.00	\$3,057.00	\$6,114.00
36	For Connecting to Existing Sanitary Sewer with FERNCO Couplings	Each	9	\$950.00	\$8,550.00	\$940.00	\$8,460.00	\$560.00	\$5,040.00	\$650.00	\$5,850.00	\$300.00	\$1,800.00	\$1,126.00	\$10,134.00
37	For Asphalt Milling in Preparation of Pavement, Complete For	Square Yard	4439	\$18.00	\$79,902.00	\$4.20	\$18,643.80	\$3.36	\$14,915.04	\$4.95	\$21,973.05	\$4.00	\$17,756.00	\$4.00	\$17,756.00
38	Remove and Replace Concrete Pavement, Complete For	Square Yard	731	\$65.25	\$47,697.75	\$35.00	\$25,585.00	\$67.20	\$49,123.20	\$92.60	\$67,690.60	\$54.00	\$39,474.00	\$69.00	\$50,439.00
39	Remove and Replace Concrete Driveway, Complete For	Square Yard	22	\$65.25	\$1,435.50	\$54.00	\$1,188.00	\$67.20	\$1,478.40	\$109.60	\$2,411.20	\$45.00	\$990.00	\$59.00	\$1,298.00
40	Remove and Replace Concrete Curb and Gutter, Complete For	Linear Foot	155	\$25.00	\$3,875.00	\$32.00	\$4,960.00	\$22.40	\$3,472.00	\$44.50	\$6,897.50	\$20.00	\$3,100.00	\$21.90	\$3,394.50
41	Remove and Replace Concrete Valley Gutter, Complete For	Square Yard	9	\$62.25	\$560.25	\$73.00	\$657.00	\$72.80	\$655.20	\$120.35	\$1,083.15	\$90.00	\$810.00	\$100.00	\$900.00
42	Furnish and Install Type D H.M.A.C. Replacement, Complete For	Square Yard	13	\$28.00	\$364.00	\$56.00	\$728.00	\$33.60	\$436.80	\$41.50	\$539.50	\$37.00	\$481.00	\$44.00	\$572.00
43	Furnish and Install Base Replacement, Complete For	Square Yard	866	\$18.00	\$15,588.00	\$11.00	\$9,526.00	\$8.96	\$7,759.36	\$11.00	\$9,526.00	\$7.00	\$6,062.00	\$36.00	\$31,176.00
44	Furnish, Install, Maintain and Remove Silt Fence, Complete For	Linear Foot	576	\$4.50	\$2,592.00	\$3.10	\$1,785.60	\$2.24	\$1,290.24	\$3.45	\$1,987.20	\$2.50	\$1,440.00	\$3.50	\$2,016.00
45	Furnish and Install Sodding for Permanent Erosion Control, Complete For	Square Yard	486	\$11.00	\$5,346.00	\$8.10	\$3,936.60	\$11.20	\$5,443.20	\$12.50	\$6,075.00	\$10.00	\$4,860.00	\$2.50	\$1,215.00
Total Bid Amount					\$431,922.50		\$487,746.60		\$494,219.33		\$520,257.45		\$559,183.00		\$599,030.50



BURY

221 West Sixth Street, Suite 600
Austin, Texas 78701
(512) 328-0011, Phone

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LAMAR STREET WATERLINE REPLACEMENT

CITY OF TEMPLE

Date: January 22, 2014
File: EXH01.mxd
Scale: 1 inch = 200 feet
Tech: GA
Project Number:

RESOLUTION NO. 2014-7393-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONSTRUCTION CONTRACT WITH M&C FONSECA CONSTRUCTION COMPANY, INC., OF GRANITE SHOALS, TEXAS, FOR CONSTRUCTION OF A NEW 12-INCH DIAMETER WATER LINE ALONG LAMAR STREET, FROM 7TH STREET TO THE CORRIDOR BETWEEN 15TH AND 17TH STREETS AND THE REPLACEMENT OF FIVE 6-INCH WASTEWATER LINES, IN AN AMOUNT NOT TO EXCEED \$431,922.50; DECLARING OFFICIAL INTENT TO REIMBURSE CERTAIN EXPENDITURES WITH THE ISSUANCE OF 2014 UTILITY REVENUE BONDS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, for several years, the Public Works Utility Services Division has responded to water line leaks on Lamar Street – this area has old cast-iron water lines with lead-poured joints which are a critical connection between pump stations and storage tanks;

Whereas, upgrades include replacement of approximately 2,100 linear feet of 12-inch diameter cast-iron pipe with 12-inch diameter PVC pipe, and five 6-inch diameter wastewater lines in the right-of-way will be replaced with 8-diameter PVC pipe upgrading the transmission main and improving water service and fire protection in the area;

Whereas, by advancing the replacement of these wastewater lines, the City will avoid the necessity to repave the street when upgrading the wastewater lines in the future;

Whereas, City Council authorized this project as part of the Capital Improvement Plan in the FY 2014 Budget – this project will be funded with the proposed 2014 Utility Revenue Bonds to be issued in the fall of 2014;

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

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

Whereas, upon issuance of the Obligations, the City desires to reimburse these prior expenditures with proceeds of the Obligations;

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

Whereas, funds are available in Account No. 561-5200-535-9649, Project No. 101082 for this contract; and

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

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

Part 1: The City Council authorizes the City Manager, or his designee, to execute a construction contract with M&C Fonseca Construction Company, Inc., of Granite Shoals, Texas, after approval as to form by the City Attorney, for construction of a new 12-inch diameter water line along Lamar street, from 7th Street to the corridor between 15th and 17th Streets and the replacement of five 6-inch wastewater lines, in an amount not to exceed \$431,922.50, as well as declare an official intent to reimburse the expenditure with the issuance of 2014 Utility Revenue Bonds.

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

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

PASSED AND APPROVED this the 21st day of **August**, 2014.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
Deputy City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

8/21/14
Item #4(E)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Joe Mudd, Code Enforcement Manager

ITEM DESCRIPTION: Consider adopting a resolution authorizing an asbestos abatement and demolition contract with Sierra Contracting Corporation of Round Rock for the asbestos removal and demolition of 15 South MLK Jr. Drive and 2122 South 15th Street in the amount of \$52,800.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: As shown on the attached bid tabulation, on July 24, 2014, seven (7) competitive bids were received for the asbestos abatement and demolition of 15 South MLK Jr. Drive, a former church, and 2122 South 15th Street, a former residence. Staff is recommending award of the asbestos abatement and demolition contract to Sierra Contracting Corporation, the low bidder. Sierra has performed demolition work for the City in the past and staff deems them to be a responsible contractor.

The 15 South MLK Jr. Drive property has a demolition order placed on it by the City's Building & Standards Board. Due to a fire, the property is in danger of collapsing. The City will be placing a lien on the property for the value of the asbestos abatement and demolition in the amount of \$45,300.

The 2122 South 15th Street property is a residential property that was acquired by the City several years ago due to systemic flooding issues. The property was used by the Utility Services for several years, but no longer has any defined use and has become dilapidated.

The bid specifies that the work will be completed in 20 days from the notice to proceed. Accordingly, the demolition of these properties should be complete by the end of September 2014.

FISCAL IMPACT: Funding in the amount of \$53,300 is available in account 110-3700-524-2631 for the asbestos abatement and demolition contract with Sierra Contracting Corporation in the amount of \$52,800.

ATTACHMENTS:

[Bid tabulation](#)
[Resolution](#)

Tabulation of Bids Received
on July 24, 2014 at 2:00 p.m.
Demolition of Two (2) Structures including Incidental Asbestos Abatement
Bid# 37-01-14

Description	Bidders			
	Building Abatement Demolition Company Liberty Hill	AAR Inc. Liberty Hill	Construction Companies Group LLC. Dallas	Tactical Demolition Prosper, TX
Base Bid	\$66,000.00	\$62,700.00	\$76,000.00	\$108,000.00
Unit Price for 15 S. MLK Jr Drive (Former Church)				
Pipe Insulation	\$22.00	\$10.50	\$15.00	\$308.00
Flooring Material & Mastic	\$2.25	\$2.50	\$15.00	\$1,083.00
Cement Asbestos Board	\$2.50	\$2.50	\$15.00	\$3,696.00
Window Glazing	\$125.00	\$150.00	\$1,000.00	\$2,198.00
Unit Price for 2122 S. 15th Street (Former Residence)				
Sheet Flooring (Linoleum)	\$5.50	\$4.50	\$15.00	\$1,705.00
Exceptions	Yes	No	No	Yes
Bid Bond	5%	5%	5%	5% Not on our form
Bond Requirement Affidavit	Yes	Yes	Yes	No
Credit Check Authorization	Yes	Yes	Yes	No

Description	Bidders			
	Sierra Contracting Corp Round Rock, TX	Centex Scrap & Metal Killeen, TX	Gene Doss Construction, Inc. Temple, TX	
Base Bid	\$52,800.00	\$83,400.00	\$87,300.00	
Unit Price for 15 S. MLK Jr Drive (Former Church)				
Pipe Insulation	\$5.00	\$260.00	\$8.00	
Flooring Material & Mastic	\$1.50	\$1,970.00	\$10.00	
Cement Asbestos Board	\$1.25	\$2,200.00	\$6.00	
Window Glazing	\$40.00	\$1,600.00	\$142.00	
Unit Price for 2122 S. 15th Street (Former Residence)				
Sheet Flooring (Linoleum)	\$2.50	\$3,100.00	\$12.00	
Exceptions	None	Yes	Yes	
Bid Bond	5% not on our form	Cashier's Check	5%	
Bond Requirement Affidavit	Yes	Yes	Yes	
Credit Check Authorization	Yes	Yes	Yes	

RESOLUTION NO. 2014-7394-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING AN ASBESTOS ABATEMENT AND DEMOLITION CONTRACT WITH SIERRA CONTRACTING CORPORATION OF ROUND ROCK, TEXAS, FOR THE ASBESTOS REMOVAL AND DEMOLITION OF 15 SOUTH MARTIN LUTHER KING, JR. DRIVE AND 2122 SOUTH 15TH STREET, IN THE AMOUNT OF \$52,800 AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on July 24, 2014, seven (7) competitive bids were received for the asbestos abatement and demolition of the following structures:

15 South Martin Luther King, Jr. Drive – a former church
2122 South 15th Street – a former residence

Whereas, a demolition order has been placed on the former church located at 15 South Martin Luther King, Jr. Drive by the City's Building & Standards Commission – due to a fire, the property is in danger of collapsing;

Whereas, the City acquired the property located at 2122 S. 15th Street several years ago due to systematic flooding issues – the property was used by the Utility Services Department for several years, but no longer has any defined use and has become dilapidated;

Whereas, staff recommends award of this contract to Sierra Contracting Corporation of Round Rock, Texas, in the amount of \$52,800 – the City has previously done business with Sierra Contracting Corporation and has found them to be a responsible vendor;

Whereas, funds are budgeted in Account No. 110-3700-524-2631 for this project; and

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

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

Part 1: The City Council authorizes the City Manager, or his designee, to execute a contract with Sierra Contracting Corporation of Round Rock, Texas, after approval as to form by the City Attorney, for the asbestos removal and demolition of 15 South Martin Luther King Jr. Drive and 2122 South 15th Street, in the amount of \$52,800.

