



**MEETING OF THE
TEMPLE CITY COUNCIL
MUNICIPAL BUILDING
2 NORTH MAIN STREET
3rd FLOOR – CONFERENCE ROOM
THURSDAY, APRIL 7, 2016**

4:00 P.M.

AGENDA

1. Discuss, as may be needed, Regular Meeting agenda items for the meeting posted for Thursday, April 7, 2016.
2. Discuss authorizing a First Amendment to the Ownership and Management Agreement for the Temple-Belton Wastewater Treatment Plant between the City of Temple and the City of Belton. (Item 6(S) on Consent Agenda).
3. Discuss the possible purchase of a portion of two properties necessary for the expansion of Old Waco Road; and the easements necessary for the construction of the Bird Creek Interceptor 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.

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 three minutes. No discussion or final action will be taken by the City Council.

III. PROCLAMATIONS & SPECIAL RECOGNITIONS

3. National Infant Immunization Week April 18 – 23, 2016

IV. PUBLIC APPEARANCE

4. Receive comments from [Ms. Mary Ann Garrett](#) regarding support for Model Citizens Community Youth Organizations in Temple.
5. Receive comments from [Ms. Eva Hamby](#) regarding Code of Ordinance, Chapter 37 Traffic, Section 37.108(e) Parking in residential yards.

V. CONSENT AGENDA

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

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

Minutes

(A) [March 17, 2016 Special and Regular Meeting](#)

Contracts, Leases, & Bids

- (B) [2016-8080-R](#): Consider adopting a resolution authorizing the purchase of pool furniture and fixtures for Lions Junction Family Water Park from various vendors in the amount of \$29,613.64.
- (C) [2016-8081-R](#): Consider adopting a resolution authorizing the purchase of Paratech rescue equipment from Metro Fire Apparatus Specialists, Inc. of Houston in the total amount of \$28,353.
- (D) [2016-8082-R](#): Consider adopting a resolution authorizing the acceptance of three tracts of land from the State of Texas which consist of right-of-way along Adams Lane located in West Temple.
- (E) [2016-8083-R](#): Consider adopting a resolution authorizing the purchase of a portion of two properties necessary for the expansion of Old Waco Road, authorizing the purchase of a remainder parcel, authorizing closing costs associated with the purchases, and authorizing the payment of relocation expenses, in an amount not to exceed \$380,000.
- (F) [2016-8084-R](#): Consider adopting a resolution authorizing the purchase of easements necessary for the construction of the Bird Creek Interceptor project and authorizing closing costs associated with the purchase, in an amount not to exceed \$89,000.
- (G) [2016-8085-R](#): Consider adopting a resolution authorizing a professional services agreement with Kasberg, Patrick, & Associates, LP, of Temple in an amount not to exceed \$219,388, for professional services required for the Old Town South Sewer replacements between 1st and 11th Streets from Avenue D to Avenue N.
- (H) [2016-8086-R](#): Consider adopting a resolution amending the professional services agreement with Jacobs Engineering Group, Inc. to deduct ROW services for the Bird Creek Interceptor Project in the amount of \$73,600.
- (I) [2016-8087-R](#): Consider adopting a resolution authorizing a professional services agreement with Lone Star Right-of-Way Services in an amount not to exceed \$73,600, for easement acquisition services for the Bird Creek Interceptor project.
- (J) [2016-8088-R](#): Consider adopting a resolution authorizing a professional services agreement with Clark & Fuller, PLLC, of Temple in an amount not to exceed \$387,822.90, for professional services required for the Western Hills Water Improvement Project.
- (K) [2016-8089-R](#): Consider adopting a resolution authorizing an agreement with Clark & Fuller, PLLC, of Temple in an amount not to exceed \$283,836, for professional services required for Phase 1 of the Knob Creek Tributary Wastewater Basin Assessment.
- (L) [2016-8090-R](#): Consider adopting a resolution authorizing an Advanced Funding Agreement with the State of Texas for safety improvements on South 31st Street near Scott Boulevard and Scott & White South Loop.

- (M) [2016-8091-R](#): Consider adopting a resolution authorizing a Wholesale Water Supply Agreement between the City of Temple and the City of Troy.
- (N) [2016-8092-R](#): Consider adopting a resolution authorizing a contract with Musco Sports Lighting, LLC in the amount of \$109,000, for the design and construction of an athletic field lighting system for Wiseman Baseball Field located in Scott & White Park.
- (O) [2016-8093-R](#): Consider adopting a resolution authorizing a construction contract with Wolff Construction L.P. of Salado in the amount of \$89,995, for the Pepper Creek Trail Enhancements Project Phase II.
- (P) [2016-8094-R](#): Consider adopting a resolution authorizing a construction contract with T. Morales Co. Electric and Controls Ltd of Florence in an amount not to exceed \$312,300 for construction of the supervisory control and data acquisition system for the Doshier Farm Wastewater Treatment Plant.
- (Q) [2016-8095-R](#): P-FY-16-21: Consider adopting a resolution dedicating public easements on portions of City-owned Tracts E and F, Lake Pointe, Phase II-A1, establishing one drainage easement and one utility easement on each Tract.
- (R) [2016-8096-R](#): Consider adopting a resolution authorizing an Interlocal Agreement with the North Central Texas Council of Governments allowing cooperative purchasing for Actuarial Shared Services.
- (S) [2016-8097-R](#): Consider adopting a resolution authorizing a First Amendment to the Ownership and Management Agreement for the Temple-Belton Wastewater Treatment Plant between the City of Temple and the City of Belton.

Ordinances – Second & Final Reading

- (T) [2016-4759](#): SECOND READING - PUBLIC HEARING - Z-FY-16-14 – Consider adopting an ordinance authorizing a rezoning from Agricultural (AG) to General Retail (GR) on 3.00 +/- acres of land, situated in the Baldwin Robertson Survey, Abstract 17, Bell County, Texas, located at 9151 State Highway 317.

Misc.

- (U) [2016-8098-R](#): Consider adopting a resolution authorizing budget amendments for fiscal year 2015-2016.

VI. REGULAR AGENDA

RESOLUTIONS

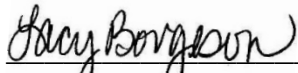
- 7. [2016-8099-R](#): P-FY-16-14: Consider adopting a resolution approving the Final Plat of Cedar Cove Replat, a 4.895 +/- acres, 2 Lot, 1 Block, being a replat of Lot 2, Block 1, Cedar Cove Subdivision, a residential subdivision, with a requested exception to Unified Development Code (UDC) Section 8.2.1.C: Right-of-Way and Pavement Dimensional Standards, to allow a reduced right-of-way dedication, located in Temple's western extra-territorial jurisdiction (ETJ) north of Cedar Cove Road, south of Westcliff Road, and west of Fullview First Street.

ORDINANCES – FIRST READING/PUBLIC HEARING

8. **2016-4760:** FIRST READING & PUBLIC HEARING – Consider adopting an ordinance granting Temple Transportation, Inc. d/b/a Yellow Cab, a non-exclusive, five-year franchise to provide taxicab services in the City of Temple.
9. **2016-4761:** FIRST READING – PUBLIC HEARING: Consider adopting an ordinance amending the classifications of entry-level firefighters and police officers.
10. **2016-4762:** FIRST READING – PUBLIC HEARING – Consider adopting an ordinance establishing the prima facie speed limit on the US Loop 363 frontage road, within the City limits.
11. **2016-4763:** FIRST READING - PUBLIC HEARING - Z-FY-16-16 - Consider adopting an ordinance authorizing a rezoning from Agriculture (AG) district to Single Family One (SF-1) district, on 5.888 +/- acres, situated in the Mary Cherry Survey, Abstract No. 175, Bell County, Texas, located at 4516 Hickory Road.
12. **2016-4764:** FIRST READING – PUBLIC HEARING – TMED-FY-16-01 – Consider adopting an amendment to Ordinance No. 2014-4689, for a Temple Medical Education District (TMED) Planned Development (PD) District site plan on 1.27 acres +/-, Lot 1, Block 1, Shoppes on the Hill Subdivision, to allow for a drive-through restaurant, located at 2304 South 31st Street.
13. **2016-4765:** FIRST READING – PUBLIC HEARING - Z-FY-16-10 – Consider adopting an ordinance authorizing a rezoning from Commercial (C) to Planned Development-Commercial (PD-C) Freeway Retail/Commercial Sub-District, I35 Overlay Corridor, to authorize additional land uses; modify landscaping, architectural and outdoor storage standards; and modify triggers for applicability of I35 Overlay standards; on Lot 1, Block 2 (less strip conveyed for I35 ROW) (3.643 acres), and Lot 2, Block 1, (1.241 acres), Walker Saulsbury Commercial Subdivision Phase III, and A0550BC CS Masters OB 553 (3.204 acres).

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 1:30 PM, on Friday, April 1, 2016.



City Secretary, TRMC



COUNCIL AGENDA ITEM MEMORANDUM

04/07/16
Item #4
Regular Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Daniel A. Dunn, Mayor

ITEM DESCRIPTION: Receive comments from Ms. Mary Ann Garrett regarding support for Model Citizens Community Youth Organizations in Temple.

STAFF RECOMMENDATION: Receive comments as presented in item description.

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

FISCAL IMPACT: None

ATTACHMENTS:

[Request for placement on agenda](#)



CITY OF TEMPLE, TEXAS

CITY COUNCIL MEETINGS

REQUEST FOR PLACEMENT ON AGENDA

__Priority

NAME OF PRESENTER: Mary Ann Garrett

ADDRESS: 901 South 2nd Temple Tx

TELEPHONE NO: (254) 563-3865

DATE REQUESTED TO APPEAR BEFORE THE COUNCIL: (Note: The City Council meets the first and third Thursdays of each month.) APR. 1st 2016

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

Support in my efforts for a facility to expand
My M.C. Community Youth Organizations Efforts of
helping All Youth to become model citizens, to help cut down on
Crime, and to become Young Volunteers, Support includes

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

Rental, utilities, ect. on
* I have my 5013c
upon request

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

Mary Ann Garrett
SIGNATURE OF PRESENTER

3-18-16
DATE

For Office Use:

RECEIVED

MAR 18 2016

CITY OF TEMPLE, TX
CITY SECRETARY



COUNCIL AGENDA ITEM MEMORANDUM

04/07/16
Item #5
Regular Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Daniel A. Dunn, Mayor

ITEM DESCRIPTION: Receive comments from Ms. Eva Hamby regarding code of Ordinance, Chapter 37 Traffic, Section 37.108(e) Parking in residential yards.

STAFF RECOMMENDATION: Receive comments as presented in item description.

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

FISCAL IMPACT: None

ATTACHMENTS:

[Request for placement on agenda](#)



RECEIVED

MAR 31 2016

CITY OF TEMPLE, TEXAS

CITY OF TEMPLE, TX
CITY SECRETARY

CITY COUNCIL MEETINGS

REQUEST FOR PLACEMENT ON AGENDA

__Priority

NAME OF PRESENTER: Eva Hamby

ADDRESS: 3414 Deer Tr Temple, TX 76504

TELEPHONE NO. 254-383-7497

DATE REQUESTED TO APPEAR BEFORE THE COUNCIL: (Note – The City Council meets the first and third Thursdays of each month.) 4/7/16

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

Sec 37.108e Parking ingress. Policy not being enforced.

Amend ordinance with Consider allowing other materials
to be used for constructing parking spaces, eg concrete pavers

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

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

Eva Hamby
SIGNATURE OF PRESENTER

3/30/16
DATE

For Office Use:



COUNCIL AGENDA ITEM MEMORANDUM

04/07/16
Item #6(A)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Lacy Borgeson, City Secretary

ITEM DESCRIPTION: Approve Minutes:

(A) March 17, 2016 Special 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:

March 17, 2016 Special and Regular Meeting



COUNCIL AGENDA ITEM MEMORANDUM

04/07/16
Item #6(B)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Kevin Beavers, CPRP, Parks and Recreation Director

ITEM DESCRIPTION: Consider adopting a resolution authorizing the purchase of pool furniture and fixtures for Lions Junction Family Water Park from various vendors in the amount of \$29,613.64.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The Parks and Recreation Department seeks approval to purchase pool furniture and fixtures for Lions Junction Family Water Park in the amount of \$29,613.64. The pool equipment will be used to accommodate the deep water pool expansion and the increase in patrons that will follow.

The proposed purchases are as follows:

1. One lifeguard chair from eLifeguard.com in the amount of \$902.63
2. Ten lifeguard umbrellas from eLifeguard.com in the amount of \$528.79
3. Ninety stackable chaise lounges from Webstaurant Store in the amount of \$8,971.49
4. Sixteen square picnic tables from Highland Products Group, LLC in the amount of \$10,345
5. Twenty patio umbrellas from Highland Products Group, LLC in the amount of \$4,210
6. Ten trash receptacles from Webstaurant Store in the amount of \$4,655.73

Items 4 and 5 above, totaling \$14,555, are covered under BuyBoard Contract #423-13. Items 1, 2, 3, and 6, totaling \$15,058.64, are being recommended utilizing competitive quotes, per the Council-adopted monetary guidelines.

It is anticipated that these furniture and fixtures will be installed and ready for use for the facility's season opening on May 28, 2016.

FISCAL IMPACT: Funding for this project was partially appropriated in the FY2016 Parks GO Bonds in account 362-3500-552-6407 (\$1,945,758), project 101316; and partially appropriated with a donation from the Temple Lions Club, in account 110-3500-552-6364 (\$32,800), project 101316, and is combined in the table identified below:

Project Budget	\$ 1,978,558
Encumbered/Committed To Date	(1,948,944)
Purchase of Pool Equipment	(29,614)
Remaining Funds	\$ (0)

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF POOL FURNITURE AND FIXTURES FOR LIONS JUNCTION FAMILY WATER PARK, IN THE AMOUNT OF \$29,613.64, FROM VARIOUS VENDORS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, pool furniture and fixtures are needed to accommodate the deep water pool expansion and the increase in patrons at Lions Junction Family Water Park;

Whereas, items to be purchased include one lifeguard chair, 10 lifeguard umbrellas, 90 stackable chaise lounges, 16 square picnic tables, 20 patio umbrellas, and 10 trash receptacles;

Whereas, the picnic tables and patio umbrellas are covered under BuyBoard Contract #423-13 and the remaining items are being recommended utilizing competitive quotes, per the Council-adopted monetary guidelines;

Whereas, funding for these purchases was partially appropriated in the fiscal year 2016 Parks GO Bonds in Account No. 362-3500-552-6407, Project No. 101316, and partially appropriated with a donation from the Temple Lions Club, in Account No. 110-3500-552-6364, Project No. 101316; 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 pool furniture and fixtures for Lions Junction Family Water Park, in the amount of \$29,613.64, from various vendors.

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

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

PASSED AND APPROVED this the 7th day of April, 2016.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

04/07/16
Item #6(C)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Mitch Randles, Fire Chief

ITEM DESCRIPTION: Consider adopting a resolution authorizing the purchase of Paratech rescue equipment from Metro Fire Apparatus Specialists, Inc. of Houston in the total amount of \$28,353.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: In the FY2016 budget, Council approved the funding to purchase extrication equipment for Special Operations. Temple Fire and Rescue has seen an increase in motor vehicle accidents which involve tractor trailers in addition to current motor vehicle accidents that occur daily on Interstate 35. Currently the department has limited capabilities in lifting and disassembling these type of vehicles.

The proposed purchase includes a hydra-fusion strut kit in the amount of \$5,412 and a 16-shore trench kit in the amount of \$22,941.

Metro Fire Apparatus Specialists, Inc. has been awarded contract #432-13 by BuyBoard, which these items are contracted under. Contracts awarded through BuyBoard have been competitively procured and meet the statutory procurement requirements for Texas municipalities.

FISCAL IMPACT: Funding for the purchase of Paratech rescue equipment is appropriated in account 110-5900-522-6211, project #101454, as follows:

Project Budget	\$	61,625
Encumbered/Committed To Date		(23,410)
Purchase Paratech Rescue Equip. - Metro Fire Inc.		(28,353)
Remaining Funds	\$	<u>9,862</u>

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF PARATECH RESCUE EQUIPMENT, IN THE AMOUNT OF \$28,353, FROM METRO FIRE APPARATUS SPECIALISTS, INC. OF HOUSTON, TEXAS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, in the fiscal year 2016 budget, Council approved the purchase of extrication equipment - Temple Fire and Rescue has seen an increase in motor vehicle accidents which involve tractor trailers in addition to current motor vehicle accidents that occur daily on Interstate 35 and the department is currently limited in lifting and disassembling these type of vehicles;

Whereas, the proposed purchase includes a hydra-fusion strut kit and a 16-shore trench kit that can be used in the types of rescue efforts described above;

Whereas, Metro Fire Apparatus Specialists, Inc. has been awarded a BuyBoard contract which the City will use for this purchase - contracts awarded through BuyBoard have been competitively procured and meet the statutory procurement requirements for Texas municipalities;

Whereas, funding for this purchase is appropriated in Account No. 110-5900-522-6211, Project No. 101454; 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 PARATECH rescue equipment, in the total amount of \$28,353, from Metro Fire Apparatus Specialists, Inc. of Houston, Texas, utilizing a BuyBoard Local Government Online Purchasing Cooperative Contract.

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

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

PASSED AND APPROVED this the 7th day of **April**, 2016.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

04/07/16
Item #6(D)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Jonathan Graham, City Manager
Kayla Landeros, City Attorney

ITEM DESCRIPTION: Consider adopting a resolution authorizing the acceptance of three tracts of land from the State of Texas which consist of right-of-way along Adams Lane located in West Temple.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: On February 24, 2016, the City Manager received a letter from the Texas Department of Transportation ("TxDOT") which included property descriptions for three tracts of land that serve as right-of-way for Adams Lane located in West Temple. At this time, TxDOT is prepared to convey the right-of-way to the City of Temple. Tract One is 2.2632 acres, Tract Two is 3.3013 acres, and Tract Three is 2.0818 acres. The State of Texas will convey Tract One and Tract Three to the City through a Warranty Deed. If at any time any portion of Tract One and Tract Three cease to be used as a public road all right, title and interest to that portion of the road will revert back to the State of Texas. Tract Two will be conveyed by a Quit Claim Deed.

TxDOT requires a resolution from the City Council to accept conveyance of the property.

FISCAL IMPACT: The property is currently classified as public improvements. The City has been and will continue to maintain the property per the municipal maintenance agreement between the City and the State of Texas. No additional maintenance will be required because of the acceptance of the three tracts of land from the state.

ATTACHMENTS:

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

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

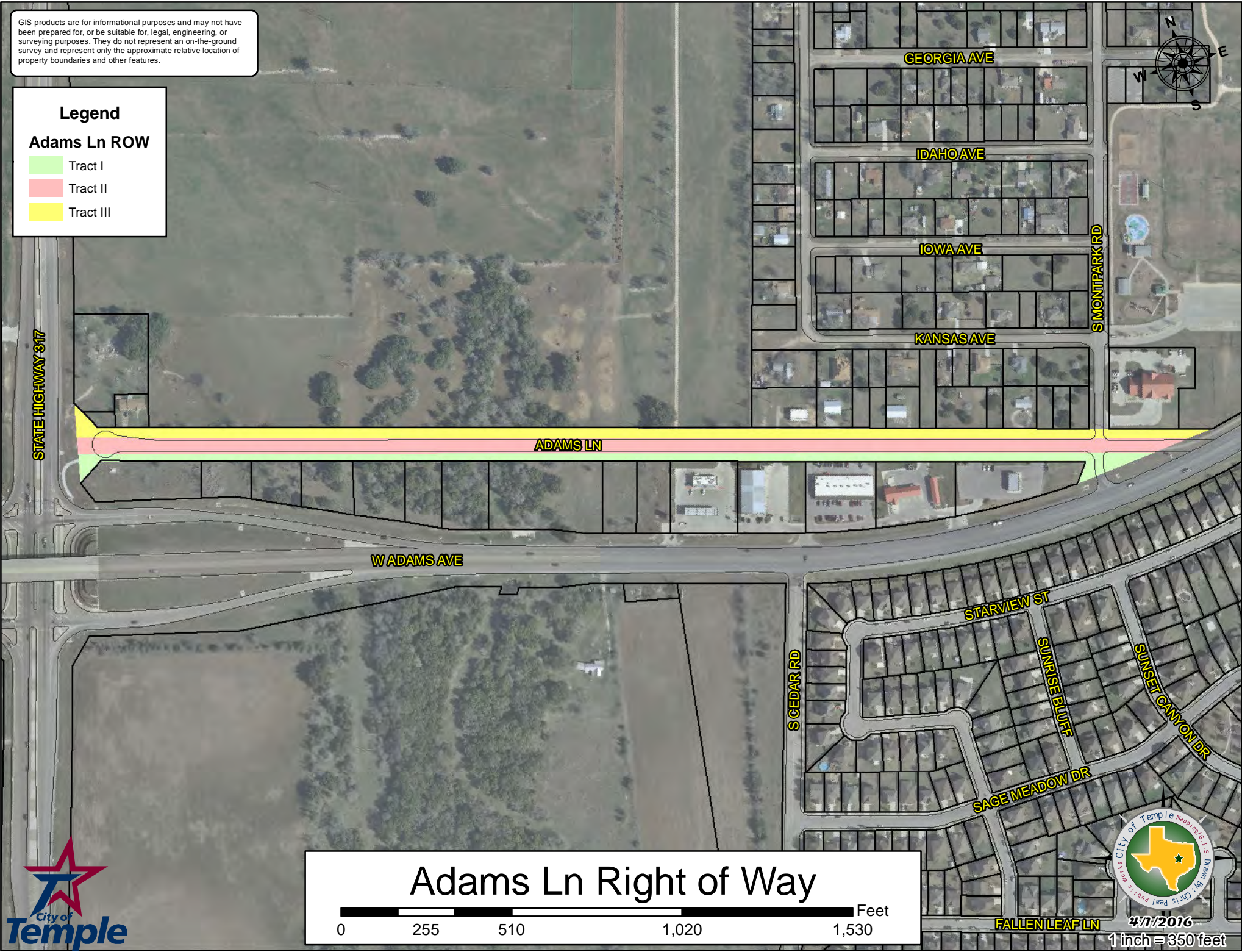
Legend

Adams Ln ROW

Tract I

Tract II

Tract III



Adams Ln Right of Way

0 255 510 1,020 1,530 Feet

1 inch = 350 feet

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE ACCEPTANCE OF THREE TRACTS OF LAND FROM THE STATE OF TEXAS, WHICH CONSISTS OF RIGHT-OF-WAY ALONG ADAMS LANE, LOCATED IN WEST TEMPLE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on February 24, 2016, the City Manager received a letter from the Texas Department of Transportation (“TxDOT”) which included property descriptions for three tracts of land that serve as right-of-way for Adams Lane located in West Temple and which TxDOT is prepared to convey to the City of Temple:

Tract One – approximately 2.2632 acres;
Tract Two – approximately 3.3013 acres; and
Tract Three – approximately 2.0818 acres;

Whereas, the State of Texas will convey Tract One and Tract Three to the City through a Warranty Deed and if at any time any portion of Tract One and Tract Three cease to be used as a public road, all right, title and interest to that portion of the road will revert back to the State of Texas - Tract Two will be conveyed by a Quit Claim Deed to the City of Temple;

Whereas, TxDOT requires a Resolution from the City Council to accept conveyance of these properties;

Whereas, the City has been and will continue to maintain the property per the municipal maintenance agreement between the City and the State of Texas - no additional maintenance will be required because of the acceptance of the three tracts of land from the State; and

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

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

Part 1: The City of Temple accepts conveyance by Warranty Deed of Tract One and Tract Three described on Exhibit A herein attached from the State of Texas. If at any time any portion of Tract One and Tract Three cease to be used as a public road all right, title and interest to that portion of road will revert back to the State of Texas.

Part 2: The City of Temple accepts conveyance by Quit Claim Deed of Tract Two described on Exhibit B herein attached from the State of Texas.

Part 3: The City Council authorizes the City Manager, or his designee, after approval as to form by the City Attorney, to execute any documents that may be necessary for the acceptance of these three tracts of land.

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

PASSED AND APPROVED this the 7th day of **April**, 2016.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

APPROVED AS TO FORM:

ATTEST:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

04/07/16
Item #6(E)
Consent Agenda
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DEPT./DIVISION SUBMISSION & REVIEW:

Kayla Landeros, City Attorney

Jim Kachelmeyer, Deputy City Attorney

ITEM DESCRIPTION: Consider adopting a resolution authorizing the purchase of a portion of two properties necessary for the expansion of Old Waco Road, authorizing the purchase of a remainder parcel, authorizing closing costs associated with the purchases, and authorizing the payment of relocation expenses, in an amount not to exceed \$380,000.

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 presented in item description.

ITEM SUMMARY: The City is currently in the design phase for the proposed expansion of Old Waco Road from the drainage channel just north of Brandon Drive to a point 300 feet south of the drainage channel just south of Jupiter Drive, otherwise known as Phase 3B of the future Outer Loop. The design requires the acquisition of right-of-way from ten different property owners. Appraisals have been performed on the parcels, offers have been made to the property owners based upon those appraisals, and the City is in the process of performing the relocation studies.

To date, agreements have been reached with two property owners. Staff is asking for authorization to purchase the necessary right-of-way from these two properties, purchase the remainder parcel of one of the properties, pay closing costs, and pay any relocation expenses that may be required by law, in an amount not to exceed \$380,000. The addresses of the two properties are listed below:

6918 Old Waco Lane

6916 Venus Drive

FISCAL IMPACT: Funding for the purchase of the two properties for the Outer Loop, Phase IIIB project is appropriated in account 365-3400-531-6813, project 101121.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF A PORTION OF TWO PROPERTIES NECESSARY FOR THE EXPANSION OF OLD WACO ROAD; AUTHORIZING THE PURCHASE OF A REMAINDER PARCEL; AUTHORIZING CLOSING COSTS ASSOCIATED WITH THESE PURCHASES; AUTHORIZING THE PAYMENT OF RELOCATION EXPENSES IN AN AMOUNT NOT TO EXCEED \$380,000; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City is currently in the design phase for the proposed expansion of Old Waco Road from the drainage channel just north of Brandon Drive to a point 300 feet south of the drainage channel south of Jupiter Drive, otherwise known as Phase 3B of the future Outer Loop;

Whereas, the design requires the acquisition of right-of-way from ten different property owners - appraisals have been performed on the parcels, offers have been made to the property owners based upon those appraisals, and the City is in the process of performing the relocation studies;

Whereas, to date, agreements have been reached with two property owners and Staff is asking for authorization to purchase the necessary right-of-way from these two properties, purchase the remainder parcel of one of the properties, pay closing costs, and pay any relocation expenses that may be required by law, in an amount not to exceed \$380,000

Whereas, the properties are located at:

- 6918 Old Waco Lane
- 6916 Venus Drive

Whereas, funding for the purchases is appropriated in Account No. 365-3400-531-6813, Project No. 101121; and

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

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

Part 1: The City Council authorizes the purchase of a portion of two properties located at 6918 Old Waco Lane and 6916 Venus Drive, which are necessary for the expansion of Old Waco Road, authorizing the purchase of a remainder parcel located at 6918 Old Waco Lane, authorizing closing costs associated with the purchases, and authorizing the payment of relocation expenses, in an amount not to exceed \$380,000.

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

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

PASSED AND APPROVED this the 7th day of **April**, 2016.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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DEPT./DIVISION SUBMISSION & REVIEW:

Kayla Landeros, City Attorney
Jim Kachelmeyer, Deputy City Attorney

ITEM DESCRIPTION: Consider adopting a resolution authorizing the purchase of easements necessary for the construction of the Bird Creek Interceptor project and authorizing closing costs associated with the purchase, in an amount not to exceed \$89,000.

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 presented in item description.

ITEM SUMMARY: The City is currently in the design phase for Phase 4 of the proposed Bird Creek Interceptor project. The design requires the acquisition of easements for wastewater utilities and temporary construction easements from several property owners, including the property situated at 2402 South 61st Street in Temple. An appraisal was performed on the parcel and an offer was presented to the property owner in November 2015. In February 2016, the property owner presented a counter offer based upon its own appraisal. Staff has reached a settlement agreement with the property owner and is asking for authorization to purchase the necessary easements and pay closing costs in an amount not to exceed \$89,000.

FISCAL IMPACT: Funding for the acquisition of easements required for construction of Phase 4 of the Bird Creek Interceptor project in the amount of \$89,000 is appropriated in account 520-5900-535-6110, project 101213.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF EASEMENTS NECESSARY FOR THE CONSTRUCTION OF THE BIRD CREEK INTERCEPTOR PROJECT; AUTHORIZING CLOSING COSTS ASSOCIATED WITH THESE PURCHASES IN AN AMOUNT NOT TO EXCEED \$89,000; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City is currently in the design phase for Phase 4 of the proposed Bird Creek Interceptor project which requires the acquisition of easements for wastewater utilities and temporary construction easements from several property owners, including the property situated at 2402 South 61st Street in Temple;

Whereas, an appraisal was performed on the parcel and an offer was presented to the property owner in November, 2015 - in February, 2016, the property owner presented a counter offer based upon its own appraisal;

Whereas, Staff has reached a settlement agreement with the property owner and recommends Council authorize the purchase of the necessary easements and pay associated closing costs, in an amount not to exceed \$89,000;

Whereas, funding for the acquisition of easements required for construction of Phase 4 of the Bird Creek Interceptor project is appropriated in Account No. 520-5900-535-6110, Project No. 101213; 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 easements from property located at 2402 South 61st Street which are necessary for the construction of the Bird Creek Interceptor project and authorizes closing costs associated with the purchase, in an amount not to exceed \$89,000.

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

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

PASSED AND APPROVED this the 7th day of **April**, 2016.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

04/07/16
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DEPT./DIVISION SUBMISSION & REVIEW:

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

ITEM DESCRIPTION: Consider adopting a resolution authorizing a professional services agreement with Kasberg, Patrick, & Associates, LP, of Temple in an amount not to exceed \$219,388, for professional services required for the Old Town South Sewer replacements between 1st and 11th Streets from Avenue D to Avenue N.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Public Works has identified failing wastewater mains requiring replacement in the south half of the Original Town subdivision beginning at West Avenue D and portions of other subdivisions extending to West Avenue N., between South 1st Street and South 11th Street. The project will replace approximately 18,000 linear feet of wastewater main with new 6-inch to 15-inch diameter PVC wastewater main, manholes, and services.

As identified in the attached proposal, the time required for design is 150 calendar days from the Notice to Proceed. Per the attachment, the professional engineering services are as follows:

Basic Services

Design	\$ 129,716
Bidding	\$ 7,000
Construction Administration	\$ 44,082
Subtotal	\$ 180,798

Special Services

Field Surveys	\$ 12,000
On-Site Representation	\$ 26,590
Subtotal	\$ 38,590

TOTAL \$ 219,388

The Engineer's preliminary opinion of probable construction cost is \$2.6 million, resulting in a total estimated project cost of \$2.8 million.

FISCAL IMPACT: Funding for award of a professional services contract to KPA in the amount of \$219,388 is appropriated in account 561-5400-535-6964, project 101201, as follows:

Project Budget	\$ 1,160,000
Encumbered/Committed To Date	-
Professional Services Contract Award - KPA	(219,388)
Remaining Funds	\$ 940,612

ATTACHMENTS:

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



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

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

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

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

March 24, 2016

Mr. James Billeck, P.E.
3210 E. Avenue H
Building A January 29, 2016

Re: City of Temple, Texas
1st to 11th from Avenue D to Avenue N Wastewater Main Replacement

Dear Mr. Billeck:

This letter is in response to your request for engineering services required for final design, bidding and construction administration to rehabilitate and/or replace existing wastewater lines and manholes in the general area of S. 1st Street to 11th Street from the railroad tracks north of Avenue D to Avenue N. The project, henceforth known as "1st to 11th from Avenue D to Avenue N Wastewater Main Replacement", is shown on the attached Exhibit A and consists of the replacement or rehabilitation of fourteen (14) wastewater segments (shown in brown) totaling approximately 18,000 linear feet. Each line segment is numbered on Attachment A and corresponds to the numbers below. The limits and lengths of the referenced wastewater lines are generally as follows:

1. Avenue D from the alley between 13th and 11th Streets to the alley between 5th and 3rd Streets
 - a. Approximately 1,300 LF of 15-inch wastewater
2. North of S. 9th Street from W. Avenue D north towards the Railroad Tracks
 - a. Approximately 380 LF of 6-inch wastewater
3. Alley between S. 7th and S. 5th Streets from W. Avenue D north towards the Railroad Tracks
 - a. Approximately 350 LF of 6-inch wastewater
4. Alley between S. 11th and S. 9th Streets from W. Avenue D to W. Avenue J (extension of)
 - a. Approximately 2,270 LF of 8-inch wastewater
5. Alley between S. 11th and S. 9th Streets from W. Avenue J (extension of) to W. Avenue N
 - a. Approximately 1,370 LF of 6-inch wastewater
6. Alley between S. 9th and S. 7th Streets from W. Avenue D to south of W. Avenue I
 - a. Approximately 2,120 LF of 6-inch wastewater
7. Alley between S. 9th and S. 7th Streets from W. Avenue K to W. Avenue M
 - a. Approximately 650 LF of 6-inch wastewater
8. Alley between S. 7th and S. 5th Streets from W. Avenue D to south of W. Avenue I
 - a. Approximately 2,120 LF of 6-inch wastewater
9. Alley between S. 7th and S. 5th Streets from south of W. Avenue I to south of W. Avenue J
 - a. Approximately 140 LF of 6-inch wastewater
10. W. Avenue K from the alley between S. 9th and S. 7th Streets to the alley between S. 1st and S. Main Streets
 - a. Approximately 1,260 LF of 6-inch wastewater

11. Alley between S. 7th and S. 5th Streets from W. Avenue K to W. Avenue M
 - a. Approximately 1,050 LF of 6-inch wastewater
12. Alley between S. 5th and S. 3rd Streets from W. Avenue D to W. Avenue L
 - a. Approximately 2,930 LF of 6-inch wastewater
13. Alley between S. 3rd and S. 1st Streets from W. Avenue H to W. Avenue I
 - a. Approximately 285 LF of 6-inch wastewater
14. Alley between S. 3rd and S. 1st Streets from W. Avenue I to W. Avenue N
 - a. Approximately 1,760 LF of 6-inch wastewater

The rehabilitation/replacement of the wastewater system in the referenced locations will include the following:

1. Replacement/rehabilitation of existing brick manholes.
2. Cleaning and necessary repair of existing concrete manholes or replacement, if conditions require.
3. Replacement of existing wastewater service line from the replaced wastewater line to the property line, including the installation of a new cleanout if the line is replaced in place. If the existing wastewater line is rehabilitated, the service will be reconnected, but may not be replaced. A preliminary review of Google Earth indicates that the referenced lines may potentially have between 400 and 450 service connections.
4. Reforming manhole benches and inverts as necessary to properly convey flow.
5. Installation of drop manhole assemblies where necessary.

Existing information related to wastewater lines, manholes and services was limited. KPA performed a preliminary site visit and pulled accessible manhole covers to determine a general understanding of the existing conditions and materials present. Additionally, conversations with City Staff indicate that the referenced line segments are fairly old and in need of replacement. However, a history of stoppages, backups or other issues related to the interior condition and sizing of the lines was not noted. As such, this project will investigate the replacement or rehabilitation of the line segments with the same diameter pipeline by pipe bursting, open cut or cured-in-place pipe (CIPP) methods. Likewise, existing brick manholes will either be replaced by open cut or rehabilitated by an in-situ method. KPA will present recommendations to City Staff for appropriate rehabilitation methods and incorporate the final decision into the final plan sets and technical specifications. A very preliminary opinion of probable construction cost was performed utilizing size-on-size pipe bursting and open cut replacement of brick manholes totaling approximately \$2.6 million. During preliminary discussions with City Staff, it was noted that the following items could have a substantial impact on the overall cost and that the advantages/disadvantages of each should be fully investigated:

1. Cured-in-Place Pipe vs. Bursting. CIPP has the advantage of being completely in-situ and not requiring open cut (for either installation of pipe or connection of services). This lowers the cost for surface restoration and could eliminate the costs associated with new service lines and cleanouts. In addition, CIPP is generally \$20-30 less expensive than bursting in the 6-inch diameter range. However, CIPP only lines the existing pipe and may require point repairs. Additionally, while the cost of services are removed, the potential problems associated with the services remain. We generally recommend utilizing CIPP in areas where surface items prohibit bursting or the pipe depth is not sufficient to allow bursting.

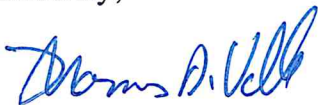
2. Cured-in-Place Manhole lining vs. Open Cut Replacement of Manholes. Poly-Triplex of Texas has a CIP liner that allows a manhole to be completely lined, forming a leak-proof interior that has structural integrity and is resistant to wastewater off-gassing. The major advantage being that minimal surface restoration is required since no excavation is required. The cost is generally comparable to open cut up to depths of 6-8 feet.
3. Limits of Asphalt Overlay. City Staff noted that none of the affected roadways had recently been overlaid or were in the plans to be overlaid in the near future. Any open cut installations, including manholes, insertion/removal pits or services, will require asphalt patches or full road overlays. The type and amount of asphalt replacement will have an impact on the overall budget.

The attached Exhibit B provides the Scope of Services for the project. In order for us to provide services required for completion of this project, the following not-to-exceed lump sum amounts will be applicable:

I. Basic Services	
A. Final Design	\$ 129,716.00
B. Bidding	\$ 7,000.00
C. Construction Administration	\$ 44,082.00
Subtotal Basic Services	\$ 180,798.00
II. Special Services	
A. Field Surveys	\$ 12,000.00
B. On-Site Representation	\$ 26,590.00
Subtotal Special Services	\$ 38,590.00
TOTAL PROJECT	\$ 219,388.00

Exhibit C outlines rates which would be used to charge for special or additional services authorized beyond the scope as described in this proposal. KPA will begin work once a written notice to proceed is issued by the City and will complete plans and specifications within 150 calendar days from receipt of the notice to proceed. We are available to address any questions or comments that you may have about this proposal. As always, we look forward to working with you on the project and to the enhancement that it will bring to the City of Temple.

Sincerely,



Thomas D. Valle, P.E.

TDV/

EXHIBIT B

Scope of Services

1st to 11th from Avenue D to Avenue N Wastewater Main Replacement

I. BASIC SERVICES

A. Final Design

1. Prepare construction drawings and specifications showing the character and extent of the project based on the site surveys and historical records. The construction plans will be drawn on 11-inch by 17-inch sheets (half-scale). The 11x17 prints will be used for bidding purposes and for field copies. The 11x17 prints will also be used for record drawings. This proposal includes ten (10) sets of 11x17 prints for bidding and construction purposes.
2. Make recommendation on rehabilitation or replacement method and meet with City Staff to discuss.
3. Prepare plan and profile drawings of wastewater lines and manholes to be replaced and/or rehabilitated utilizing method determined in consultation with the City.
4. Basic documents related to construction contracts will be provided by the City. These will include contract agreement forms, general conditions and supplementary conditions, invitations to bid, instructions to bidders, insurance and bonding requirements and other contract-related documents. KPA will provide the technical specifications and bid schedule for the project documents. KPA will also provide the recommended contract time (number of construction days).
5. Attend meetings with City Staff Members concerning project progress and plan reviews.
6. Progress meetings with City Staff for status reports and plan reviews.
7. Prepare a revised opinion of probable total project costs based on the final drawings and specifications. OPC will be sealed by project engineer.

B. Design Surveys

1. Field Surveys detailing the existing wastewater infrastructure including manhole location and depth and orientation of wastewater lines and depth as they enter the manhole. General surface features (fences, structures) will be included if they are adjacent to manholes. Property lines will not be determined by survey, but will be as detailed in Bell CAD, adjusted to existing features on the ground.

C. Bidding

1. Provide final opinion of probable construction cost, sealed by Project Engineer/Manager;
2. Assist in soliciting bidders;
3. Monitor status/number of bidders on plan holders list;
4. Answer potential bidders questions;
5. Conduct pre-bid conference;
6. Prepare addenda as required;
7. Attend bid opening;
8. Tabulate bids and recommend contract award.
9. Submit sealed recommendation of award letter and attend Council meeting when construction contract is awarded.

D. Construction Staking

1. No construction staking will be provided as work consists of replacement of existing utilities.

E. Contract Administration

1. Conduct pre-construction conference;
2. Prepare Partial Payment forms and review partial payment requests;
3. Make periodic project visits during construction;
4. Communicate with City Project Manager weekly regarding project status and schedule;
5. Conduct construction progress meetings;
6. Advise and consult with the Owner, communicate with Contractor, prepare routine change orders as required, and keep the Owner informed of the progress;
7. Review submittals;
8. Prepare cut sheets;
9. Respond to RFIs from Contractor;
10. Review monthly evaluations of Contractor's work and relay to City Staff;
11. Check final pay quantities and pay requests;
12. Conduct final walk through of project with Contractor and City Staff;
13. Prepare and distribute punch list;
14. Verify completion of punch list items;
15. Provide recommendation to City Staff regarding acceptance of project;
16. Prepare Record Drawings (1 copy on Mylar and CD). Record drawings will be based on elevations determined in the design survey, site observations and field measurements/notes made by the contractor during the construction phase. Due to the nature of this project, rehabilitation of existing structures, it is not anticipated that the horizontal or vertical location of existing manholes will vary from pre- to post-construction.

II. SPECIAL SERVICES

A. Easement Documents

1. KPA will utilize All County Surveying Inc. (ACS) to perform field surveys.
2. Our services do not include obtaining right of entry or acquisition of easements from impacted property owners, therefore, the cost for these services are not included in our proposal.

B. On-Site Representation

1. KPA will respond to Contractor's requests for information (RFI);
2. Observe equipment and pipe materials for compliance with the plans and specifications and approved shop drawing submittals;
3. Verify installed quantities and materials on hand for monthly pay estimates;
4. Confirm and note changes on as-built plans submitted by Contractors.
5. Observe trench excavations and backfill for compliance with specifications;
6. Prepare written daily reports on construction activities summarizing work performed, quantities installed, number of laborers on site, equipment used, weather conditions and significant activities and test results;
7. Participate in pre-construction meetings, progress meetings and final walkthroughs;
8. Provide information for monthly evaluation regarding Contractor quality of work, timeliness, cooperation with City Staff and Public;
9. Meet with impacted property owners to address concerns and informing them of project schedules and events which may impact access to their property and resolving complaints.

EXHIBIT C

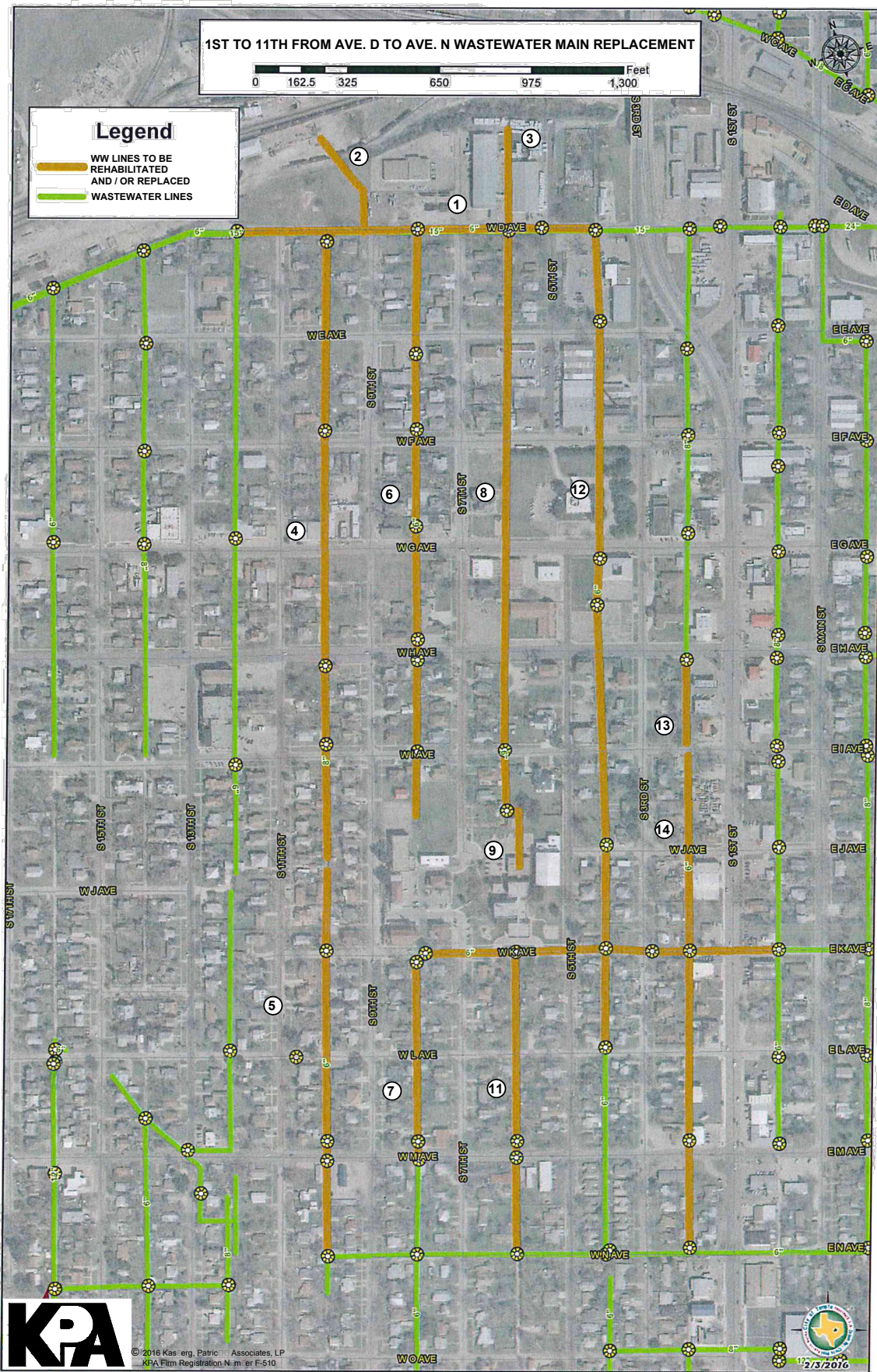
Charges for Additional Services

City of Temple

1st to 11th from Avenue D to Avenue N Wastewater Main Replacement

<u>POSITION</u>	<u>MULTIPLIER</u>	<u>SALARY COST/RATES</u>
Principal	2.4	\$ 70.00 – 90.00/hour
Project Manager	2.4	55.00 – 70.00/hour
Project Engineer	2.4	45.00 – 55.00/hour
Engineer-in-Training	2.4	35.00 – 45.00/hour
Engineering Technician	2.4	25.00 – 45.00/hour
CAD Technician	2.4	20.00 – 40.00/hour
Clerical	2.4	15.00 – 30.00/hour
Expenses	1.1	actual cost
Computer	1.0	15.00/hour
Survey Crew	1.1	100.00 – 135.00/hour
Registered Public Surveyor	1.0	130.00/hour
On-Site Representative	2.1	30.00 – 40.00/hour

EXHIBIT A



RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH KASBERG, PATRICK & ASSOCIATES, LP OF TEMPLE, TEXAS, IN AN AMOUNT NOT TO EXCEED \$219,388, FOR SERVICES REQUIRED FOR THE OLD TOWN SOUTH SEWER REPLACEMENTS BETWEEN 1ST AND 11TH STREETS, FROM AVENUE D TO AVENUE N; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the Public Works Department has identified failing wastewater mains requiring replacement in the south half of the Original Town subdivision beginning at West Avenue D and portions of other subdivisions extending to West Avenue N, between South 1st Street and South 11th Street;

Whereas, this project will replace approximately 18,000 linear feet of wastewater main with new 6-inch to 15-inch diameter PVC wastewater main, manholes, and services;

Whereas, Staff recommends authorizing a professional services agreement with Kasberg, Patrick & Associates, LP, in an amount not to exceed \$219,388 for services required for the Old Town South sewer replacements;

Whereas, funding is available for this professional services agreement in Account No. 561-5400-535-6965, Project No. 101201; 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, after approval as to form by the City Attorney, to execute a professional services agreement with Kasberg, Patrick & Associates, LP, in an amount not to exceed \$219,388 for services required for the Old Town South sewer replacements between 1st and 11th Streets, from Avenue D to Avenue N.

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

PASSED AND APPROVED this the 7th day of **April**, 2016.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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DEPT./DIVISION SUBMISSION & REVIEW:

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

ITEM DESCRIPTION: Consider adopting a resolution amending the professional services agreement with Jacobs Engineering Group, Inc. to deduct ROW services for the Bird Creek Interceptor Project in the amount of \$73,600.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: In 2007, Council authorized a professional services agreement with Carter Burgess, Inc., now Jacobs Engineering Group, Inc. (Jacobs), for engineering services related to the Bird Creek Interceptor Project. This project will reduce sanitary sewer overflows by rehabilitating deteriorated infrastructure through the heart of the City. Total authorized professional fees for Jacobs related to this project are \$2,768,770.

The City has constructed three phases of the project, as shown on the attached map. The remaining phases are scheduled to be completed and sequenced over the next several years in conjunction with future utility project funding. A separate item on tonight's agenda seeks authorization to contract directly with Lone Star Right-of-Way for the ROW services estimated at \$73,600. This resolution would remove these services from the Jacobs contract.

FISCAL IMPACT: The savings from the deductive contract amendment, in the amount of \$73,600, will be realized in account 561-5400-535-6925, project #100980.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AMENDING THE PROFESSIONAL SERVICES AGREEMENT WITH JACOBS ENGINEERING GROUP, INC. OF WACO, TEXAS, TO DEDUCT RIGHT-OF-WAY SERVICES IN THE AMOUNT OF \$73,600 RELATED TO THE BIRD CREEK INTERCEPTOR PROJECT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, in 2007, Council authorized a professional services agreement with Carter Burgess, Inc., now Jacobs Engineering Group, Inc., for engineering services related to the Bird Creek Interceptor Project - this project reduced sanitary sewer overflows by rehabilitating deteriorated infrastructure through the heart of the City;

Whereas, the City has constructed three phases of the project, with the remaining phases scheduled to be completed and sequenced over the next several years in conjunction with future utility project funding;

Whereas, Staff requests that the right-of-way services which were included as part of that agreement, be removed as the City has chosen to contract directly with Lone Star Right-of-Way for the right-of-way services;

Whereas, savings from the deductive contract amendment, will be realized in Account No. 561-5400-535-6925, Project No. 100980; 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, after approval as to form by the City Attorney, to execute an amendment to the professional services agreement with Jacobs Engineering Group, Inc., in the amount of \$73,600, to deduct right-of-way services related to the Bird Creek Interceptor Project.

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

PASSED AND APPROVED this the 7th day of **April**, 2016.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

APPROVED AS TO FORM:

ATTEST:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

04/07/16
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DEPT./DIVISION SUBMISSION & REVIEW:

Kayla Landeros, City Attorney
James Kachelmeyer, Deputy City Attorney

ITEM DESCRIPTION: Consider adopting a resolution authorizing a professional services agreement with Lone Star Right-of-Way Services in an amount not to exceed \$73,600, for easement acquisition services for the Bird Creek Interceptor project.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: In 2007, Council authorized a professional services agreement with Carter Burgess, Inc., now Jacobs Engineering Group, Inc., for engineering services related to the Bird Creek Interceptor. This project, targeted toward reducing sanitary sewer overflows, will rehabilitate existing deteriorated infrastructure through the heart of the city. Lone Star Right-of-Way Services has served as a sub-consultant to Carter Burgess, Inc., and Jacobs Engineering Group, Inc., for the acquisition of easements necessary for the project. Lone Star Right-of-Way provides multiple services during the acquisition process, including but not limited to title, relocation, and appraisal services.

To date, the City has constructed three phases of the Bird Creek Interceptor project. Design of Phase 4 is underway and acquisition of the necessary easements is partially complete. On December 17, 2015, the City Council authorized an amendment of the professional services agreement with Jacobs Engineering Group for the design of Phase 5 of the project, as well as the necessary right-of-way acquisition activities. Phase 5 of the project will upsize the interceptor line through Lion's Park, eliminating overflows and terminating at the Shallow Ford Lift Station, which will be designed and reconstructed under separate contract in a new location.

At this time, the completion of Phase 4 requires right-of-way activities associated with the acquisition of eleven easements, and Phase 5 will require right-of-way activities associated with the acquisition of two additional easements. Staff, Lone Star Right-of-Way Services, and Jacobs Engineering Group have agreed that it is in the best interest of the project to remove the remaining right-of-way acquisition activities from the scope of Jacobs Engineering Group's professional services agreement and have the City contract directly with the provider of the right-of-way services. It is Staff's belief that this reorganization will allow the City to more effectively and efficiently manage the right-of-way acquisition process. Lone Star Right-of-Way Services has submitted a proposal to complete the balance of these activities.

Accordingly, Staff recommends entering into a services agreement with Lone Star Right-of-Way Services, in an amount not to exceed \$73,600, for easement acquisition services for the Bird Creek Interceptor project. The not-to-exceed amount does not include condemnation services that may be required. Lone Star and its independent appraisers will provide such services at the request of the City and will bill for the services at a rate of \$150/hour or \$175/hour, respectively.

FISCAL IMPACT: Funding for award of a professional services agreement with Lone Star Right-of-Way Services is appropriated in account 520-5900-535-6110, project #101213, as follows:

Project Budget	\$982,691
Encumbered/Committed To Date	-
Easement Acquisition – Lone Star Right-of-Way Services	(73,600)
Remaining Funds	\$ 909,091

ATTACHMENTS:
[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A SERVICES AGREEMENT WITH LONE STAR RIGHT-OF-WAY OF TEMPLE, TEXAS, IN AN AMOUNT NOT TO EXCEED \$73,600, FOR EASEMENT ACQUISITION SERVICES RELATED TO THE BIRD CREEK INTERCEPTOR PROJECT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, in 2007, Council authorized a professional services agreement with Carter Burgess, Inc., now Jacobs Engineering Group, Inc., for engineering services related to the Bird Creek Interceptor - this project reduced sanitary sewer overflows by rehabilitating deteriorated infrastructure through the heart of the City;

Whereas, Lone Star Right-of-Way Services has previously served as a sub-consultant to Carter Burgess, Inc., and Jacobs Engineering Group, Inc., for the acquisition of easements necessary for this project - Lone Star Right-of-Way provides multiple services during the acquisition process, including but not limited to title, relocation, and appraisal services;

Whereas, to date, the City has constructed three phases of the Bird Creek Interceptor project with the design of Phase 4 underway and acquisition of the necessary easements partially complete;

Whereas, the completion of Phase 4 requires right-of-way activities associated with the acquisition of eleven easements, and Phase 5 will require right-of-way activities associated with the acquisition of two additional easements;

Whereas, Staff, Lone Star Right-of-Way Services, and Jacobs Engineering Group have agreed that it is in the best interest of the project to remove the remaining right-of-way acquisition activities from the scope of Jacobs Engineering Group's professional services agreement and have the City contract directly with Lone Star Right-of-Way Services for the right-of-way services;

Whereas, it is Staff's belief that this reorganization will allow the City to more effectively and efficiently manage the right-of-way acquisition process;

Whereas, funding is available for this services agreement in Account No. 520-5900-535-6110, Project No. 101213; 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, after approval as to form by the City Attorney, to execute a services agreement with Lone Star Right-of-Way of Temple, Texas, in an amount not to exceed \$73,600, for easement acquisition related to the Bird Creek Interceptor project.

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

PASSED AND APPROVED this the 7th day of **April**, 2016.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

04/07/16
Item #6(J)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

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

ITEM DESCRIPTION: Consider adopting a resolution authorizing a professional services agreement with Clark & Fuller, PLLC, of Temple in an amount not to exceed \$387,822.93, for professional services required for the 2016 Western Hills Water Improvement Project.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: There have been numerous operational water main issues in the Western Hills subdivision in Temple. The proposed mains to be replaced will be a continuation of the recent utility work completed last year. These mains are located on Brazos Drive, Fox Trail, Gazelle Trail, Red River Circle, Sabine Circle, Westview Circle, Neches Circle, Trinity Drive, Tyler Trail, and portions of Antelope Trail, Erie Drive, Ermine Trail, Hope Trail, Pecos Drive, and Filly Lane (Project Map attached). The project will provide larger distribution lines and installation of valves and hydrants, substantially upgrading the water service and fire protection in the area.

This project will replace 16,475 linear feet of 6" diameter PVC pipe with new 8" diameter PVC pipe. Time required for design is 175 days from the Notice to Proceed. The project was analyzed and negotiated as two phases. Per the relative attachments, the professional engineering services are as follows:

Basic Service	Phase 1	Phase 2
Surveying	\$ 38,000.00	\$ 26,250.00
Civil Engineering Design	\$ 137,022.79	\$ 91,066.14
Bidding	\$ 3,500.00	\$ 3,500.00
Construction Administration	\$ 21,214.00	\$ 12,143.00
Onsite Inspection	\$ 32,143.00	\$ 22,984.00
Totals	\$ 231,879.79	\$ 155,943.14
Total Services	\$ 387,822.93	

The Engineer's opinion of probable costs for construction for Phase I and Phase 2 are \$1,586,151 and \$1,045,484, respectively (total of \$2,631,635).

FISCAL IMPACT: A budget adjustment is being presented for Council approval to allocate funding for the award of a professional services agreement with Clark & Fuller, PLLC in the amount not to exceed \$387,822.93. Upon approval of the budget adjustment, funding will be appropriated in account 561-5200-535-6950, project 101503, as follows:

Project Budget	\$	-
Budget Adjustment Presented for Council Approval		387,823
Encumbered/Committed To Date		-
Professional Services Contract Award - Clark & Fuller		(387,823)
Remaining Funds	\$	-

Funding for the construction of Phase I and Phase 2 are currently scheduled to be programed in the FY 2017 Water and Sewer capital improvement program.

ATTACHMENTS:

[Engineer's Proposal – Ph. 1](#)
[Engineer's Proposal – Ph. 2](#)
[Project Map – Ph. 1](#)
[Project Map – Ph. 2](#)
[Budget Adjustment](#)
[Resolution](#)

February 1, 2016

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 2016 City of Temple Western Hills New Water Main Improvements
Phase I Ermine Trail to Hopi Trail:

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 2016 City of Temple - Western Hills New Water Main Improvements Project Phase I Ermine Trail to Hopi Trail. (Please refer to attached maps and documents for further information).

This project will consist of approximately 9,765 linear feet of new 8" PVC Class 150 C900 Water Main to be constructed via "open trench" construction. In addition, approximately 23 New Fire Hydrants and 215 New Water Services shall be constructed. These new utility mains are being constructed, within an existing residential subdivision, to replace aging and failing Water Mains.

Clark & Fuller, PLLC will complete design topography surveys, new water 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 175 calendar days from the authorization of notice to proceed. Furthermore we estimate the contractor's time to construct to be 250 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 \$231,879.79. We estimate the total cost of construction to be \$1,586,150.50 and we estimate the total cost of construction including professional services and contingencies to be \$1,818,030.29. (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
2016 City of Temple - Western Hills Phase I New Water Main Improvements Project
Ermine Trail to Hopi Trail
Scope of Professional Services

Surveying Services:	\$ 38,000.00
<ul style="list-style-type: none"> • Provide Project Elevation Benchmark • Locate Existing Rights of Ways and Property Boundaries • Prepare Design Topography Surveys • Provide Construction Staking 	
Civil Engineering Design Phase:	\$ 137,022.79
<ul style="list-style-type: none"> • Research Existing Utilities • Prepare Final Design Construction Documents • Technical Details and Specifications • Provide Engineers Sealed 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 (If required) • Provide Miscellaneous Maps and Exhibit Drawings (If required) 	
Project Bidding Phase:	\$ 3,500.00
<ul style="list-style-type: none"> • Prepare and Distribute Copies of Plans, Bid Schedule, and Specifications to the City of Temple Purchasing Department • Prepare and Distribute Digital Copies of Plans, Bid Schedule, and Specifications to the City of Temple Purchasing Department • Attend and Facilitate a Pre-Bid Meeting • Respond to Contractors Request For Information • Prepare and Issue Necessary Addenda • Attendance at Bid Opening • Review Contractor Bids for conformance to Engineers Plans • Provide Bid Tabulation and Sealed Letter of Recommendation to Award Project • Provide Engineers Sealed Opinion of Probable Cost and Number of Days to Construct • Attendance at City of Temple Council Meeting for Construction Project Award 	
Construction Phase:	\$ 21,214.00
<ul style="list-style-type: none"> • 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 • Monthly Contractor Review <ul style="list-style-type: none"> ○ Quality and Timeliness of Work ○ Cooperation with Project Team and General Public • Attend Final Project Inspection • Project Acceptance Letter • Provide Final Inspection Punch List • Prepare Record Drawings (Tolerance: 1' Horizontal and 0.25" vertical for critical elevations) 	
Daily Onsite Construction Inspection Services	\$ 32,143.00
<ul style="list-style-type: none"> • Provide Daily On-Site Project Representation and Inspection Services 	

PROFESSIONAL FEE SCHEDULE

Licensed Professional Engineer	\$ 120.00/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	\$ 45.00/hr.
Landscaping Designer	\$ 70.00/hr.
Expenses	Additional Cost Plus 10%



PRELIMINARY OPINION OF PROBABLE COST
2016 City of Temple - Western Hills New Water Main Improvements Project
Phase I - Ermine Trail to Hopi Trail

2/1/2014

Mobilization, Site Prep, and Traffic Control

Item Description	Unit	Unit Cost	Quantity	Total
1. Site Preparation and Clearing (incl. sod/landsc. removal & replace)	STA.	\$ 550.00	98	\$ 53,900.00
2. Site Mobilization, Bonding, and Insurance	L.S.	\$ 35,000.00	100%	\$ 35,000.00
3. Traffic Control Plan & Implementation	L.S.	\$ 12,500.00	100%	\$ 12,500.00
4. Erosion Control Plan & Implementation	L.S.	\$ 8,500.00	100%	\$ 8,500.00
5. Trench Safety	L.S.	\$ 9,500.00	100%	\$ 9,500.00
SUBTOTAL:				\$ 119,400.00

New Water Main

Item Description	Unit	Unit Cost	Quantity	Total
1. Remove and Salvage Existing Fire Hydrant	EA.	\$ 950.00	13	\$ 12,350.00
2. Disconnect, Cap, and Abandon Existing Water Main	L.S.	\$ 11,500.00	100%	\$ 11,500.00
3. Sawcut, Remove, and Replace HMA Pavement	S.Y.	\$ 47.00	990	\$ 46,530.00
4. Sawcut, Remove, and Replace Concrete Pavement	S.Y.	\$ 95.00	2980	\$ 283,100.00
5. Connection to Existing Water Main	EA.	\$ 1,800.00	11	\$ 19,800.00
6. Std. Tapping Sleeve Assembly	EA.	\$ 2,850.00	9	\$ 25,650.00
7. 8" PVC Class 150 Water Main	L.F.	\$ 45.00	9765	\$ 439,425.00
8. Fire Hydrant Assembly	EA.	\$ 4,500.00	23	\$ 103,500.00
9. 8" MJ Gate Valve	EA.	\$ 1,400.00	30	\$ 42,000.00
10. Miscellaneous MJ Tee	EA.	\$ 850.00	14	\$ 11,900.00
11. Miscellaneous MJ Fittings	EA.	\$ 450.00	39	\$ 17,550.00
12. Service Connection	EA.	\$ 1,400.00	215	\$ 301,000.00
13. Testing per TCEQ and City of Temple Requirements	L.S.	\$ 8,250.00	100%	\$ 8,250.00
SUBTOTAL:				\$ 1,322,555.00

SUBTOTAL CONSTRUCTION: \$ 1,441,955.00
10% CONSTRUCTION CONTINGENCY: \$ 144,195.50
TOTAL CONSTRUCTION: \$ 1,586,150.50

Design, Analysis, and Construction Document Preparation

8.5% Professional Civil Engineering Services	\$ 134,822.79
Professional Surveying Services (Topographic Survey)	\$ 23,500.00
Coordination with City Staff, Attendance at Property Owner Meetings, & Misc. Map Preparation	\$ 2,200.00
Bid Document Preparation, Bidding Assistance, Advertising	\$ 3,500.00
Construction Staking (New Utilities)	\$ 14,500.00
Construction Administration & Record Drawings	\$ 21,214.00
Inspection Services	\$ 32,143.00

TOTAL PROFESSIONAL SERVICES: \$ 231,879.79

TOTAL CONSTRUCTION AND PROFESSIONAL SERVICES: \$ 1,818,030.29



2/1/2016

Not Included within this cost estimate:
 * Easement Procurement
 * Temporary Construction Easements Preparation and/or Procurement

February 1, 2016

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 2016 City of Temple Western Hills New Water Main Improvements
Phase II Hopi Trail to Erie

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 2016 City of Temple - Western Hills New Water Main Improvements Project Phase II Hopi Trail to Erie. (Please refer to attached maps and documents for further information).

This project will consist of approximately 6,710 linear feet of new 8" PVC Class 150 C900 Water Main to be constructed via "open trench" construction. In addition, approximately 12 New Fire Hydrants and 115 New Water Services shall be constructed. These new utility mains are being constructed, within an existing residential subdivision, to replace aging and failing Water Mains.