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 **21st** day of **August**, 2014.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
Deputy City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

08/21/14
Item #4(F)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Brynn Myers, Assistant City Manager

Ashley Williams, Sustainability and Grant Manager

ITEM DESCRIPTION: Consider adopting a resolution authorizing a construction contract with Lochridge Priest, of Temple, to replace seven (7) HVAC units at City Hall, in the amount of \$103,542; and request reimbursement funding from Oncor's – Take a Load Off Texas incentive program for work completed.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The project will result in the replacement of seven (7) HVAC units at City Hall, due to the need to adequately and efficiently provide conditioning to the building.

In spring 2013 five (5) units were damaged by hail and assessed for repair with insurance funds. The units are twelve-years old and up for replacement in FY 18. Given the shortened life of the equipment, due to hail damage, it was assessed by staff that there was greater benefit to replace the units out of the replacement cycle with the use of insurance funds, as opposed to repair the units.

Since five (5) units were being replaced out of cycle, staff contracted with Rabroker and Associates, of Temple, to assess the overall conditioning/load needs of the building. This was done to ensure that all systems were operating at efficient levels and providing maximum comfort to the conditioned spaces. It was found that five (5) of the twelve (12) units were operating at their expected levels. Of the seven (7) operating at less than expected levels, five (5) were the hail damaged units. To ensure operational efficiency for all units, staff recommends replacing all seven (7) inefficient units.

The impacted areas are as follows:

- 3rd Floor Southeast Corner (Legal)
- 3rd Floor Southwest Corner (Legal)
- Council Chambers
- City Manager's Office Large Conference Room
- City Manager's Office Small Conference Room
- 3rd Floor Northeast Corner (Finance)

Oncor offers an incentive program through "Take a Load off Texas," offering up to 50% reimbursement on energy improvement projects. Staff seeks authorization to apply for funds to be used towards this project, as the project is complete. Staff anticipates receiving \$51,771 in incentive funds, through this program.

FISCAL IMPACT: The City has received \$27,848 in funds for repair to AC units damaged by hail at City Hall, due to the insurance claims, of which will be utilized to off-set project costs. The Oncor program guidelines provide up to a 50/50 match, it is anticipated that the City will receive up to \$51,771 in incentive funds. Remaining funds for the project will come from the HVAC replacement fund, account 110-5924-519-6310, project 100960, in the amount of \$23,923.

A budget adjust is presented to Council to appropriate funds as described above.

ATTACHMENTS:

[Budget Adjustment](#)

[Engineer's Letter of Recommendation](#)

[Bid Tabulation](#)

[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
110-5924-519-63-10	100960	HVAC - City Hall	\$ 92,311	
110-5924-519-63-10	100750	HVAC Replacement		12,692
110-0000-461-05-54		Insurance Claims	27,848	
110-0000-461-0865		Other / Misc Reimbursements	51,771	
TOTAL.....			\$ 171,930	\$ 12,692

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

This budget adjustment will (1) appropriate insurance proceeds from TML for reimbursement for hail damage that occurred during May 2013 to City Hall, (2) allocate additional funds needed to fund the construction contract from the general HVAC replacement project account (current available funding in account is \$11,231), and (3) recognize Oncor's incentive program offering up to 50% reimbursement on energy improvement projects.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒

Yes

☐

No

DATE OF COUNCIL MEETING

8/21/2014

WITH AGENDA ITEM?

☒

Yes

☐

No

Department Head/Division Director

Date

☐

Approved

☐

Disapproved

Finance

Date

☐

Approved

☐

Disapproved

City Manager

Date

☐

Approved

☐

Disapproved



RABROKER

& ASSOCIATES

Texas Registered Engineering Firm #F-12538

MEP Consulting Engineers

P.O. Box 2061

Belton, TX 76513

August 14, 2014

Mrs. Ashley Williams, ATEM

Sustainability and Grant Manager

City of Temple

2 North Main Street

Temple, TX 76501

Re: Municipal Building HVAC Replacement Contractor recommendation

City of Temple project #24-04-14

Dear Mrs. Williams:

Bids were received by the City of Temple until 10:00 a.m. on Tuesday, August 12, 2014 for the above referenced project. There were four (4) sealed bids received and a bid tabulation of these bids is attached.

The Municipal Building HVAC Replacement Project will replace seven (7) existing packaged roof-top units (RTUs) as well as add a new split system air conditioning unit to address occupant comfort and air-conditioning inadequacies. The project also consists of the necessary electrical system modifications that are associated with the new and replaced mechanical system equipment.

Two Contractors submitted incomplete bids and were therefore rejected by the City of Temple. These bidders were Temple Heat and Air L.L.C. and Airco Mechanical, Ltd. Temple Heat and Air L.L.C. did not provide all the required documents listed in the bid invitation. Airco Mechanical, Ltd. submitted a partial bid for the HVAC scope of work only and excluded all necessary electrical work, which was not requested in the bid invitation.

Therefore, the low bidder who provided a complete bid submission was Lochridge-Priest, Inc., 3149 Kegley Lane, Temple, Texas 76502 in the amount of **\$103,542.00**. Lochridge-Priest, Inc. has indicated in their bid submission they have carefully examined the plans, specifications, General Instructions to Bidders, Notice to Bidders, and all other related contract documents and the site of the proposed work.

Based upon the information submitted by Lochridge-Priest, Inc., Rabroker & Associates, P.C. recommends the City of Temple award the Municipal Building HVAC Replacement project to the Temple office of Lochridge-Priest, Inc. in the amount of **\$103,542.00**.



RABROKER & ASSOCIATES

Texas Registered Engineering Firm #F-12538

MEP Consulting Engineers
P.O. Box 2061
Belton, TX 76513

Please do not hesitate to contact us should you have any additional questions.

Sincerely,

Nicholas E. Rabroker

Nicholas E. Rabroker, P.E., LEED ® AP

Rabroker & Associates, P.C.



cc: Ms. Belinda Mattke, Purchasing Director, City of Temple
Mr. Garland Hollas, Vice-President, Lochridge-Priest, Inc.
Mr. David McDonald, P.E., DKMcDonald Consulting PLLC
file

Bid Opening: August 12, 2014
10:00 a.m.

BID TABULATION
Municipal Building HVAC Replacement Project

City of Temple Project #24-04-14
Page 1 of 2

BIDDERS							
				Temple Heat & Air L.L.C. P.O. Box 1725 Temple, TX 76503	Airco Mechanical, Ltd. P.O. Box 9368 Austin, TX 78766-9368	Lochridge-Priest, Inc. 3149 Kegley Lane Temple, TX 76502	Rabroker Air Conditioning and Plumbing, Inc. 5345 S. General Bruce Drive Temple, TX 76502
Item No.	Estimated Qty.	UOM	Description	Total Cost	Total Cost	Total Cost	Total Cost
1	100%	Lump Sum	Mobilization, Bonds and Insurance, not to exceed 5% of the Total Bid Amount	\$ -	\$ -	\$ 5,000.00	\$ 4,092.00
2	100%	Lump Sum	Provide all labor, equipment, materials, tools, supervision, and permits to remove existing and replace gas-fired packaged rooftop units as detailed in the plans and specifications.	\$ 58,500.00	\$ 81,103.00	\$ 56,712.00	\$ 73,036.00
3	100%	Lump Sum	Provide all labor, equipment, materials, tools, supervision, and permits to furnish and install a new split system air conditioning unit with gas-fired indoor furnace unit, plus necessary modification and additions to the gas piping system, as detailed in the plans and specifications.	\$ 6,925.00	\$ 10,300.00	\$ 13,110.00	\$ 17,611.00
4	100%	Lump Sum	Provide all labor, equipment, materials, tools, supervision, and permits to modify the existing ductwork and provide new thermofusers as detailed in the plans and specifications.	\$ 3,500.00	\$ 3,330.00	\$ 14,100.00	\$ 5,552.00

Bid Opening: August 12, 2014
10:00 a.m.

BID TABULATION
Municipal Building HVAC Replacement Project

City of Temple Project #24-04-14
Page 2 of 2

5	100%	Lump Sum	Provide all labor, equipment, materials, tools, supervision, and permits to modify the electrical system as associated with the work described in item number 2 (removal and replacement of packaged rooftop units), including all new conductors, conduit, raceway, boxes, circuit breakers, terminations, etc. as detailed in the plans and specifications.	\$ -	\$ -	\$ 8,820.00	\$ 9,067.00
6	100%	Lump Sum	Provide all labor, equipment, materials, tools, supervision, and permits to modify the electrical system as associated with the work described in item number 3 (new split system), including all new conductors, conduit, raceway, boxes, circuit breakers, terminations, etc. as detailed in the plans and specifications.	\$ -	\$ -	\$ 2,645.00	\$ 3,723.00
7	100%	Lump Sum	Provide all labor, equipment, materials, tools, supervision, and permits to furnish and install a new neutral bus bar within the existing panelboard as detailed in the plans and specifications. Relocate existing neutral conductors to re-terminate at new neutral bus as specified.	\$ -	\$ -	\$ 1,930.00	\$ 6,019.00
8	100%	Lump Sum	Provide record drawings for the renovated mechanical and electrical systems.	\$ -	\$ -	\$ 1,225.00	\$ 250.00
TOTAL OF ITEMS #1 - #8				\$ 68,925.00	\$ 94,733.00	\$ 103,542.00	\$ 119,350.00
				(CORRECTED TOTAL)			

Notes:
1. Written amount submitted by Temple Heat & Air L.L.C. did not match their tabulated amount in submitted bid tabulation. Tabulated total here calculated from their submitted bid tabulation.

Has Bidder acknowledged Addendums?	NO	2 OF 3	3 OF 3	3 OF 3
Did Bidder provide Bid Bond?	NO	YES	YES	YES
Did Bidder provide Bond Requirement Affidavit?	NO	YES	YES	YES
Did Bidder provide Credit Check Authorization?	NO	YES	YES	YES

RESOLUTION NO. 2014-7394-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONSTRUCTION CONTRACT WITH LOCHRIDGE PRIEST OF TEMPLE, TEXAS, TO REPLACE SEVEN HVAC UNITS AT CITY HALL, IN THE AMOUNT OF \$103,542, AND REQUESTING REIMBURSEMENT FUNDING FROM ONCOR'S "TAKE A LOAD OFF TEXAS" INCENTIVE PROGRAM FOR WORK COMPLETED; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, in the spring of 2013, five (5) HVAC units were damaged by hail and assessed for repair with insurance funds – the units are twelve years old and up for replacement in fiscal year 2018;

Whereas, given the shortened life of the equipment due to the hail damage, it was assessed by staff that there is greater benefit to replace the units out of the replacement cycle with the use of insurance funds, as opposed to repairing the units;

Whereas, since five (5) units were being replaced out of cycle, staff contracted with Rabroker and Associates, of Temple, Texas to assess the overall conditioning/load needs of the building - this was done to ensure that all systems were operating at efficient levels and providing maximum comfort to the conditioned spaces;

Whereas, five (5) of the twelve (12) units are operating at their expected levels and of the seven (7) operating at less than their expected levels, five (5) were the hail damaged units - to ensure operational efficiency for all units, staff recommends replacing all seven (7) inefficient units;

Whereas, Oncor offers an incentive program through "Take a Load Off Texas," which offers up to 50% reimbursement on energy improvement projects and staff recommends applying for funds to be used towards this project, as the project is completed;

Whereas, the City has received \$27,848 in funds to repair to the HVAC units damaged by hail – the Oncor program guidelines requires a 50/50 grant match and it is anticipated that the City will receive up to \$51,771 in grant incentive funds;

Whereas, remaining funds for the project are available, but an amendment to the fiscal year 2013-2014 budget needs to be approved to transfer the funds to Account No. 110-592-519-6310, Project No. 100960; 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 to execute a construction contract with Lochridge Priest of Temple, Texas, after approval as to form by the City Attorney, to replace seven (7) HVAC units at City Hall in the amount of \$103,542, and request reimbursement from Oncor’s “Take a Load Off Texas” incentive program for work completed.

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 **21st** day of **August**, 2014.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
Deputy City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

08/21/14
Item #4(G)
Consent Agenda
Page 1 of 2

DEPT. /DIVISION SUBMISSION & REVIEW:

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

ITEM DESCRIPTION: Consider adopting a resolution authorizing a professional services agreement with Clark & Fuller PLLC, of Temple for engineering services including design, surveying, and construction administration required for water and wastewater line replacement between 2nd and 4th Streets (north of Adams Ave) from Barton to French in an amount not to exceed \$87,074.17.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The water and wastewater lines in these areas are 50 plus years old, the water is cast iron pipe with lead poured joints, and the wastewater lines are clay tile pipe with cracks, roots, and broken pipe. Due to the deteriorating infrastructure, these pipes must now be replaced to improve maintenance problems and ensure continuous service in these areas.

In an effort to address the system's needs, this project was identified in the recently updated Capital Improvement Project list. The project will result in replacement of nearly 1,100 feet of water lines and 2,700 feet of wastewater lines. Sequencing and timing of various components of the projects will be considered further during the design process. If these lines are not replaced, they could fail, leaving the area without water or sewer service.

As identified in the attached proposal letter the proposed timeline for design of the project will take approximately 120 days. Per the attachment the engineering services are broken down as follows:

Basic Services

Design Surveying / Construction Staking	\$ 17,000.00
Civil Design	\$ 53,324.17
Bidding	\$ 750.00
Construction Administration	<u>\$ 1,250.00</u>
	<u>\$ 72,324.17</u>

Special Services

On-Site Representation	\$ 14,750.00
------------------------	--------------

TOTAL **\$ 87,074.17**

The engineer's opinion of probable cost for construction of the project is approximately \$627,343.20, resulting in a total estimated project cost of \$714,417.37.

FISCAL IMPACT: Currently, funding in the amount of \$350,000 is available in account 520-5900-535-6361, project 101192, to fund the professional services agreement with Clark & Fuller PLLC in an amount not to exceed \$87,074.17.

Additional funding will be appropriated to the project once bids are received and the actual cost is known. It is anticipated that the construction contract will be presented to Council for award this fall.

ATTACHMENTS:

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

August 6, 2014

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

Re: Professional Services Proposal for the 2014 City of Temple Wastewater Line Replacement
2nd & 4th from Barton Avenue to French Avenue (North of Adams Avenue)

Dear Mrs. Torralva,

We would like to thank the City of Temple for the opportunity to submit a preliminary opinion of probable cost and engineering fee proposal for the 2014 City of Temple Wastewater Line Replacement 2nd & 4th from Barton Avenue to French Avenue (North of Adams Avenue). (Please refer to attached maps and documents for further information).

This project will consist of approximately 2,790 linear feet of new 8" PVC Sanitary Sewer Main and 1,100 linear feet of new 6" PVC Water Main construction to replace existing utility mains that are aging and beginning to fail.

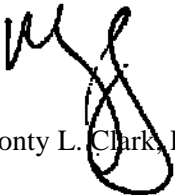
Clark & Fuller, PLLC will complete design topography surveys, new sanitary sewer main designs, construction document preparation, provide construction administration, daily on-site project representation and inspection services, and post construction record drawings.

The proposed timeline for the project design phase is 120 calendar days from the authorization of notice to proceed. Furthermore we estimate the contractor's time to construct to be 180 calendar days.

Clark & Fuller, PLLC, hereinafter Engineer, proposes to the City of Temple, hereinafter Client, Professional Engineering, Inspection, and Surveying Services for a Lump Sum Amount not to exceed \$87,074.17. We estimate the total cost of construction to be \$627,343.20 and we estimate the total cost of construction including professional services and contingencies to be \$714,417.37. (Please refer to attached Maps, Exhibits, and the Preliminary Opinion of Probable Cost for an itemized breakdown and scope of services.)

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

Sincerely,



Monty L. Clark, P.E., CPESC

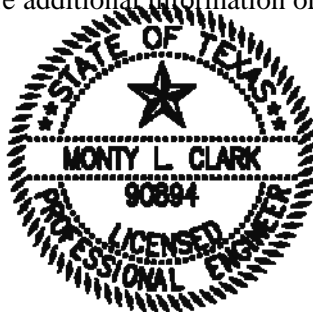


EXHIBIT "A"
Professional Services Proposal for 2014 City of Temple Wastewater Line Replacement
2nd & 4th from Barton Avenue to French Avenue
(North of Adams Avenue)

Scope of Professional Services

Surveying Services: **\$ 17,000.00**

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

Civil Engineering Design Phase: **\$ 53,324.17**

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

Project Bidding Phase: **\$ 750.00**

Construction Phase: **\$ 1,250.00**

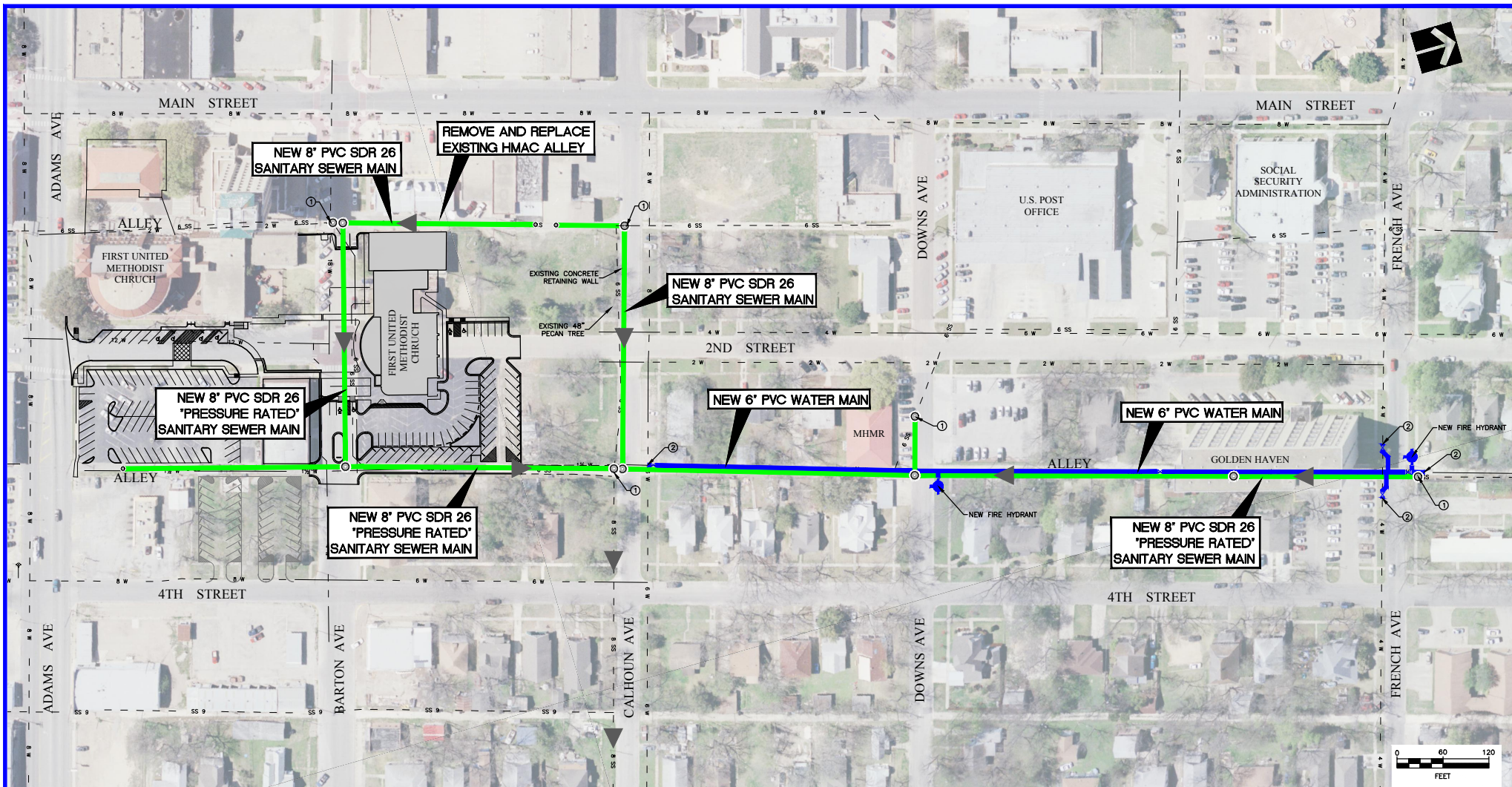
- Attend and facilitate a Pre-Construction Meeting
- Review all Contractor Submittals
- Provide Construction Administration and Project "Site" Visits to assist contractor with field construction questions
- Assist the City of Temple with Construction Questions and Respond to Requests for Information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

Daily Onsite Construction Inspection Services **\$ 14,750.00**

- Provide Daily On-Site Project Representation and Inspection Services

PROFESSIONAL FEE SCHEDULE

Licensed Professional Engineer	\$ 110.00/hr.
Licensed Professional Architect	\$ 125.00/hr.
Design Technician	\$ 70.00/hr.
CADD Technician	\$ 60.00/hr.
CADD Draftsman	\$ 50.00/hr.
Clerical	\$ 35.00/hr.
Licensed Professional Land Surveyor	\$ 105.00/hr.
Field Crew & Total Station	\$ 130.00/hr.
Survey Research and Schematic Production	\$ 90.00/hr.
Daily On-Site Inspection Services	\$ 40.00/hr.
Landscape Designer	\$ 80.00/hr.