Clark & Fuller, PLLC will complete design topography surveys, new water 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 \$155,943.14. We estimate the total cost of construction to be \$1,045,484.00 and we estimate the total cost of construction including professional services and contingencies to be \$1,201,427.14. (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
2016 City of Temple - Western Hills New Water Main Improvements Project
Phase II Hopi Trail to Erie
Scope of Professional Services

Surveying Services:	\$ 26,250.00
<ul style="list-style-type: none"> • Provide Project Elevation Benchmark • Locate Existing Rights of Ways and Property Boundaries • Prepare Design Topography Surveys • Provide Construction Staking 	
Civil Engineering Design Phase:	\$ 91,066.14
<ul style="list-style-type: none"> • Research Existing Utilities • Prepare Final Design Construction Documents • Technical Details and Specifications • Provide Engineers Sealed 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 (If required) • Provide Miscellaneous Maps and Exhibit Drawings (If required) 	
Project Bidding Phase:	\$ 3,500.00
<ul style="list-style-type: none"> • Prepare and Distribute Copies of Plans, Bid Schedule, and Specifications to the City of Temple Purchasing Department • Prepare and Distribute Digital Copies of Plans, Bid Schedule, and Specifications to the City of Temple Purchasing Department • Attend and Facilitate a Pre-Bid Meeting • Respond to Contractors Request For Information • Prepare and Issue Necessary Addenda • Attendance at Bid Opening • Review Contractor Bids for conformance to Engineers Plans • Provide Bid Tabulation and Sealed Letter of Recommendation to Award Project • Provide Engineers Sealed Opinion of Probable Cost and Number of Days to Construct • Attendance at City of Temple Council Meeting for Construction Project Award 	
Construction Phase:	\$ 12,143.00
<ul style="list-style-type: none"> • 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 • Monthly Contractor Review <ul style="list-style-type: none"> ○ Quality and Timeliness of Work ○ Cooperation with Project Team and General Public • Attend Final Project Inspection • Project Acceptance Letter • Provide Final Inspection Punch List • Prepare Record Drawings (Tolerance: 1' Horizontal and 0.25" vertical for critical elevations) 	
Daily Onsite Construction Inspection Services	\$ 22,984.00
<ul style="list-style-type: none"> • 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.



PRELIMINARY OPINION OF PROBABLE COST

2/1/2014

2016 City of Temple - Western Hills New Water Main Improvements Project

Phase II - Hopi Trail to Erie

Mobilization, Site Prep, and Traffic Control

Item Description	Unit	Unit Cost	Quantity	Total
1. Site Preparation and Clearing (incl. sod/landsc. removal & replace)	STA.	\$ 550.00	68	\$ 37,400.00
2. Site Mobilization, Bonding, and Insurance	L.S.	\$ 28,500.00	100%	\$ 28,500.00
3. Traffic Control Plan & Implementation	L.S.	\$ 9,850.00	100%	\$ 9,850.00
4. Erosion Control Plan & Implementation	L.S.	\$ 6,500.00	100%	\$ 6,500.00
5. Trench Safety Plan & Implementation	L.S.	\$ 6,500.00	100%	\$ 6,500.00
SUBTOTAL:				\$ 88,750.00

New Water Main

Item Description	Unit	Unit Cost	Quantity	Total
1. Remove and Salvage Existing Fire Hydrant	EA.	\$ 950.00	9	\$ 8,550.00
2. Disconnect, Cap, and Abandon Existing Water Main	L.S.	\$ 6,900.00	100%	\$ 6,900.00
3. Sawcut, Remove, and Replace HMA Pavement	S.Y.	\$ 47.00	470	\$ 22,090.00
4. Sawcut, Remove, and Replace Concrete Pavement	S.Y.	\$ 95.00	1960	\$ 186,200.00
5. Connection to Existing Water Main	EA.	\$ 1,800.00	8	\$ 14,400.00
6. Std. Tapping Sleeve Assembly	EA.	\$ 2,850.00	8	\$ 22,800.00
7. 8" PVC Class 150 Water Main	L.F.	\$ 45.00	6710	\$ 301,950.00
8. Fire Hydrant Assembly	EA.	\$ 4,500.00	12	\$ 54,000.00
9. 8" MJ Gate Valve	EA.	\$ 1,400.00	38	\$ 53,200.00
10. Miscellaneous MJ Tee	EA.	\$ 850.00	12	\$ 10,200.00
11. Miscellaneous MJ Fittings	EA.	\$ 450.00	27	\$ 12,150.00
12. Service Connection	EA.	\$ 1,400.00	115	\$ 161,000.00
13. Testing per TCEQ and City of Temple Requirements	L.S.	\$ 8,250.00	100%	\$ 8,250.00
SUBTOTAL:				\$ 861,690.00

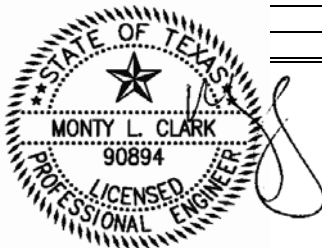
SUBTOTAL CONSTRUCTION:	\$ 950,440.00
10% CONSTRUCTION CONTINGENCY:	\$ 95,044.00
TOTAL CONSTRUCTION:	\$ 1,045,484.00

Design, Analysis, and Construction Document Preparation

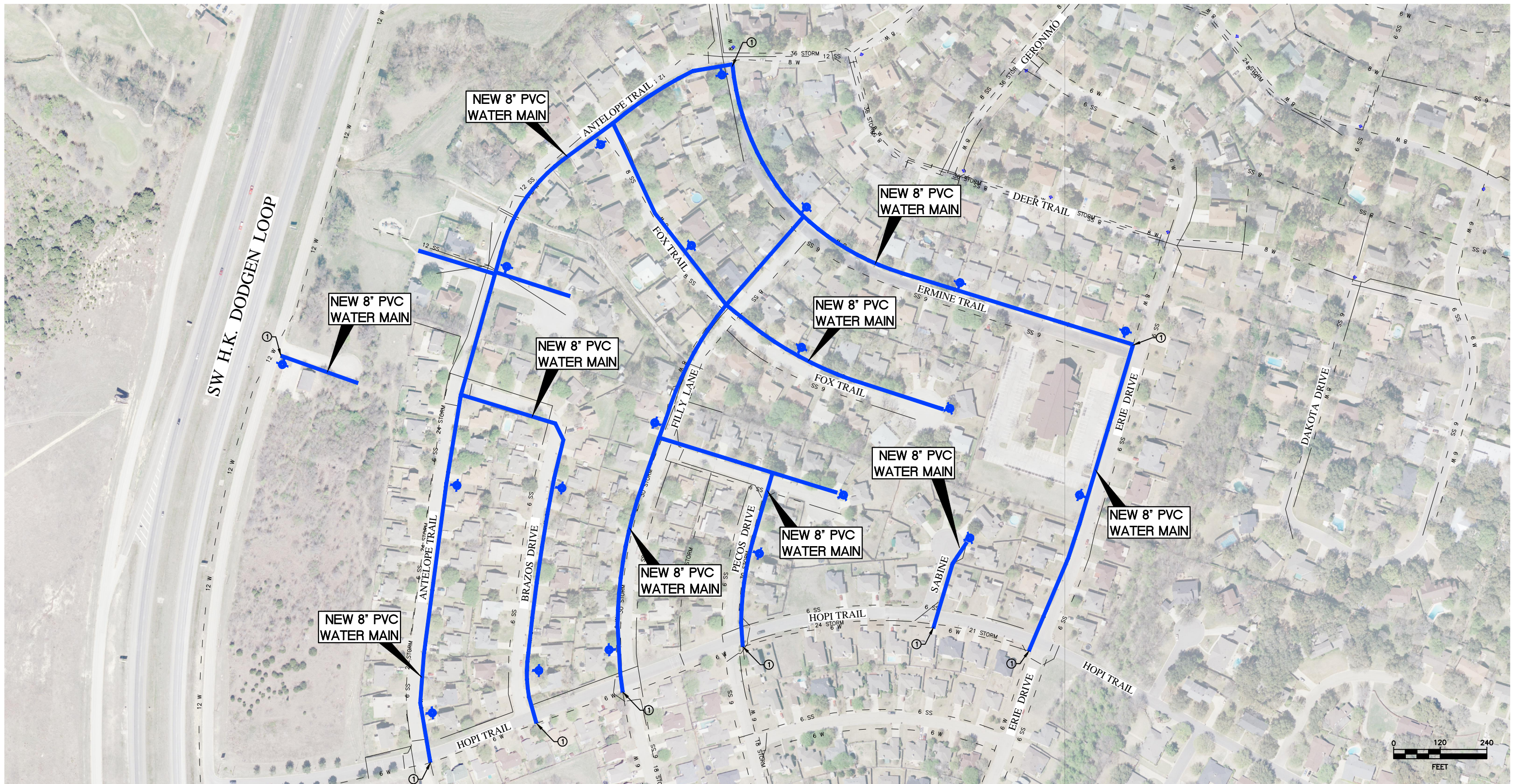
8.5% Professional Civil Engineering Services	\$ 88,866.14
Professional Surveying Services (Topographic Survey)	\$ 16,000.00
Coordination with City Staff, Attendance at Property Owner Meetings, & Misc. Map Preparation	\$ 2,200.00
Bid Document Preparation, Bidding Assistance, Advertising	\$ 3,500.00
Construction Staking (New Utilities)	\$ 10,250.00
Construction Administration & Record Drawings	\$ 12,143.00
Inspection Services	\$ 22,984.00

TOTAL PROFESSIONAL SERVICES: \$ 155,943.14

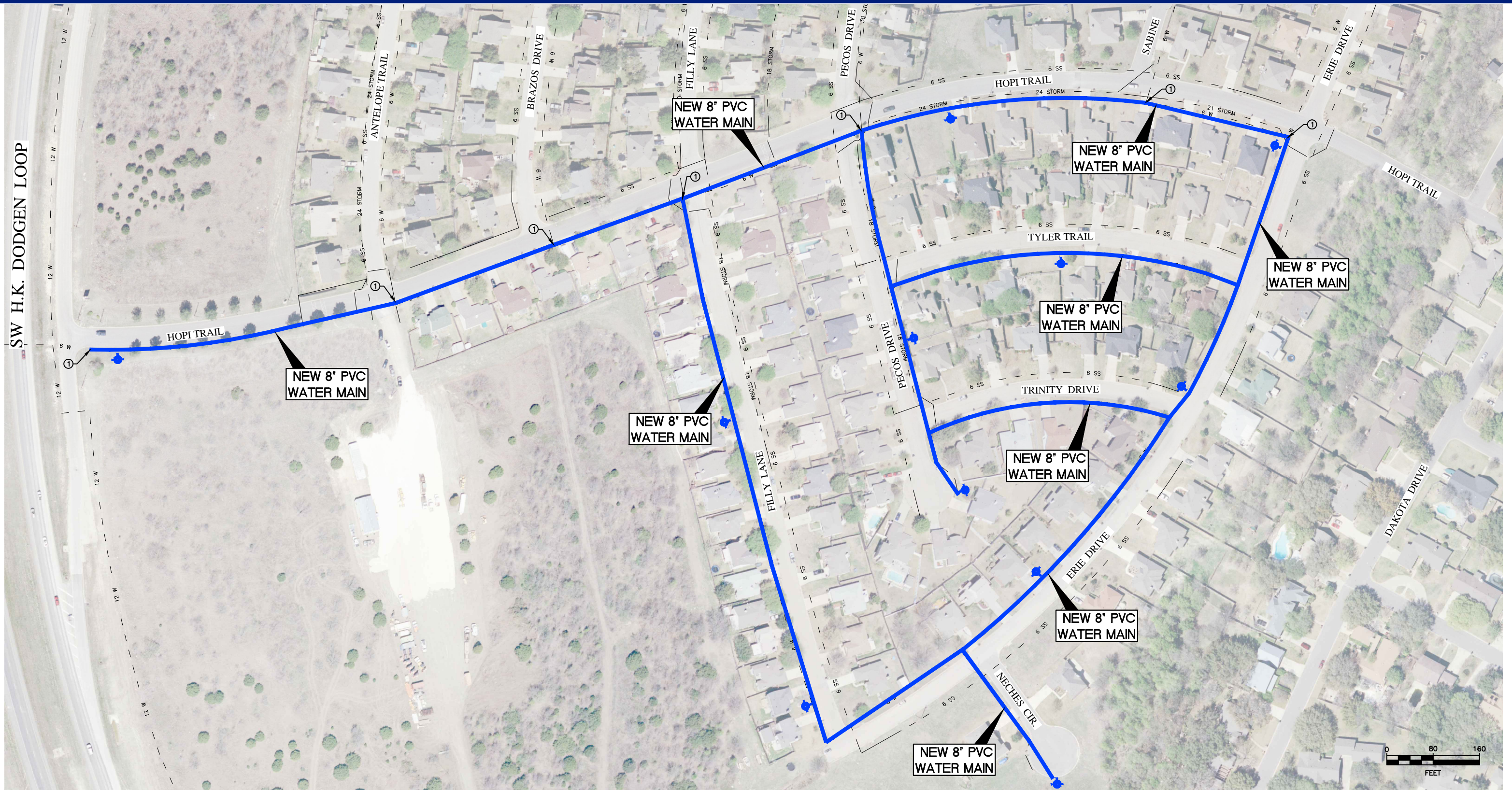
TOTAL CONSTRUCTION AND PROFESSIONAL SERVICES: \$ 1,201,427.14



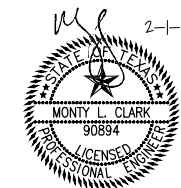
Not Included within this cost estimate:
 * Easement Procurement
 * Temporary Construction Easements Preparation and/or Procurement



2016 WESTERN HILLS
 PHASE I NEW WATER MAIN
 IMPROVEMENTS PROJECT
 ERMINE TRAIL TO HOPI TRAIL



2016 WESTERN HILLS
 PHASE II NEW WATER MAIN
 IMPROVEMENTS PROJECT
 HOPI TRAIL TO ERIE DRIVE



LEGEND:

- NEW PVC WATER MAIN
- NEW STANDARD FIRE HYDRANT ASSEMBLY

KEYED NOTES

1. NEW CONNECTION TO EXISTING WATER MAIN

FY 2016**BUDGET ADJUSTMENT FORM**

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

Adjustments should be rounded to the nearest \$1.

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ACCOUNT NUMBER	PROJECT #	ACCOUNT DESCRIPTION	INCREASE	DECREASE
561-5200-535-69-50	101503	Capital Bonds/WL Improvements Western Hills	\$ 387,823	
561-5000-535-65-32		Capital-Spec. Projects/Contingency		387,823
TOTAL.....			\$ 387,823	\$ 387,823

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

To reallocate and appropriate funding for award of a professional services agreement with Clark & Fuller, PLLC in an amount not to exceed \$387,822.93, which is being presented to Council 04/07/16.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒ X

Yes

☐

No

DATE OF COUNCIL MEETING

4/7/2016

WITH AGENDA ITEM?

☒ X

Yes

☐

No

Department Head/Division Director_____
Date☐

Approved

☐

Disapproved

Finance_____
Date☐

Approved

☐

Disapproved

City Manager_____
Date☐

Approved

☐

Disapproved

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH CLARK & FULLER, PLLC OF TEMPLE, TEXAS, IN AN AMOUNT NOT TO EXCEED \$387,822.93, FOR SERVICES REQUIRED FOR THE 2016 WESTERN HILLS WATER IMPROVEMENT PROJECT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, there have been numerous operational water main issues in the Western Hills subdivision - the proposed mains to be replaced will be a continuation of recent utility work completed last year and include mains located at:

Brazos Drive	Fox Trail	Gazelle Trail	Red River Circle
Sabine Circle	Westview Circle	Neches Circle	Trinity Drive
Tyler Trail			

and portions of:

Antelope Trail	Erie Drive	Ermine Trail	Hope Trail
Pecos Drive	Filly Lane		

Whereas, the project will provide larger distribution lines and installation of valves and hydrants, substantially upgrading the water service and fire protection in the area;

Whereas, this project will replace approximately 16,475 linear feet of 6-inch diameter PVC pipe with new 8-inch diameter PVC pipe;

Whereas, Staff recommends entering into a professional services agreement with Clark & Fuller, PLLC in an amount not to exceed \$387,822.93, for professional services required for the 2016 Western Hills Water Improvement project;

Whereas, funding is available for this professional services agreement, but an amendment to the fiscal year 2016 budget needs to be approved to transfer the funds to Account No. 561-5200-535-6950, Project No. 101503; 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, after approval as to form by the City Attorney, to execute a professional services agreement with Clark & Fuller, PLLC, in an amount not to exceed \$387,822.93, for professional services required for the 2016 Western Hills Water Improvement Project.

Part 2: The City Council authorizes an amendment to the fiscal year 2016 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 was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the 7th day of **April**, 2016.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

APPROVED AS TO FORM:

ATTEST:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

04/07/16
Item #6(K)
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 an agreement with Clark & Fuller, PLLC, of Temple in an amount not to exceed \$283,836, for professional services required for Phase 1 of the Knob Creek Tributary Wastewater Basin Assessment.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The Knob Creek Tributary Basin includes wastewater service to much of the older central portions of Temple. The basin's trunk sewer consists of 44,000 linear feet of 12", 15" and 18" clay pipe that is aged, brittle, and cracked. The oldest wastewater lines were constructed from 1941 to 1967. The City has also experienced some environmental impacts from surcharge in the area.

The attached proposal for professional services from Clark & Fuller is recommended to analyze the basin and evaluate the existing condition and capacity of the trunk sewer and lift stations to serve current and future development. This phase of investigation will recommend improvements that will be considered for final design and construction at a later date.

Consultant services recommended under this contract include:

Professional Services

Civil Engineering Analysis & Investigation	\$ 76,800
GPS Topographic Services	\$ 18,250
TV Recording of Trunk Main	\$ 112,500
Flow Monitoring	<u>\$ 76,286</u>

Total	<u>\$ 283,836</u>
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Time required for the investigation is 250 days.

FISCAL IMPACT: Funding in the amount of \$283,836 is available in account 520-5400-535-2623 for the professional services agreement with Clark & Fuller, PLLC for services required for Phase 1 of the Knob Creek Tributary Wastewater Basin Assessment.

ATTACHMENTS:

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

March 23, 2016

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

RE: Revised Proposal for Professional Engineering Consulting Services
To support the City of Temple –Knob Creek Trunk Sewer Basin Investigation and Line Cleaning
- Phase I Engineering Services

Mrs. Torralva:

We appreciate the opportunity to submit a professional services proposal in response to your request for a proposal to perform Professional Civil Engineering Consulting Services required for the above referenced project.

The scope of this project shall include detailed Engineering Analysis and Investigation of the existing condition of the Knob Creek Trunk Sewer and to provide phased options to reconstruct and repair the existing Trunk Sewer. Furthermore, the Phase I project will consist of providing Civil Engineering Services to perform Regional Sanitary Sewer Capacity Analysis, Normal Line Cleaning of Existing Sanitary Sewer Main prior to performing CCTV Camera Investigation Services, Sanitary Sewer Flow Monitoring and Metering, Preliminary Civil Engineering Analysis with Cost Estimates, and Phased Alternatives to improve and reconstruct the existing trunk sewer system within the Knob Creek Drainage Basin.

In addition, Clark & Fuller, PLLC will use Subconsultants to provide Normal Line Cleaning of Existing Sanitary Sewer Mains, CCTV Line Camera of Existing Sanitary Sewer Mains, and Flow Monitoring Services. The project will be completed using the following methodology:

Site Investigation Phase: Within this phase the subcontractor and engineers will provide the Site Mobilization required to begin field investigation work. As a part of the field investigation, the existing Utilities will be researched thru existing as-built drawings and City of Temple utility maps. The Flow Metering, Normal Line Cleaning, and CCTV Line Camera'ing will be performed by Subconsultant(s). Clark & Fuller, will have staff on location to monitor activities and to provide GPS location services of existing manholes. Field coordinates of manholes will be acquired using state the art Leica GPS equipment. The flow metering subconsultant will mobilize the site and begin Sanitary Sewer Flow Metering and Gauge Installation. As data within this is phase is acquired Clark & Fuller, PLLC will begin map creation and construction of the Sanitary Sewer System Model Using US SWMM and Autodesk Civil 3D Software.

System Analysis Phase: Within this phase, Clark & Fuller, PLLC will begin analysis and compilation of field and flow metering data. Rain gauge data will be compiled to determine the effect of storm water infiltration on the existing system. Clark & Fuller, PLLC will finalize the existing Sanitary Sewer System Model and provide analysis using found metered flows and also calculated future flows assessing regional population growth. Analysis to provide system skeletonization will be determined. The existing 19th Street, Little Flock, 40th Street, and Service Center Lift Station(s) will be analyzed for current flows and current conditions.

Report Phase: Within this phase Clark & Fuller, PLLC will compile data and provide a summary report. Within this report Clark & Fuller, PLLC will include:

- A description of the existing basin flows and storm water infiltration.

- A description of the existing Trunk Sewer and its current condition.
- Analysis of the Knob Creek Basin and its potential future population growth and determine its impact on the Trunk Sewer System.
- A determination of existing conditions and construction alternatives to rehabilitate and/or reconstruct the 19th Street, Little Flock, 40th Street, and Service Center Lift Station(s).
- A determination and construction phasing to reconstruct the Knob Creek Trunk Sewer.
- An Engineers Opinion of Costs to construct.
- Provide City of Temple with Maps and Engineers Final Report (3 Copies)

The proposed timeline for the project is 250 calendar days from the authorization of notice to proceed.

Clark & Fuller, PLLC, hereinafter Engineer, proposes to the City of Temple, hereinafter Client, Professional Civil Engineering, CCTV, and Surveying Services for a Lump Sum Amount not to exceed \$283,836.00. In addition, Sanitary Sewer Line Cleaning shall be provided on at a linear foot price, as required. Please refer to attached Exhibit "A" for an itemized breakdown and scope of services.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'MLC', with a large, stylized loop at the end.

Monty L. Clark, P.E., CPESC

EXHIBIT "A"
Proposal for 2016 City of Temple Knob Creek Trunk Sewer Investigation
Phase I Engineering Services

Civil Engineering Analysis and Investigation	\$ 76,800.00
<ul style="list-style-type: none"> • Research Existing Utilities <ul style="list-style-type: none"> ○ Research Existing As-Builts and Record Drawings ○ Provide Coordination with the City Utility Department ○ Provide Miscellaneous Site Visits • Provide Regional Drainage Assessment and Trunk Sewer Analysis of the Knob Creek Trunk Sewer Basin with found existing conditions and estimated Future Population Growth • Provide Analysis and Sizing Recommendations for the 19th Street, Little Flock, 40th Street, and Service Center Lift Station(s) <ul style="list-style-type: none"> ○ Analysis and Assessment of Existing Capacity ○ Provide Construction Alternatives • Review and Compile Flow Metering Data • Identification of Trunk Sewer Capacity Issues • Identification of Construction Issues and Major Obstacles • Assess Opportunities to Alleviate and Combine Existing Parallel Mains • Analyze System to for potential removal of Excessive Manholes and Parallel Sanitary Sewer Mains • Provide the City of Temple Engineering Department with Construction Alternatives and Recommendations • Project Prioritizing List Based upon Line Clogging and Deterioration, and Capacity Issues Found during Investigation and Analysis • Provide Preliminary Design Phasing • Provide Engineers Opinion of Construction Cost and Probable Days to Complete Project Construction (also to be provided 6 months and 12 months after completion of study) • Attend and Facilitate Project Coordination with the City Staff and/or City Council • Provide Final Engineers Report and Project Maps 	
GPS Topographic Services	\$ 18,250.00
<ul style="list-style-type: none"> • Topographic Survey via GPS of Existing Trunk Sewer Manholes • Reference topographic points to NAD83 Coordinates 	
Flow Monitoring of Existing Trunk Sewer 60 Day with I/I Analysis	\$ 76,286.00
<ul style="list-style-type: none"> • Provide Management and Supervision • Flow Meter Investigation (6 Meters) • Flow Meter Installation (6 Meters) • Rain Gauge Investigation and Installation (4 Gauges) • Provide Monthly Reporting 	
Additional Services 30 Day Extension (Flow Meters) \$150.00 meter per day	
CCTV Camera and Video Recording of Existing Trunk Sewer Main	\$ 112,500.00
<ul style="list-style-type: none"> • CCTV Video Inspections of Existing Trunk Sewer Main (Approx. 44,000 Linear Feet) • Cost to provide Normal Line Cleaning is not included within this item • Provide the City of Temple Engineering Department with (2) Copies in DVD Format of Line Camera'ing • Coordinate and Report Areas of Concern to the City of Temple Utility Department 	
Reverse Camera Set-Ups (As needed when pipe is blocked)	\$ 100.00 each

Normal Line Cleaning of Existing Trunk Sewer Main**Normal Clean (8" to 12" Sewer Main)****\$ 2.75 per l.f.****Normal Clean (15" to 24" Sewer Main)****\$ 3.75 per l.f.****Normal Clean (Larger than 24" Sewer Main)****\$ 4.00 per l.f.**

- Provide Normal Clean of Existing Sanitary Sewer Mains, prior to performing CCTV Video Inspection (Approx. 44,000 Linear Feet)
- Coordinate and Report Areas of Concern to the City of Temple Utility Department.

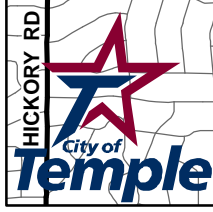
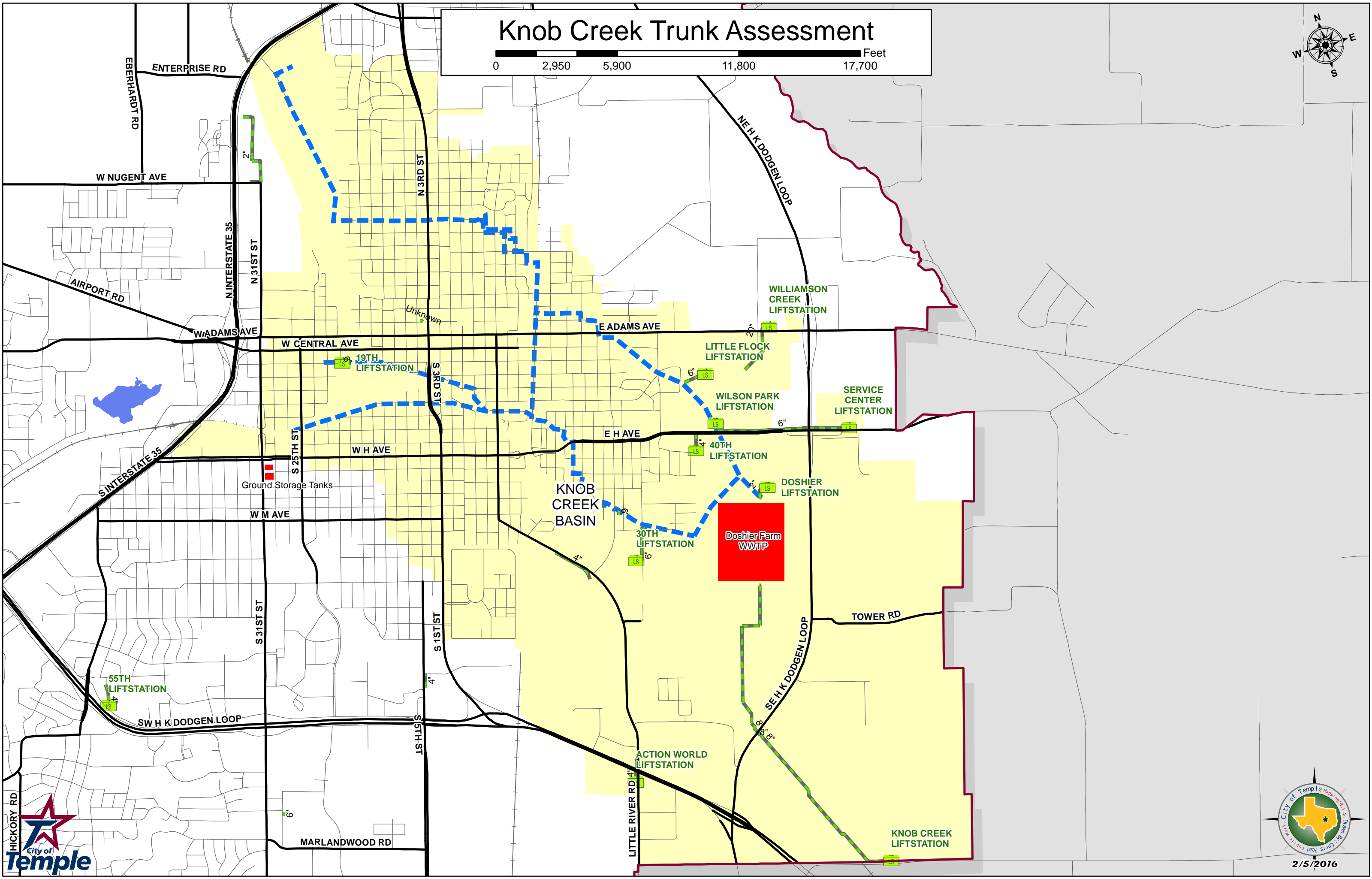
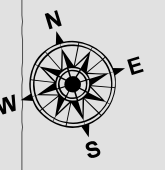
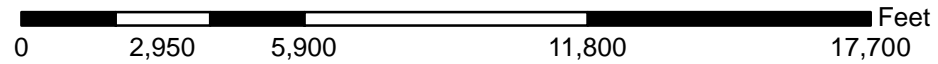
Clarifications:

- *By-Pass Pumping is not included within this proposal*
- *Any corrections, repairs, or extractions required due to existing structural defects or failures are excluded from the Work.*
- *The Proposal is for normal cleaning only. Normal cleaning is cleaning requiring three (3) passes or less using high-velocity hydraulic equipment capable of pumping 80 gpm at 2,000 psi. Heavy cleaning shall be considered all cleaning other than normal cleaning, but does not include mechanical cleaning with bucket machines and winches. Heavy cleaning will be charged as an additional service, at a negotiated hourly rate, pre-approved by the Client.*
- *The CCTV inspection will be performed using a robotic camera capable of recording the condition of the pipe. Data will be generated in DVD and physical report format and will provide logged information of pipe condition, calling out defects (such as root intrusions, pipe separations, cracks, decay, and crumbling) as necessary.*
- *Client will provide free access to the work site.*
- *Client will coordinate the Work with an property owners.*
- *Client will provide environmentally responsible disposal site.*
- *Client will provide water for cleaning and access to hydrant and hydrant meter.*
- *Contractor to provide Traffic Control Cones, if necessary. Within congested traffic areas, Client will provide traffic control barricades and signage, if necessary.*
- *Any line collapses resulting from line cleaning work shall be repaired by the Client and any damages or restoration, due to collapsed line or line repair, will be the responsibility of the Client.*
- *All areas within the above scope will be attempted. If any obstructions cannot be cleared by Vactor/Jetter standard nozzle, attempts will be ceased and the area will be assumed in need of repair and replacement.*

PROFESSIONAL FEE SCHEDULE

Licensed Professional Engineer	\$ 120.00/hr.
Licensed Professional Structural Engineer	\$ 210.00/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	\$ 45.00/hr.
Landscaping Designer	\$ 70.00/hr.
Expenses	Additional Cost Plus 10%

Knob Creek Trunk Assessment



RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH CLARK & FULLER, PLLC OF TEMPLE, TEXAS, IN AN AMOUNT NOT TO EXCEED \$283,836, FOR SERVICES REQUIRED FOR PHASE 1 OF THE KNOB CREEK TRIBUTARY WASTEWATER BASIN ASSESSMENT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the Knob Creek Tributary Basin includes wastewater service to much of the older central portions of Temple - the basin's trunk sewer consists of 44,000 linear feet of 12-inch, 15-inch and 18-inch clay pipe that is aged, brittle, and cracked with the oldest wastewater lines constructed from 1941 to 1967;

Whereas, the City has also experienced some environmental impacts from surcharge in the area;

Whereas, Staff recommends entering into a professional services agreement with Clark & Fuller to analyze the basin and evaluate the existing condition and capacity of the trunk sewer and lift stations to serve current and future development - this phase of investigation will recommend improvements that will be considered for final design and construction at a later date;

Whereas, funding is available for this professional services agreement in Account No. 520-5400-535-2623; 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, after approval as to form by the City Attorney, to execute a professional services agreement with Clark & Fuller, PLLC, in an amount not to exceed \$283,836, for services required for Phase 1 of the Knob Creek Tributary Wastewater Basin Assessment.

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

PASSED AND APPROVED this the 7th day of **April**, 2016.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

04/07/16
Item #6(L)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

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

ITEM DESCRIPTION: Consider adopting a resolution authorizing an Advanced Funding Agreement with the State of Texas for safety improvements on South 31st Street near Scott Boulevard and Scott & White South Loop.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: On December 4, 2014, Council adopted a resolution authorizing a professional services agreement with Kasberg, Patrick & Associates, LP, (KPA) to provide professional services for the design of intersection improvements on South 31st Street at Scott Boulevard and at Scott & White South Loop. The intersection improvements include concrete paver bands, concrete paver sidewalks, enhanced concrete intersection improvements and a traffic signal at Scott and White South Loop.

This council action will authorize an Advanced Funding Agreement with the State of Texas, acting by and through the Texas Department of Transportation, in which the City commits to funding 100% of the costs for the safety improvements on 31st Street which will allow the City to construct improvements which will require an estimated amount of \$385,000 for engineering, construction and inspection of the 31st Street Enhanced Intersection Improvements (Loop 363 to Scott Boulevard) Phase II, and authorizing the City Manager to execute all documents necessary to complete the transaction.

Contract Amendments 1-3 have been approved for: Preparation of a Traffic Impact Analysis; Design of a right turn lane; and Preparation of Right-of-Way and easement documents. The project was also reorganized into three (3) phases:

Phase 1 – Construct the dedicated right turn lane (southbound South 31st Street at Shoppes on the Hill and Scott & White South Loop). The construction was completed by the Shoppes on the Hill developer (Morris Venture Partners VI, LLC) and transferred to TxDOT via a Donation Agreement. On December 17, 2015, Council adopted a resolution authorizing partial reimbursement to the developer in the amount of \$100,000.

Phase II – Construct the traffic signal at the intersection of South 31st Street and Scott & White South Loop and modification of the traffic signal at the intersection of South 31st Street and Scott Boulevard. Also included are striping, signage, and median modifications. This phase will be bid and constructed by the City of Temple and transferred to TxDOT. The project will be bid on the TxDOT let date in July 2016. Phase II is scope of the work referenced by the AFA. A map of the project and estimate of construction costs (OPC) are attached.

Phase III – Construct intersection paving improvements. This work will be let by TxDOT.

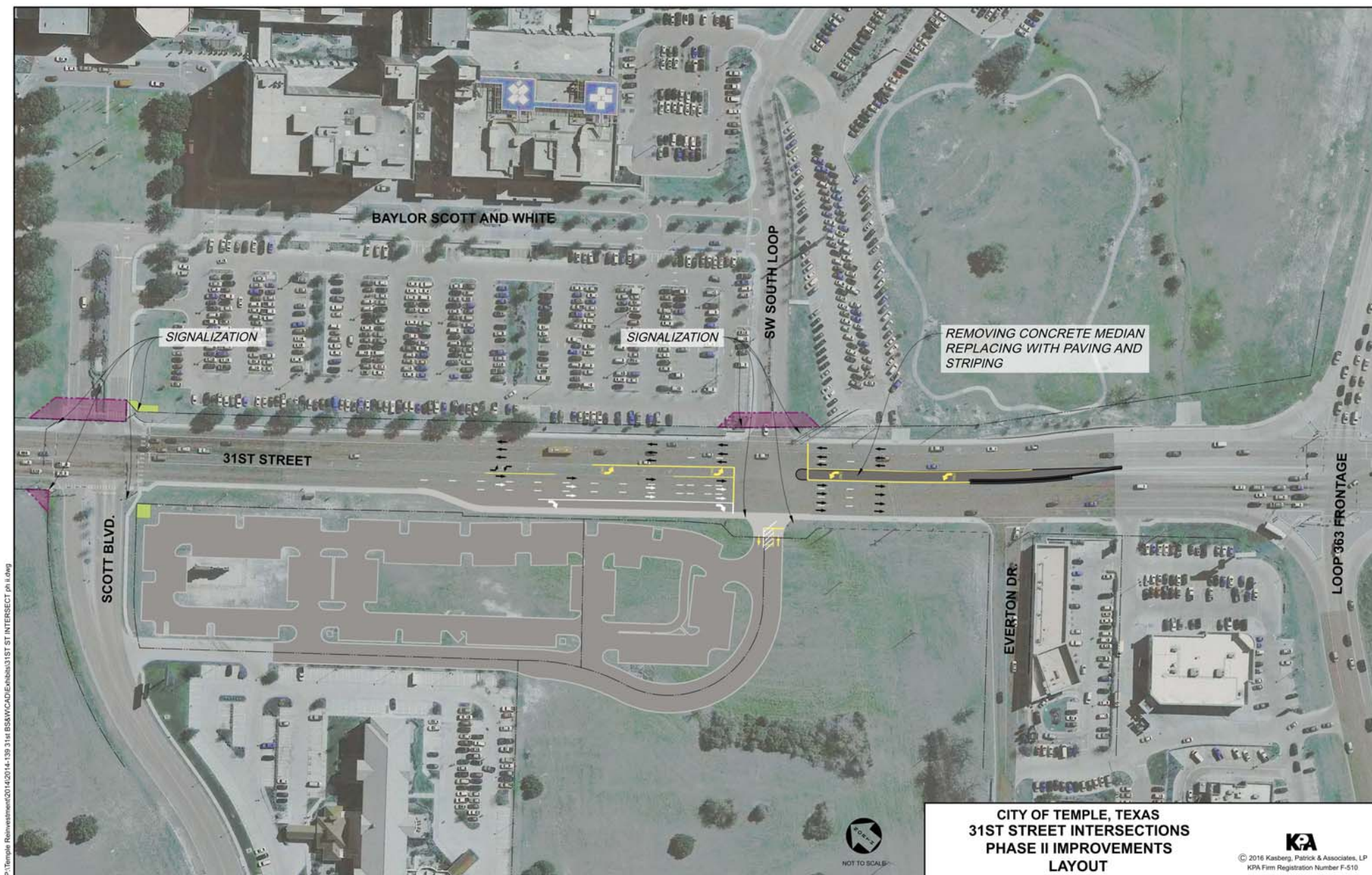
FISCAL IMPACT: Funding is available in the Reinvestment Zone No. 1 Financing and Project Plans, Line 459, account 795-9800-531-6873, project 101011, 31st Street Intersection Improvements to fund the safety improvements on South 31st Street near Scott Boulevard and Scott & White South Loop to be constructed by the City. Funding for the project is shown below:

Project Budget	\$2,170,000
Encumbered/Committed To Date	(352,880)
Phase II Traffic signal improvements	(340,126)
Remaining Funds for construction of Phase III	<u>\$1,476,994</u>

As noted above, this council action will authorize an Advanced Funding Agreement with the State of Texas, acting by and through the Texas Department of Transportation, in which the City commits to funding 100% of the costs for the safety improvements on 31st Street (Phase II) which will allow the City to construct the improvements currently estimated at \$340,126.

ATTACHMENTS:

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



P:\Temple RainInvestment\2014\2014-139 31st BSAW\CA\ENR\31ST ST INTERSECT ph II.dwg

CITY OF TEMPLE, TEXAS
31ST STREET INTERSECTIONS
PHASE II IMPROVEMENTS
LAYOUT

KPA
© 2016 Kasberg, Patrick & Associates, LP
KPA Firm Registration Number F-510

**BID SCHEDULE
FOR
31ST STREET ENHANCED INTERSECTION IMPROVEMENTS
(LOOP 363 TO SCOTT BLVD.) PH II**

BASE BID

Item No.	Estimated Quantity	Unit	Description	Unit Price	Total Amount (in numerals)
1	100%	Lump Sum	Mobilization, Bonds and Insurance, not-to-exceed 5% of the Base Bid Amount, Complete For	\$ 17,006.00	\$ 17,006.00
2	100%	Lump Sum	Provide Labor, Equipment, Tools & Supervision to Complete Preparation of Right-of-Way, Complete For	\$ 8,400.00	\$ 8,400.00
3	100%	Lump Sum	Prepare, Submit, Implement, & Administer Barricade, Signing and Traffic Safety Plan (Vehicular and Pedestrian), Complete For	\$ 15,750.00	\$ 15,750.00
4	100%	Lump Sum	Prepare, Submit, Implement, & Follow Trench Safety Plan Prepared & Signed by P.E., in Conformance with State Law and OSHA, Complete For	\$ 2,100.00	\$ 2,100.00
5	100%	Lump Sum	Prepare, Submit, Implement, & Follow Stormwater Pollution Prevention Plan, Including Submission to and Receiving Permits from Texas Commission on Environmental Quality (TCEQ), Complete For	\$ 4,200.00	\$ 4,200.00
6	100%	Lump Sum	Provide Project Record Drawings, Complete For	\$ 1,312.50	\$ 1,312.50
7	100%	Lump Sum	Provide DVD of right-of-way pre-construction and post construction site conditions for the total project, Complete For	\$ 787.50	\$ 787.50
8	3	Each	Furnish, Install, Maintain, and Remove Inlet Protection, Complete For	\$ 66.15	\$ 198.45
9	670	Square Yard	Sawcut and Remove Existing Concrete Median and Asphalt, Complete For	\$ 3.00	\$ 2,010.00

**BID SCHEDULE
FOR
31ST STREET ENHANCED INTERSECTION IMPROVEMENTS
(LOOP 363 TO SCOTT BLVD.) PH II**

BASE BID

Item No.	Estimated Quantity	Unit	Description	Unit Price	Total Amount (in numerals)
10	670	Square Yard	Furnish & Install Asphalt Pavement Structure per Typical Roadway Section Detail and Match Existing Surface, Complete For	\$ 55.00	\$ 36,850.00
11	220	Linear Foot	Furnish & Install Concrete Curb and Gutter, Complete For	\$ 18.00	\$ 3,960.00
12	100%	Lump Sum	Remove Existing Signage per Demolition Plan, Complete For	\$ 200.00	\$ 200.00
13	26	Linear Foot	Furnish & Install Traffic Signal 36" Drill Shaft, Complete For	\$ 269.56	\$ 7,008.56
14	44	Linear Foot	Furnish & Install Traffic Signal 48" Drill Shaft, Complete For	\$ 316.14	\$ 13,910.16
15	25	Linear Foot	Furnish & Install Traffic Signal 2" Schedule 40 PVC Conduit, Complete For	\$ 9.56	\$ 239.00
16	280	Linear Foot	Furnish & Install Traffic Signal 3" Schedule 40 PVC Conduit, Complete For	\$ 12.10	\$ 3,388.00
17	90	Linear Foot	Furnish & Install Traffic Signal 4" Schedule 40 PVC Conduit, Complete For	\$ 12.81	\$ 1,152.90
18	470	Linear Foot	Furnish & Install Traffic Signal 4" Schedule 80 by Bore, Complete For	\$ 27.04	\$ 12,708.80
19	1,330	Linear Foot	Furnish & Install Traffic Signal Electric Conductor No 8 Insulated, Complete For	\$ 1.23	\$ 1,635.90
20	1,385	Linear Foot	Furnish & Install Traffic Signal Electric Conductor No 6 Bare, Complete For	\$ 1.30	\$ 1,800.50
21	140	Linear Foot	Furnish & Install Traffic Signal Electric Conductor No 6 Insulated, Complete For	\$ 1.45	\$ 203.00

**BID SCHEDULE
FOR
31ST STREET ENHANCED INTERSECTION IMPROVEMENTS
(LOOP 363 TO SCOTT BLVD.) PH II**

BASE BID

Item No.	Estimated Quantity	Unit	Description	Unit Price	Total Amount (in numerals)
22	5	Each	Furnish & Install Traffic Signal Ground Box Type C (162911) with Apron, Complete For	\$ 858.84	\$ 4,294.20
23	1	Each	Furnish & Install Traffic Signal Electrical Service Type D 120/240 070 (NS) AL (E) PS (U), Complete For	\$ 6,930.00	\$ 6,930.00
24	2	Each	Furnish & Install Traffic Signal Install Highway Traffic Signal Isolated, Complete For	\$ 18,272.00	\$ 36,544.00
25	100%	Lump Sum	Remove Existing Traffic Signals, Complete For	\$ 3,675.00	\$ 3,675.00
26	10	Each	Furnish & Install Traffic Signal VEH SIG (12 IN) LED (GRN), Complete For	\$ 254.22	\$ 2,542.20
27	7	Each	Furnish & Install Traffic Signal VEH SIG (12 IN) LED (GRN ARW), Complete For	\$ 277.82	\$ 1,944.74
28	10	Each	Furnish & Install Traffic Signal VEH SIG (12 IN) LED (YEL), Complete For	\$ 250.64	\$ 2,506.40
29	14	Each	Furnish & Install Traffic Signal VEH SIG (12 IN) LED (YEL ARW), Complete For	\$ 266.86	\$ 3,736.04
30	10	Each	Furnish & Install Traffic Signal VEH SIG (12 IN) LED (RED), Complete For	\$ 251.82	\$ 2,518.20
31	7	Each	Furnish & Install Traffic Signal VEH SIG (12 IN) LED (RED ARW), Complete For	\$ 285.47	\$ 1,998.29
32	16	Each	Furnish & Install Pedestrian Signal PED SIG LED (COUNTDOWN), Complete For	\$ 577.20	\$ 9,235.20
33	10	Each	Furnish & Install Traffic Signal Back plate (12 IN) (3 SEC) (VENTED) ALUM, Complete For	\$ 85.22	\$ 852.20

**BID SCHEDULE
FOR
31ST STREET ENHANCED INTERSECTION IMPROVEMENTS
(LOOP 363 TO SCOTT BLVD.) PH II**

BASE BID

Item No.	Estimated Quantity	Unit	Description	Unit Price	Total Amount (in numerals)
34	7	Each	Furnish & Install Traffic Signal Back plate (12 IN) (4 SEC) (VENTED) ALUM, Complete For	\$ 104.82	\$ 733.74
35	643	Linear Foot	Furnish & Install Traffic Signal CBL (TY A) (14 AWG) (5 CONDR), Complete For	\$ 1.79	\$ 1,150.97
36	1,905	Linear Foot	Furnish & Install Traffic Signal CBL (TY A) (14 AWG) (7 CONDR), Complete For	\$ 1.30	\$ 2,476.50
37	1,260	Linear Foot	Furnish & Install Traffic Signal CBL (TY A) (14 AWG) (20 CONDR), Complete For	\$ 3.46	\$ 4,359.60
38	2,650	Linear Foot	Furnish & Install Traffic Signal CBL (TY C) (12 AWG) (2 CONDR), Complete For	\$ 1.18	\$ 3,127.00
39	1	Each	Furnish & Install Traffic Signal INS TRF SIG PL AM (S) 1 ARM (36') LUM, Complete For	\$ 6,000.20	\$ 6,000.20
40	1	Each	Furnish & Install Traffic Signal INS TRF SIG PL AM (S) 1 ARM (44') LUM, Complete For	\$ 8,149.60	\$ 8,149.60
41	2	Each	Furnish & Install Traffic Signal INS TRF SIG PL AM (S) 1 ARM (65') LUM, Complete For	\$ 18,900.00	\$ 37,800.00
42	11	Each	Furnish & Install Traffic Signal Pedestrian Pole Assembly with drill shafts, Complete For	\$ 1,806.40	\$ 19,870.40
43	1	Each	Furnish & Install Pedestrian Push Button Pole Assembly with drill shafts, Complete For	\$ 1,260.00	\$ 1,260.00
44	16	Each	Furnish & Install Pedestrian Detect Push Button (APS), Complete For	\$ 867.88	\$ 13,886.08
45	2	Each	Furnish & Install Pedestrian Detector Controller Unit, Complete For	\$ 3,321.40	\$ 6,642.80

**BID SCHEDULE
FOR
31ST STREET ENHANCED INTERSECTION IMPROVEMENTS
(LOOP 363 TO SCOTT BLVD.) PH II**

BASE BID

Item No.	Estimated Quantity	Unit	Description	Unit Price	Total Amount (in numerals)
46	1	Each	Furnish & Install Traffic Signal VIVDS Processor System, Complete For	\$ <u>4,381.00</u>	\$ <u>4,381.00</u>
47	4	Each	Furnish & Install Traffic Signal VIVDS Camera Assembly, Complete For	\$ <u>1,141.30</u>	\$ <u>4,565.20</u>
48	1	Each	Furnish & Install Traffic Signal VIVDS Set-Up System, Complete For	\$ <u>708.83</u>	\$ <u>708.83</u>
49	1,745	Linear Foot	Furnish & Install Traffic Signal VIVDS Communication Cable, Complete For	\$ <u>3.04</u>	\$ <u>5,304.80</u>
50	1	Each	Furnish & Install Traffic Signal Skypilot Wireless Broadband Communication System, Complete For	\$ <u>7,350.00</u>	\$ <u>7,350.00</u>
51	145	Linear Foot	Furnish & Install CAT 5 Ethernet Cable, Complete For	\$ <u>5.25</u>	\$ <u>761.25</u>

TOTAL BID AMOUNT (ITEMS 1 - 51)

BID AMOUNT: \$ 340,125.71

TOTAL BID AMOUNT (ITEMS 1 - 51): \$ 340,125.71

By submitting a bid for this project, the contractor is acknowledging the insurance requirements found herein, and the bidder is asserting that, if awarded the contract, he can comply with all insurance requirements as specified within 30 days of award of the contract.

Receipt is hereby acknowledged of the following addenda to the contract documents.

Addendum No. 1 dated _____	Received _____
Addendum No. 2 dated _____	Received _____
Addendum No. 3 dated _____	Received _____
Addendum No. 4 dated _____	Received _____

CONTRACTOR

BY

TITLE

Seal and Authorization
(if a corporation)

ADDRESS

ATTEST:

TELEPHONE NUMBER

E-MAIL ADDRESS

SECRETARY

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS,
AUTHORIZING AN ADVANCED FUNDING AGREEMENT WITH THE STATE OF
TEXAS FOR SAFETY IMPROVEMENTS ON SOUTH 31ST STREET NEAR SCOTT
BOULEVARD AND SCOTT & WHITE SOUTH LOOP; AND PROVIDING AN OPEN
MEETINGS CLAUSE.

Whereas, on December 4, 2014, Council adopted a Resolution authorizing a professional services agreement with Kasberg, Patrick & Associates, LP, ("KPA") to provide professional services for the design of intersection improvements on South 31st Street at Scott Boulevard and at Scott & White South Loop;

Whereas, the intersection improvements included concrete paver bands, concrete paver sidewalks, enhanced concrete intersection improvements and a traffic signal at Scott and White South Loop;

Whereas, Staff recommends Council authorize an Advanced Funding Agreement with the State of Texas, acting by and through the Texas Department of Transportation, in which the City commits to funding 100% of the costs for safety improvements on South 31st Street which will allow the City to construct improvements which will require an estimated amount of \$385,000 for engineering, construction and inspection of the 31st Street Enhanced Intersection Improvements (Loop 363 to Scott Boulevard) Phase II;

Whereas, funding is available for this Advanced Funding Agreement in the Reinvestment Zone No. 1 Financing and Project Plans, Line 459, Account No. 795-9800-531-6873, Project No. 101011; 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, after approval as to form by the City Attorney, to execute an Advanced Funding Agreement with the State of Texas for safety improvements on South 31st Street near Scott Boulevard and Scott & White South Loop.

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

PASSED AND APPROVED this the 7th day of **April**, 2016.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

APPROVED AS TO FORM:

ATTEST:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

04/07/16
Item #6(M)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Kayla Landeros, City Attorney

ITEM DESCRIPTION: Consider adopting a resolution authorizing a Wholesale Water Supply Agreement between the City of Temple and the City of Troy.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The City of Troy ("Troy") has been a City of Temple ("Temple") wholesale water customer since 1977. On November 28, 1977, Temple and Troy entered into a "Water Sales and Purchase Contract" in which Temple agreed to provide water to the City of Troy. The term of that agreement was 40 years and is set to expire in 2017.

Troy and Temple have negotiated a new "Wholesale Water Supply Agreement" which will extend the relationship of the parties for another 30 years. Troy will continue to purchase water from Temple and will pay the same base rate as Temple's water customers within the city limits that have the same sized meter as Troy. Troy will also agree to purchase a minimum of 36,500,000 gallons of water annually during the term of the agreement. Temple will agree to make available to Troy, on an annual basis, up to 967.8 acre-feet of treated water.

The agreement also states that Temple makes no commitment to sell treated water to Troy after the term of the agreement expires.

FISCAL IMPACT: During 2015, the City of Troy purchased 44,006,200 gallons of water for total revenue of \$148,423. As noted above, the City of Troy's water rates are the same as customers within the city limits.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE,
TEXAS, AUTHORIZING A WHOLESALE WATER SUPPLY
AGREEMENT BETWEEN THE CITY OF TEMPLE AND THE CITY OF
TROY; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City of Troy (“Troy”) has been a City of Temple (“Temple”) wholesale water customer since 1977 - on November 28, 1977, Temple and Troy entered into a “Water Sales and Purchase Contract” in which Temple agreed to provide water to the City of Troy for a term of 40 years which is due to expire in 2017;

Whereas, Troy and Temple have negotiated a new “Wholesale Water Supply Agreement” which will extend the relationship of the parties for another 30 years;

Whereas, Troy will continue to purchase water from Temple and will pay the same base rate as Temple’s water customers within the city limits that have the same sized meter as Troy;

Whereas, Troy also agrees to purchase a minimum of 36,500,000 gallons of water annually during the term of the agreement and Temple agrees to make available to Troy, on an annual basis, up to 967.8 acre-feet of treated water;

Whereas, the agreement also states that Temple makes no commitment to sell treated water to Troy after the term of the agreement expires;

Whereas, during 2015, the City of Troy purchased 44,006,200 gallons of water for total revenue of \$148,423; 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 enter into a Wholesale Water Supply Agreement between the City of Temple and the City of Troy, after approval as to form by the City Attorney, in which the City of Troy agrees to purchase a minimum of 36,500,000 gallons of water annually during the term of the agreement and the City of Temple agrees to make available to the City of Troy, on an annual basis, up to 967.8 acre-feet of treated water.

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

PASSED AND APPROVED this the 7th day of **April**, 2016.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

04/07/16
Item #6(N)
Consent Agenda
Page 1 of 1

DEPT. /DIVISION SUBMISSION & REVIEW:

Kevin Beavers, Director of Parks and Recreation

ITEM DESCRIPTION: Consider adopting a resolution authorizing a contract with Musco Sports Lighting, LLC in the amount of \$110,000, for the design and construction of an athletic field lighting system for Wiseman Baseball Field located in Scott & White Park.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: One of the projects approved in the 2015 Parks Bond were improvements to the baseball fields located Scott & White Park to include a new concession/restroom building and new lighting for Wiseman Memorial Baseball Field.

This phase of the project includes the design and construction of a field lighting system for Wiseman Field that will consist of 4 galvanized steel poles and a total of 18 lighting fixtures. This project will also include converting the lighting system for Guthrie Baseball Field to be controlled by the new control system. All of the electrical gear will be housed in a dedicated room in the new concession/restroom building that will be constructed during the installation of the lighting system. This will provide a secure location for all of the lighting controls.

Musco Sports Lighting, LLC has been awarded contract #423-13 by BuyBoard, which the City will use for this purchase. Contracts awarded through BuyBoard have been competitively procured and meet the statutory procurement requirements for Texas municipalities.

It is anticipated that the lighting system will be installed in July 2016, with all improvements to the facility completed by September 30, 2016.

FISCAL IMPACT: Funding is appropriated for award of a design and construction contract with Musco Sports Lighting, LLC in the amount of \$110,000 in account 362-3500-552-6414, project 101323, as follows:

Project Budget	\$ 300,590
Encumbered/Committed To Date	(11,665)
Award of Contract - Musco Lighting, LLC	(110,000)
Remaining Funds	\$ 178,925

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONSTRUCTION CONTRACT WITH MUSCO SPORTS LIGHTING, LLC OF ROUND ROCK, TEXAS, IN THE AMOUNT OF \$110,000, FOR THE DESIGN AND CONSTRUCTION OF AN ATHLETIC FIELD LIGHTING SYSTEM FOR WISEMAN BASEBALL FIELD LOCATED IN SCOTT & WHITE PARK; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, one of the projects approved in the 2015 Parks Bond was improvements to the baseball fields located at Scott & White Park to include a new concession/restroom building and new lighting for Wiseman Memorial Baseball Field;

Whereas, this phase of the project includes the design and construction of a field lighting system for Wiseman Field that will consist of 4 galvanized steel poles and a total of 18 lighting fixtures – the project also includes converting the lighting system for Guthrie Baseball Field to be controlled by a new control system;

Whereas, all of the electrical gear will be housed in a dedicated room in the new concession/restroom building that will be constructed during the installation of the lighting system – this dedicated room will provide a secure location for all of the lighting controls;

Whereas, Musco Sports Lighting, LLC has been awarded a BuyBoard contract which the City will use for this purchase - contracts awarded through BuyBoard have been competitively procured and meet the statutory procurement requirements for Texas municipalities;

Whereas, funding for this construction contract is available in Account No. 362-3500-552-6414, Project No. 101323; 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, after approval as to form by the City Attorney, to execute a construction contract with Musco Sports Lighting, LLC of Round Rock, Texas, in an amount not to exceed \$110,000, for the design and construction of an athletic field lighting system for Wiseman Baseball Field located in Scott & White Park, utilizing a BuyBoard Local Government Online Purchasing Cooperative Contract.

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

PASSED AND APPROVED this the 7th day of **April**, 2016.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

04/07/16
Item #6(O)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Kevin Beavers, Parks and Recreation Department

ITEM DESCRIPTION: Consider adopting a resolution authorizing a construction contract with Wolff Construction L.P. of Salado in the amount of \$89,995, for the Pepper Creek Trail Enhancements Project Phase II.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: This project will remove undergrowth and small trees 2 inches in diameter and smaller from existing City property along the Pepper Creek Trail. The project will begin at a point approximately 1,400 feet north of the FM 2305 trailhead and continue north along the trail to a point approximately 3,300 feet north of the trailhead. This project will be clearing the areas where a future disc golf course and athletic fields will be constructed. Clearing will be done on approximately 15.39 acres of land.

On March 3, 2016 the City of Temple received four bids for this trail clearing project. Bid ranged from a low of \$89,995 to a high of \$227,832.97 with Wolff Construction submitting the low bid. This project is scheduled for completion within 90 days from the date of the Notice to Proceed.

The Parks and Recreation Department has worked with Wolff Construction on projects in the past and has found them to be a very responsive and responsible contractor.

The Reinvestment Zone #1 Board approved this item and recommended it for Council approval on March 23, 2016.

FISCAL IMPACT: Funding is available in the Reinvestment Zone No. 1 Financing and Project Plans, line 207, account number 795-9800-531-6867, project 101005, Crossroads Park @ Pepper Creek Trail to fund the construction contract in the amount of \$89,995.

ATTACHMENTS:

[Bid Tabulation](#)

[Letter of recommendation](#)

[Resolution](#)

BID TABULATION
CITY OF TEMPLE
PEPPER CREEK TRAIL ENHANCEMENTS PHASE II
3210 E Ave H, Bldg C; Temple, TX 76501
March 3, 2016; 2:00 PM

BIDDER INFORMATION											
				Wolff Construction LP PO Box 1002 Salado TX 76571		Brush Masters II, Ltd 504 Cori Drive Belton TX 76513		Wilson Construction Services PO Box 782 Belton TX 76513		Gandy Dancer LLC 2801 Weatherford	
Item No.	Estimated Quantity	Unit	Bid Data Description	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount
BASE BID											
1	100%	LS	Mobilization, Bonds & Insurance, not-to-exceed 5% of the Base Bid Amount	4,300.00	\$ 4,300.00	\$ 750.00	\$ 750.00	\$ 7,200.00	\$ 7,200.00	\$ 14,198.49	\$ 14,198.49
2	15.4	ACR	Provide Clearing as Described in the Plans Areas A, B & C	4,000.00	61,600.00	4,803.62	* 73,975.75	8,250.00	127,050.00	10,736.35	165,339.79
3	100%	LS	Prepare Stormwater Pollution Prevention Plan, Including Submission to & Receiving Permits from TCEQ	1,500.00	1,500.00	327.46	327.46	1,500.00	1,500.00	2,683.94	2,683.94
4	100%	LS	Provide Clean-up Along Project Route	2,500.00	2,500.00	22,028.88	22,028.88	8,000.00	8,000.00	6,664.33	6,664.33
5	2,000	LF	Furnish, Install, Maintain & Remove Silt Fence as required in the Stormwater Pollution Prevention Plan	2.00	4,000.00	1.71	* 3,420.00	3.00	6,000.00	3.02	* 6,040.00
6	50	LF	Furnish, Install, Maintain & Remove Rock Berm as required in the Stormwater Pollution Prevention Plan	55.00	2,750.00	37.46	* 1,873.00	45.00	2,250.00	42.90	2,145.00
7	3	EA	Furnish, Install, Maintain & Remove Inlet Protection as required in the Stormwater Pollution Prevention Plan	75.00	225.00	242.12	726.36	100.00	300.00	93.50	280.50
8	100%	LS	Remove & Dispose of Existing Silt Fence Along & Near Pepper Creek Trail	13,120.00	13,120.00	3,593.90	3,593.90	800.00	800.00	30,470.92	30,470.92
TOTAL BASE BID AMOUNT - (Items 1 - 8)					\$ 89,995.00	**	\$ 106,695.35		\$ 153,100.00	**	\$ 227,822.97

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



R. David Patrick, PE, CFM
Kasberg, Patrick & Associates, LP

3/4/16
Date



* Extended amount has been corrected.
** Total amount has been corrected.



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

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

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

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

March 4, 2016

Mr. Val Roming
City of Temple Parks & Leisure
2 North Main Street Ste. 201
Temple, Texas 76501

Re: City of Temple, Texas
Pepper Creek Trail Enhancements – Phase II

Dear Mr. Roming:

March 3, 2016, the City of Temple received competitive bids from four (4) contractors for the Pepper Creek Trail Enhancements – Phase II Project. A Bid Tabulation is provided for your reference.

The attached Bid Tabulation shows Wolff Construction LP of Salado, Texas as the low bidder with a total bid of \$89,995.00. The bids ranged from this low bid to \$227,882.97. Our final opinion of probable construction (OPC) cost was \$145,000.

Wolff Construction has completed multiple projects for both KPA and the City of Temple and has the experience necessary to successfully complete this project. Therefore, we recommend that a contract be awarded to Wolf Construction for the total Base Bid amount of \$89,995.00.

Sincerely,

A handwritten signature in blue ink, appearing to read 'R. David Patrick'.

R. David Patrick, P.E., CFM

2014-106-40 Ph-II

xc: Kevin Beavers

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONSTRUCTION CONTRACT WITH WOLFF CONSTRUCTION, L.P. OF SALADO, TEXAS, IN THE AMOUNT OF \$89,995, FOR THE PEPPER CREEK TRAIL ENHANCEMENTS PROJECT, PHASE II; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, this project will remove undergrowth and small trees 2-inches in diameter and smaller from existing City property along the Pepper Creek Trail and will clear areas where a future disc golf course and athletic field will be constructed;

Whereas, the clearing will begin at a point approximately 1,400 feet north of the FM 2305 trailhead and continue north along the trail to a point approximately 3,300 feet north of the trailhead - approximately 15.39 acres of land will be cleared;

Whereas, on March 3, 2016, the City received four bids for this trail clearing project with Wolff Construction submitting the low bid - the Parks and Recreation Department has worked with Wolff Construction on projects in the past and has found it to be a very responsive and responsible contractor;

Whereas, funding for this contract is available in the Reinvestment Zone No. 1 Financing and Project Plan, Line 207, Account No. 795-9800-531-6867, Project No. 101005; 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, after approval as to form by the City Attorney, to execute a construction contract with Wolff Construction L.P. of Salado, Texas, in an amount of \$89,995 for the Pepper Creek Trail Enhancements Project Phase II.

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

PASSED AND APPROVED this the 7th day of **April**, 2016.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

APPROVED AS TO FORM:

ATTEST:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

04/07/16
Item #6(P)
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 T. Morales Co. Electric and Controls Ltd of Florence in an amount not to exceed \$312,300 for construction of the supervisory control and data acquisition system for the Doshier Farm Wastewater Treatment Plant.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The existing SCADA system at the Doshier Farm WWTP is antiquated, unreliable, and at a point where repairs are not possible due to its age. This construction project will install a fully operational SCADA System that provide proper control and monitoring of the treatment processes. This project will also standardize SCADA equipment and software to match what is currently being used at other City treatment facilities to help reduce future repair and maintenance cost.

On March 3rd, two bids were received. Per the attached Bid Tabulation, T. Morales submitted the low base bid plus selected alternates in the amount of \$312,300. The opinion of probable construction cost was \$297,000. The following is a breakdown of the low bid recommended for award in the attached letter:

Base Bid	\$ 278,200
Add. Alt. #3 – CL ₂ /SO ₂ Emergency Shutdown	\$ 48,600
Add. Alt. #4 – Sump Flood Alarms	\$ 3,500
Ded. Alt. #1 – Micro Logix 1400 PLC's	\$ (18,000)
Total	<u>\$ 312,300</u>

JRSA Engineering and Public Works agree that T. Morales is qualified to complete this project and recommend award of the construction contract. Estimated timeline for construction is 180 calendar days from the notice to proceed to the contractor.

FISCAL IMPACT: A budget adjustment is being presented to Council for approval to allocate additional funding needed for the award of a construction contract with T. Morales in the amount of \$312,300. Upon approval of the budget adjustment, funding will be appropriated in account 561-5500-535-6944, project 100992, as follows:

Project Budget	\$300,000
Budget Adjustment Presented for Council Approval	90,553
Encumbered/Committed To Date	(78,253)
Construction Contract Award - T. Morales Co.	(312,300)
Remaining Funds	\$ 0

ATTACHMENTS:

Engineer's Recommendation
Bid Tabulation
Budget Adjustment
Project Map
Resolution

JRSA ENGINEERING
CONSULTING ELECTRICAL ENGINEERS
6101 West Courtyard Dr., Bldg. 1, Suite 200 ▪ Austin, Texas 78730
V 512.452.8789 ▪ F 512.452-4041

March 24, 2016

Mr. James Billeck, P.E.
Project Manager
City of Temple
3210 East Avenue H
Temple, Texas 76501

Re: City of Temple Doshier Wastewater Treatment Plant
Scada System Improvements – Rebid

Dear Mr. Billeck:

On March 3, 2016, at 2:30 PM, the City of Temple received competitive bids for the referenced project. The project is designed to improve the Scada System at the Doshier Wastewater Treatment Plant. It included a base bid for the system plus alternate bid items, some of which were accepted and others that were rejected.