**2014 CITY OF TEMPLE
WASTEWATER MAIN REPLACEMENT
2ND & 4TH FROM
BARTON AVENUE TO FRENCH AVENUE
(NORTH OF ADAMS AVENUE)**

RESOLUTION NO. 2014-7396-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH CLARK & FULLER, PLLC, OF TEMPLE, TEXAS, FOR ENGINEERING SERVICES WHICH INCLUDE DESIGN, SURVEYING AND CONSTRUCTION ADMINISTRATION REQUIRED FOR WATER AND WASTEWATER LINE REPLACEMENT BETWEEN 2ND AND 4TH STREETS (NORTH OF ADAMS) FROM BARTON TO FRENCH, IN AN AMOUNT NOT TO EXCEED \$87,074.17; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the water and wastewater lines in these areas are 50 plus years old and are cast iron pipe with lead poured joints - the wastewater lines are clay tile pipe with cracks, roots and broken pipe;

Whereas, due to deteriorating infrastructure, these pipes must now be replaced to improve maintenance and ensure continuous service in these areas – if these lines are not replaced they could fail, leaving the area without water or sewer services;

Whereas, in an effort to address the system's needs, this project was identified in the recently updated Capital Improvement Project list and will result in replacement of nearly 1,100 feet of water lines and 2,700 feet of wastewater lines;

Whereas, funds are available in Account No. 520-5900-535-6361, Project No. 101192 to fund this professional services agreement; and

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

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

Part 1: The City Council authorizes the City Manager, or his designee, to execute a professional services agreement with Clark & Fuller, PLLC of Temple, Texas, after approval as to form by the City Attorney, for engineering services, which include design, surveying and construction administration required for water and wastewater line replacement between 2nd and 4th Streets (north of Adams Avenue) from Barton to French, in an amount not to exceed \$87,074.17.

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 **21st** day of **August**, 2014.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
Deputy City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

08/21/14
Item #4(H)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Nicole Torralva, PE, Director of Public Works
Don Bond, PE, CFM, City Engineer

ITEM DESCRIPTION: Consider adopting a resolution authorizing a professional services agreement with Rabroker & Associates, P.C. (R&A) for engineering design services required to provide emergency back-up power for the six (6) potable water booster pump stations (BPSs), for a lump sum amount of \$69,300.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: This design will provide two (2) back-up generators, one (1) permanent generator located at the Avenue G Pump Station and one (1) portable generator that will be shared by the other 5 pump stations that will be housed at the Water Treatment Plant (WTP). The preliminary sizing of the generators are based from a preliminary engineering report (PER) dated 4-2-2014 and described below:

Ave G Permanent Generator – One (1) 500 kW Generator and Automatic Transfer Switch (ATS)

Shared Portable Generator – One (1) trailer mounted 500 kW Generator and docking stations at each of the remaining five (5) BPSs.

R&A's preliminary opinion of probable construction costs is approximately \$1,308,000.

Consultant services recommended under this professional services agreement include the following not-to-exceed lump sum amounts:

Professional Services

Preliminary Engineering	\$	7,100.00
Final Design and Construction Documents	\$	32,000.00

Bid Phase Services	\$ 8,100.00
Submittal Review Phase	\$ 1,000.00
Construction Administration	\$ 14,200.00
Project Close Out	<u>\$ 6,900.00</u>

TOTAL \$ 69,300.00

This contract will provide design services, bidding services, and construction administration services for the two (2) back-up power generators to serve the City's potable water BPSs.

FISCAL IMPACT: Funding is appropriated in the accounts below.

Description	Account #	Project #	Available Funds
Generator Installation at Critical Booster Pump Stations	520-5123-535-6310	101089	\$ 250,000
Generator Installation at Critical Booster Pump Stations (FY 15)	561-5100-535-6952	101089	\$ 750,000
Generator Replacement at Avenue G Pump Station	520-5123-535-6211	101078	\$ 41,372
Generator Replacement at Avenue G Pump Station (FY 15)	561-5100-535-6953	101078	\$ 700,000
Total Available Funds			\$ 1,741,372

ATTACHMENTS:

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



RABROKER
& ASSOCIATES
Texas Registered Engineering Firm #F-12538
MEP Consulting Engineers
P.O. Box 2061
Belton, TX 76513

Proposal for Professional Engineering Services

August 7, 2014

Mr. James Billeck, P.E.

City of Temple

Department of Public Works

3210 E. Avenue H, Building A, Suite 130

Temple, TX 76501

Re: Backup Power for Potable Water Pump Stations project

Dear Mr. Billeck:

Rabroker & Associates, P.C. is pleased to provide the following fee proposal to provide electrical engineering design services for the above referenced project. We look forward to working with City of Temple and a successful project together.

SCOPE OF SERVICES:

The basic scope of services provided by Rabroker & Associates, P.C. (hereafter referred to as the 'Engineer', the 'Firm', and 'R&A') to City of Temple (hereafter referred to as the 'Client', the 'City', or the 'Owner') shall be as follows:

- 1) Preliminary Engineering Report ('PER').
 - a. The Engineer shall visit each pump station included in the scope of work (six total), document the pertinent existing conditions at each pump station, and perform the necessary calculations to arrive at a recommended standby generator size. The calculations and recommendations are based upon a permanent generator set for the Avenue G pump station and a portable generator set for the remaining five (5) pump stations. The report will also study and recommend a location on each pump station in



Proposal for Professional Engineering Services

B a c k u p P o w e r f o r P o t a b l e W a t e r P u m p S t a t i o n s

which to locate the standby generator connections. The Engineer will formally request the as-built drawings for each pump station from the Client's GIS department. The Engineer has prepared a very preliminary opinion of probable cost (below) and which will be refined prior to inclusion in the report. The Engineer will furnish the PER to the Client for review and attend a meeting at the Client's office to discuss the report, if necessary.

- b. Estimated timeline for completion: Four (4) weeks after formal notice to proceed from the Client.
- c. Preliminary Opinion of Probable Cost

City of Temple - Generator Set Booster Pump Stations

This is an opinion of probable cost

Item	Unit Price	Unit	Quantity	Total
500 kW Permanent Generator	\$ 150,000.00	each	1	\$ 150,000.00
500 kW Portable Generator	\$ 225,000.00	each	1	\$ 225,000.00
Automatic Transfer Switch Ave. G	\$ 17,000.00	each	1	\$ 17,000.00
New svc ent. Fus. Switch, w/ fuses	\$ 10,150.00	each	5	\$ 50,750.00
Manual Transfer switch	\$ 7,100.00	each	5	\$ 35,500.00
Generator Connection Box	\$ 7,600.00	each	5	\$ 38,000.00
SCADA modifications	\$ 7,500.00	each	6	\$ 45,000.00
Labor - electrical	\$ 344,525.00	each	1	\$ 344,525.00
Demolition - electrical @ each BPS	\$ 6,000.00	each	1	\$ 6,000.00
Electrical wiring	\$ 67,500.00	each	1	\$ 67,500.00
Electrical conduit	\$ 39,300.00	each	1	\$ 39,300.00
Trenching	\$ 1,500.00	each	1	\$ 1,500.00

8/7/14

Page 2 of 10



Proposal for Professional Engineering Services

B a c k u p P o w e r f o r P o t a b l e W a t e r P u m p S t a t i o n s

Concrete slab for generator	\$ 8,500.00	each	1	\$ 8,500.00
Mobilization & submittals	\$ 5,000.00	each	1	\$ 5,000.00
Arc flash analysis	\$ 5,000.00	each	6	\$ 30,000.00
Misc. items, consumables	\$ 5,000.00	sum	1	\$ 5,000.00
Permitting	\$ 21,371.50	sum	1	\$ 21,371.50
Overhead & Profit (10%)	\$ 108,994.65	sum	1	\$ 108,994.65
Contingency	\$ 108,994.65	sum	1	\$ 108,994.65
				\$ 1,307,935.80 Total

NOTE: The generator size included in the above OPC is based upon a PER dated 04/02/2014 but is subject to change depending on R&A's engineering analysis and design considerations.

2) Design Documents Phase.

- a. Upon approval of the PER and a notice to proceed into the design documents phase, the Engineer will commence preparation of the engineering documents. This includes overall / partial site plans of each pump station to show the proposed permanent (Ave. G) and portable generator locations, the location of the transfer switches and generator connection boxes, plus fence modifications as necessary. Also included shall be the electrical one-line diagrams, electrical specifications, and details as necessary. The documents will also include notes discussing the intent of the necessary SCADA modifications at each pump station and the necessary structural engineering. The existing SCADA systems shall be modified as necessary to report to the Client the status of several key operational indicators, including, but not limited to: loss/restoration of 'normal' electrical utility power, permanent generator set alarms (fluid levels, etc.). The extent to which the portable generator set may report to the existing SCADA systems shall be investigated during the design and incorporated as reasonably possible. The structural engineering and associated geotechnical engineering (for the Avenue G location only) shall be handled by sub consultants to the Engineer. The Structural Engineer shall design a new concrete pad for the permanent generator set to be installed at the Avenue G pump station. The geotechnical engineer shall provide the report



Proposal for Professional Engineering Services

B a c k u p P o w e r f o r P o t a b l e W a t e r P u m p S t a t i o n s

necessary for the structural engineer to complete their design. The Engineer will provide coordination between the selected sub contractors.