The attached Bid Tabulation indicates that T. Morales Company Electric & Controls, Ltd. was the low bidder with a total bid of \$ 312,300.00, including accepted alternates. The bids ranged from \$ 312,300.00 to \$ 331,700.00. Our Opinion of Probable Construction Costs (OPCC) was \$ 297,000.00, approximately 5% less than the lowest bid. There are three main reasons the OPCC was less than the lowest bid:

- There were only two bidders even though six bidders picked up plans. Based on previous experience this lack of competition in past projects has led to higher than anticipated costs. The OPCC did not anticipate this lack of bidders.
- The material costs that we obtained from the manufacturer reps and used in making the OPCC were higher, in most cases, than we had been given. This can happen when there is little competition in bidding.
- This project involved a lot of work in existing electrical switchgear which is difficult to estimate. These costs amount to a Contractor's best guess against the Engineer's best guess.

T. Morales Company is very familiar with the Doshier Wastewater Treatment Plant, having successfully completed several projects there and elsewhere for the City of Temple; and, they are well qualified to perform the work required. We therefore recommend that a contract be awarded to T. Morales Company Electric & Controls, Ltd. in the amount of \$ 312,300.00.

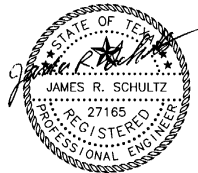
Respectfully,
JRSA Engineering, Inc.

James R. Schultz, P.E.

James R. Schultz, P.E.
Vice President

BID TABULATION - CITY OF TEMPLE
DOSHIER WASTEWATER TREATMENT PLANT - SCADA SYSTEM IMPROVEMENTS – REBID
MARCH 3, 2016 – 2:30 PM
BID # 55-02-16

Bid Item	Trac-N-Trol, Inc. Georgetown, Texas	T. Morales Company Electric & Controls, Ltd. Florence, Texas	Remarks
Total Base Bid	\$ 286,400.00	\$ 278,200.00	
Additive Alternate #1 – WAS & Belt Press Flow Meters	\$ 13,200.00	\$ 13,250.00	Not Accepted
Additive Alternate #2 – Eight Soft Starters	\$ 69,200.00	\$ 77,400.00	Not Accepted
Additive Alternate #3 – CL2 & SO2 Emergency Shutdown	\$ 61,600.00	\$ 48,600.00	Accepted
Additive Alternate #4 – Sump Flooding Alarms	\$ 4,000.00	\$ 3,500.00	Accepted
Additive Alternate #5 – TSS Meter	\$ 8,900.00	\$ 15,200.00	Not Accepted
Additive Alternate #6 – Discrete Output Modules	\$ 6,700.00	\$ 14,400.00	Not Accepted
Deductive Alternate #1 – Micro Logix 1400 PLC's	(\$ 20,300.00)	(\$ 18,000.00)	Accepted
Total Bid Including Base Bid And Accepted Alternates	\$ 331,700.00	\$ 312,300.00	
Addendum 1 Acknowledged	Yes	Yes	
Bid Bond Provided	Yes	Yes	
Bond Requirement Affidavit	Yes	Yes	
Credit Check Authorization	Yes	Yes	



03/22/2016

James R. Schultz, P.E.
 JRSA Engineering
 6101 West Courtyard Drive, Suite 1-200
 Austin, Texas 79730

FY 2016

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
561-5500-535-69-44	100992	Capital-Bonds/WWTP SCADA	\$ 90,553	
561-5000-535-65-32		Capital-Spec. Projects/Contingency		90,553
TOTAL.....			\$ 90,553	\$ 90,553

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

To reallocate and appropriate additional funding needed for award of construction contract on the WWTP SCADA/Doshier to T. Morales Co. Electric and Controls Ltd. The award of the construction contract is being presented for Council approval on 4/7/16.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒ Yes

☐ No

DATE OF COUNCIL MEETING 4/7/2016

WITH AGENDA ITEM?

☒ Yes☐ No

Department Head/Division Director

3/29/16
Date

<input checked="" type="checkbox"/>	Approved
<input type="checkbox"/>	Disapproved

Finance

Date _____

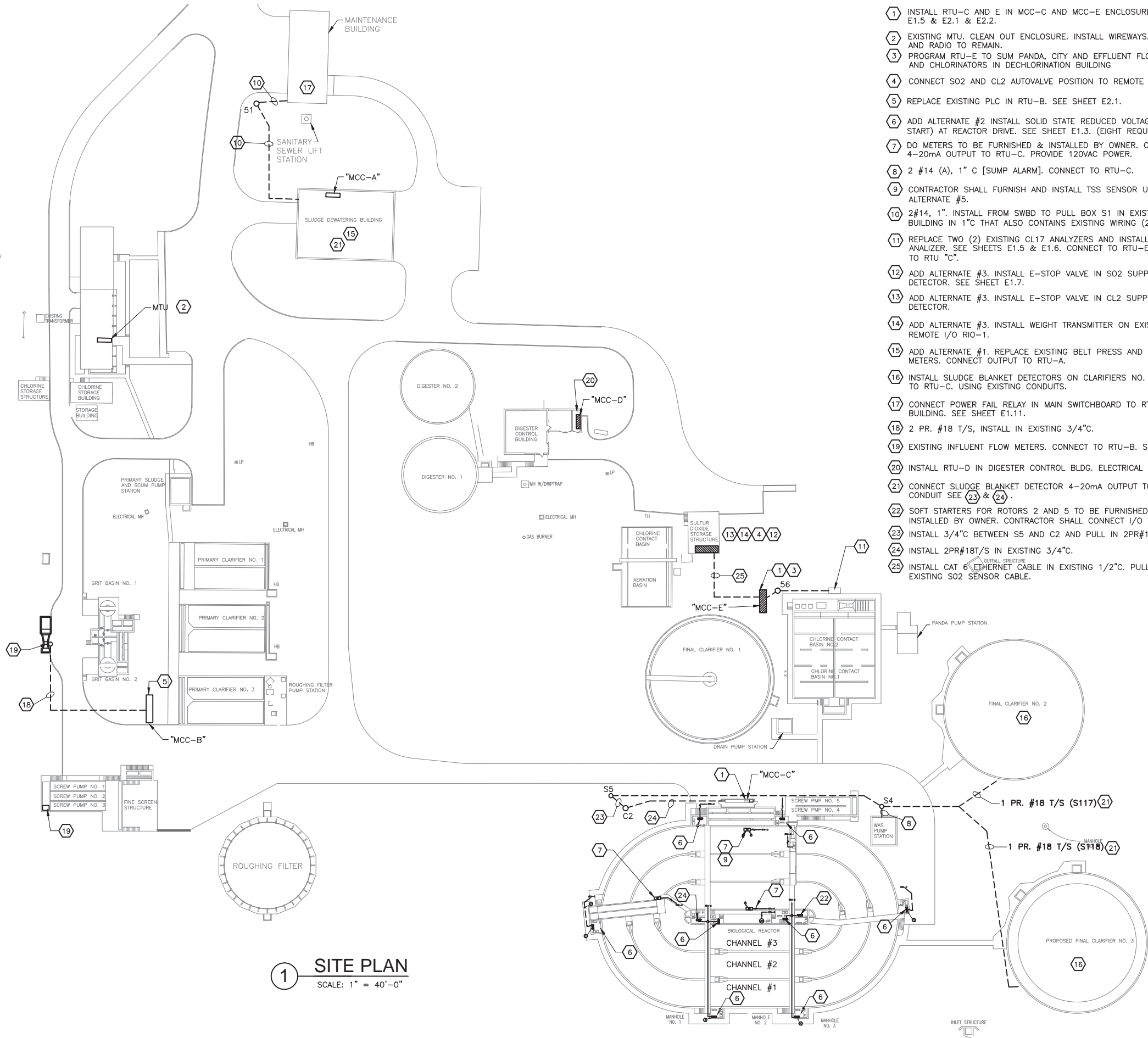
	Approved
	Disapproved

City Manager

Date _____

	Approved
	Disapproved

LABORATORY BUILDING



1 SITE PLAN
SCALE: 1" = 40'-0"

KEYNOTES:

- 1 INSTALL RTU-C AND E IN MCC-C AND MCC-E ENCLOSURE RESPECTIVELY. SEE SHEETS E1.5 & E2.1 & E2.2.
- 2 EXISTING MTU. CLEAN OUT ENCLOSURE. INSTALL WIREWAYS. INSTALL UPS. EXISTING PLC AND RADIO TO REMAIN.
- 3 PROGRAM RTU-E TO SUM PANDA, CITY AND EFFLUENT FLOWS TO CONTROL AUTO SAMPLERS AND CHLORINATORS IN DECHLORINATION BUILDING
- 4 CONNECT SO2 AND CL2 AUTOVALVE POSITION TO REMOTE I/O RIO-1.
- 5 REPLACE EXISTING PLC IN RTU-B. SEE SHEET E2.1.
- 6 ADD ALTERNATE #2 INSTALL SOLID STATE REDUCED VOLTAGE MOTOR STARTERS (SOFT START) AT REACTOR DRIVE. SEE SHEET E1.3. (EIGHT REQUIRED). SEE KEYNOTE #24 BELOW.
- 7 DO METERS TO BE FURNISHED & INSTALLED BY OWNER. CONTRACTOR SHALL CONNECT 4-20mA OUTPUT TO RTU-C. PROVIDE 120VAC POWER.
- 8 2 #14 (A), 1" C [SUMP ALARM]. CONNECT TO RTU-C.
- 9 CONTRACTOR SHALL FURNISH AND INSTALL TSS SENSOR UNDER ADD ALTERNATE #5.
- 10 2#14, 1". INSTALL FROM SWBD TO PULL BOX S1 IN EXISTING 2" C. THEN FROM S1 TO BUILDING IN 1"C THAT ALSO CONTAINS EXISTING WIRING (2PR #16T/S).
- 11 REPLACE TWO (2) EXISTING CL17 ANALYZERS AND INSTALL ONE (1) ADDITIONAL ANALYZER. SEE SHEETS E1.5 & E1.6. CONNECT TO RTU-E. SEE SHEET. E2.2. CONNECT TO RTU "C".
- 12 ADD ALTERNATE #3. INSTALL E-STOP VALVE IN SO2 SUPPLY LINE. CONNECT TO LEAK DETECTOR. SEE SHEET E1.7.
- 13 ADD ALTERNATE #3. INSTALL E-STOP VALVE IN CL2 SUPPLY LINE. CONNECT TO LEAK DETECTOR.
- 14 ADD ALTERNATE #3. INSTALL WEIGHT TRANSMITTER ON EXISTING SCALE. CONNECT TO REMOTE I/O RIO-1.
- 15 ADD ALTERNATE #1. REPLACE EXISTING BELT PRESS AND WAS FLOW METERS WITH NEW METERS. CONNECT OUTPUT TO RTU-A.
- 16 INSTALL SLUDGE BLANKET DETECTORS ON CLARIFIERS NO. 2 AND NO. 3. CONNECT OUTPUT TO RTU-C. USING EXISTING CONDUITS.
- 17 CONNECT POWER FAIL RELAY IN MAIN SWITCHBOARD TO RTU-A IN SLUDGE DEWATERING BUILDING. SEE SHEET E1.11.
- 18 2 PR. #18 T/S, INSTALL IN EXISTING 3/4"C.
- 19 EXISTING INFLUENT FLOW METERS. CONNECT TO RTU-B. SEE SHEET I4.3.
- 20 INSTALL RTU-D IN DIGESTER CONTROL BLDG. ELECTRICAL ROOM. SEE SHEET E1.8.
- 21 CONNECT SLUDGE BLANKET DETECTOR 4-20mA OUTPUT TO RTU-C. INSTALL IN EXISTING CONDUIT SEE 23 & 24.
- 22 SOFT STARTERS FOR ROTORS 2 AND 5 TO BE FURNISHED AND INSTALLED BY OWNER. CONTRACTOR SHALL CONNECT I/O TO RTU-C.
- 23 INSTALL 3/4"C BETWEEN S5 AND C2 AND PULL IN 2PR#18T/S.
- 24 INSTALL 2PR#18T/S IN EXISTING 3/4"C.
- 25 INSTALL CAT 6 ETHERNET CABLE IN EXISTING 1/2"C. PULL OUT EXISTING SO2 SENSOR CABLE.



CITY OF TEMPLE
DOSHIER WASTE WATER TREATMENT PLANT
SCADA SYSTEM IMPROVEMENTS - REBID
OVERALL ELECTRICAL SITE PLAN

JRSA
CONSULTING ELECTRICAL ENGINEERS
TPE FIRM #3997
6101 West Courtyard Drive
Bldg. 1, Suite 200
Austin, Texas 78730
(512) 452-8789



DATE Feb. 12, 2016
SCALE AS NOTED
SHEET NO. E1.2 OF 66

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONSTRUCTION CONTRACT WITH T. MORALES CO. ELECTRIC AND CONTROLS, LTD. OF FLORENCE, TEXAS, IN AN AMOUNT NOT TO EXCEED \$312,300, FOR CONSTRUCTION OF THE SUPERVISORY CONTROL AND DATA ACQUISITION SYSTEM FOR THE DOSHIER FARM WASTEWATER TREATMENT PLANT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the existing supervisory control and data acquisition (“SCADA”) system at the Doshier Farm Wastewater Treatment Plant (“WWTP”) is antiquated, unreliable, and at a point where repairs are not possible due to its age;

Whereas, construction of a new system will provide for a fully operational SCADA system that provides proper control and monitoring of the treatment processes and it will also standardize SCADA equipment and software to match what is currently being used at other City treatment facilities to help reduce future repair and maintenance costs;

Whereas, on March 3, 2016, the City received two bids for this construction with T. Morales Co. Electric and Controls, LTD submitting the low bid plus selected alternates in the amount of \$312,300;

Whereas, JRSA Engineering and the Public Works Department agree that T. Morales is qualified to complete this project and recommend awarding the construction contract to T. Morales Co. Electric and Controls, LTD.;

Whereas, funding for this contract is available but an amendment to the fiscal year 2016 budget needs to be approved to allocate additional funding needed for the award of the contract into Account No. 561-5500-535-6944, Project No. 100992; 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, after approval as to form by the City Attorney, to execute a construction contract with T. Morales Co. Electric and Controls, Ltd. of Florence, Texas, in an amount not to exceed \$312,300, for construction of the supervisory control and data acquisition system for the Doshier Farm Wastewater Treatment Plant.

Part 2: The City Council authorizes an amendment to the fiscal year 2016 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 was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the 7th day of **April**, 2016.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

04/07/16
Item #6(Q)
Consent Agenda
Page 28 of 1

DEPARTMENT SUBMISSION & REVIEW:

Dessie Redmond, Planner
Trudi Dill, Deputy City Attorney

ITEM DESCRIPTION: P-FY-16-21: Consider adopting a resolution dedicating public easements on portions of City-owned Tracts E and F, Lake Pointe, Phase II-A1, establishing one drainage easement and one utility easement on each Tract.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The public improvements required for Lake Pointe, Phase III, include wastewater and drainage facilities located on two tracts of open space conveyed to the City with Lake Pointe, Phase II, a portion of which was replatted by the amending plat of Lake Pointe, Phase II-A1. The Planning & Zoning Commission approved the plat of Lake Pointe, Phase III, on March 7, 2016. No exceptions were requested.

The developer will construct a wastewater main and a 48" drainage culvert on Tract E, and a wastewater main and 24" drainage culvert on Tract F. Adoption of a resolution is recommended to establish the purposes and boundaries for the easements.

FISCAL IMPACT: Not applicable

ATTACHMENTS:

Attachment 1 – Lake Pointe, Phase II A-1 Plat
Attachment 2 – Lake Pointe, Phase III Plat
Attachment 3 - Dedication of Public Drainage and Utility Easements
Attachment 4 – Tract F Utility Easement description
Attachment 5 – Tract E Utility Easement description
Attachment 6 – Tract F Drainage Easement description
Attachment 7 – Tract E Drainage Easement description
Resolution

PRINTED ON JULY 15, 2013

REV.	DESCRIPTION	DATE	BY	PROJECT INFORMATION	BENCHMARK	FINAL PLAT OF LAKE POINTE PHASE II-A1 CITY OF TEMPLE, BELL COUNTY, TEXAS	SHEET 1 OF 3
4	ADDED NOTE 11 AND AMENDMENT TO NAME OF SUBDIVISION	7/8/2013	BTW	TOTAL SIZE: 132.85 ACRES	3/4" IRON ROD IN CONCRETE		
3	UPDATED BFE TABLE	6/14/2013	JAT	TOTAL BLOCKS: 14	TEXAS STATE PLANE CENTRAL COORDINATES		
2	ADDED NOTE 6, UPDATED NOTES TO MATCH NEW LAYOUT	11/11/2011	BTW	TOTAL LOTS: 347	N - 1038688.117		
1	ORIGINAL RELEASE	10/20/2011	JAT	TOTAL TRACTS: 6	E - 3206779.315		
PROJECT NUMBER: LP02		CLIENT NAME: W & B DEVELOPMENT					
CHECKED BY: SAB		CLIENT LOCATION: KILLEEN, TX					
AUTHORIZED BY: WBW							

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE	CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	1843.86	199.87	199.77	S 06°14'19" W	10°45'13"	C125	3373.86	49.63	49.63	S 08°48'23" W	00°59'34"
C2	595.00	111.67	111.51	S 08°30'37" W	10°45'13"	C126	3373.86	49.63	49.63	S 07°57'49" W	00°59'34"
C3	2188.86	259.90	259.74	S 06°32'06" W	00°48'11"	C127	3373.86	49.63	49.63	S 07°07'14" W	00°59'34"
C4	250.00	96.92	96.85	S 08°30'37" W	10°45'13"	C128	3373.86	49.63	49.63	S 06°14'07" W	00°55'00"
C5	2478.86	335.88	335.55	S 06°14'45" W	00°10'44"	C129	3373.86	49.63	49.63	S 05°21'00" W	00°59'34"
C6	2768.86	335.98	335.78	S 07°11'37" W	00°47'09"	C130	3373.86	49.63	49.63	S 04°30'26" W	00°59'34"
C7	3058.86	319.28	319.13	S 07°57'54" W	00°58'49"	C131	3373.86	49.63	49.63	S 03°59'51" W	00°59'34"
C8	3058.86	216.28	216.23	S 04°52'38" W	01°53'49"	C132	3373.86	49.63	49.63	S 03°29'38" W	00°59'34"
C9	769.62	81.96	81.93	S 04°28'25" W	00°46'00"	C133	3493.86	24.48	24.48	N 11°06'51" E	02°40'55"
C10	3348.86	599.36	598.56	S 06°04'32" W	10°15'16"	C134	454.62	14.79	14.79	S 02°30'03" W	01°51'53"
C11	479.62	2.25	2.25	S 01°41'12" W	00°10'08"	C135	454.62	35.72	35.72	S 01°15'14" W	00°36'24"
C12	479.62	144.60	144.05	S 10°27'26" W	17°16'25"	C136	454.62	61.19	61.19	S 07°24'55" W	07°57'51"
C13	250.00	94.82	94.25	S 05°07'17" W	01°03'23"	C137	454.62	61.15	61.11	S 11°15'03" W	07°42'25"
C14	1818.86	18.88	18.88	S 08°59'51" W	01°59'54"	C138	35.01	43.91	41.08	S 52°26'32" W	71°59'56"
C15	1818.86	50.70	50.70	S 07°54'06" W	01°35'49"	C139	57.50	37.85	37.17	S 70°50'20" W	37°42'51"
C16	1818.86	50.70	50.70	S 06°18'17" W	01°53'49"	C140	57.50	52.17	50.40	S 25°59'27" W	51°58'55"
C17	1818.86	50.70	50.70	S 04°42'38" W	01°53'49"	C141	57.50	50.22	48.64	S 05°01'20" W	50°02'20"
C18	1818.86	24.63	24.63	S 03°21'17" W	00°46'33"	C142	57.50	49.31	47.81	S 24°51'04" E	49°07'48"
C19	620.00	24.72	24.71	S 04°16'31" W	02°17'03"	C143	57.50	42.38	41.43	N 59°42'51" E	42°14'01"
C20	620.00	48.00	48.05	S 07°38'17" W	04°26'30"	C144	57.50	22.22	22.08	N 27°31'44" E	22°08'13"
C21	620.00	45.59	45.58	S 11°52'23" W	04°01'41"	C145	50.00	27.64	27.29	S 32°20'23" W	31°40'21"
C22	1868.86	16.22	16.22	S 08°50'00" W	01°03'23"	C146	67.50	40.57	39.90	S 30°57'31" W	34°28'06"
C23	1868.86	49.34	49.34	S 07°31'32" W	01°30'46"	C147	67.50	28.82	28.60	S 01°30'40" W	24°27'35"
C24	1868.86	49.34	49.34	S 06°00'47" W	01°30'46"	C148	67.50	76.70	72.64	S 43°16'12" E	65°06'09"
C25	1868.86	49.34	49.34	S 04°30'01" W	01°30'46"	C149	67.50	34.17	33.80	N 89°40'41" E	29°00'06"
C26	1868.86	19.91	19.91	S 04°00'00" W	01°30'46"	C150	50.00	27.64	27.29	S 88°39'12" E	31°40'21"
C27	570.00	31.19	31.18	S 04°42'03" W	01°30'46"	C151	20.00	11.30	28.20	S 38°12'40" E	09°39'45"
C28	570.00	54.66	54.64	S 09°00'55" W	00°59'38"	C152	475.00	45.04	45.02	S 02°30'41" E	05°25'57"
C29	570.00	21.14	21.14	S 12°49'29" W	02°10'30"	C153	500.00	47.41	47.39	S 02°36'41" E	05°25'57"
C30	1988.86	46.16	46.16	S 08°56'49" W	01°19'48"	C154	525.00	49.56	49.54	S 02°29'59" E	05°24'32"
C31	1988.86	52.51	52.51	S 07°10'42" W	01°19'48"	C155	525.00	10.21	10.21	S 05°12'40" E	09°51'49"
C32	1988.86	52.51	52.51	S 06°00'47" W	01°30'46"	C156	275.00	9.84	9.84	S 04°12'08" E	02°03'02"
C33	1988.86	52.51	52.51	S 04°30'01" W	01°30'46"	C157	275.00	53.39	53.30	S 02°33'05" W	11°07'24"
C34	1988.86	21.19	21.19	S 03°26'10" W	00°56'38"	C158	275.00	41.07	41.03	S 12°13'30" W	08°33'26"
C35	450.00	24.62	24.62	S 04°42'38" W	01°53'49"	C159	225.00	44.19	44.12	S 09°25'40" W	11°51'10"
C36	450.00	43.15	43.13	S 09°00'55" W	00°59'38"	C160	225.00	41.15	41.09	S 11°15'25" W	10°28'42"
C37	450.00	16.69	16.69	S 12°49'29" W	02°10'30"	C161	1698.86	10.10	10.16	S 08°52'17" W	00°20'33"
C38	2043.86	21.59	21.59	S 09°24'12" W	00°36'18"	C162	1698.86	47.35	47.35	S 07°54'06" W	01°35'49"
C39	2043.86	47.78	47.78	S 08°25'52" W	01°20'22"	C163	1698.86	47.35	47.35	S 06°18'17" W	01°35'49"
C40	2043.86	47.78	47.78	S 07°07'30" W	01°20'22"	C164	1698.86	47.35	47.35	S 04°28'25" W	01°35'49"
C41	2043.86	47.78	47.78	S 05°45'08" W	01°20'22"	C165	1698.86	23.00	23.00	S 03°11'17" W	00°46'33"
C42	2043.86	47.78	47.78	S 04°24'46" W	01°20'22"	C166	740.00	29.50	29.50	S 04°16'31" W	02°17'02"
C43	2043.86	21.75	21.75	S 03°26'18" W	00°56'35"	C167	740.00	57.36	57.35	S 07°38'17" W	04°26'30"
C44	2043.86	35.67	35.67	S 08°56'49" W	01°19'48"	C168	740.00	52.04	52.01	S 06°00'47" W	01°30'46"
C45	395.00	38.27	38.26	S 11°06'41" W	00°53'05"	C169	2333.86	8.79	8.79	N 10°02'14" E	00°12'57"
C46	2163.86	30.12	30.12	S 09°29'58" W	00°47'53"	C170	2333.86	49.01	49.00	N 09°19'41" E	01°12'11"
C47	2163.86	50.58	50.58	S 08°25'52" W	01°20'22"	C171	2333.86	49.01	49.00	N 08°07'29" E	01°12'11"
C48	2163.86	50.58	50.58	S 07°07'30" W	01°20'22"	C172	2333.86	49.01	49.00	N 06°58'18" E	01°12'11"
C49	2163.86	50.58	50.58	S 05°45'08" W	01°20'22"	C173	2333.86	49.01	49.00	N 05°07'31" E	01°12'11"
C50	2163.86	50.58	50.58	S 04°24'46" W	01°20'22"	C174	2333.86	49.01	49.00	N 04°05'26" E	01°12'11"
C51	2163.86	23.03	23.03	S 03°26'18" W	00°56'35"	C175	2333.86	83.61	83.61	S 02°33'16" E	02°03'09"
C52	275.00	24.97	24.96	S 05°44'04" W	01°07'29"	C176	2333.86	52.23	52.22	N 08°54'23" E	01°16'56"
C53	275.00	26.64	26.64	S 11°06'41" W	00°53'05"	C177	2333.86	52.23	52.22	N 07°17'28" E	01°16'56"
C54	2213.86	16.47	16.47	S 08°56'49" W	01°19'48"	C178	2333.86	52.23	52.22	N 06°02'30" E	01°16'56"
C55	2213.86	49.54	49.54	S 08°54'23" W	01°16'56"	C179	2333.86	52.23	52.22	N 05°03'36" E	01°16'56"
C56	2213.86	49.54	49.54	S 07°37'28" W	01°16'56"	C180	2333.86	52.23	52.22	N 03°44'41" E	01°16'56"
C57	2213.86	49.54	49.54	S 06°20'22" W	01°16'56"	C181	2333.86	51.95	51.95	N 02°29'57" E	01°16'56"
C58	2213.86	49.54	49.54	S 05°03'36" W	01°16'56"	C182	2623.86	44.48	44.48	N 09°02'40" E	00°59'38"
C59	2213.86	49.54	49.54	S 03°46'41" W	01°16'56"	C183	2623.86	48.45	48.45	N 09°00'33" E	01°03'28"
C60	2213.86	0.13	0.13	S 03°08'06" W	00°00'12"	C184	2623.86	48.45	48.45	N 07°57'05" E	01°03'28"
C61	225.00	42.23	42.17	S 08°30'37" W	10°45'13"	C185	2623.86	48.45	48.45	N 06°33'37" E	01°03'28"
C62	2453.86	16.60	16.60	S 07°07'30" W	01°20'22"	C186	2623.86	48.45	48.45	N 05°30'06" E	01°03'28"
C63	2453.86	51.52	51.52	S 06°19'41" E	01°12'11"	C187	2623.86	80.77	80.77	N 04°52'59" E	01°45'29"
C64	2453.86	51.52	51.52	N 08°07'39" E	01°12'11"	C188	2623.86	59.29	59.28	N 05°11'24" E	01°17'40"
C65	2453.86	51.52	51.52	N 06°55'18" E	01°12'11"	C189	2623.86	51.89	51.89	N 08°38'54" E	01°07'59"
C66	2453.86	51.52	51.52	N 05°49'07" E	01°12'11"	C190	2623.86	51.89	51.89	N 07°40'55" E	01°07'59"
C67	2453.86	51.52	51.52	N 04°07'56" E	01°12'11"	C191	2623.86	51.89	51.89	N 07°07'29" E	01°07'59"
C68	2453.86	55.99	55.98	N 03°15'38" E	01°18'26"	C192	2623.86	51.89	51.89	N 05°14'57" E	01°07'59"
C69	2503.86	3.50	3.50	N 10°19'35" E	00°04'49"	C193	2623.86	52.20	52.20	N 04°06'46" E	01°08'24"
C70	2503.86	46.82	46.82	N 09°45'02" E	01°04'17"	C194	2913.86	28.91	28.91	N 10°32'01" E	00°34'06"
C71	2503.86	49.52	49.51	N 08°38'54" E	01°07'59"	C195	2913.86	48.62	48.61	N 08°16'17" E	00°57'21"
C72	2503.86	49.52	49.51	N 07°30'35" E	01°07'59"	C196	2913.86	48.62	48.61	N 08°48'50" E	00°57'21"
C73	2503.86	49.52	49.51	N 06°22'56" E	01°07'59"	C197	2913.86	48.62	48.61	N 07°51'35" E	00°57'21"
C74	2503.86	49.52	49.51	N 05°14'57" E	01°07'59"	C198	2913.86	48.62	48.61	N 06°45'41" E	00°57'21"
C75	2503.86	78.09	78.08	N 03°47'21" E	01°07'13"	C199	2913.86	78.56	78.56	N 05°59'12" E	01°32'41"
C76	2743.86	52.91	52.91	N 10°05'16" E	01°06'11"	C200	2913.86	43.76	43.76	N 04°14'10" E	00°57'21"
C77	2743.86	50.66	50.66	N 09°00'33" E	01°03'28"	C201	2913.86	51.70	51.69	N 09°26'57" E	01°00'59"
C78	2743.86	50.66	50.66	N 07°57'05" E	01°03'28"	C202	2913.86	51.70	51.69	N 08°25'57" E	01°00'59"
C79	2743.86	50.66	50.66	N 06°53'37" E	01°03'28"	C203	2913.86	51.70	51.69	N 07°45'58" E	01°00'59"
C80	2743.86	50.66	50.66	N 05°50'08" E	01°03'28"	C204	2913.86	51.70	51.69	N 06°23'59" E	01°00'59"
C81	2743.86	56.27	56.27	N 04°43'09" E	01°03'28"	C205	2913.86	51.39	51.39	N 05°07'41" E	01°00'59"
C82	2793.86	36.02	36								

CALLED 29.56 ACRES
PEA RIDGE LP & JACK B
CAESAR JR EXEMPTION
EQUIVALENT TRUST
DOC. #200800044749

CALLED 171.82 ACRES
JEKAB ACRES, LP
DOC. NO. 2009-00011626

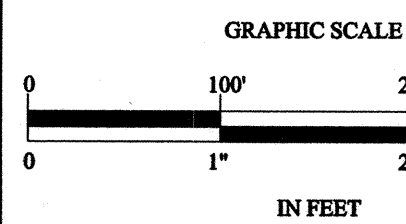
LOCATION OF FEMA
SPECIAL FLOOD HAZARD
AREA ZONE "A" BASED
ON FEMA FIRM NUMBER
48027C0170E, dated
September 26, 2008

LEGEND

AE ACCESS EASEMENT
BM BENCHMARK
DA DRAINAGE AREA
ELEV ELEVATION
NTS NOT TO SCALE
NO NUMBER
RE REFERENCE
REV REVISION
TBM TEMPORARY BENCHMARK
TYP TYPICAL
UE UTILITY EASEMENT
LOT WITH MIN FFE (SEE TABLE)
IRON ROD FOUND (MONUMENT)
1" IRON ROD SET (MONUMENT)
CHANGE IN BEARING

REV.	DESCRIPTION	DATE	BY
4	ADDED AMENDMENT TO NAME OF SUBDIVISION AND FIXED SH 317 WIDTH	7/8/2013	BTW
3	ADDED NOTE FOR SEWER EASEMENT INSET	12/15/2011	BTW
2	UPDATED PLAT LAYOUT	11/11/2011	BTW
1	ORIGINAL RELEASE	10/20/2011	JAT
PROJECT NUMBER: LP02		CLIENT NAME: W & B DEVELOPMENT	
CHECKED BY: SAB		CLIENT LOCATION: KILLEEN, TX	
AUTHORIZED BY: WBW			

TOTAL SIZE: 132.85 ACRES
TOTAL BLOCKS: 14
TOTAL LOTS: 347
TOTAL TRACTS: 6

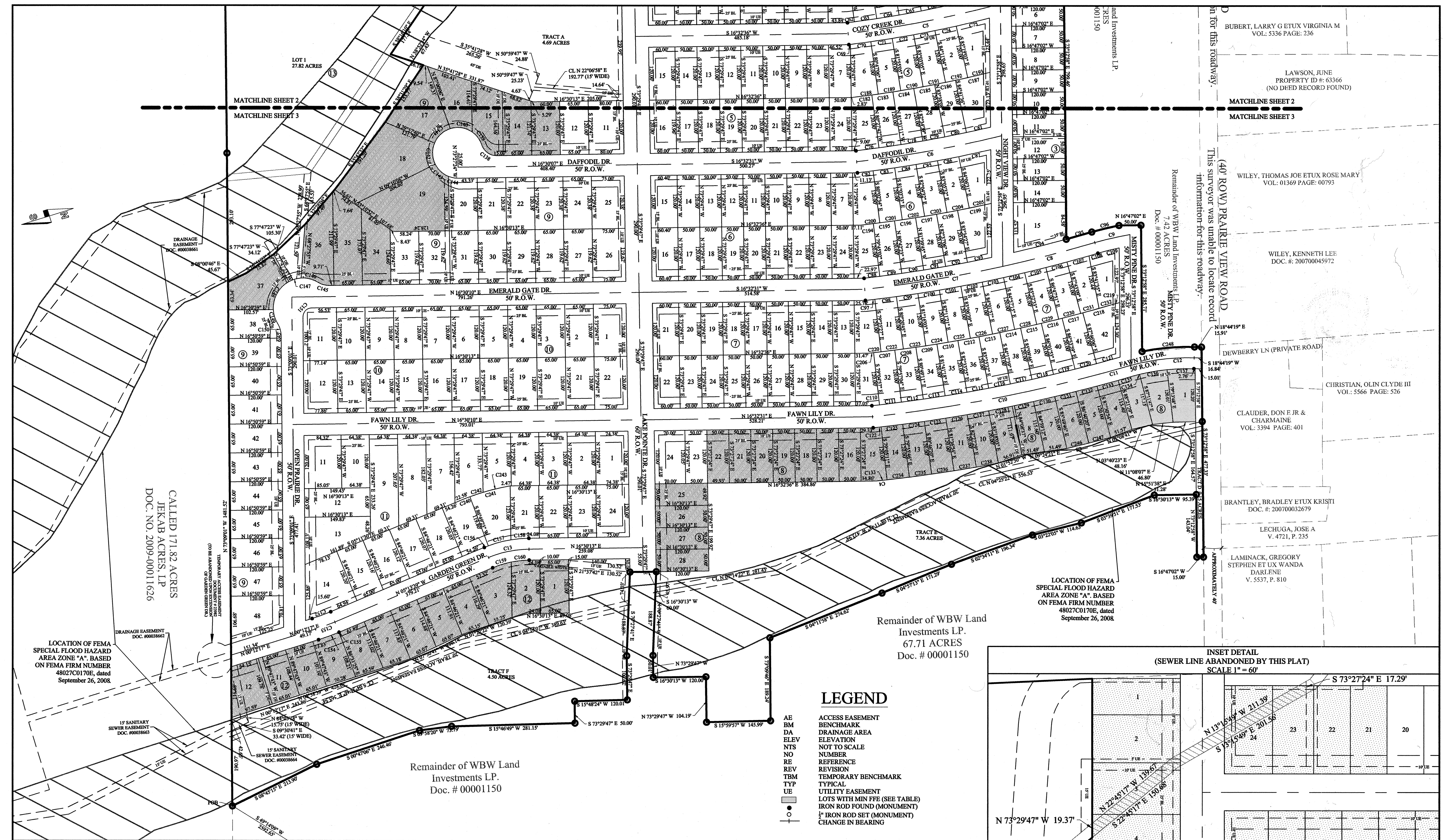


BENCHMARK
3/4" IRON ROD IN CONCRETE
TEXAS STATE PLANE CENTRAL
COORDINATES
N - 1038668.117
E - 3206779.315
ELEV. - 660.43'

FINAL PLAT OF LAKE POINTE PHASE II-A1 CITY OF TEMPLE, BELL COUNTY, TEXAS

Yalgo, LLC
3000 Illinois Ave., Suite 100
Killeen, TX 76543
PH (254) 953-5353
FX (254) 953-0032
Texas Registered
Engineering Firm F-10264

SHEET
2
OF
3



REV. 5
4
3
2
1

DESCRIPTION
ADDED AMENDMENT TO NAME OF SUBDIVISION
ADDED INSET FOR SEWER EASEMENT
ADDED LABEL FOR LOT 1 BLOCK 13
UPDATED PLAT LAYOUT
ORIGINAL RELEASE

DATE
7/8/2013
12/15/2011
12/6/2011
11/11/2011
10/20/2011

BY
BTW
BTW
BTW
BTW
JAT

PROJECT INFORMATION
TOTAL SIZE: 132.85 ACRES
TOTAL BLOCKS: 14
TOTAL LOTS: 347
TOTAL TRACTS: 6

GRAPHIC SCALE
0 100' 200' 300'
0 1" 2" 3"
IN FEET

BENCHMARK
1/4" IRON ROD IN CONCRETE
TEXAS STATE PLANE CENTRAL COORDINATES
N = 1038688.117
E = 3206779.315
ELEV. = 660.43'

FINAL PLAT OF
LAKE POINTE PHASE II-A1
CITY OF TEMPLE, BELL COUNTY, TEXAS

Yalgo, LLC
3000 Illinois Ave., Suite 100
Killeen, TX 76543
PH (254) 953-5353
FX (254) 953-0032
Texas Registered
Engineering Firm F-10264

SHEET
3
OF
3

FINAL PLAT
LAKE POINTE PHASE III
TO THE CITY OF TEMPLE, BELL COUNTY, TEXAS BEING PART OF THE BALDWIN
ROBERTSON SURVEY, ABSTRACT No. 17

STATE OF TEXAS
COUNTY OF BELL:

I, the undersigned owner of the land shown on this plat, and designated herein as LAKE POINTE PHASE III, Temple, Bell County, Texas, being 67.69 ACRES
acres of land part of the Baldwin Robertson Survey, Abstract No. 17, Bell County, Texas, and whose name is subscribed hereto, hereby dedicates to the use of the
public forever, all streets, alleys, water courses, drains, easements, and public places as shown hereon.

Grantor does hereby give, grant, convey and transfer to the City of Temple, Texas, in fee simple, the drainage area
shown as Tract A on the plat.

Grantor does hereby give, grant, convey and transfer to the City of Temple, Texas, in fee simple, the ROW
shown as Tract B, Tract C, Tract D and Tract E on the plat.

For: WBW Development, LTD.,
By: WBW Development Management, LLC
Its: General Partner

Bruce Whitis, Manager / President

STATE OF TEXAS
COUNTY OF BELL:

This instrument was acknowledged before me on _____, by Bruce Whitis, Manager and President of WBW Development Management, LLC, a Texas limited
liability company, in its capacity as General Partner of WBW Development, Ltd., a Texas limited partnership, on behalf of said limited partnership, and as the act and deed thereof.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the _____ day of _____, 20__ A.D.

Notary Public for the State of Texas

SURVEYOR'S CERTIFICATE

STATE OF TEXAS: I, the undersigned, Registered Professional Land Surveyor, in the State of Texas, do hereby certify to the best of my knowledge and belief, that this plat is
true and correct, that it was prepared from an actual survey of the property made on the ground, and that all boundary survey monuments are correctly
shown thereon.

Luther Frobish
Registered Professional Land Surveyor No. 6200

ENGINEER'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

THAT I, Scott A. Brooks, do hereby certify that I have prepared all drainage calculations and design all drains, streets/roads and appurtenances in accordance with the City of
Temple Subdivision Regulations.

SCOTT A. BROOKS
REGISTERED PROFESSIONAL
ENGINEER NO. 99801

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF REVIEW UNDER
THE AUTHORITY OF SCOTT A. BROOKS, P.E. 99801 ON 3/3/2016. IT IS NOT
TO BE USED FOR CONSTRUCTION PURPOSES.

This final plat has been submitted to and considered by the Planning and Zoning Commission of the City of Temple, Texas, and is hereby approved by such comission.
Dated this _____ day of _____, 2016

Chairperson: _____

This final plat has been submitted to and considered by the Planning and Zoning Commission of the City of Temple, Texas, and is hereby approved by such comission.
Dated this _____ day of _____, 2016

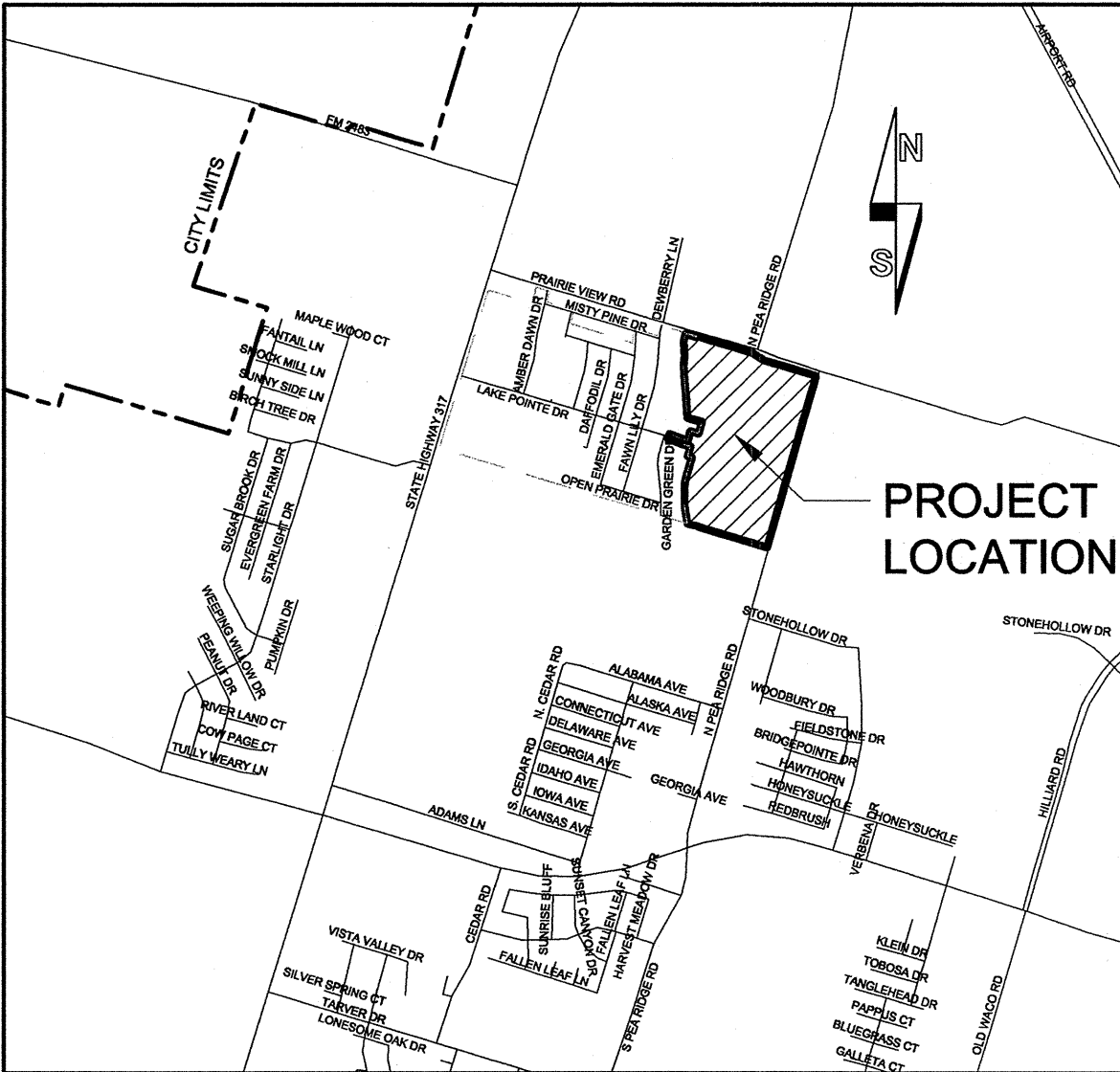
Secretary of Planning & Zoning Commission: _____

PLAT FILED FOR RECORD this the _____ day of _____, 20__ A.D. in
Cabinet _____, Slide _____, Plat Records of Bell County, Texas.

DEDICATION FILED FOR RECORD this the _____ day of _____, 20__ A.D. in
Volume _____, Page _____, Official Records, Bell County, Texas.

CURVE TABLE					
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	399.94'	137.22'	136.55'	S 06°40'32" W	1°39'29"
C2	399.94'	63.38'	63.32'	N 07°41'37" W	9°04'50"
C3	249.96'	123.18'	121.93'	N 01°52'59" E	28°14'03"
C4	255.00'	84.55'	84.16'	N 64°31'46" W	18°59'51"
C5	245.00'	84.23'	88.86'	N 64°31'46" W	18°59'51"
C6	260.00'	13.42'	13.41'	N 72°06'23" W	3°50'37"
C7	200.00'	13.42'	13.41'	S 72°06'23" E	3°50'37"
C8	200.00'	72.19'	71.80'	N 06°21'29" E	20°40'52"
C9	45.00'	54.32'	51.08'	S 38°33'54" E	69°09'54"
C10	45.00'	70.69'	63.64'	S 61°41'56" W	90°00'00"
C11	57.50'	18.39'	18.31'	S 24°36'52" W	18°19'21"
C12	57.50'	42.80'	41.82'	N 55°05'57" E	42°38'51"
C13	57.50'	49.75'	48.21'	S 78°47'27" E	49°34'20"
C14	57.50'	143.22'	108.96'	S 17°20'56" W	142°42'26"
C15	35.00'	44.41'	41.49'	S 59°21'04" W	72°42'11"
C16	221.70'	89.34'	88.74'	N 04°32'28" E	23°05'20"
C17	181.94'	21.51'	21.50'	N 09°09'10" W	6°46'24"
C18	84.57'	14.08'	14.06'	N 11°17'10" W	9°32'11"
C19	340.60'	56.69'	56.62'	S 06°31'05" E	9°32'11"
C20	424.94'	56.67'	56.62'	S 01°07'21" W	7°38'26"
C21	424.94'	56.67'	56.62'	S 08°45'47" W	7°38'26"
C22	424.94'	29.08'	29.08'	S 14°32'38" W	3°55'17"
C23	374.94'	110.99'	110.58'	N 08°01'28" E	16°57'37"
C24	374.94'	23.65'	23.64'	N 10°25'38" W	3°36'49"
C25	274.96'	14.53'	14.52'	S 10°43'14" E	3°01'37"
C26	274.96'	63.45'	63.31'	N 02°55'48" W	1°31'314"
C27	274.96'	57.52'	57.42'	S 10°00'25" W	11°59'12"
C28	280.03'	4.73'	4.73'	S 74°01'42" E	0°58'04"
C29	280.01'	54.79'	54.70'	N 67°24'49" W	11°12'38"
C30	280.01'	33.33'	33.31'	N 58°26'25" W	6°49'09"
C31	220.00'	72.92'	72.61'	N 64°31'46" W	18°59'51"
C32	225.00'	15.09'	15.09'	N 72°06'23" W	3°50'37"
C33	175.00'	11.74'	11.74'	S 72°06'23" E	3°50'37"
C34	225.00'	7.55'	7.55'	N 73°04'00" W	1°55'23"
C35	175.00'	5.87'	5.87'	S 73°04'00" E	1°55'23"
C36	270.00'	78.18'	77.91'	S 65°43'58" E	16°35'26"
C37	230.00'	76.26'	75.91'	S 64°31'46" E	18°59'51"
C38	225.00'	19.36'	19.35'	S 14°14'03" W	4°55'45"
C39	225.44'	58.72'	58.56'	N 04°18'52" E	14°55'27"
C40	225.02'	3.14'	3.14'	S 03°58'57" E	0°47'57"
C41	175.00'	11.59'	11.59'	S 14°48'03" W	3°47'44"
C42	175.00'	51.57'	51.39'	N 04°27'27" E	16°53'08"
C43	50.00'	27.63'	27.28'	N 11°50'53" E	31°39'39"
C44	67.50'	6.22'	6.21'	S 25°02'25" W	5°16'35"
C45	67.50'	59.95'	58.00'	N 03°02'33" W	30°53'21"
C46	67.50'	47.87'	46.88'	S 48°48'19" E	40°58'10"
C47	67.50'	29.57'	29.34'	N 81°40'26" W	25°06'03"
C48	50.00'	18.39'	18.29'	S 83°41'09" E	21°04'36"
C49	20.00'	24.14'	22.70'	S 38°33'54" E	69°09'54"
C50	20.00'	31.42'	28.28'	S 61°41'56" W	90°00'00"
C51	50.00'	17.74'	17.64'	N 63°08'21" W	20°19'28"
C52	67.50'	168.10'	127.91'	S 55°04'45" W	142°41'10"
C53	67.50'	33.22'	32.88'	N 67°04'25" W	28°11'58"
C54	67.50'	49.25'	48.16'	S 77°55'42" W	41°48'08"
C55	67.50'	49.25'	48.16'	N 36°07'33" E	41°48'08"
C56	67.50'	36.39'	35.95'	S 00°13'09" E	30°53'16"
C57	50.00'	27.67'	27.32'	S 00°13'25" W	31°42'44"
C58	57.50'	15.14'	15.10'	N 13°08'01" W	15°05'06"
C59	57.50'	94.63'	84.31'	S 41°33'20" W	94°17'37"

BFE/LFE TABLE			
Block #	Lot #	Base Flood Elevation (BFE)	Minimum Lowest Floor Elevation (LFE)
1	1	665.46	667.46
1	2	664.80	666.80
1	3	663.94	665.94
1	4	662.74	664.74
1	5	661.68	663.68
1	6	661.20	663.20
1	7	659.86	661.86
1	8	658.93	660.93
1	9	657.57	659.57
1	10	656.90	658.90
1	11	656.66	658.66
1	12	656.21	658.21
2	1	651.52	653.52
2	2	651.64	653.64
2	32	654.27	656.27
7	1	649.54	651.54
7	2	649.54	651.54
7	3	648.29	650.29
7	4	647.81	649.81
7	5	647.10	649.10
7	6	645.98	647.98
7	7	645.67	647.67
7	8	645.07	647.07
7	9	643.08	645.08
7	10	642.67	644.67
7	11	642.2	644.2
7	12	641.61	643.61
7	13	641.04	643.04
7	14	640.27	642.27



LOCATION MAP

NTS

TAX CERTIFICATE	
THE TAX APPRAISAL DISTRICT OF BELL COUNTY DOES HEREBY CERTIFY THERE ARE CURRENTLY NO DELINQUENT TAXES DUE TO THE TAX APPRAISAL DISTRICT OF BELL COUNTY ON THE PROPERTY DESCRIBED BY THIS PLAT.	
DATED THIS THE _____ DAY OF _____, 2016 A. D.	
BY: _____ BELL COUNTY TAX APPRAISAL DISTRICT	

DRAINAGE EASEMENT NOTE:
To allow for proper drainage conditions, all drainage easements shall be properly graded, maintained free and clear of obstructions, and special positive overflow sections shall be provided and maintained by the lot owner.

NOTE:
The City of Temple Drainage Criteria and Design Manual allows for major storm runoff to accumulate to levels above the top of curb. Homeowners and homebuilders are advised to consider this when preparing site grading plans and setting finished floor elevations.

Portions of this tract are shown to be within a Special Flood Hazard Area Zone A, per FEMA's Flood Insurance Rate Map (FIRM) Panel for Bell County, Texas Dated September 26, 2008, panel number 48027C0170E. The Surveyor does not certify as to the accuracy or inaccuracy of said information and does not warrant, or imply, that structures placed within the Special Flood Hazard Areas shown hereon, or any of the platted areas, will be free from flooding or flood damage.

PROJECT INFORMATION	
TOTAL SIZE:	67.69 ACRES
TOTAL BLOCKS:	11
TOTAL LOTS:	300
TOTAL TRACTS:	5

BENCHMARK	
"X" IN CONCRETE HEADWALL	
TEXAS STATE PLANE CENTRAL ZONE COORDINATES, NAD83	
N: 10387862.972	
E: 3205101.675	
Z: 652.29'	

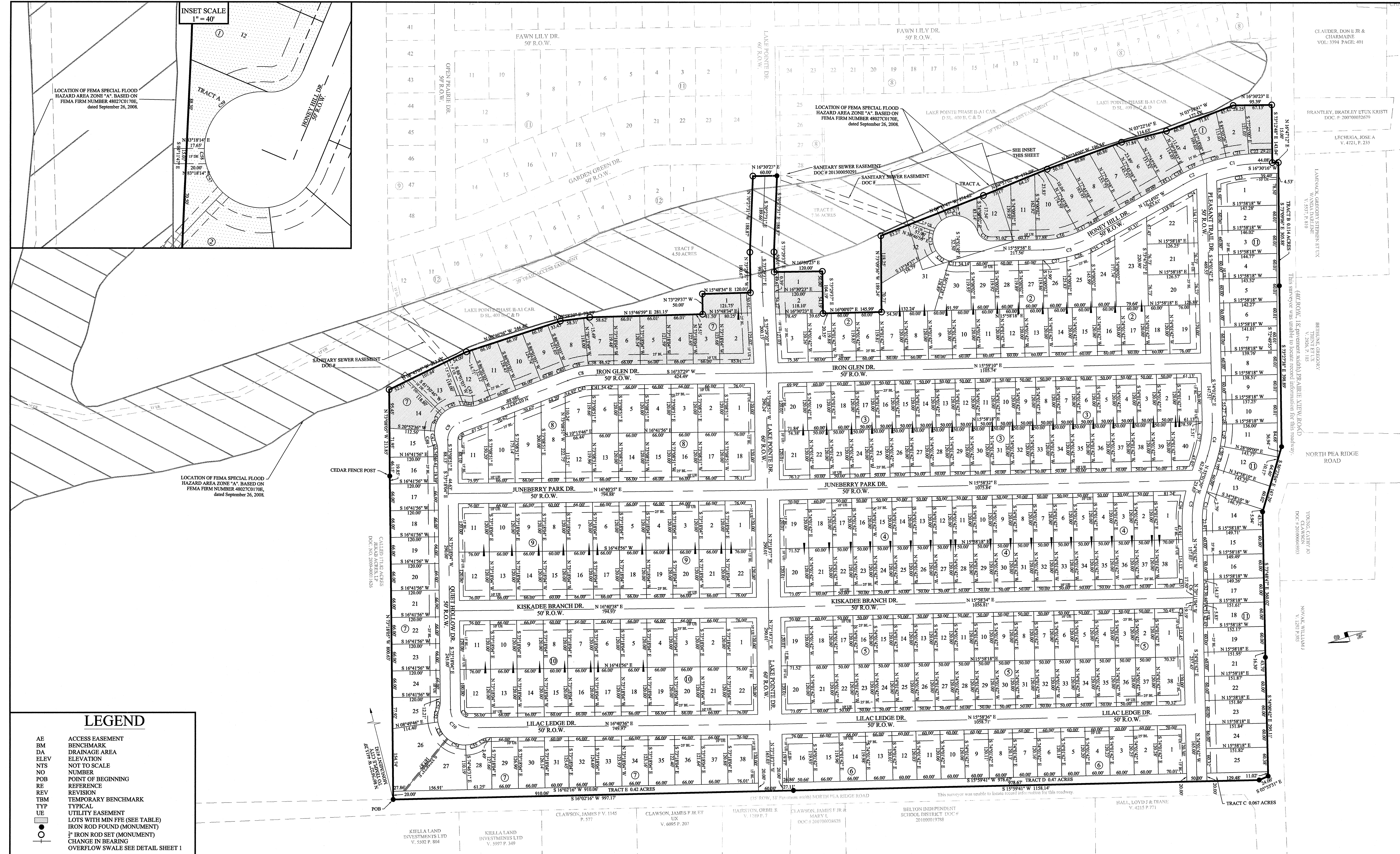
FINAL PLAT OF
LAKE POINTE PHASE III
CITY OF TEMPLE, BELL COUNTY, TEXAS

PRINTED ON March 3, 2016

REV.	DESCRIPTION	DATE	BY
1	ORIGINAL RELEASE	02/04/2016	BTW
PROJECT NUMBER: LP03		CLIENT NAME: WBW DEVELOPMENT GROUP, LLC	
APPROVED BY: SAB		CLIENT LOCATION: KILLEEN, TX	
AUTHORIZED BY: WBW			

Yalgo, LLC	
3000 Illinois Ave., Suite 100	
Killeen, TX 76543	
PH (254) 953-5353	
FX (254) 953-0032	
Texas Registered Engineering Firm F-10264	
Texas Registered Surveying Firm 10194095	

SHEET
1
OF
2



REV.

DESCRIPTION

DATE

BY

1

ORIGINAL RELEASE

02/04/2016

BTW

PROJECT INFORMATION

TOTAL SIZE: 67.69 ACRES

TOTAL BLOCKS: 11

TOTAL LOTS: 300

TOTAL TRACTS: 5

GRAPHIC SCALE

0

100'

200'

300'

0 1" 2" 3"

IN FEET

BENCHMARK

"X" IN CONCRETE HEADWALL

TEXAS STATE PLANE CENTRAL

ZONE COORDINATES, NAD83

N: 10387862.972

E: 3205101.675

Z: 652.29

FINAL PLAT OF

LAKE POINTE PHASE III

CITY OF TEMPLE, BELL COUNTY, TEXAS

Yalgo, LLC

3000 Illinois Ave., Suite 100

Killeen, TX 76543

PH (254) 953-5353

FX (254) 953-0032

Texas Registered

Engineering Firm F-10264

Texas Registered Surveying

Firm 10194095

SHEET

2

OF

2

PRINTED ON March 3, 2016

PROJECT NUMBER: LP03

CLIENT NAME: WBW DEVELOPMENT GROUP, LLC

APPROVED BY: SAB

AUTHORIZED BY: WBW

CLIENT LOCATION: KILLEEN, TX

PRINTED ON March 3, 2016

Dedication of Public Drainage and Utility Easements

The **CITY OF TEMPLE, TEXAS**, Grantor, is the sole owner of Tracts E and F, Lake Pointe II-A1, a subdivision in the City of Temple, Bell County, Texas, according to the plat recorded in Cabinet D, Slides 400 B, C, and D.

The City Council of the **CITY OF TEMPLE, TEXAS**, approved Resolution No. _____, on March 17, 2016, approving dedication of permanent public easements on the portions of Tracts E and F, Lake Pointe II-A1, that are more particularly described in Exhibits "A," "B," "C", and "D" to this Dedication, for the public uses identified as follows:

1. 0.064 acres of land within Tract F, Lake Pointe II-A1, more particularly described in Exhibit "A," for purposes of installation, operation, maintenance, repair, use and replacement of public utility lines and related facilities;
2. 0.119 acres of land within Tract E, Lake Pointe II-A1, more particularly described in Exhibit "B," for purposes of installation, operation, maintenance, repair, use and replacement of public utility lines and related facilities;
3. 0.007 acres of land within Tract F, Lake Pointe II-A1, more particularly described in Exhibit "C," for purposes of installation, operation, maintenance, repair, use and replacement of a drainage culvert and related facilities; and
4. 0.004 acres of land within Tract E, Lake Pointe II-A1, more particularly described in Exhibit "D," for purposes of installation, operation, maintenance, repair, use and replacement of a drainage culvert and related facilities.

THE CITY OF TEMPLE, TEXAS

By: Daniel A. Dunn, Mayor

APPROVED AS TO FORM:

Kayla Landeros, City Attorney

State of Texas §
County of Bell §

This instrument was acknowledged before me on the _____ day of _____, 2016, by Daniel A. Dunn, Mayor of the City of Temple, Texas, on behalf of the City of Temple, Texas.

Notary Public, State of Texas

EXHIBIT "A"
FIELD NOTES
BELL COUNTY, TEXAS
UTILITY EASEMENT

Field notes for a 0.064 acre tract or parcel of land situated in the Baldwin Robertson Survey, Abstract 17, Bell County, Texas and being part of Tract "F", Lake Pointe Phase II-A1, an addition to the city of Temple, Texas, recorded in Cabinet D, Slides 400 B, C & D, Plat Records of Bell County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a point in the west line of a proposed Lot 13, Block 7, of Lake Pointe Phase III Subdivision (not recorded at this time), said point bearing S 08° 45' 05" E, 7.53 feet from the northwest corner of said Lot 13, Block 7, and being called the most easterly corner of the herein described tract;

THENCE S 64°09'09" W, 160.70 feet, across and upon said Tract "F" to a point in the east line of an existing 15 foot utility easement (15' U.E.) per plat of record, same being called the southwest corner of the herein described tract;

THENCE N 09°30'41" W, 10.91 feet, along the east line of said existing 15' utility easement, for a corner of the herein described tract.

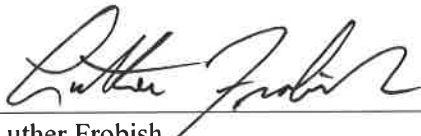
THENCE N 84°03'18" W, 17.95 feet, along the north line of said existing 15' utility easement, for the most westerly corner of the herein described tract.

THENCE N 65°56'35" E, 177.39 feet, to a point in the west line of a proposed Lot 12, Block 7, of said Lake Pointe Phase III, said point being the northeast corner of the herein described tract;

THENCE S 08°45'15" E, with the west line of said Lot 12, at 7.52 feet pass an iron rod with cap set for the southwest corner of said Lot 12 and the northwest corner of said Lot 13, continuing on the same course with the west line of said Lot 13 for a total distance of 15.05 feet, to the **POINT OF BEGINNING**, and containing 0.064 acres of land, more or less.

NOTES:

The basis for bearing for this description is the south line of said 210.26 acre tract, same being N 73°09'01"W per deed of record. All iron rods set for corner are 1/2 inch iron rods with cap marked "YALGO 6200", unless otherwise noted herein.


Luther Frobish
Registered Professional Land Surveyor
State of Texas No. 6200

3/7/2016



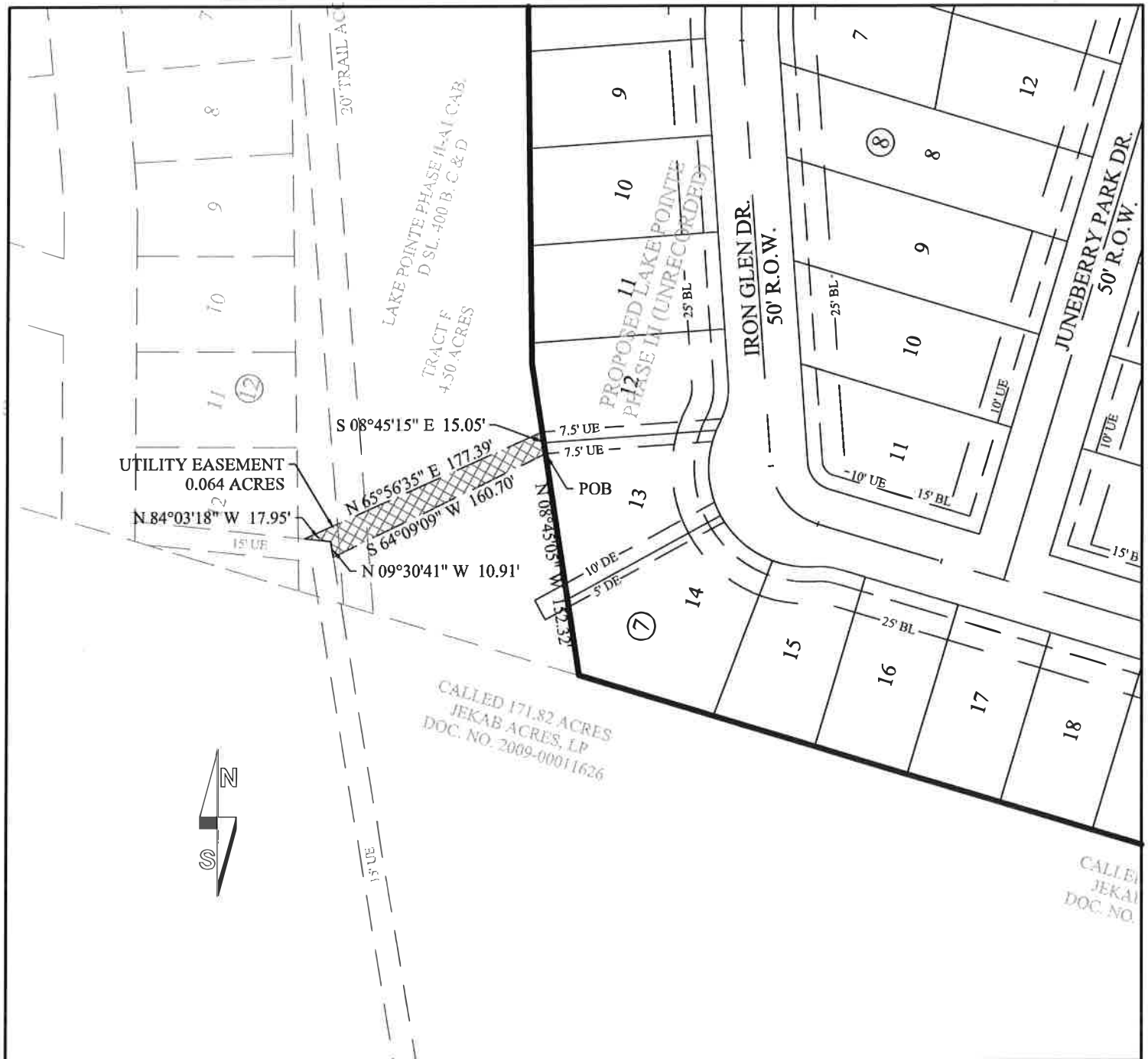
Exhibit "A" CONTINUED

The intent of this "exhibit" is to pictorially show the approximate location of the easement. It is not intended as an actual survey. Calls shown are references only. No statement is made to the validity of these calls.

LEGEND



UTILITY EASEMENT



GRAPHIC SCALE



IN FEET

EXHIBIT "B"
FIELD NOTES
BELL COUNTY, TEXAS
UTILITY EASEMENT

Field notes for a 0.118 acre tract or parcel of land situated in the Baldwin Robertson Survey, Abstract 17, Bell County, Texas and being part of Tract "E", Lake Pointe Phase II-A1, an addition to the city of Temple, Texas, recorded in Cabinet D, Slides 400 B, C & D, Plat Records of Bell County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a point in the east line of Lot 28, Block 8, of said Lake Pointe Phase II-A1, said point bears N 16°30'13" E, 10.00 feet from the southeast corner of said Lot 28, Block 8, and being called the southwest corner of the herein described tract;

THENCE N 16°30'13" E, 13.89 feet along the east line of said Lot 28, Block 8, to a point for a corner of the herein described tract;

THENCE N 36°46'52" E, 342.91 feet, across and upon said Tract "E" to a point in the east line of said Tract "E" and the west line of Tract "A" of a proposed Lake Pointe Phase III Subdivision (not recorded at this time), said point being the most northern corner of the herein described tract.