- b. The Engineer will furnish a maximum of two (2) interim review sets to the Client for review and comment: a 50% progress and 95% progress set, or at two other percent completion milestones as desired by the Client. Return of the interim review set comments indicates the Client's acceptance of the design intent and authorization to proceed and finalize the design. The Engineer will review and incorporate the interim review comments, where applicable, prior to the final issuance of the signed and sealed construction documents. The exact issue date of the 100% construction documents shall be coordinated with the Client.
 - c. Estimated timeline for completion: Twelve (12) weeks after formal approval of the PER and notice to proceed from the Client.
- 3) Bidding Assistance Phase.
- a. Upon approval of the final design documents and a notice to proceed into the bidding assistance phase, the Engineer shall assist the Client as necessary to provide a 'bid set' of the construction documents. The distribution of the plans and specification will be handled by the Client. The Engineer will attend the City Council meetings regarding the project and will chair the pre-bid meeting, plus attend the bid opening. The Engineer will respond to questions from Contractors during the bidding phase, during the pre-determined timeframe. The Engineer will provide an updated signed and sealed opinion of probable cost to the Client.
 - b. The Engineer will furnish a signed and sealed construction Contractor award recommendation letter to the City.
- 4) Construction Administration Services.

The construction administration activities and deliverables itemized below are included under the base scope of services for this project. Any request for other professional services during the Construction Phase shall be considered as additional services and shall be subject to the 'Additional Services' terms below.



Proposal for Professional Engineering Services

B a c k u p P o w e r f o r P o t a b l e W a t e r P u m p S t a t i o n s

- a. Submittal review. Submittal documents shall be furnished to the Engineer by the selected Contractor, either electronically or in hard copy format. Please allow ten (10) business days for Engineer's review, comment, and return of submittal.
- b. Requests for Information. A minimum of three (3) business days shall be provided for the Engineer's review, response, and return of Requests for Information (RFI) that are submitted.
- c. Pre-Construction meeting. The Engineer will attend and chair a pre-construction meeting prior to the commencement of construction.
- d. Construction meetings. Attendance at a maximum of eight (8) on-site construction meetings are included in this proposal
- e. The Engineer will observe major equipment installation and start up, equipment demonstrations/trainings, and the project close-out walk-through.
- f. Review of Contractor's pay application. The Contractor shall submit a pay application request for the work completed to date from the previous pay application as per the Client's Purchasing Department requirements. The Engineer will review the pay application from the Contractor, visit the site if necessary, and respond to the Client in accordance with the City's Purchasing Department requirements.
- g. Rabroker and Associates, P.C. proposes a maximum of one (1) on-site construction phase meeting per pump station within the scope of work to observe completed work and to generate the Contractor's punch list. A written report will be generated after the site observation and shall be distributed to the Contractor and Client. The Engineer shall re-visit the site to confirm the punch list items have been addressed by the Contractor.
- h. Project Close-out:
 - i. Review of as-built documentation furnished by the Contractor. The Engineer will compile all as-built documentation and submit the following to the City:
 1. As-built drawings. The Engineer will furnish an electronic copy of the as-built drawings in electronic (PDF & DWG) format plus one (1) set of hard copy prints on mylar.



Proposal for Professional Engineering Services

B a c k u p P o w e r f o r P o t a b l e W a t e r P u m p S t a t i o n s

2. Operations and Maintenance (O&M) manuals. The Engineer will compile O&M manuals as furnished by the Contractor, including all warranty information and test reports, to submit to the Client.
 - ii. Furnish electronic copies of all photos taken by the Engineer.
 - iii. Recommendation of project acceptance and final release of retainage. The Engineer will submit to the City a letter of recommendation for project acceptance and final release of the Contractor's retainage. This will be furnished after the Engineer's verification that the project has been installed in accordance with the Contract Documents.

The scope of work is based upon discussions and preliminary site visits with the Client. Rabroker & Associates, P.C. will work in conjunction with the Client to gather all required information to create the electrical construction documents necessary for the project. The written specifications shall be furnished on the electrical construction documents. Alternatively, at the written direction of the Client, the written specifications may be furnished in PDF format for inclusion in a bound project manual.

INFORMATION TO BE FURNISHED BY THE CLIENT / OWNER:

Rabroker & Associates, P.C. shall be provided with the following:

- Dimensionally accurate floor and site plans in AutoCAD "DWG" format of the existing facilities / sites.
- Information regarding the existing facilities, especially the existing electrical system as-built documentation.
- Assistance obtaining the electrical load history from the electrical utility (only if necessary).
- Any and all space and program requirements as defined by the Client, including the Client's spare electrical capacity requirements for the generator sets.



Proposal for Professional Engineering Services

B a c k u p P o w e r f o r P o t a b l e W a t e r P u m p S t a t i o n s

EXCLUSIONS:

The following are excluded from this proposal:

- 1) Project inspection activities, as the Client's inspector.
- 2) Risk assessment survey or report, including determination or classification of any "hazardous" and/or "classified" areas as defined by the National Fire Protection Association (NFPA).
- 3) Documentation and preparation of a comprehensive and complete one-line diagram of the existing electrical system(s), including, but not limited to, electrical distribution equipment locations and ratings, conductor sizes, types, lengths, and conduit material, surge protective device locations and ratings, etc. Note that a partial electrical one-line diagram will be provided for the system as necessary for this project.
- 4) Remediation and/or notification to the Client and/or Owner of any code violations, other electrical system issues, and/or remediation of other building or construction issues, etc. at the existing facility (includes all other suites, exterior of building(s), etc.).
- 5) Calculation of available fault current at any point in the existing electrical systems.
- 6) Any and all other engineering services, including, but not limited to: civil engineering, mechanical engineering, fire protection/detection/alarm engineering, etc.
- 7) Permitting activities and fees.
- 8) Design and/or specification of fire protection, detection, alarm, and mass notification system(s).
- 9) "Special" systems design and specification, including, but not limited to the following systems: voice, data, cable TV, satellite TV, voice over IP (VoIP), security, surveillance system, access system(s), audio/visual, public address, etc.
- 10) Design and specification of co-generation systems, including, but not limited to: solar photovoltaic system(s), wind turbine system(s), etc.
- 11) The design of any areas or systems not described within the "Scope of Services" section of this document.
- 12) Services during construction other than those described within the "Proposed Construction Phase Services" section of this document.



Proposal for Professional Engineering Services

B a c k u p P o w e r f o r P o t a b l e W a t e r P u m p S t a t i o n s

Should this Scope of Work statement contain inaccuracies, or should the scope of the work differ, please notify the Engineer immediately for a revised proposal.

FEE & REIMBURSABLE EXPENSES:

We propose to provide the above-described basic scope of services for a lump sum fee of **Sixty-nine Thousand Three hundred dollars and no cents (\$69,300).**

The Client will be invoiced by Rabroker & Associates, P.C. based upon defined project milestones; see below. Payment is due within thirty days (30) of the Client's receipt of any invoice. Rabroker & Associates, P.C. retains the right to add interest charges to overdue accounts at an interest rate of 1.5% per month. If the project is abandoned prior to completion of the design, the fee shall be due the date the project is abandoned and shall be based upon the percentage of Services performed.

Invoice Schedule:

R&A will invoice \$7,100 upon the issuance of the signed and sealed Preliminary Engineering Report (PER).

R&A will invoice \$16,000 upon the issuance of the 50% non-signed and sealed interim review documents.

R&A will invoice \$16,000 upon the issuance of the signed and sealed permit documents.

R&A will invoice \$8,100 upon the completion of the Bidding Phase, which for the purposes of this proposal shall be considered to be the issuance of the notice to proceed to the selected Contractor.

R&A will invoice \$1,000 upon review and return of comments for equipment submittals.

R&A will invoice \$14,200 upon completion of the Construction Administration phase, at the point which project close out begins.

R&A will invoice \$6,900 as our final invoice at the project close out.



Proposal for Professional Engineering Services

B a c k u p P o w e r f o r P o t a b l e W a t e r P u m p S t a t i o n s

ADDITIONAL SERVICES:

“Additional services” are defined as any service that is outside of the “Scope of Services” and “Proposed Construction Phase Services” as described above in this document, and any item desired that is included in the ‘Exclusions’ list above. Any modifications made to the Construction Documents by the Client after completion and submission of the Construction Documents shall be considered additional services. Should additional services be desired or required, it is understood the Client shall compensate the Engineer based upon an hourly basis at a rates listed in the Professional Fee schedule below. The Engineer shall prepare a proposal based upon these rates and present it to the Client. Any request that requires travel shall also include mileage at fifty-six and a half cents (\$0.565) per mile, or the IRS mileage rate in effect when the contract was executed.

Rabroker & Associates, P.C. will not execute work related to additional services prior to receipt of written authorization that is signed by both parties (Rabroker & Associates, P.C. and the Client).

PROFESSIONAL FEE SCHEDULE

Licensed Professional Engineer	\$125 / hr.
Designer	\$75 / hr.
CAD Draftsman	\$50 / hr.
Clerical	\$35 / hr.



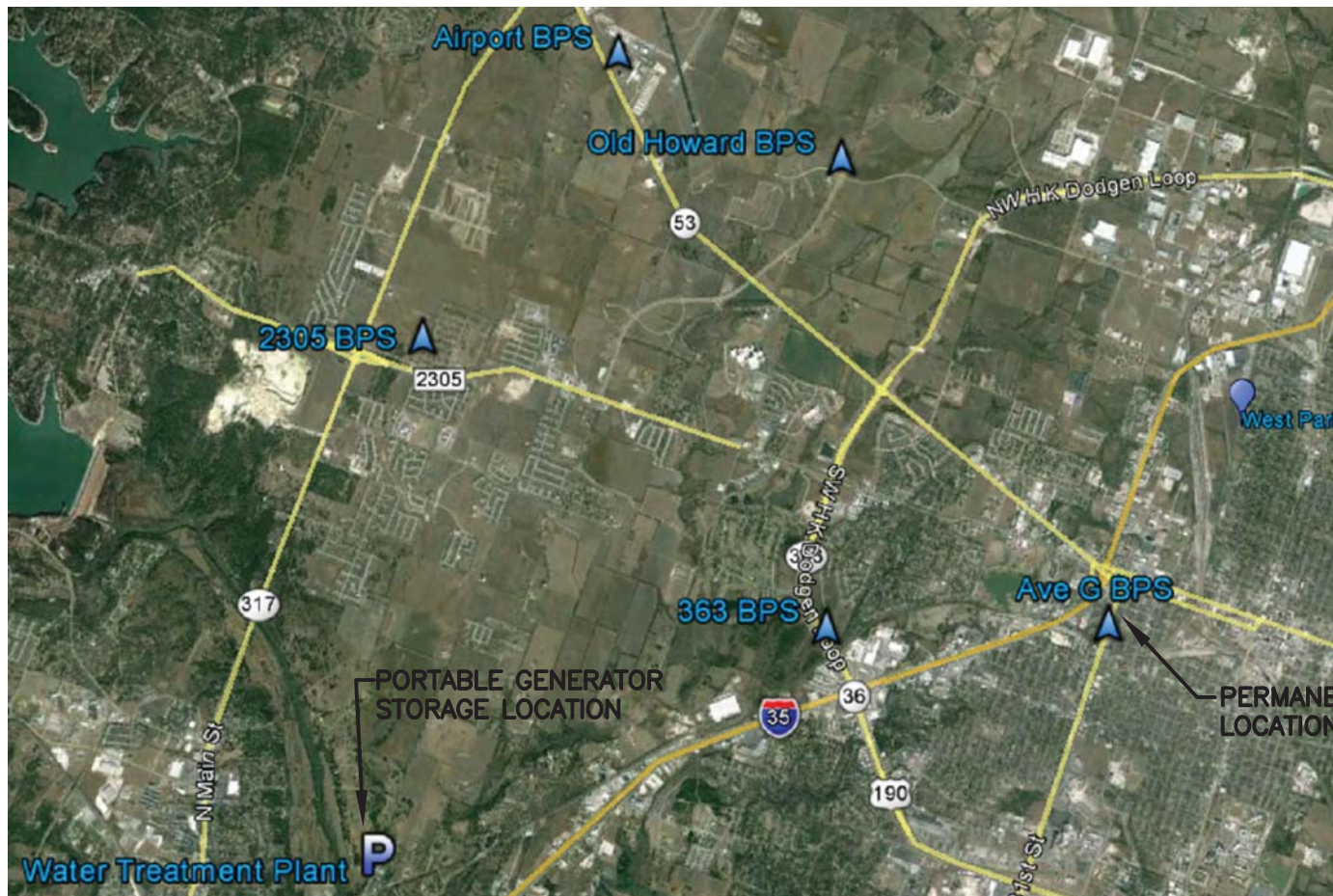
Proposal for Professional Engineering Services

B a c k u p P o w e r f o r P o t a b l e W a t e r P u m p S t a t i o n s

We look forward to the opportunity to assist your team for this and future projects. Please do not hesitate to call with any questions you may have regarding this proposal.

Sincerely,

Nicholas Rabroker, P.E.
President
Rabroker & Associates, P.C.



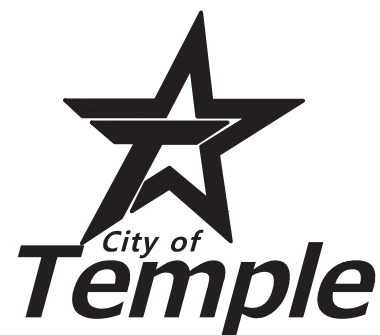
SCALE: NO SCALE

PROJECT MAP



BACK UP POWER FOR POTABLE WATER PUMP STATIONS

CITY OF TEMPLE
2 NORTH MAIN
TEMPLE, TX 76501



THIS DOCUMENT IS
RELEASED FOR THE
PURPOSE OF INTERIM
REVIEW UNDER THE
AUTHORITY OF
NICHOLAS E. RABROKER,
P.E. 104767 ON
08/05/2014.

IT IS NOT INTENDED
FOR CONSTRUCTION,
BIDDING, OR PERMITTING
PURPOSES.

RESOLUTION NO. 2014-7397-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH RABROKER & ASSOCIATES OF TEMPLE, TEXAS, FOR ENGINEERING DESIGN SERVICES REQUIRED TO PROVIDE EMERGENCY BACK-UP POWER FOR SIX POTABLE WATER BOOSTER PUMP STATIONS, IN A LUMP SUM AMOUNT OF \$69,300; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the design services required will provide two (2) back-up generators - one (1) permanent generator located at the Avenue G Pump Station and one (1) portable generator that will be shared by the other 5 (five) pump stations that will be housed at the Water Treatment Plant (WTP);

Whereas, the preliminary sizing of the generators are based on a report dated April 2, 2014 and recommended by Rabroker & Associates;

Whereas, this contract will provide design services, bidding service and construction administration services for the two (2) back-up generators to serve the six (6) portable water booster stations;

Whereas, funding is available for this professional services agreement in Account No. 520-5123-535-6310, Project No. 101089, Account No. 561-5100-535-6952, Project No. 101089; Account No. 520-5123-535-6211, Project No. 101078 and Account No. 561-5100-535-6953, Project No 101078; and

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

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

Part 1: The City Council authorizes the City Manager, or his designee, to execute a professional services agreement with Rabroker & Associates, of Temple, Texas, after approval as to form by the City Attorney, for engineering design services required to provide emergency back-up power for the six (6) potable water booster pump stations, in a lump sum amount of \$69,300.

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 **21st** day of **August**, 2014.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
Deputy City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

08/21/14
Item #4(I)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

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

ITEM DESCRIPTION: Consider adopting a resolution authorizing a professional services agreement with McCreary & Associates, Inc. of Dallas, for the design, bidding, and construction administration for improvements to replace existing main electrical Motor Control Console-4 (MCC-4) located at the Water Treatment Plant Administration Building in an amount not to exceed \$67,000.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: On March 14, 2014, the City executed a services agreement with McCreary & Associates, Inc. to determine the condition of MCC-4. The Engineer's report concluded that the existing MCC-4 sustained severe corrosion from being located in a high humidity room and appears to have overheated at some point. The MCC-4 was installed in 1978 and even though replacement parts are available, to rehabilitate it is not feasible. The MCC-4 supplies power to the Administration Building and to various treatment processes inside the conventional water treatment plant.

The attached proposal includes the follow fees for the scope of work listed above:

Final Design	\$ 41,000.00
Bidding	\$ 4,000.00
Construction Administration	\$ <u>22,000.00</u>
Total Basic Services	\$ <u>67,000.00</u>

The timeline for design is 90 days.

FISCAL IMPACT: Funding in the amount of \$67,000 is available in account 520-5110-535-6222, project 101206, to fund the professional services agreement with McCreary & Associates, Inc. in an amount not to exceed \$67,000. Funding for construction will be available in the FY 15 Capital Improvements Project Budget.

ATTACHMENTS:

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

July 24, 2014

Mr. Damon Boniface
Director of Water Production Services
4820 Parkside Drive
Temple, Texas 76502

Re: City of Temple
Water Treatment Plant
MCC-4 Replacement

Dear Mr. Boniface:

This letter outlines our proposal to the City of Temple for providing engineering services to replace the existing MCC-4 in the basement of the Administration Building at the main WTP at 4820 Parkside Drive. We have completed the engineering report and have recommended that a small generator be installed as part of the MCC-4 replacement to ensure that power is always available for the City's Water Distribution SCADA equipment in the Administration Building. Our scope will include engineering services for:

1. Electrical design for new MCC, MCC specification, transfer switch specification, generator specification, SCADA interface of MCC-4 starters.
2. Structural modifications to the floor where the new MCC will be located, and structural modifications or replacement of the walls of the existing document room. Structural design for the outdoor generator pad.
3. Civil work for the immediate area outside of the Administration Building to show the existing transformer location feeding the MCC and the location of the new generator.

McCreary and Associates, Inc. is familiar with the existing electrical at the WTP as we were the electrical subconsultant design firm for the 2002 Water Treatment Plant Expansion and were prime engineers on the recently completed WTP Emergency Generator Power Improvements Project.

Our opinion of probable construction cost was detailed in the engineering report and was on the order of \$400,000.00

The design phase can be completed within 90 days of authorization to proceed. The construction administration phase will include site visits during the construction and installation of the equipment, at equipment startup and a final walk through prior to acceptance of the equipment.

In order for us to provide services required for completion of this project, the following lump sum amounts are proposed:

Temple Water Treatment MCC-4 Replacement

Basic Services

Design Phase	\$ 41,000.00
Bidding	\$ 4,000.00
Construction Administration	\$ 22,000.00
Total Basic Services	\$ 67,000.00

Final design can be completed within 90 calendar days from receipt of an authorization to proceed as outlined in Attachment A, Project Schedule. It should be noted that the equipment lead times for MCC and Generators are approximately 14-16 weeks and 20-24 weeks, respectively.

Should extra work be required, our hourly rates are attached, See Attachment B.

We are available to address any questions or comments that you may have about this proposal.

Sincerely,



Joseph Kotrla, P.E.
President
McCreary & Associates, Inc.

Attachments: A – Schedule
B – Hourly Rates

ATTACHMENT A

**Project Schedule
for
City of Temple
Water Treatment Plant - MCC-4 Replacement**

Task No.	Task Item	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
1	Award/Contract														
2	Prepare Plans and Specifications														
3	Review by City														
4	Bid and Award Construction														
5	Shop Drawing Submittals														
6	Equipment Fab. & Delivery														
7	Installation and Startup														

McCREARY & ASSOCIATES, INC.