THENCE S 04°11'58" E, along the east line of said Tract "E", at 11.44 feet past an iron rod with cap set for the most westerly corner of a proposed Lot 32, Block 1, of said Lake Pointe Phase III, continuing on the same course with the west line of said Lot 32, for a total distance of 22.87 feet, to a point for a corner of the herein described tract;

THENCE S 36°46'52" W, 335.49 feet, departing the west line of said Lot 32, across and upon said Tract "E" to a point in the north line of an existing 10' utility easement (10' U.E.) north of, adjacent to, and parallel to, Lake Pointe Drive per plat of record, same being called the most southerly corner of the herein described tract;

THENCE N 70°32'12" W, 10.67 feet, along the north line of said existing 10' utility easement to the **POINT OF BEGINNING**, and containing 0.118 acres of land, more or less.

NOTES:

The basis for bearing for this description is the south line of said 210.26 acre tract, same being N 73°09'01" W per deed of record. All iron rods set for corner are 1/2 inch iron rods with cap marked "YALGO 6200", unless otherwise noted herein.



Luther Frobish
Registered Professional Land Surveyor
State of Texas No. 6200


3/7/2016

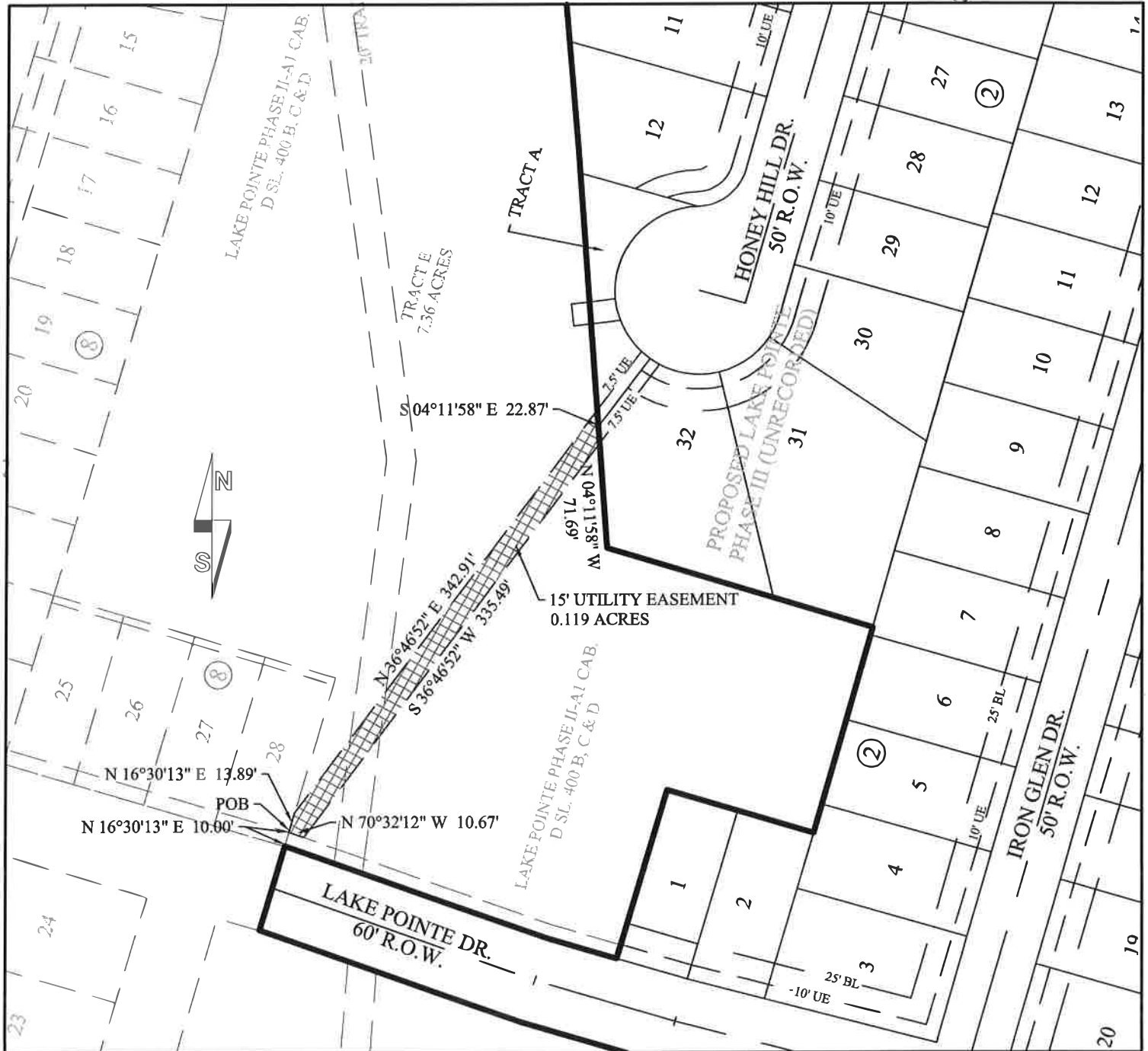


Exhibit "B" CONTINUED

The intent of this "exhibit" is to pictorially show the approximate location of the easement. It is not intended as an actual survey.
Calls shown are references only. No statement is made to the validity of these calls.

LEGEND

 15' UTILITY EASEMENT



GRAPHIC SCALE



IN FEET

EXHIBIT "C"
FIELD NOTES
BELL COUNTY, TEXAS
DRAINAGE EASEMENT

Field notes for a 0.007 acre tract or parcel of land situated in the Baldwin Robertson Survey, Abstract 17, Bell County, Texas and being part of Tract "F", Lake Pointe Phase II-A1, an addition to the city of Temple, Texas, recorded in Cabinet D, Slides 400 B, C & D, Plat Records of Bell County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a point in the west line of a proposed Lot 14, Block 7, of Lake Pointe Phase III Subdivision (not recorded at this time), said point bears S 08° 45' 05" E, 5.31 feet from the northwest corner of said Lot 14, Block 7, and being called the southeast corner of the herein described tract;

THENCE S 61°30'46" W, 18.05 feet, across and upon said Tract "F" to a point for the southwest corner of the herein described tract;


THENCE N 28°49'59" W, 15.00 feet, to a point for the northwest corner of the herein described tract.

THENCE N 61°30'46" E, 23.53 feet, to a point in the west line of a proposed Lot 13, Block 7, of said Lake Pointe Phase III, said point being the northeast corner of the herein described tract;

THENCE S 08°45'05" E, with the west line of said Lot 13, at 10.62 feet pass an iron rod with cap set for the southwest corner of said Lot 13 and the northwest corner of said Lot 14, continuing on the same course with the west line of said Lot 14 for a total distance of 15.94 feet, to the **POINT OF BEGINNING**, and containing 0.007 acres of land, more or less.

NOTES:

The basis for bearing for this description is the south line of said 210.26 acre tract, same being N 73°09'01"W per deed of record. All iron rods set for corner are 1/2 inch iron rods with cap marked "YALGO 6200", unless otherwise noted herein.


Luther Frobish
Registered Professional Land Surveyor
State of Texas No. 6200

3/7/2016



Exhibit "C" CONTINUED

The intent of this "exhibit" is to pictorially show the approximate location of the easement. It is not intended as an actual survey.
Calls shown are references only. No statement is made to the validity of these calls.

LEGEND



DRAINAGE EASEMENT

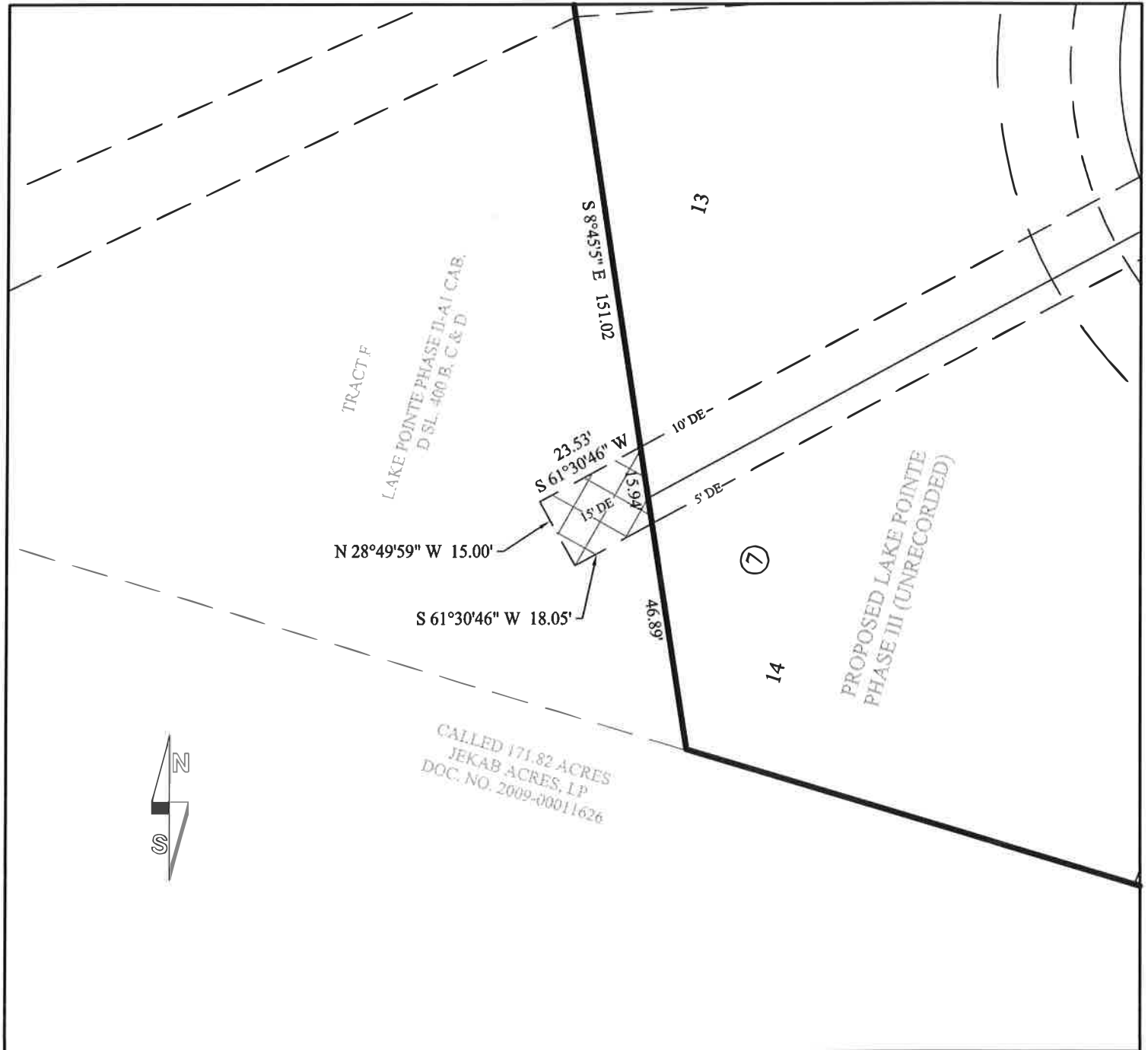


EXHIBIT "D"
FIELD NOTES
BELL COUNTY, TEXAS
DRAINAGE EASEMENT

Field notes for a 0.004 acre tract or parcel of land situated in the Baldwin Robertson Survey, Abstract 17, Bell County, Texas and being part of Tract "E", Lake Pointe Phase II-A1, an addition to the city of Temple, Texas, recorded in Cabinet D, Slides 400 B, C & D, Plat Records of Bell County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a point in the east line of said Tract "E" and the west line of Tract "A" of a proposed Lake Pointe Phase III Subdivision (not recorded at this time), said point bears N 04°11'47" W, 70.50 feet from the westerly most corner of a proposed Lot 32, Block 1 of said Lake Point Phase III, and being called the southeast corner of the herein described tract;

THENCE S 83°18'14" W, 11.92 feet, departing the west line of said Tract "A", across and upon Tract "E", to a point for the southwest corner of the herein described tract;

THENCE N 06°39'05" W, 15.00 feet, to a point for the northwest corner of the herein described tract;

THENCE N 83°18'14" E, 12.57 feet, to a point in the east line of said Tract "E" and the west line of said Tract "A", for the northeast corner of the herein described tract;

THENCE S 04°11'47" E, 15.01 feet, along the east line of said Tract "E" and west line of said Tract "A" to the **POINT OF BEGINNING**, and containing 0.004 acres of land, more or less.

NOTES:

The basis for bearing for this description is the south line of said 210.26 acre tract, same being N 73°09'01" W per deed of record. All iron rods set for corner are 1/2 inch iron rods with cap marked "YALGO 6200", unless otherwise noted herein.

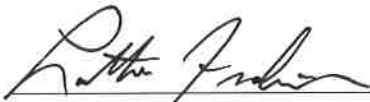

Luther Frobish
Registered Professional Land Surveyor
State of Texas No. 6200

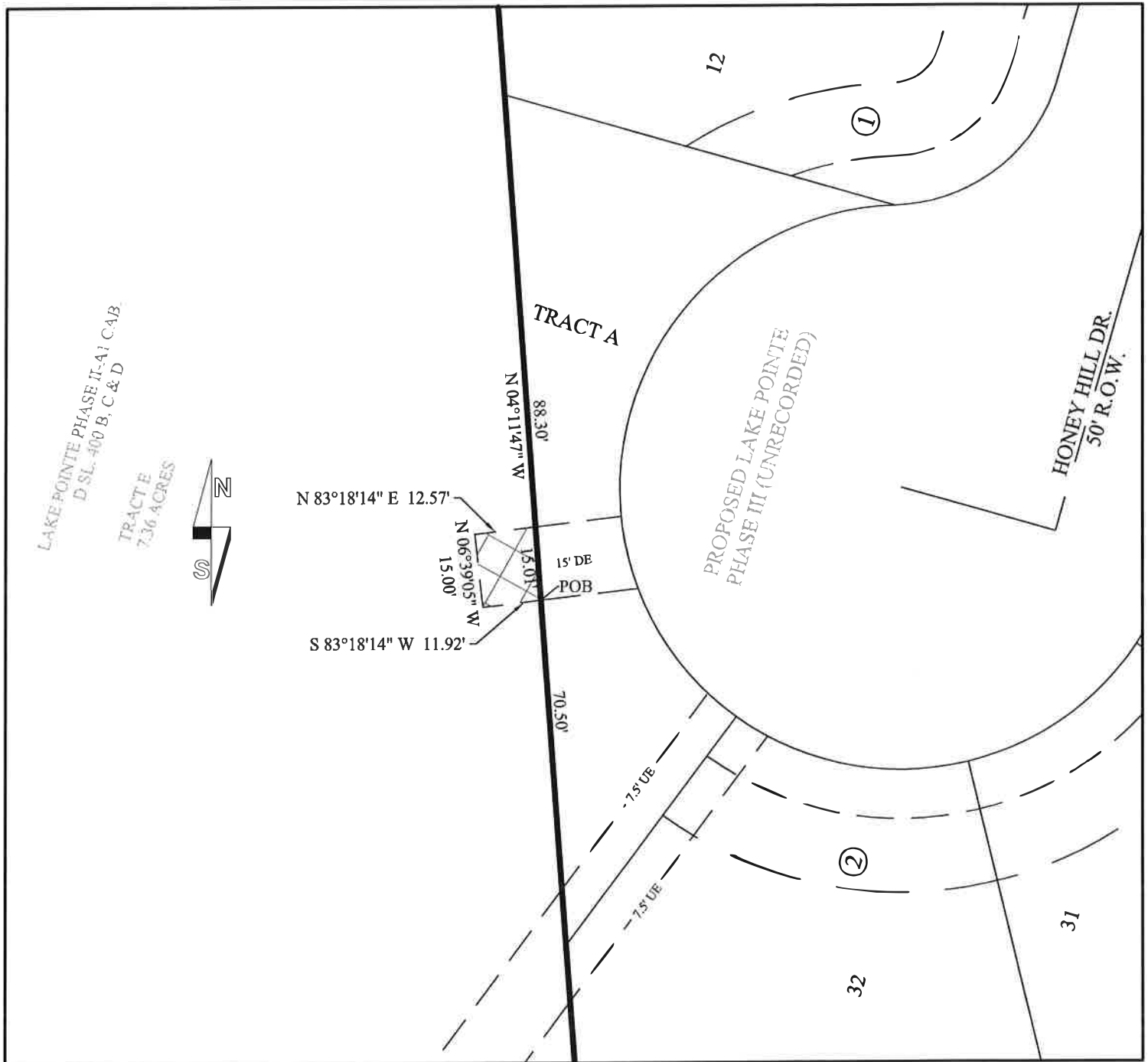


Exhibit "D" CONTINUED

The intent of this "exhibit" is to pictorially show the approximate location of the easement. It is not intended as an actual survey. Calls shown are references only. No statement is made to the validity of these calls.

LEGEND

 15' DRAINAGE EASEMENT



GRAPHIC SCALE



IN FEET

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS,
DEDICATING PUBLIC EASEMENTS ON PORTIONS OF CITY-OWNED TRACTS
E AND F, LAKE POINTE, PHASE II-A1; ESTABLISHING ONE DRAINAGE
EASEMENT AND ONE UTILITY EASEMENT ON EACH TRACT; AND
PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, public improvements required for Lake Pointe, Phase III, include wastewater and drainage facilities located on two tracts of open space conveyed to the City with Lake Pointe, Phase II, a portion of which was replatted by amending the plat of Lake Pointe, Phase II-A1;

Whereas, the Planning & Zoning Commission approved the plat of Lake Pointe, Phase III, on March 7, 2016 - no exceptions were requested;

Whereas, the developer will construct a wastewater main and a 48-inch drainage culvert on Tract E, and a wastewater main and 24-inch drainage culvert on Tract F; and

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

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

Part 1: The City Council approves the dedication of public easements on portions of City-owned Tracts E and F, Lake Pointe, Phase II-A1 according to the plat recorded in Cabinet D, Slides 400 B, C, and D, of the plat records of Bell County, Texas, and establishes one drainage easement and one utility easement on each Tract, more fully described in Exhibit A, B, C and D attached hereto.

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

PASSED AND APPROVED this the 7th day of **April**, 2016.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

04/07/16
Item #6(R)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Traci L. Barnard, Director of Finance

ITEM DESCRIPTION: Consider adopting a resolution authorizing an Interlocal Agreement with the North Central Texas Council of Governments allowing cooperative purchasing for actuarial shared services.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The North Central Texas Council of Governments (NCTCOG) has a shared service arrangement with Gabriel, Roeder, Smith & Co. (GRS) to provide actuarial valuation services related to Other Post Employment Benefits (OPEB).

Actuarial Shared Services is a coalition of Texas governments that have agreed to develop a standard approach for acquiring the actuarial services necessary to meet the requirements of Governmental Accounting Standards Board statements 43 (Financial Reporting for Post Employment Benefit Plans Other Than Pension Plans) and 45 (Accounting and Financial Reporting by Employers for Post Employment Benefits Other Than Pensions). Through a procurement process, NCTCOG selected Gabriel, Roeder, Smith & Co. (GRS) to deliver actuarial and consulting expertise on a shared services basis.

The City would like to benefit from this shared service arrangement and have GRS perform an OPEB Valuation for the City of Temple.

FISCAL IMPACT: There is a \$125 administrative fee that will be due to NCTCOG. The fee for the actuarial services will be \$9,590. This fee includes a biennial update for FY 2017. Funds are available in account 110-1200-515-2616.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS,
AUTHORIZING AN INTERLOCAL AGREEMENT WITH THE NORTH CENTRAL
TEXAS COUNCIL OF GOVERNMENTS ALLOWING COOPERATIVE PURCHASING
FOR ACTUARIAL SHARED SERVICES; AND PROVIDING AN OPEN MEETINGS
CLAUSE.

Whereas, the North Central Texas Council of Governments (“NCTCOG”) has a shared service arrangement with Gabriel, Roeder, Smith & Co. (“GRS”) to provide actuarial valuation services related to Other Post-Employment Benefits (“OPEB”);

Whereas, Actuarial Shared Services is a coalition of Texas governments that have agreed to develop a standard approach for acquiring the actuarial services necessary to meet the requirements of Governmental Accounting Standards Board statements 43 (Financial Reporting for Post-Employment Benefit Plans Other Than Pension Plans) and 45 (Accounting and Financial Reporting by Employers for Post-Employment Benefits Other Than Pensions) - through a procurement process, NCTCOG selected Gabriel, Roeder, Smith & Co. to deliver actuarial and consulting expertise on a shared services basis;

Whereas, the City of Temple would like to benefit from this shared service arrangement and have GRS perform an OPEB valuation for the City of Temple and therefore recommends Council authorize the execution of an interlocal agreement with the NCTCOG;

Whereas, administrative fees associated with these services will be available in Account No. 110-1200-515-2616; 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, after approval as to form by the City Attorney, to enter into an interlocal agreement with the North Central Texas Council of Governments allowing cooperative purchasing for Actuarial Shared Services.

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

PASSED AND APPROVED this the 7th day of **April**, 2016.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

APPROVED AS TO FORM:

ATTEST:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

04/07/16
Item #6(S)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Kayla Landeros, City Attorney

ITEM DESCRIPTION: Consider adopting a resolution authorizing a First Amendment to the Ownership and Management Agreement for the Temple-Belton Wastewater Treatment Plant between the City of Temple and the City of Belton.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: In 2013, ownership of the Temple-Belton Wastewater Treatment Plant (“TBP”) was transferred from the Brazos River Authority (“BRA”) to the Cities of Temple and Belton. As part of this conveyance, Council authorized an “Ownership and Management Agreement for the Temple-Belton Wastewater Treatment Plant” (“O&M Agreement”). The O&M Agreement is between the two Cities and outlines each Cities’ responsibilities with regards to ownership, operation and management of the TBP.

The current agreement provides that Temple has an undivided 75% share of the TBP and that Belton has an undivided 25% share of the TBP. Legally, the relationship between the two Cities is referred to as a “tenancy in common.” As tenants in common, the Cities have the responsibility to account for any profits received from the use of the property and the TBP and the Cities must share those profits according to their respective ownership interests. The Cities must also share in any maintenance and operation costs related to those profits according to their ownership interests.

Since the TBP was transferred to Temple and Belton, the City of Temple entered into an “Effluent and Water Purchase Agreement” with Panda Temple Power II, LLC which requires Temple to sell a certain amount of TBP effluent to Panda over a 30 year period. Because Temple is receiving payment for the effluent, it must account for Belton’s 25% share of the payments received from Panda and pay those amounts to Belton, as a tenant in common.

For this reason, the O&M Agreement should be amended to acknowledge the existence of the current agreement with Panda, provide for payment to Belton of its 25% share of all amounts already received from Panda, and provide a process for accounting for future sales of effluent from TBP. The First Amendment states that if either City begins discussions or negotiations with a third party for the sale of effluent, the City involved in the discussions must notify the other City immediately regarding such discussions and allow the other City to participate. The Cities will agree to act in good faith and use their best efforts to involve the other City in all discussions or negotiations regarding the possible sale of effluent.

FISCAL IMPACT: The amount due to the City of Belton is calculated as 25% of the total billed for effluent water sales less 25% of the operating and maintenance costs associated with the effluent water line.

The amount billed for effluent water sales for FY 2015 was \$400,272.42. The gross amount due to the City of Belton is \$100,068.11. This amount is reduced by 25% of the operating and maintenance costs associated with the effluent water line of \$3,184. The net amount due to the City of Belton for FY 2015 is \$96,884.11.

The amount billed for effluent water sales for FY 2016 through March 31, 2016 is \$348,528.05. The gross amount due to the City of Belton is \$87,132.01. This amount will be reduced by 25% of the operating and maintenance costs associated with the effluent water line.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A FIRST AMENDMENT TO THE OWNERSHIP AND MANAGEMENT AGREEMENT FOR THE TEMPLE-BELTON WASTEWATER TREATMENT PLANT BETWEEN THE CITY OF TEMPLE AND THE CITY OF BELTON; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, in 2013, ownership of the Temple-Belton Wastewater Treatment Plant (“TBP”) was transferred from the Brazos River Authority (“BRA”) to the Cities of Temple and Belton - as part of this conveyance, Council authorized an “Ownership and Management Agreement for the Temple-Belton Wastewater Treatment Plant” (“O&M Agreement”) which is between the two Cities and outlines each Cities’ responsibilities with regards to ownership, operation and management of the TBP;

Whereas, the current agreement provides that Temple has an undivided 75% share of the TBP and that Belton has an undivided 25% share of the TBP - legally, the relationship between the two Cities is referred to as a “tenancy in common;”

Whereas, as tenants in common, the Cities have the responsibility to account for any profits received from the use of the property and the TBP and the Cities must share those profits according to their respective ownership interests - the Cities must also share in any maintenance and operation costs related to those profits according to their ownership interests;

Whereas, since the TBP was transferred to Temple and Belton, the City of Temple entered into an “Effluent and Water Purchase Agreement” with Panda Temple Power II, LLC which requires Temple to sell a certain amount of TBP effluent to Panda over a 30 year period - because Temple is receiving payment for the effluent, it must account for Belton’s 25% share of the payments received from Panda and pay those amounts to Belton, as a tenant in common;

Whereas, for this reason, the O&M Agreement should be amended to acknowledge the existence of the current agreement with Panda, provide for payment to Belton of its 25% share of all amounts already received from Panda, and provide a process for accounting for future sales of effluent from TBP;

Whereas, the First Amendment states that if either City begins discussions or negotiations with a third party for the sale of effluent, the City involved in the discussions must notify the other City immediately regarding such discussions and allow the other City to participate - the Cities will agree to act in good faith and use their best efforts to involve the other City in all discussions or negotiations regarding the possible sale of effluent;

Whereas, the amount due to the City of Belton is calculated as 25% of the total billed for effluent water sales less 25% of the operating and maintenance costs associated with the effluent water line - this amount will be reduced by 25% of the operating and maintenance costs associated with the effluent water line; 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, after approval as to form by the City Attorney, to execute a First Amendment to the Ownership and Management Agreement for the Temple-Belton Wastewater Treatment Plant between the City of Temple and the City of Belton.

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

PASSED AND APPROVED this the 7th day of **April**, 2016.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

APPROVED AS TO FORM:

ATTEST:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

04/07/16
Item #6(T)
Consent Agenda
Page 1 of 5

DEPT. / DIVISION SUBMISSION & REVIEW:

Mark Baker, Senior Planner

ITEM DESCRIPTION: SECOND READING - PUBLIC HEARING - Z-FY-16-14 – Consider adopting an ordinance authorizing a rezoning from Agricultural (AG) to General Retail (GR) on 3.00 +/- acres of land, situated in the Baldwin Robertson Survey, Abstract 17, Bell County, Texas, located at 9151 State Highway 317.

PLANNING & ZONING COMMISSION RECOMMENDATION: At their February 16, 2016 meeting, the Planning & Zoning Commission voted 7 to 0 to recommend approval of the proposed rezoning from AG to GR.

STAFF RECOMMENDATION: Based on the following, staff recommends approval for a rezoning from Agriculture (AG) district to General Retail (GR) district for the following reasons:

1. The proposed rezoning is in compliance with the Future Land Use Plan's (FLUP) Suburban Commercial District;
2. The proposed zoning is compatible with surrounding zoning and uses;
3. The request complies with the Thoroughfare Plan; and
4. Public facilities are available to serve the subject property.

ITEM SUMMARY: The subject property contains a 2.00 +/- acre tract conveyed as Tract One and a 1.00 +/- acre tract conveyed as Tract Two for a total of 3.00 +/- acres, which is being proposed for rezoning from General Agriculture (AG) to General Retail (GR).

A companion final plat (P-FY-16-17) was reviewed by the Development Review Committee (DRC) for the same 3.00 +/- acre tract of land on February 4, 2016. At this time, the plat is anticipated to be processed administratively. The plat however, will show the conceptual realignment of Prairie View Road. This realignment, along with some acquired right-of-way, will place the subject property near the new south east corner of SH 317 and Prairie View Road.

While it is anticipated the property will be developed with retail and service uses, there are a number of residential and non-residential uses that are permitted by right in the GR zoning district. The uses allowed in the GR, include but are not limited to:

Permitted & Conditional Use Table - General Retail (GR)	
Agricultural Uses	* Farm, Ranch or Orchard
Residential Uses	* Single Family Residence (Detached & Attached) * Duplex * Townhouse * Industrialized Housing * Family or Group Home * Home for the Aged
Retail & Service Uses	* Most Retail & Service Uses * Alcoholic Beverage Sales, off-premise consumption, package Store (CUP)
Commercial Uses	* Plumbing Shop * Upholstery Shop * Kennel without Veterinary Hospital (CUP) * Indoor Flea Market
Industrial Uses	* Temporary Asphalt & Concrete Batching Plat (CUP) * Laboratory, medical, dental, scientific or research * Recycling collection location
Recreational Uses	* Park or Playground * Beer & Wine (On Premise Consumption) < 75%
Vehicle Service Uses	* Auto Leasing, Rental * Auto Sales - New & Used (outside Lot) * Car Wash * Vehicle Servicing (Minor)
Restaurant Uses	* With & Without Drive-In
Overnight Accommodations	* Hotel or Motel
Transportation Uses	* Emergency Vehicle Service * Helistop

Prohibited uses include HUD-Code manufactured homes and land lease communities, most commercial uses and industrial uses.

Surrounding Property & Uses			
<u>Direction</u>	<u>FLUP</u>	<u>Zoning</u>	<u>Current Land Use</u>
Site	Suburban Commercial	AG	Existing Residence & Undeveloped
North	Suburban Commercial	AG & GR	Undeveloped
South	Suburban Commercial	AG & GR	Commercial Use
East	Suburban Commercial & Agriculture	AG	Undeveloped
West	Suburban Commercial	GR & AG	Undeveloped

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

<u>Document</u>	<u>Policy, Goal, Objective or Map</u>	<u>Compliance?</u>
CP	Map 3.1 - Future Land Use Plan (FLUP)	YES
CP	Map 5.2 - Thoroughfare Plan	YES
CP	Goal 4.1 - Growth and development patterns should be consistent with the City's infrastructure and public service capacities	YES
STP	Temple Trails Master Plan Map and Sidewalks Ordinance	YES

CP = Comprehensive Plan STP = Sidewalk and Trails Plan

Future Land Use Plan (FLUP) (CP Map 3.1)

The subject property is entirely within the Suburban Commercial land use district. While office and retail service-related zoning districts are typically consistent with the Suburban Commercial land use district, the GR zoning is in-compliance for this location. In these circumstances, staff evaluates the appropriateness of GR on a case by case basis. While the GR zoning district lends itself more to the Auto-Urban Commercial land use district, the presence of existing GR and the location of arterial roads as well as future development trends for an area influence the consideration of GR consistency. In this case, since the subject property would have direct access to SH 317, a major Thoroughfare with the presence of GR-zoning in the immediate vicinity, the request to GR is considered consistent with the Future Land Use Plan. A similar situation is the presence of GR-supported zoning along Old Waco Road, the Outer Loop, where the Future Land Use Plan designation is also Suburban Commercial.

Thoroughfare Plan (CP Map 5.2)

The subject property takes access from State Highway 317 and the existing alignment of Prairie View Road. The realignment of Prairie View Road as an arterial is shown on the most current Thoroughfare Plan and would go around the subject property and connect north of the subject property. While it is uncertain for the disposition the fronting alignment of Prairie View Road, is for cul-de-sac or removal altogether, has not been determined by Public Works. The remaining section of Prairie View Road has been reclassified as a local street.

Availability of Public Facilities (CP Goal 4.1)

Sewer is available to the subject property through an existing 10-inch sewer line in State Highway 317. Water is available through either an existing 2-inch waterline in SH 317 or a 6-inch waterline in Prairie View Road.

Temple Trails Master Plan Map and Sidewalks Ordinance

The Trails Master Plan identifies a proposed Community-Wide Connector Trail along both the current alignment of Prairie View Road and State Highway 317. The realignment of Prairie View Road is a funded TCIP project and anticipated to begin in February 2017. A 6-8-foot trail may be constructed in the ROW of State Highway 317 in conjunction with the anticipated widening project. However, TxDOT confirmed that no sidewalk is included in their scope of construction for widening. Therefore, a 6-foot sidewalk would be the responsibility of the owner / developer. The City may participate in the upsizing costs associated with trail improvement and construction. TxDOT Construction for the State Highway 317 widening project is anticipated to begin in the spring of 2016.

DEVELOPMENT REGULATIONS: Non-residential setbacks in the Agriculture (AG) & General Retail (GR) districts are:

	Current (AG)	Proposed (GR)
Minimum Lot Size	N/A	N/A
Minimum Lot Width	N/A	N/A
Minimum Lot Depth	N/A	N/A
Front Setback	50 Feet	15 Feet
Side Setback	20 Feet	10 Feet
Side Setback (corner)	15 Feet	10 Feet
Rear Setback	10 Feet	0 Feet
Max Building Height	3 Stories	3 Stories

PUBLIC NOTICE: Nine notices to property owners within 200-feet of the subject property were sent notice of the public hearing as required by State law and City Ordinance. As of Tuesday March 8, 2016 at 12:00 PM, two notices, representing three properties in agreement have been received.

The newspaper printed notice of the public hearing on February 5, 2016, in accordance with state law and local ordinance.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

Site and Surrounding Property Photos
Final Plat for Angelica Acres (Exhibit A)
Aerial Map / Location Map
Realignment Map of Prairie View Road
Zoning Map
Future Land Use and Character Map
Thoroughfare & Trails Map
Utility Map
Notification Map / Returned Property Notices
Ordinance

Site & Surrounding Property Photos



Site – Prairie View Frontage: Undeveloped (AG)



Site – SH 317 Frontage: Partially Developed with Existing Use (AG)



Site – SH 317 Frontage: Undeveloped (AG)



North: Scattered Retail - Service & Utility Uses (AG & GR)



East: Undeveloped & Scattered Residences on Acreage (AG)



West (Across SH 317): Undeveloped (AG)



South: Existing Equipment Rental Store (AG)



**South: Undeveloped & Developing Single Family Residential
Lake Pointe Phases I & II subdivision
(AG, GR & SF-2)**



AG to GR

AERIAL MAP

Zoning Case :
Z-FY-16-14

Address :
9151 State Hwy 317

- Streets
- EXPRESSWAY
 - MAJOR ARTERIAL
 - COLLECTOR
 - LOCAL STREET
 - MINOR ARTERIAL
 - PRIVATE
 - RAMP
 - Railroad
- Temple Municipal Boundary
- Parcels
- ETJ Parcels
- CaseArea

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

mbaker
Date: 1/20/2016

















AG to GR

LOCATION MAP

Zoning Case :
Z-FY-16-14

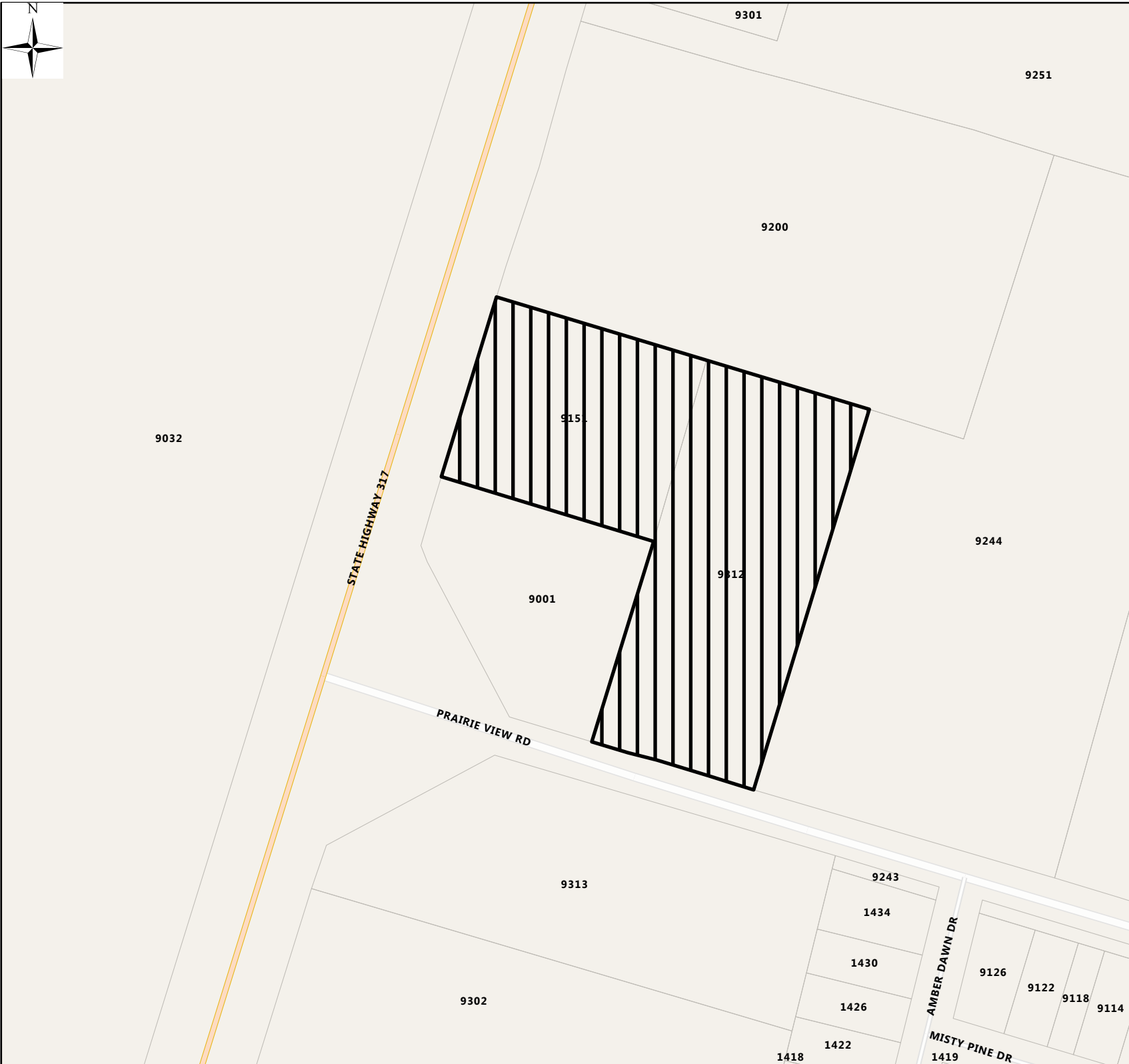
Address :
9151 State Hwy 317

Streets

-  EXPRESSWAY
-  MAJOR ARTERIAL
-  COLLECTOR
-  LOCAL STREET
-  MINOR ARTERIAL
-  PRIVATE
-  RAMP
-  Railroad
-  Temple Municipal Boundary
-  Parcels
-  ETJ Parcels
-  CaseArea

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mbaker
Date: 1/20/2016



FINAL PLAT of
ANGELICA ACRES
WITHIN THE CITY OF TEMPLE, BELL COUNTY, TEXAS
BEING 3.00 ACRES SITUATED IN THE BALDWIN ROBERTSON
SURVEY, ABSTRACT 17, BELL COUNTY, TEXAS.

STATE OF TEXAS
COUNTY OF BELL
RONALD E. COX and ANGELICA H. COX, TRUSTEES, OWNERS OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS **ANGELICA ACRES**, WITHIN THE CITY OF TEMPLE, BELL COUNTY, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS, AND PUBLIC PLACES SHOWN HEREON WITHIN THE PLAT BOUNDARIES OF THIS SUBDIVISION.

BY: RONALD E. COX ANGELICA H. COX

STATE OF TEXAS
COUNTY OF BELL
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED RONALD E. COX KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE _____ DAY OF _____, 2016.

NOTARY PUBLIC, STATE OF TEXAS

STATE OF TEXAS
COUNTY OF BELL
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED ANGELICA H. COX KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE _____ DAY OF _____, 2016.

NOTARY PUBLIC, STATE OF TEXAS

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

DIRECTOR OF PLANNING DATE

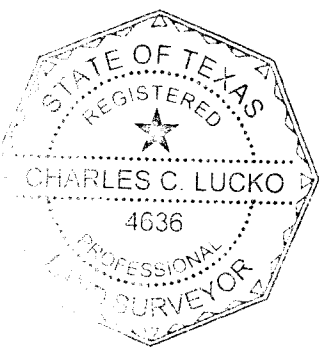
AFFIDAVIT:
The Tax Appraisal District of Bell County, the taxing authority for all taxing entities in Bell County, Texas, does hereby certify that there are currently no delinquent taxes due or owing on the property described by this plat.

Dated this the _____ day of _____, 2016 A. D.

By: _____
Bell County Tax Appraisal District

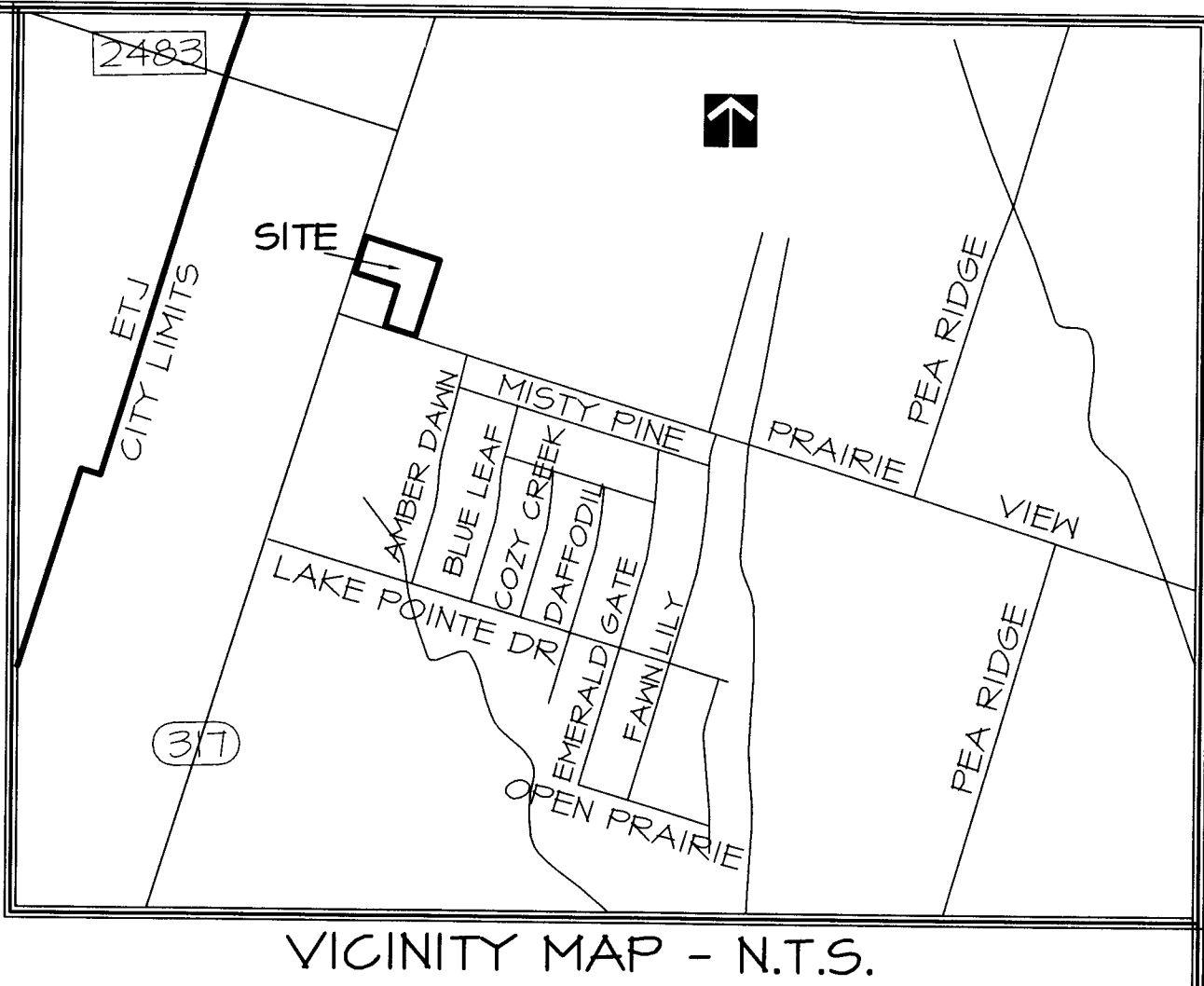
STATE OF TEXAS
COUNTY OF BELL
I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THIS PLAT IS TRUE AND CORRECT, THAT IT WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND,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

CHARLES C. LUCKO, R.P.L.S.
REGISTRATION NO. 4636
DATE SURVEYED: DECEMBER 23, 2015

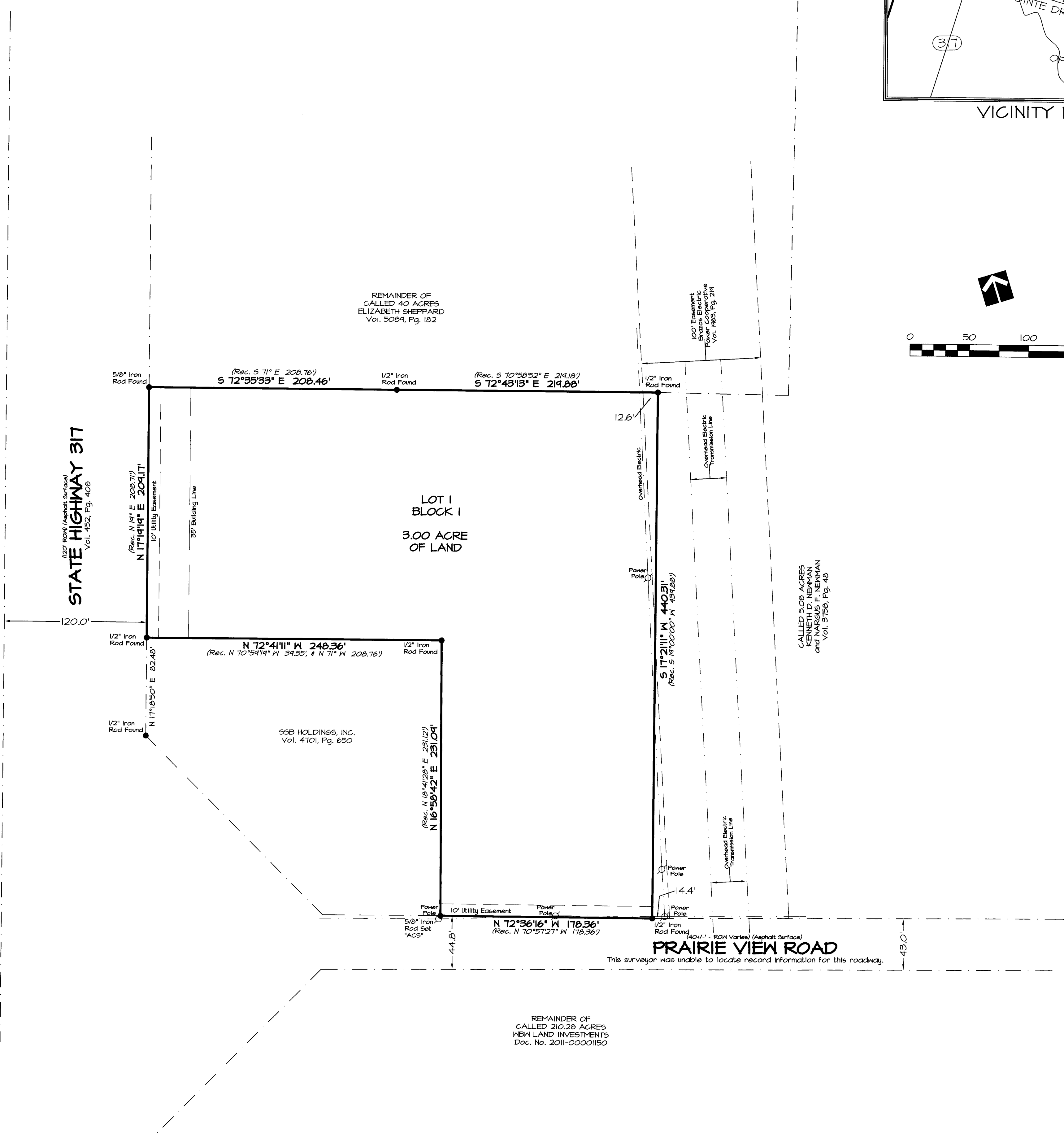


This project is referenced to the City of Temple Coordinate System, NAD 83, Texas Central Zone. All distances are horizontal surface distances unless noted and all bearings are grid bearings. All coordinates are referenced to City Monument No. 145. The theta angle at City Monument No. 145 is 01°24'35". The combined correction factor (CCF) is 0.948851. Grid distance = Surface distance X CCF. Geodetic north = Grid north + theta angle. Reference tie from City monument No. 145 to the northwest corner of this 3.00 Acre tract is S 13°20'52" W 1728.38 feet. Published City coordinates for project reference point 145 are N = 10342.01938 E = 3203.35040
Based upon what can be scaled from the graphics shown on FEMA Flood Insurance Rate Map (FIRM), Map No. 48027C0110E, effective date September 26, 2008, the above shown property does not appear within the "Special Flood Hazard Area", and appears to be situated in Zone X. This Flood statement does not imply that this tract will never flood, nor does it create any liability in such event on the part of this surveyor or company.

LOTS - ONE (1)
BLOCKS - ONE (1)
AREA - 3.00 ACRES

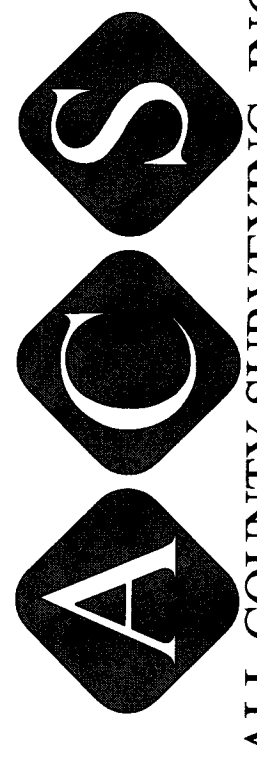


VICINITY MAP - N.T.S.



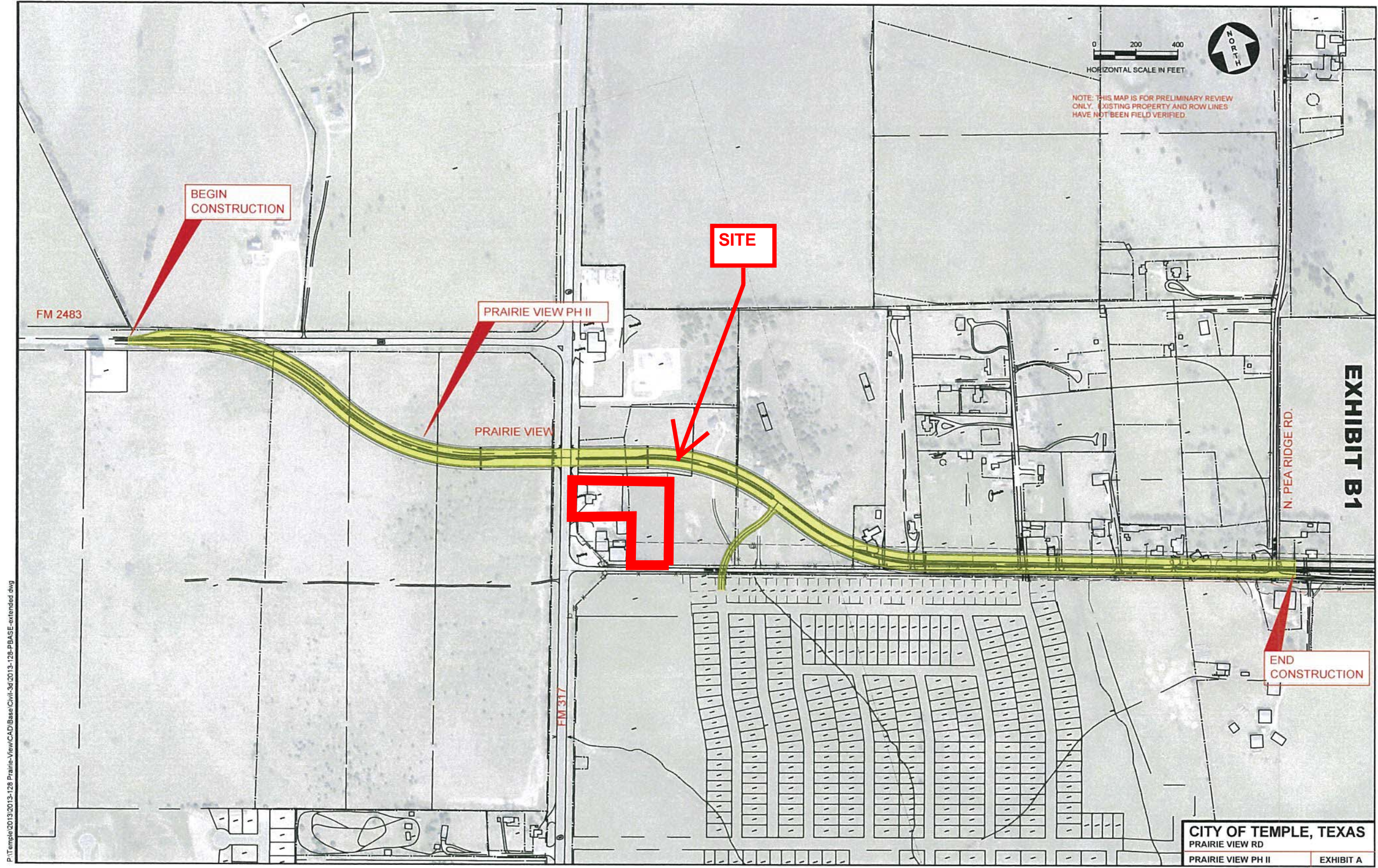
FILED FOR RECORD THIS _____ DAY OF _____, 2016.
IN YEAR 2016, PLAT # _____ PLAT RECORDS OF BELL COUNTY, TEXAS.
DEDICATION INSTRUMENT # _____ OFFICIAL RECORDS OF BELL COUNTY, TEXAS.

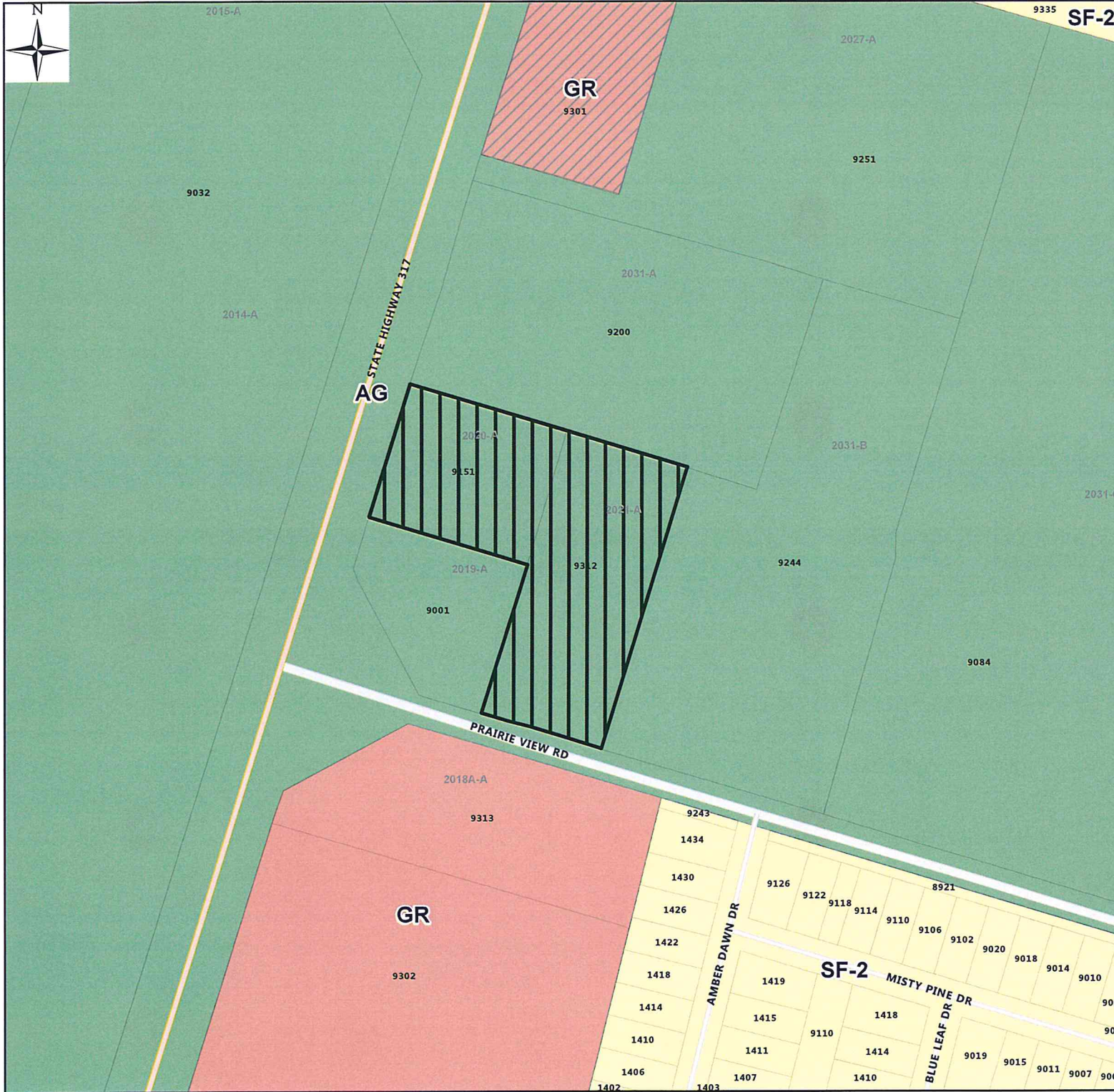
1303 South 21st Street
Temple, Texas 76504
254-718-2272 Killeen 254-634-4636
Fax 254-714-7608
Tx. Firm Lic. No. 10023600



ALL COUNTY SURVEYING, INC.

Plot Date: 01-13-2016
Survey completed: 12-23-2015
Scale: 1" = 50'
Job No. 150846
Dwg No. 150846P
Drawn by SLW
Surveyor CCL #4636
Copyright 2016 All County Surveying, Inc.





AG to GR

Zoning Map

Zoning Case :
Z-FY-16-14

Address :

9151 State Hwy 317

CurrentZoning		
HI - CUP	O-1	AG - CUP
UE	O-1 - CUP	MH
UE - PD	O-1 - PD	MH - CUP
SF-1	O-2	MH - PD
SF-1 - CUP	O-2 - CUP	MU
SF-1 - PD	O-2 - PD	MU - CUP
SF-2	NS	SD-C
SF-2 - PD	NS - CUP	SD-C - CUP
SF-3	NS - PD	SD-H
SF-3 - PD	GR	SD-H - CUP
SF-3 - CUP, PD	GR - CUP	SD-T
SFA	GR - PD	SD-V
SFA-2	GR - CUP, PD	T4
SFA-2 - PD	CA	T4 - PD
SFA-3	CA - CUP	T4 - CUP
SFA-3 - PD	CA - PD	T5-C
2F	C	T5-C - CUP
2F - CUP	C - CUP	T5-C - PD
2F - PD	C - PD	T5-E
MF-1	C - CUP, PD	T5-E - CUP
MF-1 - CUP	LI	T5-E - PD
MF-1 - PD	LI - CUP	NO BASE
MF-2	LI - PD	CUP
MF-2 - CUP	LI - CUP, PD	PD
MF-2 - PD	HI	CaseArea
MF-3 - PD	HI - PD	Buffer
	AG	

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

mbaker

Date: 1/20/2016





AG to GR FUTURE LAND USE MAP

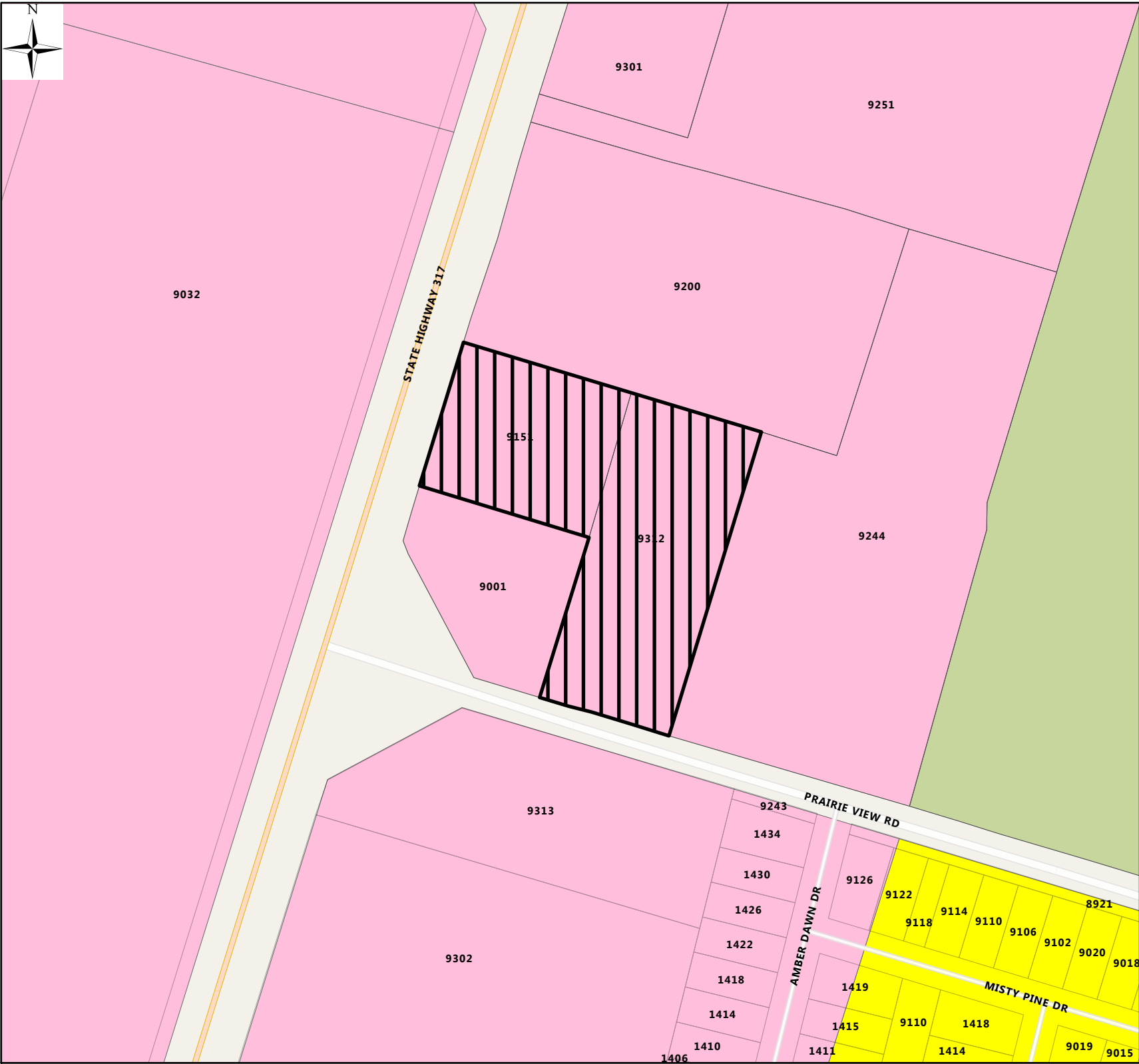
Zoning Case :
Z-FY-16-14

Address :
9151 State Hwy 317

- EXPRESSWAY
- MAJOR ARTERIAL
- COLLECTOR
- LOCAL STREET
- MINOR ARTERIAL
- PRIVATE
- RAMP
- Parcels
- Future LUP
 - Agricultural/Rural
 - Auto-Urban Commercial
 - Auto-Urban Mixed Use
 - Auto-Urban Multi-Family
 - Auto-Urban Residential
 - Business Park
 - Estate Residential
 - Industrial
 - Neighborhood Conservation
 - Parks & Open Space
 - Public Institutional
 - Suburban Commercial
 - Suburban Residential
 - Temple Medical Education District
 - Urban Center
 - CaseArea

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mbaker
Date: 1/20/2016





AG to GR

UTILITY MAP

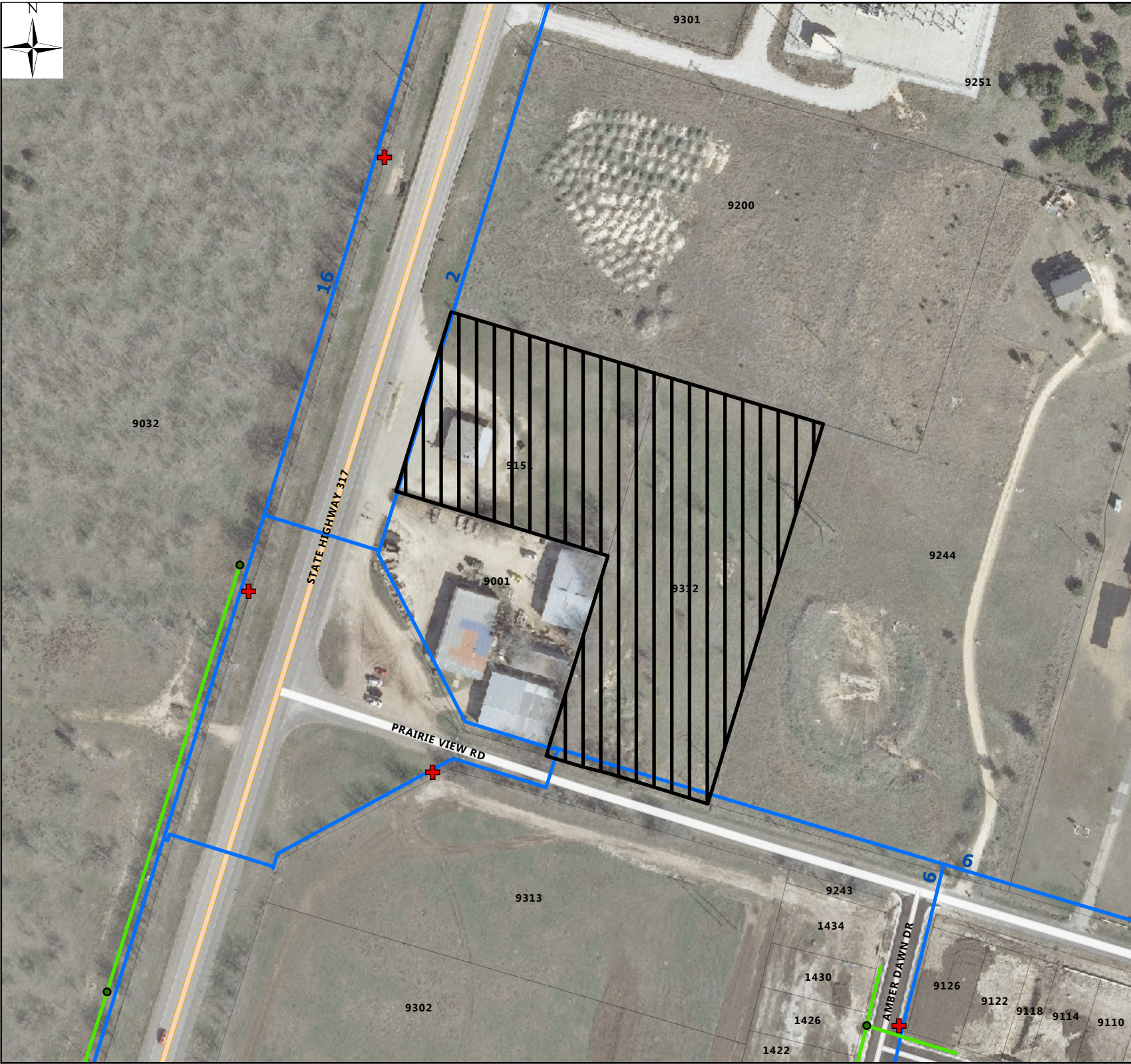
Zoning Case :
Z-FY-16-14

Address :
9151 State Hwy 317

- Manhole
- Gravity Main
- Hydrant
- Main
- Parcels
- CaseArea

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

mbaker
Date: 1/20/2016






















AG to GR
**THOROUGHFARE
AND TRAILS MAP**

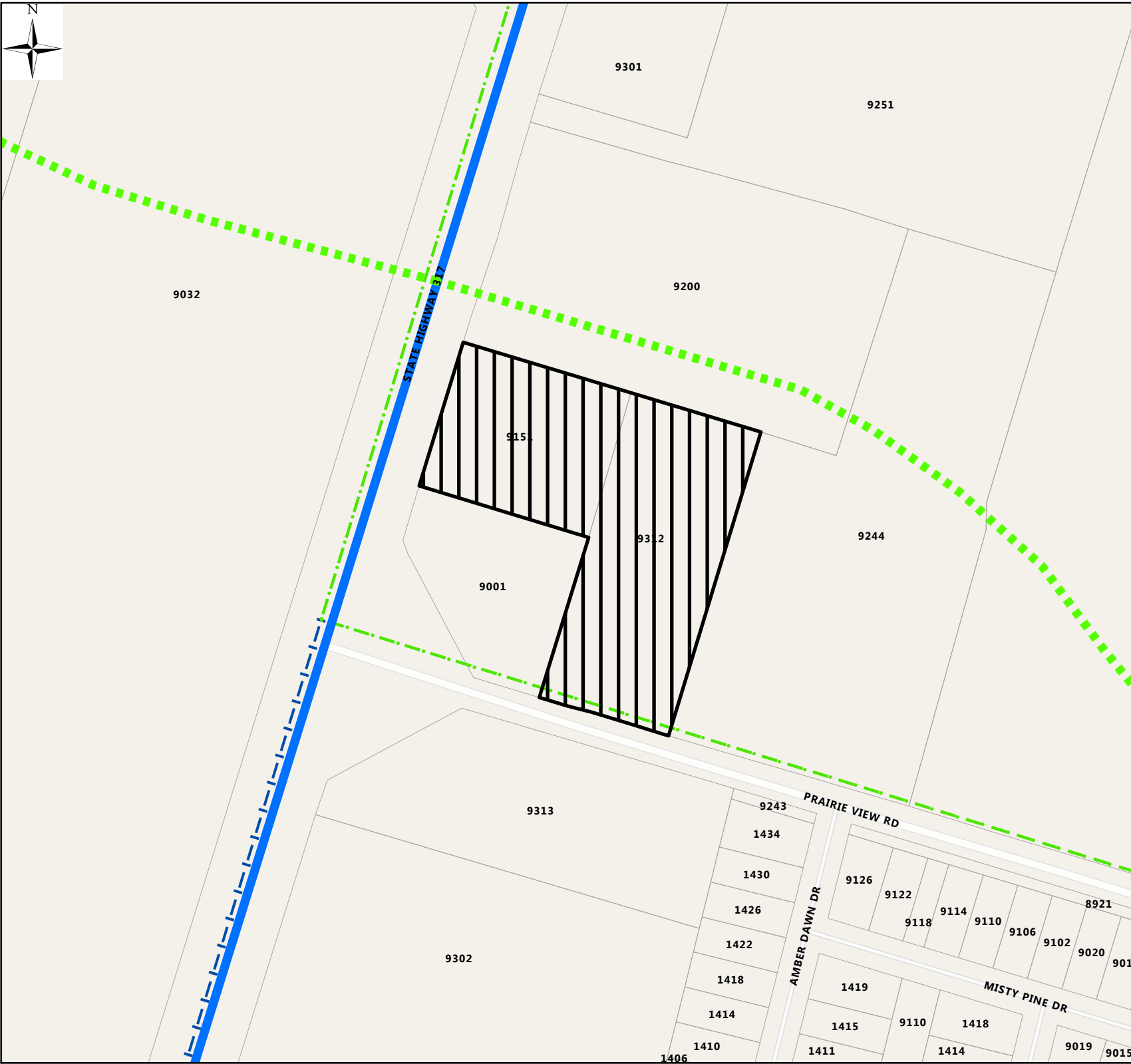
Zoning Case :
Z-FY-16-14

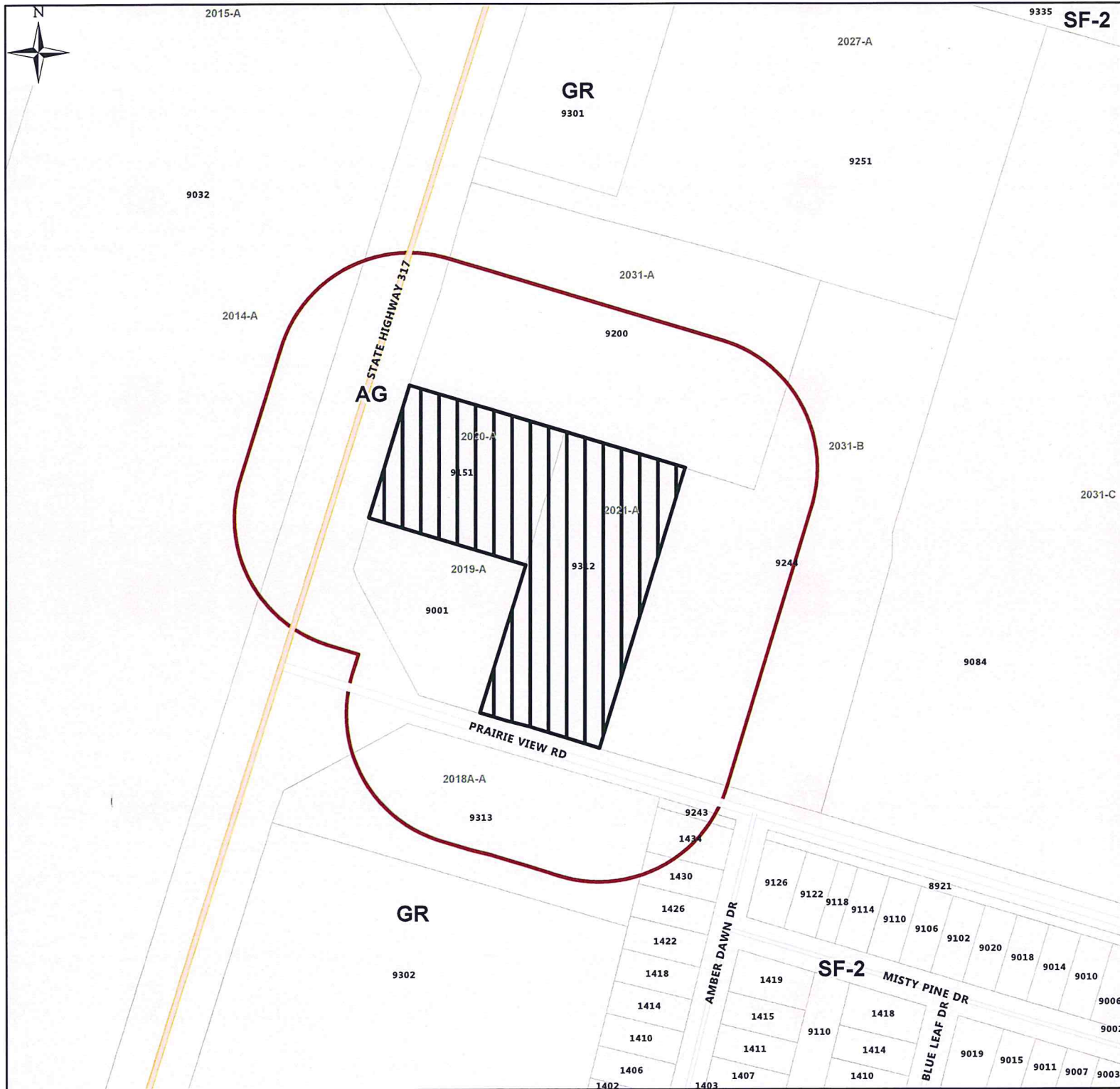
Address :
9151 State Hwy 317

-  Parcels
-  Thoroughfare Plan
-  Expressway
-  Major Arterial
-  Proposed Major Arterial
-  Minor Arterial
-  Proposed Minor Arterial
-  Collector
-  Proposed Collector
-  Trails Master Plan
-  EXISTING, CITY WIDE SPINE
-  EXISTING, COMMUNITY WIDE CONNECTOR
-  EXISTING, LOCAL CONNECTOR
-  PROPOSED, CITY WIDE SPINE
-  PROPOSED, COMMUNITY WIDE CONNECTOR
-  PROPOSED, LOCAL CONNECTOR
-  CaseArea

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

mbaker
Date: 1/20/2016







RESPONSE TO PROPOSED
REZONING REQUEST
CITY OF TEMPLE

COX, RONALD E & ANGELICA H REVOCABLE TRUST
1443 GOATES RD
TROY, TX 76579

Zoning Application Number: Z-FY-16-14

Project Manager: Mark Baker

Location: 9151 State Highway 317

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

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

Comments:

Ronald E Cox
Angelica H. Cox
Signature

RONALD E COX
ANGELICA H. COX
Print Name

Please mail or hand-deliver this comment form to the address shown below, no later than
February 16, 2016.

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

RECEIVED
FEB 16 2016
City of Temple
Planning & Development

Number of Notices Mailed: 9

Date Mailed: February 5, 2016



**RESPONSE TO PROPOSED
REZONING REQUEST
CITY OF TEMPLE**

SSB HOLDINGS INC
DBA PRO TEC LABORATORY
4300 FM 2225
QUITMAN, TX 75783-3529

Zoning Application Number: Z-FY-16-14

Project Manager: Mark Baker

Location: 9151 State Highway 317

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

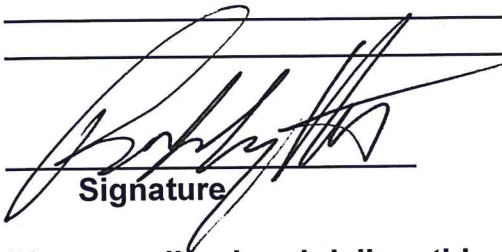
RECEIVED

I recommend ☒ approval () denial of this request.

FEB 19 2016

Comments:

City of Temple
Planning & Development


Signature


Print Name

Please mail or hand-deliver this comment form to the address shown below, no later than February 16, 2016.

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

Number of Notices Mailed: 9

Date Mailed: February 5, 2016

ORDINANCE NO. 2016-4759

(PLANNING NO. Z-FY-16-14)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A REZONING FROM AGRICULTURAL DISTRICT TO GENERAL RETAIL DISTRICT ON APPROXIMATELY 3.00 ACRES OF LAND SITUATED IN THE BALDWIN ROBERTSON SURVEY, ABSTRACT NO. 17, BELL COUNTY, TEXAS AND LOCATED AT 9151 STATE HIGHWAY 317; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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

Part 1: The City Council approves a rezoning from Agricultural District to General Retail District on approximately 3.00 acres of land situated in the Baldwin Robertson Survey, Abstract No. 17, Bell County, Texas and located at 9151 State Highway 317, as outlined in the map attached hereto as Exhibit 'A,' and made a part hereof for all purposes.

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

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

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

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

PASSED AND APPROVED on First Reading and Public Hearing on the **17th** day of **March**, 2016.

PASSED AND APPROVED on Second Reading on the 7th day of **April**, 2016.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

04/07/16
Item #6(U)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Traci Barnard, Director of Finance

ITEM DESCRIPTION: Consider adopting a resolution authorizing budget amendments for fiscal year 2015-2016.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: This item is to recommend various budget amendments, based on the adopted FY 2015-2016 budget. The amendments will involve transfers of funds between contingency accounts, department and fund levels.

FISCAL IMPACT: The total amount of budget amendments is \$31,887.

ATTACHMENTS:

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

CITY OF TEMPLE
BUDGET AMENDMENTS FOR FY 2016 BUDGET
April 7, 2016

			APPROPRIATIONS	
ACCOUNT #	PROJECT #	DESCRIPTION	Debit	Credit
110-2031-521-2229		Capital < \$5,000 / OCU Seized Funds - State	\$ 14,800	
110-0000-313-0330		Reserved for Seized Funds		\$ 14,800
To allocate state seized funds for the purchase of 10 tasers.				
260-6100-571-6532		Capital - Special Projects / Contingency Fund	\$ 5,079	
260-0000-431-0131		Federal Grants / CDBG Federal Grant		\$ 5,079
To appropriate CDBG funds for the amount of funds to be paid back to CDBG for exceeding the Administration Cap for FY 2015. After the funds are paid back to CDBG, they are available to be spent on another project. The funds will be reprogrammed at a later date.				
110-3500-552-6332	101501	Capital Building & Grounds / Park Fee Expenditures - Hodge Park	\$ 3,621	
110-3500-552-6332	101502	Capital Building & Grounds / Park Fee Expenditures - Walker Park/Pool	\$ 5,702	
110-0000-461-0830		Other Revenue - Developer Fees		\$ 9,323
To appropriate funding for park amenities at Hodge Park and Walker Park/Pool from Parks' Escrow accounts. Hodge Park is in need of park benches which will be funded with Chapel Hill II Subdivision escrow funds in the amount of \$3,621. Walker Park/Pool is in need of a pool shade structure which will be funded with the Prairie Crossing Subdivision escrow funds in the amount of \$5,702.				
110-2011-521-2516		Other Services / Judgements & Damages	\$ 2,685	
110-0000-461-0554		Insurance Claims / Insurance Claims		\$ 2,685
To appropriate insurance proceeds received from Farmers Insurance in the amount of \$2,684.96 related to damages caused to unit 13853 on February 21, 2016.				
TOTAL AMENDMENTS			\$ 31,887	\$ 31,887
GENERAL FUND				
Beginning Contingency Balance			\$ -	
Added to Contingency Sweep Account			-	
Carry forward from Prior Year			-	
Taken From Contingency			-	
Net Balance of Contingency Account			\$ -	
Beginning Judgments & Damages Contingency			\$ 44,230	
Added to Contingency Judgments & Damages from Council Contingency			-	
Taken From Judgments & Damages			(34,318)	
Net Balance of Judgments & Damages Contingency Account			\$ 9,912	
Beginning Compensation Contingency			\$ 375,000	
Added to Compensation Contingency			-	
Taken From Compensation Contingency			(375,000)	
Net Balance of Compensation Contingency Account			\$ -	
Net Balance Council Contingency			\$ 9,912	
Beginning Balance Budget Sweep Contingency			\$ -	
Added to Budget Sweep Contingency			-	
Taken From Budget Sweep			-	
Net Balance of Budget Sweep Contingency Account			\$ -	
WATER & SEWER FUND				
Beginning Contingency Balance			\$ 50,000	
Added to Contingency Sweep Account			-	
Taken From Contingency			(23,198)	
Net Balance of Contingency Account			\$ 26,802	
Beginning Compensation Contingency			\$ 64,000	
Added to Compensation Contingency			-	
Taken From Compensation Contingency			(64,000)	
Net Balance of Compensation Contingency Account			\$ -	
Net Balance Water & Sewer Fund Contingency			\$ 26,802	

CITY OF TEMPLE
BUDGET AMENDMENTS FOR FY 2016 BUDGET
April 7, 2016

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
		HOTEL/MOTEL TAX FUND		
		Beginning Contingency Balance	\$	-
		Added to Contingency Sweep Account		-
		Carry forward from Prior Year		-
		Taken From Contingency		-
		Net Balance of Contingency Account	\$	-
		Beginning Compensation Contingency	\$	13,300
		Added to Compensation Contingency		-
		Taken From Compensation Contingency		(13,300)
		Net Balance of Compensation Contingency Account	\$	-
		Net Balance Hotel/Motel Tax Fund Contingency	\$	-
		DRAINAGE FUND		
		Beginning Contingency Balance	\$	-
		Added to Contingency Sweep Account		-
		Carry forward from Prior Year		-
		Taken From Contingency		-
		Net Balance of Contingency Account	\$	-
		Beginning Compensation Contingency	\$	10,300
		Added to Compensation Contingency		(10,300)
		Taken From Compensation Contingency		-
		Net Balance of Compensation Contingency Account	\$	-
		Net Balance Drainage Fund Contingency	\$	-
		FED/STATE GRANT FUND		
		Beginning Contingency Balance	\$	-
		Carry forward from Prior Year		69,089
		Added to Contingency Sweep Account		-
		Taken From Contingency		(54,142)
		Net Balance of Contingency Account	\$	14,947

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING BUDGET AMENDMENTS TO THE 2015-2016 CITY BUDGET; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on the 27th day of August, 2015, the City Council approved a budget for the 2015-2016 fiscal year; and

Whereas, the City Council deems it in the public interest to make certain amendments to the 2015-2016 City Budget.

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

Part 1: The City Council approves amending the 2015-2016 City Budget by adopting the budget amendments which are more fully described in Exhibit 'A,' attached hereto and made a part hereof for all purposes.

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

PASSED AND APPROVED this the 7th day of April, 2016.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

04/07/16
Item #7
Regular Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Tammy Lyerly, Senior Planner

ITEM DESCRIPTION: P-FY-16-14: Consider adopting a resolution approving the Final Plat of Cedar Cove Replat, a 4.895 +/- acres, 2 Lot, 1 Block, being a replat of Lot 2, Block 1, Cedar Cove Subdivision, a residential subdivision, with a requested exception to Unified Development Code (UDC) Section 8.2.1.C: Right-of-Way and Pavement Dimensional Standards, to allow a reduced right-of-way dedication, located in Temple's western extra-territorial jurisdiction (ETJ) north of Cedar Cove Road, south of Westcliff Road, and west of Fullview First Street.

PLANNING AND ZONING COMMISSION RECOMMENDATION: At its March 7, 2016, meeting the Planning and Zoning Commission voted 8/0 to recommend approval of the Final Plat of Cedar Cove Replat with the applicant's requested exception to UDC Section 8.2.1.C: Right-of-Way and Pavement Dimensional Standards, to allow a reduced right-of-way dedication.

STAFF RECOMMENDATION: Staff recommends approval of the Final Plat of Cedar Cove Replat with the applicant's requested exception to UDC Code Section 8.2.1.C: Right-of-Way and Pavement Dimensional Standards, to allow a reduced right-of-way dedication.

ITEM SUMMARY: The Development Review Committee reviewed the Final Plat of Cedar Cove Replat on February 4, 2016. It was deemed administratively complete on February 17, 2016.

The Final Plat of Cedar Cove Replat is a replat of Lot 2, Block 1, Cedar Cove Subdivision. City Council will be the final plat authority since the applicant requests an exception to UDC Section 8.2.1.C: Right-of-Way and Pavement Dimensional Standards, to allow a reduced right-of-way dedication.

The subject property is located within Temple's western ETJ and fronts Fullview First Street, which is a Bell County maintained road that has approximately 24 feet of right-of-way. UDC Section 8.2.1.C: Right-of-Way and Pavement Dimensional Standards requires 50 feet of right-of-way for rural local street. The applicant is unable to dedicate the required 13 feet of right-of-way needed along Fullview First Street due to a manufactured home on the property located within 4.7 feet from the right-of-way along Fullview First Street. The applicant is only able to dedicate 4 feet of right-of-way. Bell County is in agreement with the applicant's proposed right-of-way dedication of 4 feet.

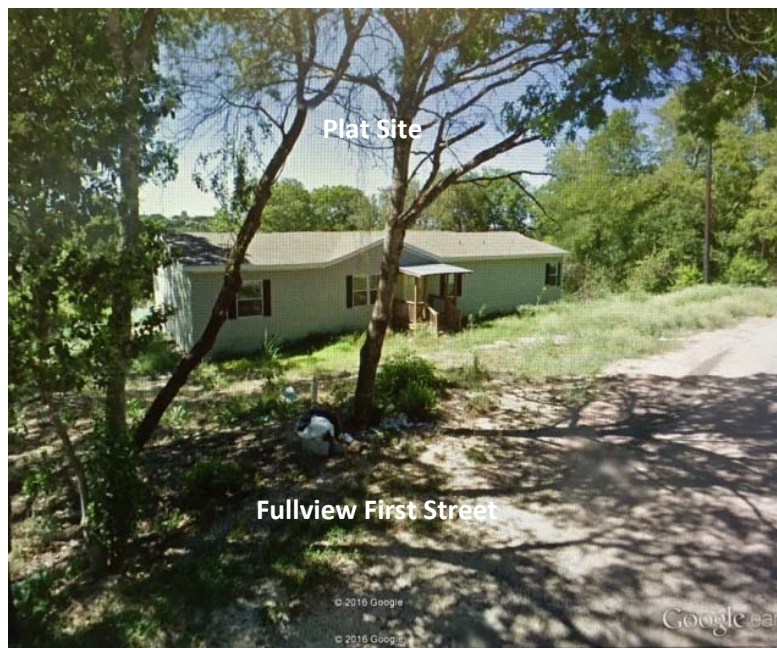
Please see the applicant's attached letter of requested exception. The anticipated City Council meeting for this plat is April 7, 2014.

A 30-foot wide private access easement to the lake borders the west boundary of the subject property. A 20-foot wide private access easement to the lake is located at the subject property's east boundary at Fullview First Street.

439 Water Supply Corporation provides water services to the subject property and existing subdivision through 1-1/4 inch, 4 inch, 6-inch, and 12 inch water lines. Sewer services are provided by septic system.

No park fees are requested, provided no more than one dwelling is proposed per lot created. However, fees will be required for proposed multi-family or any additional dwellings created of more than one per lot. Fees are assessed at \$225 per dwelling.

FISCAL IMPACT: Not Applicable



ATTACHMENTS:

[Final Plat](#)
[Utility Sheet](#)
[Letter of Requested Exception](#)
[Resolution](#)

OWNERS' RESPONSIBILITIES

"IN APPROVING THIS PLAT BY THE COMMISSIONERS' COURT OF BELL COUNTY, TEXAS, IT IS UNDERSTOOD THAT THE BUILDING OF ALL STREETS, ROADS, AND OTHER PUBLIC THOROUGHFARES AND ANY BRIDGES OR CULVERTS NECESSARY TO BE CONSTRUCTED OR PLACED IS THE RESPONSIBILITY OF THE OWNERS OF THE TRACT OF LAND COVERED BY THIS PLAT IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS PRESCRIBED BY THE COMMISSIONERS' COURT OF BELL COUNTY, TEXAS. SAID COMMISSIONERS' COURT ASSUMES NO OBLIGATION TO BUILD ANY OF THE STREETS, ROADS, OR OTHER PUBLIC THOROUGHFARES SHOWN ON THIS PLAT OR OF CONSTRUCTING ANY OF THE BRIDGES OR DRAINAGE IMPROVEMENTS IN CONNECTION THEREWITH. THE COUNTY WILL ASSUME NO RESPONSIBILITY FOR DRAINAGE WAYS OR EASEMENTS IN THE SUBDIVISION, OTHER THAN THOSE DRAINING OR PROTECTING THE ROAD SYSTEM AND STREETS. THE COUNTY ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF REPRESENTATION BY OTHER PARTIES IN THIS PLAT. THE FLOOD PLAIN DATA, IN PARTICULAR, MAY CHANGE DEPENDING ON SUBSEQUENT DEVELOPMENT."

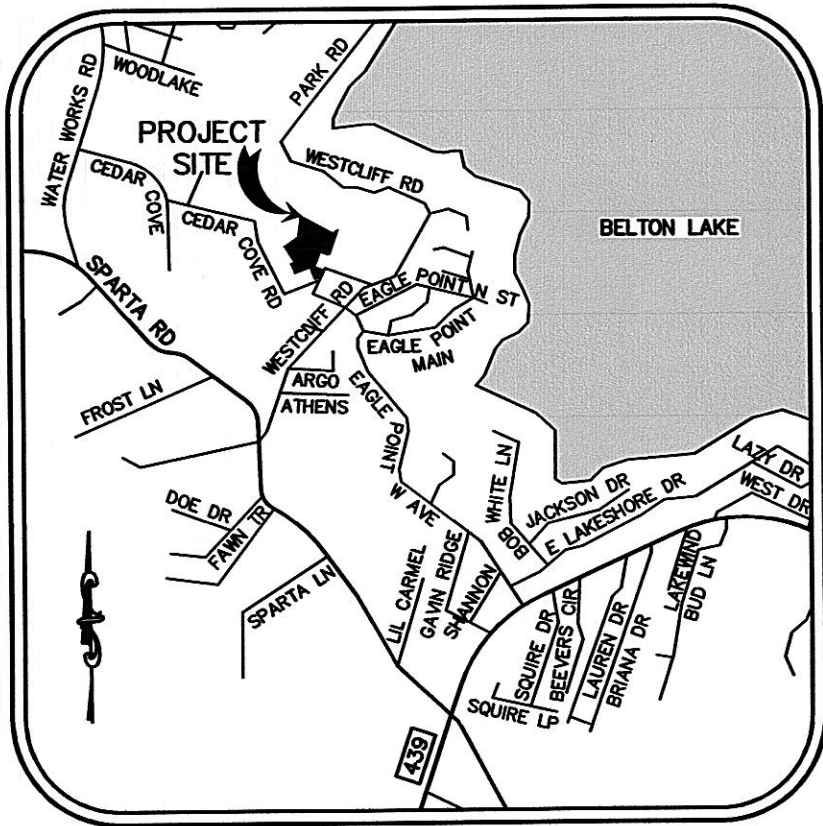
LETTER OF COMPLIANCE

THE OWNERS ACKNOWLEDGE THAT IT IS THE RESPONSIBILITY OF THE OWNERS, NOT THE COUNTY, TO ASSURE COMPLIANCE WITH THE PROVISIONS OF ALL APPLICABLE FEDERAL, STATE AND LOCAL LAWS AND REGULATIONS RELATING TO THE ENVIRONMENT, INCLUDING (BUT NOT LIMITED TO) THE ENDANGERED SPECIES ACT, STATE AQUIFER REGULATIONS, AND MUNICIPAL WATERSHED ORDINANCES.

NOTE:

1. THE PURPOSE OF THIS REPLAT IS TO ADD ADDITIONAL ACREAGE TO LOT 2 TO ACCOMMODATE THE SEPTIC SYSTEM.
2. THIS TRACT IS NOT WITHIN THE SPECIAL FLOOD HAZARD AREA AS PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY FEDERAL INSURANCE ADMINISTRATION MAP NO. 48027C0325E, DATED SEPTEMBER 26, 2008.
3. ALL PROPERTY CORNERS ARE 1/2" IRON ROD WITH CAP STAMPED "RPLS 2475" SET, UNLESS OTHERWISE SPECIFIED.
4. BL = BUILDING LINE, UE = UTILITY EASEMENT, AND DE = DRAINAGE EASEMENT.
5. ALL PUBLIC ROADWAYS AND EASEMENTS AS SHOWN ON THIS PLAT ARE FREE OF LIENS.
6. EXISTING STRUCTURES SHALL BE ALLOWED TO REMAIN IN THEIR CURRENT LOCATION UNTIL SUCH TIME THAT THEY ARE REMOVED OR RELOCATED BY THE LANDOWNER. IF EXISTING STRUCTURES ARE RELOCATED OR ARE REMOVED IN FAVOR OF NEW CONSTRUCTION, THE RELOCATED STRUCTURES OR NEWLY CONSTRUCTED STRUCTURES SHALL BE LOCATED ON THE PROPERTY AS DESIGNATED BY THE RIGHT-OF-WAY DEDICATION AND BUILDING SETBACK LINE AS SHOWN HEREON.

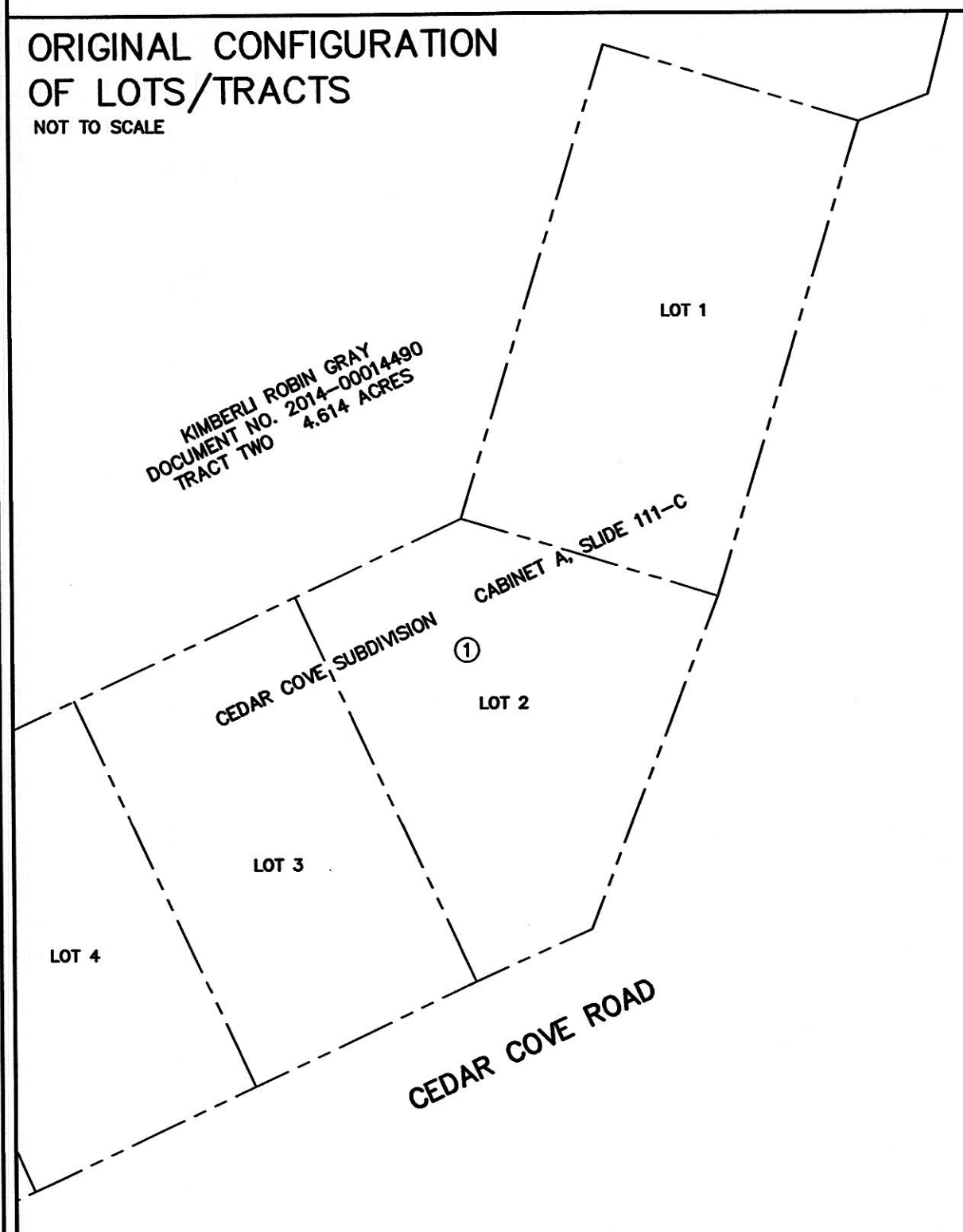
NOTE: This project is referenced in NAD 1983 Central Texas State Plane. All distances are horizontal surface distances unless noted, and all bearings are grid bearings. All coordinate values are referenced to City Monument No. B517. The theta angle at said monument is 01°26'57". The Combined Correction Factor (CCF) is 0.999847. Published City Coordinates are N=10379340.11, E=3176937.07. The tie from the above City Monument to the Point of BEGINNING is N.12°36'50"W, 787.49 feet. Grid Distance= Surface Distance X CCF. Geodetic North= Grid North + theta angle.



VICINITY MAP

ORIGINAL CONFIGURATION OF LOTS/TRACTS

NOT TO SCALE



BEARING BASE: TEXAS STATE PLAIN COORDINATE SYSTEM (NAD 1983) AS DETERMINED BY G.P.S. OBSERVATION.
4.895 ACRES MORE FULLY DESCRIBED BY METES AND BOUNDS BY SEPARATE FIELD NOTES.

STATE OF TEXAS

COUNTY OF BELL

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

MICHAEL E. ALVIS, R.P.L.S.
NO. 5402

STATE OF TEXAS

COUNTY OF BELL

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

JENNIFER RYKEN, P.E.
NO. 116277

U.S.A. BELTON RESERVOIR

4.895 ACRES

LOT 1
BLOCK 1

KIMBERLI GRAY DOCUMENT NO. 2014-00014490

STATE OF TEXAS

COUNTY OF BELL

KIMBERLI GRAY, OWNER OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS CEDAR COVE REPLAT, BEING A REPLAT OF LOT 2, BLOCK 1, CEDAR COVE SUBDIVISION OF RECORD IN CABINET A, SLIDE 111-C, PLAT RECORDS OF BELL COUNTY, TEXAS. A SUBDIVISION IN BELL COUNTY, TEXAS AND IN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF TEMPLE, TEXAS AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES AS SHOWN HEREON.

KIMBERLI GRAY

STATE OF TEXAS

COUNTY OF BELL

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE ____ DAY OF _____, 2016 BY KIMBERLI GRAY, OWNER.

NOTARY PUBLIC

STATE OF TEXAS

COUNTY OF BELL

I HEREBY CERTIFY THIS PLAT WAS APPROVED THIS ____ DAY OF _____, 2016 BY THE BELL COUNTY COMMISSIONERS' COURT, AND MAY BE FILED FOR RECORD IN THE DEED RECORDS OF BELL COUNTY, TEXAS BY THE COUNTY CLERK.

COUNTY JUDGE

WITNESS MY HAND THIS ____ DAY OF _____, 2016.

NOTARY PUBLIC

STATE OF TEXAS

COUNTY OF BELL

I, THE UNDERSIGNED, A REGISTERED SANITARIAN IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS SUBDIVISION, AND ITS WASTEWATER UTILITY SYSTEM HAS BEEN REVIEWED FOR COMPLIANCE WITH APPLICABLE STATE AND OTHER REGULATIONS GOVERNING SUCH SYSTEMS AND IS HEREBY APPROVED FOR INSTALLATION AS INDICATED.

APPROVED: _____ DATE: _____

TITLE: _____ BCHD

STATE OF TEXAS

COUNTY OF BELL

439 WATER SUPPLY CORPORATION, AN APPROVED PUBLIC WATER SUPPLY SYSTEM, CERTIFIES THAT THE PROPOSED WATER SUPPLY AND DISTRIBUTION SYSTEM IS ADEQUATE TO PROVIDE WATER IN SUFFICIENT QUALITY, QUANTITY, AND PRESSURE TO SERVE THE PROPOSED SUBDIVISION AND PROVISIONS HAVE BEEN MADE TO PROVIDE SERVICE TO EACH LOT IN ACCORDANCE WITH THE POLICIES OF THE WATER SUPPLY SYSTEM.

DESIGNATED REPRESENTATIVE, TITLE _____ DATE _____
439 WATER SUPPLY CORPORATION

STATE OF TEXAS

COUNTY OF BELL

THIS FINAL PLAT HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF TEMPLE, TEXAS, AND IS HEREBY APPROVED BY SUCH COMMISSION.

DATED THIS ____ DAY OF _____, 2016.

CHAIRPERSON

SECRETARY TO PLANNING AND ZONING COMMISSION

STATE OF TEXAS

COUNTY OF BELL

THIS FINAL PLAT HAS BEEN SUBMITTED TO AND CONSIDERED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AND IS HEREBY APPROVED BY SUCH COUNCIL.

DATED THIS ____ DAY OF _____, 2016.

MAYOR

CITY SECRETARY

TAX CERTIFICATE

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

DATED THIS ____ DAY OF _____, 2016.

BELL COUNTY TAX APPRAISAL DISTRICT

FILED FOR RECORD THIS ____ DAY OF _____, IN YEAR _____, PLAT NO. _____
PLAT RECORDS OF BELL COUNTY, TEXAS.

DEDICATION INSTRUMENT NO. _____, OFFICIAL PUBLIC RECORDS OF BELL COUNTY, TEXAS.

FINAL PLAT OF:

CEDAR COVE REPLAT

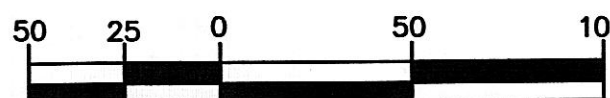
BEING A REPLAT OF LOT 2, BLOCK 1, CEDAR COVE SUBDIVISION OF RECORD IN CABINET A, SLIDE 111-C, PLAT RECORDS OF BELL COUNTY, TEXAS

4.895 ACRES 1 LOT, 1 BLOCK

W. L. NORVILLE SURVEY, ABSTRACT NO. 627

A SUBDIVISION IN THE EXTRATERRITORIAL JURISDICTION
OF THE CITY OF TEMPLE, BELL COUNTY, TEXAS

4.895 ACRES MORE FULLY DESCRIBED BY METES AND BOUNDS BY SEPARATE
FIELD NOTES PREPARED AND ATTACHED TO DEDICATION INSTRUMENT.



FINAL PLAT OF: CEDAR COVE REPLAT
BEING A REPLAT OF LOT 2, BLOCK 1, CEDAR COVE SUBDIVISION
OF RECORD IN CABINET A, SLIDE 111-C, PLAT RECORDS OF
BELL COUNTY, TEXAS

W. L. NORVILLE SURVEY, ABSTRACT NO. 627
A SUBDIVISION IN THE EXTRATERRITORIAL JURISDICTION
OF THE CITY OF TEMPLE, BELL COUNTY, TEXAS

PREPARED FOR: KIMBERLI GRAY

6774 CEDAR COVE ROAD, BELTON, TEXAS 76513

REVISIONS

02/05/16	CITY/COUNTY COMMENTS	JRG
02/10/16	CITY COMMENTS	JRG

DATE: 12/01/16

DRN. BY: JRG

REF.:

FIELD BOOK -

JOB NO.: 151088

SHEET 1 OF 1

COMPUTER DWG. NO. 151088

13107-D

DRAWING NUMBER

ENGINEERING • PLANNING • SURVEYING
CONSTRUCTION MANAGEMENT

FIRM REGISTRATION NO. F-1658

TURLEY ASSOCIATES, INC.

301 N. 3rd ST.

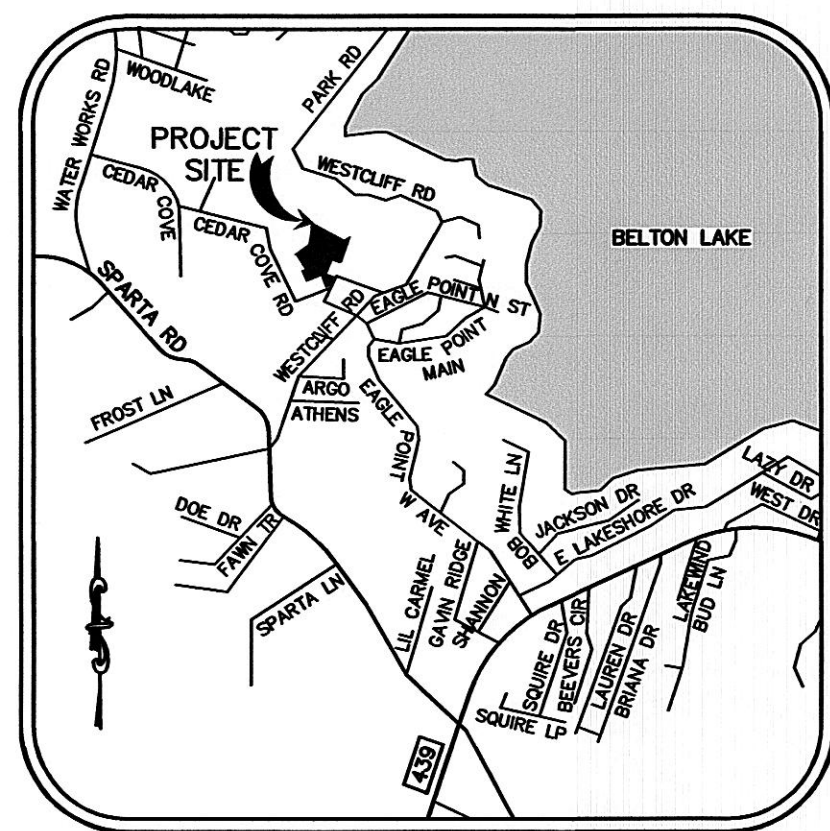
E-MAIL: VDTURLEY@AOL.COM

TEMPLE, TEXAS

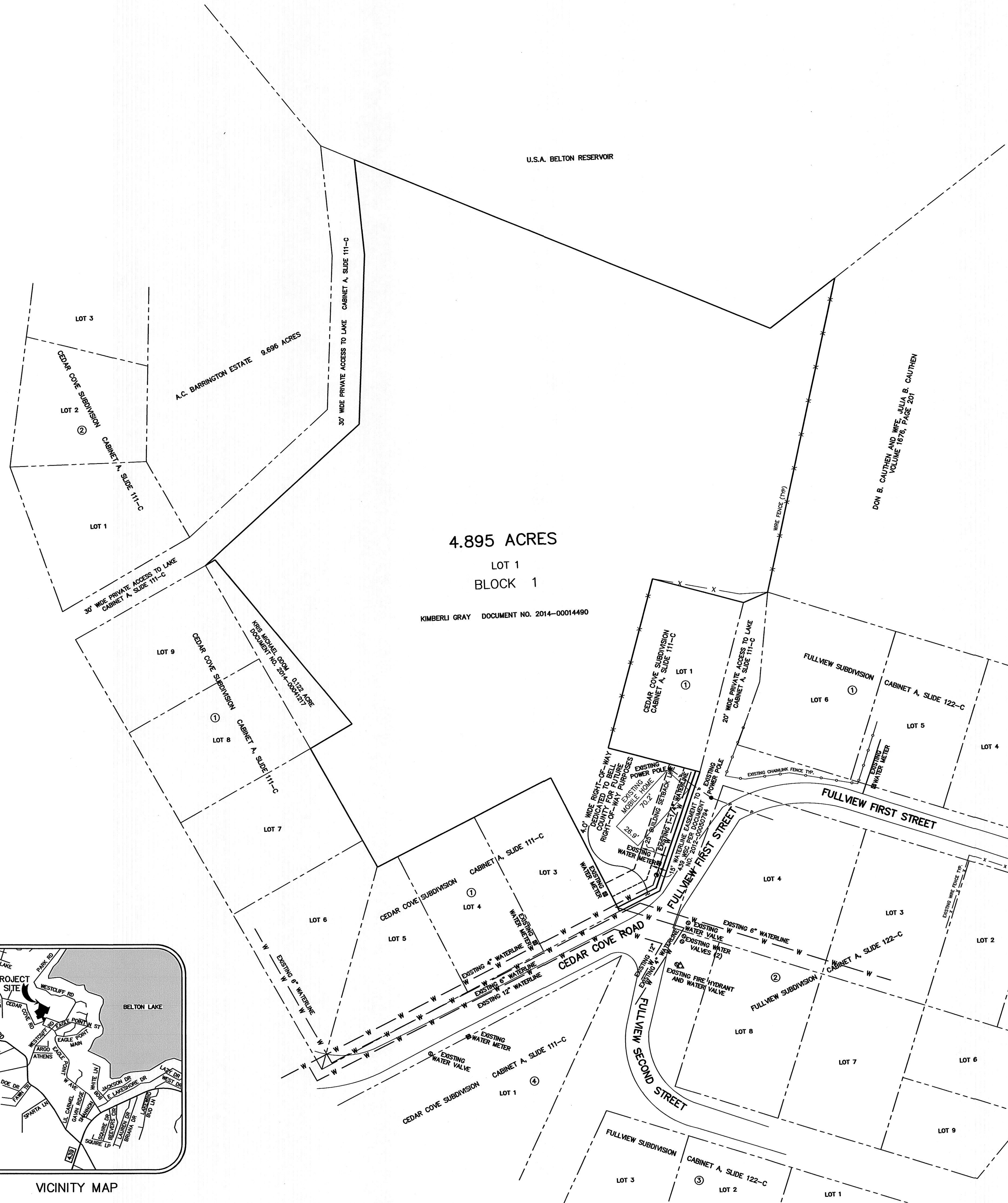
FAX NO.

(254) 773-2400

(254) 773-3998

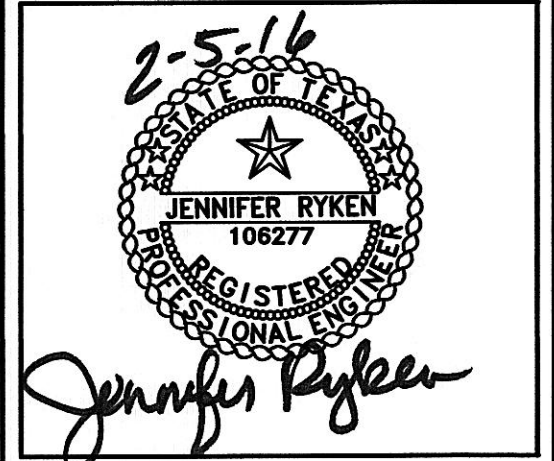


VICINITY MAP



- NOTES:
1. SITE TO BE SERVICED BY ON-SITE SEPTIC SEWAGE FACILITIES.
 2. DOMESTIC WATER TO BE SUPPLIED BY 439 WATER SUPPLY CORPORATION.
 3. ALL EXISTING WATERLINES SHOWN AS PER 439 WATER SUPPLY CORPORATION. FIRE HYDRANTS, WATER METERS, AND OFFLINE VALVES SHOWN PER ONSITE SURVEY.

UTILITY PLAN OF:
CEDAR COVE REPLAT
BEING A REPLAT OF LOT 2, BLOCK 1, CEDAR COVE SUBDIVISION OF RECORD IN CABINET A, SLIDE 111-C, PLAT RECORDS OF BELL COUNTY, TEXAS
4.895 ACRES 1 LOT, 1 BLOCK
W. L. NORVILLE SURVEY, ABSTRACT NO. 627
A SUBDIVISION IN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF TEMPLE, BELL COUNTY, TEXAS
FIELD NOTES PREPARED AND ATTACHED TO DEDICATION INSTRUMENT.

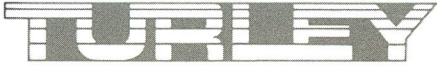


UTILITY PLAN OF: **CEDAR COVE REPLAT**
BEING A REPLAT OF LOT 2, BLOCK 1, CEDAR COVE SUBDIVISION OF RECORD IN CABINET A, SLIDE 111-C, PLAT RECORDS OF BELL COUNTY, TEXAS
W. L. NORVILLE SURVEY, ABSTRACT NO. 627
A SUBDIVISION IN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF TEMPLE, BELL COUNTY, TEXAS
PREPARED FOR: **KIMBERLI GRAY**
6774 CEDAR COVE ROAD, BELTON, TEXAS 76513

REVISIONS		
02/05/16	CITY/COUNTY COMMENTS	JRG

DATE:	12/01/15
DRN. BY:	JRG
REF.:	
FIELD BOOK	-
JOB NO.:	151088
SHEET	1 OF 1
COMPUTER DWG. NO.	151088
13107-D	
DRAWING NUMBER	

ENGINEERING • PLANNING • SURVEYING
CONSTRUCTION MANAGEMENT
FIRM REGISTRATION NO. F-1658
TURLEY ASSOCIATES, INC.
301 N. 3rd ST. TEMPLE, TEXAS (254) 773-2400
E-MAIL: VDTURLEY@AOL.COM (254) 773-3998



TURLEY ASSOCIATES, INC.

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

February 12, 2016

City of Temple
2 North Main Street
Temple, TX 76051

RE: Cedar Cove Replat of Lot 2, Right of Way Dedication

Dear: Mayor and City Council Members

This letter is in reference to a replat of Lot 2 of Cedar Cove which is located in the City of Temple's ETJ. This property is adjacent to a Bell County maintained roadway (Fullview First Street) that currently has between 23 and 24 foot of right-of-way width. This property also currently has a mobile home located on it with the northeast corner of the home being approximately 4.7 ft. from the existing property line.

The City of Temple Unified Development Code specifies a minimum width of 50 ft. for a rural local street right of way and Bell County Subdivision Regulations also specifies a minimum right of way width of 50 ft. Fullview First Street is currently deficient in right of way width.

In their review of this plat Bell County has requested "that the developer dedicate property (by plat) along the roadway, equal to the maximum width possible *without* creating an encroachment of the existing mobile home, for future roadway expansion." The plat has been updated to reflect a dedication of 4 ft. of right of way along the property leaving a little less than a foot of distance to the northeast corner of the home.

On behalf of our client Turley Associates, Inc. requests that the City Council of the City of Temple grant an exception to Section 8.2.1 C of the Unified Development Code for minimum right of way widths and instead allow the 4 ft. dedication of right of way width which is in conformance with Bell County's request for dedication.

Turley Associates, Inc., appreciates your consideration in this matter. Please feel free to call or email if you would like to discuss further.

Sincerely,

TURLEY ASSOCIATES, INC.


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

CC: Bryan Neaves, P.E., Bell County Engineer

RESOLUTION NO. _____

(PLANNING NO. P-FY-16-14)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING THE FINAL PLAT OF CEDAR COVE REPLAT, AN APPROXIMATELY 4.895 ACRE, 2 LOT, 1 BLOCK, RESIDENTIAL SUBDIVISION, BEING A REPLAT OF LOT 2, BLOCK 1, CEDAR COVE SUBDIVISION, AND LOCATED IN TEMPLE'S WESTERN EXTRATERRITORIAL JURISDICTION NORTH OF CEDAR COVE ROAD, SOUTH OF WESTCLIFF ROAD, AND WEST OF FULLVIEW FIRST STREET, WITH A REQUESTED EXCEPTION TO UNIFIED DEVELOPMENT CODE SECTION 8.2.1.C: RIGHT-OF WAY AND PAVEMENT DIMENSIONAL STANDARDS TO ALLOW REDUCED RIGHT-OF-WAY DEDICATION; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on March 7, 2016, the Planning and Zoning Commission recommended approval of the final plat of Cedar Cove Replat, a replat of Cedar Cove Subdivision, located in Temple's western extraterritorial jurisdiction, north of Cedar Cove Road, south of Westcliff Road, and west of Fullview First Street, and granting an exception to Section 8.2.1.C of the Unified Development Code related to right-of-way dedication; and

Whereas, the City Council has considered the matter and deems it in the public interest to approve the Final Plat of Cedar Cove Replat, with a developer-requested exception to Section 8.2.1.C of the Unified Development Code related to right-of-way dedication.

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

Part 1: The City Council approves the final plat of Cedar Cove Replat, a replat of Cedar Cove Subdivision, located in Temple's western extraterritorial jurisdiction, north of Cedar Cove Road, south of Westcliff Road, and west of Fullview First Street, and grants an exception to Section 8.2.1.C of the Unified Development Code related to right-of-way dedication.

Part 2: The City Council approves an exception to Section 8.2.1.C of the Unified Development Code related to right-of-way dedication because:

- the subject property is located within Temple's western ETJ and fronts Fullview First Street, which is a Bell County maintained road that has approximately 24 feet of right-of-way;
- the applicant is unable to dedicate the required 13 feet of right-of-way needed along Fullview First Street due to a manufactured home on the property located within 4.7 feet from the right-of-way along Fullview First Street. The applicant is only able to dedicate 4 feet of right-of-way; and
- Bell County is in agreement with the applicant's proposed right-of-way dedication of 4 feet.

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

PASSED AND APPROVED this the 7th day of **March**, 2016.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, MAYOR

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

04/07/16
Item #8
Regular Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Kayla Landeros, City Attorney

ITEM DESCRIPTION: FIRST READING & PUBLIC HEARING – Consider adopting an ordinance granting Temple Transportation, Inc. d/b/a Yellow Cab, a non-exclusive, five-year franchise to provide taxicab services in the City of Temple.

STAFF RECOMMENDATION: Conduct public hearing and adopt ordinance as presented in item description, on first reading.

ITEM SUMMARY: Bill Kemp, President of Temple Transportation, Inc., d/b/a Yellow Cab (“Yellow Cab”), has requested a renewal of Yellow Cab’s non-exclusive franchise to provide taxicab services in the City of Temple. Yellow Cab’s last franchise was approved on October 21, 2010 and expired in November, 2015. Yellow Cab is continuing operations in Temple and therefore, has requested renewal of the franchise.

As a franchise holder, Yellow Cab is required to pay certain fees to the City including a vehicle permit fee of \$450 per year for each taxicab in service, plus a \$10 yearly fee for each taxicab driver. The Police Department performs an investigation of each driver’s driving record and criminal history. The City Secretary’s Office issues the vehicle permits, after vehicle inspection by the City’s Fleet Services Division.

All requirements contained in Chapter 36 of the City’s Code of Ordinances concerning taxicab operations are included in the franchise agreement by reference. This allows requirements in the ordinance to address general conditions regarding public transportation, and also includes the more specific requirements concerning taxicab operation within the City.

FISCAL IMPACT: Per the franchise agreement, an annual vehicle permit fee of \$450 per vehicle and a \$10 annual driver permit fee for each taxicab driver is due from the franchise holder. Annual franchise revenue is estimated at \$2,250 based on historical revenue data.

ATTACHMENTS:

[Ordinance](#)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, GRANTING TEMPLE TRANSPORTATION INC., D/B/A YELLOW CAB, A NON-EXCLUSIVE FIVE-YEAR FRANCHISE TO PROVIDE TAXICAB SERVICES IN THE CITY OF TEMPLE; DECLARING FINDINGS OF FACT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, Bill Kemp, President of Temple Transportation, Inc., d/b/a Yellow Cab (“Yellow Cab”), has requested a renewal of Yellow Cab’s non-exclusive franchise to provide taxicab services in the City of Temple;

Whereas, Yellow Cab’s last franchise was approved on October 21, 2010 and expired in November, 2015 - Yellow Cab has continued its operations in Temple and therefore, has requested renewal of the franchise;

Whereas, as a franchise holder, Yellow Cab is required to pay certain fees to the City including a vehicle permit fee of \$450 per year for each taxicab in service, plus a \$10 yearly fee for each taxicab driver;

Whereas, Temple Police Department performs an investigation of each driver’s driving record and criminal history and the City Secretary’s office issues the vehicle permits, after vehicle inspection by the City’s Fleet Services Division;

Whereas, all requirements contained in Chapter 36 of the City’s Code of Ordinances concerning taxicab operations are included in the franchise agreement by reference which allows the requirements in the ordinance to address general conditions regarding public transportation, and also includes the more specific requirements concerning taxicab operation within the City;

Whereas, per the franchise agreement, an annual vehicle permit fee of \$450 per vehicle and a \$10 annual driver permit fee for each taxicab driver is due from the franchise holder - annual franchise revenue is estimated at \$2,250 based on historical revenue data; and

Whereas, Yellow Cab has established to the satisfaction of the City Council by clear, cogent and convincing evidence that the public convenience and necessity will be served by the granting of said franchise.

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

Part 1: *Grant and term.*

The City hereby grants to Temple Transportation, Inc., d/b/a Yellow Cab, a non-exclusive franchise to operate taxicabs upon the public streets and highways of the City of Temple, Texas, for a term of five years.

Part 2: Conditions of Franchise.

The rights, powers and authority herein granted are granted subject to the Constitution and laws of the State of Texas, the Charter of the City of Temple, and where not provided herein, the ordinances and codes of the City of Temple as same now exist or may hereafter be amended so as to constitute reasonable regulations protecting the health, safety and welfare to insure safe, efficient and continuous taxicab service, all of which enumerated provisions are incorporated herein by reference and made a part hereof as fully as though the same had been copied herein verbatim.

Part 3: Standards and Requirements for Personnel, Vehicles, Equipment and Service.

Yellow Cab shall comply with all of the standards and requirements for personnel, vehicles, equipment and service that are set out in Ordinance No. 95-2363.

Part 4: Payment to the City Required; Vehicle and Driver Permit Fees.

(a) Yellow Cab shall, during the life of this franchise, pay to the City of Temple at the office of the City Secretary, an annual vehicle permit fee, in the amount established by the City Council, for each taxicab operated in the City of Temple. A vehicle permit shall be valid for the duration of the calendar year during which the permit was issued. Vehicle permits are issued for particular vehicles, and are not transferable to other vehicles or operators.

(b) Yellow Cab shall, during the life of this franchise, pay to the City of Temple at the office of the City Secretary, an annual taxicab driver's permit fee, in the amount established by the City Council, for each driver operating a taxicab under this franchise. A driver's permit shall be valid for the duration of the calendar year during which the permit was issued. Drivers' permits are issued for particular drivers, and are not transferable to other drivers.

Part 5: Rates.

(a) The City Council expressly reserves the right, power, and authority to fully regulate and fix, the rates and charges for taxicab services provided by Yellow Cab under this franchise, fully reserving to the City Council all the rights, powers, privileges, and immunities, subject to the duties, limitations and responsibilities which the Constitution, the laws of the State and the City Charter confer upon the City.

(b) Notice of a proposed rate increase shall be filed in writing with the City Secretary at least ninety (90) days prior to the effective date of the proposed increase. A proposed rate increase shall be deemed approved if not acted upon by the City Council within ninety (90) days from receipt of the notice.

Part 6: Indemnity.

Yellow Cab shall agree and be bound to hold the City whole and harmless against any and all claims for damages, costs, and expenses, to persons or property that may arise out of or be occasioned by the operation of the franchise, or from any act or omission of any representative, agent, customer, or employee of the franchise holder, and such indemnity provision shall also cover any personal injury or damage suffered to City property, City employees, agents or officers. The franchisee shall agree and be bound to defend any and all suits, claims, or causes of action brought against the city on account of same, and discharge any judgment or judgments that may be rendered against the City in connection with the operation of the franchise.

Part 7: Liability Insurance Required.

(1) Yellow Cab shall, at its own expense, purchase, maintain and keep in force for the duration of a public transportation franchise, public liability insurance in the following amounts:

Commercial general liability of \$250,000 for each person and \$500,000 for each single occurrence for bodily injury or death and \$100,000 for each single occurrence for injury to or destruction of property or \$500,000 combined single limit.

Automobile liability of \$30,000 for each person and \$60,000 for each single occurrence for bodily injury or death and \$25,000 for each single occurrence for injury to or destruction of property.

Yellow Cab shall not commence operations under the franchise until it has obtained all the insurance required for the franchise and such insurance has been approved by the City Attorney. All insurance policies provided under the franchise shall be written on an "occurrence" basis and cover every vehicle operated under the franchise.

(2) *Additional insured; waiver of subrogation.* The City shall be named as an additional insured on the commercial general liability policy. The insurance policy shall contain the appropriate additional insured endorsement signed by a person authorized by that insurer to bind coverage on its behalf, and provide a waiver of subrogation in favor of the City.

(3) *Notice of cancellation.* Each insurance policy required by this section shall be endorsed to state that coverage shall not be suspended, voided, canceled, reduced in coverage or in limits, except after thirty (30) days prior written notice has been provided to the City.

(4) *Authorized carriers.* Insurance is to be placed with insurers with a Best's rating of no less than A:VII. The company must also be duly authorized to transact business in the State of Texas.

(5) In the event that any insurance policy is canceled upon the request of the surety or insurer, and no insurance policy is filed by the franchise holder before the cancellation, the franchise to operate taxicabs granted to such person shall be automatically revoked.

Part 8: Manner of Giving Notice.

Notice to Yellow Cab may be given by leaving a written copy thereof at the principal office of Yellow Cab in Temple, Texas, during ordinary business hours. Notice to the City may be given by leaving a written copy thereof at the office of the City Secretary during ordinary business hours.

Part 9: Public Convenience and Necessity.

Yellow Cab has established by clear, cogent and convincing evidence, and the City Council has so found and determined that the present and future convenience and necessity require the operations here authorized to be performed by Yellow Cab and that the public convenience and necessity will be served by the granting of this franchise.

Part 10: This franchise shall become effective thirty (30) days after the final passage and approval of this ordinance, provided that Yellow Cab has filed with the City its written acceptance of the terms and conditions of this franchise.

Part 11: It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such invalid phrase, clause, sentence, paragraph or section.

Part 12: This ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

Part 13: It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on First Reading and Public Hearing on the **7th** day of **April**, 2016.

PASSED AND APPROVED on Second Reading on the **21st** day of **April**, 2016.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney

Agreement of Franchisee

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF TEMPLE,
TEXAS:

The franchisee, Temple Transportation Company, Inc., d/b/a Yellow Cab, acting by and through its duly authorized and empowered officer, hereby accepts the terms and conditions of Ordinance No. 2016-_____, granting a non-exclusive franchise to operate taxicabs upon the public streets and highways of the City of Temple.

SIGNED this _____ day of _____, 2016.

TEMPLE TRANSPORTATION COMPANY, INC.,
d/b/a YELLOW CAB



COUNCIL AGENDA ITEM MEMORANDUM

04/07/16
Item #9
Regular Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Sandra Esqueda, Director of Human Resources/Civil Service Director

ITEM DESCRIPTION: FIRST READING – PUBLIC HEARING: Consider adopting an ordinance amending the classifications of entry-level firefighters and police officers.

STAFF RECOMMENDATION: Conduct public hearing and adopt ordinance as presented on first reading; with second and final reading set for April 21, 2016.

ITEM SUMMARY: The Fire Chief and Police Chief request the addition of Cadet and Probationary positions to the current entry level Firefighter and Police Officer classifications to distinguish newly hired Cadets and Probationary employees from Firefighters and Police Officers who have already obtained state licenses and civil servant status.

Chapter 143.028 requires a civil service employee to serve two years in a position before becoming eligible to test for promotion to the next higher rank. Upon hiring, unlicensed Firefighters and Police Officers must spend six months acquiring the basic certifications required for State licensure by the Texas Commission on Fire Protection/EMT national registry and the Texas Commission on Law Enforcement, respectively. After licensure, Firefighters and Police Officers must complete a 12 month probationary period before achieving fully protected civil service status. Under the current classification system, this 12-18 month period qualifies as part of the two years required for eligibility to test for promotion, and a newly licensed Firefighter or Police Officer is eligible to test for promotion to the next higher rank with as little as six months of experience as a fully certified civil servant in the entry level position. The addition of Cadet and Probationary positions will require newly hired employees to have at least two years of experience as a fully licensed Firefighter or Police Officer, following successful completion of the licensing process and the probationary period, before being eligible to test for promotion.

Upon successful completion of the requirements for certification by the Texas Commission on Fire Protection/EMT national registry or the Texas Commission on Law Enforcement, a Firefighter or Police Officer will automatically advance to the Probationary position. Firefighters and Police Officers who are already licensed at the time they are hired will be placed in the Probationary position. Upon successful completion of all the requirements of the 12 month Probationary position, a Firefighter or Police Officer will automatically advance to the Firefighter or Police Officer position.

The Cadet and Probationary classifications for both the Fire and Rescue Department and the Police Department were approved by the Civil Service Commission on Tuesday, March 22, 2016 at a regular posted meeting.

FISCAL IMPACT: The FY 2016 operating budget included funding for 56 firefighter positions and 98 police officer positions. Cadet and probationary firefighters and police officers will be hired only in such numbers that will not exceed the total authorization for firefighters and police officers and not exceed the total amount budgeted for those positions.

The attached proposed Civil Service pay scale outlines the pay for the new classifications of cadet and probationary firefighters and police officers.