CONSULTING ENGINEERS FIRM# F-338 972/458-8745
6310 LBJ FREEWAY SUITE 217 DALLAS, TEXAS 75240

ATTACHMENT B

City of Temple

Water Treatment Plant MCC-4 Replacement

Hourly Rates for extra services:

<u>Position</u>	<u>Rate</u>
Principal	\$145.00 per hour
Engineer, P.E.	\$145.00 per hour
Engineer	\$115.00 per hour
Engineering Technician, Sr.	\$100.00 per hour
Technician/ACAD	\$ 75.00 per hour
Clerical	\$ 65.00 per hour

RESOLUTION NO. 2014-7398-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH MCCREARY & ASSOCIATES, INC., OF DALLAS, TEXAS, FOR THE DESIGN, BIDDING AND CONSTRUCTION ADMINISTRATION FOR IMPROVEMENTS TO REPLACE EXISTING MAIN ELECTRICAL MOTOR CONTROL LOCATED AT THE WATER TREATMENT PLANT AND ADMINISTRATION BUILDING, IN AN AMOUNT NOT TO EXCEED \$67,000; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on March 14, 2014, the City executed a services agreement with McCreary & Associates, Inc. to determine the condition of an existing main electrical motor control console-4 (MCC-4) - the Engineer's report concluded that the existing MCC-4 sustained severe corrosion from being located in a high humidity room and appears to have overheated at some point;

Whereas, the MCC-4 was installed in 1978 and even though replacement parts are available, rehabilitation of the motor control console is not feasible – this unit supplies power to the Administration Building and to various water treatment processes inside the conventional water treatment plant;

Whereas, funds are available in Account No. 520-5110-535-8222, Project No. 101206 to fund this agreement; and

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

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

Part 1: The City Council authorizes the City Manager, or his designee, to execute a professional services agreement with McCreary & Associates, Inc. of Dallas, Texas, after approval as to form by the City Attorney, for the design, bidding, and construction administration for improvements to replace existing main electrical Motor Control Console-4 located at the Water Treatment Plant Administration Building in an amount not to exceed \$67,000.

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 **21st** day of **August**, 2014.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
Deputy City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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Consent Agenda
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DEPT./DIVISION SUBMISSION & REVIEW:

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

ITEM DESCRIPTION: Consider adopting a resolution authorizing a professional services agreement with McCreary & Associates, Inc. of Dallas, for the design, bidding, and construction administration for improvements to the existing Supervisory Control and Data Acquisition (SCADA) system in an amount not to exceed \$53,000.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The existing cable trays and wiring to accommodate additional SCADA capacity and control capabilities and to allow additional programming modifications is needed. The system serves as the main component used for complete process, monitoring and control at both conventional and membrane water treatment plants, booster pump stations and water storage tanks. Currently, SCADA and electrical components run in the same tray, which creates programming inferences with the SCADA system, which throws off instrumentation and control readings.

The existing SCADA enclosure has reached its capacity due to plant improvements made over the years, making programming and expandability impracticable. The attached proposal includes the following fees for the scope of work listed above:

Final Design	\$ 31,500.00
Bidding	\$ 4,000.00
Construction Administration	\$ <u>17,500.00</u>
Total Basic Services	\$ <u>53,000.00</u>

The timeline for design is 90 days.

FISCAL IMPACT: Currently, funding in the amount of \$68,008 is available in account 520-5122-535-6218, project 101074 to fund the professional services agreement with McCreary & Associates, Inc. in an amount not to exceed \$53,000. Funding for construction will be available in the FY 15 Capital Improvements Project Budget.

ATTACHMENTS:

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

McCREARY & ASSOCIATES, INC.

CONSULTING ENGINEERS FIRM# F-338 972/458-8745
6310 LBJ FREEWAY SUITE 217 DALLAS, TEXAS 75240

July 24, 2014

Mr. Damon Boniface
Director of Water Production Services
4820 Parkside Drive
Temple, Texas 76502

Re: City of Temple
Water Treatment Plant
SCADA Improvements

Dear Mr. Boniface:

This letter outlines our proposal to the City of Temple for providing engineering services to relocate the I/O from the main PLC processor enclosure to more localized areas in the filter building and the chemical feed area in the basement of the Administration Building.

Our scope will include engineering services for:

1. Electrical design for new distributed PLCs networked to the existing master PLC. The electrical design will include wiring for all the relocated points, power to new cabinets, grounding, and interface wiring for digital inputs, digital outputs, and analog input and outputs. New cable trays will be designed as required to separate the PLC I/O wiring from the existing 480 volt power wiring.
2. Specification of new PLCs and description of programming changes to be made by the City's integrator.

McCreary and Associates, Inc. is familiar with the existing electrical at the WTP as we were the electrical subconsultant design firm for the 2002 Water Treatment Plant Expansion and were prime engineers on the recently completed WTP Emergency Power Improvements Project. All these projects involved additions to the City's SCADA system, which we did as part of our work.

Our opinion of probable construction cost is estimated to be on the order of \$350,000.00

The design phase can be completed within 90 days of authorization to proceed. The construction administration phase will include site visits during the construction and installation of the equipment, at equipment startup and a final walk through prior to acceptance of the equipment.

In order for us to provide services required for completion of this project, the following lump sum amounts are proposed:

Temple Water Treatment SCADA System Improvements

Basic Services

Final Design	\$ 31,500.00
Bidding	\$ 4,000.00
Construction Administration	\$ 17,500.00
Total Basic Services	\$ 53,000.00

Final design can be completed within 90 calendar days from receipt of an authorization to proceed as outlined in Attachment A, Project Schedule. PLCs and panel enclosure lead times are generally 4 to 6 weeks.

Should extra work be required, our hourly rates are attached, See Attachment B.

We are available to address any questions or comments that you may have about this proposal.

Sincerely,



Joseph Kotrla, P.E.
President
McCreary & Associates, Inc.

Attachments: A – Schedule
B – Hourly Rates

ATTACHMENT A

**Project Schedule
for
City of Temple
Water Treatment Plant - SCADA System Improvements**

[illegible]

ATTACHMENT B

City of Temple

Water Treatment Plant SCADA System Improvements

Hourly Rates for extra services:

<u>Position</u>	<u>Rate</u>
Principal	\$145.00 per hour
Engineer, P.E.	\$145.00 per hour
Engineer	\$115.00 per hour
Engineering Technician, Sr.	\$100.00 per hour
Technician/ACAD	\$ 75.00 per hour
Clerical	\$ 65.00 per hour

RESOLUTION NO. 2014-7399-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH MCCREARY & ASSOCIATES, INC., OF DALLAS, TEXAS, FOR THE DESIGN, BIDDING AND CONSTRUCTION ADMINISTRATION FOR IMPROVEMENTS TO THE EXISTING SUPERVISORY CONTROL AND DATA ACQUISITION SYSTEM, IN AN AMOUNT NOT TO EXCEED \$53,000; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the Supervisory Control and Data Acquisition (SCADA) system serves as the main component used for complete process, monitoring and control at both the conventional and membrane water treatment plants, booster pump stations and water storage tanks;

Whereas, currently, SCADA and electrical components run in the same tray, which creates programming inferences with the SCADA system and throws off instrumentation and control readings - the existing cable trays and wiring to accommodate additional SCADA capacity and control capabilities and to allow additional programming modifications are needed;

Whereas, the existing SCADA enclosure has reached its capacity due to plant improvements made over the years, making programming and expandability impracticable;

Whereas, funds are available in Account No. 520-5122-535-6218, Project No. 101074 to fund this agreement; and

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

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

Part 1: The City Council authorizes the City Manager, or his designee, to execute a professional services agreement with McCreary & Associates, Inc. of Dallas, Texas, after approval as to form by the City Attorney, for the design, bidding, and construction administration for improvements to the existing Supervisory Control and Data Acquisition (SCADA) system in an amount not to exceed \$53,000.

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 **21st** day of **August**, 2014.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
Deputy City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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Consent Agenda
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DEPT./DIVISION SUBMISSION & REVIEW:

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

ITEM DESCRIPTION: Consider adopting a resolution authorizing the purchase of two .262 acre utility easements for installation of a water line for the Charter Oak water line project.

Executive Session – Pursuant to Chapter 551, Government Code § 551.072 – Real Property – The City Council may enter into 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.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY:

On May 5, 2011, Council authorized a professional services contract with Kasberg, Patrick & Associates, LP (KPA) to design, bid, and inspect two construction contracts for replacement of the 18 inch diameter transmission main from the water treatment plant (WTP) to Loop 363. The existing 18" water line is one of the primary water mains providing water to the City and was constructed approximately 70 years ago. This water main has experienced numerous failures in the recent past and has reached the end of its useful service life.

Replacement of this water transmission main is identified in the 2008 Water Master Plan. The first construction phase of this water main project consists of a new 24 inch diameter water transmission main from the WTP to a point just West of Riverside Trail for an approximate length of 4,000 linear feet. This item for Council consideration represents two of the four utility easements needed to construct this water utility infrastructure.

The easements in question will be conveyed to the City by two separate property owners. Both easements are .262 acres in size. Appraisals were performed on both easements. The appraisal amount for easement #1 was \$4,337, however the appraisal did not adequately account for damages to the remainder property. The new easement will reduce the remaining buildable area of the property and for this reason, the owner has asked for \$8,500 for the easement.

Easement #2 was appraised at \$31,719 which included compensation for the value of the land and damages to the property. However, the appraisal did not account for the impact of the construction to existing landscaping on the property and proximity of the construction to the property's leach field and residential structure. For this reason, the owner has asked for \$41,719 for the easement.

Staff has met with the property owners, evaluated the appraisals, and the counteroffers proposed by the owners. For the reasons outlined above, Staff is requesting authorization to purchase utility easement #1 in the amount of \$8,500 and utility easement #2 in the amount of \$41,719.

FISCAL IMPACT: Funds are available in account 561-5200-535-6939, project 100608, for the purchase of two .262 acre utility easements for installation of water line for the Charter Oak water line project.

ATTACHMENTS:
[Resolution](#)

RESOLUTION NO. 2014-7400-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF TWO APPROXIMATELY .262 ACRE UTILITY EASEMENTS FOR INSTALLATION OF A WATER LINE FOR THE CHARTER OAK WATER LINE PROJECT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, On May 5, 2011, Council authorized a professional services contract with Kasberg, Patrick & Associates, LP (KPA) to design, bid, and inspect two construction contracts for replacement of the 18-inch diameter transmission main from the water treatment plant (WTP) to Loop 363;

Whereas, the existing 18-inch water line is one of the primary water mains providing water to the City, was constructed approximately 70 years ago, and has experienced numerous failures in the recent past, reaching the end of its useful service life;

Whereas, replacement of this water transmission main is identified in the 2008 Water Master Plan and the first construction phase of this water main project consists of a new 24-inch diameter water transmission main from the water treatment plant to a point just West of Riverside Trail for an approximate length of 4,000 linear feet;

Whereas, the easements in question will be conveyed to the City by two separate property owners – appraisals were performed on both easements and each easement is .262 acres in size;

Whereas, the appraisal amount for easement #1 was \$4,337, however the appraisal did not adequately account for damages to the remainder property- the new easement will reduce the remaining buildable area of the property and for this reason, the owner has asked for \$8,500 for the easement;

Whereas, the appraisal amount for easement #2 was \$31,719 which included compensation for the value of the land and damages to the property, however the appraisal did not account for the impact of the construction to existing landscaping on the property and the proximity of the construction to the property's leach field and residential structure, and for this reason, the owner has asked for \$41,719 for the easement;

Whereas, staff has met with the property owners, evaluated the appraisals, and the counteroffers proposed by the owners and is recommending purchase of utility easement #1 in the amount of \$8,500 and the purchase of utility easement #2 in the amount of \$41,719;

Whereas, funds for the purchase of these two utility easements are budgeted in Account No. 561-5200-535-6939, Project No.100608; 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 two approximately .262 acre utility easements for installation of a water line for the Charter Oak water line project, in the amounts listed below:

Utility Easement #1 - \$8,500

Utility Easement #2 - \$41,719

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 **21st** day of **August**, 2014.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
Deputy City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Jonathan Graham, City Attorney

ITEM DESCRIPTION: Consider adopting a resolution authorizing a lease agreement with William Wilson, for lease of space in the E. Rhodes and Leona B. Carpenter Foundation Building (the Temple Public Library).