ATTACHMENTS:

[Proposed Civil Service pay scale
Ordinance](#)

PROPOSED FIRE PAY SCHEDULE- to be effective April 22, 2016

Class, Title, Steps, and Time in Grade	Hired Prior to 4/22/16		Hired After 4/22/16	
	Annual	% Between Steps	Annual	% Between Steps
PSI-xxx & PSI-xxx Cadet Cadet	\$ -		\$ 38,610	
PSI-xxx & PSI-xxx Probationary Probationary	\$ -		\$ 40,310 4.40%	
PSI-030 & PSI-031 Firefighter				
1 0-1 Years	\$ 42,085		\$ 42,085 4.40%	
2 1st Anniversary	\$ 44,190 5.00%		\$ 44,190 5.00%	
3 3rd Anniversary	\$ 46,399 5.00%		\$ 46,399 5.00%	
4 5th Anniversary	\$ 48,720 5.00%		\$ 48,720 5.00%	
5 7th Anniversary	\$ 51,155 5.00%		\$ 51,155 5.00%	
6 9th Anniversary	\$ 53,713 5.00%		\$ 53,713 5.00%	
7 15th Anniversary	\$ 56,399 5.00%		\$ 56,399 5.00%	
PSI-032 & PSI-037 Fire Driver				
1 1st Anniversary	\$ 54,757		\$ 54,757	
2 3rd Anniversary	\$ 56,948 4.00%		\$ 56,948 4.00%	
3 5th Anniversary	\$ 58,656 3.00%		\$ 58,656 3.00%	
4 7th Anniversary	\$ 61,002 4.00%		\$ 61,002 4.00%	
5 9th Anniversary	\$ 63,442 4.00%		\$ 63,442 4.00%	
6 15th Anniversary	\$ 65,346 3.00%		\$ 65,346 3.00%	
PSI-033 & PSI-034 Fire Captain				
1 3rd Anniversary	\$ 65,031		\$ 65,031	
2 5th Anniversary	\$ 67,307 3.50%		\$ 67,307 3.50%	
3 7th Anniversary	\$ 69,663 3.50%		\$ 69,663 3.50%	
4 9th Anniversary	\$ 72,101 3.50%		\$ 72,101 3.50%	
5 15th Anniversary	\$ 74,264 3.00%		\$ 74,264 3.00%	
PSI-035 & PSI-036 Deputy Fire Chief				
1 5th Anniversary	\$ 80,301		\$ 80,301	
2 7th Anniversary	\$ 83,112 3.50%		\$ 83,112 3.50%	
3 9th Anniversary	\$ 86,019 3.50%		\$ 86,019 3.50%	
4 15th Anniversary	\$ 89,031 3.50%		\$ 89,031 3.50%	
PSI-038 Asst. Fire Chief				
1 7th Anniversary	\$ 89,904		\$ 89,904	
2 9th Anniversary	\$ 93,051 3.50%		\$ 93,051 3.50%	
3 15th Anniversary	\$ 96,307 3.50%		\$ 96,307 3.50%	

PROPOSED POLICE PAY SCHEDULE- to be effective April 22, 2016

Class, Title, Steps, and Time in Grade	Hired Prior to 4/22/16		Hired After 4/22/16	
	Annual	% Between Steps	Annual	% Between Steps
PSI-xxx & PSI-xxx Cadet				
Cadet	\$ -		\$ 41,725	
PSI-xxx & PSI-xxx Probationary				
Probationary	\$ -		\$ 43,525	4.31%
PSII-021 Police Officer				
1 0-1 Years	\$ 45,480		\$ 45,480	4.49%
2 1st Anniversary	\$ 49,120	8.00%	\$ 49,120	8.00%
3 3rd Anniversary	\$ 52,558	7.00%	\$ 52,558	7.00%
4 6th Anniversary	\$ 55,187	5.00%	\$ 55,187	5.00%
5 10th Anniversary	\$ 57,945	5.00%	\$ 57,945	5.00%
6 15th Anniversary	\$ 60,844	5.00%	\$ 60,844	5.00%
7 20th Anniversary	\$ 63,885	5.00%	\$ 63,885	5.00%
PSII-022 Corporal				
3 3rd Anniversary	\$ 55,187		\$ 55,187	
4 6th Anniversary	\$ 57,945	5.00%	\$ 57,945	5.00%
5 10th Anniversary	\$ 60,844	5.00%	\$ 60,844	5.00%
6 15th Anniversary	\$ 63,885	5.00%	\$ 63,885	5.00%
7 20th Anniversary	\$ 67,080	5.00%	\$ 67,080	5.00%
PSII-023 Police Sergeant				
3 3rd Anniversary	\$ 65,218		\$ 65,218	
4 6th Anniversary	\$ 68,153	4.50%	\$ 68,153	4.50%
5 10th Anniversary	\$ 71,220	4.50%	\$ 71,220	4.50%
6 15th Anniversary	\$ 74,425	4.50%	\$ 74,425	4.50%
7 20th Anniversary	\$ 77,775	4.50%	\$ 77,775	4.50%
PSII-024 Police Lieutenant				
3 5th Anniversary	\$ 77,774		\$ 77,774	
4 8th Anniversary	\$ 81,274	4.50%	\$ 81,274	4.50%
5 12th Anniversary	\$ 84,932	4.50%	\$ 84,932	4.50%
6 16th Anniversary	\$ 88,755	4.50%	\$ 88,755	4.50%
7 20th Anniversary	\$ 92,748	4.50%	\$ 92,748	4.50%
PSII-025 Deputy Police Chief				
4 7th Anniversary	\$ 90,155		\$ 90,155	
5 12th Anniversary	\$ 94,661	5.00%	\$ 94,661	5.00%
6 16th Anniversary	\$ 98,448	4.00%	\$ 98,448	4.00%
7 20th Anniversary	\$ 102,387	4.00%	\$ 102,387	4.00%

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AMENDING THE CLASSIFICATIONS AND POSITIONS OF ENTRY LEVEL POLICE OFFICERS AND FIREFIGHTERS, ADDING ENTRY LEVEL CADET AND PROBATIONARY CLASSIFICATIONS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, Chapter 143 of the Local Government Code requires that the City Council establish, by ordinance, the civil service classifications for the Temple Fire & Rescue and Temple Police Departments;

Whereas, currently, the Temple Police Department and Temple Fire & Rescue have single entry level positions for police officers and firefighters - employees in these positions spend twelve to eighteen months attending academy training, obtaining required state certifications and achieving civil service status;

Whereas, Chapter 143.028(a) provides that a member of the classified service is eligible to test for promotion to the next higher rank after two years in the current rank - acquiring the judgment, skills and experience to successfully perform the duties of the rank above that of police officer or fire fighter requires more than two years of service in the entry level ranks;

Whereas, establishing an entry level Cadet classification for those employees who have not completed academy training or the requirements to obtain State certification will distinguish the Cadet position from the next higher probationary classification and a Cadet will automatically advance to the Probationary classification upon successful completion of all requirements for certification by the State;

Whereas, establishing an entry level Probationary position for certified employees serving the twelve month probationary period required to obtain civil service status will distinguish the Probationary classification from the rank of Police Officer or Firefighter and a Probationary employee will automatically advance to the rank of Police Officer or Firefighter upon successful completion of all aspects of the Probationary position;

Whereas, an employee must serve at least two years in the rank of Police Officer or Firefighter in order to be eligible to test for promotion to the next higher rank;

Whereas, on March 22, 2016, the Civil Service Commission approved the addition of Cadet and Probationary positions to the Police Officer and Firefighter classifications for the purpose of distinguishing service in those positions from service in the rank of Police Officer or Firefighter;

Whereas, Local Government Code Section 143.014 states that the City Council may authorize the addition of positions within the Temple Police Department and Temple Fire and Rescue Department and therefore Staff recommends Council authorize these additional positions;

Whereas, the fiscal year 2016 budget included funding for 56 Firefighter positions and 98 Police Officer positions - Cadet and Probationary Firefighters and Police Officers will be hired only in such numbers that will not exceed the total authorization for Firefighters and Police Officers and not exceed the total amount budgeted for those positions; and

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

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

Part 1: The City Council amends the Classifications and positions of Certified Firefighters to add entry level Cadet and Probationary classifications.

Part 2: Council establishes the following Classifications and the number of positions of Certified Firefighters and classifications for civil service positions in the Fire Department:

CLASSIFICATIONS AND POSITIONS OF CERTIFIED FIREFIGHTERS

I. UNCLASSIFIED POSITIONS

A. *FIRE CHIEF* – 1 Position

The Fire Chief is appointed by the City Manager. No person shall be eligible for appointment as Chief of the Fire Department who is not eligible for certification by the Commission on Fire Protection Personnel Standards and Education at the intermediate level, or its equivalent as determined by that Commission, and who has not served at least 5 years as a fully paid firefighter.

II. CLASSIFIED POSITIONS

A. ASSISTANT CHIEF – 1 Position

No person shall be eligible for appointment as Assistant Chief who has not served continuously in the Department in a rank not lower than that of Captain, for at least two years.

B. *DEPUTY CHIEF* – 4 Positions

No person shall be eligible for appointment as a Deputy Chief who has not served continuously in the Department, as a Captain, for at least 2 years. In addition to base pay, every Deputy Chief having 5, 7, 9 or 15 years of service in the Department shall receive the amount shown on the attached compensation plan for such increments of seniority.

C. *CAPTAIN* – 26 Positions

No person shall be eligible for appointment as a Captain who has not served continuously in the Department, as a Driver, for at least 2 years. In addition to base pay, every Captain having 3, 5, 7, 9 or 15 years of service in the Department shall receive the amount shown on the attached compensation plan for such increments of seniority.

D. *DRIVER* – 30 Positions

No person shall be eligible for appointment as a Driver who has not served continuously in the Department, as a Firefighter, for at least 2 years. In addition to base pay, every Driver having 3, 5, 7, 9 or 15 years of service in the Department shall receive the amount shown on the attached compensation plan for such increments of seniority.

E. *FIREFIGHTER* – 56 Positions

1. *FIREFIGHTER*: No person shall be eligible for appointment as a Firefighter who does not meet all requirements necessary to become eligible for future classification by the Commission on Fire Protection Personnel Standards and Education. In addition to base pay, every Firefighter having 1, 3, 5, 7, 9 or 15 years of service in the Department shall receive the amount shown on the attached compensation plan for such increments of seniority.

2. *PROBATIONARY FIREFIGHTER*: Only TCFP and Nationally Registered EMT certified personnel in this state shall occupy this classification until the end of their probationary status. Upon successful completion of all aspects of the Probationary position, the Probationary employee shall automatically advance to the Firefighter position.

Probationary firefighters, hired on a probationary status for the period prescribed by law, may be hired only in such numbers as, together with Cadet firefighters, will not exceed the vacancies in the total authorization for Firefighters and shall, during their period of probation, receive the pay allotted to them by the budget.

3. *CADET FIREFIGHTER*: An employee not certified in this state shall start in this classification. Upon successful completion of the requirements for certification by the Texas Commission on Fire Protection (TCFP) and the EMT National Registry, the Cadet shall automatically advance to the Probationary position.

Cadet firefighters may be hired only in such numbers as, together with Probationary firefighters, will not exceed the vacancies in the total authorization for Firefighters and shall, during their period of probation, receive the pay allotted to them by the budget.

Part 3: The City Council amends the Classifications and positions of Certified Police Officers to add entry level Cadet and Probationary classifications.

Part 4: Council establishes the following Classifications and the Number of Positions of Certified Police Officers and Classifications for civil service positions in the Police Department:

CLASSIFICATIONS AND POSITIONS OF CERTIFIED POLICE OFFICERS

I. UNCLASSIFIED POSITIONS

A. *POLICE CHIEF* – 1 Position

The Police Chief is appointed by the City Manager. No person shall be eligible for appointment as Chief of the Police Department who is not eligible for certification by the Texas Commission on Law Enforcement (TCOLE) at the intermediate level or its equivalent as determined by that Commission, and who has not served as a bona fide law enforcement officer for at least 5 years.

II. CLASSIFIED POSITIONS

B. *DEPUTY CHIEF* – 2 Positions

Deputy Chiefs are appointed by the Police Chief. No person shall be eligible for appointment as a Deputy Chief who has not served continuously in the Department as a licensed peace officer for at least 2 years.

C. *LIEUTENANT* – 5 Positions

No person shall be eligible for appointment as a Lieutenant who has not served continuously as a Sergeant in the Department for at least 2 years.

D. *SERGEANT* – 16 Positions

No person shall be eligible for appointment as a Sergeant who has not served continuously in the Department as a Corporal for at least 2 years.

E. *CORPORAL* – 22 Positions

No person shall be eligible for appointment as a Corporal who has not served continuously as a police officer in the Department for at least 2 years.

F. *POLICE OFFICER* – 98 Positions

1. *POLICE OFFICER*: Only TCOLE certified personnel in this state shall occupy this classification upon completion of their probationary status.
2. *PROBATIONARY POLICE OFFICER*: Only TCOLE certified personnel in this state shall occupy this classification upon the end of their probationary status. Upon successful completion of all aspects of the Probationary position, the Probationary employee shall automatically advance to the Police Officer position.

Probationary police officers, hired on a probationary status for the period prescribed by law, may be hired only in such numbers as, together with Cadet police officers, will not exceed the vacancies in the total authorization for Police Officers and shall, during their period of probation, receive the pay allotted to them by the budget.

3. *CADET POLICE OFFICER*: An employee not certified in this state shall start in this classification. Upon successful completion of the requirements for certification by the Texas Commission on Law Enforcement, the Cadet shall automatically advance to the Probationary position.

Cadet police officers may be hired only in such numbers as, together with Probationary police officers, will not exceed the vacancies in the total authorization for Police Officers and shall, during the period of time that they occupy this position, receive the pay allotted to them by the budget.

Part 5: If any provision of this ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

Part 6: This ordinance shall take effect **April 21, 2016**.

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

PASSED AND APPROVED on First Reading and Public Hearing on the **7th** day of **April, 2016**.

PASSED AND APPROVED on Second Reading on the **21st** day of **April, 2016**.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, MAYOR

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

04/07/16
Item #10
Regular Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Nicole Torralva, P.E., Public Works Director
Kenny Henderson, Transportation Director

ITEM DESCRIPTION: FIRST READING – PUBLIC HEARING – Consider adopting an ordinance establishing the prima facie speed limit on the US Loop 363 frontage road, within the City limits.

STAFF RECOMMENDATION: Conduct public hearing and adopt ordinance as presented in item description, on first reading, and schedule second reading and final adoption for April 21, 2016.

ITEM SUMMARY: Based on Traffic Engineering Studies by the State, TxDOT has requested that the City adopt an ordinance setting the prima facie speed limit on US Loop 363. The section of highway is described as follows:

From SH 36-53 to IH 35 on US Loop 363 the speed limit shall be 50mph.

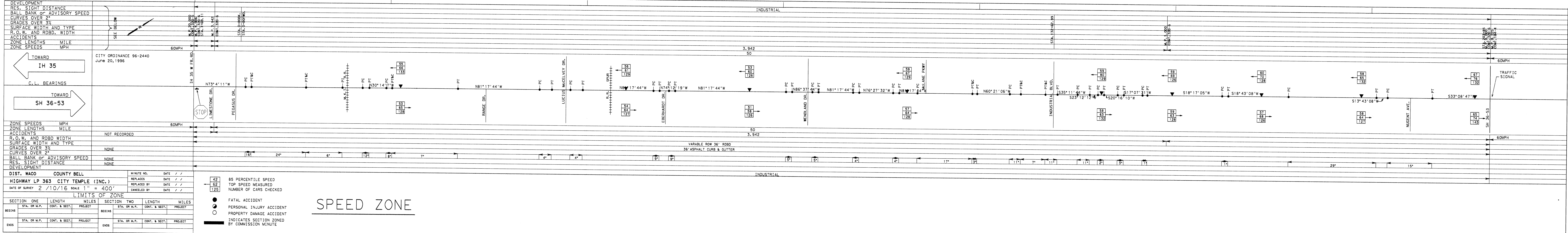
Currently this section of US 363 from SH 36-53 to Industrial Boulevard is 60 mph. TxDOT has determined that the prima facie speed limit shall be 50 MPH.

The City of Temple is required by TxDOT to re-adopt this speed limit at this time with changes being posted.

FISCAL IMPACT: None

ATTACHMENTS:

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



ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, ESTABLISHING THE PRIMA FACIE SPEED LIMIT ON THE US LOOP 363 FRONTAGE ROAD, WITHIN TEMPLE CITY LIMITS; PROVIDING A REPEALER; PROVIDING FOR A PENALTY FOR VIOLATIONS NOT TO EXCEED \$500 FOR EACH VIOLATION; PROVIDING AN EFFECTIVE DATE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, based on Traffic Engineering Studies performed by the State of Texas, the Texas Department of Transportation (“TxDOT”) has requested that the City adopt an Ordinance setting the prima facie speed limit on US Loop 363 - the section of highway is described as follows:

- From SH 36-53 to IH 35 on US Loop 363 the speed limit shall be 50 mph;

Whereas, currently this section of US 363 from SH 36-53 to Industrial Boulevard is 60 mph and TxDOT has determined that the prima facie speed limit shall be 50 mph;

Whereas, the City of Temple is required by TxDOT to re-adopt this speed limit at this time with changes being posted; and

Whereas, the City Council has considered the matter and deems it in the public interest to approve this prima facie speed limit for the benefit of the citizens for the promotion of the public health, welfare, and safety.

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

Part 1: The City Council finds that the reasonable and prudent prima facie maximum speed limit for vehicular traffic from SH 36-53 to IH 35 on US Loop 363 is 50 miles per hour.

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

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

Part 4: A person who violates a provision of this ordinance is guilty of a separate offense for each day or portion of a day which the offense is committed, continued, or permitted, and each offense is punishable by a fine not to exceed \$500.

Part 5: If any provision of this ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

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

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

PASSED AND APPROVED on First Reading on the 7th day of **April**, 2016.

PASSED AND APPROVED on Second Reading on the 21st day of **April**, 2016.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

04/07/16
Item #11
Regular Agenda
Page 1 of 7

DEPARTMENT / DIVISION SUBMISSION & REVIEW:

Mark Baker, Senior Planner

ITEM DESCRIPTION: FIRST READING - PUBLIC HEARING - Z-FY-16-16 - Consider adopting an ordinance authorizing a rezoning from Agriculture (AG) district to Single Family One (SF-1) district, on 5.888 +/- acres, situated in the Mary Cherry Survey, Abstract No. 175, Bell County, Texas, located at 4516 Hickory Road.

PLANNING & ZONING COMMISSION RECOMMENDATION: At their March 7, 2016 meeting, the Planning & Zoning Commission voted 7 to 0 to recommend approval of the proposed rezoning from AG to SF-1, as presented by staff.

Discussion at the meeting included the following topics:

1. Loss of natural habitat and vegetation,
2. Safety concerns as a result of increased traffic,
3. Drainage, and
4. Proposed density

It should be noted that in response to the above, the applicant indicated that consideration will be made to retain as many of the existing trees that design will allow. In addition to traffic calming devices such as speed humps, staff is exploring the feasibility of a number of alternatives for enhanced pedestrian, bicycle and vehicular safety. According to the City of Temple Streets Department, speed humps are typically not placed on 3-lane collectors but are located as part of the City's Traffic Calming Methods Policy. Placement needs to meet certain warrants to qualify and the warrants are much more stringent than on local roads such as Stratford Drive. In light of this, the Street Department, is exploring other options and reviewing Policy to see what traffic calming measures Hickory Road qualifies for.

According to the Institute of Transportation Engineers (ITE) 9th Edition, 1.00 peak hour trip per detached single family residence would be anticipated to be generated or approximately 12 peak hour trips as a result the proposed subdivision. This increase would be considered by transportation industry standards to be insignificant. Lastly, the SF-1 zoning district requires a minimum lot size of 7,500 square feet with the smallest lot being proposed with 12,015 square feet. Therefore, the subdivision with a proposed average lot size of 18,112.75 square feet, could have the proposed density doubled and still meet minimum zoning.

STAFF RECOMMENDATION: Based on the following, staff recommends approval for a rezoning from Agriculture (AG) district to Single family One (SF-1) district for the following reasons:

1. Proposed trail connectivity to Lions Park from the surrounding residential neighborhood and on-site tree preservation, help meet the objectives of the Future Land Use Plan's (FLUP) Parks and Open Space District;
2. The proposed zoning is compatible with surrounding zoning and uses;
3. The request complies with the Thoroughfare Plan; and
4. Public facilities are available to serve the subject property.

ITEM SUMMARY: The applicant, Arnold Builders, represented by Bobby Arnold, requests rezoning of 5.88 +/- acres of land from Agriculture (AG) to Single-Family One (SF-1), anticipated to be developed with a 12-lot single-family subdivision.

The location of the proposed rezoning, is bordered on the south by Lions Park Drive, which is the gateway to Lions Park. While currently zoned Agriculture, which allows single family residential development with a minimum 1 acre lot size, the district is used primarily as a holding-zone for land after annexation or used for areas containing rural land uses or undeveloped acreage that is not anticipated to be put to an urban use in the immediate future.

A companion Preliminary Plat, with the proposed name of Park Ridge, (P-FY-16-18) was reviewed by the Development Review Committee (DRC) for the same 5.88 +/- acre tract of land on February 25, 2016. The plat is proposed as a 12-Lot, 1 Block, single-family residential subdivision with lots ranging from 12,015 square feet to 21,249 square feet in area. The project site is densely vegetated and while subdivision development will remove substantial amounts of existing vegetation, due to its gateway location, efforts should be made to preserve as much of the vegetation as possible. Additional discussion about conservation efforts are found in the Future Land Use Plan section.

The plat will be scheduled for review by the Planning & Zoning Commission, when the plat is deemed administratively complete. Additional discussion about the preliminary plat can be found in the Temple Trails Master Plan Map and Sidewalks Ordinance section of this report.

While it is anticipated the property will be developed with detached single-family homes, there are a number of residential and non-residential uses that are permitted by right in the SF-1 zoning district. The uses allowed in the SF-1 district, include but are not limited to:

Permitted & Conditional Use Table - Single Family One (SF-1)	
Agricultural Uses	* Farm, Ranch or Orchard
Residential Uses	* Single Family Residence (Detached) * Industrialized Housing * Family or Group Home
Retail & Service Uses	* None
Commercial Uses	* None

Industrial Uses	* Temporary Asphalt & Concrete Batching Plat (CUP)
Recreational Uses	* Park or Playground * Playfield or Stadium (CUP)
Vehicle Service Uses	* None
Restaurant Uses	* None
Overnight Accommodations	* None
Transportation Uses	* None

In contrast, under the current Agriculture (AG) zoning, residential and non-residential uses that are permitted by right, include but are not limited to:

Permitted & Conditional Use Table - Agriculture (AG)	
Agricultural Uses	* Farm, Ranch or Orchard * Livestock Auction (CUP) * Kennel (No Vet Hosp.) (CUP)
Residential Uses	* SF Residence (Detached) * Industrialized Housing * Family or Group Home * Home for the Aged (CUP)
Retail & Service Uses	* Exercise Gym * Veterinary Hosp. (Kennels)
Commercial Uses	* None
Industrial Uses	* Temporary Asphalt & Concrete Batching Plat (CUP) * Laboratory, medical, dental, scientific or research * Recycling collection location
Recreational Uses	* Roller or Ice Rink (CUP) * Park or Playground * Day Camp for Children * Drag Strip or Commercial Racing
Vehicle Service Uses	* None
Restaurant Uses	* None
Overnight Accommodations	* Recreational Vehicle Park (CUP)
Transportation Uses	* Airport or landing field (CUP) * Helistop / Heliport (CUP)

The surrounding uses, zoning and Future Land Use Plan designation, based on direction from the subject property are described as follows:

Surrounding Property & Uses			
Direction	FLUP	Zoning	Current Land Use
Site	Parks & Open Space	AG	Undeveloped
North	Neighborhood Conservation	SF-1	Single Family Uses (Willow Ridge)
South	Parks & Open Space	SF-1	SF Residential
East	Neighborhood Conservation	SF-1	SF Residential Uses (Ramblewood 3 rd Unit)
West	Parks & Open Space	AG	Lions Park

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

Document	Policy, Goal, Objective or Map	Compliance?
CP	Map 3.1 - Future Land Use Plan (FLUP)	NO
CP	Map 5.2 - Thoroughfare Plan	YES
CP	Goal 4.1 - Growth and development patterns should be consistent with the City's infrastructure and public service capacities	YES
STP	Temple Trails Master Plan Map and Sidewalks Ordinance	YES

CP = Comprehensive Plan STP = Sidewalk and Trails Plan

Future Land Use Plan (FLUP) (CP Map 3.1)

The subject property is entirely within the Parks and Open Space land use district. The Park and Open Space district is intended for and includes the local park system and other outdoor recreation areas and open spaces available for public use and enjoyment. Due to its proximity to Lions Park, the original intent for the current designation was presumably for the subject property to be incorporated into Lions Park and was designated Parks and Open Space. The incorporation did not occur but currently retains the designation as such. The subject property, proposed for single family uses as a single family residential subdivision is not consistent with the current Future Land Use Plan designation.

While the proposed rezoning is not consistent, the Goals, Objectives and Action Recommendations identified by the Temple Comprehensive Plan (Choices "08"), related to preservation and conservation of open space can be considered.

As indicated earlier in this report, consideration can be accomplished by trail connectivity from the neighborhood and the selective incorporation the existing vegetation into the overall subdivision lot design. While revisions to the preliminary plat have not been finalized, staff is working closely with the developer for a potential tree preservation strip along Lions Park Drive. Trail / sidewalk connectivity and tree preservation would mitigate the impacts of residential development adjacent to Lions Park. Additional trail discussion can be found in the Temple Trails Master Plan Map and Sidewalks section of this report.

Further, as stated in Choices 08 related to the Quality of Open Space:

Land to be dedicated for eventual park and recreation use, passive open space or potential trail or linear greenway development, development must be useable, safe and accessible to provide a true public benefit.

While it is understood that this property is not being dedicated for public use as parkland or open space, its proximity to the Lions Park warrant the applicability of the goals in order integrate and mitigate the impacts of the residential use.

In conclusion, while the SF-1 zoning is not consistent with the Parks and Open Space Future Land Use designation, impacts can be reduced by:

1. Incorporating existing landscaping into the subdivision lot design;
2. Creating a preservation strip along Lions Park Drive, and
3. Providing trail / sidewalk connection opportunity into the plat,

Since the proposed lot sizes is supported by the Suburban Residential land use district, if the rezoning is approved, the Future Land Use Plan will need to be amended.

Thoroughfare Plan (CP Map 5.2)

The subject property takes access from Hickory Road, a minor arterial road and Lions Park Road, a local street, as identified on the most current Thoroughfare Plan. The preliminary plat for Park Ridge, proposes, one local street as a cul de sac for the 12-lot subdivision. Right-of-way requirements and any improvements will be addressed at the platting stage.

Availability of Public Facilities (CP Goal 4.1)

Water is available through either an existing 12-inch waterline in Hickory Road and Lions Park Drive. At the time of development, water will be extended into the length of a proposed cul-de-sac by a proposed 8-inch waterline. Sewer will need to be extended from an existing 6-inch sewer line in Hickory Road. Further it will be extended the length of a proposed cul-de-sac to serve the subdivision by a proposed 6-inch sewer line.

Temple Trails Master Plan Map and Sidewalks Ordinance

While there is an existing striped bike lane in Hickory Road, the Trails Master Plan does not identify any trail requirements along Hickory Road or Lions Park Drive. However, as a minor arterial, Hickory Road is required to have a 6-foot wide sidewalk on both sides. Sidewalk improvements are addressed at the platting and building permit stages of review. In conjunction with the concurrent platting process, trail and sidewalk connectivity to Lions Park has been discussed. Sidewalk connections leading into

Lions Park, providing pedestrian connectivity to the existing Lions Park Nature Trail, a National Recreation Trail (NRT), as recognized by the National Park Service, would be a benefit.

In addition, staff has discussed the opportunity to extend the proposed required sidewalk along Hickory Road, approximately 160 feet to its intersection with White Oak Drive. The extension of the sidewalk is being explored as a candidate for a 380 Agreement with the potential for 100% reimbursement for sidewalk construction along Hickory Road from the City along with a potential 50/50 cost share for the sidewalk/trail along Lions Park Drive.

Along the Lions Park Drive-portion of the proposed sidewalk / trail, the use of decomposed granite as well as pre-poured sidewalk / trail connections, as an alternative trail material has been discussed with the applicant. The Parks and Recreation Department is supportive of this approach; however, discussions are on-going.

A parkland dedication fee of \$2,700 is required for the residential plat. Staff is exploring using the funds toward tree planting between the sidewalk and backyard fencing of the new development. This use of funds does not require an exception to parkland fees and would be addressed with the subdivision plat. Additional discussion about the platting process can be found in the Item Summary section of this report.

DEVELOPMENT REGULATIONS: Residential setbacks in the Agriculture (AG) & General Retail (GR) districts are:

	Current (AG)	Proposed (SF-1)
Minimum Lot Size	1 Acre	7500 Square Feet
Minimum Lot Width	100 Feet	60 Feet
Minimum Lot Depth	150 Feet	100 Feet
Front Setback	50 Feet	25 Feet
Side Setback	15 Feet	10% of Lot Width – Max 7.5 Feet
Side Setback (corner)	15 Feet	15 Feet
Rear Setback	10 Feet	10 Feet
Max Building Height	3 Stories	2 Stories

PUBLIC NOTICE: Twenty-six notices to property owners within 200-feet of the subject property were sent notice of the public hearing as required by State law and City Ordinance. As of Tuesday March 29, 2016 at 12:00 PM, one notice in agreement and eight notices in disagreement have been received.

The newspaper printed notice of the public hearing on February 25, 2016, in accordance with state law and local ordinance.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

Site and Surrounding Property Photos
Preliminary Plat for Park Ridge subdivision (Exhibit A)
Aerial Map
Zoning Map
Future Land Use and Character Map
Thoroughfare & Trails Map
Utility Map
Notification Map
Returned Property Notices
Ordinance

Site & Surrounding Property Photos



Site – Hickory Road Frontage: Undeveloped (AG)



Site – Lions Park Drive Frontage: Undeveloped (AG)



North: Single-Family Uses in Willow Ridge subdivision (SF-1)



North: Close-up view of mature vegetation on subject property (as seen from) adjacent SF residences in Willow Ridge subdivision (SF-1 & AG)



South: Undeveloped Grazing Land (SF-1)



**East: Single Family Uses
Ramblewood 3rd Unit subdivision
(SF-1)**



**East: Single Family Residential Uses
Ramblewood 3rd Unit subdivision
(SF-1)**



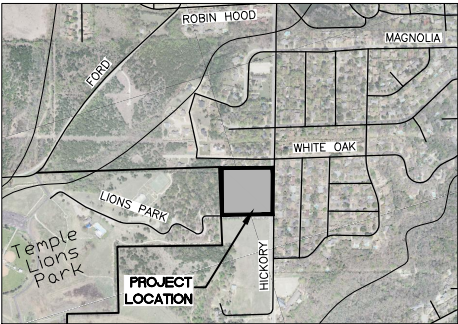
West: Lions Park (AG)



West: Approx. Boundary between Lions Park & Project Site (AG)



West: Lions Park Nature Trail (AG)



DEVELOPER:

ARNOLD BUILDERS
5297 SOUTH 31ST SUITE 109, TEMPLE, TEXAS 76502

REGISTERED PROFESSIONAL LAND SURVEYOR:

ALL COUNTY SURVEYING, INC.
1903 S. 21ST STREET, TEMPLE, TEXAS 76504

REGISTERED PROFESSIONAL ENGINEER:

CLARK & FULLER, PLLC
215 N. MAIN STREET, TEMPLE, TEXAS 76501

OWNER:

BOBBY ARNOLD
(254) 742-1072

DEVELOPMENT STATISTICS:

TOTAL ACREAGE: 5.90 ACRES
TOTAL DEVELOPED RESIDENTIAL LOTS: 12

GENERAL NOTES:

1. STORM DRAINAGE SHALL BE DESIGNED IN ACCORDANCE WITH THE CITY OF TEMPLE'S DRAINAGE ORDINANCE.
2. BASED UPON WHAT CAN BE SCALED FROM THE GRAPHICS SHOWN ON FEDERAL INSURANCE RATE MAP (FIRM), MAP NUMBER 48027C0335E, DATE SEPTEMBER 26, 2008, THE ABOVE SHOWN PROPERTY DOES NOT APPEAR WITHIN THE "SPECIAL FLOOD HAZARD AREA." THIS FLOOD STATEMENT DOES NOT IMPLY THAT THIS TRACT WILL NEVER FLOOD, NOR DOES IT CRETE ANY LIABILITY IN SUCH EVENT ON THE PART OF THIS SURVEYOR OR COMPANY.

STATE OF TEXAS

COUNTY OF BELL

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

STATE OF TEXAS
MONTY L. CLARK
90894
LICENSED PROFESSIONAL ENGINEER
10-12-15
MONTY L. CLARK
REGISTRATION NUMBER 90894

RECOMMENDED FOR PRELIMINARY APPROVAL:

CITY ENGINEER DATE:

RECOMMENDED FOR PREPARATION OF FINAL PLAT

CHAIRMAN, PLANNING AND ZONING COMMISSION DATE:

SECRETARY, PLANNING AND ZONING COMMISSION DATE:

BELL COUNTY HEALTH DISTRICT DATE:



Date: Revisions Remarks:

PRELIMINARY PLAT

DRAWING STATUS
THESE DRAWINGS WERE PREPARED UNDER THE AUTHORITY OF MONTY L. CLARK P.E. 90894, CLARK & FULLER, PLLC FIRM NO. F-10384...
☒ THIS DOCUMENT IS RELEASED FOR THE PURPOSES OF INTERIM REVIEW ONLY. NO GUARANTEE OR CONSTRUCTION OF A COMPLETE ISSUE FOR CONSTRUCTION CAN BE CONSIDERED COMPLETE.
☐ FOR CONSTRUCTION
☐ FINAL DRAWINGS

PARK RIDGE
SINGLE PHASE RESIDENTIAL
DEVELOPMENT
Temple, Texas



Project No: 151584.00
Plot Date: 10-12-15
Designed By: MLC
Drawn By: LLW

C1.1



Address :
4516 Hickory Road

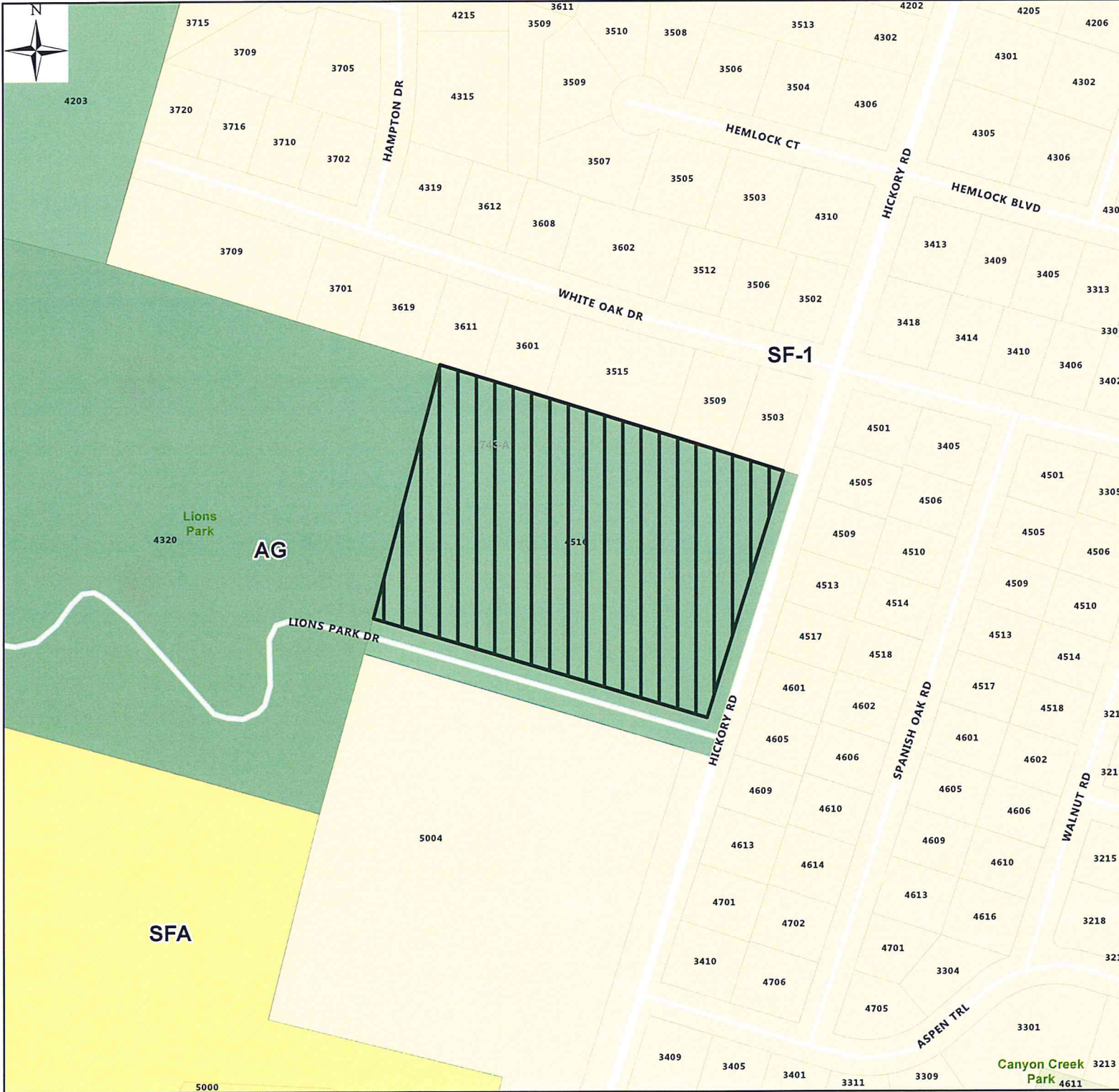
Streets

-
- EXPRESSWAY
 - MAJOR ARTERIAL
 - COLLECTOR
 - LOCAL STREET
 - MINOR ARTERIAL
 - PRIVATE
 - RAMP
 - Railroad
 - Temple Municipal Boundary
 - Parcels
 - ETJ Parcels
 - CaseArea

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

mbaker
Date: 1/25/2016





AG to SF-1

ZONING MAP

Zoning Case :

Z-FY-16-16

Address :

4516 Hickory Road

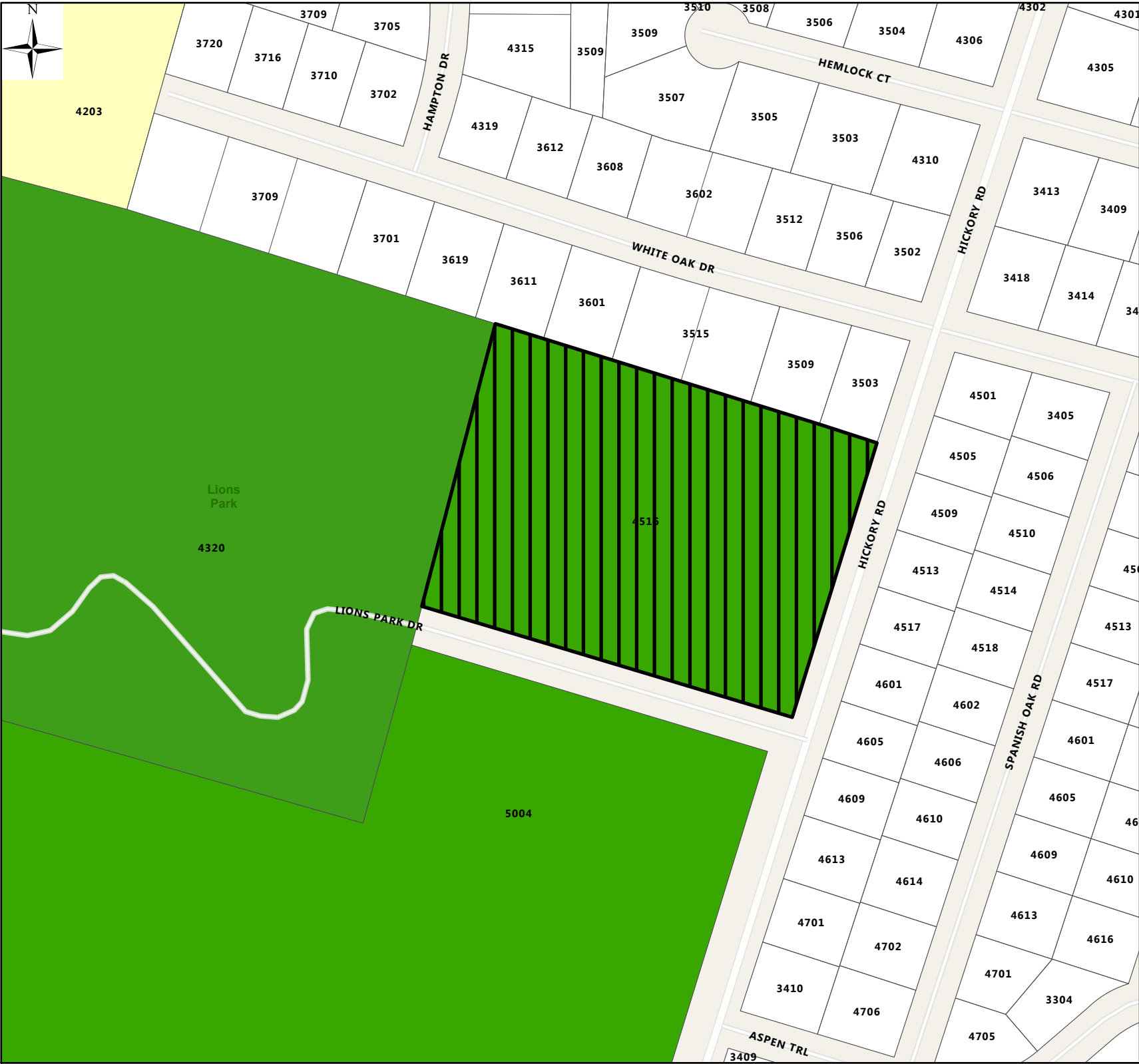
CurrentZoning		
HI - CUP	O-1	AG - CUP
UE	O-1 - CUP	MH
UE - PD	O-1 - PD	MH - CUP
SF-1	O-2	MH - PD
SF-1 - CUP	O-2 - CUP	MU
SF-1 - PD	O-2 - PD	MU - CUP
SF-2	NS	SD-C
SF-2 - PD	NS - CUP	SD-C - CUP
SF-3	NS - PD	SD-H
SF-3 - PD	GR	SD-H - CUP
SF-3 - CUP, PD	GR - CUP	SD-T
SFA	GR - PD	SD-V
SFA-2	GR - CUP, PD	T4
SFA-2 - PD	CA	T4 - PD
SFA-3	CA - CUP	T4 - CUP
SFA-3 - PD	CA - PD	T5-C
2F	C	T5-C - CUP
2F - CUP	C - CUP	T5-C - PD
2F - PD	C - PD	T5-E
MF-1	C - CUP, PD	T5-E - CUP
MF-1 - CUP	LI	T5-E - PD
MF-1 - PD	LI - CUP	NO BASE
MF-2	LI - PD	CUP
MF-2 - CUP	LI - CUP, PD	PD
MF-2 - PD	HI	CaseArea
MF-3 - PD	HI - PD	Buffer
	AG	

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

mbaker

Date: 1/25/2016





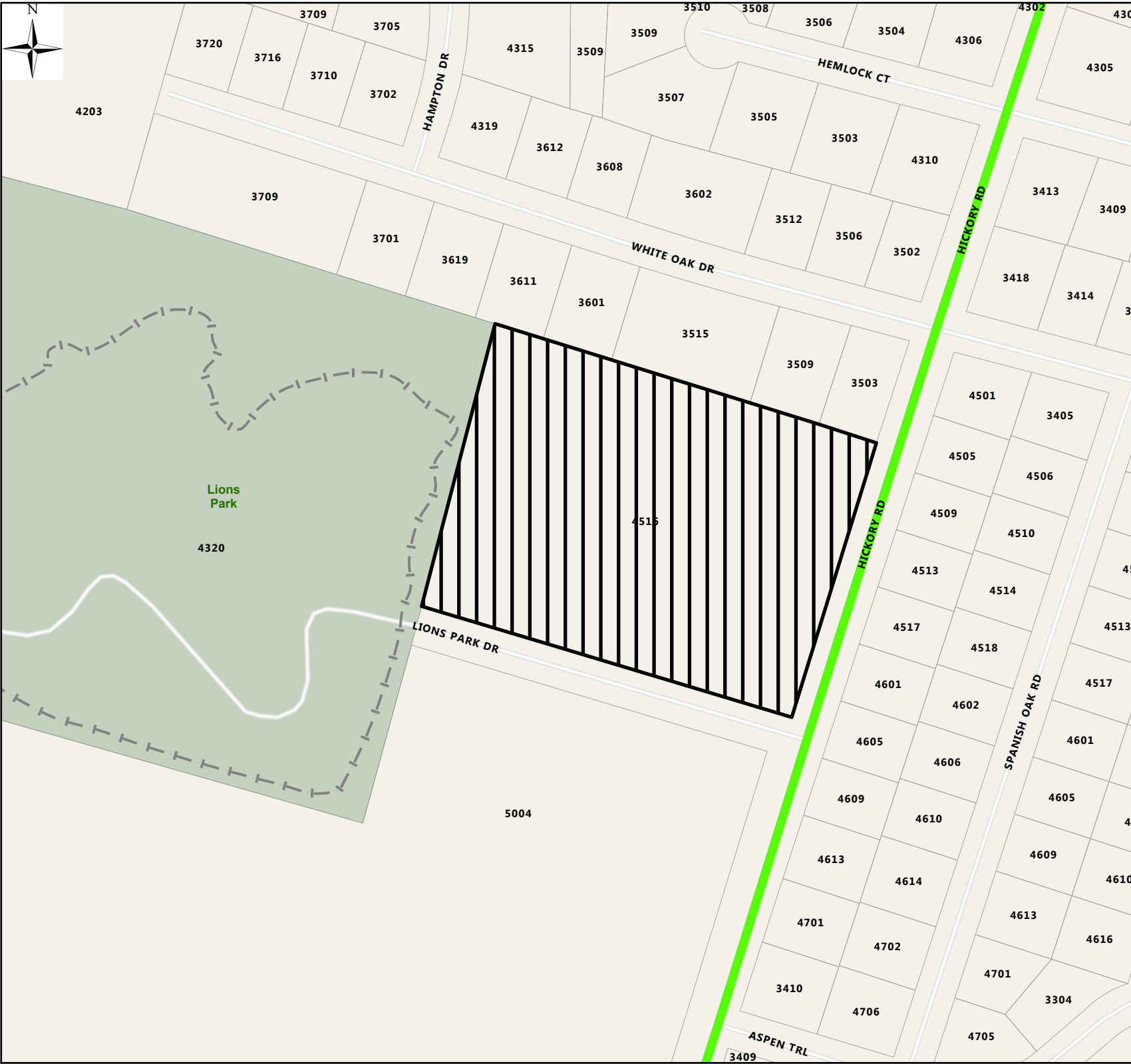
AG to SF-1
FUTURE LAND
USE MAP
Zoning Case :
Z-FY-16-16
Address :
4516 Hickory Road

- EXPRESSWAY
- MAJOR ARTERIAL
- COLLECTOR
- LOCAL STREET
- MINOR ARTERIAL
- PRIVATE
- RAMP
- Parcels
- Future LUP
 - Agricultural/Rural
 - Auto-Urban Commercial
 - Auto-Urban Mixed Use
 - Auto-Urban Multi-Family
 - Auto-Urban Residential
 - Business Park
 - Estate Residential
 - Industrial
 - Neighborhood Conservation
 - Parks & Open Space
 - Public Institutional
 - Suburban Commercial
 - Suburban Residential
 - Temple Medical Education District
 - Urban Center
- CaseArea

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

mbaker
Date: 1/25/2016





AG to SF-1 THOROUGHFARE AND TRAILS MAP

Zoning Case :
Z-FY-16-16
Address :
4516 Hickory Road

- Parcels
- Thoroughfare Plan
 - Expressway
 - Major Arterial
 - Proposed Major Arterial
 - Minor Arterial
 - Proposed Minor Arterial
 - Collector
 - Proposed Collector
- Trails Master Plan
 - EXISTING, CITY WIDE SPINE
 - EXISTING, COMMUNITY WIDE CONNECTOR
 - EXISTING, LOCAL CONNECTOR
 - PROPOSED, CITY WIDE SPINE
- PROPOSED, COMMUNITY WIDE CONNECTOR
- PROPOSED, LOCAL CONNECTOR
- CaseArea

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

mbaker
Date: 1/25/2016





AG to SF-1

UTILITY MAP

Zoning Case :
Z-FY-16-16

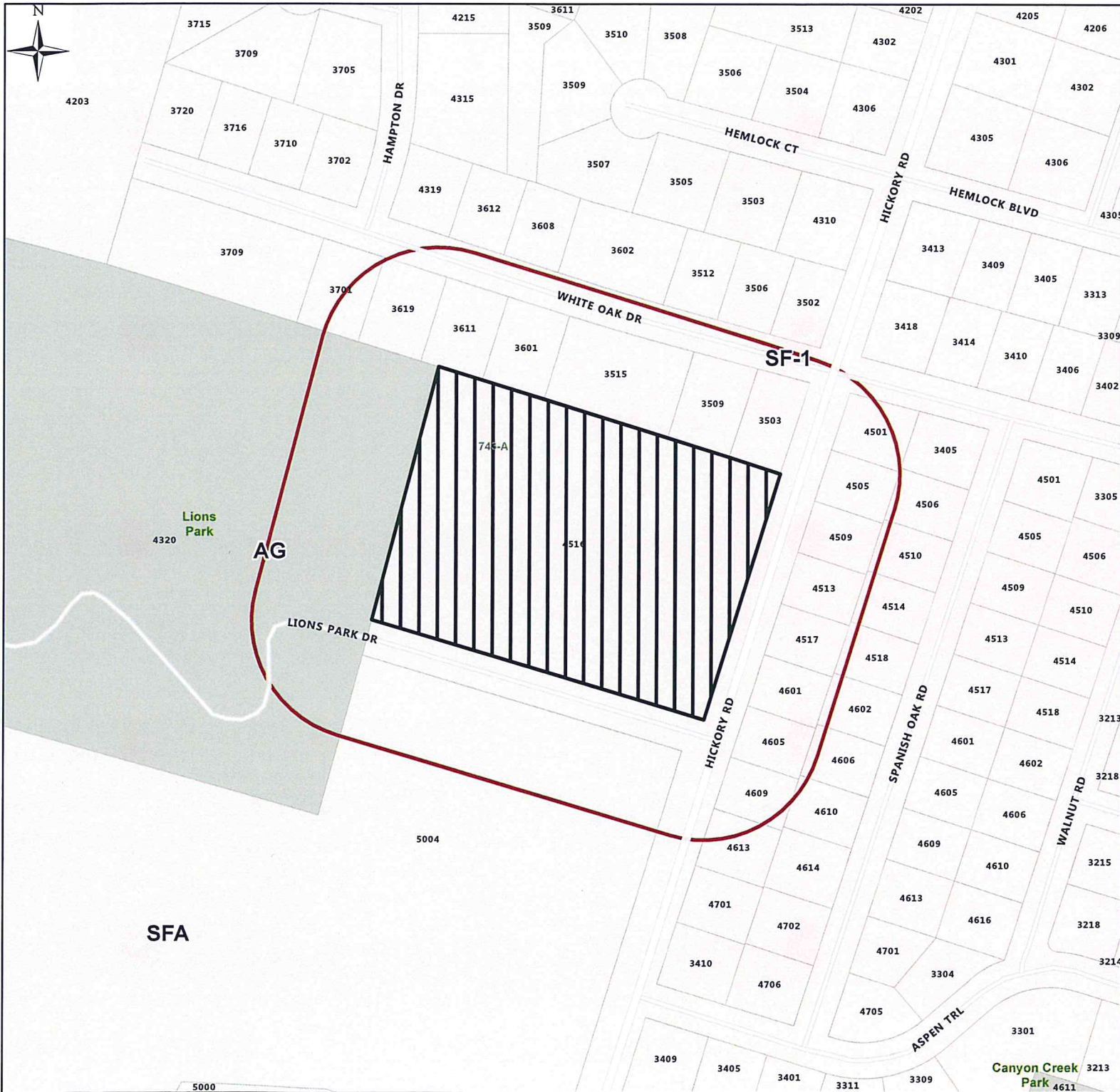
Address :
4516 Hickory Road

- Manhole
- Gravity Main
- ✚ Hydrant
- Main
- Parcels
- ▨ CaseArea

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

mbaker
Date: 1/25/2016





AG to SF-1

200' NOTIFICATION MAP

Zoning Case :

Z-FY-16-16

Address :

4516 Hickory Road

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

mbaker

Date: 1/25/2016



Mark Baker

From: susan evans <sgevans@gmail.com>
Sent: Tuesday, February 23, 2016 4:42 PM
To: Mark Baker
Subject: Re: Proposed Park Ridge Preliminary Plat (12 Single Family Residential Lots)

Yes, you may give them my phone number. My cell is best from 8:00am - 5:30pm - 254.913.4258 and house phone is best in the evening and weekends - 254.778.1599.

I just received this email from one of my neighbors.

The following is a list of concerns and issues that we have in reference to the above proposed development projected to be built directly behind us.

1. Needless to say, we are quite concerned about the number of houses projected to be built on that small amount of acreage.
2. Of course, of great great concern to us is all the drainage that would have to come down on top of us from the rooftops and with all of the erosion from the tree cutting and the new slabs and buildings. Our house is built on incline property (as are most of our neighbors). With the way the water flowed downward this past year with those heavy rains we had, I don't see how we could keep from having a massive flood each and every time anywhere near a heavy rain occurred.
3. Of course, we like the idea of keeping Temple beautiful and that is not going to happen with the destruction of all of those beautiful trees.

Linda Struznik

Thanks again,
Susan Evans

On Tue, Feb 23, 2016 at 4:36 PM, Mark Baker <mbaker@templetx.gov> wrote:

Susan:

I have spoken to one of your neighbors but have not received anything formal back as well. We will present these questions to them tomorrow. The pond question is specific to the engineered design that only their engineer can answer. We may also suggest that perhaps they follow up you. May I give them your direct phone number?

Thank you again for your comments and your participation in the process.

Mark

From: susan evans [mailto:sgevans@gmail.com]

Sent: Tuesday, February 23, 2016 3:51 PM

To: Mark Baker

Subject: Re: Proposed Park Ridge Preliminary Plat (12 Single Family Residential Lots)

Mark,

I believe that you said you are meeting with the Bobby Arnold group tomorrow. The neighborhood has been informed about the property development, but I have not received any questions or comments from others to pass along to you. I think I would just like to ask them some of the questions that I mentioned to you.

Retention Pond

Will there be standing water that will attract mosquitoes?

Depth of standing water that might create a hazard for children or animals.

General Concerns

If property is raised for construction will that cause run off issues for houses on White Oak that back up to that property?

Comment

We do not have a fence, so do they have any suggestions that would help so that we do not have to add a fence?

There are beautiful live oaks in that area. Are they planning to keep as much of those as possible?

I will pass along any other questions or comments that I might receive.

Thank you,

Susan Evans

On Fri, Jan 29, 2016 at 10:03 AM, Mark Baker <mbaker@templetx.gov> wrote:

Good morning Susan:

It was a pleasure visiting with you this morning, as per our conversation, I am attaching a copy of the preliminary plat for your records. It also appears that the developer will have restrictive covenants associated with this subdivision.

As I mentioned, since you own property within the 200-foot notification area, you will be notified by mail of the counterpart rezoning of this 5.9 acre tract. At this time, the anticipated dates for public review are:

March 7th - Planning & Zoning Commission (Public Hearing)

April 7th - City Council (Public Hearing & 1st Reading of the Rezoning Ordinance)

April 21st - City Council (2nd Reading of the Rezoning Ordinance)

Should you have any further questions or concerns, please don't hesitate to contact me directly.

Thank you,

Mark

Mark Baker, Senior Planner

City of Temple – Planning Department

2 North Main Street – Suite 102

Temple, Texas 76501

Phone: [254-298-5274](tel:254-298-5274)



RESPONSE TO PROPOSED
REZONING REQUEST
CITY OF TEMPLE

STRUZNIK, EDWIN V & LINDA M
3503 WHITE OAK
TEMPLE, TX 76502

Zoning Application Number: Z-FY-16-16

Project Manager: Mark Baker

Location: 4516 Hickory Road

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

I recommend () approval ☒ denial of this request.

Comments: Please see attached.

Linda M. Struznik
Signature

Linda M. Struznik
Print Name

Please mail or hand-deliver this comment form to the address shown below, no later than March 7, 2016.

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

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MAR - 7 2016

City of Temple
Planning & Development

Number of Notices Mailed: 25

Date Mailed: February 25, 2016

From: Linda Struznik

Sent: Monday, March 7, 2016 12:15 PM

To: Linda Struznik

Subject: FW: Areas of Concern for Meeting Reference the Proposed Park Ridge Preliminary Plat (12 Single Family Residential Lots), Zoning Application Number Z-FY-16-16

The following is a list of concerns and issues that we have in reference to the above proposed development projected to be built directly behind us.

1. Of course, we are quite concerned about the number of houses projected to be built on that small amount of acreage—not to mention the extra noises and inconveniences.

2. According to research, for water storage for every 1,000 square foot of roof space and ½ inch of rain, one will get 300 gallons of water. The average 2,200 square foot home will have a roof area of between 4,500 to 5,500 square feet, depending on the roof design. This will give off between 1,350 to 1,650 gallons of water run off for each ½ inch of rain received.

3. Needless to say, of great great concern to us is all the drainage that would have to come down on top of us from the rooftops and with all of the erosion from the tree cutting and the new slabs and buildings. Our house and the homes on our side of the street are built on incline property (as are most of our neighbors). With the way the water flowed downward this past year with those heavy rains we had, I don't see how we could keep from having a massive flood in our home each and every time anywhere near a heavy rain occurred.

4. The retention pond is another issue and a great concern, which is certainly subject to many health hazards such as standing water which breeds mosquitos and other health hazards.

5. We purchased this home for our retirement home and have been most happy with it. Of course, we like the idea of keeping Temple beautiful and that is not going to happen with the destruction of all of those beautiful trees and wildlife.

Edwin V. and Linda M. Struznik


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RESPONSE TO PROPOSED
REZONING REQUEST
CITY OF TEMPLE

WAMBOLT, CHERIE L
4513 HICKORY RD
TEMPLE, TX 76502-3002

Zoning Application Number: Z-FY-16-16

Project Manager: Mark Baker

Location: 4516 Hickory Road

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

I recommend () approval

☒ denial of this request.

Comments:

More Traffic, cars already speeding down street
Lights from street
Construction in front of house

Cherie L Wambolt
Signature

Cherie Wambolt
Print Name

Please mail or hand-deliver this comment form to the address shown below, no later than March 7, 2016.

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

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MAR - 7 2016
City of Temple
Planning & Development

Number of Notices Mailed: 25

Date Mailed: February 25, 2016



**RESPONSE TO PROPOSED
REZONING REQUEST
CITY OF TEMPLE**

RAJU, SUMA ETVIR RYAN
3509 WHITE OAK DR
TEMPLE, TX 76502

Zoning Application Number: Z-FY-16-16

Project Manager: Mark Baker

Location: 4516 Hickory Road

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

I recommend () approval ☒ denial of this request.

Comments:

Please see attached


Signature

Suma Raju
Print Name

Please mail or hand-deliver this comment form to the address shown below, no later than March 7, 2016.

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

RECEIVED

MAR - 7 2016

City of Temple
Planning & Development

Number of Notices Mailed: 25

Date Mailed: February 25, 2016

To the Temple Planning and Zoning Commission:

We are strongly opposed to rezoning and developing 4516 Hickory Road. There are many reasons why we believe this would be the wrong decision, but the ones I will address today are beauty, safety, and the city of Temple's future.

My husband and I are both physicians at Baylor Scott and White. On our search for the perfect house and neighborhood, we found lions park and White Oak Drive. We were immediately drawn to the beautiful trees and natural landscape that are incredibly hard to find in the middle of a city. It is the natural beauty of the proposed area that we fell in love with. It's why we bought our house, and why many of our neighbors moved to this area. Destroying this habitat just to build more houses is the wrong decision and does not "keep temple beautiful." More houses can be built in other areas of temple, but this beautiful, untouched land cannot be replicated elsewhere. Many physicians at Scott and white live in cities as far away as Salado, Georgetown and Morgan's point just to find property like the one we have. It would be ashame if the city did not preserve this land.

Another objection is safety. We all know that developing this land will lead to increased water run off during heavy rains. Our street sits at a lower elevation of this land and would definitely suffer from this. We already saw tremendous flooding in our area with the last heavy rainfall, I don't even want to imagine how bad it will be if this land is rezoned and developed. From research I have found, it seems every 1000 square feet of roofed area combined with as little as half an inch of rain, one will get 300 gallons of water. So let's say a 2200 square foot home, which is roughly the size homes that the developer is proposing to build, has a roof that is roughly 4500 to 5500 square feet. That will give off 1350 to 1650 gallons of water run off for each 1/2 inch of rain. We all know storms producing more than half an inch of rain are common in this area, so this is a conservative estimate. Who is going to be responsible for all the property damage that would result from this?

Another safety concern is the retaining pond that had been proposed. As we all know stagnant water increases insects and insect borne disease. Temple already has a mosquito problem and creating areas like this will only add to it. I have 4 year old twins who are always outside playing, building structures which will increase the number of insects and insect borne disease truly makes me worried.

Since we have moved to temple we have seen many positive changes to the area. Development of beautiful parks, strengthening our schools, and making temple beautiful in many ways. Rezoning this land does not follow suit. There is no doubt in our minds that this development will take away from the charm, quiet, and beauty of temple. It will turn this area into just another neighborhood you can find anywhere. From conversations with our colleagues at work it is obvious many professionals who work in Temple do not choose to live here, rezoning areas like this will only add to this. If the city wants people to live in Temple then the city needs to make decisions that keep the city beautiful. That means keeping more green areas, especially when they are as beautiful as the land at 4516 Hickory Road.

These are just a few of the many reasons why approving this rezoning request would be a terrible decision for the city of temple and its future. Please do not approve this rezoning request. Due to work commitments we were unable to attend today's meeting but please do not hesitate to contact us if needed.

Sincerely,
Suma and Ryan Raju
3509 White Oak Drive
Temple, Texas 76502
(210)885-7911
Nan_suma@yahoo.com

RECEIVED
MAR - 7 2016
City of Temple
Planning & Development



**RESPONSE TO PROPOSED
REZONING REQUEST
CITY OF TEMPLE**

PERRY, CHARLES R
4605 HICKORY RD
TEMPLE, TX 76502-3004

Zoning Application Number: Z-FY-16-16

Project Manager: Mark Baker

Location: 4516 Hickory Road

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

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

Comments:

I am not in favor of the possible rezoning of this property in question. I have live here 35 years.

My wife died in July 2013 with DEMENTIA and I have SPINAL STENOSIS for 15 years. We had 60 yrs of marriage.

I am a WWII MARINE and a SURVIVOR of TWO JIMA I hope it is not already been decided O TWO JIMA

Charles Perry
Signature

CHARLES R. PERRY
Print Name

Please mail or hand-deliver this comment form to the address shown below, no later than March 7, 2016.

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

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MAR - 7 2016

City of Temple
Planning & Development

Number of Notices Mailed: 25

Date Mailed: February 25, 2016



**RESPONSE TO PROPOSED
REZONING REQUEST
CITY OF TEMPLE**

JOHNSON, KENNETH W
4501 HICKORY RD
TEMPLE, TX 76502-3002

Zoning Application Number: Z-FY-16-16

Project Manager: Mark Baker

Location: 4516 Hickory Road

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

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

Comments:

*Residential areas need
that buffer zone from Lions Park.*

[Signature]
Signature

K W Johnson
Print Name

Please mail or hand-deliver this comment form to the address shown below, no later than March 7, 2016.

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

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City of Temple
Planning & Development

Number of Notices Mailed: 25

Date Mailed: February 25, 2016



RESPONSE TO PROPOSED
REZONING REQUEST
CITY OF TEMPLE

FEDERWISCH, THOMAS MARVIN
4505 HICKORY RD
TEMPLE, TX 76502-3002

Zoning Application Number: Z-FY-16-16

Project Manager: Mark Baker

Location: 4516 Hickory Road

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

I recommend () approval

☒ denial of this request.

Comments:

4516 Tom and I do strongly disapprove of the proposed venture at ~~4505~~ Hickory Rd. for 2 reasons: 1. The heavy traffic onto our presently "2nd Frontage Road of I-35" Hickory Rd. 2. The wildlife - their homes, food, and health (rabies) will be dislodged into our homes.

Thomas M. Federwisch

Dorothy Federwisch

Signature

Thomas and Dorothy Federwisch

Print Name

Please mail or hand-deliver this comment form to the address shown below, no later than March 7, 2016.

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

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MAR - 7 2016

City of Temple
Planning & Development

Number of Notices Mailed: 25

Date Mailed: February 25, 2016



**RESPONSE TO PROPOSED
REZONING REQUEST
CITY OF TEMPLE**

ADAMS, JOYCE W
4601 HICKORY RD
TEMPLE, TX 76502-3004

Zoning Application Number: Z-FY-16-16

Project Manager: Mark Baker

Location: 4516 Hickory Road

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

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

Comments:


Signature

Joyce W Adams
Print Name

Please mail or hand-deliver this comment form to the address shown below, no later than March 7, 2016.

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

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MAR - 7 2016

City of Temple
Planning & Development

Number of Notices Mailed: 25

Date Mailed: February 25, 2016



RESPONSE TO PROPOSED
REZONING REQUEST
CITY OF TEMPLE

MONDRIK, ALBERT F
4517 HICKORY RD
TEMPLE, TX 76502-3002

Zoning Application Number: Z-FY-16-16

Project Manager: Mark Baker

Location: 4516 Hickory Road

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

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

Comments:

Possible increase of traffic problems

Car lights from drivers exiting the new addition (PARK RIDGE)
would be aimed directly at our home.

Albert F. Mondrik
Signature

Albert F. Mondrik
Print Name

Please mail or hand-deliver this comment form to the address shown below, no later than March 7, 2016.

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

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MAR - 7 2016

City of Temple
Planning & Development

Number of Notices Mailed: 25

Date Mailed: February 25, 2016



RESPONSE TO PROPOSED
REZONING REQUEST
CITY OF TEMPLE

MACFARLANE, RONALD D & CATHERINE J MCNEAL
3709 WHITE OAK DR
TEMPLE, TX 76502-3608

Zoning Application Number: Z-FY-16-16

Project Manager: Mark Baker

Location: 4516 Hickory Road

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

I recommend () approval

☒ denial of this request.