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: William Wilson, a current tenant at the Temple Public Library, has requested to renew his lease of Suite 301 for a period of two years. The Lease will run from August 1, 2014 to July 31, 2016. Mr. Wilson will pay \$1,814.20 a month in rent to the City.

FISCAL IMPACT: Annual lease revenue of \$21,770.40 will be deposited into account 110-000-461-0937, Library Building Rental.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. 2014-7401-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A 24-MONTH LEASE RENEWAL WITH WILLIAM WILSON FOR SPACE IN THE E. RHODES AND LEONA B. CARPENTER FOUNDATION BUILDING (TEMPLE PUBLIC LIBRARY) AT A LEASE RATE OF \$1,814.20 PER MONTH; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City currently owns and leases offices in the E. Rhodes and Leona B. Carpenter Foundation Building (the Temple Public Library);

Whereas, William Wilson currently leases Suite 301 in the Temple Public Library and has requested to renew his lease for a 24 month term, from August 1, 2014 to July 31, 2016, at the lease rate of \$1,814.20 per month;

Whereas, staff recommends entering into a 24 month lease with William Wilson for space in the E. Rhodes and Leona B. Carpenter Foundation Building (Temple Public Library), expiring on July 31, 2016;

Whereas, the lease agreement allows for a 30-day termination clause should the lessee or the City desire to terminate the lease - the City has previously leased property to this tenant and finds him to be a reasonable lessee; 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 24 month lease renewal, after approval as to form by the City Attorney, with William Wilson who currently leases Suite 301 in the E. Rhodes and Carpenter Foundation Building (Temple Public Library) at the rate of \$1,814.20 per month.

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 **21st** day of **August**, 2014.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
Deputy City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

08/21/14
Item #4(M)
Consent Agenda
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DEPT./DIVISION SUBMISSION & REVIEW:

Brynn Myers, Assistant City Manager

ITEM DESCRIPTION: Consider adopting a resolution accepting the Downtown Temple Strategic Master Plan.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

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

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

A three-day stakeholder charrette and workshop process was held in October 2013 which led to the development of a draft Downtown Strategic Master Plan that was presented to the City Council on April 3 and August 7, 2014.

The draft Downtown Strategic Master Plan identifies opportunities and constraints throughout the downtown area; recommendations regarding policy and program initiatives; an open space and trail network plan; recommendations regarding the street network; and identifies 5 key districts in the downtown area: 1) Town Center, 2) Santa Fe Plaza, 3) 1st Street Corridor, 4) MLK District, and 5) South Gateway to TMED with ideas and proposed projects associated with each district.

The draft Plan encourages the City of Temple and Tax Reinvestment Zone Number One to continue the efforts of revitalization and redevelopment of Downtown Temple. The Plan is intended to identify the best land use options and to provide a cohesive urban design strategy as well as give guidance regarding future capital improvement projects and potential development & redevelopment areas.

FISCAL IMPACT: None

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. 2014-7402-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE,
TEXAS, ACCEPTING THE DOWNTOWN TEMPLE STRATEGIC MASTER
PLAN; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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

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

Whereas, a three-day stakeholder charrette and workshop process was held in October 2013 which led to the development of a draft Downtown Strategic Master Plan that was presented to the City Council on April 3, 2014 and August 7, 2014;

Whereas, the draft Downtown Strategic Master Plan identifies opportunities and constraints throughout the downtown area and makes recommendations regarding policy and program initiatives, an open space and trail network plan, recommendations regarding the street network, and identifies 5 key districts in the downtown area;

Whereas, the draft plan encourages the City and Tax Reinvestment Zone Number One to continue the efforts of revitalization and redevelopment of downtown Temple - the plan is intended to identify the best land use options and provide a cohesive urban design strategy as well as give guidance regarding future capital improvement projects and potential development and redevelopment areas; 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 accepts the Downtown Temple Strategic Master Plan as presented.

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 **21st** day of **August**, 2014.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
Deputy City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

08/21/14
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DEPT./DIVISION SUBMISSION & REVIEW:

Traci L. Barnard, Director of Finance

ITEM DESCRIPTION: Consider adopting a resolution approving third quarter financial results for Fiscal Year 2014.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: This item will present in detail the third quarter ending June 30, 2014, for the General, Water & Sewer, Hotel/Motel Tax, Drainage, and Self-Funded Health Insurance Funds.

Included with these third quarter results will be various schedules detailing grants, sales tax, capital projects and investments.

The third quarter financial statements also include a forecast of year-end financial results for the General Fund as of September 30, 2014.

FISCAL IMPACT: N/A

ATTACHMENTS:

[Quarterly Financial Statements\(To Be Provided\)](#)
[Resolution](#)

RESOLUTION NO. 2014-7403-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING THE THIRD QUARTER FINANCIAL RESULTS FOR THE FISCAL YEAR 2013-2014; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the Director of Finance has prepared the third quarter 2013-2014 fiscal year financial results which details the third quarter ending June 30, 2014, for the General, Water & Sewer, Hotel/Motel Tax, Drainage, and Self-Funded Health Insurance Funds;

Whereas, included in the third quarter results are various schedules detailing grants, sales tax, capital projects, investments and a forecast of year-end financial results for the General Fund as of September 30, 2014; and

Whereas, the City Council deems it in the public interest to authorize this action.

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

Part 1: The City Council approves the third quarter 2013-2014 fiscal year financial results, 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 **21st** day of **August**, 2014.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
Deputy City Attorney



CITY COUNCIL AGENDA ITEM MEMORANDUM

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DEPT. / DIVISION SUBMISSION & REVIEW:

Brynn Myers, Assistant City Manager

ITEM DESCRIPTION: Consider adopting a resolution authorizing a Chapter 380 Strategic Investment Zone “matching grant” agreement with BJ’s Restaurants, Inc. for redevelopment improvements located at 602 East Central Avenue within the Adams, Central, and C Avenues Strategic Investment Zone corridor in an amount not to exceed \$45,000.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The proposed resolution would allow the City Manager to enter into a development agreement with BJ’s Restaurants, Inc. to receive a Chapter 380 SIZ 1:1 matching grant of up to \$15,000 match for façade improvements; up to \$2,500 match for sign improvements; up to \$10,000 for sidewalks; up to \$9,000 in landscape improvements; up to \$1,000 for asbestos survey; up to \$3,000 for asbestos abatement; and up to \$2,500 for demolition. This results in a maximum eligible grant match of \$43,000 plus waiver of permits and fees of up to \$2,000, for a total grant amount of \$45,000.

In order to receive grant funding, the applicant must enter into a development agreement with the City prior to receiving any grant funds or in-kind services by the City. The agreement shall provide that the applicant agrees to:

- complete the work and total capital investment described in the agreement in a timely fashion;
- give the City the right to inspect the work described in the development agreement and the financial records associated with the same during reasonable business hours;
- perform all of the work described in the agreement in accordance with all applicable City codes and regulations; and
- maintain those improvements in the future.

FISCAL IMPACT: The total maximum grant match by the City is \$43,000 plus waiver of permits and fees not to exceed \$2,000. A total of \$139,932 is available in account 110-1500-515-2695 for Strategic Investment Zone grants. If this grant is approved, a balance of \$96,932 will remain available for future grants.

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

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. 2014-7404-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CHAPTER 380 STRATEGIC INVESTMENT ZONE 'MATCHING GRANT' AGREEMENT WITH BJ'S RESTAURANT, INC., FOR REDEVELOPMENT IMPROVEMENTS LOCATED AT 602 EAST CENTRAL AVENUE WITHIN THE ADAMS, CENTRAL AND C AVENUES STRATEGIC INVESTMENT ZONE CORRIDOR, IN AN AMOUNT NOT TO EXCEED \$45,000; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, BJ's Restaurants, Inc. plans to locate at 602 East Central Avenue, which is located within the Adams, Central and C Avenues Strategic Investment Zone corridor which makes it eligible to receive a matching grant incentive from the City which is authorized by Ordinance No. 2014-4672, passed by the Temple City Council on July 3, 2014;

Whereas, staff recommends authorizing a development agreement with BJ's Restaurant, Inc. to receive a Chapter 380 Strategic Investment Zone (SIZ) 1:1 matching grant of up to \$15,000 match for façade improvements, up to \$2,500 match for sign improvements, up to \$10,000 for sidewalks, up to \$9,000 in landscape improvements, up to \$1,000 for asbestos survey, up to \$3,000 for asbestos abatement, and up to \$2,500 for demolition – this results in a maximum eligible grant match of \$43,000 plus waiver of permits and fees of up to \$2,000, for a total amount of \$45,000;

Whereas, in order to receive grant funding, BJ's must enter into a development agreement with the City prior to receiving any grant funds or in-kind services by the City – this agreement shall provide that BJ's agrees to:

- complete the work and total capital investment described in the agreement in a timely fashion;
- give the City the right to inspect the work described in the development agreement and the financial records associated with the same during reasonable business hours;
- perform all work described in the agreement in accordance with City codes and regulations; and
- maintain those improvements in the future;

Whereas, funds are available for this matching grant incentive in Account No. 110-1500-515-2695 - if this grant is approved, a balance of \$110,119 will remain for future grants; and

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

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

Part 1: The City Council authorizes the City Manager, or his designee, to execute a Chapter 380 ‘matching grant’ agreement with BJ’s Restaurants, Inc., after approval as to form by the City Attorney, for redevelopment improvements at 602 East Central Avenue, which is located within the Adams, Central and C Avenues Strategic Investment Zone corridor, in an amount not to exceed \$45,000.

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 **21st** day of **August**, 2014.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
Deputy City Attorney