Comments:

Noise, security, &
Concern about water runoff downhill to white oak homes
Destroys significant animal habitat


Signature

Catherine J McNeal
Print Name

Please mail or hand-deliver this comment form to the address shown below, no later than March 7, 2016.

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

RECEIVED

MAR 10 2016

City of Temple
Planning & Development

Number of Notices Mailed: 25

Date Mailed: February 25, 2016

ORDINANCE NO. _____

(PLANNING NO. Z-FY-16-16)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A REZONING FROM AGRICULTURAL DISTRICT TO SINGLE FAMILY ONE DISTRICT ON APPROXIMATELY 5.888 ACRES OF LAND SITUATED IN THE MARY CHERRY SURVEY, ABSTRACT NO. 175, BELL COUNTY, TEXAS AND LOCATED AT 4516 HICKORY ROAD; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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

Part 1: The City Council approves a rezoning from Agricultural District to Single Family One District on approximately 5.888 acres of land situated in the Mary Cherry Survey, Abstract No. 175, Bell County, Texas and located at 4516 Hickory Road, as outlined in the map attached hereto as Exhibit 'A,' and made a part hereof for all purposes.

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

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

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

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

PASSED AND APPROVED on First Reading and Public Hearing on the 7th day of April, 2016.

PASSED AND APPROVED on Second Reading on the **21st** day of **April**, 2016.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

04/07/16
Item #12
Regular Agenda
Page 1 of 5

DEPARTMENT/DIVISION SUBMISSION & REVIEW:

Dessie Redmond, Planner

ITEM DESCRIPTION: FIRST READING – PUBLIC HEARING – TMED-FY-16-01 – Consider adopting an amendment to Ordinance No. 2014-4689, for a Temple Medical Education District (TMED) Planned Development (PD) District site plan on 1.27 acres +/-, Lot 1, Block 1, Shoppes on the Hill Subdivision, to allow for a drive-through restaurant, located at 2304 South 31st Street.

PLANNING & ZONING COMMISSION RECOMMENDATION: At its March 7, 2016 meeting, the Planning & Zoning Commission voted 8 to 0 (Commissioner Pitts absent) to recommend approval of the amended site plan.

STAFF RECOMMENDATION: Staff recommends approval of the proposed site plan to allow for a drive-through restaurant located at 2304 South 31st Street, which has been determined to meet all of the Development Plan Review Criteria in Section 3.4.5.

ITEM SUMMARY: The applicant has submitted a site plan for a proposed restaurant with a drive-through. On the subject property, in October of 2014, a rezoning from TMED T5-c to PD TMED T5-c (Ordinance Number 2014-4689) was approved by Council. Therefore, the subject property is currently zoned PD TMED T5-c. Ordinance 2014-4689 allows for a drive-through to be permitted for a proposed restaurant on Lot 3 but the additional drive-through proposed on Lot 1 requires a site plan submittal and a P&Z review, followed by City Council approval.

Compliance with Ordinance 2014-4689:

1. Front setback requirements.
2. 1-story building height.
3. Allowing a commercial surface parking lot.
4. Drive-through permitted for a proposed restaurant on Lot 1.

Compliance with the UDC General Standards:

1. Circulation standards
2. Access and connectivity standards.
3. Minimum parking ratios and parking space dimensions.

Compliance with TMED:

1. Screening of waste containers.
2. Exterior finish materials and percentages.
3. Bike rack requirements.

4. The site plan also meets the outdoor seating concepts proposed as a future code amendment.
5. Bike rack requirements.
6. Landscape standards related to street frontage, tree mix, irrigation, pre-approved plant species selections and parking lot screening with a landscaping plan that exceeds the 20% minimum landscape area standard.

Planned Development (UDC Sec. 3.4): The subject property has a PD zoning overlay district, which is a flexible overlay zoning district designed to respond to unique development proposals, special design considerations and land use transitions by allowing evaluation of land use relationships to surrounding areas through development plan approval.

As part of the Planned Development request, a Development Plan (Site Plan) is required for review and consideration by the Planning and Zoning Commission and City Council.

Development Plan Review Criteria (UDC Sec. 3.4.5): In determining whether to approve, approve with conditions or deny a Planned Development application, the Planning & Zoning Commission and City Council must consider the following criteria:

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

Additional Standards (UDC Sec. 3.4.2C): In approving a Planned Development, the City Council may require additional standards deemed necessary to create a reasonable transition to, and protection of, adjacent property and public areas, including but not limited to, access and circulations, signs, parking, building design, location and height, light, landscaping, property owners associations, open space, topography and screening.

Expiration (UDC Sec. 3.4.7): If no development has occurred on a Planned Development-zoned tract or lot within two years of the date of approval, the Planning and Zoning Commission and City Council may require a new public hearing to evaluate the appropriateness of the previously authorized Planned Development approval.

Design Review Committee: The Design Review Committee (DRC) reviewed and discuss the proposed Development Plan at their March 7, 2016 meeting, at which time the following topics were discussed:

1. Consistency between Site Plan and Landscape Plan.
2. The landscaping plan's north arrow is incorrect.
3. The Fire Department will require a 20' wide lane on the south one-way lane (currently showing 18').

4. Pedestrian access:
 - Ped access from South 31st Street's sidewalk.
 - Ped access connection through parking lot from south side.
 - Ped access connection through the parking lot from west side.
 - The site plan shows pedestrian access through parking lot on the north but the landscaping plan does not.
 - All public sidewalks must show safe pedestrian connectivity to building.
5. Note to file: Construction of a new stop light is taking place at the corner of South 31st Street and Scott Blvd in the summer of 2016.

Land Use: Some of the uses permitted by right in the T5-c district include, but are not limited to:

Residential uses

Single-Family (Attached)
Multi-family (with limitations)

Nonresidential uses

Assisted Living (with limitations)
Hospital
All Retail
Restaurant (no drive-through, however, permitted per Ordinance No. 2014-4689)
On-premise alcohol consumption (with a CUP)

Prohibited uses include Single-Family (Detached), all industrial and manufacturing uses, fuel sales.

Surrounding Property and Uses: The following table provides the direction from the property, Future Land Use Plan (FLUP) designation, existing zoning and current land uses:

<u>Direction</u>	<u>FLUP</u>	<u>Zoning</u>	<u>Current Land Use</u>
Site	Auto Urban Commercial	T5-c	Currently being developed
North	Suburban Commercial	T5-c	Undeveloped
South	Auto Urban Commercial	GR	Retail
East	TMED	SD-H (TMED)	BS&W Hospital
West	Auto Urban Commercial	T5-c	Retirement Community

Comprehensive Plan Compliance: The proposed amendment relates to the following goals, objectives or maps of the Comprehensive Plan (CP) and Sidewalk and Trails Plan (STP):

Document	Policy, Goal, Objective or Map	Compliance?
CP	Map 3.1 - Future Land Use and Character (FLUP)	Yes
CP	Map 5.2 - Thoroughfare Plan	Yes
CP	Goal 4.1 - Growth and development patterns should be consistent with the City's infrastructure and public service capacities	Yes
STP	Temple Trails Master Plan Map and Sidewalks Ordinance	Yes

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

The site is designated as Auto Urban Commercial on the Comprehensive Plan's FLUP; therefore, the proposed development complies with the Plan. As part of the Planned Development, a site (development) plan (attached) is required to be submitted and reviewed by the Planning and Zoning Commission and City Council.

Thoroughfare Plan (CP Map 5.2)

- Scott Boulevard (Collector) – right-of-way width is 94', which exceeds the City's minimum standards for the classification (55')
- S. 31st Street (Major Arterial) – right-of-way width varies from 114' to 125', which exceeds the City's minimum standards for the classification (70')

Availability of Public Facilities (CP Goal 4.1)

Existing 8-inch water and sanitary sewer lines exist in the south right-of-way of Scott Boulevard. Existing 6-inch, 8-inch, and 12-inch water lines exist in the west right-of-way of South 31st Street. Water will be provided through 8-inch water lines. Sewer will be provided through 8-inch, 10-inch, and 18-inch sanitary sewer lines. Storm sewer drainage will be carried through 18-inch and 24-inch reinforced concrete pipes (RCP).

Temple Trails Master Plan Map and Sidewalks Ordinance

According to Parks and Leisure Services, both required sidewalks (on 31st Street and Scott Boulevard) will serve the City's Citywide Trails Master Plan as part of a pedestrian network. Provided the trails / sidewalks meet the TMED requirements, the walks are seen as sufficient in meeting the Citywide Trails Master Plan requirements as well.

DEVELOPMENT REGULATIONS IN THE T5-C DISTRICT:

Min Lot Size	N/A
Min Lot Width	18'
Min. Front	4'
Max. Front	12'
Impervious Cover	80% max

PUBLIC NOTICE: Five notices for the Planning and Zoning Commission public hearing were sent out to property owners within 200-feet of the subject property. As of Monday, March 29, 2016 no responses from neighbors had been returned.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

Zoning Map
Notification Map
Location Map
Aerial Map
Utilities Map
Thoroughfare and Trails Map
Future Land Use Plan
Site Photos
Site Plan
Landscape Plan
Elevations
TMED Regulating Plan
Ordinance Number 2014-4689
Ordinance



2401
PropID:
104250

T5-C

SCOTT BLVD

SCOTT BLVD

SCOTT BLVD

2304
PropID:
460343

T5-C

T5-C

1749
PropID:
332162

SD-H

2401
PropID:
370895

S 31ST ST

2320
PropID:
460345

2510
PropID:
460347

T5-C

PD-T5-c

200'

ZONING MAP

Zoning Case :
TMED-FY-16-01

Address :

2304 S 31st Street

CurrentZoning	O-1	AG - CUP
HI - CUP	O-1 - CUP	MH
UE	O-1 - PD	MH - CUP
UE - PD	O-2	MH - PD
SF-1	O-2 - CUP	MU
SF-1 - CUP	O-2 - PD	MU - CUP
SF-1 - PD	NS	SD-C
SF-2	NS - CUP	SD-C - CUP
SF-2 - PD	NS - PD	SD-H
SF-3	GR	SD-H - CUP
SF-3 - PD	GR - CUP	SD-T
SF-3 - CUP, PD	GR - PD	SD-V
SFA	GR - CUP, PD	T4
SFA-2	CA	T4 - PD
SFA-2 - PD	CA - CUP	T4 - CUP
SFA-3	CA - PD	T5-C
SFA-3 - PD	C	T5-C - CUP
2F	C - CUP	T5-C - PD
2F - CUP	C - PD	T5-E
2F - PD	C - CUP, PD	T5-E - CUP
MF-1	LI	T5-E - PD
MF-1 - CUP	LI - CUP	NO BASE
MF-1 - PD	LI - PD	CUP
MF-2	LI - CUP, PD	PD
MF-2 - CUP	HI	CaseArea
MF-2 - PD	HI - PD	Buffer
MF-3 - PD	AG	

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

dredmond

Date: 2/24/2016





2401
PropID:
104250

SCOTT BLVD

SCOTT BLVD

SCOTT BLVD

2304
PropID:
460343

1749
PropID:
332162

2401
PropID:
370895

S 31ST ST

2320
PropID:
460345

2510
PropID:
460347

PD-T5-c

200' NOTIFICATION MAP

Zoning Case :
TMED-FY-16-01

Address :
2304 S 31st Street

 CaseArea

 Buffer

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dredmond

Date: 2/24/2016





2401

SCOTT BLVD

2304

1749

2320

2510

S 31ST ST













PD-T5-c

LOCATION MAP

Zoning Case :
TMED-FY-16-01

Address :
2304 S 31st Street

Streets

-  EXPRESSWAY
-  MAJOR ARTERIAL
-  COLLECTOR
-  LOCAL STREET
-  MINOR ARTERIAL
-  PRIVATE
-  RAMP
-  Railroad
-  Temple Municipal Boundary
-  Parcels
-  ETJ Parcels
-  CaseArea

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dredmond
Date: 2/24/2016





PD-T5-c

AERIAL MAP

Zoning Case :
TMED-FY-16-01

Address :
2304 S 31st Street

- Streets
- EXPRESSWAY
 - MAJOR ARTERIAL
 - COLLECTOR
 - LOCAL STREET
 - MINOR ARTERIAL
 - PRIVATE
 - RAMP
 - Railroad
 - Temple Municipal Boundary
 - Parcels
 - ETJ Parcels
 - CaseArea

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dredmond
Date: 2/24/2016



PD-T5-c

UTILITY MAP

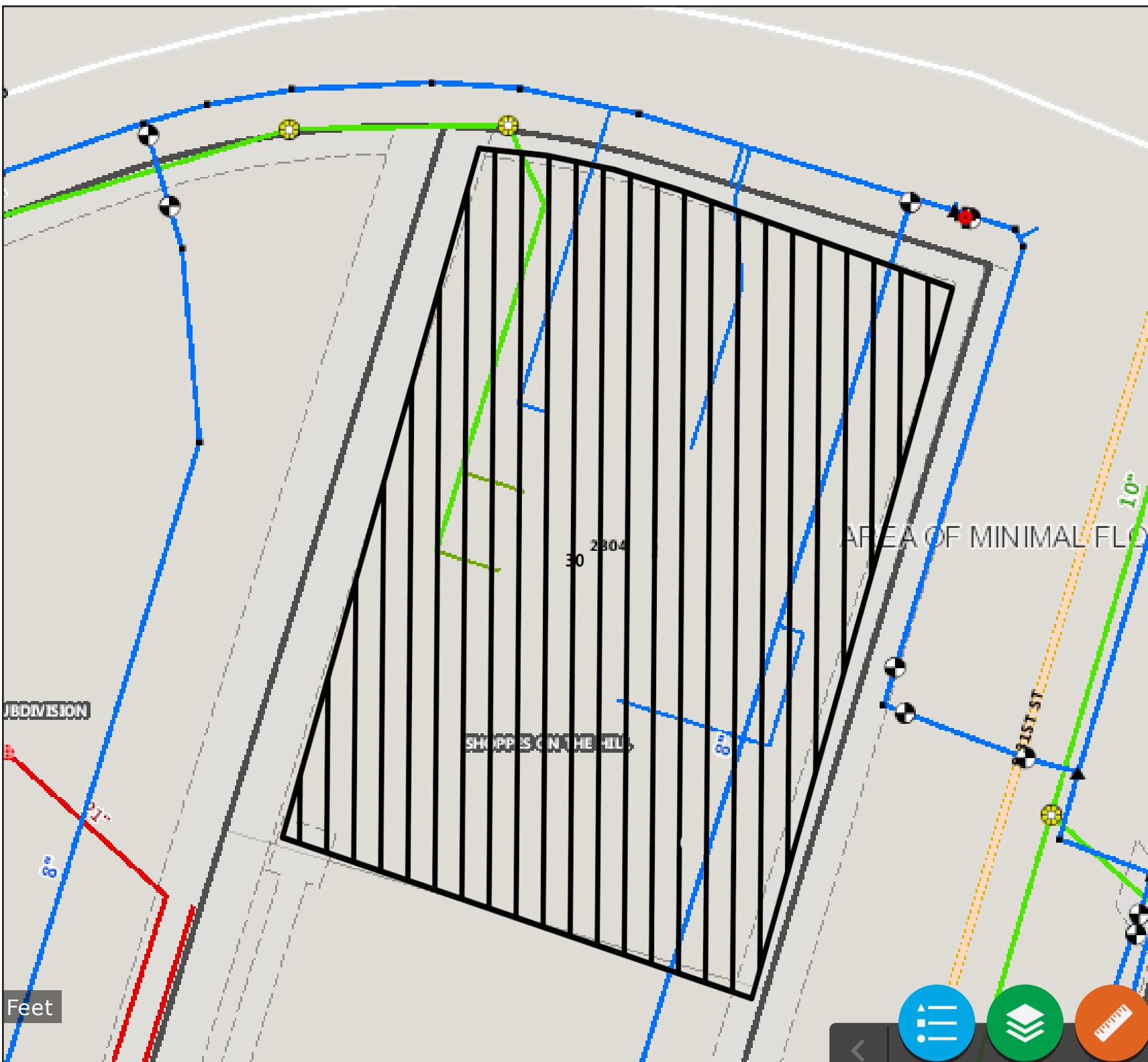
Zoning Case :
TMED-FY-16-01

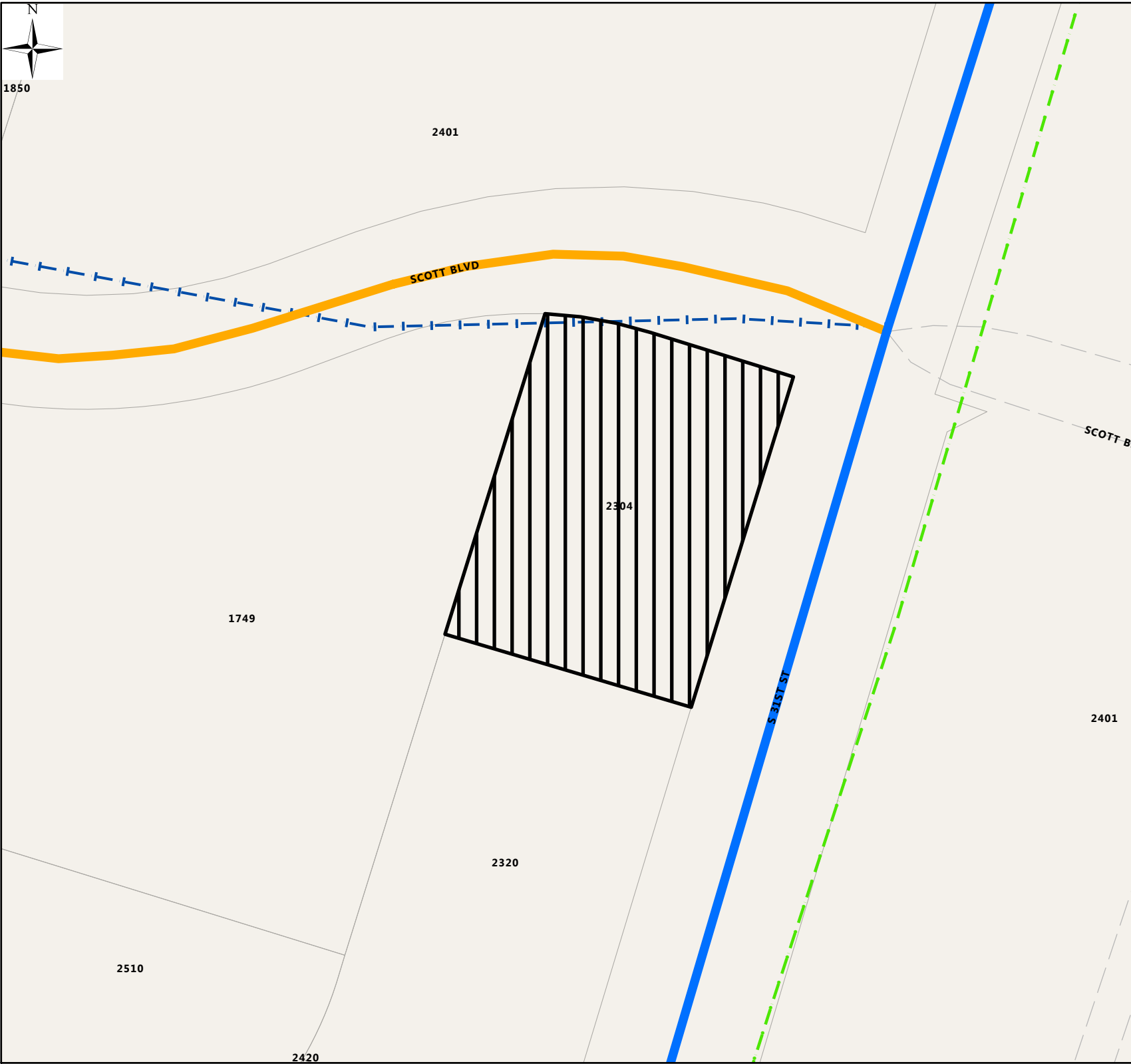
Address :
2304 S 31st Street

- Manhole
- Gravity Main
- ✚ Hydrant
- Main
- Parcels
- ▤ CaseArea

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dredmond
Date: 2/24/2016





PD-T5-c
THOROUGHFARE
AND TRAILS MAP

Zoning Case :
TMED-FY-16-01

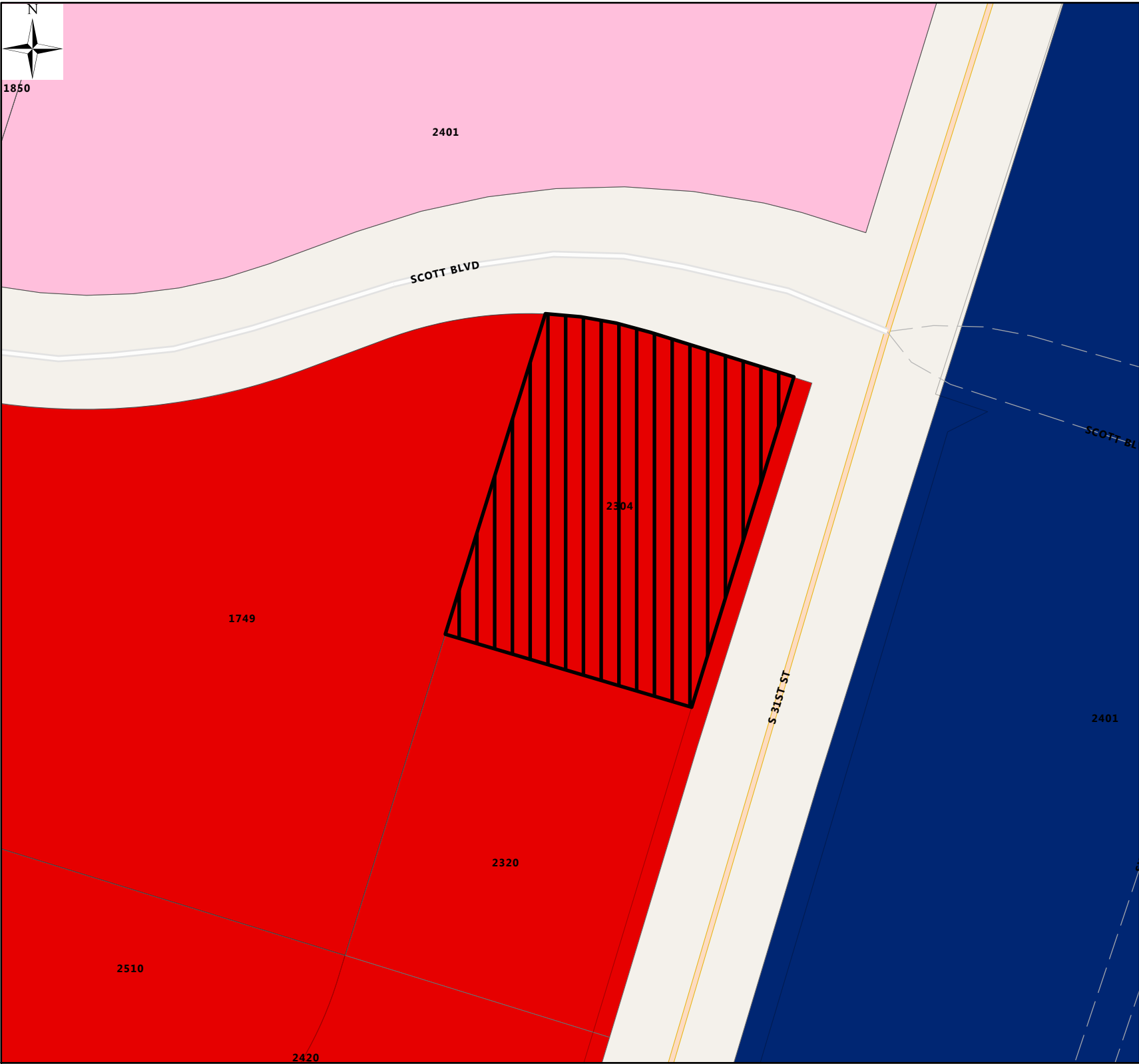
Address :
2304 S 31st Street

- Parcels
- Thoroughfare Plan
 - Expressway
 - Major Arterial
 - Proposed Major Arterial
 - Minor Arterial
 - Proposed Minor Arterial
 - Collector
 - Proposed Collector
- Trails Master Plan
 - EXISTING, CITY WIDE SPINE
 - EXISTING, COMMUNITY WIDE CONNECTOR
 - EXISTING, LOCAL CONNECTOR
 - PROPOSED, CITY WIDE SPINE
- PROPOSED, COMMUNITY WIDE CONNECTOR
- PROPOSED, LOCAL CONNECTOR
- CaseArea

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

dredmond
Date: 2/24/2016





PD-T5-c
FUTURE LAND
USE MAP
Zoning Case :
TMED-FY-16-01
Address :
2304 S 31st Street

- EXPRESSWAY
- MAJOR ARTERIAL
- COLLECTOR
- LOCAL STREET
- MINOR ARTERIAL
- PRIVATE
- RAMP
- Parcels
- Future LUP
 - Agricultural/Rural
 - Auto-Urban Commercial
 - Auto-Urban Mixed Use
 - Auto-Urban Multi-Family
 - Auto-Urban Residential
 - Business Park
 - Estate Residential
 - Industrial
 - Neighborhood Conservation
 - Parks & Open Space
 - Public Institutional
 - Suburban Commercial
 - Suburban Residential
 - Temple Medical Education District
 - Urban Center
- CaseArea

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dredmond
Date: 2/24/2016



Looking south down 31st Street.

31st Street

subject property

PROPOSED
LAND USE CASE
#...
For information, call
(254) 298-5668

PIPE
LINE
SYNOS

SYNOS

Looking south through subject property.



Looking east through subject property.



subject property

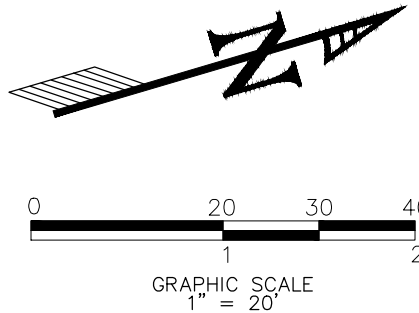
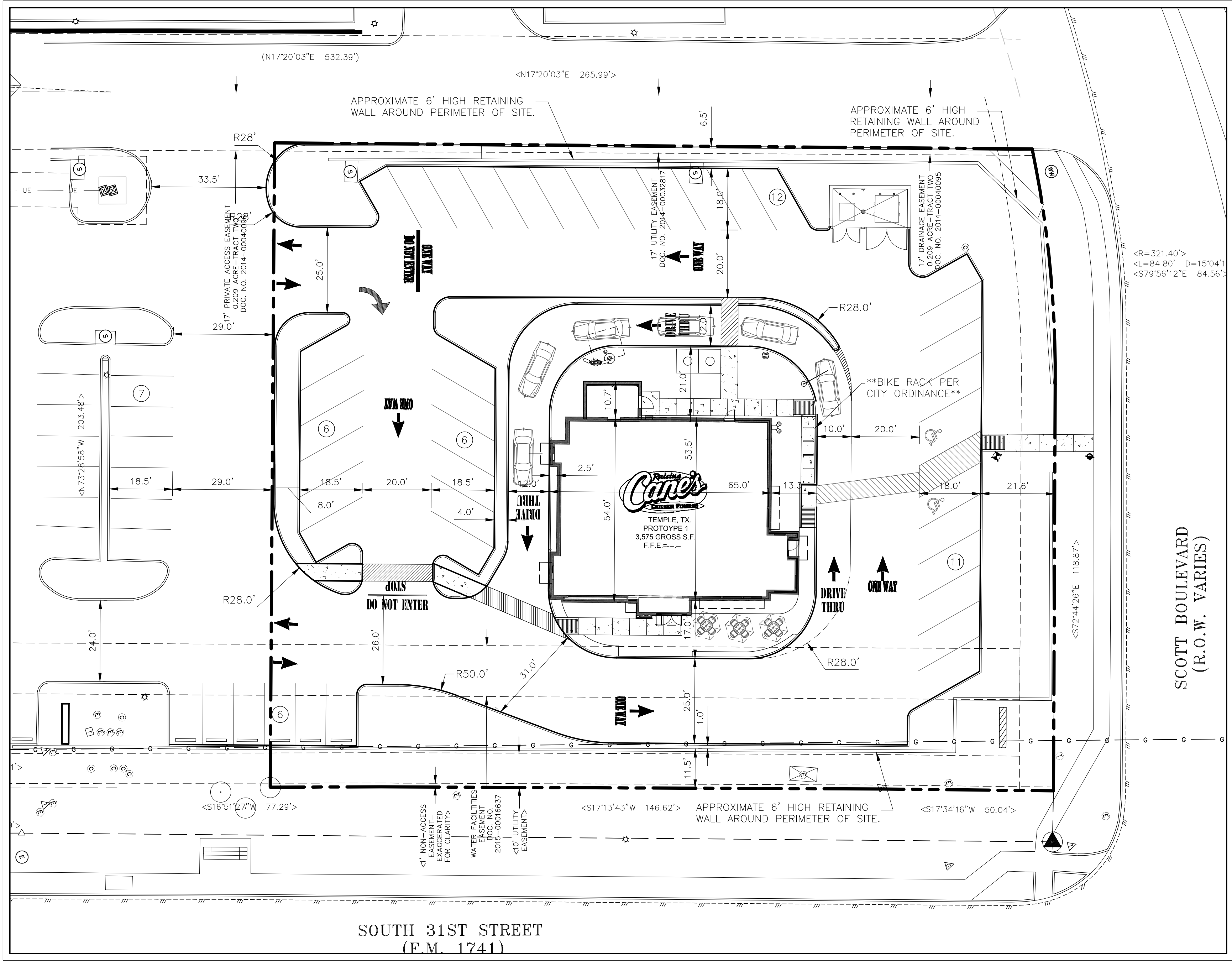
Scott Blvd.

Looking east down Scott Blvd.



subject property

Scott Blvd.



BENCHMARK:

TBM#1- SQUARE CUT ON TOP OF CONCRETE CURB INLET ON THE WEST SIDE OF EVERTON DRIVE ±390' NORTH OF SOUTH 31ST STREET, ±285' SOUTHWEST OF THE NORTHWEST CORNER OF SAID LOT 3. ELEVATION: 68.11'.

TBM#2- SQUARE CUT ON TOP OF CONCRETE CURB AT MIDDLE OF THE NOSE ON THE NORTH END OF THE MEDIAN IN SCOTT BOULEVARD, ±130' NORTH OF THE SOUTH 31ST STREET, ELEVATION: 32.19'

LEGAL DESCRIPTION:

12.54 ACRES BEING ALL OF LOT 1, BLOCK 1, SHOPPES ON THE HILL, A SUBDIVISION RECORDED IN DOCUMENT NO.2014-44400 OF THE OFFICIAL RECORDS OF BELL COUNTY.



Restaurant Support Office
6800 Bishop Road
Temple, TX 76708
Tele: 972-769-3100 Fax: 972-769-3101

Store:

Raising Cane's
2304 South 31st Street
Temple, TX 76508
Prototype 1
Store #---

Professional of Record:

PRELIMINARY

Architect Information:

CSRS
IMAGINE SHAPE DELIVER

6767 Perkins Road Suite 200 Baton Rouge, LA 70808
Telephone: 225 769-0546 Fax: 225 767-0060
www.csronline.com

Civil Engineer Information: TBPE: F#9852

NOBLE
SURVEYING &
ENGINEERING
WORKS, L.L.C.

7614 A HWY. 71 WEST
AUSTIN, TX. 78735
(512) 535-1820
www.noble-tx.com

Prototype Issue Date:

Design Bulletin Updates:

Date Issued:

Bulletin Number:

Revisions:

#	Date	Description

Sheet Title:

SITE PLAN
EXHIBIT

Date:

11/2015

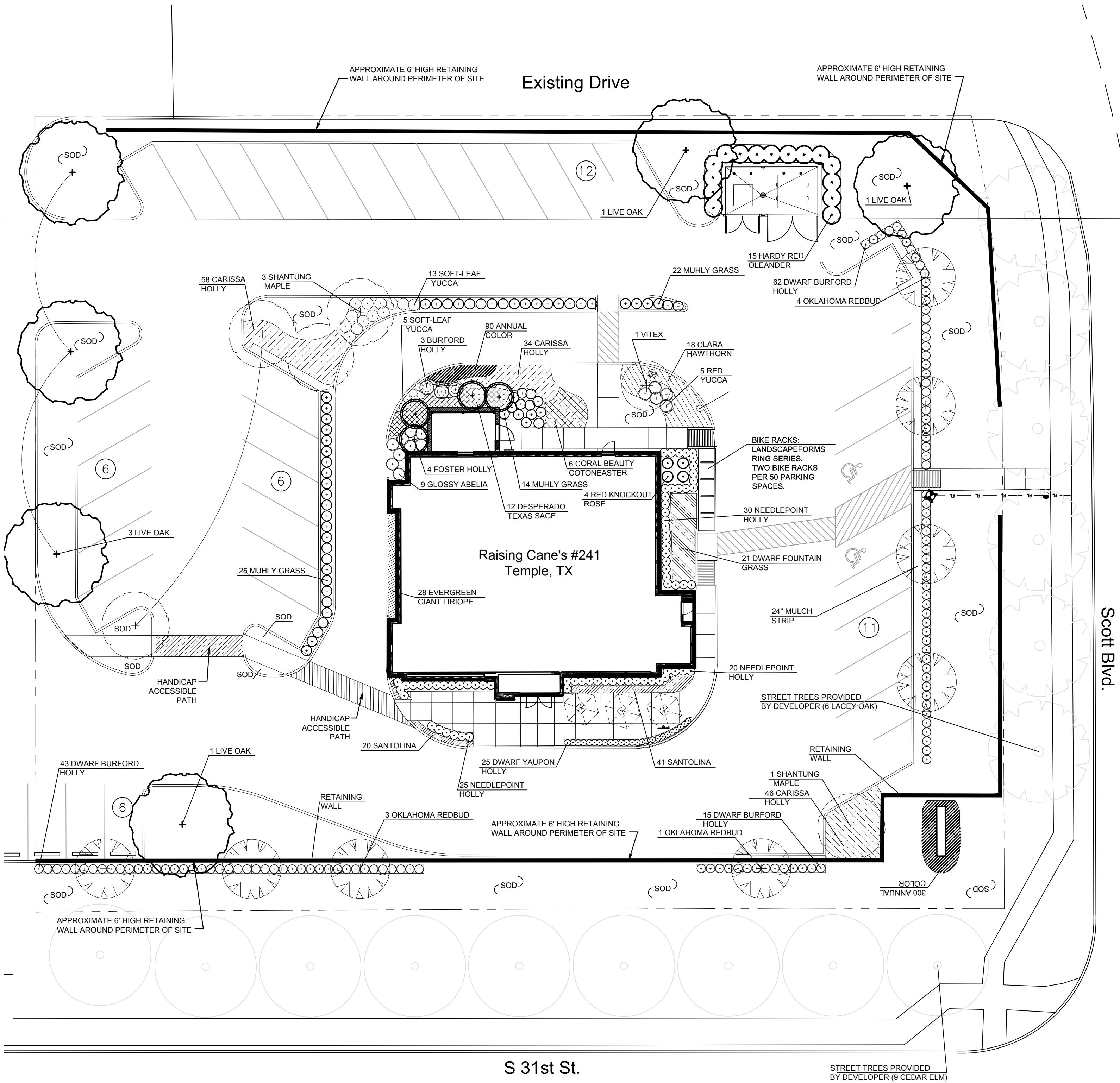
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Drawn By:

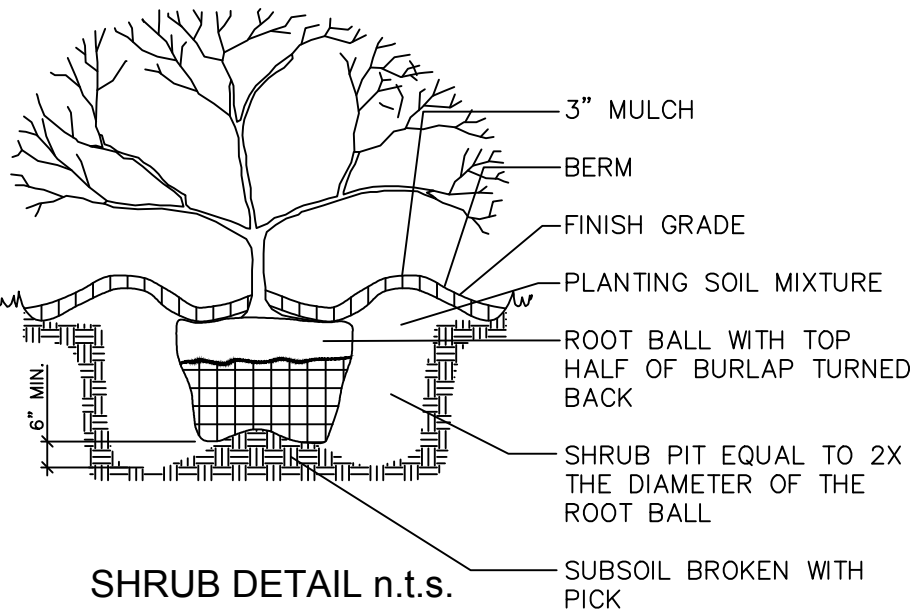
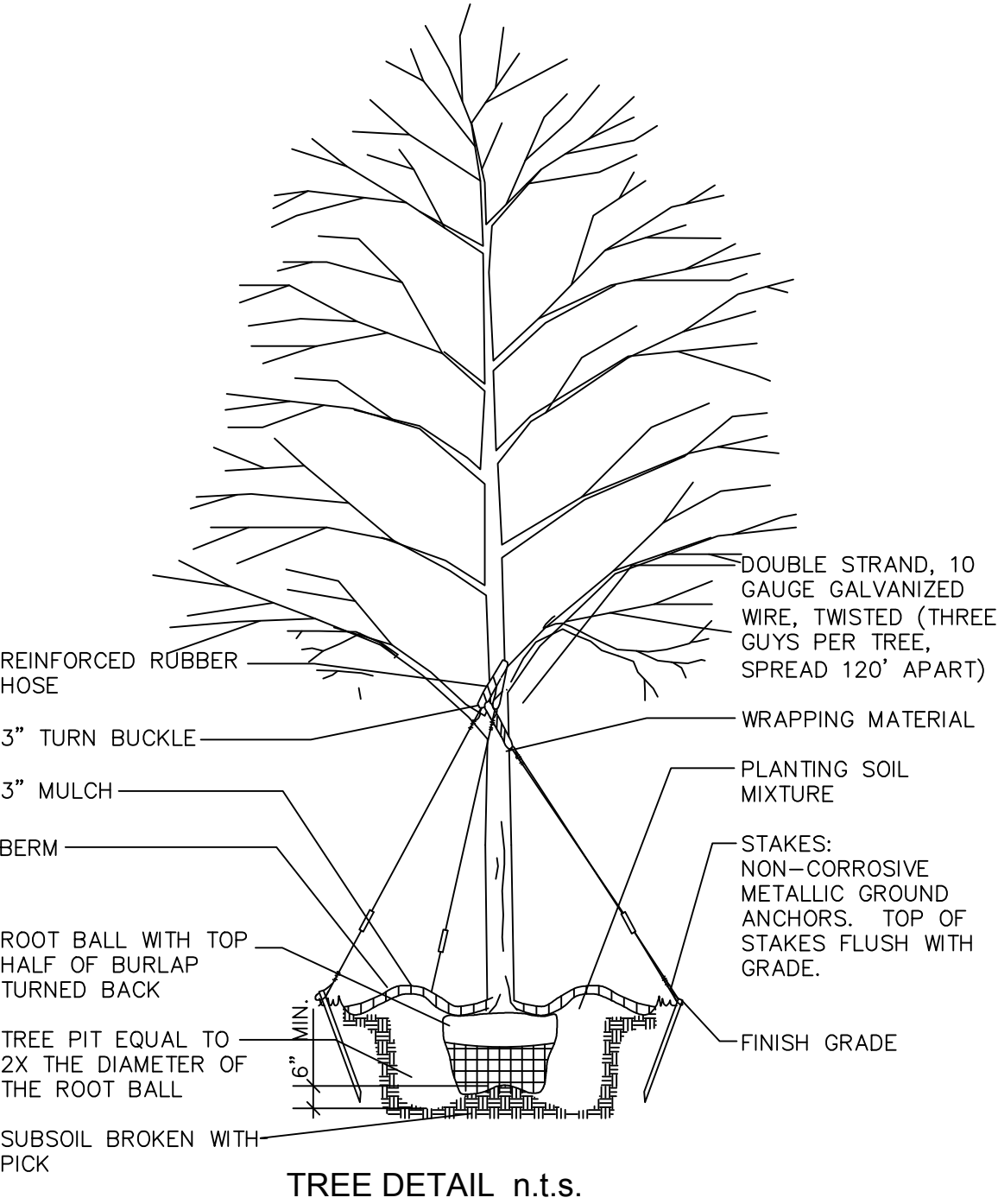
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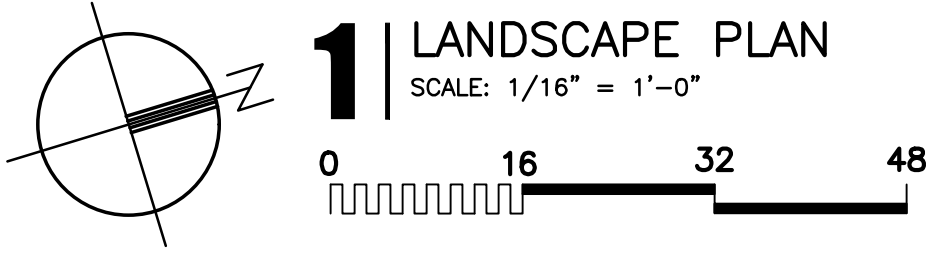


Plant Schedule RC#241 Temple TX 03/01/2016					
Qty	Common Name	Botanical Name	Size	Planting	Remarks
6	Live Oak	Quercus virginiana	3" DBH	as shown	Full, container grown
8	Oklahoma Redbud	Cercis reniformis 'Oklahoma'	2"	as shown	Full, container grown
3	Texas Mountain Laurel	Sophora secundiflora	6'	as shown	Full, specimen form, container grown
1	Abbeville Blue Vitex	Vitex agnus-castus 'Abbeville Blue'	6'	as shown	Full, specimen form, container grown
4	Foster's Holly	Ilex x attenuata 'Fosteri'	6'	as shown	Tree form, container grown
15	Hardy Red Oleander	Nerium oleander 'Hardy Red'	5'	as shown	Full, container grown
3	Burford Holly	Ilex cornuta burfordii	4-5'	as shown	Full, container grown
112	Carissa Holly	Ilex cornuta 'Carissa'	3 gal	@ 20" o.c.	Full, container grown
18	Clara Hawthorn	Raphiolepis indica 'Clara'	3 gal	@ 30" o.c.	Full, container grown
6	Coral Beauty Cotoneaster	Cotoneaster dammeri 'Coral Beauty'	3 gal	@ 30" o.c.	Full, container grown
12	Desperado Texas Sage	Leucophyllum frutescens 'Desperado'	3 gal	@ 30" o.c.	Full, container grown
120	Dwarf Burford Holly	Ilex cornuta 'Dwarf Burford'	3 gal	as shown	Full, container grown
21	Dwarf Fountain Grass	Pennisetum alopecuroides 'Hamelin'	3 gal	@ 22" o.c.	Full, container grown
25	Dwarf Yaupon Holly	Ilex vomitoria 'Nana'	3 gal	@ 15" o.c.	Full, container grown
4	Knockout Rose Red	Rosa spp. Red Knockout	3 gal	as shown	Full, container grown
5	Red Yucca	Hesperaloe parviflora	3 gal	as shown	Full, container grown
61	Muhly Grass	Muhlenbergia capillaris	3 gal	as shown	Full, container grown
75	Needlepoint Holly	Ilex cornuta 'Needlepoint'	3 gal	as shown	Full, container grown
9	Purple Diamond Loropetalum	Loropetalum chinensis 'Purple Diamond'	3 gal	as shown	Full, container grown
18	Softleaf Yucca	Yucca recurvifolia	3 gal	as shown	Full, container grown
28	Evergreen Giant Liriope	Liriope muscari 'Evergreen Giant'	1 gal	@ 12 o.c.	Full, container grown
61	Santolina	Santolina chamaecyparissus	1 gal	@ 12 o.c.	Full, container grown
390	Annual Color	Seasonal choice	4" pot	@ 8" o.c.	Full, container grown

LANDSCAPE CALCULATIONS 3/1/2016					
RC 241 Temple TX					
1. Site Area	42,780 s.f.	20%	8,556 s.f.	Required	
			13,540 s.f.	Provided	
2. Street Trees	A. S. 31st St. =	2301 f.	25	9	Trees Required
				9	Cedar Elm (by others)
				9	Trees Provided
				7	Trees Required
	B. Scott Blvd. =	187 l.f.	25	1	Live Oak
				6	Lacey Oak (by others)
				7	Trees Provided



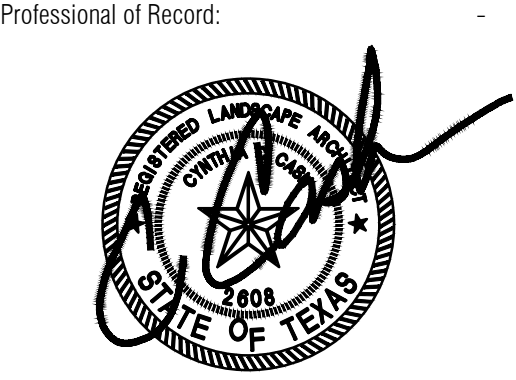
- LANDSCAPE NOTES:
- INSTALL 4" MIN. TOP SOIL TO ALL SOD AND SEED AREAS. CONTRACTOR IS RESPONSIBLE FOR FINE GRADING OF SOD AND SEED AREAS. REMOVE STONES, STICKS, AND DEBRIS LARGER THAN 1".
 - ALL SHRUB AREAS, UNLESS SPECIFIED AS OTHER, TO BE BED MULCHED WITH 3" DEPTH OF PARTIALLY DECOMPOSED HARDWOOD MULCH OVER WEED BARRIER.
 - PLANTING SOIL SHALL CONSIST OF 50% SELECT LOAMY TOPSOIL, 25% PEAT MOSS, 25% PIT RUN SAND.
 - GARANTEE ALL WORK FOR A PERIOD OF ONE YEAR BEGINNING AT THE DATE OF ACCEPTANCE. MAKE ALL REPLACEMENTS PROMPTLY AS PER DIRECTION OF OWNER.
 - MATERIAL SHALL COMPLY WITH THE LATEST EDITION OF THE AMERICAN STANDARD FOR NURSERY STOCK, AMERICAN ASSOCIATION OF NURSERYMEN.
 - WATER AND MAINTAIN ALL PLANT MATERIALS, SEED AND SOD UNTIL INITIAL ACCEPTANCE.
 - REPAIR AT NO COST TO OWNER ALL DAMAGE TO PROPERTY RESULTING FROM LANDSCAPE WORK.
 - CALL 811 TO NOTIFY UTILITY COMPANY FOR LOCATING ALL UNDERGROUND UTILITIES. AVOID DAMAGE TO UTILITIES DURING THE COURSE OF THE WORK. REPAIR ANY DAMAGE TO UTILITIES, SITE STRUCTURES, ETC., RESULTING FROM LANDSCAPE CONSTRUCTION.
 - COORDINATE INSTALLATION WITH WORK OF OTHER SECTIONS.
 - STAKING AND GUYING OF TREES PER NATIONAL NURSERYMANS STANDARDS.
 - SWEEP AND WASH ALL PAVED SURFACES AND REMOVE ALL DEBRIS RESULTING FROM LANDSCAPE OPERATIONS.
 - FIELD VERIFY SOD LIMITS PRIOR TO INSTALLATION.
 - UNDERGROUND IRRIGATION SYSTEM PLANS DESIGNED BY A LICENSED IRRIGATOR WILL BE SUBMITTED WITH THE BUILDING PERMIT APPLICATION"
 - CONTRACTOR SHALL PROVIDE A MINIMUM 2% SLOPE AWAY FROM ALL STRUCTURES.
 - ROCK TO BE LOCAL RIVER ROCK (3"-6") SUBMIT SAMPLE TO LANDSCAPE ARCHITECT FOR APPROVAL.



Prototype Issue Date:

Store:

Raising Cane's
S 31st Street
Temple, TX
Prototype 1
Store #241



Designer's Information:

CSRS
IMAGINE SHAPE DELIVER

6767 Perkins Road Suite 200 Baton Rouge, LA 70808
Telephone: 225 769-0546 Fax: 225 767-0060
www.csronline.com

PRELIMINARY PLAN ONLY. NOT TO BE USED FOR CONSTRUCTION, BIDDING, RECORDATION, CONVEYANCE, OR SALES.

Set Control Information:		
#	Date:	Description:

FOR PERMIT		
Sheet Revisions:		
#	Date:	Description:
01	02/22/2016	Parking layout changed
02	03/17/2016	Add ADA ramp

Sheet Title:

Landscape Plan

Date: January 8, 2016

Project Number: 215000

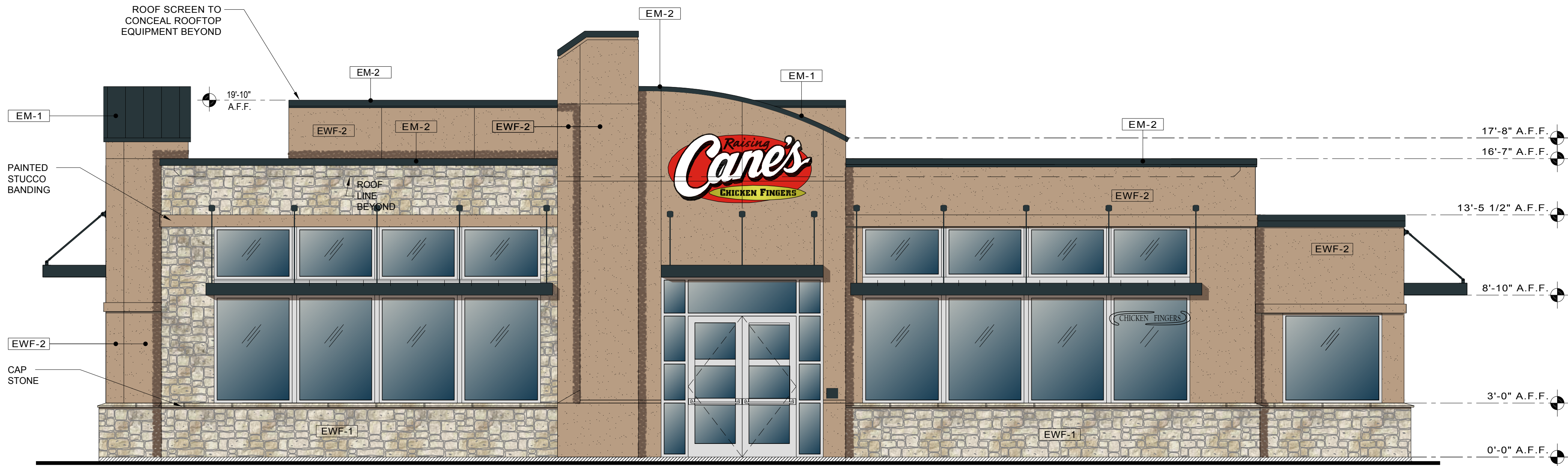
Drawn By: CCC / FJS 01/27/2016

Sheet Number:

L1.0

01 | FRONT ELEVATION

1/4" = 1'-0"
01:A4.1



02 | DRIVE-THRU ELEVATION

1/4" = 1'-0"
02:A4.1



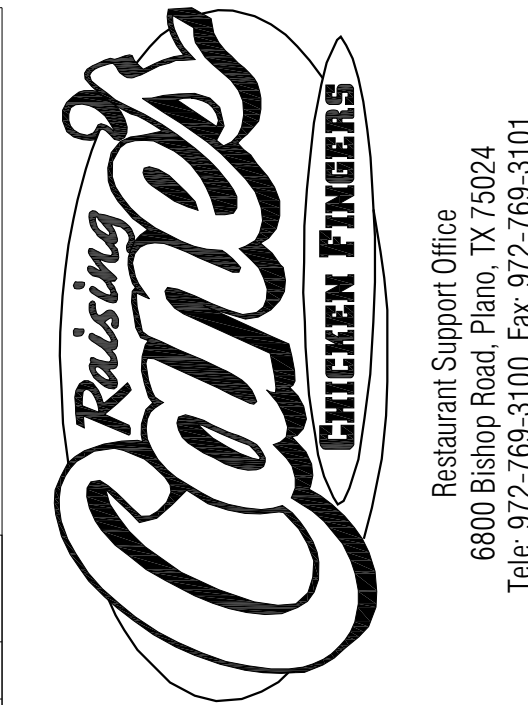
KEY NOTES	
MARK	DESCRIPTION
①	SIGN, BY OWNER. PROVIDE BLOCKING AS REQ'D. (4'-0"x8'-0" OVAL)
②	FLAG, WHEN PERMITTED
③	WALL SIGN BY OWNER
④	EXTERIOR LIGHTING, RE: ELEC.
⑤	CONTROL JOINT
⑥	PRE-FABRICATED METAL AWNING OR CANOPY, G.C. TO PERMIT SEPARATELY
⑦	8" STUCCO OR BRICK BAND AS SHOWN
⑧	6" STUCCO OR BRICK BAND AS SHOWN
⑨	2" WIDE STUCCO REVEAL (1/4" DEEP)
⑩	NEON CHANNEL & NEON BY OWNER NEON TO BE WHITE
⑪	ROOF ACCESS LADDER RE: SP3. PROVIDE ALL REQ'D. BLOCKING FOR INSTALLATION.
⑫	METAL ROOF, GUTTER & DOWNSPOUT (RE: DETAIL 1A10.2)
NOTES:	
1. SIGNAGE TO BE APPROVED UNDER SEPARATE FILING (DEFERRED SUBMITTAL).	
2. CANOPIES AND AWNINGS ARE REQUESTED AS DEFERRED SUBMITTALS AS INDICATED ON SHEET CS1, G.C. TO PERMIT CANOPIES AND AWNINGS USING MANUFACTURER SPECIFICATIONS AND SHOP DRAWINGS.	

EXTERIOR MATERIALS	
MARK	DESCRIPTION
EM-1	STANDING SEAM METAL ROOF GALVANIZED STEEL SHEET W/ KYNAR FINISH (24 GA.) STANDARD COLOR.
EM-2	METAL CAP FLASHING GALVANIZED STEEL SHEET W/ KYNAR FINISH (24 GA.) STANDARD COLOR.
EM-3	STAINLESS STEEL COVER PANEL FASTENED TO WALL W/ STAINLESS STEEL SEAT AND SCREWS PROVIDED BY OWNER INSTALLED BY G.C.

EXTERIOR WINDOW SYSTEMS	
MARK	DESCRIPTION
EWS-1	DRIVE THRU WINDOW
EWS-2	4 1/2" ALUM. STOREFRONT KAWNEER TRIFAB 451 II ANODIZED, TYP. U.N.O.

EXTERIOR WALL FINISHES	
MARK	DESCRIPTION
EWF-1	NEVIL STONE (WWW.NEVILSTONE.COM)- VENEER STYLE: AUSTIN STONE, 50/50 MIXTURE OF AZURE AND NORTHWOOD. MORTAR COLOR= BUFF.
EWF-2	7/8" STUCCO FINISH ON SELF FURRING GALV. METAL LATH W/ FRY REGLET CORNERS, MOLDING & TRIM AS REQUIRED (RE: SPECIFICATIONS), PAINTED: DRYVIT #383 HONEY TWIST

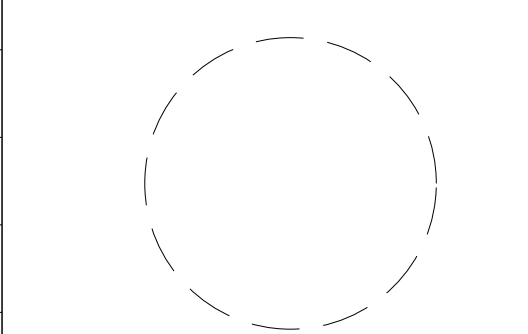
SEALANT	
1. PROVIDE SEALANT & BACKER RODS AT ALL DISSIMILAR MATERIALS.	
2. TWO-PART NONSAG POLYURETHANE SEALANT BY SONNEBORN BUILDING PRODUCTS. CUSTOM COLOR TO MATCH STUCCO AT ALL DOOR FRAMES, STOREFRONT & WINDOWS, WALL PENETRATIONS AND STUCCO TO MASONRY CONNECTIONS.	



Prototype Issue Date: 15-1001

Store:
Raising Cane's
31st Street & Scott Blvd.
Temple, TX
Prototype 1
Store #241

Professional of Record:



Designer's Information:

CSRS
IMAGINE SHAPE DELIVER
6767 Perkins Road Suite 200 Baton Rouge, LA 70808
Telephone: 225 769-0546 Fax: 225 767-0060
www.csronline.com

Set Control Information: (ARCH use only)

Setup / Update Date: YY-MMDD | YY-MMDD

#	Date:	Description:

FOR PERMIT

Sheet Revisions: (sheet specific per Designer)

#	Date:	Description:

Sheet Title:

EXTERIOR ELEVATIONS

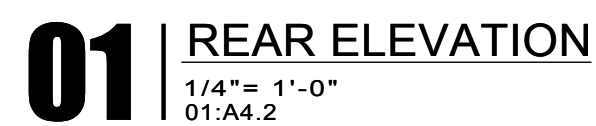
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Project Number: 215000.23.018

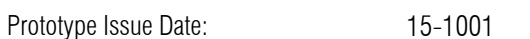
Project Manager: JS

Sheet Number:

A04.1



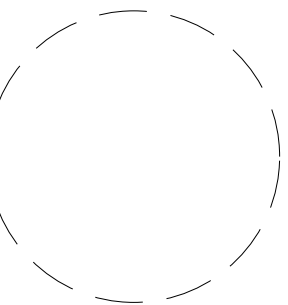
KEY NOTES	
MARK	DESCRIPTION
①	SIGN, BY OWNER. PROVIDE BLOCKING AS REQ'D. (4'-0"x8'-0" OVAL)
②	NOT USED
③	NOT USED
④	EXTERIOR LIGHTING, RE: ELECTRICAL
⑤	CONTROL JOINT
⑥	METAL COVERED CANOPY, GC TO PERMIT SEPARATELY
⑦	8" STUCCO OR BRICK BAND AS SHOWN
⑧	6" STUCCO OR BRICK BAND AS SHOWN
⑨	2" WIDE STUCCO REVEAL (1/4" DEEP)
⑩	NEON CHANNEL & NEON BY OWNER NEON TO BE WHITE
⑪	ROOF ACCESS LADDER RE: SP3. PROVIDE ALL REQ'D. BLOCKING FOR INSTALLATION.
⑫	METAL ROOF, GUTTER & DOWNSPOUT (RE: DETAIL 1A10.2)
⑬	ROOF SCUPPER & DOWNSPOUT OMIT STUCCO BAN @ DOWNSPOUT (RE: 1A10.2)
⑭	OVER FLOW SCUPPER
⑮	ELECTRICAL CABINETS, PAINT TO MATCH STUCCO(PT-10). COORDINATE EXACT REQUIREMENTS WITH ELEC. SUB-CONTR.
⑯	GAS METER & PIPING, PAINT TO MATCH STUCCO (PT-10)
⑰	COMBUSTION AIR LOUVERS, PROVIDE INSECT SCREENS, PAINT TO MATCH STUCCO (RE: MECHANICAL) (PT-10)
NOTES:	
1. SIGNAGE TO BE APPROVED UNDER SEPARATE FILING (DEFERRED SUBMITTAL). 2. CANOPIES AND AWNINGS ARE REQUESTED AS DEFERRED SUBMITTALS AS INDICATED ON SHEET CS1. G.C. TO PERMIT CANOPIES AND AWNINGS USING MANUFACTURER SPECIFICATIONS AND SHOP DRAWINGS.	
EXTERIOR MATERIALS	
MARK	DESCRIPTION
EM-1	STANDING SEAM METAL ROOF GALVANIZED STEEL SHEET W/ KYNAR FINISH (24 GA.) STANDARD COLOR.
EM-2	METAL CAP FLASHING GALVANIZED STEEL SHEET W/ KYNAR FINISH (24 GA.) STANDARD COLOR.
EM-3	STAINLESS STEEL COVER PANEL FASTENED TO WALL W/ STAINLESS STEEL SEAT AND SCREWS PROVIDED BY OWNER INSTALLED BY G.C.
EXTERIOR WINDOW SYSTEMS	
MARK	DESCRIPTION
EWS-1	DRIVE THROUGH WINDOW
EWS-2	4 1/2" ALUM. STOREFRONT KAWNEER TRIFAB 451 II ANODIZED, TYP. U.N.O.
EXTERIOR WALL FINISHES	
MARK	DESCRIPTION
EW-1	NEVIL STONE (WWW.NEVILSTONE.COM)- VENEER STYLE: AUSTIN STONE, 50/50 MIXTURE OF AZURE AND NORTHWOOD. MORTAR COLOR = BUFF.
EW-2	7/8" STUCCO FINISH ON SELF FURRING GALV. METAL LATH W/ FRY REGLET CORNERS, MOLDING & TRIM AS REQUIRED (RE: SPECIFICATIONS), PAINTED: DRYVIT #383 HONEY TWIST
SEALANT	
1. PROVIDE SEALANT & BACKER RODS AT ALL DISSIMILAR MATERIALS. 2. TWO-PART NONSAG POLYURETHANE SEALANT BY SONNEBORN BUILDING PRODUCTS. CUSTOM COLOR TO MATCH STUCCO AT ALL DOOR FRAMES, STOREFRONT & WINDOWS, WALL PENETRATIONS AND STUCCO TO MASONRY CONNECTIONS.	



Store:

Raising Cane's
31st Street & Scott Blvd.
Temple, TX
Prototype 1
Store #241

Professional of Record: -



Designer's Information:

CSRS
IMAGINE SHAPE DELIVER

5767 Perkins Road Suite 200 Baton Rouge, LA 70808
Telephone: 225 769-0546 Fax: 225 767-0060
www.csrsonline.com

Get Control Information: (ARCH use only)

Setup / Update Date: YY-MMDD | YY-MMDD

[illegible]

FOR PERMIT

Sheet Revisions: (sheet specific per Designer)

[illegible]

Sheet Title:

EXTERIOR ELEVATIONS

initial sheet issue date: 16-0107

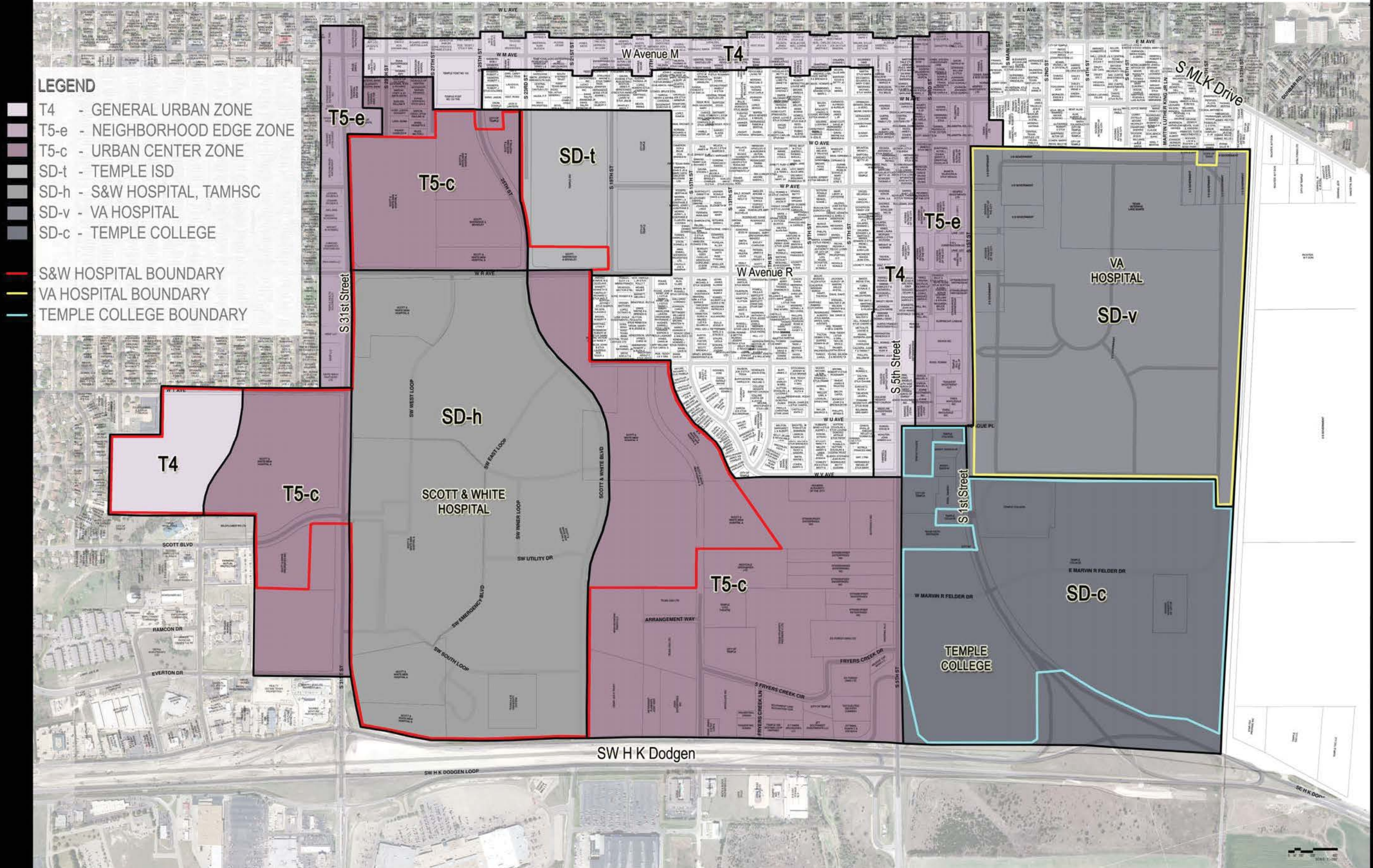
Project Number: 215000 23 018

Project Manager: _____ IS

Sheet Number: _____

A04.2

TEMPLE MEDICAL EDUCATIONAL DISTRICT



AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A ZONING CHANGE FROM TMED (T5-c) TO PD-T5-c (PLANNED DEVELOPMENT DISTRICT – TMED T5-c) ON A PORTION OF LOTS 2 AND 3, BLOCK 1, SCOTT AND WHITE PROPERTIES SUBDIVISION, LOCATED ON THE SOUTHWEST CORNER OF SCOTT BOULEVARD AND SOUTH 31ST STREET; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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

Part 1: The City Council approves a zoning change from TMED (T5-c) to PD-T5-c (Planned Development District – TMED T5-c) on a portion of lots 2 and 3, block 1, Scott and White Properties Subdivision, located on the southwest corner of Scott Boulevard and South 31st Street, as outlined in the map attached hereto as Exhibit 'A,' and made a part hereof for all purposes and subject to the following exceptions from Section 6.3 (TMED) of the Unified Development Code:

- Exceeds 12' maximum front setback (Sec. 6.3.5.B.)
- 80 percent impervious cover limitation (Sec. 6.3.5.B.) to allow:
 - Lot 1: 85.1% impervious cover
 - Lot 2: 87.3% impervious cover
 - Note: Lot 3 is under the maximum with 75.1% impervious cover
- Less than the 2-story building height requirements (Sec. 6.3.5.D.)
- Allowing a commercial surface parking lot (Sec. 6.3.6.D. prohibits commercial surface parking lots in T5-c)
- A drive-through would be permitted for a proposed restaurant (6.3.6.D. prohibits drive-through restaurants in T5-c)
- 1 tree per 12 parking spaces (Sec. 6.3.10.D. requires 1 tree per 10 parking spaces)
- 5 foot sidewalk with no 6 foot planting strip between curb and sidewalk to allow for the preservation of an existing sidewalk along Scott Blvd. (Sec. 6.3.11.B.5.)
- 8 foot sidewalk with no 6 foot planting strip between curb and sidewalk to allow for the preservation of an existing sidewalk along S. 31st Street (Sec. 6.3.11.D.2.)
- 50 foot maximum building façade length without articulation (Sec. 6.3.13.D. requires a 5-foot building offset at least every 50 feet of façade length)
- Two 8 foot x 9 foot freestanding single-tenant monument signs and two 12 foot x 10 foot multitenant monument signs (Sec. 6.3.16.C)

Part 2: The City Council approves a zoning change subject to the following conditions:

- Street lighting is consistent with the TMED lamp standards (lighting found along South 1st and South 5th Streets adjacent to Temple College)
- Pedestrian connections from South 31st Street and Scott Boulevard sidewalks to the retail development.

Part 3: The City Council directs the Director of Planning to make the necessary changes to the City Zoning Map accordingly.

Part 4: It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such phrase, clause, sentence, paragraph or section.

Part 5: This ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

Part 6: It is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on First Reading and Public Hearing on the 2nd day of October, 2014.

PASSED AND APPROVED on Second Reading on the 16th day of October, 2014.

THE CITY OF TEMPLE, TEXAS



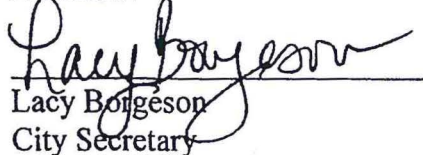
DANIEL A. DUNN, Mayor

APPROVED AS TO FORM:



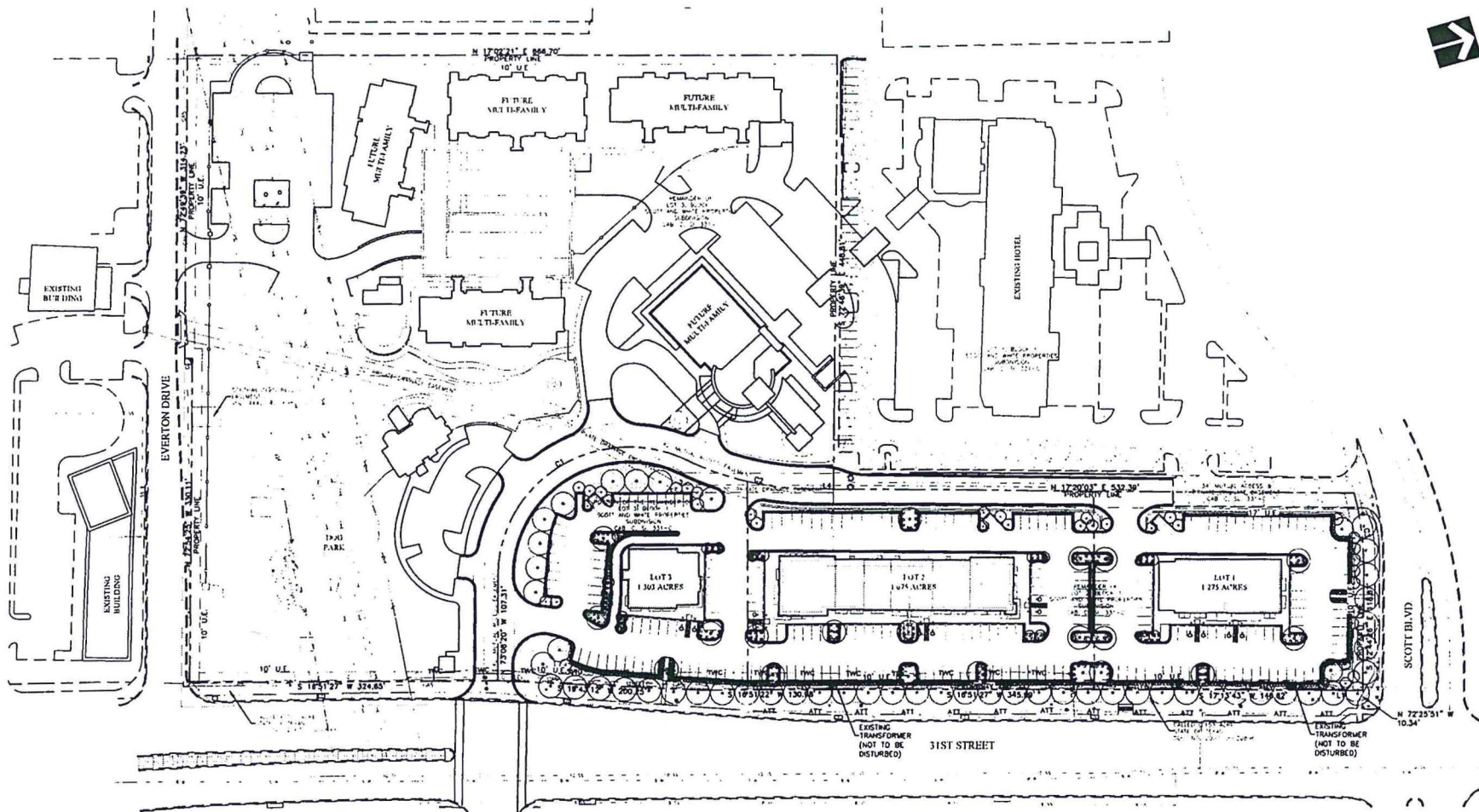
Kayla Landeros
City Attorney

ATTEST:



Lacy Borgeson
City Secretary





LANDSCAPE REQUIREMENTS - TIMED PUBLIC FRONTAGE

LOT NO.	TOTAL LINEAR FT.	1 TREE PER 25 LF	TOTAL PROVIDED	2 SHRUBS 30" O.C.	4" GROUNDCOVER 15" O.C.
1	255.00	10	10	AT CONSTRUCTION PLANS	
2	345.33	14	14	AT CONSTRUCTION PLANS	
3	273.85	11	11	AT CONSTRUCTION PLANS	
TOTAL	874.18	35	35	AT CONSTRUCTION PLANS	

LANDSCAPE REQUIREMENTS - TIMED OVERALL TOTAL

LOT NO.	TOTAL SQ. FT.	20% REQUIRED	TOTAL PROVIDED	1 TREE & 4 SHRUBS (600)	PROVIDED TREES & SHRUBS
1	54,743.84	11,348.77	6,480.10	19 / 78	28 / 304
2	77,844.78	15,568.96	9,254.25	26 / 84	38 / 201
3	55,539.18	11,107.84	13,630.85	18 / 78	25 / 181
TOTAL	188,127.80	37,025.57	31,365.20	65 / 240	111 / 586

**TOTALS INCLUDE SCREENING SHRUBS, PUBLIC FRONTAGE AND 20% REQUIREMENTS

LANDSCAPE NOTES

- PRIOR TO BEGINNING CONSTRUCTION, THE CONTRACTOR SHALL COORDINATE DEMOLITION OF EXISTING STRUCTURES, PAVEMENT SECTIONS, VEGETATION, ETC. WITH OWNER.
- EXISTING UTILITIES WERE LOCATED BY FIELD RESEARCH/OBSERVATION. PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL FIELD VERIFY UTILITY LOCATIONS AND COORDINATE UTILITY REMOVAL AND RELOCATION WITH OWNER AND APPROPRIATE UTILITY COMPANY.
- PRIOR TO INSTALLATION, LANDSCAPE CONTRACTOR SHALL COORDINATE THE TYPE AND LOCATION OF NEW GRASS, TREES AND SHRUBBERY WITH OWNER.
- NO REQUIRED LANDSCAPING SHALL BE PLANTED IN SUCH A MANNER TO ADVERSELY AFFECT DRAINAGE OR UTILITY EASEMENTS.
- ALL AREAS NOT COVERED BY IMPERVIOUS SURFACES SHALL HAVE NEW GRASS SOD, GRASS SEEDING, MULCH, WASHED GRAVEL, ROCK, SAND OR OTHER DECORATIVE COVERS.
- TURF AREAS TO BE SOODED OR HYDROMULCHED SHALL BE BERMAUDA, BUFFALO GRASS OR OTHER DROUGHT TOLERANT CITY OF TEMPLE APPROVED GRASS.
- PROPOSED NEW TREES SHALL BE OF SPECIES ON THE CITY OF TEMPLE TIMED APPROVED TREE LIST.

CURVE TABLE

LINE	LENGTH	RADIUS	DELTA ANGLE	CHD BEARING	CHD LENGTH
C1	268.84'	132.67'	118°08'50"	N 15°02'55" W	223.20'
C2	137.09'	300.00'	28°10'59"	N 29°50'00" E	135.90'
C3	64.81'	331.40'	15°07'07"	S 79°28'12" E	64.54'

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 17°34'18" W	50.04'
L2	S 81°20'50" W	3.19'
L3	S 18°23'36" W	7.93'
L4	S 18°49'21" W	18.92'



Date: 8/10/14
Revisions: Revised per City of Temple comments.

PRELIMINARY LANDSCAPE PLAN

DRAWING STATUS

DATE: 8/10/14
BY: J. FULLER
CHECKED: J. FULLER
APPROVED: J. FULLER
REVISIONS: 01
REVISIONS: 02
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SHOPPES ON THE HILL
NEW SITE DEVELOPMENT
TEMPLE, TEXAS



CLARK & FULLER
CIVIL ENGINEERING • DESIGN • PLANNING

Project No: 141489.00
Date: 8-10-14
Designed By: J. Fuller
Drawn By: J. Fuller
Check By: J. Fuller
Approved By: J. Fuller

SP1.2

ORDINANCE NO. _____

(PLANNING NO. TMED-FY-16-01)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AMENDING ORDINANCE NO. 2014-4689 FOR A TEMPLE MEDICAL EDUCATION DISTRICT PLANNED DEVELOPMENT DISTRICT SITE PLAN ON APPROXIMATELY 1.27 ACRES, LOT 1, BLOCK 1, SHOPPES ON THE HILL SUBDIVISION, TO ALLOW FOR A DRIVE THROUGH RESTAURANT, LOCATED AT 2304 SOUTH 31ST STREET; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the applicant has submitted a site plan for a proposed restaurant with a drive-through on approximately 1.27 acres, lot 1, block 1, Shoppes on the Hill Subdivision, located at 2304 South 31st Street;

Whereas, the property is currently zoned PD TMED T5-c (Ordinance Number 2014-4689) – the current zoning allows for a drive-through to be permitted for a proposed restaurant on lot 3, but the additional drive-through proposed on lot 1 requires a site plan submittal, a Planning & Zoning review and City Council approval;

Whereas, at its March 7, 2016 meeting, the Planning & Zoning Commission recommended approval of the amended site plan; and

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

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

Part 1: The City Council amends Ordinance No. 2014-4689, to authorize a drive-through restaurant on lot 1, block 1, Shoppes on the Hill Subdivision, located at 2304 South 31st Street, and more particularly described in the site plan attached hereto as Exhibit A.

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

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

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

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

PASSED AND APPROVED on First Reading and Public Hearing on the 7th day of **April**, 2016.

PASSED AND APPROVED on Second Reading on the 21st day of **April**, 2016.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

04/07/16
Item #13
Regular Agenda
Page 1 of 5

DEPARTMENT/DIVISION SUBMISSION & REVIEW:

Brian Chandler, Director of Planning

ITEM DESCRIPTION: FIRST READING – PUBLIC HEARING - Z-FY-16-10 – Consider adopting an ordinance authorizing a rezoning from Commercial (C) to Planned Development-Commercial (PD-C) Freeway Retail/Commercial Sub-District, I35 Overlay Corridor, to authorize additional land uses; modify landscaping, architectural and outdoor storage standards; and modify triggers for applicability of I35 Overlay standards; on Lot 1, Block 2 (less strip conveyed for I35 ROW) (3.643 acres), and Lot 2, Block 1, (1.241 acres), Walker Saulsbury Commercial Subdivision Phase III, and A0550BC CS Masters OB 553 (3.204 acres).

The applicant has requested a Planned Development District rezoning that would allow for the following uses by right on the different properties addressed above, which are uses currently either prohibited or require a Conditional Use Permit (CUP) within the Freeway Retail/Commercial sub-district of the I-35 Corridor Overlay within which 1701 Jack White and 1702 Bray Street are located and 615 North General Bruce is located in the Overlay if it is developed used, managed, or marketed as a group that includes a tract of land within the Overlay:

1. Multiple-family dwelling (apartment)
2. Auto storage or auto auction
3. Boat sales, repair and storage of retail inventory
4. Building material sales
5. Childcare facility
6. Contractor storage and equipment yard
7. Greenhouse or nursery (retail)
8. Heavy machinery sales, leasing, repair and storage of retail and rental inventory
9. Major vehicle repair
10. Minor vehicle servicing

The request also includes an appeal to the following Freeway Retail/Commercial sub-district standards within the I-35 Corridor Overlay for all three addresses:

1. Overall percentage of site landscaping (15% required)
2. Front landscape buffer
3. Rear landscape buffer
4. Side landscape buffer (interior and street sides)
5. Landscape buffers adjacent to public right-of-way
6. Exterior appearance of buildings and structures (Sec. 6.7.9.D.)

P&Z RECOMMENDATION: At their March 7, 2016 meeting, the Planning and Zoning Commission recommended approval of the following uses and decided to exclude the requested architectural and landscaping exceptions per Exhibit B (Planning & Zoning Commission Recommendation Uses):

1. Allow the following uses **by right**:
 - a. Multiple-family dwelling (apartment)
 - b. Child care facility
 - c. Minor vehicle servicing (occurs inside the building by definition)
2. Allow the following uses **by right within existing buildings with appropriate buffering and screening** (combo of ornamental fencing and landscaping similar to Asco in Belton, TX) **and with a CUP on vacant property**:
 - a. Boat sales, repair and storage of retail inventory
 - b. Building material sales
 - c. Contractor storage and equipment yard
 - d. Greenhouse or nursery (retail)
 - e. Heavy machinery sales, leasing, repair and storage of retail and rental inventory
 - f. Major vehicle repair
3. Other recommendations included:
 - a. Allowing basic interior and exterior improvements of existing facilities without triggering other I-35 Corridor Overlay standards
4. With the following conditions:
 - a. The development plan (site plan) required for a Planned Development District property would consist of an aerial photograph documenting the location of existing facilities
 - b. Granting the Planning Director authority to approve a site plan for the expansion of a permitted use identified in #2 above at 1701 Jack White Street to the undeveloped rear half of the lot without P&Z and City Council approval, as long as appropriate fencing and or landscaping is agreed upon to buffer the use while still improving the aesthetics of the public frontage
 - i. An appeal to the Planning Director's recommendation could be made to P&Z, followed by City Council for a decision
 - c. Expansion of 1701 Jack White to the rear would, however, require a sidewalk per Sec. 6.7.5.E.10. and Sec. 8.2.3.B. of the Unified Development Code (UDC)

STAFF RECOMMENDATION: At the March 7, 2016 P&Z meeting staff presented additional recommendations related to landscaping and architectural standards for the undeveloped property consistent with I-35 Corridor Overlay concepts presented to City Council during previous workshops. P&Z preferred to address only the permitted use part of staff's recommendation.

ADDITIONAL BACKGROUND: Staff has met with the applicant, A. Lloyd Thomas (Aldrich-Thomas Group, Inc.), and his representatives multiple times to discuss rezoning the property to Planned Development District, the result of which included staff agreeing to support the following objectives of the property owner:

- Provide additional flexibility in the land uses permitted to allow additional types of large machinery retail to occupy the existing facilities
- Require additional buffering with combination of ornamental fencing and landscaping for uses with outdoor storage of inventory

- Allow for interior renovation work and basic exterior “facelift” maintenance and improvements within the existing facilities without triggering other I-35 Corridor Overlay standards

At P&Z, staff also recommended the following architectural and landscaping standards for the undeveloped lot (1702 Bray Street) that are consistent with concepts previously presented at City Council workshops:

a. 1702 Bray Street

- i. The following exceptions to the existing I-35 Corridor Overlay standards apply to new construction on-site, which are consistent with concepts presented to P&Z and City Council during previous code amendment workshops:
 1. Allow for public right-of-way to count towards buffer width requirements, as long as the 10% of overall irrigated site landscaping (on private property) is still met
 2. Allow for qualifying 2-inch diameter-at-breast height trees
 3. Allow for non-permanent irrigation of landscaping to be approved by the Planning Director, subject to the following:
 - a. 15% of site is landscaped, including right-of-way landscaping; or 20% of site is landscaped, excluding right-of-way landscaping
 - b. Decomposed granite, pea gravel or river rock and mulch is allowed instead of sod in beds (combination of 1 of the above types of rock and mulch required in each bed); weed barrier must be installed, as well
 - c. Utilization of slow release watering bags for trees
 - d. Temporary above-ground sprinkler system is used to establish the vegetation
 - e. Shrubs and trees all need to be drought-tolerant species
 - f. All other Overlay shrub and tree planting requirements are met
 - g. Reinforce the general landscaping standards requiring that landscaping needs to be watered or replaced within 30 days of dying
 4. Lighting would just need to be full cut-off to prevent light trespass vertically and to neighboring properties
 5. No foundation planting is required on a drive-through window side if applicable
 6. Lower window percentages from 40% to 20% on front and sides
 7. Provide flexibility for either the 4' building footprint offset entry requirement or a combination of 2 of the following:
 - a. Canopies, awnings or porticos
 - b. Other architectural recesses or projections, including pilasters
 - c. Arcades
 - d. Cupola or tower elements
 - e. Parapets

The applicant has requested address changes through our IT Department (GIS Division) from 1701 Jack White Street to 1701 North General Bruce Drive and from 615 North General Bruce Drive to 615 Jack White Street.

SURROUNDING PROPERTY AND USES:

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

<u>Direction</u>	<u>FLUP</u>	<u>Zoning</u>	<u>Current Land Use</u>
Site	Auto-Urban Commercial	C	Car dealership (most recently)
North	Auto-Urban Commercial	LI	Plumber fixtures retail
South	Auto-Urban Commercial	GR	Vacant car dealership
East	Public Institutional	C	Temple HS & ministry facility
West	Auto-Urban Commercial	GR and C	Restaurant and hotel

COMPREHENSIVE PLAN COMPLIANCE:

The proposed rezoning relates to the following goals, objectives or maps of the Comprehensive Plan:

CP	Map 3.1 - Future Land Use and Character (FLUP)	Yes
CP	Map 5.2 - Thoroughfare Plan	Yes
CP	Goal 4.1 - Growth and development patterns should be consistent with the City's infrastructure and public service capacities	Yes

CP = Comprehensive Plan

Future Land Use Map (CP Map 3.1)

The entire area is shown as Auto-Urban Commercial. According to the Comprehensive Plan, "Auto-Urban Commercial" is for the majority of the areas identified for commercial use, generally concentrated at intersections versus strip development along the major roads."

Thoroughfare Plan (CP Map 5.2)

The site is located along an Expressway (IH-35), while North 31st Street is considered a Minor Arterial.

Availability of Public Facilities (CP Goal 4.1)

6", 8" and 12" water lines, as well as 18", 24" and 30" sewer lines are available to serve the property.

PUBLIC NOTICE: Nine notices of the public hearing were sent out to property owners within 200-feet of the subject property as required by State law and City Ordinance. Zero (0) notices have been returned to date.

The newspaper printed notice for the Planning and Zoning Commission public hearing on February 25, 2016 per UDC requirements.

FISCAL IMPACT: N/A

ATTACHMENTS:

Application

Aerial Exhibit "A" (substitute for "Site or Development Plan")

P&Z recommendation uses (Exhibit "B")

Previous correspondence with applicant

Zoning map

Future Land Use map

Utility map

Neighbor notification map

Sec. 8.2.3.B of the UDC (sidewalk required on North 31st Street)

Asco Belton photo (desirable heavy machinery sales example)

Photos

Ordinance

City of Temple Universal Application

Rev. 06-04-15

(Incomplete applications will not be accepted)

- | | | |
|---|---|---|
| <input type="checkbox"/> Sketch Plan | <input checked="" type="checkbox"/> Rezoning | <input type="checkbox"/> Appeal of Administrative Decision |
| <input type="checkbox"/> Plat Vacation | <input type="checkbox"/> Conditional Use Permit (CUP) | <input type="checkbox"/> Residential Masonry Exception |
| <input type="checkbox"/> Minor or Amending Plat | <input type="checkbox"/> Planned Development (PD) | <input type="checkbox"/> Nonresidential Masonry Exception |
| <input type="checkbox"/> Preliminary Plat | <input checked="" type="checkbox"/> PD Site Plan | <input type="checkbox"/> Park, Facility or Street Renaming |
| <input type="checkbox"/> Final Plat | <input checked="" type="checkbox"/> I-35 Appeal | <input type="checkbox"/> Cost Sharing Offsite Participation |
| <input type="checkbox"/> Variance (Board of Adjustment) | <input type="checkbox"/> I-35 Site Plan Review | <input type="checkbox"/> Exception |
| <input type="checkbox"/> Abandonment | <input type="checkbox"/> TMED Site Plan Review | <input type="checkbox"/> Street Use License (SUL) |
| | <input type="checkbox"/> TMED Variances/Warrants | <input type="checkbox"/> 1 st and 3 rd Overlay Appeal |

PROJECT INFORMATION:

☐ Residential ☒ Commercial ☒ Property Platted ☒ Property Not Platted ☐ ETJ

Project Name: Walker Saulsbury Commercial Subdivision Parcel(s) Tax ID# (Required): 56521 and 25182 and 56520

Project Address (Location): 1702 Jack White and 1702 Bray (ES I-35), Temple Total Acres: 8.008

Lot: _____ Block: _____ Subdivision: _____

Cabinet #: _____ Slide #: _____

Outblock (if not platted): (see legal description attached as Exhibit "A")

Brief Description of Project: Rezoning to allow for uses allowed under the property's base zoning, but prohibited under the I-35 Overlay District

Current Zoning Commercial # of Existing Lots 3 # of Existing Units _____

Proposed Zoning Commercial # of Proposed Lots 3 # of Proposed Units _____

APPLICANT / CONTACT INFORMATION: (This will be the primary contact; please ensure email address is legible)

Name: A. Lloyd Thomas Company Name: Aldrich-Thomas Group, Inc.

Address: 18 North 3rd Street City: Temple State: TX Zip: 76501

Phone: 254-773-4901 Cell #: 254-770-8287 Fax #: _____

Email Address: althomas@aldrich-thomas.com

PROPERTY OWNER INFORMATION:

Name: Harry Adams Company Name: JJA Properties, LP

Address: 7455 South General Bruce Drive City: Temple State: TX Zip: 76502

Phone: 254-773-5257 Cell #: _____ Fax #: _____

Email Address: _____

☐ DEVELOPER ☐ ENGINEER ☐ SURVEYOR INFORMATION: (Please ensure email address is legible)

Name: _____ Company Name: _____

Address: _____ City: _____ State: _____ Zip: _____

Phone: _____ Cell #: _____ Fax #: _____

Email Address: _____

VARIANCE / EXCEPTION / APPEAL DESCRIPTION: (Attach additional page if additional space is required)

Rezoning to allow for uses allowed under the property's base zoning, but prohibited under the I-35 Overlay District,
and appeal of landscape and building articulation requirements imposed by the I-35 Overlay District

RECEIVED

NOV 17 2015

City of Temple
Planning & Development

CHECKLIST--PER SUBMITTAL

City of Temple Universal Application

(Incomplete applications will not be accepted)

Rev. 06-04-15

Submittal Requirements <i>All Checklists are available on Planning Applications webpage</i>	All Plats	CUP & PD	Rezoning	Sketch Plan	I-35	I-35 Appeal	TMED	TMED Variance/Warrant	ZBA Variance	Masonry Exception	Appeal of Administrative Decision	Abandonment	Street Use License (SUL)
Complete Universal Application	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Utility Providers-see attached link http://www.templetx.gov/DocumentCenter/View/2920	✓												
Electronic copy (PDF) of all required materials submitted as hard copies (must be legible)	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Hard Copies for all submittals	5	2	1	5	2	2	2	2	1	1	1	1	1
Field Notes (<i>signed and stamped</i>) or Lot and Block Description	✓	✓	✓		✓	✓	✓	✓	✓			✓	✓
Site Plan Checklist		✓			✓	✓	✓	✓	*				
Plat Checklist	✓			✓									
I-35 Checklist					✓	✓							
TMED Checklist							✓	✓					
Abandonment Checklist												✓	
SUL Checklist													✓
Scaled Site Plan		✓			✓	✓	✓	✓	✓	✓	*	✓	✓
Drainage Letter or Drainage Report (for residential subdivisions)	✓												
Elevations		✓			✓	*	✓	*		✓			
Landscape Plan					*	*	*	*					
Lighting Plan					*	*	*	*					
Fee	✓	✓	✓	NA	NA	NA	NA	NA	✓	NA	NA	✓	✓
Survey												✓	✓
Broker's Opinion of Value or Appraisal												✓	
R-O-W abandonment ONLY												✓	

*May be required depending on nature of Appeal/Variance

Total valuation of proposed improvements for project in 1st & 3rd/TMED/I-35: \$ _____

FEE SCHEDULE

Abandonment
(3rd Party Broker's Opinion or Appraisal)
Board of Adjustment (Variance)

\$100.00 for filing fee only;
(3rd Party Broker's Opinion or Appraisal fee will be Applicant's responsibility)
\$ 75.00

*Preliminary/Final Plat

(MUST meet with a planner prior to submittal of request)

\$150.00 + \$3.00/lot (residential) or
\$10.00/acre (nonresidential)

Street Use License (SUL)

\$150.00 (renewed every 15 years)

*Rezoning/CUP/PD Site Plan

\$150.00 + \$3.00/acre (to match Ordinance No. 1948)

*The filing fee for a piece of property that is 3.125 acres in size would be a total of \$159.36 (\$150 + [\$3 x 3.12]). City staff uses the second decimal place when calculating a filing fee and does not round up or down.

BY SIGNING THIS APPLICATION, STAFF IS GRANTED ACCESS TO YOUR PROPERTY FOR SIGN POSTING AND PROPERTY ANALYSIS PURPOSES.

APPLICANT SIGNATURE: _____

Digitally signed by A. Lloyd Thomas
DN: cn=A. Lloyd Thomas, o=ATGM/CPD, ou, email=althomas@aldrich-thomas.com, c=US
Date: 2015.11.08 11:32:07 -0507

Print or Type Name: A. Lloyd Thomas

(property owner authorization required below if applicant is someone other than property owner)

I (property owner) hereby authorize A. Lloyd Thomas of Aldrich-Thomas Group, Inc.
(name) (company (if applicable))

to represent me in matters pertaining to this case.

Property owner's signature: _____

Property owner's name (print): JJA Properties, LP, c/o Harry Adams

Property owner's address: 7455 South General Bruce Drive, Temple, TX 76502

Property owner's phone#: 254-773-5257

Email address: _____

For Department Use Only

Project #: _____

Project Manager: _____

Total Fee(s): _____

Fee Credit: _____

Payment Method: _____

Submittal Date: _____

Accepted By: _____

Accepted Date: _____

RECEIVED
NOV 17 2015
City of Temple
Planning & Development

EXHIBIT “B”

Permitted Uses and Exceptions to Interstate 35 Corridor Overlay

Owner requests that the below-described permitted uses exceptions to the Interstate 35 Corridor Overlay (“Overlay”) be granted. These requests will allow for uses consistent with the current use of the subject property, which use pre-dates the implementation of the Overlay:

Uses Permitted by Right:

1. Automobile storage or auction (i.e., storage of vehicle inventory for sale or auction; specifically excluding salvaged or inoperable vehicles)
2. Boat sales, repair, and storage of retail inventory
3. Building material sales
4. Child care facility
5. Contractor storage and equipment yard
6. Greenhouse or nursery
7. Heavy machinery sales, leasing, repair and storage of retail and rental inventory
8. Major vehicle repair
9. Minor vehicle servicing
10. Multi-family dwelling (apartment)
11. Mixed-use multi-family dwelling (apartment) and retail

Exceptions – Dimensional Standards:

1. Minimum landscape: 10% of lot area, provided that Owner receives credit for landscaping located and maintained by Owner in public right of way adjacent to Owner’s property
2. Minimum landscape buffer: 25 feet front and adjacent to public street
10 feet rear (20 feet adjacent to residential)
10 feet interior side
20 street side
(with respect to the above, Owner will receive credit for landscaping located and maintained by Owner in public right of way adjacent to Owner’s property)
3. With respect to landscaping located within public right of way, Owner shall receive credit for landscaping maintained by Owner according to the specifications of the governing authority controlling said right of way, including, without limitation, the limitation that no vegetation located within TxDOT right of way may exceed thirty (30) inches in height.

Exceptions – Exterior Appearance of Buildings and Structures:

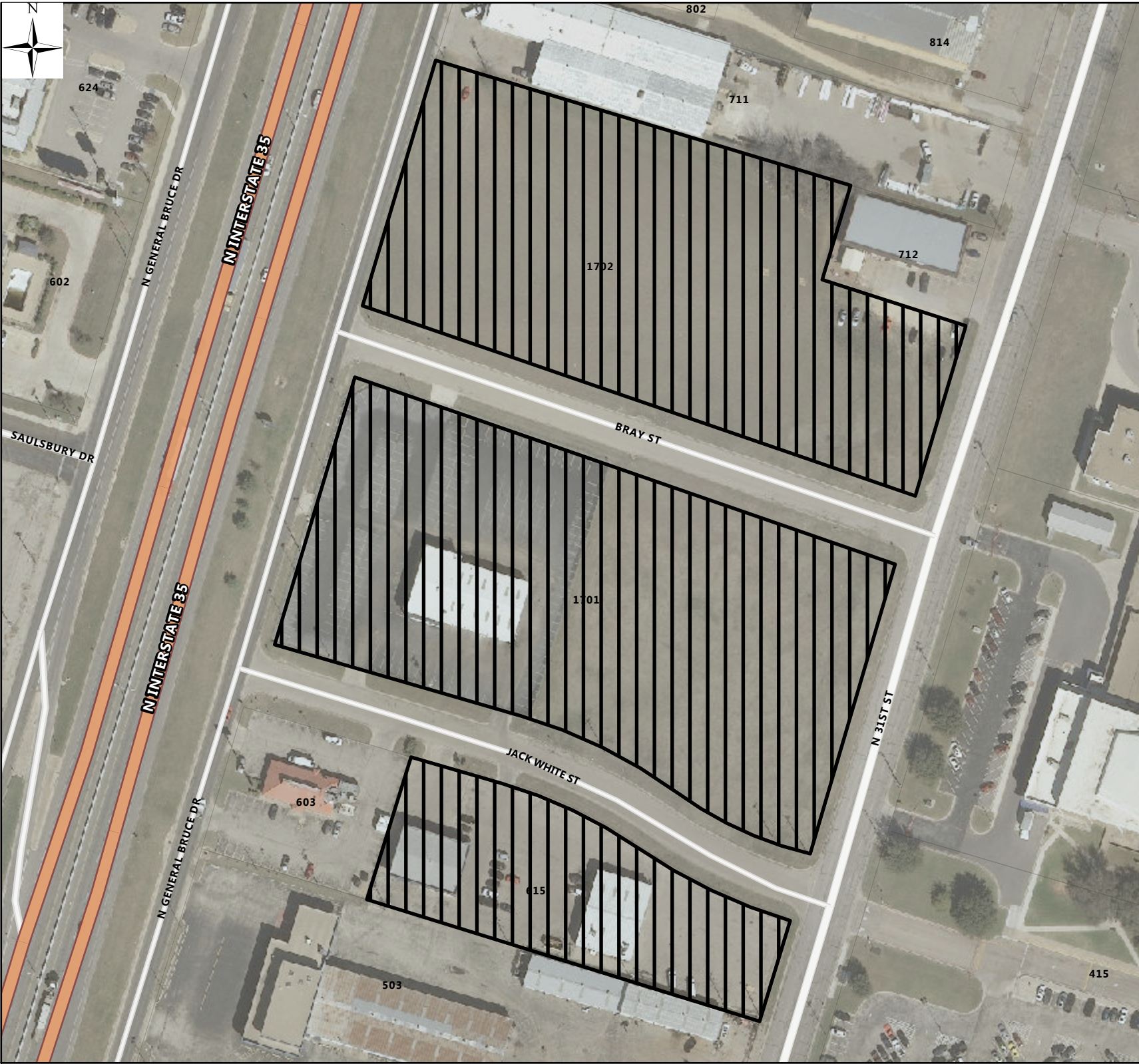
1. All buildings, including accessory buildings, may be architecturally finished on all sides in a manner consistent with the existing improvements located on the subject property.
2. Building entrances on the subject property may be articulated and defined in a manner consistent with the existing improvements located on the subject property.
3. The buildings and structures on the subject property shall not be required to adhere to the requirements of Section 6.7.9.D.2.b., 6.7.9.D.2.c., Section 6.7.9.D.2.d., Section 6.7.9.D.2.e., Section 6.7.9.D.2.f., or Section 6.7.9.D.3

Exceptions – Vehicle Sales/Vehicle Sales in Portion of Sub-district:

1. Parking aisle islands shall not be required.
2. Owner shall receive credit for the full width of landscape buffers located, in part, in public right of way adjacent to Owner's property.

Other Requests:

1. Allow for steel pipe fencing, such as what was reinstalled at the Old Johnson Bros. site
2. To not require screening for boat or machinery sales, as well as landscaping companies



Commercial
AERIAL MAP

Zoning Case :
Z-FY-16-10

Address: 1702 Bray St
1701 Jack White St
615 N General Bruce Dr

- Streets
- EXPRESSWAY
 - MAJOR ARTERIAL
 - COLLECTOR
 - LOCAL STREET
 - MINOR ARTERIAL
 - PRIVATE
 - RAMP
 - Railroad
- Temple Municipal Boundary
- Parcels
- ETJ Parcels
- CaseArea

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dredmond
Date: 2/24/2016



I-35 Corridor Overlay: Freeway Retail/Commercial Use Table
Planning and Zoning Commission Recommendation Uses (Exhibit "B")

Use	Freeway Retail/Commercial Code	Applicant Request	P&Z Recommends	With Limitations
Residential				
All Residential Uses listed in the use table in Sec. 5.1 except as follows:	Prohibited			5.3.1 through 5.3.7
Multiple-family dwelling (apartment)	CUP	Allow by right	Allow by right on all 3 properties	5.3.3
Recreational vehicle park	Prohibited			
Nonresidential				
Animal feed lot	Prohibited			
Animal shelter (public or private)	CUP			
Auto storage or auto auction	Prohibited	Allow by right	Cannot support the use at these locations	
Boat sales, <u>repair and storage of retail inventory</u> *	CUP	Allow by right	Allow in existing buildings by right with appropriate buffering and screening; Allow with CUP if property completely redeveloped	
Bottling works	Prohibited			
Building material sales*	Prohibited	Allow by right	Allow in existing buildings by right with appropriate buffering and screening; Allow with CUP if property completely redeveloped	
Car wash	CUP			
Child care facility	CUP	Allow by right	Allow by right on all 3 properties	5.3.9 and 5.3.10
Contractor storage and equipment yard*	Prohibited	Allow by right	Allow in existing buildings by right with appropriate buffering and screening; Allow with CUP if property completely redeveloped	
Correctional facility	Prohibited			
Day camp for children	Prohibited			
Drag strip or commercial racing	Prohibited			
Flea market (outdoors)	Prohibited			
Greenhouse or nursery (retail)	CUP	Allow by right	Allow in existing buildings by right with appropriate buffering and screening; Allow with CUP if property completely redeveloped	
Hatchery, fish or shrimp, fish farm	Prohibited			
Hatchery, poultry	Prohibited			
Heavy machinery sales, <u>leasing, repair and storage of retail and rental inventory</u>	Prohibited	Allow by right	Allow in existing buildings by right with appropriate buffering and screening; Allow with CUP if property completely redeveloped	
Industrial Uses listed in the use table in Sec. 5.1	Prohibited			
Kennel	Prohibited			
Livestock auction	Prohibited			
Major vehicle repair	CUP	Allow by right	Allow in existing buildings by right with appropriate buffering and screening; Allow with CUP if property completely redeveloped	5.3.22
Milk depot, dairy or ice cream plant	Prohibited			
Minor vehicle servicing	CUP	Allow by right since UDC already requires servicing to be done indoors	Allow by right on all 3 properties	5.3.23
Open storage of furniture, appliances or machinery	Prohibited			
Paint shop	CUP			
Sexually oriented business	Prohibited			
Shooting range (outdoor)	Prohibited			
Stable, residential or noncommercial	Prohibited			
Trailer, recreational vehicle, portable building or HUD- Code	Prohibited			
Transitional or emergency shelter	Prohibited			
Upholstery shop	CUP			
Veterinarian hospital (kennels)	CUP			
Wrecking or salvage yard	Prohibited			5.3.24

= allow with additional screening or ornamental fencing with existing facilities or with a CUP if undeveloped

= allow by right

= recommend upholding current prohibition of use

Brian Chandler

From: Brian Chandler
Sent: Tuesday, January 26, 2016 9:14 AM
To: A. Lloyd Thomas; Sam Fulcher
Cc: Leslie Evans
Subject: FW: Existing Old Johnson Bros. Pre-Owned Sales Facilities
Attachments: PD response.pdf

Gentlemen,

Please confirm whether you agree with the new scope to only apply to the existing facilities per the attached exhibit. If so, it would be preferable if you have an exhibit that you can provide as part of your application also showing the exact acreage. A BellCAD map would suffice. Otherwise, we can put one together for you. We just need you to confirm the scope of the request either way, which may result in a reduced zoning fee, as well. Thanks.

Brian

From: Brian Chandler
Sent: Monday, December 07, 2015 5:40 PM
To: 'A. Lloyd Thomas'; 'Sam Fulcher'
Cc: Barbara Morgenroth
Subject: Existing Old Johnson Bros. Pre-Owned Sales Facilities

Lloyd and Sam,

Based on our discussion today, I have made some notes on the request summary that you submitted to our office, which is attached. I've also attached an aerial photograph designating the existing facilities as "A" and "B."

My notes can be summarized as follows:

Property A

- Uses allowed by right, such as a car dealership can occupy the building, do basic repair and maintenance (including painting) without triggering other standards
- The uses highlighted in green could be included to be allowed by right with Planned Development, since they are still "retail" (as opposed to vehicle repair)
- Those with asterisks would require additional landscaping and an ornamental metal fence for screening purposes
- I've scratched out "repair, storage and rental" from the uses to keep what staff would recommend to be just sales
- For any use not permitted by right in the Overlay, your proposed landscaping standards of 10% getting credit for landscaping the right-of-way would apply (drought-tolerant trees and shrubs...might require a 200' hose)

Property B

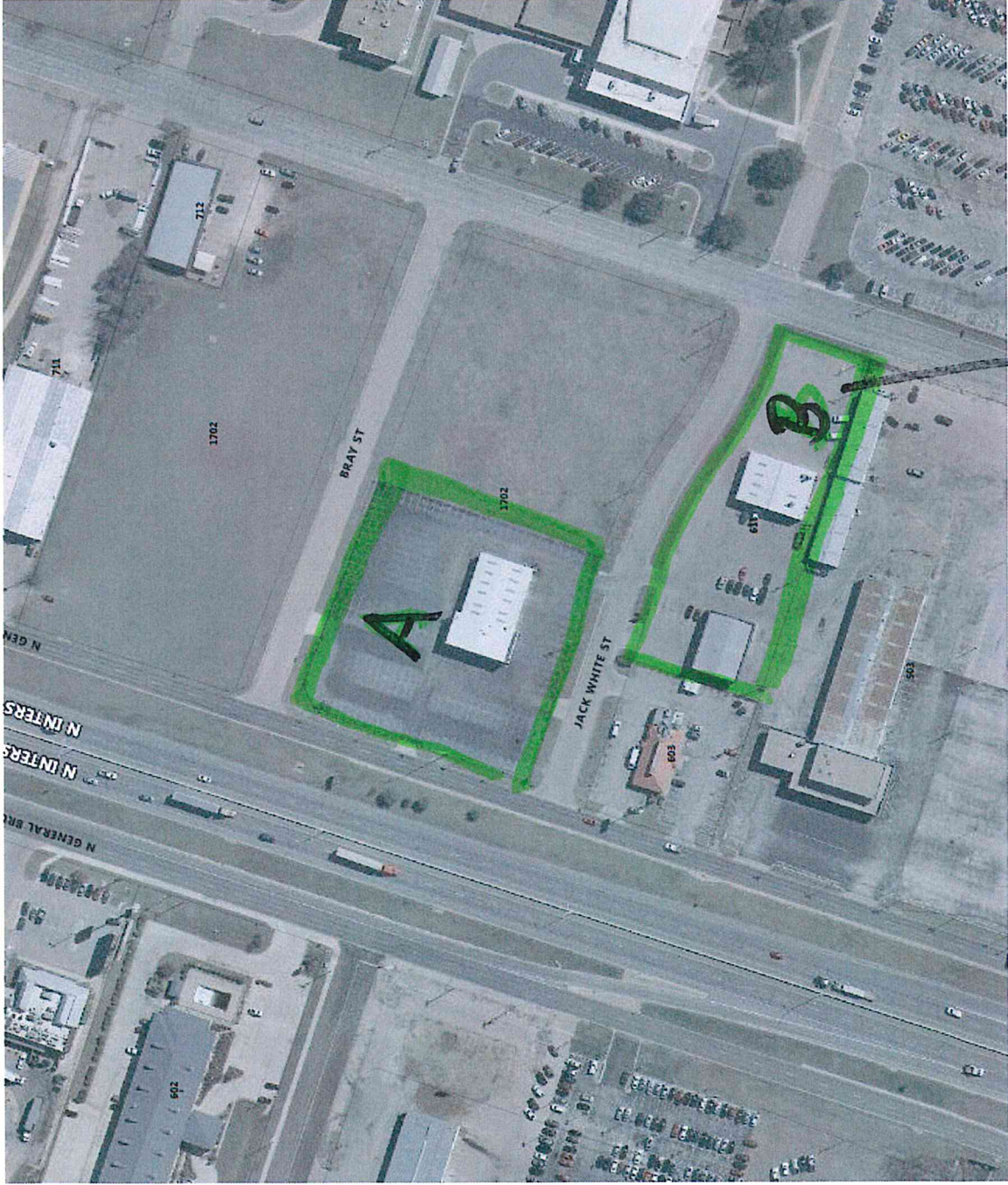
- Since it does not abut I-35, it would not be considered in the Overlay, unless it is "used, managed or marketed" together with a property that is in the Overlay, such as Property A
 - In that case, if it were a vehicle service garage associated with Property A or another accessory use for Property A, that standards adopted for Property A would apply and an associated vehicle service use to A could be allowed

We would also have to further evaluate the opportunities for future phases and expansion opportunities in the adjacent vacant properties at 1702 Jack White (to rear) and 1702 Bray.

Let me know if you have any questions. Thanks.

Brian

Brian L. Chandler, AICP
Director of Planning
City of Temple
(254) 298-5272



outside overlay unless "used
managed or marketed" w/ "A"

EXHIBIT "B"

Permitted Uses and Exceptions to Interstate 35 Corridor Overlay

Owner requests that the below-described permitted uses exceptions to the Interstate 35 Corridor Overlay ("Overlay") be granted. These requests will allow for uses consistent with the current use of the subject property, which use pre-dates the implementation of the Overlay:

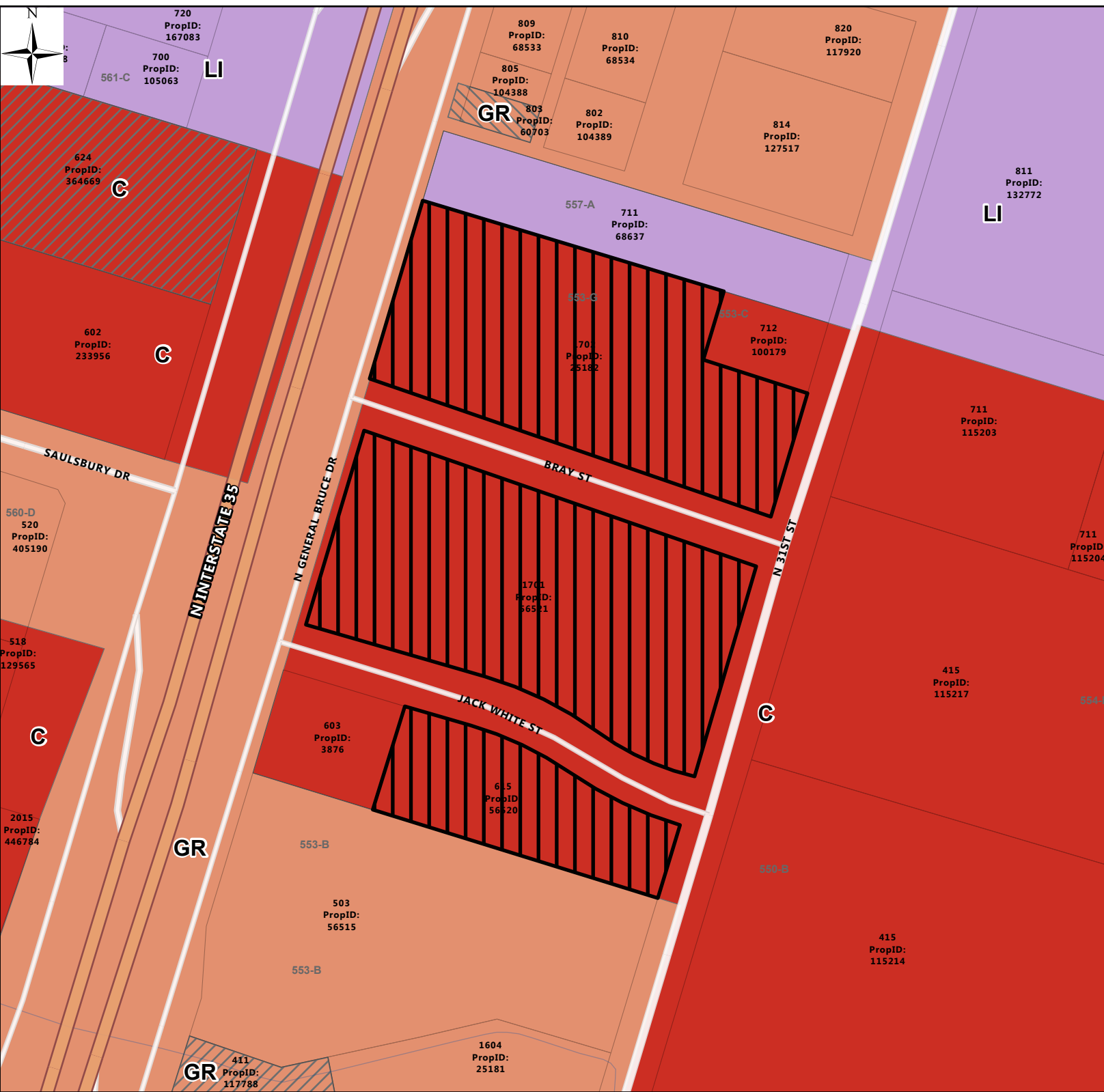
Uses Permitted by Right:

1. Automobile storage or auction
- * 2. ~~Boat sales or repair~~
- * 3. ~~Building material sales~~
4. Child care facility
5. Contractor storage and equipment yard
- * 6. ~~Greenhouse or nursery~~
- * 7. ~~Heavy machinery sales, storage, and repair (and rental)~~
8. Major vehicle repair
9. Minor vehicle servicing
10. Multi-family dwelling (apartment)
11. Mixed-use multi-family dwelling (apartment) and retail

* Would require additional landscaping or screening w/ at least an ornamental aluminum fence

Exceptions – Dimensional Standards:

1. Minimum landscape: 10% of lot area, provided that Owner receives credit for landscaping located and maintained by Owner in public right of way adjacent to Owner's property.
2. Minimum landscape buffer: 25 feet front and adjacent to public street
10 feet rear (20 feet adjacent to residential)
10 feet interior side
20 street side
(with respect to the above, Owner will receive credit for landscaping located and maintained by Owner in public right of way adjacent to Owner's property)
3. With respect to landscaping located within public right of way, Owner shall receive credit for landscaping maintained by Owner according to the specifications of the governing authority controlling said right of way, including, without limitation, the limitation that no vegetation located within TxDOT right of way may exceed thirty (30) inches in height.



Commercial ZONING MAP

Zoning Case :
Z-FY-16-10

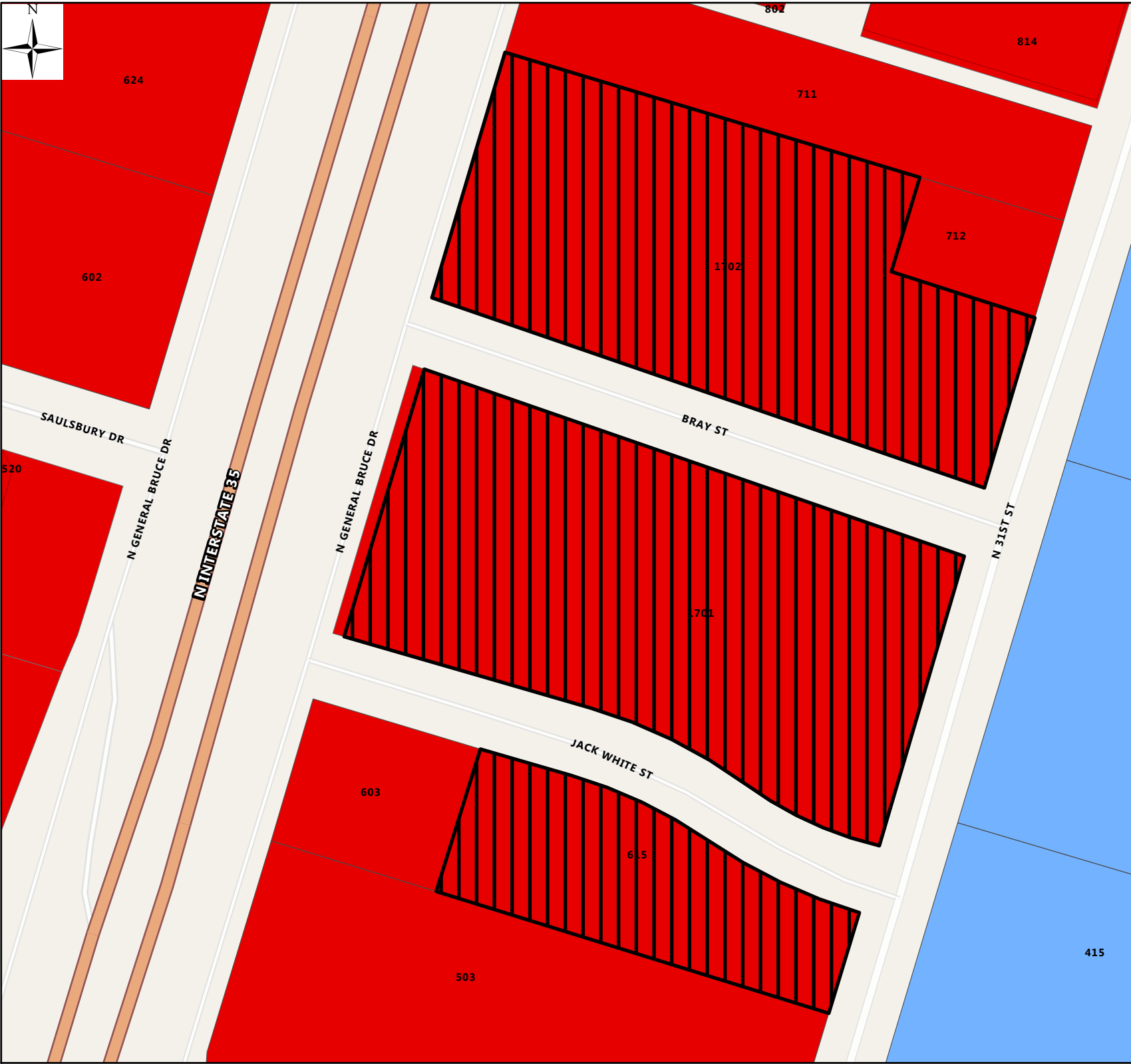
Addresses: 1702 Bray Street
1701 Jack White Street
615 N General Bruce Drive

CurrentZoning		
HI - CUP	O-1	AG - CUP
UE	O-1 - CUP	MH
UE - PD	O-1 - PD	MH - CUP
SF-1	O-2	MH - PD
SF-1 - CUP	O-2 - CUP	MU
SF-1 - PD	O-2 - PD	MU - CUP
SF-2	NS	SD-C
SF-2 - PD	NS - CUP	SD-C - CUP
SF-3	NS - PD	SD-H
SF-3 - PD	GR	SD-H - CUP
SF-3 - CUP, PD	GR - CUP	SD-T
SFA	GR - PD	SD-V
SFA-2	GR - CUP, PD	T4
SFA-2 - PD	CA	T4 - PD
SFA-3	CA - CUP	T4 - CUP
SFA-3 - PD	CA - PD	T5-C
2F	C	T5-C - CUP
2F - CUP	C - CUP	T5-C - PD
2F - PD	C - PD	T5-E
MF-1	C - CUP, PD	T5-E - CUP
MF-1 - CUP	LI	T5-E - PD
MF-1 - PD	LI - CUP	NO BASE
MF-2	LI - PD	CUP
MF-2 - CUP	LI - CUP, PD	PD
MF-2 - PD	HI	CaseArea
MF-3 - PD	HI - PD	
	AG	

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dredmond
Date: 2/24/2016





Commercial FUTURE LAND USE MAP

Zoning Case :
Z-FY-16-10

Address : 1702 Bray St.
1701 Jack White St.
615 S General Bruce Dr.

- EXPRESSWAY
- MAJOR ARTERIAL
- COLLECTOR
- LOCAL STREET
- MINOR ARTERIAL
- PRIVATE
- RAMP
- Parcels
- Future LUP
 - Agricultural/Rural
 - Auto-Urban Commercial
 - Auto-Urban Mixed Use
 - Auto-Urban Multi-Family
 - Auto-Urban Residential
 - Business Park
 - Estate Residential
 - Industrial
 - Neighborhood Conservation
 - Parks & Open Space
 - Public Institutional
 - Suburban Commercial
 - Suburban Residential
 - Temple Medical Education District
 - Urban Center
- CaseArea

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dredmond
Date: 2/24/2016





Commercial
UTILITY MAP

Zoning Case :
Z-FY-16-10

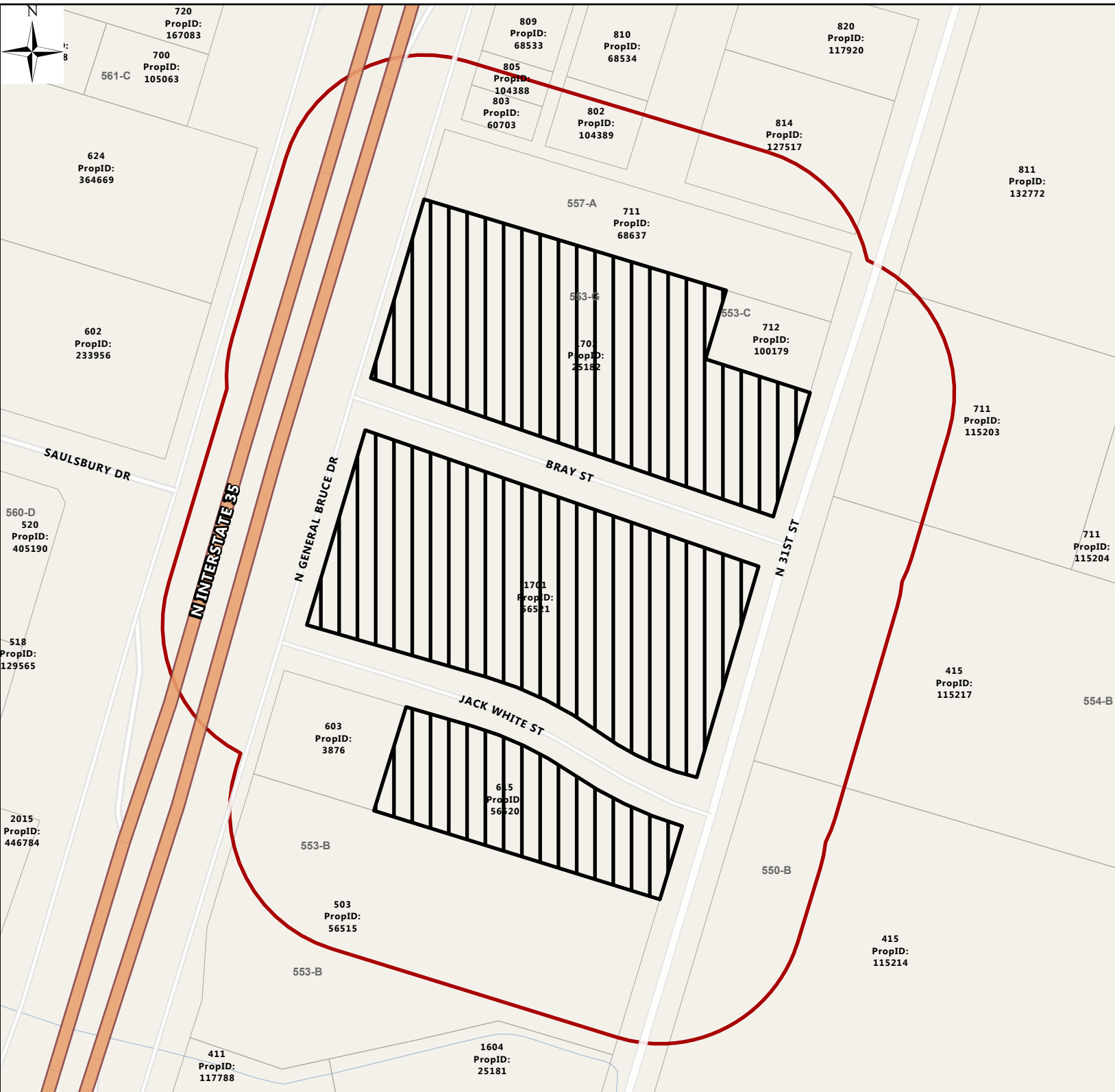
Addresses: 1702 Bray St
1701 Jack White St
615 N General Bruce Dr

- Manhole
- Gravity Main
- Hydrant
- Main
- Parcels
- CaseArea

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dredmond
Date: 2/24/2016





200'
NOTIFICATION MAP

Zoning Case :
Z-FY-16-10

Addresses: 1702 Bray Street
1701 Jack White Street
615 N General Bruce Drive



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dredmond
Date: 2/24/2016



8.2.2 Alleys

A. Generally

Alleys need not be provided unless the Planning & Zoning Commission requires them. Where alleys are required in residential blocks, the minimum public street right-of-way width of such alleys is 20 feet.

B. Intersection of Alleys

Where two alleys intersect or turn at right angles, a diagonal of not less than 10 feet from the normal intersection of the property line is required. At other angles the Director of Public Works must review the diagonal length.

C. Dead-End Alleys

Dead-end alleys are not permitted except if a Preliminary Plat provides for the extension of the alleys, in which case temporary turnarounds that meet the requirements set forth in the Design and Development Standards Manual must be provided.

8.2.3 Sidewalks and Trails

A. Purpose

The purpose of this subsection is to provide safe, continuous pedestrian access along arterial and collector streets, for linking residential areas, neighborhood services, retail services and public facilities.

B. Where Required

1. Sidewalks must be provided in the public street right-of-way, along both sides of arterial streets and along one side of collector streets.
2. The location of new sidewalks along a collector street must be in the established pattern, or as the Director of Planning determines, considering available public street right-of-way and existing or future infrastructure, or, all factors being equal, along the north and east sides of the collector. Sidewalks must be built in accordance with the Design and Development Standards Manual.

C. Dimensional and Construction Standards

Except as modified for Industrial Parks in subsection D below, the following standards apply to sidewalks citywide.



CASE
CONSTRUCTION



CASE
CONSTRUCTION
Allseco EQUIPMENT

EXIT NOW!
Now Open



4072 2415550000 FIRE LANE



Site (1702 Bray St.)



Site (1701 Jack White St.)



Site (1701 Jack White St.-rear half)



Site (615 N. Gen. Bruce Dr.)



Site (615 N. Gen. Bruce Dr.)



Property to North



Property to East



Property to West



Property to East



Property to South

ORDINANCE NO. _____

(PLANNING NO. Z-FY-16-10)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A REZONING FROM COMMERCIAL TO PLANNED DEVELOPMENT-COMMERCIAL FREEWAY RETAIL/COMMERCIAL SUB-DISTRICT, I-35 OVERLAY CORRIDOR, TO AUTHORIZE ADDITIONAL LAND USES , MODIFY OUTDOOR STORAGE STANDARDS, AND MODIFY TRIGGERS FOR APPLICABILITY OF I-35 OVERLAY STANDARDS ON LOT 1, BLOCK 2, AND LOT 2, BLOCK 2, WALKER SAULSBURY COMMERCIAL SUBDIVISION, PHASE III, AND A0550BC CS MASTERS OB 553; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the applicant has requested a Planned Development District rezoning that would allow for certain uses by right, and which uses are currently either prohibited or require a Conditional Use Permit within the Freeway Retail/Commercial sub-district of the I-35 Corridor Overlay;

Whereas, the properties located at 1701 Jack White, 1702 Bray Street and 615 North General Bruce are located within the Freeway Retail/Commercial sub-district of the I-35 Corridor Overlay as outlined in the site plan (aerial photograph) attached as Exhibit ‘A;’

Whereas, the applicant also requests the ability to provide basic interior and exterior renovations to the existing buildings without triggering additional I-35 Corridor Overlay standards;

Whereas, at its March 7, 2016 meeting, the Planning & Zoning Commission recommended approval of a number of appropriate uses by right and with a Condition Use Permit per Exhibit ‘B;’

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

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

Part 1: The City Council approves a rezoning from Commercial to Planned Development-Commercial Freeway Retail/Commercial Sub-District, I-35 Overlay Corridor, to authorize additional land uses, modify outdoor storage standards, and modify triggers for applicability of I-35 Overlay standards on lot 1, block 2 (less strip conveyed for I-35 ROW) (3.643 acres), and lot 2, block 1, (1.241 acres), Walker Saulsbury Commercial Subdivision Phase III, and A0550BC CS Masters OB 553 (3.204 acres), as outlined in Exhibit ‘A’ and ‘B’ attached hereto and made a part hereof for all purposes.

1. The following uses are allowed **by right**:

- multiple-family dwelling (apartment);
- child care facility; and
- minor vehicle servicing (occurs inside building by definition);

2. The following uses are allowed **by right within existing buildings with appropriate buffering and screening and with a conditional use permit on vacant property:**

- boat sales, repair and storage of retail inventory;
- building material sales;
- contractor storage and equipment yard;
- greenhouse or nursery (retail);
- heavy machinery sales, leasing, repair and storage of retail and rental inventory;
- major vehicle repair;

3. Basic interior and exterior improvements of existing facilities per Exhibit 'A' will not trigger other I-35 Corridor Overlay standards.

4. The following conditions apply:

(a) the development plan (site plan) required for a Planned Development District property will consist of the aerial photograph documenting the location of existing facilities (Exhibit 'A');

(b) The Planning Director is granted the authority to approve a site plan for the expansion of a permitted use identified in #2 above at 1701 Jack White Street to the undeveloped rear half of the lot without Planning & Zoning and City Council approval, as long as appropriate fencing and or landscaping is agreed upon to buffer the use while still improving the aesthetics of the public frontage:

- an appeal to the Planning Director's recommendation can be made to Planning & Zoning, followed by City Council for a decision; and

(c) expansion of 1701 Jack White to the rear would require a sidewalk per Sec. 6.7.5.E.10 and Sec. 8.2.3.B of the Unified Development Code;

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

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

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

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

PASSED AND APPROVED on First Reading and Public Hearing on the **7th** day of **April**, 2016.

PASSED AND APPROVED on Second Reading on the **21st** day of **April**, 2016.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney